



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Boxford Wetlands Protection Bylaw, Town Code Ch. 192 & 375

MassDEP File Number

Document Transaction Number

Boxford

City/Town

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



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

<u>Chapman Way</u>	<u>Boxford</u>	<u>01921</u>
a. Street Address	b. City/Town	c. Zip Code
<u>Latitude and Longitude:</u>	<u>42.67518N</u>	<u>70.99126W</u>
	d. Latitude	e. Longitude
<u>25-2-44; 25-1-1</u>		
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>Alan</u>	<u>Benson</u>	
a. First Name	b. Last Name	
<u>Town of Boxford</u>		
c. Organization		
<u>7A Spofford Road</u>		
d. Street Address		
<u>Boxford</u>	<u>MA</u>	<u>01921</u>
e. City/Town	f. State	g. Zip Code
<u>978-887-6000 x502</u>	<u>978-887-5361</u>	<u>abenson@town.boxford.ma.us</u>
h. Phone Number	i. Fax Number	j. Email Address

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

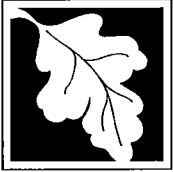
<u></u>	<u></u>	
a. First Name	b. Last Name	
<u></u>		
c. Organization		
<u></u>		
d. Street Address		
<u></u>	<u></u>	<u></u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>Richard</u>	<u>Tomczyk</u>	
a. First Name	b. Last Name	
<u>BTA/BOLT (Boxford Trails Association/Boxford Open Land Trust)</u>		
c. Company		
<u>Elm Street</u>		
d. Street Address		
<u>Boxford</u>	<u>MA</u>	<u>01921</u>
e. City/Town	f. State	g. Zip Code
<u>978-935-0703</u>	<u>Richard.tomczyk@outlook.com</u>	
h. Phone Number	i. Fax Number	j. Email address

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

<u>Fee Exempt</u>	<u>Fee Exempt</u>	<u>Fee Exempt</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

Replace existing boardwalk adjacent to the existing boardwalk. Leave existing boardwalk so not to disturb beaver dam.

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)?

1. Yes No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)
- 310 CMR 10.53(3)j. catwalks, footbridges, etc.

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Essex

a. County

10620

c. Book

b. Certificate # (if registered land)

573

d. Page Number

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

- 1. Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- 2. Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



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

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet _____	2. linear feet _____
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet _____ 12	2. square feet _____
c. <input checked="" type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet _____ 24 3. cubic yards dredged _____	2. square feet _____

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input checked="" type="checkbox"/> Bordering Land Subject to Flooding	12 1. square feet _____ 3. cubic feet of flood storage lost _____	2. square feet _____ 4. cubic feet replaced _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet _____ 2. cubic feet of flood storage lost _____	3. cubic feet replaced _____
f. <input checked="" type="checkbox"/> Riverfront Area	<u>Pye Brook/Lowe Pond</u> 1. Name of Waterway (if available) - specify coastal or inland _____	

2. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: 31,000 square feet

4. Proposed alteration of the Riverfront Area:

<u>3</u>	<u>3</u>	<u>0</u>
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.

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

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

3. Coastal Resource Areas: (See 310 CMR 10.25-10.35)

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



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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.

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
f. <input type="checkbox"/> Coastal Banks	1. linear feet _____	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet _____	
h. <input type="checkbox"/> Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet _____ 2. cubic yards dredged _____	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet _____	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above 1. cubic yards dredged _____	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet _____	

4. Restoration/Enhancement

If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

a. square feet of BVW _____

b. square feet of Salt Marsh _____

5. Project Involves Stream Crossings

a. number of new stream crossings _____

b. number of replacement stream crossings _____



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C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

- a. Yes No

If yes, include proof of mailing or hand delivery of NOI to:

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

October 1, 2017

b. Date of map

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.2.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 Endangered Species Review*

1. Percentage/acreage of property to be altered:

(a) within wetland Resource Area Less than 1 percent of 3.09 acres
percentage/acreage

(b) outside Resource Area _____
percentage/acreage

2. Assessor's Map or right-of-way plan of site

2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

(a) Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) Photographs representative of the site

* 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.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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

(c) MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/ mesa/ mesa_fee_schedule.htm). Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) Vegetation cover type map of site
- (e) Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following

1. Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/ mesa/ mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. Separate MESA review ongoing. a. NHESP Tracking # _____ b. Date submitted to NHESP _____

3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
- a. Not applicable – project is in inland resource area only b. Yes No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

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

North Shore - Hull to New Hampshire border:

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.



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

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
- a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
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?
- a. Yes No
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:
1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. A portion of the site constitutes redevelopment
 3. Proprietary BMPs are included in the Stormwater Management System.
- b. No. Check why the project is exempt:
1. Single-family house
 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

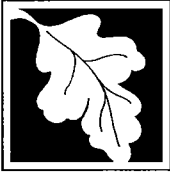
- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.



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D. Additional Information (cont'd)

- 3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.
- 4. List the titles and dates for all plans and other materials submitted with this NOI.

Site Plan in Boxford

a. Plan Title

Paul J. Donohoe

Paul J. Donohoe, PLS

b. Prepared By

c. Signed and Stamped by

10/5/2017

1" = 10'

d. Final Revision Date

e. Scale

Design of a Boardwalk at Lowe Pond Boxford, MA

9/8/2017

f. Additional Plan or Document Title

g. Date

- 5. If there is more than one property owner, please attach a list of these property owners not listed on this form.
- 6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
- 7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
- 8. Attach NOI Wetland Fee Transmittal Form
- 9. Attach Stormwater Report, if needed.

E. Fees

- 1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name



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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.

<p> 1. Signature of Applicant</p> <p>ALAN J. BENSON TOWN ADMINISTRATOR/CPO</p>	<p>10-10-12 2. Date</p>
<p>3. Signature of Property Owner (if different)</p>	<p>4. Date</p>
<p>5. Signature of Representative (if any)</p>	<p>6. Date</p>

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.



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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:

Chapman Way Boxford
 a. Street Address b. City/Town
 NA - Fee Exempt Fee Exempt
 c. Check number d. Fee amount

2. Applicant Mailing Address:

Alan Benson
 a. First Name b. Last Name
 Town of Boxford
 c. Organization
 7A Spofford Road
 d. Mailing Address
 Boxford MA 01921
 e. City/Town f. State g. Zip Code
 978-887-6000 ext502 978-887-5361 abenson@town.boxford.ma.us
 h. Phone Number i. Fax Number j. Email Address

3. Property Owner (if different):

a. First Name b. Last Name
 c. Organization
 d. Mailing Address
 e. City/Town f. State g. Zip Code
 h. Phone Number i. Fax Number j. Email Address

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

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.



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B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee:	NA
State share of filing Fee:	NA
City/Town share of filling Fee:	NA

a. Total Fee from Step 5
 b. 1/2 Total Fee **less** \$12.50
 c. 1/2 Total Fee **plus** \$12.50

C. Submittal Requirements

a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and a copy of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

Chapman Way/Lowe Pond, Boxford Footbridge/Boardwalk project description.

This project is the construction of a wooden footbridge/boardwalk at Lowe Pond, just east of Chapman Way, Boxford. There is an existing footbridge at this location that is flooded for much of the year due to beaver activity. In fact, the beavers have used the existing boardwalk as a support for their dam.

The replacement boardwalk will be constructed of marine grade ACQ pressure treated wood. It will be elevated over the pond by approximately 30 inches

The following is a description of the construction process as described by the builder: "The layout of the boardwalk will be established by setting stakes and strings across the pond. Working in the water, boots and waders will keep us dry, and we expect to use saw horses and planks to make temporary staging for post setting. At each end of the boardwalk, on dry land where the ground is loam and gravel, we will hand dig holes to a minimum of three feet of depth, or to an immovable stone. A length of straw-filled mesh erosion control tube can be used to surround each dig. Posts set in the pond will be pointed at ends and hand driven using a two-man driver. It is a steel box, about 65 pounds, with capped end and "D" handles on two sides. We drive posts through the organic material on the pond's bottom, until we meet material we cannot move through. A staging area near the cul-de-sac of the road is where we will store materials and do the cutting of boardwalk parts. Saw dust and wood scrap will be removed and taken to the G. Mello transfer station in Georgetown. We will be drilling holes in boardwalk parts over the water and while doing so will strive to catch the shavings."

The alignment of the proposed boardwalk has been carefully considered. All trees have been avoided and there will be minimal impact to soil due to the method of construction.

We have indicated on the NOI form that this project could qualify for a limited project per 310 CMR 10.53(3) j. catwalks, footbridges. To qualify for a limited project the Conservation Commission shall consider reasonable alternatives analysis is required for the limited project we offer the following:

The existing crossing is flooded much of the year and is impassable. As a major trail for hikers and equestrians it is a link to many other trails and is part of the Bay Circuit Trail. The alternatives to the proposed crossing that have been considered include, using the existing crossing in its present condition, improving the existing crossing and building a new crossing adjacent to the existing crossing.

Using the existing crossing in its present condition allows limited use since the existing crossing is flooded for up to 9 months of the year and since November 2016 has been flooded up to the present.

Improving the existing crossing would result in alteration of the existing beaver dam. Improvements to the existing crossing would alter the dam. The beavers would likely rebuild their dam (unless they were to be trapped) and may cause harm to the improved crossing.

By locating a new elevated boardwalk adjacent to and just downstream of the existing crossing the beaver dam would not need to be disturbed or destroyed. This will allow the wildlife habitat

to be maintained and will not alter the flora and fauna upstream of the existing crossing. It also allows the beavers to maintain the dam at the existing location and we expect that the beavers will not disturb the new crossing as their existing dam will be maintained. By maintaining the beaver dam and relocating the crossing an educational opportunity will be created, allowing visitors to see an active beaver pond with dam and lodge. This will result in approximately 12 square feet of land under water alteration.

Alteration of wetland resource areas, primarily land under water, will result from driving the boardwalk support posts into the ground.

Lowe Pond has been identified as having a rare plant. A survey of the project site has been completed and no rare plants have been identified in the project site. There is one small clump of plants that have been identified as being in the same genus of the rare plant. In order to be particularly cautious of this clump, the boardwalk has been aligned to avoid this area. In addition, the construction of the boardwalk is being done entirely by hand to minimize disturbance throughout the project. Please see additional information in the "Lowe Pond, Boxford – Survey for Sparganium Near Chapman Lane" completed by Jim MacDougall, September 5, 2017.

Lowe Pond, Boxford

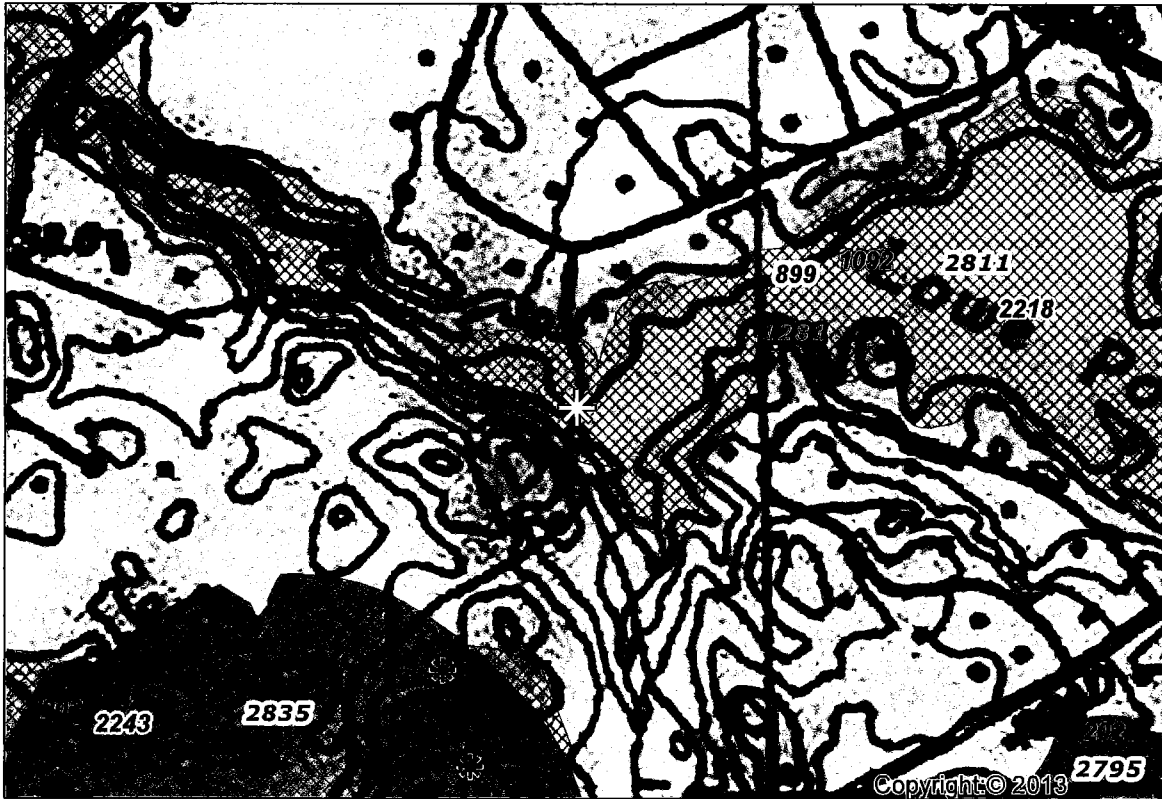
Survey for *Sparganium* near Chapman Lane

Jim MacDougall - September 5, 2017

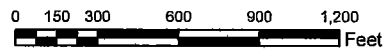


Project and Site Information

The project is planned to take place at the inlet to Lowe Pond along Pye Brook. The plan is to replace and improve a wooden bridge/boardwalk for the Town of Boxford. The proposed structure will be confined to the Chapman Lane right of way.



BioMap2 and Project Locus



The existing structure has been inundated from beaver activity including a lodge and a dam situated at and on the boardwalk. Beaver activity has eliminated aquatic vegetation immediately upstream (westerly) from the Pond. The photo below is taken in a south direction, west is to the right. A portion of the old boardwalk can be seen under the beaver dam in the middle of the photo.

The site is within estimated habitat for *Sparganium natans* which is the purpose of this survey which is to locate this species within the scope of work to replace this bridge and determine long and short-term impacts.

This is a report of this year's findings on a botanical survey for Arctic bur-reed in Boxford. This is in relation to the Town of Boxford's plans to build a new boardwalk at the location of an old boardwalk that has been buried by beavers.



Project Site- Existing Condition

Methods and Findings

My past experiences with *Sparganium natans* are as follows: I worked with Bruce Sorrie on the original Heritage survey of Boxford ponds for this plant in 1985. He and I did a



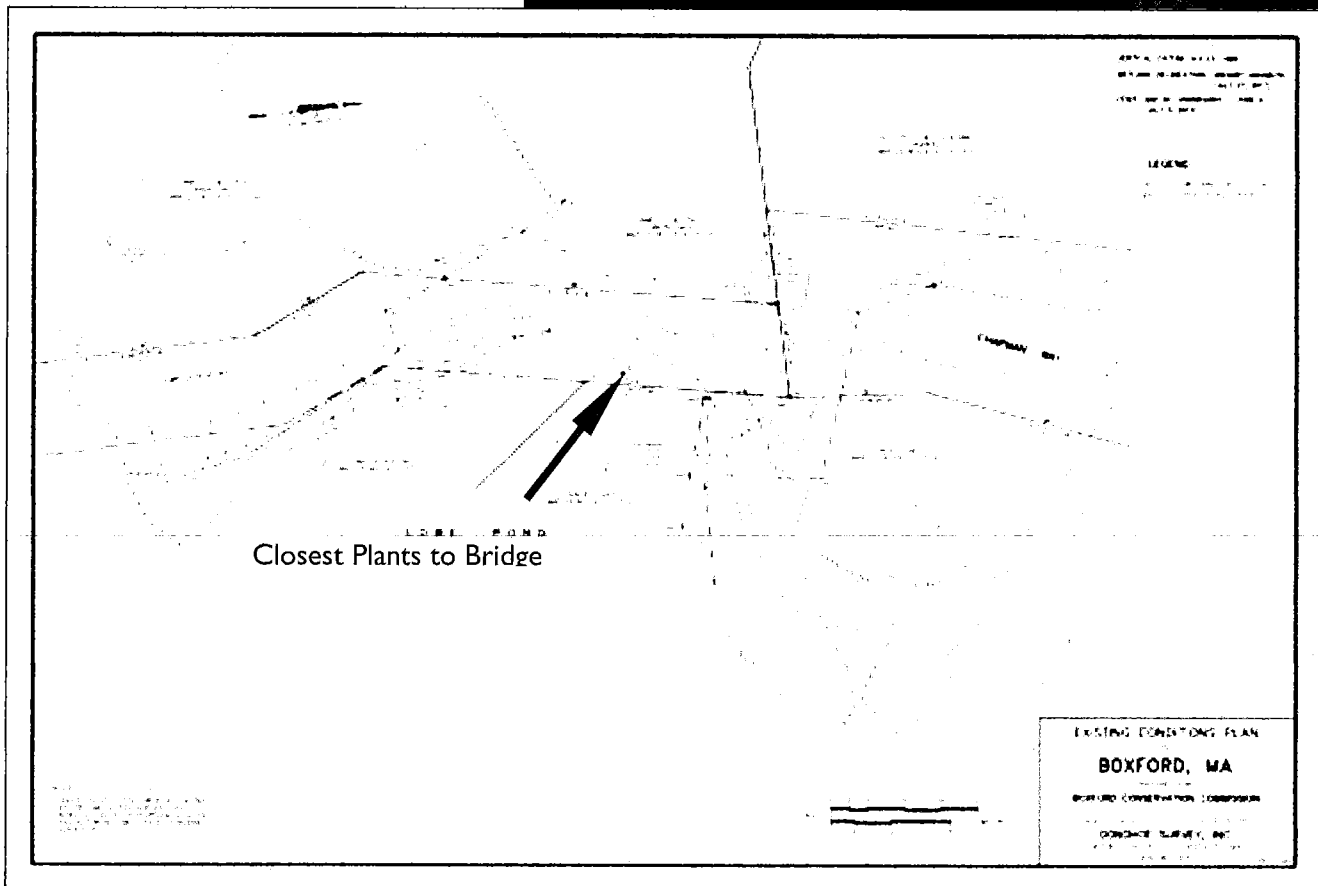
Sparganium emersum, Lowe Pond, Boxford

number of plant surveys in Essex County together and found this plant in some of the ponds. I revisited these ponds in 1990 to confirm their continued existence. More generally, I organized and participated in the 1992 survey of the Ipswich River basin for rare species including plants using remote sensing and ground-truthing with volunteers. This was in collaboration with MassWildlife's Steve MacRae, Scott Melvin and Paul Somers. The plant community analysis was shared with Pat Swain for inclusion in the Heritage's Plant Community assessment for Massachusetts.

To offer an accurate identification for this group of plants, I reviewed the species accounts on the Heritage web site, along with Crow and Hellquist, Haines, Gleason and Cronquist (Illustrated), Flora of North America and Harris' Flora of Essex County. I used inflorescence configuration, leaf width, cross section and posture, and number of staminate burs. I did not collect any plants.

I have visited the site four times, Sept 15, 2016, July 31, 2017, Aug. 1, 2017 and Sept. 6, 2017, to study the aquatics within the area of potential impact by the proposed structure. I have located all *Sparganium* plants immediate to the site and had them mapped by the land surveyor. All were in a vegetative state - posture and cross-section of leaf blades were noted. I also surveyed all the plants in the wider vicinity but well outside the area of potential impact from this project. There were plants in this wider area that did have flowers and a more accurate identification could be made. All leaves of all plants observed were emergent and had a keel or a triangular cross-section. All inflorescences observed further out in the pond had

more than one staminate inflorescences. Identification of all those *Sparganium* plants in flower turned out to be *Sparganium emersum*. Comparing the leaves of these plants with the leaves of all the plants, it is my opinion that there are no *Sparganium natans* in the immediate or wider vicinity of this project. Regardless of this finding, I have advised the project manager to avoid the group of *Sparganium* plants that were located very near the project site. They have agreed to do that so that no *Sparganium* plants will be impacted by this project during construction or in the long term.





AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act

(To be submitted to the Massachusetts Department of Environmental Protection and the Conservation Commission when filing a Notice of Intent)

I, Richard Tomczyk, hereby certify under the pains and penalties of perjury that on October 12, 2017 I gave notification to abutters in compliance with the second paragraph of Massachusetts General Law Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:

A Notice of Intent application was filed under Massachusetts Wetlands Protection Act by The Town of Boxford with the Town of Boxford Conservation Commission on, October 12, 2017 for property located within Chapman Way. 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.

Richard Tomczyk
Name

10-10-17
Date

MassDEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Town of Boxford Prepared by: Greg Hochmuth Project location: Chapman Way DEP File #: _____
 Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
- Method other than dominance test used (attach additional information)

Section I.

Vegetation	Observation Plot Number: WFB-7 Wet		Transect Number: WFB-7 Wet	Date of Delineation: 7/27/2017
A. Sample Layer & Plant Species (by common/scientific name)	B. Percent Cover (or basal Area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
Trees				
Red Maple Acer rubrum	40%	42%	YES	FAC*
White Pine Pinus strobus	30%	31%	YES	FACU
Red Oak Quercus rubra	25%	26%	YES	FACU-
Shrubs				
Pepperbush Clethra alnifolia	50%	62%	YES	FAC+*
Highbush Blueberry Vaccinium corymbosum	15%	19%	YES	FACW-*
Red Oak Quercus rubra	15%	19%	YES	FACU-
Ground Cover				
Skunk Cabbage Symplocarpus foetidus	20%	80%	YES	OBL*
Sensitive Fern Onoclea sensibilis	5%	20%	YES	FACW*

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus Sphagnum; plants listed as FAC, FAC+, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants: 5

Number of dominant non-wetland indicator plants: 3

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? YES

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent

Section II. Indicators of Hydrology

Other Indicators of Hydrology: (check all that apply & describe)

- Site Inundated: _____
- Depth to free water in observation hole: Surface
- Depth to soil saturation in observation hole: Surface
- Water marks: On Rocks, Logs and Trees
- Drift lines: _____
- Sediment Deposits: _____
- Drainage patterns in BWV: _____
- Oxidized rhizospheres: _____
- Water-stained leaves: _____
- Recorded Data (streams, lake, or tidal gauge; aerial photo; other):
Pye Brook/Lowe Pond
- Other: _____

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? Yes
 title/date: NRCs Web Soil Survey
 map number:
 soil type mapped: 257E - Hinckley
 hydric soil inclusions: No

Are field observations consistent with soil survey? Unknown
 Remarks: Area inundated

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color

Standing Water – Toe of Slope

Remarks:

3. Other:

Conclusion: Is soil hydric? Area Inundated

Vegetation and Hydrology Conclusion	Yes	No
Number of wetland indicator plants ≥ # of non-wetland indicator plants	X	
Wetland hydrology present:		
Hydric soil present		
Other indicators of hydrology present	X	
Sample location is in a BWV	X	

Submit this form with the Request for Determination of Applicability or Notice of Intent.

Section II. Indicators of Hydrology

Other Indicators of Hydrology: (check all that apply & describe)

- Site Inundated: _____
- Depth to free water in observation hole: _____
- Depth to soil saturation in observation hole: _____
- Water marks: _____
- Drift lines: _____
- Sediment Deposits: _____
- Drainage patterns in BWV: _____
- Oxidized rhizospheres: _____
- Water-stained leaves: _____
- Recorded Data (streams, lake, or tidal gauge; aerial photo; other):

- Other: _____

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? Yes
 title/date: NRCS Web Soil Survey
 map number:
 soil type mapped: 257E - Hinckley
 hydric soil inclusions: No

Are field observations consistent with soil survey? Yes
 Remarks: None at this time.

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
A	0-10	10YR3/2	-
Bw	10-18	7.5YR5/6	-

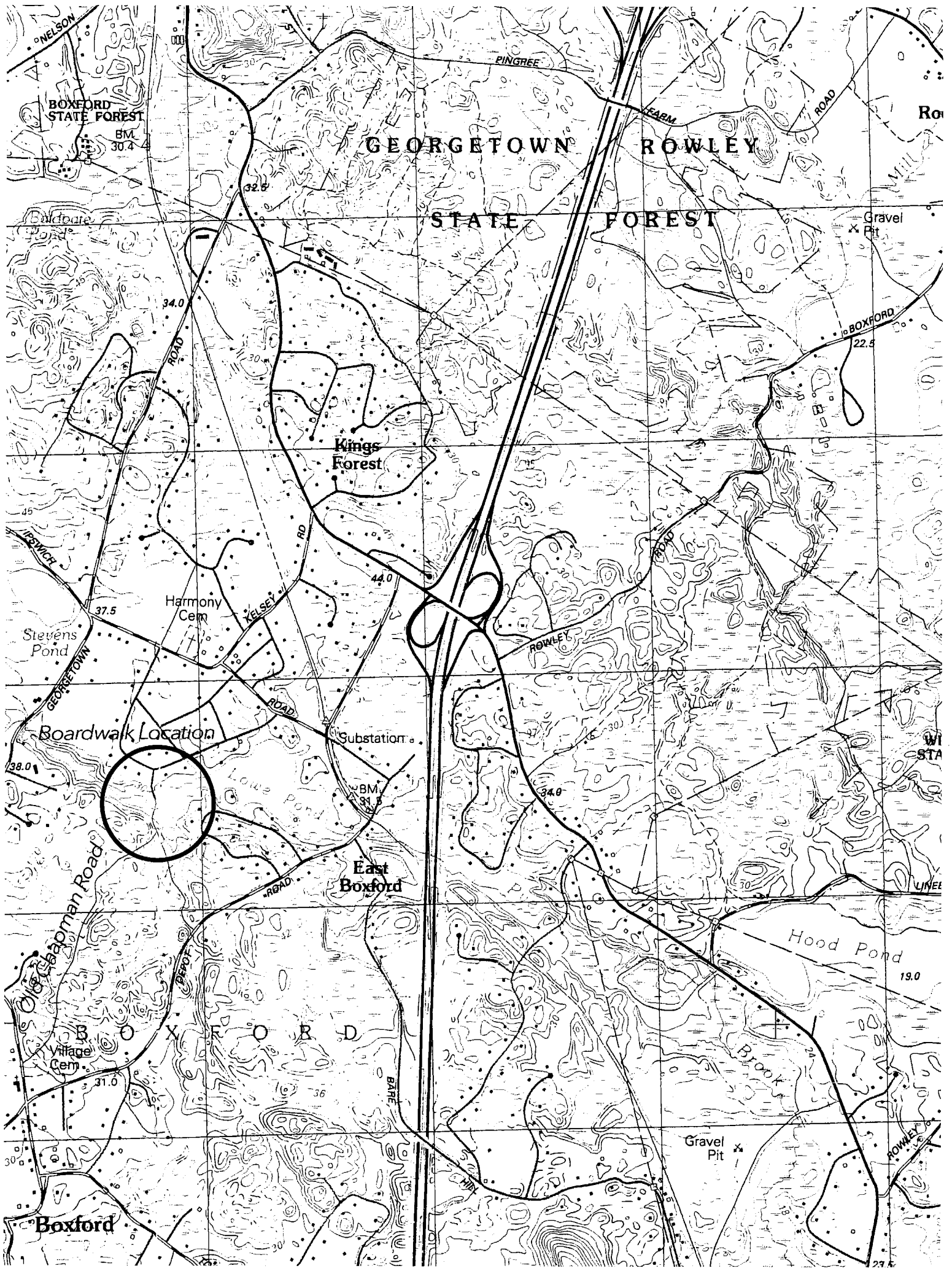
Remarks:

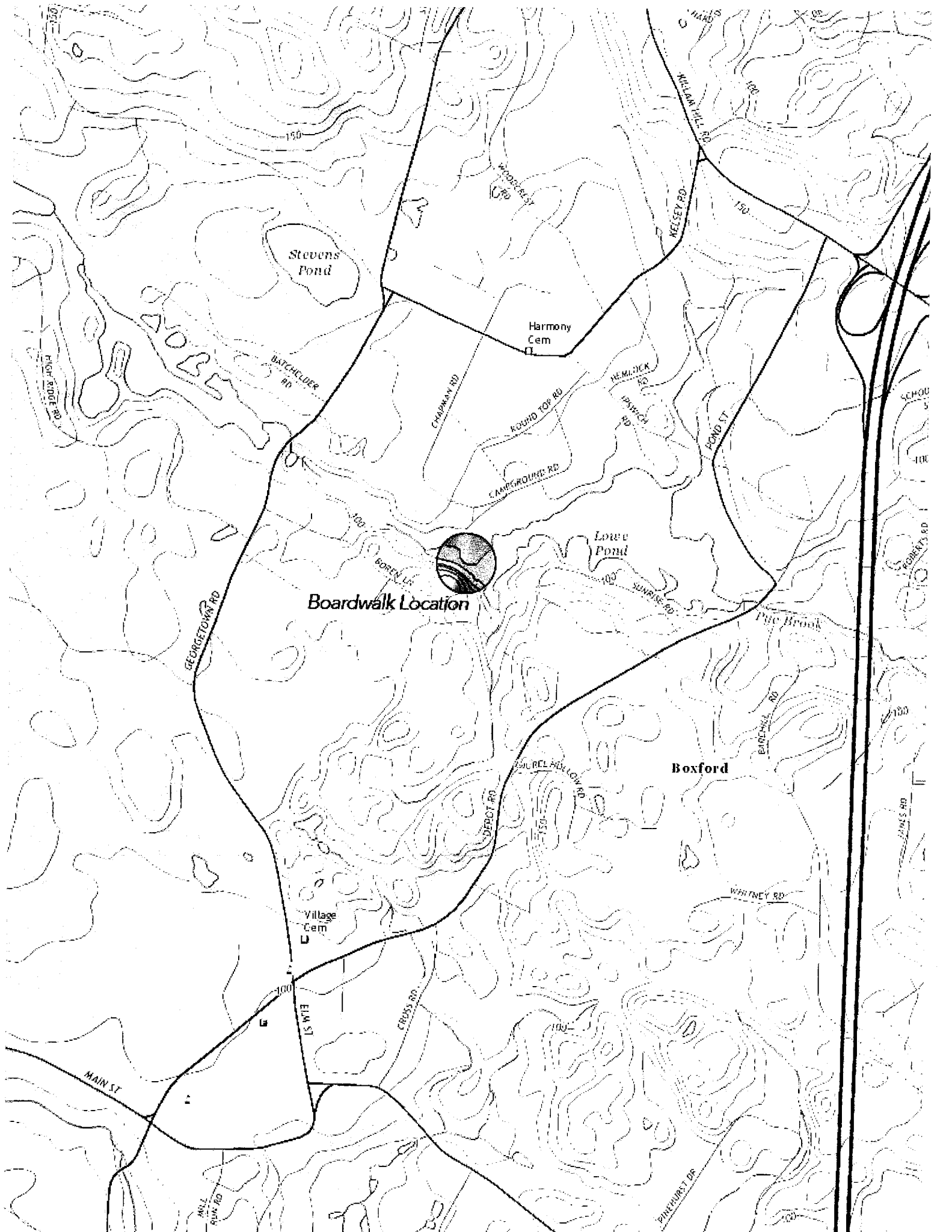
3. Other:

Conclusion: Is soil hydric? No

Vegetation and Hydrology Conclusion	Yes	No
Number of wetland indicator plants ≥ # of non-wetland indicator plants	X	—
Wetland hydrology present:		
Hydric soil present	—	X
Other indicators of hydrology present	—	X
Sample location is in a BWV	—	X

Submit this form with the Request for Determination of Applicability or Notice of Intent.





Boardwalk Location

Boxford

Stevens Pond

Harmony Cem

Low Pond

Village Cem

Pine Brook

Main St

Elm St

Cross Rd

Whitney Rd

Ans L
Riv Rd

Phelps T Dr

DEPOT RD

SOURCE HOLLOW RD

BARRETT RD

JAMES RD

ROBERTS RD

SCHOOL

POND ST

MEMPHIS RD

SPYGLASS RD

ROUND TOP RD

CAMPGROUND RD

CHAPMAN RD

BATCHELDER RD

KELSEY RD

WILSON HILL RD

WOLF CREEK

150

150

150

100

100

100

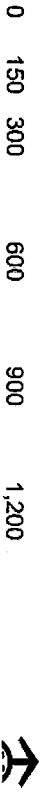
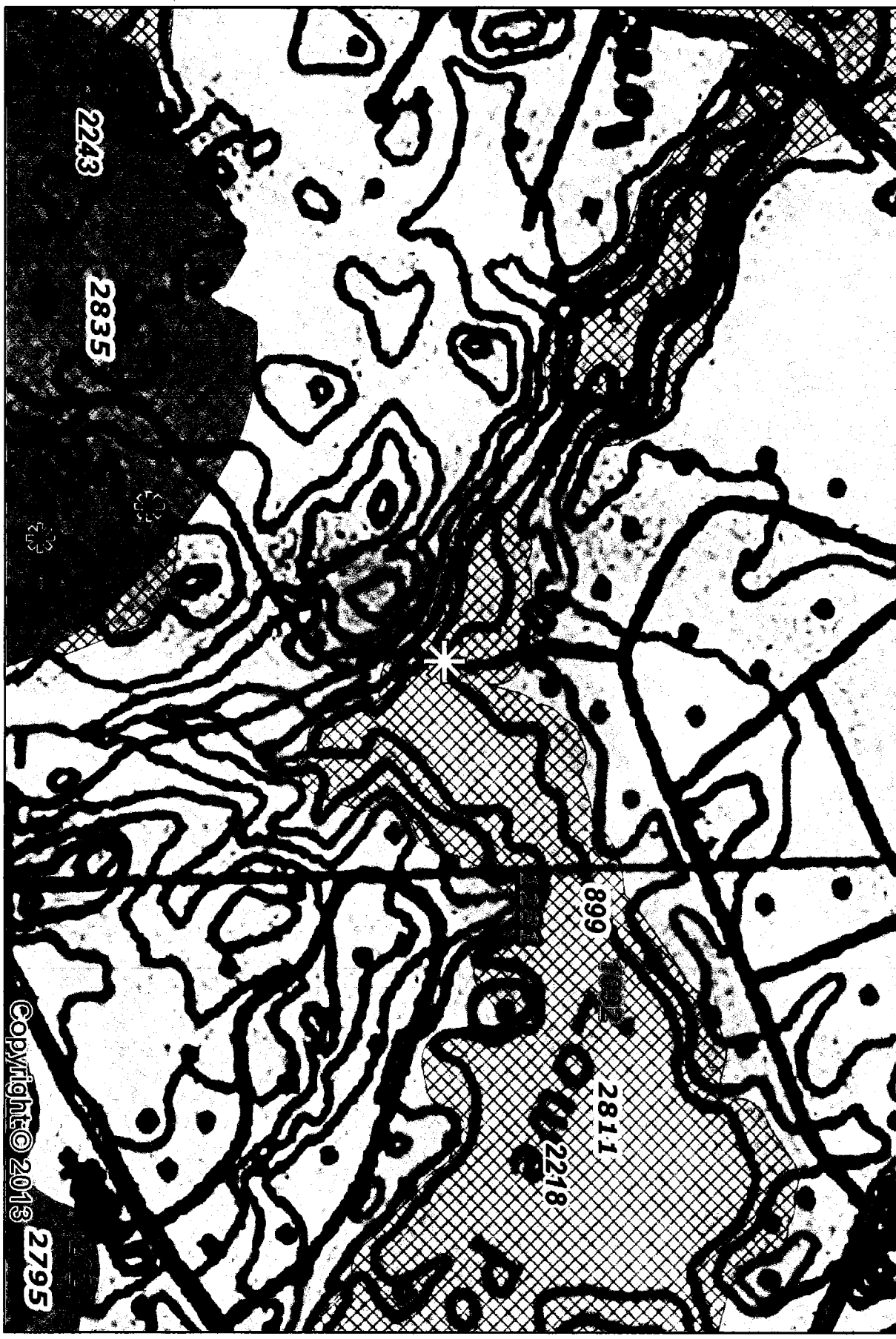
100

100

100

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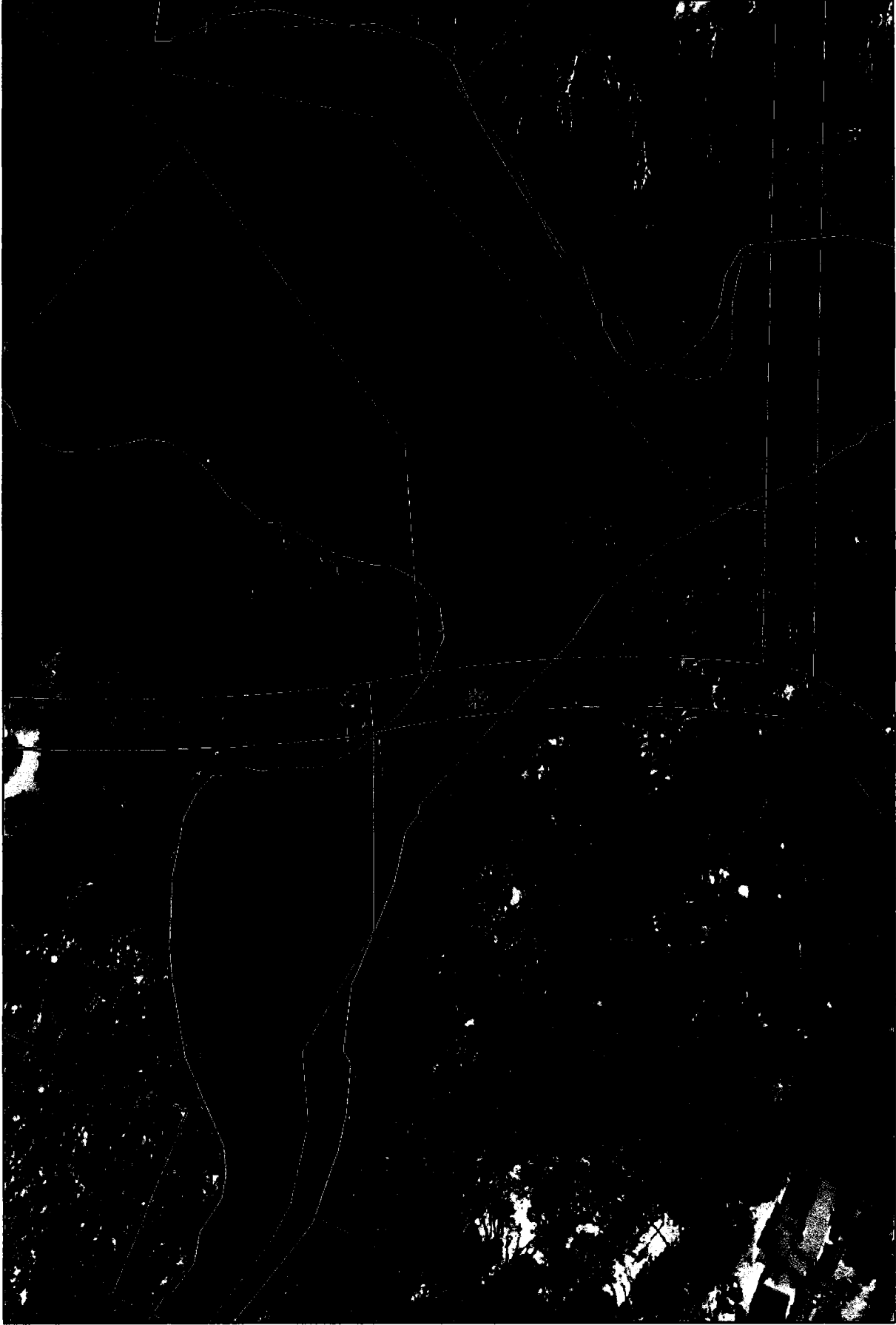
X



0 150 300 600 900 1,200



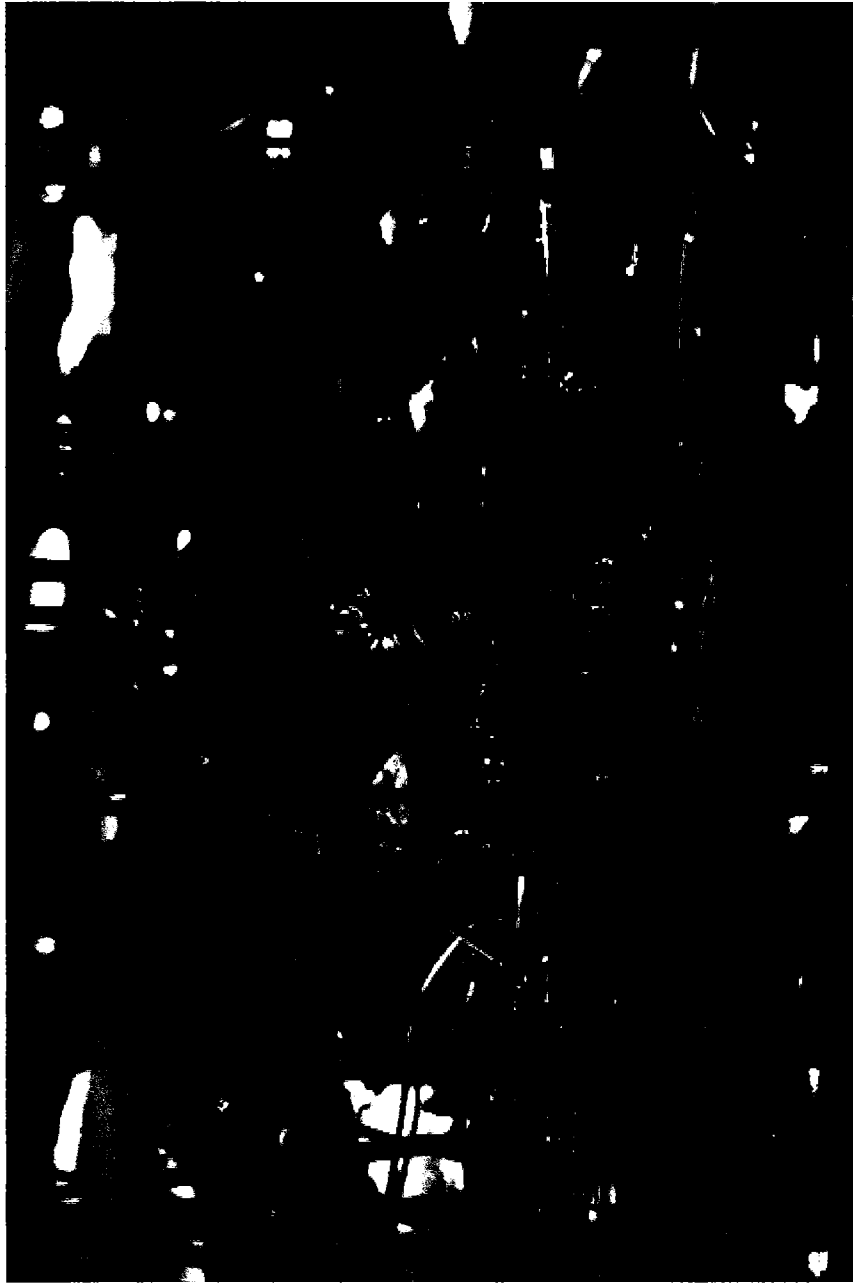
X

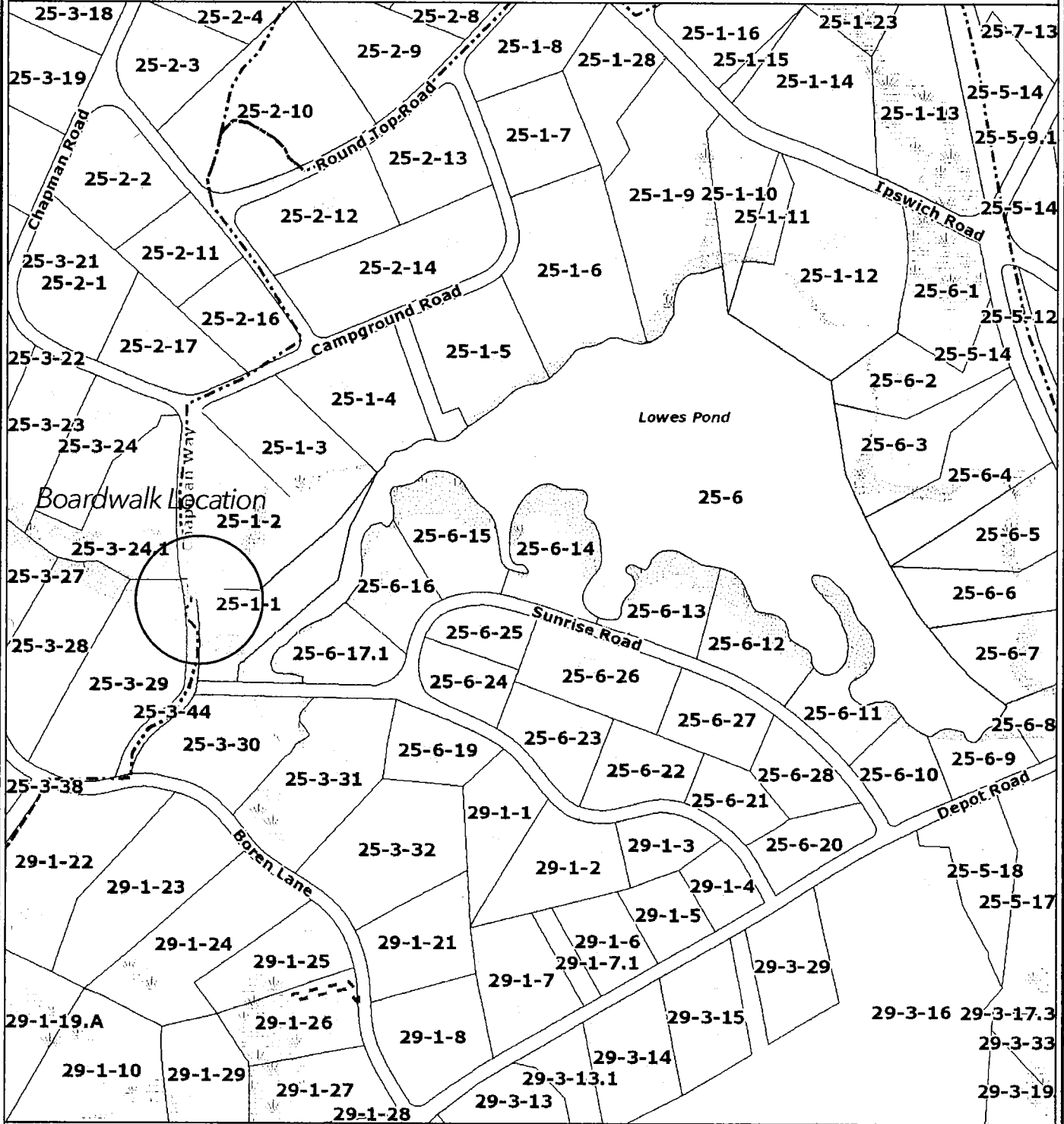


0 37.5 75 150 225 300









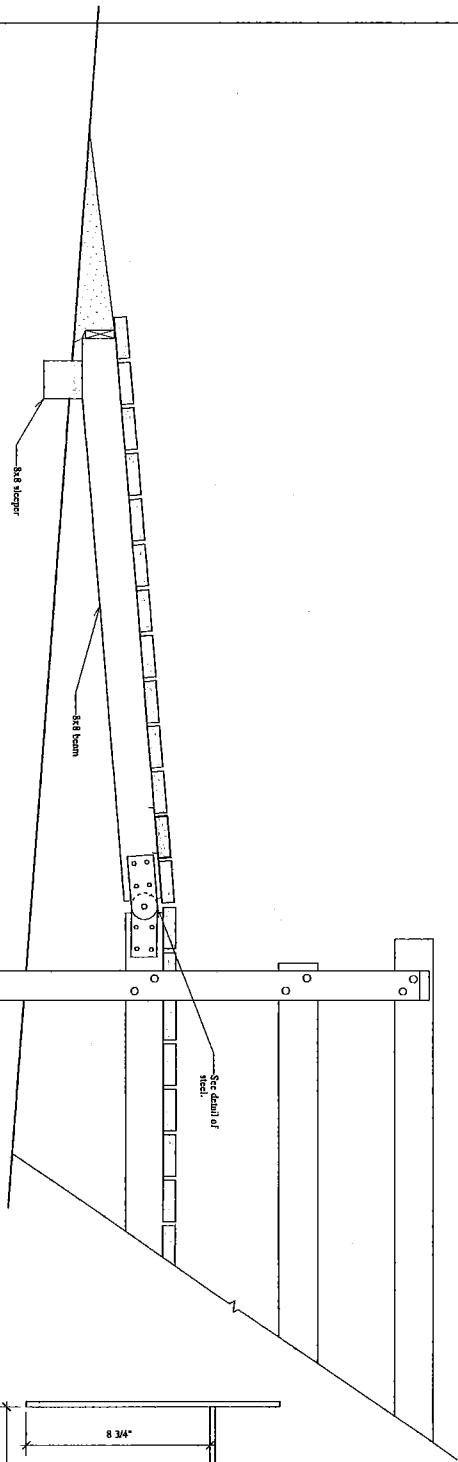
- Municipal Building Footprints
- Parcels
- Easements
- Trails
- Road Right of Way
- Hydrographic Features
- Streams
- Floodplain
 - 100-Year Floodplain
 - 500-Year Floodplain
- Welllands
- Commercial and Industrial Land Use
 - Commercial Land Use
 - Industrial Land Use

1" = 430 ft

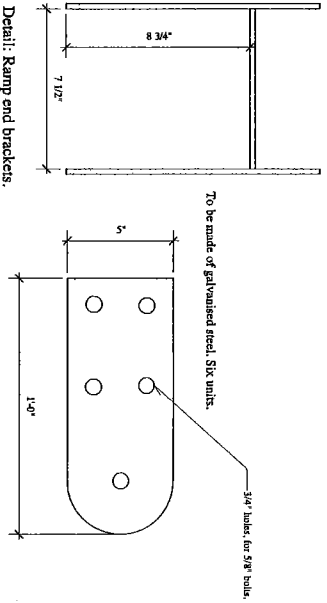


Horizontal Datum: MA Stateplane Coordinate System, Datum NAD83, Meters Data Sources: The data for this map was produced by Merrimack Valley Planning Commission (MVPC) using data provided by the Town of Boxford. Additional data provided by the Executive Office of Environmental Affairs/MassGIS. The information depicted on this map is for planning purposes only. It may not be adequate for legal boundary definition or regulatory interpretation. THE TOWN OF BOXFORD MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE TOWN OF BOXFORD DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION.

Detail of the end ramps.

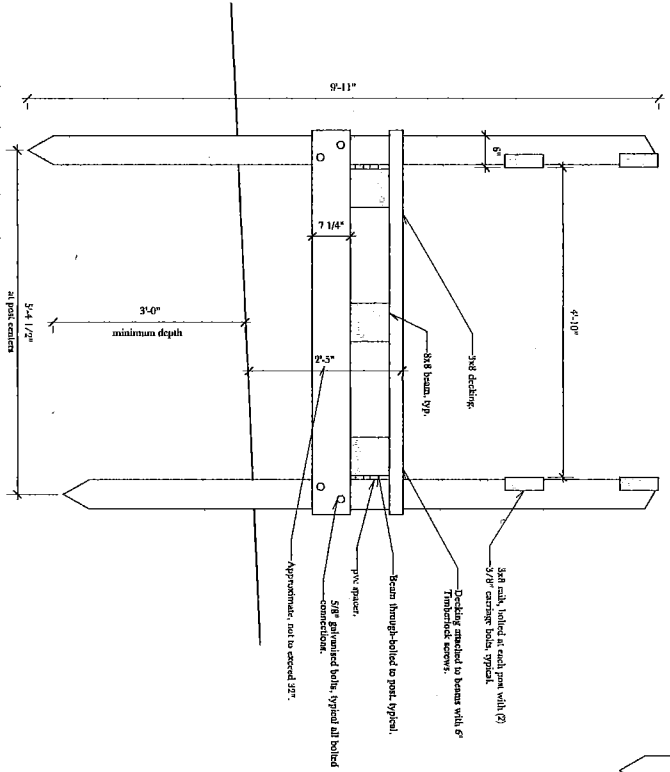


Detail: Ramp end brackets.



Brackets: 1/4" galvanized steel.
Scale: 3" = 1'.

Section, showing rail option



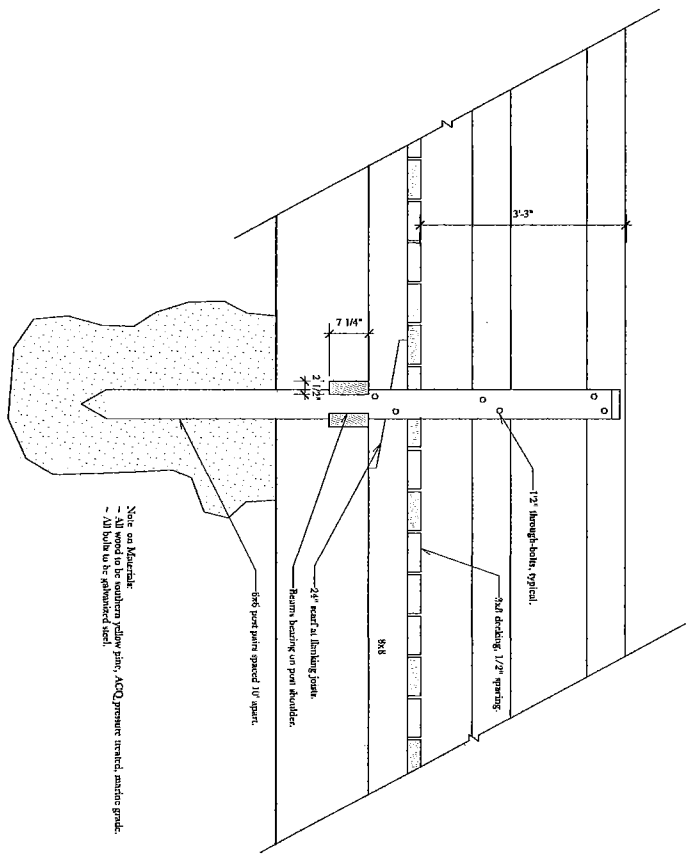
Design for a Boardwalk at Lowe Pond

Boxford, Mass.

September 8, 2017

Scale: 3/4" = 1' or as noted.

WeatherallDesign



Note on Materials:
- All wood to be southern yellow pine, ACO pressure treated, another grade.
- All bolts to be stainless steel.