

Case # 1033

**TOWN OF BOXFORD  
ZONING BOARD OF APPEALS**

RECEIVED  
2022 OCT 25 PM 3:20

Time Stamp by Town Clerk's Office  
NOTE TO CLERK:  
DO NOT STAMP WITHOUT INSPECTOR OF BUILDINGS APPROVAL

ROBIN PHELAN  
BOXFORD TOWN CLERK

**APPLICATION FOR:**

- SPECIAL PERMIT/APPEAL OF INSPECTOR OF BUILDINGS (\$500.00)
- VARIANCE (\$550.00)
- 40B COMPREHENSIVE PERMIT \$500.00 plus \$50.00 per individual unit
- 40B COMPREHENSIVE PERMIT \$250.00 plus \$25.00 per individual unit for Local Initiative Program

NO APPLICATION (EXCEPT FOR AN APPEAL OF THE INSPECTOR OF BUILDINGS) WILL BE ACCEPTED UNLESS EACH AND EVERY ITEM LISTED ON THE LAST PAGE OF THIS APPLICATION IS INCLUDED IN THE SUBMISSION. IF EACH AND EVERY ITEM IS NOT PROVIDED, YOUR APPLICATION MAY EITHER BE RETURNED TO YOU OR DENIED AT THE TIME OF THE HEARING FOR INCOMPLETENESS AND YOUR PROJECT WILL BE DELAYED.

Cases will be scheduled for a ZBA hearing only if your application has been (1) reviewed by the Inspector of Buildings, (2) time-stamped by the Town Clerk's Office, and (3) returned to the Building Department. **The Town Clerk office will not time-stamp your application without Certification by the Inspector of Buildings**

For Office Use Only  
**CERTIFICATE OF COMPLETENESS**  
Must be signed by the Inspector of Buildings prior to Town Stamp

*Robin Phelan* 10-25-2022  
Inspector of Buildings Signature Date

For Office Use Only

Building Permit Denied YES  
Reason Denied MORE THAN 3 CAR GARAGE  
Date Initial ZBA Application Received \_\_\_\_\_  
Date of Inspector's Review 10-25-2022  
Date Returned to Applicant \_\_\_\_\_  
Reason for return NEED ZBA AUTHORIZATION

**PROPERTY OWNER INFORMATION**

PROPERTY OWNER'S NAME Dr. Alain Chaoui

PROPERTY ADDRESS 10 Bennett Rd Boxford MAP/BLOCK/LOT 23/A/16.1

PROPERTY OWNER'S MAILING ADDRESS 10 Bennett Rd, Boxford

PROPERTY OWNER'S PHONE NUMBER: 978-495-2723 PROPERTY OWNER'S E-MAIL achaouimd@gmail.com

**APPLICANT INFORMATION (IF DIFFERENT FROM OWNER)**

✓ NAME ALAIN CHAOU

RELATIONSHIP TO PROPERTY OWNER (for example, spouse, attorney, architect, etc.) \_\_\_\_\_

APPLICANTS MAILING ADDRESS 10 BENNETT ROAD BOXFORD MA 0192

APPLICANT'S PHONE NUMBER: 9784952723 APPLICANT'S E-MAIL ACHAOUIMD@GMAIL.COM

**OWNER AUTHORIZATION**

I, ALAIN CHAOU, as Owner of the subject property hereby authorize BRIAN DAVIDSON to act on my behalf in all matters relative to this application.

[Signature] 10/19/2022  
Signature of Owner Date

**OWNER OR AUTHORIZED AGENT DECLARATION**

I, Dr Alain Chaoui, as Owner of the subject property hereby authorize Brian Davidson to act on my behalf in all matters relative to this application

[Signature] 10/15/22  
Signature of Owner or Authorized Agent Date

**PURPOSE OF APPLICATION AND DESCRIPTION OF PROJECT**

Purpose of Application: Special Permit Variance Appeal of Inspector of Buildings Comprehensive Permit

Description of Project:  
CONSTRUCT 24x32' Barn

Applicable Section(s) of Zoning Bylaw for which relief is sought:  
Article 5 subsection 196-13(h)  
Garage space for more than 3 vehicles

Does the property, structure and/or use conform to the current Zoning Bylaw?  NO

If not, describe the non-conformity (lot size, setback, use, frontage, etc.) more than 3 car garage spaces

ZONING DISTRICT:  R-A  B-1  B-2  M  O  ELDERLY  POND WATERSHED OVERLAY  WIRELESS COMMUNICATION SERVICES  
 FLOODPLAIN  SOLAR OVERLAY

DATE LOT WAS CREATED: 1994 DATE STRUCTURE WAS BUILT: 1994

DEED (Copy must be attached. Deed may be downloaded and printed from [www.salemdeeds.com](http://www.salemdeeds.com)):

[BOOK 13515 PAGE 218 ] OR [CERTIFICATE NO. \_\_\_\_\_ DOCUMENT NO. \_\_\_\_\_]

### POSTAGE FEE CALCULATION

#### POSTAGE FEE

In accordance with Article X, Section 196-49 of the Zoning bylaw of the Town of Boxford, you are required to pay the postage costs for the abutter notification of your application and decision.

The following is the formula used for determining the postage costs for each application:

Number of Certified Abutters (including applicant & representative) Notice of Hearing)	<u>12</u> x \$7.38 = <u>88.56</u>
Number of Surrounding Towns & MVPC	9 x \$7.38 = \$66.42
Number of Certified Abutters (including applicant & representative) Notice of Decision	<u>21</u> x \$0.58 = <u>12.18</u>
<b>TOTAL AMOUNT OWED FOR POSTAGE FEE</b>	<b>\$ <u>167.16</u></b>

Please remit a check separate from the filing fee, payable to the Town of Boxford, for the total amount owed for postage.

## AUTHORIZATION FOR PUBLICATION

Effective July 1, 1997, applicants of the Zoning Board of Appeals will be billed directly by the Community Newspaper Company for the publication of their legal notice. In order for the newspaper to bill you, please provide the following information:

### PLEASE PRINT

Name Dr. Alain Chaoui

Mailing/Street Address 10 Bennett Rd

City/Town Boxford State MA Zip Code 01921

Daytime phone number 978 495 2723

Evening phone number SAME

I hereby authorize the Community Newspaper Company to bill me directly for the publication of my legal notice in the Transcript-Chronicle.

Alain Chaoui  
Signature

10/19/2022  
Date

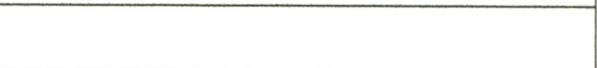
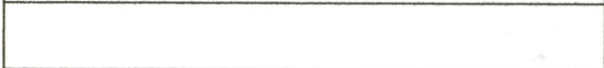
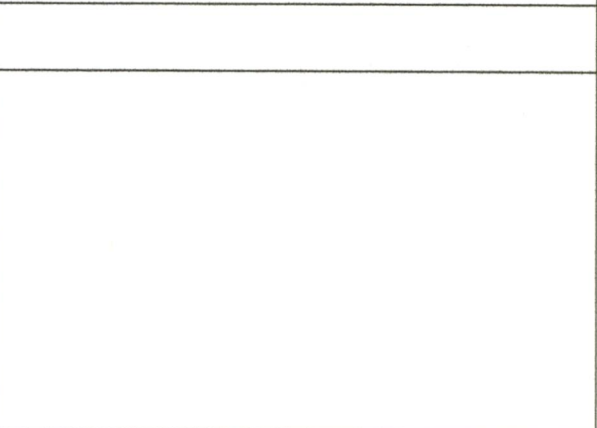
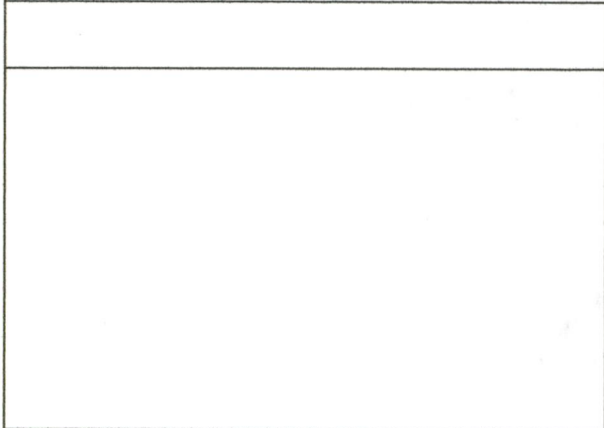
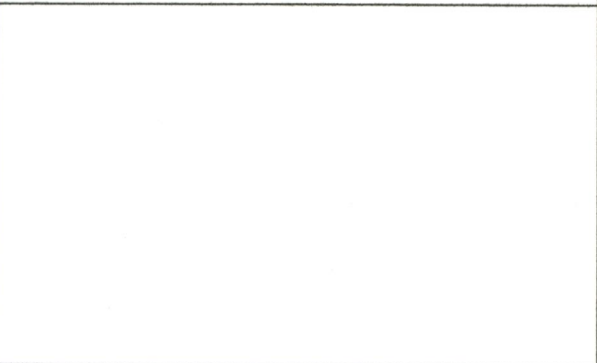
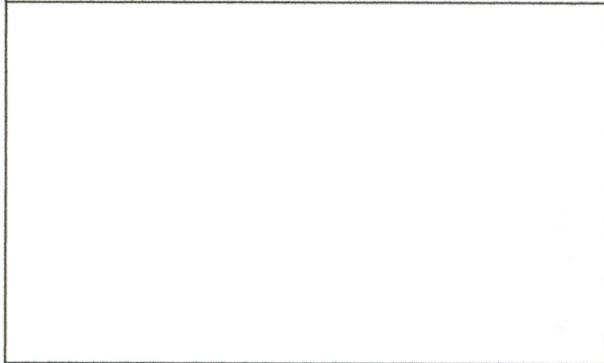
23-1-16.1 - 10 BENNETT RD, BOXFORD ABUTTERS LIST  
 ZONING BOARD OF APPEALS 300'

Parcel ID	Location	Owner	Owner 2	Owner Address	Owner City/Town	Owner State	Zip Code
22-01-07	21B BENNETT RD	IMPARATO JOSEPH	IMPARATO SARA	21A BENNETT RD	BOXFORD	MA	01921
22-01-07-1	21A BENNETT RD	IMPARATO JOSEPH	IMPARATO SARA	21A BENNETT RD	BOXFORD	MA	01921
23-01-15-4	288 MAIN ST	MCCARTHY-TUFTS MARILYN	TUFTS MICHAEL	288 MAIN ST	BOXFORD	MA	01921
23-01-15-6	MAIN ST	MEEHAN NEIL TE	MEEHAN EBBA	282 MAIN ST	BOXFORD	MA	01921
23-01-15-7	284 MAIN ST	VENNIX KEVIN P & COURTNEIE D TR	VENNIX FAMILY TRUST	284 MAIN ST	BOXFORD	MA	01921
23-01-15-8	282 MAIN ST	MEEHAN NEIL S TE	SALVOR MEEHAN EBBA	282 MAIN ST	BOXFORD	MA	01921
23-01-16-1	10 BENNETT RD	CHAOUI DR ALAIN A TE	CHAOUI NAHED	10 BENNETT RD	BOXFORD	MA	01921
23-01-16-18	7 BENNETT RD	KASHEF MOJTABA E TE	KASHEF LAURIE L	7 BENNETT RD	BOXFORD	MA	01921
23-01-16-2	14 BENNETT RD	PALOVICH CHRISTOPHER R	PALOVICH STACEY L	14 BENNETT RD	BOXFORD	MA	01921
23-01-16-3	18 BENNETT RD	TEICHER ANDREW R		18 BENNETT RD	BOXFORD	MA	01921
23-01-16-4	22 BENNETT RD	MARINI ANTHONY ADDISOIN	MARRINI JENNIFER OJALA	22 BENNETT RD	BOXFORD	MA	01921
23-01-16-8	25 BENNETT RD	FADDIS GINA B TE	FADDIS CHRISTOPHER A	25 BENNETT RD	BOXFORD	MA	01921

CERTIFIED COPY  
 10/24/2022

*Heather Thifault*

10 Bennett Rd., Boxford, MA



QUITCLAIM DEED

I, DR. ALAIN A. CHAOUI, of Boxford, Essex County, Massachusetts

for nominal consideration

grant to DR. ALAIN A. CHAOUI and NAHED CHAOUI, Husband and Wife, as Tenants by the Entirety

of 28 Bennett Road, Boxford, MA 01921

with *quitclaim covenants*

A certain parcel of land with the buildings thereon, situated in the Town of Boxford, Essex County, Massachusetts, numbered 28 Bennett Road and known as Lot 1A as shown on a survey plan entitled, "Plan of Land in Boxford, Mass. Prepared for Arbella Crossing Realty Trust of 1993; Scale 1" = 40'; April 18, 1994; Thomas E. Neve Associates, Inc." recorded at the Essex South Registry of Deeds, in Plan Book 292, as Plan 72.

Containing approximately 87,121 square feet of land according to said Plan.

Said premises are conveyed together with the right to use the streets and ways adjacent to the premises in common with others entitled thereto.

For title see deed of Russell D. Miller and Susan J. Miller dated October 14, 1995 recorded with the Essex South District Registry of Deeds in Book 1397, Page 58.

Executed as a sealed instrument this 18<sup>th</sup> day of April, 1996

  
\_\_\_\_\_  
Dr. Alain A. Chaoui

The Commonwealth of Massachusetts

Essex, ss.

April 18, 1996

Then personally appeared the above named DR. ALAIN A. CHAOUI and acknowledged the foregoing instrument to be his free act and deed,

Before me,   
Athan A. Vontzalides, Notary Public  
My commission expires: 6/19/98

Ankeles, Harmon & Bonfanti  
27 Lowell Street  
Peabody, MA 01960  
Tel. (508) 531-7000

RETURN TO:  
Dr. Alain A. Chaoui  
10 Bennett Road  
Boxford, MA 01921

2006101000742 Bk:26167 Pg:127  
10/10/2006 15:56:00 DHOME Pg 1/1

DECLARATION OF HOMESTEAD

I, Alain A. Chaoui, owning and occupying as my principal residence the real estate located at 10 Bennett Road, Boxford, Massachusetts, acquired by me by deed dated April 18, 1996 and recorded with the Essex South Registry of Deeds in Book 13515, Page 218, hereby declare a homestead in said premises under the provision of Chapter 188, Section 1 of the General Laws of Massachusetts.

I expressly reserve the right to myself and my spouse and to the survivor of us, and to the Executor or Administrator of the survivor of us, to revoke and rescind this Homestead as to ourselves and our minor, unmarried children.


Executed as a sealed instrument this 28<sup>th</sup> day of September, 2006.

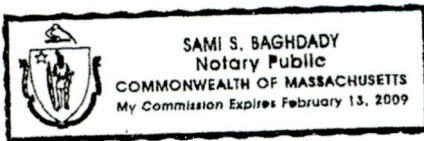
  
Alain A. Chaoui

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this 28<sup>th</sup> day of September, 2006, before me, the undersigned notary public, personally appeared Alain A. Chaoui, who proved to me through satisfactory evidence of identification, driver's license, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose.

  
Notary Public - Sami S. Baghdady  
My commission expires: 2/13/09



10 Bennett Road, Boxford, Massachusetts 01921

*Handwritten signature in blue ink*



COMMONWEALTH OF MASSACHUSETTS  
ESSEX REGISTRY OF DEEDS, SO. DIST., SALEM, MASS  
ESSEX SS October 20 2022

A TRUE COPY OF RECORD:

BOOK 13515 PAGE 218

ATTEST

Joh. D. B...

REGISTER

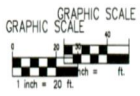
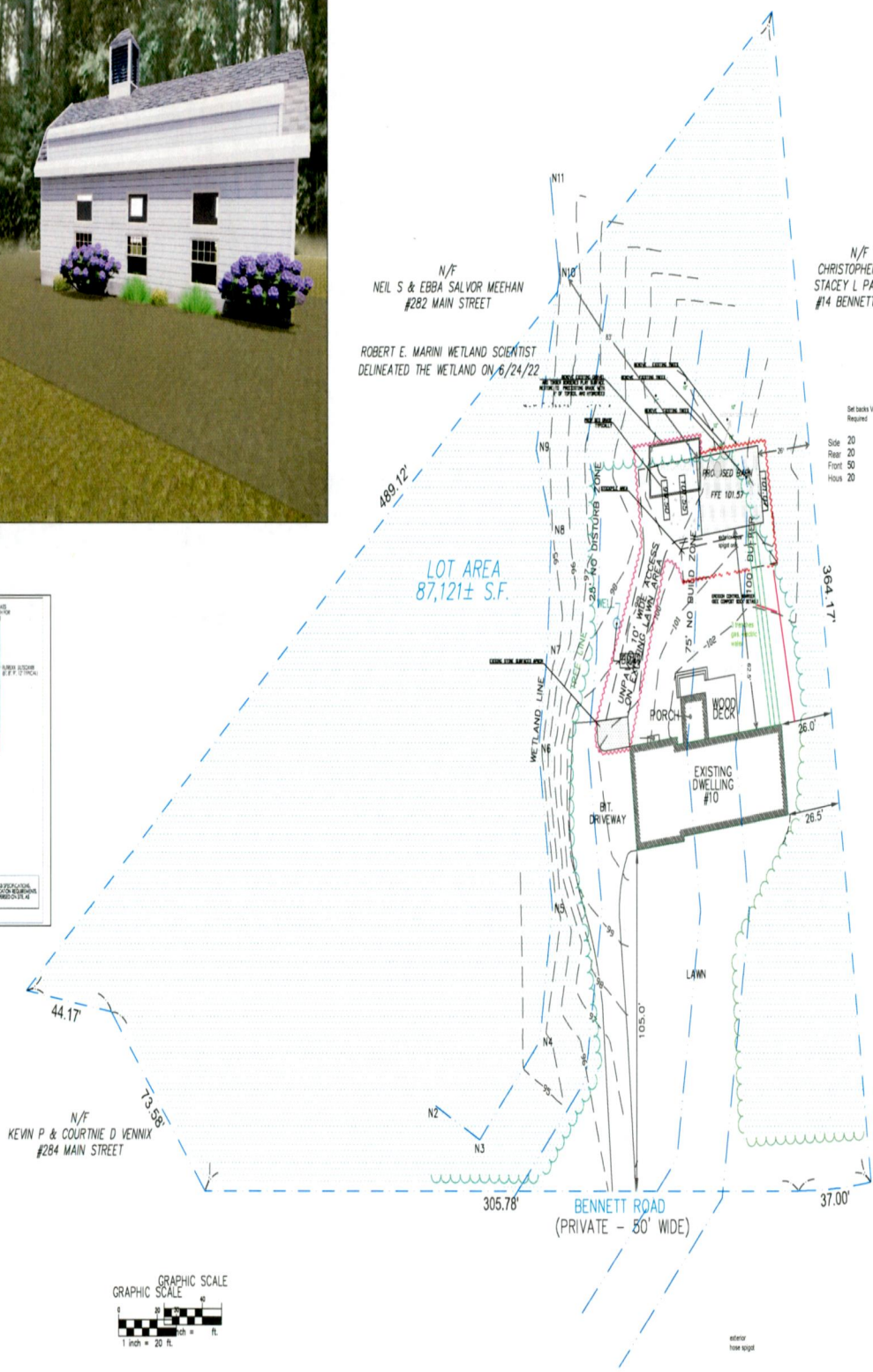
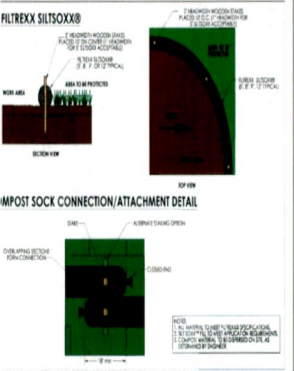


N/F  
NEIL S & EBBA SALVOR MEEHAN  
#282 MAIN STREET

ROBERT E. MARINI WETLAND SCIENTIST  
DELINEATED THE WETLAND ON 6/24/22

N/F  
CHRISTOPHER R &  
STACEY L PALOVICH  
#14 BENNETT ROAD

LOT AREA  
87,121± S.F.



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ALAN CHAOUI  
10 BENNETT ROAD  
BOXFORD, MA 01921

**NATIVEtec**

- INDUSTRIAL
- RESIDENTIAL
- LANDSCAPE ARCHITECTURE
- LAND SURVEYING
- LAND DEVELOPMENT
- LANDSCAPE ARCHITECTURE
- LAND SURVEYING

N. O. I. PLAN  
FOR  
PROPOSED BARN



This form has been electronically signed and sealed by LPR and is subject to the seal of a LPR authorization code.

REVISIONS:

NO.	DATE	DESCRIPTION
REV. NO. 1	08/03/2022	Complete site plan
REV. NO. 2	08/03/2022	Add trenches for electric, water, gas
REV. NO. 3	08/03/2022	Issue minor control, relocate header
REV. NO. 4	08/03/2022	
REV. NO. 5	08/03/2022	

DRAWING TITLE:

DESIGN BY:	CHAOUI, R. Marini
DRAWN BY:	CHAOUI, R. Marini
DATE:	08/03/2022
ISSUE DATE:	AUG 03, 2022
PROJECT NO.:	
DRAWING NO.:	

SHEET  
1 of 1

ALAN CHAOUI  
10 BENNETT ROAD  
BOXFORD, MA 01921

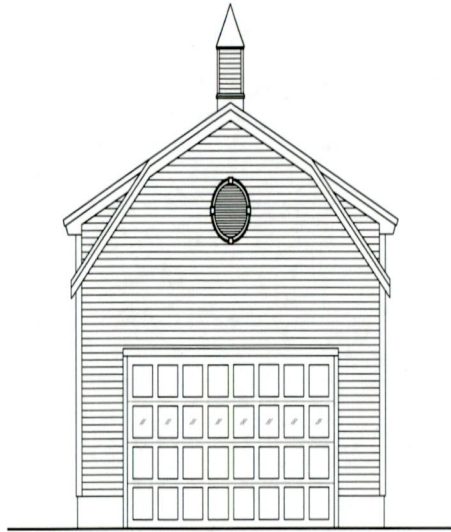
CHAQUI BARN  
10 BENNETT ROAD  
BOXFORD, MA 01921



PREPARED BY:

BOSWORTH ARCHITECT L.L.C.

78 FRONT STREET  
MARBLEHEAD, MA 01945



LIST OF DRAWINGS

ARCHITECTURAL

C COVER SHEET

A100 FLOOR PLANS & WINDOW SCHEDULE

A200 EXTERIOR ELEVATIONS

A301 BUILDING SECTION A

A302 BUILDING SECTION B

A700 DETAILS

DATE: MAY 2, 2022

C



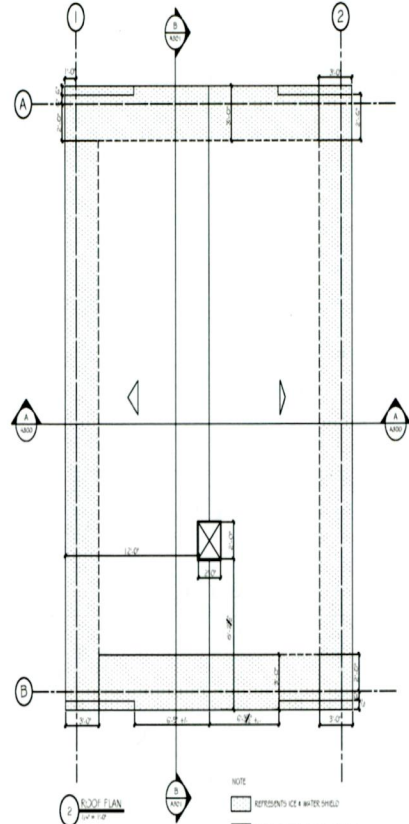
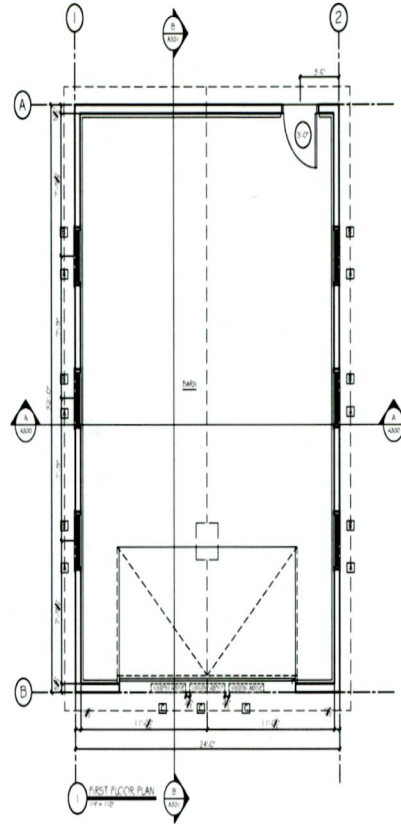
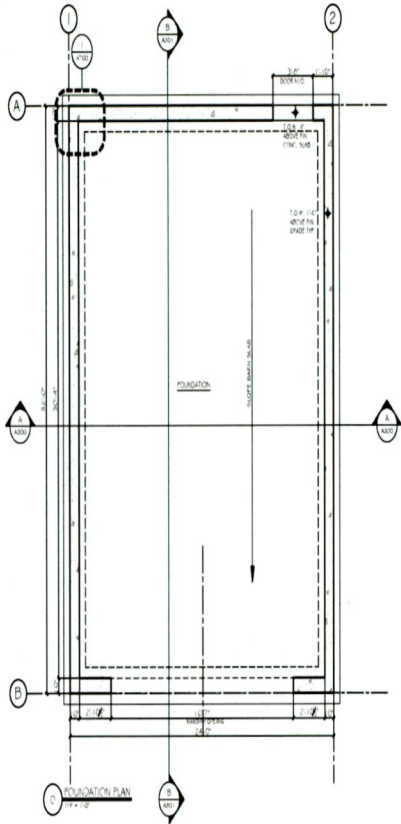
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 22 PRINCE STREET  
 MARBLEHEAD, MA 01945  
 PHONE: (978) 251-1111  
 FAX: (978) 251-1112  
 EMAIL: INFO@BASWORTHARCHITECT.COM

**Chaoui Barn**  
 10 BENNETT ROAD  
 BOXFORD, MA 01921

FLOOR PLANS & WINDOW SCHEDULE  
 Scale: 1/8" = 1'-0"  
 Date: MAY 2, 2022

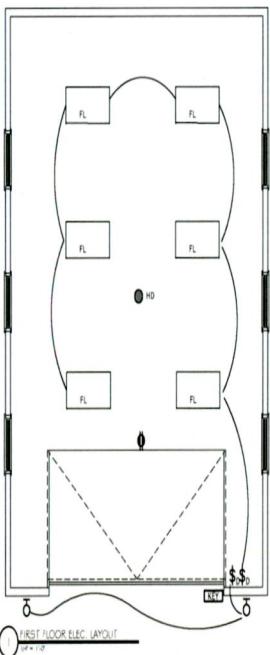
A100



NOTE:  
 [Symbol] REPRESENTS CEILING WATER SHIELD  
 [Symbol] REPRESENTS DOOR OR WINDOW SHIELDS ON #10-12 FLOOR

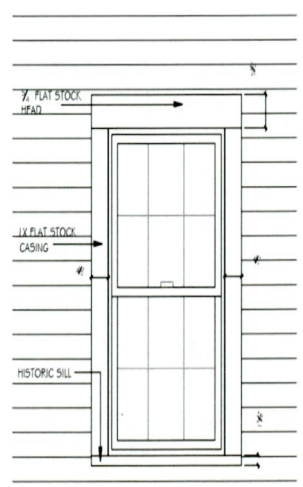
NOTE: ELECTRICIAN TO DISCUSS WITH OWNER OUTLET AND POWER REQUIREMENT PRIOR TO INSTALLATION TO VERIFY USE GOALS ARE MET WITH REGARD TO POWER.

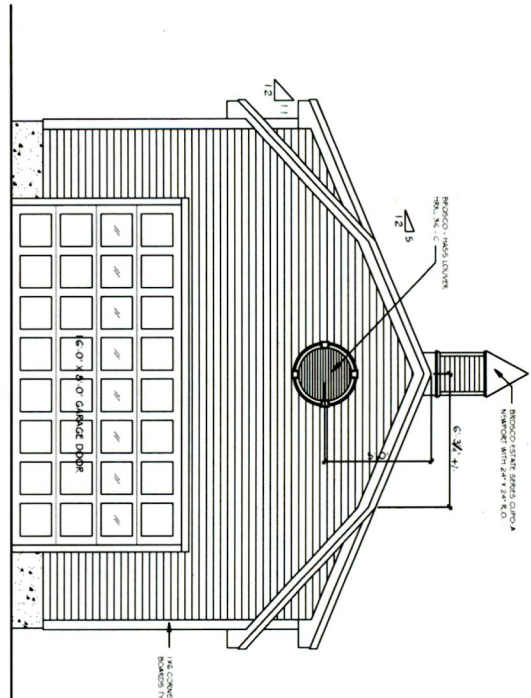
- Ⓢ DIMMABLE SWITCH (DALI) 4' ABOVE FLOOR LVL
- Ⓢ APPLIANCE OUTLET - ELECTRICIAN TO VERIFY POWER REQUIREMENTS & LOCATION BEFORE INSTALLATION
- Ⓢ WALL MOUNTED LIGHT FIXTURE
- Ⓢ FLUORESCENT LIGHT FIXTURE
- Ⓢ KEYPAD GARAGE DOOR ENTRY SYSTEM
- Ⓢ HD HEAT DETECTOR



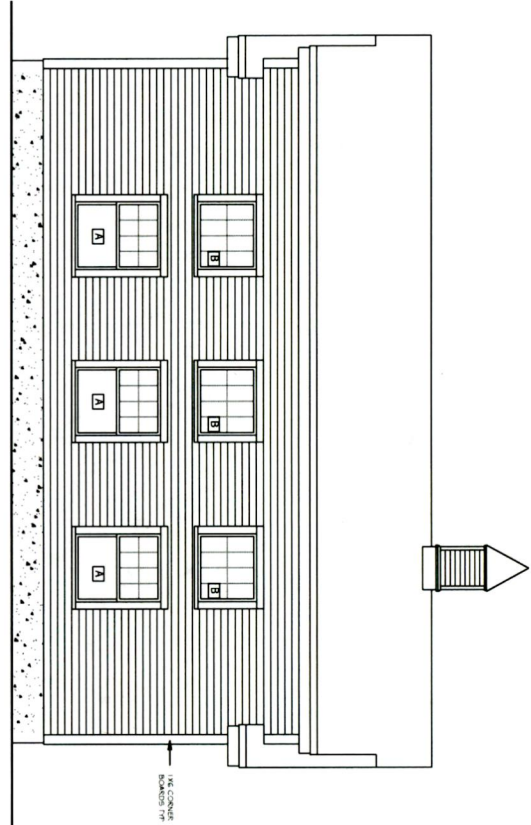
- A** DOUBLE-HUNG  
 TW 30310  
 R.O. 3'-2 1/2" x 4'-0 1/2"
- B** TRANSOM  
 TWT 3027  
 R.O. 3'-2 1/2" x 2'-9 1/2"
- C** DOUBLE-HUNG  
 TW 30310  
 R.O. 3'-2 1/2" x 4'-0 1/2"

- NOTES:
1. WINDOWS BASED ON ANDERSEN WINDOWS - 400 SERIES TILT WASH
  2. FIXED MUNTINS ON EXTERIOR AND INTERIOR (NO SNAP INS)
  3. PROVIDE FULL HEIGHT SCREENS
  4. WINDOWS TO BE LOW E - ARGON FILLED INSULATED GLAZING.

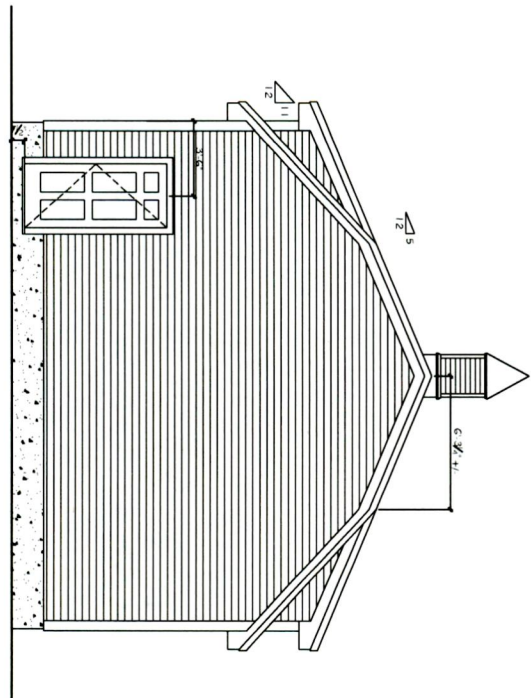




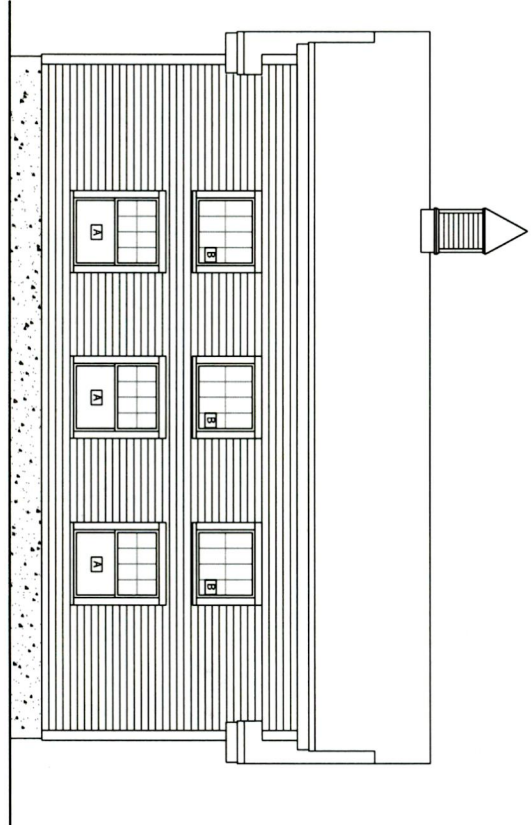
A FRONT ELEVATION



B LEFT SIDE ELEVATION



C REAR ELEVATION



D RIGHT SIDE ELEVATION

A200

EXTERIOR ELEVATIONS  
 Scale: 3/8" = 1'-0"  
 Date: MAY 2, 2022

Drawn by	
Checked by	
By	
Date	

Chaoui Barn  
 10 BENNETT ROAD  
 BOXFORD, MA 01921

**BOSWORTH ARCHITECT LLC**  
 78 FRONT STREET  
 MARBLEHEAD, MA 01945  
 PHONE: (781) 634-1982  
 EMAIL: CRAIG@BOSWORTHARCHITECT.COM

CONTRACT DOCUMENTS  
 1. CONTRACT AGREEMENT  
 2. SCHEDULE OF VALUES  
 3. SPECIFICATIONS  
 4. GENERAL NOTES  
 5. EXHIBITS  
 6. ADDENDUMS  
 7. CHANGE ORDERS  
 8. CORRECTIONS  
 9. AS-BUILT DRAWINGS





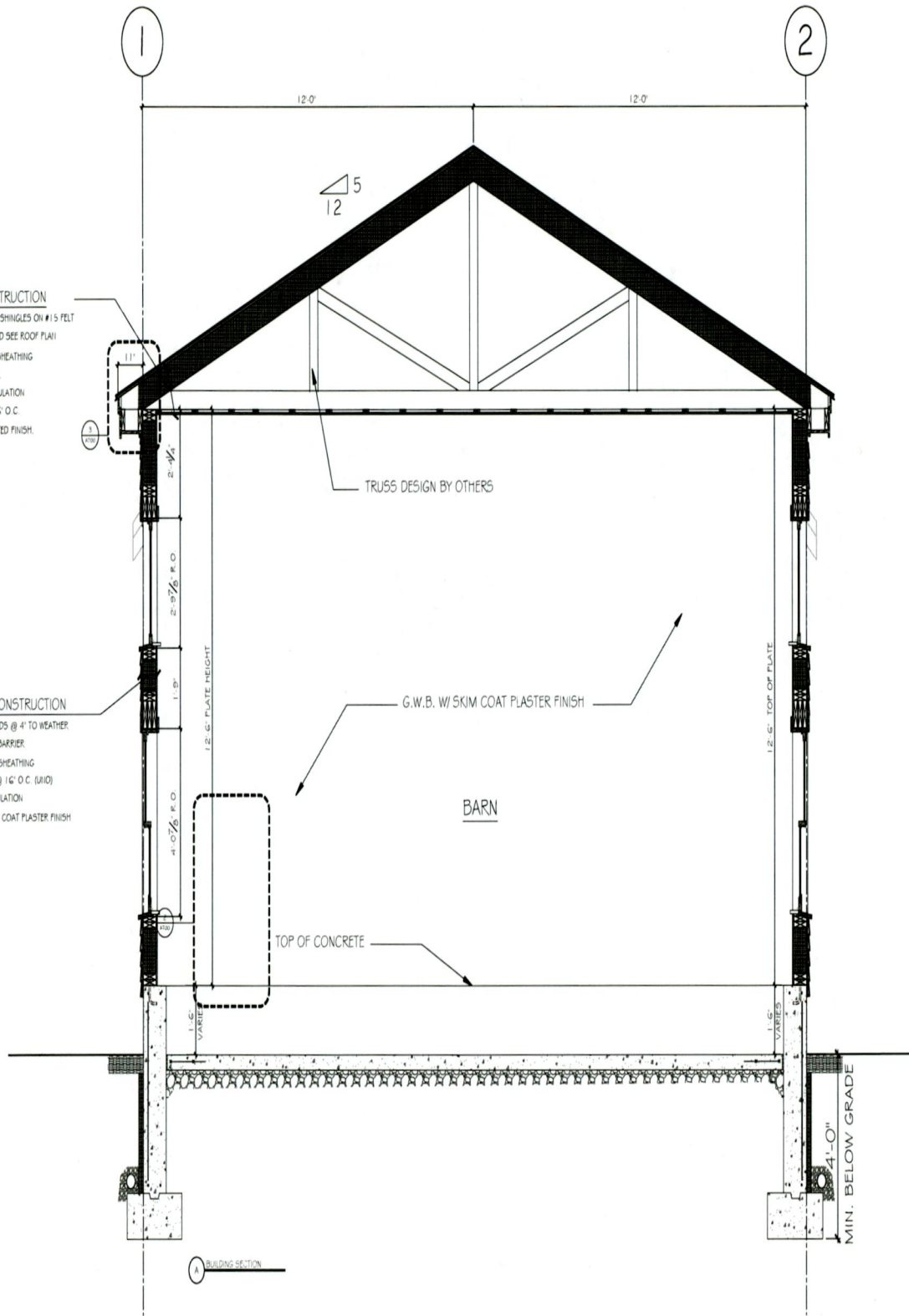
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 TEL: 978-353-1111  
 FAX: 978-353-1112  
 WWW.BOSWORTHARCHITECT.COM

**Chaoui Barn**  
 10 BENNETT ROAD  
 BOXFORD, MA 01921

**BUILDING SECTION**  
 Scale: 3/8" = 1'-0"  
 Date: MAY 2, 2022

**A300**



**ROOF CONSTRUCTION**  
 30 YEAR ASPHALT SHINGLES ON #15 FELT  
 ICE & WATER SHIELD SEE ROOF PLAN  
 5/8 CDX PLYWOOD SHEATHING  
 TRUSS @ 24" O.C.  
 R-49 ICYNENE INSULATION  
 1X STRAPING @ 16" O.C.  
 #2 G.W.B. W/ PAINTED FINISH.

**EXT. WALL CONSTRUCTION**  
 CEDAR CLAPBOARDS @ 4" TO WEATHER  
 AIR INFILTRATION BARRIER  
 #2 CDX PLYWOOD SHEATHING  
 2XG EXT. STUDS @ 16" O.C. (H/10)  
 R-21 ICYNENE INSULATION  
 #2 G.W.B. W/ SKIM COAT PLASTER FINISH

5  
 12

TRUSS DESIGN BY OTHERS

G.W.B. W/ SKIM COAT PLASTER FINISH

BARN

TOP OF CONCRETE

A BUILDING SECTION



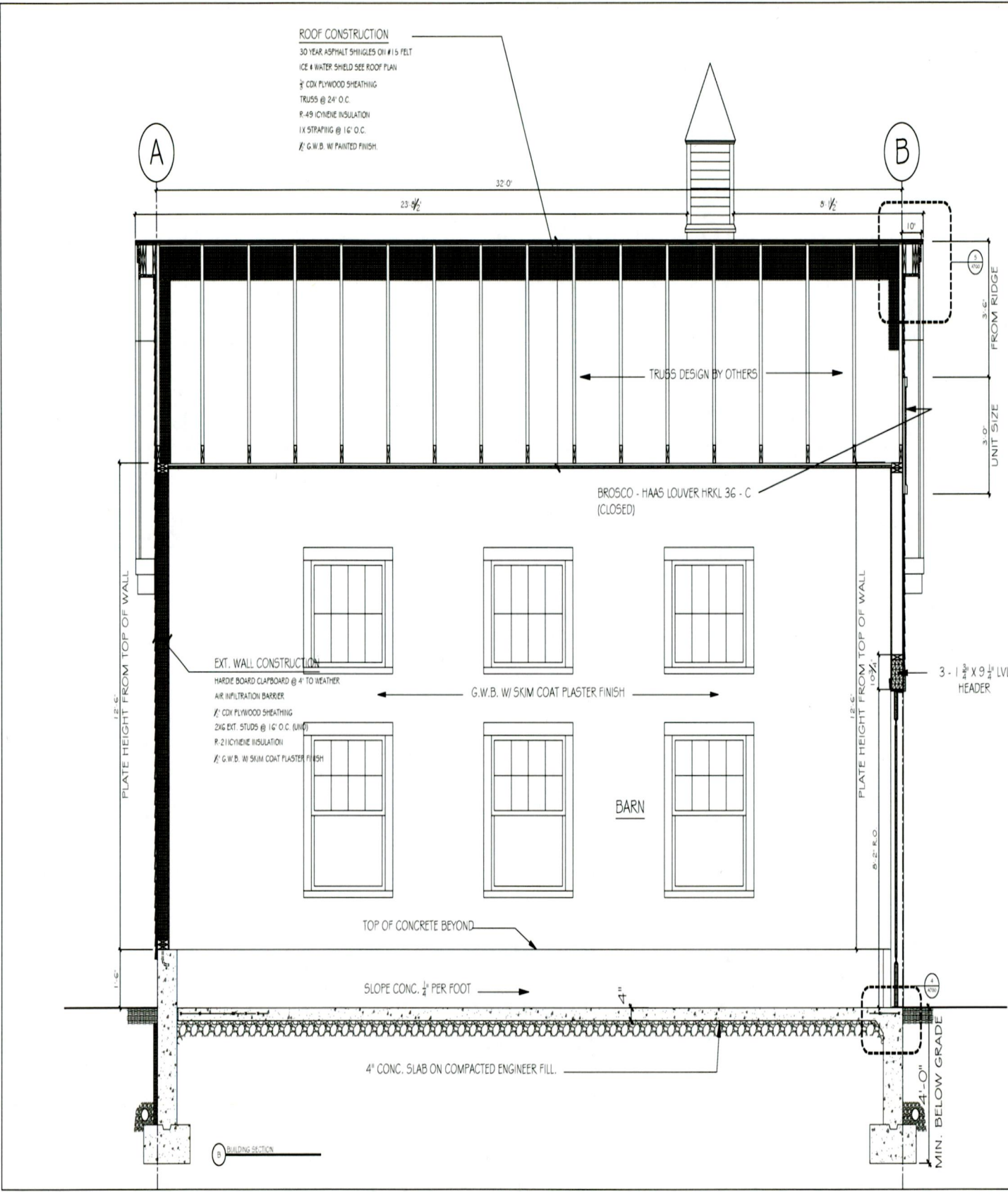
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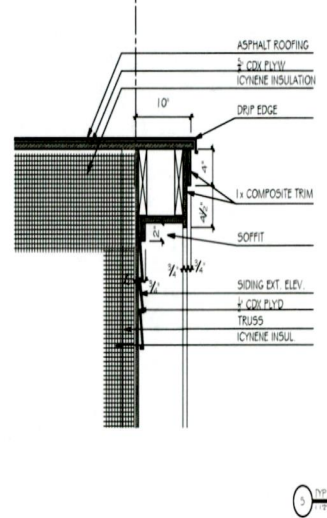
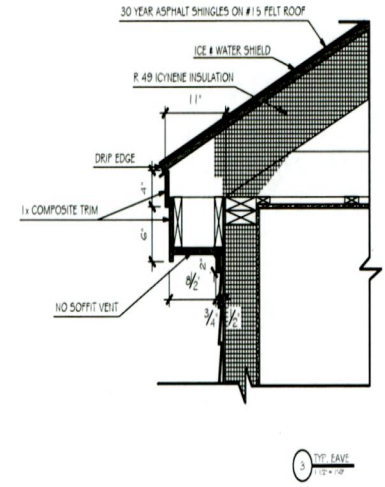
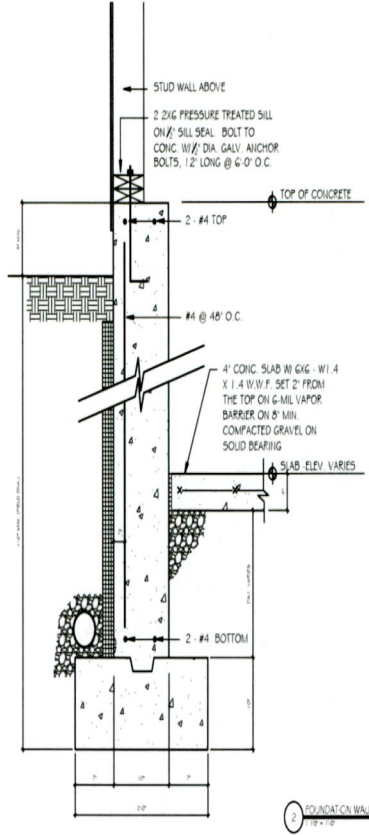
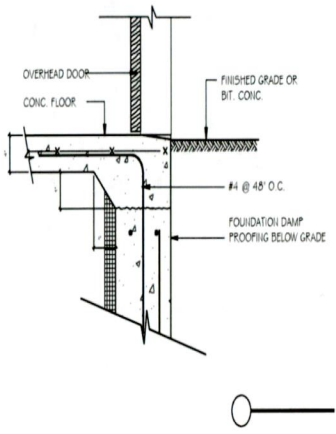
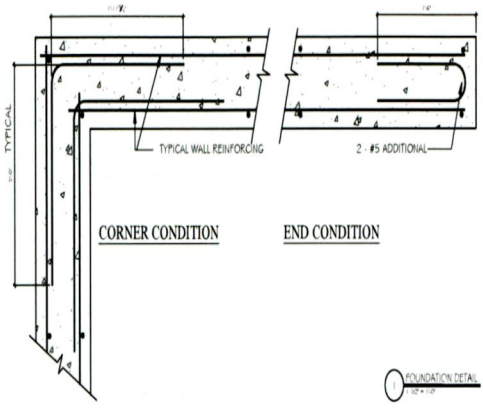
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 EMAIL: ROSWORTH@ROSWORTHARCHITECT.COM

**Chaoui Barn**  
 10 BENNETT ROAD  
 BOXFORD, MA 01921

**BUILDING SECTION**  
 Scale: 3/8" = 1'-0"  
 Date: MAY 2, 2022

**A301**





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**BOSWORTH ARCHITECT LLC**  
 10 BARNETT ROAD  
 MARBLEHEAD, MA 01945  
 TEL: 978-261-1111  
 FAX: 978-261-1112  
 EMAIL: BOSWORTHARCHITECT.COM

**Chaoui Barn**  
 10 BARNETT ROAD  
 BOXFORD, MA 01921

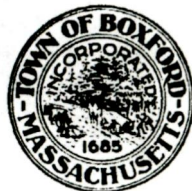
Project No.	
Sheet No.	
Date	

**DETAILS**  
 Scale: 1/2" = 1'-0"  
 Date: MAY 2, 2022

**A700**



4 NE PC



Boxford File Number

114-1351

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: 114-1351  
Project File Number

To: Alain Chaoui  
Applicant Name

10 Bennett Road  
Mailing Address

Boxford  
City/Town

MA 01921  
State Zip Code

The Notice of Intent for this project was filed on:  
8-4-2022  
Date

The public hearing was closed on:  
10-6-2022  
Date

Issuance date of this Order:  
10-11-2022  
Date

Title and date of final plans and other documents:  
NOI Plan for Proposed Barn, dated 8-3-2022 and last revised 9-1-2022, prepared by Nativetec and stamped by Robert E. Marini, P.E.

The project site is located at:

10 Bennett Road Boxford  
Street/Street address (if available) City/Town

Map: 23 Block: 1 Lot 16.1  
Assessors Map/Block/Lot Number

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

Essex South 13515 218  
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:

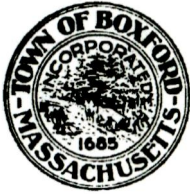
(check one of the following boxes)

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.

Additional Findings

This Order is issued under the Boxford Wetlands Protection Bylaw, Town Code c. 192. The Boxford Bylaw is more protective of wetland resources than the Wetland Protection Act and associated regulations because, among other things, it identifies a 100-foot wetland buffer zone around wetlands as a separate resource area, and establishes specific wetland setbacks for identified activities within the buffer zone. The Boxford Conservation Commission reviewed the proposed



## Order of Conditions

Boxford Wetlands Protection Bylaw, Town Code c. 192

### **B** Findings (cont.)

project with consideration for the more protective requirements of the Boxford Bylaw, and determined that the additional conditions contained in this Bylaw Order are necessary to ensure adequate protection of resource areas.

This Order permits the construction of a barn within 100-feet of Bordering Vegetated Wetland, as shown on the approved plan

#### 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.
2. The BCC or its Administrator, officers, or employees shall have the right to enter and inspect the property at any time for compliance with the conditions of this Order, the Boxford Wetlands Protection Bylaw and Regulations, Town Code Ch. 192 and Ch. 375, and shall have the right to require any data or documentation that it deems necessary for that evaluation.
3. **No work shall be undertaken until this Order has become final and then has been recorded in its entirety 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 upon which the proposed work is to be done. In the case of registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Boxford Conservation Commission on the form at the end of this Order, which must be stamped by the Registry of Deeds, prior to the commencement of the work.
4. All activities on this property shall comply with the provisions of the Boxford Wetlands Protection Bylaw and Regulations.

#### Prior to Construction

5. The applicant shall schedule a Pre-Activity Meeting with the Conservation Agent. On-site construction supervisors/forepersons should attend this meeting. At the Pre-Activity Meeting, the Conservation Agent shall, among other things, verify that the Order is recorded with the Registry of Deeds, the DEP sign is correctly installed, the erosion control is correctly installed, that the Supervisor of the work has a copy of the Order and associated plans and that the Order and Plans are available on site, that a construction schedule is provided, and that contact information is provided. The Agent may also place Conservation markers at or near the boundary of protected areas. Conservation markers consist of a four-inch diameter white metal disk with green lettering which reads: "Boxford Conservation Commission Protected Area."
6. The applicant shall provide the Agent with pre-construction photographs of the work area.

#### During Construction

7. The burial of stumps and any other type of construction refuse or other waste material is prohibited in the buffer zone.
8. 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 (987) 887-6000 x506.
9. Mulch sock may be used as erosion control in lieu of silt fence and haybales when approved by the Conservation Agent. Conservation Agent may require different or additional erosion control as site conditions warrant.
10. Erosion controls shall be placed at the construction access sufficient to prevent mud from tracking onto paved areas or as directed by the Conservation Agent in the field.

#### After Construction

11. An application for a Certificate of Compliance must be submitted to the Boxford Conservation Office within 30 days of completion of the work, but in no event later than 30 days after the expiration of this Order whether work is completed or not. This requirement shall continue in force after the expiration of this Order.
12. 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:
  - (a) A check for the applicable Bylaw fee made out to the "Town of Boxford" must be submitted with the written request for a Certificate of Compliance.
  - (b) A letter from a Registered Professional Engineer certifying compliance of the property with this Order of Conditions.
  - (c) Post-construction photographs of the work area.
  - (d) 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 measures, 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) The location of Conservation markers;
    - (e) A line delineating the limit of work - "work" includes any filling, excavating and/or disturbance of soils or vegetation approved under this Order;





**Town of Boxford Massachusetts**

Conservation Department

File #114-1351

# Order of Conditions

Boxford Wetlands Protection Bylaw, Town Code c. 192

## **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.

## **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

\_\_\_\_\_  
*Signature of Applicant*

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

**Please sign where indicated and mail or hand deliver to the Boxford Conservation Office, 7A Spofford Road, Boxford, MA 01921**

\_\_\_\_\_  
*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

\_\_\_\_\_  
*Book*

\_\_\_\_\_  
*Page*

in accordance with the Order of Conditions issued on

\_\_\_\_\_  
*Date*

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

\_\_\_\_\_  
*Date*

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

\_\_\_\_\_  
*Document Number*

ME  
14 PC



**Massachusetts Department of Environmental Protection**  
**Bureau of Resource Protection - Wetlands**  
**WPA Form 5 – Order of Conditions**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
114-1351  
MassDEP File #  
eDEP Transaction #  
Boxford  
City/Town

**A. General Information**

**Please note:**  
this form has been modified with added space to accommodate the Registry of Deeds Requirements

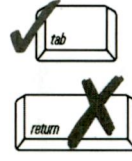
**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.

1. From: Town of Boxford  
Conservation Commission  
2. This issuance is for (check one):  
a.  Order of Conditions      b.  Amended Order of Conditions

3. To: Applicant:  
a. Alain      b. Chaoui  
a. First Name      b. Last Name  
c. Organization  
d. 10 Bennett Road  
d. Mailing Address  
e. Boxford      f. MA      g. 01921  
e. City/Town      f. State      g. Zip Code

4. Property Owner (if different from applicant):  
a. First Name      b. Last Name  
c. Organization  
d. Mailing Address  
e. City/Town      f. State      g. Zip Code

5. Project Location:  
a. 10 Bennett Road      b. Boxford  
a. Street Address      b. City/Town  
c. 23      d. 1/16/1  
c. Assessors Map/Plat Number      d. Parcel/Lot Number  
Latitude and Longitude, if known:      d      m      s      d      m      s  
d. Latitude      e. Longitude





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

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

Provided by MassDEP:

114-1351

MassDEP File #

eDEP Transaction #

Boxford

City/Town

**A. General Information (cont.)**

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):

Essex South

13515/218

a. County

b. Book/page

7. Dates:

8-4-2022

10-6-2022

10-11-2022

a. Date Notice of Intent Filed

b. Date Public Hearing Closed

c. Date of Issuance

8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):

NOI Plan for Proposed Barn

a. Plan Title

Nativetec

Robert E. Marini, P.E.

b. Prepared By

c. Signed and Stamped by

9-1-2022

d. Final Revision Date

e. Scale

f. Other documents

g. Date

**B. Findings**

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

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 areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- a.  Public Water Supply
- b.  Land Containing Shellfish
- c.  Prevention of Pollution
- d.  Private Water Supply
- e.  Fisheries
- f.  Protection of Wildlife Habitat
- g.  Groundwater Supply
- h.  Storm Damage Prevention
- i.  Flood Control

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

**Approved** subject to:

- a.  the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all 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.



Massachusetts Department of Environmental Protection  
 Bureau of Resource Protection - Wetlands  
**WPA Form 5 – Order of Conditions**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
 114-1351  
 MassDEP File # \_\_\_\_\_  
 eDEP Transaction # \_\_\_\_\_  
 Boxford  
 City/Town \_\_\_\_\_

**B. Findings (cont.)**

Denied because:

- b.  the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. 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 the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c.  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 Wetlands Protection Act. 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 Act'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 as per 310 CMR 10.05(6)(c).**
3.  Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) 25'  
 a. linear feet

**Inland Resource Area Impacts:** Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	a. square feet	b. square feet	c. square feet	d. square feet
6. <input type="checkbox"/> Land Under Waterbodies and Waterways	a. square feet	b. square feet	c. square feet	d. square feet
	e. c/y dredged	f. c/y dredged		
7. <input type="checkbox"/> Bordering Land Subject to Flooding	a. square feet	b. square feet	c. square feet	d. square feet
Cubic Feet Flood Storage	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	a. square feet	b. square feet		
Cubic Feet Flood Storage	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. <input checked="" type="checkbox"/> Riverfront Area	520	520		
	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	520	520		
	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	g. square feet	h. square feet	i. square feet	j. square feet



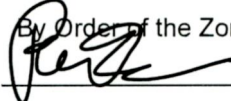
TOWN OF BOXFORD, MASSACHUSETTS

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NOTICE #1033

ZONING BOARD OF APPEALS

Notice is hereby given that the Zoning Board of Appeals will hold a virtual attendance public hearing at the Town Hall, 7A Spofford Road, Boxford, MA 01921 on **November 17, 2022** at **7:00 p.m.** or such other time when reached on the agenda as posted to all parties interested in the application of property owner Alan Chaoui requesting a **Special Permit pursuant to the Boxford Zoning by-law ART. V-SECT 196—13(h) construction of a 24' x 32' garage to existing family dwelling resulting in garage space for more than three vehicles or any other relief the Board may so grant. The applicant proposes the garage** on the property located at **10 Bennett Road Assessors Map 23, Block 01, Lot 16.1**. Plans are available for review at the Town of Boxford website within the Zoning Board of Appeals page.

By Order of the Zoning Board of Appeals,  


Paula Lia Fitzsimmons, Chair

RECEIVED

2022 OCT 31 AM 11:16

ROBBI PHELAN  
BOXFORD TOWN CLERK