

# NOTICE OF INTENT

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119 Depot Road  
Boxford, Massachusetts

December 1, 2021

**Owner/Applicant:**

Garrett Friedman  
119 Depot Road  
Boxford, MA 01921

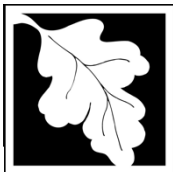
**Prepared By:**

Williams & Sparages LLC  
189 North Main Street, Suite 101  
Middleton, MA 01949  
Ph: 978-539-8088  
Fax: 978-539-8200  
[www.wsengineers.com](http://www.wsengineers.com)

**W&S Project No:**

BOXF-0103





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

**WPA Form 3 – Notice of Intent**

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Boxford

City/Town

**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>119 Depot Road</u>	<u>Boxford</u>	<u>01921</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:		
<u>Map 25</u>	<u>N 42.673230</u>	<u>W 70.981450</u>
f. Assessors Map/Plat Number	d. Latitude	e. Longitude
	<u>Block 5 Parcel 17</u>	
	g. Parcel /Lot Number	

2. Applicant:

<u>Garrett</u>	<u>Friedman</u>	
a. First Name	b. Last Name	
c. Organization		
<u>119 Depot Road</u>		
d. Street Address		
<u>Boxford</u>	<u>MA</u>	<u>01921</u>
e. City/Town	f. State	g. Zip Code
<u>978-223-1668</u>	<u>gfriedm1@gmail.com</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	
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>Greg J.</u>	<u>Hochmuth</u>	
a. First Name	b. Last Name	
<u>Williams &amp; Sparages LLC</u>		
c. Company		
<u>189 North Main Street, Suite 101</u>		
d. Street Address		
<u>Middleton</u>	<u>MA</u>	<u>01949</u>
e. City/Town	f. State	g. Zip Code
<u>978-539-8088</u>	<u>978-539-8200</u>	<u>ghochmuth@wsengineers.com</u>
h. Phone Number	i. Fax Number	j. Email address

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

<u>\$165.00</u>	<u>\$70.00</u>	<u>\$95.00</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:

Proposed restoration of trails within jurisdictional areas of the Massachusetts Wetlands Protection Act and Town of Boxford Wetlands Protection Bylaw.

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)

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 South	
a. County	b. Certificate # (if registered land)
30400	383
c. Book	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 checked="" type="checkbox"/> Bank	<u>22</u> 1. linear feet	<u>22</u> 2. linear feet
b. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	<u>1,887</u> 1. square feet	<u>1,887</u> 2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	_____ 1. square feet _____ 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	<u>553</u> 1. square feet <u>0</u> 3. cubic feet of flood storage lost	<u>553</u> 2. square feet <u>0</u> 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</u> 1. Name of Waterway (if available) - <b>specify coastal or inland</b>	

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: 81,753 s.f.  
square feet

4. Proposed alteration of the Riverfront Area:

<u>6,816</u>	<u>5,429</u>	<u>1,387</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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Boxford
City/Town

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

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

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
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

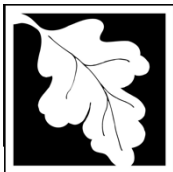
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____	
	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____	
	1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____	_____
	1. square feet	2. sq ft restoration, 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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Boxford	_____
City/Town	_____

## 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

- 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](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**

- August 2021  
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\*

- Percentage/acreage of property to be altered:
  - (a) within wetland Resource Area \_\_\_\_\_ percentage/acreage
  - (b) outside Resource Area \_\_\_\_\_ percentage/acreage

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

- 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 <https://www.mass.gov/endangered-species-act-mesa-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 <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

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, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; 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:

North Shore - Hull to New Hampshire border:

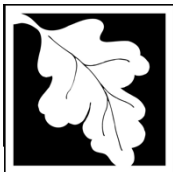
Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
836 South Rodney French Blvd.  
New Bedford, MA 02744  
Email: [dmf.envreview-south@mass.gov](mailto:dmf.envreview-south@mass.gov)

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [dmf.envreview-north@mass.gov](mailto:dmf.envreview-north@mass.gov)

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.

- c.  Is this an aquaculture project?      d.  Yes     No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



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

**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.





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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.

Plan to Accompany a Notice of Intent

a. Plan Title

Williams & Sparages LLC

Richard L. Williams, P.E.

b. Prepared By

c. Signed and Stamped by

December 2, 2021

1" = 30'

d. Final Revision Date

e. Scale

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:

1026

2. Municipal Check Number

12/1/2021

3. Check date

1025

4. State Check Number

12/1/2021

5. Check date

Garrett

6. Payor name on check: First Name

Friedman

7. Payor name on check: Last Name

GARRETT M FRIEDMAN  
JULIE A FRIEDMAN  
119 DEPOT ROAD  
BOXFORD, MA 01921

97-311/1240

1025

PAY TO THE ORDER OF Common Wealth of Massachusetts \$ 70.00

seventy dollars & 00/100 DOLLARS

**ally** BANK.

MEMO \_\_\_\_\_ MP

⑆⑆⑆124003116⑆ 1096239254⑆ 1025

GARRETT M FRIEDMAN  
JULIE A FRIEDMAN  
119 DEPOT ROAD  
BOXFORD, MA 01921

97-311/1240

1027

PAY TO THE ORDER OF Town of Boxford \$ 1100.00

one thousand one hundred dollars & 00/100 DOLLARS

**ally** BANK.

MEMO \_\_\_\_\_ MP

⑆⑆⑆124003116⑆ 1096239254⑆ 1027

GARRETT M FRIEDMAN  
JULIE A FRIEDMAN  
119 DEPOT ROAD  
BOXFORD, MA 01921

97-311/1240

1026

PAY TO THE ORDER OF Town of Boxford \$ 95.00

ninety five dollars & 00/100 DOLLARS

**ally** BANK.

MEMO \_\_\_\_\_ MP

⑆⑆⑆124003116⑆ 1096239254⑆ 1026



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

# WPA Form 3 - Notice of Intent

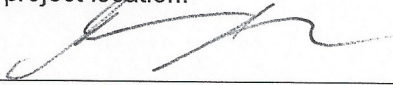

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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## 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.

	12/01/21
1. Signature of Applicant	2. Date
	
3. Signature of Property Owner (if different)	4. Date
	12/1/2021
5. Signature of Representative (if any)	6. Date

### For Conservation Commission:

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

### For MassDEP:

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

### Other:

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

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



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**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:

119 Depot Road	Boxford
a. Street Address	b. City/Town
1025	\$70.00
c. Check number	d. Fee amount

2. Applicant Mailing Address:

Garrett	Friedman	
a. First Name	b. Last Name	
c. Organization		
119 Depot Road		
d. Mailing Address		
Boxford	MA	01921
e. City/Town	f. State	g. Zip Code
978-223-1668	gfriedm1@gmail.com	
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	

**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.

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



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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
Category 1. b. (also in riverfront area)	1.5	\$110.00	\$165.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
<b>Step 5/Total Project Fee:</b>			\$165.00
<b>Step 6/Fee Payments:</b>			
Total Project Fee:			\$165.00
			a. Total Fee from Step 5
State share of filing Fee:			\$70.00
			b. 1/2 Total Fee <b>less</b> \$12.50
City/Town share of filing Fee:			\$95.00
			c. 1/2 Total Fee <b>plus</b> \$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

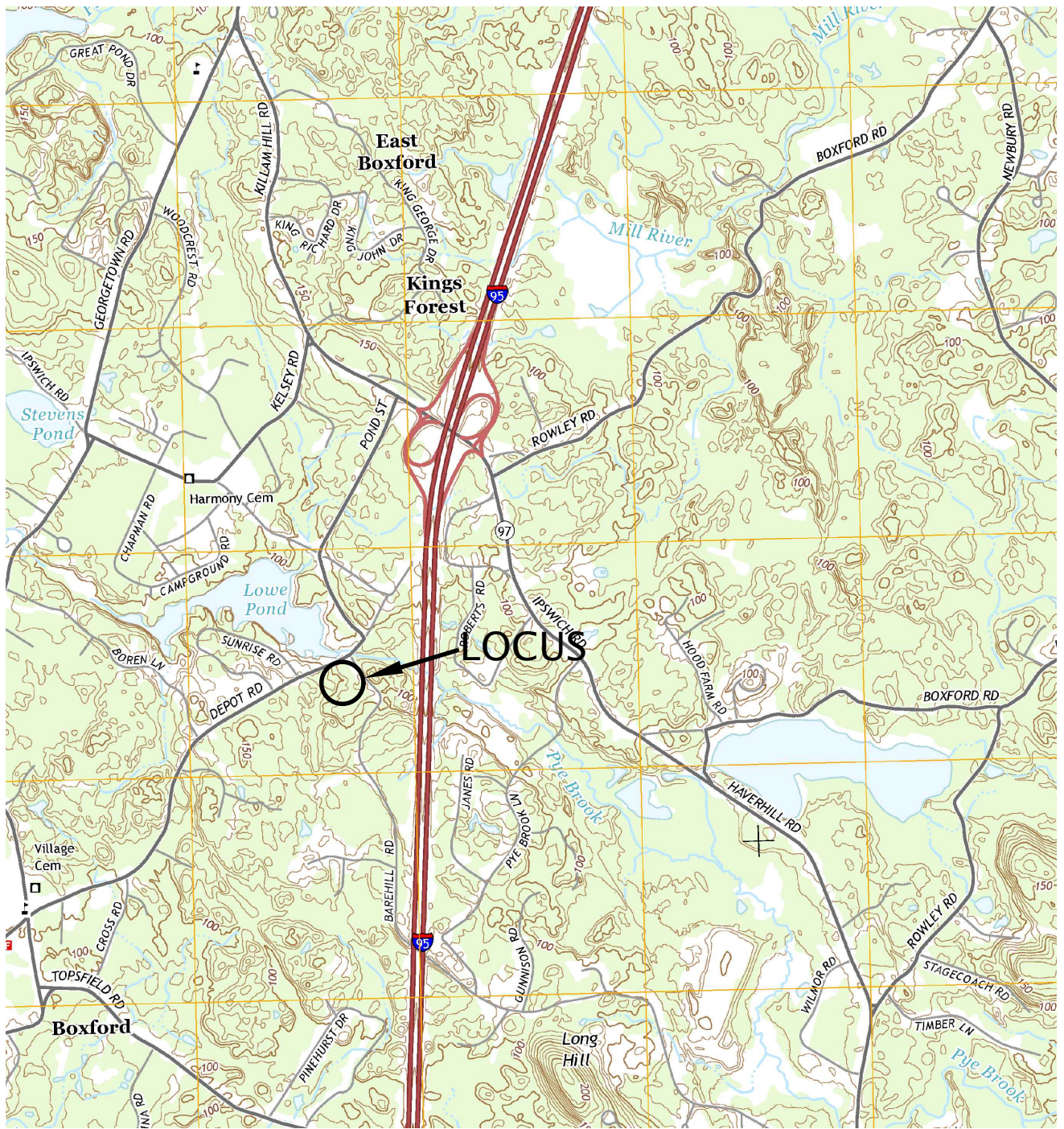
b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

**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.)

WILLIAMS & SPARAGES  
CIVIL ENGINEERING &  
LAND SURVEYORS



189 NORTH MAIN STREET  
SUITE 101  
MIDDLETON, MA 01949  
PHONE: (978) 539-8088  
FAX: (978) 539-8200



UNITED STATES GEOLOGIC SURVEY MAP  
GEORGETOWN, MASS QUAD  
SCALE: 1:25,000 (metric contours)

LOCUS MAP  
119 DEPOT ROAD  
BOXFORD, MA 01921



**Introduction:**

The subject property is located at 119 Depot Road in Boxford, MA and is currently developed with a single-family dwelling, that according to the Boxford Assessors Database, was constructed in 1977.

The property has frontage on Depot Road and Bare hill Road and is approximately 5.4 acres in size. Pye Brook, a perennial stream, flows across the north west corner of the parcel and there are Bordering Vegetated Wetlands in the northwest and southern portions of the parcel. With the exception of a small upland area in the central portion of the property, the majority of the parcel contains jurisdictional wetland resource areas.

The upland portions of the property contain Canton soils, (121C & 421B), and the wetland portions of the property contain Freetown muck (52A), and Ridgebury and Leicester fine sandy loams (715A).

According to the current Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program (NHESP) atlas, August 2021, there are no priority or estimated habitats of rare wildlife or rare species on the subject property. In addition, the area is not mapped as an Area of Critical Environmental Concern (ACEC).

On August 4, 2021 an Enforcement Order (EO) was issued to the property owner for unauthorized grading and tree work, including access by machine, within 100-feet of a Bordering Vegetated Wetlands and Riverfront Area, and within Wetland Resource Area.

The EO ordered the property owner to immediately cease and desist from any activity affecting the Buffer Zone and/or resource areas, and for a restoration plan to be filed with the issuing authority on or before August 19, 2021. The EO also required the following action to prevent further violations of the Act:

1. Cease all work and ATV use within regulated resource areas, Riverfront Area and buffer zones. On-going stone work adjacent to the shed is deemed outside these areas and may continue.
2. Immediately, and no later than August 13, install mulch sock or equivalent at the perimeter of disturbed areas between wetland resource area and the disturbance. Call conservation office when completed to schedule an inspection.
3. Engage a qualified professional to prepare an after-the-fact Notice of Intent and restoration plan for the unauthorized work by September 2, 2021.
4. Attend the Conservation Commission meeting scheduled for August 19, 2021 to update the Conservation Commission on the progress of the application.

On August 20, 2021, Greg J. Hochmuth, PWS, CWS from Williams & Sparages LLC (W&S) conducted a site inspection to assess the alleged violations. W&S observed a matrix of trails throughout the property that appeared to be within jurisdictional wetland resource areas.



Shortly thereafter, W&S completed a wetland delineation and topographic boundary survey of the property. The attached Plan to Accompany a Notice of Intent shows the existing conditions on the subject property, including the trails that are the subject of the EO.

At the time the trails were being created, the property owner was not aware of the regulations that govern wetland resource areas, and he had no idea that what he was doing was not allowed. Since that time, he has become familiar with the Regulations and wants to cooperate fully with the requirements set forth in the EO.

**Project Proposal:**

According to the property owner, some of the trails that are within the 100-foot wetland buffer zone and BVW where there when he moved in. He does admit that he maintained them and that by driving the ATV over them that they got larger in certain areas. He now understands that driving the ATV through the BVW, Riverfront Area, and through the 25-foot no disturb zone is no longer permitted.

The purpose of the Notice of Intent (NOI) filing is to restore the jurisdictional wetland resource areas that were altered using the following restoration methodology:

**Restoration Methodology:**

1. Remove fill material that was placed within BVW, Riverfront Area, and Bordering Land Subject to Flooding (BLSF). It is important to note that only a small amount of fill material appears to have been deposited within wetland resource areas and it is in the vicinity of the B & D-Series BVW's.
2. Once fill material is removed, scarify the areas with a steel rake and seed with the specified seed mix(s) as shown on the permit site plan. Some of the areas contain ruts that will need to be raked out. Prior to any placement of seed, the areas shall be inspected by a Professional Wetland Scientist (PWS) to determine if any soil amendments area required prior to seeding. If soil amendments area required, they should consist of a mixture of equal volumes of organic and mineral materials. These materials should be uncontaminated and should not include any woodchips. The organic material used should be well or partially decomposed. Clean leaf compost is the preferred soil amendment to achieve these standards. Mineral materials should be predominantly in the loam, loamy sand to silt loam texture range, with minimal quantities of gravel or rock.
3. Following the seeding effort, straw shall be spread over the seeded areas to act as a tackifier until the seed mix germinates.





Three different seed mixes were selected that are proposed to be broadcast in the areas shown on the permit site plan:

- New England Wetland Seed Mix is proposed to be placed in the altered BVW areas and be spread at an application rate of 2,500 s.f. per pound.
- New England Conservation/Wildlife Mix is proposed to be spread in the 25 foot no disturb zone and 200 foot Riverfront Area at an application rate of 1,750 s.f. per pound.
- New England Logging Road Mix is proposed to be spread between the 25 foot no disturb zone and 100 foot wetland buffer zone at an application rate of 2,200 s.f. per pound.

**Bordering Vegetated Wetlands (BVW):**

The BVW's were delineated by Greg Hochmuth, PWS, CWS, from Williams & Sparages, LLC on August 20, 2021. The A-Series BVW was delineated using blue surveyors tape (A1-A35), the B-Series (B1-B18), and the D-Series (D1-D12).

The only work proposed within the BVW is to scarify portions of the trail and to seed those portions with New England Wetland Seed Mix, or equal at an application rate of 2,500 sq. ft per pound.

**200 Foot Riverfront Area:**

The mean annual high water associated with Pye Brook was delineated using pink surveyors tape. MA1-MA14 delineate the west bank of the brook & MA15-MA25 delineate the east bank of the brook.

The only work proposed within the Riverfront Area is to remove fill material and to restore areas that were altered during the trail creation effort.

**Bordering Land Subject to Flooding (BLSF):**

There is a Zone A, 100 Year FEMA Floodplain, located in the north east corner of the property. A portion of the trail is located within BLSF; however, it does not appear that any BLSF was filled during the trail creation effort.

**Erosion Controls:**

Erosion Controls were installed by the applicant in accordance with the EO and are proposed to remain in place until all areas area stabilized according to the restoration plan.



# **NEW ENGLAND WETLAND PLANTS, INC**

820 WEST STREET, AMHERST, MA 01002

PHONE: 413-548-8000 FAX 413-549-4000

EMAIL: INFO@NEWP.COM WEB ADDRESS: WWW.NEWP.COM

## **New England Wetmix (Wetland Seed Mix)**

<b>Botanical Name</b>	<b>Common Name</b>	<b>Indicator</b>
<i>Carex vulpinoidea</i>	Fox Sedge	OBL
<i>Carex scoparia</i>	Blunt Broom Sedge	FACW
<i>Carex lurida</i>	Lurid Sedge	OBL
<i>Carex lupulina</i>	Hop Sedge	OBL
<i>Poa palustris</i>	Fowl Bluegrass	FACW
<i>Bidens frondosa</i>	Beggar Ticks	FACW
<i>Scirpus atrovirens</i>	Green Bulrush	OBL
<i>Asclepias incarnata</i>	Swamp Milkweed	OBL
<i>Carex crinita</i>	Fringed Sedge	OBL
<i>Vernonia noveboracensis</i>	New York Ironweed	FACW+
<i>Juncus effusus</i>	Soft Rush	FACW+
<i>Aster lateriflorus (Symphyotrichum lateriflorum)</i>	Starved/Calico Aster	FACW
<i>Iris versicolor</i>	Blue Flag	OBL
<i>Glyceria grandis</i>	American Mannagrass	OBL
<i>Mimulus ringens</i>	Square Stemmed Monkey Flower	OBL
<i>Eupatorium maculatum (Eutrochium maculatum)</i>	Spotted Joe Pye Weed	OBL

PRICE PER LB. \$135.00 MIN. QUANTITY 1 LBS. TOTAL: \$135.00 APPLY: 18 LBS/ACRE :2500 sq ft/lb

The New England Wetmix (Wetland Seed Mix) contains a wide variety of native seeds that are suitable for most wetland restoration sites that are not permanently flooded. All species are best suited to moist ground as found in most wet meadows, scrub shrub, or forested wetland restoration areas. The mix is well suited for detention basin borders and the bottom of detention basins not generally under standing water. The seeds will not germinate under inundated conditions. If planted during the fall months the seed mix will germinate the following spring. During the first season of growth several species will produce seeds while other species will produce seeds after the second growing season. Not all species will grow in all wetland situations. This mix is comprised of the wetland species most likely to grow in created/restored wetlands and should produce more than 75% ground cover in two full growing seasons.

The wetland seeds in this mix can be sown by hand, with a hand-held spreader, or hydro-seeded on large or hard to reach sites. Lightly rake to insure good seed-to-soil contact. Seeding can take place on frozen soil, as the freezing and thawing weather of late fall and late winter will work the seed into the soil. If spring conditions are drier than usual watering may be required. If sowing during the summer months supplemental watering will likely be required until germination. A light mulch of clean, weed free straw is recommended.

New England Wetland Plants, Inc. may modify seed mixes at any time depending upon seed availability. The design criteria and ecological function of the mix will remain unchanged. Price is \$/bulk pound, FOB warehouse, Plus SH and applicable taxes.

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## **New England Conservation/Wildlife Mix**

<b>Botanical Name</b>	<b>Common Name</b>	<b>Indicator</b>
<i>Elymus virginicus</i>	Virginia Wild Rye	FACW-
<i>Schizachyrium scoparium</i>	Little Bluestem	FACU
<i>Andropogon gerardii</i>	Big Bluestem	FAC
<i>Festuca rubra</i>	Red Fescue	FACU
<i>Sorghastrum nutans</i>	Indian Grass	UPL
<i>Panicum virgatum</i>	Switch Grass	FAC
<i>Chamaecrista fasciculata</i>	Partridge Pea	FACU
<i>Desmodium canadense</i>	Showy Tick Trefoil	FAC
<i>Asclepias tuberosa</i>	Butterfly Milkweed	NI
<i>Bidens frondosa</i>	Beggar Ticks	FACW
<i>Eupatorium purpureum (Eutrochium maculatum)</i>	Purple Joe Pye Weed	FAC
<i>Rudbeckia hirta</i>	Black Eyed Susan	FACU-
<i>Aster pilosus (Symphyotrichum pilosum)</i>	Heath (or Hairy) Aster	UPL
<i>Solidago juncea</i>	Early Goldenrod	

PRICE PER LB. \$39.50 MIN. QUANTITY 2 LBS. **TOTAL:** \$79.00

APPLY: 25 LBS/ACRE :1750 sq ft/lb

The New England Conservation/Wildlife Mix provides a permanent cover of grasses, wildflowers, and legumes for both good erosion control and wildlife habitat value. The mix is designed to be a no maintenance seeding, and is appropriate for cut and fill slopes, detention basin side slopes, and disturbed areas adjacent to commercial and residential projects.

New England Wetland Plants, Inc. may modify seed mixes at any time depending upon seed availability. The design criteria and ecological function of the mix will remain unchanged. Price is \$/bulk pound, FOB warehouse, Plus SH and applicable taxes.

# **NEW ENGLAND WETLAND PLANTS, INC**

820 WEST STREET, AMHERST, MA 01002

PHONE: 413-548-8000 FAX 413-549-4000

EMAIL: INFO@NEWP.COM WEB ADDRESS: WWW.NEWP.COM

## **New England Logging Road Mix**

<b>Botanical Name</b>	<b>Common Name</b>	<b>Indicator</b>
<i>Festuca rubra</i>	Red Fescue	FACU
<i>Schizachyrium scoparium</i>	Little Bluestem	FACU
<i>Panicum virgatum</i>	Switch Grass	FAC
<i>Elymus virginicus</i>	Virginia Wild Rye	FACW-
<i>Andropogon gerardii</i>	Big Bluestem	FAC
<i>Sorghastrum nutans</i>	Indian Grass	UPL
<i>Chamaecrista fasciculata</i>	Partridge Pea	FACU
<i>Agrostis perennans</i>	Upland Bentgrass	FACU
<i>Juncus tenuis</i>	Path Rush	FAC
<i>Juncus effusus</i>	Soft Rush	FACW+

PRICE PER LB. \$26.00 MIN. QUANTITY 3 LBS. **TOTAL:** \$78.00 APPLY: 20 LBS/ACRE :2200 sq ft/lb

The New England Logging Road Seed Mix was originally designed for restoring Maine logging roads, but has application on other types of restoration sites. Provides native plant cover in low fertility and compacted soils. Always apply on clean bare soil. The mix may be applied by hydro-seeding, by mechanical spreader, or on small sites it can be spread by hand. Lightly rake, or roll to ensure proper seed to soil contact. Best results are obtained with a Spring or late Summer seeding. Late Spring and early Summer seeding will benefit from a light mulching of weed-free straw to conserve moisture. If conditions are drier than usual, watering may be required. Late Fall and Winter dormant seeding require an increase in the seeding rate. Fertilization is not required unless the soils are particularly infertile. Preparation of a clean weed free soil surface is necessary for optimal results.

New England Wetland Plants, Inc. may modify seed mixes at any time depending upon seed availability. The design criteria and ecological function of the mix will remain unchanged. Price is \$/bulk pound, FOB warehouse, Plus SH and applicable taxes.

Soil Map—Essex County, Massachusetts, Northern Part  
(119 Depot Road, Boxford, MA)



## MAP LEGEND

- Area of Interest (AOI)
- Area of Interest (AOI)
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points
- Special Point Features**
  - Blowout
  - Borrow Pit
  - Clay Spot
  - Closed Depression
  - Gravel Pit
  - Gravelly Spot
  - Landfill
  - Lava Flow
  - Marsh or swamp
  - Mine or Quarry
  - Miscellaneous Water
  - Perennial Water
  - Rock Outcrop
  - Saline Spot
  - Sandy Spot
  - Severely Eroded Spot
  - Sinkhole
  - Slide or Slip
  - Sodic Spot
- Water Features**
  - Streams and Canals
- Transportation**
  - Rails
  - Interstate Highways
  - US Routes
  - Major Roads
  - Local Roads
- Background**
  - Aerial Photography
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Essex County, Massachusetts, Northern Part  
Survey Area Data: Version 17, Sep 2, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 13, 2020—Oct 18, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
1	Water	1.3	3.9%
52A	Freetown muck, 0 to 1 percent slopes	3.2	9.6%
420B	Canton fine sandy loam, 3 to 8 percent slopes	1.3	4.0%
421C	Canton fine sandy loam, 8 to 15 percent slopes, very stony	7.0	20.9%
421D	Canton fine sandy loam, 15 to 25 percent slopes, very stony	7.4	22.1%
422B	Canton fine sandy loam, 0 to 8 percent slopes, extremely stony	12.0	35.7%
711B	Charlton-Rock outcrop-Hollis complex, 3 to 8 percent slopes	0.1	0.2%
715A	Ridgebury and Leicester fine sandy loams, 0 to 3 percent slopes, extremely stony	1.2	3.6%
<b>Totals for Area of Interest</b>		<b>33.7</b>	<b>100.0%</b>

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act & Boxford Wetlands  
Protection Regulations

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

I, Gregory J. Hochmuth, hereby certify under the pains and penalties of perjury  
that on December 2, 2021, 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 was filed under Massachusetts Wetlands Protection Act, and  
Boxford Wetlands Protection Bylaw, by Garrett Friedman with the Town of  
Boxford Conservation Commission on December 2, 2021 for property located at  
119 Depot Road.

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.

  
\_\_\_\_\_  
Name

12/2/2021  
\_\_\_\_\_  
Date





25-05-17 - 119 DEPOT RD, BOXFORD ABUTTERS LIST  
 CONSERVATION COMMISSION 250'

Parcel ID	Location	Owner	Owner 2	Owner Address	Owner City/Town	Owner State	Zip Code
25-05-01	127 DEPOT RD	RAFFERTY BRIAN M TE	RAFFERTY CARRIE R	PO BOX 109	BOXFORD	MA	01921
25-05-15	6 BARE HILL RD	QUINLAN SEAN PATRICK	QUINLAN KATHRYN K	6 BARE HILL RD	BOXFORD	MA	01921
25-05-17	119 DEPOT RD	FRIEDMAN GARRETT M TE	FRIEDMAN JULIA A	119 DEPOT RD	BOXFORD	MA	01921
25-05-18	115 DEPOT RD	ROSELLI JEANNE M	BROWN TERRANCE M	115 DEPOT RD	BOXFORD	MA	01921
25-06-10	60 SUNRISE RD	HAVEY ARTHUR W TE	MARIE VIRGINIA ABBA	60 SUNRISE RD	BOXFORD	MA	01921
25-06-07	4 POND ST	ANGELINI NANCY	ANGELINI CYNTHIA & PIO	4 POND ST	BOXFORD	MA	01921
25-06-08	122 DEPOT RD	STOVER JASON	STOVER JENNIFER	122 DEPOT RD	BOXFORD	MA	01921
25-06-09	112 DEPOT RD	REI NUNO M TR	REI MARY-JANE TR	112 DEPOT RD	BOXFORD	MA	01921
29-03-16	105 DEPOT RD	MELVIN LEONARD J	C/O MARGARET L BOARDMAN	97 DEPOT ROAD	BOXFORD	MA	01921
29-03-17-2	17 BARE HILL RD	DOHERTY PHILIP J TE	DOHERTY MICHELE J	17 BARE HILL RD	BOXFORD	MA	01921
29-03-17-3	19 BARE HILL RD	DAIGLE GREGORY R	DAIGLE JENNIFER C	19 BARE HILL RD	BOXFORD	MA	01921
29-03-18	5 BARE HILL RD	BASHIQUIM JARED	BASHIQUIM REBECCA	5 BARE HILL RD	BOXFORD	MA	01921
29-03-19	33 BARE HILL RD	BOUDREAU JOHN R JR		33 BARE HILL RD	BOXFORD	MA	01921
29-03-33	27 BARE HILL RD	ANDREWS MATTHEW J & PAUL M		27 BARE HILL RD	BOXFORD	MA	01921

CERTIFIED COPY  
 8/30/2021

*Kristin Flanben*