

HANCOCK ASSOCIATES



Notice of Intent

In Support Of

Conservation Commission Approval

For

**5A Endicott Road
(Parcel ID 41-01-02)
Boxford, MA**

PREPARED BY:

Hancock Associates
#27462

PREPARED FOR:

Mr. Steven Sideri
March 7, 2024

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Introduction

On behalf of Mr. Steven Sideri (“Applicant”), Hancock Associates hereby submits this after the fact Notice of Intent in request to permit site improvements to a single-family dwelling within jurisdictional wetlands resource areas and associated buffer zones under the Massachusetts Wetlands Protection Act (“MA WPA”) and local setback zones under the town of Boxford Wetlands Protection Regulations.

The project was designed to meet State and Municipal regulations and is representative of a reduction of impervious surfaces within resource areas. As such, we respectfully request that the Boxford Conservation Commission (“BCC”) consider issuance of a complete Order of Conditions (“OOC”) under the state Wetland Protection Act (M.G.L. Chapter 131 § 40) and under the Town of Boxford Wetlands Protection Regulations to permit the scope of work described herein.

The following report describes compliance with these regulations.

Existing Conditions and Wetland Resource Areas

The 2.21-acre lot located at 5A Endicott Road, Boxford (identified as Map 41-01-02 on Boxford Assessors Maps) is developed with a range style single-family home constructed in 1955. The edge of the lot is wooded with Fish Brook located east of the property. This USGS perennial stream flows southward and is culverted under Washington Street/Endicott Road. Prior to the work outlined below, the home had a wooden deck attached to a pool located in the backyard. There was a barn located in the northwest corner of the lot along with a garden feature. A wooden shed and two (2) trees were located behind the house along the utility easement.

The resource areas impacting the activities on-site are the following:

- 100-foot Buffer Zone to Bordering Vegetated Wetlands (“BVW”)
- 200-foot Riverfront Area (“RFA”) to Fish Brook
- Bordering Land Subject to Flooding (“BLSF”)—100-foot floodplain buffer zone under the local wetland protection bylaw.

Desktop Assessment

An environmental constraints desktop assessment of the subject property was performed through review of MassGIS data layers, USGS 7.5-minute quadrangle maps, NRCS soil survey data, aerial photography, and Federal Emergency Management Agency (“FEMA”) Flood Insurance Rate Maps (“FIRMs”).

Based on this review, there are no environmental sensitive resource areas such as Areas of Critical Environmental Concern (“ACECs”), Natural Heritage Endangered Species (“NHESP”) mapped Estimated or Priority Rare Species Habitats, NHESP mapped Certified or Potential Vernal Pools, Outstanding Resource Waters (“ORWs”), Cold Water Fisheries, Surface Water Protection Zones, or Wellhead Protection Zones on the subject property.

According to the FEMA Flood Insurance Rate Map 25009C0263F effective July 3, 2012, most of the property is located in the special flood hazard area Zone AE at elevation 44 (see Appendix VII). The 100-year floodplain coincides with the resource area BLSF located on the property at elevation 44. This elevation was located via topographic survey of the lot and is detailed on the Topographic Plan.

According to the USGS 7.5-minute quadrangle map, there is a perennial stream (Fish Brook) that flows along the eastern bounds of the property, which projects a 200-foot Riverfront Area onto the subject lot.

Resources Area Delineation and Methodology

In accordance with the MA WPA implementing regulations set forth under 310 CMR 10.55 and the utilization of the methodology described within (1) “*BVW: Bordering Vegetated Wetlands Delineation Criteria and Methodology*,” issued March 1, 1995; (2) “*Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act: A handbook*,” produced by the Massachusetts Department of Environmental Protection, date March 1995., (3) “*Massachusetts Handbook for Delineation of Bordering Vegetated Wetlands*” produced by the Massachusetts Department of Environmental Protection, date September 2022., and (4) the *Boxford Wetlands Protection Regulations*., Hancock Associates staff delineated the following Bordering Vegetated Wetlands (BVW), which are defined under 310 CMR 10.55(2)(a) as, “*freshwater wetlands which border on creeks, rivers, streams, ponds, and lakes. The types of freshwater wetlands are wet meadows, marshes, swamps, and bogs. Bordering Vegetated Wetlands are areas where the soils are saturated and/or inundated such that they support a predominance of wetland indicator plants*”. The limit of BVW is further defined as “*the line within which 50% or more of the vegetational community consists of wetland indicator plants and saturated or inundated conditions exist. Wetland indicator plants shall include but not necessarily be limited to those plant species identified in the Act. Wetland indicator plants are also those classified in the indicator categories of Facultative, Facultative+, Facultative Wetland-, Facultative Wetland, Facultative Wetland+, or Obligate Wetland in the National List of Plant Species That Occur in Wetlands: Massachusetts (Fish & Wildlife Services, U.S. Department of the Interior, 1988) or Plants Exhibiting Physiological or Morphological Adaptations to Life in the Saturated or Inundated Conditions*”

A delineation performed by Hancock Associates on August 31, 2007, was used to determine the limits of wetland resource areas on Site. This wetland resource area was delineated in accordance with the guidance document *Delineating Bordering Vegetated Wetlands under the MA WPA* published by the MassDEP Division of Wetlands and Waterways in March 1995. A secondary delineation was used in execution of a separate Hancock contract by a professional wetland scientist (PWS®) who delineated all jurisdictional wetlands within 100-feet of Endicott Road over Fish Brook in Boxford and Topsfield, MA on March 21, 2023, in accordance with MassDEP wetland delineation standards. Based on this delineation, two (2) separate wetland resource areas were identified and delineated to include BVW and Riverfront associated with Fish Brook. All wetland flags were located via survey and plotted to the Site Plan herein by a Professional Land Surveyor (“PLS”).

BVW

In accordance with the MA WPA implementing regulations 310 CMR 10.55(2)(a), BVW is defined as, “*freshwater wetlands which border on creeks, rivers, streams, ponds and lakes. The types of freshwater wetlands are wet meadows, marshes, swamps and bogs. Bordering Vegetated Wetlands are areas where the soils are saturated and/or inundated such that they support a predominance of wetland indicator plants*”. The limit of BVW is further defined as, “*the line within which 50% or more of the vegetational community consists of wetland indicator plants and saturated or inundated conditions exist. Wetland indicator plants shall include but not necessarily be limited to those plant species identified in the Act. Wetland indicator plants are also those classified in the indicator categories of Facultative, Facultative+, Facultative Wetland-, Facultative Wetland, Facultative Wetland+, or Obligate Wetland in the National List of Plant Species That Occur in Wetlands: Massachusetts (Fish & Wildlife Service, U.S. Department of the Interior, 1988) or plants exhibiting physiological or morphological adaptations to life in saturated or inundated conditions*”.

According to the Town of Boxford Wetlands Protection § 192-8, BVW is defined as “*freshwater wetlands which border on creeks, streams, rivers, ponds and lakes. Bordering vegetated wetlands are areas where the soils are saturated and/or inundated such that they support a predominance (50% or greater) of wetland indicator plants.*”

200-foot RFA

In accordance with the MA WPA implementing regulations set forth, RFA is defined under 310 CMR 10.58(2)(a) as *“the area of land between a river’s mean annual high-water line and a parallel line measured horizontally. The riverfront area may include or overlap other resource areas or their buffer zones. The riverfront area does not have a buffer zone.”*

According to the Town of Boxford Wetlands Protection Regulations § 375-58. B (1), *“a riverfront area is the area of land between a river, stream, or brook’s mean annual high-water line and a parallel line measured 200 feet horizontally out from the river. The riverfront area may include or overlap other resources areas or their buffer zones. The riverfront area does not have a buffer zone. A river, stream, or brook with designated riverfront area normally remains a river, stream, or brook, except when interrupted by a lake or pond.”*

Fish Brook is specifically defined in the local regulations to be presumed to have riverfront area under § 375-58 B(2)(a).

BLSF

According to 310 CMR 10.57, *“Bordering Land Subject to Flooding is an area with low, flat topography adjacent to and inundated by flood waters rising from creeks, rivers, streams, ponds, or lakes. It extends from the banks of these waterways and water bodies; where a bordering vegetated wetland occurs, it extends from said wetland.”*

According to the FEMA map 25009C0263F effective July 3, 2012, a large portion of the Site is located within a special flood hazard zone (AE) associated with base flood elevation 44 (See FEMA FIRM map as Appendix VII). This area is associated with the jurisdictional wetland resource area, BLSF and therefore compensatory storage shall be provided for all flood storage volume that will be lost as the result of a proposed project within BLSF, when in the judgment of the issuing authority said loss will cause an increase or will contribute incrementally to an increase in the horizontal extent and level of flood waters during peak flows. The completed work did not alter flood storage on site so this requirement is not applicable to the Project. Work within BLSF, including that work required to provide the above-specified compensatory storage, shall not restrict flows so as to cause an increase in flood stage or velocity. Work in those portions of BLSF found to be significant to the protection of wildlife habitat shall not impair its capacity to provide important wildlife habitat functions. Except for work which would adversely affect vernal pool habitat, a project or projects on a single lot, for which Notice(s) of Intent is filed on or after November 1, 1987, that (cumulatively) alter(s) up to 10% or 5,000 square feet (whichever is less) of land in this resource area found to be significant to the protection of wildlife habitat, shall not be deemed to impair its capacity to provide important wildlife habitat functions. Additional alterations beyond the above threshold, or altering vernal pool habitat, may be permitted if they will have no adverse effects on wildlife habitat, as determined by procedures contained in 310 CMR 10.60. The completed work did not restrict flows or wildlife habitat during or post-construction.

According to the Town of Boxford Wetlands Protection Regulations (§ 375-4), BLSF is defined as *“an area with low, flat topography adjacent to and inundated by floodwaters rising from creeks, streams, rivers, ponds or lakes. The boundary of bordering land subject to flooding is the one-hundred-year floodplain. It extends from the outer edge of a bank or bordering vegetated wetland.”*

Completed Work

Redevelopment work was completed on Site within the 100-foot Buffer Zone to BVW, the 200-foot RFA, and BLSF without approval from the Boxford Conservation Commission. A pool and wooden deck were removed from the back of the existing single-family home that were located within the 200-foot RFA. A paver patio was constructed along the back of the dwelling in place of the removed wooden deck which represents a reduction of square footage within the environmentally sensitive RFA and associated buffer zone to jurisdictional areas. In review of the existing paver patio, the Hancock Associates engineers determined that the constructed paver patio is pervious with gaps and space between each paver, which allow for water to infiltrate and flow. A large barn and garden

that, which were previously located northwest of the home were both removed from the subject Site. These structures were located within the buffer zones associated with BLSF and BVW resulting in an additional net reduction of surface area impact on the Site. New development on Site involved the replacement and relocation of the septic system, which was failing. The new septic location is within the buffer zone of the existing floodplain, but the relocation was necessary for the functionality and use of the single-family home. This location was chosen in order to comply with the 150-foot well setback as well as the 10-foot property line setback. Redevelopment work completed on the Site includes the removal of a wooden shed and two (2) trees located along the utility easement within the BLSF buffer zone. No topographic data of the Site prior to construction has been recorded and obtained prior to this filing, therefore specific calculations for the reduction of impervious surfaces and/or impacts within the sensitive areas are not able to be presented to the commission. However, it can be assumed and observed that based on historic aerial imagery and available GIS data, the completed work represents an overall reduction in developed and impervious areas on Site. Based on our Site visits and topographic data all areas on Site have been loamed, seeded and are in stable condition post construction. The Site is currently does not exhibit signs of erosion or elicit discharge observed. There were no grade changes within the floodplain.

Resource Area Impacts

The boundary of the buffer zone is determined by measuring 100 feet horizontally from the outer (landward) boundaries of bordering vegetated wetland, inland or coastal bank, coastal or barrier beach, rocky intertidal shore, salt marsh, and/or coastal dune. Buffer Zone is defined in 310 CRM 10.04 as *“that area of land extending 100 feet horizontally outward from the boundary of any area specified in 310 CMR 10.02(1)(a).”*

BVW and the associated 100-foot buffer zone

There was no completed work within the limits of BVW, however there was work completed within the 100-foot buffer zone. There are no regulatory performance standards for the 100-foot Buffer Zone to BVW under 310 CMR 10.00.

The scope of work completed was designed to meet the regulatory standards for work within the 100-foot Buffer Zone of the BVW. With BMPs for wetland protection during construction and no permanent alterations within the buffer zone following construction, we note that there were no adverse impacts to BVW took place on Site. The limit of BVW and the associated setback zones have been digitized to the Resource Area (“RA”) Plan as the yellow-colored line.

Table 1: Buffer Zone Impact Calculations

Resource Area	Existing Impervious
75-foot No Build Zone (“NBZ”)	±580 SF
100-foot buffer zone	±1,194 SF
Total	±1,774 SF

*square foot – (“SF”)

200-foot RFA to Fish Brook

No work was completed to directly alter Fish Brook, however there was work that took place within the 200-foot RFA. The scope of work seemed to be designed to meet the regulatory standards for work within the 200-foot RFA and therefore no negative impact to the resource area is noted for the work completed on Site. The limit of RFA and the associated setback zones have been digitized to the RA Plan in as the purple and blue colored lines.

The work completed within the RFA included a reduction of cumulative impact within the environmentally sensitive resource area itself. The pool and wooden deck were removed and replaced with the construction of a pervious paver patio representative of a smaller footprint. Again, the area has been observed to be stable post construction

with no major grade changes other than stabling the area for the septic system and leaching field. Please refer to **Table 2** below for existing impacts within the RFA:

Table 2: RFA Impact Calculations

Resource area	Existing Impervious
100-foot Inner Riparian Zone	147 SF
200-foot RFA	5,567 SF
Total	5,714 SF

BLSF with the mapped 100-yr flood special hazard “AE” zone at el. 44 (NAVD88)

In accordance with the MA WPA implementing regulations 310 CMR 10.57(2)(a)3., BLSF is defined as, “the estimated maximum lateral extent of flood water which will theoretically result from the statistical 100-year frequency storm. Said boundary shall be that determined by reference to the most recently available flood profile data prepared for the community within which the work is proposed under the National Flood Insurance Program (NFIP, currently administered by the Federal Emergency Management Agency, successor to the U.S. Department of Housing and Urban Development)”. As previously detailed, according to the FEMA Flood Insurance Rate Map 25009C0263F effective July 3, 2012, mapped Zone AE 100-year floodplain with base elevation 44 occur on the subject property. (See FIMA FIRM as Appendix VII). Flood storage was not altered due to the activities that took place on Site. The limit of FEMA mapped Zone AE 100- year flood plain coinciding with the resource area BLSF has been digitized to the RA Plan as the pink-colored line, also identified as the 100-year flood plain.

There was no work completed within the limits of BLSF, however there was work completed within the limits of the 75-foot and 100-foot buffer zones associated with this resource area. The removal of structures as well as the relocation of the septic system took place within these buffer zones. The work was completed without changes any grades. The Site is observed to have been loamed and seeded post-work and remains in stable condition.

Table 3: BLSF Impact Calculations

Resource Area	Impervious Impact
25-foot No Disturb Zone (“NDZ”)	498 SF
75-foot No Build Zone (“NBZ”)	1,888 SF
100-foot buffer zone	408 SF
Total Impervious Area	2,794 SF

Performance Standards

Table 4: Compliance with Performance Standards for Riverfront Area (310 CMR 10.58)

RIVERFRONT AREA PERFORMANCE STANDARD	COMPLIANCE WITH PERFORMANCE STANDARD
310 CMR 10.58(4): GENERAL PERFORMANCE STANDARD. WHERE THE PRESUMPTION SET FORTH IN 310 CMR 10.58(3) IS NOT OVERCOME, THE APPLICANT SHALL PROVE BY A PREPONDERANCE OF THE EVIDENCE THAT THERE ARE NO PRACTICABLE AND SUBSTANTIALLY EQUIVALENT ECONOMIC ALTERNATIVES TO THE PROPOSED PROJECT WITH LESS ADVERSE EFFECTS ON THE INTERESTS IDENTIFIED IN M.G.L.C.131 § 40 AND THAT THE WORK, INCLUDING PROPOSED MITIGATION, WILL HAVE NO SIGNIFICANT ADVERSE IMPACT ON THE RIVERFRONT AREA TO PROTECT THE INTERESTS IDENTIFIED IN M.G.L. C. 131 §	The completed work represents a reduction in cumulative structural impact based on the removal of site features within the RFA and reduction of footprint from the combined pool/patio to what exists today. The Site went from inhabiting an impervious pool and patio feature to a pervious patio with no additional impacts.

<p>40. IN THE EVENT THAT THE PRESUMPTION IS PARTIALLY OVERCOME, THE ISSUING AUTHORITY SHALL MAKE A WRITTEN DETERMINATION SETTING FORTH ITS GROUNDS IN THE ORDER OF CONDITIONS AND THE PARTIAL REBUTTAL SHALL BE TAKEN INTO ACCOUNT IN THE APPLICATION OF 310 CMR 10.58 (4)(D)1.A. AND C.; THE ISSUING AUTHORITY SHALL IMPOSE CONDITIONS IN THE ORDER THAT CONTRIBUTE TO THE PROTECTION OF INTERESTS FOR WHICH THE RIVERFRONT AREA IS SIGNIFICANT.</p>	
<p>310 CMR 10.58(4)(A): PROTECTION OF OTHER RESOURCE AREAS. THE WORK SHALL MEET THE PERFORMANCE STANDARDS FOR ALL OTHER RESOURCE AREAS WITHIN THE RIVERFRONT AREA, AS IDENTIFIED IN 310 CMR 10.30 (COASTAL BANK), 10.32 (SALT MARSH), 10.55 (BORDERING VEGETATED WETLAND), AND 10.57 (LAND SUBJECT TO FLOODING). WHEN WORK IN THE RIVERFRONT AREA IS ALSO WITHIN THE BUFFER ZONE TO ANOTHER RESOURCE AREA, THE PERFORMANCE STANDARDS FOR THE RIVERFRONT AREA SHALL CONTRIBUTE TO THE PROTECTION OF THE INTERESTS OF M.G.L. C. 131, § 40 IN LIEU OF ANY ADDITIONAL REQUIREMENTS THAT MIGHT OTHERWISE BE IMPOSED ON WORK IN THE BUFFER ZONE WITHIN THE RIVERFRONT AREA.</p>	<p>As described previously, there was no completed work or direct impact to the other resource areas on Site. However, work was completed within the buffer zones and local setback zones under the local bylaw to BVW and BLSF.</p>
<p>310 CMR 10.58(4) (B): PROTECTION OF RARE SPECIES. NO PROJECT MAY BE PERMITTED WITHIN THE RIVERFRONT AREA WHICH WILL HAVE ANY ADVERSE EFFECT ON SPECIFIED HABITAT SITES OF RARE WETLAND OR UPLAND, VERTEBRATE OR INVERTEBRATE SPECIES, AS IDENTIFIED BY THE PROCEDURES ESTABLISHED UNDER 310 CMR 10.59 OR 10.37, OR WHICH WILL HAVE ANY ADVERSE EFFECT ON VERNAL POOL HABITAT CERTIFIED PRIOR TO THE FILING OF THE NOTICE OF INTENT.</p>	<p>Not applicable.</p>
<p>310 CMR 10.58(4) (C): PRACTICABLE AND SUBSTANTIALLY EQUIVALENT ECONOMIC ALTERNATIVES. THERE MUST BE NO PRACTICABLE AND SUBSTANTIALLY EQUIVALENT ECONOMIC ALTERNATIVE TO THE PROPOSED PROJECT WITH LESS ADVERSE EFFECTS ON THE INTERESTS IDENTIFIED IN M.G.L. C. 131 § 40.</p>	<p>The entire Site has been previously developed with a single-family home, barn, pool, deck and other features; therefore, a majority of the work was re-development. However, the newly constructed septic system was installed within the manicured turf lawn area and an alternative analysis should therefore address this completed work accordingly. See the Alternatives Analysis below for further information.</p>
<p>310 CMR 10.58(4) (D) NO SIGNIFICANT ADVERSE IMPACT. THE WORK, INCLUDING PROPOSED MITIGATION MEASURES, MUST HAVE NO SIGNIFICANT ADVERSE IMPACT ON THE RIVERFRONT AREA TO PROTECT THE INTERESTS IDENTIFIED IN M.G.L. C. 131, § 40.</p>	<p>No significant impact on the RFA. The site is stable with no erosion or discharge present.</p>
<p><i>310 CMR 10.58(5): Redevelopment within Previously Developed Riverfront Areas; Restoration and Mitigation. Work to redevelop previously developed riverfront areas shall conform to the following criteria:</i></p>	

<p>10.58(5)(A) PROPOSED WORK SHALL RESULT IN AN IMPROVEMENT OVER EXISTING CONDITIONS OF THE CAPACITY OF THE RIVERFRONT AREA TO PROTECT THE INTERESTS IDENTIFIED IN THE WPA*. WHEN A LOT IS PREVIOUSLY DEVELOPED BUT NO PORTION OF THE RIVERFRONT AREA IS DEGRADED, REQUIREMENTS OF 10.58(4) SHALL BE MET.</p>	<p>No significant impact on RFA. The work completed resulted in an improvement of existing conditions by reducing the square footage of impacts within RFA.</p>
<p>10.58(5)(B) STORM WATER MANAGEMENT IS PROVIDED ACCORDING TO STANDARDS ESTABLISHED BY THE DEPARTMENT.</p>	<p>Not applicable.</p>
<p>10.58(5)(C) WITHIN 200-FOOT RIVERFRONT AREAS, PROPOSED WORK SHALL NOT BE LOCATED CLOSER TO THE RIVER THAN EXISTING CONDITIONS OR 100 FEET, WHICHEVER IS LESS, OR NOT CLOSER THAN EXISTING CONDITIONS WITHIN 25-FOOT RIVERFRONT AREAS, EXCEPT IN ACCORDANCE WITH 310 CMR 10.58(5) (F) OR (G).</p>	<p>Condition met. The work completed did not extend beyond the original footprint of the pool/patio.</p>
<p>10.58(5)(D) PROPOSED WORK, INCLUDING EXPANSION OF EXISTING STRUCTURES, SHALL BE LOCATED OUTSIDE THE RIVERFRONT AREA OR TOWARD THE RIVERFRONT AREA BOUNDARY AND AWAY FROM THE RIVER, EXCEPT IN ACCORDANCE WITH 310 CMR 10.58(5)(F) OR (G).</p>	<p>The constructed redevelopment features are located no closer to the river than what existed prior to demolition and construction. The work included a reduction of existing impact within the RFA and buffer zone. The septic relocation site was chosen to comply with well and property line setbacks.</p>
<p>10.58(5)(E) THE AREA OF PROPOSED WORK SHALL NOT EXCEED THE AMOUNT OF DEGRADED AREA, HOWEVER PROPOSED WORK MAY ALTER UP TO 10% IF THE DEGRADED AREA IS LESS THAN 10% OF THE RIVERFRONT AREA, EXCEPT IN ACCORDANCE WITH 310 CMR 10.58(5)(F) OR (G).</p>	<p>Without topographic survey of pre-existing conditions prior to construction we cannot confirm compliance with this performance standard because we are unable to provide calculations, however we can assume that 10.58(5)€ has been met based on aerial photography and available data via GIS.</p>
<p>10.58(5)(F) WHEN AN APPLICANT PROPOSES RESTORATION ON-SITE OF DEGRADED RIVERFRONT AREA, ALTERATION MAY BE ALLOWED AT A RATIO IN SQUARE FEET OF AT LEAST 1:1 OF RESTORED AREA TO AREA OF ALTERATION NOT CONFORMING TO THE CRITERIA.</p> <p>AREAS IMMEDIATELY ALONG THE RIVER SHALL BE SELECTED FOR RESTORATION. ALTERATION NOT CONFORMING TO THE CRITERIA SHALL BEGIN AT THE RIVERFRONT AREA BOUNDARY.</p> <p>RESTORATION SHALL INCLUDE:</p> <ol style="list-style-type: none"> 1. REMOVAL OF ALL DEBRIS, BUT RETAINING ANY TREES OR OTHER MATURE VEGETATION; 2. GRADING TO A TOPOGRAPHY WHICH REDUCES RUNOFF AND INCREASES INFILTRATION; 3. COVERAGE BY TOPSOIL AT A DEPTH CONSISTENT WITH NATURAL CONDITIONS AT THE SITE; <p>SEEDING AND PLANTING WITH AN EROSION CONTROL SEED MIXTURE, FOLLOWED BY PLANTINGS OF</p>	<p>Not applicable.</p>

HERBACEOUS AND WOODY SPECIES APPROPRIATE TO THE SITE	
10.58(5)(G) WHEN AN APPLICANT PROPOSES MITIGATION EITHER ON-SITE OR IN THE RIVERFRONT AREA WITHIN THE SAME GENERAL AREA OF THE RIVER BASIN, ALTERATION MAY BE ALLOWED AT A RATIO IN SQUARE FEET OF AT LEAST 2:1 OF MITIGATION AREA TO AREA OF ALTERATION NOT CONFORMING TO THE CRITERIA OR AN EQUIVALENT LEVEL OF ENVIRONMENTAL PROTECTION WHERE SQUARE FOOTAGE IS NOT A RELEVANT MEASURE. ALTERATION NOT CONFORMING TO THE CRITERIA SHALL BEGIN AT THE RIVERFRONT AREA BOUNDARY.	Not applicable.
10.58(5)(H) THE ISSUING AUTHORITY SHALL INCLUDE A CONTINUING CONDITION FOR PROJECTS UNDER 310 CMR 10.58(5)(F) OR (G) PROHIBITING FURTHER ALTERATION WITHIN THE RESTORATION OR MITIGATION AREA, EXCEPT AS MAY BE REQUIRED TO MAINTAIN THE AREA IN ITS RESTORED OR MITIGATED CONDITION.	Not applicable.
PRIOR TO REQUESTING THE ISSUANCE OF THE CERTIFICATE OF COMPLIANCE, THE APPLICANT SHALL DEMONSTRATE THE RESTORATION OR MITIGATION HAS BEEN SUCCESSFULLY COMPLETED FOR AT LEAST TWO GROWING SEASONS.	The Applicant understands.

* *The interests identified in the WPA for RFA include protecting private or public water supply; protecting groundwater; providing flood control; preventing storm damage; preventing pollution; protecting land containing shellfish; protecting wildlife habitat; and protecting the fisheries.*

RFA Alternatives Analysis

In existing condition, the Project Site consists of a single-family home with a manicured lawn and accessories. The constructed location of the septic system was installed in what was previously the footprint of a pool and patio area off the back of the home.

In accordance with the General Performance Standards in 310 CMR 10.58(4), *“the applicant shall prove by a preponderance of the evidence that there are no practicable and substantially equivalent economic alternatives to the proposed project with less adverse effects on the interests identified in M.G.L.c.131 § 40 and that the work, including proposed mitigation, will have no significant adverse impact on the riverfront area to protect the interests identified in M.G.L.c.131 § 40”.*

Scope of Alternatives. The scope of alternatives under consideration shall be commensurate with the type and size of the project. The issuing authority shall presume that alternatives beyond the scope described below are not practicable and therefore need not be considered.

The following section provides the alternatives considered in accordance with this standard.

No Build Alternative

The completed work represents a net reduction in alterations within the resource areas on Site. The no-build alternative would mean to have kept the previous existing structures, wooden deck, and pool on site within the buffer zones and RFA. These structures would degrade in time and have a potential negative impact on the sensitive resource areas. The existing septic system on Site was failing thus leaving it in place would result in making the associated dwelling inhabitable and potentially contaminate well water and nearby waterbodies. Therefore, this alternative was not ideal nor would benefit the existing Property use and nearby environmentally sensitive resource areas.

In-Kind Replacement Alternative

The in-kind alternative would suggest reconstruction of the demolished structures and pool within the same footprint. This would ensure that the structures would be in good condition and reduce the likelihood of adverse impact to the resource areas. However, the completed work decreased the existing footprint of impervious surfaces within the resource areas. Because the septic system was failing on the Site, there were limited options on that would comply with the zoning, well setbacks and Title V standards in which all locations would be within a jurisdictional wetland resource area or their associated buffer zone/setback zones, as well as RFA. Any of these locations would have been more impactful towards the adjacent resource areas, and therefore not ideal. Therefore, this alternative would be less beneficial in comparison to the work that was completed to date.

Current Plan Alternative (Preferred Alternative)

The completed work did not alter any grades or negatively impact the resource areas. The footprint of structures on site decreased which is why this is the preferred alternative for the Site. This construction resulted in a conservative location of the septic system which complied with the set forth Title V regulations and is within the outer riparian RFA to Fish Brook. This location is as close to the most upland area as possible and while the leaching field is within the 100-foot Buffer Zone to BVW and BLSF, the area currently resides between a disturbed gravel parking area as identified on the Existing Conditions Plan. The septic relocation also complies with well and property line setbacks and is therefore the preferred location. The reduction of impervious surfaces within the buffer zones makes the work that was completed to be overall beneficial in regard to the potential resource area impacts.

Conclusion

In our professional opinion, all work has been completed to meet or exceed Performance Standards in accordance with the MA WPA Regulations (310 CMR 10.00) and the Town of Boxford Wetlands Protection Bylaw and its implementing Regulations. All completed work had been performed to minimize and mitigate the impacts to the resource areas and buffer zones. The completed design achieves the goals of the Applicant, while being sensitive to adjacent regulated resource area. After reviewing the constructed work and the existing Site conditions, we can confirm that the physical activity of construction did not result in any impacts to the wetland resource areas on Site and the Site is in stable condition. As such, we respectfully request that the Commission consider issuance of an Order of Conditions ("OOC") to permit the work described herein.

Thank you for your consideration in this matter.

Respectfully submitted, Hancock Associates on behalf of Mr. Steven Sideri



Caitlin White, WPIT
Project Wetland Scientist

Appendix I MADEP WPA Form 3 – Notice of Intent



Massachusetts Department of Environmental Protection

eDEP Transaction Copy

Here is the file you requested for your records.

To retain a copy of this file you must save and/or print.

Username: **CWHITE111**

Transaction ID: **1677605**

Document: **WPA Form 3 - NOI**

Size of File: **276.23K**

Status of Transaction: **In Process**

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Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 3 - Notice of Intent

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

Provided by MassDEP:
MassDEP File #:
eDEP Transaction #:1677605
City/Town:BOXFORD

A.General Information

1. Project Location:

a. Street Address	5A ENDICOTT ROAD		
b. City/Town	BOXFORD	c. Zip Code	01921
d. Latitude	42.63059N	e. Longitude	70.97450W
f. Map/Plat #	41	g.Parcel/Lot #	01/02

2. Applicant:

Individual Organization

a. First Name	STEVEN	b.Last Name	SIDERI
c. Organization			
d. Mailing Address	5A ENDICOTT ROAD		
e. City/Town	BOXFORD	f. State	MA
g. Zip Code	01921		
h. Phone Number	978-375-0197	i. Fax	
j. Email	sdsheating@comcast.net		

3.Property Owner:

more than one owner

a. First Name	BRENT	b. Last Name	JAMES
c. Organization			
d. Mailing Address	5A ENDICOTT ROAD		
e. City/Town	BOXFORD	f.State	MA
g. Zip Code	01921		
h. Phone Number	978-815-9057	i. Fax	
j.Email	kathleen@atlanticK9.com		

4.Representative:

a. First Name		b. Last Name	
c. Organization	HANCOCK ASSOCIATES		
d. Mailing Address	185 CENTRE STREET		
e. City/Town	DANVERS	f. State	MA
g. Zip Code	01923		
h.Phone Number	978-777-3050	i.Fax	978-774-7816
j.Email	cwhite@hancockassociates.com		

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

a.Total Fee Paid	165.00	b.State Fee Paid	70.00	c.City/Town Fee Paid	95.00
------------------	--------	------------------	-------	----------------------	-------

6.General Project Description:

AFTER THE FACT NOTICE OF INTENT IN REQUEST TO PERMIT SITE IMPROVEMENTS TO A SINGLE-FAMILY DWELLING WITHIN RIVERFRONT AREA AND BUFFER ZONES TO JURISDICTIONAL WETLANDS RESOURCE AREAS.

7a.Project Type:

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Limited Project Driveway Crossing | 4. <input type="checkbox"/> Commercial/Industrial |
| 5. <input type="checkbox"/> Dock/Pier | 6. <input type="checkbox"/> Utilities |
| 7. <input type="checkbox"/> Coastal Engineering Structure | 8. <input type="checkbox"/> Agriculture (eg., cranberries, forestry) |
| 9. <input type="checkbox"/> Transportation | 10. <input type="checkbox"/> Other |



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

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Provided by MassDEP:
 MassDEP File #:
 eDEP Transaction #:1677605
 City/Town:BOXFORD

7b. Is any portion of the proposed activity eligible to be treated as a 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:
 2. Limited Project

8. Property recorded at the Registry of Deeds for:

a. County:	b. Certificate:	c. Book:	d. Page:
SOUTHERN ESSEX	97037		

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

1. Buffer Zone & Resource Area Impacts (temporary & permanent):

This is a Buffer Zone only project - 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)

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	2. square feet
---	----------------	----------------

c. <input type="checkbox"/> Land under Waterbodies and Waterways	1. Square feet	2. square feet
--	----------------	----------------

	3. cubic yards dredged	
--	------------------------	--

d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
--	----------------	----------------

	3. cubic feet of flood storage lost	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	Fish Brook	
	1. Name of Waterway (if any)	

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 61222 square feet

4. Proposed Alteration of the Riverfront Area:

5714	147	5567
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.



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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)

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
<input type="checkbox"/> Designated Port Areas	Indicate size under	Land under the ocean below,
<input type="checkbox"/> Land Under the Ocean	1. square feet	
	2. cubic yards dredged	
<input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes, below	
<input type="checkbox"/> Coastal Beaches	1. square feet	2. cubic yards beach nourishment
<input type="checkbox"/> Coastal Dunes	1. square feet	2. cubic yards dune nourishment
<input type="checkbox"/> Coastal Banks	1. linear feet	
<input type="checkbox"/> Rocky Intertidal Shores	1. square feet	
<input type="checkbox"/> Salt Marshes	1. square feet	2. sq ft restoration, rehab, crea.
<input type="checkbox"/> Land Under Salt Ponds	1. square feet	
	2. cubic yards dredged	
<input type="checkbox"/> Land Containing Shellfish	1. square feet	
<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	
<input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet	

4.Restoration/Enhancement

Restoration/Replacement

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 entered the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

5.Projects Involves Stream Crossings

Project Involves Streams Crossings



Massachusetts Department of Environmental Protection

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

Provided by MassDEP:
MassDEP File #:
eDEP Transaction #:1677605
City/Town:BOXFORD

If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

a. number of new stream crossings

b. number of replacement stream crossings

C. Other Applicable Standards and Requirements

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 of Endangered Species program (NHESP)?

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

b. Date of map:FROM MAP VIEWER

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18)....

c. Submit Supplemental Information for Endangered Species Review * (Check boxes as they apply)

1. Percentage/acreage of property to be altered:

(a) within Wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

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

3. Project plans for entire project site, including wetland resource areas and areas outside of wetland 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

c. MESA filing fee (fee information available at: <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html>)

Make check payable to "Natural Heritage & Endangered Species Fund" 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

d. 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/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14>; 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 Number

b. Date submitted to NHESP



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 #:
eDEP Transaction #:1677605
City/Town:BOXFORD

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

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review...

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

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

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

North Shore - Hull to New Hampshire:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 S. Rodney French Blvd
New Bedford, MA 02744

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930

If yes, it may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional office.

- 3. 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 DEP Website for ACEC locations). **Note:** electronic filers click on Website.

b. ACEC Name

- 4. 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

- 5. 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

- 6. 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, Explain why the project is exempt:

1. Single Family Home

2. Emergency Road Repair



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:
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City/Town:BOXFORD

- 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

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 by regular mail delivery.

- 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.
- 3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s).
- 4. List the titles and dates for all plans and other materials submitted with this NOI.

a. Plan Title:	b. Plan Prepared By:	c. Plan Signed/Stamped By:	d. Revised Final Date:	e. Scale:
----------------	----------------------	----------------------------	------------------------	-----------

TOPOGRAPHIC PLAN OF LAND	HANCOCK ASSOCIATES	SCOTT R. JALBERT, PLS	3/5/2024	1"=20'
RESOURCE AREA PLAN	HANCOCK ASSOCIATES	MATTHEW T. CONNORS, PE	3/5/2024	1"=20'

- 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.



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 #:
eDEP Transaction #:1677605
City/Town:BOXFORD

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. Payer name on check: First Name	7. Payer name on check: Last Name

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.

Steven Sideri	3/7/2024
_____	_____
1. Signature of Applicant	2. Date
_____	_____
3. Signature of Property Owner(if different)	4. Date
Caitlin White	3/7/2024
_____	_____
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 Section C, Items 1-3, 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
WPA Form 3 - Notice of Wetland Fee Transmittal
Form

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

Provided by MassDEP:
 MassDEP File #:
 eDEP Transaction #:1677605
 City/Town:BOXFORD

A. Applicant Information

1. Applicant:

a. First Name	STEVEN	b. Last Name	SIDERI
c. Organization			
d. Mailing Address	5A ENDICOTT ROAD		
e. City/Town	BOXFORD	f. State	MA
g. Zip Code	01921	j. Email	sdsheating@comcast.net
h. Phone Number	9783750197	i. Fax	

2. Property Owner:(if different)

a. First Name	BRENT	b. Last Name	JAMES
c. Organization			
d. Mailing Address	5A ENDICOTT ROAD		
e. City/Town	BOXFORD	f. State	MA
g. Zip Code	01921	j. Email	kathleen@atlanticK9.com
h. Phone Number	9788159057	i. Fax	

3. Project Location:

a. Street Address	5A ENDICOTT ROAD	b. City/Town	BOXFORD
-------------------	------------------	--------------	---------

Are you exempted from Fee? (YOU HAVE SELECTED 'NO')

Note: Fee will be exempted if you are one of the following:

- City/Town/County/District
- Municipal Housing Authority
- Indian Tribe Housing Authority
- MBTA

State agencies are only exempt if the fee is less than \$100

B. Fees

Activity Type	Activity Number	Activity Fee	RF Multiplier	Sub Total
A.) WORK ON SINGLE FAMILY LOT; ADDITION, POOL, ETC.;	1	110.00	RFA MULTIPLIER 1.5	165.00
	City/Town share of filing fee	\$95.00	State share of filing fee	\$70.00
			Total Project Fee	\$165.00



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

MassDEP File Number

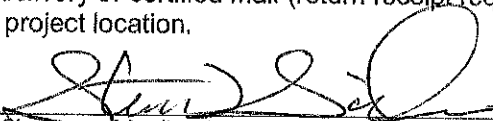


Document Transaction Number

Boxford
City/Town

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.


 1. Signature of Applicant

 3. Signature of Property Owner (if different)

 5. Signature of Representative (if any)

2/25/2024
 2. Date
 2/29/2024
 4. Date
 03/06/2024
 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:

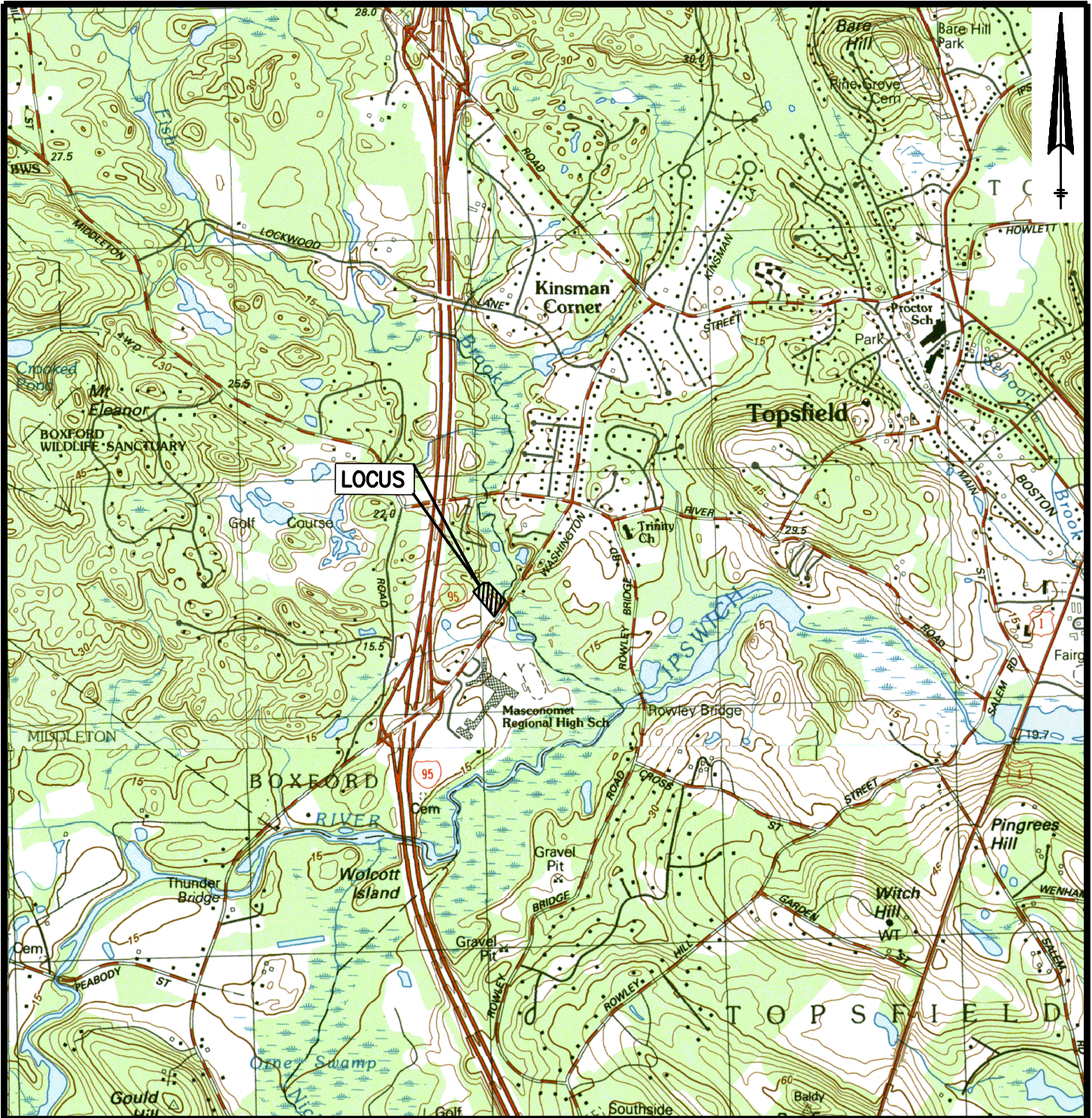
One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

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.

Appendix II USGS Locus Map



USGS LOCUS MAP

5A ENDICOTT ROAD
BOXFORD, MA

**HANCOCK
ASSOCIATES**

185 CENTRE STREET, DANVERS, MA. 01923
VOICE (978) 777-3050, FAX (978) 774-7816

DATE: 02/21/24

SCALE: 1"=2,000'

DESIGN: JAH

DRAWN: JAH

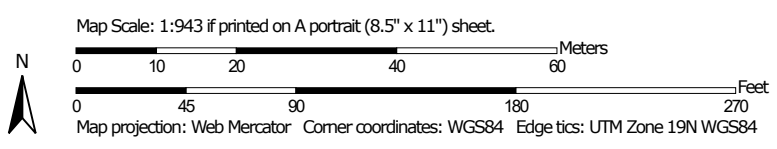
LAYOUT: LOCUS

Appendix III NRCS Soils Map

Soil Map—Essex County, Massachusetts, Northern Part



Soil Map may not be valid at this scale.



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 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



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

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 19, Sep 10, 2023

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

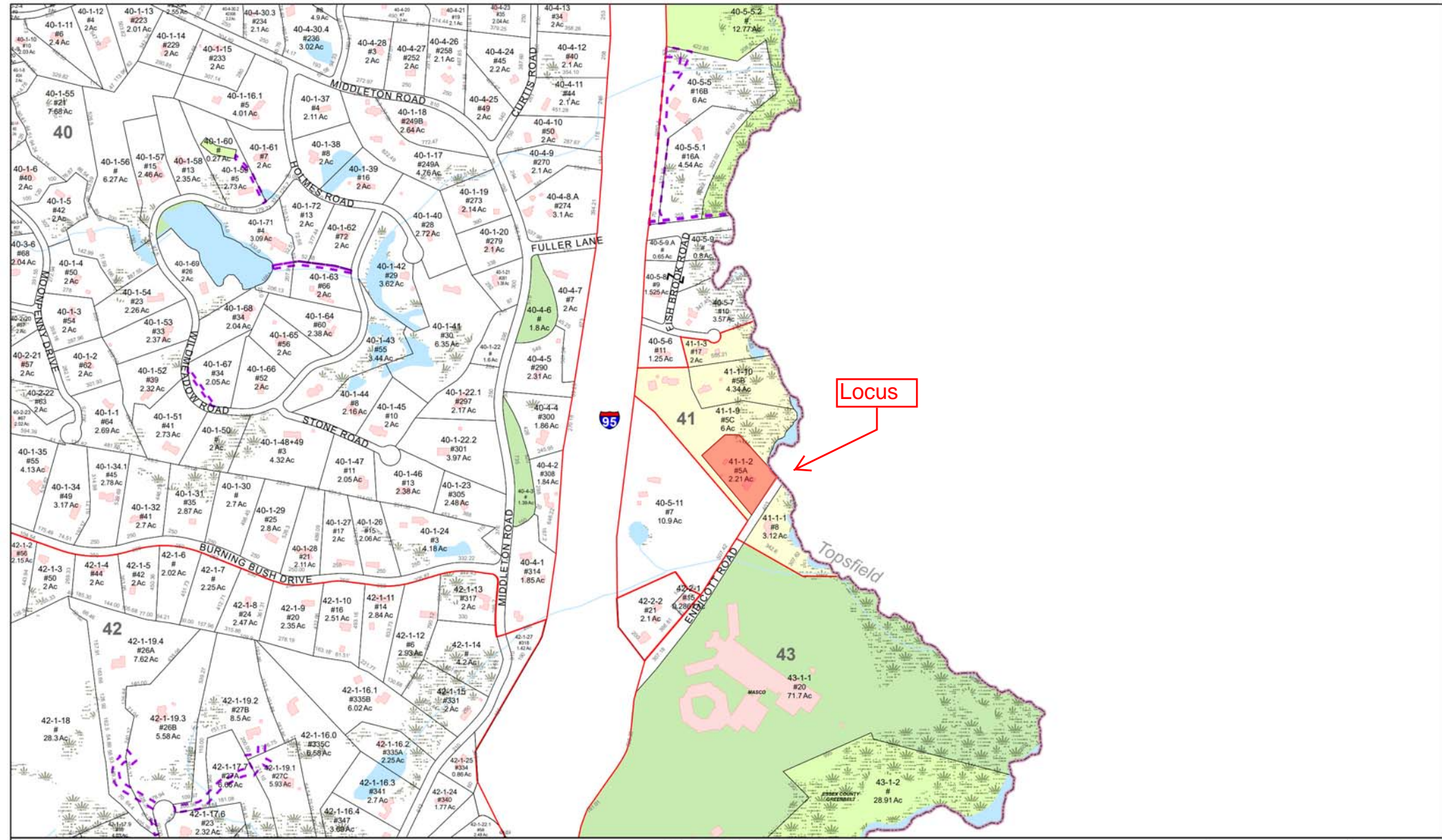
Date(s) aerial images were photographed: Mar 1, 2023—Sep 1, 2023

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

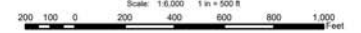
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
6A	Scarboro mucky fine sandy loam, 0 to 3 percent slopes	0.2	12.1%
421B	Canton fine sandy loam, 0 to 8 percent slopes, very stony	1.4	81.1%
421D	Canton fine sandy loam, 15 to 25 percent slopes, very stony	0.1	6.8%
Totals for Area of Interest		1.8	100.0%

Appendix IV Tax Map



Notes
 This map is for assessment purposes only. It is not a valid document for legal description or conveyance. Land dimensions were compiled from existing assessment maps and survey based plans. For legal determination please refer to parcel specific deeds or the Town of Boxford Assessor Office.
 * Wetlands Note: The wetlands shown on this map do not depict their actual extent or boundary. A wetlands boundary should be conducted if a delineation is required.

Town of Boxford
 Property Parcel Maps
 41



Legend

Adjunct Maps	Streams
Town Boundaries	Wetlands
Map Boundaries	Commercial Land Use
Property Parcels	Industrial Land Use
Building Footprint	State
Hydrographic Features	County
	Municipal
	Private



Appendix V Abutter Information

41-01-02 - 5A ENDICOTT RD, BOXFORD ABUTTERS LIST
CONSERVATION COMMISSION 250'

Parcel ID	Location	Owner	Owner 2	Owner Address	Owner City/Town	Owner State	Zip Code
40-05-11	7 ENDICOTT RD	JAMES, BRENT AUSTIN WOODWARD	JAMES, KATHLEEN JEANNE O'CONNELL	7 ENDICOTT RD	BOXFORD	MA	01921
41-01-01	8 ENDICOTT RD	SULLIVAN JOHN	HOOVER NORA	8 ENDICOTT RD	BOXFORD	MA	01921
41-01-10	5B ENDICOTT RD	O'BRIEN TE TIMOTHY E & O'BRIEN TE JOYCE A	O'BRIEN FAMILY 2023 REVOCABLE TRUST	5B ENDICOTT RD	BOXFORD	MA	01921
41-01-02	5A ENDICOTT RD	JAMES BRENT	JAMES KATHLEEN	5A ENDICOTT RD	BOXFORD	MA	01921
41-01-09	5C ENDICOTT RD	BAPTISTA ELIZABETH M TE	BAPTISTA GEORGE	5C ENDICOTT RD	BOXFORD	MA	01921
43-01-01	20 ENDICOTT RD	MASCONOMET REGIONAL SCHOOL DISTRICT		20 ENDICOTT RD	BOXFORD	MA	01921

CERTIFIED COPY
2/12/2024

Kristin Hanlon

Notification to Abutters

By Hand Delivery, Certified Mail (return receipt requested), or Certificates of Mailing

This is a notification required by law. You are receiving this notification because you have been identified as the owner of land abutting another parcel of land for which certain activities are proposed. Those activities require a permit under the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40).

In accordance with the second paragraph of the Massachusetts Wetlands Protection Act, and 310 CMR 10.05(4)(a) of the Wetlands Regulations, you are hereby notified that:

- A. A Notice of Intent was filed with the Boxford Conservation Commission on **March 7, 2024**, seeking permission to remove, fill, dredge, or alter an area subject to protection under M.G.L. c. 131 §40. The following is a description of the proposed activity/activities:

This request is to permit after-the-fact site improvements to a single-family dwelling within Riverfront Area to Fish Brook and buffer zone to jurisdictional wetland resource areas under the Massachusetts Wetlands Protection Act and local setback zones under the town of Boxford Wetlands Protection Regulations.

- B. The name of the applicant is: **Mr. Steven Sideri**
- C. The address of the land where the activity is proposed is: **5A Endicott Road (41-01-02)**
- D. Copies of the Notice of Intent may be examined or obtained at the office of the Boxford Conservation Commission, located at 7A Spofford Road, Boxford. The regular business hours of the Commission are 8:30 AM to 2:00 PM Monday to Thursday, and the Commission may be reached at 978-887-6000 ext. 181.
- E. Copies of the Notice of Intent may be obtained from the applicant or Hancock Associates by calling 978-777-3050 during the hours of 8:00 AM to 5:00 PM Monday to Friday. An administrative fee may be applied for providing copies of the NOI and plans.
- F. Information regarding the date, time, and location of the public hearing regarding the Notice of Intent may be obtained from the Boxford Conservation Commission. Notice of the public hearing will be published at least five business days in advance, in the Tri Town Transcript.

Notification provided pursuant to the above requirement does not automatically confer standing to the recipient to request Departmental Action for the underlying matter. See 310 CMR 10.05(7)(a)4.

Appendix VI Fee Calculation and Checks

Fee changes adopted 1-6-2021


Fee Category	Example	Old fees adopted 3/17/2011	New fees adopted 1-6-2022
Request for Determination of Applicability		\$100.00	\$350.00
Notice of Intent			
Category 1	Addition/Alteration	\$200.00	\$475.00
Category 2	New Single Family House	\$1,000.00	\$1,475.00
Category 3	Site dev w/o house, road constr		\$1,475.00
Category 4	Subdivisions (first 1500' of road,+2/lf after)	\$3,000.00	\$3,975.00
Category 5	Work on docks		\$475.00
	add Each Crossing (road intermittent)	\$1,000.00	\$1,000.00
	add Each Crossing (road perennial)	\$2,000.00	\$2,000.00
	add Each Crossing (driveway perennial)	\$1,000.00	\$1,000.00
	add Each Crossing (driveway intermittent)	\$400.00	\$400.00
	add Wetland Resource Alteration	.50 sq ft	.50 sq ft
	add Bank Alteration	.50 lin ft	.50 lin ft
Category 6	add Boundary Verif (\$25/100' after 100')	\$50/100' after	\$50/100' after
ANRAD (\$100 + \$25/100' after 100')		\$200+\$50/	\$475+\$50/
Certificate of Compliance (w/ 1 yr)		\$50.00	\$50.00
Certificate of Compliance (after 1 yr)		\$100.00	\$100.00
Partial Certificate of Compliance		\$50.00	\$50.00
Amended Order of Conditions		\$400.00	\$725.00
Extension Permit		\$150.00	\$150.00
Standard Request for Written Project Status		\$100.00	\$100.00
Expedited Request for Written Project Status		\$200.00	\$200.00
Affidavit		\$200.00	\$200.00
Determination of Negligible Impact		\$50.00	\$50.00
Emergency Certification		\$50.00	\$50.00
Site Visit without Application (non-owner)		\$50.00	\$50.00
Site Visit without Application (owner)		\$25.00	\$50.00
Soil Policy Fee		\$50.00	\$50.00

STEVEN D. SIDERI
 5 ENDICOTT ROAD
 BOXFORD, MA 01921

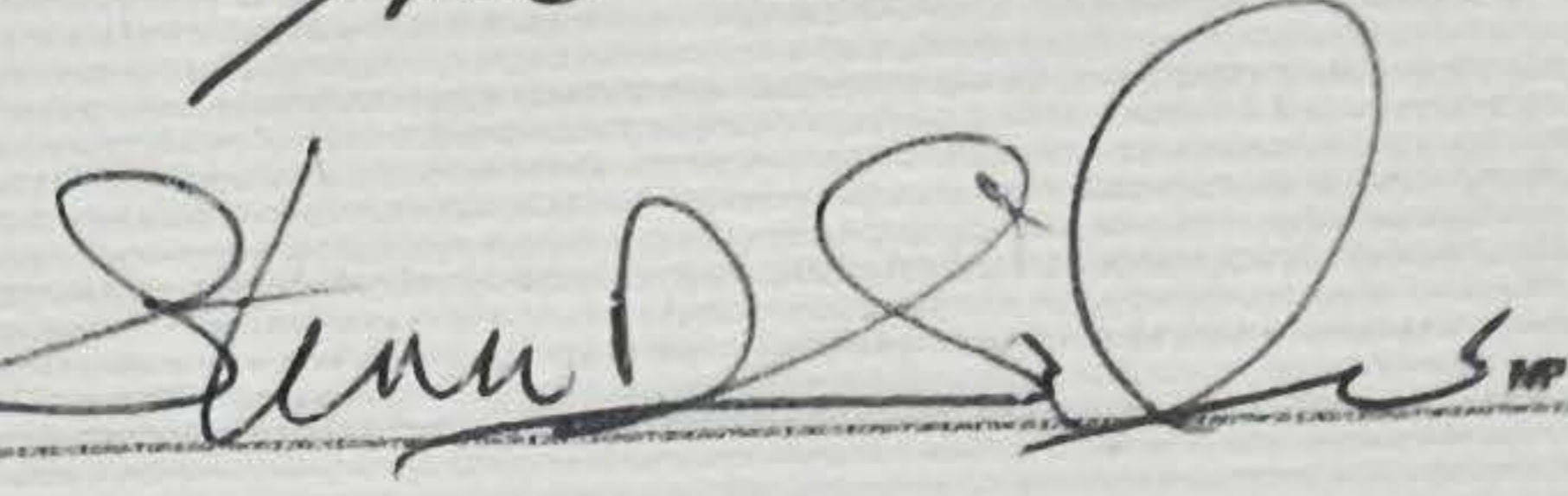
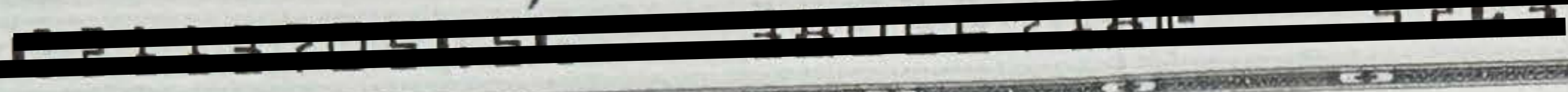
5243
 53-7054/2113
 01

2/28/2024
 Date

Pay to the Order of HANCOCK ASSOCIATES \$ 80.50
Eighty 50/100 Dollars

 **Bank**
 America's Most Convenient Bank®

For E. Filling state fee





STEVEN D. SIDERI
 5 ENDICOTT ROAD
 BOXFORD, MA 01921

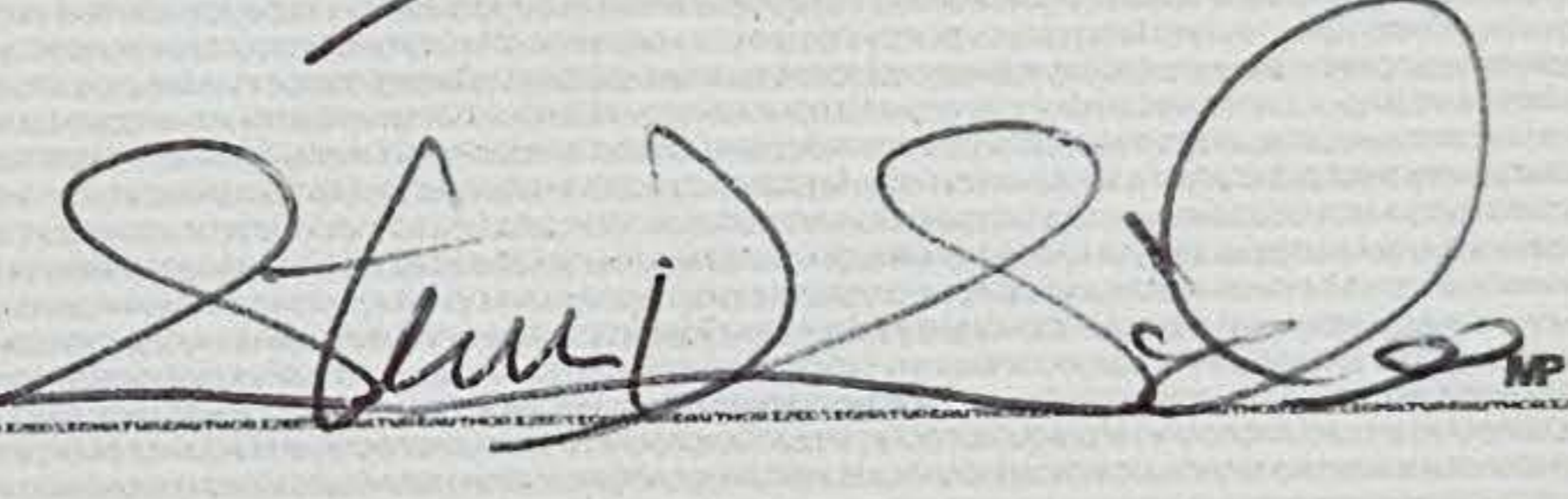

5244
 53-7054/2113
 01

2/28/2024
 Date

Pay to the Order of Town of Boxford \$ 712.50
Seven Hundred, Twelve 50/100 Dollars

 **Bank**
 America's Most Convenient Bank®

For Local By-Law Fee





STEVEN D. SIDERI
 5 ENDICOTT ROAD
 BOXFORD, MA 01921

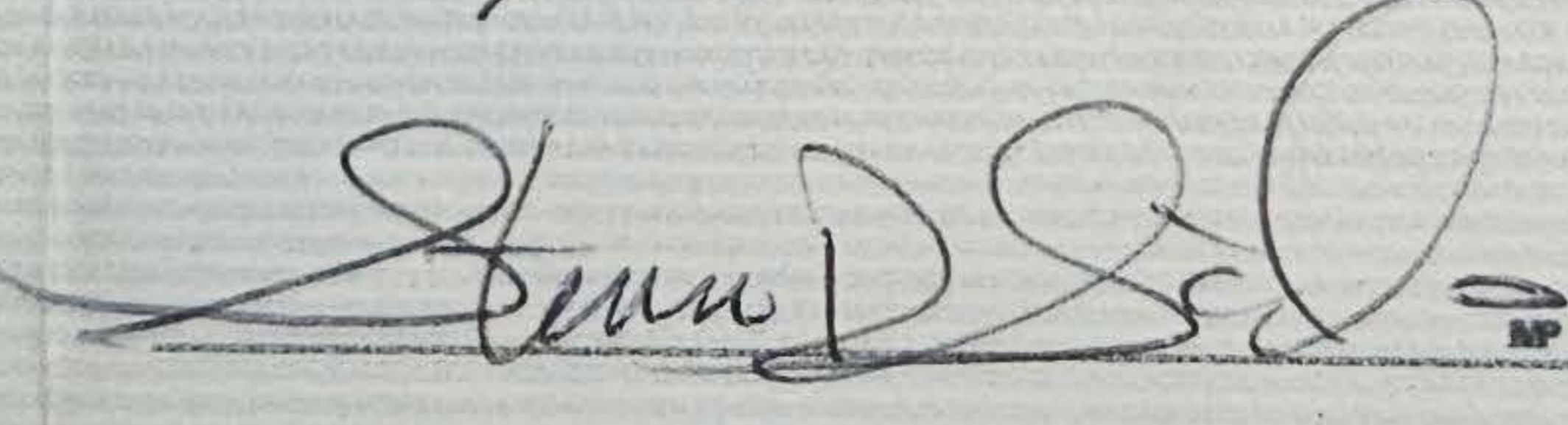

5242
 53-7054/2113
 01

2/28/2024
 Date

Pay to the Order of Town of Boxford \$ 95.00
Nintety Five xx/100 Dollars

 **Bank**
 America's Most Convenient Bank®

For Filing Fee

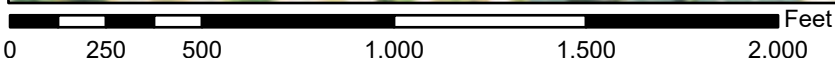



Appendix VII FEMA Map

National Flood Hazard Layer FIRMMette



70°58'47"W 42°38'3"N



1:6,000 70°58'10"W 42°37'37"N

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

- | | |
|---|---|
| <p>SPECIAL FLOOD HAZARD AREAS</p> | <ul style="list-style-type: none"> Without Base Flood Elevation (BFE)
<i>Zone A, V, A99</i> With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i> Regulatory Floodway |
| <p>OTHER AREAS OF FLOOD HAZARD</p> | <ul style="list-style-type: none"> 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i> Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i> Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i> Area with Flood Risk due to Levee <i>Zone D</i> |
| <p>OTHER AREAS</p> | <ul style="list-style-type: none"> NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i> Effective LOMRs Area of Undetermined Flood Hazard <i>Zone D</i> |
| <p>GENERAL STRUCTURES</p> | <ul style="list-style-type: none"> Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall |
| <p>OTHER FEATURES</p> | <ul style="list-style-type: none"> B 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation 17.5 Coastal Transect Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Transect Baseline Profile Baseline Hydrographic Feature |
| <p>MAP PANELS</p> | <ul style="list-style-type: none"> Digital Data Available No Digital Data Available Unmapped |



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **2/12/2024 at 10:01 AM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Appendix VIII Site Photographs



Photo #1: Aerial view of property with now demolished structures visible. Photo from 2012 MassDOT Pictometry Viewer.



Photo #2: View of the back of the house with newly constructed patio. Photo taken by Hancock Associates Staff Scientist on February 7, 2024.



Photo #3: View of newly constructed paver patio. Photo taken by Hancock Associates Staff Scientist on February 7, 2024.



Photo #4: Corner view of newly constructed patio attached to existing single-family home. Photo taken by Hancock Associates Staff Scientist on February 7, 2024.



Photo #5: Northwest view of the leaching field location. Photo taken by Hancock Associates Staff Scientist on February 7, 2024.



Photo #6: Location of newly installed septic system cover. Photo taken by Hancock Associates Staff Scientist on February 7, 2024.



Photo #7: General location of previously existing barn and shed with newly installed gravel. Photo taken by Hancock Associates Staff Scientist on February 7, 2024.



Photo #8: West facing view of the location of previously existing barn and garden with newly installed gravel. Photo taken by Hancock Associates Staff Scientist on February 7, 2024.



Photo #9: Bank of Fish Brook with view of culvert under Washington Street/Endicott Road located along the eastern edge of the property. Photo taken by Hancock Associates Staff Scientist on February 7, 2024.



Photo #10: Bank of Fish Brook with view of culvert under Washington Street/Endicott Road located along the eastern edge of the property. Photo taken by Hancock Associates Staff Scientist on February 7, 2024.

HANCOCK ASSOCIATES

Surveyors | Engineers | Scientists