

NOTICE OF INTENT

28 Topsfield Road
Boxford, Massachusetts

August 21, 2019

Applicant:

Stanislav Tokarev
28 Topsfield 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

W&S Project No:

BOXF-0066





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

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):

28 Topsfield Road Boxford 01921
 a. Street Address b. City/Town c. Zip Code
 Latitude and Longitude: 42.658950 N -70.992103 W
 d. Latitude e. Longitude
Map 33 Block 1, Parcel 18
 f. Assessors Map/Plat Number g. Parcel /Lot Number

2. Applicant:

Stanislav Tokarev
 a. First Name b. Last Name
 c. Organization
28 Topsfield
 d. Street Address
Boxford MA 01921
 e. City/Town f. State g. Zip Code
(781) 789-4712 ctac1965@verizon.net
 h. Phone Number i. Fax Number j. Email Address

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

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

4. Representative (if any):

Thorsen Akerley
 a. First Name b. Last Name
Williams & Sparages LLC
 c. Company
189 North Main Street, Suite 101
 d. Street Address
Middleton MA 01949
 e. City/Town f. State g. Zip Code
978-539-8088 978-539-8200 takerley@wsengineers.com
 h. Phone Number i. Fax Number j. Email address

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

\$220.00 \$97.50 \$122.50
 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:

To re-locate an existing shed and construct a new shed within the buffer zone to Bordering Vegetated Wetlands and to restore Bordering Vegetated Wetlands.

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 CMR 10.24(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

14770

c. Book

b. Certificate # (if registered land)

163

d. Page Number

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

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

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



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

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

| Resource Area | Size of Proposed Alteration | Proposed Replacement (if any) |
|--|--|-----------------------------------|
| a. <input type="checkbox"/> Bank | 1. linear feet _____ | 2. linear feet _____ |
| b. <input checked="" type="checkbox"/> Bordering Vegetated Wetland | 1. square feet _____ | 1,400 +/- 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 type="checkbox"/> Bordering Land Subject to Flooding | 1. square feet _____ 3. cubic feet of flood storage lost _____ | 2. square feet _____ 4. cubic feet replaced _____ |
| e. <input type="checkbox"/> Isolated Land Subject to Flooding | 1. square feet _____ 2. cubic feet of flood storage lost _____ | 3. cubic feet replaced _____ |
| f. <input type="checkbox"/> Riverfront Area | 1. Name of Waterway (if available) - specify coastal or inland _____ | |

2. Width of Riverfront Area (check one):

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

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

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

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

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

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



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

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

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

| <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 BWV

b. square feet of Salt Marsh

5. Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings



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C. Other Applicable Standards and Requirements

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

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

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

- a. Yes No **If yes, include proof of mailing or hand delivery of NOI to:**

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

- 8/2017
b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:

(a) within wetland Resource Area _____
percentage/acreage

(b) outside Resource Area _____
percentage/acreage

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

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

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

(b) Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

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



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

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

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

- (d) Vegetation cover type map of site
- (e) Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following
1. Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/ mesa/ mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
 2. Separate MESA review ongoing. a. NHESP Tracking # _____ b. Date submitted to NHESP _____
 3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
- a. Not applicable – project is in inland resource area only b. Yes No

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

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

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: DMF.EnvReview-South@state.ma.us

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

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



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

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

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

John J. O'Rourke III, PLS

b. Prepared By

c. Signed and Stamped by

August 21, 2019

1" = 20'

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:

625

2. Municipal Check Number

8/19/2019

3. Check date

624

4. State Check Number

8/19/2019

5. Check date

Stanislav

6. Payor name on check: First Name

Tokarev

7. Payor name on check: Last Name

STANISLAV O. TOKAREV
OLGA V. TOKAREV
28 TOPSFIELD RD.
BOXFORD, MA 01921-2614

53-179/113
401949466

625

DATE 8/19/2019

PAY TO THE ORDER OF Town of Boxford \$ 122.50
one hundred twenty two 50/100 DOLLARS

 **Eastern Bank**

SAUGUS, MA 01906
1-800-EASTERN/easternbank.com

339

Sel Otkarev

MEMO

⑆0⑆1⑆30⑆798⑆ 40 1949466⑆ 0625

STANISLAV O. TOKAREV
OLGA V. TOKAREV
28 TOPSFIELD RD.
BOXFORD, MA 01921-2614

53-179/113
401949466

624

DATE 8/19/2019

PAY TO THE ORDER OF Commonwealth of Massachusetts \$ 97.50
ninty seven 50/100 DOLLARS

 **Eastern Bank**

SAUGUS, MA 01906
1-800-EASTERN/easternbank.com

339

Sel Otkarev

MEMO

⑆0⑆1⑆30⑆798⑆ 40 1949466⑆ 0624

STANISLAV O. TOKAREV
OLGA V. TOKAREV
28 TOPSFIELD RD.
BOXFORD, MA 01921-2614

53-179/113
401949466

626

DATE 8/19/2019

PAY TO THE ORDER OF Town of Boxford \$ 600.00
six hundred 00/100 DOLLARS

 **Eastern Bank**

SAUGUS, MA 01906
1-800-EASTERN/easternbank.com

339

Sel Otkarev

MEMO

⑆0⑆1⑆30⑆798⑆ 40 1949466⑆ 0626



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F. Signatures and Submittal Requirements

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

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

| | |
|---|--|
| <p style="text-align: center;"><i>S. O. T. R. U. E. R.</i></p> <hr/> <p>1. Signature of Applicant</p> | <p><i>8/19/2019</i></p> <hr/> <p>2. Date</p> |
| <p style="text-align: center;"><i>S. O. T. R. U. E. R.</i></p> <hr/> <p>3. Signature of Property Owner (if different)</p> | <p><i>8/19/2019</i></p> <hr/> <p>4. Date</p> |
| <p style="text-align: center;"><i>[Signature]</i></p> <hr/> <p>5. Signature of Representative (if any)</p> | <p><i>8/21/2019</i></p> <hr/> <p>6. Date</p> |

For Conservation Commission:

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

For MassDEP:

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

Other:

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

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



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



A. Applicant Information

1. Location of Project:

28 Topsfield Road Boxford
 a. Street Address b. City/Town
 624 \$97.50
 c. Check number d. Fee amount

2. Applicant Mailing Address:

Stanislav Tokarev
 a. First Name b. Last Name
 c. Organization
 28 Topsfield Road
 d. Mailing Address
 Boxford MA 01921
 e. City/Town f. State g. Zip Code
 (781) 789-4712 ctac1965@verizon.net
 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 |
|-------------------------|-----------------------------|--------------------------------|------------------------------|
| 1.a) | 1 | \$110.00 | \$110.00 |
| 1.d) | 1 | \$110.00 | \$110.00 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

Step 5/Total Project Fee: \$220.00

Step 6/Fee Payments:

| | |
|--------------------------------|--------------------------------------|
| Total Project Fee: | <u>\$220.00</u> |
| State share of filing Fee: | <u>\$97.50</u> |
| City/Town share of filing Fee: | <u>\$122.50</u> |
| | a. Total Fee from Step 5 |
| | b. 1/2 Total Fee less \$12.50 |
| | c. 1/2 Total Fee plus \$12.50 |

C. Submittal Requirements

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

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

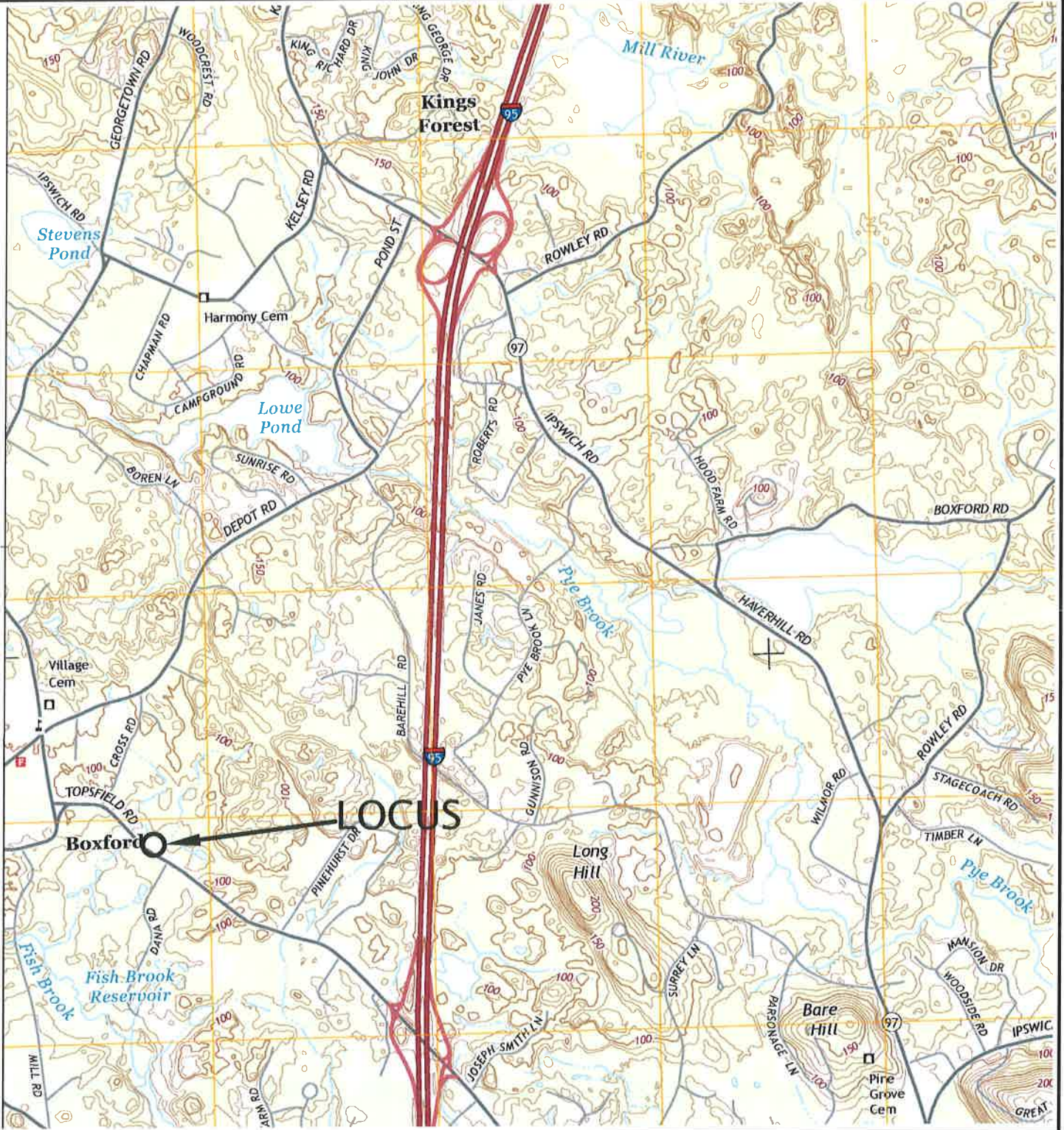
- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

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

WILLIAMS & SPARGES
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
#28 TOPSFIELD ROAD
BOXFORD, MA 01921



Introduction:

The subject property is located at 28 Topsfield Road in Boxford, MA and is currently developed with a single family dwelling that, according to the Boxford Assessors, was constructed in 1939. The property is bound to the north by 26 Topsfield Road; to the south by 34 Topsfield Road and Topsfield Road; to the west by Topsfield Road, and to the east by 42 Topsfield Road and Bordering Vegetated Wetlands. It is located within the Residential A zoning district.

The soils present on site are comprised of Canton fine sandy loam (421B) in the uplands and Swansea Muck (51A) in the wetlands. According to the current NHESP Atlas, there are no Estimated Habitats of Rare Wildlife or Priority Habitats of Rare Species on the subject parcel.

An Enforcement Order (EO) was issued by the Boxford Conservation Commission (BCC) for activities that were occurring within jurisdictional areas of the Boxford Wetlands Protection Bylaw and Massachusetts Wetlands Protection Act (WPA) without proper permitting, specifically grading, filling and removal of vegetation within the 100-foot buffer to Bordering Vegetated Wetland and Intermittent Stream. The EO was issued for a debris/compost pile that is located in the BVW and a stick and log path that was created within the BVW as well as a shed that was placed within the BVW.

The EO required the following:

1. The homeowner shall attend the Commission meeting scheduled for June 20, 2019
2. No later than July 11, 2019, submit a mitigation plan prepared by a competent professional for the revegetation of the 25' no-disturb wetland buffer area, including herbaceous, shrub, understory and canopy species, and with permanent markers for the buffer zone boundary. The mitigation plan shall include a two year monitoring plan for planted vegetation and a monitoring plan for erosion control.
3. No later than July 11, have a mitigation site plan prepared by a professional surveyor or engineer meeting the plan requirements set forth at Town Code Ch. 375-5, including wetland boundaries as flagged by a competent wetland scientist and the stamp and signature of a professional surveyor or engineer. Including wetland boundaries as flagged by a competent wetland scientist and the stamp and signature of a professional surveyor or engineer. The site plan shall show the placement of all proposed plantings and erosion control, and the proposed relocation of existing structures within the 25' no-disturb buffer.
4. The homeowner shall attend the Commission meeting scheduled for July 11, 2019.

Project Proposal:

The applicant is proposing to re-locate the existing shed to a location that is outside of the BVW in an area that is currently maintained as lawn. Once moved the area shall be scarified with a steel rake and be seeded with New England Wetland Seed Mix, or equal. The shed is proposed to be rolled on PVC pipes to its new location. Any damage to the buffer zone or BVW shall be



restored following the moving of the shed. One tree is proposed to be removed as a result of the shed relocation. The tree is a 14" Linden that is growing out at a 45 degree angle to get out from the canopy of the larger trees around it.

The proposal also includes the removal of the log and stick trail that is within the BVW and the removal of any existing debris/compost from the BVW. The area will be planted with native shrubs and be seeded with New England Wetland Seed Mix, or equal, following the restoration effort.

A new shed is also proposed on the other side of the BVW along a path that connects the subject property with an abutting property. The shed has been positioned in an area that will not result in the need to remove overstory trees and in an area that proposes it as far away from the BVW boundary as practicable. The shed is proposed to be placed on blocks or concrete piers. It is important to note that both sheds are below 200 square feet and will not require a building permit.

Erosion Controls:

Erosion Controls in the form of 12-inch diameter staked mulch sock is proposed to be installed prior to construction and will remain in place until all work on site is stable. The location of the proposed erosion controls are shown on the accompanying Notice of Intent plan.



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

Applicant: Stanislav Tokarev Prepared by: Greg Hochmuth Project location: 28 Topfield Road, Boxford MA DEP File #: _____
 Check all that apply:

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

Section I.

| Vegetation | Observation Plot Number: WFA-7 Wet | | Transect Number: WFA-7 Wet | Date of Delineation: 7/15/2019 |
|--|-------------------------------------|-------------------------|-------------------------------|--------------------------------|
| A. Sample Layer & Plant Species (by common/scientific name) | B. Percent Cover (or basal Area) | C. Percent Dominance | D. Dominant Plant (yes or no) | E. Wetland Indicator Category* |
| Trees | | | | |
| Red Maple – <i>Acer rubrum</i> | 80% | 88% | YES | FAC* |
| Black Cherry – <i>Prunus serotina</i> | 10% | 11% | NO | FACU |
| Shrubs | | | | |
| Red Maple – <i>Acer rubrum</i> | 30% | 100% | YES | FAC* |
| Ground Cover | | | | |
| Skunk Cabbage – <i>Symplocarpus foetidus</i> | 40% | 57% | YES | OBL* |
| Sphagnum Moss – <i>Sphagnum</i> | 30% | 42% | YES | OBL* |

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

Vegetation conclusion:

Number of dominant wetland indicator plants: 4

Number of dominant non-wetland indicator plants: 0

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

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

Section II. Indicators of Hydrology

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

- Site Inundated: _____
- Depth to free water in observation hole: _____ 10" _____
- Depth to soil saturation in observation hole: _____ 6" _____
- Water marks: _____
- Drift lines: _____
- Sediment Deposits: _____
- Drainage patterns in BWV: _____
- Oxidized rhizospheres: _____
- Water-stained leaves: _____
- Recorded Data (streams, lake, or tidal gauge; aerial photo; other):

- Other: _____

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? Yes
 title/date: NRCS Web Soil Survey
 map number: -
 soil type mapped: 51A, Swansea Muck
 hydric soil inclusions: Yes, 100%

Are field observations consistent with soil survey? Yes
 Remarks:

2. Soil Description

| Horizon | Depth | Matrix Color | Mottles Color |
|---------|-------|--------------|---------------|
| O | 4-0 | 2.5Y2.5/1 | - |
| A | 0-8 | 2.5Y2.5/1 | 7.5YR5/8 |
| Bw | 8-18 | 5Y5/2 | |

Remarks:

3. Other:

Conclusion: Is soil hydric? Yes

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

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

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

Applicant: Stanislav Tokarev Prepared by: Greg Hochmuth Project location: 28 Topsfield Road, Boxford MA DEP File #: _____
 Check all that apply:

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

Section I.

| Vegetation | Observation Plot Number: WFA-7 Up | | Transect Number: WFA-7 Upland | Date of Delineation: 7/15/2019 |
|--|-------------------------------------|-------------------------|-------------------------------|--------------------------------|
| A. Sample Layer & Plant Species (by common/scientific name) | B. Percent Cover (or basal Area) | C. Percent Dominance | D. Dominant Plant (yes or no) | E. Wetland Indicator Category* |

Trees

| | | | | |
|---------------------------------------|-----|-----|-----|------|
| Red Maple – <i>Acer rubrum</i> | 60% | 66% | YES | FAC* |
| Black Cherry – <i>Prunus serotina</i> | 30% | 33% | YES | FACU |

Shrubs

| | | | | |
|--------------------------------|-----|------|-----|------|
| Red Maple – <i>Acer rubrum</i> | 30% | 100% | YES | FAC* |
|--------------------------------|-----|------|-----|------|

Ground Cover

| | | | | |
|---|-----|-----|-----|------|
| Canada Mayflower – <i>Mainthenum canadensis</i> | 40% | 40% | YES | FAC- |
| Grass (X) | 60% | 60% | YES | FAC* |

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

Vegetation conclusion:

Number of dominant wetland indicator plants: 3

Number of dominant non-wetland indicator plants: 2

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

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

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? Yes
 title/date: NRCS Web Soil Survey
 map number: -
 soil type mapped: 421B, Canton, fine sandy loam
 hydric soil inclusions: Yes, 2%

Are field observations consistent with soil survey? Yes
 Remarks:

2. Soil Description

| Horizon | Depth | Matrix Color | Mottles Color |
|---------|-------|--------------|---------------|
| A | 0-10 | 10YR3/2 | - |
| Bw | 10-18 | 7.5YR5/6 | 7.5YR5/8 |

Remarks:

3. Other:

Conclusion: Is soil hydric? No

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

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

- Other: _____

Vegetation and Hydrology Conclusion

| | Yes | No |
|---|-----|-----|
| Number of wetland indicator plants ≥ # of non-wetland indicator plants | _X_ | _ |
| Wetland hydrology present: | | |
| Hydric soil present | _ | _X_ |
| Other indicators of hydrology present | _ | _X_ |
| Sample location is in a BW | _ | _X_ |

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

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)

| Botanical Name | Common Name | Indicator |
|---|------------------------------|-----------|
| <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.

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act

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

I, Gregory J. Hochmuth, hereby certify under the pains and penalties of perjury that on August 21, 2019 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 filed under Massachusetts Wetlands Protection Act and Boxford Wetlands Protection Bylaw by Stanislav Tokarev with the Boxford Conservation Commission on August 21, 2019 for property located at 28 Topsfield 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

8/21/2019
Date

**TOWN OF BOXFORD
ABUTTER LIST**

PARCEL # 33-01-18 - 28 TOPSFIELD ROAD - CONSERVATION COMMISSION 250'

| PARCEL ID | PARCEL ADDRESS | OWNER 1 | OWNER 2 | MAILING ADDRESS | CITY/TOWN | STATE | ZIP CODE |
|------------|-----------------|-------------------------------------|--------------------|-------------------------|-----------|-------|----------|
| 33-01-16-1 | 42 TOPSFIELD RD | LILLOOET FARM, LLC | | 42 TOPSFIELD RD | BOXFORD | MA | 01921 |
| 33-01-16-2 | 42 TOPSFIELD RD | LILLOOET FARM, LLC | | 42 TOPSFIELD RD | BOXFORD | MA | 01921 |
| 33-01-16 | 42 TOPSFIELD RD | LILLOOET FARM, LLC | | 42 TOPSFIELD RD | BOXFORD | MA | 01921 |
| 33-01-17 | 34 TOPSFIELD RD | MERRILL DAVID W | MERRILL KARA E | 34 TOPSFIELD RD | BOXFORD | MA | 01921 |
| 33-01-18 | 28 TOPSFIELD RD | TOKAREV STANISLAV O | TOKAREV OLGA V | 28 TOPSFIELD RD | BOXFORD | MA | 01921 |
| 33-01-19 | 26 TOPSFIELD RD | CLARK DAVIS E | KATHLEEN W CLARK | 26 TOPSFIELD RD | BOXFORD | MA | 01921 |
| 33-01-20 | 20 TOPSFIELD RD | LINDHOLM PETER D | LOYER ANNE | 20 TOPSFIELD RD | BOXFORD | MA | 01921 |
| 33-01-28 | 24 TOPSFIELD RD | PATTERSON DANIEL K | PATTERSON DIANNA A | 24 TOPSFIELD RD | BOXFORD | MA | 01921 |
| 33-02-03 | 21 TOPSFIELD RD | FITTS DAVID W TR LOEL A POOR IRR TR | C/O DAY PITNEY LLP | ONE INTERNATIONAL PLACE | BOSTON | MA | 02110 |
| 33-02-04 | 29 TOPSFIELD RD | HOWLEY MICHAEL TE | HOWLEY FRANCINE | 29 TOPSFIELD RD | BOXFORD | MA | 01921 |
| 33-02-06 | TOPSFIELD RD | TOWN OF BOXFORD | BOY SCOUT PARK | 7A SPOFFORD RD | BOXFORD | MA | 01921 |
| 33-02-09-1 | 43 TOPSFIELD RD | CONNORS KEVIN J TE | CONNORS CYNTHIA A | 43 TOPSFIELD RD | BOXFORD | MA | 01921 |
| 33-02-5&8 | 33 TOPSFIELD RD | WILLIAMSON MARK | WILLIAMSON TRUDY | 33 TOPSFIELD RD | BOXFORD | MA | 01921 |

CERTIFIED COPY

Jean Silva
JULY 14, 2019

FITTS DAVID W TR LOEL A POOR IRR TR
C/O DAY PITNEY LLP
ONE INTERNATIONAL PLACE
BOSTON, MA 02110

CLARK DAVIS E TE
KATHLEEN W CLARK
26 TOPSFIELD RD
BOXFORD, MA 01921

CONNORS KEVIN J TE
CONNORS CYNTHIA A
43 TOPSFIELD RD
BOXFORD, MA 01921

WILLIAMSON MARK
WILLIAMSON TRUDY
33 TOPSFIELD RD
BOXFORD, MA 01921

LILLOOET FARM, LLC
42 TOPSFIELD RD
BOXFORD, MA 01921

LILLOOET FARM, LLC
42 TOPSFIELD RD
BOXFORD, MA 01921

TOKAREV STANISLAV O TE
TOKAREV OLGA V
28 TOPSFIELD RD
BOXFORD, MA 01921

MERRILL DAVID W
MERRILL KARA E
34 TOPSFIELD RD
BOXFORD, MA 01921

LILLOOET FARM, LLC
42 TOPSFIELD RD
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