

NOTICE OF INTENT

34 Brookview Road
Boxford, Massachusetts
Assessors Map 31, Block 1, Parcel 21

May 6, 2019

Applicant:

Parker McComas
34 Brookview 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-0061





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):

34 Brookview Road
a. Street Address

Boxford
b. City/Town

01921
c. Zip Code

Latitude and Longitude:
42.66180 N
d. Latitude

71.02863 W
e. Longitude

Map 31
f. Assessors Map/Plat Number

Block 1, Parcel 21
g. Parcel /Lot Number

2. Applicant:

Parker
a. First Name

McComas
b. Last Name

c. Organization

34 Brookview Road
d. Street Address

Boxford
e. City/Town

MA
f. State

01921
g. Zip Code

617-442-7031
h. Phone Number

i. Fax Number

parker_mccomas@yahoo.com
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):

Greg
a. First Name

Hochmuth
b. Last Name

Williams & Sparages LLC
c. Company

189 North Main Street, Suite 101
d. Street Address

Middleton
e. City/Town

MA
f. State

01949
g. Zip Code

978-539-8088
h. Phone Number

978-539-8200
i. Fax Number

ghochmuth@wsengineers.com
j. Email address

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

\$110.00
a. Total Fee Paid

\$42.50
b. State Fee Paid

\$67.50
c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

To construct a barn within the 100 foot bufferzone to 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 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Essex

a. County

26835

c. Book

b. Certificate # (if registered land)

226

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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Boxford _____

City/Town _____

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.

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
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 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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 Boxford _____
 City/Town _____

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

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

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	_____	
	1. square feet	

	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	_____	_____
	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	_____	_____
	1. square feet	2. cubic yards dune nourishment

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

	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____	
	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	

	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	
	1. square feet	

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

_____ a. square feet of BVW

_____ b. square feet of Salt Marsh

5. Project Involves Stream Crossings

_____ a. number of new stream crossings

_____ b. number of replacement stream crossings



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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

8/1/2017

b. Date of map

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

- c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:

(a) within wetland Resource Area	<u>0/0</u> percentage/acreage
(b) outside Resource Area	<u>1.2% / 0.073 Acres</u> 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:

North Shore - Hull to New Hampshire border:

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

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

Richard L. Williams

b. Prepared By

igned and Stamped by

5/3/2019

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:

2365

4/16/2019

2. Municipal Check Number

3. Check date

2369

5/2/2019

4. State Check Number

5. Check date

Parker

McComas

6. Payor name on check: First Name

7. Payor name on check: Last Name

PARKER McCOMAS
34 BROOKVIEW RD
BOXFORD MA 01921-2216

2365

53-13/110 MA
26525

4/16/19
Date

Pay to the
Order of

Town of Boxford

\$ 67.50

Sixty seven ⁵⁰

Dollars



Bank of America

ACH R/T 011000138

For

Parker McComas MP

⑆0⑆1⑆000⑆138⑆ 000074184495⑆2365

PARKER McCOMAS
34 BROOKVIEW RD
BOXFORD MA 01921-2216

2369

53-13/110 MA
26525

5/2/19
Date

Pay to the
Order of

Commonwealth of MA

\$ 42.50

Forty two ⁵⁰

Dollars



Bank of America

ACH R/T 011000138

For

Parker McComas

⑆0⑆1⑆000⑆138⑆ 000074184495⑆2369

PARKER McCOMAS
34 BROOKVIEW RD
BOXFORD MA 01921-2216

2364

53-13/110 MA
26525

4/16/19
Date

Pay to the
Order of

Commonwealth of MA NHESP

\$ 300.00

Three hundred ⁰⁰

Dollars



Bank of America

ACH R/T 011000138

For

Parker McComas MP

⑆0⑆1⑆000⑆138⑆ 000074184495⑆2364

PARKER McCOMAS
34 BROOKVIEW RD
BOXFORD MA 01921-2216

2366

53-13/110 MA
26525

4/16/19
Date

Pay to the
Order of

Town of Boxford

\$ 800.00

Eight hundred ⁰⁰

Dollars



Bank of America

ACH R/T 011000138

For

Parker McComas MP

⑆0⑆1⑆000⑆138⑆ 000074184495⑆2366



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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.

	<u>4/16/19</u>
1. Signature of Applicant	2. Date
3. Signature of Property Owner (if different)	4. Date
	<u>5/2/2019</u>
5. Signature of Representative (if any)	6. Date

For Conservation Commission:

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

For MassDEP:

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

Other:

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

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



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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:

34 Brookview Road Boxford
 a. Street Address b. City/Town
 2369 \$42.50
 c. Check number d. Fee amount

2. Applicant Mailing Address:

Parker McComas
 a. First Name b. Last Name
 c. Organization
 34 Brookview Road
 d. Mailing Address
 Boxford MA 01921
 e. City/Town f. State g. Zip Code
 617-442-7031 parker_mcComas@yahoo.com
 h. Phone Number i. Fax Number j. Email Address

3. Property Owner (if different):

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

B. Fees

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

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

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

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

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

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

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

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



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B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 1. a.	1	\$110.00	\$110.00
Boxford Bylaw Fees:			
NOI Fee for Barn \$200.00			
Resource Area Review Fee			
1,280 linear feet = \$600.00			
MESA Fee: = \$300.00			
Step 5/Total Project Fee:			\$110.00
Step 6/Fee Payments:			
Total Project Fee:			\$110.00
State share of filing Fee:			\$42.50
City/Town share of filling Fee:			\$67.50
			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.)

Project Narrative

34 Brookview Road
Boxford, MA 01921

Introduction:

The subject parcel is identified as Map 31, Block 1, Parcel 21 and otherwise known as 34 Brookview Road. The lot is developed with a single family dwelling that according to the Boxford Assessors Department was built in 1992. The lot is shown as Lot 5 on a plan titled "Plan of Land in Boxford, MA, property of Maureen A. Bernard & Judith A. LaBonte, Trustees of Country Hill Associates Realty Trust, Scale: 1" = 60', February 10, 1988, prepared by Donohoe & Parkhurst, Inc., 152 Main Street -- Wenham, MA, recorded with the Essex South District Registry of Deeds as Plan 70 of Plan Book 236.

The applicants are proposing to construct a 30' x 45' barn in the rear of their dwelling. The location of jurisdictional wetland resource areas make it difficult to comply with the required setbacks detailed in the Boxford Wetlands Protection Regulations. The property is surrounded by three (3) jurisdictional wetlands resource areas; a Bordering Vegetated Wetland to the west, a non-certified vernal pool to the south and a certified vernal pool to the west. The applicable no-disturb zones and no build zones intersect and leave a small triangle that would comply with the setback in the middle of the back yard. The property is 6.22 acres in size; however, most of it is not buildable.

According to the most recent Natural Heritage and Endangered Species Program (NHESP) Atlas the parcel is mapped as Priority Habitat, PH 1994, by the Division of Fisheries and Wildlife NHESP. As a result the filing has been sent to the NHESP as required under the Massachusetts Endangered Species Act (MESA).

According to the NRCS Web Soil Survey the site is mapped as 711C, Charlton-hollis, rock-outcrop complex.

According to the setback table in §375-98B.(5) of the Boxford Wetlands Protection Regulations the setback for the proposed barn is 75 feet from the BVW and 100 feet from the vernal pools. Before proposing the barn in its proposed location Williams & Sparages completed a wetland resource area delineation, survey and topographic mapping of the entire parcel so that we were able to show the applicant what he had to work with. We also had our surveyors locate all of the mature trees in the area of interest to be able to site the structure and minimize tree removal. The proposed location is on an area of the parcel that is home to a small shed that is surrounded by maintained lawn and landscaped areas. Approximately 510 square feet of the proposed barn falls within the 75 foot no-build zone. Although the barn encroaches into the no-build zone it will only require the removal of two (2) trees. Moving the barn outside of the no-build zone would require the removal of more mature trees in an area that is closer to the certified vernal pool.

According to §375-98B.(2) of the Boxford Wetlands Protection Regulations the presumption is rebuttable and may be overcome only for the conversion of lawn or other significantly altered land to a structure requiring a building permit when said structure is accessory to an existing

single-family dwelling legally in existence as of May 19, 1994 (the original issue date of these regulations), or when a wetlands permit application was filed for said single-family dwelling on or before May 19, 1994, by a finding by the Commission, supported by a preponderance of the credible evidence, showing that the work proposed within the buffer zone, closer than the tabulated minimum setback distances, will not result in the alteration of any wetlands resource area. The burden for overcoming this presumption is upon the applicant; however, the Commission may include consideration of credible evidence from any source presented at a public meeting or public hearing in weighing the preponderance of the credible evidence. The proposed design shall comply as much as possible with the minimum setback distances specified in the Minimum Setback Distance Chart.

As mitigation for the encroachment into the no-build zone the applicant is proposing to convert a portion of his maintained lawn to a bufferzone enhancement area. The 650 square foot enhancement area is proposed to be planted with 20 native shrub species and is located within the no-disturb zone associated with the certified vernal pool. In addition to the shrubs the area is proposed to be scarified with a steel rake and be seeded with New England Conservation/Wildlife Seed Mix, or equal.

Bordering Vegetated Wetland, (BVW):

The A-Series wetland is a BVW that is located along the westerly property boundary. The wetland is dominated by red maples in the overstory and a mixture of highbush blueberry, winterberry and pepperbush in the understory (see attached wetland field data forms).

No work is proposed within BVW.

Isolated Vegetated Wetlands/Vernal Pools:

There is a certified vernal pool located to the east of the existing dwelling and a non-certified vernal pool located in the rear of the parcel. Both pools are greater than 5,000 square feet and as a result both isolated wetlands are jurisdictional under the Boxford Wetlands Protection Bylaw. The wetland boundary around both pools is abrupt and mainly slope driven.

No work is proposed within IVW or Vernal Pool Habitat.

Erosion Controls:

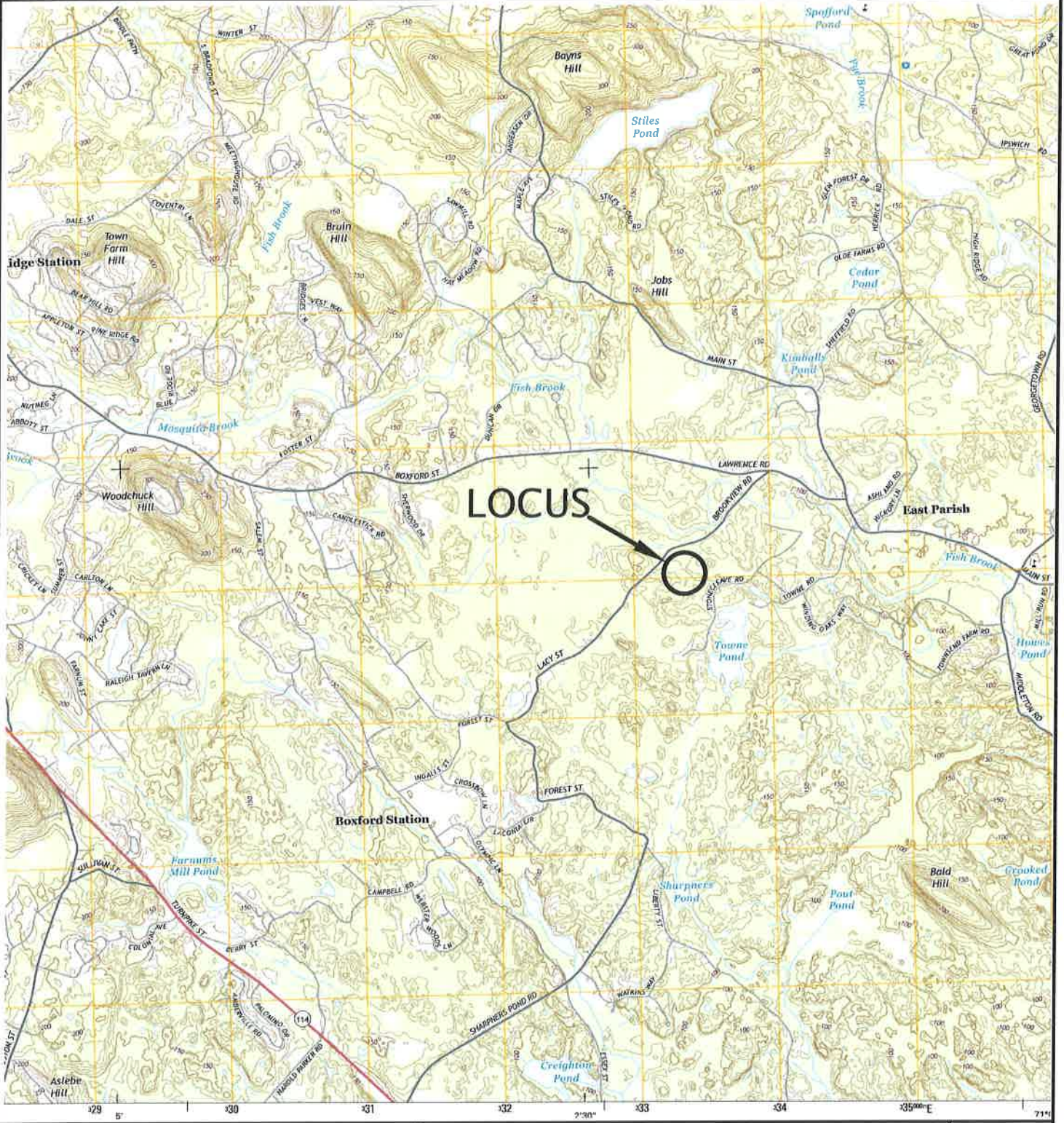
A 12-inch diameter mulch sock backed with silt fence is proposed to be installed along the limit of work. The erosion controls are proposed to remain in place until permission is granted for their removal from the Conservation Commission and/or its Director.



WILLIAMS & SPARAGES
 CIVIL ENGINEERING &
 LAND SURVEYORS



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



UNITED STATES GEOLOGIC SURVEY MAP
 SOUTH GROVELAND, MASS QUAD
 SCALE: 1:24,000 (metric contours)

LOCUS MAP
 34 BROOKVIEW ROAD
 BOXFORD, MA 01921



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

Applicant: Parker McComas Prepared by: Greg Hochmuth Project location: 34 Brookview 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-15 Wet	Transect Number: WFA-15 Wetland	Date of Delineation: 5/25/2018
A. Sample Layer & Plant Species (by common/scientific name)	B. Percent Cover (or basal Area)	C. Percent Dominance	D. Dominant Plant (yes or no)
<u>Trees</u>			
White Pine - <i>Pinus strobus</i>	20%	21%	YES
Red Maple - <i>Acer rubrum</i>	75%	78%	YES
<u>Saplings</u>			
Red Oak - <i>Quercus rubra</i>	10%	100%	YES
<u>Shrubs</u>			
Pepper-bush - <i>Clethra alnifolia</i>	60%	66%	YES
HighBush Blueberry - <i>Vaccinium corymbosum</i>	30%	33%	YES
<u>Ground Cover</u>			
Duckweed - <i>Lemna minor</i>	15%	60%	YES
Watershield - <i>Brasenia schreberi</i>	10%	40%	YES
			FACU FAC*
			FACU-
			FAC+* FACW-*
			OBL* 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: 5

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: 711C – Charlton-Rock outcrop-Hollis complex

hydric soil inclusions: Yes - 4%

Are field observations consistent with soil survey? No

Remarks:

2. Soil Description

Horizon

Depth

Matrix Color

Mottles Color

O

10-0

-

-

Remarks:

3. Other:

Conclusion: Is soil hydric? Yes

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

- Site Inundated: _____
- Depth to free water in observation hole: __At Surface__
- Depth to soil saturation in observation hole: __At Surface__
- Water marks: _____
- Drift lines: _____
- Sediment Deposits: _____
- Drainage patterns in BVW: _____
- 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 BVW

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: Parker McComas Prepared by: Greg Hochmuth Project location: 34 Brookview 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-15 Upl	Transect Number: WFA-15 Upland	Date of Delineation: 5/25/2018
A. Sample Layer & Plant Species (by common/scientific name)	B. Percent Cover (or basal Area)	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
Trees			
White Pine - <i>Pinus strobus</i>	20%	YES	FACU
Red Maple - <i>Acer rubrum</i>	75%	YES	FAC*
Saplings			
Red Oak - <i>Quercus rubra</i>	20%	YES	FACU-
Shrubs			
Pepper-bush - <i>Clethra alnifolia</i>	60%	YES	FAC+*
HighBush Blueberry - <i>Vaccinium corymbosum</i>	30%	YES	FACW-*
Ground Cover			
Cinnamon Fern - <i>Osmunda cinnamomea</i>	30%	YES	FACW*
Canada Mayflower - <i>Maianthemum canadense</i>	15%	YES	FAC-
Partridgeberry - <i>Mitchella repens</i>	10%	YES	FACU

* 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: 4

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: 711C – Charlton-Rock outcrop-Hollis complex
 hydric soil inclusions: Yes - 4%

Are field observations consistent with soil survey? Yes
 Remarks:

2. Soil Description

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

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 BVW: _____
- Oxidized rhizospheres: _____
- Water-stained leaves: _____
- Recorded Data (streams, lake, or tidal gauge; aerial photo; other):

- Other: _____

Vegetation and Hydrology Conclusion

Number of wetland indicator plants
 ≥ # of non-wetland indicator plants

Yes

No

Wetland hydrology present:

Hydric soil present

X_____

Other indicators of hydrology present

X_____

Sample location is in a BVW

X_____

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

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 May 6, 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 Parker McComas with the Boxford Conservation Commission on May 6, 2019 for property located at 34 Brookview 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

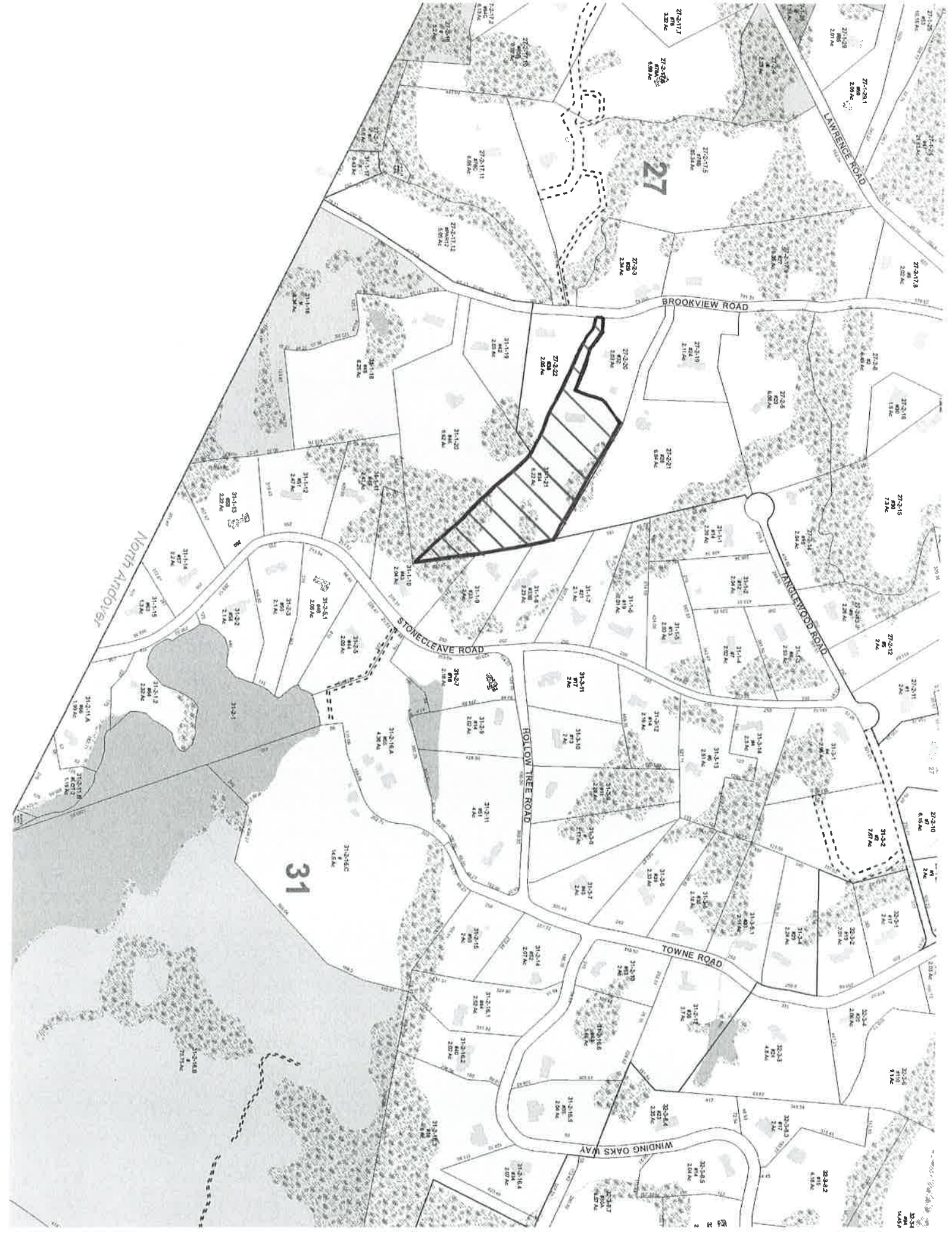
5/2/2019
Date

TOWN OF BOXFORD
 ABUTTER LIST
 PARCEL # 31-01-21 - 34 BROOKVIEW ROAD - CONSERVATION COMMISSION 250'

PARCEL ID	PARCEL ADDRESS	CITY/TOWN	ZIP CODE	OWNER 1	OWNER 2	MAILING ADDRESS	CITY/TOWN	STATE	ZIP CODE
27-02-03	29 BROOKVIEW RD	BOXFORD	01921	STRANGMAN GARY	STRANGMAN NICOLE ✓	29 BROOKVIEW RD	BOXFORD	MA	01921
27-02-17-11	78C LAWRENCE RD	BOXFORD	01921	DOUGLAS JAMES P TR	DOUGLAS REALTY TRUST ✓	78C LAWRENCE RD	BOXFORD	MA	01921
27-02-17-12	PAR12 BROOKVIEW RD	BOXFORD	01921	LAHLUM ROBYE	LYON MELINDA ✓	45 BROOKVIEW RD	BOXFORD	MA	01921
27-02-17-5	78B LAWRENCE RD	BOXFORD	01921	NGUYEN THIEN H	DANG LUCY ✓	78B LAWRENCE RD	BOXFORD	MA	01921
27-02-17-9	27 BROOKVIEW RD	BOXFORD	01921	POOL ROBERT B TR	POOL ELIZABETH A TR ✓	27 BROOKVIEW RD	BOXFORD	MA	01921
27-02-19	24 BROOKVIEW RD	BOXFORD	01921	GIROLAMO ALFRED P	CLAIRE W GIROLAMO ✓	24 BROOKVIEW RD	BOXFORD	MA	01921
27-02-20	32 BROOKVIEW RD	BOXFORD	01921	LEIRE THOMAS A	LEIRE JENNIFER F ✓	32 BROOKVIEW RD	BOXFORD	MA	01921
27-02-21	28 BROOKVIEW RD	BOXFORD	01921	BALEK DOUGLAS J	LINDA R BALEK ✓	28 BROOKVIEW RD	BOXFORD	MA	01921
27-02-22	38 BROOKVIEW RD	BOXFORD	01921	JONES JAMES A JT	HITCHEN ILL M ✓	38 BROOKVIEW RD	BOXFORD	MA	01921
31-01-06	19 STONECLEAVE RD	BOXFORD	01921	GEBHARDT RICHARD	GEBHARDT KATHRYN ✓	19 STONECLEAVE RD	BOXFORD	MA	01921
31-01-07	21 STONECLEAVE RD	BOXFORD	01921	BROWN DAVID L	BROWN SUE MICHAEL ✓	21 STONECLEAVE RD	BOXFORD	MA	01921
31-01-08	33B STONECLEAVE RD	BOXFORD	01921	NOVACK LISA A ✓		33B STONECLEAVE RD	BOXFORD	MA	01921
31-01-09	33 STONECLEAVE RD	BOXFORD	01921	PENNINGTON JAMES W T	DEBORAH PENNINGTON ✓	33 B STONECLEAVE RD	BOXFORD	MA	01921
31-01-10	43 STONECLEAVE RD	BOXFORD	01921	CARLSON PETER H	CARLSON WENDY G ✓	43 STONECLEAVE RD	BOXFORD	MA	01921
31-01-11	47 STONECLEAVE RD	BOXFORD	01921	KIVELA THOMAS R	KIVELA DENISE ✓	47 STONECLEAVE RD	BOXFORD	MA	01921
31-01-19	42 BROOKVIEW RD	BOXFORD	01921	HIXON JEFFREY W	HIXON ERICA E G ✓	42 BROOKVIEW RD	BOXFORD	MA	01921
31-01-20	46 BROOKVIEW RD	BOXFORD	01921	KURSHUMI DRITAN	KURSHUMI KRISTINA PETROSINO ✓	46 BROOKVIEW RD	BOXFORD	MA	01921
31-01-21	34 BROOKVIEW RD	BOXFORD	01921	MCCOMAS OLIVER PARKER	MCCOMAS URSULA ✓	34 BROOKVIEW RD	BOXFORD	MA	01921
31-02-05-1	46 STONECLEAVE RD	BOXFORD	01921	MESSIH AMIR M	MESSIH NANCY ✓	46 STONECLEAVE RD	BOXFORD	MA	01921
31-02-05	44 STONECLEAVE RD	BOXFORD	01921	SPENCE THOMAS W	SPENCE ELIZABETH D ✓	44 STONECLEAVE RD	BOXFORD	MA	01921

CERTIFIED COPY

Justicia
 April 8, 2019



27

31

LAWRENCE ROAD

BROOKVIEW ROAD

STONECLEAVE ROAD

HOLLOW TREE ROAD

TOWNE ROAD

WINDING OAKS WAY

North Andover

Z7-2-117
1.22Ac

Z7-2-172
6.89Ac

Z7-2-281
2.65Ac

Z7-2-125
1.11Ac

Z7-2-126
1.11Ac

Z7-2-127
1.11Ac

Z7-2-128
1.11Ac

Z7-2-129
1.11Ac

Z7-2-130
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Z7-2-131
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Z7-2-10
6.15Ac

Z7-2-11
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Z7-2-12
5.37Ac

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4.98Ac

Z7-2-14
4.59Ac

Z7-2-15
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Z7-2-16
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Z7-2-22
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Z7-2-23
1.08Ac

Z7-2-24
0.69Ac

Z7-2-25
0.30Ac

Z7-2-26
-0.09Ac

Z7-2-27
-0.48Ac