

# NOTICE OF INTENT

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4 Wyndmere Drive  
Boxford, Massachusetts

May 3, 2022

**Owner/Applicant:**

Jennifer & Gabriel Gagne  
4 Wyndmere Drive  
Boxford, MA 01921

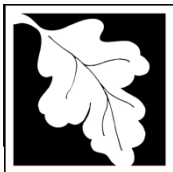
**Prepared By:**

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

**W&S Project No:**

BOXF-0109





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Boxford  
City/Town

**Important:**

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



Note: Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

**A. General Information**

1. Project Location (**Note:** electronic filers will click on button to locate project site):

|                              |                       |                  |
|------------------------------|-----------------------|------------------|
| <u>4 Wyndmere Drive</u>      | <u>Boxford</u>        | <u>01921</u>     |
| a. Street Address            | b. City/Town          | c. Zip Code      |
| Latitude and Longitude:      |                       |                  |
| <u>34</u>                    | <u>42.65943</u>       | <u>-70.97189</u> |
| f. Assessors Map/Plat Number | d. Latitude           | e. Longitude     |
|                              | <u>01/16</u>          |                  |
|                              | g. Parcel /Lot Number |                  |

2. Applicant:

|                               |               |                               |  |
|-------------------------------|---------------|-------------------------------|--|
| <u>Jennifer &amp; Gabriel</u> |               | <u>Gagne</u>                  |  |
| a. First Name                 |               | b. Last Name                  |  |
| c. Organization               |               |                               |  |
| <u>4 Wyndmere Drive</u>       |               |                               |  |
| d. Street Address             |               |                               |  |
| <u>Boxford</u>                | <u>MA</u>     | <u>01921</u>                  |  |
| e. City/Town                  | f. State      | g. Zip Code                   |  |
| <u>617-905-0886</u>           |               | <u>ggagne@ndlandscape.com</u> |  |
| h. Phone Number               | i. Fax Number | j. Email Address              |  |

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

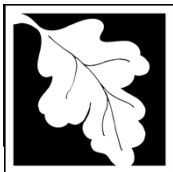
|                   |               |                  |  |
|-------------------|---------------|------------------|--|
| <u></u>           |               | <u></u>          |  |
| a. First Name     |               | b. Last Name     |  |
| c. Organization   |               |                  |  |
|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

4. Representative (if any):

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

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

|                   |                   |                       |
|-------------------|-------------------|-----------------------|
| <u>\$220.00</u>   | <u>\$97.50</u>    | <u>\$122.50</u>       |
| a. Total Fee Paid | b. State Fee Paid | c. City/Town Fee Paid |



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

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

|                             |
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## A. General Information (continued)

6. General Project Description:

To install an in-ground swimming pool, patios and landscaping improvements, as well as grading associated with the installation of a subsurface sanitary disposal system within the 100 foot buffer zone 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.

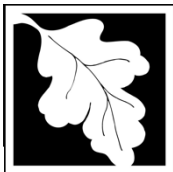
8. Property recorded at the Registry of Deeds for:

|              |                                       |
|--------------|---------------------------------------|
| <u>Essex</u> | _____                                 |
| a. County    | b. Certificate # (if registered land) |
| <u>37979</u> | <u>246</u>                            |
| c. Book      | d. Page Number                        |

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

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

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



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

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

| Resource Area  | Size of Proposed Alteration | Proposed Replacement (if any) |
|--|-----------------------------|-------------------------------|
| a. <input 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      |                               |

| Resource Area  | Size of Proposed Alteration   | Proposed Replacement (if any) |
|--|---|-------------------------------|
| 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) - <b>specify coastal or inland</b> |                               |

2. Width of Riverfront Area (check one):

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

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

4. Proposed alteration of the Riverfront Area:

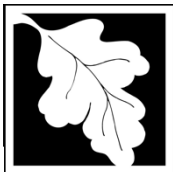
|                      |                               |  |
|----------------------|-------------------------------|--|
| a. total square feet | b. square feet within 100 ft. | c. square feet between 100 ft. and 200 ft. |
|----------------------|-------------------------------|--|

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      |

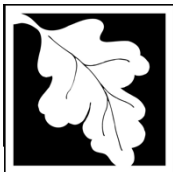
|   | <u>Size of Proposed Alteration</u>  | <u>Proposed Replacement (if any)</u>   |
|---|---|--|
| f. <input type="checkbox"/> Coastal Banks                         | _____   |  |
|   | 1. linear feet  |  |
| g. <input type="checkbox"/> Rocky Intertidal Shores               | _____   |  |
|   | 1. square 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 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

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

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

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

8/2021  
b. Date of map

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

c. Submit Supplemental Information for Endangered Species Review\*

- Percentage/acreage of property to be altered:
  - (a) within wetland Resource Area \_\_\_\_\_ percentage/acreage
  - (b) outside Resource Area \_\_\_\_\_ percentage/acreage
- Assessor's Map or right-of-way plan of site

- Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*
  - (a)  Project description (including description of impacts outside of wetland resource area & buffer zone)
  - (b)  Photographs representative of the site

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

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



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

(c)  MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).  
 Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

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

(d)  Vegetation cover type map of site

(e)  Project plans showing Priority & Estimated Habitat boundaries

(f) OR Check One of the Following

1.  Project is exempt from MESA review.  
 Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2.  Separate MESA review ongoing. a. NHESP Tracking # \_\_\_\_\_ b. Date submitted to NHESP \_\_\_\_\_

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

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

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

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:      North Shore - Hull to New Hampshire border:

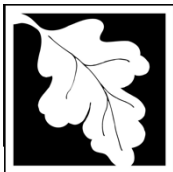
Division of Marine Fisheries -  
 Southeast Marine Fisheries Station  
 Attn: Environmental Reviewer  
 836 South Rodney French Blvd.  
 New Bedford, MA 02744  
 Email: [dmf.envreview-south@mass.gov](mailto:dmf.envreview-south@mass.gov)

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

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

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

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



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

- 4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?  
 a.  Yes  No      If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.  
 b. ACEC

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- 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**

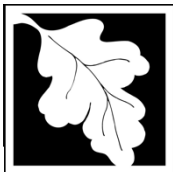
- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

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.

Sanitary Disposal System Design Plan

a. Plan Title

Williams & Sparages LLC

b. Prepared By

May 3, 2022

d. Final Revision Date

Richard L. Williams

c. Signed and Stamped by

1" = 20'

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:

892

2. Municipal Check Number

893

4. State Check Number

Gabriel

6. Payor name on check: First Name

5/4/2022

3. Check date

5/4/2022

5. Check date

Gagne

7. Payor name on check: Last Name

GRIZZLY BEAR

JENNIFER GAGNE  
GABRIEL GAGNE  
4 WYNDMERE RD  
BOXFORD, MA 01921-2429

5-4-2022

891  
53-13/110 MA  
26596

PAY TO THE ORDER OF

Six Hundred Seventy-Five ~~00~~ <sup>00</sup> Dollars \$ 675.-

BANK OF AMERICA

ACH R/T 011000138

For permits/apply.

⑆011000138⑆ 004615995739⑆0891

*[Signature]*

Handed Date

MALLARD DUCKS

WILDLIFE PORTRAIT\$

JENNIFER GAGNE  
GABRIEL GAGNE  
4 WYNDMERE RD  
BOXFORD, MA 01921-2429

5-4-2022

892  
53-13/110 MA  
26596

PAY TO THE ORDER OF

Town of Boxford \$ 122.50

BANK OF AMERICA

ACH R/T 011000138

For permits/apply.

⑆011000138⑆ 004615995739⑆0892

*[Signature]*

Handed Date

WHIPETAIL DEER

WILDLIFE PORTRAIT\$

JENNIFER GAGNE  
GABRIEL GAGNE  
4 WYNDMERE RD  
BOXFORD, MA 01921-2429

5-4-2022

893  
53-13/110 MA  
26596

PAY TO THE ORDER OF

Commonwealth of MA \$ 97.50

BANK OF AMERICA

ACH R/T 011000138

For permits/apply.

⑆011000138⑆ 004615995739⑆0893

*[Signature]*

Handed Date

WHIPETAIL DEER

WILDLIFE PORTRAIT\$



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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.

1. Signature of Applicant

2. Date

5.3.2022

3. Signature of Property Owner (if different)

4. Date

5/4/2022

5. Signature of Representative (if any)

6. Date

**For Conservation Commission:**

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

**For MassDEP:**

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

**Other:**

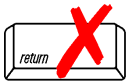
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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



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

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



**A. Applicant Information**

1. Location of Project:

4 Wyndmere Drive Boxford  
 a. Street Address b. City/Town  
 893 \$97.50  
 c. Check number d. Fee amount

2. Applicant Mailing Address:

Jennifer & Gabriel Gagne  
 a. First Name b. Last Name  
 \_\_\_\_\_  
 c. Organization  
 4 Wyndmere Drive  
 d. Mailing Address  
 Boxford MA 01921  
 e. City/Town f. State g. Zip Code  
 617-905-0886 ggagne@ndlandscape.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).



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

**B. Fees** (continued)

| Step 1/Type of Activity          | Step 2/Number of Activities | Step 3/Individual Activity Fee | Step 4/Subtotal Activity Fee         |
|----------------------------------|-----------------------------|--------------------------------|--------------------------------------|
| Category 1a.                     | 1                           | \$110.00                       | \$110.00                             |
| Category 1e.                     | 1                           | \$110.00                       | \$110.00                             |
| Boxford Bylaw Fee:               |                             |                                |                                      |
|                                  | 1                           | \$475.00                       | \$475.00                             |
| 477 l.f. of Wetlands             |                             | \$200.00                       | \$200.00                             |
|                                  |                             |                                |                                      |
|                                  |                             |                                |                                      |
|                                  |                             |                                |                                      |
|                                  |                             |                                |                                      |
| <b>Step 5/Total Project Fee:</b> |                             |                                |                                      |
| <b>Step 6/Fee Payments:</b>      |                             |                                |                                      |
| Total Project Fee:               |                             |                                | \$220.00                             |
| State share of filing Fee:       |                             |                                | \$97.50                              |
| City/Town share of filing Fee:   |                             |                                | \$122.50                             |
|                                  |                             |                                | a. Total Fee from Step 5             |
|                                  |                             |                                | b. 1/2 Total Fee <b>less</b> \$12.50 |
|                                  |                             |                                | c. 1/2 Total Fee <b>plus</b> \$12.50 |

**C. Submittal Requirements**

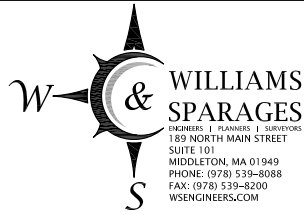
- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
 Box 4062  
 Boston, MA 02211

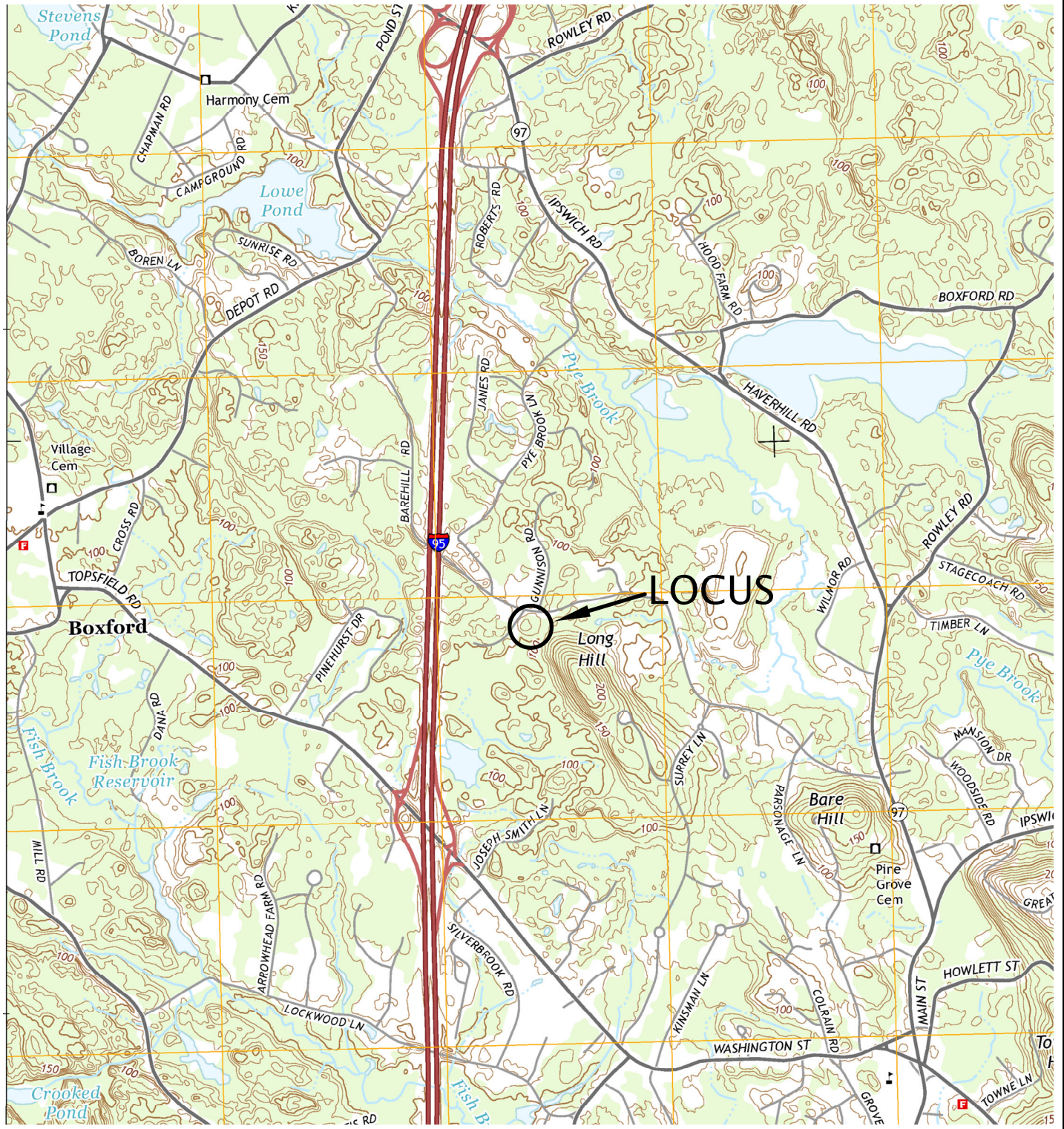
- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

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

WILLIAMS & SPARAGES  
CIVIL ENGINEERING &  
LAND SURVEYORS



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



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

LOCUS MAP  
4 WYNDMERE DRIVE  
BOXFORD, MA 01921



## **Introduction:**

The subject property is identified as Map 34, Block 1, Lot 16 and is otherwise known as 4 Wyndmere Drive. The lot is approximately 6 acres in size, and is developed with a single-family dwelling; which according to the Boxford Assessor's database, was constructed in 1983. The property is located on Wyndmere Drive, which is located off Bare Hill Road, south of Route 95.

According to the NRCS Web Soil Survey, the upland soils on the subject lot are mapped as (422C), Canton fine sandy loam, and the wetland portions of the property are mapped as (715A) Ridgebury and Leicester fine sandy loams, (see attached soil survey).

According to the current Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program (NHESP) Atlas, the property is NOT mapped as Priority Habit of Rare Species or Estimated Habitats of Rare Wildlife, nor is the property mapped as an Area of Critical Environmental Concern (ACEC).

## **Proposed Activities:**

The applicant is proposing to install an in-ground swimming pool, patio and retaining walls, as well as, grading associated with the installation of a new subsurface sanitary disposal system to replace the existing system. All structures requiring a building permit, as well as the pool patio, are located outside of the 75 foot no build zone and no work is proposed within the 25 foot no disturb zone.

These activities are proposed within the 100-foot buffer zone to Bordering Vegetated Wetlands (BVW) and no work is proposed withing the BVW's.

Overstory clearing is proposed within the discretionary cutting area, however, the percentage proposed to be cleared is 13.8%, which is well below the 50% threshold allowed within the discretionary cutting area.

Erosion controls in the form of a 12-inch diameter mulch sock are proposed during the project, and are proposed to remain in place until all areas within the buffer zone are stabilized, and permission is granted for their removal from the Boxford Conservation Commission, and/or it's director.



**Jurisdictional Wetland Resource Areas:**

Bordering Vegetated Wetlands: The Bordering Vegetated Wetlands (BVW) were delineated on the subject property by Greg Hochmuth, PWS, CWS from Williams & Sparages LLC on October 18, 2021, (see attached wetland field data forms).

No BVW is proposed to be altered as a result of this application.





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

Applicant: Jennifer & Gabe Gagne Prepared by: Greg Hochmuth Project location: 4 Wyrndmere Drive, 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-14 Up  | Transect Number: WFA-14 Upland | Date of Delineation: 10/18/2021 |
|--|-------------------------------------|--------------------------------|---------------------------------|
| A. Sample Layer & Plant Species<br>(by common/scientific name) | B. Percent Cover<br>(or basal Area) | C. Percent<br>Dominance        | D. Dominant Plant (yes or no)   |

### Tree

|   |     |     |     |      |
|---|-----|-----|-----|------|
| Red Maple – <i>Acer rubrum</i>              | 20% | 28% | YES | FAC* |
| Yellow Birch – <i>Betula alleghaniensis</i> | 20% | 28% | YES | FAC* |
| Hemlock – <i>Tsuga canadensis</i>           | 30% | 42% | YES | FACU |

### Shrubs

|  |     |     |     |       |
|--|-----|-----|-----|-------|
| Yellow Birch – <i>Betula alleghaniensis</i>      | 30% | 50% | YES | FAC*  |
| White Pine – <i>Pinus strobus</i>                | 20% | 33% | YES | FACU  |
| Highbush Blueberry – <i>Vaccinium corymbosum</i> | 10% | 16% | NO  | FACW- |

### Ground Cover

|  |     |     |     |      |
|--|-----|-----|-----|------|
| Partridgeberry – <i>Mitchella repens</i>   | 10% | 40% | YES | FACU |
| Princess Pine – <i>Lycopodium obscurum</i> | 15% | 60% | 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+, 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: 4

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? No

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: 422C – Canton fine sandy loam  
 hydric soil inclusions: No

Are field observations consistent with soil survey? Yes

#### 2. Soil Description

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

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

|   | Yes   | No    |
|---|-------|-------|
| Number of wetland indicator plants<br>≥ # of non-wetland indicator plants | _____ | ___X_ |

#### Wetland hydrology present:

|                                       |       |       |
|---------------------------------------|-------|-------|
| Hydric soil present                   | _____ | ___X_ |
| Other indicators of hydrology present | _____ | ___X_ |
| <b>Sample location is in a BW</b>     | _____ | ___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: Jennifer & Gabe Gagne Prepared by: Greg Hochmuth Project location: 4 Wyrndmere Drive, 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-14 Wet | Transect Number: WFA-14 Wetland | Date of Delineation: 10/18/2021 |
|--|-------------------------------------|---------------------------------|---------------------------------|
| A. Sample Layer & Plant Species<br>(by common/scientific name) | B. Percent Cover<br>(or basal Area) | C. Percent<br>Dominance         | D. Dominant Plant (yes or no)   |
| <b>Tree</b>  |                                     |                                 |                                 |
| Red Maple – <i>Acer rubrum</i>                                 | 40%                                 | 44%                             | YES                             |
| Yellow Birch – <i>Betula alleghaniensis</i>                    | 20%                                 | 22%                             | YES                             |
| Hemlock – <i>Tsuga canadensis</i>                              | 30%                                 | 33%                             | YES                             |
| <b>Shrubs</b>  |                                     |                                 |                                 |
| Winterberry Holly – <i>Ilex verticillata</i>                   | 30%                                 | 42%                             | YES                             |
| Hemlock – <i>Tsuga canadensis</i>                              | 20%                                 | 28%                             | YES                             |
| Highbush Blueberry – <i>Vaccinium corymbosum</i>               | 20%                                 | 28%                             | YES                             |
| <b>Ground Cover</b>  |                                     |                                 |                                 |
| Partridgeberry – <i>Mitchella repens</i>                       | 10%                                 | 33%                             | YES                             |
| Sensitive Fern – <i>Onoclea sensibilis</i>                     | 20%                                 | 66%                             | YES                             |

\* 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+, 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: 3

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? No

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: 715A – Ridgebury and Leicester fine sandy loam

hydric soil inclusions: Yes

Are field observations consistent with soil survey? Yes

#### 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: \_ 8" \_\_\_
- 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: \_\_\_\_\_

#### 2. Soil Description

| Horizon | Depth | Matrix Color | Mottles Color |
|---------|-------|--------------|---------------|
| A       | 0-8   | 2.5Y2.5/1    | 10YR5/8       |
| C       | 8-18  | 5Y5/2        | 10YR5/8       |

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\_

\_\_\_

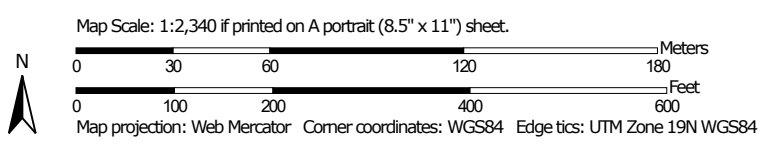
Sample location is in a BVW

\_X\_

































\_\_\_

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

Soil Map—Essex County, Massachusetts, Northern Part  
(4 Wyndmere Drive, Boxford, MA 01921)



## MAP LEGEND

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

## MAP INFORMATION

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

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

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

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

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

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

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

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

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

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

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

## Map Unit Legend

| Map Unit Symbol                    | Map Unit Name  | Acres in AOI | Percent of AOI |
|------------------------------------|--|--------------|----------------|
| 253A                               | Hinckley loamy sand, 0 to 3 percent slopes                                       | 0.3          | 1.5%           |
| 253B                               | Hinckley loamy sand, 3 to 8 percent slopes                                       | 6.8          | 29.0%          |
| 276A                               | Ninigret fine sandy loam, 0 to 3 percent slopes                                  | 0.9          | 3.6%           |
| 307E                               | Paxton fine sandy loam, 25 to 35 percent slopes, extremely stony                 | 3.2          | 13.6%          |
| 406D                               | Charlton fine sandy loam, 15 to 25 percent slopes, very stony                    | 0.5          | 2.3%           |
| 422C                               | Canton fine sandy loam, 8 to 15 percent slopes, extremely stony                  | 10.2         | 43.2%          |
| 715A                               | Ridgebury and Leicester fine sandy loams, 0 to 3 percent slopes, extremely stony | 1.6          | 6.7%           |
| <b>Totals for Area of Interest</b> |  | <b>23.6</b>  | <b>100.0%</b>  |

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act & Boxford Wetlands  
Protection Regulations

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

I, Gregory J. Hochmuth, hereby certify under the pains and penalties of perjury  
that on May 16, 2022 I gave notification to abutters in compliance with the  
second paragraph of Massachusetts General Law Chapter 131, Section 40, and  
the DEP Guide to Abutter Notification dated April 8, 1994, in connection with  
the following matter:

A Notice of Intent was filed under the Massachusetts Wetlands Protection Act by  
Jennifer and Gabriel Gagne with the Town of Boxford Conservation Commission  
on May 16, 2022 for property located at 4 Wyndmere Drive (Map 34, Block 1,  
Parcel 16).

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

5/16/2022  
\_\_\_\_\_  
Date





34-01-16 - 4 WYNDMERE DR, BOXFORD ABUTTERS LIST  
 CONSERVATION COMMISSION 250'

| Parcel ID    | Location            | Owner                           | Owner 2                      | Owner Address    | Owner City/Town | Owner State | Zip Code |
|--------------|---------------------|---------------------------------|------------------------------|------------------|-----------------|-------------|----------|
| 34-01-15     | 131 BARE HILL RD    | GOULART BRIAN M                 | DALTON LEAH MARY             | 131 BARE HILL RD | BOXFORD         | MA          | 01921    |
| 34-01-16     | 4 WYNDMERE DR       | GAGNE GABRIEL A                 | GAGNE JENNIFER T             | 4 WYNDMERE DR    | BOXFORD         | MA          | 01921    |
| 34-01-17     | WYNDMERE DR         | ALLYN PAULINE S TR              | PAULINE S ALLYN TRUST        | 119 BARE HILL RD | BOXFORD         | MA          | 01921    |
| 34-01-17-4   | 16 WYNDMERE DR      | CALLAHAN JOHN F & PATRICIA J TR | CALLAHAN FAMILY LIVING TRUST | 16 WYNDMERE DR   | BOXFORD         | MA          | 01921    |
| 34-01-17-5   | 10 WYNDMERE DR      | GILL ROBERT P III               | GILL DANIELLE                | 10 WYNDMERE DR   | BOXFORD         | MA          | 01921    |
| 34-01-17-6   | 8 WYNDMERE DR       | SHANAHAN JAMES A III            | HARNEY DEANNA JTWROS         | 8 WYNDMERE DR    | BOXFORD         | MA          | 01921    |
| 34-01-20     | 128 BARE HILL RD    | DANIEL JR RICHARD M             | JOANNA C DANIEL              | 128 BARE HILL RD | BOXFORD         | MA          | 01921    |
| 34-01-21     | 134 BARE HILL RD    | HARTEL KAREN A                  |                              | 134 BARE HILL RD | BOXFORD         | MA          | 01921    |
| 34-01-04     | BARE HILL RD        | KNOWLES STEPHEN E TE            | KNOWLES SUSAN K              | 21 LONG HILL RD  | BOXFORD         | MA          | 01921    |
| 34-01-04-1-1 | E1 BARE HILL RD     | KNOWLES STEPHEN E               |                              | 21 LONG HILL RD  | BOXFORD         | MA          | 01921    |
| 34-01-04-1-2 | E2 BARE HILL RD     | KNOWLES STEPHEN E               |                              | 21 LONG HILL RD  | BOXFORD         | MA          | 01921    |
| 34-01-40     | 7 GUNNISON RD       | TARTAGLIA ROBERT & MARSHA A TR  | 7 GUNNISON RD REALTY TRUST   | 7 GUNNISON RD    | BOXFORD         | MA          | 01921    |
| 34-01-44     | 4 GUNNISON RD       | CONNERTY KEVIN TC               | DEBORAH L SCHEIBER           | 4 GUNNISON RD    | BOXFORD         | MA          | 01921    |
| 34-01-45     | 116 BARE HILL RD    | NASH BONNIE                     |                              | 116 BARE HILL RD | BOXFORD         | MA          | 01921    |
| 34-01-50     | 27 LONG HILL        | ARRIGO MICHAEL P TE             | ARRIGO LAURA                 | 27 LONG HILL     | BOXFORD         | MA          | 01921    |
| 34-01-50-1   | LOT 5D BARE HILL RD | KNOWLES STEPHEN E               |                              | 21 LONG HILL RD  | BOXFORD         | MA          | 01921    |
| 34-01-61     | 119 BARE HILL RD    | ALLYN PAULINE S TR              | PAULINE S ALLYN TRUST        | 119 BARE HILL RD | BOXFORD         | MA          | 01921    |

CERTIFIED COPY  
 5/12/2022

*Heather Thijault*