

NOTICE OF INTENT

67C Topsfield Road
Boxford, Massachusetts

July 20, 2020

Owner:

Steven Ottaviano
23 Broad Street
Peabody, MA 01960

Applicant:

Michael Dunn
78 Gore Road
Revere, MA 02151

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-0084





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):

67C Topsfield Road

a. Street Address

Boxford

b. City/Town

01921

c. Zip Code

Latitude and Longitude:

42.651360 N

d. Latitude

-70.989300 W

e. Longitude

Map 33

f. Assessors Map/Plat Number

Block 2, Parcel 28

g. Parcel /Lot Number

2. Applicant:

Michael

a. First Name

Dunn

b. Last Name

c. Organization

78 Gore Road

d. Street Address

Revere

e. City/Town

MA

f. State

02151

g. Zip Code

781-307-7018

h. Phone Number

i. Fax Number

dunnmike@hotmail.com

j. Email Address

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

Steven

a. First Name

Ottaviano

b. Last Name

c. Organization

23 Broad Street

d. Street Address

Peabody

e. City/Town

MA

f. State

01960

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Thorsen

a. First Name

Akerley

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

takerley@wsengineers.com

j. Email address

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

\$500.00

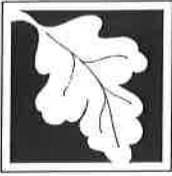
a. Total Fee Paid

\$237.50

b. State Fee Paid

\$262.50

c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

Proposed construction of a single family home within the 100' 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:

Essex South

a. County

31041

c. Book

b. Certificate # (if registered land)

36

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 checked="" type="checkbox"/> Bordering Land Subject to Flooding	1,174.7	0
	1. square feet _____	2. square feet _____
	0	162.5 (added)
e. <input type="checkbox"/> Isolated Land Subject to Flooding	3. cubic feet of flood storage lost _____	4. cubic feet replaced _____
	1. square feet _____	
f. <input type="checkbox"/> Riverfront Area	2. cubic feet of flood storage lost _____	3. cubic feet replaced _____
	1. Name of Waterway (if available) - specify coastal or inland _____	

2. Width of Riverfront Area (check one):

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

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

4. Proposed alteration of the Riverfront Area:

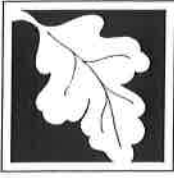
a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

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

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

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

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



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

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

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet _____	
	2. cubic yards dredged _____	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. <input type="checkbox"/> Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet _____	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet _____	
h. <input type="checkbox"/> Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet _____	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged _____	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet _____	
4. <input type="checkbox"/> 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. <input type="checkbox"/> Project Involves Stream Crossings		
	a. number of new stream crossings _____	b. number of replacement stream crossings _____



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C. Other Applicable Standards and Requirements

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

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

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

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

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

8/2017

b. Date of map

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

- c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:
- (a) within wetland Resource Area _____ percentage/acreage
- (b) outside Resource Area _____ percentage/acreage
2. Assessor's Map or right-of-way plan of site
2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **
- (a) Project description (including description of impacts outside of wetland resource area & buffer zone)
- (b) Photographs representative of the site

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

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



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

- (c) MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhesp/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/nhesp/regulatory_review/ mesa/ mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
 2. Separate MESA review ongoing. a. NHESP Tracking # b. Date submitted to NHESP
 3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
- a. Not applicable – project is in inland resource area only b. Yes No

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

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

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

North Shore - Hull to New Hampshire border:

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

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



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

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

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
- a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
- a. Yes No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
- a. Yes No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
- a. Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. A portion of the site constitutes redevelopment
 3. Proprietary BMPs are included in the Stormwater Management System.
- b. No. Check why the project is exempt:
1. Single-family house
 2. Emergency road repair
 3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

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

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



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D. Additional Information (cont'd)

3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. List the titles and dates for all plans and other materials submitted with this NOI.

Proposed Plot Plan, #67C Topsfield Road

a. Plan Title

Williams & Sparages LLC

Richard L. Williams, P.E.

b. Prepared By

c. Signed and Stamped by

July 22, 2020

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:

454

7/20/2020

2. Municipal Check Number

3. Check date

452

7/20/2020

4. State Check Number

5. Check date

Gena & Michael

Dunn

6. Payor name on check: First Name

7. Payor name on check: Last Name

GENA DUNN
MICHAEL DUNN
78 GORE RD.
REVERE, MA 02151

60-7269/2313

452

DATE 7/20/20

PAY TO THE
ORDER OF

Commonwealth of Massachusetts \$ 237.50
Two Hundred & Thirty Seven ⁵⁰/₁₀₀ DOLLARS

 **Santander**

Santander Bank, N.A.

MEMO Land Fee

Michael Dunn

MP

⑆ 231372691⑆

3571758552⑈0452

GENA DUNN
MICHAEL DUNN
78 GORE RD.
REVERE, MA 02151

60-7269/2313

454

DATE 7/20/20

PAY TO THE
ORDER OF

Town of Boxford \$ 262.50
Two Hundred & Sixty Two ⁵⁰/₁₀₀ DOLLARS

 **Santander**

Santander Bank, N.A.

MEMO Town Land Fee

Michael Dunn

MP

⑆ 231372691⑆

3571758552⑈0454



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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.

[Handwritten Signature]

1. Signature of Applicant

7/20/20

2. Date

3. Signature of Property Owner (if different)

[Handwritten Signature]

5. Signature of Representative (if any)

4. Date

7/20/2020

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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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

[Handwritten Signature] STEVEN OTTAVIANO

2. Date

7-21-20

3. Signature of Property Owner (if different)

[Handwritten Signature]

4. Date

7-21-2020

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.

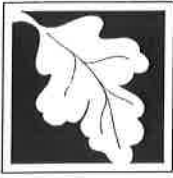
For MassDEP:

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.

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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:

67C Topsfield Road Boxford
 a. Street Address b. City/Town
 452 \$237.50
 c. Check number d. Fee amount

2. Applicant Mailing Address:

Michael Dunn
 a. First Name b. Last Name
 c. Organization
 78 Gore Road
 d. Mailing Address
 Revere MA 02151
 e. City/Town f. State g. Zip Code
 781-307-7018 dunmike@hotmail.com
 h. Phone Number i. Fax Number j. Email Address

3. Property Owner (if different):

Steven Ottaviano
 a. First Name b. Last Name
 c. Organization
 23 Broad Street
 d. Mailing Address
 Peabody MA 01960
 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
2, a	1	\$500.00	\$500.00

Step 5/Total Project Fee: \$500.00

Step 6/Fee Payments:

Total Project Fee:	<u>\$500.00</u>
State share of filing Fee:	<u>\$237.50</u>
City/Town share of filling Fee:	<u>\$262.50</u>
	a. Total Fee from Step 5
	b. 1/2 Total Fee less \$12.50
	c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

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

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

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

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

Introduction:

The subject property is identified as Map 13, Block 3, Lot 33 and is otherwise known as 67C Topsfield Road. The lot is comprised of approximately 6.2 acres of land, and is currently undeveloped and consists of predominantly woodland and open pasture area. The lot extends roughly 1,000 feet southwest from Topsfield Road. The parcel also contains a significant amount of pasture land, which is shown on the accompanying plan as a covenant and restriction, and has development limitations associated with it. A common drive runs along the southern property boundary, which eventually connects to Topsfield Road, and also serves as a driveway for 67A and 67B Topsfield Road.

According to the NRCS Web Soil Survey, soils within the upland on the subject lot are mapped as (421D), Canton fine sandy loam. 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 (PH2106) of Rare Species and Estimated Habitats of Rare Wildlife.

Proposed Activities:

The applicant is proposing to construct a single family home, just west of the common pasture line. The proposed home lies nearly entirely outside of the 100' buffer zone aside from a portion of the porch in front of the proposed dwelling. A paved driveway is proposed off the existing common gravel driveway. According to the setback table in §375-98B.(5) of the Boxford Wetlands Protection Regulations, paved driveways must be 30' from the edge of resource areas, and in this case both proposed driveways are greater than the 30' from the edge of BVW. A gravel drive also lies between the proposed development and the Bordering Vegetated Wetland (BVW) associated with the unnamed Pond and stream to the south.

The septic system associated with the proposed dwelling has already been granted approval by the Boxford Board of Health, and lies entirely outside of the 100' buffer zone to BVW. A large portion of vegetation within the 100' buffer zone is proposed to be preserved to the west of the proposed driveway. However, given the steep slope where the driveway is proposed, it is not feasible to keep 50% of the trees in this portion of the discretionary cutting area. To the maximum extent feasible, however, trees within the hatched area below the driveway will be preserved.



Jurisdictional Wetland Resource Areas:

Bordering Vegetated Wetlands: Two Bordering Vegetated Wetlands (BVW) were delineated on the subject property by Norse Environmental in August of 2016.

The A-Series borders on the unnamed pond that is located to the south of the proposed dwelling. The B-series lies to the south of the common drive, and borders on an unnamed stream that cuts through 79 and 87B Topsfield Road.

Bordering Land Subject to Flooding: According to FEMA Flood Insurance Rate Map Number 25009C0263F, with an effective date of July 3, 2012, this pond and associated stream existing the pond has a Zone A (no elevation) SFHA associated with it. This stream eventually ties into Fish Brook near the intersection of Lockwood Lane and Haymeadow Road.

Only a small portion of work is proposed within BLSF, which includes dropping the grade at the 102 contour on the driveway to the south of the proposed dwelling. No filling of BLSF is proposed, however given we are proposing to lower the grade, 162.5 S.F. of flood storage is proposed to be added. In total, 1,174.7 S.F. of BLSF is proposed to be altered, however only 240 S.F. will be permanently altered via the addition of the driveway. This project proposes no filling of BLSF.

Erosion Controls:

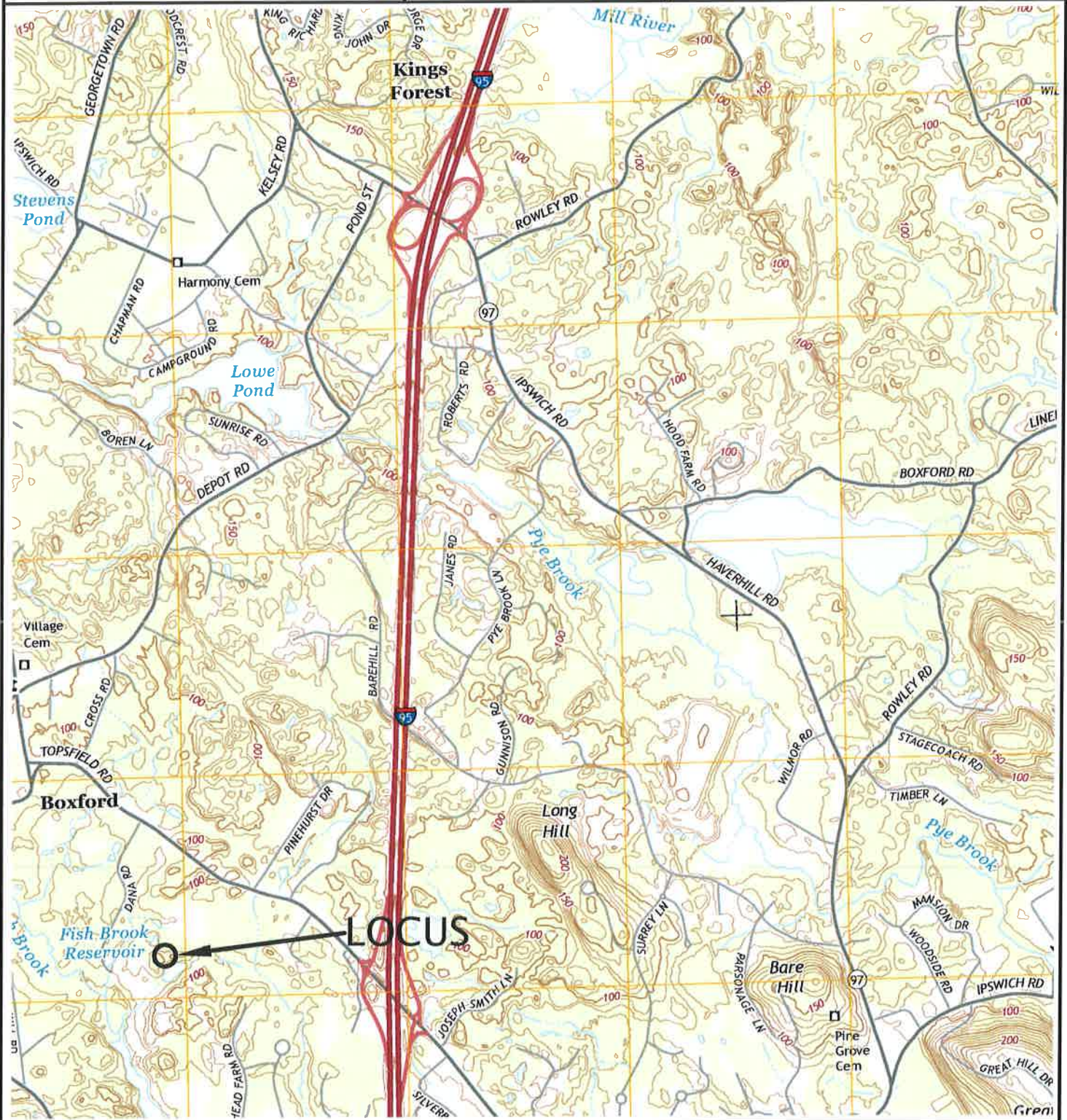
Erosion Controls in the form of silt fence will be installed prior to construction and will remain in place until all work on site is stable. The location of the proposed erosion controls are shown on the accompanying plan.



WILLIAMS & SPARGES
CIVIL ENGINEERING &
LAND SURVEYORS



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MIDDLETON, MA 01949
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FAX: (978) 539-8200



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

LOCUS MAP
#67C TOPSFIELD ROAD
BOXFORD, MA 01921



National Flood Hazard Layer FIRMette

70°59'40"W 42°39'23"N



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

Legend

- SPECIAL FLOOD HAZARD AREAS**
- Without Base Flood Elevation (BFE)
Zone A, V, A99
 - With BFE or Depth Zone AE, AO, AH, VE, AR
 - Regulatory Floodway

- OTHER AREAS OF FLOOD HAZARD**
- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile (Zone X)
 - Future Conditions 1% Annual Chance Flood Hazard (Zone X)
 - Area with Reduced Flood Risk due to Levee. See Notes. (Zone X)
 - Area with Flood Risk due to Levee (Zone D)

- OTHER AREAS**
- NO SCREEN
 - Area of Minimal Flood Hazard (Zone X)
 - Effective LOMRs
 - Area of Undetermined Flood Hazard (Zone X)
- GENERAL STRUCTURES**
- Channel, Culvert, or Storm Sewer
 - Levee, Dike, or Floodwall

- OTHER FEATURES**
- Cross Sections with 1% Annual Chance Water Surface Elevation
 - Coastal Transect
 - Base Flood Elevation Line (BFE)
 - Limit of Study
 - Jurisdiction Boundary
 - Coastal Transect Baseline
 - Profile Baseline
 - Hydrographic Feature

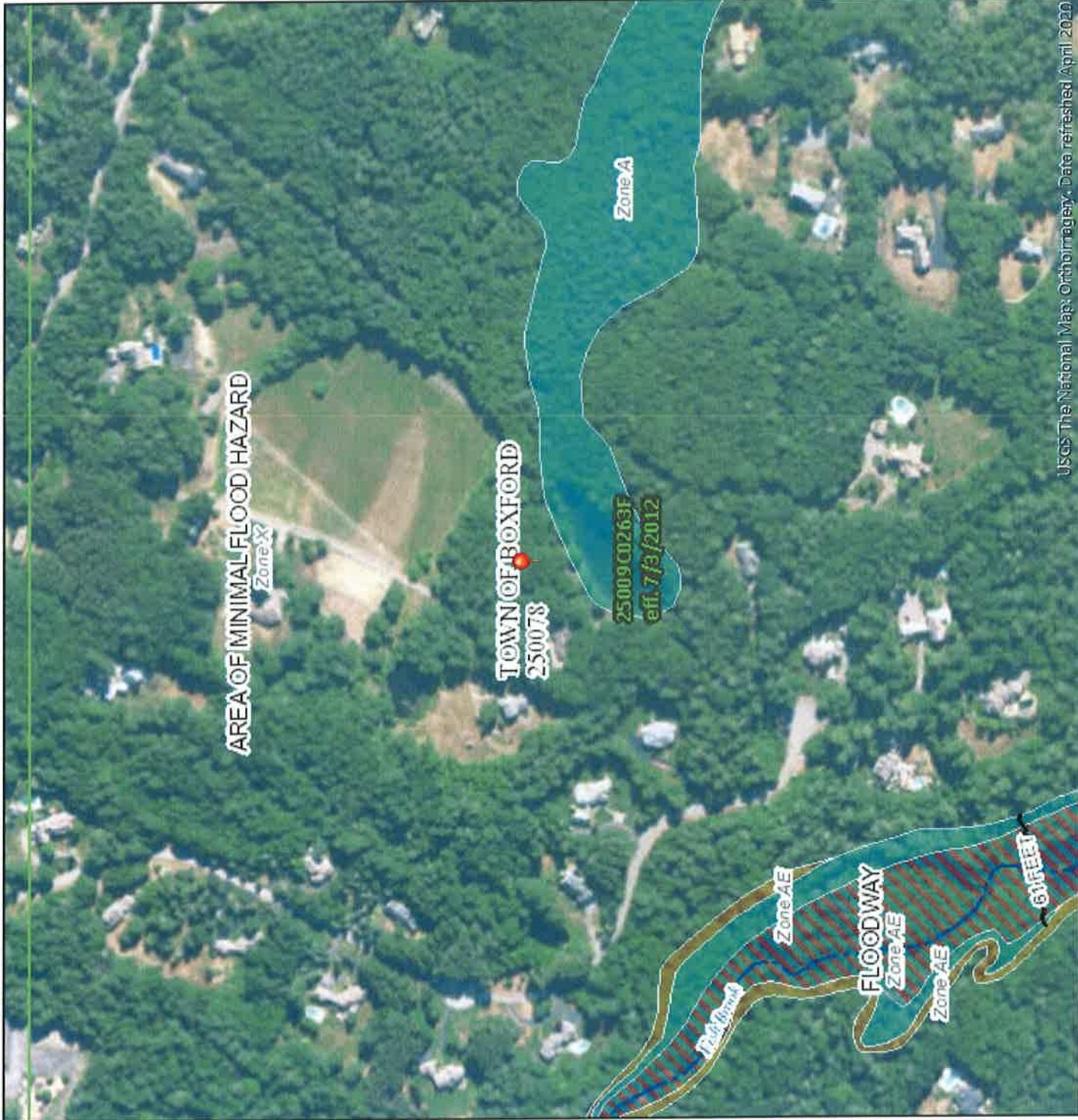
- MAP PANELS**
- Digital Data Available
 - No Digital Data Available
 - Unmapped

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

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

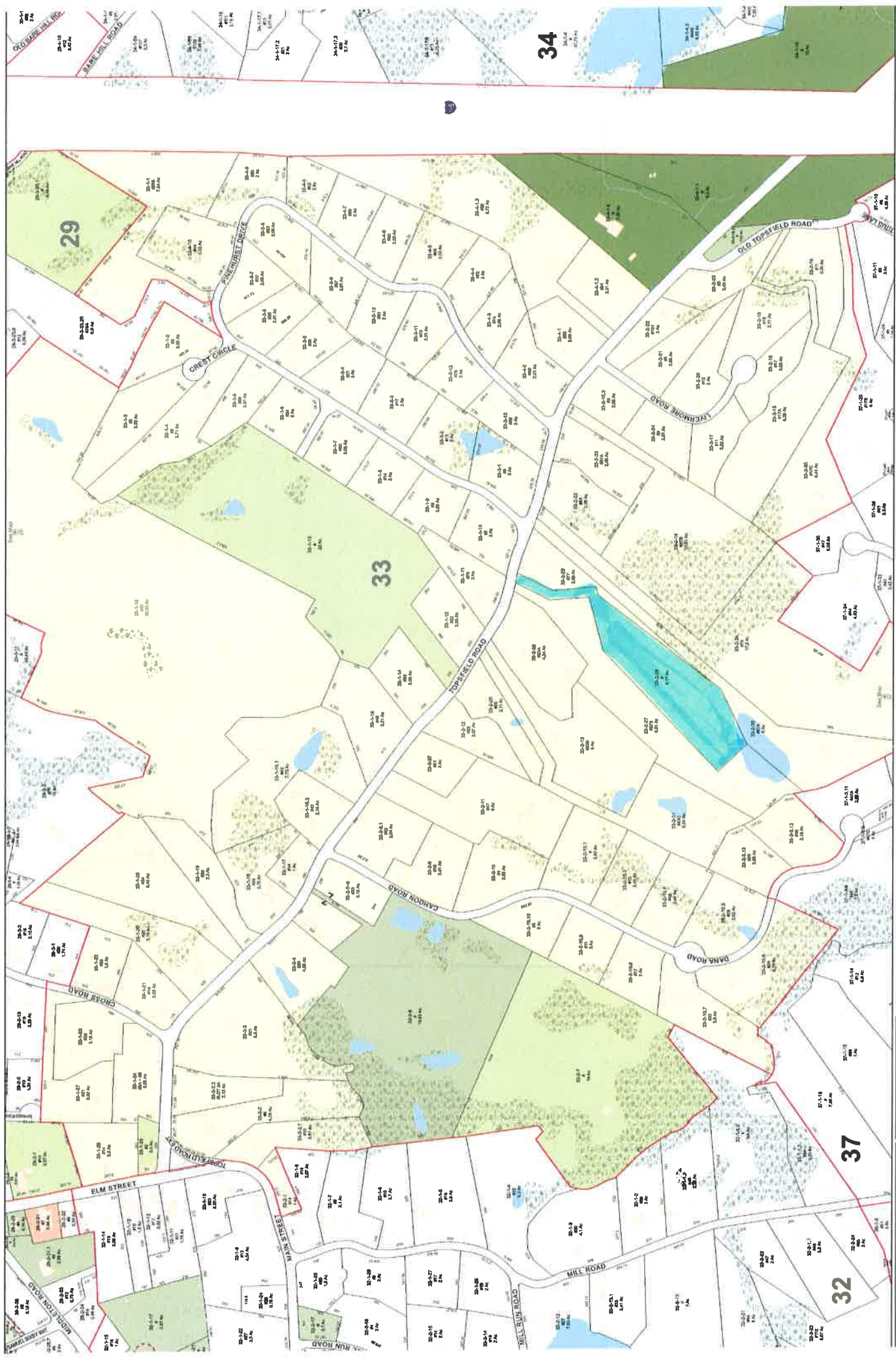
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 7/22/2020 at 4:39 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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



USGS The National Map, Orthoimagery, Data refreshed April 2020

70°59'3\"/>



34

29

33

37

32

LEGEND

- Adjoin Maps
- Map Boundaries
- Property Parcels
- Building Footprint
- Streams
- Wetlands
- Committed Land Use
- Industrial Land Use
- State
- County
- Shaded
- Hydrographic Features



Town of Boxford Property Parcel Maps 33



NOTES

This map is for informational purposes only. It is not a legal document for land transactions or other legal purposes. The information on this map is derived from the most current available data. The Town of Boxford Planning Commission is not responsible for any errors or omissions on this map.

**Merrimack Valley
Planning Commission**

Boxford Conservation Commission
Application Checklist-Notice of Intent (NOI)

This checklist is designed to assist the applicant in preparing a complete Notice of Intent application. One completed copy of the checklist should be submitted with the application. One (1) original and (7) copies of the NOI forms, plans and appurtenant data listed below are required to be submitted for a complete application

The following are required as part of a complete NOI application and are attached:

- Attached** Completed Notice of Intent form (available from the Conservation Office or at <http://www.mass.gov/dep/appkits/wpaform3.pdf>). (Note: A copy of a complete NOI must also be mailed to the MassDEP NERO, 205B Lowell Street, Wilmington, MA 01887.)

- Attached** Site Plan. See next page for required elements of plan.

- Attached** List of abutters within 250' of the project parcel(s) (and all pond abutters if applicable), prepared and certified by the Town Assessor's Office. (Note: A notice of public hearing will be prepared by the Conservation office and provided to the applicant when the application is submitted. At the public hearing, the applicant must provide evidence that the notice was mailed to each of the persons on the certified abutters list.)

- Attached** A copy of a check made out in the correct amount to the Department of Environmental Protection and a copy of a completed State Wetlands Fee Transmittal Form. (Note: the applicant is responsible for mailing this check along with a completed State Wetlands Fee Transmittal Form to the DEP "Lockbox" at Box 4062, Boston MA 02211.)

- Attached** A check for local filing fees made out in the correct amount to the "Town of Boxford".

- Attached** **N/A** Proof of mailing or proof of hand delivery to the Natural Heritage and Endangered Species Program, if applicable.

- Attached** **N/A** Evidence that all other Boxford Bylaw permit applications relevant to the project have been filed, if applicable (e.g., Board of Health, Zoning Board of Appeals). Please list all other Bylaw permit filings:
_____.

The following must be shown on the site plan attached to the application:

- Shown** All appropriate plan requirements listed in Section 375-5(A)(1)(b) of the Town of Boxford Wetland Protection Bylaw Regulations.
- Shown** The signature and stamp of a Registered Professional Land Surveyor, Registered Sanitarian, or Registered Professional Engineer, and the identity of the firm/person that delineated the wetland resource area..
- Shown** Boundaries of all wetland resource areas (e.g., bordering vegetated wetland, bordering land subject to flooding). All demarcation flags must be located by survey in the field and shown on the plan.
- Shown** All wetland resource area setback lines (e.g., 100' Limit of Jurisdiction, 200' Riverfront, 25' No Disturb, 75' No Build).
- Shown** Existing contour information and proposed grading.
- Shown** Existing site conditions and proposed changes including structures, pavement, landscaping, underground utilities and building overhangs. (Note: it may be necessary to show areas outside of the limits of jurisdictional wetland area in order to provide adequate information for the Commission to properly review the project.)
- Shown** All erosion / sedimentation control measures.
- Shown** Pre- and post-development overstory tree line within jurisdictional area, and a calculation of the percent removal of overstory trees within the "discretionary cutting area" (see Section 375-4(A) and Section 375-98(D) (2) of the Boxford Wetlands Protection Regulations).

Applications subject to the DEP Stormwater Management Policy must include the following: *(The plan and supporting documentation must also be mailed to the DEP Northeast Office and the Boxford DPW)*

- Attached** Completed DEP Stormwater Management Form.
- Attached** Stormwater & flood calculations using the Cornell Atlas rainfall estimates, prepared by a Professional Engineer.
- Attached** Operations and Maintenance Plan.
- Attached** A stormwater management plan showing stormwater management features highlighted in separate colors, per section 375-5(A)(1)(d) of the Boxford Wetlands Protection Bylaw Regulations.

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, Thorsen Akerley, hereby certify under the pains and penalties of perjury that
on July 24, 2020 I gave notification to abutters in compliance with the second
paragraph of Massachusetts General Law Chapter 131, Section 40, and the DEP
Guide to Abutter Notification dated April 8, 1994, in connection with the
following matter:

A Notice of Intent was filed under Massachusetts Wetlands Protection Act by
Michael Dunn with the Town of Boxford Conservation Commission on July 23,
2020 for property located at 67C Topsfield Road (Map 33, Block 2, Parcel 28).

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

7/23/2020

Date



TOWN OF BOXFORD
ABUTTER LIST

PARCEL # 33-2-28 - TOPSFIELD ROAD - CONSERVATION COMMISSION 250'

PARCEL #	PARCEL ADDRESS	OWNER 1	OWNER 2	MAILING ADDRESS	CITY/TOWN	STATE	ZIP CODE
33-01-10	2 PINEHURST DR	DENGIZLI HAKKIL I		2 PINEHURST DR	BOXFORD	MA	01921
33-01-11	70 TOPSFIELD RD	GRIGG JESSICA A	SCHOENBERG JENS CHRISTIAN	70 TOPSFIELD RD	BOXFORD	MA	01921
33-02-13	63B TOPSFIELD RD	WHITE LISA E	WHITE THAYER H	63B TOPSFIELD RD	BOXFORD	MA	01921
33-02-14	87B TOPSFIELD RD	MCCORMICK KEITH W TE	MCCORMICK LESLEY A	87B TOPSFIELD RD	BOXFORD	MA	01921
33-02-26	63A TOPSFIELD RD	ONDRICK DANIELLE		63A TOPSFIELD RD	BOXFORD	MA	01921
33-02-27	67B TOPSFIELD RD	THOMPSON LEE D TE	THOMPSON ELAINE H	67B TOPSFIELD RD BOX 203	BOXFORD	MA	01921
33-02-28	TOPSFIELD RD	OTTAVIANO STEVEN D		23 BROAD STREET	PEABODY	MA	01960
33-02-29	77 TOPSFIELD RD	DONNELL ROBERT JT	DONNELL MARY F	77 TOPSFIELD RD	BOXFORD	MA	01921
33-02-30	67A TOPSFIELD RD	KACHEL TIMOTHY J	WELCH JESSICA L	67A TOPSFIELD RD	BOXFORD	MA	01921
33-02-31	63C TOPSFIELD RD	GORDBEGLI MANOCHEHR TR	MANOCHEHR GORDBEGLI TR	63C TOPSFIELD RD	BOXFORD	MA	01921
33-02-32	81 TOPSFIELD RD	ZERNICH KURT M TE	ZERNICH DEBRA E	81 TOPSFIELD RD	BOXFORD	MA	01921
33-02-34	79 TOPSFIELD RD	HENDRICKSON RAY E	HENDRICKSON KARYN L	79 TOPSFIELD RD	BOXFORD	MA	01921

CERTIFIED COPY



JULY 20, 2020