



SCANLAN
ENGINEERING LLC

#1047

September 17, 2020

Mr. Ross Povenmire
Conservation Agent
Boxford Conservation Commission
7A Spofford Road
Boxford, MA 01921

Re: Notice of Intent Application
Marks Residence – 28 Pinehurst Drive


Dear Commission Members:

On behalf of the applicant Dennis Marks, Scanlan Engineering LLC is submitting this Notice of Intent application for the reconstruction/expansion of the driveway to serve the residence, as well as replacing the drainage culvert beneath the driveway. Enclosed is one original, and one electronic copy of the Notice of Intent and supporting documents, and the required filing fee.

The limits of the Bordering Vegetated Wetlands were delineated by Bill Manuell, of Wetlands & Land Management, Inc. on August 6, 2020. The proposed project includes the reconstruction of the existing driveway, the addition of a gravel turnout/parking spot, and the replacement of the existing (damaged) drainage culvert beneath the driveway within the buffer zone to a Bordering Vegetated Wetland.

Please schedule this matter for your earliest meeting. I plan on attending the hearing to present the project and answer any questions that you may have.

Sincerely,
SCANLAN ENGINEERING LLC


James Scanlan, P.E.
Project Engineer

Cc: Dennis Marks (Applicant)
File #1047

Enclosures

Project Description:

This Notice of Intent Application is for the reconstruction of the driveway serving the dwelling at 28 Pinehurst Drive, Boxford, MA. The existing driveway is in a state of disrepair, and the drainage culvert beneath the driveway is damaged. The replacement will be occurring within the 100-foot buffer zone of a Bordering Vegetated Wetland(BVW). The construction will consist of replacing the existing driveway, as well as adding a gravel turnaround / parking spot. The drainage culvert beneath the driveway will also be replaced, and the existing drainage swale, down slope of the culvert, is proposed to be regarded/repared.

Existing Conditions:

The site is located at 28 Pinehurst Drive, Boxford, MA. It is a neighborhood of single family residential dwellings.

The resource area on-site consists of Bordering Vegetated Wetlands. The lot is not located in the Estimated Habitat of Rare Wildlife as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published on MassGIS website (see additional information).

Proposed Work:

The proposed work is for a driveway reconstruction within the 100 foot buffer zone to a Bordering Vegetated Wetland. The work includes the construction of the new driveway with the addition of the gravel turnaround. Additionally, replacement of the drainage culvert beneath the drive and repairing the swale downslope of the culvert, to eliminate the storm-water backup and ponding that is currently occurring after rain events.

The proposed area of excavation within the Buffer Zone is approximately 2500 square feet. The proposed driveway will be generally located over the same footprint of the existing driveway, with the exception of the added gravel turnaround area and minor widening in front of the garage. There is no proposed removal of trees.

The erosion control shall consist of siltation fence installed as shown on the plans, and hay-bales surrounding stockpiled materials during heavy rain events. The erosion control barriers shall be cleared of any accumulated siltation, as needed.

The sequence of the proposed project is as follows:

1. Placement of Erosion Control as shown on plan.
2. Reconstruction of driveway and drainage culvert.
3. Removal of all extra materials from site.
4. Removal of Erosion Control system.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands

Provided by MassDEP:

MassDEP File Number _____

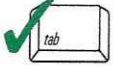
Document Transaction Number _____

Boxford
 City/Town

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
 Boxford Wetlands Protection Bylaw, Town Code Ch. 192 & 37!

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



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

A. General Information

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

28 Pinehurst Drive
 a. Street Address

Boxford
 b. City/Town

01921
 c. Zip Code

Latitude and Longitude:

Map 33 Block 1
 f. Assessors Map/Plat Number

Lot 5
 g. Parcel /Lot Number

d. Latitude _____ e. Longitude _____

2. Applicant:

Dennis
 a. First Name

Marks
 b. Last Name

c. Organization _____

28 Pinehurst Drive
 d. Street Address

Boxford
 e. City/Town

MA
 f. State

01921
 g. Zip Code

978-337-6196
 h. Phone Number

i. Fax Number _____

dennymarks12@gmail.com
 j. Email Address

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

a. First Name _____ b. Last Name _____

c. Organization _____

d. Street Address _____

e. City/Town _____ f. State _____ g. Zip Code _____

h. Phone Number _____ i. Fax Number _____ j. Email address _____

4. Representative (if any):

James
 a. First Name

Scanlan
 b. Last Name

Scanlan Engineering, LLC
 c. Company

PO Box 906
 d. Street Address

Georgetown
 e. City/Town

MA
 f. State

01833
 g. Zip Code

(978) 372-3440
 h. Phone Number

978-891-3888
 i. Fax Number

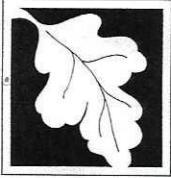
jim@scanlanengineering.com
 j. Email address

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

\$110.00
 a. Total Fee Paid

\$42.50
 b. State Fee Paid

\$67.50
 c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Boxford

City/Town

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Boxford Wetlands Protection Bylaw, Town Code Ch. 192 & 37:

A. General Information (continued)

6. General Project Description:

Reconstruction of driveway, addition of a gravel turnaround/parking spot, replacement of drainage culvert under driveway, and repairing/regrading swale, down stream of the culvert.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input type="checkbox"/> 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 County South

a. County

Book 16492

c. Book

b. Certificate # (if registered land)

Page 252

d. Page Number

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

- 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.
- 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.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Boxford

City/Town

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
 Boxford Wetlands Protection Bylaw, Town Code Ch. 192 & 37

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

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Bank	1. linear feet _____	2. linear feet _____
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet _____	2. square feet _____
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet _____	2. square feet _____
	3. cubic yards dredged _____	

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____	2. square feet _____
	3. cubic feet of flood storage lost _____	4. cubic feet replaced _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet _____	
	2. cubic feet of flood storage lost _____	3. cubic feet replaced _____
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland _____	

2. Width of Riverfront Area (check one):

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

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

4. Proposed alteration of the Riverfront Area:

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

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

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

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

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



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Boxford

City/Town

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
 Boxford Wetlands Protection Bylaw, Town Code Ch. 192 & 37!

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 _____	
i. <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 _____



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
Boxford
City/Town

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Boxford Wetlands Protection Bylaw, Town Code Ch. 192 & 37

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.

- 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**

- MassGIS (latest)
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 <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.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Boxford

City/Town

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Boxford Wetlands Protection Bylaw, Town Code Ch. 192 & 37!

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

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

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

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

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

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

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

North Shore - Hull to New Hampshire border:

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

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Boxford

City/Town

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Boxford Wetlands Protection Bylaw, Town Code Ch. 192 & 37!

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.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:	
MassDEP File Number	
Document Transaction Number	
Boxford	
City/Town	

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Boxford Wetlands Protection Bylaw, Town Code Ch. 192 & 37A

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.

Permit Site Plan to Accompany a Notice of Intent 28 Pinehurst Drive Boxford MA 01921

a. Plan Title

James Scanlan, P.E.

b. Prepared By

September 11, 2020

d. Final Revision Date

James Scanlan, P.E.

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:

2495

2. Municipal Check Number

9/17/20

3. Check date

2496

4. State Check Number

9/17/20

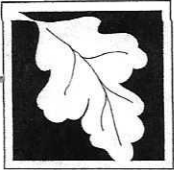
5. Check date

Dennis

6. Payor name on check: First Name

Marks

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:	
MassDEP File Number	
Document Transaction Number	
Boxford	
City/Town	

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Boxford Wetlands Protection Bylaw, Town Code Ch. 192 & 37A

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

8/17/20

2. Date

3. Signature of Property Owner (if different)

5. Signature of Representative (if any)

4. Date

9/17/2020

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.

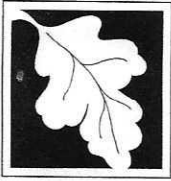
For MassDEP:

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:

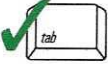
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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.



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:

28 Pinehurst Drive Boxford, MA
 a. Street Address b. City/Town

c. Check number d. Fee amount

2. Applicant Mailing Address:

Dennis Marks
 a. First Name b. Last Name

c. Organization

28 Pinehurst Drive
 d. Mailing Address

Boxford MA 01921
 e. City/Town f. State g. Zip Code

978-337-6196 dennymarks12@gmail.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
Cat 1 - Driveway Repair	1	\$110.00	\$110.00

Step 5/Total Project Fee: \$110.00

Step 6/Fee Payments:

Total Project Fee:	\$110.00
State share of filing Fee:	\$42.50
City/Town share of filling Fee:	\$67.50
	a. Total Fee from Step 5
	b. 1/2 Total Fee less \$12.50
	c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

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

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

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

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

Wetlands & Land Management, Inc.

100 Conifer Hill Drive - #516
Danvers, MA 01923
978-777-0004 Telephone

August 7, 2020

Dennis Marks
28 Pinehurst Drive
Boxford, MA 01921

RE: Wetland Evaluation at 28 Pinehurst Drive, Boxford

Dear Mr. Marks:

Wetlands & Land Management, Inc. has completed our evaluation of wetland resource areas at or near your property at 28 Pinehurst Drive in Boxford. This work was done on August 6, 2020.

Wetlands on the site were evaluated using delineation methodology established in the Wetlands Protection Act and the Department of Environmental Protection "Delineating Bordering Vegetated Wetlands Handbook" dated 1995, and the US Army Corps of Engineers Manual (1987). These regulations and methodology incorporate the evaluation of hydric soils, predominance of wetland vegetation and wetland hydrology to evaluate the upper limit of vegetated wetlands. These methods are appropriate to evaluate the limits of wetlands in Boxford.

The property is developed with your home, detached garage and maintained yard around the home and garage. The remainder of the property is wooded. I noted an intermittent stream/ excavated ditch either just on or just off your property to the west. You had informed me that you talked with your neighbor and that I had permission to mark wetlands on the abutting property if necessary.

I began the wetland delineation where the intermittent stream entered a culvert under Pinehurst Drive. Here I placed flags A1 to A9 to mark the bank of a well-defined, apparently excavated and straightened intermittent stream channel. The channel was depressed into the landscape and was uniformly five feet wide for the length of the channel. It appeared the excavated soil that came out of this ditch was piled on the western bank. This occurred quite some time ago as the excavated pile was fully vegetated with shrubs and vines.

The flag line continued to trend north/ northwest toward the rear of the lot. The flag line continued along the edge of mowed lawn from A16 through A18. Beyond A18, the wetlands continued northerly into the woods.

Most of the boundary in the woods followed a clear break in topography. I stopped flagging where I surmised I was at the back property line. The final flag is A35.

A 100-foot buffer zone extends from this wetland. The Boxford Wetlands By-law also has a 25-foot no disturb zone and 75 foot no build zone extending out from these flags.

No Riverfront Area

The ditch demarcated by flags A1 through A9 is not shown on the USGS map. When an intermittent stream is shown as intermittent or not shown on the USGS map, the Practitioner is directed by the Wetlands Protection Act regulations to further investigate the stream using the USGS StreamStat program

The watercourse has been digitized for the Streamstat program so I was able to use the program to analyze the contributing watershed and if possible, analyze the residual flow in the 99th percentile flow duration as required in the regulations.

The contributing watershed was less than one tenth square mile. This parameter fails the perennial test according to the regulations. The 99% flow duration was not computed by the program.

The small watershed fails the threshold of having a minimum of one-half square mile. The intermittent stream/ ditch is presumed to be intermittent with no riverfront area.

Rare Species and Certified Vernal Pools

The MassGIS on-line "Oliver" viewer indicates the parcel is not within estimated habitat of rare wetlands wildlife or priority habitat of threatened or endangered species. There are no certified vernal pools in the project vicinity.

I trust this information will be useful to you. Be advised, the Conservation Commission is the authority that will make a final determination of the limits of resource areas.

Sincerely,

Wetlands & Land Management, Inc.

William Manuell

William J. Manuell
Wetland Scientist

StreamStats Report

Region ID: MA
 Workspace ID: MA20200807213040739000
 Clicked Point (Latitude, Longitude): 42.65913, -70.98278
 Time: 2020-08-07 17:30:56 -0400



Basin Characteristics

Parameter Code	Parameter Description	Value	Unit
DRNAREA	Area that drains to a point on a stream	0.0449	square miles
BSLDEM250	Mean basin slope computed from 1:250K DEM	0.509	percent
DRFTPERSTR	Area of stratified drift per unit of stream length	-100000	square mile per mile
MAREGION	Region of Massachusetts 0 for Eastern 1 for Western	0	dimensionless

Low-Flow Statistics Parameters [Statewide Low-Flow VRI(R00.4135)]

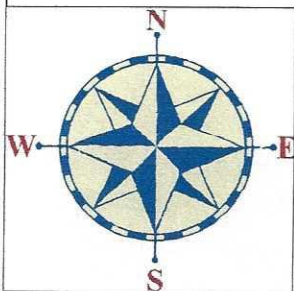
Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
DRNAREA	Drainage Area	0.0449	square miles	1.61	149

USGS TOPOGRAPHIC PLAN

from MassGIS Website



LOCUS PLAN



Marks Property
28 Pinehurst Drive
Boxford, MA 01921

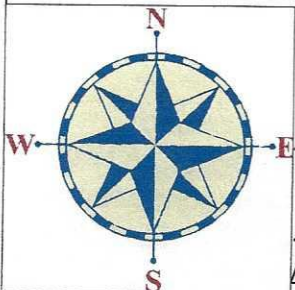
Scale: 1"=500'
Date: Sept. 16, 2020
SE#1047

AERIAL VIEW

from MassGIS Website



LOCUS PLAN



Marks Property
28 Pinehurst Drive
Boxford, MA 01921

Scale: 1"=500'
Date: Sept. 16, 2020
SE#1047

28 Pinehurst Drive - Boxford MA - NHESP Map



MassDOT Roads Street Names

Major MassDOT Routes
Interstate Highways
US Roads
State

Massachusetts Towns

NHESP Estimated Habitats of Rare Wildlife

NHESP Priority Habitats of Rare Species

2013-2014 Color Orthos (USGS)
Orthos 2019
2019 Color Orthos (USGS)

28 PINEHURST DR

Location 28 PINEHURST DR

Mblu 33/01/05//

Acct#

Owner MARKS DENNIS L TE

Assessment \$585,300

Appraisal \$585,300

PID 2489

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2020	\$314,300	\$271,000	\$585,300

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$314,300	\$271,000	\$585,300

Owner of Record

Owner MARKS DENNIS L TE
Co-Owner MARKS AMY L
Address 28 PINEHURST DR
BOXFORD, MA 01921

Sale Price \$470,000
Certificate
Book & Page 16492/0252
Sale Date 08/04/2000
Instrument 00

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
MARKS DENNIS L TE	\$470,000		16492/0252	00	08/04/2000
CLEMENT GERALD F TE	\$340,000		13711/0262	00	08/16/1996
MILLER DENNIS M JE	\$0		6412/0297		11/04/1977

Building Information

Building 1 : Section 1

Year Built: 1967
Living Area: 2,360
Replacement Cost: \$395,548
Building Percent Good: 73

Replacement Cost

Less Depreciation: \$288,800

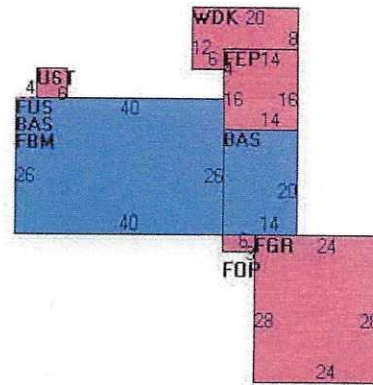
Building Attributes	
Field	Description
Style	Colonial
Model	Residential
Grade:	AVERAGE
Stories:	2 Stories
Occupancy	1
Exterior Wall 1	Wood Shingle
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asph/F GlS/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Flr 1	Hardwood
Interior Flr 2	Carpet
Heat Fuel	Gas
Heat Type:	Hot Water
AC Type:	None
Total Bedrooms:	4 Bedrooms
Total Bthrms:	2
Total Half Baths:	1
Total Xtra Fixtrs:	
Total Rooms:	10 Rooms
Bath Style:	Average
Kitchen Style:	Modern
Num Kitchens	01
Cndtn	
Usrflid 103	
Usrflid 104	
Usrflid 105	
Usrflid 106	
Usrflid 107	
Num Park	
Fireplaces	
Usrflid 108	
Usrflid 101	
Usrflid 102	
Usrflid 100	
Usrflid 300	
Usrflid 301	

Building Photo



(http://images.vgsi.com/photos/BoxfordMAPPhotos/\00\00\08\95.jpg)

Building Layout



(http://images.vgsi.com/photos/BoxfordMAPPhotos//Sketches/2489_2514)

Building Sub-Areas (sq ft)		Legend	
Code	Description	Gross Area	Living Area
BAS	First Floor	1,320	1,320
FUS	Upper Story, Finished	1,040	1,040
FBM	Basement, Finished	1,040	0
FEP	Porch, Enclosed, Finished	224	0
FGR	Garage, Finished	672	0
FOP	Porch, Open, Finished	18	0
UST	Utility, Storage, Unfinished	36	0
WDK	Deck, Wood	184	0
		4,534	2,360

Extra Features

Extra Features				Legend
Code	Description	Size	Value	Bldg #
FPL3	2 STORY CHIM	1.00 UNITS	\$5,200	1
FPL1	FIREPLACE 1 ST	1.00 UNITS	\$4,500	1

Land

Land Use

Use Code 1010
 Description Single Fam MDL-01
 Zone RA
 Neighborhood
 Alt Land Appr No
 Category

Land Line Valuation

Size (Acres) 2.01
 Frontage 0
 Depth 0
 Assessed Value \$271,000
 Appraised Value \$271,000

Outbuildings

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
FGR1	GARAGE-AVE			600.00 S.F.	\$15,800	1

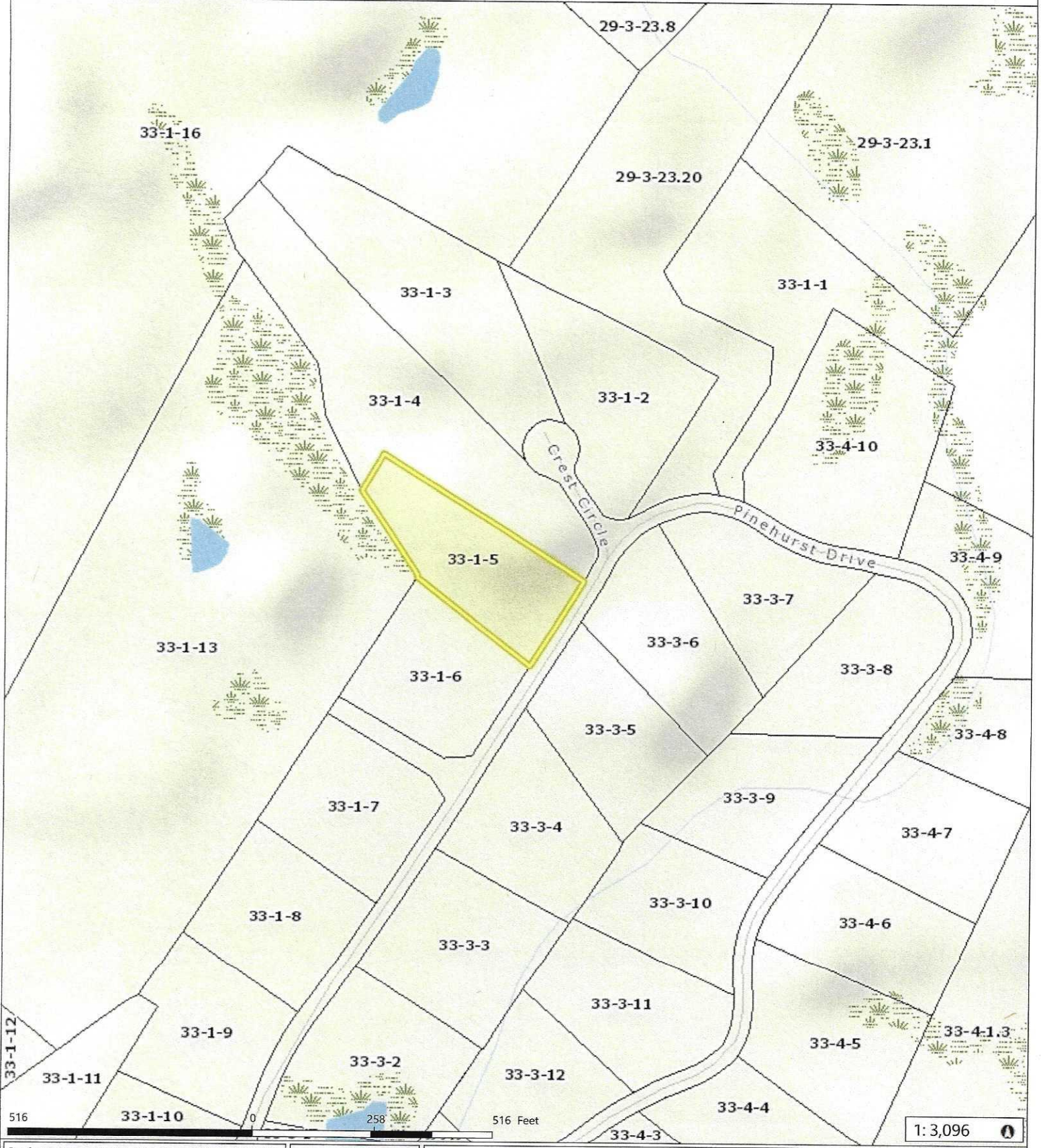
Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2020	\$314,300	\$271,000	\$585,300
2019	\$309,700	\$258,000	\$567,700
2018	\$276,600	\$258,000	\$534,600

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$314,300	\$271,000	\$585,300
2019	\$309,700	\$258,000	\$567,700
2018	\$276,600	\$258,000	\$534,600

28 Pinehurst Drive - Boxford

09/16/2020



Data Sources: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the Town of Boxford & MassIT/MassGIS.
MVPC AND THE TOWN OF BOXFORD MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE TOWN OF BOXFORD AND MVPC DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION.



Legend			
Municipal Boundary	Parcels	Parcel Dimensions	Roads
Local Road	Hydrographic Features	Streams	Wetlands
		Interstate	Major Road

33-01-05 - 28 PINEHURST DR, BOXFORD ABUTTERS LIST
CONSERVATION 250'

Map/Lot	Location	Owner	Owner 2	Owner Address	Owner City	Owner State	Zip Code
29-03-23-20	38A PINEHURST DR	GROSSMAN PAUL	GROSSMAN KATE	38B PINEHURST DR	BOXFORD	MA	01921
33-01-13	TOPSFIELD RD	ESSEX COUNTY GREENBELT ASSOC		82 EASTERN AVE	ESSEX	MA	01929
33-01-02	3 CREST CIR	DELAY CHRISTOPHER	DELAY MARY D	3 CREST CIR	BOXFORD	MA	01921
33-01-03	5 CREST CIR	WERNER KAREN M		5 CREST CIR	BOXFORD	MA	01921
33-01-04	2 CREST CIR	TRAVERSE KAREN A	TRAVERSE RICHARD J	2 CREST CIR	BOXFORD	MA	01921
33-01-05	28 PINEHURST DR	MARKS DENNIS L TE	MARKS AMY L	28 PINEHURST DR	BOXFORD	MA	01921
33-01-06	24 PINEHURST DR	COSTELLO FRANCIS R - TRUSTEE	FRANCIS R COSTELLO REVOCABLE TRUST	24 PINEHURST DR	BOXFORD	MA	01921
33-03-04	21 PINEHURST DR	SHERMAN WILLIAM A TE	JOAN J SHERMAN	21 PINEHURST DR	BOXFORD	MA	01921
33-03-05	29 PINEHURST DR	WOONTON DAVID B TE	WOONTON KAREN A	29 PINEHURST DR	BOXFORD	MA	01921
33-03-06	35 PINEHURST DR	SHIELDS S N SR & P A	SHIELDS NOM TRUST	35 PINEHURST DR	BOXFORD	MA	01921
33-03-07	37 PINEHURST DR	MARTINOLLE FRANCOISE		37 PINEHURST DR	BOXFORD	MA	01921

Kristin Hanlon
CERTIFIED COPY
8/31/20

QUITCLAIM DEED

08/04/00 11:17 inst. 164
BK 16492 PG 252

LAUREL A. CLEMENT (a/k/a
We, GERALD F. CLEMENT and LAUREL M. CLEMENT) of Boxford, Essex County, Massachusetts, for consideration paid of FOUR HUNDRED SEVENTY THOUSAND DOLLARS (\$470,000) grant to DENNIS MARKS and AMY L. MARKS* of Lynnfield, Massachusetts, with quitclaim covenants: *husband and wife, as tenants by the entirety

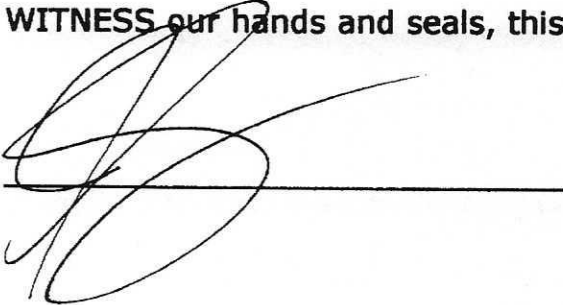
The land is said Boxford on the Westerly side of Pinehurst Drive, together with the buildings thereon, bounded and described as follows:

NORTHEASTERLY by Pinehurst Drive, 250 feet; thence
NORTHWESTERLY by Lot No. 8, as shown on a plan hereinafter referred to, 495 feet; thence
SOUTHWESTERLY by said Lot No. 8, 70.41 feet; thence
SOUTHEASTERLY by land now or formerly of Ford, 222.11 feet; thence
SOUTHWESTERLY by land now or formerly of Ford, 20 feet; thence
SOUTHEASTERLY by Lot No. 6 on said plan, 302.31 feet to Pinehurst Drive and the point of beginning.

Containing 2.01 acres, more or less, and being shown as Lot No. 7 on plan entitled "Country Pines, Boxford, Owner: Country Pines, Inc., Scale 1" = 100', August 15, 1960, Engineers: Essex Survey Service," and recorded with Essex South District Registry of Deeds as Plan 37 in Plan Book 95.

For grantors' title, see deed of Dennis M. Miller et ux dated August 12, 1996, and recorded with said Deeds at Book 13711, Page 262.

WITNESS our hands and seals, this 20th day of July, 2000.




Gerald F. Clement


Laurel M. Clement
A se.

Anthony Vesona
132 Central St #212
Foxboro, MA 02035

SALES
DEEDS TO
ESSEX SOUTH
08/04/00 11:17 AM
000000 #0417
FEE \$216.20
CASH \$2143.20
CANCELLED

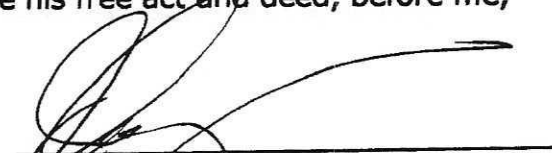
28 PINEHURST ROAD, BOXFORD, MA 01921

2h
2h

Middlesex, ss.

July 17, 2000

Then personally appeared the above-named Gerald F. Clement and acknowledged the foregoing instrument to be his free act and deed, before me,




Notary Public John Connolly, Jr.
My commission expires: 12/10/2004

Essex, ss.

July 20, 2000

Then personally appeared the above-named Laurel A. Clement and acknowledged the foregoing instrument to be her free act and deed, before me,



Notary Public -
My commission expires: 09-03-2004