

The Morin-Cameron

GROUP, INC.

May 15, 2019

Conservation Commission
7A Spofford Road
Boxford, MA 01921

Re: Notice of Intent Application
34 Winding Oaks Way
Owner & Applicant: Florindo & Melinda Colella

Dear Commission Members:

Please find enclosed a Notice of Intent application for the above referenced property. The proposed project involves the construction of a pool/patio, installation of a fence and minor grading within the 100 foot Buffer Zone and the 200 foot Riverfront Area. All proposed work is located within existing lawn or landscaped areas. The wetland resource areas were approved by the Conservation Commission through the issuance of an Order of Resource Area Delineation in December 2018.

The existing lot was created in October 1999 through a definitive subdivision. Since this lot was created after October 6, 1997 the Commission may allow the alteration of up to 10% of the Riverfront Area within the lot. There is approximately 55,425 sf of Riverfront Area on the lot. The proposed alteration of Riverfront Area on the lot is approximately 1,305 sf or 2.4% of the Riverfront Area on the lot.

We evaluated the possibility of positioning the pool to the northwest, which would be outside of the Riverfront Area, however it places the pool farther from the rear deck and closer to the existing leaching facility. Work within the Riverfront Area would still be required to connect the patio around the pool to the existing deck located off the rear of the existing dwelling. This alternate pool location is not ideal as the pool and pool patio would be segmented from the rear yard and existing deck. This alternative pool location could impact potential areas that could be used for a replacement septic system in the future in order to comply with changes in the Boxford Board of Health regulations that have occurred since the original septic system was designed/approved for this property.

As previously pointed out all proposed work is located within existing lawn or landscaped areas. No trees are proposed to be removed as part of the project. All work is located within the 200 foot Riverfront Area. The 100 foot Riverfront Area on the lot is undisturbed and shall remain undisturbed. The proposed work does not impair the capacity of the Riverfront Area to provide

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66 Elm Street, Danvers, MA 01923 978.777.8586 FAX 978.774.3488

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important wildlife habitat functions since the area to be altered is currently being used as a lawn. Erosion controls are proposed to ensure that the proposed project will not have any impact on the buffer zone or Riverfront Area until the site is stable.

We look forward to meeting with the Commission to discuss the proposed project.

If you have any questions prior to the meeting please do not hesitate to contact me.

Sincerely,

THE MORIN-CAMERON GROUP, INC.

A handwritten signature in blue ink that reads "John M. Morin". The signature is written in a cursive style with a large initial "J" and "M".

John M. Morin, PE
Principal

JMM/kmm

Enclosure

cc: Mr. & Mrs. Colella



WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 &
Under the Town of Boxford's Wetlands Protection Bylaw

MassDEP File Number

Document Transaction Number

Boxford

City/Town

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



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

A. General Information

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

34 Winding Oaks Way

a. Street Address

Boxford

b. City/Town

01921

c. Zip Code

Latitude and Longitude:

Map 31, Block 2

f. Assessors Map/Plat Number

d. Latitude

e. Longitude

Lot 16.4

g. Parcel /Lot Number

2. Applicant:

Fiore

a. First Name

Colella

b. Last Name

c/o The Morin-Cameron Group, Inc.

c. Organization

66 Elm Street

d. Street Address

Danvers

e. City/Town

MA

f. State

01923

g. Zip Code

978-777-8586

h. Phone Number

978-774-3488

i. Fax Number

john@morincameron.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):

John

a. First Name

Morin

b. Last Name

The Morin-Cameron Group, Inc.

c. Company

66 Elm Street

d. Street Address

Danvers

e. City/Town

MA

f. State

01923

g. Zip Code

978-777-8586

h. Phone Number

978-774-3488

i. Fax Number

john@morincameron.com

j. Email address

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

\$365.00

a. Total Fee Paid

\$70.00

b. State Fee Paid

\$295.00

c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

Proposal is to construct a pool, patio, installation of a fence and minor grading within the 100 foot buffer zone and the 200 foot riverfront area.

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:

Southern Essex

a. County

36475

c. Book

b. Certificate # (if registered land)

313

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 checked="" type="checkbox"/> Riverfront Area	Un-named brook _____	
	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: 55,425 +/- sf
square feet

4. Proposed alteration of the Riverfront Area:

<u>1,305 +/- sf</u>	<u>0</u>	<u>1,305 +/- sf</u>
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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City/Town _____

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

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

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	_____ 1. square feet _____ 2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	_____ 1. square feet	_____ 2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	_____ 1. square feet	_____ 2. cubic yards dune nourishment

	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____ 1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____ 1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____ 1. square feet	_____ 2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	_____ 1. square feet _____ 2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____ 1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above _____ 1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____ 1. square feet	

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

a. square feet of BVW

b. square feet of Salt Marsh

5. Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings



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C. Other Applicable Standards and Requirements

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

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

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

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

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

- 2019 _____
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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Under the Town of Boxford's Wetlands Protection Bylaw

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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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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 &
Under the Town of Boxford's Wetlands Protection Bylaw

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Boxford

City/Town

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.

Site Plan of Land in Boxford, MA, 34 Winding Oaks Way, prepared for Florindo & Melinda Colella

a. Plan Title

The Morin-Cameron Group, Inc.

John M. Morin, PE

b. Prepared By

c. Signed and Stamped by

May 9, 2019

1" = 20'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. If there is more than one property owner, please attach a list of these property owners not listed on this form.

6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8. Attach NOI Wetland Fee Transmittal Form

9. Attach Stormwater Report, if needed.

E. Fees

1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2490

May 15, 2019

2. Municipal Check Number

3. Check date

2491

May 15, 2019

4. State Check Number

5. Check date

The Morin-Cameron Group, Inc.

6. Payor name on check: First Name

7. Payor name on check: Last Name

The Morin-Cameron Group, Inc.
66 Elm Street
Danvers, MA 01923

First Ipswich Bank
Rowley, MA 01969
53-471/113

2490

5/15/19

PAY TO THE
ORDER OF

Town of Boxford

\$ 295.00

Two hundred ninety-five & -----

00/100

DOLLARS

MEMO

Colella 3641 - NOI fee

Kathleen M. Molina
AUTHORIZED SIGNATURE

Location: 34 Winding Oaks Way, Boxford

The Morin-Cameron Group, Inc.
66 Elm Street
Danvers, MA 01923

First Ipswich Bank
Rowley, MA 01969
53-471/113

2491

5/15/19

PAY TO THE
ORDER OF

Commonwealth of Massachusetts

\$ 70.00

Seventy & -----

00/100

DOLLARS

MEMO

Colella 3641 - NOI fee

Kathleen M. Molina
AUTHORIZED SIGNATURE



SO.ESSEX #275 Bk:37217 Pg:589
 12/14/2018 12:05 PM ORDR RAD Pg 1/5
 eRecorded

For Registry of Deeds Use Only



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 4B – Order of Resource Area Delineation
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
 Boxford Wetlands Protection Bylaw, Town Code Ch. 192 & 375

Provided by MassDEP:
 114-1267
 MassDEP File Number
 eDEP Transaction Number
 City/Town

A. General Information

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.

From: Boxford
 1. Conservation Commission

2. This Issuance is for (check one):

- a. Order of Resource Area Delineation
- b. Amended Order of Resource Area Delineation

3. Applicant:

Florindo & Melinda Colella
 a. First Name b. Last Name
c/o The Morin-Cameron Group, Inc.
 c. Organization
66 Elm Street
 d. Mailing Address
Danvers MA 01923
 e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

a. First Name b. Last Name
 c. Organization
 d. Mailing Address
 e. City/Town f. State g. Zip Code

5. Project Location:

34 Winding Oaks Way Boxford 01921
 a. Street Address b. City/Town c. Zip Code
31 2/16.4
 d. Assessors Map/Plat Number e. Parcel/Lot Number

Latitude and Longitude (in degrees, minutes, seconds):
 f. Latitude d m s g. Longitude d m s

6. Dates: 10-18-2018 12-6-2018 12-10-2018
 a. Date ANRAD filed b. Date Public Hearing Closed c. Date of Issuance



WPA Form 4B – Order of Resource Area Delineation

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Boxford Wetlands Protection Bylaw, Town Code Ch. 192 & 375

eDEP Transaction Number

City/Town

A. General Information (cont.)

7. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

Existing Conditions Plan in Boxford Massachusetts

11-19-2018

a. Title

b. Date

c. Title

d. Date

B. Order of Delineation

1. The Conservation Commission has determined the following (check whichever is applicable):

a. **Accurate:** The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

1. Bordering Vegetated Wetlands

2. Other resource area(s), specifically:

a. Bordering Land Subject to Flooding, Riverfront Area, Mean Annual High Water, Buffer Zones associated with various Resource Areas

b. **Modified:** The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):

1. Bordering Vegetated Wetlands

2. Other resource area(s), specifically:

a.

c. **Inaccurate:** The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

1. Bordering Vegetated Wetlands

2. Other resource area(s), specifically:



WPA Form 4B – Order of Resource Area Delineation

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Boxford Wetlands Protection Bylaw, Town Code Ch. 192 & 375

B. Order of Delineation (cont.)

- 3. The boundaries were determined to be inaccurate because:

C. Findings

This Order of Resource Area Delineation determines that the boundaries of those resource areas noted above, have been delineated and approved by the Commission and are binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, § 40) and its regulations (310 CMR 10.00). This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation.

This Order must be signed by a majority of the Conservation Commission. The Order must be sent by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

D. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office to issue a Superseding Order of Resource Area Delineation. When requested to issue a Superseding Order of Resource Area Delineation, the Department's review is limited to the objections to the resource area delineation(s) stated in the appeal request. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order of Resource Area Delineation will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order or Determination, or providing written information to the Department prior to issuance of a Superseding Order or Determination.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, § 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:
114-1267
MassDEP File Number

WPA Form 4B – Order of Resource Area Delineation

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Boxford Wetlands Protection Bylaw, Town Code Ch. 192 & 375

eDEP Transaction Number
City/Town

E. Signatures

12-10-2013
Date of Issuance

Please indicate the number of members who will sign this form.

4
1. Number of Signers

[Signature]
Signature of Conservation Commission Member
[Signature]
Signature of Conservation Commission Member
[Signature]
Signature of Conservation Commission Member
[Signature]
Signature of Conservation Commission Member

[Signature]
Signature of Conservation Commission Member
[Signature]
Signature of Conservation Commission Member
[Signature]
Signature of Conservation Commission Member

This Order is valid for three years from the date of issuance.

If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, which expires on _____ unless extended in writing by the issuing authority.

This Order is issued to the applicant and the property owner (if different) as follows:

2. By hand delivery on _____

a. Date

3. By certified mail, return receipt requested on _____

a. Date

12-10-2013



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:
114-1267
MassDEP File Number

WPA Form 4B – Order of Resource Area Delineation

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Boxford Wetlands Protection Bylaw, Town Code Ch. 192 & 375

eDEP Transaction Number
City/Town

Recording Information

Prior to commencement of work, this Order of Resource Area Delineation must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Resource Area Delineation. The recording information on this page shall be submitted to the Conservation Commission listed below.

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Boxford

Conservation Commission

Please be advised that the Order of Resource Area Delineation for the Project at:

34 Winding Oaks Way

Project Location

114-1267

MassDEP File Number

Has been recorded at the Registry of Deeds of:

So. Essex

County

37017

Book

589

Page

For:

Florindo + melinda Colella

Property Owner

and has been noted in the chain of title of the affected property in:

36475

Book

313

Page

In accordance with the Order of Resource Area Delineation issued on:

December 10, 2018

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Kathy Molina, as authorized

Signature of Applicant



WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 &
Under the Town of Boxford's Wetlands Protection Bylaw

MassDEP File Number

Document Transaction Number

Boxford

City/Town

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.

Kathleen Molina, as authorized

1. Signature of Applicant

5/16/2019

2. Date

3. Signature of Property Owner (if different)

Kathleen Molina, The Marin-Cameron Group, Inc.

5. Signature of Representative (if any)

4. Date

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.

Authorization Form

Re: 34 Winding Oaks Way

I, Fiore Colella, authorize The Morin-Cameron Group to sign any and all applications to the Town of Boxford on my behalf regarding the above-referenced property.



Fiore Colella

1/31/2018

Date



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:

34 Winding Oaks Way	Boxford
a. Street Address	b. City/Town
2491	\$70.00
c. Check number	d. Fee amount

2. Applicant Mailing Address:

Florinda & Melinda	Colella	
a. First Name	b. Last Name	
c/o The Morin-Cameron Group, Inc.		
c. Organization		
66 Elm Street		
d. Mailing Address		
Danvers	MA	01923
e. City/Town	f. State	g. Zip Code
978-777-8586	978-774-3488	john@morincameron.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 1.a.	1	\$110 x 1.5	\$165.00
Town fee: addition/alteration	1	\$200.00	\$200.00
Step 5/Total Project Fee:			\$365.00

Step 6/Fee Payments:

Total Project Fee:	<u>\$365.00</u>
	a. Total Fee from Step 5
State share of filing Fee:	<u>\$70.00</u>
	b. 1/2 Total Fee less \$12.50
City/Town share of filling Fee:	<u>\$295.00</u>
	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.)

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act

(to be submitted to Mass. DEP and the Conservation Commission
when filing a Notice of Intent)

I, Kathleen Molina of The Morin-Cameron Group, Inc., hereby certify under the pains and penalties of perjury that on **May 16, 2019** I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws 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 **Florindo & Melinda Colella** with the Town of **Boxford** Conservation Commission on **May 16, 2019** for property located at **34 Winding Oaks Way (Assessors Map 31, Block 2, Lot 16.4)**.

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.

Kathleen Molina

Kathleen Molina
The Morin-Cameron Group, Inc.
66 Elm Street
Danvers, MA 01923

5/16/2019

Date

**Notification to Abutters Under the
Massachusetts Wetland Protection Act**

In accordance with the second paragraph of Massachusetts General Laws, Chapter 131, Section 40, you are hereby notified of the following:

- A. The name of the applicant is: **Florindo & Melinda Colella**
- B. The applicant has filed a **Notice of Intent** with the Conservation Commission for the municipality of **Boxford** seeking permission to remove, fill, dredge or alter an Area Subject to Protection under the Wetlands Protection Act (General Laws Chapter 131, Section 40).
- C. The address of the lot where the activity is proposed: **34 Winding Oaks Way**
- D. Copies of the Application may be examined & obtained at the **Conservation Office, 7A Spofford Road** between the hours of **8:30am** and **2pm** on the following days of the week **Monday-Thursday**. For more information call: **978-887-6000**
- E. Information regarding the date, time and place of the public hearing may be obtained from the **Conservation Office** by calling this number: **978-887-6000** between the hours of **8:30am** and **2pm** on the following days of the week: **Monday-Thursday**.

NOTE: Notice of the public hearing, including its date, time and place, will be published at least five (5) days in advance in the **Tri-Town Transcript**.

NOTE: Notice of the public hearing, including its date, time and place will be posted in the City or Town Hall not less than forty-eight (48) hours in advance.

NOTE: You also may contact your local Conservation Commission or the nearest Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act.

To contact MassDEP Northeast Region call: 978-694-3200

TOWN OF BOXFORD
 ABUTTER LIST

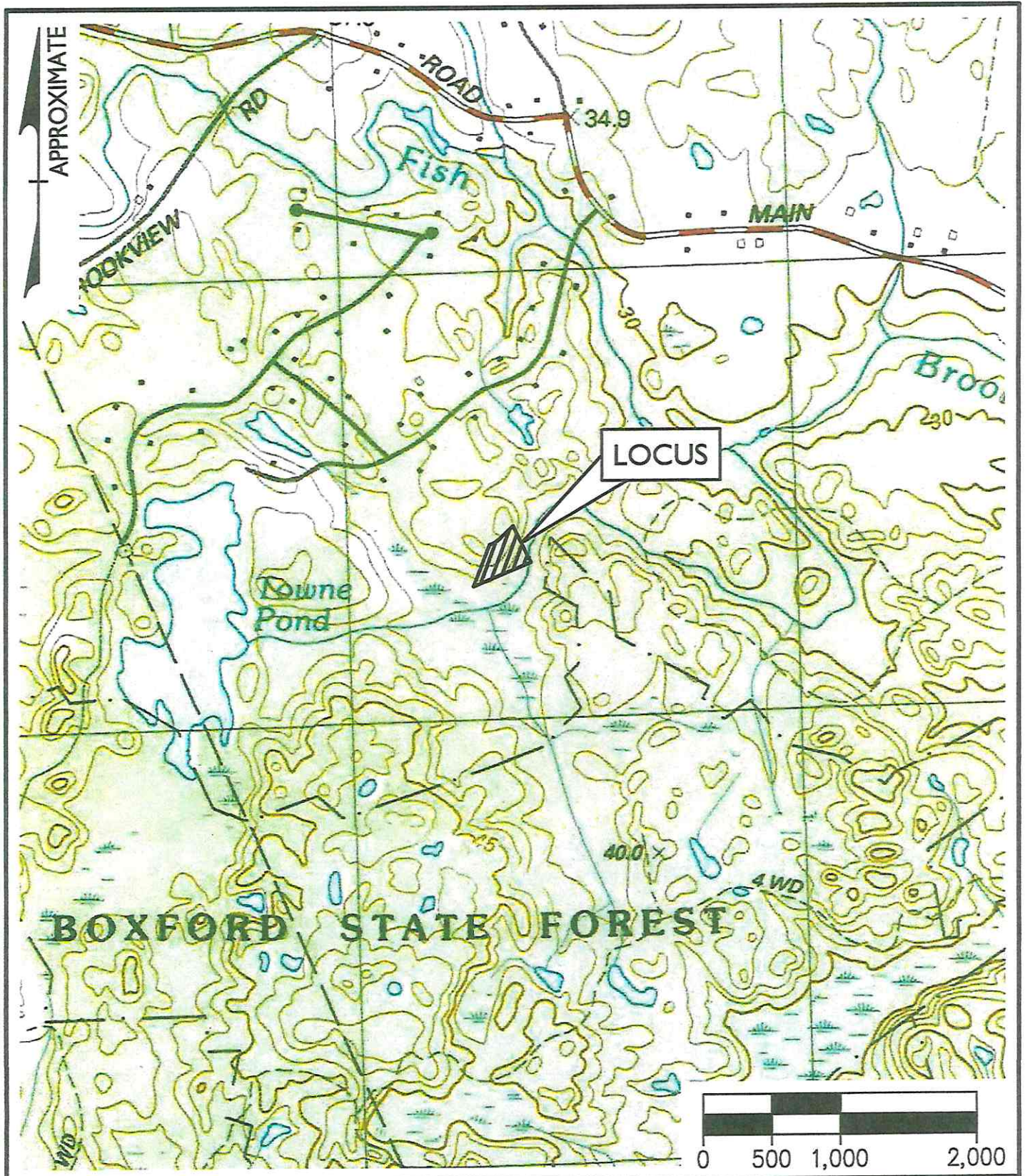
PARCEL # 31-2-16.4 - 34 WINDING OAKS WAY - CONSERVATION COMMISSION 2.50'

PARCEL ID	PARCEL ADDRESS	OWNER 1	OWNER 2	MAILING ADDRESS	CITY/TOWN	STATE	ZIP CODE
31-02-16-2	40 WINDING OAKS WAY	GRANT PAUL C & PATRICIA L TRS	40 WINDING OAKS WAY RLTY TR	40 WINDING OAKS WAY	BOXFORD	MA	01921
31-02-16-3	38 WINDING OAKS WAY	MAIURI LOUIS D		38 WINDING OAKS WAY	BOXFORD	MA	01921
31-02-16-4	34 WINDING OAKS WAY	COLELLA FLORINDA		34 WINDING OAKS WAY	BOXFORD	MA	01921
31-02-16-5	35 WINDING OAKS WAY	MACKEN DAVID E JR TR		35 WINDING OAKS WAY	BOXFORD	MA	01921
31-02-16-6	43 WINDING OAKS WAY	CHAMBERS MONEVER TRUSTEE	CHAMBERS NORMAN C TRUSTEE	43 WINDING OAKS WAY	BOXFORD	MA	01921
32-03-08-4	23 WINDING OAKS WAY	LAINÉ HEIDI A		700 SUMMER ST	LYNNFIELD	MA	01940
32-03-08-7	30A WINDING OAKS WAY	DILIBERO JOELLEN TR	JOELLEN DILIBERO 1996 REV TRUST	30A WINDING OAKS WAY	BOXFORD	MA	01921
32-04-17-A	30B WINDING OAKS WAY	EASLEY ERIC	EASLEY JENNIFER P	30B WINDING OAKS WAY	BOXFORD	MA	01921
36-01-02	MIDDLETON RD	COMMONWEALTH OF MA	STATE FOREST	100 CAMBRIDGE ST	BOSTON	MA	02114

CERTIFIED COPY



APRIL 25, 2019



THE MORIN-CAMERON GROUP, INC.

66 ELM STREET, DANVERS, MA 01923
 P | 978.777.8586 F | 978.774.3488
WWW.MORINCAMERON.COM

USGS MAP
34 WINDING OAKS WAY
 IN
BOXFORD, MA

DATE: OCTOBER 17, 2018 | SCALE: 1" = 1,000'

FIGURE #1