

# HANCOCK ASSOCIATES

Surveyors | Engineers | Scientists

#24300

June 17, 2021

Boxford Conservation Commission  
7A Spofford Road  
Boxford, MA 01921

**RE: 29 Holmes Road – Notice of Intent**

Dear Members of the Conservation Commission,

On behalf of Mr. Andrew Smith (Applicant), Hancock Associates respectfully submits this Notice of Intent in request to permit removal and reconstruction of decks on a single-family home within the 100-foot Buffer Zone to Bordering Vegetated Wetlands (BVW).

**Existing Conditions and Wetland Resource Areas**

The property is a 3.62-acre residential lot developed with a single-family home constructed in 1985, located at 29 Homes Road (identified as Map 40, Block 1, Lot 42 on Boxford Assessors Maps). Bordering Vegetated Wetlands (BVW) at the side and rear of the property broadcasting buffer zone toward the limit of work were flagged by a qualified wetland scientist on April 8, 2021.

Prior to performing field wetland delineations, an environmental constraints desktop assessment of the subject property was performed through review of MassGIS data layers, USGS 7.5-minute quadrangle maps, NRCS soil survey data, aerial photography, Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs).

Based on this review, there are no environmental sensitive resource areas such as Areas of Critical Environmental Concern, NHESP mapped Estimated or Priority Rare Species Habitats, NHESP mapped Certified or Potential Vernal Pools, Outstanding Resource Waters (ORWs), Cold Water Fisheries, Surface Water Protection Zones, or Wellhead Protection Zones on the property.

According to the current FEMA Flood Insurance Rate Map (dated 7/3/2012), no portion of the subject property is located within the 100-year floodplain. According to the USGS 7.5-minute quadrangle map, there are no perennial streams within 200-feet of the subject property.

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A qualified wetland scientist field delineated the limits of two BVW areas with two wetland flag series demarcated as, WF flag A-series 100-109 and WF flag B-series 100-109. The A series wetland is a BVW located on the opposite side of Wildmeadow Road from the property, which broadcasts associated buffer zone onto the subject property. Wetland indicator plant species within the wetland included sensitive fern (*Onoclea sensibilis*, FACW), cat tail (*Typha angustifolia*, OBL), switch panicgrass (*Panicum virgatum*, FAC), and highbush blueberry (*Vaccinium corymbosum*, FACW). The wetland transitions abruptly to upland at the toe of slope along Holmes Road. This BVW is fed by an intermittent stream entering from a culvert under Wildmeadow Road and from Fish Brook (perennial), which is culverted under Holmes Road. Several invasive shrubs populated this area including rambler rose (*Rosa multiflora*, FACU), and glossy false buckthorn (*Frangula alnus*, FAC). The B series wetland is an area associated with the banks of the ponded area. Wetland indicator species were not observed as the upland area dropped sharply to the open water/ponded area. On the up-gradient side of the wetland flags, upland species such as red oak (*Quercus rubra*, FACU) and white pine (*Pinus strobus*, FACU), become dominant species. These wetland resource area(s) were delineated in accordance with the guidance document *Delineating Bordering Vegetated Wetlands under the Massachusetts Wetlands Protection Act* published by the MassDEP Division of Wetlands and Waterways in March 1995. All wetland flags were located via survey and plotted to the Plot Plan herein by a Professional Land Surveyor (PLS).

## Proposed Work

Proposed work within the Buffer Zone consists of removing three existing decks and replacing them with four redesigned decks. Deck A (12'x7') will be 40 feet from the resource area at its closest point. Deck B (26'x12') will be 29 feet from the resource area. Deck C (10'x19') will be 97 feet from the resource area. Deck D (12'x13') will be 98.5 feet from the resource area. As planned, effective construction-related erosion and sediment controls will be implemented such that adverse impacts to resources areas will be avoided and the interests of the Wetlands Protection Act upheld. All efforts will be made to avoid impacts to resource areas on-site and adjacent to the proposed project. The project, as proposed, is designed to protect the interests of the Wetlands Protection Act as defined by 310 CMR 10.01(2) and the Town of Boxford Wetland Protection Bylaw.

To protect the wetland resource areas, an erosion control barrier will be erected between the proposed limit of work and all down gradient wetlands. All construction is proposed over existing disturbed surface areas; thus, no vegetation removal is necessary. Through installation of the decks on sonotubes, there is no proposed grading and earth disturbance is minimal. All disturbed areas shall be stabilized following construction.

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## Minimum Setback Areas and Variance Request

The Boxford Wetland Protection Bylaw imposes a 25' No Disturb Zone (NDZ) and a 75' No Build Zone (NBZ). The house constructed in 1985 is existing non-conforming, having been constructed within the NBZ prior to enactment of the wetland bylaw imposing the setback zones, thus there is no alternative available that would vacate work within the NBZ. Decks A, B and C are all located within the 75' NBZ in the existing condition. Deck D is outside the 75' NBZ.

Whereas the majority of work to replace existing decks within the NBZ constitutes "in-kind" replacement, our reconstruction of the decks proposes a nominal increase of 30 square feet of surface area within this zone (see Table 1-1 below). All work is proposed over existing degraded surfaces such that no vegetation removal is necessary and setting the decks on sonotubes will minimize earth disturbance and negate the need for any grading. We believe all interests for wetland protection served by the Wetland Protection Act and Boxford Wetland Bylaw will remain protected and the project will result in no risk of adverse impacts to jurisdictional wetlands. As such, we respectfully request that the Commission consider granting a waiver to permitting the nominal 30 square foot increase.

**Table 1-1**

<b>Location</b>	<b>Existing (sf)</b>	<b>Proposed (sf)</b>	<b>Total Increase within 75' Buffer (sf)</b>
Deck A	172 sf	84 sf	-88 sf
Deck B	238 sf	312 sf	74 sf
Deck C	172 sf	216 sf	44 sf
<b>TOTAL</b>	<b>582 sf</b>	<b>612 sf</b>	<b>30 sf</b>

## Conclusion

As described herein, we believe the scope of work proposed has been designed to meet the performance standards for work within the 100-foot Buffer Zone. With standard Best Management Practices (BMPs) for erosion and sediment control during construction, we believe the physical activity of construction will not result in any impacts to the wetland resource areas. As such, we respectfully request that the Commission consider issuing an Order of Conditions to permit the work described herein. Thank you for your consideration in this matter.

# HANCOCK ASSOCIATES

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Regards,  
Hancock Associates on behalf of Mr. Andrew Smith



Devon Morse, WPIT  
Project Wetland Scientist

cc: MassDEP Northeast Regional Office (NERO)

Attachments:

- A – WPA Form 3
- B – Figures
- C – Abutter Information
- D – Filing Fees
- E – Site Plan of Land

**Attachment A - WPA Form 3**



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

MassDEP File Number
Document Transaction Number
Boxford
City/Town

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



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

**A. General Information**

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

<u>29 Holmes Road</u> a. Street Address	<u>Boxford</u> b. City/Town	<u>01921</u> c. Zip Code
Latitude and Longitude:		
<u>40</u> f. Assessors Map/Plat Number	<u>42.633900</u> d. Latitude	<u>-70.981990</u> e. Longitude
	<u>1-42</u> g. Parcel /Lot Number	

2. Applicant:

<u>Andrew</u> a. First Name	<u>Smith</u> b. Last Name	
<u></u> c. Organization		
<u>29 Holmes Road</u> d. Street Address		
<u>Boxford</u> e. City/Town	<u>MA</u> f. State	<u>01921</u> g. Zip Code
<u>(857) 544-1411</u> h. Phone Number	<u></u> i. Fax Number	<u>andrew.smith14@comcast.net</u> j. Email Address

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

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

4. Representative (if any):

<u></u> a. First Name	<u></u> b. Last Name	
<u>Hancock Associates</u> c. Company		
<u>185 Centre Street</u> d. Street Address		
<u>Danvers</u> e. City/Town	<u>MA</u> f. State	<u>01923</u> g. Zip Code
<u>(978) 777-3050</u> h. Phone Number	<u></u> i. Fax Number	<u>kfarr@hancockassociates.com</u> j. Email address

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

<u>\$110.00</u> a. Total Fee Paid	<u>\$42.50</u> b. State Fee Paid	<u>\$67.50</u> c. City/Town Fee Paid
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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

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## A. General Information (continued)

6. General Project Description:

Replacement of existing decks with redesigned decks within the 100-foot Buffer Zone to BVW

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	b. Certificate # (if registered land)
32183	172
c. Book	d. Page Number

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

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

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



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

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

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

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

2. Width of Riverfront Area (check one):

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

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

4. Proposed alteration of the Riverfront Area:

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

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

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

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

- June 2021 OLIVER  
b. Date of map

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

- c. Submit Supplemental Information for Endangered Species Review\*

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

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

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

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

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



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

- (c)  MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

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

- (d)  Vegetation cover type map of site

- (e)  Project plans showing Priority & Estimated Habitat boundaries

- (f) OR Check One of the Following

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

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

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

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a.  Not applicable – project is in inland resource area only      b.  Yes     No

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

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

North Shore - Hull to New Hampshire border:

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

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

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

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

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



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

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

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



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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.

Site Plan

a. Plan Title

Hancock Associates

Scott R. Jalbert, PLS

b. Prepared By

c. Signed and Stamped by

June 17, 2021

1" = 60'

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:

2640

2. Municipal Check Number

June 3, 2021

3. Check date

2641

4. State Check Number

June 3, 2021

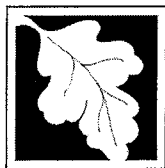
5. Check date

Andrew G.

6. Payor name on check: First Name

Smith

7. Payor name on check: Last Name



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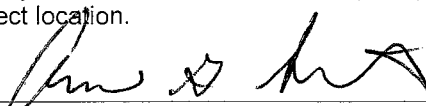
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
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#### F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

 _____ 1. Signature of Applicant	6/3/2021 _____ 2. Date
_____ 3. Signature of Property Owner (if different)	_____ 4. Date
_____ 5. Signature of Representative (if any)	_____ 6. Date

**For Conservation Commission:**

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

**For MassDEP:**

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

**Other:**

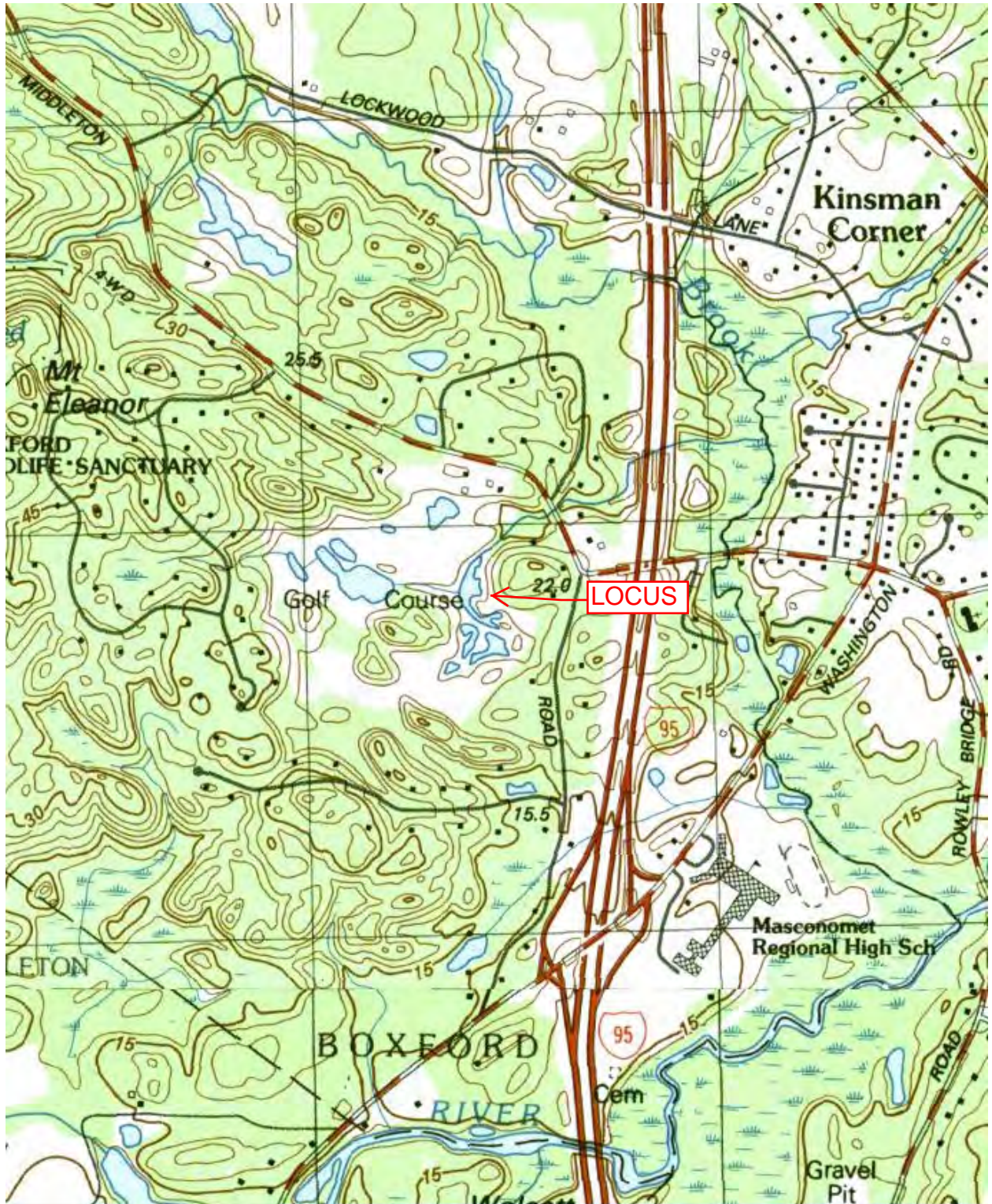
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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

## **Attachment B - Figures**



# Locus Map: 29 Holmes Road, Boxford

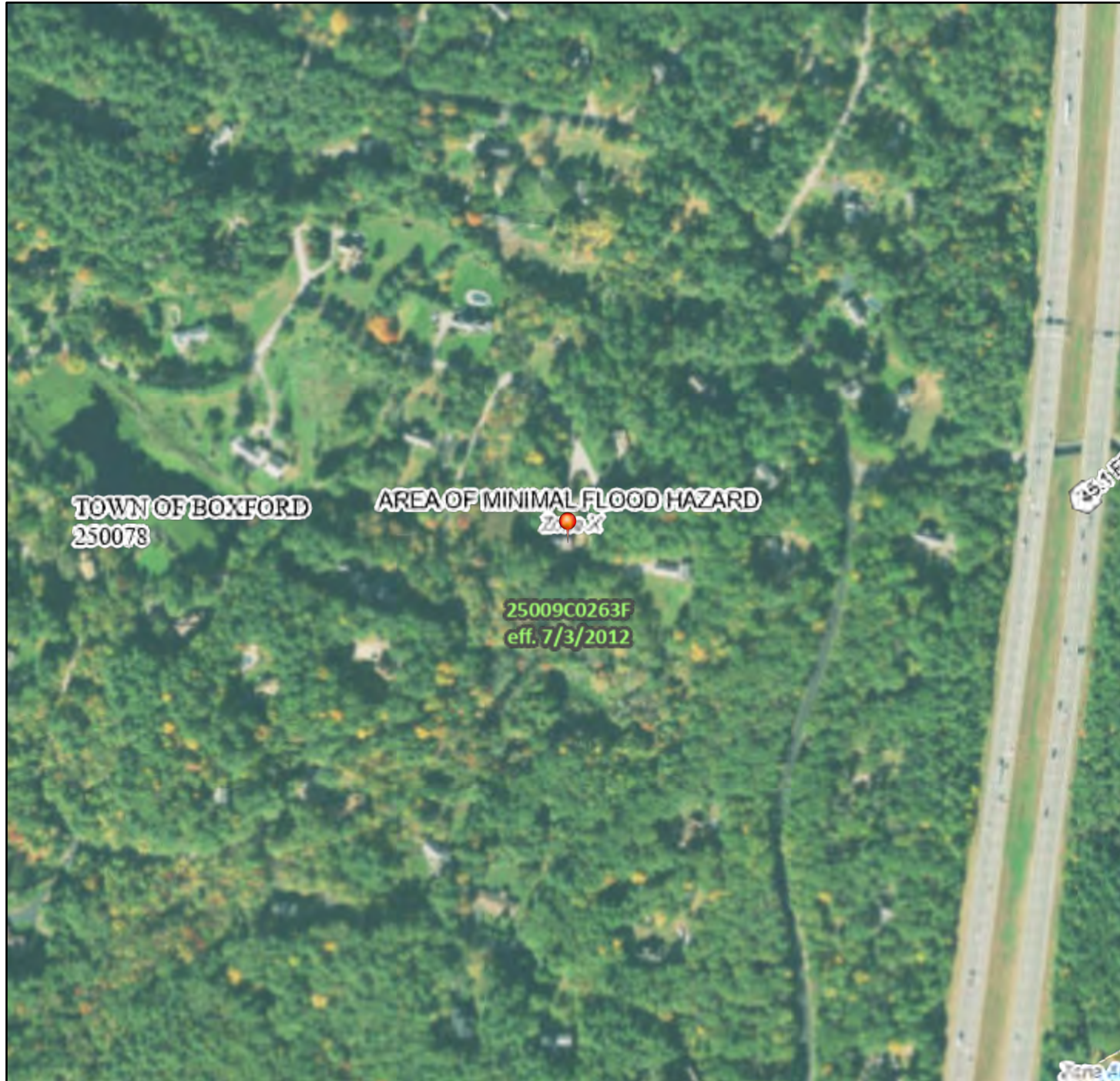




# National Flood Hazard Layer FIRMette



70°59'14"W 42°38'15"N



## Legend

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

<b>SPECIAL FLOOD HAZARD AREAS</b>		Without Base Flood Elevation (BFE) <i>Zone A, V, A99</i>
		With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i>
		Regulatory Floodway
<b>OTHER AREAS OF FLOOD HAZARD</b>		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i>
		Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i>
		Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i>
		Area with Flood Risk due to Levee <i>Zone D</i>
<b>OTHER AREAS</b>		NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i>
		Effective LOMRs
<b>GENERAL STRUCTURES</b>		Area of Undetermined Flood Hazard <i>Zone D</i>
		Channel, Culvert, or Storm Sewer
<b>OTHER FEATURES</b>		Levee, Dike, or Floodwall
		Cross Sections with 1% Annual Chance Water Surface Elevation
<b>MAP PANELS</b>		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
<b>MAP PANELS</b>		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 **6/3/2021 at 1:43 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.

## **Attachment C - Abutter Information**

Notification to Abutters Under the Massachusetts  
Wetlands Protection Act And the Boxford Wetlands Bylaw

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 Andrew Smith.
- B. The applicant has filed a  
 Determination of Applicability  
 Notice of Intent  
 Abbreviated Notice of Resource Area Delinestation

with the Conservation Commission of the Town of Boxford seeking permission to remove, fill, dredge or alter an area subject to protection under the wetland protection act (General Laws Chapter 131, Section 40).

- C. The address where the activity is proposed is 29 Holmes Road.
- D. The activity consists of removal of existing decks and reconstruction of four, new decks on a single-family house.
- E. Copies of the filing may be examined at the Conservation Commission Office, Town Hall, between the hours of 8:30am and 2 PM on Monday to Thursday. For more information, call (978) 887-6000.
- F. Copies of the Notice of Intent may be obtained from Hancock Associates by calling (978) 777-3050 during the hours 8am - 4pm, Monday - Friday.
- G. Information regarding the date, time and place of the public hearing may be obtained from the Conservation Commission Office by calling (978) 887-6000 during the hours listed above.

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 Town Hall not less than forty-eight (48) hours in advance.

NOTE: You also may contact The Boxford Conservation Commission or the Department of Environmental Protection (DEP) Regional Office for more information about this application or the Wetlands Protection Act. To contact DEP call the Northeast Regional Office at (978) 694-3200.

SAVASTA JOSEPH A JR TE  
SAVASTA JUDY L  
72 WILDMEADOW RD  
BOXFORD, MA 01921

BELL TRISHA M  
60 WILDMEADOW RD  
BOXFORD, MA 01921

NIHAN DANIELLE M  
8 STONE RD  
BOXFORD, MA 01921

PAPPALARDO CHARLES E  
PAPPALARDO DIANNE  
66 WILDMEADOW RD  
BOXFORD, MA 01921

ANTHONY NICHOLAS  
ANTHONY AMY  
30 HOLMES RD  
BOXFORD, MA 01921

MARTINHO JOSEPH M TE  
MARTINHO JUDITH A  
55 WILDMEADOW RD  
BOXFORD, MA 01921

BISCEGLIA JUDITH A LE  
BISCEGLIA ROBERT H LE  
28 HOLMES RD  
BOXFORD, MA 01921

COLEMAN JAMES F  
JEAN MICHELLE  
16 HOLMES RD  
BOXFORD, MA 01921

SMITH ANDREW  
SMITH YULIA  
29 HOLMES RD  
BOXFORD, MA 01921

**TO:** FAX NUMBER 781.433.7951

**Carol**

**Community Newspaper Company**

**254 Second Ave., Telecenter**

**Needham, MA 02494**

**Tel: 781-433-6700**

**FROM:** Ross Povenmire, Boxford Conservation Commission

FAX NUMBER: (978) 887-0758

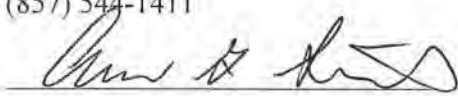
**RE: Hearing/Meeting Legal Notice**

I hereby authorize Community Newspaper Company to bill me directly for the legal notice published in the Tri Town Transcript Newspaper for a Conservation Notice.

**(Print Legibly)** Name: Andrew Smith

Address: 29 Holmes Road  
Boxford, MA 01921

Phone: (857) 544-1411

Signed: 

If questions please call (978) 887-6000, ext. 182

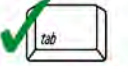
## **Attachment D – Filing Fees**





**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:

<u>29 Holmes Road</u>	<u>Boxford</u>
a. Street Address	b. City/Town
<u>2641</u>	<u>\$110.00</u>
c. Check number	d. Fee amount

2. Applicant Mailing Address:

<u>Andrew</u>	<u>Smith</u>	
a. First Name	b. Last Name	
<u></u>		
c. Organization		
<u>29 Holmes Road</u>		
d. Mailing Address		
<u>Boxford</u>	<u>MA</u>	<u>01921</u>
e. City/Town	f. State	g. Zip Code
<u>(857) 544-1411</u>	<u>andrew.smith14@comcast.net</u>	
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

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

**B. Fees**

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

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

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

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

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

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

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

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



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

**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 1a-work on a SFH	1	\$110.00	\$110.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
<b>Step 5/Total Project Fee:</b>			\$110.00
<b>Step 6/Fee Payments:</b>			
Total Project Fee:			\$110.00
			a. Total Fee from Step 5
State share of filing Fee:			\$42.50
			b. 1/2 Total Fee <b>less</b> \$12.50
City/Town share of filing Fee:			\$67.50
			c. 1/2 Total Fee <b>plus</b> \$12.50

**C. Submittal Requirements**

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

Department of Environmental Protection  
 Box 4062  
 Boston, MA 02211

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

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



Andrew G. Smith  
Yulia Smith  
29 Holmes Rd  
Boxford, MA 01921

2639  
5-7515/110

6/3/2021  
Date

Pay to the Order of Town of Boxford \$ 200<sup>00</sup>/<sub>100</sub>

Two hundred dollars and 00/100 Dollars

Santander

For [Signature]

[Redacted]

Andrew G. Smith  
Yulia Smith  
29 Holmes Rd  
Boxford, MA 01921

2640  
5-7515/110

6/3/2021  
Date

Pay to the Order of Town of Boxford \$ 67<sup>50</sup>/<sub>100</sub>

Sixty-Seven dollars and 50/100 Dollars

Santander

For [Signature]

[Redacted]

Andrew G. Smith  
Yulia Smith  
29 Holmes Rd  
Boxford, MA 01921

2641  
5-7515/110

6/3/2021  
Date

Pay to the Order of Commonwealth of Massachusetts \$ 42<sup>59</sup>/<sub>100</sub>

fourty-two dollars and 59/100 Dollars

Santander

For [Signature]

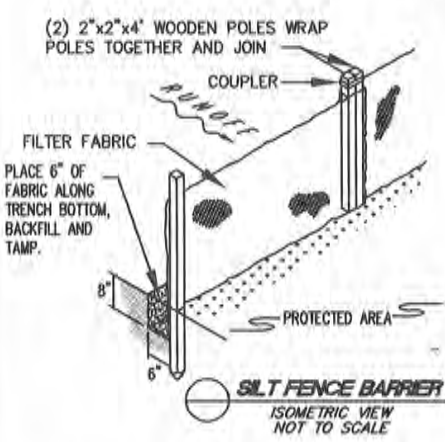
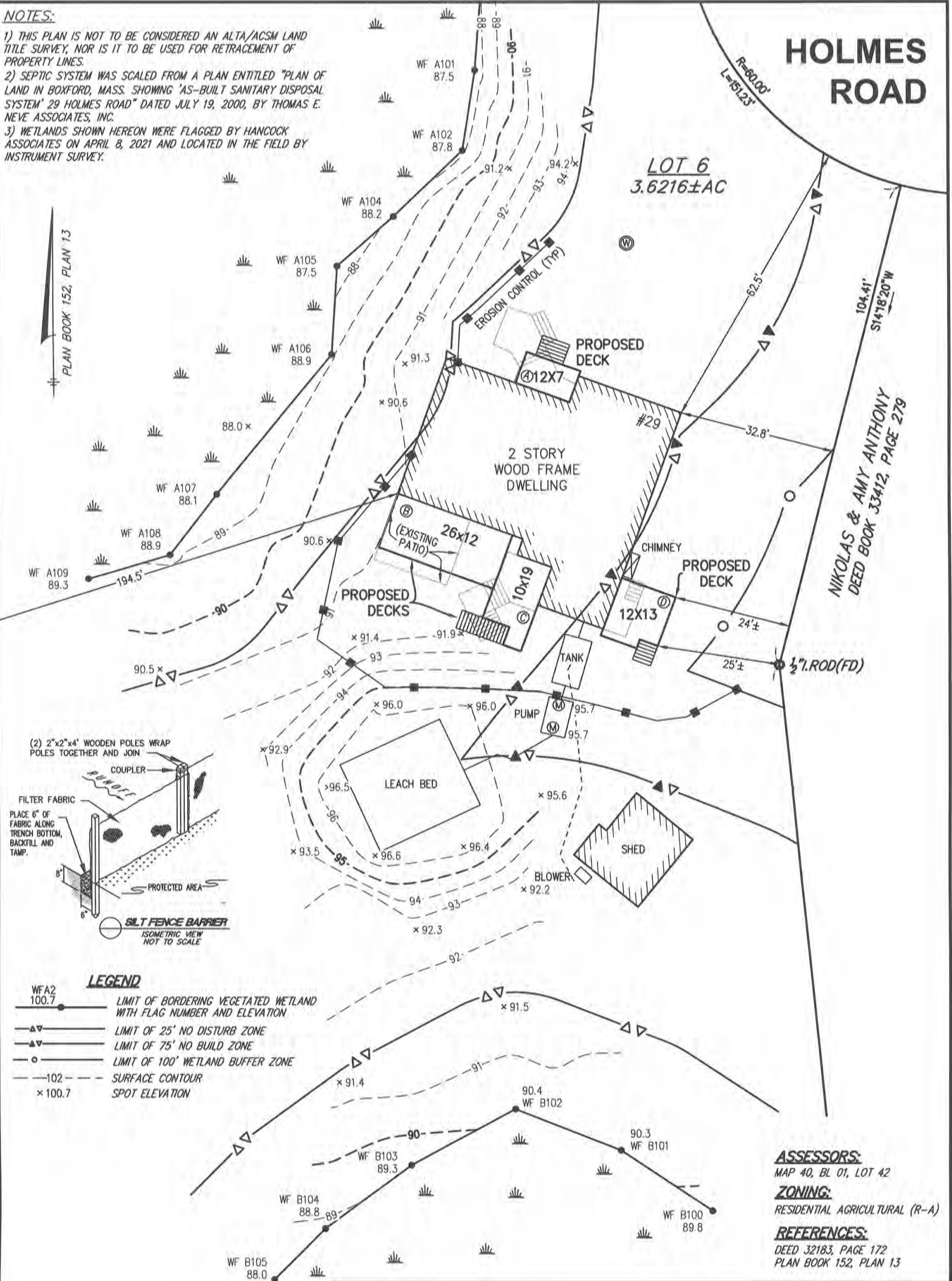
[Redacted]

## **Attachment E – Site Plan**



**NOTES:**

- 1) THIS PLAN IS NOT TO BE CONSIDERED AN ALTA/ACSM LAND TITLE SURVEY, NOR IS IT TO BE USED FOR RETRACEMENT OF PROPERTY LINES.
- 2) SEPTIC SYSTEM WAS SCALED FROM A PLAN ENTITLED "PLAN OF LAND IN BOXFORD, MASS. SHOWING 'AS-BUILT SANITARY DISPOSAL SYSTEM' 29 HOLMES ROAD" DATED JULY 19, 2000, BY THOMAS E. NEVE ASSOCIATES, INC.
- 3) WETLANDS SHOWN HEREON WERE FLAGGED BY HANCOCK ASSOCIATES ON APRIL 8, 2021 AND LOCATED IN THE FIELD BY INSTRUMENT SURVEY.



- LEGEND**
- WFA2 100.7 ——— LIMIT OF BORDERING VEGETATED WETLAND WITH FLAG NUMBER AND ELEVATION
  - ▲—▲— LIMIT OF 25' NO DISTURB ZONE
  - ▲—▲—▲— LIMIT OF 75' NO BUILD ZONE
  - LIMIT OF 100' WETLAND BUFFER ZONE
  - - - - -102- - - - SURFACE CONTOUR
  - × 100.7 SPOT ELEVATION

**ASSESSORS:**  
MAP 40, BL 01, LOT 42

**ZONING:**  
RESIDENTIAL AGRICULTURAL (R-A)

**REFERENCES:**  
DEED 32183, PAGE 172  
PLAN BOOK 152, PLAN 13

SCOTT R. JALBERT  
No. 46737  
PROFESSIONAL LAND SURVEYOR

*Scott R. Jalbert* 6/17/21  
PROFESSIONAL LAND SURVEYOR

**SITE PLAN**  
OF LAND  
29 HOLMES ROAD, BOXFORD, MA  
PROPERTY OF: ANDREW SMITH

**HANCOCK**  
Survey Associates, Inc.  
185 CENTRE STREET, DANVERS, MA. 01923  
VOICE (978) 777-3050, FAX (978) 774-7816

SCALE: 1" = 20'

0 10 20 40

F:\CIVIL 3D Projects\24300-Smith-Boxford\Surv\DWG\ 2430011.dwg Jun 17, 2021 - 11:43 am

CHK. BY:  
SRJ

DATE:  
6/15/21

JOB NO.  
**24300**