

Notice of Intent Application

Wetlands Protection Act and Boxford Wetlands By-Laws

**68 Middleton Road
Boxford, MA**

August 2019



**Wetlands & Land Management, Inc.
100 Conifer Hill Drive-Suite 516
Danvers, MA 01923**

August 17, 2019

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

RE: Notice of Intent for a septic system repair at 68 Middleton Road

Dear Mr. Povenmire and Conservation Commission Members:

On behalf of the applicant, Wetlands & Land Management Inc. is submitting this Notice of Intent application to install a repair septic system for the existing dwelling. The owners are planning ahead for an eventual sale of the property. The septic system upgrade is a step in the preparation and due diligence for preparing for the eventual sale of the property. There is no expansion of use at the home. The system is designed for the current number of bedrooms at the house.

The site abuts Fish Brook. I visited the site this past spring to delineate the limits of wetlands and riverfront area on the property. The site is also encumbered by Bordering Land Subject to Flooding. Fortunately, the proposed work is outside of wetland and flood plan. Riverfront area encumbers the entire site, but a septic system upgrade is exempted from Riverfront Area requirements. (Notwithstanding, the project would be compliant with riverfront area impact thresholds anyway.)

Please schedule this matter for your next available meeting – September 5, 2019. I will be available to present the project and answer any questions.

Sincerely,

Wetlands & Land Management, Inc.

William Manuell

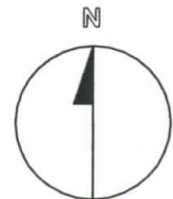
William J. Manuell
Wetland Scientist
For the Applicant

Locus Map
Source: United States Geological Survey



SCALE: 1:25,000

Wetlands & Land Management, Inc.
100 Conifer Hill Drive - #516
Danvers, MA 01923
978-777-0004

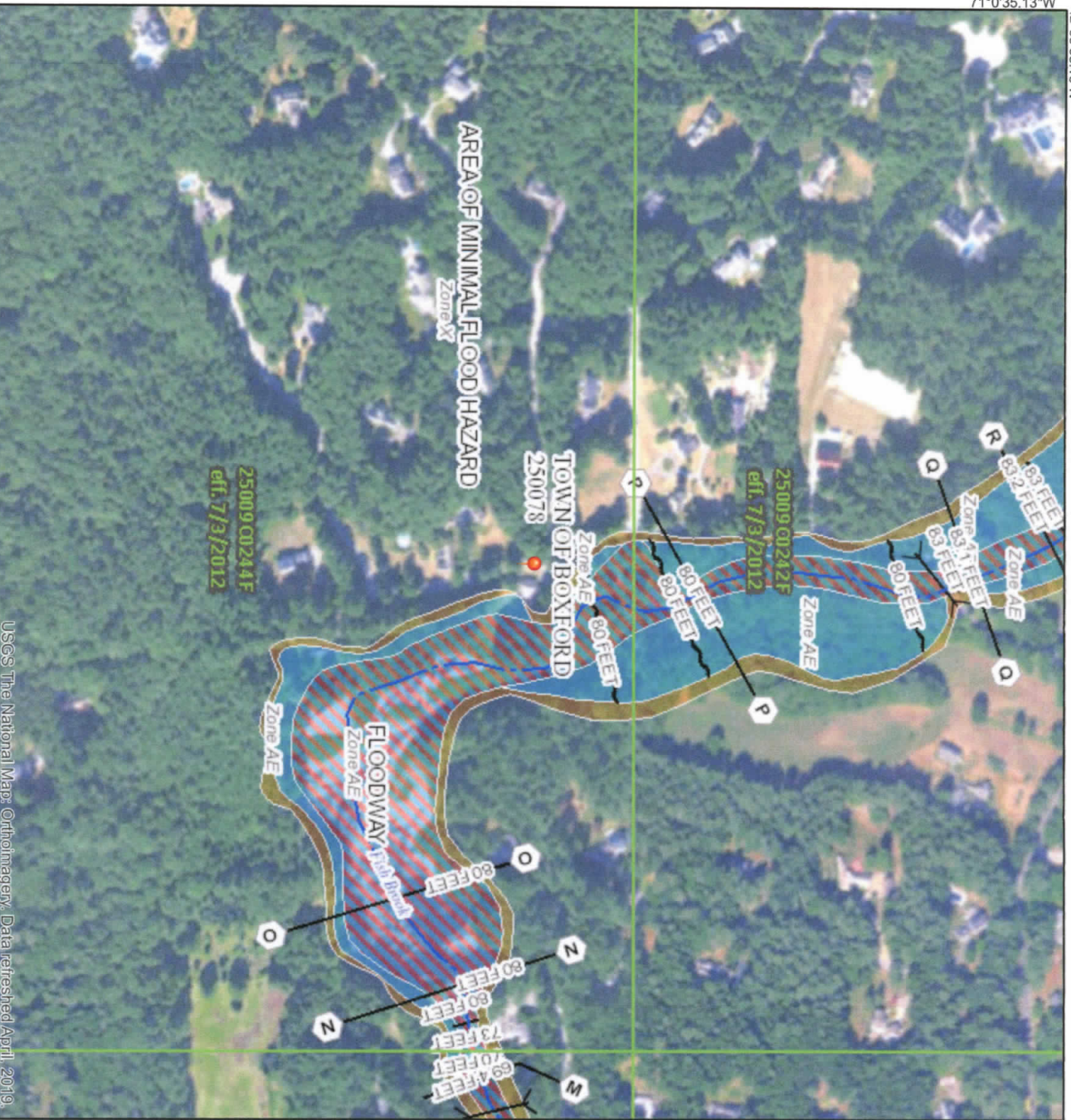


National Flood Hazard Layer FIRMeTte



42°39'33.16"N

71°0'35.13"W



Legend

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

	Without Base Flood Elevation (BFE) Zone A, V, A99 With BFE or Depth Zone AE, AO, AH, AV, AR Regulatory Floodway
--	--

	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 Zone X
	Future Conditions 1% Annual Chance Flood Hazard Zone X
	Area with Reduced Flood Risk due to Levee. See Notes, Zone X
	Area with Flood Risk due to Levee Zone D

	Area of Minimal Flood Hazard Zone X
	Area of Undetermined Flood Hazard Zone I
	Channel, Culvert, or Storm Sewer
	Levee, Dike, or Floodwall

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

	Digital Data Available
	No Digital Data Available
	Unmapped

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

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards. The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 7/30/2019 at 3:57:02 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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



USGS The National Map: Orthimagery, Data refreshed April, 2019

42°39'6.70"N

70°59'25.69"W

NOTICE OF INTENT APPLICATION (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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Boxford

City/Town

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



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

A. General Information

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

68 Middleton Road	Boxford	01921
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	42.6555	-71.0043
	d. Latitude	e. Longitude
32	02-04	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

Kenneth	Seus	
a. First Name	b. Last Name	
c. Organization		
68 Middleton Road		
d. Street Address		
Boxford	MA	01921
e. City/Town	f. State	g. Zip Code
978-828-0020		
h. Phone Number	i. Fax Number	j. Email Address

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

SAME		
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):

William	Manuell	
a. First Name	b. Last Name	
Wetlands & Land Management, Inc.		
c. Company		
100 Conifer Hill Drive #516		
d. Street Address		
Danvers	MA	01923
e. City/Town	f. State	g. Zip Code
978-777-0004	bill@wetlandslm.com	
h. Phone Number	i. Fax Number	j. Email address

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

\$165.00	\$70.00	\$95.00 (Local Fee \$350.00)
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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

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A. General Information (continued)

6. General Project Description:

Septic system repair installation in buffer zone and riverfront area.

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 CMR 10.24(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

6964

c. Book

b. Certificate # (if registered land)

007

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.



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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.

<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 checked="" type="checkbox"/> Riverfront Area	Fish 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: 52,272 square feet

4. Proposed alteration of the Riverfront Area:

<u>2700+/-</u>	<u>2700+/-</u>	<u>0</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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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.

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

2019 MassGIS
Web site

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

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).*

- 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.



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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/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

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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.



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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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.

Subsurface Sewage Disposal System Upgrade

a. Plan Title

Scanlan Engineering LLC

James Scanlan, PE

b. Prepared By

c. Signed and Stamped by

August 19, 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:

3590

8-17-19

2. Municipal Check Number

3. Check date

3589

8-17-19

4. State Check Number

5. Check date

Kenneth

Seus

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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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.

Jenneth Sosa

1. Signature of Applicant

8-17-19

2. Date

3. Signature of Property Owner (if different)

4. Date

William Maxwell

5. Signature of Representative (if any)

8-17-19

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.

NOTICE OF INTENT FEE TRANSMITTAL FORM

(WPA Appendix B)



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:

68 Middleton Road Boxford
 a. Street Address b. City/Town
 3589 \$70.00
 c. Check number d. Fee amount

2. Applicant Mailing Address:

Kenneth Seus
 a. First Name b. Last Name

c. Organization
 68 Middleton Road
 d. Mailing Address

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

978-828-0020 i. Fax Number j. Email Address
 h. Phone Number

3. Property Owner (if different):

SAME b. Last Name
 a. First 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
Repair septic system in RA	one	\$110. x 1.5	\$165.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee:	\$165.00
State share of filing Fee:	\$70.00
City/Town share of filling Fee:	\$95.00
	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.)

KENNETH SEUS
68 MIDDLETON RD.
BOXFORD, MA 01921-2510

5-7017/2110

3589

DATE 8/17/19

PAY TO THE ORDER OF Comm. of MA \$ 70.00
Seventy and 00/100 DOLLARS  Security Features Included. Details on Back.

Citizens Bank®

MEMO Septic



MP

⑆ 211070175⑆ 1130122082⑆


3589

KENNETH SEUS
68 MIDDLETON RD.
BOXFORD, MA 01921-2510

5-7017/2110

3590

DATE 8/17/19

PAY TO THE ORDER OF Town of Boxford \$ 95.00
Ninety Five and 00/100 DOLLARS  Security Features Included. Details on Back.

Citizens Bank®

MEMO Septic



MP

⑆ 211070175⑆ 1130122082⑆


3590

KENNETH SEUS
68 MIDDLETON RD.
BOXFORD, MA 01921-2510

5-7017/2110

3591

DATE 8/17/19

PAY TO THE ORDER OF Town of Boxford \$ 350.00
Three hundred fifty and 00/100 DOLLARS  Security Features Included. Details on Back.

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MP

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3591

3/17/2011
 Boxford ConsCom fees adopted 3/17/2011

Fee Category	Fee subcategory	Former Fee	Fee adopted 3/17/2011
Request for Determination of Applicability		\$50.00	\$100.00
Notice of Intent			
	Addition/Alteration	\$100.00	\$200.00
	New Single Family House	\$400.00	\$1,000.00
	Each Crossing (road intermittent)	\$400.00	\$1,000.00
	Each Crossing (road perennial)	\$400.00	\$2,000.00
	Each Crossing (driveway perennial)	\$400.00	\$1,000.00
	Each Crossing (driveway intermittent)	\$400.00	\$400.00
	Subdivisions (first 1500' of road, +2\$/lf after)	\$1,500.00	\$3,000.00
	Wetland Resource Alteration	.50 sq ft	.50 sq ft
	Bank Alteration	.50 lin ft	.50 lin ft
	Boundary Verification (\$25/100' after 100')	\$25/100' after	\$50/100' after
ANRAD (\$100 + \$25/100' after 100')		\$100+\$25/	\$200+\$50/
Certificate of Compliance (w/ 1 yr)		\$50.00	\$50.00
Certificate of Compliance (after 1 yr)		\$50.00	\$100.00
Partial Certificate of Compliance		\$50.00	\$50.00
Amended Order of Conditions		\$50.00	\$400.00
Extension Permit		\$100.00	\$150.00
Standard Request for Written Project Status		\$100.00	\$100.00
Expedited Request for Written Project Status		\$200.00	\$200.00
Affidavit		\$100.00	\$200.00
Determination of Negligible Impact		\$50.00	\$50.00
Emergency Certification		\$0.00	\$50.00
Site Visit without Application (non-owner)		\$25.00	\$50.00
Site Visit without Application (owner)		\$25.00	\$25.00
Soil Policy Fee		\$0.00	\$50.00

W:\ConsCom Publications\Bylaw and Regulations\Bylaw-Reg Changes\Fee Changes 3-17-2011\Fee Changes 3-17-2011.xls

200.00

375' - 150' incl.
 275/100 = 2.75 - 543
 3 x 50 = 150.00

8350.00
 local fee

Filing Fee Calculation

Wetlands Protection Act fees:

Septic System repair in RA	$\$110 \times 1.5 =$	<u>165.00</u>
		\$575.00

Boxford fees:

Septic System		200.00
275 lf of wetland boundary at \$50/ 100 feet	$\$50 \times 3 =$	<u>150.00</u>
		\$350.00

$\$165.00 - 25.00 = 140.00/2 = \70.00 to the Commonwealth of MA

$\$70.00 + 25.00 = \95.00 to the Town of Boxford plus \$350.00 local fees (above)

ABUTTER INFORMATION

Notification to Abutters Under the Massachusetts Wetlands Protection Act

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

- A. The name of the applicant is Kenneth Seus
- B. The applicant has filed a Notice of Intent with the Conservation Commission for work subject to jurisdiction under the Wetlands Protection Act (General Laws Chapter 131, Section 40).

Activities Proposed:

Install a repair septic system at the property.

- C. The Address of the Lot where the activity is proposed is 68 Middleton Road
- D. Copies of the Notice of Intent may be examined by appointment at Wetlands & Land Management, Inc between the hours of 9 AM and 3 PM on the following days of the week: M-F
For an appointment, call: (978) 777-0004
This is the applicant's representative. _____

Name of Representative: Wetlands & Land Management, Inc. – William Manuell

- E. Copies of the Notice of Intent may be obtained from the Town Hall or for a fee from the applicant's representative by calling this telephone number (978)-777-0004 between the hours of 9 AM and 4 PM on the following days of the week: M-F
- F. Information regarding the date, time, and place of the public hearing may be obtained from the Conservation Commission by calling this telephone number 978-887-6000 between the hours of 9AM and 4PM on the following days of the week: M-Thur.

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
(name of newspaper)

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 DEP, call:

Central Region: 508-792-7650

Northeast Region: 978-694-3200

Southeast Region: 508-946-2800

Western Region: 413-784-1100

32-02-04 - 68 Middleton Rd, Boxford Abutters List
 Conservation Commission 250' and Ponds

Parcel ID	Location	Owner	Owner 2	Owner Address	Owner City/Town	Owner State	Zip Code
32-02-02	MIDDLETON RD	✓ COMMUNITY BANK TRUSTEE	LUCIA EAMES FAMILY TRUST	275 KENNEDY DR	SOUTH BURLINGTON	VT	05403
32-02-03	78 MIDDLETON RD	✓ SORENSON ROBERT D JR		78 MIDDLETON RD	BOXFORD	MA	01921
32-02-04	68 MIDDLETON RD	✓ SEUS KENNETH C		68 MIDDLETON RD	BOXFORD	MA	01921
32-02-05	MIDDLETON RD	✓ ESSEX COUNTY GREENBELT ASSOC		82 EASTERN AVE	ESSEX	MA	01929
32-02-06	40 MIDDLETON RD	✓ TOWN OF BOXFORD		7A SPOFFORD RD	BOXFORD	MA	01921
32-02-10	17 MILL RUN RD	✓ KAHAN JASON M C		17 MILL RUN RD	BOXFORD	MA	01921
32-02-11	21 MILL RUN RD	✓ COLHOUN PATRICIA R		21 MILL RUN RD	BOXFORD	MA	01921
32-02-12	27 MILL RUN RD	✓ STONE SCOTT A	STONE JANA	27 MILL RUN RD	BOXFORD	MA	01921
32-02-13-1	33 MILL RD	✓ PHILLIPS HELEN L		33 MILL RD	BOXFORD	MA	01921
32-02-13	MILL RD	✓ PHILLIPS KATHERINE		106 MAIN STREET	BOXFORD	MA	01921
32-02-26	MAIN ST	✓ TOWN OF BOXFORD		7A SPOFFORD ROAD	BOXFORD	MA	01921
32-03-19	63 MIDDLETON RD	✓ DELANEY PETER & CHRISTINE - TRUSTEES	DELANEY FAMILY TRUST	63 MIDDLETON RD	BOXFORD	MA	01921
32-04-02	73 MIDDLETON RD	✓ COLLINS BENJAMIN W	COLLINS CHRISTINA M	73 MIDDLETON RD	BOXFORD	MA	01921
32-04-03	113 TOWNSEND FARM RD	✓ BIRCH DONALD W JR	BIRCH CHERYL A	113 TOWNSEND FARM RD	BOXFORD	MA	01921
32-04-29-2	9 REDINGTON RIDGE RD	✓ CUMMINGS MICHAEL S T	CUMMINGS ERIN L	9 REDINGTON RIDGE RD	BOXFORD	MA	01921
32-04-40	8 TOWNSEND FARM RD	✓ AUGER RICHARD A TE	AUGER LAURIE A	8 TOWNSEND FARMS RD	BOXFORD	MA	01921

CERTIFIED COPY

Karen Abel
 7/3/19

PROJECT DESCRIPTION

Project Description

Discussion of Proposed Conditions and Wetland Resource Areas at 68 Middleton Road

Introduction

The Notice of Intent application is for construction of a repair septic system at the site. The owners are preparing for an eventual sale of this property. The owners are upgrading the system now, in preparation for the future house sale. With the river on one side and existing wells from abutting properties on the opposite side of the land, the new leaching field is sited in the only place logistically possible. The new system will replace the existing substandard system. There is no expansion of use or increase in number of bedrooms for the existing house, and the rate of flow will remain the same. All proposed work avoids wetland and flood plain alteration; however, the entire site is encumbered by riverfront area. This house was built circa 1940s. Regulations at 310 CMR 10.58(6) exempt septic system upgrades from the riverfront area requirements for homes built prior to 1996.

The plans have been filed with the Board of Health.

Site Description

The project site is located at 68 Middleton Road in Boxford, MA. The project site is an existing residential house lot with a single-family home, driveway, lawn area and landscaping around the house. Middleton Road is to the west of the site. Other residential homes with domestic wells are located on the opposite side of Middleton Road. Fish Brook and the upper end of Howes Pond abut the site to the east. The land to the north is a vacant Essex County Greenbelt parcel. Another residential home is located over 400 feet to the south from the house site on this lot. The house is located on the highest portion of the land and the ground slopes away from the home on the east and north sides.

The parcel is roughly 1.2 acres. The majority of that land is maintained as yard and landscaping.

Wetland Resources at the Site

Fish Brook abuts the site to the east. Accordingly, there are several wetland resource areas associated with the brook. These include bordering vegetated wetlands, riverfront area and bordering land subject to flooding.

Bordering Vegetated Wetlands

Wetlands on the site were delineated by Wetlands & Land Management, Inc. in spring 2019. 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.

The wetland is marked with blue surveyors flagging labeled A1 through A25. The wetland delineation begins at the northerly property line. Here, the land slopes steeply downhill from the adjacent Middleton Road, leaving only a narrow strip of wooded land north of the house that was not encumbered by wetlands.

The delineation trends south and encounters the maintained lawn area of the property. The wetland boundary meandered first easterly, then turning southerly again, trending through the maintained lawn area behind the house and generally maintaining 10 to 20 feet off the mean annual high-water line of the adjacent brook. The boundary flowed more or less along a distinct break in slope across the lawn area of the property.

The wetlands continue trending south and re-enter a wooded area of the property near flag A20. The wetland line continues through the southern side of the lot and ends at flag A25 at the stone wall property line on the south side of the lot.

A 100-foot buffer zone extends from the wetland boundary. The Boxford Wetlands By-law also has a 25-foot no disturb zone and a 75-foot no-build zone.

Riverfront Area

Fish Brook is shown as a perennial stream on the USGS map. Accordingly, the brook is presumed (and is well known) to be a perennial stream. There will be riverfront area associated with the brook.

The mean annual high-water line of the brook is marked in the field with red flagging labeled R1 through R11. The mean annual high-water line followed a very distinct bank/ change in slope along the brook. The associated 200-foot riverfront area encumbers the entire property.

Bordering Land Subject to Flooding

The FEMA Flood Insurance Rate Map indicates the 100-year flood elevation is the elevation 80 contour (on the NAV88 datum.) The site plan shows the elevation 80 contour and labels this contour as the limit of bordering land subject to flooding.

Rare Species

According to the MassGIS data layer for the Massachusetts Natural Heritage Atlas of Estimated Habitats of Rare Wetlands Wildlife and Certified Vernal Pools, the property is surrounded by but not within estimated habitat of rare wetlands wildlife or priority habitat of threatened or endangered species occurs on this site. There are no certified vernal pools indicated in the project vicinity.

Proposed Work

The Notice of Intent application is for installation of a new septic system to service the existing residential home. The system upgrade provides for replacement of the current sub-standard wastewater disposal at the house. The repair consists of replacing the existing septic tank with a new tank/ pump pit combination, installing an advanced treatment Waterloo Bio-filter and a new pressure -dosed leach field. The field will have an impermeable liner installed entirely around the system. All repair components are outside the 25-foot no disturb zone and maintain the Title 5 50-foot setback from wetlands. All the work is outside of bordering land subject to flooding. Portions of the proposed work do occur in riverfront area and the leaching field is within the Boxford Wetlands By-law 100-foot exclusion zone.

The system upgrade will feature a new leaching field which is appropriately sized for the flow volume and soil percolation rates. The leaching field is constructed as designed by clearing the leach field site of any trees, removing unsuitable topsoil material from the leaching site, excavating to the proper depth and installing the appropriate leaching distribution network. The system is connected back to the septic tank and Waterloo Bio-filter via a PVC force main sewer pipe.

The septic tank will be installed in the same location as the old tank. The old tank will be pumped prior to system installation, and then broken and removed. The new tank is then installed at the correct elevation and connected to the existing house sewer. The bio-filter tank is installed next to the septic tank. The bio-filter provides an advanced level of pretreatment prior to discharge to the leaching field. Effluent receives primary settling and treatment in the septic tank. The effluent is pumped/ sprayed into the Waterloo component where the effluent percolates over numerous foam cubes. The effluent is collected at the bottom of this tank where 50% of the effluent is pumped to the leaching field and 50% is returned to the septic tank for additional treatment.

Siltation barriers will be installed to purposely limit the travel area of the construction machinery. All disturbed areas will be loamed and seeded at the conclusion of the project.

Resource Area Impacts

There is no alteration of bordering vegetated wetland nor bordering land subject to flooding. Construction of the proposed repair system does occur within buffer zone to the adjacent bordering vegetated wetlands on the adjacent property. To avoid impacts, appropriate erosion controls will be installed as indicated on the permit plan.

The erosion controls shall serve to arrest overland travel of sediment during rain events, and also serve as a visual barrier and physical determination of the limit of work. The siltation barriers will remain in place until the final cover over the septic system is well established.

The septic system upgrade is exempt from riverfront area requirements. Notwithstanding, the system is located as far, logistically as possible from the mean annual high-water line. The Town is serviced by private wells. The leaching field is situated as close to the road as possible, i.e., as far from the river as possible, but also maintains the required setback from the well on site and the adjacent wells off site.

Total ground disturbance in riverfront area is about 2700 square feet. Despite the exemption, the project would be afforded up to 10% or 5000 square feet of riverfront area disturbance without being deemed to have an impact on the riverfront area. The project would be compliant with riverfront area performance standards.

Some tree clearing is required in the discretionary zone for the leach field. Roughly 2200 square feet of discretionary zone alteration is necessary for the installation and grading around the leach field. Of this 2200+/- square feet, roughly 1650 square feet occurs in wooded areas. The property has roughly 7500 square feet of undisturbed discretionary zone. The impact of 1650 square feet for system installation is about 22% of the current wooded discretionary zone. The proposed work is compliant with the buffer zone performance standards of the Boxford Wetlands By-law.

	Discretionary Zone Clearing	Per Cent cleared (Not to exceed 50%)
Home is constructed prior to 1994		
Present	7500+/-sf	0
After leach field construction	5850+/- sf	22% - ok

Waiver to install the leach field within the 100-foot Buffer Zone

The environmental and logistical constraints prohibit compliance with this section of the Boxford Wetlands By-law. The property is elongated and narrow and has the brook and wetlands encumbering the entire east side of the property, thus limiting the area available for leach field construction that could be outside of buffer zone. There is only one small location on the lot,

south of the existing home, where a leach field could be constructed entirely or at least partially outside of the 100-foot buffer zone. Unfortunately, this area is encumbered with the existing well for the residence. This area cannot be used for the leaching field.

To support this waiver request, the designer has utilized advanced treatment technology with the Waterloo Biofilter. This technology treats and then re-treats a portion of the effluent stream before disposal to the leaching field.

The advanced treatment technology allows for reduction of leach field size in order to minimize incursion into the buffer zone. There is an impermeable membrane liner around the entire leaching field to ensure treated effluent is disposed to the soil below the system.

There is no other location on the site that can comply with the 100-foot setback. Given this is an improvement over current conditions, the applicant requests a waiver from this section of the Wetlands By-law.