

NOTICE OF INTENT

104 King George Drive
(Map 16, Block 1, Lot 13)
Boxford, Massachusetts

Owner/Applicant:

Pamela Massad
104 King George Drive, LLC
9 Jefferson Road
Westborough, MA 01581

Representative:

Adam Brodsky
Drohan Tocchio & Morgan, P.C.
175 Derby Street, Suite 30
Hingham, MA 02043

August 18, 2021

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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

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):

104 King George Drive

a. Street Address

Boxford

b. City/Town

01921

c. Zip Code

Latitude and Longitude:

16

f. Assessors Map/Plat Number

N 42.695660

d. Latitude

W 70.982330

e. Longitude

Block 1, Lot 13

g. Parcel /Lot Number

2. Applicant:

Pamela

a. First Name

Massad

b. Last Name

104 King George Drive, LLC

c. Organization

9 Jefferson Road

d. Street Address

Westborough

e. City/Town

MA

f. State

01581

g. Zip Code

508-735-775

h. Phone Number

i. Fax Number

pmassad2@gmail.com

j. Email Address

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

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Adam

a. First Name

Brodsky

b. Last Name

Drohan Tocchio & Morgan, P.C.

c. Company

175 Derby Street, Suite 30

d. Street Address

Hingham

e.

MA

f. State

02043

g. Zip Code

781-749-7200

h. Phone Number

781-741-8865

i. Fax Number

abrodsky@dtm-law.com

j. Email address

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

\$500.00

a. Total Fee Paid

\$237.50

b. State Fee Paid

\$262.50

c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

Proposed construction of a previously existing single family dwelling and driveway replacement within the 100' buffer zone to Bordering Vegetated Wetlands.

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

- 1. Single Family Home
- 2. Residential Subdivision
- 3. Commercial/Industrial
- 4. Dock/Pier
- 5. Utilities
- 6. Coastal engineering Structure
- 7. Agriculture (e.g., cranberries, forestry)
- 8. Transportation
- 9. Other

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

- 1. Yes No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Essex South	
a. County	b. Certificate # (if registered land)
35000	191
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) - specify coastal or inland	

2. Width of Riverfront Area (check one):

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

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

4. Proposed alteration of the Riverfront Area:

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

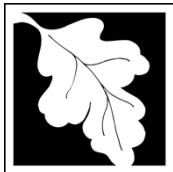
a. square feet of BVW

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

August, 2017

b. Date of map

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

- c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:

(a) within wetland Resource Area _____
percentage/acreage

(b) outside Resource Area _____
percentage/acreage

2. Assessor's Map or right-of-way plan of site

2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

- (a) Project description (including description of impacts outside of wetland resource area & buffer zone)
- (b) Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <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:

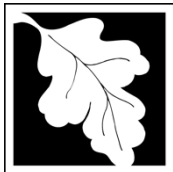
Division of Marine Fisheries -
 Southeast Marine Fisheries Station
 Attn: Environmental Reviewer
 836 South Rodney French Blvd.
 New Bedford, MA 02744
 Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
 North Shore Office
 Attn: Environmental Reviewer
 30 Emerson Avenue
 Gloucester, MA 01930
 Email: 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.



Massachusetts Department of Environmental Protection
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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.

Plan to Accompany a Notice of Intent - 104 King George Drive, Boxford, MA

a. Plan Title

Williams & Sparages LLC

Peter M. Blaisdell, P.E.

b. Prepared By

c. Signed and Stamped by

July 12, 2021

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:

2123

2. Municipal Check Number

8/17/2021

3. Check date

2124

4. State Check Number

8/17/2021

5. Check date

Pamela

6. Payor name on check: First Name

Massad

7. Payor name on check: Last Name

PAMELA A. MASSAD
9 JEFFERSON RD.
WESTBOROUGH, MA 01581-2417

2123

53-7169/2118
1724

Date 08-17-2021

CHECK ARMOR
TRADE PROTECTION

PAY to the
Order of

Town of Barford

\$ 262⁵⁰/₁₀₀

Two Hundred Sixty two & ⁵⁰/₁₀₀

Dollars

Photo
Safe
Deposit
Details on back



Commerce Bank
a division of BerkshireBank

FOR 104 King George Drive

[Handwritten Signature]

⑆002123⑆ ⑆211871691⑆ 92234614⑆

PAMELA A. MASSAD
9 JEFFERSON RD.
WESTBOROUGH, MA 01581-2417

2124

53-7169/2118
1724

Date 08-17-2021

CHECK ARMOR
TRADE PROTECTION

PAY to the
Order of

Commonwealth of Massachusetts

\$ 237⁵⁰/₁₀₀

Two Hundred thirty seven & ⁵⁰/₁₀₀

Dollars

Photo
Safe
Deposit
Details on back



Commerce Bank
a division of BerkshireBank

FOR 104 King George Drive

[Handwritten Signature]

⑆002124⑆ ⑆211871691⑆ 92234614⑆

PAMELA A. MASSAD
9 JEFFERSON RD.
WESTBOROUGH, MA 01581-2417

2125

53-7169/2118
1724

Date 08-17-2021

CHECK ARMOR
TRADE PROTECTION

PAY to the
Order of

Town of Barford

\$ 1240⁰⁰/₁₀₀

Twelve Hundred Forty & ⁰⁰/₁₀₀

Dollars

Photo
Safe
Deposit
Details on back



Commerce Bank
a division of BerkshireBank

FOR 104 King George Drive

[Handwritten Signature]

⑆002125⑆ ⑆211871691⑆ 92234614⑆



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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 Pamela A. Massad, Manager (AOR)
CS authorized

3. Signature of Property Owner (if different) [Signature]

5. Signature of Representative (if any) _____

2. Date 8/17/21

4. Date _____

6. Date 8/17/21

For Conservation Commission:

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

For MassDEP:

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

Other:

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

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



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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>104 King George Drive</u>	<u>Boxford</u>
a. Street Address	b. City/Town
<u>2124</u>	<u>\$237.50</u>
c. Check number	d. Fee amount

2. Applicant Mailing Address:

<u>Pamela</u>	<u>Massad</u>	
a. First Name	b. Last Name	
<u>104 King George Drive, LLC</u>		
c. Organization		
<u>9 Jefferson Road</u>		
d. Mailing Address		
<u>Westborough</u>	<u>MA</u>	<u>01581</u>
e. City/Town	f. State	g. Zip Code
<u>508-735-7775</u>	<u></u>	<u>pmassad2@gmail.com</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).



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B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
2.a.	1	\$500.00	\$500.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Step 5/Total Project Fee:			\$500.00

Step 6/Fee Payments:

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

C. Submittal Requirements

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

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

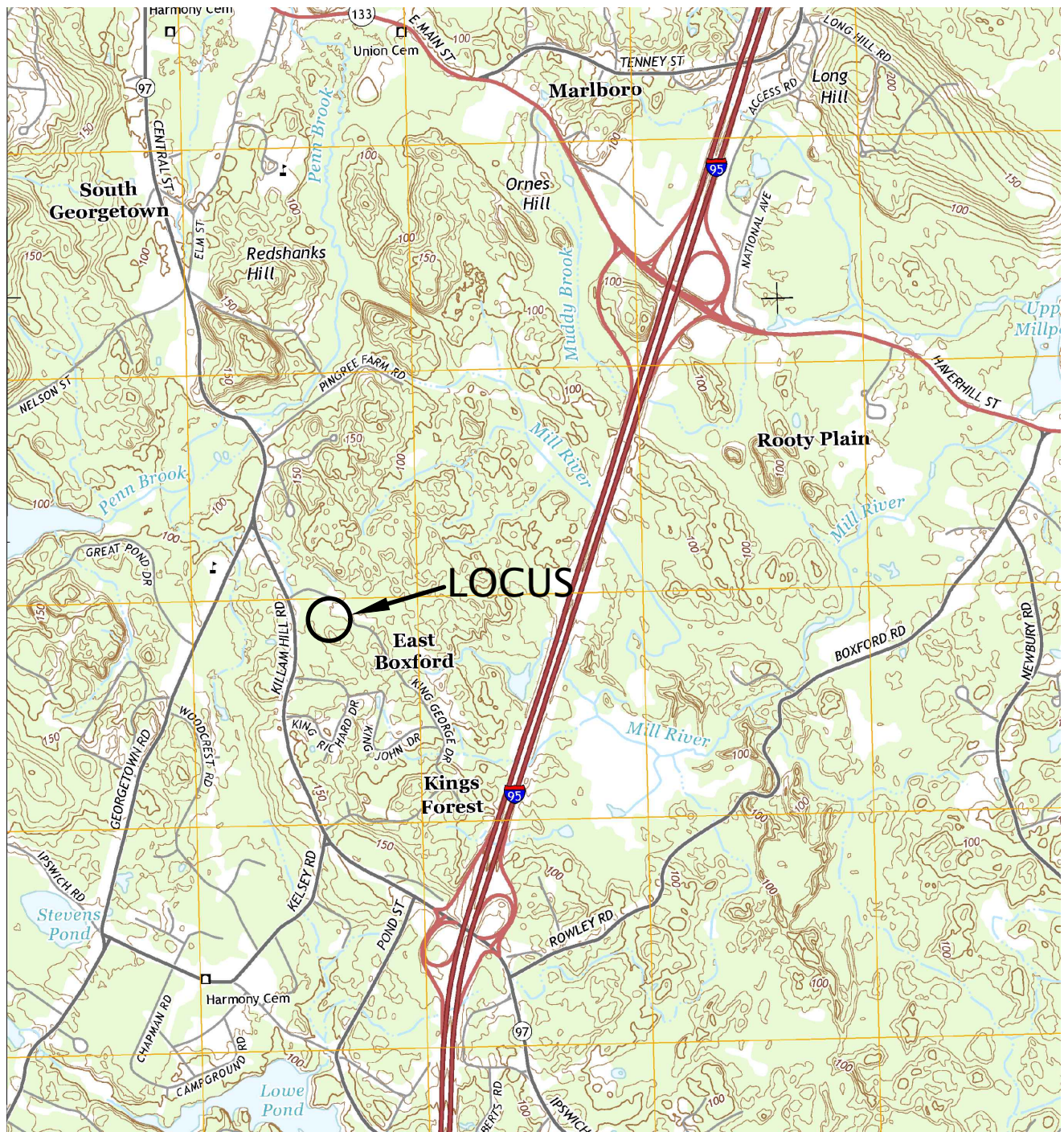
- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

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

WILLIAMS & SPARAGES
CIVIL ENGINEERING &
LAND SURVEYORS



189 NORTH MAIN STREET
SUITE 101
MIDDLETON, MA 01949
PHONE: (978) 539-8088
FAX: (978) 539-8200



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

LOCUS MAP
#104 KING GEORGE DRIVE
BOXFORD, MA 01921



Introduction:

The subject property "Property" is located in the southwesterly side of King George Drive and is across the street from the Georgetown/Boxford Town Line. The Property is entirely bounded by residential properties from King George Drive and Killam Hill Road (Route 97). The Property is 2 acres in size, and is currently occupied with a concrete foundation for a single-family home, former lawn area and paved driveway in need of replacement. The existing foundation is located in the northwestern portion of the site and lies between two (2) series of Bordering Vegetated Wetlands (BVW), "A" and "B". There is a twelve-inch (12") corrugated metal pipe (CMP) culvert below King George Drive and associated headwall located at the northeast corner of the premises. The remainder of the property is wooded in good condition and is undeveloped.

According to the Town of Boxford records, the dwelling suffered a severe fire, became uninhabitable and was razed sometime after September 20, 2006 which was when the Demolition Permit was issued by the Inspector of Buildings. The prior owner, Jon R. Latorella sold the property to 104 King George Drive, LLC in May of 2007, was sold to Champion Contractors, Inc. in 2013 and then was reacquired by 104 King George Drive, LLC in 2016, who intends to permit the property for rehabilitation. The property is currently serviced by a well for water which is not being used actively and a septic system which was conditionally passed in a Title 5 Inspection in 2013 which would require the pipe to be repaired or replaced by a licensed installer in the Town of Boxford to be used again.

According to the Essex South Registry of Deeds, the Property was created as part of the subdivision entitled "King's Forest" Section Two dated March 26, 1960 by Raymond C. Pressey, Inc. recorded as Plan Book 94 Page 84 and is shown as Lot 60 on said plan. A portion of the property is also shown as Lot 4 on Land Court Plan 29795B.

According to the Boxford Assessor's Department, the dwelling was constructed in 1964 and was listed as a 2-story Colonial with a 2-car garage, wood deck and finished screen porch. The Property is located within the Residence - Agricultural (RA) Zoning District and is not located within a Flood Zone according to the latest Flood Insurance Rate Map. According to the latest information on the MassGIS Oliver on-line mapping tool the northwest corner of the property lies within a Zone II. The NRCS Web Soil Survey, soils within the subject lot are mapped as 52A, Freetown muck, 0 to 1 percent slopes and 717C, Rock outcrop-Charlton-Hollis complex, 3 to 15 percent slopes. The Property is not mapped as Priority Habits of Rare Species by the Natural Heritage and Endangered Species Program, nor is the subject parcel located within an Area of Critical Environmental Concern according to the information on the Oliver website. According to the Zoning Map of Town of Boxford dated August 2012 the Property does not lie within a Pond Watershed Overlay District, Historic Overlay District or 100-Year Flood Plain (FIRM) overlay district.

Proposed Development:

The applicant is proposing to re-build a 2-story Colonial four (4) bedroom dwelling using the existing concrete foundation as well as rebuild a screened porch and wooden deck at the rear of the house in the same footprint. All activities will take place within the 75' and 100' buffer zones to the Bordering Vegetated Wetlands. Additionally, the existing paved driveway, which is in poor condition, is proposed to be removed and replaced as shown on the accompanying plan. The former lawn areas shown on the plan approximately border the proposed mulch sock line are proposed to be restored to lawn.

Pursuant to the Title 5 Inspection Report performed by Mr. Scott Cameron, P.E, dated October 8, 2013 in which he gave the system a Conditional Pass, the broken pipe between the foundation and the tank needs to be repaired with the cast iron section at the foundation being replaced as well as the system vent which could not be located. Mr. Cameron also noted that the ground surface over the field is overgrown, should be cleared of woody growth and brush and seeded. Mr. Cameron also recommended placing weed barrier/geo-fabric over the stone in the field. Note that some of the leaching field lies within the 25' No-Disturb Zone and the end lies approximately 1' off the BVW line based on the ties to the system from the Title 5 Inspection Report.

It is important to note that although all of the proposed activities lie within the 100' Buffer Zone, this is a Buffer Zone Project only and that no work is proposed within the BVW.

Erosion Controls:

Erosion Controls in the form of a 12" diameter mulch sock will be installed prior to construction and will remain in place until all work on site is stable. The location of the proposed erosion controls are shown on the accompanying plan.

Bordering Vegetated Wetlands (BVW):

Patrick C. Garner, Professional Wetland Scientist, of Patrick C. Garner, Company, Inc., delineated the wetland resource areas on the Property on November 20, 2020.

The site is characterized by two Resource Areas, both Bordering Vegetated Wetlands (BVW), which on this site are typical wooded swamps with a mix of trees, shrubs and scattered herbaceous species. Both areas adjoin the southwesterly side of King George Drive. The easterly area of BVW – which is also the larger of the two areas of BVW – has a marked change in topography, and appears to be largely natural. The hydrology for the associated wetland species is likely driven by seasonal ground water. Species themselves in this BVW include Eastern white pine, Northern red oak, Red maple, pepperbush, winterberry, Highbush blueberry, Glossy buckthorn, Canada mayflower, various sedges, Sensitive fern and Cinnamon fern.

The second and westerly BVW is smaller and flatter in topography. It has been altered at some unknown date by a ditch intended to drain from the former house location toward the abutting property. Species bordering the ditch are less dense than in the first area, although similar in species type.

While on site Mr. Garner observed no unusual habitat features, no vernal pools and no stream (either perennial or intermittent). The intrusion of the former house into the parcel appears to have been minimal. The site, with the exception of the area developed for the former house, is largely natural.

Therefore, presuming a reconstructed house is built within the same footprint as the original, it should have no additional impact upon wildlife habitat functions. The Wetland Protection Act (WPA) defines Important Wildlife Habitat Functions as “important food, shelter, migratory or overwintering areas, or breeding areas for wildlife.” Given that the project does not expand the footprint of either the house or lawn area, the project will not substantially reduce the capacity of the Resource Area to serve the habitat functions identified in 310 CMR 10.60(2).

In addition, Mr. Garner anticipates no adverse effects. Adverse Effect under the WPA means a “greater than negligible change in the resource area or one of its characteristics or factors that diminishes the value of the resource area to one or more of the specific interests of M.G.L. c. 131, § 40.”

Further, the WPA specifically defines “interests” which it regulates. Those include: *protection of public and private water supply; protection of ground water supply; flood control; storm damage prevention; prevention of pollution; protection of land containing shellfish; protection of fisheries; and protection of wildlife habitat.*

Under the Boxford Wetlands Bylaw (Wetlands Bylaw), the 100' Buffer Zone is regulated as a resource area. Wetlands Bylaw, § 375-2(16). The applicant has the burden of proving that the work will not have significant or cumulative effect upon the resource area values protected by the Wetlands Bylaw. *Id.* at § 375-3(A.). The resource area values for BVW include those protected by the WPA in addition to erosion and sedimentation control, rare species habitat (not applicable), agriculture (not applicable), recreation (not applicable) and riverfront area (not applicable).

Additionally, under the Boxford Wetlands Regulations (Bylaw Regulations), the presumed minimum setback distance for a structure requiring a building permit is 75'. Bylaw Regulations, § 375-98(B.)(5). However, as discussed below, the minimum setback distance should not be strictly applied here.

Again, as indicated above, Mr. Garner anticipates no adverse effects, either significant or cumulative effect, upon the resource area values protected by the Wetlands Bylaw.

It is Mr. Garner's opinion based on his education, training and professional experience, and his familiarity with the Property that the proposed project will not result in adverse impacts to the wetland values under the WPA or the Wetlands Bylaw.

Application of the Wetlands Bylaw:

As noted above, the Property was created by subdivision in 1960 and the former dwelling was constructed in 1964. Moreover, despite the fire in or after 2006, there remains an existing foundation suitable for re-construction, former lawn area, paved driveway and Title V compliant septic system on the Property.

The Wetlands Bylaw was adopted by Town Meeting on May 13, 1986 and the Bylaw Regulations adopted on May 19, 1994. As such, both the Property and the construction of the former dwelling pre-date the adoption of the Wetlands Bylaw and Bylaw Regulations. While neither the Wetlands Bylaw nor the Bylaw Regulations expressly protect preexisting nonconforming uses, the retroactive application of these requirements to preclude the use of the Property for a single-family dwelling raises constitutional concerns.

Nonetheless, the Wetlands Bylaw provides a mechanism to avoid this conflict. Section 192-6(B.) provides that: "Due consideration shall be given to any demonstrated hardship on the applicant by reason of denial as presented at the public hearing." Further, § 375-3(C.) of the Bylaw Regulations provide that:

Consistent with § 192-6B of the Bylaw, in acting on an application for a permit under the Bylaw and these regulations, the Commission may grant, at its sole discretion, permission for work closer than the tabulated

minimum distances set forth in the Minimum Setback Table, § 375-98 of these regulations In considering a deviation for hardship or a request for same, the Commission shall give due consideration to any hardship on the applicant that would be caused by a denial of the application, as demonstrated by the applicant by a preponderance of the credible evidence presented at the public hearing; provided, however, that no deviation from the regulations shall be allowed except:

- (1) In the case of a single-family dwelling or structure for seasonal use legally in existence as of May 19, 1994 (the original date of issuance of these regulations)
- (3) When the Commission finds that denial of proposed work could constitute a regulatory taking.

In this instance, the denial of an Order of Conditions for the proposed project would result in a qualified hardship under both grounds.

First, the dwelling was legally in existence as of May 19, 1994. The foundation remains and the applicant proposed to reconstruct the dwelling on the existing foundation. The project is designed to minimize and avoid alterations of the Buffer Zone. There are no anticipated impacts to BVW which is the purpose of the Wetlands Bylaw, *i.e.*, "[t]he purpose of this bylaw is to protect the wetlands" Wetlands Bylaw, § 192-1(A.)

Second, the Property was assessed as of December 30, 2020 by the Boxford Assessor as residential land having a value of \$270,900.00. Attached is a copy of the Boxford Assessor Property Card. The applicant acquired the Property for consideration of \$283,575 on June 9, 2016. Attached is a Deed in Lieu of Foreclosure dated June 9, 2016. As indicated above, the Property is located within the Residence - Agricultural (RA) Zoning District. Pursuant to § 196-13 of the Boxford Zoning Bylaws, a single-family dwelling is a permitted use within the RA Zoning District. The applicant purchased the Property with the reasonable investment-backed expectation of reconstructing the former single-family dwelling. *See, e.g., Giovanella v. Conservation Commission of Ashland*, 447 Mass. 720 (2006) (discussion of multi-factor Penn Central analysis). The Property has historically been used for a single-family dwelling. In fact, the applicant has received a *bona fide* offer to purchase the Property contingent upon securing the necessary approvals to construct a single-family dwelling. The specifics of the offer are confidential but can be provided to the Conservation Commission under appropriate confidentiality protections and with the consent of the purchaser.

To deny the applicant the use of the Property for a single-family dwelling, which is a permitted use in the RA Zoning District, would interfere with this investment-back expectation and constitute credible evidence of a regulatory taking. On this additional ground, the denial of an Order of Conditions would result in a qualified hardship.

MassDEP Field Data Form and Instructions

The Department of Environmental Protection's field data form should be used when delineating the boundary of a Bordering Vegetated Wetland (BVW) under the Massachusetts Wetlands Protection Act (M.G.L. Chapter 131, Section 40) and regulations (310 CMR 10.55). It should be used whether the boundary is delineated by vegetation alone or by vegetation and other indicators of wetland hydrology. Note: if detailed vegetative assessment is not necessary for the site, make a note on the data form and submit it. The field data form should be submitted with a Request for Determination of Applicability or a Notice of Intent. Details on the criteria for delineating a BVW boundary and the terminology used in this field data form are described in the handbook, *Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act* (MA Department of Environmental Protection, Division of Wetlands and Waterways, 1995).

INSTRUCTIONS

The data form includes a section on project identification, including the applicant's name, the name of the person performing the delineation, project location, and the MassDEP file number, if available. If vegetation alone is presumed adequate to delineate the BVW boundary, mark the first box, complete Section I of the data form, and submit the document. If vegetation and other indicators of hydrology are used to delineate the BVW boundary, mark the second box, complete Sections I and II of the form, and submit the document. MassDEP has selected the dominance test as the preferred method of vegetation analysis at sample plot locations. The information gathered for that method should be recorded on the form. If a method other than the dominance test is used, mark the third box and explain the method and why it was used.

Section I: Vegetation

Section I should be used to record information about the vegetation within an observation plot and on a transect used to delineate the BVW boundary. Note the date of the delineation. Submit a separate data form for each observation plot. Attach supplemental sheets if more space is needed.

A. Sample Layer and Plant Species

Record each plant species using common and scientific names for the following layers:

Ground Cover: woody vegetation less than 3 feet in height (seedlings), non-climbing woody vines less than 3 feet in height, and non-woody vegetation (including mosses) of any height within a 5-foot radius plot; Shrubs: woody vegetation between 3 feet and 20 feet in height within a 15-foot radius plot;

Saplings: woody vegetation over 20 feet in height with a diameter at breast height (dbh) greater than or equal to 0.4 inches to less than 5 inches within a 15-foot radius plot; (note: dbh is measured 4.5 feet from the ground);

Climbing woody vines: woody vines that are attached, rooted, or climbing on trees, saplings, or shrubs within a 30-foot radius plot; and

Trees: woody vegetation with a dbh of 5 inches or greater and over 20 feet in height within a 30-foot radius plot.

If you do not recognize a plant species or do not know a plant's name, call it a generic name. Unknown plants need to be identified only if they are determined to be dominant plants. In that case, a plant identification book or key may be used to determine the species.

B. Percent Cover

Determine percent cover (or basal area for trees) for each plant species in each layer by visual analysis or measurement. (See handbook for information about determining percent cover, page 12.)

C. Percent Dominance

Determine percent dominance for each plant species by dividing the percent cover or basal area for each plant species by the total percent cover or basal area for the layer. (See handbook for information about the dominance test, pages 15-19.)

D. Dominant Plants

1. Identify the dominant plants. Dominant plants are:

- plants with a percent dominance of 50 percent or greater, or plants whose percent dominance add up to immediately exceed 50 percent;
- plants with a percent dominance of 20 percent or greater;
- plants with a percent dominance equal to a plant already listed as a dominant species.

2. Determine common and scientific names for any unknown plants identified as dominant plants.

E. Wetland Indicator Category

1. Identify the Wetland Indicator Category for all dominant plant species using the *National List of Plant Species That Occur in Wetlands: Massachusetts*.

2. Use an asterisk to mark the wetland indicator plants. Wetland indicator plants are any of the following:

- plant species listed in the Wetlands Protection Act;
- plants in the genus *Sphagnum*;
- plants listed as Facultative (FAC), Facultative+ (FAC+), Facultative Wetland(FACW-), Facultative Wetland (FACW), Facultative Wetland+ (FACW+) or Obligate (OBL);
- plants with morphological or physiological adaptations (such as buttressed or fluted trunks, shallow roots, or adventitious roots).

If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk (e.g. White pine, *Pinus strobus*, FacU*/shallow roots, buttressed trunks).

Vegetation Conclusion

List the number of dominant wetland indicator plants and the number of dominant non-wetland indicator plants. If the number of dominant wetland indicator plants is equal to or greater than the number of non-wetland indicator plants, and vegetation alone is presumed adequate for the delineation, the plot is located in a BVW.

If vegetation alone has been chosen for the delineation at this site, complete only Section I and submit the form with a Request for Determination of Applicability or a Notice of Intent. Otherwise, continue the delineation process and record information for Section II on the second page of the form.

Section II: Indicators of Hydrology

Section II should be used to record information on indicators of hydrology in those areas where vegetation alone is not presumed adequate to delineate the BVW boundary, or to overcome the presumption that vegetation alone is adequate.

Hydric Soil Interpretation

1. Soil Survey: Record information about the site from the Soil Survey Report prepared by the U.S. Natural Resources Conservation Service (NRCS) - formerly called the Soil Conservation Service.
2. Soil Description: Record information based on observations at a soil test hole located within the vegetation observation plot. Describe the soil profile of each soil horizon, noting the depth. Identify the matrix and mottles colors by hue, value, and chroma (information from Munsell Soil Color Charts). For example, 10YR 5/2. Notes on soil texture and other soil characteristics may be recorded in the Remarks section.
3. Other: note any additional information used to determine if hydric soil is present, such as regional field indicator guides.

Conclusion: Indicate whether the soil is hydric based on information observed in the field. (See list of Hydric Soil Indicators in the handbook, page 29.)

Other Indicators of Hydrology

Record observations of other indicators of hydrology. Check and describe all that apply. Due to their seasonal or temporal nature, these other indicators generally are used in conjunction with vegetation and soils to determine the location of the BVW boundary.

Vegetation and Hydrology Conclusion

Determine if the observation plot is in a BVW. The observation plot is in a BVW if the number of dominant wetland indicator plants is equal to or greater than the number of dominant non-wetland indicator plants, and if hydric soil or other indicators of hydrology are present.

For an observation plot located in a disturbed area, any one of the three indicators is sufficient to determine that the sample location is in a BVW. In that case, make a note on the form about that conclusion.

Submit the completed form with a Request for Determination of Applicability or a Notice of Intent.

MassDEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: _____ Prepared by: Patrick Garner Project location: 104 King George Dr., Boxford DEP File #:

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- XX** Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
- Method other than dominance test used (attach additional information)

Section I.

Vegetation	Observation Plot Number:1	Transect Number:1	Date of Delineation: 11/20/20
A. Sample Layer & Plant Species (by common/scientific name)	B. Percent Cover (or basal Area)	C. Percent Dominance	D. Dominant Plant (yes or no)
			E. Wetland Indicator Category*

Herbaceous

Cinn fern	Y		FACW
Sensitive fern	Y		FACW
Sedge, northeastern			OBL
Canada mayflower			FAC

Shrub

Highbush blueberry	Y		FACW
Winterberry			FACW
Buckthorn, glossy	Y		FAC
Pepperbush	Y		FAC

Tree

Red maple	Y		FAC
N. red oak			UPL
E. white pine			UPL

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to

physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants: 6

Number of dominant non-wetland indicator plants: 3

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? **yes** no

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent

Section II. Indicators of Hydrology

Hydric Soil Interpretation

3. Other:

Conclusion: Is soil hydric? **yes** no

1. Soil Survey

Is there a published soil survey for this site? **yes** no
title/date:
map number:
soil type mapped:
hydric soil inclusions:

Are field observations consistent with soil survey? yes no
Remarks:

Other Indicators of Hydrology: (check all that apply & describe)

- Site Inundated: _____
- Depth to free water in observation hole: _____
- Depth to soil saturation in observation hole: _____
- Water marks: _____
- Drift lines: _____
- Sediment Deposits: _____
- Drainage patterns in BVW: _____
- Oxidized rhizospheres: _____
- Water-stained leaves: _____

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
A	0-2	10YR 3/2	
B	20-16	10YR 5/2	

Remarks:

- ☐ Recorded Data (streams, lake, or tidal gauge; aerial photo; other):

- ☐ Other: _____

Vegetation and Hydrology Conclusion	Yes	No
Number of wetland indicator plants ≥ # of non-wetland indicator plants	<u> x </u>	<u> </u>
Wetland hydrology present:		
Hydric soil present	<u> x </u>	<u> </u>
Other indicators of hydrology present	<u> </u>	<u> </u>
Sample location is in a BVW	<u> x </u>	<u> </u>
<i>Submit this form with the Request for Determination of Applicability or Notice of Intent.</i>		



Patrick C. Garner

Wetland Scientist, Hydrologist, PLS

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www.patrickgarner.com

(508) 393-3200

Areas of Professional Focus

Peer Review, River Analysis, Wetlands Delineation, Hydrology, Project Monitoring, Soil Evaluation, Boundary Dispute Resolution, Expert Witness Services

Wetland & Hydrological Projects, & Projects of Interest

Wetland-Related Projects

Hundreds of wetland studies, peer reviews & delineations in Massachusetts, Rhode Island & Georgia. Wetland filings in over sixty New England cities & towns since 1985.

Hydrological Projects

- FEMA Flood Plain determinations; 1, 2, 5, 10, 50 & 100-year storm analyses;
- EPA NPDES storm water studies for marinas in MA & RI, 1993-5;
- Detailed analysis & morphological/flood determination of rivers/ streams throughout MA;
- NOAA Peer Reviewer for Atlas 14, New England (2017) & Atlas 14, Texas (2018);
- Riparian rights & water movement analyzes, New England & the Southeast;
- Study of 23 rivers for the Franklin County Regional governments; analysis of Rosgen stream type, erosion potential, channel materials.

Select Projects of Interest

- Analysis for USACE & EPA of 125-acre wetland site, including hydrologic analysis & mitigation studies of filled portions of Great Cedar Swamp, Halifax & Hanson, MA.
- Horizontal & vertical location of a 16th century shipwreck for the National Parks Service, Provincetown, MA.
- Beach riparian rights analysis for Georgia Supreme Court, property adjacent to King & Prince Hotel, St. Simons Island, GA.
- V-zone analysis for Rockefeller family holdings on Cumberland Island, GA.
- Numerous residential, recreational, open space, commercial & industrial projects abutting or impacting wetlands and rivers, including cumulatively over 50 replication/restoration designs in Massachusetts since 1986.
- Consultant currently to numerous Massachusetts Conservation Commissions.
- Expert Witness: MA District, Land & Superior Courts; MassDEP Adjudicatory Courts

Education

[Not inclusive]

Bachelor of Arts (BVA), GA State University, Atlanta, 1971

Post-graduate courses, Harvard University Extension School, real estate & finance, 1988-89.

USACE Wetland Delineator Certification Program, UNH, 1995.

Field Indicators for Hydric Soils in NE; & Human-Disturbed Soils, UNH, 1996.

HEC-RAS, TR-20 & TR-55 Hydrology Seminars, SCS/NRCS (CT, RI, MA), 1987-2003.

GPS Advanced Positioning Systems, Auburn University, 2002; GNSS Positioning, Javad, 2017.

Lectures, Courses & Instruction

[Not inclusive]

AMWS, Winter Botany Workshops, 1997-99 (Co-instructor).

MACC, Detention/Retention Basin Fundamentals, 1999 (Instructor).

MassDEP, Mean Annual High Water Workshops (twelve statewide), 2000-2001 (Instructor).

AMWS, River Morphology & Functions Workshop, 2001 - 2006 (Instructor).

MACC, DEP Riverfront Regulations, 2002, 2003, 2004 (Instructor, Co-instructor).

UMass Lowell, Guest Lecturer on Disturbed Wetlands: 2004 (Instructor).

AMWS, Ethics Issues, 2006 (Instructor); same MACC, 2007 & 2010 (Instructor).

MACC AEC, Advanced Science Core Instruction, 2006, 2008 (Instructor).

AMWS, Bankfull & MAHW Workshop 2008, 2010 (Instructor).

RedVector, PDH On-line: Since 2004 continuing education provider to engineers, wetland scientists, landscape architects & professional surveyors (including webinars)

Pioneer Institute, Boston, Guest Speaker, 2007

Boston Bar Association, Guest Speaker, 2011

Professional Registration & Other

- Professional Registered Land Surveyor (PLS), Massachusetts
- Massachusetts Certified Soil Evaluator, 1996-present
- Conservation Commission Member: 1994-96, Harvard, MA

Professional & Organizational Affiliations

[Not inclusive]

○ Association of Massachusetts Wetland Scientists (AMWS), *President, 1996-98.*

○ Mass. Association of Conservation Commissions (MACC) – *Board member, 1996-2003; President, 2004-05; second term as President, 2010-2013; Past President, 2014.*

○ National Society of Professional Surveyors (NSPS), Fellow member since 1979.

○ American Geophysical Union (AGU), Member #11505981, Hydrology Division

○ International Association of Hydrological Sciences (IAHS), Member #12074, Oxford UK

○ MassDEP Advisory Groups (7): Mean Annual High Water, 1999-2000; Perennial v. Intermittent Stream Group, 1999-2002; Buffer Zone Advisory Committee, 2005; Stormwater Advisory Committee, 2007-2010; Regulatory Reform Committee, 2011; Ecological Restoration Committee, 2011; Wetlands Advisory Subcommittee, 2012; Peer Review Committee Member, NOAA Atlas 14, Precipitation Frequency Atlas of the United States, 2015-2016; Atlas 14, Texas, 2018

Awards

MACC 2006, *Certificate of Appreciation* for Outstanding Service

AMWS 2007, *President's Award* for Contributions to Wetland Science

Publications

Wetland Journal, Maryland (Spring issue, 1996); **National Geologic Institute**, NY (Fall/97); **Wetland Journal**, Maryland (Fall issue, 1997); **Wetland Journal**, Maryland (Winter issue, 1998); **New York Society of Wetland Scientists** (1998); **Land & Water Magazine** (June, 1998); **MA EOE Wetland News** (Winter, 1998); **Wetland Journal** (Spring, 1999); **AMWS Newsletter** (1997-2015); **MACC Quarterly** (1999-2013); **American Surveyor** (2016-2018) & numerous other publications.

Books

- Biographies: **Playing With Fire, The Life of E.W. Edwards**, Whitefish Press, 2008 (limited edition, hardback & paper, now in 2nd edition);
- **D Is For Dingley**, co-author, same press, (limited edition, hardback & paper), 2011.
- **The Winnowing**, Aegis Press, 2018, (hardback & paper)

PETER M. BLAISDELL, JR., P.E., P.L.S.

189 North Main Street, Suite 101, Middleton, MA 01949

PROFILE

Peter is a registered civil engineering and land surveying professional with a broad range of design experience from single-family house lots to large residential subdivisions and planned housing developments.

Peter is an experienced public speaker, has presented and permitted many projects with municipal boards and commissions throughout Massachusetts. Peter specializes in analyzing and designing stormwater management systems, commercial site designs, long-range planning, flood insurance studies, water system analysis, boundary plans, ALTA/ACSM Land Title Surveys, septic systems and soil evaluation.

Peter's goal is to treat every client and their project, no matter the size, with the same level of detail, attention and professionalism with the main focus on customer satisfaction.

EXPERIENCE

2011-present

Williams & Sparages LLC, Middleton, MA - Project Manager

1994-2011

Hayes Engineering, Inc., Wakefield, MA - Surveyor/Engineer/Project Manager

LISCENSING

Registered Professional Engineer, Commonwealth of Massachusetts - since 2000

Licensed Professional Engineer, State of New Hampshire - since 2010

Registered Land Surveyor, Commonwealth of Massachusetts - since 2012

Licensed Soil Evaluator, Commonwealth of Massachusetts - since 2003

EDUCATION

Northeastern University, Boston, Master of Science, Civil Engineering, 2003

University of Massachusetts, Lowell, Bachelor of Science, Civil Engineering, 1993

INTERESTS AND ACTIVITIES

Billerica Cemetery Commission, Chairman

Billerica Youth Soccer Coach

Billerica Youth Baseball Coach

Billerica Youth Basketball Coach

CURRENT OWNER		TOPO	UTILITIES	STRT / ROAD	LOCATION	CURRENT ASSESSMENT											
104 KING GEORGE DRIVE LLC						Description	Code	Appraised	Assessed								
370 MAIN ST SUITE 1100						RES LAND	1300	270,900	270,900								
WORCESTER MA 01608						SUPPLEMENTAL DATA Alt Prcl ID 160113-000122-60 Pond Account # Affordable Use Chang Historic Di Lot Split New Lot Sale Quest In Law Cons. Rest GIS ID M_242410_938508 Assoc Pid#											
Total 270,900 270,900																	
RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	PREVIOUS ASSESSMENTS (HISTORY)									
104 KING GEORGE DRIVE LLC		35000 0191	06-14-2016	U	I	283,575	1U	Year	Code	Assessed	Year	Code	Assessed				
CHAMPION CONTRACTORS INC		32504 0487	05-28-2013	U	I	225,000	1U	2021	1300	270,900	2020	1300	270,900				
104 KING GEORGE DRIVE, LLC		26833 0165	05-14-2007	U	I	270,000	1L				2019	1300	257,900				
LATORELLA JON R		21655 0163	08-29-2003	U	I	1	1H										
LATORELLA JON R		0412 3677	08-29-2003	U	I	1	1A										
Total						270900		Total	270900	Total	257900						
EXEMPTIONS			OTHER ASSESSMENTS				This signature acknowledges a visit by a Data Collector or Assessor										
Year	Code	Description	Amount	Code	Description	Number	Amount	Comm Int									
Total			0.00														
ASSESSING NEIGHBORHOOD																	
Nbhd		Nbhd Name		B		Tracing		Batch									
0001																	
NOTES																	
HSE REMOVED-FOUNDATION LEFT EW5/07																	
LISTED 6/26/08 \$339,900																	
BUILDING PERMIT RECORD																	
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments	Date	Id	Type	Is	Cd	Purpost/Result			
06-187	09-20-2006	DE	Demolish	5,000	05-16-2007	100		demo sfd	07-26-2012	SS			14	Field review			
									05-16-2007	EW			60	Reinspect Needed			
									06-28-2005				12	Callback letter sent			
									05-26-2005	MG			01	Measur+1Visit			
									05-26-2005	MG			02	Measur+2Visit - Info Card I			
									09-12-1995	RD	X		00	Measur+Listed			
LAND LINE VALUATION SECTION																	
B	Use Code	Description	Zone	Land Units	Unit Price	In Factor	Site Ind	Ac Disc	Cond.	Nbhd.	Nbhd. Adj	Notes	Spec Use	Spec Calc	Location	Adj Unit P	Land Value
1	1300	RES DEVELOPA	RA	87,120 SF	3.11	1.000000	4	1.0000	1.00		1.000			0	1.0000	3.11	270,900
Total Card Land Units				2.000	AC	Parcel Total Land Area				2.0000	Total Land Value				270,900		

VISION

104

BOXFORD, MA

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)		
Element	Cd	Description	Element	Cd	Description
Style:	99	Vacant Land			
Model	00	Vacant			
Grade:					
Stories:					
Occupancy					
Exterior Wall 1					
Exterior Wall 2					
Roof Structure:					
Roof Cover					
Interior Wall 1					
Interior Wall 2					
Interior Flr 1					
Interior Flr 2					
Heat Fuel					
Heat Type:					
AC Type:					
Total Bedrooms					
Total Bthrms:					
Total Half Baths					
Total Xtra Fixtrs					
Total Rooms:					
Bath Style:					
Kitchen Style:					
MIXED USE					
	Code	Description	Percentage		
	1300	RES DEVELOPABLE	100		
			0		
			0		
COST / MARKET VALUATION					
	Undeprec Value		0		
	Net Other Adj		0		
	RCN		0		
	Year Built		0		
	Dep Code				
	Depreciation %		0		
	Functional Obsol		0		
	External Obsol		0		
	Condition				
	Condition %		100		
	Percent Good				
	RCNLD		0		

No Sketch

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Code	Description	L/B	Units	Unit Price	Yr Blt	Dp Rt	Appr. Value

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Gross Area	Eff Area	Unit Cost	Undeprec Value
Ttl Gross Liv / Lease Area		0	0	0		0



MS 2554

SO. ESSEX #292 Bk: 35000 Pg: 191
06/14/2016 02:07 DEED Pg 1/2

MASSACHUSETTS EXCISE TAX
Southern Essex District ROD
Date: 6/14/2016 02:00 PM
ID: 364779 Doc# 572573
Fee: \$1,295.04 Cons: \$283,574.80

572573 (89483+) Bch: 364779
Southern Essex District Registry
6/14/2016 02:00 PM DEED Pg: 1/3

DEED IN LIEU OF FORECLOSURE

Champion Contractors, Inc., a corporation organized pursuant to the laws of the Commonwealth of Massachusetts with a principal place of business at 273 Weymouth Street, Rockland, Massachusetts 02370 for consideration paid of cancellation of debt in the amount of Two Hundred Eighty-Three Thousand Five Hundred Seventy-Four and 80/100 (\$283,574.80) Dollars

grants to **104 King George Drive, LLC**, a Massachusetts limited liability company having a place of business at 370 Main Street, Suite 1100, Worcester, MA 01608

with quitclaim covenants,

A certain parcel of land with the buildings thereon situated on King George Drive, Boxford, Essex County, Massachusetts, bounded and described as follows:

BEGINNING at a point on King George Drive at Lot 59, as shown on plan hereinafter referred to and running SOUTHEASTERLY by said King George Drive a distance of two hundred fifty and 19/100 (250.19) feet to Lot 61, as shown on said plan; thence turning and running S. 29° 29' 40" W. by said Lot 61, five hundred eight and 75/100 (508.75) feet to Lot 56, as shown on said plan; thence turning and running N. 15° 15' 21" W. by said Lot 57, as shown on said plan, two hundred forty-six and 63/100 (246.63) feet to Lot 59, as shown on said plan; thence turning and running N. 18° 30' 25" E. by said Lot 59, three hundred eighty-one and 95/100 (381.95) feet to said King George Drive and the point of beginning.

CONTAINING 2.0 acres of land according to said plan and being shown as Lot 60 on plan entitled "Plan of King's Forest, Section Two, Boxford, Massachusetts, March 26, 1960, Owner and Subdivider: Boxford Highlands, Inc., Engineer Raymond C. Pressey, Inc.", recorded with Essex South District Registry of Deeds, Book of Plans 94, Plan 84, said Lot 60 being shown as Sheet 1 of 4 on said plan.

A triangular portion of said Lot 60 is registered land and is shown as Lot 4 on plan numbered 29795-B drawn by Essex Survey Service, dated September 15, 1962, as modified and approved by the Court, filed with the Essex Land Registration Office, a copy of portion of which is filed with Certificate of Title No. 33761 in said Registry, said registered land portion being bounded and described as follows:

NORTHEASTERLY by the southwesterly line of King George Drive one hundred sixty-eight and 12/100 (168.12) feet;

SOUTHEASTERLY by land now or formerly of Boxford Highlands, Inc., one hundred eighty-six and 75/100 (186.75) feet; and

WESTERLY by Lot 3, as shown on said Land Court Plan, one hundred fifty-four and 65/100 (154.65) feet.

BOXFORD: 104 King George Drive

The above-described land is subject to conditions as set forth in a document entitled King's Forest Subdivision dated May 26, 1960, and recorded with said deeds in Book 4720, Page 524.

Being the same premises conveyed to Champion Contractors, Inc. by deed of 104 King George Drive, LLC dated May 17, 2013 and recorded with Southern Essex District Registry of Deeds in Book 32504, Page 487 and registered with Land Court as Document No. 542840 and noted on Certificate No. 86588.

This deed is in absolute conveyance; the Grantor having sold said land to the Grantee for a fair and adequate consideration, such consideration, in addition to that above recited, being full satisfaction of all debts and obligations secured by the mortgage executed by Champion Contractors, Inc. to 104 King George Drive, LLC dated May 17, 2013 and recorded with the Southern Essex District Registry of Deeds in Book 32504, Page 490 and registered with Land Court as Document No. 542842 and noted on Certificate No. 86588.

The amount of the mortgage debt canceled by the Lender is Two Hundred Eighty-Three Thousand Five Hundred Seventy-Four and 80/100 (\$283,574.80) Dollars.

The Grantor declares that this conveyance is freely and fairly made, that this conveyance is voluntary, is not a preference, and possession is hereby surrendered and that there are no agreements, oral or written or other than this deed between the Grantor and Grantee with respect to said land and the consideration is full forgiveness of the debts and obligations, including those secured by the above Mortgage.

Witness the execution hereof this 9 day of June, 2016.

Champion Contractors, Inc.

By: Gerard Kiley, Sr.
Gerard Kiley, Sr., its duly authorized
President and Treasurer

COMMONWEALTH OF MASSACHUSETTS

County of Plymouth, ss.

On this 9 day of June, 2016 before me, the undersigned notary public, personally appeared Gerard Kiley, Sr., proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a federal or state governmental agency, oath or affirmation of a credible witness, personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as President and Treasurer of Champion Contractors, Inc.

Jennifer P. Aoman
Notary Public
Commission Expires 9-16-2016

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act

(To be submitted to the Massachusetts Department of Environmental Protection and the Conservation Commission when filing a Notice of Intent)

I, Adam Brodsky, hereby certify under the pains and penalties of perjury that on August 19, 2021 I gave notification to abutters in compliance with the second paragraph of Massachusetts General Law Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:

A Notice of Intent was filed under Massachusetts Wetlands Protection Act by Adam Brodsky with the Town of Boxford Conservation Commission on August 19, 2021 for property located at 104 King George Drive, Boxford, MA.

The form of the notification, and a list of the abutters to whom it was given and their addresses, are attached to this Notice of Intent.



Name

8/16/21

Date

TOWN OF BOXFORD ABUTTER LIST

**104 KING GEORGE DRIVE
PARCEL ID# 16-01-13
CONSERVATION COMMISSION**

Parcel ID	Location	Owner	Owner 2	Owner Address	Owner City/Town	Owner State	Zip Code
19-03-18-3	6 POWDERHOUSE LN	MORGAN NICOLE		6 POWDERHOUSE LN	BOXFORD	MA	01921
19-03-18-4	9 POWDERHOUSE LN	GILBERT MARY ELLEN TE	GILBERT GREGORY P	9 POWDERHOUSE LN	BOXFORD	MA	01921
19-03-18-5	3 POWDERHOUSE LN	YARO TAEGER	TAEGER LENA R	3 POWDERHOUSE LN	BOXFORD	MA	01921
19-03-18-6	12 POWDERHOUSE LN	LEE SANGWOOK	LEE YOONJIN	12 POWDERHOUSE LN	BOXFORD	MA	01921
19-03-18-7	16 POWDERHOUSE LN	ELMI SAEID		16 POWDERHOUSE LN	BOXFORD	MA	01921
19-03-18-9	25 POWDERHOUSE LN	BANKES ROWLAND		25 POWDERHOUSE LN	BOXFORD	MA	01921
19-03-20	26 BALDPATE RD	BAILES TODD L	BAILES SARAH E	26 BALDPATE RD	BOXFORD	MA	01921
19-03-21	24 BALDPATE RD	JOHNSON CHRISTINE		24 BALDPATE RD	BOXFORD	MA	01921
19-03-24	269 IPSWICH RD	URBANSKI, LAWRENCE F	URBANSKI, JANICE M	269 IPSWICH RD	BOXFORD	MA	01921
19-03-26	281 IPSWICH RD	SIROIS, ROBERT L	SIROIS, JENNIFER M	281 IPSWICH RD	BOXFORD	MA	01921

Lisa Benecke
CERTIFIED COPY
7/12/2021