

# NOTICE OF INTENT

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35 Glendale Road  
Boxford, Massachusetts

March 14, 2024

**Applicant:**

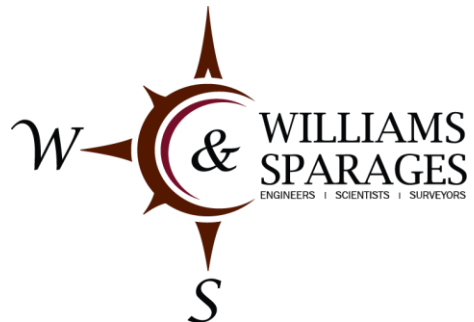
David & Kelly Sonnenshein  
35 Glendale Road  
Boxford, MA 01921

**Prepared By:**

Williams & Sparages LLC  
189 North Main Street, Suite 101  
Middleton, MA 01949  
Ph: 978-539-8088  
Fax: 978-539-8200  
[www.wsengineers.com](http://www.wsengineers.com)

**W&S Project No:**

BOXF-0128





**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):

35 Glendale Road  
a. Street Address

Boxford  
b. City/Town

01921  
c. Zip Code

Latitude and Longitude:  
42.70090  
d. Latitude

-71.06653  
e. Longitude

12  
f. Assessors Map/Plat Number

1-16  
g. Parcel /Lot Number

2. Applicant:

David & Kelly  
a. First Name

Sonnenshein  
b. Last Name

c. Organization

35 Glendale Road  
d. Street Address

Boxford  
e. City/Town

MA  
f. State

01921  
g. Zip Code

845-729-3842  
h. Phone Number

i. Fax Number

sonnday@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):

Thorsen  
a. First Name

Akerley  
b. Last Name

Williams & Sparages LLC  
c. Company

189 North Main Street, Suite 101  
d. Street Address

Middleton  
e. City/Town

MA  
f. State

01949  
g. Zip Code

978-539-8088  
h. Phone Number

978-539-8200  
i. Fax Number

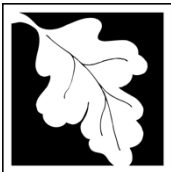
takerley@wsengineers.com  
j. Email address

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

\$110.00  
a. Total Fee Paid

\$42.50  
b. State Fee Paid

\$67.50  
c. City/Town Fee Paid



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

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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:

The proposed construction of an addition, installation of a new septic tank, construction of a portion of paver patio, landscape wall and associated minor grading 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:

<u>Essex South</u>	_____
a. County	b. Certificate # (if registered land)
<u>41158</u>	<u>076</u>
c. Book	d. Page Number

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

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

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



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

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

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

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

2. Width of Riverfront Area (check one):

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

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

4. Proposed alteration of the Riverfront Area:

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

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

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](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**

- 8/2021  
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](mailto:dmf.envreview-south@mass.gov)

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

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

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

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



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

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?  
a.  Yes  No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?  
a.  Yes  No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?  
a.  Yes  No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?  
a.  Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:  
1.  Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)  
2.  A portion of the site constitutes redevelopment  
3.  Proprietary BMPs are included in the Stormwater Management System.  
b.  No. Check why the project is exempt:  
1.  Single-family house  
2.  Emergency road repair  
3.  Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

**D. Additional Information**

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

**Online Users:** Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1.  USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2.  Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.

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





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**D. Additional Information (cont'd)**

3.  Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4.  List the titles and dates for all plans and other materials submitted with this NOI.

Plan to Accompany a Notice of Intent - 35 Glendale Road

a. Plan Title

Williams & Sparages LLC

Richard L. Williams

b. Prepared By

c. Signed and Stamped by

3/14/2024

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:

519

2/9/2024

2. Municipal Check Number

3. Check date

518

2/9/2024

4. State Check Number

5. Check date

David

Sonnenshein

6. Payor name on check: First Name

7. Payor name on check: Last Name

DAVID A SONNENSHEIN  
28 MONMOUTH ST # 2  
SOMERVILLE, MA 02143-2609

519  
55-33/212 NJ  
90015

2/9/2024

Date

Pay to the  
Order of Town of Boxford

\$ 67.50

Sixty seven dollars and fifty cents

Dollars



Security Features  
Details on  
Back

**Bank of America**

ACH R/T 021200339

For Town Filing Fee

MP

⑆021200339⑆ 009483527499⑆0519

DAVID A SONNENSHEIN  
28 MONMOUTH ST # 2  
SOMERVILLE, MA 02143-2609

518  
55-33/212 NJ  
90015

2/9/2024

Date

Pay to the  
Order of Commonwealth of Massachusetts

\$ 42.50

Forty two dollars and fifty cents

Dollars



Security Features  
Details on  
Back

**Bank of America**

ACH R/T 021200339

For State Filing Fee

MP

⑆021200339⑆ 009483527499⑆0518

DAVID A SONNENSHEIN  
28 MONMOUTH ST # 2  
SOMERVILLE, MA 02143-2609

516  
55-33/212 NJ  
90015

2/9/2024

Date

Pay to the  
Order of Town of Boxford

\$ 475.00

Four hundred and seventy five dollars and ~~00~~

Dollars



Security Features  
Details on  
Back

**Bank of America**

ACH R/T 021200339

For Town Bylaw Fee

MP

⑆021200339⑆ 009483527499⑆0516



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Bureau of Resource Protection - Wetlands

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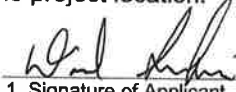
Boxford

City/Town

### F. Signatures and Submittal Requirements

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

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

  
1. Signature of Applicant

2/9/2024  
2. Date

3. Signature of Property Owner (if different)

4. Date

  
5. Signature of Representative (if any)

2/9/24  
6. Date

#### For Conservation Commission:

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

#### For MassDEP:

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

#### Other:

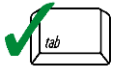
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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



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

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



**A. Applicant Information**

1. Location of Project:

<u>35 Glendale Road</u>	<u>Boxford</u>
a. Street Address	b. City/Town
<u>518</u>	<u>\$42.50</u>
c. Check number	d. Fee amount

2. Applicant Mailing Address:

<u>David &amp; Kelly</u>	<u>Sonnenshein</u>	
a. First Name	b. Last Name	
<u>35 Glendale Road</u>		
d. Mailing Address		
<u>Boxford</u>	<u>MA</u>	<u>01921</u>
e. City/Town	f. State	g. Zip Code
<u>845-729-3842</u>	<u>sonnday@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
Category 1a.	1	\$110.00	\$110.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
<b>Step 5/Total Project Fee:</b>			\$110.00
<b>Step 6/Fee Payments:</b>			
Total Project Fee:			\$110.00
State share of filing Fee:			\$42.50
City/Town share of filing Fee:			\$67.50
			a. Total Fee from Step 5
			b. 1/2 Total Fee <b>less</b> \$12.50
			c. 1/2 Total Fee <b>plus</b> \$12.50

**C. Submittal Requirements**

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

Department of Environmental Protection  
 Box 4062  
 Boston, MA 02211

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

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

## **Introduction:**

The subject property, 35 Glendale Road, Assessors Map 12, Block 1, Parcel 16, is currently developed with a single-family dwelling, that according to the Boxford assessors database, was constructed in 1980. The parcel is approximately 14.9 acres in size and the dwelling is set back from Glendale Road over 1,000 linear feet.

Bordering Vegetated Wetlands (BVW) exist to the northwest and south of the dwelling, that border on an intermittent stream that flows in a southerly direction, into what appears to be a mechanically dug pond, and then exits and flows in an easterly direction towards Glendale Road.

According to the NRCS Web Soil Survey, the soil in the area of the proposed activities are classified as Charlton fine sandy loam (405 B&C) and the soils in the BVW to the northwest of the project are comprised of Ridgebury fine sandy loam (70B).

According to the current Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program (NHESP) Atlas, the property is NOT mapped as Priority Habit of Rare Species or Estimated Habitats of Rare Wildlife, nor is the property mapped as an Area of Critical Environmental Concern (ACEC).

## **Proposed Activities:**

The property owners are proposing to construct an addition onto the rear of their dwelling as well as replace an existing septic tank, construct a paver patio and landscape wall and conduct associated minor grading. These activities are proposed within the 100' buffer zone to BVW, however are proposed in areas that are currently maintained as lawn and/or landscaped areas. The new septic tank will need to be installed because the proposed addition encroaches upon the required 10-foot setback from a foundation to a septic tank. The new septic tank is being proposed in the same general area as the existing tank.

Approximately 43 s.f. of the addition is proposed within the 75 foot no build zone. According to §375-98B.(2) of the Boxford Wetlands Protection Regulations the presumption that the activities will result in alteration of the wetland resource area is rebuttable and may be overcome only for the conversion of lawn or other significantly altered land to a structure requiring a building permit when said structure is accessory to an existing single-family dwelling legally in existence as of May 19, 1994 (the original issue date of these regulations), or when a wetlands permit application was filed for said single-family dwelling on or before May 19, 1994, by a finding by the Commission, supported by a preponderance of the credible evidence, showing that the work proposed within the buffer zone, closer than the tabulated minimum setback distances,



will not result in the alteration of any wetlands resource area. The burden for overcoming this presumption is upon the applicant; however, the Commission may include consideration of credible evidence from any source presented at a public meeting or public hearing in weighing the preponderance of the credible evidence. The proposed design shall comply as much as possible with the minimum setback distances specified in the Minimum Setback Distance Chart.

The closest point of the proposed addition to the nears BVW boundary is 70.5' and as mentioned above, the dwelling was constructed in 1980, and the addition is proposed within existing maintained lawn and/or landscaped areas.

As mitigation for the 43 s.f. encroachment into the no build zone, the applicants are proposing a 130 s.f. buffer zone enhancement area, that will contain berry producing native shrubs, and result in an enhancement ratio of 3:1. The area selected for enhancement is an area adjacent to the B-Series BVW that is within 25 feet of the BVW and has historically been maintained as lawn.

**Jurisdictional Wetland Resource Areas:**

Bordering Vegetated Wetlands: The Bordering Vegetated Wetlands (BVW) were delineated on the subject property by Greg Hochmuth, PWS, CWS from Williams & Sparages LLC on December 8, 2022, (see attached wetland field data forms). The BVW was delineated as the B-Series using blue surveyor's tape.

No BVW is proposed to be altered because of this application.

**Erosion Controls:**

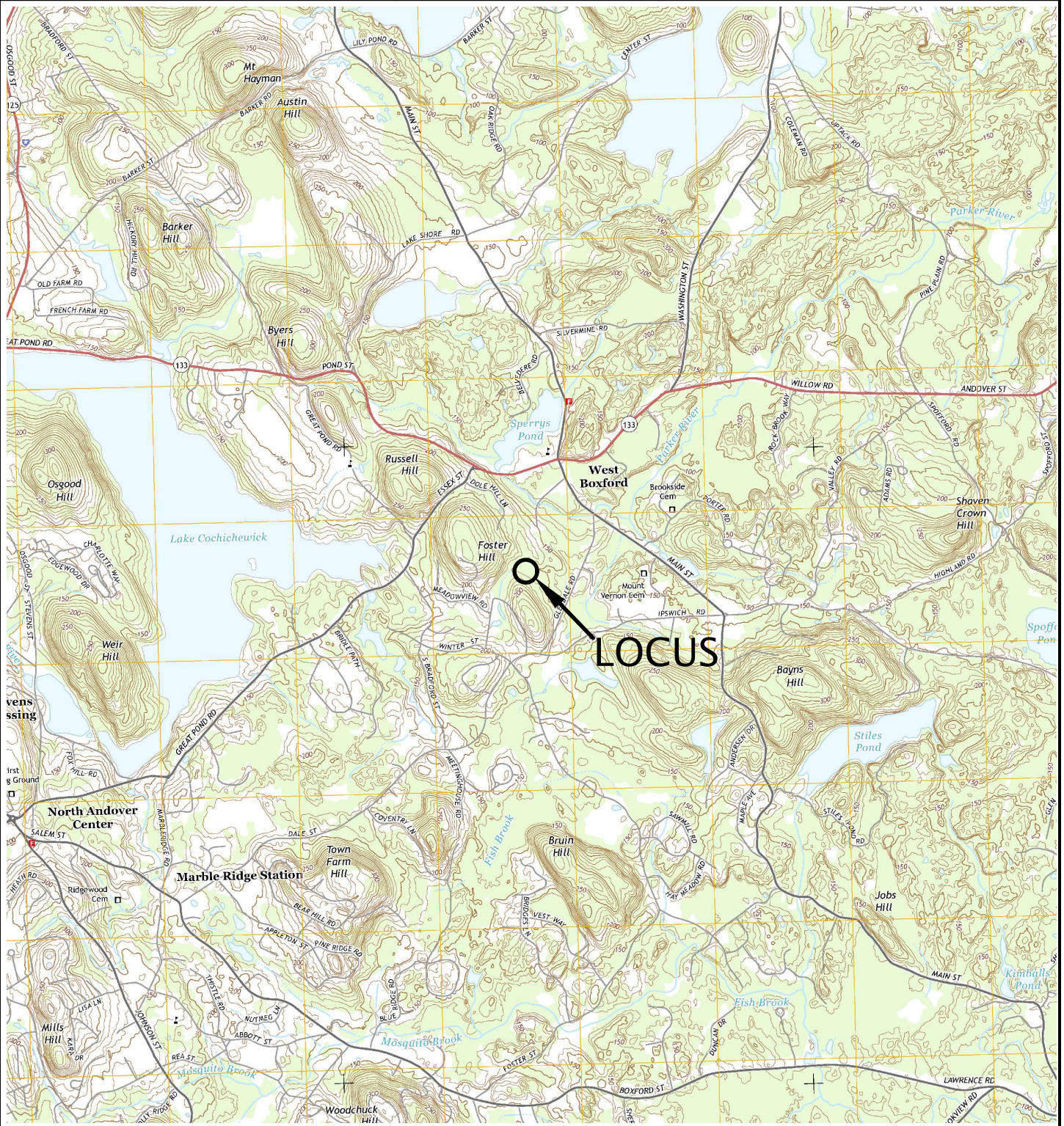
Erosion controls in the form of a 12-inch diameter mulch sock are proposed during the project and are proposed to remain in place until all areas within the buffer zone are stabilized, and permission is granted for their removal from the Boxford Conservation Commission, and/or their director.



WILLIAMS & SPARGES  
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  
SOUTH GROVELAND, MASS QUAD  
SCALE: 1:24,000 (metric contours)

LOCUS MAP  
35 GLENDALE ROAD  
BOXFORD, MA 01921





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

Applicant: David Sonnenshein Prepared by: Greg Hochmuth Project location: 35 Glendale Road, Boxford, MA DEP File #: \_\_\_\_\_

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- 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: WFB-20 Wet		Transect Number: WFB-20 Wetland	Date of Delineation: 12/8/2023
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*
<u>Tree</u>				
Red Maple – <i>Acer rubrum</i>	75%	100%	YES	FAC*
<u>Shrubs</u>				
Silky Dogwood– <i>Cornus amomum</i>	10%	13%	NO	FACW
Highbush Blueberry – <i>Vaccinium corymbosum</i>	25%	33%	YES	FACW-*
Spicebush – <i>Lindera benzoin</i>	20%	26%	YES	FACW-*
Glossy Buckthorn – <i>Rhamnus frangula</i>	10%	13%	NO	FAC
Multiflora Rose – <i>Rosa multiflora</i>	10%	13%	NO	FACU
<u>Ground Cover</u>				
Poison Ivy – <i>Toxicodendron radicans</i>	20%	57%	YES	FAC*
Sensitive Fern – <i>Onoclea sensibilis</i>	15%	42%	YES	FACW*

\* 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: 5

Number of dominant non-wetland indicator plants: 0

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? YES

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

#### 1. Soil Survey

Is there a published soil survey for this site? Yes  
 title/date: NRCS Web Soil Survey  
 map number: 70B  
 soil type mapped: – Ridgebury fine sandy loam  
 hydric soil inclusions: Yes

Are field observations consistent with soil survey? Yes

#### 2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
A	0-8	2.5Y2.5/1	-
Bw	8-18+	5Y5/2	10YR5/8

Remarks:

#### 3. Other:

Conclusion: Is soil hydric? Yes

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

- Site Inundated: \_\_\_\_\_
- Depth to free water in observation hole: 5"
- Depth to soil saturation in observation hole: 4"
- Water marks: \_\_\_\_\_
- Drift lines: \_\_\_\_\_
- Sediment Deposits: \_\_\_\_\_
- Drainage patterns in BVW: \_\_\_\_\_
- Oxidized rhizospheres: \_\_\_\_\_
- Water-stained leaves: \_\_\_\_\_
- 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>	_____
<b>Wetland hydrology present:</b>		
Hydric soil present	<u>X</u>	_____
Other indicators of hydrology present	<u>X</u>	_____
<b>Sample location is in a BVW</b>	<u>X</u>	_____

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

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

Applicant: David Sonnenshein Prepared by: Greg Hochmuth Project location: 35 Glendale Road, Boxford, MA DEP File #: \_\_\_\_\_

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- 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: WFB-20 Up		Transect Number: WFB-20 Upland	Date of Delineation: 12/8/2023
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*
<u>Tree</u>				
Red Maple – <i>Acer rubrum</i>	50%	100%	YES	FAC*
<u>Shrubs</u>				
Silky Dogwood– <i>Cornus amomum</i>	20%	20%	YES	FACW*
Highbush Blueberry – <i>Vaccinium corymbosum</i>	20%	20%	YES	FACW-*
Spicebush – <i>Lindera benzoin</i>	20%	20%	YES	FACW-*
Glossy Buckthorn – <i>Rhamnus frangula</i>	10%	10%	NO	FAC
Multiflora Rose – <i>Rosa multiflora</i>	30%	30%	YES	FACU
<u>Ground Cover</u>				
Grass (x) –	80%	84%	YES	FAC*
Ground Ivy – <i>Glechoma hederacea</i>	15%	15%	NO	FACU

\* 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: 5

Number of dominant non-wetland indicator plants: 1

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? YES

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

#### 1. Soil Survey

Is there a published soil survey for this site? Yes  
 title/date: NRCS Web Soil Survey  
 map number: 405C  
 soil type mapped: – Charlton fine sandy loam  
 hydric soil inclusions: No

Are field observations consistent with soil survey? Yes

#### 2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
A	0-8	10YR3/2	-
Bw	8-18+	7.5YR5/6	-

Remarks:

#### 3. Other:

Conclusion: Is soil hydric? No

#### 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: \_\_\_\_\_
- 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	_X_	___
<b>Wetland hydrology present:</b>		
Hydric soil present	___	_X_
Other indicators of hydrology present	___	_X_
<b>Sample location is in a BVW</b>	___	_X_

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

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act & Boxford Wetlands  
Protection Regulations

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

I, Thorsen Akerley, hereby certify under the pains and penalties of perjury that  
on March 15, 2024, 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 the Massachusetts Wetlands Protection Act by  
David & Kelly Sonnenshein, with the Town of Boxford Conservation  
Commission on March 14, 2024, for property located at 35 Glendale Road (Map  
12, Block 1, Parcel 16).

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

Thorsen Akerley  
Name

3/15/2024  
Date



12-01-16, 35 GLENDALE ROAD, BOXFORD MA ABUTTERS LIST  
 CONSERVATION COMMITTEE 250' AND PONDS

Parcel ID	Location	Owner	Owner 2	Owner Address	Owner City/Town	Owner State	Zip Code
12-01-13	29 BROOK RD	MUSHKIN ARTHUR M TR	MUSHKIN DAWN L TR	PO BOX 35	WEST BOXFORD	MA	01885
12-01-14	20B ESSEX ST	LEE CHRISTOPHER W		20B ESSEX ST	BOXFORD	MA	01921
12-01-16	35 GLENDALE RD	SONNENSHEIN DAVID A	SONNENSHEIN KELLY M	35 GLENDALE RD	BOXFORD	MA	01921
12-01-17	39 GLENDALE RD	SHELDON BRADFORD G TE	SHELDON KATHLEEN C	39 GLENDALE RD	BOXFORD	MA	01921
12-01-18	33 GLENDALE RD	PORTER ALEXANDER	FEENEY CAITLIN	33 GLENDALE RD	BOXFORD	MA	01921
12-01-03-8	34 DOLE HILL LN	MARTIN RONALD D TE	MARTIN CATHERINE J	34 DOLE HILL LN	BOXFORD	MA	01921
12-02-11	128 RUSSET LN	AKAHORI KEIKO TR	K A REALTY TRUST	PO BOX 577	NORTH ANDOVER	MA	01845
12-02-12	128 RUSSET LN	AKAHORI KEIKO TR	K A REALTY TRUST	PO BOX 577	NORTH ANDOVER	MA	01845
12-02-13	61 WOODCREST DR	KONDRA HELEN MULLIN		61 WOODCREST DR	N ANDOVER	MA	01845
12-02-14	WOODCREST DR	STOUCH LEE		75 WOODCREST DR	N ANDOVER	MA	01845
12-02-20	45A GLENDALE RD	SULLIVAN DAVID C	SULLIVAN AMY E	45A GLENDALE RD	BOXFORD	MA	01921
12-02-22	45B GLENDALE RD	ROBIDOUX MICHAEL		45B GLENDALE RD	BOXFORD	MA	01921
13-03-12	GLENDALE RD	CRAIG ADAM R & CRAIG LYNNE R	CRAIG FAMILY TRUST	811 OAK STREET	MANZANITA	OR	97130
13-03-13	38 GLENDALE RD	MURPHY DAVID JT	PARNAGIAN CHARLOTTE A	38 GLENDALE RD	BOXFORD	MA	01921
13-03-14	34 GLENDALE RD	GALVIN BRYAN JOSEPH	GALVIN SARAH WARD	34 GLENDALE RD	BOXFORD	MA	01921
13-03-15	32 GLENDALE RD	MACLAUGHLIN JUDITH E LE		32 GLENDALE RD	BOXFORD	MA	01921
13-03-16	28 GLENDALE RD	MANSFIELD WAYNE C TE	NANCY F MANSFIELD	P O BOX 176	W BOXFORD	MA	01885
13-03-17	7 MACDONALD DR	FLAHERTY MICHAEL L. AND FLAHERTY SUSAN A TR	MICHAEL L. FLAHERTY REVOCABLE TRUST &	7 MACDONALD DR	BOXFORD	MA	01921
13-03-09	15 GLENDALE RD	NELSON SUSAN ANN		15 GLENDALE RD	BOXFORD	MA	01921
13-03-09-1	23 GLENDALE RD	HOLMGREN RONALD & ANDREA - TRUSTEES	HOLMGREN FAMILY TRUST	PO BOX 406	WEST BOXFORD	MA	01885
13-03-09-2	27 GLENDALE RD	KOSAKOWSKI KRIS E TR	KOSAKOWSKI SAMANTHA R TR	27 GLENDALE RD	BOXFORD	MA	01921

CERTIFIED COPY 2/14/24  
*Stacey Fournier*