

NOTICE OF INTENT

4 Wildmeadow Road
Boxford, Massachusetts

September 15, 2020

Owner/Applicant:

Danielle & Albert Schimanski
4 Wildmeadow 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

W&S Project No:

BOXF-0087A





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):

4 Wildmeadow Road
a. Street Address

Boxford
b. City/Town

01921
c. Zip Code

Latitude and Longitude:
42.634470 N
d. Latitude

-70.984800 W
e. Longitude

Map 40
f. Assessors Map/Plat Number

Block 1, Parcel 71
g. Parcel /Lot Number

2. Applicant:

Danielle & Albert
a. First Name

Schimanski
b. Last Name

c. Organization

4 Wildmeadow Road
d. Street Address

Boxford
e. City/Town

MA
f. State

01921
g. Zip Code

617-756-0111
h. Phone Number

i. Fax Number

daniellekrystyn@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



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A. General Information (continued)

6. General Project Description:

Proposed construction of a pool and patio area, and proposed fence 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>38883</u>	<u>557</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) - 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

- 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**

- 8/2017
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*

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

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

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

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



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

- (c) MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/mesa/mesa_fee_schedule.htm). Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

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

- (d) Vegetation cover type map of site
- (e) Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following
1. Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/mesa/mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
 2. Separate MESA review ongoing. _____ a. NHESP Tracking # _____ b. Date submitted to NHESP
 3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
- a. Not applicable – project is in inland resource area only b. Yes No

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

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

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: DMF.EnvReview-South@state.ma.us

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

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



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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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Boxford

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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 - 4 Wildmeadow Road

a. Plan Title

Williams & Sparages LLC

Richard L. Williams, P.E.

b. Prepared By

c. Signed and Stamped by

September 15, 2020

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:

614

2. Municipal Check Number

9/15/2020

3. Check date

613

4. State Check Number

9/15/2020

5. Check date

Danielle

6. Payor name on check: First Name

Krystyn

7. Payor name on check: Last Name

DANIELLE N. KRYSTYN
126 CHESNUT STREET
WALTHAM, MA 02453

613

53-7054/2113
22

9.15.20

Date

Pay to the Order of Commonwealth of Massachusetts \$ 42.50
forty two and 50/100 Dollars



America's Most Convenient Bank®

For

Danielle Schimanski MP

⑆ 211370545⑆ 149030364⑆ 0613

Harland Clarke

GUARDIAN SAFETY® BLUE

DANIELLE N. KRYSTYN
126 CHESNUT STREET
WALTHAM, MA 02453

614

53-7054/2113
22

9.15.20

Date

Pay to the Order of Town of Boxford \$ 67.50
Sixty Seven and 50/100 Dollars



America's Most Convenient Bank®

For

Danielle Schimanski MP

⑆ 211370545⑆ 149030364⑆ 0614

Harland Clarke

GUARDIAN SAFETY® BLUE

DANIELLE N. KRYSTYN
126 CHESNUT STREET
WALTHAM, MA 02453

615

53-7054/2113
22

9.15.20

Date

Pay to the Order of Town of Boxford \$ 357.50
Three hundred fifty seven and 50/100 Dollars



America's Most Convenient Bank®

For

Danielle Schimanski MP

⑆ 211370545⑆ 149030364⑆ 0615

Harland Clarke

GUARDIAN SAFETY® BLUE



Massachusetts Department of Environmental Protection
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Provided by MassDEP:

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F. Signatures and Submittal Requirements

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

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

Daniel Schimanski

1. Signature of Applicant

9.15.20

2. Date

3. Signature of Property Owner (if different)

[Signature]

4. Date

9-15-2020

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

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

For MassDEP:

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

Other:

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

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



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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:

4 Wildmeadow Road	Boxford
a. Street Address	b. City/Town
613	\$42.50
c. Check number	d. Fee amount

2. Applicant Mailing Address:

Danielle & Albert	Schimanski	
a. First Name	b. Last Name	
c. Organization		
4 Wildmeadow Road		
d. Mailing Address		
Boxford	MA	01921
e. City/Town	f. State	g. Zip Code
617-756-0111	daniellekrystyn@gmail.com	
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

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

B. Fees

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

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

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

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

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

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

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

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



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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
1, a	1	\$110.00	\$110.00
Step 5/Total Project Fee:			\$110.00
Step 6/Fee Payments:			
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 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.)

Introduction:

The subject property is identified as Map 40, Block 1, Lot 71 and is otherwise known as 4 Wildmeadow Road. The lot is comprised of approximately 3.1 acres of land, and is improved by a single family home; which according to the Boxford Assessor's, was constructed in 1980, a paved driveway and detached brick garage. The property lies within the Wildmeadow subdivision, and shares a border with Holmes Pond in the center of the subdivision roadway.

According to the NRCS Web Soil Survey, soils within the upland on the subject lot are mapped as (651), Udorthents.

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 and Estimated Habitats of Rare Wildlife, nor is the property mapped as an Area of Critical Environmental Concern.

Proposed Activities:

The applicant is proposing to construct an in-ground swimming pool and aggregate patio within the 100-foot buffer zone to Bordering Vegetated Wetlands (BVW). To comply with the state building code, a 4-foot fence is also proposed around the pool patio. The fence is proposed close to the pool patio in an attempt to minimize disturbance within the buffer zone. All work is proposed within existing maintained lawn/and or landscaped areas, and no overstory trees or vegetated buffer zone is proposed to be altered. Minor grading is proposed to create a level area for the project.

In addition to the pool and patio, the homeowners are proposing to install a fence off the northern side of the home to fence in the yard area for their dogs. The fence is entirely proposed within existing lawn area, and no vegetative buffer zone area would be disturbed associated with the installation of the fence. The fence is proposed outside of the 25 foot no disturb zone.

As you are aware, the Boxford Wetlands Protection Regulations require swimming pools and swimming pool patios to be located outside of the 75 foot no build zone. The Boxford wetlands protection regulations presume that alterations closer than the required setbacks will result in alteration of the wetland resource area. Based on our knowledge of the subject property it appears that to maintain the 75 foot setback that the swimming pool and patio would need to be placed in the side/front yard. The Boxford Conservation Commission (BCC) has the discretion to allow encroachment into



the 75 foot no build zone, however, it is only in very limited circumstances. Section §375.98 of the Boxford Wetland Protection Regulations states:

This presumption 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 or a structure for seasonal use 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 or a structure for seasonal use on or before May 19, 1994, provided mitigation would be sufficient to protect resource area values, 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.

According to the Boxford Assessors Department, the existing dwelling was constructed in 1980. The location of jurisdictional wetland resource areas, property boundaries and the sanitary disposal system limit the available options that would comply with the 75-foot setback requirement. There is one spot available to the north of the existing dwelling, between the existing septic system and the dwelling; however, it would place the swimming pool in the front yard, require the removal of several mature trees and be placed in an area that would more than likely be utilized for a future sanitary disposal system area.

The location proposed is behind the existing garage in an existing maintained lawn area. The pool is proposed to be placed as close to the existing garage as the building inspector will allow, which is 10 feet. The patio has been reduced to 6-feet around the pool and the proposed filter is a non-backwash cartridge filter.

As mitigation for the encroachment into the no-build zone the applicant is proposing a 1,500 s.f. Buffer Zone Enhancement Area and to remove an existing 410 s.f. concrete pad that is within 25 feet of the BVW. The Buffer Zone Enhancement Area is proposed in a maintained lawn area that extends down to the BVW in the vicinity of wetland flags A5 - A8. Maintenance within this area shall stop and it shall be planted with the species shown on the attached permit site plan. Following the planting effort, the area shall be scarified with a steel rake and seeded with New England Wetland Seed Mix according to the manufacturer's specifications. The enhancement area will create a vegetated



buffer between the maintained lawn area and the BVW in an area that is currently maintained to the wetland edge.

The 410 s.f. concrete pad exists to the south of the home just outside of the 25' no-disturb zone. The homeowner is proposing to remove this impervious pad via the use of a mini-excavator and remove the material from the site. This buffer zone area would then be loamed, scarified using a steel rake, and then seeded with a native grass mix.

Jurisdictional Wetland Resource Areas:

Bordering Vegetated Wetlands: The Bordering Vegetated Wetlands (BVW) were delineated on the subject property by Hancock Associates in September of 2019.

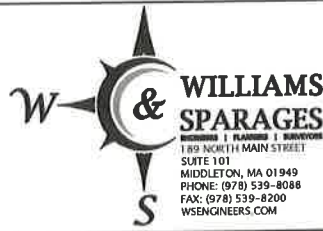
The A-Series borders on Holmes Pond that is located to the southwest of the existing dwelling and proposed pool.

No BVW is proposed to be altered as a result of this application.

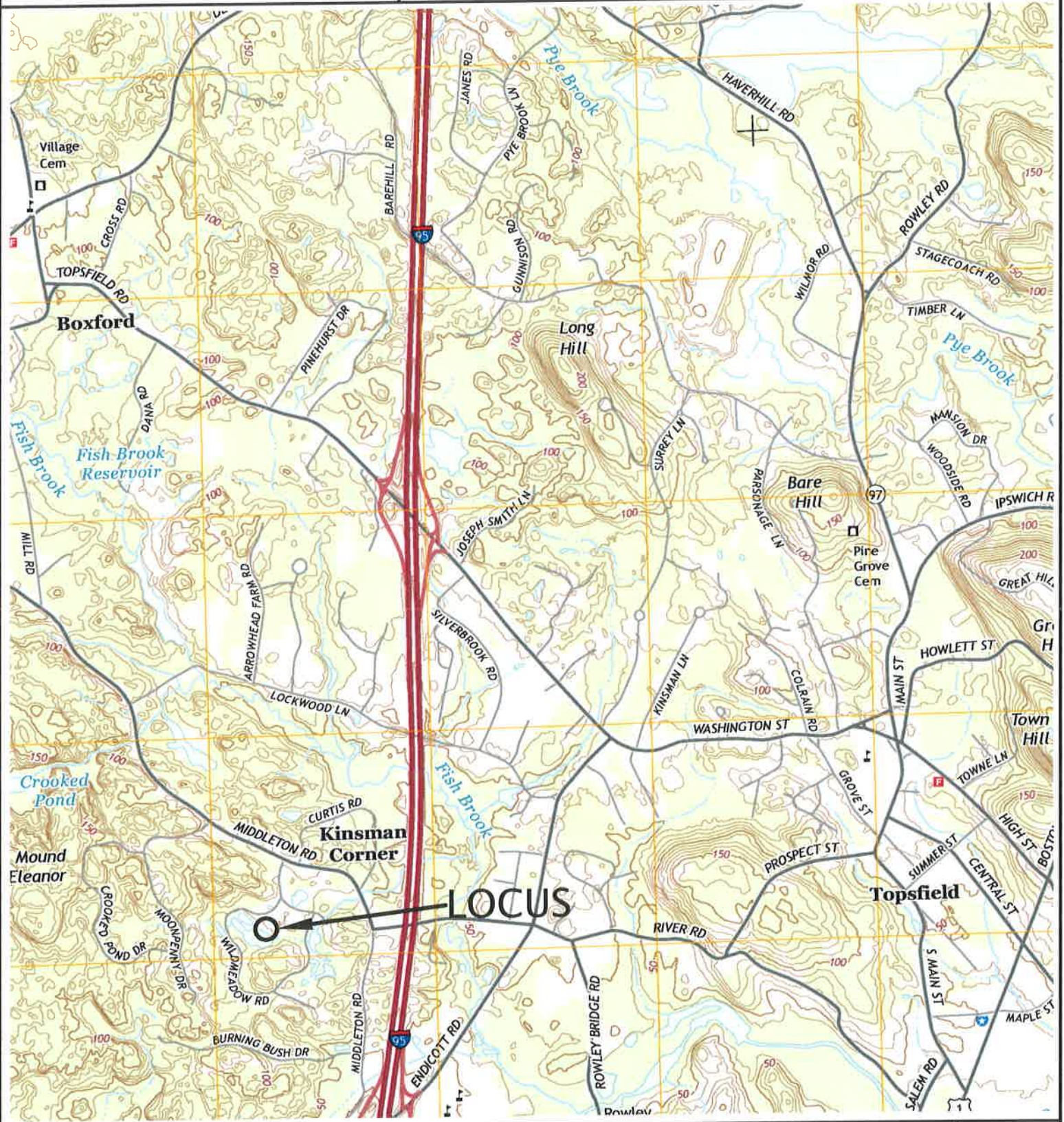
Erosion Controls:

Erosion Controls in the form of staked 12-inch mulch sock is proposed to 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.

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)

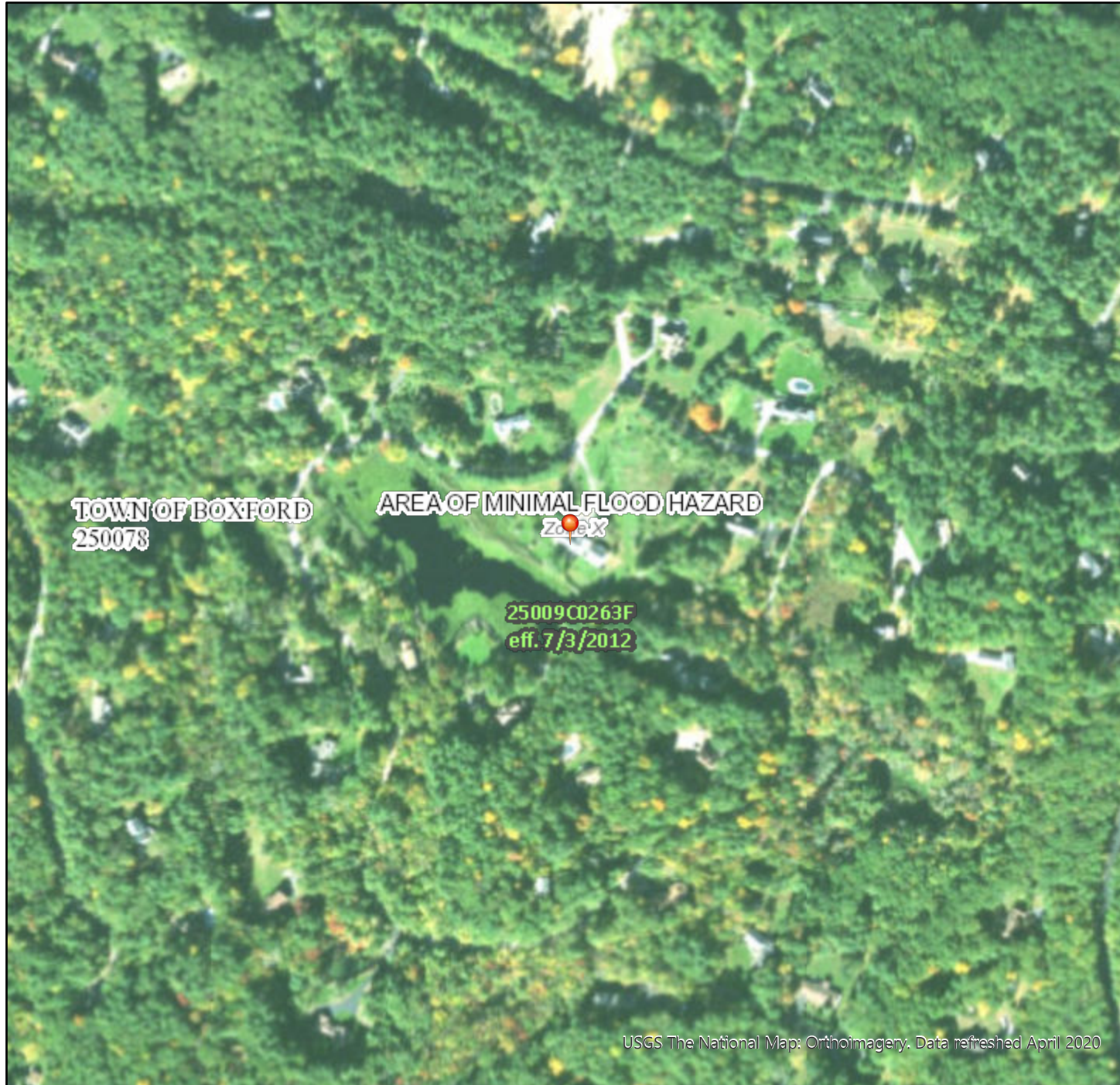
LOCUS MAP
#4 WILDMEADOW ROAD
BOXFORD, MA 01921



National Flood Hazard Layer FIRMette



70°59'24"W 42°38'17"N



USGS The National Map: Orthoimagery. Data refreshed April 2020



70°58'47"W 42°37'51"N

Legend

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

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) <i>Zone A, V, A99</i>
		With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i>
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i>
		Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i>
		Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i>
		Area with Flood Risk due to Levee <i>Zone D</i>
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i>
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard <i>Zone D</i>
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance
		17.5 Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
MAP PANELS		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Digital Data Available
		No Digital Data Available
		Unmapped

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

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **9/16/2020 at 2:33 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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

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 September 17, 2020 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
Danielle & Albert Schimanski with the Town of Boxford Conservation
Commission on September 17, 2020 for property located at 4 Wildmeadow Road
(Map 40, Block 1, Parcel 71.

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.


Name

9/17/2020
Date



TOWN OF BOXFORD**ABUTTER LIST****PARCEL # 40-01-71 - 4 WILDMEADOW ROAD INCLUDING POND ABUTTERS - CONSERVATION COMMISSION 250'**

PARCEL ID	PARCEL ADDRESS	OWNER 1	OWNER 2	MAILING ADDRESS	CITY/TOWN	STATE	ZIP CODE
40-01-38	8 HOLMES RD	ESPERON ESTER L A TE	ESPERON FRANCISCO A	8 HOLMES RD	BOXFORD	MA	01921
40-01-39	16 HOLMES RD	COLEMAN JAMES F	JEAN MICHELLE	16 HOLMES RD	BOXFORD	MA	01921
40-01-57	15 WILDMEADOW RD	JOSEPH H GREENWOOD	TRACY L GREENWOOD	15 WILDMEADOW RD	BOXFORD	MA	01921
40-01-58	13 WILDMEADOW RD	O'HARA KEVIN S TR	O'HARA SUSAN M TR	13 WILDMEADOW RD	BOXFORD	MA	01921
40-01-59	5 WILDMEADOW RD	RUSSO LUCIANO	RUSSO MARIA C	4 HELEN DRIVE	PEABODY	MA	01960
40-01-61	7 HOLMES RD	SMITH ROBERT J	ROSELAND MARIANNE	7 HOLMES RD	BOXFORD	MA	01921
40-01-62	72 WILDMEADOW RD	SAVASTA JOSEPH A JR TE	SAVASTA JUDY L	72 WILDMEADOW RD	BOXFORD	MA	01921
40-01-63	66 WILDMEADOW RD	PAPPALARDO CHARLES E	PAPPALARDO DIANNE	66 WILDMEADOW RD	BOXFORD	MA	01921
40-01-64	60 WILDMEADOW RD	BELL TRISHA M		60 WILDMEADOW RD	BOXFORD	MA	01921
40-01-65	56 WILDMEADOW RD	PICARIELLO DANIEL		56 WILDMEADOW RD	BOXFORD	MA	01921
40-01-67	34 WILDMEADOW RD	ALAM MOHAMMAD	ALAM NARGIS	34 WILDMEADOW RD	BOXFORD	MA	01921
40-01-68	34 WILDMEADOW RD	ALAM MOHAMMED	ALAM NARGIS	34 WILDMEADOW RD	BOXFORD	MA	01921
40-01-69	26 WILDMEADOW RD	GOLAR MARY M TR	18 WILDMEADOW RD TR	26 WILDMEADOW RD	BOXFORD	MA	01921
40-01-70	HOLMES RD	TOWN OF BOXFORD		7A SPOFFORD RD	BOXFORD	MA	01921
40-01-71	4 WILDMEADOW RD	DEAMBROSE KEITH P	DEAMBROSE KELLIE L	10 NELSON WAY	WILMINGTON	MA	01887
40-01-72	HOLMES RD	DEAMBROSE KEITH P	DEAMBROSE KELLIE L	10 NELSON WAY	WILMINGTON	MA	01887

CERTIFIED COPY**September 14, 2020**

Boxford Conservation Commission
Application Checklist-Notice of Intent (NOI)

This checklist is designed to assist the applicant in preparing a complete Notice of Intent application. One completed copy of the checklist should be submitted with the application. One (1) original and (7) copies of the NOI forms, plans and appurtenant data listed below are required to be submitted for a complete application

The following are required as part of a complete NOI application and are attached:

- Attached** Completed Notice of Intent form (available from the Conservation Office or at <http://www.mass.gov/dep/appkits/wpaform3.pdf>). (Note: A copy of a complete NOI must also be mailed to the MassDEP NERO, 205B Lowell Street, Wilmington, MA 01887.)

- Attached** Site Plan. See next page for required elements of plan.

- Attached** List of abutters within 250’ of the project parcel(s) (and all pond abutters if applicable), prepared and certified by the Town Assessor’s Office. (Note: A notice of public hearing will be prepared by the Conservation office and provided to the applicant when the application is submitted. At the public hearing, the applicant must provide evidence that the notice was mailed to each of the persons on the certified abutters list.)

- Attached** A copy of a check made out in the correct amount to the Department of Environmental Protection and a copy of a completed State Wetlands Fee Transmittal Form. (Note: the applicant is responsible for mailing this check along with a completed State Wetlands Fee Transmittal Form to the DEP “Lockbox” at Box 4062, Boston MA 02211.)

- Attached** A check for local filing fees made out in the correct amount to the “Town of Boxford”.

- Attached** **N/A** Proof of mailing or proof of hand delivery to the Natural Heritage and Endangered Species Program, if applicable.

- Attached** **N/A** Evidence that all other Boxford Bylaw permit applications relevant to the project have been filed, if applicable (e.g., Board of Health, Zoning Board of Appeals). Please list all other Bylaw permit filings:
_____.

The following must be shown on the site plan attached to the application:

- Shown** All appropriate plan requirements listed in Section 375-5(A)(1)(b) of the Town of Boxford Wetland Protection Bylaw Regulations.
- Shown** The signature and stamp of a Registered Professional Land Surveyor, Registered Sanitarian, or Registered Professional Engineer, and the identity of the firm/person that delineated the wetland resource area..
- Shown** Boundaries of all wetland resource areas (e.g., bordering vegetated wetland, bordering land subject to flooding). All demarcation flags must be located by survey in the field and shown on the plan.
- Shown** All wetland resource area setback lines (e.g., 100' Limit of Jurisdiction, 200' Riverfront, 25' No Disturb, 75' No Build).
- Shown** Existing contour information and proposed grading.
- Shown** Existing site conditions and proposed changes including structures, pavement, landscaping, underground utilities and building overhangs. (Note: it may be necessary to show areas outside of the limits of jurisdictional wetland area in order to provide adequate information for the Commission to properly review the project.)
- Shown** All erosion / sedimentation control measures.
- Shown** Pre- and post-development overstory tree line within jurisdictional area, and a calculation of the percent removal of overstory trees within the “discretionary cutting area” (see Section 375-4(A) and Section 375-98(D) (2) of the Boxford Wetlands Protection Regulations).

Applications subject to the DEP Stormwater Management Policy must include the following: *(The plan and supporting documentation must also be mailed to the DEP Northeast Office and the Boxford DPW)*

- Attached** Completed DEP Stormwater Management Form.
- Attached** Stormwater & flood calculations using the Cornell Atlas rainfall estimates, prepared by a Professional Engineer.
- Attached** Operations and Maintenance Plan.
- Attached** A stormwater management plan showing stormwater management features highlighted in separate colors, per section 375-5(A)(1)(d) of the Boxford Wetlands Protection Bylaw Regulations.