



TOWN OF BOXBOROUGH NOTICE OF PUBLIC MEETING

BOARD/COMMITTEE: Conservation Commission

MEETING DATE: August 5, 2020

TIME: 7:30 PM

PLACE: Remote Meeting pursuant to Current Executive Order of March 12, 2020.
See instructions below.

All participants must identify themselves when speaking. All votes to be by rollcall.

7:30 TOPICS EXPECTED TO BE DISCUSSED (AGENDA):

Review Minutes and Correspondence New Business

For review and approval:

Minutes: July 15, 2020

Docs: Places Invoice \$1, 080.00 (100 Codman Hill Rd)

MACC Dues Invoice \$645.00

Certificate of Compliance 113-508 430 Depot Rd (Reip)

Committee Reports:

Chairman's Reports (Reip)

199 Middle Road

293 & 313 Massachusetts Avenue

498 Stow Road

Boxborough Conservation Trust (Koonce)

Best Meeting Practices (Reip / Nadwairski)

Community Preservation Committee (Reip)

Land Stewardship Committee (Hanover)

Water Resources Committee (Schmitt)

8:00 Hearing Notice of Intent 1172 Hill Road 113-562 (Hanover)

8:15 Hearing Request for Determination of Applicability 218 Liberty Sq Rd (Reip)

Discussion as time allows: Chapter 61 Land Use
Commission Study Topics

Ongoing: Panek Trail Signs

199 Middle Road Complaint

1102 Massachusetts Ave. EO

Calendar:

Aug. 19, 2020 8:00 PM RDA Hearing MBTA Right-of-Way

Sept. 2, 2020

Correspondence:

Join Zoom Meeting

<https://us02web.zoom.us/j/81653774050>

Meeting ID: 816 5377 4050

One tap mobile

+19292056099,,81653774050# US (New York)

+13017158592,,81653774050# US (Germantown)

Dial by your location

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 816 5377 4050

Find your local number: <https://us02web.zoom.us/u/kr0M1fSDG>



TOWN OF BOXBOROUGH NOTICE OF PUBLIC MEETING Meeting Minutes

Conservation Commission
July 15, 2020
7:30 PM
Zoom

Approved:

Members Present: Dennis Reip (Chair), Dave Follett, Norm Hanover, Steve Schmitt, and Hoff Stuart

Members Absent: David Koonce

At 8:01 PM, Dennis called the meeting to order and noted this meeting is being conducted via Remote Participation, pursuant to Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of COVID-19 a.k.a. the Coronavirus.

Motion was made by Dennis, seconded by Norm and voted unanimously by roll call to approve the minutes of July 1, 2020. Reip yes; Follett yes; Hanover yes; Schmitt yes; Stuart yes.

Norm reported on his site visit at 1120 Massachusetts Avenue, the National Testing Services location. Motion was made by Norm, seconded by Hoff and voted unanimously by roll call to issue the Certificate of Compliance 113-538. Reip yes; Follett yes; Hanover yes; Schmitt yes; Stuart yes.

Dennis reviewed correspondence.

From Anne McNeece, Library Board of Trustees, email regarding a "little library" at Flerra Meadows. The Commission had no objection to installing a "little library" at Flerra Meadows and recommended it be located somewhere near the end of the road as suggested. They also recommend communicating with the RecCom and DPW to be sure it will not be in conflict with any of their interests since RecCom manages the 5 acre "active recreation" area which overlaps with the area near the playground and DPW mows and needs access for maintenance.

Motion was made by Dennis, seconded by Hoff and voted unanimously by roll call to allow the little library at the end of the road at Flerra Meadows.

Reip yes; Follett yes; Hanover yes; Schmitt yes; Stuart yes.

From Mark Johnson, email concerning trails at Heath Hen Meadows.
Dennis will reply.

8:00 Public Hearing Request for Determination of Applicability (RDA)

Hoff Stuart lead reviewer

The property is located at 100 Codman Hill Road Assessor's Map 11-035-000

The property is owned by French Brothers Boxborough LLC.
The RDA was filed by Michael French
Present by Zoom for the hearing: Paul Kirchner, Michael French, and Frank French

Paul Kirchner, Stamski & McNary, for the applicant, presented the RDA and site plan proposing the addition of a building with impervious driveway and parking. This plan would expand the area of disturbance.

Hoff reviewed the Places Associates peer review report and plan. The Commission decided a Notice of Intent is required. They discussed the previous Enforcement Order at the site and noted it would no longer apply if the NOI is submitted in a timely manner.

Motion was made by Dennis, seconded by Hoff and voted unanimously by roll call to close the hearing. Reip yes; Follett yes; Hanover yes; Schmitt yes; Stuart yes.

Motion was made by Dennis, seconded by Norm and voted unanimously by roll call to issue a positive DoA as discussed. Reip yes; Follett yes; Hanover yes; Schmitt yes; Stuart yes.

Discussion: 199 Middle Road

Dennis reviewed the issues at this location and the email from Bentley Herget, Building Inspector, summarizing his site visit. There appears to be a violation of the Wetland Bylaw since there is a structure in the buffer zone. An Enforcement Order will be drafted.

Motion was made by Dennis, seconded by Hoff and voted unanimously by roll call with Follett recused to remove all structures from the buffer zone or file a Notice of Intent.
Reip yes; Hanover yes; Schmitt yes; Stuart yes.

New Business

The Commission discussed a tree house located on the Flagg Hill trail. This is not permitted. No action will be taken at this time.

David Follett noted increased horse activity at Steele farm and some downed trees.

David Follett noted downed trees from the recent storm on the "s" curve on Rt. 111 and possible land clearing in the same area.

At 9:42 PM, motion was made by Norm, seconded by Hoff and voted unanimously by roll call to adjourn. Reip yes; Follett yes; Hanover yes; Schmitt yes; Stuart yes.

Documents used during this meeting:

Agenda

Draft Minutes July 1, 2020

Correspondence

100 Codman hill Road RDA and plan

100 Codman Road Places Assoc peer review and plan

100 Codman Draft DoA

1120 Mass Ave Certificate of Compliance.



PLACES Associates, Inc.

256 Great Road, Suite 4
Littleton, MA 01460

INVOICE

BILL TO

Mary Nadwairski
Town of Boxborough CC
29 Middle Rd.
Boxborough, MA 01719

PROJECT NAME: Boxboro CC 100 Codman

INVOICE NUMBER	INVOICE DATE	PAYMENT DUE DATE	OUR PROJECT NO.	BALANCE DUE
5465.01	Jul 21, 2020	Aug 20, 2020	5465	\$1,080.00

Basic Services

Date	Employee	Phase	Description	Hrs	Rate	Extension
<i>Field</i>						
7/8/2020	WEM	Project Peer Review	Site walk to review wet line and vernal pools	2.25	\$150.00	\$337.50
				Field Total:	2.25	\$337.50
<i>Office</i>						
7/7/2020	WEM	Project Peer Review	GIS Review	0.50	\$135.00	\$67.50
7/8/2020	WEM	Project Peer Review	Review River Regulations	0.50	\$135.00	\$67.50
7/8/2020	WEM	Project Peer Review	Initiate Peer Review Ltr.	0.75	\$135.00	\$101.25
7/9/2020	JB	Project Peer Review	plan review	1.00	\$135.00	\$135.00
7/10/2020	WEM	Project Peer Review	Finalize and Issue Review Letter	2.25	\$135.00	\$303.75
7/10/2020	JB	Project Peer Review	Proof Review Letter	0.50	\$135.00	\$67.50
				Office Total:	5.50	\$742.50
				Basic Services Sub Total:	7.75	\$1,080.00

Invoice Total: \$1,080.00

Please make payments to Places Associates, Inc.. Late payments are subject to penalty fees.

Massachusetts Association of Conservation Commissions

10 Juniper Road
Belmont, MA 02478

MACC ANNUAL DUES Fiscal Year 2021

Date	Invoice #
7/1/2020	FY210038

Boxborough Conservation Commission
29 Middle Rd.
Boxborough, MA 01719

Description	Amount
<p>MACC Dues for Fiscal Year July 1, 2020 to June 30, 2021.</p> <p>Please pay upon receipt.</p> <p>The invoiced amount provides MACC membership for all voting conservation commissioners, including those commissioners who join the commission during the year. It does not include MACC Membership for associate commissioners or commission staff.</p> <p>You may add MACC membership for associate commissioners and commission staff at \$60 per person. Those memberships are transferable if staff or associate membership changes during the year.</p> <p>Conservation commission dues are based on a formula derived from your municipality's median family income and population. Dues are unrelated to the number of commissioners.</p> <p>Membership benefits will be suspended if payment is not made by September 30th, membership will be reinstated when dues are paid.</p> <p>Thank You!</p>	585.00
	Subtotal \$585.00
<p>ADD \$60 FOR EACH ADDITIONAL PERSON (ASSOCIATE COMMISSIONERS & STAFF)</p>	<p>Amount for additional Memberships</p> <p style="font-size: 2em; color: gray;">60.00</p>
<p>ADD \$15 FOR EACH E-HANDBOOK SUBSCRIPTION Please notify staff@maccweb.org of subscribers' names and email addresses.</p>	<p>Subscription Amount</p> <p style="font-size: 2em; color: gray;">\$ 645.00</p>
	Total



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 8B – Certificate of Compliance
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
and the Boxborough Wetland Bylaw

DEP File Number:

113-508

Provided by DEP

A. Project Information

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



1. This Certificate of Compliance is issued to:

Gould Law Offices

Name

311 Great Road

Mailing Address

Littleton

City/Town

MA

State

01460

Zip Code

2. This Certificate of Compliance is issued for work regulated by a final Order of Conditions or Order of Resource Area Delineation issued to:

Mark Gundersen

Name

March 15, 2013

Dated

113-508

DEP File Number

3. The project site is located at:

430 Depot Road (fka "Lot 3")

Street Address

Boxborough

City/Town

05-073-000 (fka 12-6-171-2.0)

Assessors Map/Plat Number

Parcel/Lot Number

The final Order of Conditions or Order of Resource Area Delineation was recorded at the Registry of Deeds for:

Leslie Gundersen

Property Owner (if different)

Middlesex South

County

0141166

Book

Page

Certificate

4. A site inspection was made in the presence of the applicant, or the applicant's agent, on:

July 21, 2020

Date

B. Certification

Check all that apply:

- Complete Certification:** It is hereby certified that the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 8B – Certificate of Compliance

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

DEP File Number:

113-508

Provided by DEP

B. Certification (cont.)

- Partial Certification:** It is hereby certified that only the following portions of work regulated by the above-referenced Order of Conditions have been satisfactorily completed. The project areas or work subject to this partial certification that have been completed and are released from this Order are:

- Invalid Order of Conditions:** It is hereby certified that the work regulated by the above-referenced Order of Conditions never commenced. The Order of Conditions has lapsed and is therefore no longer valid. No future work subject to regulation under the Wetlands Protection Act may commence without filing a new Notice of Intent and receiving a new Order of Conditions.

- Ongoing Conditions:** The following conditions of the Order shall continue: (Include any conditions contained in the Final Order, such as maintenance or monitoring, that should continue for a longer period).

Condition Numbers:

Attached Perpetual Conditions

- Order of Resource Area Delineation:** It is hereby certified that the wetland resource area delineation for the above-referenced Order of Conditions has been satisfactorily completed

C. Authorization

Issued by:

Boxborough
Conservation Commission

August 5, 2020
Date of Issuance

This Certificate must be signed by a majority of the Conservation Commission and a copy sent to the applicant and appropriate DEP Regional Office (See <https://www.mass.gov/service-details/massdep-regional-offices-by-community>).

Boxborough Conservation Commission DEP File #113-508
Property Location: 430 Depot Rd "Lot 3"
Map 12, Block 6, Parcel 171-2.0

Perpetual Conditions

54. No further permanent structure of any kind shall ever be permitted within the 100-foot wetland buffer zone. No additional alterations of any kind within the wetlands and the buffer zone will be permitted without prior approval of the Conservation Commission.
55. No de-icing chemicals shall be used where runoff / drainage will discharge into the wetlands. This condition shall remain in perpetuity and shall be recorded as such on the Certificate of Compliance. No de-icing chemicals shall be used on any walk, drive, parking lot or private road except during severe ice storm. Any arrangement for snow removal shall so stipulate.
56. Dumping of lawn clippings, other plantings, and used Christmas trees shall not be permitted in the ALRA. It is the property owners' responsibility to inform lawn service providers.
57. No herbicides or pesticides shall be used on this site within the 100-foot wetland buffer zone. This condition shall remain in force permanently and shall be recorded as such on the Certificate of Compliance.
58. Fertilization and liming of soils on this site shall not take place within the 100-foot wetland buffer zone.
59. There shall be no storage of chemicals, oil, fuel, fertilizers or other potentially hazardous material within the wetlands or within the 100-foot wetland buffer zone.
60. The maintenance or repair of the run off swale and drainage system shall be the responsibility of the property owner.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 8B – Certificate of Compliance
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

113-508

Provided by DEP

C. Authorization (cont.)

Signatures:

Signature

Printed Name

HANCOCK ASSOCIATES

Surveyors | Engineers | Scientists

June 30, 2020

Town of Boxborough
Conservation Commission
25 Middle Road
Boxborough, MA 01719

RE: 1172 Hill Road, Boxborough, MA – Notice of Intent (NOI) Submission

Dear Members of the Conservation Commission,

On behalf of FTB Homes, LLC (Applicant), Hancock Associates hereby submits this Notice of Intent (NOI) under the Massachusetts Wetlands Protection Act (WPA) and associated Regulations for construction of a single-family home and supporting infrastructure on a proposed individual parcel of land located at 1172 Hill Road in Boxborough, MA (identified as Map 4 / Lot 92 on Town of Boxborough Assessors Maps). Portions of proposed alterations are located within the 100' buffer zone to wetland resource areas (Adjacent Land Resource Area).

The following narrative and associated Existing Conditions Plan provides detail on the characterization of jurisdictional wetland resource areas under the Massachusetts Wetlands Protections Act (WPA) and the Town of Boxborough Wetland Bylaw.

EXISTING CONDITIONS

The property is approximately 491,434 ±SF (11.28±Ac.) located off Hill Road to the West of Leonard Lane and is located under the zoning designation Agricultural residential (AR). Agricultural/Residential (AR). The site is abutted by mainly residential properties located to the South, East and West, with Town of Boxborough conservation land located to the north of the property. Site topography is moderately sloped, with a high point at the intersection of our property and Hill Road sloping downwards towards the north where a Bordering Vegetated Wetland exists. Then the slope climbs back up to another highpoint in the Eastern portion of the property, about 500' from Hill Road, and slopes downward to the Northern property line at the rear of the property. The site is undeveloped and ground cover is mainly woodlands with small patches of grass at few portions of the site. The property is not shown within a floodplain district on FEMA map 25017C0219F dated July 7, 2014. The existing soil conditions consist of Class C soils that was determined using an NRCS Soil Map of the property. Soil testing was performed on September 6, 2019 at various areas around the site that revealed primarily Sandy soils. An on the ground survey was performed by Hancock Associates in November of 2019 to show existing topography and location of the Bordering Vegetated Wetlands located in the

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Northern and Southern portion of the property. An Abbreviated Notice of Resource Area Delineation (ANRAD) was filed and an ORAD is subsequently issued.

PROPOSED ACTIVITIES

The enclosed Notice of Intent is for the construction of a driveway to provide access to a proposed single-family home and its supporting infrastructure located on the portion of the site. The single-family home and its supporting infrastructure, excluding the driveway, will conform to all applicable Zoning Regulations and the Town of Boxborough Wetland Bylaw that allow this type of project.

This project is eligible to be treated as a limited project subject to the provisions set forth in 310 CMR 10.53.3(e) as it is the construction of driveway from a public way to provide access to a single-family home and is the only alternative viable. The only point of access into the site is via a 50' strip of frontage the property has on Hill Road and is where the point of egress is to the single-family home. There is a 50' wide easement shown on the plan filed with the ANRAD for this property titled, "ANRAD Plan of Land in Boxborough, Massachusetts" dated 11/12/2019 by Hancock Associates, along the western property line but we have received confirmation by the applicant's attorney that we have no rights to use that easement as a means of access due to an issue of an unclear title.

The proposed activity involves site grading for the purpose of construction of a 14' wide, 800' long proposed paved driveway within the Adjacent Land Resource Area (100' Buffer Zone). A 14' wide driveway, versus a smaller width more suitable for a single-family home, is needed to provide adequate access to emergency vehicles. Additionally, a turnaround is provided within 100' of the proposed single-family home for their use in maneuvering in and out of the property. Through the use of maximum driveway slopes and retaining walls the impact in the 100' Buffer Zone is minimized. The limit of work will be held alongside the existing tree line and limit of grading. Silt fence and straw waddles are proposed along the limit of work to prevent sediment from accumulating in the wetlands.

This project is the construction of a single family home and is exempt from Massachusetts Stormwater Standards. Existing conditions show stormwater on-site discharging to two analysis points, the northern wetland and southern wetland. Stormwater management practices to attenuate runoff include the construction of an infiltration trench, grassed drainage swales, and two infiltration basins. Runoff generated by the access driveway from the point of egress at Hill Road to the turnaround is to be collected in a 650' long, 2'x2' stone infiltration trench that is routed into the southerly infiltration basin shown on the plan set. Stone check dams are spaced 25' apart are placed along the length of the infiltration trench. There is an area drain located at the low point of the infiltration trench that will collect surface runoff and discharge into the

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southerly infiltration basin. The southerly infiltration basin is 2' deep and discharges the collected stormwater via an overflow weir which eventually directs stormwater to the southern wetland. To attenuate runoff generated by the single family home, two drainage swales will collect stormwater and direct them to the northerly infiltration basin. Stone check dams are spaced 25' apart are placed along the length of the swales at varying intervals dependent on the slope. The southerly infiltration basin is 2' deep and discharges the collected stormwater via an overflow weir which eventually directs stormwater to the northern wetland.

CONSTRUCTION BEST MANAGEMENT PRACTICES

Best management practices (BMP) for erosion and sedimentation control are staked straw bales, filter fences, fiber rolls or similar treatment, and hydro seeding. Many stormwater BMP technologies (e.g., infiltration technologies) are not designed to handle the high concentrations of sediments typically found in construction runoff and must be protected from construction-related sediment loadings. Construction BMP's must be maintained.

In developing the proposed project certain measures will be implemented to minimize impacts erosion and sedimentation could have on surrounding areas. This section addresses items that involve proper construction techniques, close surveillance of workmanship, and immediate response to emergency situations. The developer must be prepared to provide whatever reasonable measures are necessary to protect the environment during construction and to stabilize all disturbed areas as soon as construction ends.

Pre-Construction

1. Prior to clearing, excavation, construction, or any land disturbing activity requiring a permit, the applicant, the applicant's technical representative, the general contractor, pertinent subcontractors, and any person with authority to make changes to the project, shall meet with the Town's designated Agent and to review the permitted plans and proposed implementation.
2. The contractor shall have a stockpile of materials required to control erosion on-site to be used to supplement or repair erosion control devices. These materials shall include, but are not limited to; silt fence and/or straw wattle, crushed stone.
3. The contractor is responsible for erosion control on site and shall utilize erosion control measures where needed, regardless of whether the measures are specified on the plan or in the order of conditions.

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Preliminary Site Work

1. Materials such as gravel to be removed should be stockpiled, separating the topsoil for future use on the site. Erosion control shall be utilized along the down slope side of the piles if the piles are to remain for more than three weeks.
2. If intense rainfall is anticipated, the installation of supplemental straw bale dikes, silt fences, or armored dikes shall be considered.

Landscaping

1. Landscaping shall occur as soon as possible to provide permanent stabilization of disturbed surfaces.
2. If the season or adverse weather conditions do not allow the establishment of vegetation, temporary mulching with straw, wood chips weighted with snow fence or branches, or other methods shall be provided.
3. A minimum of 4 inches of topsoil shall be placed and its surface smoothed to the specified grades.
4. The use of herbicides is strongly discouraged.
5. Hydro seeding is encouraged for steep slopes. Application rates on slopes greater than 3:1 shall have a minimum seeding rate of 5-lbs/1000 SF. A latex or fiber tackifier shall be used on these slopes at a minimum rate of 50 lbs. of tackifier per 500 gallons of water used.

Restoration

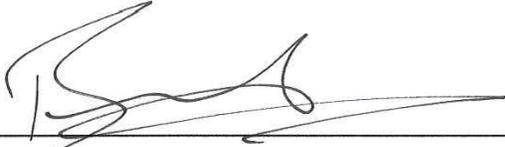
All disturbed areas will be restored and stabilized to the greatest extent practicable following completion of construction in individual areas. All construction materials will be removed from the lot upon completion of construction. All temporary sediment controls will be removed upon achievement of final stabilization.

The accompanying plans and supporting documentation contain information for the Board's review. We respectfully request to be added to the next scheduled public hearing and look forward to discussing this matter further with the board. Please do not hesitate to contact our office should you have any questions or need additional information.

HANCOCK ASSOCIATES

Surveyors | Engineers | Scientists

Respectfully,
Hancock Associates on behalf of FTB Homes, LLC



Brian Geaudreau, P.E.
Project Manager



Russell Tedford, E.I.T.
Staff Engineer

cc: MassDEP Central Regional Office

Attachments:

A – WPA Form 3

B – Figures

- USGS Locus Map
- FEMA FIRM
- NRCS Soils Map

C – Abutter Notification

D – Filing Fees

E – NOI Site Plan

Attachment A WPA Form 3



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
Boxborough
City/Town

A. General Information (continued)

6. General Project Description:
Construction of a Single-Family Home, driveway, and septic system

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:
Middlesex South Distrcit

a. County

70752

c. Book

b. Certificate # (if registered land)

594

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.



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

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Boxborough
City/Town

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.



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
Boxborough
City/Town

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.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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

	Size of Proposed Alteration	Proposed Replacement (if any)
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
-----------------------------------	---



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

Boxborough

City/Town

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**

- 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 <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.



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
Boxborough
City/Town

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

(c) MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhesp/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/nhesp/regulatory_review/mesa/mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

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

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

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

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

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

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

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

North Shore - Hull to New Hampshire border:

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

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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

Boxborough

City/Town

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

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

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

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

D. Additional Information

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

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

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

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
Boxborough
City/Town

D. Additional Information (cont'd)

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

4. List the titles and dates for all plans and other materials submitted with this NOI.
Notice of Intent Site Plan

a. Plan Title	Hancock Associates	Brian Geaudreau, P.E.
b. Prepared By		c. Signed and Stamped by 1"=30'
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:

2513	6/15/2020
2. Municipal Check Number	3. Check date
2515	6/15/2020
4. State Check Number	5. Check date
Rick	Ogilvie
6. Payor name on check: First Name	7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Boxborough

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.

Ralph Ogilvie dotloop verified
06/11/20 6:32 AM EDT
RGSQ-TXRZ-DZGF-KJZS

1. Signature of Applicant

06/10/2020

2. Date

Susan deGrandpre, PR of the Estate of M. Hugel dotloop verified
06/11/20 10:34 AM EDT
BBHN-RBG6-JM8T-SRQZ

3. Signature of Property Owner (if different)

06/10/2020

4. Date

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

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

For MassDEP:

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

Other:

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

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



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:

1172 Hill Road Boxborough
 a. Street Address b. City/Town
 \$500.00
 c. Check number d. Fee amount

2. Applicant Mailing Address:

Rick Ogilvie
 a. First Name b. Last Name
 FTB Homes, LLC
 c. Organization
 PO Box 216
 d. Mailing Address
Littleton MA 01460
 e. City/Town f. State g. Zip Code
 (978) 501-2904
 h. Phone Number i. Fax Number j. Email Address

3. Property Owner (if different):

Kathleen Vorce
 a. First Name b. Last Name
 Estate of Hugle Margurite
 c. Organization
 PO Box 554
 d. Mailing Address
Acton MA 01720
 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.



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

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Constuction of a Single-Family Home	1	\$500.00	\$500.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Step 5/Total Project Fee:			_____
Step 6/Fee Payments:			
Total Project Fee:			\$500.00
State share of filing Fee:			a. Total Fee from Step 5 \$237.50
City/Town share of filing Fee:			b. 1/2 Total Fee less \$12.50 \$262.50
			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.)

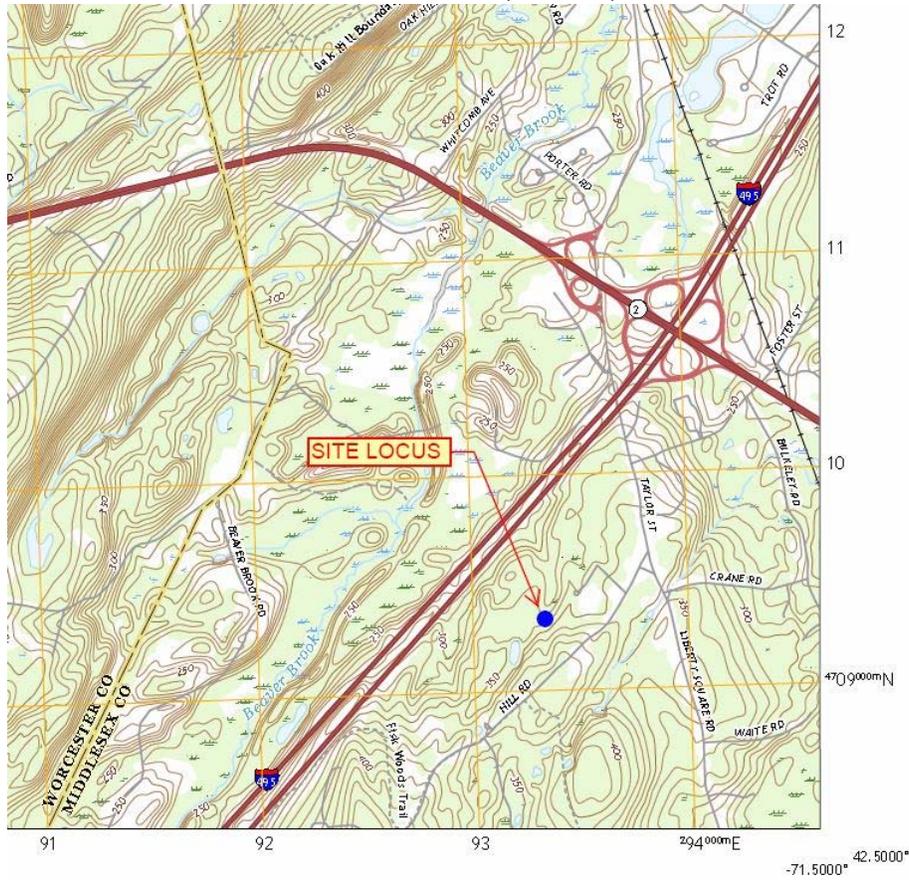
Attachment B Figures

HANCOCK ASSOCIATES

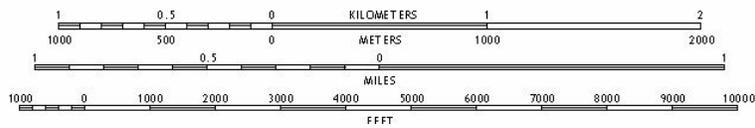
Surveyors | Engineers | Scientists

USGS Locus Map

1172 & 1178 Hill Road, Boxboro, MA



SCALE 1:24 000



QUADRANGLE LOCATION



ADJOINING QUADRANGLES

- 1 Townsend
- 2 Pepperell
- 3 Nashua South
- 4 Shirley
- 5 Westford
- 6 Clinton
- 7 Hudson
- 8 Maynard

ROAD CLASSIFICATION

- Expressway
- Secondary Hwy
- Ramp
- Interstate Route
- Local Connector
- Local Road
- 4WD
- US Route
- State Route

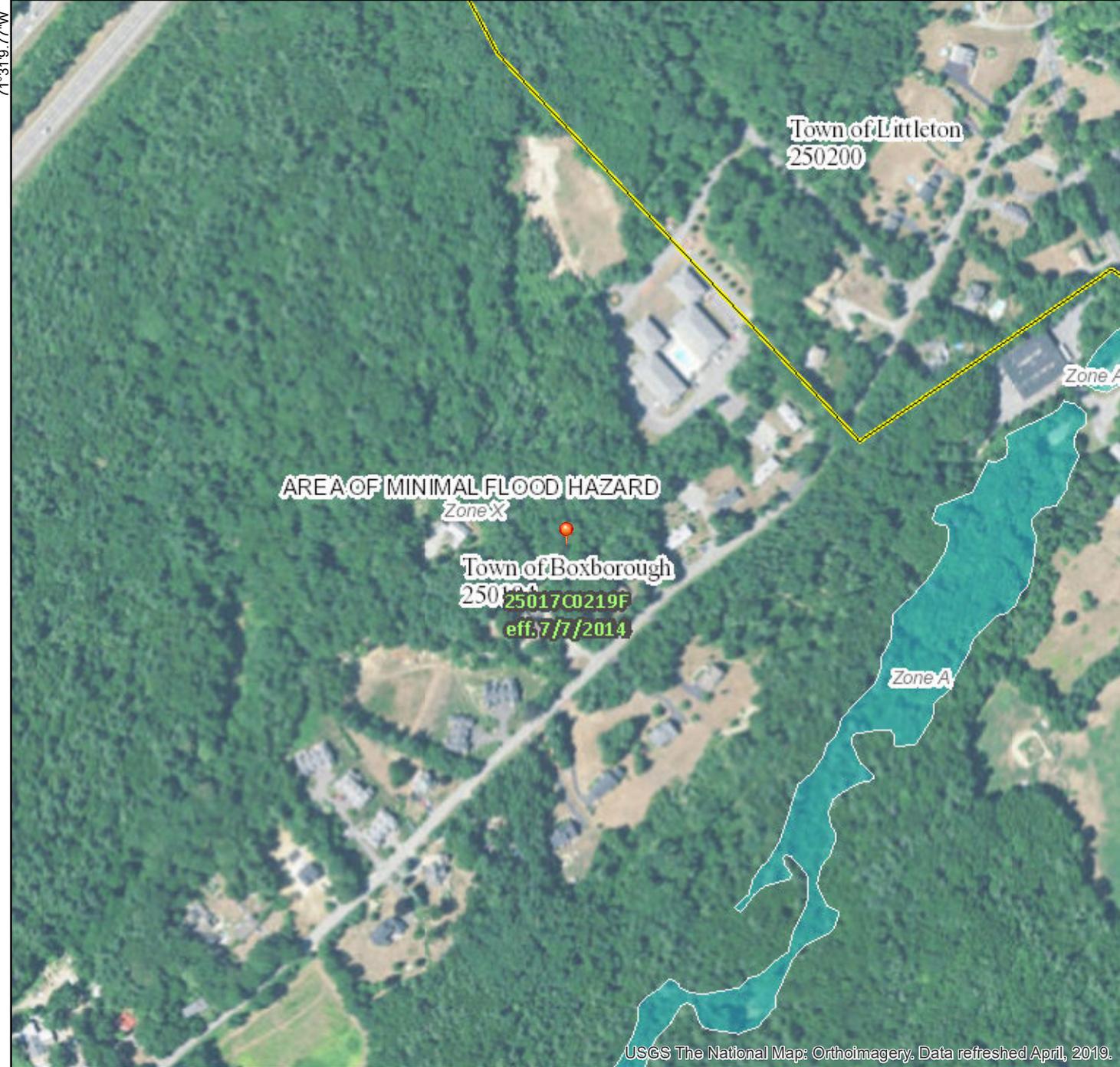
AYER, MA

2018

National Flood Hazard Layer FIRMette



42°30'42.87"N



Legend

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

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		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 Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		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 **11/24/2019 at 7:31:21 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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

USGS The National Map: Orthoimagery. Data refreshed April, 2019.

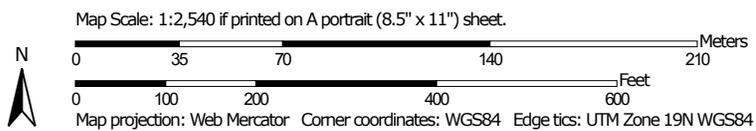
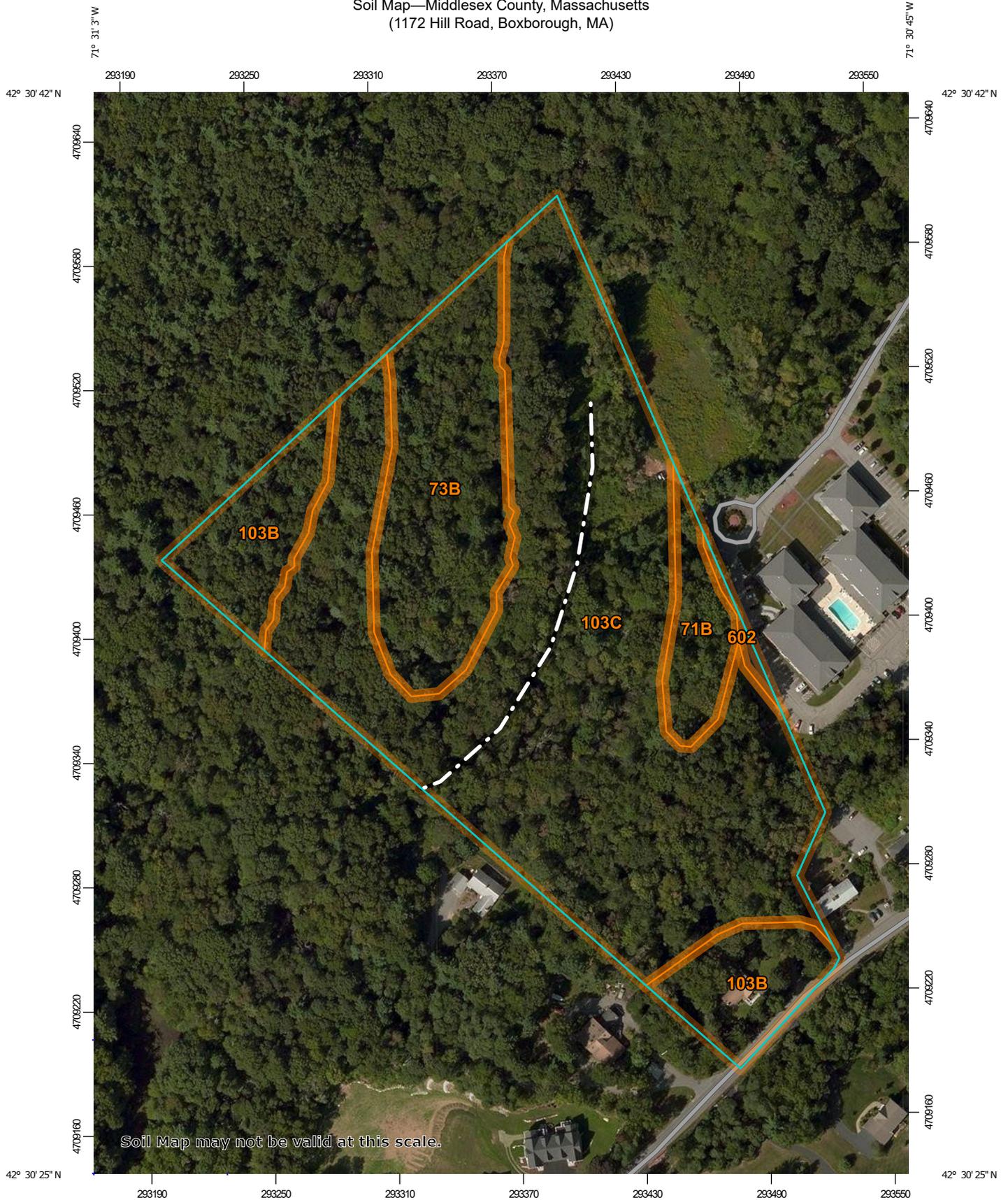
0 250 500 1,000 1,500 2,000 Feet

1:6,000

42°30'16.35"N



Soil Map—Middlesex County, Massachusetts
(1172 Hill Road, Boxborough, MA)



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:25,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Middlesex County, Massachusetts
Survey Area Data: Version 19, Sep 12, 2019

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 12, 2014—Sep 28, 2014

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
71B	Ridgebury fine sandy loam, 3 to 8 percent slopes, extremely stony	0.7	4.4%
73B	Whitman fine sandy loam, 0 to 3 percent slopes, extremely stony	2.6	16.8%
103B	Charlton-Hollis-Rock outcrop complex, 3 to 8 percent slopes	1.9	12.2%
103C	Charlton-Hollis-Rock outcrop complex, 8 to 15 percent slopes	10.4	66.1%
602	Urban land	0.1	0.5%
Totals for Area of Interest		15.8	100.0%



Boxborough Conservation Commission
29 Middle Road, Boxborough, Massachusetts 01719
Phone: 978.264.1722
www.boxborough-ma.gov

Boxborough Wetland & Adjacent Land Resource Area Fee Calculation Worksheet Definitions and Instructions

General Instructions:

- Please read all documentation thoroughly.
- Use these definitions and instructions with the Fee Calculation Worksheet.
- Numbers below refer to numbered items on Fee Calculation Worksheet.
- Fill in all applicable fee lines on the Fee Calculation Worksheet, total on line 18, and submit the worksheet with the filing.
- Permit Fees must be paid at the time of application and are not refundable. These fees are in addition to and separate from the Massachusetts State Wetland Protection Act. The applicant must pay these fees with a separate check made out to the Town of Boxborough.
- The non-refundable filing fee is required for all projects under review by the Conservation Commission. There are very limited situations where resource area disturbance is at the discretion of the Commission, and it is important for the applicant and their representatives to be aware that there are a number of projects not allowed under the Rules & Regulations of the Boxborough Wetlands Bylaw. The payment of the filing fee in no way implies that the Commission will grant a permit allowing the project. The applicant is strongly urged to design the project in compliance with the Rules & Regulations of the Bylaw. A copy of the Wetland Bylaw and Rules & Regulations are available at Town Hall and on the Boxborough town website.

1. Permanent Structure Addition/Alteration:

All permanent structures that are additions or alterations to other permanent structures such as a deck, pool, room addition, garage, tennis court, landscaping (retaining walls, plant beds, fences, etc.), driveway or site work without a house require a \$250 fee. This fee is for the elements that are outlined in the filing. For example, if you are installing a pool with a deck and landscaping elements as part of the filing, the \$250 fee will cover the extent of the filing. Enter this fee on line #1.

For this type of smaller project a resource area disturbance fee is not required. However, any disturbance of the resource area for the completion of the project will be allowed at the discretion of the Conservation Commission based on Boxborough's Town Wetlands Bylaw. If a separate filing is made for other elements, this will be viewed as a separate project and an additional fee will be required.

2. New Permanent Structures or Single Family House (SFH):

Each filing for a new large permanent structure (barn, etc.) or new single-family home (SFH) requires a fee of \$500.00. Enter this fee on line #2.

3. Perm. St. or SFH:

A new large permanent structure (barn, etc.) or new single family home (SFH) also requires an *additional* fee of \$.50 for any square footage of disturbance of the resource area. Multiply the total number of square feet disturbed by \$.50. Enter this fee on line #3.

4. Subdivision Roads and Utilities only:

Each filing for subdivision roads and utilities requires a fee of \$1,500. These two types of filings are not mutually exclusive of one another. Enter this fee on line #4.

5. Subdivision:

All subdivision filings require a fee of \$3.00 for each linear foot of road sideline disturbance in the resource area. Multiply the total number of linear feet of road sideline disturbed by \$3. Enter this fee on line #5.

6. Multiple Family or Condominium Structure:

Each filing of multiple family or condominium structures requires a fee of \$1,500. Enter this fee on line #6.

7. Multi Family/Condo:

Each unit of multiple family or condominium structures, where all or any part of the unit is located within the resource area, requires an additional \$500 fee. Enter this fee on line #7.

8. Commercial/Industrial - each filing:

Each filing of any commercial or industrial projects (any and all non-residential) requires a fee of \$1,500. Enter this fee on line #8.

9. Commercial/Industrial – each sq. ft:

Any square footage of disturbance of the resource area for any commercial or industrial filing requires an additional fee of \$.25 per square foot. Multiply the total number of square feet disturbed by \$.25. Enter this fee on line #9.

10. Test pits, test wells, subsurface borings and/or pre-development work:

Each filing of disturbance for test pits, test wells, subsurface borings and/or other pre-development work requires a fee of \$100. Enter this fee on line #10.

11. Other: Activity in a resource area not otherwise defined under items numbered 1 through 10 requires a fee of \$100. Enter this fee on line #11.

12. Abbreviated Notice of Resource Area Delineation (ANRAD):

Each ANRAD filing requires a fee of \$250. This fee should be entered on line #12.

13. ANRAD – per liner foot:

Any project requiring delineation will require a fee of \$.25 per linear foot of delineation. The total number of linear feet delineated should be multiplied by \$.25 and added to the Calculation Worksheet on line #11 and then totaled with any other fees at the bottom of the Worksheet on line #18.

14 – 19. Other:

All other requests for documentation or certificates or extensions outlined in item #14 through item #19 will require a fee as indicated in the worksheet. This fee amount should be added on the corresponding line and totaled on line #20 at the bottom of the Calculation Worksheet including any other fees as they apply.

Boxborough Wetland & Adjacent Land Resource Area
 Fee Calculation Worksheet

Notice of Intent Filings:

<u>Type of Service or Permit</u>	<u>Quantity</u>	<u>Fee</u>	<u>Total</u>
1) Permanent Structure Addition/Alteration - each filing	_____	\$250.00	_____
2) New Permanent Structure or SFH - each filing	<u>1</u>	\$500.00	<u>\$500.00</u>
3) Perm. St. or SFH - each sq. ft. of disturbance in Resource Area	_____	\$0.50	_____
4) Subdivision Roads and Utilities only - each filing	_____	\$1,500.00	_____
5) Subdivision - each linear foot of road sideline in Resource Area	_____	\$3.00	_____
6) Multiple Family or Condominium Structure - each filing	_____	\$1,500.00	_____
7) Multi Fam/Condo - each unit all or part of which is within Resource Area	_____	\$500.00	_____
8) Commercial/Industrial Projects - each filing	_____	\$1,500.00	_____
9) Commercial/Ind. - each sq. ft. of disturbance in Resource Area	_____	\$0.25	_____
10) Test pits, test wells, subsurface borings, and/or other pre-development work	_____	\$100.00	_____
11) Other	_____	\$100.00	_____
<u>Other:</u>			
12) ANRAD - each filing	_____	\$250.00	_____
13) ANRAD - per linear foot of delineation	_____	\$0.25	_____
14) Request for Determination of Applicability	_____	\$100.00	_____
15) Extension Permit	_____	\$100.00	_____
16) Amended Order of Conditions	_____	\$100.00	_____
17) Application for Partial Certificate of Compliance	_____	\$0.00	_____
18) Application for Certificate of Compliance	_____	\$0.00	_____
19) Other Miscellaneous ConsCom Documents	_____	\$100.00	_____
20) Total*			<u>\$500.00</u> (Not to exceed \$7, 500.00)

* Additional consultation fees may be necessary for projects when a more extensive Wetland Habitat Study is needed or if the work proposed will require a higher degree of monitoring.

Attachment C Abutter Notification

Castro



TOWN OF BOXBOROUGH
Town Assessor
29 Middle Road
Boxborough, Massachusetts 01719
978-264-1720 • FAX 978-264-3127
sgenna@boxborough-ma.gov

REQUESTER
OFFICE
TOWN BOARD

COPY

REQUEST FOR ABUTTERS

DATE OF REQUEST: 06/30/20 DATE LIST NEEDED: 7/1/20

PROPERTY LOCATION: 1172 Hill Road

MAP 4 LOT 92 BLOCK _____

PROPERTY OWNER: Estate of Hugel Marguerite

REASON FOR LIST

- CONSERVATION COMMISSION
- ZONING BOARD OF APPEALS
- PLANNING BOARD
 - PRELIMINARY PLAN
 - SITE PLAN
 - DEFINITIVE PLAN
 - SPECIAL PERMIT
- BOARD OF SELECTMEN
- OTHER _____

RADIUS FOR ABUTTERS

300 FEET IMMEDIATE OTHER _____

REQUESTER INFORMATION

NAME Russell Tedford (Hancock Associates)

ADDRESS 34 Chelmsford Street
Chelmsford, MA 01824

PHONE (978) 244-0110 EMAIL rtedford@hancockassociates.com

OFFICE USE ONLY

DATE LIST PREPARED: 7/2/2020

FEE CHARGED: \$30.00

DATE PAID: 7/2/2020

AMOUNT PAID \$ 30.00

CHECK # _____

CASH

FEE SCHEDULE: \$1.00 PER NAME
\$10.00 MINIMUM
\$30.00 MAXIMUM

LIST IS VALID FOR SIX (6) MONTHS. TOWN ASSESSOR IS ALLOWED TEN (10) BUSINESS DAYS FROM DATE OF REQUEST TO PROVIDE CERTIFIED LIST OF ABUTTERS.



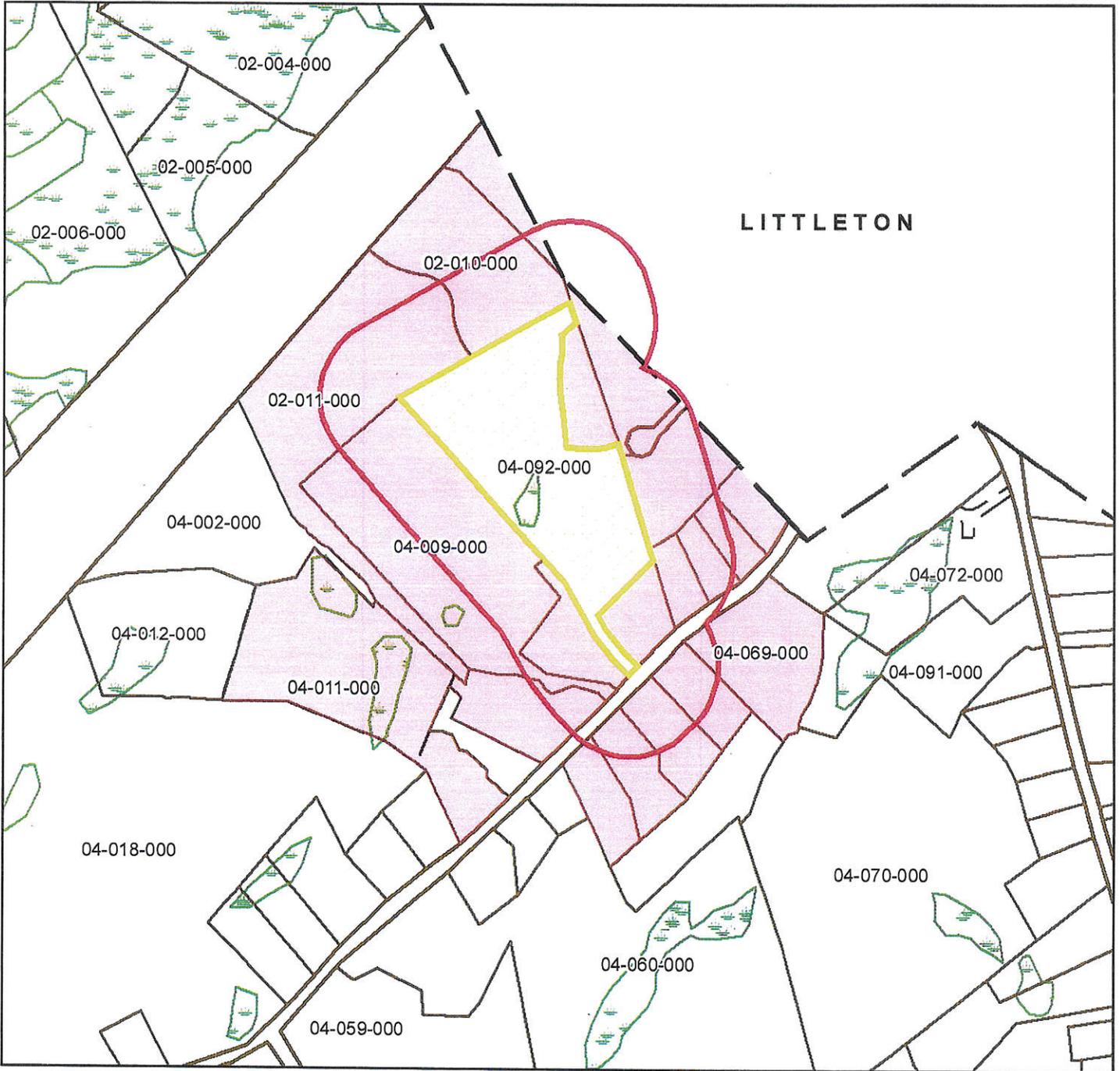
1172 Hill Rd

Boxborough, MA

1 inch = 555 Feet



June 30, 2020



Large Scale	Easements
CAI Town Line	Wet Areas
Property Line	
Road	

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

July 2, 2020

Conservation Commission

1172 Hill Rd

04-007-000

Abutters List 300 Feet

02-014-000	29 LEONARD ROAD	TURPIN VIRGINIA A	29 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	30 LEONARD ROAD	MAHONY BRIAN J.	30 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	31 LEONARD ROAD	SHAW LOIS A.	181 LITTLETON ROAD UNIT	CHELMSFORD	MA	01824
02-014-000	32 LEONARD ROAD	MEYER JOAN S, TRUSTEE	120 RUSSET LANE	BOXBOROUGH	MA	01719
02-014-000	33 LEONARD ROAD	BLATTERMAN III PRESCOTT H, TRU	P.O. BOX 2118	KILMARMOCK	VA	22482
02-014-000	34 LEONARD ROAD	BRADLEY GEORGIA A.	1630 YORKSHIRE TRAIL	LAKELAND	FL	33809
02-014-000	35 LEONARD ROAD	RICHARDSON JUDITH A.	35 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	36 LEONARD ROAD	CYR JOHN P, TRUSTEE	36 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	37 LEONARD ROAD	HUNT SALLY J	37 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	38 LEONARD ROAD	LEHTINEN BRIAN J	88 LEONARD RD.	LUNNEBERG	MA	01462
02-014-000	39 LEONARD ROAD	BAUCH AARON M	7 LYNN CT	BELLINGHAM	MA	02019
02-014-000	40 LEONARD ROAD	PAGE THOMAS	50 PAGE ROAD	WESTON	MA	02493
02-014-000	41 LEONARD ROAD	ZHANG JIAJUN	52 COOK STREET	BILLERICA	MA	01821
02-014-000	42 LEONARD ROAD	DECELLES LAWRENCE P	10 STRAWBERRY LANE	WESTFORD	MA	01886
02-014-000	43 LEONARD ROAD	MARTEL ROSS W	43 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	44 LEONARD ROAD	MURPHY JOHN F.	44 LEONARD RD	BOXBOROUGH	MA	01719
02-014-000	45 LEONARD ROAD	RICHEY JAMES L JR	51 WILLOW STREET	ACTON	MA	01720
02-014-000	46 LEONARD ROAD	DECELLES LAWRENCE P	10 STRAWBERRY LANE	WESTFORD	MA	01886
02-014-000	47 LEONARD ROAD	YANG XINXING	P.O. BOX 799	ACTON	MA	01720
02-014-000	48 LEONARD ROAD	KWAN FAY	48 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	49 LEONARD ROAD	RHODES MATTHEW C.	49 LEONARD RD	BOXBOROUGH	MA	01719
02-014-000	50 LEONARD ROAD	MANTER WILLIAM P	178 MAIN STREET	BOYLSTON	MA	01505
02-014-000	51 LEONARD ROAD	PAGE MICHAEL	50 PAGE ROAD	WESTON	MA	02493
02-014-000	52 LEONARD ROAD	KINNUCANE MICHAEL J TRUSTEE	14 OVERLOOK DR EAST	FRAMINGHAM	MA	01701
02-014-000	53 LEONARD ROAD	ZHENG ZHIKANG	53 LEONARD RD UNIT 53	BOXBOROUGH	MA	01719
02-014-000	54 LEONARD ROAD	ROLLINS RICHARD	18 CARRIAGE LANE	STOW	MA	01775
02-014-000	55 LEONARD ROAD	SOLE NIKHIL	19 JOYCE LN	BOXBOROUGH	MA	01719
02-014-000	56 LEONARD ROAD	BOUNDOKIN DMITRI	56 LEONARD RD	BOXBOROUGH	MA	01719
02-014-000	57 LEONARD ROAD	YANG HAIYING	35 RIDGEWOOD DR	STOW	MA	01775
02-014-000	58 LEONARD ROAD	SWEENEY DANIEL G TRUSTEE	78 CENTURY MILL ROAD	BOLTON	MA	01740
02-014-000	59 LEONARD ROAD	IVES PETER D	59 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	60 LEONARD ROAD	FOLEY JAMES L	60 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	61 LEONARD ROAD	SMITH JENNIFER A	270 SUNDERLAND ROAD #28	WORCESTER	MA	01604
02-014-000	62 LEONARD ROAD	FRANKE LOU ANN	62 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	63 LEONARD ROAD	RONG XIANHUI	150 MIDDLE ROAD	BOXBOROUGH	MA	01719



Certified by Sanders J. Genna, Town Assessor

02-014-000	64 LEONARD ROAD	SWEENEY DANIEL G, TRUSTEE	78 CENTURY MILL ROAD	BOLTON	MA	01740
02-014-000	65 LEONARD ROAD	YUNG JEFFREY	15 FIELDSTONE DRIVE	WESTFORD	MA	01886
02-014-000	66 LEONARD ROAD	BOOTHROYD BRIAN J	360 LITTLETON ROAD 8-D	CHELMSFORD	MA	01824
02-014-000	67 LEONARD ROAD	ECKERT RYAN	37 WINTER STREET	ASHLAND	MA	01721
02-014-000	68 LEONARD ROAD	SWEENEY BARBARA ANN, TRUSTEE	P.O. BOX 794	LITTLETON	MA	01460
02-014-000	69 LEONARD ROAD	CAREY BRIAN J	69 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	70 LEONARD ROAD	ROMILLY EDGAR P/ KENT CHARLES	26 ORCHARD DRIVE	LITTLETON	MA	01460
02-014-000	71 LEONARD ROAD	SWEENEY BARBARA ANN, TRUSTEE	P.O. BOX 794	LITTLETON	MA	01460
02-014-000	72 LEONARD ROAD	BROOKS MARK B, TRUSTEE	P O BOX 683	ACTON	MA	01720
02-014-000	73 LEONARD ROAD	ESPINOSA LAODICE A.	73 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	74 LEONARD ROAD	CHAU ALBERT CM	403 S MAIN ST	SHARON	MA	02067
02-014-000	75 LEONARD ROAD	LOPEZ AFIYA C.	75 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	76 LEONARD ROAD	BONNELL BEVERLY L.	76 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	77 LEONARD ROAD	EFFRAT ITAY	37 ORCHARD LANE	WAYLAND	MA	01778
02-014-000	78 LEONARD ROAD	RAVKIN VLADIMIR	78 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	79 LEONARD ROAD	GARDNER KATHRYN A	79 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	80 LEONARD ROAD	YANG HAIYING	3 OAKES LANDING	SHIRLEY	MA	01464
02-014-000	81 LEONARD ROAD	LANDO CARL	58 SPECTACLE POND ROAD	LITTLETON	MA	01460
02-014-000	82 LEONARD ROAD	DECELLES LAWRENCE P	10 STRAWBERRY LANE	WESTFORD	MA	01886
02-014-000	83 LEONARD ROAD	PERINI CAROLE	P.O. BOX 131	HARVARD	MA	01451
02-014-000	84 LEONARD ROAD	COBLEIGH SHAWN, TRUSTEE	84 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	85 LEONARD ROAD	SWEENEY DANIEL G, TRUSTEE	78 CENTURY MILL ROAD	BOLTON	MA	01740
02-014-000	86 LEONARD ROAD	CHENG-YAN MIN	243 MADISON ST	DEDHAM	MA	02026
02-014-000	87 LEONARD ROAD	SUN YANGREN	8 HOLBROOK LANE	WESTFORD	MA	01886
02-014-000	88 LEONARD ROAD	CONCEISON JAMES	88 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	89 LEONARD ROAD	MURPHY NANCY J	89 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	90 LEONARD ROAD	RAJBHANDARI BYAS	1 WILDERNESS ROAD	LITTLETON	MA	01460
02-014-000	91 LEONARD ROAD	LEARY KEVIN W	UNIT 303	ENGLEWOOD	CO	80113
02-014-000	92 LEONARD ROAD	MCCALL DOROTHY A	51 WILLOW STREET	ACTON	MA	01720
02-014-000	93 LEONARD ROAD	AHERN DONALD W	93 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	94 LEONARD ROAD	MCCARTHY KAREN	94 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	95 LEONARD ROAD	COSTIN DIANE	21 SPARTAN ARROW ROAD	LITTLETON	MA	01460
02-014-000	96 LEONARD ROAD	CANTINO FRANCIS J	34 SHAKER LANE	LITTLETON	MA	01460



Certified by Sanders J. Genna, Town Assessor

02-015-000	0 LEONARD ROAD	SWEENEY DENNIS P, TR &	733 TURNPIKE STREET	N ANDOVER	MA	01845
04-003-000	1238 HILL ROAD	SWEENEY DANIEL G	78 CENTURY MILL ROAD	BOLTON	MA	01740
04-004-000	1228 HILL ROAD	SWEENEY DANIEL G, TRUSTEE	78 CENTURY MILL ROAD	BOLTON	MA	01740
04-005-000	1214 HILL ROAD	DIRESH PATEL LLC	49 WOOD LN	MAYNARD	MA	01754
04-006-000	1198 HILL ROAD	3E PROPERTIES LLC	32 HOWARD RD.	MAYNARD	MA	01754
04-007-000	1178 HILL ROAD	PECULIS MATTHEW	1178 HILL RD	BOXBOROUGH	MA	01719
04-008-000	1166 HILL ROAD	TAYLOR DAVID R	1166 HILL ROAD	BOXBOROUGH	MA	01719
04-009-000	1164 HILL ROAD	LEONARD MICHAEL D	389 ADAMS ROAD	GREENFIELD	MA	01301
04-011-000	1098 HILL ROAD	MCLW, LLC	68 HARWOOD AVENUE	LITTLETON	MA	01460
04-011-000	1096 HILL ROAD	MARCHMONT GUY	1096 HILL ROAD	BOXBOROUGH	MA	01719
04-011-000	1098 HILL ROAD	CASANAVE DAVID & SUZANNE, TRUS	1098 HILL ROAD	BOXBOROUGH	MA	01719
04-011-000	1092 HILL ROAD	BUNYARD SIMON C.	1092 HILL ROAD	BOXBOROUGH	MA	01719
04-011-000	1094 HILL ROAD	ZWAAN JOHANNA M	1094 HILL ROAD	BOXBOROUGH	MA	01719
04-011-000	1088 HILL ROAD	ST. AMAND DAVID G.	1088 HILL ROAD	BOXBOROUGH	MA	01719
04-011-000	1090 HILL ROAD	LABENSKI JOSEPH /DEBRA, TRUSTE	1090 HILL ROAD	BOXBOROUGH	MA	01719
04-011-000	1136 HILL ROAD	KOLLER GEORGE	1136 HILL ROAD	BOXBOROUGH	MA	01719
04-011-000	1138 HILL ROAD	MAGNER NEIL & ANDREA TRUSTEES	1138 HILL RD	BOXBOROUGH	MA	01719
04-011-000	1146 HILL ROAD	HOGAN DANIEL/LESLIE TRUSTEES	1146 HILL ROAD	BOXBOROUGH	MA	01719
04-011-000	1148 HILL ROAD	MOTTA JUDITH ANN TRUSTEE	1148 HILL ROAD	BOXBOROUGH	MA	01719
04-064-000	1151 HILL ROAD	KOSAKOWSKI MATTHEW J	1151 HILL ROAD	BOXBOROUGH	MA	01719
04-065-000	1165 HILL ROAD	RAMAKRISHNAN TERIZHANDUR S.	1165 HILL ROAD	BOXBOROUGH	MA	01719
04-066-000	1171 HILL ROAD	ZHAO XIAOPENG	1171 HILL ROAD	BOXBOROUGH	MA	01719
04-067-000	1175 HILL ROAD	XIA LIYAN	1175 HILL ROAD	BOXBOROUGH	MA	01719
04-069-000	1195 HILL ROAD	RD KANNIARD HOMES INC	PO BOX 1321	LITTLETON	MA	01451

Certified by Sanders J. Genna, Town Assessor

3E PROPERTIES LLC
32 HOWARD RD.
MAYNARD, MA 01754

3G REALTY GROUP, LLC
1 GRAY PLACE
LITTLETON, MA 01460

AHERN DONALD W
93 LEONARD ROAD
BOXBOROUGH, MA 01719

BAUCH AARON M
7 LYNN CT
BELLINGHAM, MA 02019

BINTLIFF LEIGH A
8 LEONARD ROAD
BOXBOROUGH, MA 01719

BLATTERMAN III PRESCOTT H, TRU
P.O. BOX 2118
KILMARMOCK, VA 22482

BLEAKLEY JAMES R/ELENA T, TRUS
20 LIBERTY AVENUE
LEXINGTON, MA 02420

BONNELL BEVERLY L.
76 LEONARD ROAD
BOXBOROUGH, MA 01719

BOOTHROYD BRIAN J
360 LITTLETON ROAD 8-D
CHELMSFORD, MA 01824

BOUNDOUKIN DMITRI
56 LEONARD RD
BOXBOROUGH, MA 01719

BOXBOROUGH TOWN OF
29 MIDDLE ROAD
BOXBOROUGH, MA 01719

BRADLEY GEORGIA A.
1630 YORKSHIRE TRAIL
LAKELAND, FL 33809

BROOKS MARK B, TRUSTEE
P O BOX 683
ACTON, MA 01720

BUNYARD SIMON C.
1092 HILL ROAD
BOXBOROUGH, MA 01719

CANTINO FRANCIS J
34 SHAKER LANE
LITTLETON, MA 01460

CAREY BRIAN J
69 LEONARD ROAD
BOXBOROUGH, MA 01719

CARVILL RAYMOND E., SR.
5 LEONARD ROAD
BOXBOROUGH, MA 01719

CASANAVE DAVID & SUZANNE, TRUS
1098 HILL ROAD
BOXBOROUGH, MA 01719

CHALISHAZAR NANDISH
17 SUTHERLAND DRIVE
NASHUA, NH 03062

CHAU ALBERT CM
403 S MAIN ST
SHARON, MA 02067

CHENG-YAN MIN
243 MADISON ST
DEDHAM, MA 02026

COBLEIGH SHAWN, TRUSTEE
84 LEONARD ROAD
BOXBOROUGH, MA 01719

CONCEISON JAMES
88 LEONARD ROAD
BOXBOROUGH, MA 01719

COSTIN DIANE
21 SPARTAN ARROW ROAD
LITTLETON, MA 01460

CYR JOHN P, TRUSTEE
36 LEONARD ROAD
BOXBOROUGH, MA 01719

DECELLES LAWRENCE P
10 STRAWBERRY LANE
WESTFORD, MA 01886

DECELLES LAWRENCE P
10 STRAWBERRY LANE
WESTFORD, MA 01886

DECELLES LAWRENCE P
10 STRAWBERRY LANE
WESTFORD, MA 01886

DIPESH PATEL LLC
49 WOOD LN
MAYNARD, MA 01754

ECKERT RYAN
37 WINTER STREET
ASHLAND, MA 01721

EFRAT ITAY
37 ORCHARD LANE
WAYLAND, MA 01778

EMSLAN 2, LLC
72 CROSS STREET
NORTON, MA 02766

ESPINOSA LAODICE A.
73 LEONARD ROAD
BOXBOROUGH, MA 01719

FILATOV ALEKSEY
20 NOYES ST
NEEDHAM, MA 02492

FOLEY JAMES L
60 LEONARD ROAD
BOXBOROUGH, MA 01719

FRANKE LOU ANN
62 LEONARD ROAD
BOXBOROUGH, MA 01719

FROMMER SCOTT B
16 LEONARD ROAD
BOXBOROUGH, MA 01719

GALLAGHER JOSEPH T
27 LEONARD ROAD
BOXBOROUGH, MA 01719

GARDNER KATHRYN A
79 LEONARD ROAD
BOXBOROUGH, MA 01719

GONTARZ WILLIAM
18 LEONARD ROAD
BOXBOROUGH, MA 01719

GONZALEZ-STONESIFER JONATHON W
14 LEONARD ROAD
BOXBOROUGH, MA 01719

GUTIERREZ ARTURO J/JOHN A TRUS
200 WHEELER ROAD
BURLINGTON, MA 01803

HAGGERTY THOMAS M JR
12A LEONARD ROAD
BOXBOROUGH, MA 01719

HOGAN DANIEL/LESLIE TRUSTEES
1146 HILL ROAD
BOXBOROUGH, MA 01719

HUNT SALLY J
37 LEONARD ROAD
BOXBOROUGH, MA 01719

IVES PETER D
59 LEONARD ROAD
BOXBOROUGH, MA 01719

JONES SUSAN B
9 LEONARD ROAD
BOXBOROUGH, MA 01719

JONES TROY W
12 LEONARD ROAD
BOXBOROUGH, MA 01719

KIM STEVEN Y
15 LEONARD ROAD
BOXBOROUGH, MA 01719

KINNUCANE MICHAEL J TRUSTEE
14 OVERLOOK DR EAST
FRAMINGHAM, MA 01701

KOLLER GEORGE
1136 HILL ROAD
BOXBOROUGH, MA 01719

KOSAKOWSKI MATTHEW J
1151 HILL ROAD
BOXBOROUGH, MA 01719

KWAN FAY
48 LEONARD ROAD
BOXBOROUGH, MA 01719

LABENSKI JOSEPH /DEBRA, TRUSTE
1090 HILL ROAD
BOXBOROUGH, MA 01719

LANDO CARL
58 SPECTACLE POND ROAD
LITTLETON, MA 01460

LEARY KEVIN W
UNIT 303
ENGLEWOOD, CO 80113

LEHTINEN BRIAN J
88 LEONARD RD.
LUNNEBRG, MA 01462

LEONARD MICHAEL D
389 ADAMS ROAD
GREENFIELD, MA 01301

LEUNG BRUNO
23 KNOLLWOOD LANE
WAYLAND, MA 01778

LOPEZ AFIYA C.
75 LEONARD ROAD
BOXBOROUGH, MA 01719

ANDERSON DAVID
1138 HILL RD
BOXBOROUGH, MA 01719

MAHONY BRIAN J.
30 LEONARD ROAD
BOXBOROUGH, MA 01719

MANter WILLIAM P
178 MAIN STREET
BOYLSTON, MA 01505

MARCHMONT GUY
1096 HILL ROAD
BOXBOROUGH, MA 01719

MARTEL ROSS W
43 LEONARD ROAD
BOXBOROUGH, MA 01719

MASON JAMES M
1 LEONARD ROAD
BOXBOROUGH, MA 01719

MCCALL DOROTHY A
51 WILLOW STREET
ACTON, MA 01720

MCCARTHY KAREN
94 LEONARD ROAD
BOXBOROUGH, MA 01719

MCLW, LLC
68 HARWOOD AVENUE
LITTLETON, MA 01460

MEENMORE CONDOMINIUM
LEONARD ROAD
BOXBOROUGH, MA 01719

MEYER JOAN S, TRUSTEE
120 RUSSET LANE
BOXBOROUGH, MA 01719

MOTTA JUDITH ANN TRUSTEE
1148 HILL ROAD
BOXBOROUGH, MA 01719

MURPHY DANIEL
21 NOURSE STREET
WESTBOROUGH, MA 01581

MURPHY JOHN F.
44 LEONARD RD
BOXBOROUGH, MA 01719

MURPHY NANCY J
89 LEONARD ROAD
BOXBOROUGH, MA 01719

PAGE MICHAEL
50 PAGE ROAD
WESTON, MA 02493

PAGE THOMAS
50 PAGE ROAD
WESTON, MA 02493

PECULIS MATTHEW
1178 HILL RD
BOXBOROUGH, MA 01719

PERINI CAROLE
P.O. BOX 131
HARVARD, MA 01451

PETITPIERRE ERIC M
PO BOX 834
READING, MA 01867

RAJBHANDARI BYAS
1 WILDERNESS ROAD
LITTLETON, MA 01460

RAMAKRISHNAN TERIZHANDUR S.
1165 HILL ROAD
BOXBOROUGH, MA 01719

RANJITKAR MANISH C
1293 TRAPELO ROAD
WALTHAM, MA 02451

RAVKIN VLADIMIR
78 LEONARD ROAD
BOXBOROUGH, MA 01719

RD KANNIARD HOMES INC
PO BOX 1321
LITTLETON, MA 01451

RHODES MATTHEW C.
49 LEONARD RD
BOXBOROUGH, MA 01719

RICHARDSON JUDITH A.
35 LEONARD ROAD
BOXBOROUGH, MA 01719

RICHEY JAMES L JR
51 WILLOW STREET
ACTON, MA 01720

ROLLINS RICHARD
18 CARRIAGE LANE
STOW, MA 01775

ROMILLY EDGAR P/ KENT CHARLES
26 ORCHARD DRIVE
LITTLETON, MA 01460

RONG XIANHUI
150 MIDDLE ROAD
BOXBOROUGH, MA 01719

SHAW LOIS A.
181 LITTLETON ROAD UNIT 433
CHELMSFORD, MA 01824

SIMON JONATHAN P.
7 LEONARD ROAD
BOXBOROUGH, MA 01719

SMITH JENNIFER A
270 SUNDERLAND ROAD #28
WORCESTER, MA 01604

SOLE NIKHIL
19 JOYCE LN
BOXBOROUGH, MA 01719

ST. AMAND DAVID G.
1088 HILL ROAD
BOXBOROUGH, MA 01719

SUN YANGREN
8 HOLBROOK LANE
WESTFORD, MA 01886

SWEENEY BARBARA ANN, TRUSTEE
P.O. BOX 794
LITTLETON, MA 01460

SWEENEY DANIEL G, TRUSTEE
78 CENTURY MILL ROAD
BOLTON, MA 01740

SWEENEY BARBARA ANN, TRUSTEE
P.O. BOX 794
LITTLETON, MA 01460

SWEENEY BARBARA ANN, TRUSTEE
P.O. BOX 794
LITTLETON, MA 01460

SWEENEY DANIEL G
78 CENTURY MILL ROAD
BOLTON, MA 01740

SWEENEY DANIEL G TRUSTEE
78 CENTURY MILL ROAD
BOLTON, MA 01740

SWEENEY DANIEL G, TRUSTEE
78 CENTURY MILL ROAD
BOLTON, MA 01740

SWEENEY DANIEL G, TRUSTEE
78 CENTURY MILL ROAD
BOLTON, MA 01740

SWEENEY DANIEL G, TRUSTEE
78 CENTURY MILL ROAD
BOLTON, MA 01740

SWEENEY DANIEL G, TRUSTEE
78 CENTURY MILL ROAD
BOLTON, MA 01740

SWEENEY DENNIS P, TR &
733 TURNPIKE STREET
N ANDOVER, MA 01845

SWEENEY DENNIS P, TRUSTEE
733 TURNPIKE ST. #221
N. ANDOVER, MA 01845

SWEENEY DENNIS P, TRUSTEE
STE #221
N. ANDOVER, MA 01845

SWEENEY DENNIS P, TRUSTEE
733 TURNPIKE ST. #221
N. ANDOVER, MA 01845

TAYLOR DAVID R
1166 HILL ROAD
BOXBOROUGH, MA 01719

TURPIN VIRGINIA A
29 LEONARD ROAD
BOXBOROUGH, MA 01719

WEINSTEIN BARRY
19 LEONARD ROAD
BOXBOROUGH, MA 01719

XIA JINGQING
75 PAGE ROAD UNIT 5
BEDFORD, MA 01730

XIA LIYAN
1175 HILL ROAD
BOXBOROUGH, MA 01719

YANG HAIYING
3 OAKES LANDING
SHIRLEY, MA 01464

YANG HAIYING
35 RIDGEWOOD DR
STOW, MA 01775

YANG XINXING
P.O. BOX 799
ACTON, MA 01720

YANG XINXING
P.O. BOX 799
ACTON, MA 01720

YUNG JEFFREY
15 FIELDSTONE DRIVE
WESTFORD, MA 01886

ZHANG JIAJUN
52 COOK STREET
BILLERICA, MA 01821

ZHAO XIAOPENG
1171 HILL ROAD
BOXBOROUGH, MA 01719

ZHENG ZHIKANG
53 LEONARD RD UNIT 53
BOXOBROUGH, MA 01719

ZHOU CHEN
149 STOW RD
HARVARD, MA

COOKE ROBERT
1094 HILL ROAD
BOXBOROUGH, MA 01719

**Notification to Abutters Under the
Massachusetts Wetlands Protection Act
and
The Boxborough Wetlands By-Law**

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the Boxborough Wetlands By-Law you are hereby notified of the following:

- A. The name of the applicant is FTB Homes, LLC
- B. The applicant has filed a Notice or Request with the Boxborough Conservation Commission seeking permission to remove, fill, dredge, alter, or delineate an area subject to protection under the Wetlands Protection Act (General Laws, Chapter 131, section 40) and the Boxborough Wetlands By-Law.
- C. The address of the lot where the activity is proposed is 1172 Hill Road, Boxborough, MA

Description of Project Construction of a single-family home and its supporting infrastructure.

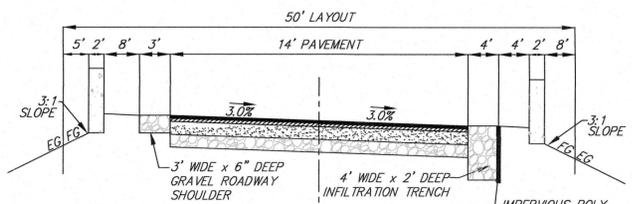
- D. Copies of the Notice or Request may be examined at the Boxborough Town Hall, 29 Middle Rd., Boxborough, MA 01719 between the hours of 9:00 a.m. and 4:00 p.m. Monday, Tuesday, and Wednesday (excluding holidays). For more information call 978.264.1722.
- E. Copies of the Notice or Request may be obtained from either (circle one) the applicant or the applicant's representative, by calling this telephone number (978) 244 - 0110 between the hours of 8 am and 4 pm on the following days of the week: Monday - Friday.
- F. Information regarding the date, time, and place of the public hearing may be obtained from the Boxborough Conservation Commission by calling this number 978.264.1722 between the hours of 9:00 a.m. and 4:00 p.m. Monday, Tuesday, and Wednesday.

Note: Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in one of the following: *The Beacon, Middlesex News, or Lowell Sun*

Note: Notice of the public hearing, including its date, time, and place, will be posted in the City or Town Hall not less than forty-eight (48) hours in advance.

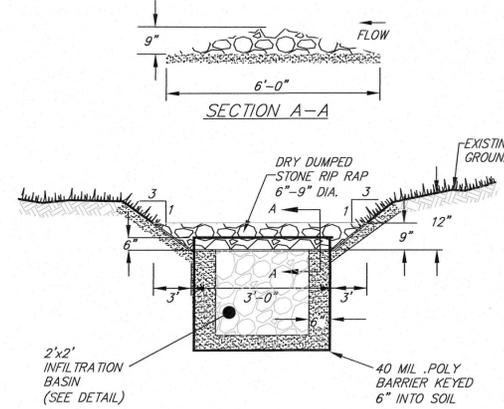
Note: You also may contact your local Conservation Commission or the nearest Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act. To contact DEP, call: Central Regional Office at 508-792-7650

Attachment E NOI Site Plan

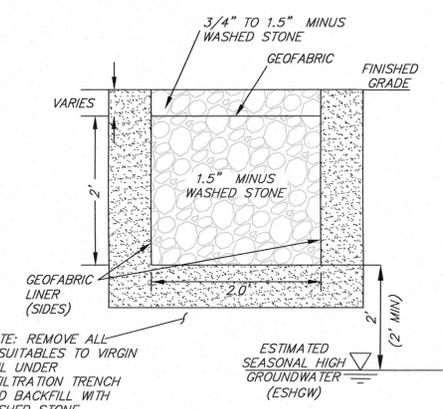


- ROADWAY**
- 1 1/2" TOP COURSE
 - 2 1/2" BINDER COURSE
 - 6" DENSE GRADED CRUSHED STONE
 - 6" GRAVEL

TYPICAL ROADWAY CROSS SECTION
NOT TO SCALE

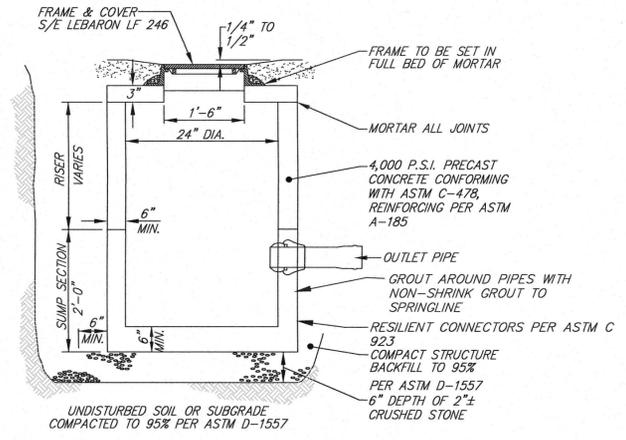


STONE CHECK DAM
NOT TO SCALE



NOTE: REMOVE ALL UNSUITABLES TO VIRGIN SOIL UNDER INFILTRATION TRENCH AND BACKFILL WITH WASHED STONE

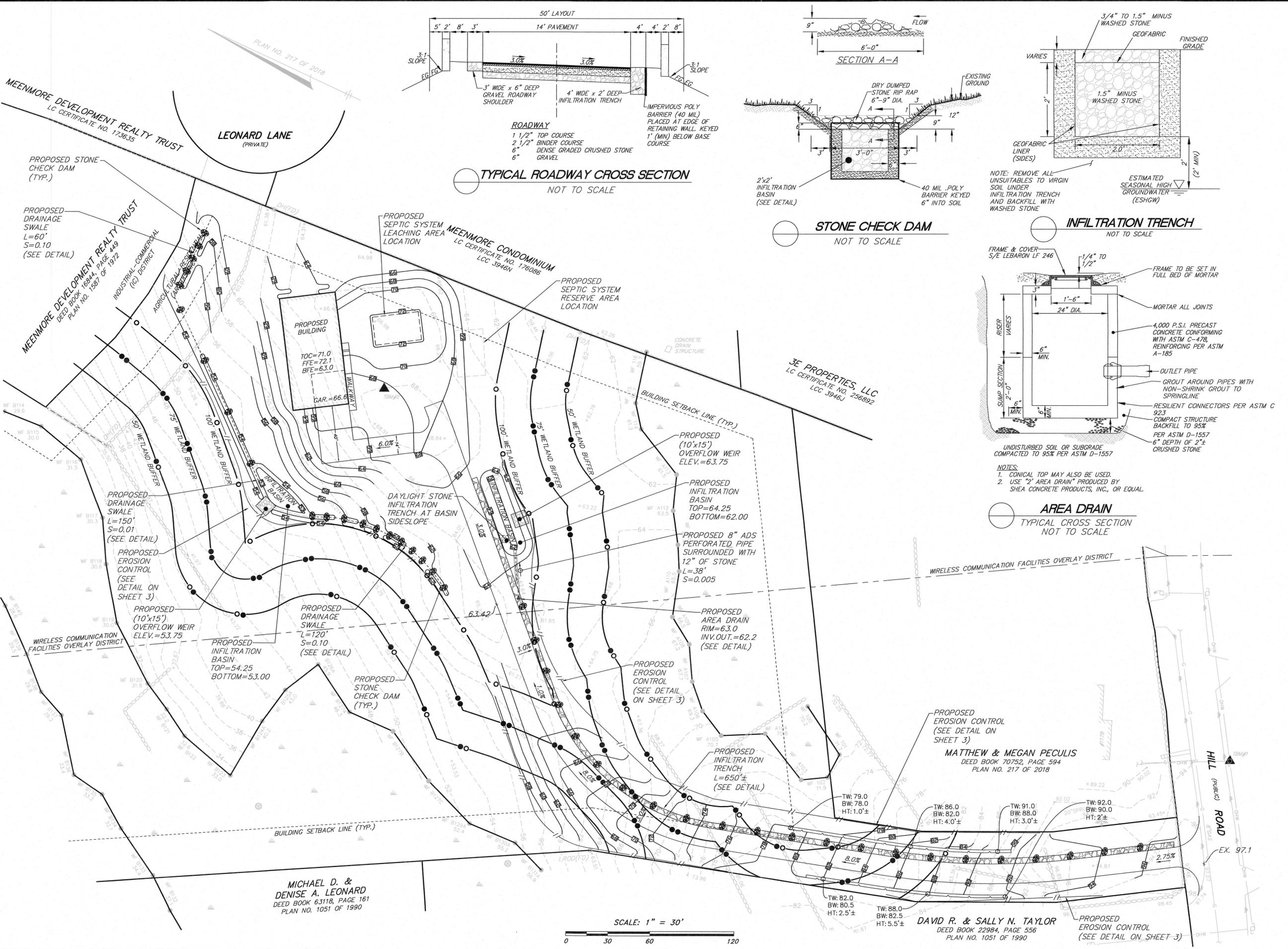
INFILTRATION TRENCH
NOT TO SCALE



UNDISTURBED SOIL OR SUBGRADE COMPACTED TO 95% PER ASTM D-1557

NOTES:
1. CONICAL TOP MAY ALSO BE USED.
2. USE "2" AREA DRAIN" PRODUCED BY SHEA CONCRETE PRODUCTS, INC., OR EQUAL.

AREA DRAIN
TYPICAL CROSS SECTION
NOT TO SCALE



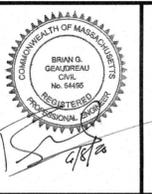
SCALE: 1" = 30'



PROJECT LOCATION:
1172 Hill Road
Boxborough, Massachusetts 01790

PREPARED FOR:
FTB Homes, LLC
P.O. Box 216
Littleton, Massachusetts 01460

HANCOCK ASSOCIATES
Civil Engineers
Land Surveyors
Environmental Consultants
34 Chelmsford Street, Chelmsford, MA 01824
Voice (978) 244-0110, Fax (978) 244-1133
www.hancockassociates.com



NO.	BY	APP	DATE	ISSUE/REVISION	DESCRIPTION
DATE:	6/8/20	DESIGN BY:	RT		
SCALE:	AS SHOWN	DRAWN BY:	RT		
		CHECK BY:	BG		

NOTICE OF INTENT SITE PLAN

PLOT DATE: Jun 30, 2020 1:13 pm
PATH: X:\22898-Hill-Boxborough\Eng\DWG\

DWG: 22898eng4.dwg
LAYOUT: NOI(1)
SHEET: 1 OF 1
JOB NO.: 22898

NOI

**TOWN OF BOXBOROUGH
Conservation Commission
29 Middle Road
Boxborough, MA 01719
(978) 264-1722**

LEGAL NOTICE OF PUBLIC HEARING
Notice of Intent

Pursuant to MGL Ch. 131, Section 40 and the Boxborough Wetlands By-Law, a Public Hearing will be held on **August 5, 2020 at 8:00 PM** at the Boxborough Town Hall, 29 Middle Road, Boxborough, MA before the Boxborough Conservation Commission to consider a **Notice of Intent** filed by Hancock Associates on behalf of the applicant, Rick Ogilvie, FTB Homes LLC. The property is located at 1172 Hill Road, Assessor's Map 04-092-000, and is owned by the Estate of Marguerite Hugel.

Project description: Construction of a single-family home, driveway and septic system.

Based on current COVID-19 circumstances, this public hearing will be held in the Town Hall **or otherwise** will be held via Zoom videoconferencing. All details will be made available on the Conservation Commission agenda when posted, a minimum of 48 hours prior to the meeting on the town web site, www.boxborough-ma.gov.

Contact the Conservation Commission office at 978.264.1722 if there are questions.

Publish: July 23, 2020

DO NOT PUBLISH BELOW THIS LINE

Billing Information:

Rick Ogilvie
FTB Homes
PO Box 216
Littleton Ma 01460
978.501.2904



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Boxborough
City/Town

WPA Form 1- Request for Determination of Applicability
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. General Information

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



1. Applicant:
- Jeffrey Miller
Name
218 Liberty Square Road
Mailing Address
Boxborough MA 01719
City/Town State Zip Code
(978) 760-2492
Phone Number
- jeffreymiller015@msn.com
E-Mail Address
- Fax Number (if applicable)
2. Representative (if any):
- CAPSTONE DESIGN BUILD, INC.
Firm
David Schofield
Contact Name
31 Plain Road
Mailing Address
Wayland MA 01778
City/Town State Zip Code
(508) 358-5763
Phone Number
- dschof@verizon.net
E-Mail Address
- Fax Number (if applicable)

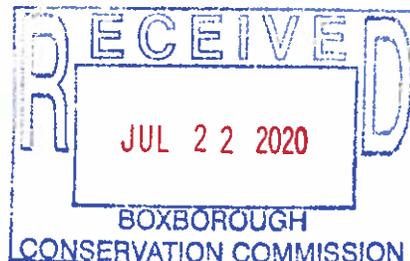
B. Determinations

1. I request the Conservation Commission make the following determination(s). Check any that apply:
Conservation Commission

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance or bylaw** of:

Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



file copy



WPA Form 1- Request for Determination of Applicability
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

218 Liberty Square Road	Boxborough
Street Address	City/Town
15	031
Assessors Map/Plat Number	Parcel/Lot Number

- b. Area Description (use additional paper, if necessary):

See RDA Narrative.

- c. Plan and/or Map Reference(s):

19 - 148	04/17/2020
Title	Date
_____	_____
Title	Date
_____	_____
Title	Date
_____	_____

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

New Septic System Installation. See RDA Narrative.



WPA Form 1- Request for Determination of Applicability

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

C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



WPA Form 1- Request for Determination of Applicability

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

D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Jeffrey Miller

Name

218 Liberty Square Road

Mailing Address

Boxborough

City/Town

Massachusetts

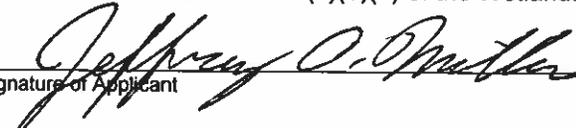
State

01719

Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.


Signature of Applicant

22 July 2020
Date


Signature of Representative (if any)

7/22/2020
Date

**Narrative and Summary – Request for Determination of Applicability filing
(7/22/2020)**

218 LIBERTY SQUARE ROAD - BOXBOROUGH, MA

The subject property is a 45,702 sf parcel located on the westerly side of Liberty Square Road approximately a half a mile north of Route 111 (Massachusetts Ave). The existing structure is a 4-bedroom single-family residence with an attached garage and a screened-in porch. The site has an asphalt drive, lawn area, landscape plantings and mature trees. The topography over the site is fairly flat where the home is located, but slopes downward toward front property line in the east. Grading towards the intermittent stream at the south side of the property is fairly flat to the driveway and drops abruptly to the stream elevation.

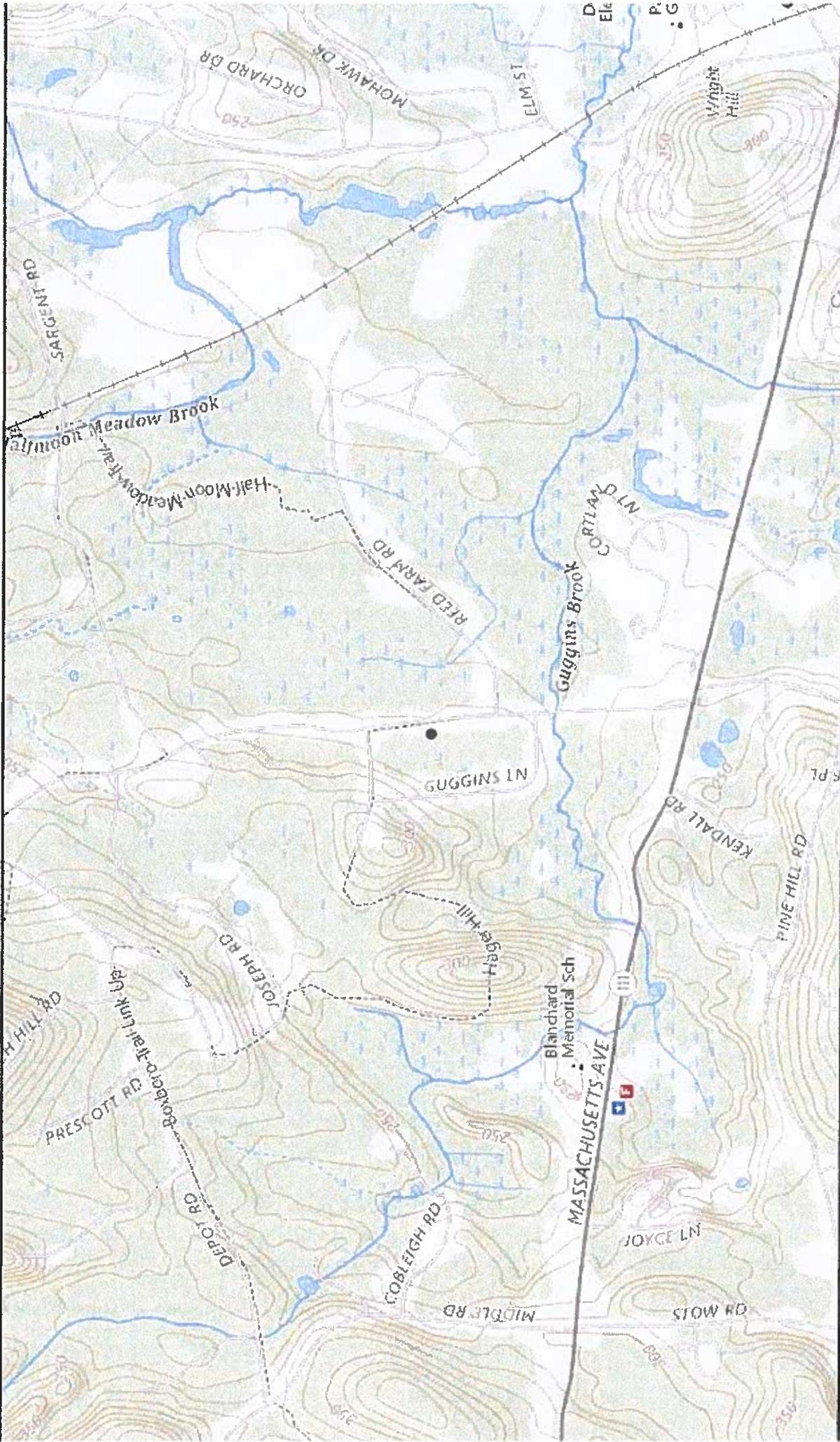
Resource area delineation was conducted by was conducted by Jonathan Shuster of Oxbow Associates, Inc. on April 6, 2020. An intermittent stream flows from the west to the east running along most of the southern bound of the property until it enters a 2-foot pipe that crosses Liberty Square Road. There is a Bordering Vegetated Wetland (BVW) that is very close, and in some locations coincides with, to the edge of bank.

Soil testing was conducted at the eastern side of the property in an attempt to place leaching facilities as far from the resource area as possible. Percolation testing was fairly slow yielding a 24 minute per inch rate. Estimated seasonal high groundwater (ESHGW) was found at a depth of 4.5ft.

The proposed system will utilize a 1,500-gallon 2-compoartment septic tank and associated piping within the buffer zone. A Geomatrix Geomat leaching field is proposed for this design. This system allows for a reduction in both system area and offset to ESHGW allowing for greatly reduced filling and disturbance when compared to a traditional system. The nearest edge of the leaching field will be approximately 66.9 feet from the nearest BVW.

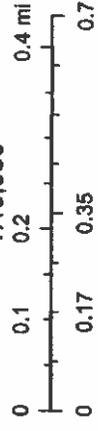
The existing septic system will be pumped of its contents and filled with clean fill.

218 Liberty Square Road - Boxborough, MA



1/1/2020, 10:01:20 AM

1:18,056



USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, National Transportation Dataset; USGS Global Ecosystems; U.S. Census

USGS The National Map: National Boundaries Dataset, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census

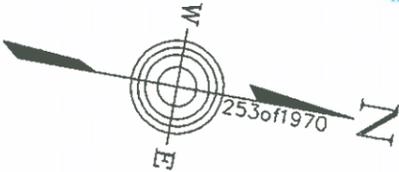
of the sewer connection permit shall be submitted with the application;

Upon receipt of the Approving Authority's written approval to abandon the system, the septic tank shall be pumped of its entire contents by a licensed septage hauler; and

The tank shall be excavated and removed from the site, or the bottom of the tank shall be opened or ruptured after being pumped of its content so as to prevent retainage of water. The tank shall be completely filled with clean sand or other suitable material approved by the Approving Authority.



BORDERING VEGETATED WETLAND (BVW), DELINEATED BY JONATHAN SHUSTER OF OXBOW ASSOC. (4/6/2020)



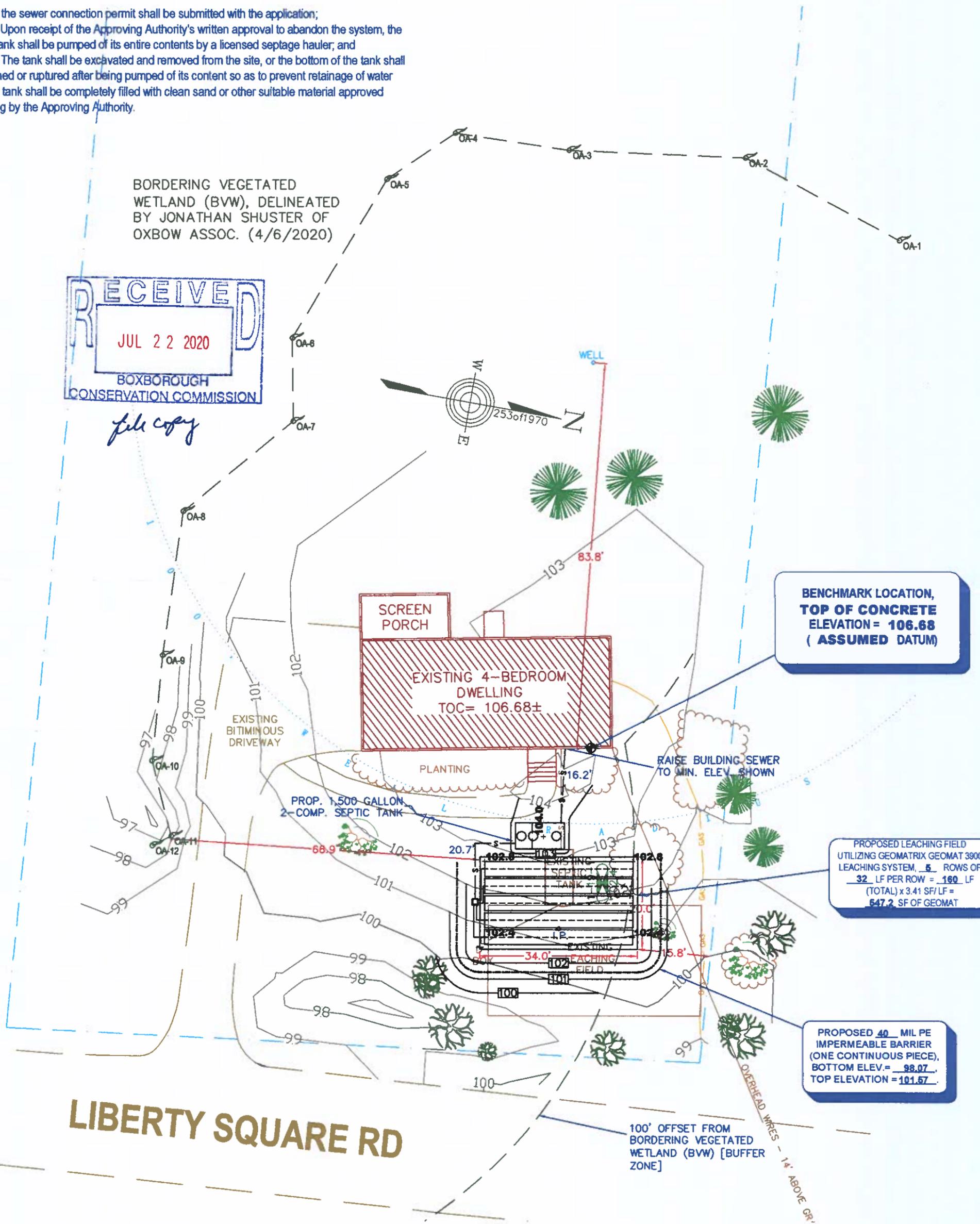
**BENCHMARK LOCATION,
TOP OF CONCRETE
ELEVATION = 106.68
(ASSUMED DATUM)**

PROPOSED LEACHING FIELD
UTILIZING GEOMATRIX GEOMAT 3900
LEACHING SYSTEM, 5 ROWS OF
32 LF PER ROW = 160 LF
(TOTAL) x 3.41 SF/LF =
547.2 SF OF GEOMAT

PROPOSED 40 MIL PE
IMPERMEABLE BARRIER
(ONE CONTINUOUS PIECE),
BOTTOM ELEV. = 98.07,
TOP ELEVATION = 101.57

100' OFFSET FROM
BORDERING VEGETATED
WETLAND (BVW) [BUFFER
ZONE]

LIBERTY SQUARE RD



TOWN OF BOXBOROUGH
Conservation Commission
29 Middle Road
Boxborough, MA 01719
978.264.1722

RECEIVED

JUL 30 2020

@ 12:45 PM
TOWN CLERK
TOWN OF BOXBOROUGH

LEGAL NOTICE OF PUBLIC HEARING
REQUEST for DETERMINATION OF APPLICABILITY

Pursuant to the provisions of MGL Ch. 131, Section 40 and the Boxborough Wetland Bylaw a public hearing will be held on Wednesday, August 5, 2020 at 8:15 PM at the Boxborough Town Hall, 29 Middle Road, Boxborough, MA before the Boxborough Conservation Commission to consider a Request for Determination of Applicability filed by the property owner, Jeffrey Miller.

Project location: 218 Liberty Square Road, Assessor Parcel 15-031-000

Project description: installation of a septic system.

Based on current COVID-19 circumstances, this public hearing will be held in the Town Hall **or otherwise** will be held via Zoom videoconferencing. All details will be made available on the Conservation Commission agenda when posted, a minimum of 48 hours prior to the meeting on the town web site, www.boxborough-ma.gov.

Contact the Conservation Commission office at 978.264.1722 if there are questions.

DO NOT PUBLISH BELOW THIS LINE



PLACES Associates, Inc.

Certified WBE

July 15, 2020

Mary Nadwarski,
Boxborough Conservation Commission
29 Middle Road
Boxborough, MA 01719

via email: mnadwairski@boxborough-ma.gov

Re: 1172 Hill Road
Notice of Intent Filing Review
Places Project No. 5445

Dear Commission Members;

This office is in receipt of the following items (in pdf format):

- Notice of Intent submission package dated June 30, 2020, prepared by Hancock Associates Inc.
 - Cover letter
 - WPA Form 3 & Fee Transmittal Form
 - USGS Locus
 - FIRMette
 - USDA Soils Map
 - Boxborough Fee Worksheet
 - Abutters List and Notification
 - Copy of Filing Fees
- Notice of Intent Site Plan (1 sheet) dated 6-8-2020, prepared by Hancock Associates Inc.

At this time, we have the following comments:

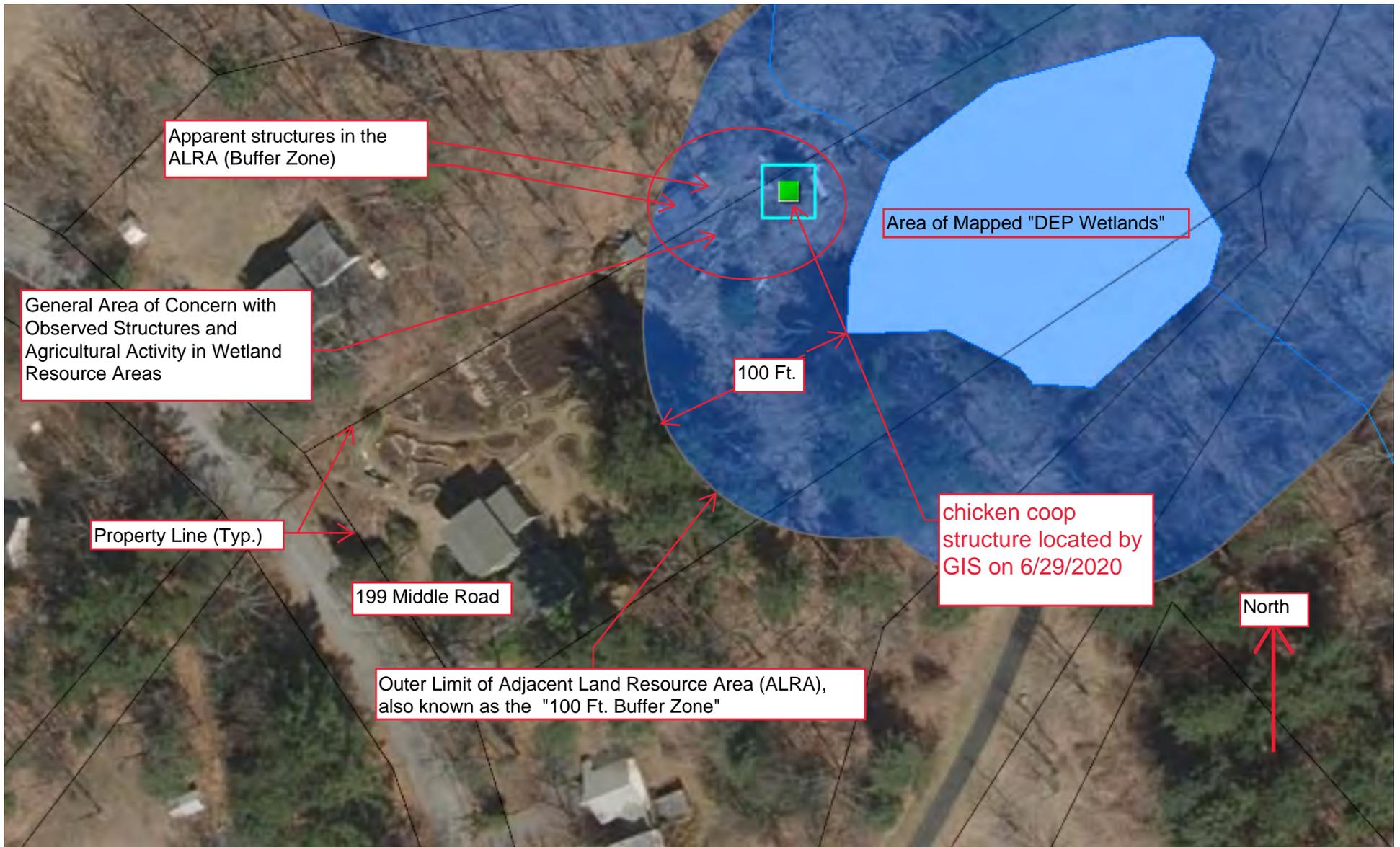
1. On June 6, 2020, we commented on the ANRAD filing and noted specifically the following:
 - a. There appears to be a potential vernal pool located opposite WF B121, between the stone wall and the brook. It is not noted or depicted on the plans. Section 1.5.22. & Section 2.4 of the Boxborough Regulations for the Wetlands Bylaw note that a vernal pool does not have to be certified by the State to be afforded the protections listed in the Bylaw. The regulation requires that the pool be provided a 100' no alteration zone. We recommend that this "potential vernal pool" be depicted on the plan to advise the future property owner of its location and presence. We also recommend that the Commission require the Applicant's Wetlands Scientist investigate the pool at the appropriate time of year and report the results to the Commission to allow the pool to be certified.
 - b. We believe that the location of the intermittent brook should be shown on the plan.
 - c. We noted an area of seepage that expanded the wetlands uphill and to the east. That change appears to be part of this plan.

2. The plan makes several references to erosion control details on sheet 3, this office did not receive a sheet 3.
3. As a single family home the project is not required to meet the Stormwater Management Standards, however the applicant has made an effort to address storm water. Given the Class C soils, high groundwater and ledge often found in areas of this soil type it is likely that the infiltration basins will function more like sediment forebays than infiltration basins. This will at least provide some treatment, attenuation and possibly infiltration during the dry season. This might also require more maintenance be undertaken to ensure their function.
4. The erosion control should be extended along the buffer zone, beyond the stonewall to the northerly property line.
5. The erosion control should be extended along the buffer zone to the easterly property boundary.
6. This office recommends a stone construction entrance be provided until such time as the driveway is paved.
7. This office notes that Hill Road is a Scenic Road in Boxborough and additional approvals will be required from the Planning Board.
8. The septic system will require Board of Health Approval.
9. The plan does not depict a well/water supply serving the building, this should be added to the plan.

Should the Commission have any questions or require additional information, please do not hesitate to contact us.

Sincerely,
Places Associates, Inc.
By:

William E. Murray
William E. Murray, RLA



Aerial Map of 199 Middle Road, Boxborough, MA
Site Visit 6/29/2020 information
Note: Location of wetlands, property lines, and dimensions are all approximate based on aerial mapping



Boxborough Conservation Commission
29 Middle Road, Boxborough, Massachusetts 01719
Phone: 978.263.1116 (ext. 111) · Fax: 978.264.3127
www.town.boxborough.ma.us

August 5, 2020

CERTIFIED MAIL
Return Receipt Requested

Xxxx
199 Middle Road
Boxborough, MA 01719

Re: Wetlands Enforcement Order – WPA Form 9
Adjacent Land Resource Area (aka Buffer Zone) Alteration

Dear Mx xxxxx,

We are writing to provide additional explanation of the Enforcement Order issued against your property, and the required corrective action.

On June 29, 2020 the Town Building Inspector, Bentley Herget, and Town Planner, Simon Corson, met with you to observe the chicken coop, associated structures and general land use activity located at the northeasterly end of your property. This area of your property includes a pond, Bordering Vegetated Wetlands (BVW) and the Adjacent Land Resource Area (ALRA) which is more commonly referred to as the 100 ft buffer zone to BVW. The attached aerial plan dated 6/29/2020 shows the approximate boundaries of these areas, the approximate location of the chicken coop, and the area of general concern regarding wetlands interests.

The pond, BVW and ALRA land areas are subject to regulation under the State Wetlands Protection Act (the Act) and/or Town Wetlands By-Law (the By-Law). Any activity involving clearing of vegetation, construction of building structures, conversion to agricultural land use, or other alterations is not allowed in these areas unless authorized by an Order of Conditions issued by the Conservation Commission after review of a Notice of Intent filing.

This Enforcement Order requires that you to remove the chicken coop and other related agricultural use structures and equipment from these areas, and to cease all agricultural use in these areas. Corrective action shall also include allowing the entire area to naturally return to its pre-agriculture use condition. The required “restoration plan” due on or before September 16, 2020 shall include a reply in writing acknowledging the required corrective action, and a commitment to complete the corrective action by October 30, 2020. Please notify the Commission and the Building Inspector so we may return to your property to confirm that the corrective action has been completed.

The Commission assumes that you have limited knowledge of the Act and the By-Law as it applies to your property, and that you have not intentional committed a possible violation. We also assume that you share our interest in avoiding any possible violation, or other misunderstanding regarding the Wetlands now and in the future.

If you would like to meet to discuss this Enforcement Order in more detail, please contact me by email or phone at dennisreip@gmail.com or 978-490-5575

● Page 2

August 2, 2020

Very truly yours,

Dennis Reip
Chair
Boxborough Conservation Commission

cc: Town Building Inspector



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 9 – Enforcement Order

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

DEP File Number:

B. Findings (cont.)

the activity has been/is being conducted in an area subject to protection under c. 131, § 40 or the buffer zone in violation of an issuing authority approval (i.e., valid Order of Conditions or Negative Determination of Applicability) issued to:

Name _____ Dated _____

File Number _____ Condition number(s) _____

The Order of Conditions expired on (date): _____ Date _____

The activity violates provisions of the Certificate of Compliance.

The activity is outside the areas subject to protection under MGL c.131 s.40 and the buffer zone, but has altered an area subject to MGL c.131 s.40.

Other (specify):

C. Order

The issuing authority hereby orders the following (check all that apply):

The property owner, his agents, permittees, and all others shall immediately cease and desist from any activity affecting the Buffer Zone and/or resource areas.

Resource area alterations resulting from said activity shall be corrected and the resource areas returned to their original condition.

A restoration plan shall be filed with the issuing authority on or before September 16, 2020
Date

for the following:

Please refer to attached letter dated August 5, 2020.

The restoration shall be completed in accordance with the conditions and timetable established by the issuing authority.



C. Order (cont.)

- Complete the attached Notice of Intent (NOI). The NOI shall be filed with the Issuing Authority on or before:

_____ Date

for the following:

No further work shall be performed until a public hearing has been held and an Order of Conditions has been issued to regulate said work.

- The property owner shall take the following action (e.g., erosion/sedimentation controls) to prevent further violations of the Act:

Failure to comply with this Order may constitute grounds for additional legal action. Massachusetts General Laws Chapter 131, Section 40 provides: "Whoever violates any provision of this section (a) shall be punished by a fine of not more than twenty-five thousand dollars or by imprisonment for not more than two years, or both, such fine and imprisonment; or (b) shall be subject to a civil penalty not to exceed twenty-five thousand dollars for each violation". Each day or portion thereof of continuing violation shall constitute a separate offense.

D. Appeals/Signatures

An Enforcement Order issued by a Conservation Commission cannot be appealed to the Department of Environmental Protection, but may be filed in Superior Court.

Questions regarding this Enforcement Order should be directed to:

_____ Name

_____ Phone Number

_____ Hours/Days Available

Issued by:

_____ Conservation Commission

Conservation Commission signatures required on following page.



D. Appeals/Signatures (cont.)

In a situation regarding immediate action, an Enforcement Order may be signed by a single member or agent of the Commission and ratified by majority of the members at the next scheduled meeting of the Commission.

Signatures:

Signature _____	Printed Name _____

Signature of delivery person or certified mail number

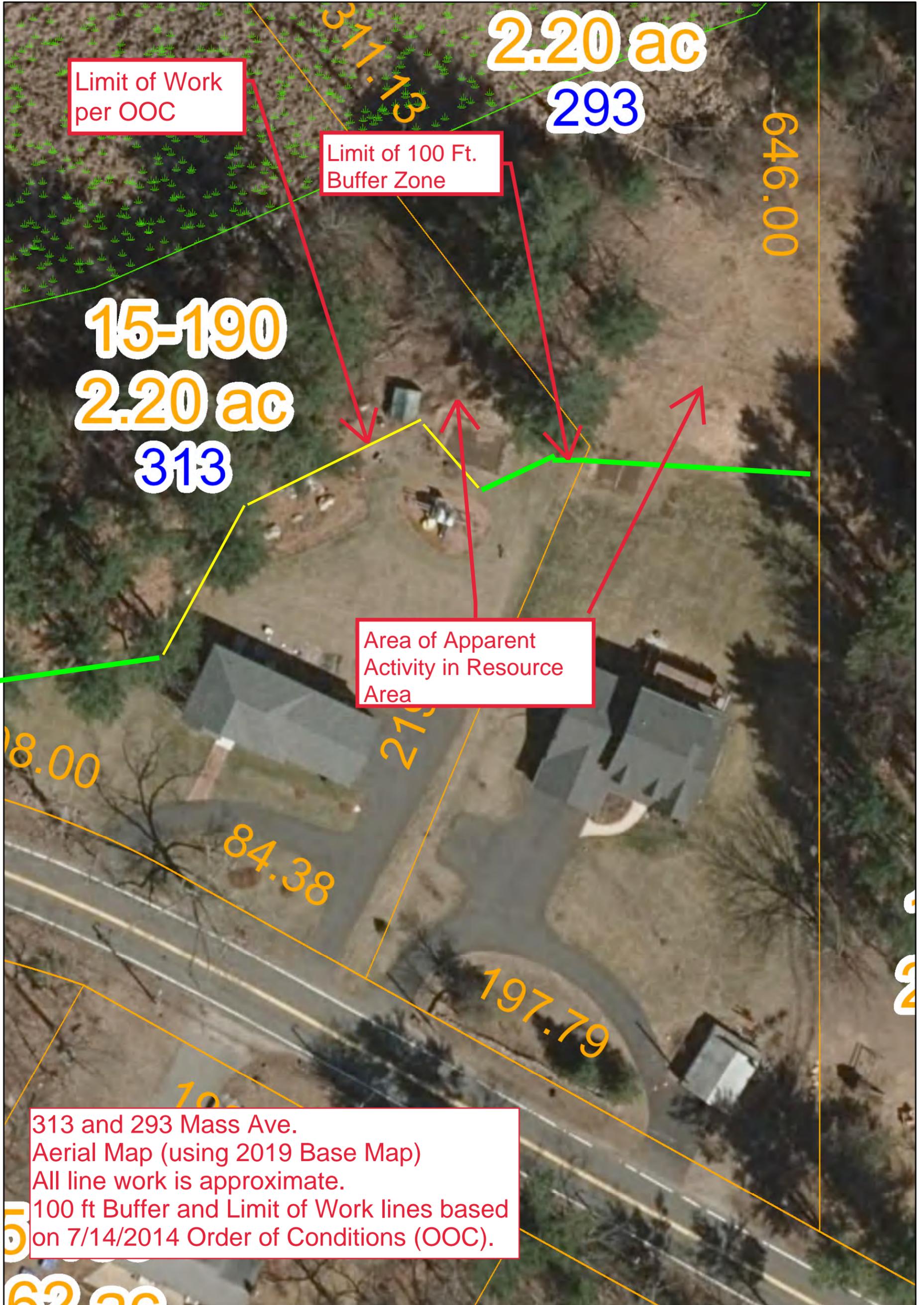


Boxborough, MA

1 inch = 34 Feet



August 2, 2020



313 and 293 Mass Ave.
 Aerial Map (using 2019 Base Map)
 All line work is approximate.
 100 ft Buffer and Limit of Work lines based on 7/14/2014 Order of Conditions (OOC).

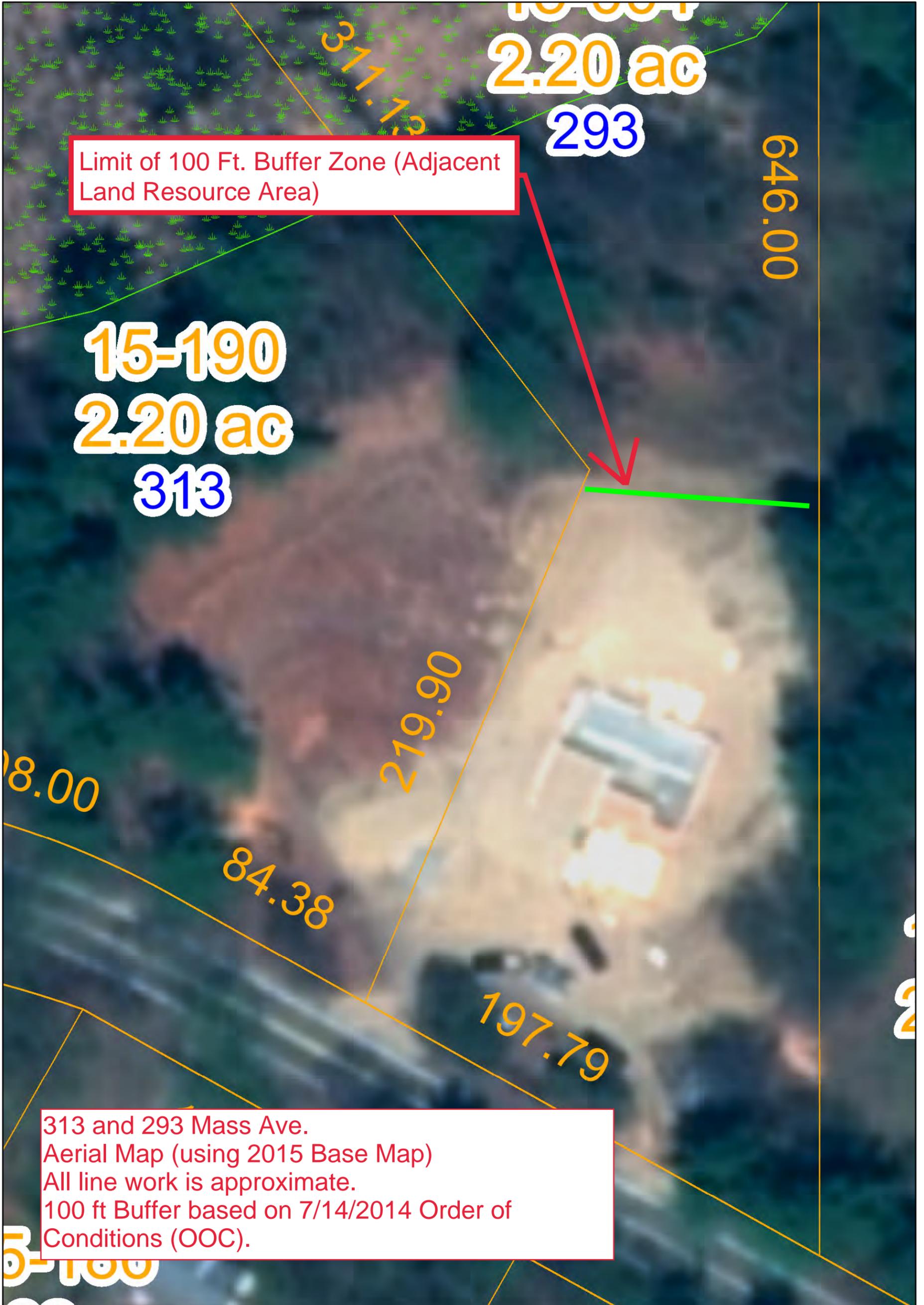


Boxborough, MA

1 inch = 34 Feet



August 2, 2020



Limit of 100 Ft. Buffer Zone (Adjacent Land Resource Area)

15-190
2.20 ac
313

2.20 ac
293

646.00

279.90

197.79

84.38

8.00

313 and 293 Mass Ave.
Aerial Map (using 2015 Base Map)
All line work is approximate.
100 ft Buffer based on 7/14/2014 Order of Conditions (OOC).



Boxborough Conservation Commission
29 Middle Road, Boxborough, Massachusetts 01719
Phone: 978.263.1116 (ext. 111) · Fax: 978.264.3127
www.town.boxborough.ma.us

August 5, 2020

CERTIFIED MAIL
Return Receipt Requested

Xxxx
313 Massachusetts Avenue
Boxborough, MA 01719

Re: Appearance of Buffer Zone Alteration

Dear Mx xxxxx

We are writing to alert you to our concern with what appears to be some recent clearing of trees and vegetation, and the construction of an accessory structure at the rear of your property. This area of your property includes the Adjacent Land Resource Area (ALRA) which is more commonly referred to as the 100 ft buffer zone. The attached plans dated July 14, 2014 and August 2, 2020 shows these areas at the rear (northerly end) of your property.

This land area of concern is subject to regulation under the State Wetlands Protection Act (the Act) and/or Town Wetlands By-Law (the By-Law). Activity involving clearing or other alteration is not allowed in these areas unless authorized by an Order of Conditions issued by the Conservation Commission after review of a Notice of Intent filing.

Some activity in this area was previously permitted per the attached Order of Conditions (OOC) and Plan dated July 14, 2014. However, the current activity appears to extend beyond the boundaries allowed under the OOC. It is also unclear whether Perpetual Condition No 45, marking of the permanent limit of clearing, has been appropriately implemented. Condition No. 12, request for Certificate of Compliance upon completion of the work, has also not been received.

We request that you immediately correct any possible non-compliance with the requirements of the OOC and submit a formal request for Certificate of Compliance (COC) by October 30, 2020 to close out the work and establish the permanent conditions for your property.

We assume that you share our interest in avoiding any possible violation, or other misunderstanding regarding the Wetland Resource Areas now and in the future. If you would like to meet to discuss our concerns, or our request, in more detail, please contact me by email or phone at dennisreip@gmail.com or 978-490-5575

Very truly yours,

Dennis Reip
Chair
Boxborough Conservation Commission

cc: Town Building Inspector



Boxborough Conservation Commission
29 Middle Road, Boxborough, Massachusetts 01719
Phone: 978.263.1116 (ext. 111) · Fax: 978.264.3127
www.town.boxborough.ma.us

August 5, 2020

CERTIFIED MAIL
Return Receipt Requested

Xxxx
293 Massachusetts Avenue
Boxborough, MA 01719

Re: Appearance of Buffer Zone Alteration

Dear Mx xxxxx, Dixon??

We are writing to alert you to our concern with what appears to be some recent clearing of trees and vegetation at the rear of your property. This area of your property includes Bordering Vegetated Wetlands (BVW) and the Adjacent Land Resource Area (ALRA) which is more commonly referred to as the 100 ft buffer zone. The attached plans dated July 14, 2014 and August 2, 2020 shows these areas at the rear (northerly end) of your property.

These land areas are subject to regulation under the State Wetlands Protection Act (the Act) and/or Town Wetlands By-Law (the By-Law). Activity involving clearing or other alteration is not allowed in these areas unless authorized by an Order of Conditions issued by the Conservation Commission after review of a Notice of Intent filing. Some minor activities are exempt per the Town's "Policy for Minor Maintenance Activity in Wetland Buffer Zones (Adjacent Land Resource Areas)" and "Policy for Storm Damaged Trees" and it is possible that some of this recent activity fits this definition. However, we are concerned that some of the observed clearing of trees and vegetation is beyond what is normally allowed under the definition of minor maintenance.

We request that you reply to this letter by September 5, 2020 to clarify what type of clearing activity has taken place. We further request that you cease any further clearing or other activity in this area and allow it to naturally revegetate so that it may better serve to protect wetland interests.

We assume that you share our interest in avoiding any possible violation, or other misunderstanding regarding the Wetland Resource Areas now and in the future. If you would like to meet to discuss our concerns, or our request, in more detail, please contact me by email or phone at dennisreip@gmail.com or 978-490-5575

Very truly yours,

Dennis Reip
Chair
Boxborough Conservation Commission

cc: Town Building Inspector



498 Stow Road
 Observations 08-02-2020
 All linework and locations shown are approximate.



Boxborough Conservation Commission
29 Middle Road, Boxborough, Massachusetts 01719
Phone: 978.264.1722
www.boxborough-ma.gov

David Follett Norm Hanover David Koonce Dennis Reip, Chair Steve Schmitt Hoff Stuart

August 5, 2020

Via Cert. Mail # ??????????????

Salvatore Panetta III
Darlene Chiasson-Durkin
498 Stow Road
Boxborough, MA 01719

Re: Notification of Encroachment on Conservation Land
Site Visit Observations 8/2/2020

Dear Property Owners,

This letter is to inform you that our recent site visit observations that indicate continuing encroachment onto Town Conservation Land at the rear of your property. These encroachment concerns were previously described in our letters to you dated November 26, 2019 and January 22, 2020. Please refer to the attached aerial map originally dated January 10, 2020 with added observations dated 08-02-2020. This map shows the observed area of continuing encroachment. As described in our letter dated January 22, 2020, a straight line running from the stream behind your house to the existing footbridge the easterly edge of our shared boundary with 526 Stow Road represents the approximate “on-the-ground” location of the property boundary.

Based on this understanding of the property line please refrain from any further encroachment activity on Town Conservation Land. If the location of this property boundary is unclear to you, the Commission is willing to meet with you along the boundary to delineate these limits more clearly.

The Commission intends to allow the previously disturbed area of encroachment to revert to a natural cover condition to serve as wildlife habitat and as a vegetated buffer area between the actively managed area of Flerra Meadow and your abutting property. You are welcome to enjoy the established trail access and passive uses allowed under the Regulations for Use of Boxborough Conservation Land. We look forward to your cooperation in protecting and preserving the Town’s Conservation Land for our mutual benefit.

Very truly yours,

Dennis Reip
Chair
Boxborough Conservation Commission

Attachments:

GIS Mapping, dated 1/10/2020 with Observations dated 08-02-2020.