



August 29, 2024

Boxborough Conservation Commission
Boxborough Town Hall
29 Middle Road
Boxborough, MA 01719

Re: Notice of Intent
79 Meadow Lane, Boxborough, MA

Dear Conservation Commission,

Goddard Consulting, LLC (Goddard) is pleased to submit this Notice of Intent on behalf of the applicant Westchester Homes for the property known as 79 Meadow Lane (Map 19 Lot 010). The applicant proposes to construct a driveway to access uplands on site which will impact 227 sf of wetland. The project proposes a 346 sf wetland replication area. This project qualifies as a limited project under the Act. The proposed house will be constructed outside of the resource areas and 100-ft buffer zones.

This NOI application is a joint filing under the MA Wetlands Protection Act (WPA) and Boxborough Wetland Bylaw. Enclosed are the supporting documentation for the project for your review and approval.

A list of enclosed documents is as follows:

- ☐ NOI Application (WPA Form 3)
- ☐ Copy of Checks
- ☐ Wetlands Fee Transmittal Form
- ☐ *Orthophoto of the Locus Site*, Goddard Consulting, LLC
- ☐ *USGS of Locus Site*, Goddard Consulting, LLC
- ☐ Certified Abutters List, Notification to Abutters Form, Affidavit of Service
- ☐ Project Narrative
- ☐ Wetland Border Report, Goddard Consulting, LLC
 - o DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form
 - o FEMA Flood Map
- ☐ *Plan of Land in Boxborough, MA Owned by Meadow Lane Trust* dated 7-7-2024, prepared by Alfred Berry

Sincerely,
Goddard Consulting, LLC.

Nicole Hayes, PWS
Senior Wetland Scientist

☐ CC: MassDEP Central Regional Office, 8 New Bond Road, Worcester, MA 01606
Applicant



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

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



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

A. General Information

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

79 Meadow Lane

a. Street Address

Boxborough

b. City/Town

01719

c. Zip Code

Latitude and Longitude:

42.47186

d. Latitude

-71.52115

e. Longitude

19

f. Assessors Map/Plat Number

010

g. Parcel /Lot Number

2. Applicant:

Jim

a. First Name

D'Agostine

b. Last Name

Westchester Homes

c. Organization

360 Massachusetts Ave

d. Street Address

Acton

e. City/Town

MA

f. State

01720

g. Zip Code

978-846-5499

h. Phone Number

i. Fax Number

jjd@verizon.net

j. Email Address

3. Property owner (required if different from applicant):

☐ Check if more than one owner

Sherrill

a. First Name

Gould

b. Last Name

Meadow Lane Trust

c. Organization

311 Great Road

d. Street Address

Littleton

e. City/Town

MA

f. State

01460

g. Zip Code

978-846-5499

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Nicole

a. First Name

Hayes

b. Last Name

Goddard Consulting LLC

c. Company

291 Main St. Suite 8

d. Street Address

Northborough

e. City/Town

MA

f. State

01532

g. Zip Code

774-277-0302

h. Phone Number

i. Fax Number

nicole@goddardconsultingllc.com

j. Email address

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

110.00

a. Total Fee Paid

\$42.50

b. State Fee Paid

\$67.50 and 250.00

c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

Construction of a single family house driveway within a small area of wetland and BVW buffer zone.

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

- | | |
|---|---|
| 1. <input type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input checked="" type="checkbox"/> Other | |

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

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

Access driveway for single family house construction (house outside of Buffer zone)

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

a. County

1551

c. Book

271884

b. Certificate # (if registered land)

49

d. Page Number

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

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

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



Massachusetts Department of Environmental Protection
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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	227 sf 1. square feet	346 sf 2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 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. _____

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☐ Yes ☐ No

3. ☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



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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.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet _____	
	2. cubic yards dredged _____	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. <input type="checkbox"/> Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet _____	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet _____	
h. <input type="checkbox"/> Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet _____	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged _____	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet _____	

4. ☐ Restoration/Enhancement

If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

a. square feet of BVW _____

b. square feet of Salt Marsh _____

5. ☐ Project Involves Stream Crossings

a. number of new stream crossings _____

b. number of replacement stream crossings _____



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C. Other Applicable Standards and Requirements

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

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

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

2020

b. Date of map

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

- c. Submit Supplemental Information for Endangered Species Review*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

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

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

(a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) ☐ Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/mas-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

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



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

- (c) ☐ MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

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

- (d) ☐ Vegetation cover type map of site
- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following

1. ☐ Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

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

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

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

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

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

South Shore - Bourne 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@mass.gov

North Shore - Plymouth to New Hampshire border:

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

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

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

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



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Bureau of Resource Protection - Wetlands

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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.



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D. Additional Information (cont'd)

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

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

Plan of Land in Boxborough MA Owned by Meadow Lane Trust

a. Plan Title

Alf Berry

Alf Berry

b. Prepared By

c. Signed and Stamped by

7-7-2024

1=40

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:

1795 and 1794 and 1801

8-28-2024

2. Municipal Check Number

3. Check date

1796

8-28-2024

4. State Check Number

5. Check date

Westminster Homes

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

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.

1. Signature of Applicant

3. Signature of Property Owner (if different)

5. Signature of Representative (if any)

2. Date

4. Date

6. Date

For Conservation Commission:

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

For MassDEP:

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

Other:

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

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



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NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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



A. Applicant Information

1. Location of Project:

79 Meadow Lane

a. Street Address

1796

c. Check number

Boxborough

b. City/Town

42.50

d. Fee amount

2. Applicant Mailing Address:

Jim

a. First Name

Westchester Homes

c. Organization

360 Massachusetts Ave

d. Mailing Address

Action

e. City/Town

978-846-5499

h. Phone Number

i. Fax Number

D'Agostine

b. Last Name

jjd@verizon.net

j. Email Address

MA

f. State

01720

g. Zip Code

3. Property Owner (if different):

Sherrill

a. First Name

Meadow Land Trust

c. Organization

311 Great Road

d. Mailing Address

Littleton

e. City/Town

978-846-5499

h. Phone Number

i. Fax Number

Gould

b. Last Name

j. Email Address

MA

f. State

01460

g. Zip Code

B. Fees

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

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

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

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

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

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

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

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



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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
Driveway-Limited Project	1	110.00	110.00

Step 5/Total Project Fee:

Step 6/Fee Payments:

Total Project Fee:	110.00
	a. Total Fee from Step 5
State share of filing Fee:	42.50
	b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:	67.50
	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.)

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.

WESTMINSTER HOMES INC
289 GREAT ROAD SUITE 304
ACTON, MA 01720

1794

53-7122/2113

Aug 28, 2024

Date

CHECK ARMOR
Photo Safe Deposit Dollars on back

Pay to the
Order of

Town of Boxborough

\$ 250.00

Two hundred fifty and 00/100

Dollars

Photo Safe Deposit Dollars on back



Middlesex
Savings Bank

18353

BOXBOROUGH, MA 01719

For

By LAW FEE Meadow Lane

MP

⑆211371227⑆ 167171421⑆ 1794

WESTMINSTER HOMES INC
289 GREAT ROAD SUITE 304
ACTON, MA 01720

1801

53-7122/2113

8/28/2024

Date

CHECK ARMOR
Photo Safe Deposit Dollars on back

Pay to the
Order of

Town of Boxborough

\$ 250.00

Two hundred fifty

Dollars

Photo Safe Deposit Dollars on back



Middlesex
Savings Bank

18353

BOXBOROUGH, MA 01719

For

⑆211371227⑆ 167171421⑆ 1801

WESTMINSTER HOMES INC
289 GREAT ROAD SUITE 304
ACTON, MA 01720

1795

53-7122/2113

Aug 28, 2024

Date

CHECK ARMOR
Photo Safe Deposit Dollars on back

Pay to the
Order of

Town of Boxborough

\$ 67.50

Sixty seven and 50/100

Dollars

Photo Safe Deposit Dollars on back



Middlesex
Savings Bank

18353

BOXBOROUGH, MA 01719

For

ACT FEE Meadow Lane

MP

⑆211371227⑆ 167171421⑆ 1795

WESTMINSTER HOMES INC
289 GREAT ROAD SUITE 304
ACTON, MA 01720

1796

53-7122/2113

Aug 28, 2024

Date

CHECK ARMOR
Photo Safe Deposit Dollars on back

Pay to the
Order of

Commonwealth of Ma.

\$ 42.50

Forty two and 50/100

Dollars

Photo Safe Deposit Dollars on back



Middlesex
Savings Bank

18353

BOXBOROUGH, MA 01719

For

ACT FEE Meadow Lane

MP

⑆211371227⑆ 167171421⑆ 1796

REGULATORY COMPLIANCE NARRATIVE

1.0 EXISTING CONDITIONS

The locus site consists of an undeveloped 4.59-acre wooded lot (see plan and attached ortho-photographs). Bordering Vegetated Wetland (BVW) and intermittent stream channel Bank resources are located on site and have been flagged with series A1-9, B1-10, C1-7, D1-5 and E1-4 (see enclosed wetland report for more information on wetland and upland species and soils). The pond on site flagged with the C series is a mapped potential vernal pool; however, may contain an active fish population due to its size and depth.

According to the Mass GIS data layers for NHESP, this site is not located within Estimated and/or Priority Habitat of Rare Wildlife. The site is not mapped within an Area of Critical Environmental Concern (ACEC) or Outstanding Resource Waters or regulated FEMA flood zone and is not within 200-ft of a mapped perennial stream.

2.0 PROPOSED PROJECT

The applicant proposes constructing a driveway to access upland. This type of work qualifies as a limited project. The only resource proposed to be impacted is a small area of BVW (227 sf) located near flags A2-A5. This wetland square footage which will be replicated by 346 sf (a larger than 1:1 replacement) near wetland flags B6 and B7.

Local buffer zone (referred to as an upland resource area) will also be impacted. The proposed house and all other work will be located outside the resource areas and 100-ft buffer zone.

Erosion control barriers will demarcate the limit of work and will prevent sediment from migrating out of the construction area toward the resource areas.

According to the BVW regulations the wetland impact area shall be replaced at a ratio of at least 1:1. This project proposes a higher ratio of replacement of 1:1.5, along the same wetland system.

Existing conditions within wetland area proposed to be impacted

The wetland area proposed to be impact is vegetated with cinnamon and marsh fern, skunk cabbage and one 4-6" dbh red maple.



Photograph 1. Wetland area to be impacted by the proposed driveway. As indicated in this photograph little to no trees or shrubs are proposed to be impacted.

Existing conditions of replacement area

The replacement area to be located along wetland flags B6 and B7 was chosen since this area has less trees to be impacted (one 4-6" dbh birch) than other areas along the wetland line. Other dominant vegetation within this area includes Virginia creeper, Canada mayflower, wood fern, Massachusetts fern and hay scented ferns. This area has many down logs and rock which will be saved and moved to the wetland replacement area.



Photograph 2. Showing existing conditions of proposed wetland replacement area. As indicated in this photo little to no trees and shrubs will be impacted

Proposed Conditions of the Replacement Area

Table No. 1 – Wetland Restoration Plantings

Common Name	Scientific Name	Number	Size
Trees			
Red Maple	<i>Acer rubrum</i>	2	4-5'
Yellow Birch	<i>Betula alleghaniensis</i>	2	4-5'
Shrubs			
Sweet Pepperbush (FAC)	<i>Clethra alnifolia</i>	2	3 gal. pot
Highbush Blueberry	<i>Vaccinium corymbosum</i>	3	3 gal. pot
Seed Mix*			
New England Wetland Plants Conservation/Wildlife Seed Mix or equivalent		1	1 lb

Wetland Restoration Construction Sequence

1. The down logs and some of the rocks within the proposed restoration area will be removed and stockpiled to be later used in the restoration area.
2. Wetland soils from the impact area will be stockpiled and saved in case needed for the restoration area.
3. The elevation within the restoration area will be brought down to the elevation of the adjacent wetland area in order to achieve wetland hydrology. In the case where 6-inches of organic soil is not present at this elevation, 6 inches of organic wetland soil will be used from the wetland impact area. In the end the restoration area will be the same elevation as the adjacent wetland resource area. All wetland restoration work shall be under the supervision of a wetland scientist.
4. Once the proper elevation is achieved to provide the correct wetland hydrology the area will be seeded with a native seed mix and red maple and yellow birch trees along with sweet pepperbush and highbush blueberry shrubs planted (see attached plan). The seed mix will include native sedges and ferns and other wetland herbaceous species. Natural re-vegetation of existing species within the wetland will also occur.

Monitoring

a. **Seasonal monitoring reports (spring and fall)** shall be prepared for the restoration areas by a qualified wetland scientist. Each report will include photographs and details about the vitality of the restoration areas. Monitoring reports shall be submitted to the Commission by July 1st and November 15th of each year. Monitoring reports shall describe, using narratives, plans, and color photographs, the physical characteristics of the replacement area with respect to stability, survival of vegetation and plant mortality, aerial extent and distribution, species diversity and vertical stratification (i.e. herb, shrub and tree layers). Invasive species will be documented if present within areas impacted by the project, monitored and removed.

b. **At least 75% coverage of native wetland plants** shall be observed by the end of the second full growing season. If the replication area does not meet the 75% coverage requirement by the end of this growing season, the Applicant shall submit a remediation plan to the Commission for approval that will achieve, under the supervision of a Wetland Specialist, replication goals. This plan must include an analysis of why the areas have not been successful and how the Applicant intends to resolve the problem.

3.0 REGULATORY COMPLIANCE WITH WETLANDS PROTECTION ACT

3.1 BUFFER ZONE (100-FOOT)

The WPA Regulations do not contain performance standards for Buffer Zone Alteration (310 CMR 10.02(2)(b)). All reasonable efforts to avoid, minimize and mitigate adverse impacts on the Buffer Zone have been considered. Erosion and sedimentation controls will be implemented during construction, along the limit of work.

3.2 BORDERING VEGETATED WETLAND

WPA Regulation	Performance Standard	Proposed Project
310 CMR 10.55(4)(a)	<i>Where the presumption set forth in 310 CMR 10.55(3) is not overcome, any proposed work in a Bordering Vegetated Wetland shall not destroy or otherwise impair any portion of said area.</i>	See the below description for compliance with 310 CMR 10.55(4)(b).
310 CMR 10.55(4)(b)	<i>Notwithstanding the provisions of 310 CMR 10.55(4)(a), the issuing authority may issue an Order of Conditions permitting work which results in the loss of up to 5000 square feet of Bordering Vegetated Wetland when said area is replaced in accordance with the following general conditions and any additional, specific conditions the issuing authority deems necessary to ensure that the replacement area will function in a manner similar to the area that will be lost:</i>	The project proposes the loss of 227 SF of BVW. A BVW replacement area is proposed at 346 SF and has been designed to function in a manner similar to the wetland fill areas. See the Wetland Replication Plan for details.
310 CMR 10.55(4)(b)(1)	<i>The surface of the replacement area to be created ("the replacement area") shall be equal to that of the area that will be lost ("the lost area");</i>	The replacement area (346 SF) is greater in SF to the area lost (227 SF).
310 CMR 10.55(4)(b)(2)	<i>The ground water and surface elevation of the replacement area shall be approximately equal to that of the lost area;</i>	The restoration area is approximately 1-1.5 feet higher in elevation. Once excavated down to the adjacent wetland elevation the ground and surface water elevation will be the same.
310 CMR 10.55(4)(b)(3)	<i>The overall horizontal configuration and location of the replacement area with respect to the bank shall be similar to that of the lost area;</i>	The overall horizontal configuration and location of the replacement area with respect to the BVW will be similar to that of the lost area. Due to the fact that the lost area and replacement areas are all connected to the same wetland system.

310 CMR 10.55(4)(b)(4)	<i>The replacement area shall have an unrestricted hydraulic connection to the same water body or waterway associated with the lost area;</i>	The replacement area will have an unrestricted hydraulic connection to the same wetland associated with the lost area.
310 CMR 10.55(4)(b)(5)	<i>The replacement area shall be located within the same general area of the water body or reach of the waterway as the lost area;</i>	The replacement area is connected to same BVW system as the lost area.
310 CMR 10.55(4)(b)(6)	<i>At least 75% of the surface of the replacement area shall be reestablished with indigenous wetland plant species within two growing seasons, and prior to said vegetative reestablishment any exposed soil in the replacement area shall be temporarily stabilized to prevent erosion in accordance with standard U.S. Soil Conservation Service methods; and</i>	The replacement area has been designed with native tree, shrub, and herbaceous species with the intention of complying with this condition. The replacement area will be inspected annually for two growing seasons to ensure that the replacement area meets the 75% coverage within two growing seasons. Any bare soils following construction will be seeded with New England Wetland Plants Wetmix or equivalent, so soil stabilization should occur rapidly.
310 CMR 10.55(4)(b)(7)	<i>The replacement area shall be provided in a manner which is consistent with all other General Performance Standards for each resource area in Part III of 310 CMR 10.00.</i>	The replacement area will be provided in a manner consistent with all other performance standards for each resource area as demonstrated in this report.
310 CMR 10.55(4)(b) (continued)	<i>In the exercise of this discretion, the issuing authority shall consider the magnitude of the alteration and the significance of the project site to the interests identified in M.G.L. c. 131, § 40, the extent to which adverse impacts can be avoided, the extent to which adverse impacts are minimized, and the extent to which mitigation measures, including replication or restoration, are provided to contribute to the protection of the interests identified in M.G.L. c. 131, § 40.</i>	Extent to which adverse impacts are minimized: <ul style="list-style-type: none"> o Erosion controls are proposed at the limit of work to demarcate a clear limit of work to minimize encroachment of the resource areas during construction. o Erosion controls are proposed at the limit of work to prevent migration of sediment from the work area to the resource areas to minimize the risk of adverse impacts to the resource areas. o The proposed location of the wetland crossing was chosen to minimize impacts to BVW to the greatest extent practicable.
310 CMR 10.55(4)(b) (continued)		

		<ul style="list-style-type: none"> ○ The proposed location of the restoration area was chosen to minimize the amount of upland tree species as much as possible. <p>Extent to which mitigation measures, including replication and restoration, are provided to contribute to the protection of the WPA:</p> <ul style="list-style-type: none"> ○ Replication is provided in accordance with BVW replication performance standard 310 CMR 10.55(4)(b). The proposed square footage of replication is greater to the amount lost and therefore meets requirements of 310 CMR 10.55(4)(b)(1).
310 CMR 10.55(4)(c)	<i>Notwithstanding the provisions of 310 CMR 10.55(4)(a), the issuing authority may issue an Order of Conditions permitting work which results in the loss of a portion of Bordering Vegetated Wetland when;</i>	See the below description for 310 CMR 10.55(4)(c)(1-3).
310 CMR 10.55(4)(c)(1)	<i>Said portion has a surface area less than 500 square feet;</i>	The impact area is less than 500 sf
310 CMR 10.55(4)(c)(2)	<i>Said portion extends in a distinct linear configuration ("finger-like") into adjacent uplands; and</i>	Not applicable to the Project.
310 CMR 10.55(4)(c)(3)	<i>In the judgment of the issuing authority it is not reasonable to scale down, redesign or otherwise change the proposed work so that it could be completed without loss of said wetland.</i>	Not applicable to the Project.
310 CMR 10.55(4)(d)	<i>Notwithstanding the provisions of 310 CMR 10.55(4)(a),(b) and (c), no project may be permitted which will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.59.</i>	This site is not mapped within Estimated and/or Priority Habitat of Rare Wildlife.

310 CMR 10.55(4)(e)	<p><i>Any proposed work shall not destroy or otherwise impair any portion of a Bordering Vegetated Wetland that is within an Area of Critical Environmental Concern designated by the Secretary of Energy and Environmental Affairs under M.G.L. c. 21A, § 2(7) and 301 CMR 12.00: Areas of Critical Environmental Concern. 310 CMR 10.55(4)(e):</i></p> <ol style="list-style-type: none"> <i>1. supersedes the provisions of 310 CMR 10.55(4)(b) and (c);</i> <i>2. shall not apply if the presumption set forth at 310 CMR 10.55(3) is overcome;</i> <i>3. shall not apply to work proposed under 310 CMR 10.53(3)(l); and</i> <i>4. shall not apply to maintenance of stormwater detention, retention, or sedimentation ponds, or to maintenance of stormwater energy dissipating structures, that have been constructed in accordance with a valid order of conditions.</i> 	This site is not mapped within an Area of Critical Environmental Concern (ACEC) .
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4.0 REGULATORY COMPLIANCE WITH BOXBOROUGH WETLAND BYLAW FOR BUFFER ZONE

The Boxborough Wetland Bylaw protects the resource area of Bank and BVW and there corresponding 100-ft jurisdictional buffer zones. Performance standards for the buffer zone lists the following:

Bylaw Regulation	Performance Standard	Proposed Project
1.	<i>Reduce pollutants: salt, pesticides, herbicides, fertilizers</i>	No salts, pesticides, herbicides, or fertilizers will be used on or near the proposed work so that no down-gradient resources will be impacted.
2.	<i>Preserve Wildlife Habitat</i>	The habitat features that are present within the proposed impact area will be created within the Wetland Replication Plan such as hummock,

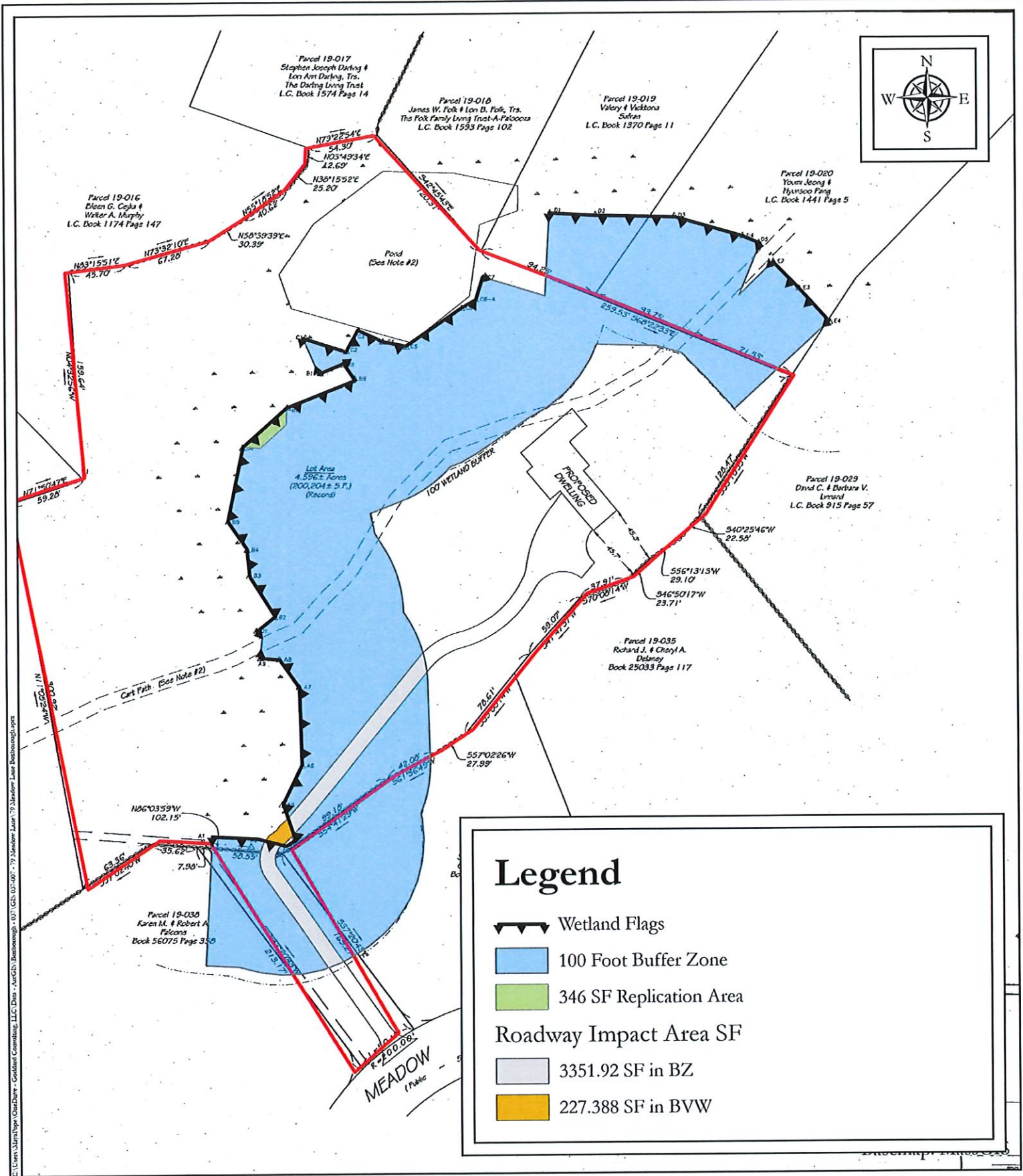
		hollow topography, snags, rocks, down logs.
3.	<i>Wildlife passage</i>	Wildlife passage over the driveway will not be impacted and will still occur

4.1 REGULATORY COMPLIANCE WITH BOXBOROUGH WETLAND BYLAW FOR BVW

Bylaw Regulation	Performance Standard	Proposed Project
1.	<i>Replaced resource area must be at least the same size as the impact area</i>	The replacement area shall be larger than 1:1
2.	<i>Replacement area must be along same wetland system as impact area</i>	The replacement area will be part of the same wetland system.
3.	<i>Elevation of the Replacement area shall be the same as the impacted area</i>	The replacement area will be about the same elevation as the impact area and the same elevation as the adjacent wetland resource so that wetland hydrology may be established.

5.0 CONCLUSION

In summary, Goddard Consulting believes that the proposed project will not have any adverse impacts on the interests identified in the Wetlands Protection Act, or the local Wetland bylaw. The proposed project meets all regulatory compliance standards under the Wetlands Protection Act and the Town Wetland Bylaw; therefore, Goddard Consulting respectfully requests that the Conservation Commission issue an Order of Conditions approving the proposed project.



Wetland Resource & Impact Areas

79 Meadow Lane
Boxborough, MA

Date: 08/14/2024

0 50 100 1" = 100'
Feet

71.5203601°W, 42.472407°N

Parcel ID: 19-010-000

Legend



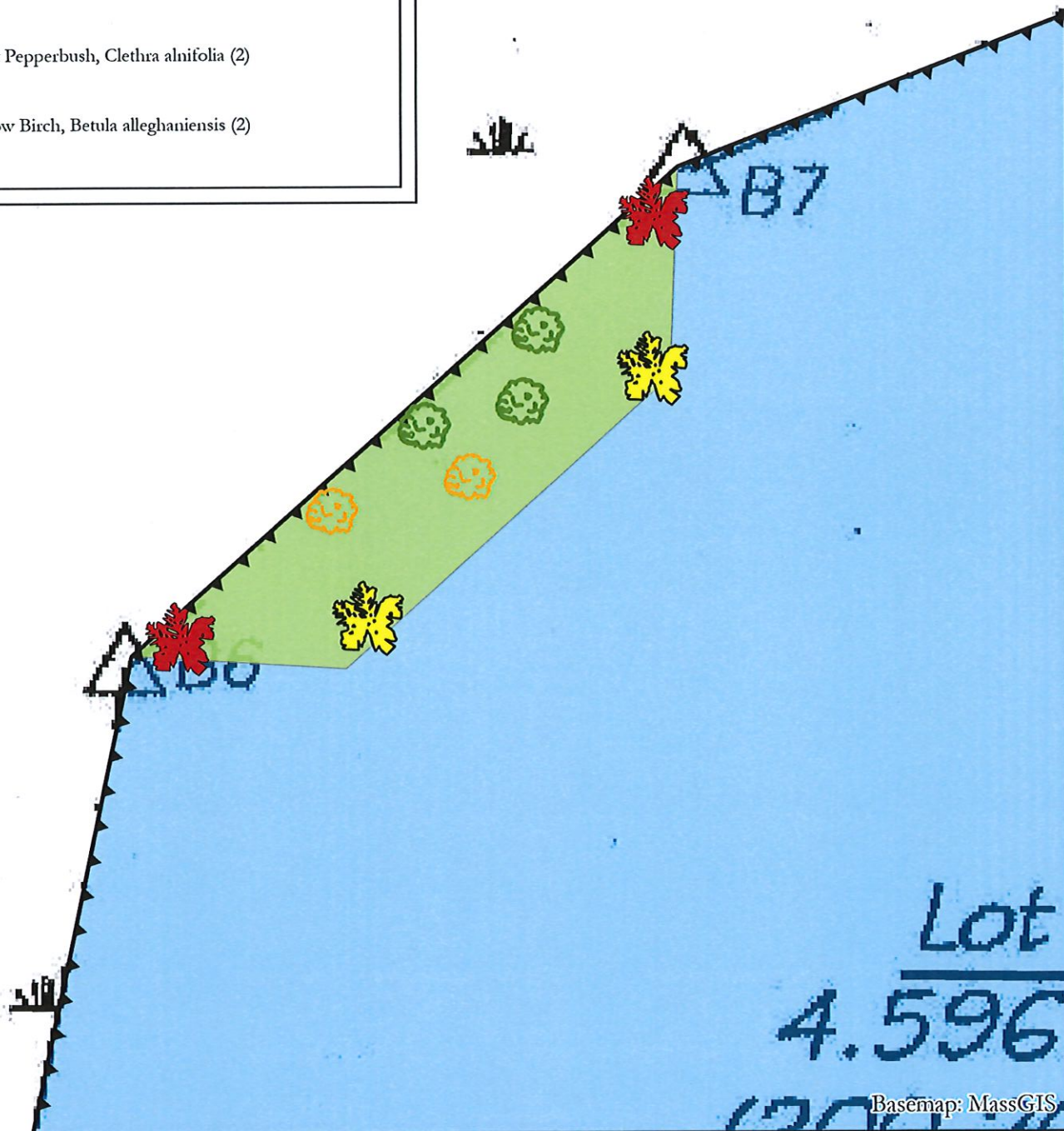
Species

Highbush Blueberry, *Vaccinium corymbosum* (3)

Red Maple, *Acer Rubrum* (2)

Sweet Pepperbush, *Clethra alnifolia* (2)

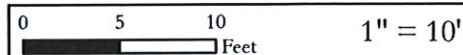
Yellow Birch, *Betula alleghaniensis* (2)



Date: 08/14/2024

Replication Area Planting Plan

79 Meadow Lane
Boxborough, MA



71.5210755°W, 42.4727635°N

Parcel ID: 19-010-000

Basemap: MassGIS



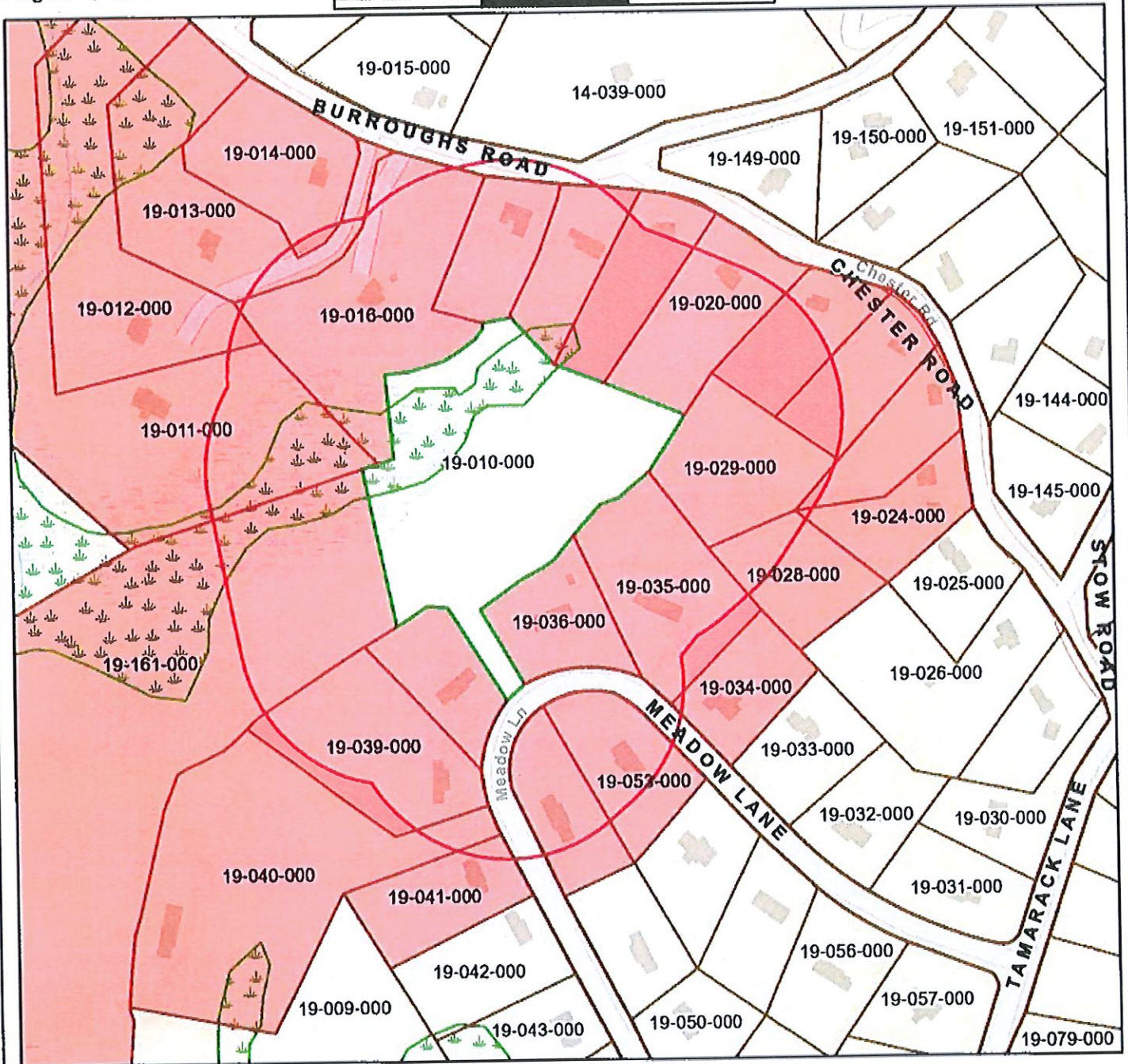
1 inch = 278 Feet



CAI Technologies
Process Mapping. Geospatial Solutions.

www.cai-tech.com

August 8, 2024



-  Property Line
 Road
 Buildings
 Right of Ways
 Wet Areas

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300 feet Abutters List Report

Boxborough, MA
August 08, 2024

Subject Property:

Parcel Number: 19-010-000
CAMA Number: 19-037-000
Property Address: 79 MEADOW LANE

Mailing Address: GOULD TR. SHERRILL R. MEADOW
LAND TRUST
311 GREAT ROAD
LITTLETON, MA 01460

Abutters:

Parcel Number: 19-161-000
CAMA Number: 19-010-000
Property Address: 94 CHESTER ROAD

Mailing Address: GOULD TR. SHERRILL R. MEADOW
LAND TRUST
311 GREAT ROAD
LITTLETON, MA 01460

Parcel Number: 19-011-000
CAMA Number: 19-011-000
Property Address: 718 BURROUGHS ROAD

Mailing Address: WIECHENS RYAN WIECHENS
STEPHANIE
718 BURROUGHS ROAD
BOXBOROUGH, MA 01719

Parcel Number: 19-012-000
CAMA Number: 19-012-000
Property Address: 728 BURROUGHS ROAD

Mailing Address: WITT STUART J
728 BURROUGHS ROAD
BOXBOROUGH, MA 01719

Parcel Number: 19-013-000
CAMA Number: 19-013-000
Property Address: 738 BURROUGHS ROAD

Mailing Address: LOVERIN DARRELL J LOVERIN KYOKO
M
738 BURROUGHS ROAD
BOXBOROUGH, MA 01719

Parcel Number: 19-014-000
CAMA Number: 19-014-000
Property Address: 746 BURROUGHS ROAD

Mailing Address: SANTILLI ALFRED C JR
746 BURROUGHS ROAD
BOXBOROUGH, MA 01719

Parcel Number: 19-016-000
CAMA Number: 19-016-000
Property Address: 704 BURROUGHS ROAD

Mailing Address: CEJKA EILEEN G MURPHY WALTER A
704 BURROUGHS ROAD
BOXBOROUGH, MA 01719

Parcel Number: 19-017-000
CAMA Number: 19-017-000
Property Address: 684 BURROUGHS ROAD

Mailing Address: DARLING JOSEPH TTE DARLING LORI
ANN TTE
684 BURROUGHS ROAD
BOXBOROUGH, MA 01719

Parcel Number: 19-018-000
CAMA Number: 19-018-000
Property Address: 130 CHESTER ROAD

Mailing Address: FOLK JAMES W TR FOLK LORI B TR
130 CHESTER ROAD
BOXBOROUGH, MA 01719

Parcel Number: 19-019-000
CAMA Number: 19-019-000
Property Address: 118 CHESTER ROAD

Mailing Address: SAFRAN VALERY SAFRAN VICKTORIA
118 CHESTER ROAD
BOXBOROUGH, MA 01719

Parcel Number: 19-020-000
CAMA Number: 19-020-000
Property Address: 100 CHESTER ROAD

Mailing Address: BARRETT STEVEN BARRETT AMY
100 CHESTER RD
BOXBOROUGH, MA 01719-1849



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8/8/2024

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300 feet Abutters List Report

Boxborough, MA
August 08, 2024

Parcel Number: 19-021-000
CAMA Number: 19-021-000
Property Address: 84 CHESTER ROAD

Mailing Address: OUELLETTE NEIL OUELLETTE ERICA L
84 CHESTER ROAD
BOXBOROUGH, MA 01719

Parcel Number: 19-022-000
CAMA Number: 19-022-000
Property Address: 62 CHESTER ROAD

Mailing Address: DANIS KATHRYN
62 CHESTER ROAD
BOXBOROUGH, MA 01719

Parcel Number: 19-023-000
CAMA Number: 19-023-000
Property Address: 46 CHESTER ROAD

Mailing Address: LINNARD DAVID C LINNARD BARBARA
V
46 CHESTER ROAD
BOXBOROUGH, MA 01719

Parcel Number: 19-024-000
CAMA Number: 19-024-000
Property Address: 30 CHESTER ROAD

Mailing Address: JONES COURTNEY
30 CHESTER ROAD
BOXBOROUGH, MA 01719

Parcel Number: 19-028-000
CAMA Number: 19-028-000
Property Address: 30 REAR CHESTER ROAD

Mailing Address: JONES COURTNEY
30 CHESTER ROAD
BOXBOROUGH, MA 01719

Parcel Number: 19-029-000
CAMA Number: 19-029-000
Property Address: 62 REAR CHESTER ROAD

Mailing Address: LINNARD DAVID C LINNARD BARBARA
V
46 CHESTER ROAD
BOXBOROUGH, MA 01719

Parcel Number: 19-034-000
CAMA Number: 19-034-000
Property Address: 61 MEADOW LANE

Mailing Address: FIEDLER STEVEN FIEDLER HEIDI
61 MEADOW LANE
BOXBOROUGH, MA 01719

Parcel Number: 19-035-000
CAMA Number: 19-035-000
Property Address: 65 MEADOW LANE

Mailing Address: DELANEY RICHARD J DELANEY
CHERYL A
65 MEADOW LANE
BOXBOROUGH, MA 01719

Parcel Number: 19-036-000
CAMA Number: 19-036-000
Property Address: 73 MEADOW LANE

Mailing Address: SRINIVASAN SRIVIDYA PICHUMANI
GANAPATHY
73 MEADOW LANE
BOXBOROUGH, MA 01719

Parcel Number: 19-038-000
CAMA Number: 19-038-000
Property Address: 85 MEADOW LANE

Mailing Address: FALCONE KAREN M FALCONE ROBERT
A
85 MEADOW LANE
BOXBOROUGH, MA 01719

Parcel Number: 19-039-000
CAMA Number: 19-039-000
Property Address: 91 MEADOW LANE

Mailing Address: CABANA KEVIN A CABANA ELIZABETH
91 MEADOW LANE
BOXBOROUGH, MA 01719

Parcel Number: 19-040-000
CAMA Number: 19-040-000
Property Address: 95 MEADOW LANE

Mailing Address: FANUCCI KAREN M
95 MEADOW LANE
BOXBOROUGH, MA 01719



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8/8/2024

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Abutters List Report - Boxborough, MA



300 feet Abutters List Report

Boxborough, MA
August 08, 2024

Parcel Number: 19-041-000
CAMA Number: 19-041-000
Property Address: 99 MEADOW LANE

Mailing Address: MARKOWITZ CINDY J, TRUSTEE CINDY
J MARKOWITZ LIVING TRUST
99 MEADOW LANE
BOXBOROUGH, MA 01719

Parcel Number: 19-052-000
CAMA Number: 19-052-000
Property Address: 82 MEADOW LANE

Mailing Address: WANG PETER SONG WENPING
82 MEADOW LANE
BOXBOROUGH, MA 01719

Parcel Number: 19-053-000
CAMA Number: 19-053-000
Property Address: 66 MEADOW LANE

Mailing Address: EVERS WILLIAM R STEVENS TINA
MARIE
66 MEADOW LANE
BOXBOROUGH, MA 01719

THIS IS A CERTIFIED ABUTTERS LIST FROM THE
TOWN OF BOXBOROUGH. WE CERTIFY THAT ALL
THE NAMES AND ADDRESSES OF ALL
PROPERTY OWNERS ARE ACCURATE TO
THE BEST OF OUR KNOWLEDGE.

Office of the Board of Assessors

Date



www.cai-tech.com

8/8/2024

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Abutters List Report - Boxborough, MA

**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 Westchester Homes
- 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 79 Meadowhome
- Description of Project Single Family home driveway
- 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 (508) 393 3784 between the hours of 9 and 4 on the following days of the week: M-Thurs.
- 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 a paper of local circulation.
- Note: Notice of the public hearing, including its date, time, and place, will be posted in the Town Hall and on the Town web site <https://www.boxborough-ma.gov> 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

AFFIDAVIT OF SERVICE
Under the Massachusetts Wetlands Protection Act

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

I, Nicole Hayes (name of person making affidavit), hereby
certify under the pains and penalties of perjury that on 8-29-29 (date), I gave
notification to abutters in compliance with the second paragraph of Massachusetts General
Laws Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 8, 1994,
in connection with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection Act by
Westchester Homes (name of applicant), with the Boxborough
Conservation Commission on _____ (date) for the property located at
79 Meadow Lane
(address of land where work is proposed).

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

Name Nicole Hayes

Date 8-29-29

Revised August 6, 2024
July 5, 2022

**Re: Wetland Border Report
79 Meadow Lane - Boxborough, MA**

On July 5, 2022 and August 6, 2024, the wetland resources were delineated within a parcel known as 79 Meadow Lane (Map 19, Lot 010) in Boxborough, MA (see attached Orthophoto and USGS maps). The wetland border was flagged using the criteria in the most recent edition of the MA Wetlands Protection Act (WPA) and Regulations 310 CMR 10.00 et al. and the Boxborough Wetlands Protection Bylaw and Regulations. Hydric soil indicators, vegetational changes, hydrological indicators, and topography were all considered for delineation purposes. Delineated wetland resource areas include Bordering Vegetated Wetland (BVW) and Bank of a pond and intermittent stream.

A Series

This series defines a vegetated wetland located in the southwest corner of the property. It was delineated with blue flags numbered A1-A9 from south to north. MassDEP BVW datasheets were prepared at flag #A5 (datasheets attached).

B Series

This series defines a vegetated wetland located in the center of the property. It was delineated with blue flags numbered B1-B10 from south to north.

C Series

This series defines the Bank of a small pond in the north-center of the property. It was delineated with blue flags numbered C1-C7 from south to north.

D Series

This series defines the Banks of an intermittent stream located just offsite to the north of the property. It was delineated with blue flags numbered D1-D5 from west to east.

E Series

This series defines the Banks of an intermittent stream located just offsite to the north of the property. It was delineated with blue flags numbered E1-E4 from west to east.

According to MassGIS data layers for NHESP, the site is not located within an Estimated Habitat of Rare Wildlife or Priority Habitat of Rare Species, nor are there mapped Certified Vernal Pools. The pond is mapped as a Potential Vernal Pool, though it is likely a permanent pond with fish, based on the extent of water and depth observed on 7/13/2020 and 7/6/2022 and 8/6/2024.

The property is not located in an ACEC or Outstanding Resource Water (ORW), and it is located outside of any mapped FEMA 100-year flood zone.

Any proposed work within 100 feet of the BVW or Bank requires that a Notice of Intent (NOI) or Request for Determination of Applicability (RDA) be filed with the Boxborough Conservation Commission.

Sincerely,

Goddard Consulting, LLC.

A handwritten signature in cursive script that reads "Nicole Hayes".

Nicole Hayes, PWS
Senior Wetland Scientist

National Flood Hazard Layer FIRMette



71°31'33"W 42°28'31"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, Area of 1% annual chance flood with average depth less than one foot or with draining 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
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance
		17.5 Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
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 7/13/2020 at 2:44 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.

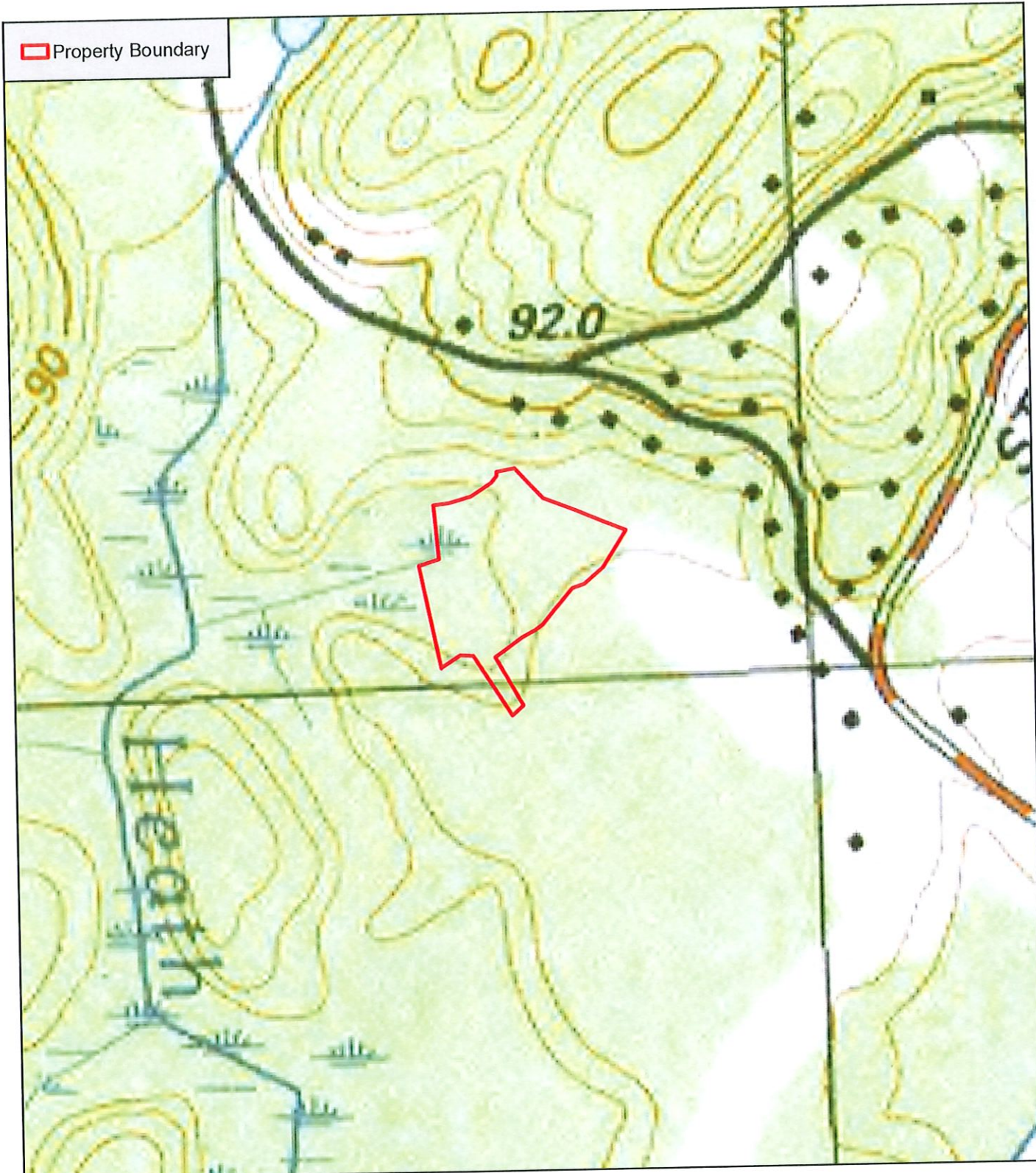
USGS The National Map: Orthoimagery. Data refreshed April 2020

71°30'56"W 42°28'4"N

1:6,000

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

Property Boundary



USGS Site Locus

79 Meadow Lane - Boxborough, MA



0 100 200 400 Feet

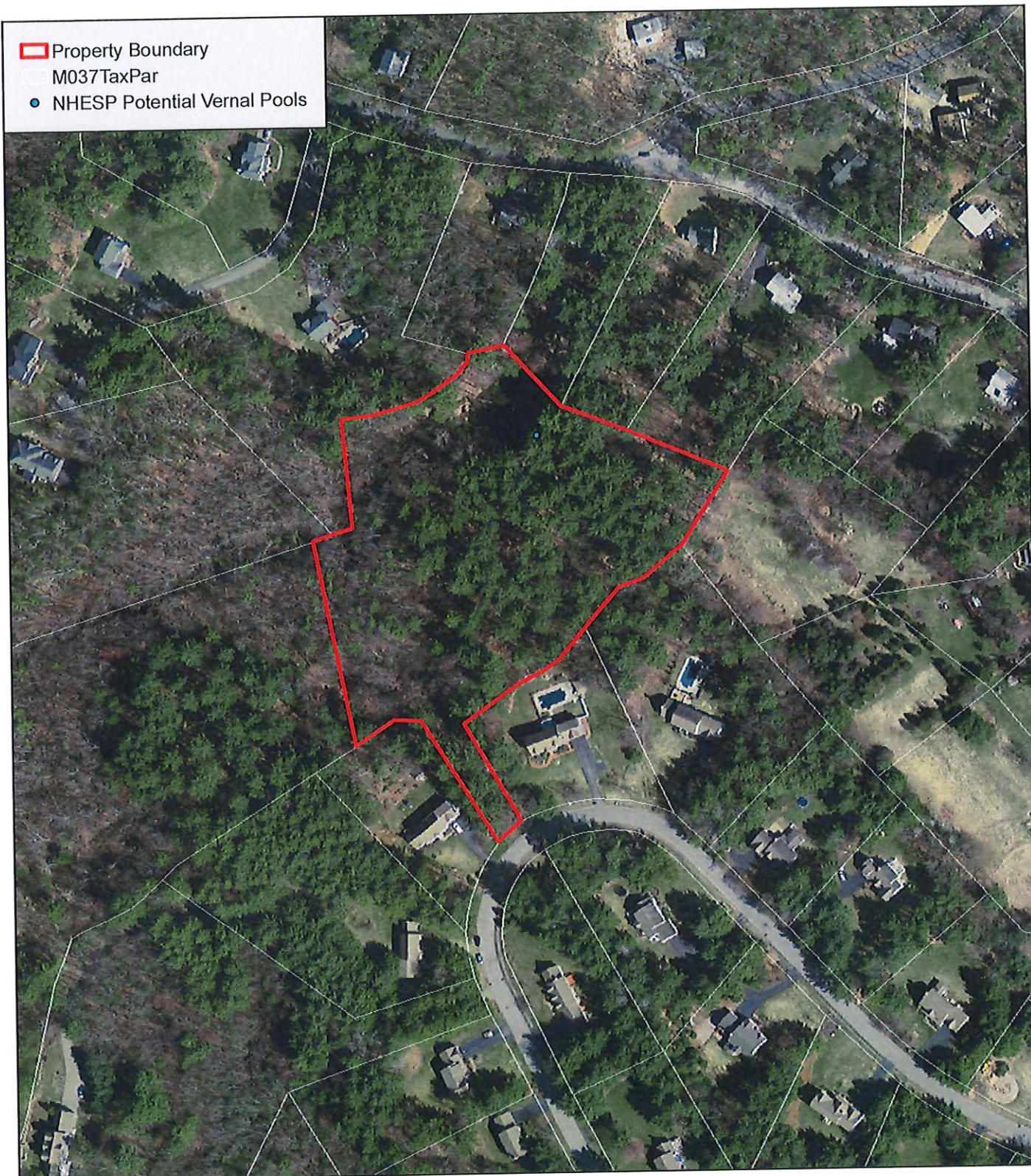
1 inch = 400 feet

Date: 7/11/2020

GIS Data Source: "Bureau of Geographic Information (MassGIS), Commonwealth of Massachusetts, Executive Office of Technology and Security Services"

GODDARD CONSULTING
Strategic Wetland Permitting LLC

- Property Boundary
- M037TaxPar
- NHESP Potential Vernal Pools



Orthophoto View of Site

79 Meadow Lane - Boxborough, MA



0 50 100 200 Feet

1 inch = 200 feet

Date: 7/11/2020

GIS Data Source: "Bureau of Geographic Information (MassGIS), Commonwealth of Massachusetts, Executive Office of Technology and Security Services"

GODDARD CONSULTING
Strategic Wetland Permitting LLC

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

DEP File #: _____

Applicant: _____

Prepared by: Goddard Consulting

Project location: 79 Meadow Lane

Check all that apply:

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

Section I. Vegetation		Observation Plot Number: <u>A5</u>	Transect Number: <u>Downgradient</u>		Date of Delineation: <u>5-Jul-22</u>	
Sample Layer and Plant Species	Scientific name	% Cover	% Dominance	Dominant Plant (yes or no)	Wetland Indicator Category*	
<u>Tree Layer</u>						
Red Maple	<i>Acer rubrum</i>	80%	100.0%	Yes	FAC*	
<u>Sapling Layer</u>						
Red maple	<i>Acer rubrum</i>	10%	100.0%	Yes	FAC*	
<u>Shrub Layer</u>						
<u>Climbing Woody Vine</u>						
none						
<u>Ground Cover</u>						
Skunk cabbage	<i>Symplocarpus foetidus</i>	10%	14.3%	No	OBL*	
Cinnamon fern	<i>Osmundastrum cinnamomeum</i>	30%	42.9%	Yes	FACW*	
Royal fern	<i>Osmunda spectabilis</i>	15%	21.4%	Yes	OBL*	
Spinulose wood fern	<i>Dryopteris carthusiana</i>	15%	21.4%	Yes	FACW*	
Remarks: * An asterisk after common plant name indicates stunted growth; ** indicates extremely stunted growth						
Morphological Adaptations: <u>0</u>		Description: _____				
* An asterisk after indicator status denotes wetlands plants: plants listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus Sphagnum; or plants listed as FAC, FACW, or OBL.						
Vegetation conclusion:						
Number of dominant wetland indicator plants: <u>5</u>			Number of dominant non-wetland indicator plants: <u>0</u>			
Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? <u>yes</u>						

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

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? ☒ yes ☐ no
title/date: Interim Soil Survey of Middlesex County - 1991 (Maps - 1989)
map number: _____
soil type mapped: Swansea muck, 0-1 percent slopes
hydric soil inclusions: Freetown, Whitman, Scarboro

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

2. Soil Description

Horizon	Depth (inches)	Matrix Color	Mottles Color or Texture
O	0-8	10YR 2/1	muck
C	8-12+	10YR 5/1	sand

Remarks: _____

3. Other: _____

Conclusion: Is soil hydric? ☒ yes ☐ no

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

- ☐ Site inundated: _____
- ☐ Depth to free water in observation hole: _____
- ☐ Depth to soil saturation in observation hole: _____
- ☐ Water marks: _____
- ☐ Drift Lines: _____
- ☐ Sediment deposits: _____
- ☒ Drainage patterns in BVW: _____
- ☐ Oxidized rhizospheres: _____
- ☐ Water-stained leaves: _____
- ☐ Recorded data (stream, lake, or tidal gauge; aerial photo; other): _____
- ☐ Other: _____

Vegetation and Hydrology Conclusion for Downgradient of A5

	<u>yes</u>	<u>no</u>
Number of wetland indicator plants ≥ number of non-wetland plants	X	
Wetland hydrology present:		
hydric soils present	X	
other indicators of hydrology present	X	
Sample location is in a BVW	X	

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

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

Applicant: _____ Prepared by: Goddard Consulting Project location: 79 Meadow Lane DEP File #: _____

Check all that apply: ☐ Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
☒ Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
☐ Method other than dominance test used (attach additional information)

Section I. Vegetation		Observation Plot Number: <u>A5</u>	Transect Number: <u>Upgradient</u>	Date of Delineation: <u>5-Jul-22</u>	
Sample Layer and Plant Species	Scientific name	% Cover	% Dominance	Dominant Plant (yes or no)	Wetland Indicator Category*
<u>Tree Layer</u> White pine	<i>Pinus strobus</i>	60%	100.0%	Yes	FACU
<u>Sapling Layer</u> Black gum	<i>Nyssa sylvatica</i>	15%	100.0%	Yes	FAC*
<u>Shrub Layer</u>					
<u>Climbing Woody Vine</u>					
<u>Ground Cover</u> Cinnamon fern	<i>Osmundastrum cinnamomeum</i>	40%	57.1%	Yes	FACW*
Spinulose wood fern	<i>Dryopteris carthusiana</i>	30%	42.9%	Yes	FACW*
Remarks: * An asterisk after common plant name indicates stunted growth; ** indicates extremely stunted growth					
Morphological Adaptations: <u>0</u>		Description: _____			
* An asterisk after indicator status denotes wetlands plants: plants listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus Sphagnum; or plants listed as FAC, FACW, or OBL.					
Vegetation conclusion:					
Number of dominant wetland indicator plants: <u>3</u>			Number of dominant non-wetland indicator plants: <u>1</u>		
Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? <u>yes</u>					

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

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? ☒ yes ☐ no

title/date: **Interim Soil Survey of Middlesex County - 1991 (Maps - 1989)**

map number: _____

soil type mapped: **Merrimac fine sandy loam, 3-8 percent slopes**

hydric soil inclusions: _____

Are field observations consistent with soil survey? ☒ yes ☐ no

Remarks: _____

2. Soil Description

<u>Horizon</u>	<u>Depth (inches)</u>	<u>Matrix Color</u>	<u>Mottles Color or Texture</u>
A	0-5	10YR 2/1	loam
B	5-9	10YR 3/2	sandy loam
C	9-14	10YR 5/3	sandy loam

Remarks: _____

3. Other: _____

Conclusion: Is soil hydric? ☐ yes ☒ no

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

☐ Site inundated: _____

☐ Depth to free water in observation hole: _____

☐ Depth to soil saturation in observation hole: _____

☐ Water marks: _____

☐ Drift Lines: _____

☐ Sediment deposits: _____

☐ Drainage patterns in BVW: _____

☐ Oxidized rhizospheres: _____

☐ Water-stained leaves: _____

☐ Recorded data (stream, lake, or tidal gauge; aerial photo; other):

☐ Other: _____

Vegetation and Hydrology Conclusion for Upgradient of A5

yes no

Number of wetland indicator plants

>= number of non-wetland plants X

Wetland hydrology present:

hydric soils present X

other indicators of hydrology
present X

Sample location is in a BVW X

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



LOCATION MAP
1" = 2000'



ABUTTERS WITHIN 300' OF LOCUS

RYAN & STEPHANIE WEICHENS
718 BURROUGHS ROAD

EILEEN G. CEJKA & WALTER A. MURPHY
704 BURROUGHS ROAD

JOSEPH & LORI ANN DARLING
684 BURROUGHS ROAD

JAMES W. & LORI B. FOLK
130 CHESTER ROAD

VALERY & VICKTORIA SAFRAN
118 CHESTER ROAD

YOUNG JEONG & HYUNSOO PANG
100 CHESTER ROAD

NEIL & ERICA L. OULLETTE
84 CHESTER ROAD

KATHRYN DANIS
62 CHESTER ROAD

DAVID C. & BARBARA V. LINNARD
46 CHESTER ROAD

COURTNEY JONES
30 CHESTER ROAD

SUSAN C. CLARK
30 CHESTER ROAD

RICHARD J. & CHERYL A. DELANEY
65 MEADOW LANE

SRIVIDYA SRINIVASAN & GANAPATHY PICHUMANI
73 MEADOW LANE

KAREN M. & ROBERT A. FALCONE
85 MEADOW LANE

KEVIN A. & ELIZABETH CABANA
91 MEADOW LANE

PETER WANG & WENFENG SONG
82 MEADOW LANE

WILLIAM R. EVERS & TINA MARIE STEVENS
66 MEADOW LANE

TOWN OF BOXBOROUGH, CONSERVATION COMMISSION
786 BURROUGHS ROAD

KYLE P. & KIRSTEN MCCARTHY
117 COOLIDGE FARM ROAD

AVINAH BISHT & TANU GUPTA
136 COOLIDGE FARM ROAD

ELIZABETH A. & ALEXANDER ANDREWS
156 HAGER LANE

RYAN W. & PAMELA B. MAHON
145 HAGER LANE

TOWN OF BOXBOROUGH, CONSERVATION COMMISSION
115 HAGER LANE REAR

TOWN OF BOXBOROUGH, CONSERVATION COMMISSION
177 TAMARACK LANE REAR

KAREN M. FANUCCI
95 MEADOW LANE

Parcel 19-011
Ryan & Stephanie
Weichens
L.C. Book 1436 Page 46

Parcel 19-161
Sherill R. Gould, Trs.
Meadow Lane Trust
L.C. Book 1551 Page 49

Parcel 19-016
Eileen G. Cejka &
Walter A. Murphy
L.C. Book 1174 Page 147

Parcel 19-017
Stephen Joseph Darling &
Lon Ann Darling, Trs.
The Darling Living Trust
L.C. Book 1574 Page 14

Parcel 19-018
James W. Folk & Lon B. Folk, Trs.
The Folk Family Living Trust-A-Palooza
L.C. Book 1593 Page 102

Parcel 19-019
Valery & Viktoria
Safran
L.C. Book 1370 Page 11

Parcel 19-020
Youni Jeong &
Hyunsoo Pang
L.C. Book 1441 Page 5

Parcel 19-029
David C. & Barbara V.
Linnard
L.C. Book 915 Page 57

Parcel 19-035
Richard J. & Cheryl A.
Delaney
Book 25033 Page 117

Parcel 19-036
Srividya Srinivasan &
Ganapathy Pichumani
Book 60868 Page 312

Parcel 19-038
Karen M. & Robert A.
Falcone
Book 56075 Page 358

MEADOW
(Public
50' Width)

FOR REGISTRY USE ONLY

LEGEND

● DH DRILL HOLE
○ IP IRON PIPE
● REBAR OR IRON ROD
□ STONE OR CONCRETE BOUND
○○○○ STONE WALL

LOCUS REFERENCE

MEADOW LANE TRUST
BOOK 1551, PAGE 49, CERTIFICATE #271884
ASSESSORS PARCEL ID: 19-010

REFERENCE PLANS

1.) PLAN BOOK 1524, PLAN 23, CERTIFICATE #267265.

NOTES:

1.) PARCEL NUMBERS REFER TO THE TOWN OF
BOXBOROUGH ASSESSORS MAP.

2.) WETLANDS WERE DELINEATED BY GODDARD
CONSULTING

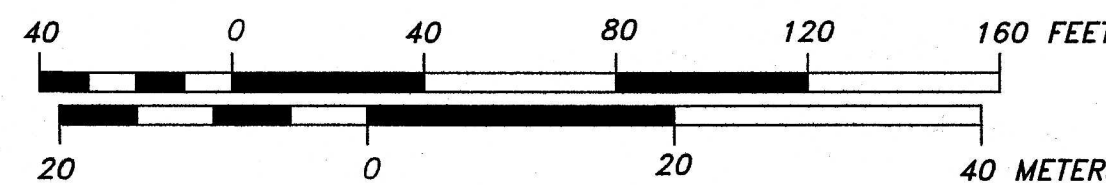
CERTIFICATIONS

I CERTIFY THAT THIS PLAN SHOWS THE PROPERTY LINES
THAT ARE THE LINES OF EXISTING OWNERSHIPS, AND THE
LINES OF STREETS OR WAYS SHOWN ARE THOSE OF PUBLIC
OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND
THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP
OR FOR NEW WAYS ARE SHOWN.

FURTHERMORE, I CERTIFY THAT THE PREPARATION OF THIS
PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE
REGISTERED PROFESSIONAL LAND SURVEYORS OF THE COMMONWEALTH OF
MASSACHUSETTS.

Alfred M. Berry
PROFESSIONAL LAND SURVEYOR

DATE 7/1/2024



Plan of Land
in
Boxborough, Massachusetts
Owned By
Meadow Lane Trust

ALFRED M. BERRY, P.L.S.

129 South Main Street, PO Box 188
ATHOL, MA 01331
(508) 277-1161

AMB
PROJECT MGR

RTW
DRAWN BY

DATE: 7/1/2024

SCALE: 1" = 40'

DWG NAME: Boxborough - Chester Rd - 94

SHEET: 1 OF 1