

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 _____

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):

399 Lowell Road
 a. Street Address

Concord
 b. City/Town

01742
 c. Zip Code

Latitude and Longitude:
 Assessor's Map 7G, block 1673
 f. Assessors Map/Plat Number

42.46
 d. Latitude

-71.34
 e. Longitude

Block 1673
 g. Parcel /Lot Number

FILE COPY

2. Applicant:

Julia
 a. First Name

Miner
 b. Last Name

East Side Studio Architects
 c. Organization

2 Lexington Road
 d. Street Address

Concord
 e. City/Town

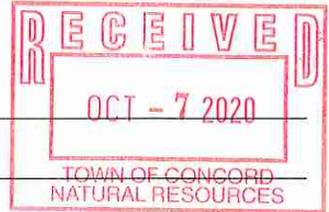
MA
 f. State

01742
 g. Zip Code

339-222-9395
 h. Phone Number

i. Fax Number

jminer@essarc.com
 j. Email Address



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

John Caldwell and Julia Miner
 a. First Name

b. Last Name

c. Organization

399 Lowell Road
 d. Street Address

Concord
 e. City/Town

MA
 f. State

01742
 g. Zip Code

978-776-6164
 h. Phone Number

i. Fax Number

jminer@essarc.com; jcaldwell@paradigmprop.com
 j. Email address

4. Representative (if any):

a. First Name

b. Last Name

c. Company

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

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

110.00
 a. Total Fee Paid

42.50
 b. State Fee Paid

67.50
 c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

The construction of an attached garage with living space and mudroom to an existing Cape. Garage and mudroom are halfway into the buffer zone. Total new-sf of building footprint = 1143. Amount of SF in Buffer zone is 703. See attached narrative.

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

a. County

Deed Book 63996

c. Book

b. Certificate # (if registered land)

35

d. Page Number

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

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

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



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

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet _____	2. linear feet _____
b. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	703 1. square feet _____	1210 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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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

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

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	_____	
	1. square feet	

	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	_____	
	1. square feet	_____
		2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	_____	
	1. square feet	_____
		2. cubic yards dune nourishment
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____	
	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____	
	1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____	
	1. square feet	_____
		2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	_____	
	1. square feet	

	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____	
	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	

	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	
	1. square feet	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	_____	_____
	a. square feet of BVW	b. square feet of Salt Marsh
5. <input type="checkbox"/> Project Involves Stream Crossings		
	_____	_____
	a. number of new stream crossings	b. number of replacement stream crossings



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C. Other Applicable Standards and Requirements

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

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

- 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

10-06-2020

- 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:

	.00384	.3%
(a) within wetland Resource Area	percentage/acreage	
	.011	1%
(b) outside Resource Area	percentage/acreage	

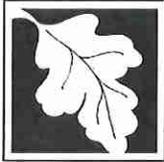
2. Assessor's Map or right-of-way plan of site

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.



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

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

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

- (d) Vegetation cover type map of site
- (e) Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following
1. Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/ mesa/ mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
 2. Separate MESA review ongoing.

	a. NHESP Tracking #	b. Date submitted to NHESP
--	---------------------	----------------------------
 3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
- a. Not applicable – project is in inland resource area only b. Yes No

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

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

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

North Shore - Hull to New Hampshire border:

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

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



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

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

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

D. Additional Information

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

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

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

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



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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.

Please reference Order of Resource Area Delineation was issued (DEP File # 137-1439).

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

20201006-Site Plan.pdf Miner Caldwell Residence 3 pages

a. Plan Title

Hancock Associates

b. Prepared By

10/06/2020

d. Final Revision Date

Wildflower mix specifications, USGS, FEMA Maps, NHESP certified mail receipt, narrative

c. Signed and Stamped by

1"=20'; 1"=30'

e. Scale

10-06-2020, 10-07-2020

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:

4904	10-06-2020
2. Municipal Check Number	3. Check date
4903	10-06-2020
4. State Check Number	5. Check date
Julia	MINER
6. Payor name on check: First Name	7. Payor name on check: Last Name



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F. Signatures and Submittal Requirements

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

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

<p><u>Julia H. Minier</u></p> <p>1. Signature of Applicant</p>	<p>10-05-2020</p> <p>2. Date</p>
<p>3. Signature of Property Owner (if different)</p>	<p>4. Date</p>
<p>5. Signature of Representative (if any)</p>	<p>6. Date</p>

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.

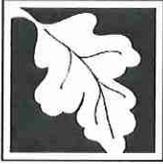
For MassDEP:

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:

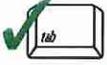
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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
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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:

399 Lowell Road	Concord
a. Street Address	b. City/Town
4903	42.50
c. Check number	d. Fee amount

2. Applicant Mailing Address:

Julia	Miner	
a. First Name	b. Last Name	
East Side Studio Architects		
c. Organization		
2 Lexington Road		
d. Mailing Address		
Concord	MA	01742.
e. City/Town	f. State	g. Zip Code
339-222-9395	jminer@essarc.com	
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

Julia Miner and John Caldwell		
a. First Name	b. Last Name	
c. Organization		
399 Lowell Road		
Concord, MA 01742		
d. Mailing Address		
e. City/Town	f. State	g. Zip Code
978-776-6164	jcalldwell@paradigmprop.com	
h. Phone Number	i. Fax Number	j. Email Address

B. Fees

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

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

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

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

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

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

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

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



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B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
1a. single family ADDITION	1 activity	\$110	\$110

Step 5/Total Project Fee: \$110

Step 6/Fee Payments:

Total Project Fee:	\$110
State share of filing Fee:	a. Total Fee from Step 5 42.50
City/Town share of filling Fee:	b. 1/2 Total Fee less \$12.50 67.50
	c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

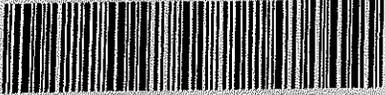
- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

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.)

East Side Drive
2 Lexington Road
Concord, MA 01742

 Retail	
P	US POSTAGE PAID \$10.65 <small>Origin: 01742 10/07/20 2415470742-17</small>
	PRIORITY MAIL 1-DAY®
<small>0 Lb 4.20 Oz</small> 1006	
EXPECTED DELIVERY DAY: 10/08/20	
R008	
SHIP TO: 1 RABBIT HILL RD Westborough MA 01581-3336	
USPS SIGNATURE® TRACKING #	
	
9510 8121 0416 0281 3852 82	

NHESP
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581




For Domestic and International Use Label 1075, Mar 2014

CONCORD NRC



CONCORD
 34 WALDEN ST
 CONCORD, MA 01742-9998
 (800)275-8777

10/07/2020 01:17 PM

Product	Qty	Unit Price	Price
Priority Mail® 1-Day 1 Wilmington, MA 01887 Weight: 0 lb 4.00 oz Expected Delivery Date Thu 10/08/2020 Tracking #: → 9505 5121 0416 0281 3852 82			\$7.50
Insurance Up to \$50.00 included			\$0.00
Total			\$7.50
Priority Mail® 1-Day 1 Westborough, MA 01581 Weight: 0 lb 4.20 oz Expected Delivery Date Thu 10/08/2020 Tracking #: → 9510 8121 0416 0281 3852 92			\$7.50
Insurance Up to \$50.00 included			\$0.00
→ Signature Confirm			\$3.15
Total			\$10.65
PurpleHeartMedal	1	\$0.55	\$0.55

Grand Total: \$18.70

Credit Card Remitted \$18.70
 Card Name: VISA
 Account #: XXXXXXXXXXXX4055
 Approval #: 01066I
 Transaction #: 377
 AID: A0000000031010 Chip
 AL: VISA CREDIT
 PIN: Not Required CHASE VISA

 Due to limited transportation
 availability as a result of
 nationwide COVID-19 impacts
 package delivery times may be
 extended. Priority Mail Express®
 service will not change.

Text your tracking number to 28777 (2USPS)
 to get the latest status. Standard Message
 and Data rates may apply. You may also
 visit www.usps.com USPS Tracking or call
 1-800-222-1811.

Save this receipt as evidence of
 insurance. For information on filing an
 insurance claim go to
<https://www.usps.com/help/claims.htm>

**Notification to Abutters Under the
Massachusetts Wetlands Protection Act and
the Concord Wetlands Bylaw**

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and Article 43 of the 2009 Annual Town Meeting, you are hereby notified of the following:

Applicant's Name: Julia Miner

The applicant has filed a Notice of Intent with the Conservation Commission for the municipality of Concord seeking permission to remove, fill, dredge, or alter an area subject to protection under the Wetlands Protection Act (General Laws Chapter 131, Section 40) and the Concord Wetlands Bylaw.

Address where activity is proposed: 399 Lowell Road, Concord, MA

Brief description of proposed project: Mudroom and Garage addition with first floor
workroom and second floor bedroom and bath.

The Notice of Intent and project plans may be viewed on the Natural Resources Commission's webpage under Current Meeting Documents at <https://concordma.gov/2254/Current-Meeting-Documents>. You may also email nr@concordma.gov for more information or to obtain copies of the Notice of Intent.

A public hearing will be held on Wednesday, October 21, 2020. Due to the COVID-19 pandemic, all meetings will be conducted virtually. Information on how to participate via Zoom will be provided on the agenda at <https://concordma.gov/AgendaCenter/Natural-Resources-Commission-25>.

Notice of this public hearing will also be published at least five (5) days in advance of the meeting in the Concord Journal and posted at the Town House not less than forty-eight (48) hours in advance of the meeting.

You may also contact the Department of Environmental Protection, Northeast Region, at (978) 694-3200.



Town of Concord
Board of Assessors
P.O. Box 535
Concord, Massachusetts 01742-0535
Tel: (978) 318-3070
Fax: (978) 369-4760
Office Location – 24 Court Lane
www.concordma.gov

ABUTTERS LIST

PROPERTY : 399 Lowell Rd.
Concord, MA 01742

PARCEL: 1673

As per Massachusetts General Laws Chapter 131, Section 40 whereas the “abutters” included shall be:

Any person filing a notice of intention with a conservation commission shall at the same time give written notification thereof, by delivery in hand or certified mail, return receipt requested, to all abutters within one hundred feet of the property line of the land where the activity is proposed, at the mailing addresses shown on the most recent applicable tax list of the assessors, including, but not limited to, owners of land directly opposite said proposed activity on any public or private street or way, and in another municipality or across a body of water.

The Board of Assessors hereby certifies that the attached list contains the record owners as of January 1, 2020, and recorded on the current tax rolls. In addition, the Board certifies that the list includes owners, as per recorded deeds as received up to August 31, 2020.

Carolyn H. Dee
Sr. Administrative Assistant

October 6, 2020

Abutters List for Parcel#1673, 399 Lowell Rd., using a distance of 100 Ft.:

Parcel#	Owner	Co-Owner	Mailing Address	City	State	Zip	Property Location
1328	GLENN NEA W TR	LOWELL 388 NOMINEE TRUST	388 LOWELL RD	CONCORD	MA	01742	388 LOWELL RD
1329	MCGARRY ANNE MARIE		410 LOWELL RD	CONCORD	MA	01742	410 LOWELL RD
1672	ELTON JEFFREY J	ELTON ANNE L	415 LOWELL RD	CONCORD	MA	01742	415 LOWELL RD
1673	CALDWELL JOHN T	MINER JULIA H	399 LOWELL RD	CONCORD	MA	01742	399 LOWELL RD
1674	CONFREY ANTHONY W	CONFREY NANCY W	383 LOWELL RD	CONCORD	MA	01742	383 LOWELL RD
1329-1	BEANLAND DAVID R	BEANLAND SARAH E	428 LOWELL RD	CONCORD	MA	01742	428 LOWELL RD
1671	KORBET MARIAN K	KOEHLEB BENEDICT	70 MARKHAM RD	EMONTPELIER	VT	05651	396A SIMON WILLARD RD



TOWN OF CONCORD
NATURAL RESOURCES COMMISSION
141 KEYES ROAD, CONCORD, MASSACHUSETTS 01742
TEL. (978) 318-3285 FAX (978) 318-3291

July 27, 2018

Mr. David Cowell
Hancock Associates
34 Chelmsford Street, Unit 2
Chelmsford, MA 01824

Dear Mr. Cowell:

Enclosed please find a copy of the Order of Resource Area Delineation that was issued to Julia Miner and signed by the Natural Resources Commission on July 25, 2018 for property at 399 Lowell Road in Concord (DEP File #137-1439). We wanted to provide you with a copy for your records.

Please note that because this is an Order for Resource Area Delineation only, there is no requirement to record this document at the Registry of Deeds.

If you should have any questions, please do not hesitate to call.

Sincerely,

Karen Bockoven
Administrative Assistant

A. General Information

1. Conservation Commission CONCORD

2. This Issuance is for (Check one):

- a. Order of Resource Area Delineation
- b. Amended Order of Resource Area Delineation

3. Applicant Details

a. First Name JULIA b. Last Name MINER
 c. Organization
 d. Mailing Address 399 LOWELL ROAD
 e. City/Town CONCORD f. State MA g. ZIP 01742

4. Property Owner (if different from applicant):

a. First Name JULIA b. Last Name MINER
 c. Organization
 d. Mailing Address 399 LOWELL ROAD
 e. City/Town CONCORD f. State MA g. ZIP 01742

5. Project Location

a. Street Address 399 LOWELL ROAD
 b. City/Town CONCORD c. Zip 01742
 d. Assessors Map/Plat# 7G e. Parcel/Lot# 1673
 f. Latitude 42.46823N g. Longitude 71.36087W

6. Dates

a. Date ANRAD Filed 6/19/2018 b. Date Public Hearing Closed 7/25/2018 c. Date Of Issuance 7/27/2018

7. Final Approved Plans and Other Documents

Plan Title	Plan Prepared By	Plan Signed By	Plan Final Date	Plan Scale
LIMITED EXISTING CONDITIONS PLAN OF LAND	HANCOCK ASSOCIATES	GREGORY G. GOULD, P.L.S.	JULY 23, 2018	1 INCH = 30 FEET

B. Order of Delineation

1. The Conservation Commission has determined the following (check whichever is applicable)

a. **Accurate:** The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

- 1. Bordering Vegetated Wetlands
- 2. Other resource area(s), specifically
 - a. INLAND BANK

b. **Modified:** The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):

- 1. Bordering Vegetated Wetlands
- 2. Other resource area(s), specifically

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
**WPA Form 4B - Order of Resource Area
Delineation**
Massachusetts Wetlands Protection Act M.G.L. c. 131 S40

Provided by MassDEP:
MassDEP File #:137-1439
eDEP Transaction #:1034592
City/Town:CONCORD

- a.
- c. **Inaccurate**:: The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):
1. Bordering Vegetated Wetlands
 2. Other resource area(s), specifically
 - a.
 3. The boundaries were determined to be inaccurate because:

C. Findings

This Order of Resource Area Delineation determines that the boundaries of those resource areas noted above, have been delineated and approved by the Commission and are binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, S 40) and its regulations (310 CMR 10.00). This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation. This Order must be signed by a majority of the Conservation Commission. The Order must be sent by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate DEP Regional Office (see <http://www.mass.gov/dep/about/region/findyour.htm>).

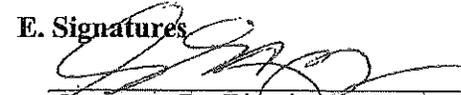
D. Appeals

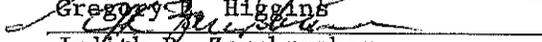
The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office to issue a Superseding Order of Resource Area Delineation. When requested to issue a Superseding Order of Resource Area Delineation, the Department's review is limited to the objections to the resource area delineation(s) stated in the appeal request. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant. Any appellants seeking to appeal the Department's Superseding Order of Resource Area Delineation will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order or Determination, or providing written information to the Department prior to issuance of a Superseding Order or Determination. The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, S 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 4B - Order of Resource Area
Delineation
Massachusetts Wetlands Protection Act M.G.L. c. 131 S40

Provided by MassDEP:
MassDEP File #:137-1439
eDEP Transaction #:1034592
City/Town:CONCORD

E. Signatures

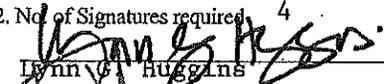


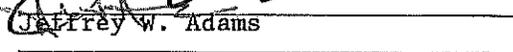
Gregory B. Higgins


Judith R. Zaunbrecher

1. Date of Original Order 7/27/2018

2. No. of Signatures required 4



Lynn C. Higgins


Jeffrey W. Adams

This Order is valid for three years from the date of issuance.

If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, and the Amended Order will expire on the date of the Original Final Order unless extended in writing by the Department.

This Order is issued to the applicant and the property owner (if different) as follows:

3. By hand delivery on

4. By certified mail, return receipt requested on

a. Date _____

a. Date June 27, 2018

FINDINGS
399 LOWELL ROAD, DEP File #137-1439
Applicant: Julia Miner
ORAD Issued July 27, 2018

Findings:

1. The Natural Resources Commission (the Commission) has verified the following resource area boundaries as shown on the Limited Existing Conditions Plan of Land prepared by Hancock Associates, last revised July 23, 2018:
 - Bordering Vegetated Wetland flag numbers:
 - WF A101 through WF A106
 - Bank flag numbers:
 - WF Bank 100 – WF Bank 121;

Note that there may be other resource areas present on the site which the Commission was not asked to verify. In addition, the Commission was unable to verify resource area boundary flags other than the ones approved in this ORAD. For this reason, the Commission reserves the right to review any future proposal for work on site to determine if there is a resource area or portion thereof not verified in this ORAD that may trigger the Commission's jurisdiction.



EAST SIDE STUDIO
ARCHITECTS

2 Lexington Rd, Concord, MA
339-222-9395
JMiner@ESSARC.com

Celebrate the Poetry of Place

October 6, 2020

Concord Natural Resources Commission

Narrative re: Garage/Mudroom Addition 399 Lowell Road (identified as Map 7G, Lot 1673 on Town of Concord Tax Assessors Maps).

Dear members of the Commission:

We respectfully request that Concord NRC review our Notice of Intent and accompanying materials to determine that we have taken the correct steps for the construction of our addition to have minimal impact to existing natural surroundings.

Existing Conditions

The property is a narrow linear land parcel spanning from Lowell Road to the Assabet River (see Town of Concord GIS Assessors Map in Attachment B). In the existing condition, roughly 1/3 of the property closest to Lowell Road is developed with a 3bedroom single family home, manicured landscaping, asphalt drive and concrete foundation from a prior garage that was destroyed by heavy snow during the winter of 2015.

Approximately 2/3 of the property spanning back to the Assabet River is forested. Within the forested area, there is an overstory of mature trees dominated with red maple (*Acer rubrum*, FAC), red oak (*Quercus rubra*, FACU), eastern white oak (*Quercus alba*, FACU), and white pine (*Pinus strobus*, FACU). There is a shrub understory layer, consisting of such species as American beech (*Fagus grandifolia*, FACU), honeysuckle (*Lonicera* sp., FACU), multiflora rose (*Rosa multiflora*, FACU), burning bush (*Euonymus alatus*, UPL), American linden (*Tilia americana*, FACU), and common blackberry (*Rubus allegheniensis*, FACU). The forest ground cover consists of several common upland woodland species such as Canada mayflower (*Maianthemum canadense*, FACU), partridge berry (*Mitchella repens*, FACU), eastern spicy wintergreen (*Gaultheria procumbens*, FACU), and wood anemone (*Anemone quinquefolia*, FACU). Areas of the now forested portion of the property were subject to prior historic development, as evidenced by remnants of an old concrete home foundation and a filled and buried swimming pool beyond the tree line.

Portions of the property are classified as jurisdictional wetlands under the Massachusetts Wetlands Protection Act. The northern side of the property is bound by a manmade drainage ditch jurisdictional as an intermittent stream. As the property approaches the Assabet River it enters into FEMA mapped 100year floodplain coinciding with elevation 121'. At a point beyond the 100year floodplain elevation, the property transitions into Bordering Vegetated Wetlands (roughly coincident to elevation 116'. This

appears to be seasonally flooded, as evidenced by observed sheet flowing standing water, presumably from the Assabet River.

The wetlands were delineated by David Cowell of Hancock Associates. The delineation was approved unanimously at a hearing on July 25, 2018, and the Order of Resource Area Delineation was issued for planning and development purposes.

Proposed Work and Permitting

The proposed addition consists of an attached 1-story mudroom and 1 ½-story two car garage to the rear of the existing 3 BR cape, plus the addition of dormers to the existing cape, all approved by the HDC. The two-car garage will have living space above and to the rear on the first floor. The construction will occur within the developed 1/3 of the site, on what is now lawn and an edge of the asphalt drive. The Board of Health has approved the use of the existing septic system for wastewater from this new living space, which will include a bathroom and utility sink. The existing septic tank is within the no-build area, but we can tie into existing waste pipes that are outside the no-build area. The perimeter of the garage foundation will have 18" deep crushed stone and French drains for roof rainwater, piped to a drywell or outfall outside the 100' buffer zone.

Total square footage of the addition footprint is 1143. The area of structure that is within this far southern edge of the buffer zone is 703 SF. No work will be performed within the 50' no build or 25' no disturb boundaries.

The existing 625 SF concrete foundation from the demolished garage, plus a 585 SF area of asphalt in the buffer zone will be removed. In its place will be 1210 sf of wild flower meadow. This area will be planted with native Northeast species from American Meadows and The Vermont Wildflower Farm. This will more than mitigate the 703 SF area of new structure within the buffer zone.

There are no trees in the buffer zone that will be removed for this construction. Materials staging will occur on the concrete pad and asphalt area which will be removed after construction. The location of haybales for erosion control is noted on the Hancock drawings. No other major sitework will occur within the 100' buffer zone, as the new asphalt drive will be to the south of the buffer zone.

Some re-landscaping will occur where existing walkways will be moved, but we will not be adding any impervious hardscape to the buffer zone. In the no-build area there is a 2 SF portion of an existing brick walkway that we will demolish and create a blue stone steppingstone walk in a slightly different location, possibly adding 1-2 SF of hardscape in the no-build area. There are a few existing holly and rhododendron bushes close to the house that will be relocated behind the stone wall along Lowell Road.

Thank you for your consideration in reviewing this submittal.

Sincerely,



Julia Miner AIA



John Caldwell



Clockwise from top:
Views of building area looking West, East, South, and Northeast.

The area in the foreground of 2nd photo (looking east toward the back of the house) contains the asphalt and concrete foundation that will be removed.



NHESP MAP



VERMONT WILDFLOWER FARM
Northeast wildflower mix

Pollinator mix

AGU LUT 4

QUICK OVERVIEW DETAILED INFO PLANTING GUIDES REVIEWS

What's in the Mix: (Contains 26 Wildflowers)

Botanical Name	Common Name	Life Cycle	Approx. Height & Color
<i>Centaurea cyanus</i>	Blue Cornflower	Annual	2 ft. Blue
<i>Chelidonium majus</i>	Siberian Wallflower	Biennial	2 ft. Orange
<i>Chrysanthemum maximum</i>	Shasta Daisy	Perennial	3 ft. White
<i>Clarkia amonea</i>	Godetia	Annual	1-2 ft. Pink
<i>Coreopsis lanceolata</i>	Lance-leaf Coreopsis	Perennial	3 ft. Yellow
<i>Coreopsis tinctoria</i>	Plains Coreopsis	Annual	2-3 ft. Yellow/Red
<i>Cosmos sulphureus</i>	Sulphur Cosmos	Annual	3 ft. Orange
<i>Cosmos bipinnatus</i>	Wild Cosmos	Annual	3-6 ft. Pink/White/Mauve
<i>Delphinium consolida</i>	Rocket Larkspur	Annual	3-4 ft. Multi
<i>Dianthus barbatus</i>	Sweet William	Biennial	2 ft. Multi Pinks
<i>Echinacea purpurea</i>	Purple Coneflower	Perennial	3 ft. Purple
<i>Eschscholzia californica</i>	Orange Poppy	Tender Perennial	2-3 ft. Orange
<i>Gaillardia aristata</i>	Blanket Flower	Perennial	3 ft. Yellow/Red
<i>Gypsophila elegans</i>	Baby's Breath	Annual	2 ft. White
<i>Helianthus annuus</i>	Wild Sunflower	Annual	3 ft. Yellow
<i>Lavatera trimestris</i>	Rose Mallow	Annual	2-3 ft. Pink
<i>Linum grandiflorum rubrum</i>	Scarlet Flax	Annual	1-2 ft. Red
<i>Linum perenne lewisii</i>	Blue Flax	Perennial	2 ft. Blue
<i>Lupinus perennis</i>	Perennial Lupine	Perennial	3-4 ft. Purple
<i>Mirabilis jalapa</i>	Four O'Clock	Annual	2-3 ft. Mixed
<i>Myosotis sylvatica</i>	Forget-me-not	Perennial	up to 1 ft. Blue
<i>Nemophila menziesii</i>	Baby Blue Eyes	Annual	up to 1 ft. Blue
<i>Papaver rhoeas</i>	Multi Poppy	Annual	2-3 ft. Red
<i>Rudbeckia gloriosa</i>	Gloriosa Daisy	Perennial	2-3 ft. Red/Yellow
<i>Rudbeckia hirta</i>	Black-eyed Susan	Biennial	2-3 ft. Yellow
<i>Silene aemula</i>	None-so-pretty	Annual	2-3 ft. Pink

What's in the Mix: (Contains 27 Wildflowers)

Botanical Name	Common Name	Life Cycle	Approx. Height & Color
<i>Asclepias incarnata</i>	Red Milkweed	Perennial	2-5 ft. Pink/White/Mauve
<i>Asclepias tuberosa</i>	Butterfly Weed	Perennial	2-3 ft. Orange
<i>Aster novae-angliae</i>	New England Aster	Perennial	3-6 ft. Purple
<i>Centaurea cyanus</i>	Multi Cornflower	Annual	2 ft. Blue
<i>Chelidonium majus</i>	Siberian Wallflower	Biennial	2 ft. Orange
<i>Chrysanthemum maximum</i>	Shasta Daisy	Perennial	3 ft. White
<i>Coreopsis lanceolata</i>	Lance-leaf Coreopsis	Perennial	3 ft. Yellow
<i>Coreopsis tinctoria</i>	Plains Coreopsis	Annual	2-3 ft. Yellow/Red
<i>Cosmos bipinnatus</i>	Wild Cosmos	Annual	3-6 ft. Pinks/Whites/Maroon
<i>Cosmos sulphureus</i>	Sulphur Cosmos	Annual	3 ft. Orange
<i>Delphinium consolida</i>	Giant Larkspur	Annual	3-4 ft. Multi
<i>Dianthus barbatus</i>	Sweet William	Biennial	2 ft. Multi Pinks
<i>Echinacea purpurea</i>	Purple Coneflower	Perennial	3 ft. Purple
<i>Eschscholzia californica</i>	Orange Poppy	Tender Perennial	2-3 ft. Orange
<i>Gaillardia aristata</i>	Blanket Flower	Perennial	3 ft. Yellow/Red
<i>Gypsophila elegans</i>	Baby's Breath	Annual	2 ft. White
<i>Helianthus annuus</i>	Wild Sunflower	Annual	3 ft. Yellow
<i>Helianthus maximiliani</i>	Perennial Sunflower	Perennial	3-5 ft. Yellow
<i>Liatris spicata</i>	Bazing Star	Perennial	2-3 ft. Purple/Pink
<i>Linum perenne lewisii</i>	Blue Flax	Perennial	2 ft. Blue
<i>Linum grandiflorum rubrum</i>	Scarlet Flax	Annual	2 ft. Red
<i>Lupinus perennis</i>	Perennial Lupine	Perennial	3-4 ft. Purple
<i>Papaver rhoeas</i>	Red Poppy	Annual	2-3 ft. Red
<i> Dalea purpurea</i>	Purple Prairie Clover	Perennial	3 ft. Purple
<i>Rudbeckia gloriosa</i>	Gloriosa Daisy	Perennial	2-3 ft. Red/Yellow
<i>Rudbeckia hirta</i>	Black-eyed Susan	Biennial	2-3 ft. Yellow
<i>Silene aemula</i>	None-so-pretty	Annual	2-3 ft. Pink

