

July 24, 2023

Rowley Conservation Commission
39 Central Street, Room #4
Rowley, MA 01969
Attention: Brent Baeslack, Conservation Agent

**Re: McDonald's Drive-Thru Reconfiguration
Certificate of Compliance
155 Newburyport Turnpike
Rowley, MA**

Dear Mr. Baeslack,

On behalf of the Applicant, McDonald's USA LLC, Bohler is pleased to submit a Certificate of Compliance request for the proposed site improvement project located at 155 Newburyport Turnpike in the Town of Rowley, MA. This Certificate of Compliance has been submitted in accordance with the Massachusetts Wetlands Protection Act and Rowley's Wetland Bylaws.

Enclosed please find the following:

- Two (2) copies of the of the Certificate of Compliance Checklist;
- Two (2) copies of the Completed WPA Form 8A – Request for Certificate of Compliance;
- Two (2) copies of the Wetland Bylaw Fee Calculation Form;
- One (1) check in the amount of \$100.00 made payable to the Town of Rowley;
- Two (2) copies of a written statement signed by a Registered Professional Engineer of the Commonwealth dated July 19, 2023;
- Two (2) copies of post-construction site photos;
- Two (2) copies of the Record Survey prepared by Control Point Associates, Inc., dated July 13, 2023; and
- One (1) electronic submission in PDF form of all documents and plans (via email).

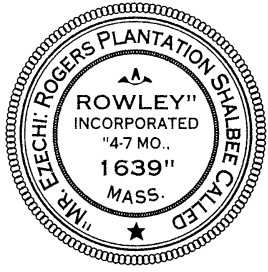
We respectfully request that the Conservation Commission review the attached submission and schedule the Applicant to be heard at the next available hearing on August 22, 2023. Should you have any questions or comments please feel free to contact us at 617-849-8040 or via email at wluкас@bohlereng.com.

Sincerely,

BOHLER



William E. Lucas III



Town of Rowley

Conservation Commission

Phone: (978) 948-2330 Fax: (978) 948-7196

Conservation@townofrowley.org

REQUEST FOR CERTIFICATE OF COMPLIANCE CHECKLIST Under the Wetlands Protection Act and Rowley's Wetlands Bylaw

Submit two (2) copies of the following to request a Certificate of Compliance:

- Completed WPA Form 8A – Request for Certificate of Compliance.
- Wetland Bylaw Fee Calculation Form (see Forms & Checklists on webpage).
- Check for appropriate fee (made out to Town of Rowley).
- A written statement signed (submit original signature), wet stamped and dated from a Registered Professional Engineer of the Commonwealth certifying that the work has been completed in compliance with the Order of Conditions, documents, and the final approved plans (or approved revisions). Any discrepancies or deviations between the proposed plan and post-construction conditions shall be noted and explained.
- An as-built topographic plan of the same scale as the approved plan, wet stamped and signed with original signature and date by a Registered Professional Engineer or Land Surveyor of the Commonwealth, showing post-construction conditions for the public record. This plan will include as built elevations of all drainage ways constructed within 100' of any wetland or 200' of a perennial stream, distances to all structures, and all elevations within 100' of wetlands and 200' of perennial streams. The as-built plan must show all wetland resource area boundaries with associated buffer zones and any No Cut/No Disturbance Zones taken from the plan(s) approved in this OC. The as built plan must show elevations of all filled, altered, or replicated wetlands.
- Email an electronic PDF copy of all documents to conservation@townofrowley.org. All documents and plans will be provided as separate electronic files for record management purposes.
- Any additional materials which may be required under the Order of Conditions. Please read the Order of Conditions to determine **all** requirements to obtain a Certificate of Compliance.

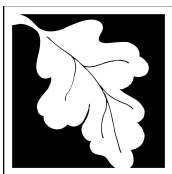
Send hard copies by mail or hand deliver to:

Rowley Conservation Commission

P.O. Box 24

39 Central Street, Room #4

Rowley, MA 01969



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

DEP File Number:

63-0745
 Provided by DEP

A. Project Information

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



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

<u>Bohler (William Lucas)</u>		
Name		
<u>45 Franklin Street, 5th Floor</u>		
Mailing Address		
<u>Boston</u>	<u>MA</u>	<u>02110</u>
City/Town	State	Zip Code
<u>(617) 849-8040</u>		
Phone Number		

2. This request is in reference to work regulated by a final Order of Conditions issued to:

<u>McDonald's USA, LLC (Brian Sheedy)</u>	
Applicant	
<u>03/23/2023</u>	<u>63-0745</u>
Dated	DEP File Number

3. The project site is located at:

<u>155 Newburyport Turnpike</u>	<u>Rowley</u>
Street Address	City/Town
<u>14</u>	<u>14</u>
Assessors Map/Plat Number	Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

<u>McDonald's Real Estate Company</u>		
Property Owner (if different)		
<u>South Essex</u>	<u>37777</u>	<u>315</u>
County	Book	Page

Certificate (if registered land)

5. This request is for certification that (check one):
 - the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.
 - the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

 - the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



WPA Form 8A – Request for Certificate of Compliance

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

A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

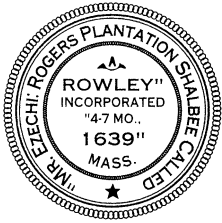
Yes

If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).



Town of Rowley Conservation Department

Town Hall Annex – Room 4
 39 Central St, P.O. Box 24, Rowley, MA 01969
 Phone: 978-948-2330 Fax: 978-948-7196
conservation@townofrowley.org

WETLAND BYLAW FEE CALCULATION FORM

Property Address: 155 Newburyport Turnpike		Map: 14	Parcel: N/A	Lot: 14
APPLICATION NAME / ACTIVITY	LOCAL BYLAW FEE	# of Activities or Measurement	Subtotal	
Request for a Determination of Applicability (RDA)	\$75			
Abbrev. Notice of Resource Area Delineation (ANRAD)				
Single Family House Project	\$1/linear foot, first 100'; \$0.50/lf, second 100'; \$0.10/lf, each additional foot			
All Other Projects	*\$1/linear foot, first 1000'; \$0.50/lf, second 1000'; \$0.10/lf, each additional foot			
Notices of Intent (NOI)				
Category 1 Activity	\$100			
Category 2 Activity	\$250			
Category 3 Activity	\$525			
Category 4 Activity	\$725			
Category 5 Activity	\$2/foot			
Category 6 Activity - If no ANRAD was filed for the project site, then a local Cat. 6 fee must be paid in accordance with the ANRAD fee schedule	See ANRAD fee schedule			
Request to Amend an OOC (RAOC)	\$100			
Resource Area Alterations (for NOI & RAOC)				
Buffer Zone, 50'-100' from resource area boundary	\$0.05 / square foot			
Buffer Zone, 25'-50' from resource area boundary	\$0.10 / square foot			
Buffer Zone, 0'-25' from resource area boundary	\$0.25 / square foot			
Bordering Vegetated Wetlands & Salt Marsh	\$0.35 / square foot			
Bank	\$5 / linear foot			
Land Under Water & Waterways	\$0.35 / square foot			
Bordering Land Subject to Flooding & CLSSF**	\$0.05 / square foot			
***Riverfront Area only	\$0.05 / square foot			
Isolated Vegetated Wetlands	\$0.35 / square foot			
Land within Groundwater Protection Area Zone I	\$0.25 / square foot			
Land within Groundwater Protection Area Zone II	\$0.05 / square foot			
Other Local-only Jurisdictional Resource Areas	\$0.05 / square foot			
Extension Permit	\$100			
Certificate of Compliance	Projects under one acre in size: \$100 - over an acre in size \$250	1	\$100.00	
For filings resulting from enforcement action, double the Local Bylaw Fee Total			N/A	
LOCAL BYLAW FEE TOTAL			\$100.00	
As Determined by the Commission, Fee Total not to exceed \$15,000 except Enforcement				
NOTES:				
*Local Bylaw Fee maximum of \$100, if, when determined necessary by Commission, applicant agrees to ANRAD review by outside consultant under M.G.L. Ch. 44, sec. 53G				
**Coastal Land Subject to Storm Flowage				
***Local Bylaw Fees for RDA, NOI, & RAOC increase 50% when project is also proposed within a Riverfront Area				
Local Bylaw Fees passed by a Unanimous vote of the Commission on 10/1/2019, effective 10/2/2019				

July 24, 2023

Rowley Conservation Commission
39 Central Street, Room #4
Rowley, MA 01969
Attention: Brent Baeslack, Conservation Agent

**Re: McDonald's Drive-Thru Reconfiguration
Compliance Statement
155 Newburyport Turnpike
Rowley, MA**

Dear Members of the Commission,

On behalf of the Applicant, McDonald's USA LLC, Bohler has reviewed the "Record Survey" prepared by Control Point Associates, Inc., dated July 13, 2023. Based on our review, the drive-thru site improvement project has been constructed in substantial compliance with the plans and conditions approved by the Rowley Conservation Commission and the Order of Conditions dated March 23, 2023 (DEP File Number 63-0745).

Should you have any questions, please do not hesitate to reach out to our office.

Sincerely,

BOHLER



Stephen Martorano, P.E.

7/26/2023



Post-Construction Site Photos



Photo 1 – Photo of the drive-thru lane facing east toward the rear portion of the site.

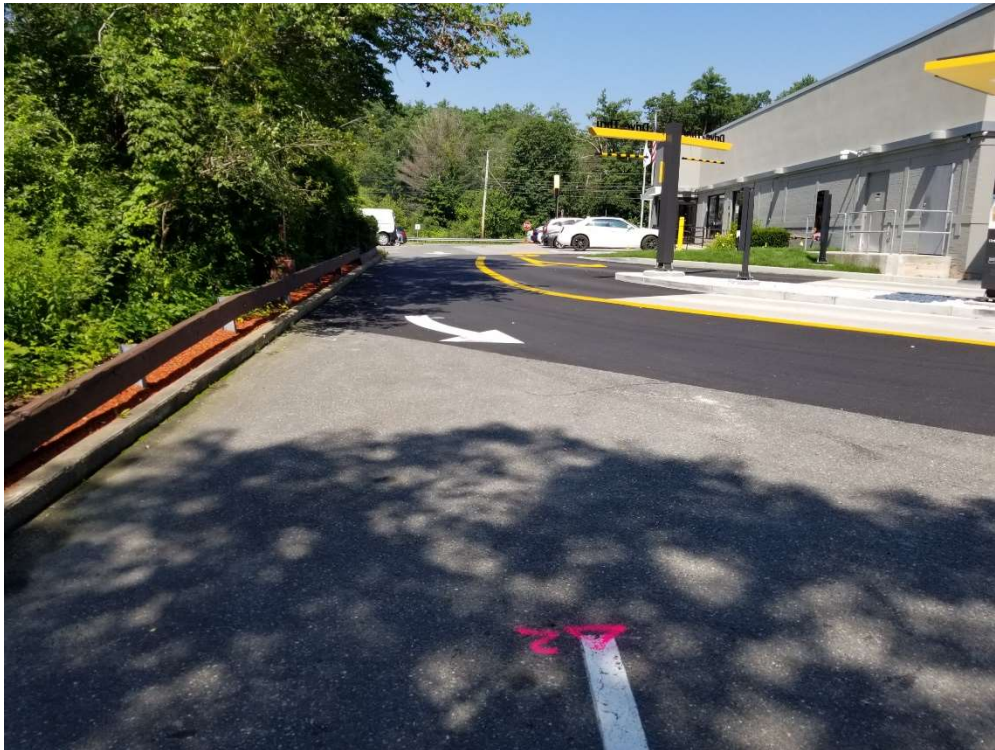


Photo 2 – Photo of the drive-thru lane facing west toward Newburyport Turnpike (U.S. Route 1).

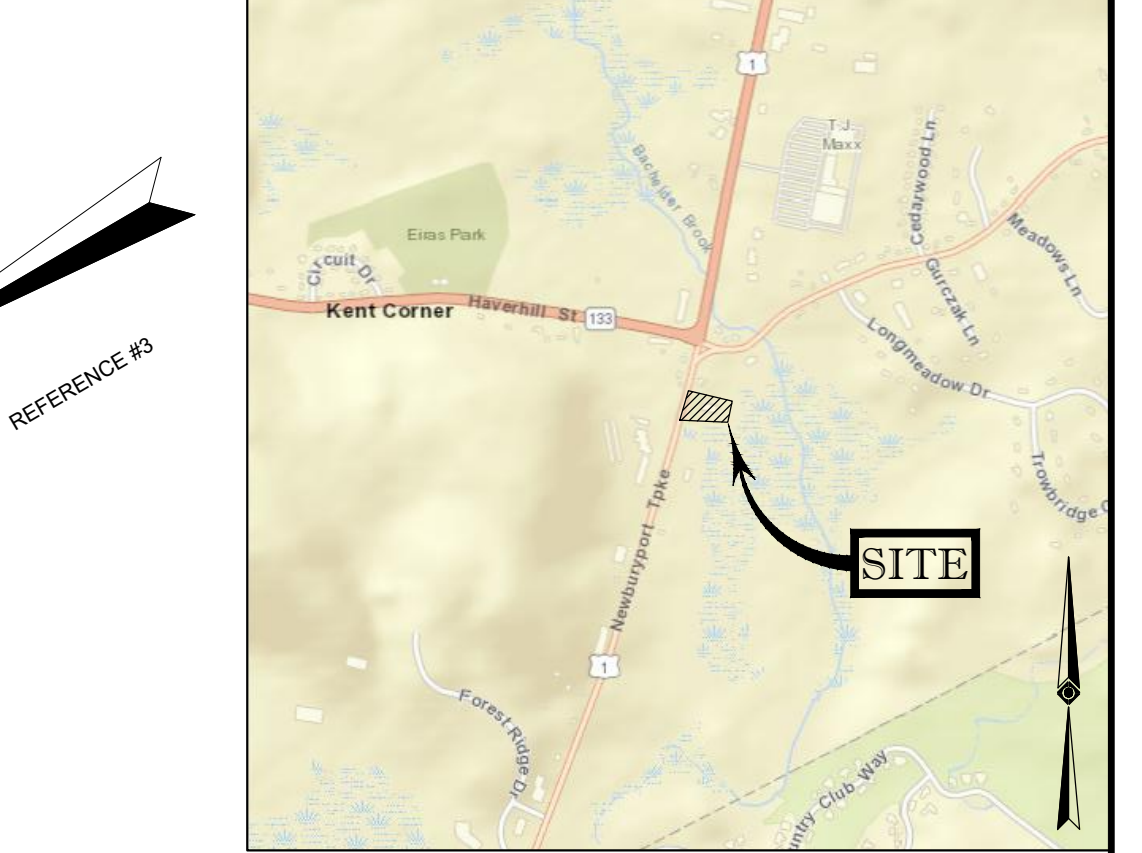
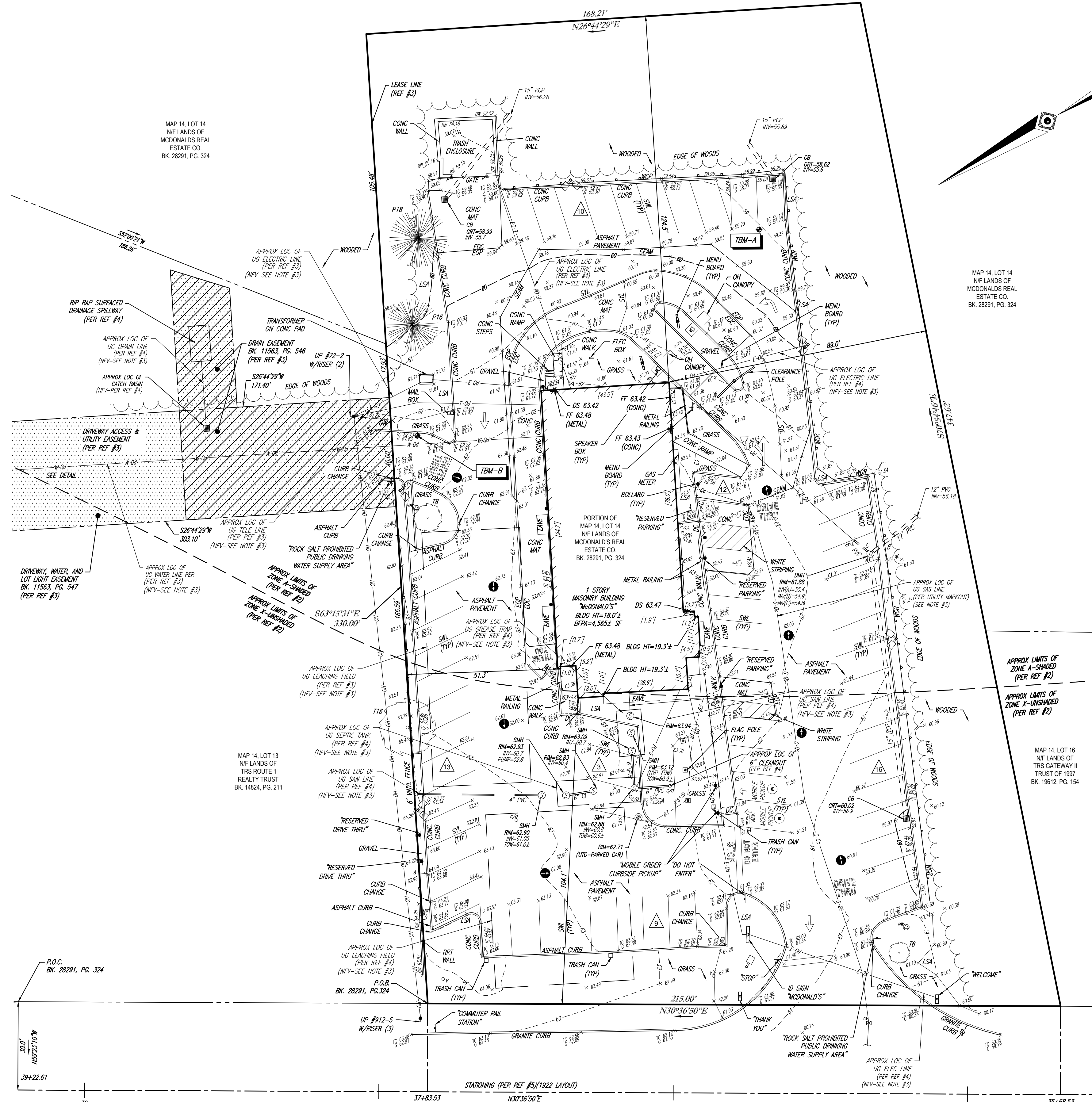
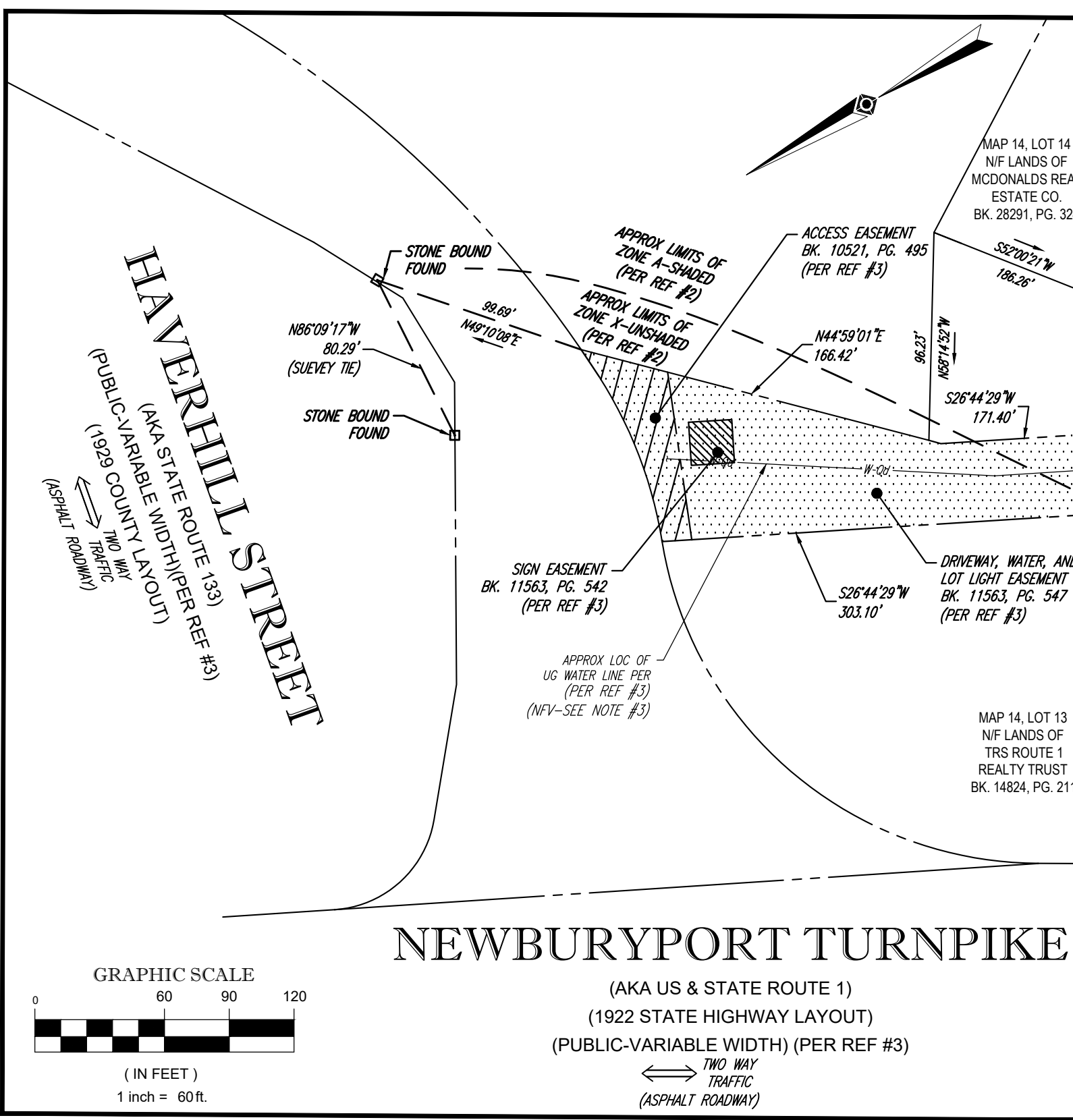


Photo 3 – Photo of the drive-thru lane facing the rear of the building.



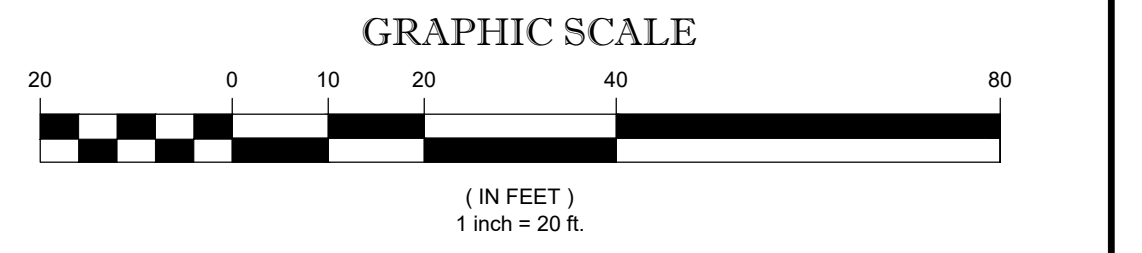
Photo 4 – Photo of the drive-thru lane facing the southern property line of the site.

LEGEND			
--- 124 ---	EXISTING CONTOUR	UP /	UTILITY POLE
--- 125 ---	EXISTING SPOT ELEVATION	CW	GUY WIRE
X TC 123.45	EXISTING TOP OF CURB ELEVATION	MW	MONITORING WELL
X G 122.95	EXISTING GUTTER ELEVATION	□	AREA LIGHT
X TW 123.45	EXISTING TOP OF WALL ELEVATION	○	CLEAN OUT
X BW 122.95	EXISTING BOTTOM OF WALL ELEVATION	○	SIGN
X FF 123.45	EXISTING FINISHED FLOOR ELEVATION	□	MAIL BOX
X DS 123.45	EXISTING DOOR SILL ELEVATION	●	BOLLARD
EM	ELECTRIC METER	Po	POST
OH	OVERHEAD WIRES	→	PAINTED ARROWS
C	APPROX. LOC. UNDERGROUND GAS LINE	DC	DEPRESSED CURB
E	APPROX. LOC. UNDERGROUND ELECTRIC LINE	EDC	EDGE OF CONCRETE
D	APPROX. LOC. UNDERGROUND DRAINAGE LINE	EDP	EDGE OF PAVEMENT
T	APPROX. LOC. UNDERGROUND TELEPHONE LINE	LSA	LANDSCAPED AREA
W	APPROX. LOC. UNDERGROUND WATER LINE	(TYP)	TYPICAL
-B	SUBSURFACE UTILITY QUALITY LEVEL B	DMH	DRAINAGE/STORM MANHOLE
-C	SUBSURFACE UTILITY QUALITY LEVEL C	SMH	SANITARY/SEWER MANHOLE
SWZ	SOLID WHITE LINE	CB	CATCH BASIN OR INLET
SYZ	SOLID YELLOW LINE	T	TREE & TRUNK SIZE
BLDG	BUILDING	CT	CONIFEROUS TREE & TRUNK SIZE
BFTA	BUILDING FOOTPRINT AREA	PC	PARKING SPACE COUNT
[43.4]	BUILDING DIMENSIONS	FOD	FULL OF DEBRIS
NPV	NO PIPE VISIBLE	TOW	TOP OF WATER
INV	INVERT ELEVATION	NVP	NO VISIBLE PIPE
GRT	GRATE ELEVATION	WGR	WOODEN GUIDE RAIL
		□	EVIDENCE FOUND



- NOTES:**
- PROPERTY KNOWN AS LOT 14 AS SHOWN ON THE TOWN OF ROWLEY, ESSEX COUNTY, COMMONWEALTH OF MASSACHUSETTS, MAP NO. 14.
 - LEASE AREA = 64,371 SQUARE FEET OR 1.478 ACRES
 - LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE. LOCATIONS AND SIZES ARE BASED ON UTILITY MARK-OUTS, ABOVE GROUND STRUCTURES THAT WERE VISIBLE & ACCESSIBLE IN THE FIELD, AND THE MAPS AS LISTED IN THE REFERENCES AVAILABLE AT THE TIME OF THE SURVEY. AVAILABLE AS-BUILT PLANS AND UTILITY MARKOUT DOES NOT ENSURE MAPPING OF ALL UNDERGROUND UTILITIES AND STRUCTURES. BEFORE ANY EXCAVATION IS TO BEGIN, ALL UNDERGROUND UTILITIES SHOULD BE VERIFIED AS TO THEIR LOCATION, SIZE AND TYPE BY THE PROPER UTILITY COMPANIES. CONTROL POINT ASSOCIATES, INC. DOES NOT GUARANTEE THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA EITHER IN SERVICE OR ABANDONED.
 - THIS PLAN IS BASED ON INFORMATION PROVIDED BY A SURVEY PREPARED IN THE FIELD BY CONTROL POINT ASSOCIATES, INC. AND OTHER REFERENCE MATERIAL AS LISTED HEREON.
 - THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO THE RESTRICTIONS, COVENANTS AND/OR EASEMENTS THAT MAY BE CONTAINED THEREIN.
 - BY GRAPHIC PLOTTING ONLY PROPERTY IS PARTIALLY LOCATED IN FLOOD HAZARD ZONE A (AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD-NO BASE FLOOD ELEVATIONS DETERMINED) & PARTIALLY LOCATED IN FLOOD HAZARD ZONE X-UNSHARED (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER REF. #2
 - ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), BASED ON GPS OBSERVATIONS UTILIZING THE KEYSTONE VRIS NETWORK (KEYNETGPS).
- TEMPORARY BENCH MARKS SET:**
 TBM-A: MAG NAIL SET IN ASPHALT PAVEMENT AT ELEVATION 59.00'
 TBM-B: MAG NAIL SET IN ASPHALT PAVEMENT AT ELEVATION 61.59'
- PRIOR TO CONSTRUCTION IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THAT THE BENCHMARKS ILLUSTRATED ON THIS SKETCH PLAN HAVE NOT BEEN DISTURBED AND THEIR ELEVATIONS HAVE BEEN CONFIRMED. ANY CONFLICTS MUST BE REPORTED PRIOR TO CONSTRUCTION.
- THE OFFSETS SHOWN ARE NOT TO BE USED FOR THE CONSTRUCTION OF ANY STRUCTURE, FENCE, PERMANENT ADDITION, ETC.
 - THE EXISTENCE OF UNDERGROUND STORAGE TANKS, IF ANY, WAS NOT KNOWN AT THE TIME OF THE FIELD SURVEY.
 - BUILDING DIMENSIONS SHOWN HEREON ARE MEASURED AT GROUND LEVEL OF BUILDING EXTERIOR.

- REFERENCES:**
- THE TAX ASSESSOR'S MAP OF ROWLEY, ESSEX COUNTY, SHEET #14.
 - MAP ENTITLED "NATIONAL FLOOD INSURANCE PROGRAM, FIRM, FLOOD INSURANCE RATE MAP, ESSEX COUNTY, MASSACHUSETTS (ALL JURISDICTIONS) PANEL 258 OF 600," MAP NUMBER 250090258F, MAP REVISED: JULY 3, 2012.
 - MAP ENTITLED "ALTA/ACSM LAND TITLE SURVEY AT LAND IN ROWLEY MA, ESSEX COUNTY (SOUTH DISTRICT) NO. 155 NEWBURY TURNPIKE, PREPARED FOR: MCDONALD'S CORPORATION & SYSTEM CAPITAL REAL PROPERTY CORP.," PREPARED BY GOLDEN LAND SURVEYING, INC., DATED APRIL 8, 1998, RECORDED WITH THE SOUTH ESSEX COUNTY REGISTRY OF DEEDS IN PLAN BOOK 325 AS PLAN 81, SHEETS 1-3.
 - MAP ENTITLED "SITE CONSTRUCTION PLAN, MCDONALD'S RESTAURANT, NEWBURY TURNPIKE (ROUTE 1) ROWLEY, MASSACHUSETTS," PREPARED BY AYOUB ENGINEERING, INC., DATED FEBRUARY 21, 1990. SHEET SP-1, SP-2A-C, & SP-3.
 - MAP ENTITLED "THE COMMONWEALTH OF MASSACHUSETTS PLAN OF ROAD IN THE TOWN OF ROWLEY ESSEX COUNTY LAID OUT AS A STATE HIGHWAY BY THE DEPARTMENT OF PUBLIC WORKS DIVISION OF HIGHWAYS," PREPARED BY THE DEPARTMENT OF PUBLIC WORKS DIVISION OF HIGHWAYS, DATED JUNE 13, 1922. SHEET 4 OF 15.
 - MAP ENTITLED "COUNTY OF ESSEX MASSACHUSETTS PLAN OF A PORTION OF HAVERHILL STREET FROM THE NEWBURYPORT TURNPIKE ABOUT 1450 FEET EASTERLY IN THE TOWN OF ROWLEY AS ALTERED," PREPARED BY ROBERT FLEVANS COUNTY ENGINEER, DATED OCTOBER 15, 1929, SHEETS 1 & 2. RECORDED WITH THE ESSEX REGISTRY OF DEEDS, SOUTHERN DISTRICT IN PLAN BOOK 56, PAGE 100.
 - CIVIL CAD FILE PROVIDED BY BOHLER ENGINEERING ON JUNE 22, 2023.
 - MAP ENTITLED "BOUNDARY & TOPOGRAPHIC SURVEY," PREPARED FOR MCDONALD'S USA, LLC, PREPARED BY CONTROL POINT ASSOCIATES, DATED JULY 18, 2018.



UTILITIES:

THE FOLLOWING COMPANIES WERE NOTIFIED BY MASSACHUSETTS ONE-CALL SYSTEM (1-888-344-7233) AND REQUESTED TO MARK OUT UNDERGROUND FACILITIES AFFECTING AND SERVICING THIS SITE. THE UNDERGROUND UTILITY INFORMATION SHOWN HEREON IS BASED UPON THE UTILITY COMPANIES RESPONSE TO THIS REQUEST. SERIAL NUMBER(S):

UTILITY COMPANY	PHONE NUMBER
NATIONAL GRID GAS/ESSEX	(800) 233-5325
ROWLEY MUNICIPAL LIGHTING PLANT	(978) 948-3992
ROWLEY WATER DEPT	(978) 948-2640
VERIZON	(800) 922-0204
COMCAST	(800) 934-6499

THE COMMONWEALTH OF MASSACHUSETTS REQUIRES NOTIFICATION BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THE COMMONWEALTH.

THIS SURVEY HAS BEEN PERFORMED IN THE FIELD UNDER MY SUPERVISION, AND TO THE BEST OF MY KNOWLEDGE, BELIEF, AND INFORMATION, THIS SURVEY HAS BEEN PERFORMED IN ACCORDANCE WITH CURRENTLY ACCEPTED ACCURACY STANDARDS.

GERRY L. HOLDRIGHT, PLS
 MASSACHUSETTS PROFESSIONAL LAND SURVEYOR #49211

7-13-2023
 DATE

FIELD DATE		RECORD SURVEY	
7-7-2023		McDonald's USA, LLC	155 NEWBURYPORT TURNPIKE
7-7-2023			MAP 14, LOT 14
23-06			TOWN OF ROWLEY
23-06			ESSEX COUNTY
101			COMMONWEALTH OF MASSACHUSETTS
FIELD/CREW		CONTROL POINT ASSOCIATES, INC.	
J.D.O.		352 TURNPIKE ROAD	ALBANY, NY 5183175010
J.P.M.		SOUTH BOKROGH, MA 01772	CHALFONT, PA 215129800
R.J.K.		508.948.3000 • 508.948.3003 FAX	MANHATTAN, NY 6467800411
APPROVED:	DATE	SCALE	FILE NO.
G.L.H.	7-13-2023	1"=20'	03-170253
			DWG. NO.
			1 OF 1