



NORSE ENVIRONMENTAL SERVICES, INC.

92 Middlesex Road, Unit 4

Tyngsboro, MA 01879

TEL. (978) 649-9932 • FAX (978) 649-7582

Website: www.norseenvironmental.com

NOTICE OF INTENT

FOR

37 BOB MERRY LANE

ASSESSORS MAP 12 BLOCK 3 LOT 13

ROWLEY, MA

APPLICANT: ADVA CONSTRUCTION / DESIGN

AUGUST 2022

PROJECT: 37 BOB MERRY LANE - ROWLEY

APPLICANT: ADVA CONSTRUCTION / DESIGN

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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

Rowley

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):

37 Bob Merry Lane
a. Street Address

Rowley
b. City/Town

01969
c. Zip Code

Latitude and Longitude:
42.71984
d. Latitude

-70.92020
e. Longitude

Map 12
f. Assessors Map/Plat Number

Block 3 Lot 13
g. Parcel /Lot Number

2. Applicant:

Timothy
a. First Name

McManus, President
b. Last Name

ADVA Construction / Design
c. Organization

9 Kenney Road
d. Street Address

Middleton
e. City/Town

MA
f. State

01949
g. Zip Code

978-533-5555
h. Phone Number

i. Fax Number

Tim@ADVAconstruction.com
j. Email Address

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

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Maureen
a. First Name

Herald
b. Last Name

Norse Environmental Services Inc.
c. Company

92 Middlesex Road- Unit 4
d. Street Address

Tyngsboro
e. City/Town

MA
f. State

01879
g. Zip Code

978-649-9932
h. Phone Number

i. Fax Number

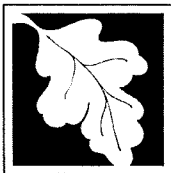
mail@norseenv.com
j. Email address

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

\$500.00
a. Total Fee Paid

\$237.50
b. State Fee Paid

\$262.50
c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

The applicant is proposing to construct a single family dwelling, retaining walls, grading and associated utilities within 100 ft of a bordering vegetated wetland.

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

- | | |
|---|---|
| 1. <input checked="" 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 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)

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:

E.S.R.D.

a. County

40837

c. Book

b. Certificate # (if registered land)

217

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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Rowley _____

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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.

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
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. 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. Restoration/Enhancement
If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

5. Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings



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C. Other Applicable Standards and Requirements

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

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

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

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

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

2022 _____
 b. Date of map

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

- c. Submit Supplemental Information for Endangered Species Review*

- Percentage/acreage of property to be altered:

(a) within wetland Resource Area _____
 percentage/acreage

(b) outside Resource Area _____
 percentage/acreage

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

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

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

(b) Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/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 - 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@mass.gov

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@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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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.

Design Comparison Plan

a. Plan Title

ASB design group, LLC

Thad D Berry

b. Prepared By

c. Signed and Stamped by

8/5/2022

1" = 20'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. If there is more than one property owner, please attach a list of these property owners not listed on this form.

6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8. Attach NOI Wetland Fee Transmittal Form

9. Attach Stormwater Report, if needed.

E. Fees

1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

Town of Rowley Check #1217

8/8/2022

2. Municipal Check Number

3. Check date

Commonwealth of MA Check #1216

8/8/2022

4. State Check Number

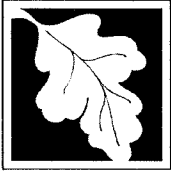
5. Check date

Steven

Eriksen

6. Payor name on check: First Name

7. Payor name on check: Last Name



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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.

Timothy Marmaris

1. Signature of Applicant

8/8/22

2. Date

3. Signature of Property Owner (if different)

James Herald

5. Signature of Representative (if any)

4. Date

8-8-22

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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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:

37 Bob Merry Lane	Rowley
a. Street Address	b. City/Town
Check #1216	\$237.50
c. Check number	d. Fee amount

2. Applicant Mailing Address:

Timothy	McManus	
a. First Name	b. Last Name	
ADVA Construction / Design		
c. Organization		
9 Kenney Road		
d. Mailing Address		
Middleton	MA	01949
e. City/Town	f. State	g. Zip Code
978-533-5555	Tim@ADVAconstruction.com	
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

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

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

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.



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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
Category 2(a)	1	\$500.00	\$500.00

Step 5/Total Project Fee: \$500.00

Step 6/Fee Payments:

Total Project Fee:	\$500.00
State share of filing Fee:	a. Total Fee from Step 5 \$237.50
City/Town share of filling Fee:	b. 1/2 Total Fee less \$12.50 \$262.50
	c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

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

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and a copy of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

**Notification to Abutters Under the
Massachusetts Wetlands Protection Act and
The Town of Rowley Wetlands Protection Bylaw**

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40 and the Town of Rowley Wetlands Protection Bylaw, you are hereby notified of the following:

A. The name of the applicant is ADVA Construction / Design - Timothy McManus
(name & address)

B: The applicant has filed a(n) Notice of Intent with the Rowley
(permit type)

Conservation Commission seeking to:

Description of Project: construct a single family dwelling, retaining walls, associated grading and utilities within the
100 ft. buffer zone of a bordering vegetated wetland. Erosion controls will be set and maintained for the duration of the
project.

in accordance with the Wetlands Protection Act (Mass.General Laws, Chapter 131, section 40) and the Town of Rowley Wetlands Protection Bylaw.

C. The address of the lot where the activity is proposed is 37 Bob Merry Lane
Map 12, Parcel 3, Lot 13.

D. Copies of the application may be examined or obtained at the Rowley Conservation Commission office, Rowley Town Hall Annex, 39 Central Street, Rowley between the hours of 9:00 AM to 12:30 PM on Monday to Thursday. For more information please call 978 948-2330.

E. Copies of the application may also be examined or obtained from either the applicant, or the applicant's representative, by calling this telephone number 978-649-9932 * between the hours of 8:00 PM and 6:00 PM on the following days of the week: M T W Th/Ftill 12:00pm

*Circle One: This is the applicant, **representative**, or other (specify): Norse Environmental Services, Inc.
92 Middlesex Road, Unit 4 - Tyngsboro, MA 01879
(name & address)

F. Information regarding the date, time, and place of the public hearing may be obtained from the Rowley Conservation Commission by calling this number 978 948-2330.

Note: Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in the Newburyport Daily News.

Note: Notice of the public hearing, including its date, time, and place, will be posted in the Town Hall 139 Main Street, Rowley, MA 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: **Northeast Regional Office 978 694-3200** or write **DEP NERO 205B Lowell Street, Wilmington, MA 01887**

CERTIFIED ABUTTERS' LIST

Parcel ID	Location	Owner Name/Address
012-003-13	37 BOB MERRY LN	FALCON RIDGE ASSOCIATES LLC S/O ADVA CONSTRUCTION/DESIGN LLC 9 KENNEY RD MIDDLETON, MA 01949
----- A B U T T E R S -----		
012-003-09	39 TAYLOR LN	FALCON RIDGE ASSOCIATES LLC S/O PEN HOME BUILDERS LLC 5 WOODLAND DR TEWKSBURY, MA 01876
012-003-10	37 TAYLOR LN	FALCON RIDGE COBALT LLC 76 STATE ST NEWBURYPORT, MA 01950
012-003-11	35 TAYLOR LN	FALCON RIDGE COBALT LLC 76 STATE ST NEWBURYPORT, MA 01950
012-003-12	39 BOB MERRY LN	FALCON RIDGE COBALT LLC 76 STATE ST NEWBURYPORT, MA 01950
012-003-17	29 BOB MERRY LN	PRIMACK ERIC 33 PINE HILL RD NEWBURYPORT, MA 01950
012-003-18	36 BOB MERRY LN	FALCON RIDGE COBALT LLC 76 STATE ST NEWBURYPORT, MA 01950
012-003-19	38 BOB MERRY LN	TRS FALCON RIDGE CBC TRUST KENNEDY DAVID TRUSTEE 38 BOB MERRY LN ROWLEY, MA 01969
012-003-20	40 BOB MERRY LN	FALCON RIDGE COBALT LLC S/O JARRED PIPPY ET AL 40 BOB MERRY LN ROWLEY, MA 01969
012-003-C	TAYLOR LN	FALCON RIDGE ASSOCIATES LLC 357 NORTH ST GEORGETOWN, MA 01833
018-007	390 WETHERSFIELD ST	TOWN OF ROWLEY CONSERVATION COMMISSION PO BOX 24 ROWLEY, MA 01969

CERTIFIED ABUTTERS' LIST

Parcel ID	Location	Owner Name/Address
012-003-13	37 BOB MERRY LN	FALCON RIDGE ASSOCIATES LLC S/O ADVA CONSTRUCTION/DESIGN LLC 9 KENNEY RD MIDDLETON, MA 01949

ABUTTERS

10 parcels listed



Sean McFadden
Principal Assessor

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act

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

I, Maureen Herald, hereby certify to the best of my knowledge, under the pains and penalties of perjury that on August 8, 2022 I gave notification to the abutters in compliance with the second paragraph of Massachusetts General Law Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:

A Notice of Intent under the Massachusetts Wetlands Protection Act by ADVA Construction / Design with the Rowley Conservation Commission on August 8, 2022 for property located at 37 Bob Merry Lane.

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

Maureen Herald
Name

8-8-22
Date



NORSE ENVIRONMENTAL SERVICES, INC.

92 Middlesex Road, Unit 4

Tyngsboro, MA 01879

TEL. (978) 649-9932 • FAX (978) 649-7582

Website: www.norseenvironmental.com

Notice of Intent Report

For

**37 Bob Merry Lane
Rowley, MA**

Prepared For

ADAV Construction / Design
9 Kenney Road
Middleton, MA 01949

Prepared By

Norse Environmental Services, Inc.
92 Middlesex Road, Unit 4
Tyngsboro, MA 01879

August 2022

Narrative

A Determination of Applicability was issued by the Rowley Conservation Commission on 2/16/2022 for the construction of a single-family home (small portion), rooftop infiltration, clearing, grading and associated utilities. Conservation Agent, Brent Baeslack, made a site visit on July 28, 2022, to review trees near the proposed dwelling for possible removal and noticed the excavated foundation hole extended into the 100 ft. buffer zone. Please see the attached email and marked-up plans.

As a result of the discrepancies between the Determination of Applicability and existing work on site, Mr. Baeslack issued a verbal Cease & Desist and informed Mr. McManus to file a Notice of Intent. Therefore, the applicant is filing a Notice of Intent to construct a single-family dwelling, retaining walls, associated grading and utilities within the 100 ft. buffer zone of a bordering vegetated wetland. The site will be serviced by municipal water and a septic system. Erosion controls will be set and maintained for the duration of the project.

Existing Conditions

The parcel consists of 51,836 +/- s.f. of land located easterly on Bob Merry Lane and is part of the Falcon Ridge Subdivision. The lot has been cleared and the foundation excavated for the single family dwelling.

The wetland boundary was established by an ORAD filing and subsequent Order of Condition, DEP File No.063-693, for the Falcon Ridge roadway, roadway crossing and drainage. The resource area is located off site or east of the parcel.

The USGS Topographic Map shows a perennial stream, greater than 200 ft from the property. The site is not located in Bordering Land Subject to Flooding or the 100-year floodplain. The site is not located within the NHESP mapping of Estimated and/or Priority Habitat. In addition, there are no certified or potential vernal pools located on or near the property (see enclosed maps).

Soils

The Essex County Web Soil Survey maps this site as Hinckley and Amostown series. Hinckley series consists of nearly level to very steep, deep (5+ ft.), excessively drained soils on glacial outwash plain, terraces, kames, and eskers. They formed in gravelly and cobbly coarse textured glacial outwash. Hinckley soils have friable or loose, gravelly and very gravelly sandy loam to loamy coarse sand surface soil and subsoil with rapid permeability, with loose stratified sand and gravels in the substratum at 12 to 30 inches, which have very rapid permeability. Major limitations are related to slope and droughtiness.

Amostown series is fine sandy loam, 3 to 8 percent slopes. This deep, gently sloping, moderately well drained soil is on old lakebeds and deltas. Slopes are smooth, undulating, and 100 to 500 feet long. Typically, the surface layer is very friable, dark grayish brown fine sandy loam about 11 inches thick. The subsoil is very friable fine sandy loam that is yellowish brown in the upper 13 inches and mottled, light olive brown in the lower 14 inches. The substratum is friable, mottled, light olive brown silt loam to a depth of 60 inches or more. The permeability of this soil is moderately rapid in the subsoil and moderate to slow in the substratum.

Rowley Wetlands Protection Bylaw

No Cut / No Disturbance Zone shall be determined by a vote of the Commission and shall consist of an area, extending typically 25 – 50 feet from a resource area as specified in Section III(A) of this Bylaw, (but in no case extending beyond the 100-foot buffer zone), in which virtually no activities or work, other than non-motorized passage, are permitted. This determination will be made in order to protect the interests and values enumerated in Section I of the Bylaw. Among other site-specific conditions set by the Commission, no vegetation may be disturbed. The no disturbance zone shall remain unchanged from its natural, vegetated state. No Cut / No Disturbance zones exist only when ordered by a vote by the Commission on an application.

The applicant complies with the above bylaw as the work is proposed greater than 50 ft. from the resource area. Erosion controls will be set and maintained for the duration of the project.

July 28, 2022

Applicant:

Tim McManus (property owner)

Parties Present:

Brent Baeslack, Conservation Agent

John of Bridges Construction

Reason for Visit:

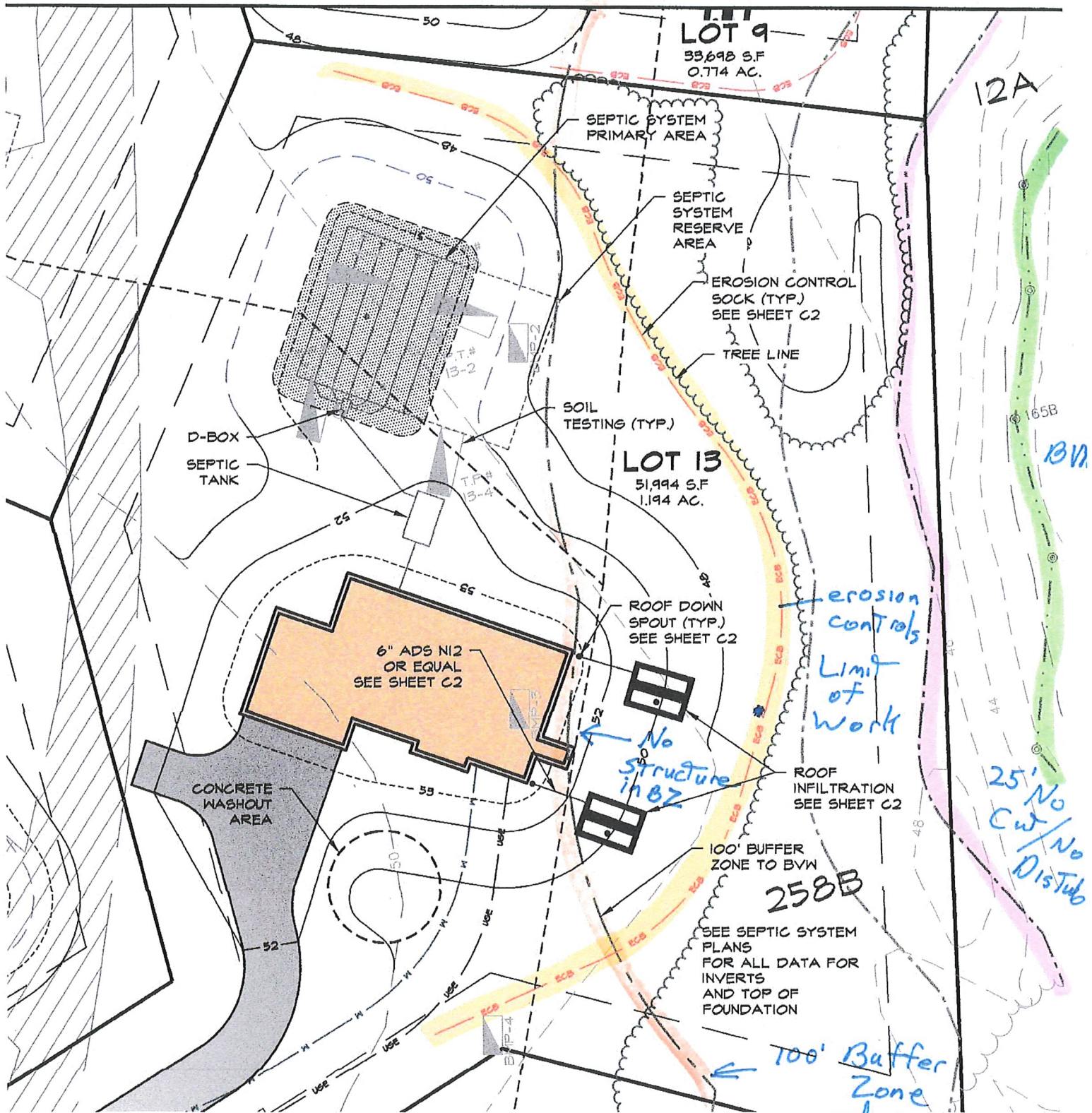
Request to review two large mature Eastern White Pine trees very near proposed dwelling for possible removal.

Received new revised plans prior to site visit and upon arriving at the site noticed the recently dug cellar hole was partially within the 100' Buffer Zone to Bordering Vegetated Wetlands and the issued Determination didn't account for any portion of the structure being within the 100' BZ. The dug cellar hole appeared to be too close to the mature pine trees and the installed erosion control filter sock that was installed (12'). (see attached PDF of site visit images).

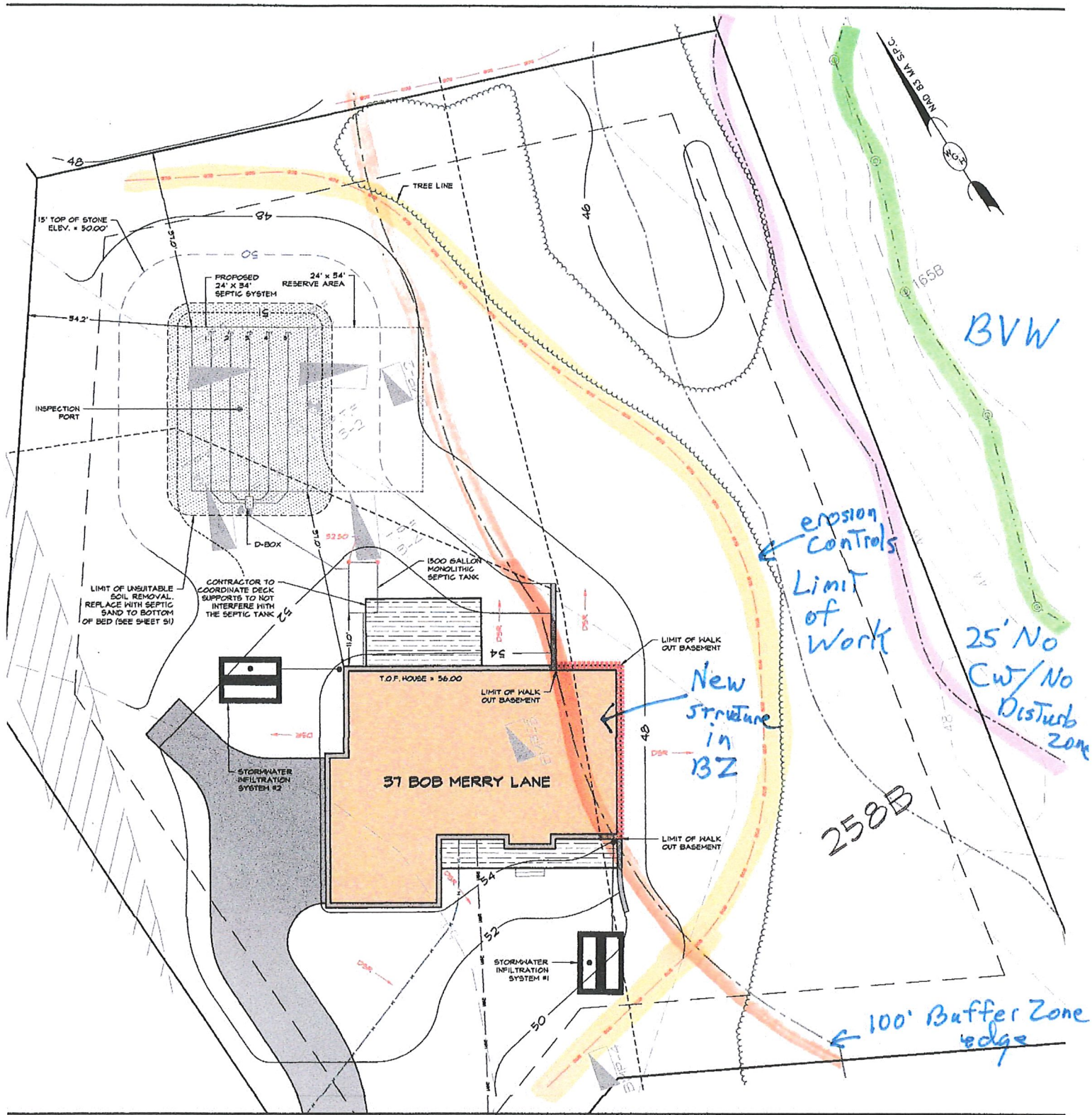
Findings: Weather – warm dry clear with scattered clouds slight breeze.

As a result of the discrepancies between the Determination and the recently revised plans, I issued a verbal "Cease & Desist" because the Determination didn't allow construction of the structure within the Buffer Zone. I informed Mr. McManus that a Notice of Intent application should be completed and submitted to the Commission for this proposed construction activity.

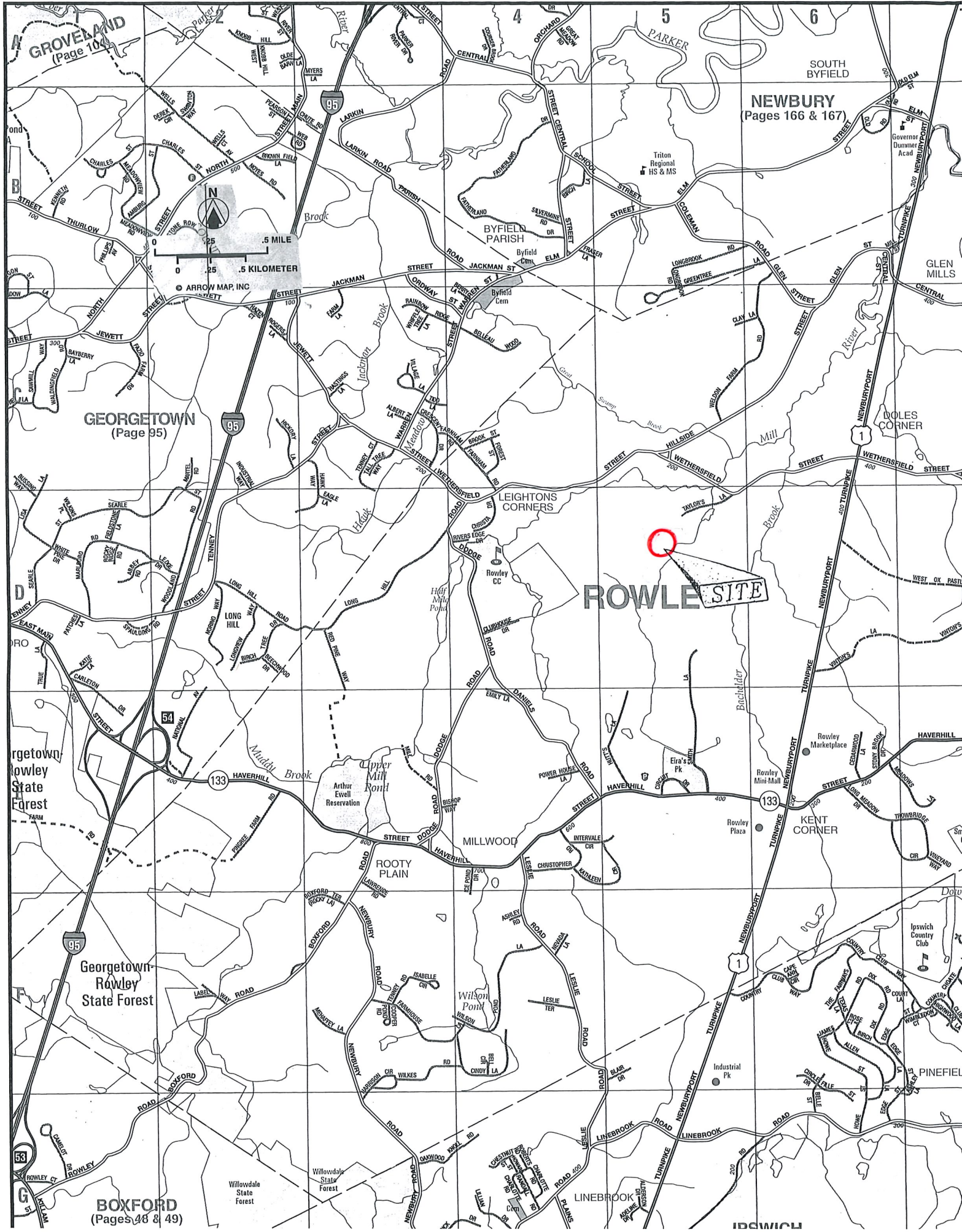
Brent Baeslack | Conservation Agent | 978.948.2330 | conservation@townofrowley.org | P. O. Box 24, Rowley, MA 01969 | Office Hours Mon. – Thur. 9 am – 12:30 pm | Email subject to MGL c66s10, Public Records Law



37 Bob Merry Lane
Original Plan for Determination



37 Bob Merry Lane
Revised Plan

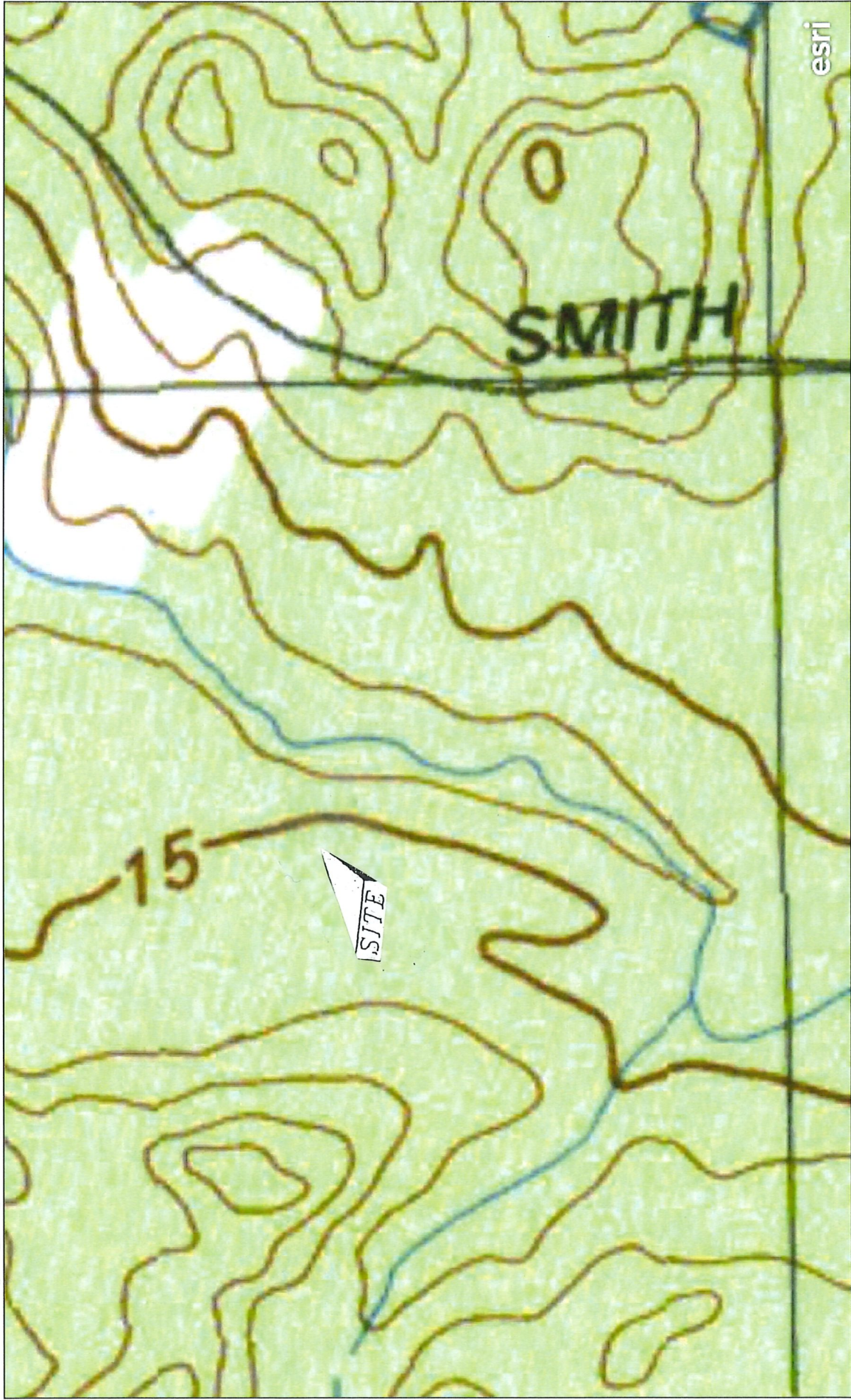


ROWLEY SITE

BOXFORD
(Pages 48 & 49)

IDCWI

USGS Topographic Quadrangle Maps



USGS 1:25,000 Topographic Maps for Massachusetts

Soil Map—Essex County, Massachusetts, Northern Part
(37 Bob Merry Lane)



Soil Map may not be valid at this scale.

Map Scale: 1:675 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 19N WGS84



MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

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

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

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

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

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

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







































Soil Survey Area: Essex County, Massachusetts, Northern Part
Survey Area Data: Version 17, Sep 2, 2021

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

Date(s) aerial images were photographed: Dec 31, 2009—Sep 12, 2016

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

MAP LEGEND

 Area of Interest (AOI)	 Spoil Area
 Area of Interest (AOI)	 Stony Spot
 Soil Map Unit Polygons	 Very Stony Spot
 Soil Map Unit Lines	 Wet Spot
 Soil Map Unit Points	 Other
 Special Point Features	 Special Line Features
 Blowout	 Streams and Canals
 Borrow Pit	 Rails
 Clay Spot	 Interstate Highways
 Closed Depression	 US Routes
 Gravel Pit	 Major Roads
 Gravelly Spot	 Local Roads
 Landfill	 Aerial Photography
 Lava Flow	
 Marsh or swamp	
 Mine or Quarry	
 Miscellaneous Water	
 Perennial Water	
 Rock Outcrop	
 Saline Spot	
 Sandy Spot	
 Severely Eroded Spot	
 Sinkhole	
 Slide or Slip	
 Sodic Spot	

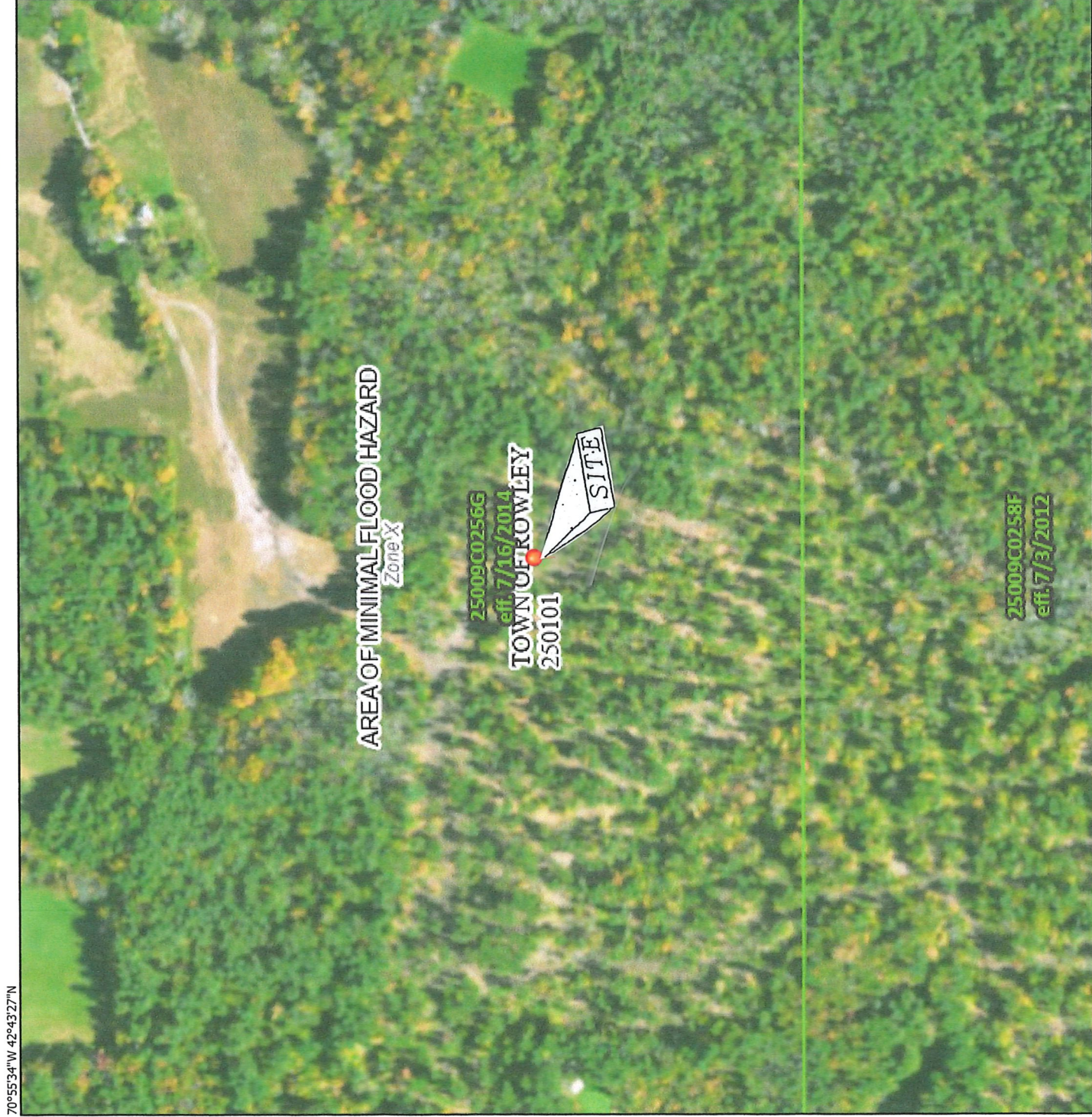
Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
253C	Hinckley loamy sand, 8 to 15 percent slopes	0.8	86.4%
258B	Amostown fine sandy loam, 3 to 8 percent slopes	0.1	13.6%
Totals for Area of Interest		1.0	100.0%

National Flood Hazard Layer FIRMette



70°55'34"W, 42°43'27"N



70°54'57"W, 42°43'N

Basemap: USGS National Map Data refreshed October 2020

Legend

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

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) Zone A, V, A99
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard. Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes, Zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS

- NO SCREEN Area of Minimal Flood Hazard Zone X
- Effective LOMIRs
- Area of Undetermined Flood Hazard Zone I

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped



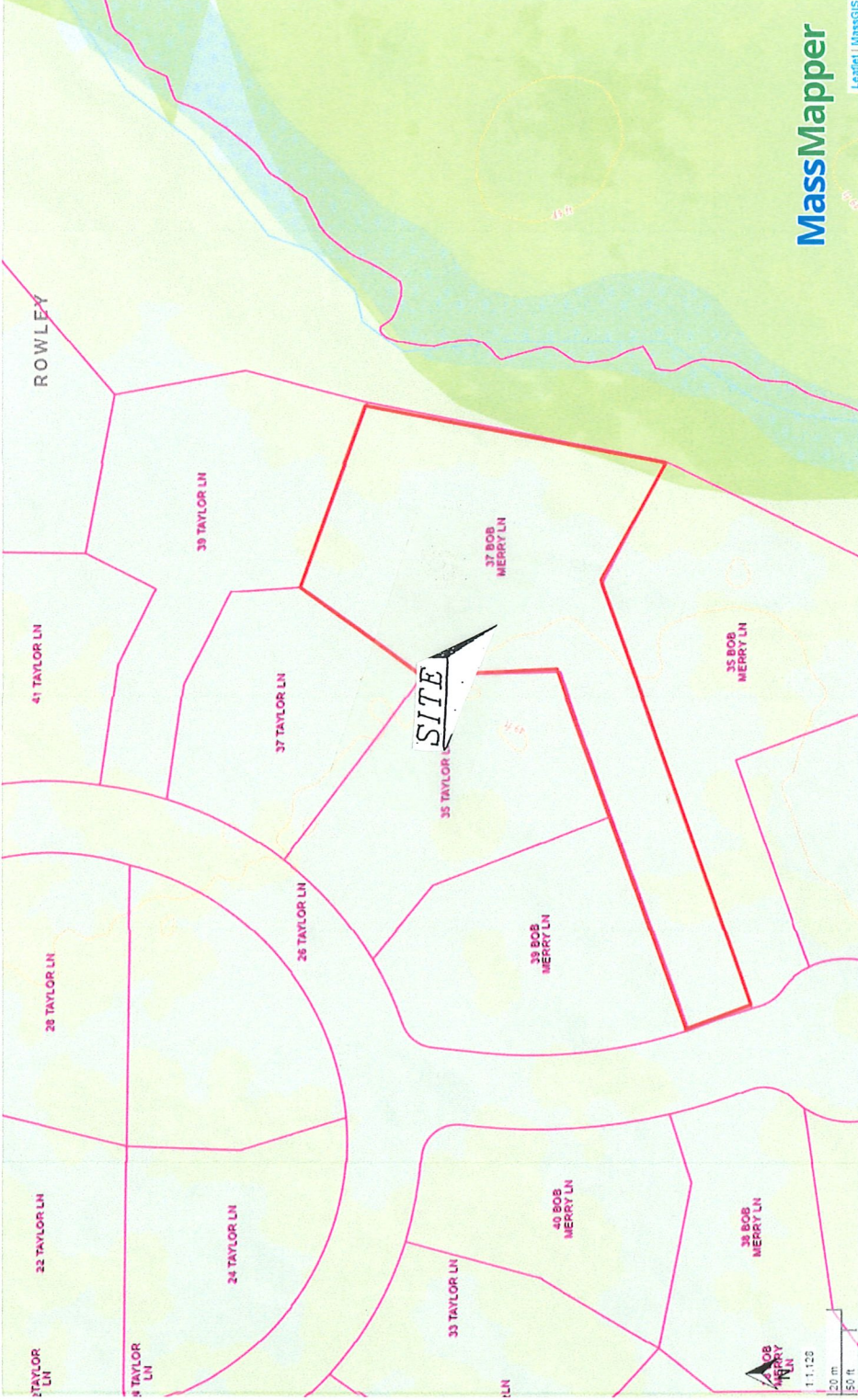
The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

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 **1/18/2022 at 4:58 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.

37 Bob Merry Lane - Rowley



Potential Vernal Pools



NHESP Priority Habitats of Rare Species



NHESP Estimated Habitats of Rare Wildlife



NHESP Certified Vernal Pools



Property Tax Parcels