

Project No. ROWL-0019

March 9, 2023

Rowley Conservation Commission  
Bren Baeslack, Conservation Agent  
Rowley Town Hall, Annex Room #4  
39 Central Street, P.O Box 24  
Rowley, MA 01969



Subject: Request for Certificate of Compliance: DEP File No. 63-663  
42 Newbury Road, Rowley, MA 01969  
Owner/ Applicant: John Sullivan Jr.

Dear Brent,

On behalf of the owner and applicant, the office of Williams & Sparages LLC respectfully requests a Certificate of Compliance for the Order of Conditions issued for the proposed demolition of a portion of an existing building, construction of a portion of a subdivision roadway and installation of an infiltration basin within jurisdictional areas as part of an Open Space Residential Development project at the above referenced address. Attached, please find a copy of the DEP Form 8A.

A Notice of Intent was submitted by the applicant on August 3, 2017. An Order of Conditions was issued by the Rowley Conservation Commission on November 9, 2017 and was subsequently recorded at the Essex South Registry of Deeds in Book 36325, Page 212 on November 13, 2017. An amendment request was also submitted by the applicant on February 24, 2021. An Amended Order of Conditions was issued by the Rowley Conservation Commission on March 16, 2021, and recorded at the Essex South Registry of Deeds in Book 39735, Page 482.

Based on a review of the as-built plan, the existing conditions appear to be in substantial compliance with the approved plan and Order of Conditions with the following exceptions:

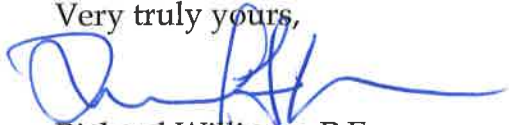
1. Pavers were installed in the rear of the easterly most garage and along the rear and side of Units 1, 2 and 6. Fencing was installed in the rear of Units 2 and 6 and along a portion of the property line to the east of Unit 2. All of these areas were previously disturbed portions of the buffer zone.



2. An astro-turf pad was installed in the rear of Unit 2. A 64 s.f. shed was installed to the east of the pad as well. Similarly, these areas were previously disturbed as part of past development.

We look forward to reviewing this request for a Certificate of Compliance with the Conservation Commission at your next available public meeting. In the meantime, please feel free to contact me directly should you have any questions, comments, or concerns.

Very truly yours,



Richard Williams, P.E.  
Principal, Williams & Sparages LLC

Enclosures

Cc: MassDEP NERO  
John Sullivan Jr.





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:

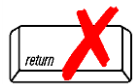
122-378

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:

John Sullivan Jr.

Name

42 Newbury Road

Mailing Address

Rowley

City/Town

MA

State

01969

Zip Code

Phone Number

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

John Sullivan Jr.

Applicant

November 9, 2017

Dated

63-663

DEP File Number

- 3. The project site is located at:

42 Newbury Road

Street Address

5

Assessors Map/Plat Number

Rowley

City/Town

40

Parcel/Lot Number

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

Property Owner (if different)

Essex south

County

36325

Book

212

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).

Please see attached letter.

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

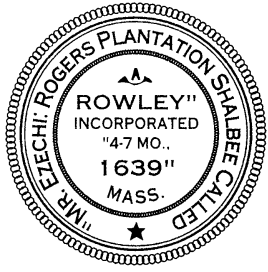
If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

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**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 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](mailto: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.

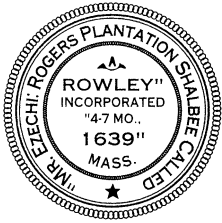
Send hard copies by mail or hand deliver to:

Rowley Conservation Commission

P.O. Box 24

39 Central Street, Room #4

Rowley, MA 01969



# 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](mailto:conservation@townofrowley.org)

## WETLAND BYLAW FEE CALCULATION FORM

Property Address: 42 Newbury Road		Map: 5	Parcel: 40	Lot:
APPLICATION NAME / ACTIVITY	LOCAL BYLAW FEE	# of Activities or Measurement	Subtotal	
<b>Request for a Determination of Applicability (RDA)</b>	\$75			
<b>Abbrev. Notice of Resource Area Delineation (ANRAD)</b>				
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			
<b>Notices of Intent (NOI)</b>				
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			
<b>Request to Amend an OOC (RAOC)</b>	\$100			
<b>Resource Area Alterations (for NOI &amp; RAOC)</b>				
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 Bank	\$0.35 / square foot			
Land Under Water & Waterways	\$5 / linear foot			
Bordering Land Subject to Flooding & CLSSF**	\$0.35 / square foot			
***Riverfront Area only	\$0.05 / square foot			
Isolated Vegetated Wetlands	\$0.05 / square foot			
Land within Groundwater Protection Area Zone I	\$0.35 / square foot			
Land within Groundwater Protection Area Zone II	\$0.25 / square foot			
Other Local-only Jurisdictional Resource Areas	\$0.05 / square foot			
<b>Extension Permit</b>	\$100			
<b>Certificate of Compliance</b>	Projects under one acre in size: \$100 - over an acre in size \$250	1	\$250.00	
<b>For filings resulting from enforcement action, double the Local Bylaw Fee Total</b>				
<b>LOCAL BYLAW FEE TOTAL</b>			<b>\$250.00</b>	
<b>As Determined by the Commission, Fee Total not to exceed \$15,000 except Enforcement</b>				
<b>NOTES:</b>				
*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				