

Notice of Intent Application

Wetlands Protection Act and Rowley Wetlands Bylaw

**151 Stackyard Road
Rowley, MA**

January 2024



**Wetlands & Land Management, Inc.
100 Conifer Hill Drive-Suite 516
Danvers, MA 01923**

January 31, 2024

Brent Baeslack
Rowley Conservation Commission
Town Hall Annex
39 Central Street
Rowley, MA 01969

RE: Notice of Intent Application
151 Stackyard Road
Dwelling renovation and addition

Dear Mr. Baeslack and Conservation Commission Members:

On behalf of the owner, Wetlands & Land Management, Inc. is filing this Notice of Intent application for a significant home renovation with foundation expansion. This work is in buffer zone to the Great Marsh ACEC, the salt marsh and coastal bank. The coastal bank is also mapped as land subject to coastal storm flowage.

The site is developed with the existing home, paved wrap-around driveway at the front of the house, maintained lawn, and casual landscaping. The dwelling is a 2-unit structure. The larger, Unit 1 portion of the dwelling will be renovated. The unit 2 appendage will be preserved but no significant work is proposed there.

Stackyard Road provides road frontage at the front/ north side of the lot. Houses on this section of Stackyard Road are widely separated. All of the immediately surrounding area is vacant woodlot or the adjacent salt marsh. The Great Marsh ACEC is present in this area, extending to elevation 9.2 on the NAV88 plan datum. (This corresponds to elevation 10 NGVD datum on which the original ACEC boundary is based upon).

Coastal Wetland Resource Areas

Coastal wetlands on the site were identified by Wetlands & Land Management Inc. in Summer 2023. Coastal wetland resource areas on or directly adjacent to the property consist of salt marsh, a coastal bank, land subject to coastal storm flowage and the locally protected Great Marsh ACEC. The site plans show a 100-foot buffer extending horizontally from the coastal bank, which is the most landward resource area.

Salt Marsh

The expansive marsh around this site intersects the slightly higher ground on which the original house is constructed. The upper edge of salt marsh coincides with the toe of slope of the adjacent high ground. The boundary is quite evident at this site and is marked with blue flagging labeled 100 through 110.

Coastal Bank

A coastal bank is the seaward face of any elevated landform, which lies landward of land subject to tidal action. Coastal banks are significant to flood control and storm damage protection. Coastal banks can be significant to the interests of the Wetlands Protection Act because they either serve as a vertical barrier to storm waves or contribute sediment to down drift beaches. The coastal bank on this site consists of an earthen vegetated slope along the width of the property.

The coastal bank on this site is functioning as a vertical barrier to storm damage as well as a potential sediment contributor (although I did not observe any active soil erosion.) As such the appropriate performance standards for work on or near a coastal bank specify the work shall not have an adverse effect on the stability of the coastal bank, nor have an impact on any habitat site of any rare vertebrate or invertebrate species nor armor any sediment contributing coastal bank

The top of coastal bank is determined by applying the techniques outlined in the longstanding DEP Policy 92-1. The slope of the ground is evaluated to determine the point where the ground slope becomes flatter than a 4:1 slope at or above the 100-year flood elevation.

The land slope above the salt marsh is gradually sloping, around 8 or 9 to 1 slope gradient. The top of coastal bank coincides with the FEMA flood limit at elevation 13.

Land Subject to Coastal Storm Flowage

Land subject to coastal storm flowage is defined as land subject to inundation caused by coastal storms up to the 100-year storm surge or storm of record. Though defined in the Wetlands Protection Act, there are no established performance standards for work in land subject to coastal storm flowage.

The FEMA Flood Insurance Rate Map for this area indicates a zone of land subject to coastal storm flowage extending to elevation 13 (NAV88).

Rare Species

According to the MassGIS Natural Heritage data layer, there are no estimated habitat of rare wetlands wildlife, Priority habitat or certified vernal pools on the subject parcel. The nearest mapped habitat is confined to the adjacent marsh roughly 190 feet off the south side of the house.

Discussion of Proposed Work

The proposed project involves the significant renovation of the existing home and construction of a dwelling addition at 151 Stackyard Road. The work will occur in buffer zone to salt marsh, coastal bank and the ACEC.

The project has two major components – demolition/ deconstructing the major portion of the existing home, down to the first-floor level. The applicant will then construct a one- and two-story building renovation with expanded house footprint.

Erosion Controls

The first stage in the process will be to install the proposed erosion control. The construction site is completely open and surrounded by maintained lawn. No tree or brush removal work is necessary to install the erosion control

For this project, the plans specify a 12-inch diameter mulch sock. This will prevent sediment migration beyond the work area and provide a visual reminder of the approved work area limits.

At this site a filter sock/ mulch sock is an ideal erosion control barrier. The mulch sock is filled with bark mulch or straw. The barrier is staked into place and quickly conforms to the contour of the ground – especially a smoothed area like the maintained lawn.

The sock will remain in place until the removal is permitted by the Commission.

Demolition Work

With the erosion controls in place and approved by the Commission agent, the demolition work can commence. A roll off container will be delivered to the work site and staged on the paved driveway. The roof and first floor walls will be removed down to the first-floor level and placed in the dumpster.

A new concrete foundation will be required along the rear of the existing building and for the new addition portion of the project on the west side of the home. Any soil excavated to pour footings and foundations will be stockpiled along the foundation excavation. Forms are then set up and the footings and walls are poured with concrete. After a short period to allow for the concrete to cure, the forms are stripped off and walls are backfilled. Any excess material will be removed from the site.

From that point, the job turns into a carpentry project. Lumber is delivered to the site and dropped in the driveway adjacent to the current house.

Once the dwelling renovation is complete, final site stabilization will occur. All disturbed grounds will be stabilized or landscaped. A buffer zone mitigation area is shown on the project plan. This will be installed as mitigation for a required local waiver.

Presently, roof water from the existing house drips off the roof onto grass surfaces. This appears to be sufficient for managing roof water because there is no evidence of erosion on the site. The renovated unit will receive the same treatment.

Evaluation of Impacts to Coastal Resource Areas

Coastal Bank

The coastal bank on this site consists of a slightly elevated land mass above the marsh with slopes vegetated with either brush or maintained lawn. The performance standards at 310 CMR 10.30 provide that when a coastal bank serves as a vertical barrier to storm waves, a project shall not have an adverse impact to the stability of the bank; the project shall not have an adverse impact on rare species.

Fortunately, the adjacent flood zone is an AE zone and not a velocity zone. Tidal waters will flood the marsh on a high tide event with minimal wave energy. The existing home currently straddles the top of coastal bank line, although the bank is comprised of gradually sloping maintained lawn area.

The existing rear portion of the dwelling is supported on posts. A new foundation will be required to properly support the existing building and the renovation. The required foundation for the addition is designed so that is just landward of the coastal bank line. A small portion of the renovated home will extend over the coastal bank line, but several feet above the ground surface. Three concrete piers will be needed to support the overhanging portion of the renovation. This was done to minimize ground contact on the coastal bank.

The site is wide open and fortunately, the 8:1 existing grade fairly gradual and stable. The foundation or building pier excavation work and subsequent backfill is obviously conducted in such a manner to prevent damage to the new foundation and to prevent erosion around the new foundation. It is reasonable to conclude that such care in site work will also then prevent a destructive or erosive condition on the adjacent coastal bank slope.

With proper site work protocols and some diligence during excavation and backfill work, in the open lawn areas, it would be reasonable to conclude there will be no immediate or long-term impact to stability of the adjacent coastal bank.

This bank is considered a sediment contributor, and as such, it is important to allow the sediment distributing littoral processes to remain unchanged. There is no proposal to armor the coastal bank.

An erosion control barrier will be installed between the work area and the coastal bank. This will prevent any sediment migration beyond the work area and provide a visual reminder of the work area limits.

With the appropriate erosion controls in place there is no foreseeable adverse impacts to the coastal bank.

Salt Marsh

All work is landward of the limit of salt marsh. The erosion controls for the project and the minimal amount of intrusive excavation will prevent unintended sediment migration from the work area.

Land Subject to Coastal Storm Flowage

The existing dwelling units as well as the expanded and renovated new dwelling unit are partially encumbered by land subject to coastal storm flowage.

The FEMA Flood Insurance Rate Maps indicate a coastal flood zone to elevation 13 (NAV88).

The Wetlands Protection Act and Regulations define this resource area, but do not establish performance standards for work in land subject to coastal storm flowage. In general, when work occurs in a coastal flood area, we are concerned that the work does not deflect wave energy to abutting properties. At this site, the flood zone is an AE zone and not a Velocity Zone with enhanced storm surge energy. Any approaching storm surge will inundate all abutting properties equally at the same time. There is no wave energy as in a velocity zone and no change in how the surrounding landscape is inundated during a larger storm or tidal event.

All new addition foundation is located landward of elevation 13. The plans indicate that the new addition will have flood vents if and as required by the State Building Code. This ensures there is no change to pre-construction drainage characteristics. Any new portion of the renovated structure that extends beyond the flood line will be above grade by several feet and will be either cantilevered or supported with a concrete post.

ACEC

All work is landward of the limit of the ACEC.

Request for Waiver

More than half of the current house is either on the coastal bank and/or in areas encumbered by land subject to coastal storm flowage. Accordingly, virtually all of the current house and therefore the subsequent renovation is within the no build/no disturb zone. Accordingly, the renovation work and the expanded footprint off the rear of the house extends into the no build/ no disturb setback zone. A waiver is required.

The total footprint expansion, either in the no build or no touch zone, or in/ over the resource area is 923 square feet. Of that, 449 square feet is above ground decks or building overhang areas that don't have a solid foundation. The applicant worked with their architect and carefully evaluated project alternatives with focus on minimizing or eliminating solid wall incursions into the setback zones.

Table of Impact Areas - 923 SF		
Feature	Solid foundation	Post supported
Rear Deck		140
Front Deck		167
Rear overhang		142
West side addition	341	
Front entry	133	
Totals	474 SF	449 SF

No areas of natural vegetation will be disturbed. All work extends out into maintained lawn areas.

Additionally, the applicant has proposed a minimum of 1000 square feet of resource area vegetation enhancement in support of the waiver request. The applicants will convert a minimum of 1000 square feet of existing lawn to natural, native shrub habitat along the coastal bank and small area of ACEC. The plan shows the proposed mitigation area that will displace existing lawn. The plan also has a planting specification for the mitigation area.

The applicant respectfully requests relief for the minor incursions into the by-law sub-zones.

Summary

The bulk of the proposed work will be carpentry work. There will be limited intrusive site work to excavate footings and foundations; however, none of the work using common construction practices could be construed to have an adverse effect on the stability of the adjacent coastal bank. Erosion controls will protect the adjacent coastal wetlands and ACEC from sedimentation. All of the work will be in existing maintained lawn areas.

Thank you in advance for your deliberation on this application. I will attend your Conservation Commission meeting on February 20, 2024 to discuss this project.

Sincerely,

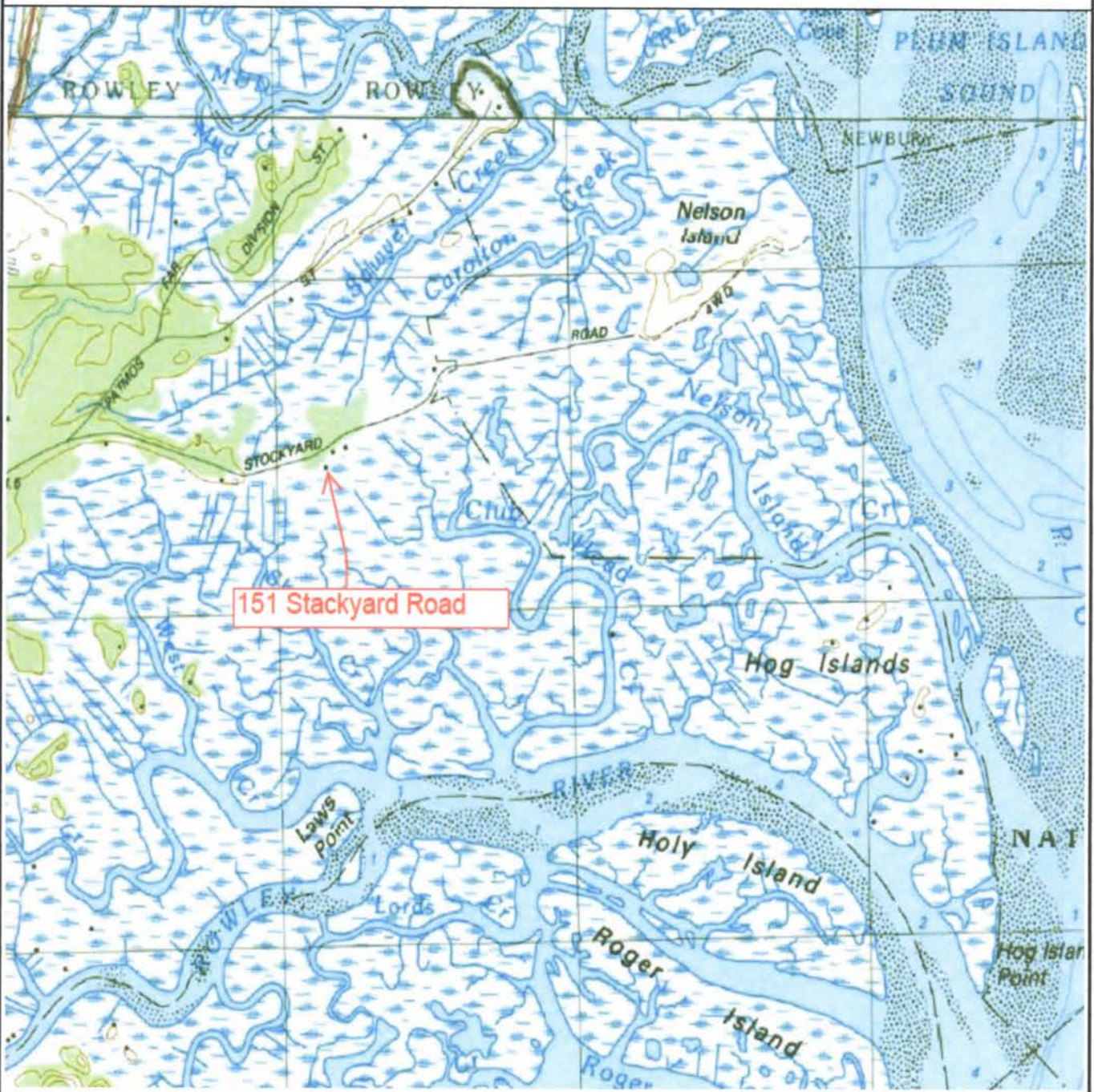
Wetlands & Land Management, Inc.

William Manuell

William J. Manuell
Wetland Scientist

Locus Map

Source: United States Geological Survey



Wetlands & Land Management, Inc.

100 Conifer Hill Drive - #516

Danvers, MA 01923

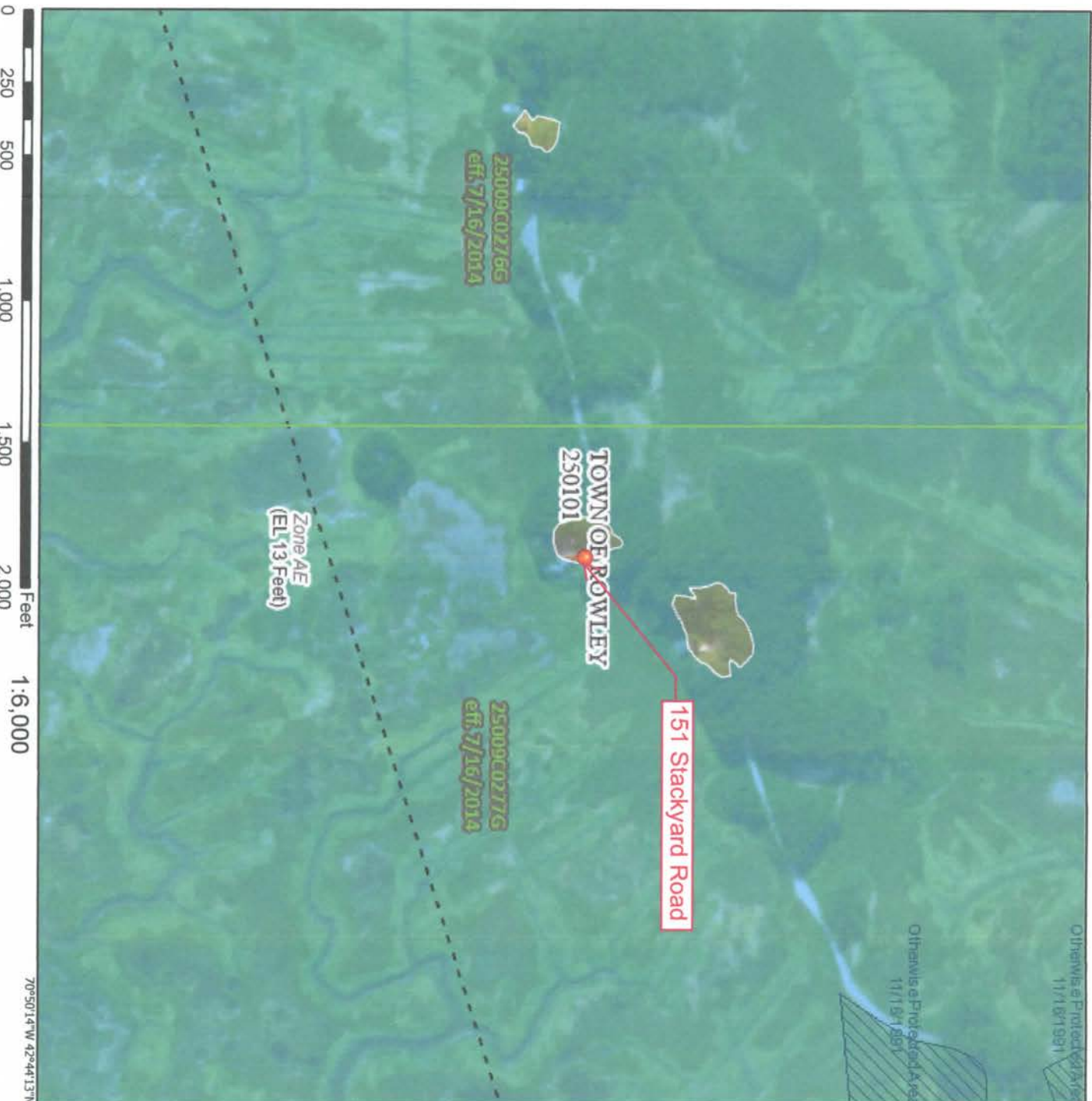
978-777-0004



National Flood Hazard Layer FIRMette



70°50'52"W 42°44'39"N



Basemap Imagery Source: USGS National Map 2023

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, AE, AO, AH, VE, AR
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 LOMRs
- Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES

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

OTHER FEATURES

- 20.2 Cross Sections with 1% Annual Chance
- 17.6 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 9/1/2023 at 3:19 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.

Notice of Intent Application (WPA Form 3)



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):

151 Stackyard Road

a. Street Address

Rowley

b. City/Town

01969

c. Zip Code

Latitude and Longitude:

42.74059

d. Latitude

-70.84256

e. Longitude

37

f. Assessors Map/Plat Number

15

g. Parcel /Lot Number

2. Applicant:

Robert

a. First Name

Cianfrocca

b. Last Name

The Cianfrocca Realty Trust

c. Organization

224 Main Street

d. Street Address

Rowley

e. City/Town

MA

f. State

01969

g. Zip Code

978-758-8139

h. Phone Number

i. Fax Number

Robert Cianfrocca <bciano1@icloud.com>

j. Email Address

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

SAME

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):

William

a. First Name

Manuell

b. Last Name

Wetlands & Land Management, Inc.

c. Company

100 Conifer Hill Drive #516

d. Street Address

Danvers

e. City/Town

MA

f. State

01923

g. Zip Code

978-777-0004

h. Phone Number

i. Fax Number

bill@wetlandslm.com

j. Email address

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

\$110.00

a. Total Fee Paid

\$42.50

b. State Fee Paid

\$67.50 plus \$523.80 local fee

c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

Construct a dwelling addition and dwelling improvements.

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:

Essex South

a. County

33595

c. Book

b. Certificate # (if registered land)

53

d. Page Number

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

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

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



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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 type="checkbox"/> Bordering Vegetated Wetland	1. square feet _____	2. square feet _____
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet _____	2. square feet _____
	3. cubic yards dredged _____	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____	2. square feet _____
	3. cubic feet of flood storage lost _____	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. _____
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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 checked="" type="checkbox"/> Land Subject to Coastal Storm Flowage	25+/- at ground level Foundation and building piers	

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**

- MassGIS _____
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/mas-endangered-species-act-mesa-regulatory-review>).

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

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



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

- (c) MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).
Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

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

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

- 1. Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
- 2. Separate MESA review ongoing. a. NHESP Tracking # _____ b. Date submitted to NHESP _____
- 3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

- 3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
a. Not applicable – project is in inland resource area only b. Yes No

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

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

North Shore - Hull to New Hampshire border:

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

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)

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.

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



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

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.

Proposed Site Plan

a. Plan Title

LeBlanc Survey Associates, Inc.

Vernon LeBlanc, PLS

b. Prepared By

c. Signed and Stamped by

1-29-24

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:

1020

1-30-24

2. Municipal Check Number

3. Check date

1021

1-30-24

4. State Check Number

5. Check date

Wetlands & Land Management, Inc.

6. Payor name on check: First Name

7. Payor name on check: Last Name

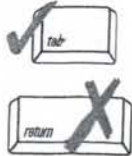
Notice of Intent Fee Transmittal Form

(WPA Appendix B)



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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



A. Applicant Information

1. Location of Project:

151 Stackyard Road

a. Street Address

1021

c. Check number

Rowley

b. City/Town

\$42.50

d. Fee amount

2. Applicant Mailing Address:

Robert

a. First Name

The Cianfrocca Realty Trust

c. Organization

224 Main Street

d. Mailing Address

Rowley

e. City/Town

978-758-8139

h. Phone Number

i. Fax Number

MA

f. State

01969

g. Zip Code

Robert Cianfrocca <bciano1@icloud.com>

j. Email Address

3. Property Owner (if different):

SAME

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

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).



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
house addition in BZ	one	\$110	\$110.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

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

WETLANDS & LAND MANAGEMENT, INC.
 100 CONIFER HILL DRIVE #516
 DANVERS, MA 01923
 (978) 777-0004

EXPLANATION	AMOUNT

51-7218/2211

1020

PAY five hundred ninety one and 30/100 DOLLARS

CHECK AMOUNT Security Features Included. Details on Back.

DATE	TO THE ORDER OF	HRS	GROSS	SOC. SEC.	MED.	FED. WITH.	STATE		
1/30/24	Town of Rowley								
			WPA and Bylaw Fee - 151 Stackyard						
			DESCRIPTION						

\$ 591.30

People's United Bank

Will-J Manuell

⑈001020⑈ ⑆221172186⑆

WETLANDS & LAND MANAGEMENT, INC.
 100 CONIFER HILL DRIVE #516
 DANVERS, MA 01923
 (978) 777-0004

EXPLANATION	AMOUNT

51-7218/2211

1021

PAY forty two and 50/100 DOLLARS

CHECK AMOUNT Security Features Included. Details on Back.

DATE	TO THE ORDER OF	HRS	GROSS	SOC. SEC.	MED.	FED. WITH.	STATE		
1/30/24	Comm of MA								
			WPA Fee 151 Stackyard Rd						
			DESCRIPTION						

\$ 42.50

People's United Bank

Will-J Manuell

⑈001021⑈ ⑆221172186⑆



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:	Map:	Parcel:	Lot:
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	270 LF	270.00*
Notices of Intent (NOI)			
Category 1 Activity	\$100		100.00
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	x 132	13.20
Buffer Zone, 0'-25' from resource area boundary	\$0.25 / square foot	x 505	126.25
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	x 287	14.35
***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		
For filings resulting from enforcement action, double the Local Bylaw Fee Total			
LOCAL BYLAW FEE TOTAL			523.80
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

WPA Fee 67.50
FEE TOTAL \$ 591.30

Abutter Information

Notification to Abutters

By Hand Delivery, Certified Mail (return receipt requested), or Certificate of Mailing

This is a notification required by law. You are receiving this notification because you have been identified as the owner of land abutting another parcel of land for which certain activities are proposed. Those activities require a permit under the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40) and/or the Town of Rowley Wetlands Protection Bylaw.

In accordance with the second paragraph of the Massachusetts Wetlands Protection Act, and 310 CMR 10.05(4)(a) of the Wetlands Regulations as well as the Town of Rowley Wetlands Protection Bylaw, you are hereby notified that:

- A. A Notice of Intent was filed with the Rowley Conservation Commission on or before 2/5/2024 seeking permission to remove, fill, dredge, or alter an area subject to protection under M.G.L. c. 131 §40 and/or the Town of Rowley Wetlands Protection Bylaw. The following is a description of the proposed activity/activities:

Perform a dwelling renovation with expansion of the building footprint.

- B. The name of the applicant is: The Cianfrocca Realty Trust.
- C. The address of the land where the activity is proposed is: 151 Stackyard Road, Rowley, Map 37, Lot 15.
- D. Copies of the Notice of Intent may be examined or obtained at the office of the Rowley Conservation Commission located at 39 Central Street, Rowley. The regular office hours of the Commission are Monday-Thursday from 9 AM to 12:30 PM and the Commission may be reached at 978-948-2330.
- E. Copies of the Notice of Intent may be obtained from the applicant or their representative by calling Wetlands & Land Management, Inc. at 978-777-0004 . An administrative fee may be applied for providing copies of the NOI and plans.
- F. Information regarding the date, time, and location of the public hearing regarding the may be obtained from the Rowley Conservation Commission. Notice of the public hearing will be published at least five business days in advance in a paper of general circulation and on the Town's website at www.townofrowley.net.

Notification provided pursuant to the above requirement does not automatically confer standing to the recipient to request Departmental Action for the underlying matter. See 310 CMR 10.05(7)(a)4.

Date: 09/05/2023
txaabut

Town of Rowley

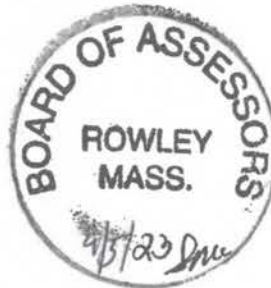
CERTIFIED ABUTTERS' LIST

Parcel ID	Location	Owner Name/Address
037-015	151 STACKYARD RD	TRS CIANFROCCA REALTY TRUST CIANFROCCA ROBERT M TRUSTEE 224 MAIN ST ROWLEY, MA 01969

A B U T T E R S

033-006	128 STACKYARD RD	ESSEX COUNTY GREENBELT ASSOC INC 82 EASTERN AVE ESSEX, MA 01929
033-007	150 STACKYARD RD	MASSACHUSETTS AUDUBON SOCIETY 208 S GREAT RD LINCOLN, MA 01773
037-008	173 STACKYARD RD	MITCHELL CAROLINE 173 STACKYARD RD ROWLEY, MA 01969
037-009	CLUB HEAD CREEK	ESSEX COUNTY GREENBELT ASSOC INC 82 EASTERN AVE ESSEX, MA 01929
037-016	133 STACKYARD RD	ESSEX COUNTY GREENBELT ASSOC INC 82 EASTERN AVE ESSEX, MA 01929
037-022	SHAD CREEK	BOYD STANLEY W JR ET AL C/O STEPHEN M KOHLER 130 KING HILL RD LANDAFF, NH 03585

6 parcels listed

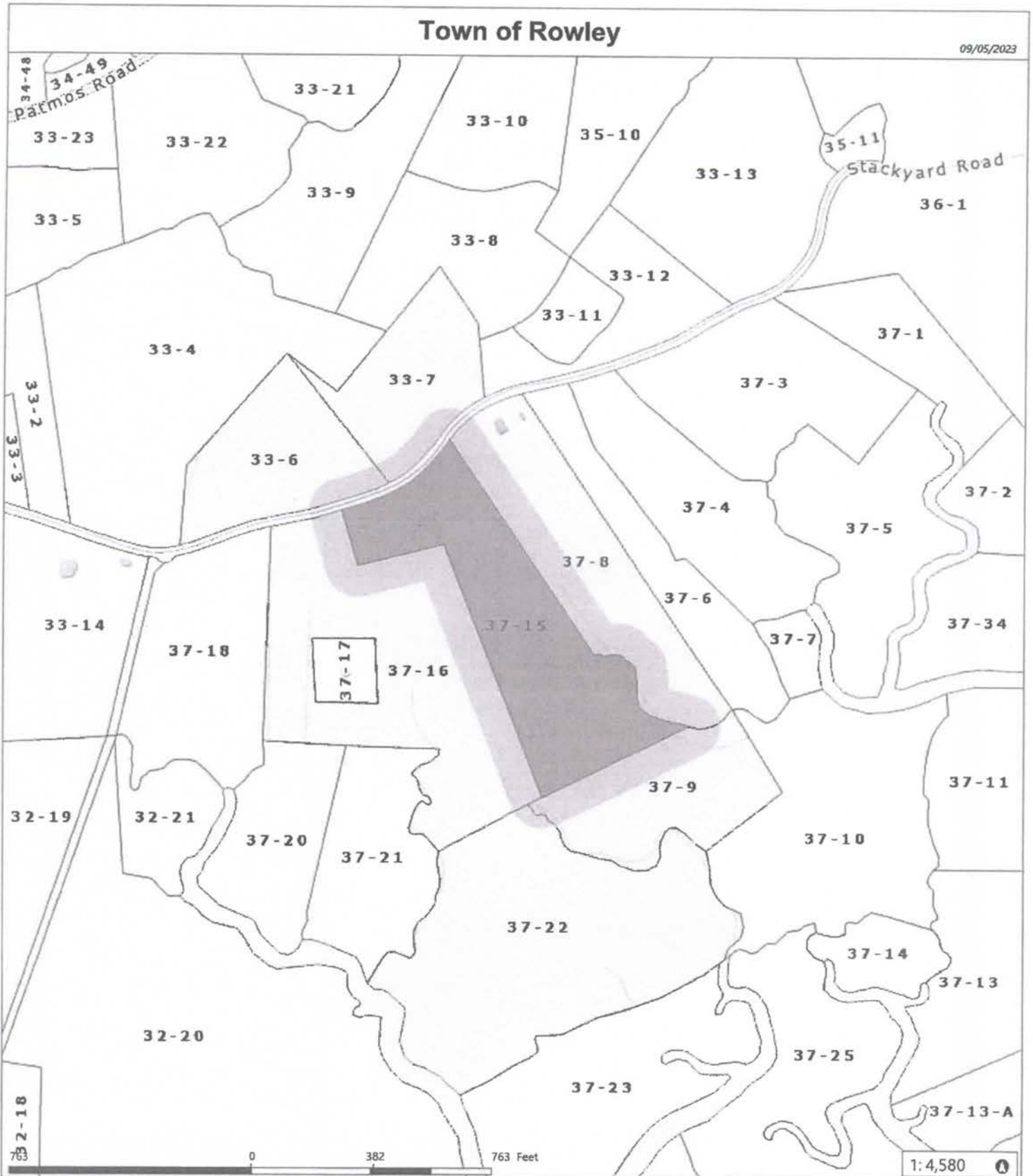


Sean M. McFadden
Principal Assessor

RL

Town of Rowley

09/05/2023



1:4,580

Data Sources: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the Town of Rowley & MassGIS/MassGIS.
 MVPC AND THE TOWN OF ROWLEY MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE TOWN OF ROWLEY AND MVPC DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION.



Legend	
Municipal Boundary	Building Footprints
Parcels	Roads
	Hydrographic Features
	Interstate
	Major Road
	Local Road
	Streams