

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Salisbury

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):

77 & 79 North End Boulevard (Builders Lot 1)

a. Street Address

Salisbury

b. City/Town

01952

c. Zip Code

Latitude and Longitude:

42.846291

d. Latitude

-70.818388

e. Longitude

Map 33

f. Assessors Map/Plat Number

Lot 29 & 30

g. Parcel /Lot Number

2. Applicant:

John

a. First Name

Berglund

b. Last Name

Berglund Homes

c. Organization

10 Morrison Road

d. Street Address

Burlington

e. City/Town

Ma

f. State

01803

g. Zip Code

(978) 580-1606

h. Phone Number

i. Fax Number

Bergent@Comcast.net

j. Email Address

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

a. First Name

b. Last Name

77 North End Blvd., LLC. & 79 North End Blvd., LLC.

c. Organization

Same

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Matthew A.

a. First Name

Steinel

b. Last Name

Millennium Engineering, Inc.

c. Company

62 Elm Street

d. Street Address

Salisbury

e. City/Town

Ma

f. State

01952

g. Zip Code

(978) 463-8980

h. Phone Number

(978) 499-0029

i. Fax Number

MSteinel@Mei-MA.com

j. Email address

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

\$500.00 + Local Fee

a. Total Fee Paid

\$237.50

b. State Fee Paid

\$262.50 + \$100 Local Fee

c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

Demolition and removal of the existing residential structures, concrete pads, and gravel driveways. Construction of 3 new single-family residential structures on pile supported foundations and other associated site improvements. Other associated activities include utility service installations, gravel driveways, adjustments to existing curbing, and vegetative plantings.

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

a. County

77 NE Blvd - Bk. 41761 Pg. 288

c. Book

b. Certificate # (if registered land)

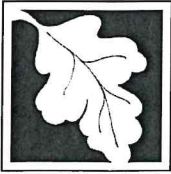
79 NE Blvd - Bk. 39041 Pg. 192

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.

<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 _____	2. square feet _____
	3. cubic yards dredged _____	

<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 _____	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. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland _____	

2. Width of Riverfront Area (check one):
- 25 ft. - Designated Densely Developed Areas only
 - 100 ft. - New agricultural projects only
 - 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

_____	_____	_____
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.

5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

3. Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



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

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

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	_____ 1. square feet _____ 2. cubic yards dredged	
c. <input checked="" 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 checked="" type="checkbox"/> Coastal Dunes	_____ 3,874 SF (Removal Both Lots) 3,517 SF (Proposed All 3 Lots) _____ 100+/- CF (Foundation Holes) _____ 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 checked="" type="checkbox"/> Salt Marshes	0 _____ 1. square feet _____ 0 _____ 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	_____ 987 SF (Builders Lot 1) _____ 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

1. 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

Aug. 2021 _____

b. Date of map

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

- c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:

(a) within wetland Resource Area _____

percentage/acreage

(b) outside Resource Area _____

percentage/acreage

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

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

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

(b) Photographs representative of the site

* Some projects not in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <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:

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.



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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.

Plan to Accompany A Notice of Intent Showing

Existing Site Conditions & Proposed Site Improvements & Construction Details

Millennium Engineering, Inc.

Eric W. Botterman, P.E.

b. Prepared By

c. Signed and Stamped by

12 / 7 / 2023

1" = 10'

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:

MEI #: 2145

12 / 7 / 2023

2. Municipal Check Number

3. Check date

MEI #: 2148

12 / 7 / 2023

4. State Check Number

5. Check date

Millennium

Engineering, Inc.

6. Payor name on check: First Name

7. Payor name on check: Last Name



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F. Signatures and Submittal Requirements

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

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

John Berglund
John Berglund (Dec 7, 2023 15:46 EST)

1. Signature of Applicant

Dec 7, 2023

2. Date

3. Signature of Property Owner (if different)

Matthew A. Steinel

5. Signature of Representative (if any)

4. Date

12 / 7 / 2023

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:

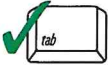
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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:

77-79 North End Blvd. (Builders Lot 1) Salisbury
 a. Street Address b. City/Town
 MEI #: 2148 \$237.50
 c. Check number d. Fee amount

2. Applicant Mailing Address:

John Berglund
 a. First Name b. Last Name
 Berglund Homes
 c. Organization
 10 Morrison Road
 d. Mailing Address
 Burlington Ma 01803
 e. City/Town f. State g. Zip Code
 (978) 580-1606 Bergent@Comcast.net
 h. Phone Number i. Fax Number j. Email Address

3. Property Owner (if different):

a. First Name b. Last Name
 77 North End Blvd., LLC. & 79 North End Blvd., LLC.
 c. Organization
 Same
 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).



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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
2A) Construcion of a Single-Family Dwelling	1	\$500.00	\$500.00

Step 5/Total Project Fee: \$500.00

Step 6/Fee Payments:

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

Project Narrative for Proposed Site Improvements
77-79 North End Boulevard, Salisbury, Ma. 01952
(Builders Lot 1)
Dated: December 7, 2023

Site Location & Description

The subject site consists of 2 parcels of land totaling 8,166 SF containing a single-family residential structure constructed on each parcel. The structures are constructed on concrete cinder block foundations with one having a full foundation above grade and the second having a crawl space. The site is located on the westerly side of North End Boulevard approximately 250-feet north of the northerly intersection with Old Town Way. The site is covered primarily by the residential structures, concrete pads, a shared gravel driveway, areas of turf lawn vegetation, and marsh vegetation.

Project Description

The applicant(s), John Berglund of Berglund Homes, propose construction activities within areas subject to the Massachusetts Wetlands Protection Act which are subject to review and approval by the Salisbury Conservation Commission and the State of Massachusetts Department of Environmental Protection.

Construction activities shall include the demolition and removal of both existing single-family residential structures, the concrete pads, the shed, and the shared gravel driveway followed by the construction of 3 new single-family residential structures on pile supported foundations and other associated site improvements. Associated site improvements proposed include new utility service connections, new gravel driveways, adjustments to existing curb entrance, and new vegetation plantings. All plantings proposed and/or installed shall be a native species from the list of approved coastal zone management plantings and any deviation from the species listed on the plan shall be reviewed and approved by the Salisbury Conservation Commission, or it's agent, prior to purchasing and installation.

All work shall be performed in accordance with the attached project plans, the approved order of conditions and shall comply with any, and all state and local requirements.

Resource Area Delineation Methodology

In July of 2023 Mark West of West Environmental conducted an on-ground evaluation and delineation of existing wetland resource areas and performed an extensive review of existing aerial mapping at which time it was determined that the following resource areas existed onsite or are in close proximity to proposed construction activities:

- 1) On or Within Coastal Dunes: (310 CMR 10.28)
- 2) On or Within Barrier Beaches: (310 CMR 10.29)
- 3) Adjacent to Salt Marshes (310 CMR 10.32)
- 4) Adjacent to Estimated Habitats of Rare Wildlife, for Coastal Wetlands (310 CMR 10.37)
- 5) On or Within Land Subject to Coastal Storm Flowage**

** FEMA Flood Zone AE(Elev.=9) as shown on FEMA Map 25009C0127F, dated July 3, 2012

Compliance with Performance Standards & Presumption of Significance

The applicant acknowledges that the resource areas identified above are present on-site and are significant to storm damage prevention and the protection of the wetland values listed in Massachusetts Wetlands Protection Act. Compliance, to the maximum extent feasible, with those performance standards has been demonstrated as follows:

Coastal Dunes (310 CMR 10.28)

In accordance with 310 CMR 10.28, coastal dunes are considered significant to storm damage prevention, flood control, marine fisheries, and the protection of wildlife habitat. In accordance with the definition and delineation methodology contained within the Massachusetts Wetlands Protection Act, it has been determined that all the proposed construction activities are located within this regulated resource area. It is our professional opinion that work proposed is in compliance with the specific performance standards listed in 310 CMR 10.28(3) as the proposed construction activities will 1) not affect the ability of waves to remove sand to and from the dune, 2) will minimize disturbance to existing vegetative cover which may result in the destabilization of the dune, 3) will not modify the dune in a way that would increase the potential storm or flood damage, 4) will not interfere with the landward or lateral movement of the dune, 5) will not cause artificial removal of sand from the dune, and 6) will not interfere with mapped or otherwise identified bird nesting habitats. No construction activities have been proposed which would directly or indirectly impact or have an adverse effect on the productivity or functionality of coastal dune resource areas.

Barrier Beach (310 CMR 10.29)

In accordance with 310 CMR 10.29(3), barrier beaches are considered significant to storm damage prevention, flood control, marine fisheries, and the protection of wildlife habitat. In accordance with the definition and delineation methodology contained within the Massachusetts Wetlands Protection Act, it has been determined that all the proposed construction activities are located within this regulated resource area. It should be noted that no specific performance standards are outlined in 310 CMR 10.29 however the proposed construction activities will 1) not reduce the natural ability of the land to absorb and contain floodwaters, 2) will not displace or divert floodwaters to other areas, 3) will not cause or create the likelihood of damage to other structures or land as debris (collateral damage), 4) will not cause ground, surface or salt-water pollution triggered by coastal storm flowage, and 5) will not restrict the natural movement of sand or floodwaters. No construction activities have been proposed which would directly or indirectly impact or have an adverse effect on the productivity or functionality of barrier beach resource areas.

Salt Marshes (310 CMR 10.32)

In accordance with 310 CMR 10.32, salt marshes are considered significant to the protection of marine fisheries, wildlife habitat, shellfish, and the prevention of pollution & storm damage. In accordance with the definition and delineation methodology contained within the Massachusetts Wetlands Protection Act, it has been determined that all the proposed construction activities are located outside of this regulated resource area and therefore it is our professional opinion that the work proposed is in accordance with the performance standards listed for this resource area. No construction activities have been proposed which would directly or indirectly impact or have an adverse effect on the productivity or functionality of salt marsh resource areas.

Estimated Habitat of Rare Wildlife (310 CMR 10.37)

Attached, please find a copy of the current Natural Heritage and Endangered Species Program map dated August 2021. The map shows that all construction activities are located outside of any mapped, known, or certified areas of "*Priority Habitat of Rare Species*", "*Estimated Habitat of Rare Wildlife*", or any "*Certified Vernal Pools*".

Land Subject to Coastal Storm Flowage

All project activities shall take place within this resource area and therefore direct impacts are being proposed. The proposed dwelling shall be constructed on piles above the base flood elevation in accordance with state and local requirements. The existing foundation will be removed increasing the natural ability for horizontal movement of wind, water, and sand while increasing the sites natural permeability and flood storage capabilities. Proposed construction activities will not have an adverse effect on the resources ability to contain flood waters or impact the natural movement of water or sediment. No construction activities have been proposed which would directly or indirectly impact or have an adverse effect on the productivity or functionality of Land Subject to Coastal Storm Flowage resource areas.

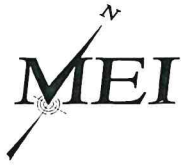
Erosion and Sedimentation Control Measures

Erosion and sediment control shall be established through the installation of a 12-inch silt sock backed by an entrenched silt fence (or approved equal) in accordance with the location provided on the attached design plan and any special conditions found in the approved Order of Conditions document.

Preliminary Construction Schedule
77-79 North End Boulevard, Salisbury, Ma. 01952
(Builders Lot 1)
Dated: December 7, 2023

The following construction schedule is provided as a guide to help ensure proper compliance with the conservation commission approval. The contractor shall always keep a copy of the approved plans and the approved order of conditions onsite and available for inspection while work is being performed. Any changes to construction or this schedule should be discussed with the design engineer, project architect, and the conservation commission agent prior to implementing the change to ensure proper compliance with the approval and all code requirements. If there is a conflict between the details in this document, the approved plans, and the approved order of conditions issued by the Conservation Commission, the order of conditions shall supersede and be adhered to at all times.

- 1) Contractor and/or homeowner shall complete all pre-construction site prep work needed prior to beginning construction activities. This includes, but may not be limited to, installation of all approved erosion control measures, contacting all utility companies and Digsafe to ensure all services are properly marked out, turned off, and/or disconnected.
- 2) Contractor and/or homeowner shall contact the Conservation Commission Agent by calling (978) 499-0358 to schedule a pre-construction site walk to inspect any construction fencing or erosion control installation, if required, and discuss any special conditions and/or questions pertaining to the approval.
- 3) Contractor and/or homeowner shall begin demolition and removal of the existing residential structures, sheds, concrete pads, and the shared gravel driveway. Hand removal of all thermostats, glass, asbestos, or anything containing mercury or regulated toxic materials is required prior to general demolition activities and all debris shall be disposed of offsite in accordance with federal, state and local requirements.
- 4) Contractor and/or homeowner shall begin installation of new pilings and start construction of the new single-family residential structure.
- 5) Contractor and/or homeowner shall begin installation of new utility service connections and any other approved site improvements as shown on the approved site plan.
- 6) Upon completion of all major construction activities the contractor and/or homeowner shall complete the installation of all new vegetation plantings and surfaces as shown on the approved plan. Any deviation from the plant species shown shall be reviewed and approved by the conservation commission or its agent prior to purchase and installation. All disturbed areas outside of the building footprint shall be seeded with a New England Salt Tolerant Coastal seed mix.
- 7) Upon completion of all construction activities, plantings, and site stabilization the homeowner shall turn in an As-Built plan and a request for a certificate of compliance stamped by a professional engineer or land surveyor. This request shall include a letter from the engineer or land surveyor pointing out all the inconsistencies with the approved design plan and with what is presented on the As-Built plans.



MILLENNIUM ENGINEERING, INC.
Land Surveyors and Civil Engineers

Abutter Notification Under the Massachusetts Wetland Protection Act.

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40 (the Wetlands Protection Act) and any Town of Salisbury wetland ordinance, you are hereby notified of the following:

- A. The name of the applicant(s) is: John Berglund of Berglund Homes
B. Brief Project Description: Demolition / removal of existing residential structures, concrete pads, and gravel driveways. Construction of 3 new single-family residential structures on pile supported foundations and other associated site improvements.
C. The applicant has filed a Notice of Intent ("NOI") with the Salisbury Conservation Commission seeking permission to remove, fill, dredge or alter an area, or buffer zone to an area, subject to protection under the Wetlands Protection Act and/or any Town of Salisbury wetland ordinance.
D. The address of the property where the activity is proposed is: 77 & 79 North End Blvd. (Map 33, Lots 29 & 30) (INCLUDE ASSESSOR'S MAP / LOT)
E. Copies of the NOI may be examined at the Salisbury Conservation Commission Office during all normal department hours of operation Monday through Friday. Contact information is below. You may also find helpful application materials on the "Current Project Applications & Plans" section of the Commission's website.
F. Copies of the NOI may be requested and obtained from the applicant's representative by calling during all normal hours of operation Monday through Friday. Contact information is below. A printing charge of \$20/set shall apply however electronic copies in PDF format may be requested at no charge.
G. Information regarding the date, time, and place of the public hearing may be obtained from the Salisbury Conservation Commission Office during all normal department hours of operation Monday through Friday. Contact information is below. You may also consult the "Agenda" section of the Commission's website.

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 Newspaper.

NOTE: Notice of the public hearing, including its date, time, and place will be posted in the City or Town Hall not less than forty-eight (48) hours in advance: Hearing scheduled for: January 3, 2024

NOTE: You may also contact the applicant's representative, the Salisbury Conservation Commission, or the nearest Massachusetts Department of Environmental Protection (MassDEP) Regional Office for more information about this application, the Wetlands Protection Act, or any municipal wetland ordinance.

Table with 3 columns: Applicant's Representative Contact Info, Municipal Contact Info, and MassDEP Contact Info. Each column lists contact details including names, addresses, phone numbers, and email addresses.

Applicants Copy

ABUTTERS LIST REQUEST

TO BE SUBMITTED DIRECTLY TO ASSESSORS OFFICE

Abutters Lists will be processed within 10 days of Receipt by Assessors Office

PROPERTY ADDRESS: 77 & 79 No. End Blvd.

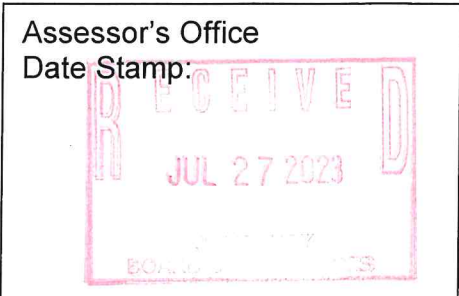
NAME OF APPLICANT: Berglund Homes

NAME OF PROPERTY OWNER: Larosa & 79 No. End. Blvd., LLC.

CONTACT PHONE: (978) 463-8980 Matt or Sue @ Millennium

MAP: 33 LOT: 29 & 30

FEE: \$25 One Board
\$15 each additional Board
\$15 Recertification per Board



BOARD/APPLICATION TYPE:		AMOUNT DUE:
ZONING BOARD:	300 FEET VARIANCE	\$25.00
	300 FEET SPECIAL PERMIT	_____
	300 FEET 40B PROJECT	_____
PLANNING BOARD:	DIRECT SITE PLAN REVIEW (MINOR)	_____
	300 FEET SITE PLAN REVIEW (MAJOR)	_____
	DIRECT DEFINITIVE SUBDIVISION	_____
	300 FEET SPECIAL PERMIT	_____

CONSERVATION COMMISSION: \$15.00
*Please see conservation requirements adopted by Wetlands Protection Act 12-2014 on reverse.
**Please supply description of work and a scaled plan

BOARD OF SELECTMEN: 100 FEET OR ABUTTER TO ABUTTER _____

LIQUOR COMMISSION: DIRECT _____

OTHER: _____

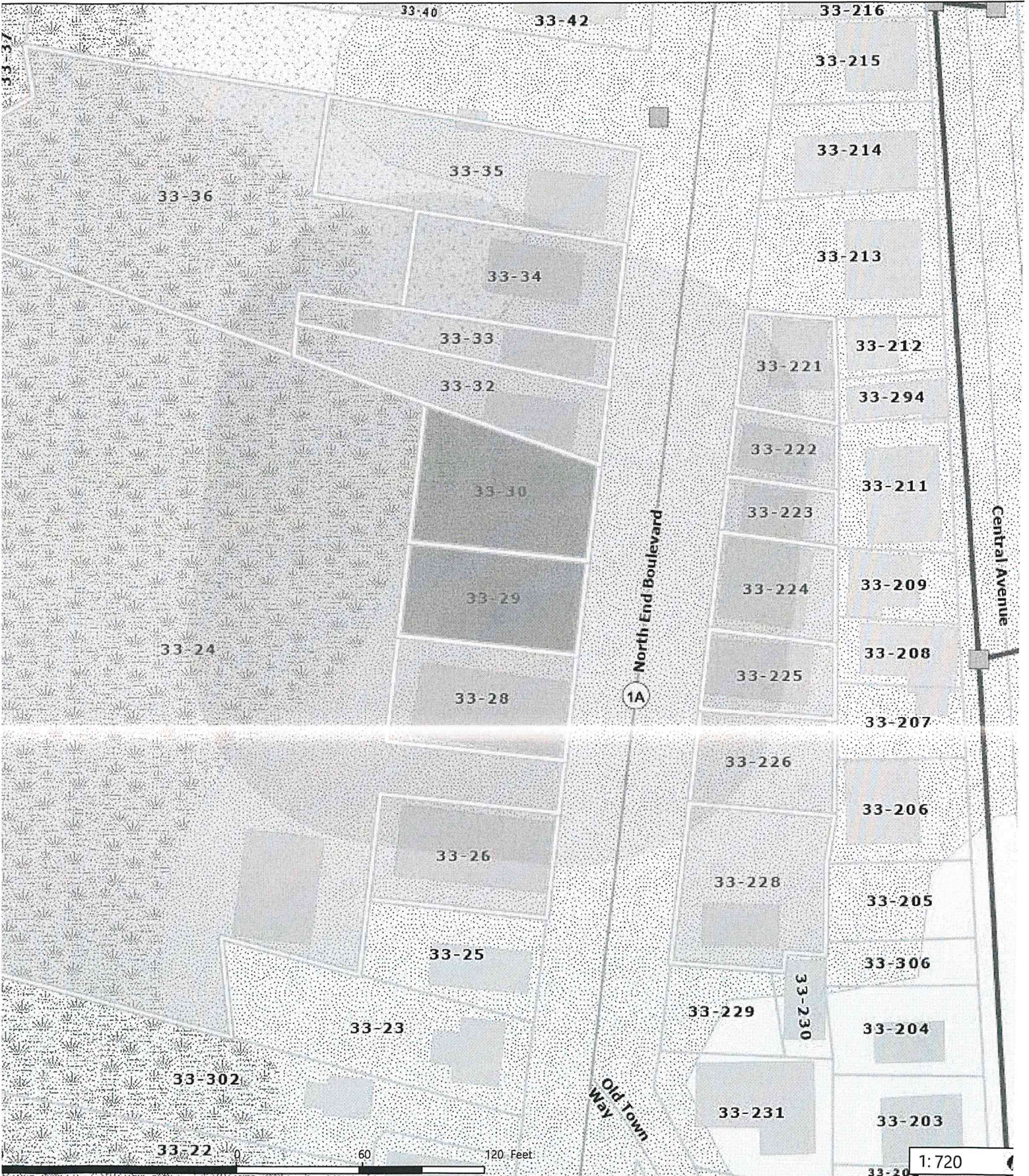
TOTAL PAID: \$40.00 CHECK # _____

ABUTTERS LIST AND LABELS RECEIVED BY: Sue Roy DATE: 8-2-23

THIS LIST WILL REQUIRE RECERTIFICATION AFTER 60 DAYS.

Map 33/Lot 29 & 30 --100' Abutters

08/01/21



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



Legend	
	Municipal Boundary
	Manhole
	State Owned Catchbasin
	100 Year Floodplain
	500 Year Floodplain
	Parcel Labels
	Outfall
	State Owned Manhole
	500 Year Floodplain
	Outfall Labels
	Gravity Main
	Interstate
	Streams
	Catchbasin
	Swale/Ditch
	Major Road
	Floodplain
	Drain Pipe
	Roads
	Hydrographic Features
	Wetlands

CERTIFIED ABUTTERS' LIST

Parcel ID	Location	Owner Name/Address
33-029	77 NO END BLVD	LAROSA NANCY 77 NO END BLVD SALISBURY, MA 01952
----- A B U T T E R S -----		
33-024	73 NO END BLVD	TOM PATENAUE HOMES, INC 100 SALEM ST NO ANDOVER, MA 01845
33-026	71 NO END BLVD	SEAFLOOR CONDOMINIUM ASSOC. 71 NO END BLVD SALISBURY, MA 01952
33-028	75 NO END BLVD	TOM PATENAUE HOMES, INC 100 SALEM ST NO ANDOVER, MA 01845
33-032	81 NO END BLVD	LEMMO PHILIP L LE LEMMO KATHLEEN A LE 74 RICHARDSON DR FITCHBURG, MA 01420
33-033	83 NO END BLVD	TORRISI SALVATORE 83 NO END BLVD SALISBURY, MA 01952
	Subsequent owner:	TORRISI SALVATORE T LE 83 NO END BLVD SALISBURY, MA 01952
33-034	85 NO END BLVD	HENNESSEY DAVID C 85 NO END BLVD SALISBURY, MA 01952
33-035	87 NO END BLVD	BORAGINE DEBORAH M 87 NO END BLVD SALISBURY, MA 01952
33-036	89 NO END BLVD	COULSON TRUST C/O FOLEY 389 CLUBHOUSE DR APT D3 GULF SHORES, AL 36542-3405
33-221	86 NO END BLVD	PISTORINO PAUL 86 NO END BLVD SALISBURY, MA 01952
33-222	84 NO END BLVD	LATHAM ELLEN M 84 NO END BLVD SALISBURY, MA 01952

CERTIFIED ABUTTERS' LIST

Parcel ID	Location	Owner Name/Address
33-029	77 NO. END BLVD	LAROSA NANCY 77 NO END BLVD SALISBURY, MA 01952

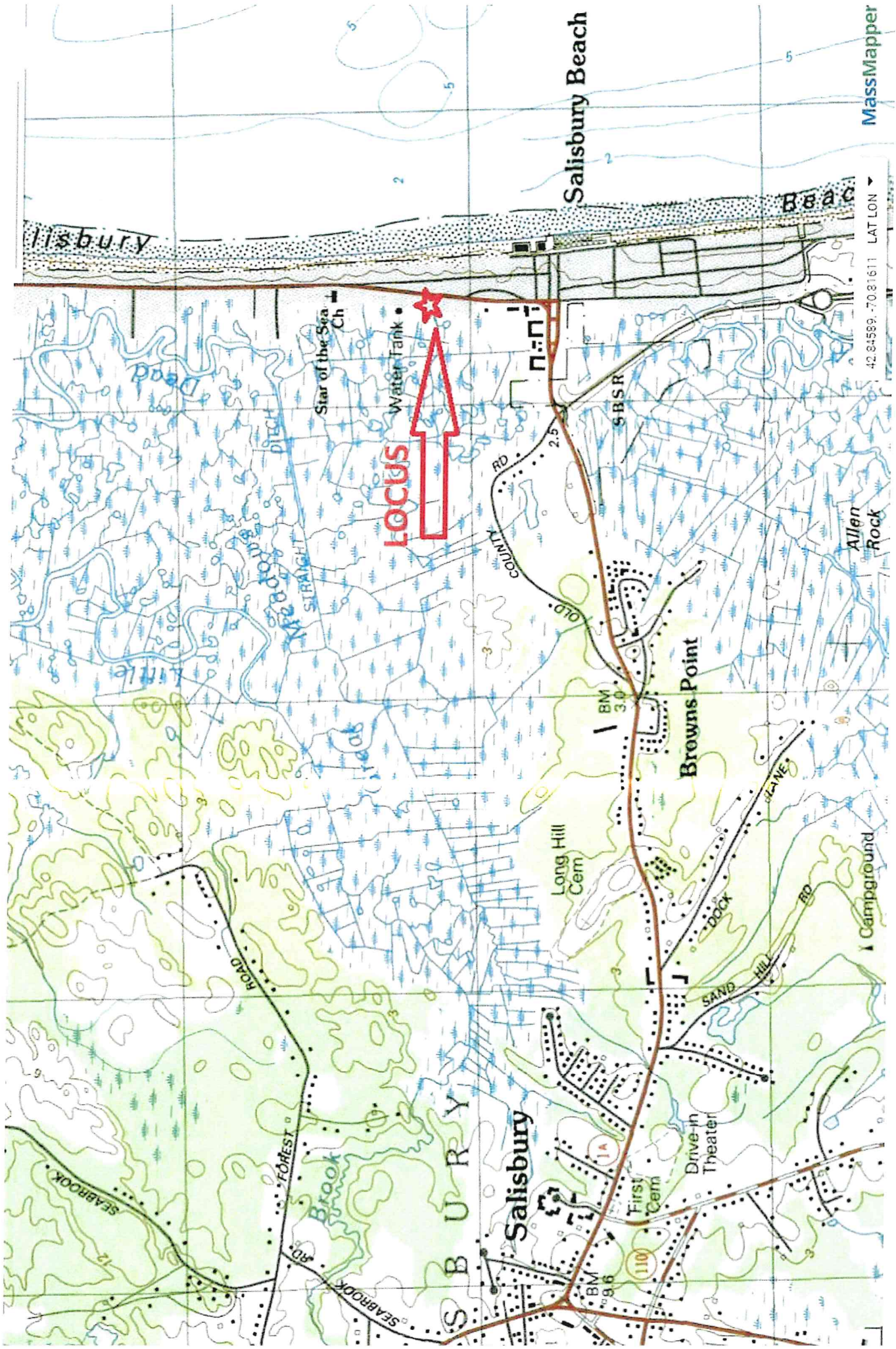
A B U T T E R S

33-223	82 NO END BLVD	REYNOLDS JUSTIN JOHN NOLAN BRANDON MICHAEL 82 NO END BLVD SALISBURY, MA 01952
33-224	80 NO END BLVD	GUILMETTE RONALD J GUILMETTE ANN MARIE PO BOX 5511 SALISBURY, MA 01952-0511
33-225	78 NO END BLVD	FRECKLE INTERNATIONAL LLC 9 PUTNAM LN GRAFTON, MA 01519
33-226	76 NO END BLVD	GAVIN SUE TR 76 NORTH END BOULEVARD REALTY 9 PUTNAM LN GRAFTON, MA 01519
33-228	72 NO END BLVD	COFFIN DONALD MACKEY KENNETH 140 STEADMAN ST CHELMSFORD, MA 01824
		Subsequent owner: COFFIN DONALD E MACKEY KENNETH J 140 STEADMAN ST CHELMSFORD, MA 01824
33-24A	73 NO END BLVD 1	TOBICHUK PAMELA J 73 NO END BLVD, UNIT 1 SALISBURY, MA 01952
33-24B	73 NO END BLVD 2	MACINNIS PAUL J MACINNIS SUSAN M 73 NO END BLVD, UNIT 2 SALISBURY, MA 01952
33-26A	71 NO END BLVD 1	BARBERA DAVID P BARBERA JACQUELINE A 71 NO END BLVD, UNIT 1 SALISBURY, MA 01952

Town of Salisbury
CERTIFIED ABUTTERS' LIST

Parcel ID	Location	Owner Name/Address
33-029	77 NO END BLVD	LAROSA NANCY 77 NO END BLVD SALISBURY, MA 01952
----- A B U T T E R S -----		
33-26B	71 NO END BLVD 2	SHEA JAMES R SHEA MAUREEN P 71 NO END BLVD, UNIT 2 SALISBURY, MA 01952
33-26C	71 NO END BLVD 3	HERVIEUX PAUL G HERVIEUX CORINNE E 71 NO END BLVD, UNIT 3 SALISBURY, MA 01952
33-28A	75 NO END BLVD 1	MACKEY SANDRA J MACKEY KENNETH J 75 NO END BLVD UNIT 1 SALISBURY, MA 01952
33-28B	75 NO END BLVD 2	BIRMINGHAM ROBERT & BIRMINGHAM T BIRMINGHAM FAMILY TRUST 75 NO END BLVD, Unit 2 SALISBURY, MA 01952
33-28C	75 NO END BLVD 3	DUNN WILLIAM C DUNN KELLY ANN 75 NO END BLVD, UNIT 3 SALISBURY, MA 01952

24 parcels listed



LOCUS



SALISBURY

PH 2154

PH 2153

Central Avenue

North End Boulevard

Old Town Way

LOCUS



National Flood Hazard Layer FIRMette



70°49'25"W 42°51'N



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, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone J
- 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 C

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 7/24/2023 at 10:57 AM 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 imagery for unmapped and unmodernized areas cannot be used for regulatory purposes.

* Permission To Access Site *

Property Owner:

Name: John Berglund
Company: Berglund Homes
Address: 10 Morrison Rd., Burlington, Ma. 01803
Telephone: (978) 580-1606
Email: Bergent@Comcast.net

Authorized Agent (if applicable):

Name: Matthew A. Steinel
Company: Millennium Engineering, Inc.
Address: 62 Elm Street - Salisbury
Telephone: (978) 463-8980
Email: MSteinel@Mei-MA.com

Property Location:

77-79 North End Boulevard
(street address)

Assessor's Map#: 33 Assessor's Lot #: 29 & 30

I hereby give permission to the Massachusetts Department of Environmental Protection, the Conservation Commission, or their authorized agents, members, or designees to enter my property at the above address in order to complete a site visit as needed for the review of one of the following applications:

- Notice of Intent
- Request for Determination of Applicability
- Abbreviated Notice of Resource Area Delineation
- Other: _____

Matthew A. Steinel
(signature of property owner /authorized agent)

12 / 7 / 2023
(date)

Matthew A. Steinel, S.E., S.I.
(print name)

*Sites must allow clear and safe ingress/egress to the project area for the Commissioners, their agents, members and designees. Hearings may need to be continued for lack of information should site access not be possible.