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*Vineyard Engineering & Environmental Services, Inc.*

Land Survey, Civil Engineering and Environmental Services

Offices in Medford and Vineyard Haven, Massachusetts

*www.vineyardeng.com*

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## **NOTICE OF INTENT**

**65 Concord Street  
Ashland, MA**

April 25, 2022

Prepared for:

Gilberto Campos Souza  
65 Concord Street  
Ashland, Massachusetts

Prepared by:

Vineyard Engineering & Environmental Services, Inc.  
17 Salem Street  
Medford, Massachusetts 02155

Vineyard Job No. 3036 SURV

# NOTICE OF INTENT

65 Concord Street  
Ashland, MA

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# **NOTICE OF INTENT**

**65 Concord Street  
Ashland, MA**

1.0 WPA Form 3 – Notice of Intent



**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
Ashland
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):

<u>65 Concord Street</u>	<u>Ashland</u>	<u>01721</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:		
<u>42.261906</u>	<u>71.463214</u>	
d. Latitude	e. Longitude	
<u>14</u>	<u>270</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>Gilberto</u>	<u>Campos Souza</u>	
a. First Name	b. Last Name	
c. Organization		
<u>65 Concord Street</u>		
d. Street Address		
<u>Ashland</u>	<u>MA</u>	<u>01721</u>
e. City/Town	f. State	g. Zip Code
<u>508-969-6471</u>	<u>gilbertocampos011@gmail.com</u>	
h. Phone Number	i. Fax Number	j. Email Address

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

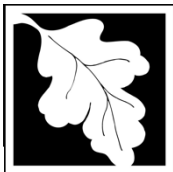
<u></u>	<u></u>	
a. First Name	b. Last Name	
c. Organization		
<u></u>		
d. Street Address		
<u></u>	<u></u>	<u></u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>Andrew</u>	<u>Pandolph</u>	
a. First Name	b. Last Name	
<u>Vineyard Engineering &amp; Environmental Services, Inc.</u>		
c. Company		
<u>17 Salem Street</u>		
d. Street Address		
<u>Medford</u>	<u>MA</u>	<u>02155</u>
e. City/Town	f. State	g. Zip Code
<u>781-933-3330</u>	<u>781-933-3334</u>	<u>apandolph@vineyardeng.com</u>
h. Phone Number	i. Fax Number	j. Email address

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

<u>165</u>	<u>70</u>	<u>95</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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Bureau of Resource Protection - Wetlands

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## A. General Information (continued)

6. General Project Description:

Construction of a porch overhang, roof and vinyl siding replacement, re-seeding existing lawn

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

- 1.  Single Family Home
- 2.  Residential Subdivision
- 3.  Commercial/Industrial
- 4.  Dock/Pier
- 5.  Utilities
- 6.  Coastal engineering Structure
- 7.  Agriculture (e.g., cranberries, forestry)
- 8.  Transportation
- 9.  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:

Middlesex

a. County

78822

c. Book

b. Certificate # (if registered land)

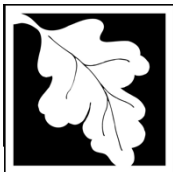
361

d. Page Number

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

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

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



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**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 checked="" type="checkbox"/> Bank	0 1. linear feet	0 2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input checked="" type="checkbox"/> Bordering Land Subject to Flooding	177 1. square feet LESS THAN 0.2% 3. cubic feet of flood storage lost	0 2. square feet 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input checked="" type="checkbox"/> Riverfront Area	Sudbury River (inland) 1. Name of Waterway (if available) - <b>specify coastal or inland</b>	

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: 99,890  
square feet

4. Proposed alteration of the Riverfront Area:

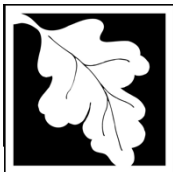
<u>177</u>	<u>177</u>	<u>177</u>
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.

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

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

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

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



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

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

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	_____	
	1. square feet	
	_____	
	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	_____	_____
	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	_____	_____
	1. square feet	2. cubic yards dune nourishment

	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____	
	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____	
	1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____	_____
	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	_____	
	1. square feet	
	_____	
	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____	
	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	_____	
	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	
	1. square feet	

4.  Restoration/Enhancement  
If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

\_\_\_\_\_

a. square feet of BVW

\_\_\_\_\_

b. square feet of Salt Marsh

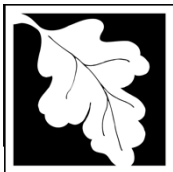
5.  Project Involves Stream Crossings

\_\_\_\_\_

a. number of new stream crossings

\_\_\_\_\_

b. number of replacement stream crossings



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## C. Other Applicable Standards and Requirements

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

### Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

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

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

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

- 2022 MassMapper  
b. Date of map

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

- c. Submit Supplemental Information for Endangered Species Review\*

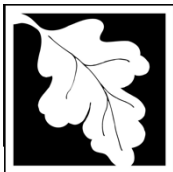
- Percentage/acreage of property to be altered:
  - (a) within wetland Resource Area \_\_\_\_\_ percentage/acreage
  - (b) outside Resource Area \_\_\_\_\_ percentage/acreage
- Assessor's Map or right-of-way plan of site

- Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*
  - (a)  Project description (including description of impacts outside of wetland resource area & buffer zone)
  - (b)  Photographs representative of the site

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/endangered-species-act-mesa-regulatory-review>).

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

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



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

- (c)  MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

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

- (d)  Vegetation cover type map of site

- (e)  Project plans showing Priority & Estimated Habitat boundaries

- (f) OR Check One of the Following

1.  Project is exempt from MESA review.  
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2.  Separate MESA review ongoing. a. NHESP Tracking # \_\_\_\_\_ b. Date submitted to NHESP \_\_\_\_\_

3.  Separate MESA review completed.  
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a.  Not applicable – project is in inland resource area only      b.  Yes     No

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

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

North Shore - Hull to New Hampshire border:

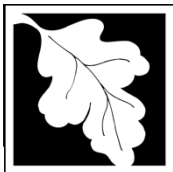
Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
836 South Rodney French Blvd.  
New Bedford, MA 02744  
Email: [dmf.envreview-south@mass.gov](mailto:dmf.envreview-south@mass.gov)

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [dmf.envreview-north@mass.gov](mailto: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

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- 5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?  
 a.  Yes  No
- 6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?  
 a.  Yes  No
- 7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?  
 a.  Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
  - 1.  Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
  - 2.  A portion of the site constitutes redevelopment
  - 3.  Proprietary BMPs are included in the Stormwater Management System.
 b.  No. Check why the project is exempt:
  - 1.  Single-family house
  - 2.  Emergency road repair
  - 3.  Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

**D. Additional Information**

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

**Online Users:** Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

- 1.  USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
- 2.  Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



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## D. Additional Information (cont'd)

3.  Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4.  List the titles and dates for all plans and other materials submitted with this NOI.

Figure 2 Site Plan, 65 Concord Street, Ashland, MA

a. Plan Title

Vineyard Engineering & Environmental Svcs

James J. Abely, PLS

b. Prepared By

c. Signed and Stamped by

April 12, 2022

As Noted

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:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name



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City/Town

## F. Signatures and Submittal Requirements

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

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

1. Signature of Applicant

2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

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:

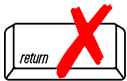
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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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 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:

65 Concord Street  
 a. Street Address

Ashland  
 b. City/Town

c. Check number

d. Fee amount

2. Applicant Mailing Address:

Gilberto  
 a. First Name

Campos Souza  
 b. Last Name

c. Organization

65 Concord Street  
 d. Mailing Address

Ashland  
 e. City/Town

MA  
 f. State

01721  
 g. Zip Code

gilbertocampos011@gmail.com  
 j. Email Address

h. Phone Number

i. Fax Number

3. Property Owner (if different):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

**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
Category 1(a) - Single Family Lot	1	110	165
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
<b>Step 5/Total Project Fee:</b>			165
<b>Step 6/Fee Payments:</b>			
Total Project Fee:			165
			a. Total Fee from Step 5
State share of filing Fee:			70
			b. 1/2 Total Fee <b>less</b> \$12.50
City/Town share of filing Fee:			95
			c. 1/2 Total Fee <b>plus</b> \$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.)

# NOTICE OF INTENT

**65 Concord Street  
Ashland, MA**

2.0 Project Narrative

## NOTICE OF INTENT

65 Concord Street  
Ashland, MA

Vineyard Job No.: 3036 SURV

### 2.0 PROJECT NARRATIVE

On behalf of Gilberto Campos Souza (property owner/applicant), Vineyard Engineering and Environmental Services, Inc. (Vineyard) is submitting this Notice of Intent (NOI) Application for replacement and expansion of an existing porch exterior repairs to siding, and removal of soil and debris stockpiles generated during previous excavation beneath the footprint of the house to create a basement in a single-family home at 65 Concord Street in Ashland, Massachusetts (the Site). As part of this work, the applicant also plans to restore the existing lawn, which has been impacted by site activities (if this is true). A United States Geological Survey (USGS) Site Locus map of the area, which is presented as Figure 1, depicts the regional topography of the site. A copy of the Wetlands Protection Act Form-3 Notice of Intent, NOI Wetland Fee Transmittal Form, accompanying site plan, and supplemental information are included with this submission.

#### **Enforcement Order**

In January of 2022, the Town of Ashland Conservation Commission issued an Enforcement Order (EO) to stop work at the property, citing a violation of performing work within an area subject to the Wetland Protection Act or associated buffer zone without approval from the Conservation Commission. Specifically, the EO identified violations including the creation of a soil stockpile and construction debris stockpile, placement of a rolloff in the resource area, and general work within a Riverfront Area. At the time the EO was issued, the porch roof was constructed, and the exterior building repairs were underway. At the request of Ashland Conservation Commission, the applicant covered the stockpiles with tarps and has requested that Vineyard submit this Notice of Intent for work completed to date and for continuing exterior repairs and landscaping.

#### **Site Locus and Description**

The subject property at 65 Concord Street is located in the central portion of Ashland, Massachusetts and is shown as Parcel 270 on the Town of Ashland Assessor's Map 14. The Site consists of approximately 2.3 acres of land and is improved with a one and a half story wood frame residence and bituminous concrete driveway. Landscaped areas are present to the east and west of the residence. The Site is abutted by the Sudbury River to the north, a drainage channel to the south, wooded areas to the east, and Concord Street to the west. Residential properties are located further to the north across the Sudbury River, and to the south across the drainage channel. As shown on the USGS Figure 1, the regional topography of the site generally slopes downward toward the Sudbury River immediately to the north.

## **Resource Areas**

### *Bank*

On January 26 and March 14, 2022 Vineyard located the top of bank on both sides of the Sudbury River using a total station. As shown on the Site Plan presented as Figure 2, the bank runs the entire length of the northern property line. The banks are steep and abrupt in the area of the residence and become more gradual towards the rear of the Site. The upper boundary of the bank is the first observable break in the slope or the mean annual flood level. The lower bank boundary is the mean annual low flow level.

A 25-foot “No Disturb” zone and a 100-foot buffer zone was established from the bank and are shown on the Site Plan presented as Figure 2. The existing house, newly constructed porch, and work area are located within the 100-foot buffer zone, but are outside the 25-foot no disturb zone. One of the three stockpiles and the rolloff rubbish container, which are to be removed as part of this work, are located in the 25-foot no disturb zone. Previously landscaped areas in need of restoration are situated both within and outside the 25-foot no disturb zones.

### *Riverfront Area*

The Sudbury River is a perennial stream as shown on the USGS map (Figure 1) and considered a Riverfront Resource Area according to the Wetlands Protection Act Regulations (310 CMR 10.00). A 25-foot “No Disturb” zone and a 200-foot Riverfront Area were established and is shown on the Site Plan presented as Figure 2. The Site, including the work area, is entirely within the 200-foot Riverfront Area.

### *Bordering Land Subject to Flooding*

A Federal Emergency Management Administration (FEMA) Flood Insurance Rate Map (FIRM) dated July 7, 2014, and attached to this narrative, indicates that the property is located within the 100-year flood zone (Zone AE). Flood elevation designations of AE are reflective of area of the 100-year flow where the flood elevation has been determined. The FEMA flood zone elevation for the property has been determined to be 184 feet (NAVD88). As shown on the attached FIRM, the Site, including the work area, is entirely within Zone AE designated areas.

### *Wooded Deciduous Swamp*

A wooded deciduous swamp occupies the eastern half of the property. The limit of the resource area was scaled onto Figure 2 using the Town of Ashland GIS viewer. A 25-foot “No Disturb” zone and a 100-foot buffer zone was established from the outermost edge of the wooded swamp. The work area is located outside of the 100-foot buffer zone.

A review of the 2022 MassGIS viewer indicates that the property is not within an estimated habitat of rare wetlands wildlife or a Priority Habitat of threatened or endangered species. Furthermore, there are no vernal pools on the property.

### **Work Completed Prior to Enforcement Order**

Beginning in December of 2021, the applicant started renovations to the interior and exterior of the single-family residence. As part of the project, an existing crawlspace beneath a portion of the residence was excavated to 6.2 feet below the first floor of the residence to create a basement and an existing 7.6- by 19.6-foot enclosed porch was replaced with a 7.6- by 42.9-foot open-sided covered porch on the north side of the residence. The applicant's intention is to install a sump equipped with a sump pump to maintain a dry basement. The applicant also initiated other exterior repairs including the removal of the existing wood shingles and placed a rolloff in the paved driveway for containment of debris generated during construction. During construction, soil generated from the basement and during installation of the porch footings was placed in a stockpile beneath the porch roof and demolition debris (brick, soil, concrete, etc.) was placed in stockpiles at the end of the paved driveway and in the front yard of the Site. These stockpiles have since been covered with tarps at the request of the Ashland Conservation Commission.

Work completed prior to the Enforcement Order is shown on the attached Site Plan.

### **Proposed Work**

Remaining exterior repairs include installation of a concrete and tile floor beneath the porch roof, installation of vinyl siding on the exterior walls of the residence, roof replacement, and re-seeding of the existing lawn areas located in the vicinity of the residence to stabilize soil conditions.

Prior to resuming construction, erosion controls (straw wattles) will be installed along the perimeter of the work area, as shown on Figure 2, to prevent the migration of soil and silt from the Site to the abutting resource areas. The stockpiles will then be removed and disposed of off-site at a facility permitted to accept such materials.

In order to properly manage and dispose of demolition debris during the renovation project, a rolloff container will need to be staged on-site. The rolloff is currently staged on the paved driveway located immediately to the north of the residence, which is located within the 25-foot "No Disturb" zone of the Sudbury River and associated bank. Alternative staging areas outside of the 25-foot "No Disturb" zone include the front yard and rear yard of the property. Staging the rolloff in the front yard of the property is not feasible due to the presence of a fence located at the back of the sidewalk along the entire frontage of the property, except for the driveway opening, and the proximity of the house to the sidewalk. In order to place the rolloff in the rear yard, the delivery truck would have to drive over unpaved areas within the "No Disturb" and 100-foot buffer zones causing additional soil disruption and potential for adverse impacts to the resource areas.

For these reasons the applicant respectfully requests permission to continue staging the rolloff on the driveway. In order to prevent potential impacts to the resource areas, the rolloff will be covered with tarps whenever it is not in use. In addition, the rolloff will not be uncovered during periods of heavy rain, as a precaution.

Regarding stockpiles, the applicant will make arrangements to remove stockpiles once an order of conditions is received and erosion controls are in place. The materials will be loaded into trucks for transport to a facility capable of taking the materials. At no time will refueling of any construction equipment working at the property be conducted and equipment will not be staged on the property more than the evening before work is done and no more than one day after work is complete.

The applicant intends to install a sump equipped with a sump pump to maintain a dry basement. Discharge from the sump will be directed to a drywell or similar, located in the backyard outside of the 100-foot wooded swamp buffer zone and 25-foot “No Disturb” zone. Any excess soil generated will be transported off-site with the stockpiled soil. The drywell will be designed to the satisfaction of the Town Engineer.

### **Riverfront Restoration Plan**

#### *Prior to and During Construction*

Straw wattles will be installed at the perimeter of the work zone to contain silt and other solids that may have the potential of migrating during inclement weather. The straw wattles will be inspected daily and replaced, as needed.

All stockpiles will be removed from the Site and disposed of at a facility permitted to accept such materials. Any demolition debris and refuse generated during the renovations will be placed in a rolloff staged on the paved driveway, or in a location approved by the Commission. The rolloff will be covered with a tarp when not in use to prevent any potential impacts to the resource areas and buffer zones. All construction materials will be stored inside of the residence to the extent possible. If construction materials must be staged outside of the residence, they will be placed on and covered with a tarp and will be staged outside of the 25-foot “No Disturb” zone.

#### *Post Construction*

The rolloff will be removed from the Site as soon as construction is completed. The existing lawn areas located within the vicinity of the residence will be re-seeded to stabilize soil conditions. The banks on the north and south sides of the property have not been and will not be altered as part of the project. The straw wattles will remain in place until the lawn has been restored, at which time the straw wattles will be removed and properly disposed of off-site.

## **Alternatives Analysis**

The following alternatives analysis was performed in accordance with 310 CMR 10.58.

### **CONSTRUCTION OR EXPANSION OF A SINGLE-FAMILY HOUSE ON A LOT RECORDED BEFORE AUGUST 1, 1996:**

#### **1. Leave the Site in its Existing Condition**

Due to the age of the residence, interior and exterior renovations were required to prevent damage to the building from wind and rain.

#### **2. Alternative building footprint(s), including change to the size and location of any proposed building or addition to an existing building.**

An existing 7.6- by 19.6-foot enclosed porch was expanded and replaced with a 7.6- by 42.9-foot open-sided covered porch on the north side of the residence. Any additional impervious area (177 SF) will result in less than 0.2 % (actual 0.177%) increase in impervious area across the property and will have no effect on flood storage and surface water runoff due to the size of the Site. No additional changes to the footprint of the building are proposed as part of this project.

Relocation of the porch to a different side of the residence would not significantly benefit the resource area as the entire house is located within the 100-foot buffer zone of the bank and 200-foot Riverfront Area. The new porch utilized the same footprint as the former porch and is located outside of the 25-foot “No Disturb” zone.

# NOTICE OF INTENT

**65 Concord Street  
Ashland, MA**

3.0 FIGURES

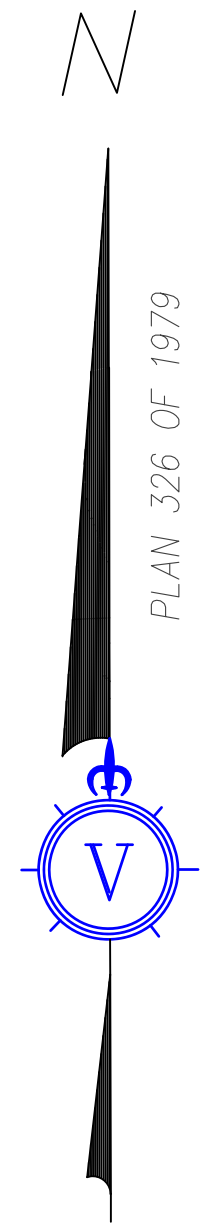


FIGURE 1  
Topographic Map

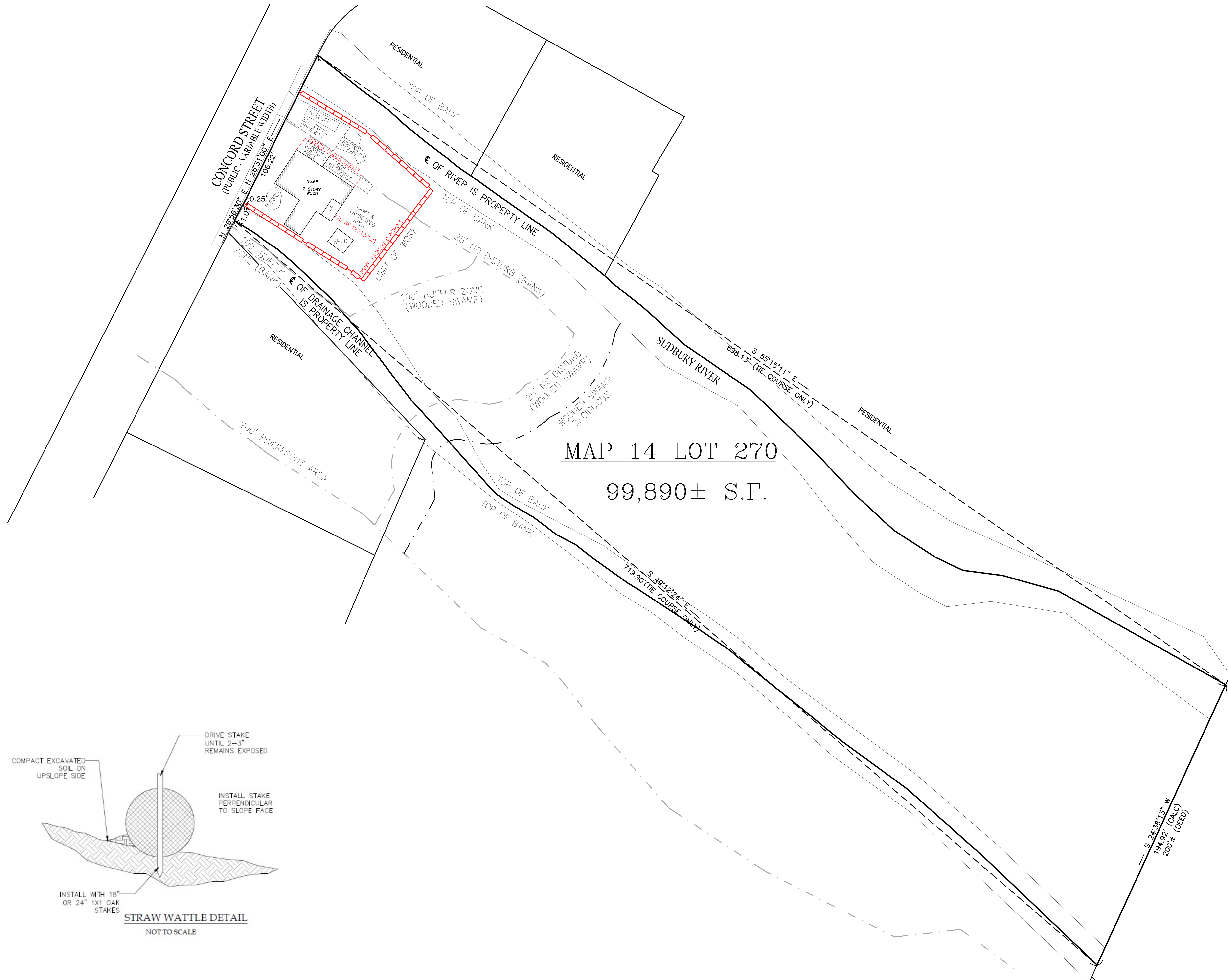
65 Concord Street  
Ashland, MA

Vineyard Engineering &  
Environmental Services, Inc.  
17 SALEM STREET  
MEDFORD, MASSACHUSETTS 02155

4,681,794mN  
296,835mE



PLAN 326 OF 1979



MAP 14 LOT 270

99,890± S.F.

OWNER OF RECORD

GILBERTO CAMPOS SOUZA  
DEED BOOK 78822 PAGE 361 M.S.R.D.

ZONING DISTRICT

TAX MAP 14 PARCEL 270  
RB DISTRICT

PLAN REFERENCES

PLAN NO. 326 OF 1979

I HEREBY CERTIFY THAT THIS PLAN IS BASED  
ON AN ACTUAL FIELD SURVEY.

JAMES J. ABELY P.L.S.

DATE

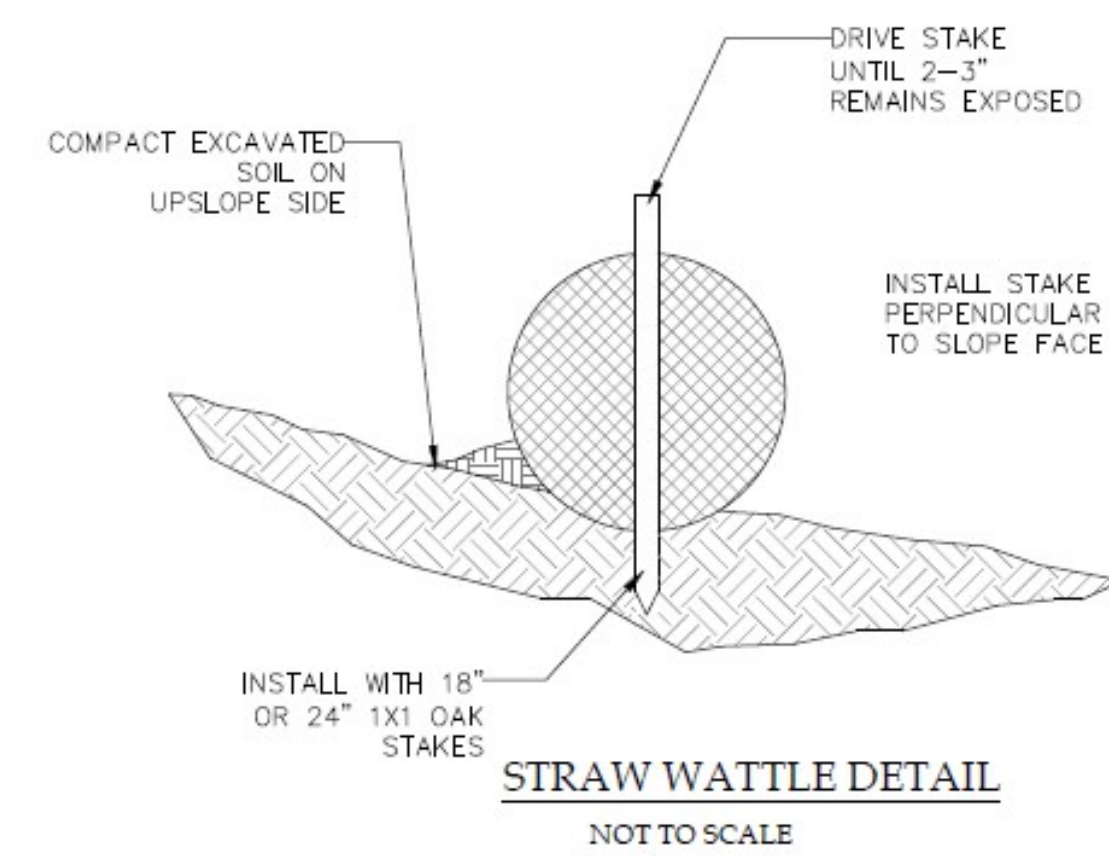
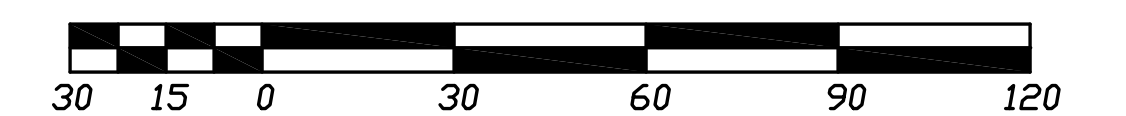


FIGURE 2  
SITE PLAN

65 CONCORD STREET  
ASHLAND, MA

SCALE 1" = 30' APRIL 25, 2022  
PREPARED BY

VINEYARD ENGINEERING  
& ENVIRONMENTAL SERVICES INC.  
LAND SURVEY, CIVIL ENGINEERING  
& ENVIRONMENTAL SERVICES  
17 SALEM STREET  
MEDFORD, MA 02155  
TEL. 781-933-3330 FAX. 781-933-3334  
Vineyardeng.com



not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The community map repository should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations (BFEs)** and/or **Floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) Report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS Report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study Report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study Report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was Massachusetts State Plane Mainland Zone (FIPS zone 2001). The **horizontal datum** was NAD 83, GRS 1980 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov> or contact the National Geodetic Survey at the following address:

NGS Information Services  
NOAA, N/NGS12  
National Geodetic Survey  
SSMC-3, #9202  
1315 East-West Highway  
Silver Spring, Maryland 20910-3282  
(301) 713-3242

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at <http://www.ngs.noaa.gov>.

**Base map** information shown on this FIRM was derived from orthophotography provided by MassGIS at a scale of 1:500 from photography dated April 2008.

The **profile baselines** depicted on this map represent the hydraulic modeling baselines that match the flood profiles in the FIS report. As a result of improved topographic data, the **profile baseline**, in some cases, may deviate significantly from the channel centerline or appear outside the SFHA.

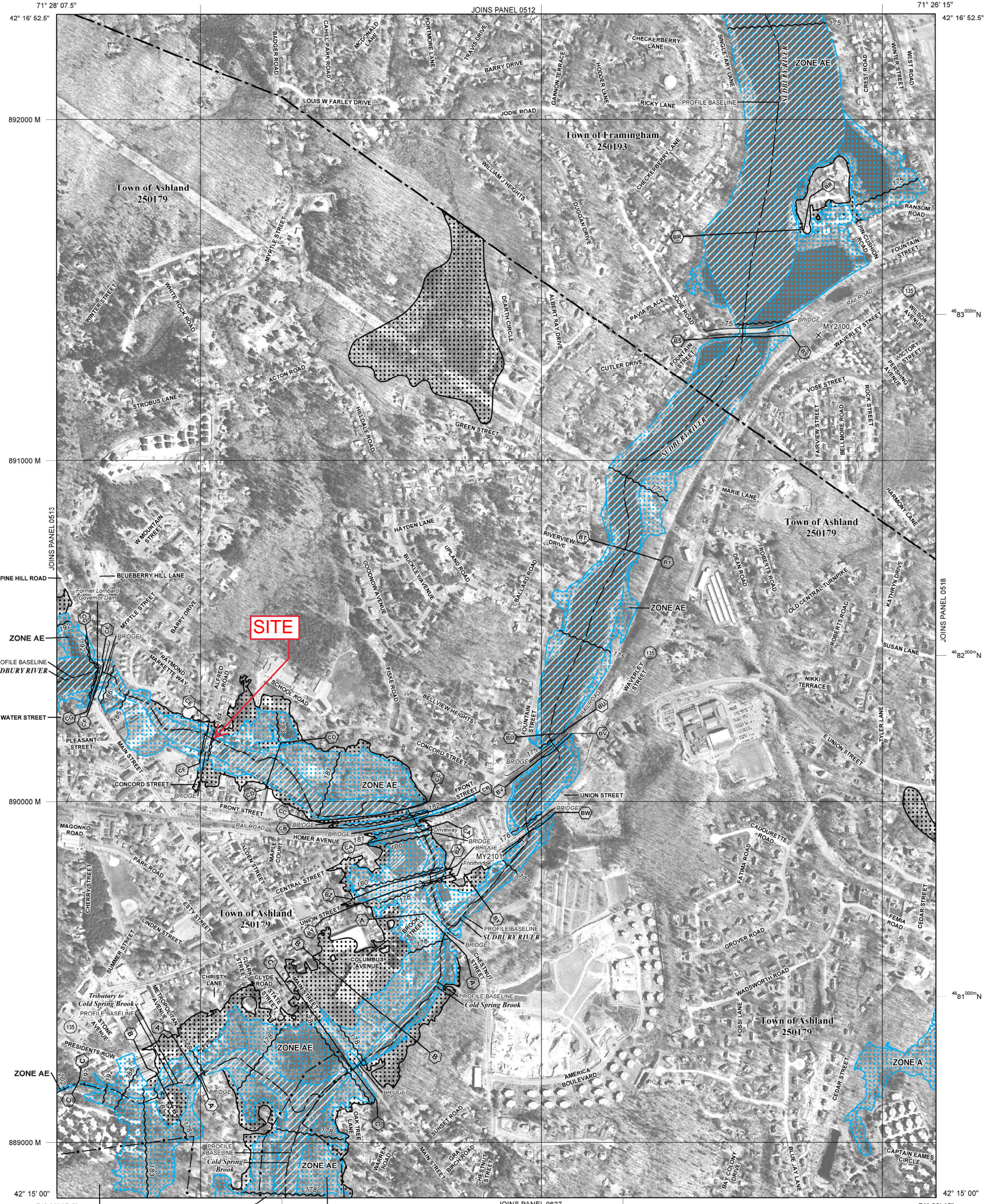
This map reflects more detailed and up-to-date **stream channel configurations** than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profiles and Floodway Data tables for multiple streams in the Flood Insurance Study Report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map.

**Corporate limits** shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels, community map repository addresses, and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

For information on available products associated with this FIRM visit the **Map Service Center (MSC)** website at <http://msc.fema.gov>. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the MSC website.

If you have **questions about this map**, how to order products, or the National Flood Insurance Program in general, please call the **FEMA Map Information eXchange (FMIX)** at 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA website at <http://www.fema.gov/business/nfp>.

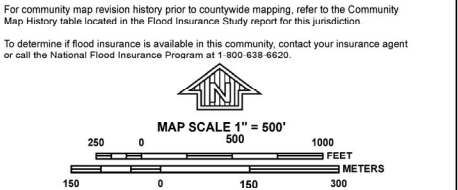


- ZONE A** No Base Flood Elevations determined.
- ZONE AE** Base Flood Elevations determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of attitudinal fan flooding, velocities also determined.
- ZONE AR** Special Flood Hazard Areas formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE A99** Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
- ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

- FLOODWAY AREAS IN ZONE AE**
- OTHER FLOOD AREAS**
- OTHER AREAS**
- ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.
- ZONE D** Areas in which flood hazards are undetermined, but possible.
- COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS**
- OTHERWISE PROTECTED AREAS (OPAs)**

- 1% Annual Chance Floodplain Boundary**
- 0.2% Annual Chance Floodplain Boundary**
- Floodway boundary**
- Zone D boundary**
- CBRS and OPA boundary**
- Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths, or flood velocities.**
- Base Flood Elevation line and value; elevation in feet\***
- Base Flood Elevation value where uniform within zone; elevation in feet\***

- \*Referenced to the North American Vertical Datum of 1988
- Cross section line**
- Transect line**
- Geographic coordinates referenced to the North American Datum of 1983 (NAD 83) Western Hemisphere**
- 1000-meter ticks: Massachusetts State Plane Mainland Zone (FIPS Zone 2001), Lambert Conformal Conic projection**
- 1000-meter Universal Transverse Mercator grid values, zone 19**
- Bench mark (see explanation in Notes to Users section of this FIRM panel)**
- River Mile**
- MAP REPOSITORIES**  
Refer to Map Repositories list on Map Index
- EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP**  
June 4, 2010
- EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL**  
July 7, 2014 - to update corporate limits, to change Base Flood Elevations and Special Flood Hazard Areas, to add roads and road names, and to incorporate previously issued Letters of Map Revision.



PANEL 0514F

## FIRM

### FLOOD INSURANCE RATE MAP MIDDLESEX COUNTY, MASSACHUSETTS (ALL JURISDICTIONS)

PANEL 514 OF 656  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

**CONTAINS:**

COMMUNITY	NUMBER	PANEL	SUFFIX
ASHLAND, TOWN OF	250179	0514	F
FRAMINGHAM, TOWN OF	250193	0514	F

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

**MAP NUMBER**  
25017C0514F

# NOTICE OF INTENT

**65 Concord Street  
Ashland, MA**

## 4.0 ATTACHMENTS

# NOTICE OF INTENT

**65 Concord Street  
Ashland, MA**

Photo Log

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17 Salem Street  
Medford, MA 02155  
Phone: 781.933.3330  
Fax: 781.933.3334

Martha's Vineyard  
P.O. Box 458  
Tisbury, MA 02568  
Phone: 508.687.9437

Photo Log  
65 Concord Street, Ashland, MA



Photograph 1: View of 65 Concord Street, looking east.



Photograph 2: View of new porch and soil stockpile, looking west.

Photo Log  
65 Concord Street, Ashland, MA



Photograph 3: View of drainage channel, shed and, house, looking west



Photograph 4: View of rolloff staged in the driveway with the Sudbury River beyond, looking northeast.