



**TOWN OF WEST NEWBURY
PLANNING BOARD
Tuesday August 15th, 2023 7:00 p.m.
AGENDA**

For Remote Participation (see below)

1. Public Hearing – Scenic Roads Special Permit – 290 Middle Street
2. Deer Run Lot Release
3. ANR Application – 87 Crane Neck Street
4. Public Hearing – Reduced Frontage Lot Special Permit – 87 Crane Neck Street
5. Public Hearing – Common Driveway Special Permit – 87 Crane Neck Street
6. Informal Discussion Regarding 114 Ash Street – Laester Vargas
7. General Business:
 - Minutes – None.
 - Correspondence
 - Administrative Details
 - Placement of Items for Future Planning Board Agendas
 - Items not Reasonably Anticipated by the Chair 48 Hours in Advance of a Meeting

The Planning Board reserves the right to take Agenda items out of order

Addendum to Meeting Notice Regarding Remote Participation

Pursuant to Chapter 2 of the Acts of 2023 that includes extending certain COVID - 19 measures adopted during the state of emergency, this meeting of the West Newbury Planning Board will be conducted via remote participation to the greatest extent possible. Members of the public who wish to view and/or listen to the meeting may do so using Zoom, by calling the telephone number or using the VideoLink listed below:

Zoom Meeting Instructions:

Phone: 1+(646) 558-8656

VideoLink: <https://us06web.zoom.us/j/86872896224?pwd=Rmd5Z3kwSW1JQTRkd3FKOXMrMHZpZz09>

Meeting ID: 868 7289 6224

Passcode: 945806

No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Town of West Newbury website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as practicable after the meeting.



**TOWN OF WEST NEWBURY
OFFICE OF THE PLANNING BOARD
381 MAIN STREET
WEST NEWBURY MA 01985
978-363-1100 X125 Fax: 978-363-1119
e-mail: townplanner@wnewbury.org**

**Legal Notice
West Newbury Planning Board**

The West Newbury Planning Board and Tree Warden will hold a Consolidated Public Hearing on Tuesday, August 15, 2023 during a meeting that begins at 7:00 PM to consider an application per the Scenic Roads Bylaw, Ch. XXXII of Town of West Newbury Bylaws for the removal of a multi-stem (8" + 10") red maple tree in the town right of way at 290 Middle Street (Tax Map: R-22, Lot 2). Applicant: National Grid. To view the application visit: <https://www.wnewbury.org/planning-board/west-newbury-legal-adspublic-hearing-notices> or contact planning.admin@wnewbury.org. Interested persons may participate in the meeting by joining from computer, tablet or smartphone using: <https://us06web.zoom.us/j/86872896224?pwd=Rmd5Z3kwSW1JQTRKd3FKOXMrMHZpZz09> OR by calling: +1-646-558-8656 and entering Passcode: 945806

Ann Bardeen, Planning Board Clerk

Please note the addition of the description and street address of the tree that is the subject of the hearing.

The tree will be posted with this hearing notice at least seven days in advance of the hearing.

Members of the Board,

On behalf of National Grid, please find the following information relative to a Scenic Road Application for 290 Middle Street (Map R22 – Lot 2)

National Grid has purposed the following tree work in order to supply the new dwelling at 290 Middle St. with power. Upon inspection of the proposed pole placements National Grid has determined that one multi-stem (8” + 10” Diameter) Red Maple (*Acer rubrum*) in the Town Right-of-Way will require removal given its relative location to the wire installation and its present structural defects. The Red Maple is flagged on both stems with an orange ribbon and is located at the corner of the driveway to 290 Middle St. and the town owned land along Middle St.

In addition to the one removal, current line clearance standards will require the trimming of various town trees extending from existing pole 121 on Middle St. to new pole 124. This trimming also includes the orange flagged Red Maple across from the driveway of 290 Middle St. (if further reference is required, please refer to the images of work zone attached below). The debris from both the removal and trimming will be cleaned and removed by National Grid.

The term ‘Removal’ refers to cutting the tree down to a 10” stump and the term ‘Trimming’ refers to the removal of small limbs up to 8” in diameter. All tree work is within the town layout and not private property.

We trust that the information provided regarding scope of work provides sufficient enough information for the Board’s review and approval at your next hearing on August 15th. If you have any questions, please do not hesitate to call my cell phone to discuss 860-436-8996.

Thank you,

Connor Allen

National grid Forestry

Consulting Utility Forester

Image below shows the estimated pole locations and the trees that will need to be trimmed





8" + 10" Red Maple to be Removed and Estimated Location of Pole : 124 (Location Has Not Been Steaked)



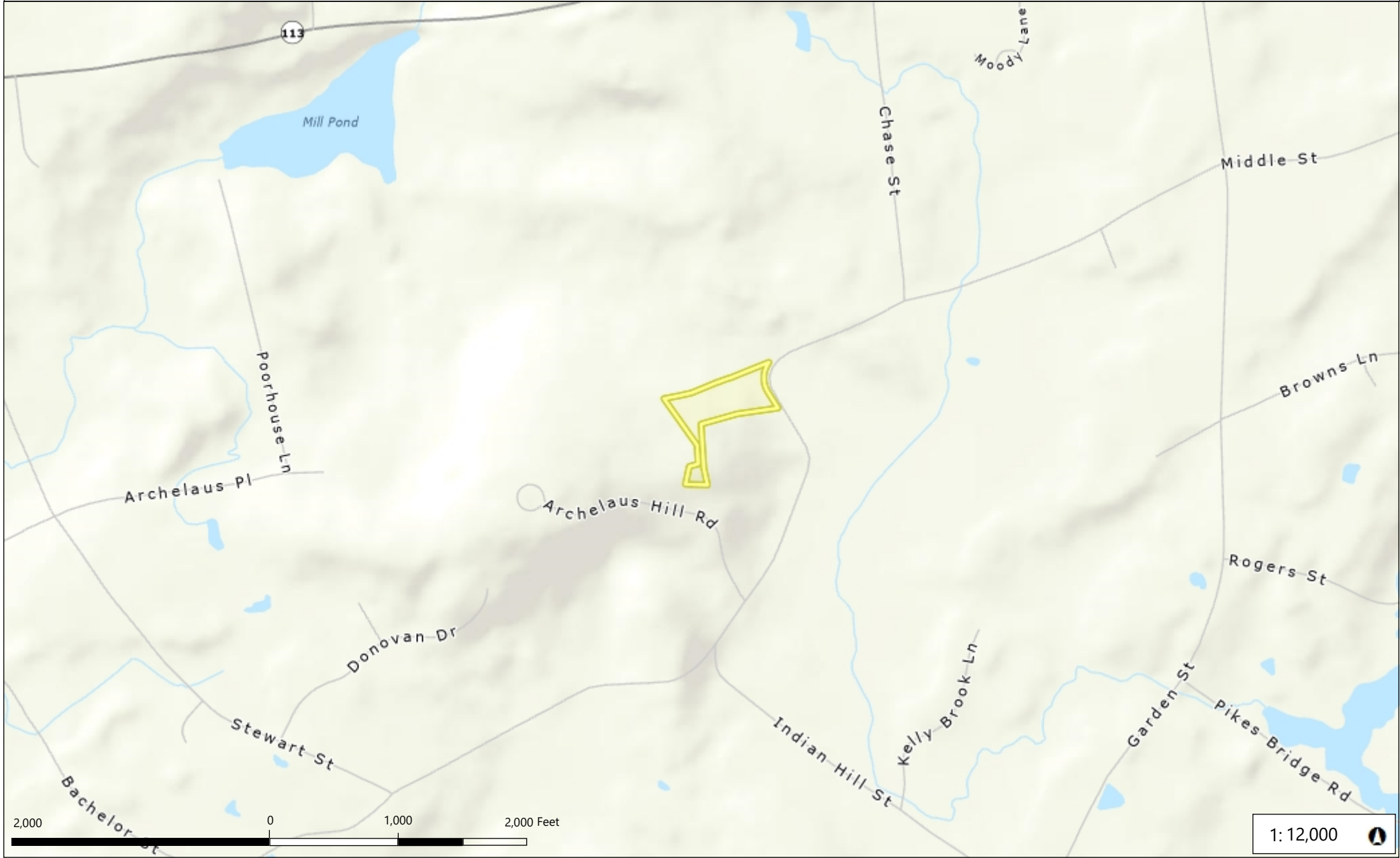
Defects of the Red Maple are Shown Above



Flagged Red Maple Located Across the Street from the Driveway of 290 Middle St.

Locus of 290 Middle St.

7/20/2023



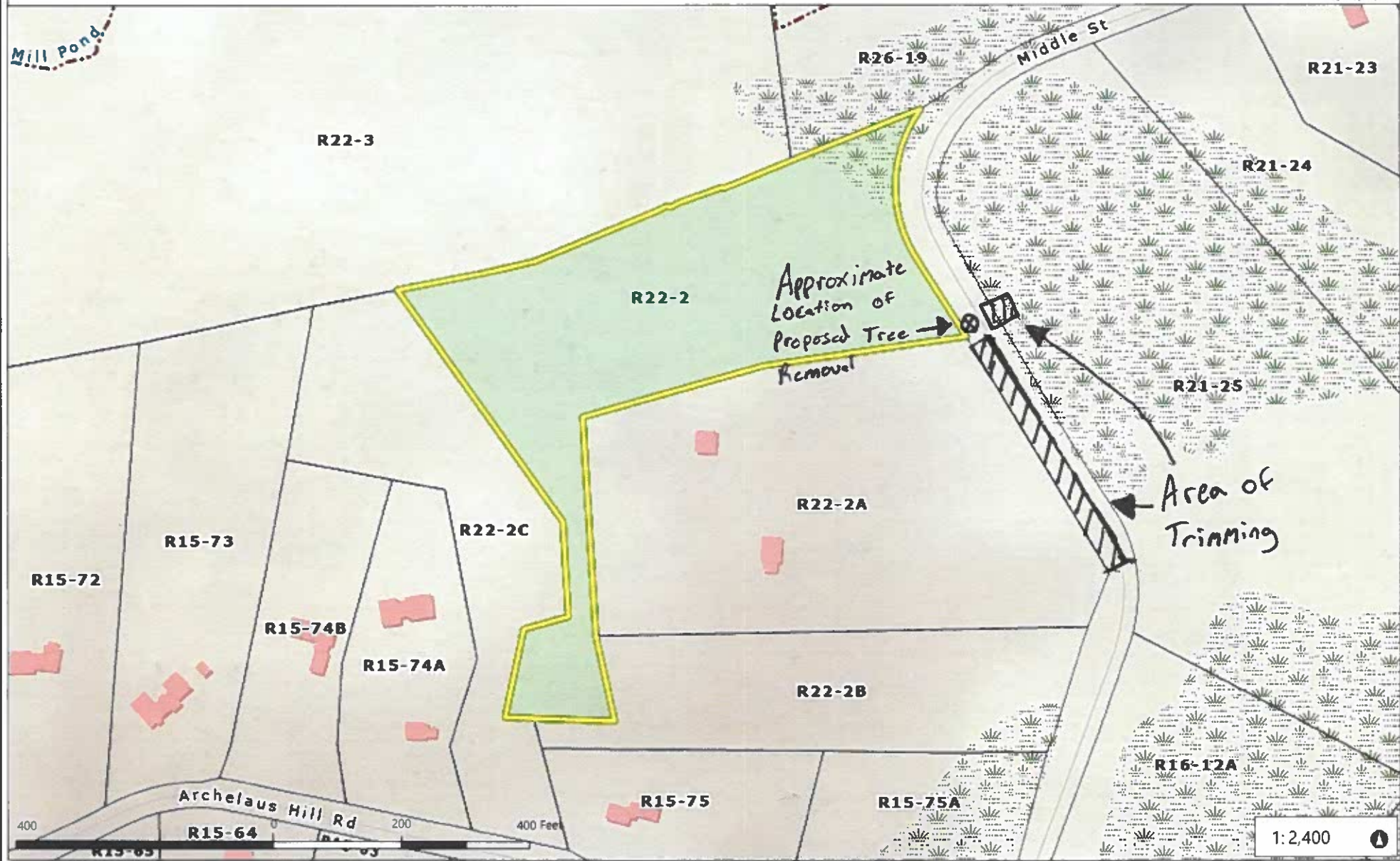
Data Sources: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the Town of West Newbury & MassIT/MassGIS. MVPC AND THE TOWN OF WEST NEWBURY MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE TOWN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

Legend					
MVPC Boundary	Parcels	Roads	Interstate	Major Road	Local Road
Building Footprints	Trails	Easements	Hydrographic Features	Streams	Wetlands



290 Middle St. Tree Work

7/20/2023



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

Legend				
MVPC Boundary	Parcels	Roads	Interstate	Major Road
Building Footprints	Trails	Easements	Hydrographic Features	Streams
			Wetlands	Local Road





**TOWN OF WEST NEWBURY
OFFICE OF THE PLANNING BOARD
381 MAIN STREET
WEST NEWBURY MA 01985
978-363-1100 X125 Fax: 978-363-1119
e-mail: townplanner@wnewbury.org**

**Legal Notice
West Newbury Planning Board**

The West Newbury Planning Board will hold Public Hearings on Tuesday, August 15, 2023 during a meeting that begins at 7:00 PM to consider an Application for a Special Permit for a Reduced Frontage Lot (Zoning Bylaw 6.A.1.) and a Common Driveway (Zoning Bylaw 7.D.) to serve two lots at 87 Crane Neck Street, Assessors Map R3, Lot 14B in the Residence A Zoning District. Owner/Applicant: Brook View Trust – William and Dianne Spalding, Trustees, 87 Crane Neck Street, West Newbury, MA 01985. To view the application visit: <https://www.wnewbury.org/planning-board/pages/current-documents> or contact planning.admin@wnewbury.org. Interested persons may participate in the meeting by joining from computer, tablet or smartphone using: <https://us06web.zoom.us/j/86872896224?pwd=Rmd5Z3kwSW1JQTRKd3FKOXMrMHZpZz09> OR by calling: +1-646-558-8656 and entering Meeting ID: 868 7289 6224, Passcode: 945806

Ann Bardeen, Planning Board Clerk

**TOWN OF WEST NEWBURY PLANNING BOARD
APPLICATION FOR SPECIAL PERMIT and/or SITE PLAN REVIEW**

Application for: Special Permit Site Plan Review Both

(Adopted December 21, 2011)

Please type or print clearly.

1. Applicant: Brook View Trust (William & Dianne Spalding)

Applicant's Address: 87 Crane Neck Street, West Newbury, MA

Telephone Number: 508-662-0893

2. Owners of the Land: Same as Applicant

Address: _____

Telephone Number: _____

Number of years of Ownership: 29 years

3. Year Lot was Created: 1994

4. Description of Proposed Project, including applicable section(s) of the Zoning Bylaw: Create a reduced frontage lot with access from Crane Neck Street

Special permit under section 6.A.1 of the Zoning Bylaw

5. Description of Premises: Lot 2 as shown on ANR plan (attached). The lot is part of the existing property currently known as #87 Crane Neck Street. The proposed lot is 340,332 s.f. with frontage of 100.00 feet and a C.B.A. of 254,600 s.f.

6. Address of Property Affected: 87 Crane Neck Street, West Newbury

Zoning District: Residence A

Assessors: _____ Map: R3 Lot #: 14B

Registry of Deeds: _____ Book: 40466 Page: 164

Plan Book and Plan Number book 294/page 46

7. Existing Lot: Lot Area (sq. ft.) 10.6 Acres

Street Frontage 360.88 ft

Front Setback _____

Building Height _____

Side Setbacks _____

Rear Setback _____

Floor Area Ratio _____

Lot Coverage _____

8. Proposed Lot (if applicable):

Lot Area (sq. ft.) 340,332 s.f.

Street Frontage 100ft

Front Setback _____

Floor Area Ratio _____

Building Height: _____

Side Setbacks _____

Rear Setback _____

Lot Coverage _____

9. Required Lot (as required by Zoning Bylaw):

Lot Area (sq. ft.) 160,000 s.f.

Street Frontage 100ft

Front Setback _____

Floor Area Ratio _____

Building Height _____

Side Setbacks _____

Rear Setback _____

Lot Coverage _____

10. Existing Building (if applicable):

Ground Floor (sq.ft.) _____

Total sq. ft. _____

Use: _____

of Floors _____

Height _____

Type of Construction _____

11. Proposed Building:

Ground Floor (sq.ft.) _____

Total sq. ft. _____

Use: _____

of Floors _____

Height _____

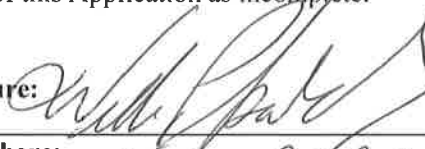
Type of Construction _____

12. Has there been a previous application for a Special Permit or Site Plan Review from the Planning Board on these premises? none known **If so, when, what type of construction, and the action made?**

13. Applicant and Landowner signature(s):

Every Application for a Special Permit/Site Plan Review shall be made on this form which is the official form of the Planning Board. Every Application shall be filed with the Town Clerk's Office. It shall be the responsibility of the Applicant to furnish all supporting documentation with this application. The dated copy of this Application received by the Town Clerk or Planning Office does not absolve the Applicant from this responsibility. The Applicant shall be responsible for all expenses for filing and legal notification. Failure to comply with application requirements, as cited herein and in the Planning Board Regulations, may result in a dismissal by the Planning Board of this Application as incomplete.

Applicant's Signature: _____




Print or type name here: _____

WILLIAM P. SPALDING

Date: _____

7/27/2023

Owner's Signature: 
Print or type name here: WILLIAM P. STANDING
Date: 7/27/2023



Project No. WNEW-0048

July 27, 2023

James RW Blatchford, Town Clerk
Town of West Newbury
381 Main Street
West Newbury, MA 01985

Subject: Approval Not Required (ANR) Plan – Form A Application
87 Crane Neck Street – Assessors Map R3 Lot 14B (Parcel ID: 0030 0000 0014B)
Owner & Applicant: Brook View Trust (William P. & Dianne E. Spalding, Trustees)

Dear James,

In accordance with the West Newbury Planning Board Rules and Regulations Governing the Subdivision of Land, Section 3.1.1.2, Williams & Sparages hereby submits an Approval Not Required (ANR) Plan for property located at 87 Crane Neck Street on this day, July 27, 2023, to the Planning Board for consideration.

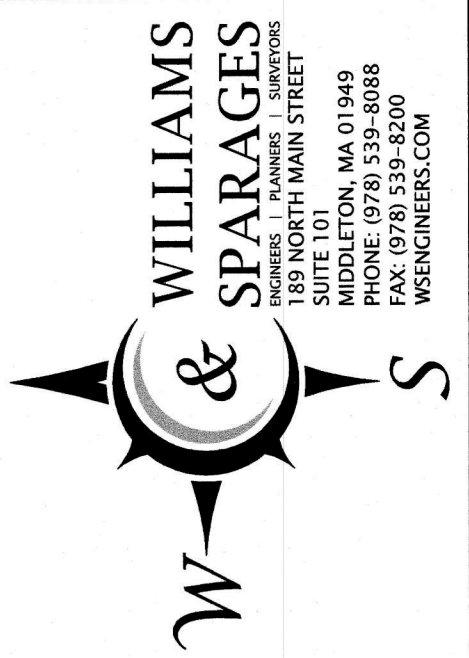
Accompanying this letter is one (1) copy of the completed "Form A" application and plan.

Kindly acknowledge receipt of said Notice by signing a copy of this notice.

James RW Blatchford
Town Clerk

Very truly yours,

Richard L. Williams, P.E.



Owner/Applicant:
William P. Spalding
87 Crane Neck Street
West Newbury, MA 01985

Designed By: CJH
Drawn By: PMB
Reviewed By: RLW
Project Manager: CJH
Drawing File Number: WNEW-0048
Drawing File Folder: WNEW48

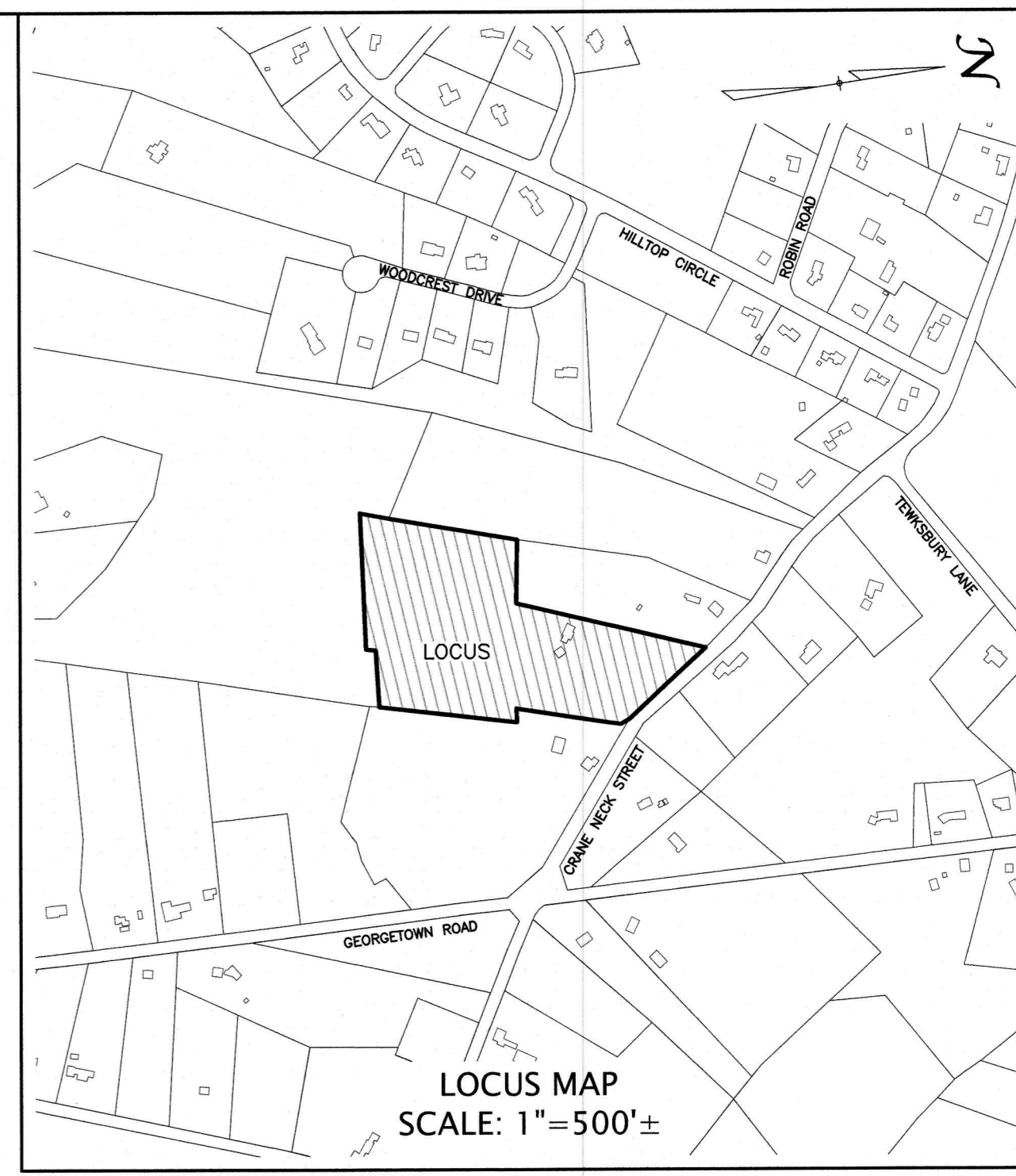


COMMON DRIVEWAY & STORMWATER MANAGEMENT PLAN
87 CRANE NECK STREET, WEST NEWBURY, MA

DRAWING: C1.1	12	11	10	9	8	7
	6	5	4	3	2	1

SCALE: 1"=40'
JULY 26, 2023

SHEET 1 OF 2



RIVERFRONT AREA CALCULATIONS:
TOTAL RIVERFRONT AREA ON PARCEL = 186,927± S.F.
PROPOSED ALTERATION OF RIVERFRONT AREA = 7,912± S.F. (4.2%)

TIER TWO STORAGE STORMWATER MANAGEMENT VOLUME CALCULATION:

ROOFTOP INFILTRATION CALCULATIONS:

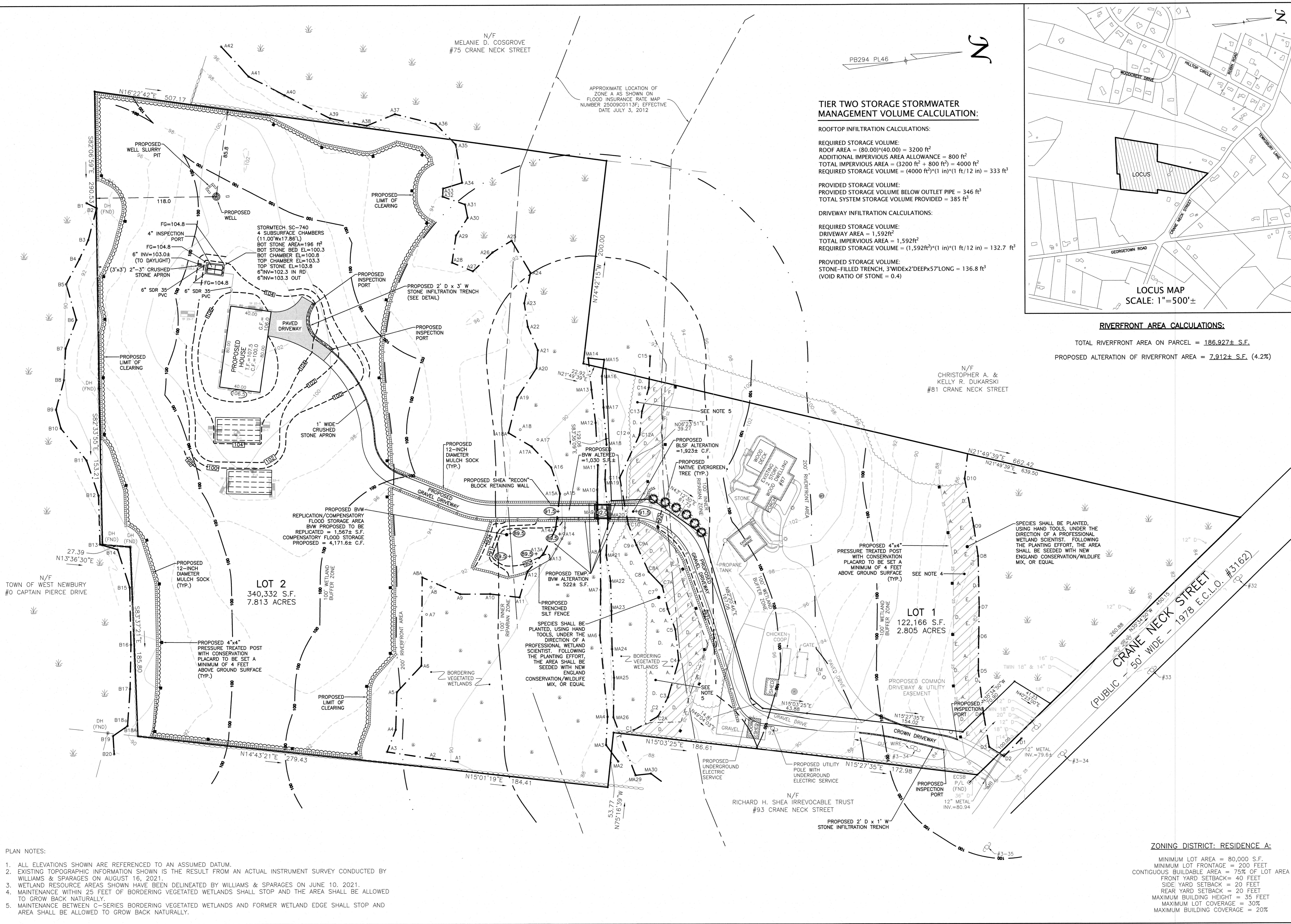
REQUIRED STORAGE VOLUME:
ROOF AREA = (80.00)*(40.00) = 3200 ft²
ADDITIONAL IMPERVIOUS AREA ALLOWANCE = 800 ft²
TOTAL IMPERVIOUS AREA = (3200 ft² + 800 ft²) = 4000 ft²
REQUIRED STORAGE VOLUME = (4000 ft²)*(1 in)*(1 ft/12 in) = 333 ft³

PROVIDED STORAGE VOLUME:
PROVIDED STORAGE VOLUME BELOW OUTLET PIPE = 346 ft³
TOTAL SYSTEM STORAGE VOLUME PROVIDED = 385 ft³

DRIVEWAY INFILTRATION CALCULATIONS:

REQUIRED STORAGE VOLUME:
DRIVEWAY AREA = 1,592 ft²
TOTAL IMPERVIOUS AREA = 1,592 ft²
REQUIRED STORAGE VOLUME = (1,592 ft²)*(1 in)*(1 ft/12 in) = 132.7 ft³

PROVIDED STORAGE VOLUME:
STONE-FILLED TRENCH, 3'WIDE X 2'DEEP X 57'LONG = 136.8 ft³
(VOID RATIO OF STONE = 0.4)



- PLAN NOTES:**
- ALL ELEVATIONS SHOWN ARE REFERENCED TO AN ASSUMED DATUM.
 - EXISTING TOPOGRAPHIC INFORMATION SHOWN IS THE RESULT FROM AN ACTUAL INSTRUMENT SURVEY CONDUCTED BY WILLIAMS & SPARGES ON AUGUST 16, 2021.
 - WETLAND RESOURCE AREAS SHOWN HAVE BEEN DELINEATED BY WILLIAMS & SPARGES ON JUNE 10, 2021.
 - MAINTENANCE WITHIN 25 FEET OF BORDERING VEGETATED WETLANDS SHALL STOP AND THE AREA SHALL BE ALLOWED TO GROW BACK NATURALLY.
 - MAINTENANCE BETWEEN C-SERIES BORDERING VEGETATED WETLANDS AND FORMER WETLAND EDGE SHALL STOP AND AREA SHALL BE ALLOWED TO GROW BACK NATURALLY.

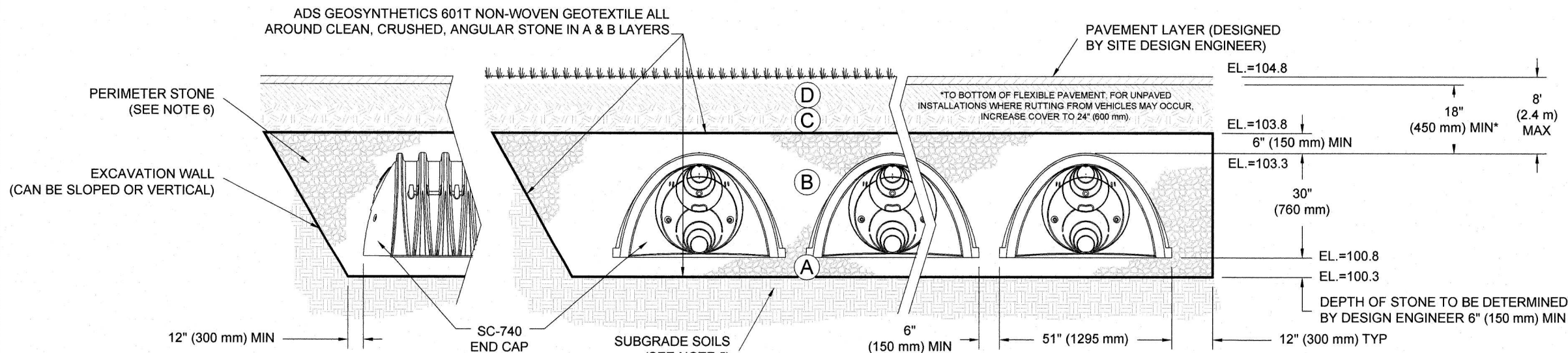
ZONING DISTRICT: RESIDENCE A:

MINIMUM LOT AREA = 80,000 S.F.
MINIMUM LOT FRONTAGE = 200 FEET
CONTIGUOUS BUILDABLE AREA = 75% OF LOT AREA
FRONT YARD SETBACK = 40 FEET
SIDE YARD SETBACK = 20 FEET
REAR YARD SETBACK = 20 FEET
MAXIMUM BUILDING HEIGHT = 35 FEET
MAXIMUM LOT COVERAGE = 30%
MAXIMUM BUILDING COVERAGE = 20%

ACCEPTABLE FILL MATERIALS: STORMTECH SC-740 CHAMBER SYSTEMS

MATERIAL LOCATION	DESCRIPTION	AASHTO MATERIAL CLASSIFICATIONS	COMPACTION / DENSITY REQUIREMENT
D	FINAL FILL: FILL MATERIAL FOR LAYER 'D' STARTS FROM THE TOP OF THE 'C' LAYER TO THE BOTTOM OF FLEXIBLE PAVEMENT OR UNPAVED FINISHED GRADE ABOVE. NOTE THAT PAVEMENT SUBBASE MAY BE PART OF THE 'D' LAYER	N/A	PREPARE PER SITE DESIGN ENGINEER'S PLANS. PAVED INSTALLATIONS MAY HAVE STRINGENT MATERIAL AND PREPARATION REQUIREMENTS.
C	INITIAL FILL: FILL MATERIAL FOR LAYER 'C' STARTS FROM THE TOP OF THE EMBEDMENT STONE ('B' LAYER) TO 18" (450 mm) ABOVE THE TOP OF THE CHAMBER. NOTE THAT PAVEMENT SUBBASE MAY BE A PART OF THE 'C' LAYER.	AASHTO M145* A-1, A-2-4, A-3 OR AASHTO M43* 3, 357, 4, 467, 5, 56, 57, 6, 67, 68, 7, 78, 8, 89, 9, 10	BEGIN COMPACTIONS AFTER 12" (300 mm) OF MATERIAL OVER THE CHAMBERS IS REACHED. COMPACT ADDITIONAL LAYERS IN 6" (150 mm) MAX LIFTS TO A MIN. 95% PROCTOR DENSITY FOR WELL GRADED MATERIAL AND 95% RELATIVE DENSITY FOR PROCESSED AGGREGATE MATERIALS. ROLLER GROSS VEHICLE WEIGHT NOT TO EXCEED 12,000 lbs (53 kN). DYNAMIC FORCE NOT TO EXCEED 20,000 lbs (89 kN).
B	EMBEDMENT STONE: FILL SURROUNDING THE CHAMBERS FROM THE FOUNDATION STONE ('A' LAYER) TO THE 'C' LAYER ABOVE.	AASHTO M43* 3, 357, 4, 467, 5, 56, 57	NO COMPACTION REQUIRED.
A	FOUNDATION STONE: FILL BELOW CHAMBERS FROM THE SUBGRADE UP TO THE FOOT (BOTTOM) OF THE CHAMBER.	AASHTO M43* 3, 357, 4, 467, 5, 56, 57	PLATE COMPACT OR ROLL TO ACHIEVE A FLAT SURFACE. **

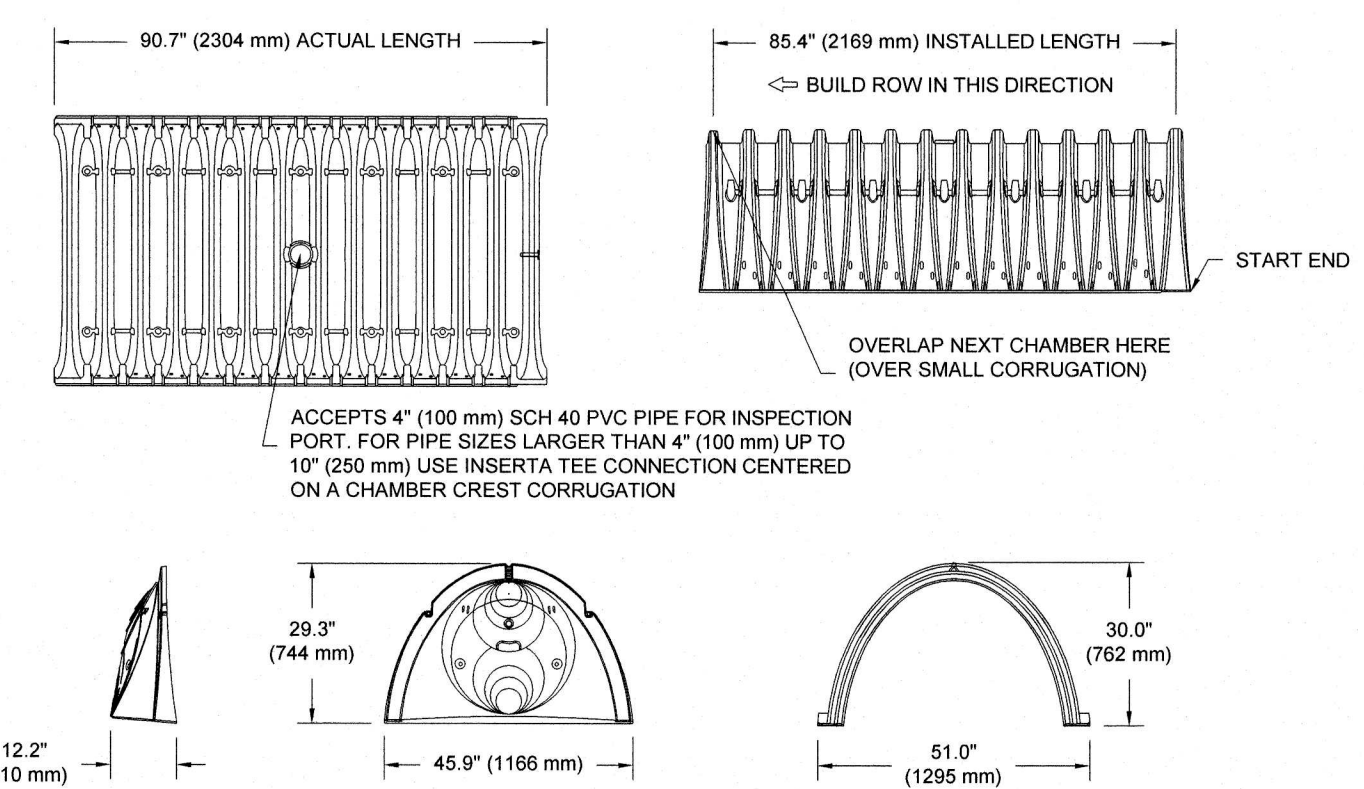
PLEASE NOTE:
 1. THE LISTED AASHTO DESIGNATIONS ARE FOR GRADATIONS ONLY. THE STONE MUST ALSO BE CLEAN, CRUSHED, ANGULAR. FOR EXAMPLE, A SPECIFICATION FOR #4 STONE WOULD STATE: "CLEAN, CRUSHED, ANGULAR NO. 4 (AASHTO M43) STONE".
 2. STORMTECH COMPACTION REQUIREMENTS ARE MET FOR 'A' LOCATION MATERIALS WHEN PLACED AND COMPACTIONED IN 6" (150 mm) (MAX) LIFTS USING TWO FULL COVERAGES WITH A VIBRATORY COMPACTOR.
 3. WHERE INFILTRATION SURFACES MAY BE COMPROMISED BY COMPACTION, FOR STANDARD DESIGN LOAD CONDITIONS, A FLAT SURFACE MAY BE ACHIEVED BY RAKING OR DRAGGING WITHOUT COMPACTION EQUIPMENT. FOR SPECIAL LOAD DESIGNS, CONTACT STORMTECH FOR COMPACTION REQUIREMENTS.



NOTES:

- SC-740 CHAMBERS SHALL CONFORM TO THE REQUIREMENTS OF ASTM F2418 "STANDARD SPECIFICATION FOR POLYPROPYLENE (PP) CORRUGATED WALL STORMWATER COLLECTION CHAMBERS", OR ASTM F2922 "STANDARD SPECIFICATION FOR POLYETHYLENE (PE) CORRUGATED WALL STORMWATER COLLECTION CHAMBERS".
- SC-740 CHAMBERS SHALL BE DESIGNED IN ACCORDANCE WITH ASTM F2787 "STANDARD PRACTICE FOR STRUCTURAL DESIGN OF THERMOPLASTIC CORRUGATED WALL STORMWATER COLLECTION CHAMBERS".
- "ACCEPTABLE FILL MATERIALS" TABLE ABOVE PROVIDES MATERIAL LOCATIONS, DESCRIPTIONS, GRADATIONS, AND COMPACTION REQUIREMENTS FOR FOUNDATION, EMBEDMENT, AND FILL MATERIALS.
- THE "SITE DESIGN ENGINEER" REFERS TO THE ENGINEER RESPONSIBLE FOR THE DESIGN AND LAYOUT OF THE STORMTECH CHAMBERS FOR THIS PROJECT.
- THE SITE DESIGN ENGINEER IS RESPONSIBLE FOR ASSESSING THE BEARING RESISTANCE (ALLOWABLE BEARING CAPACITY) OF THE SUBGRADE SOILS AND THE DEPTH OF FOUNDATION STONE WITH CONSIDERATION FOR THE RANGE OF EXPECTED SOIL MOISTURE CONDITIONS.
- PERIMETER STONE MUST BE EXTENDED HORIZONTALLY TO THE EXCAVATION WALL FOR BOTH VERTICAL AND SLOPED EXCAVATION WALLS.
- ONCE LAYER 'C' IS PLACED, ANY SOIL MATERIAL CAN BE PLACED IN LAYER 'D' UP TO THE FINISHED GRADE. MOST PAVEMENT SUBBASE SOILS CAN BE USED TO REPLACE THE MATERIAL REQUIREMENTS OF LAYER 'C' OR 'D' AT THE SITE DESIGN ENGINEER'S DISCRETION.

STORMTECH SC-740 CROSS SECTION SWMA1P
NOT TO SCALE



NOMINAL CHAMBER SPECIFICATIONS

SIZE (W X H X INSTALLED LENGTH)	51.0" X 30.0" X 85.4"	(1295 mm X 762 mm X 2169 mm)
CHAMBER STORAGE	45.9 CUBIC FEET	(1.30 m³)
MINIMUM INSTALLED STORAGE*	14.9 CUBIC FEET	(0.42 m³)
WEIGHT	75.0 lbs.	(33.6 kg)

*ASSUMES 6" (152 mm) STONE ABOVE, BELOW, AND BETWEEN CHAMBERS

STUBS AT BOTTOM OF END CAP FOR PART NUMBERS ENDING WITH "B"
STUBS AT TOP OF END CAP FOR PART NUMBERS ENDING WITH "T"

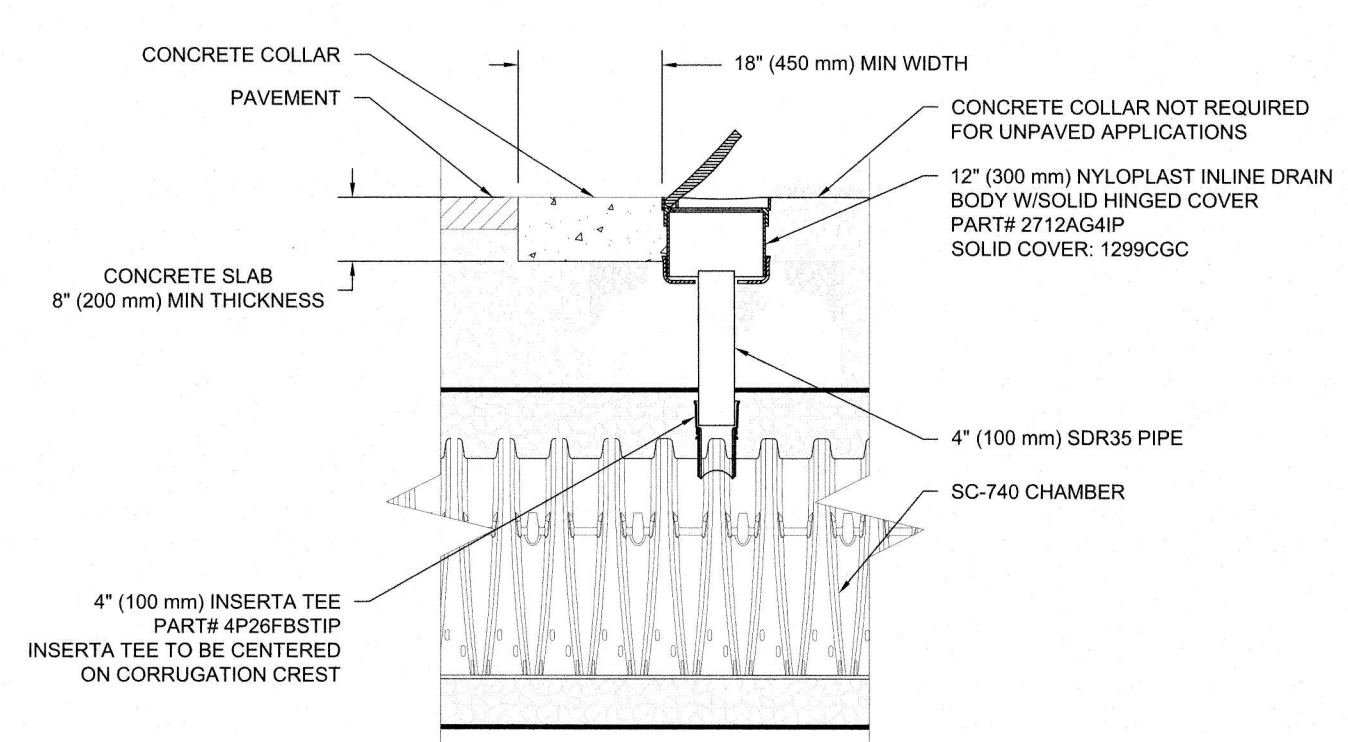
PART #	STUB	A	B	C
SC740EP06T / SC740EP06TPC	6" (150 mm)	10.9" (277 mm)	18.5" (470 mm)	---
SC740EP08B / SC740EP08BPC	8" (200 mm)	12.2" (310 mm)	16.5" (419 mm)	0.5" (13 mm)
SC740EP08T / SC740EP08TPC	8" (200 mm)	12.2" (310 mm)	---	0.6" (16 mm)
SC740EP08B / SC740EP08BPC	10" (250 mm)	13.4" (340 mm)	14.5" (368 mm)	---
SC740EP10T / SC740EP10TPC	10" (250 mm)	13.4" (340 mm)	---	0.7" (18 mm)
SC740EP10B / SC740EP10BPC	12" (300 mm)	14.7" (373 mm)	12.5" (318 mm)	1.2" (30 mm)
SC740EP12T / SC740EP12TPC	12" (300 mm)	14.7" (373 mm)	---	---
SC740EP12B / SC740EP12BPC	15" (375 mm)	18.4" (467 mm)	9.0" (229 mm)	---
SC740EP15T / SC740EP15TPC	15" (375 mm)	18.4" (467 mm)	---	1.3" (33 mm)
SC740EP15B / SC740EP15BPC	18" (450 mm)	19.7" (500 mm)	5.0" (127 mm)	---
SC740EP18T / SC740EP18TPC	18" (450 mm)	19.7" (500 mm)	---	1.6" (41 mm)
SC740EP18B / SC740EP18BPC	24" (600 mm)	18.5" (470 mm)	---	0.1" (3 mm)
SC740EP24B*	---	---	---	---

ALL STUBS, EXCEPT FOR THE SC740EP24B ARE PLACED AT BOTTOM OF END CAP SUCH THAT THE OUTSIDE DIAMETER OF THE STUB IS FLUSH WITH THE BOTTOM OF THE END CAP. FOR ADDITIONAL INFORMATION CONTACT STORMTECH AT 1-888-892-2894.

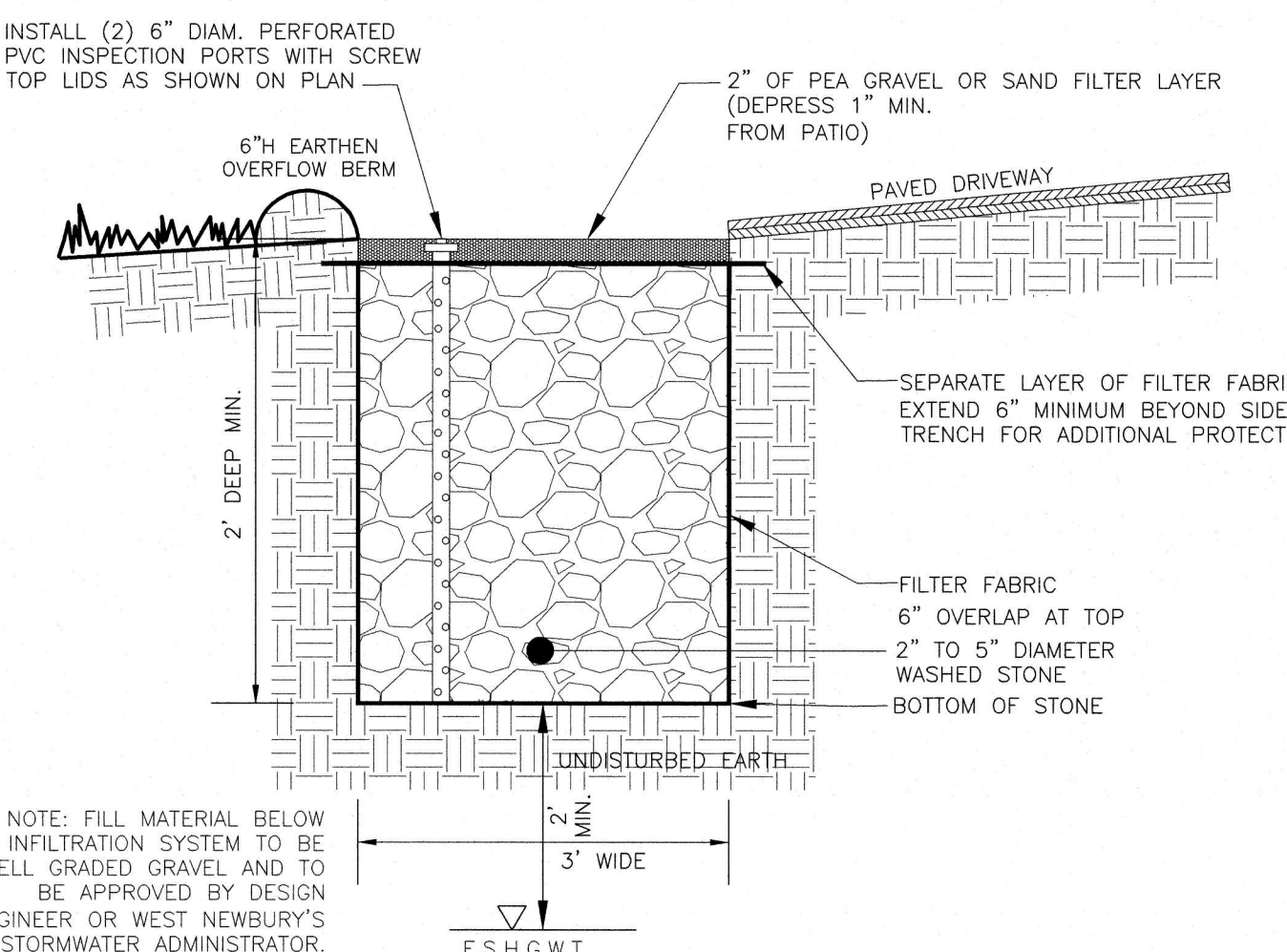
* FOR THE SC740EP24B THE 24" (600 mm) STUB LIES BELOW THE BOTTOM OF THE END CAP APPROXIMATELY 1.75" (44 mm). BACKFILL MATERIAL SHOULD BE REMOVED FROM BELOW THE N-12 STUB SO THAT THE FITTING SITS LEVEL.

NOTE: ALL DIMENSIONS ARE NOMINAL

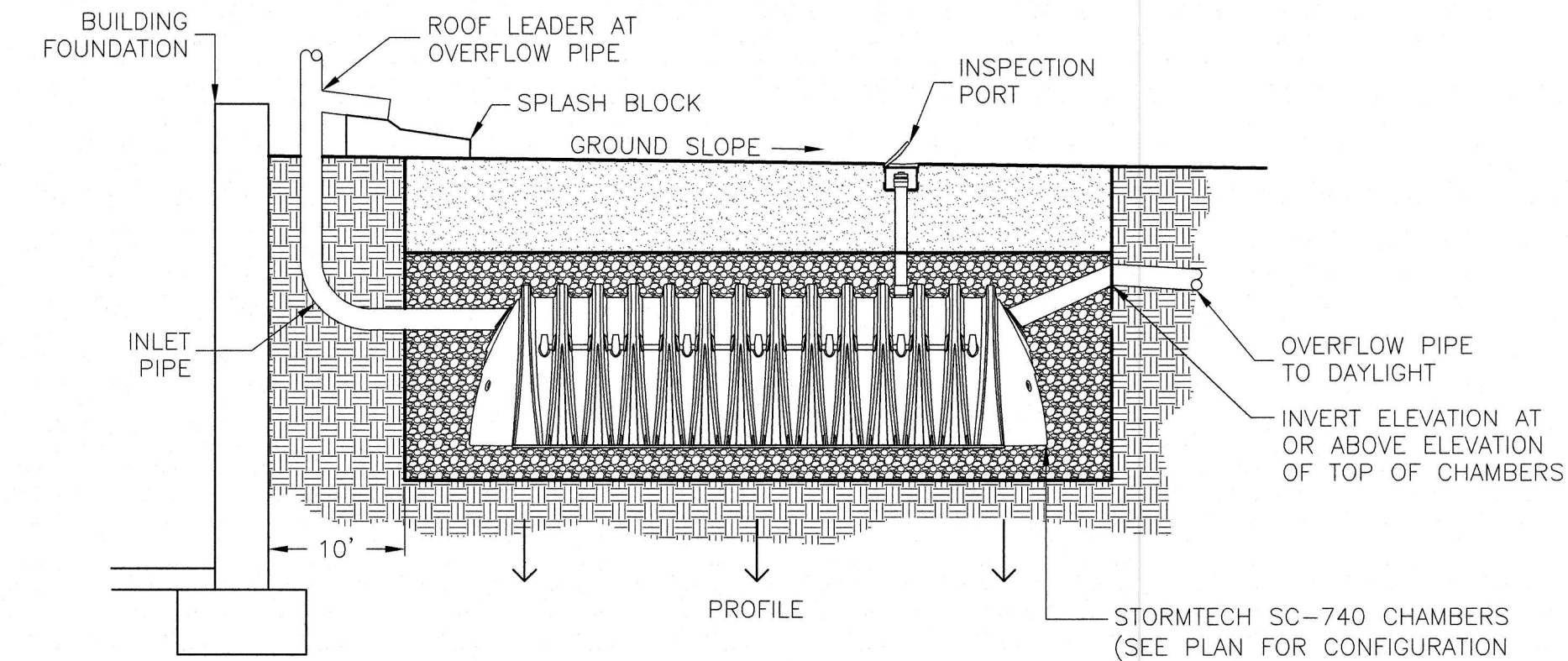
STORMTECH SC-740 TECHNICAL SPECIFICATIONS
NOT TO SCALE



STORMTECH SC-740 INSPECTION PORT
NOT TO SCALE



INFILTRATION TRENCH FOR DRIVEWAY RUNOFF
DETAIL
DETAIL N.T.S.



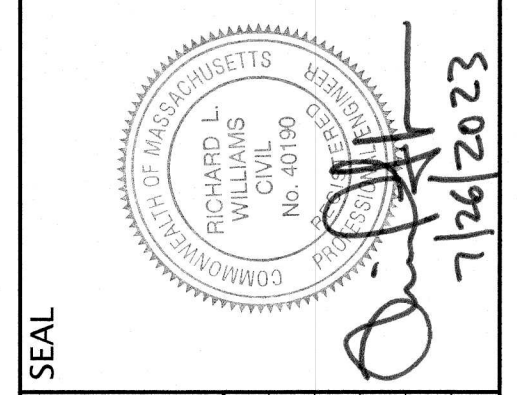
TYPICAL ROOF RECHARGE SYSTEM
DETAIL N.T.S.



Owner / Applicant:
William P. Spalding
87 Crane Neck Street
West Newbury, MA 01985

Designed By: CJH
Drawn By: PMB
Reviewed By: RLW
Project Manager: CJH
Drawing File Number: WNEW-0048
Drawing File Folder: WNEW48

Drawing Issued for Review
 Drawing Issued for Permit
 Drawing Issued for Construction



COMMON DRIVEWAY & STORMWATER MANAGEMENT PLAN
87 CRANE NECK STREET, WEST NEWBURY, MA

SCALE: NONE

JUNE 26, 2023

DRAWING: C-1.2

SHEET 2 OF 2

6	12
5	11
4	10
3	9
2	8
1	7

TOWN OF WEST NEWBURY
PLANNING BOARD
West Newbury, Massachusetts

FORM A
APPLICATION FOR APPROVAL NOT REQUIRED PLAN

Date of Filing

Submit three (3) copies of the Application with an original and four (4) copies of the plan. Also send PDF of application and plan to lzamb Bernardi@wnewbury.org .(Request the Town Clerk stamp two (2) Application forms and two (2) prints of the plan, keeping one set at the Town Clerk's office and filing the remainder sets with the Planning Board. See Sect. 3.1.1. for additional application procedures.)

To the Planning Board:

The undersigned, believing that the accompanying plan of property in the Town of West Newbury, Massachusetts does not constitute a subdivision within the meaning of the Subdivision Control Law, herewith submits said plan for a determination and endorsement that the Planning Board approval under the Subdivision Control Law is not required.

1. Name of Applicant(s): Brook View Trust - William & Dianne Spalding, Trustees

Address: 87 Crane Neck Street, West Newbury, MA

Telephone # 508-662-0893 E-mail address: wspalding@comcast.net

2. Name of Owner(s) (if other than Applicant(s)): _____

Address: _____

Telephone # _____

3. Location, Parcel size and Description of Property (include Assessor's Map & Lot and Zoning District(s)):

87 Crane Neck Street, 10.6 Acres - Assessors map R3, Lot 14B

Zoning District: Residence A

4. Deed Reference: Book 40466, Page 164 or Certificate of Title _____

5. Name of Surveyor: Williams & Sparages, LLC (John J. O'Rourke III)

Address: 189 North Main Street, Suite 101, Middleton, MA

Telephone: 978-539-8088

Signature(s) of Applicant(s):  _____

Signature(s) of Owner(s): _____
(if other than Applicant(s))

W. P. SPALDING CONTRACTING, INC.

P.O. BOX 477
WEST NEWBURY, MA 01985

DATE JULY 26, 2023 53-7150/2113

PAY
TO THE
ORDER OF

TOWN OF WEST NEWBURY

\$ 300.00

THREE HUNDRED AND 00/100

DOLLARS  Security Features on Back



**Newburyport
Bank**
JOURNEY WELL

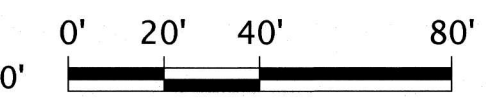
FOR _____

[Handwritten Signature]

MP

⑈007044⑈ ⑆211371502⑆ 2980 664 3⑈

PLAN OF LAND IN WEST NEWBURY, MA

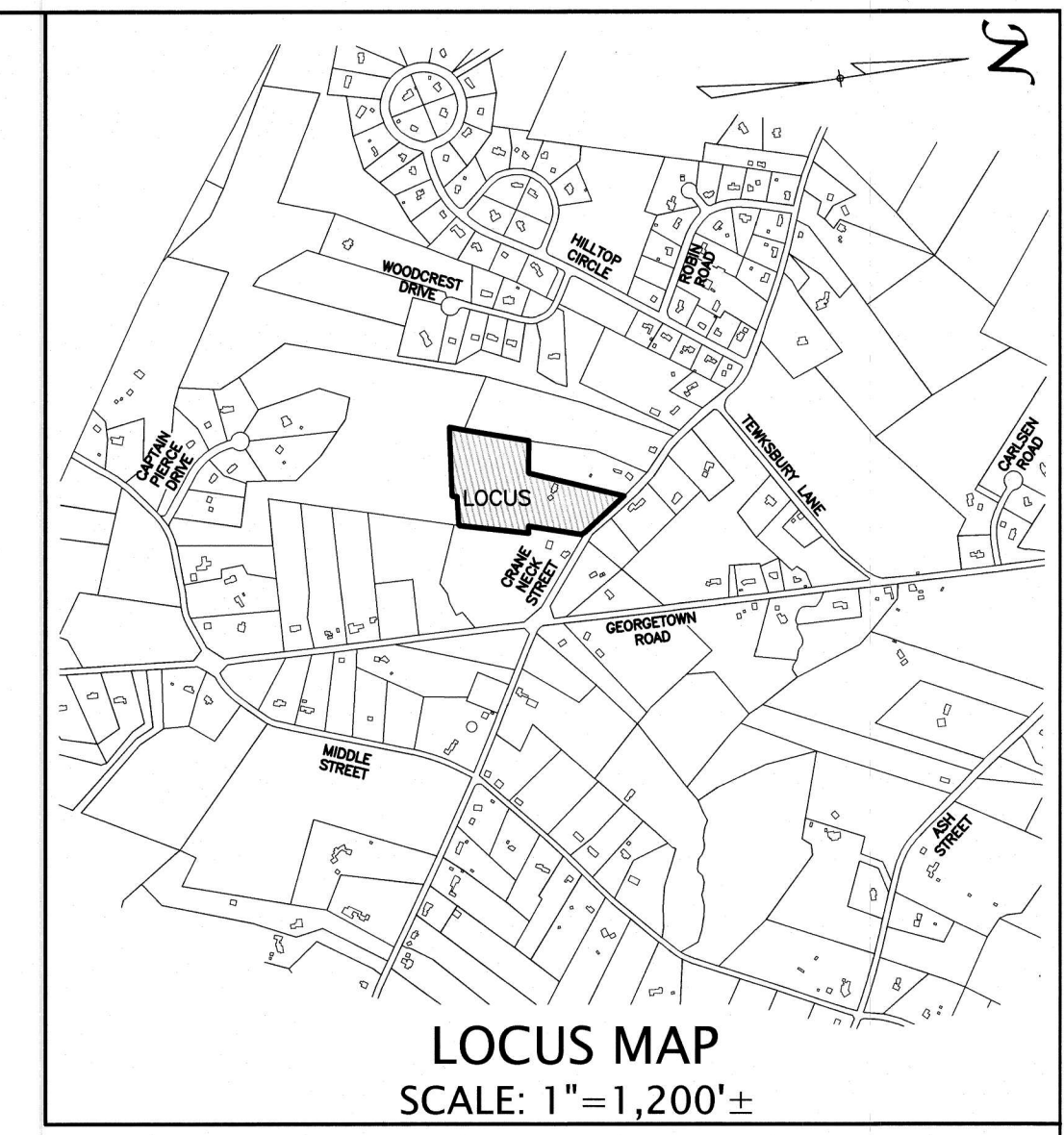
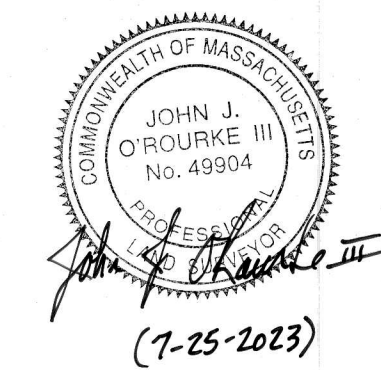
SCALE: 1" = 40'  DATE: JULY 25, 2023

87 CRANE NECK STREET



OWNER/APPLICANT:
BROOK VIEW TRUST
(WILLIAM P. SPALDING AND DIANNE E. SPALDING, TRUSTEES)
87 CRANE NECK STREET
WEST NEWBURY, MA 01985
ASSESSORS MAP R3 LOT 14B
(PARCEL ID 0030 0000 0014B)
DEED REFERENCE: BOOK 40466 PAGE 164
RECORDED AT THE ESSEX SOUTH REGISTRY OF DEEDS

PLAN REFERENCE:
PLAN BOOK 294 PLAN 46
RECORDED AT THE ESSEX SOUTH REGISTRY OF DEEDS



APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED
WEST NEWBURY PLANNING BOARD

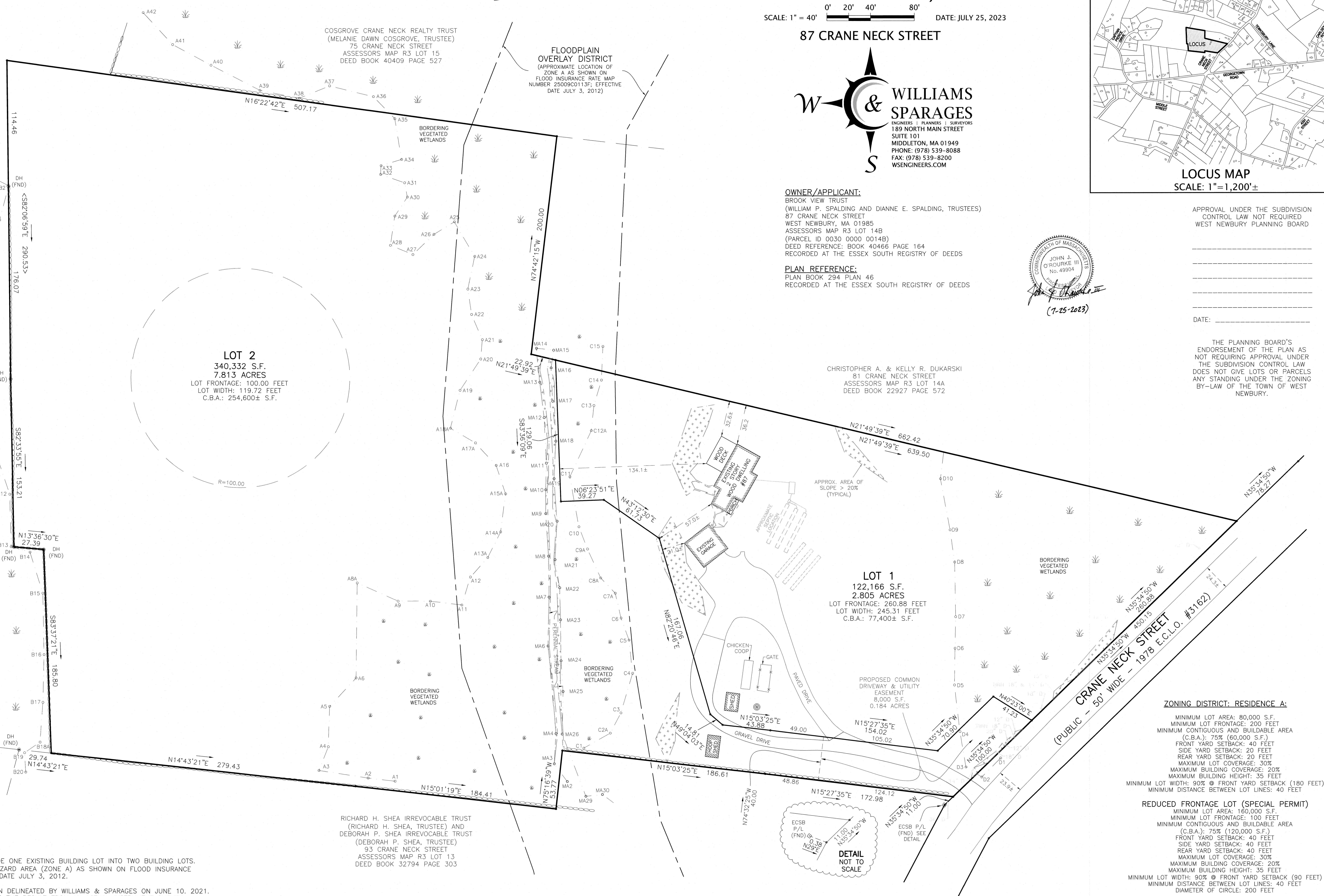
DATE: _____

THE PLANNING BOARD'S ENDORSEMENT OF THE PLAN AS NOT REQUIRING APPROVAL UNDER THE SUBDIVISION CONTROL LAW DOES NOT GIVE LOTS OR PARCELS ANY STANDING UNDER THE ZONING BY-LAW OF THE TOWN OF WEST NEWBURY.

I CERTIFY THAT I HAVE CONFORMED WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS IN PREPARING THIS PLAN.

John J. O'Rourke III, P.L.S.
WILLIAMS & SPARAGES LLC

TOWN OF WEST NEWBURY CONSERVATION COMMISSION
0 CAPTAIN PIERCE DRIVE
ASSESSORS MAP R3 LOT 14C
DEED BOOK 14284 PAGE 392

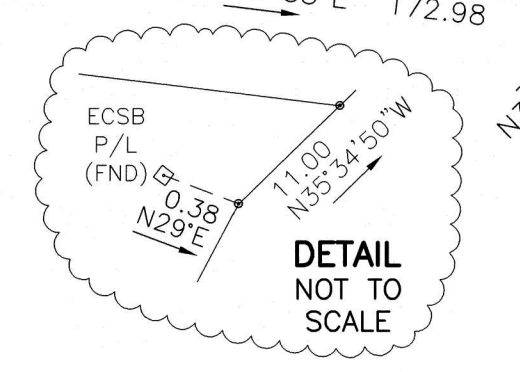


LEGEND OF ABBREVIATIONS

- DH - DRILL HOLE
- ECSB - ESSEX COUNTY STONE BOUND
- (FND) - FOUND
- 12" D - 12" DECIDUOUS TREE

- NOTES:**
1. THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE ONE EXISTING BUILDING LOT INTO TWO BUILDING LOTS.
 2. THIS PROPERTY DOES LIE WITHIN A FLOOD HAZARD AREA (ZONE A) AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBER 25009C0113F, EFFECTIVE DATE JULY 3, 2012.
 3. CRANE NECK STREET IS A SCENIC ROAD.
 4. WETLAND RESOURCE AREAS SHOWN HAVE BEEN DELINEATED BY WILLIAMS & SPARAGES ON JUNE 10, 2021.
 5. EXISTING TOPOGRAPHIC INFORMATION SHOWN IS THE RESULT FROM AN ACTUAL INSTRUMENT SURVEY CONDUCTED BY WILLIAMS & SPARAGES ON AUGUST 16, 2021.

RICHARD H. SHEA IRREVOCABLE TRUST
(RICHARD H. SHEA, TRUSTEE) AND
DEBORAH P. SHEA IRREVOCABLE TRUST
(DEBORAH P. SHEA, TRUSTEE)
93 CRANE NECK STREET
ASSESSORS MAP R3 LOT 13
DEED BOOK 32794 PAGE 303



- ZONING DISTRICT: RESIDENCE A:**
- MINIMUM LOT AREA: 80,000 S.F.
 - MINIMUM LOT FRONTAGE: 200 FEET
 - MINIMUM CONTIGUOUS AND BUILDABLE AREA (C.B.A.): 75% (60,000 S.F.)
 - FRONT YARD SETBACK: 40 FEET
 - REAR YARD SETBACK: 40 FEET
 - SIDE YARD SETBACK: 20 FEET
 - REAR YARD SETBACK: 20 FEET
 - MAXIMUM LOT COVERAGE: 30%
 - MAXIMUM BUILDING COVERAGE: 20%
 - MAXIMUM BUILDING HEIGHT: 35 FEET
- REDUCED FRONTAGE LOT (SPECIAL PERMIT)**
- MINIMUM LOT AREA: 160,000 S.F.
 - MINIMUM LOT FRONTAGE: 100 FEET
 - MINIMUM CONTIGUOUS AND BUILDABLE AREA (C.B.A.): 75% (120,000 S.F.)
 - FRONT YARD SETBACK: 40 FEET
 - REAR YARD SETBACK: 40 FEET
 - SIDE YARD SETBACK: 40 FEET
 - REAR YARD SETBACK: 40 FEET
 - MAXIMUM LOT COVERAGE: 30%
 - MAXIMUM BUILDING COVERAGE: 20%
 - MAXIMUM BUILDING HEIGHT: 35 FEET
- MINIMUM LOT WIDTH: 90% @ FRONT YARD SETBACK (180 FEET)
MINIMUM DISTANCE BETWEEN LOT LINES: 40 FEET
- PROPERTY PARTIALLY LIES IN FLOODPLAIN OVERLAY DISTRICT.

**TOWN OF WEST NEWBURY PLANNING BOARD
APPLICATION FOR SPECIAL PERMIT and/or SITE PLAN REVIEW**

Application for: Special Permit Site Plan Review Both

(Adopted December 21, 2011)

Please type or print clearly.

1. Applicant: Brook View Trust (William & Dianne Spalding)

Applicant's Address: 87 Crane Neck Street, West Newbury, MA

Telephone Number: 508-662-0893

2. Owners of the Land: Same as Applicant

Address: _____

Telephone Number: _____

Number of years of Ownership: 29 years

3. Year Lot was Created: 1994

4. Description of Proposed Project, including applicable section(s) of the Zoning Bylaw: Common driveway to service 87 Crane Neck Street (Lot 1) & proposed Lot 2

Special permit under section 7.D. of the Zoning Bylaw

5. Description of Premises: Existing driveway servicing #87 Crane Neck Street, which is an existing single family home

6. Address of Property Affected: 87 Crane Neck Street, West Newbury

Zoning District: Residence A

Assessors: _____ Map: R3 Lot #: 14B

Registry of Deeds: _____ Book: 40466 Page: 164

Plan Book and Plan Number book 294/page 46

7. Existing Lot:
Lot Area (sq. ft.) 10.6 Acres

Street Frontage _____

Front Setback _____

Building Height _____

Side Setbacks _____

Rear Setback _____

Floor Area Ratio _____

Lot Coverage _____

8. Proposed Lot (if applicable):

Lot Area (sq. ft.) _____
Street Frontage _____
Front Setback _____
Floor Area Ratio _____

Building Height: _____
Side Setbacks _____
Rear Setback _____
Lot Coverage _____

9. Required Lot (as required by Zoning Bylaw):

Lot Area (sq. ft.) _____
Street Frontage _____
Front Setback _____
Floor Area Ratio _____

Building Height _____
Side Setbacks _____
Rear Setback _____
Lot Coverage _____

10. Existing Building (if applicable):

Ground Floor (sq.ft.) _____
Total sq. ft. _____
Use: _____

of Floors _____
Height _____
Type of Construction _____

11. Proposed Building:

Ground Floor (sq.ft.) _____
Total sq. ft. _____
Use: _____

of Floors _____
Height _____
Type of Construction _____

12. Has there been a previous application for a Special Permit or Site Plan Review from the Planning Board on these premises? none known **If so, when, what type of construction, and the action made?**

13. Applicant and Landowner signature(s):

Every Application for a Special Permit/Site Plan Review shall be made on this form which is the official form of the Planning Board. Every Application shall be filed with the Town Clerk's Office. It shall be the responsibility of the Applicant to furnish all supporting documentation with this application. The dated copy of this Application received by the Town Clerk or Planning Office does not absolve the Applicant from this responsibility. The Applicant shall be responsible for all expenses for filing and legal notification. Failure to comply with application requirements, as cited herein and in the Planning Board Regulations, may result in a dismissal by the Planning Board of this Application as incomplete.

Applicant's Signature: 

Print or type name here: WILLIAM P. SPADING

Date: _____

Owner's Signature:



Print or type name here:

WILLIAM P. STALORING

Date: _____

7045

W. P. SPALDING CONTRACTING, INC.

P.O. BOX 477
WEST NEWBURY, MA 01985

DATE JULY 26 2022 53-7150/2113

PAY
TO THE
ORDER OF

TOWN OF WEST NEWBURY
FIVE HUNDRED AND 00/100

\$ 500.00

DOLLARS  Security Features
included
Dated on Back



**Newburyport
Bank**
JOURNEY WELL

Michael Spalding

FOR _____

⑈007045⑈ ⑆211371502⑆ 2980 664 3⑈



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:

078-0738

MassDEP File #

eDEP Transaction #

West Newbury

City/Town

A. General Information

Please note:
this form has
been modified
with added
space to
accommodate
the Registry
of Deeds
Requirements

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



1. From: West Newbury
Conservation Commission

2. This issuance is for (check one):
a. Order of Conditions b. Amended Order of Conditions

3. To: Applicant:
William P. Spalding
a. First Name b. Last Name

87 Crane Neck Street
c. Organization d. Mailing Address

West Newbury MA 01985
e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):
SAME
a. First Name b. Last Name

87 Crane Neck Street
c. Organization d. Mailing Address

West Newbury MA 01985
e. City/Town f. State g. Zip Code

5. Project Location:
87 Crane Neck Street West Newbury
a. Street Address b. City/Town

30 14B
c. Assessors Map/Plat Number d. Parcel/Lot Number

Latitude and Longitude, if known: 42.778473 -70.990599
d m s d m s



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 078-0738
 MassDEP File #
 eDEP Transaction #
 West Newbury
 City/Town

A. General Information (cont.)

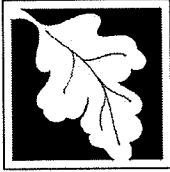
6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
Essex South
 a. County Essex South b. Certificate Number (if registered land) 12
 c. Book 36294 d. Page 12
7. Dates: 11/29/2021 04/04/2022 04/11/2022
 a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance
8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
Plan to Accompany a Notice of Intent 87 Crane Neck Street, West Newbury, MA (2 Sheets)
 a. Plan Title Williams & Sparages b. Prepared By Richard L. Williams
 c. Signed and Stamped by 04/05/2022 d. Final Revision Date 1" = 40'
 e. Scale
- f. Additional Plan or Document Title _____ g. Date _____

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:
 Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:
- a. Public Water Supply b. Land Containing Shellfish c. Prevention of Pollution
 d. Private Water Supply e. Fisheries f. Protection of Wildlife Habitat
 g. Groundwater Supply h. Storm Damage Prevention i. Flood Control
2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- a. the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
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West Newbury
City/Town

B. Findings (cont.)

Denied because:

- b. the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
3. Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) _____ a. linear feet

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
5. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	883	883	1967	1967
6. <input type="checkbox"/> Land Under Waterbodies and Waterways	a. square feet	b. square feet	c. square feet	d. square feet
	e. c/y dredged	f. c/y dredged		
7. <input checked="" type="checkbox"/> Bordering Land Subject to Flooding	2180	2180	3300	3300
	a. square feet	b. square feet	c. square feet	d. square feet
Cubic Feet Flood Storage	1923	1923	4171	4171
	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	a. square feet	b. square feet		
Cubic Feet Flood Storage	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. <input checked="" type="checkbox"/> Riverfront Area	7912	7912		
	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	4933	4933	0	0
	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	2979	2979	0	0
	g. square feet	h. square feet	i. square feet	j. square feet



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

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 West Newbury
 City/Town

B. Findings (cont.)

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	_____	_____		
	a. square feet	b. square feet		
	_____	_____		
	c. c/y dredged	d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	_____	_____	_____	_____
	a. square feet	b. square feet	c. nourishment	d. nourishment
			cu yd	cu yd
14. <input type="checkbox"/> Coastal Dunes	_____	_____	_____	_____
	a. square feet	b. square feet	c. nourishment	d. nourishment
			cu yd	cu yd
15. <input type="checkbox"/> Coastal Banks	_____	_____		
	a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	_____	_____		
	a. square feet	b. square feet		
17. <input type="checkbox"/> Salt Marshes	_____	_____	_____	_____
	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	_____	_____		
	a. square feet	b. square feet		
	_____	_____		
	c. c/y dredged	d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	_____	_____	_____	_____
	a. square feet	b. square feet	c. square feet	d. square feet
20. <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			
	_____	_____		
	a. c/y dredged	b. c/y dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	_____		
	a. square feet	b. square feet		
22. <input type="checkbox"/> Riverfront Area	_____	_____		
	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	_____	_____	_____	_____
	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	_____	_____	_____	_____
	g. square feet	h. square feet	i. square feet	j. square feet



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:

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City/Town

B. Findings (cont.)

* #23. 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.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

23. Restoration/Enhancement *:

a. square feet of BVW

b. square feet of salt marsh

24. Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. The work is a maintenance dredging project as provided for in the Act; or
 - b. The time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
 - c. If the work is for a Test Project, this Order of Conditions shall be valid for no more than one year.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order. An Order of Conditions for a Test Project may be extended for one additional year only upon written application by the applicant, subject to the provisions of 310 CMR 10.05(11)(f).
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on 04/11/2025 unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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C. General Conditions Under Massachusetts Wetlands Protection Act

8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]
"File Number 078-0738 "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.
19. The work associated with this Order (the "Project")
- (1) is subject to the Massachusetts Stormwater Standards
- (2) is NOT subject to the Massachusetts Stormwater Standards

If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:

- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:
- i.* all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
 - ii.* as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
 - iii.* any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;



Massachusetts Department of Environmental Protection
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 West Newbury
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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;

v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following:

i.) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and

ii.) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.

d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.

8 of 24



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:

078-0738

MassDEP File #

eDEP Transaction #

West Newbury

City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):

Please see attached 5 pages of Special Conditions, 4 Pages of Standard Conditions, and approved plan recorded herewith.

20. For Test Projects subject to 310 CMR 10.05(11), the applicant shall also implement the monitoring plan and the restoration plan submitted with the Notice of Intent. If the conservation commission or Department determines that the Test Project threatens the public health, safety or the environment, the applicant shall implement the removal plan submitted with the Notice of Intent or modify the project as directed by the conservation commission or the Department.

SPECIAL CONDITIONS
87 Crane Neck Street
DEP #78-0738

Construction of gravel driveway and installation of a box culvert within the 200' riverfront area of a perennial stream and clearing of land within the 100' buffer zone of bordering vegetated wetland.

1. All work shall conform to the following approved plans and documents: Plan to Accompany a Notice of Intent, 87 Crane Neck Street, West Newbury, MA, prepared by Williams & Sparages LLC, dated November 29, 2021, with a final revision date of April 5, 2022, stamped by Richard L. Williams, P.E., Sheets 1 & 2, a copy of which is recorded and incorporated into these conditions.
2. Due to the proximity of the development to wetlands and in order to maintain the integrity of the resource area, naturally vegetated areas extending twenty-five (25) feet from the wetlands delineated in the above referenced plan shall remain in place, undisturbed, except in the area of the wetland crossing for the gravel driveway.
3. Permanent markers designating the natural vegetation areas described above, selected by the applicant and approved by the West Newbury Conservation Commission before installation, shall be placed along the 25-foot offset from the wetlands in the locations shown on the approved plan. The markers shall be installed so that they are buried four feet into the ground and extend four feet above ground with the West Newbury plaques attached. The markers shall be replaced if they deteriorate.
4. Pesticides, insecticides and herbicides shall not be used on site within 100 feet of a resource area. Fertilizer used for landscaping and lawn care shall be low in nitrogen content and shall be used in moderation. Any proposed change in these requirements requires the submission of a plan to the WNCC and its approval by the WNCC before implementation of any change.
5. All grass and landscape clippings shall be disposed of outside the buffer zone to any wetland resource area.
6. No sodium-based deicers shall be used on the driveway either crossing or within the buffer zone of a wetland resource area. Deicing compounds to be used in those areas shall consist of CaCl_2 and calcium magnesium acetate (CMA).
7. Any disturbance or maintenance in the portions of the natural vegetation areas extending from the resource areas delineated by the "C" and "D" lines shall stop immediately, the areas shall be replanted with the species shown on the approved plan, and the areas shall thereafter be left undisturbed.

8. A construction schedule shall be submitted to the WNCC at least 72 hours prior to the commencement of any site work.
9. Erosion control measures shall be installed by the applicant as shown on the approved plan and shall be inspected and approved by the WNCC prior to any other work under this Order. Erosion control shall consist of staked compostable filter sock at least 12" in diameter backed by staked and trenched silt fence. In the replication area erosion control shall consist of staked and trenched silt fence.
10. The erosion control line indicated on the plan shall be the limit of disturbance on the project, except in the area of the wetland crossing
11. Contact information for the applicant's on-site supervisor shall be provided to the West Newbury Conservation Agent and the on-site supervisor shall meet with the Agent on site after submission of the construction schedule and prior to the commencement of any site work to review site conditions, erosion control installation, any materials stockpiling locations and controls, and all provisions of the order of conditions. The on-site supervisor shall have a copy of the approved plan on-site while any work is being done.
12. The wetlands crossing shall be constructed in accordance with:
 - a) the approved plan, which is incorporated in this Order and a copy of which is recorded with this Order;
 - b) the schedule and methods for installation of the culvert, which shall be submitted to and approved by the WNCC prior to the beginning of installation; and
 - c) the following conditions.
 - i. The work shall be done under the direction and supervision of a professional wetland scientist.
 - ii. All wetlands flags shall be re-established and inspected by the WNCC before any work associated with the wetland crossing.
 - iii. The erosion control associated with the wetland crossing, which shall consist of staked compostable filter sock at least 12" in diameter backed by staked and trenched silt fence, shall be installed prior to the commencement of any work on the crossing. The WNCC shall be notified after the erosion control for the crossing has been installed and that erosion control shall be inspected and approved by the WNCC prior to any other work associated with the wetlands crossing.
 - iv. Any vegetation or soils excavated for the wetlands crossing which are intended to be used in the replication area shall be stockpiled on a tarpaulin

outside the buffer zone and surrounded by straw bales and trenched silt fence. Any other vegetation or soils excavated for the wetlands crossing which are not intended for use in the replication area shall be removed and disposed of outside any resource area or buffer zone.

- v. Following installation of the culvert, any sediment from the construction effort, shall be removed by hand using a flat shovel and disposed of outside any resource area or buffer zone.
 - vi. Any disturbed areas shall be scarified using a steel rake, restored using hand tools under the direction of a professional wetlands scientist, and seeded with New England Wetland Seed Mix or an equivalent approved by the WNCC as set out on sheet 2 of the approved plan as soon as possible after culvert installation.
13. The replication area shall be constructed immediately following the construction of the wetland crossing. Replication shall be done in accordance with the Proposed Wetland/Compensatory Floodplain Replication Area Construction Methodology detailed on the approved plan. The construction of the wetland/compensatory floodplain replication area shall be done under the direction and supervision of a professional wetland scientist. The replication area shall meet the performance standards set out at 310 CMR 10.55(4) and shall be constructed in accordance with the following conditions:
- a. The erosion control, which shall consist of staked and trenched silt fence, shall be installed from the upland side of the proposed wetland replication area and shall be inspected and approved by the WNCC prior to the commencement of any work in the replication area.
 - b. Soil removed from the wetland replication area shall be disposed of outside any resource area or buffer zone.
 - c. The wetland replication area shall be excavated to the depth necessary to achieve the proper hydrology, but to a depth of at least one (1) foot below the proposed finish grade. The elevation of the bottom of the replication area shall be observed by a certified soil evaluator and/or professional wetland scientist and documented. The documentation shall be submitted to the WNCC prior to the placement of the wetland soils in the wetland replication area. It is understood that adjustment to the depth of excavation may be required by field conditions. Any adjustment must be done at the direction of, and under the supervision of, a professional wetland scientist. The professional wetland scientist shall advise the WNCC of any field adjustment before any materials are placed into the replication area so that the depth of the replication area may be inspected.
 - d. After the final elevations of the excavated replication area have been approved, any stockpiled soils from the wetland area impacted by installation of the wetland

crossing shall be placed in the replication area if they are found to be suitable and approved as a soil amendment by the professional wetland scientist overseeing the wetland replication area construction effort. Additional soil amendments required to bring the replication areas to the specified grades shall be as specified in the Proposed Wetland/Compensatory Floodplain Replication Area Construction Methodology detailed on the approved plan. Imported soil shall be clean and free of contaminants.

- e. Following the placement of soils in the wetland replication area, the area shall be planted using hand tools with the species specified on the approved plan and shall be obtained from a nursery specializing in the propagation of wetland plants. The area shall then be scarified with a steel rake and seeded with the seed mix specified in the approved plan at the specified application rate.
- f. All planting and seeding in the replication area shall be done under the supervision of a professional wetland scientist.
- g. Planting shall be done from mid-May to late June or from early September to mid-October.
- h. Erosion controls shall be maintained until the wetland replication areas are fully established and their removal is approved by the WNCC
- i. In addition to the requirements above, the following are also required:
 - 1) The WNCC shall be notified of the date excavation for the replication area is to begin at least 48 hours before that excavation.
 - 2) The professional wetland scientist supervising the wetland replication area construction effort shall be present at the wetland replication area during excavation and placement of the soil amendments to ensure correct depth and soil conditions and shall contact the WNCC Conservation Agent after the following key stages so that the agent can also inspect the project:
 - I. Following the excavation of the replication area;
 - II. After soil amendments are delivered to the site and before deposition into the wetland replication area;
 - III. Following the deposition of any soil amendments into the wetland replication area.
 - 3) The wetland replication area shall be monitored for two (2) complete growing seasons by a Professional Wetland Scientist to ensure at least 75% of the surface area is re-established with indigenous wetland plant species. During this time monitoring reports shall be submitted to the WNCC during the monitoring period, in May and September, that document the status of the species planted as well as the progress of the seed mix. The monitoring

reports shall include photographs of the wetland replication area.

- 4) During the two (2) year monitoring period, species that do not thrive shall be replaced under the direction of a professional wetland scientist. Invasive species in the replication area shall be removed by hand pulling and be disposed of off-site following best management practices.
 - 5) If less than 75% of the surface area of the replication area is covered with wetland species at the end of the second complete growing season, a supplemental planting plan to achieve that coverage shall be submitted to, and be approved by, the WNCC. The required monitoring will continue until compliance is achieved.
14. Any trees, shrubs, other vegetation, soil, or other materials cleared from the buffer zone extending from the wetland resource area delineated with line "B" shall be disposed of outside any resource area and buffer zone.
 15. The proposed spruce trees shown on the approved plan along the driveway shall be native species evergreens.
 16. Any additional work in an area within the jurisdiction of the WNCC, shall require a new filing with the WNCC.
15. Conditions #2, #3, #4, #5, #6, #7, and #16 shall run with the land and shall remain in full force and effect after the issuance of a Certificate of Compliance.

The following Conditions are issued pursuant to Mass. General Laws c. 131 S40 and 301 CMR 10.00 et seq, and regulate those activities conducted in a Resource Area or Buffer Zone thereto.

STANDARD CONDITIONS

87 Crane Neck Street

DEP # 078-0738

Construction of gravel driveway and installation of a box culvert within the 200' riverfront area of a perennial stream and clearing of land within the 100' buffer zone of bordering vegetated wetland.

PROCEDURES:

1. All work must conform to the plans submitted and to the Notice of Intent unless otherwise stipulated in the Order of Conditions or authorized by the West Newbury Conservation Commission.
2. This Order of Conditions must be recorded at the Registry of Deeds, with the recording information submitted to this Commission, prior to the commencement of site work or construction, or within 60 days of the issuance of this Order if construction is not commenced.
3. If the applicant is not the record owner of the property subject to this Order of Conditions, the applicant must, prior to the recording of this Order, provide to this Commission, a written, notarized statement, executed by the owner of the property approving the recording of the Order of Conditions at said Registry of Deeds.
4. The Conservation Commission shall be notified, in writing, at the time of all transfers of title on this property that occur prior to the issuance of a Certificate of Compliance.
5. In conjunction with the sale of any lot with a resource area under an Order of Conditions, the applicant shall submit to the WNCC a signed statement by the buyer that he is aware of an outstanding Order of Conditions on the property.
6. The applicant or his successor shall notify the WNCC, in writing, and before site work begins, of the name, address, business and home phone numbers of the project supervisor responsible for compliance with this Order.
7. This Order shall be made part of all general and subcontractors' (responsible for site work) written contract.
8. Any modifications or revisions to the referenced plans and/or Notice of Intent shall be submitted to the WNCC for review and to determine if a new Notice of Intent is

required. The WNCC reserves the right to require the applicant to file a new Notice of intent for any appropriate plan changes or submittals.

9. No additional new construction or disturbance of the wetland as defined by vegetation, or the 100ft. buffer zone around the wetland, shall be permitted on this site until the Commission has made a determination.
10. Issuance of this condition does not in any way imply or certify that the site or downstream areas will not be subject to flooding, storm damage, or any other form of damage due to wetness.
11. Upon completion of work, and in order to receive a Certificate of Compliance, the applicant shall submit an as-built plan of all areas within jurisdiction of the Wetlands Protection Act. The professional engineer of record, certifying compliance with this Order of Conditions, shall sign the plan. The plan shall include:
 - a. As-built elevations of all drainage ways constructed within 100ft. of any wetland resource area.
 - b. As-built elevations and grades of all filled or altered wetland resource areas, buffer zones and replicated wetland areas.
 - c. Distances to all structures within 100ft. of any wetland resource area.
 - d. The original plan can be used and any changes in the elevations or locations be marked in red.

Submit the request in writing, along with the appropriate local fee, using DEP form WPA 8A. Make sure all original Conditions were met.

12. All erosion control shall be removed as soon as disturbed areas have been revegetated and stabilized, but only after consultation with the Agent and a determination by the Agent that disturbed areas have been sufficiently revegetated/stabilized to warrant removal of the erosion control. The erosion control must be removed before a request for certificate of compliance is requested.
13. The Order of Conditions is valid for three years. A Certificate of Compliance must be requested before the order of conditions expires unless the order has been extended.

SITE WORK:

14. Erosion and siltation prevention measures must be properly installed before construction. Securely installed silt fence backed with doubly staked hay bales, both embedded a minimum of 6" into existing grade, shall be placed between construction areas and wetland areas. Unless otherwise specified. Prior to installation of these devices, the Conservation Agent shall be contacted for instruction as to proper installation. Both hay bales and silt fence shall be

maintained throughout the project until all disturbed areas have been mulched, seeded and stabilized to prevent erosion.

- 15.** The erosion control shall indicate the limit of construction on site and there shall be no disturbance between the erosion control and a wetland resource area unless specifically allowed by the Order of Conditions.
- 16.** If during the course of construction, it is found that further erosion or siltation is needed, the WNCC shall direct the applicant upon its placement.
- 17.** Grading shall conform to the plans and data referenced in special condition #1 above. In all cases, final grades shall have a minimum of two inches of topsoil (measured in place) over all disturbed areas. In all cases exposed soil areas shall be stabilized with vegetation, e.g., grass or some form of ground cover plant. In no case shall wood chips, mulch, or similar covering be acceptable on sloping ground in lieu of vegetation,
- 18.** Upon completion of construction and grading, all disturbed areas located outside resource areas shall be stabilized permanently against erosion. This shall be done either by sodding, or by loaming, seeding, and mulching according to Soil Conservation Service standards. If the latter course is chosen, stabilization will be complete when the surface shows complete vegetative cover.
- 19.** Unless otherwise stipulated herein, all work within a resource area, or the 100ft buffer zone, shall cease on October 15th of any given year, and the site shall be stabilized either with winter rye, mulch hay or other suitable material by November 1st. No work in the above states areas should recommence until April 15th, of the following year.
- 20.** Before hay bales or silt fences are removed, after the area in question has been stabilized by revegetation or at the completion of a project, all accumulated silt behind the fences shall be carefully removed and placed sufficiently far from the wetland area that it cannot wash into the wetlands.
- 21.** No earthen embankment in any buffer zone area shall have a slope steeper than 2:1.
- 22.** Dust control, if required, shall be limited to water; no salts or other wetting agents shall be used.
- 23.** No dirt stockpiles, construction materials, spoils of construction, or equipment shall be stored, placed or operated in the wetland areas, unless specifically allowed by the Order of Conditions.
- 24.** Fill stored within 100ft. of the wetland of the must have adequate erosion control measures surrounding it.

25. Only clean fill shall be used on this site, as indicated in General Condition #6.

26. No construction site bury holes shall be located within 100ft. of the wetland.

POLLUTION CONTROL:

27. No on-site dumpster shall be located within 100ft. of the wetland.

28. During and after work on this project, there shall be no discharge or spillage of fuel, oil, construction debris, or other pollutants into any wetland area.

29. Petroleum products, toxic materials, and construction debris shall be disposed of off-site.

30. Since the underground storage of petroleum products cannot be effectively monitored for loss, and presents a hazard to ground water and wetland resources, such storage is prohibited. This condition shall be included with the Certificate of Compliance so as to run with the land.

31. Equipment must be washed prior to entering the work area to remove leaked petroleum products and avoid introduction of invasive plants.

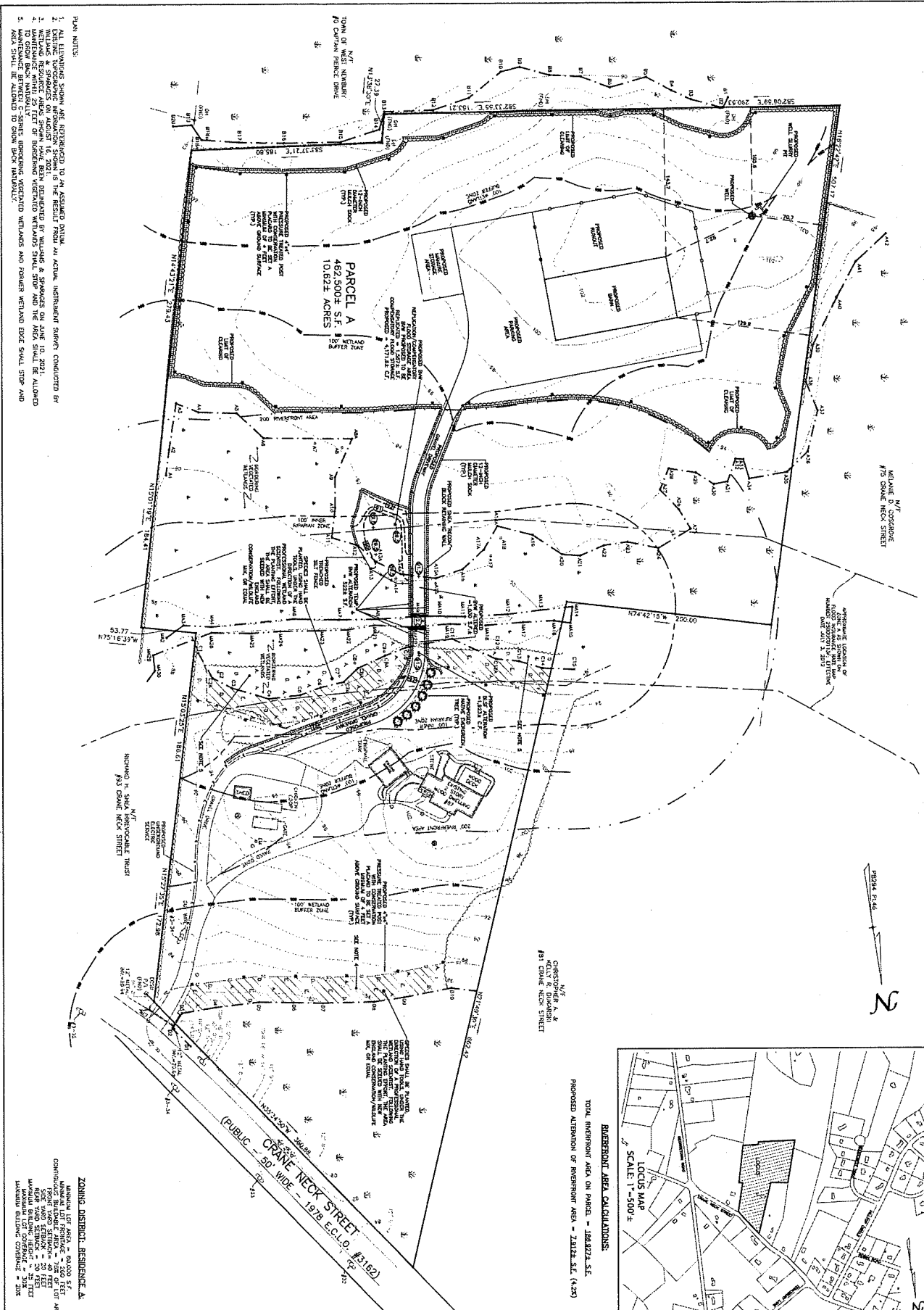
32. To avoid leaks, equipment must be repaired prior to construction.

33. Applicant must be prepared to use petroleum absorbing "diapers" if necessary.

34. Refueling areas and hazardous material containment areas shall be located away from streams and other sensitive areas. All refueling areas shall be outside of the 100 foot buffer zone and the 200 Riverfront Areas.

35. Appropriate areas for washing concrete mixers must be established outside of the 100 foot buffer zone of a wetland resource area and outside the Riverfront Area; in order to prevent concrete wash water from entering rivers and streams.

36. Temporary stockpiles must be covered or surrounded with erosion controls to prevent erosion into resource areas.

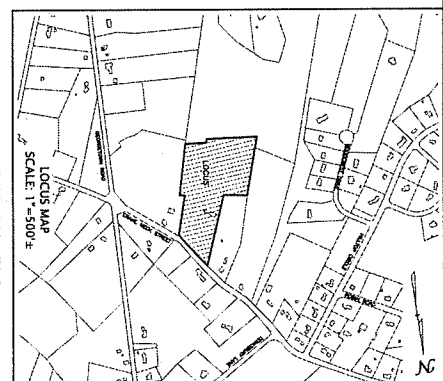


PLAN NOTES:

1. ALL ALTERATIONS SHOWN ARE REFERENCED TO AN ASSUMED DRIVE.
2. VARIANCE A GRANTED ON AUGUST 16, 2021 IS THE RESULT FROM AN ACTUAL NEIGHBORHOOD SURVEY CONDUCTED BY THE TOWN OF WEST NEWBURY.
3. VARIANCE B GRANTED ON AUGUST 16, 2021 IS THE RESULT FROM AN ACTUAL NEIGHBORHOOD SURVEY CONDUCTED BY THE TOWN OF WEST NEWBURY.
4. VARIANCE C GRANTED ON AUGUST 16, 2021 IS THE RESULT FROM AN ACTUAL NEIGHBORHOOD SURVEY CONDUCTED BY THE TOWN OF WEST NEWBURY.
5. VARIANCE D GRANTED ON AUGUST 16, 2021 IS THE RESULT FROM AN ACTUAL NEIGHBORHOOD SURVEY CONDUCTED BY THE TOWN OF WEST NEWBURY.
6. VARIANCE E GRANTED ON AUGUST 16, 2021 IS THE RESULT FROM AN ACTUAL NEIGHBORHOOD SURVEY CONDUCTED BY THE TOWN OF WEST NEWBURY.
7. VARIANCE F GRANTED ON AUGUST 16, 2021 IS THE RESULT FROM AN ACTUAL NEIGHBORHOOD SURVEY CONDUCTED BY THE TOWN OF WEST NEWBURY.
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10. VARIANCE I GRANTED ON AUGUST 16, 2021 IS THE RESULT FROM AN ACTUAL NEIGHBORHOOD SURVEY CONDUCTED BY THE TOWN OF WEST NEWBURY.
11. VARIANCE J GRANTED ON AUGUST 16, 2021 IS THE RESULT FROM AN ACTUAL NEIGHBORHOOD SURVEY CONDUCTED BY THE TOWN OF WEST NEWBURY.
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16. VARIANCE O GRANTED ON AUGUST 16, 2021 IS THE RESULT FROM AN ACTUAL NEIGHBORHOOD SURVEY CONDUCTED BY THE TOWN OF WEST NEWBURY.
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19. VARIANCE R GRANTED ON AUGUST 16, 2021 IS THE RESULT FROM AN ACTUAL NEIGHBORHOOD SURVEY CONDUCTED BY THE TOWN OF WEST NEWBURY.
20. VARIANCE S GRANTED ON AUGUST 16, 2021 IS THE RESULT FROM AN ACTUAL NEIGHBORHOOD SURVEY CONDUCTED BY THE TOWN OF WEST NEWBURY.
21. VARIANCE T GRANTED ON AUGUST 16, 2021 IS THE RESULT FROM AN ACTUAL NEIGHBORHOOD SURVEY CONDUCTED BY THE TOWN OF WEST NEWBURY.
22. VARIANCE U GRANTED ON AUGUST 16, 2021 IS THE RESULT FROM AN ACTUAL NEIGHBORHOOD SURVEY CONDUCTED BY THE TOWN OF WEST NEWBURY.
23. VARIANCE V GRANTED ON AUGUST 16, 2021 IS THE RESULT FROM AN ACTUAL NEIGHBORHOOD SURVEY CONDUCTED BY THE TOWN OF WEST NEWBURY.
24. VARIANCE W GRANTED ON AUGUST 16, 2021 IS THE RESULT FROM AN ACTUAL NEIGHBORHOOD SURVEY CONDUCTED BY THE TOWN OF WEST NEWBURY.
25. VARIANCE X GRANTED ON AUGUST 16, 2021 IS THE RESULT FROM AN ACTUAL NEIGHBORHOOD SURVEY CONDUCTED BY THE TOWN OF WEST NEWBURY.
26. VARIANCE Y GRANTED ON AUGUST 16, 2021 IS THE RESULT FROM AN ACTUAL NEIGHBORHOOD SURVEY CONDUCTED BY THE TOWN OF WEST NEWBURY.
27. VARIANCE Z GRANTED ON AUGUST 16, 2021 IS THE RESULT FROM AN ACTUAL NEIGHBORHOOD SURVEY CONDUCTED BY THE TOWN OF WEST NEWBURY.

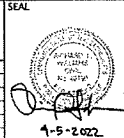
ZONING DISTRICT: RESIDENTIAL A.

MINIMUM LOT AREA = 80,000 S.F.
 COMPOUND MINIMUM LOT FRONTAGE = 320 FEET
 FRONT YARD SETBACK = 40 FEET
 SIDE YARD SETBACK = 20 FEET
 REAR YARD SETBACK = 20 FEET
 MAXIMUM BUILDING HEIGHT = 35 FEET
 MAXIMUM BUILDING COVERAGE = 35%



PLAN TO ACCOMPANY A NOTICE OF INTENT
87 CRANE NECK STREET, WEST NEWBURY, MA

DRAWING: C1.1	0' 20' 40' 80'	1	2	3	4	5	6	7	8	9	10	11	12
SHEET 1 OF 2	SCALE: 1"=40'	1	2	3	4	5	6	7	8	9	10	11	12
	NOVEMBER 29, 2021	1	2	3	4	5	6	7	8	9	10	11	12

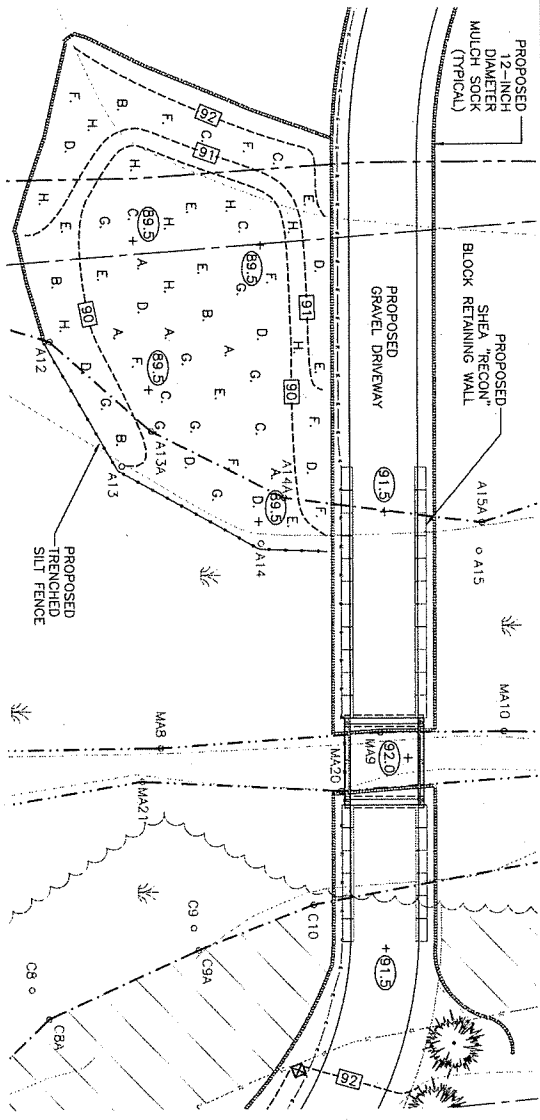


Designed By: GH
 Drawn By: PMB
 Reviewed By: RLW
 Project Manager: GPH
 Project File Number: WNEW-0048
 Drawing File Folder: WNEW48

Drawing Issued for Review
 Drawing Issued for Permit
 Drawing Issued for Construction

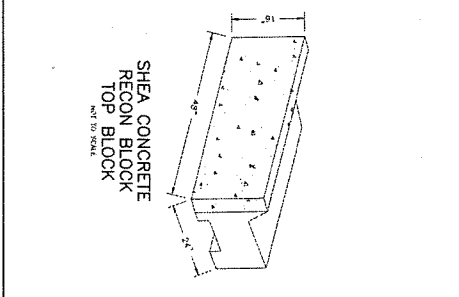
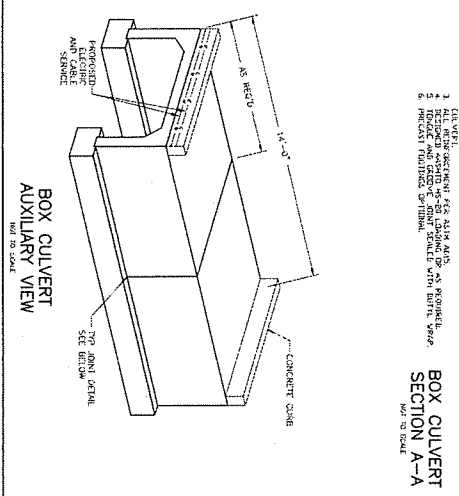
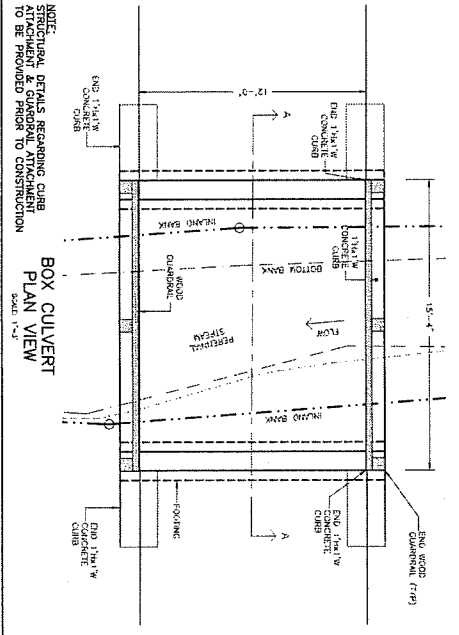
Owner/Applicant:
 William F. Spalding
 87 Crane Neck Street
 West Newbury, MA 01985





PROPOSED WETLAND REPLICATION AREA/BUFFER ZONE RESTORATION AREA SPECIES LIST
SCALE: 1"=10'

- WETLAND REPLICATION AREA SPECIES LIST:**
- A. (28) - 3'-4" HIGHBUSH BLUEBERRY VACCINIUM COCCINEUM
 - B. (4) - 4'-6" RED WOLF ACER RUBRA
 - C. (0) - 4'-6" RED WOLF ACER RUBRA
 - D. (28) - 3'-4" WINTERBERRY HOLLY ILEX VERMILIANA
 - E. (28) - 3'-4" BAY WOODCOCK CORNUCAERULA
 - F. (17) - 3'-4" SHEET PEPERBUSH CLETHRA ALABAMA
 - G. (0) - 0' SPANISH FERN DIAPYCNES SORBUS
 - H. (0) - 0' CHINA PLUM SPANISH BURNING
- NEW ENGLAND WETLAND SEED MIX:**
NEW ENGLAND CONSERVATION/WETLAND MIX (NOTE: REPLICATION RATE DOWNSIDE)



BORDERING LAND SUBJECT TO FLOODING LAND CALCULATIONS

FILLED	PROPOSED	
88-89	168 C.F.	438 C.F.
88-90	531 C.F.	1,744 C.F.
90-91	1,278 C.F.	3,311 C.F.
91-91A	1,648 C.F.	3,775 C.F.
91A-92	1,923 C.F.	4,171 C.F.

- PROPOSED WETLAND/COMPENSATORY FLOODPLAIN REPLICATION AREA CONSTRUCTION METHODOLOGY**
- SILT FENCE SHALL BE TRENCHED ALONG THE EDGE OF THE RESTORED AREA BELOW THE PROPOSED REPLICATION AREA.
 - GRASS CONTROL SHALL BE INSTALLED ALONG THE PROPOSED LIMIT OF WORK LINE AS SHOWN ON THE PROPOSED CONSTRUCTION PLAN.
 - THE WETLAND/COMPENSATORY REPLICATION AREA SHALL BE ACQUIRED TO A DEPTH OF AT LEAST ONE (1) FOOT BELOW THE PROPOSED FINISH GRADE UNDER THE DIRECTION OF A PROFESSIONAL WETLAND SCIENTIST OR CERTIFIED SOIL EVALUATOR. THE DEPTH OF ACQUISITION SHALL BE NECESSARY TO ENSURE THAT THE PROPOSED REPLICATION AREA IS ADEQUATE TO SUPPORT THE PROPOSED REPLICATION AREA.
 - SOIL AMENDMENTS SHALL BE APPLIED TO THE REPLICATION AREA, A MIXTURE OF EQUAL VOLUMES OF ORGANIC AND INORGANIC MATERIALS SHALL BE DEPOSITED INTO THE REPLICATION AREA UNTIL THE PROPOSED FINISH GRADE IS ACHIEVED. THE FINISH GRADE SHALL BE ACHIEVED TO WITHIN ONE (1) FOOT OF THE PROPOSED FINISH GRADE. THE FINISH GRADE SHALL BE ACHIEVED TO WITHIN ONE (1) FOOT OF THE PROPOSED FINISH GRADE. THE FINISH GRADE SHALL BE ACHIEVED TO WITHIN ONE (1) FOOT OF THE PROPOSED FINISH GRADE.
 - ONCE FINISH GRADE IS ACHIEVED AND THE SOIL AMENDMENTS HAVE BEEN APPLIED, THE AREA SHALL BE WETLAND SCIENTIST. SPECIES SHALL BE ACQUIRED FROM A NEARBY SPECIATION IN THE REPLICATION OF WETLAND PLANTS.
 - RESTORING THE PLANNING ERROR THE AREA SHALL BE ACQUIRED USING A STEEL ROD AND THEN SECTION RATE HAS BEEN DOWNSIDE TO ACHIEVE PROPER COVERAGE AND STABILIZATION.
 - RESTORING THE INSTALLATION OF THE REMAINING WALLS AND DRIVEWAY. ALL TEMPORARY WETLAND ALTERATION SHALL BE RESTORED USING HAND TOOLS UNDER THE DIRECTION OF A PROFESSIONAL WETLAND SCIENTIST.
 - RESTORING THE PLANNING ERROR AT LEAST 75% OF THE SURFACE OF THE REPLICATION AREA MUST BE RESTORED TO THE PROPOSED FINISH GRADE. THE FINISH GRADE SHALL BE ACHIEVED TO WITHIN ONE (1) FOOT OF THE PROPOSED FINISH GRADE. THE FINISH GRADE SHALL BE ACHIEVED TO WITHIN ONE (1) FOOT OF THE PROPOSED FINISH GRADE. THE FINISH GRADE SHALL BE ACHIEVED TO WITHIN ONE (1) FOOT OF THE PROPOSED FINISH GRADE.

PLAN TO ACCOMPANY A NOTICE OF INTENT
87 CRANE NECK STREET, WEST NEWBURY, MA

DESIGNED BY: GH
DRAWN BY: PMS
REVIEWED BY: RLW
PROJECT MANAGER: GH
PROJECT FILE NUMBER: WNEW-0048
DRAWING FILE FOLDER: WNEW48

OWNER/APPLICANT:
William P. Spalding
87 Crane Neck Street
West Newbury, MA 01985

W & WILLIAMS SPARGUES
INCORPORATED
1000 STATE STREET
WEST NEWBURY, MA 01985
PHONE: 978-539-0088
FAX: 978-539-0089
WWW.WILLIAMS-SPARGUES.COM

NOVEMBER 29, 2021

DRAWING: C.1.2
SHEET 2 OF 2

SCALE: 1"=10'

4-5-2022



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 078-0738
 MassDEP File #
 eDEP Transaction #
 West Newbury
 City/Town

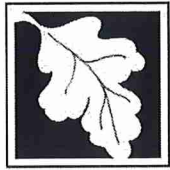
D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? Yes No
2. The West Newbury hereby finds (check one that applies):
 Conservation Commission
 - a. that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

1. Municipal Ordinance or Bylaw	2. Citation
---------------------------------	-------------

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.
 - b. that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:
Fee Bylaw Only

1. Municipal Ordinance or Bylaw	2. Citation
---------------------------------	-------------
3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.
 The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
078-0738
MassDEP File #

eDEP Transaction #
West Newbury
City/Town

E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

4/11/2022
1. Date of Issuance

Please indicate the number of members who will sign this form.
This Order must be signed by a majority of the Conservation Commission.

3
2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

[Signature]
Signature

Judith H. Mizner
Printed Name

[Signature]
Signature

Margaret Hawkins
Printed Name

[Signature]
Signature

Katharine T. Feeberg
Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

by hand delivery on

by certified mail, return receipt requested, on

Date

Date

4/11/2022

USPS # 7021-0950-0001-9830-6418



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 078-0738
 MassDEP File #

eDEP Transaction #
 West Newbury
 City/Town

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 078-0738
 MassDEP File #
 eDEP Transaction #
 West Newbury
 City/Town

G. Recording Information

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

West Newbury

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

West Newbury

Conservation Commission

Please be advised that the Order of Conditions for the Project at:

87 Crane Neck Street

Project Location

78-0738

MassDEP File Number

Has been recorded at the Registry of Deeds of:

Essex South

County

Book

Page

for:

Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Conditions issued on:

Date

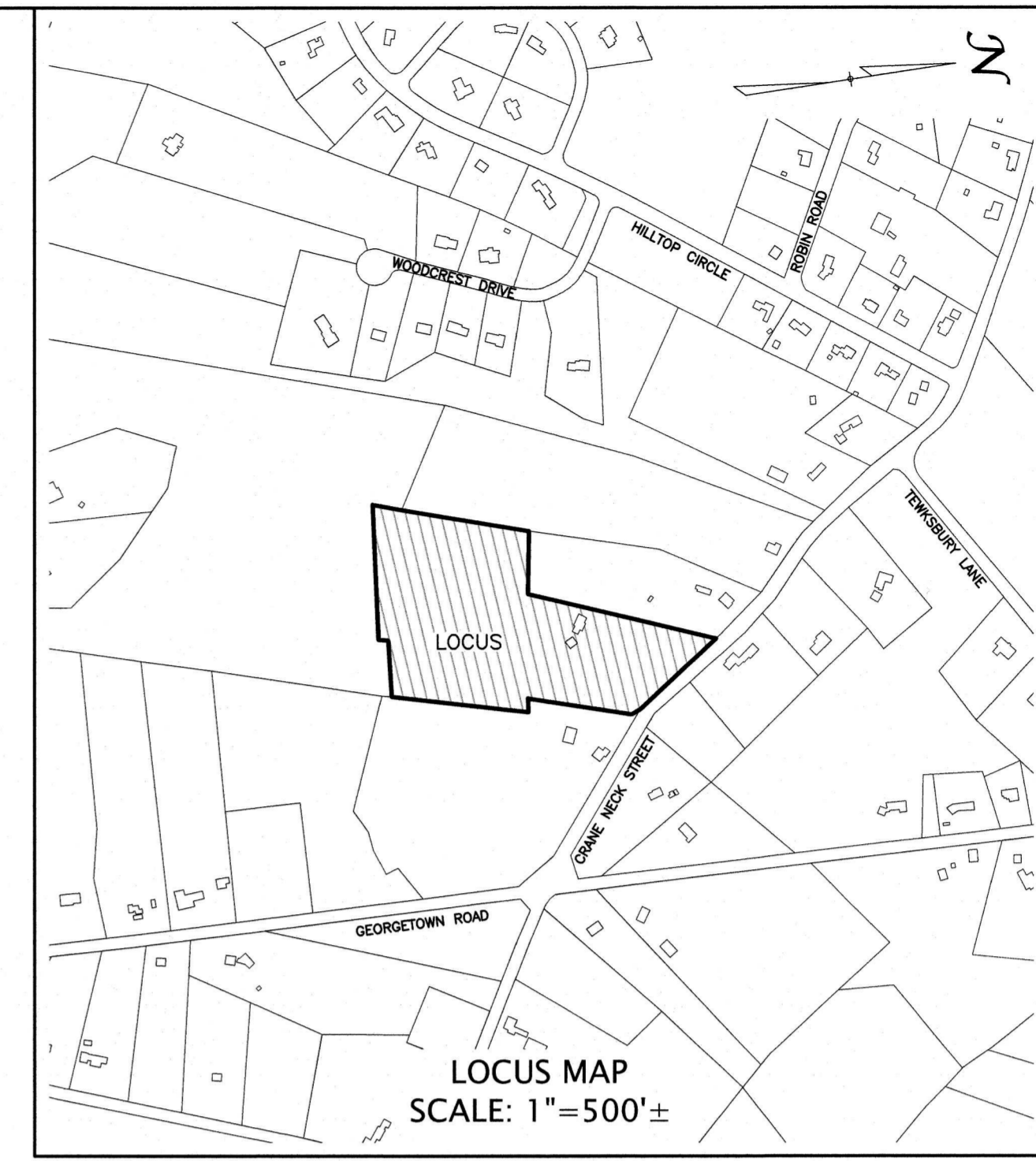
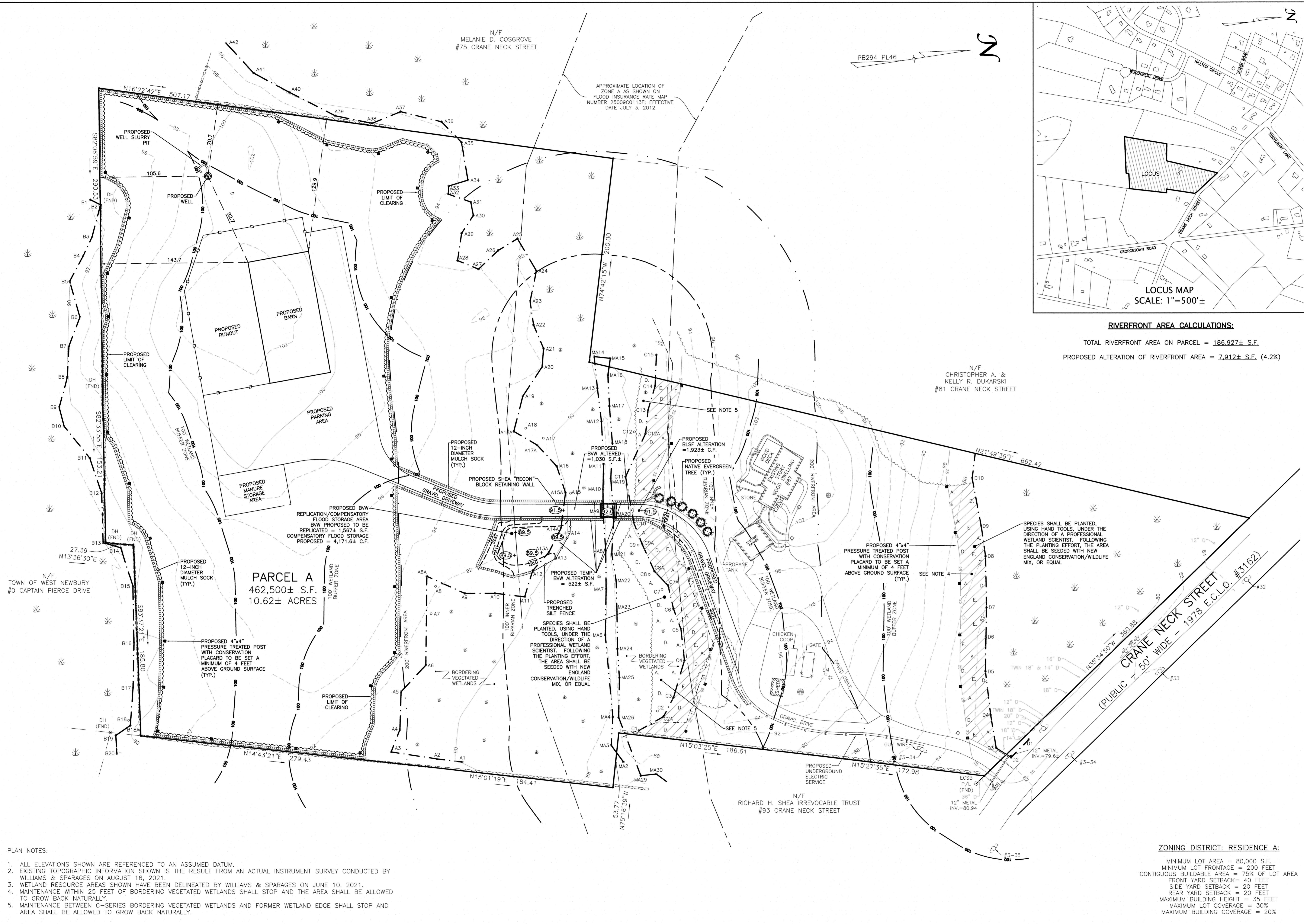
If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant

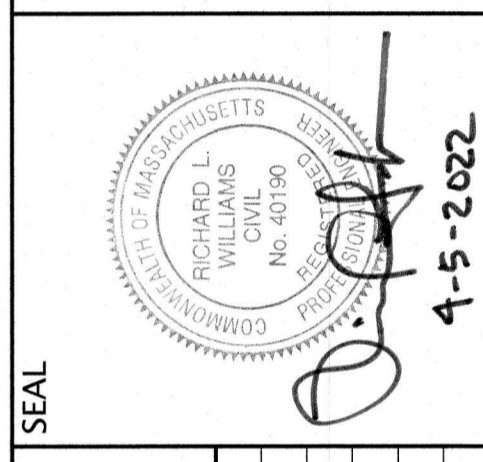


RIVERFRONT AREA CALCULATIONS:
 TOTAL RIVERFRONT AREA ON PARCEL = 186,927± S.F.
 PROPOSED ALTERATION OF RIVERFRONT AREA = 7,912± S.F. (4.2%)



Owner/Applicant:
 William P. Spalding
 87 Crane Neck Street
 West Newbury, MA 01985

Designed By: CJH
 Drawn By: PMB
 Reviewed By: RLW
 Project Manager: CJH
 Drawing File Number: WNEW-0048
 Drawing File Folder: WNEW48



PLAN TO ACCOMPANY A NOTICE OF INTENT
87 CRANE NECK STREET, WEST NEWBURY, MA

DRAWING: C1.1
SHEET 1 OF 2
 NOVEMBER 29, 2021

- PLAN NOTES:**
- ALL ELEVATIONS SHOWN ARE REFERENCED TO AN ASSUMED DATUM.
 - EXISTING TOPOGRAPHIC INFORMATION SHOWN IS THE RESULT FROM AN ACTUAL INSTRUMENT SURVEY CONDUCTED BY WILLIAMS & SPARAGES ON AUGUST 16, 2021.
 - WETLAND RESOURCE AREAS SHOWN HAVE BEEN DELINEATED BY WILLIAMS & SPARAGES ON JUNE 10, 2021.
 - MAINTENANCE WITHIN 25 FEET OF BORDERING VEGETATED WETLANDS SHALL STOP AND THE AREA SHALL BE ALLOWED TO GROW BACK NATURALLY.
 - MAINTENANCE BETWEEN C-SERIES BORDERING VEGETATED WETLANDS AND FORMER WETLAND EDGE SHALL STOP AND AREA SHALL BE ALLOWED TO GROW BACK NATURALLY.

ZONING DISTRICT: RESIDENCE A:
 MINIMUM LOT AREA = 80,000 S.F.
 MINIMUM LOT FRONTAGE = 200 FEET
 CONTIGUOUS BUILDABLE AREA = 75% OF LOT AREA
 FRONT YARD SETBACK = 40 FEET
 SIDE YARD SETBACK = 20 FEET
 REAR YARD SETBACK = 20 FEET
 MAXIMUM BUILDING HEIGHT = 35 FEET
 MAXIMUM LOT COVERAGE = 30%
 MAXIMUM BUILDING COVERAGE = 20%



ZONING DISTRICT: RESIDENCE A (RES A)

MINIMUM LOT AREA = 80,000 S.F.
MINIMUM LOT FRONTAGE = 200 FEET
PERCENT OF REQUIRED LOT AREA AS CONTIGUOUS AND BUILDABLE = 75%
FRONT YARD SETBACK = 40 FEET
SIDE YARD SETBACK = 20 FEET
REAR YARD SETBACK = 20 FEET
MAXIMUM BUILDING COVERAGE = 20%
MAXIMUM BUILDING HEIGHT = 35 FEET

NO LOT SHALL HAVE LESS THAN THE REQUIRED LOT AREA AS CONTIGUOUS AND BUILDABLE LAND AS REQUIRED BY SECTION 8.1A TABLE OF DIMENSIONAL CONTROLS. WETLANDS AS DESCRIBED BY 816-C, CHAPTER 131 AND SLURPS IN EXCESS OF SIZE SHALL NOT BE CONSIDERED AS BUILDABLE LAND FOR THE PURPOSE OF CALCULATING SQUARE FOOTAGE.

LOT SHAPE AND WIDTH: THE WIDTH OF A LOT SHALL BE EQUAL TO AT LEAST NINETY (90) PERCENT OF THE REQUIRED FRONTAGE AT THE FRONT YARD SET BACK, AND FURTHER AT NO POINT SHALL THE DISTANCE BETWEEN LOT LINES BE LESS THAN FORTY (40) FEET.

REQUIRED PERMISSIBLE LOT SPECIFIC PERMITS:
MINIMUM LOT AREA = 160,000 S.F.
MINIMUM LOT FRONTAGE = 100 FEET
PERCENT OF REQUIRED LOT AREA AS CONTIGUOUS AND BUILDABLE = 75%
FRONT YARD SETBACK = 40 FEET
SIDE YARD SETBACK = 40 FEET
REAR YARD SETBACK = 40 FEET
MAXIMUM LOT COVERAGE = 20%
MAXIMUM BUILDING HEIGHT = 35 FEET
DIAMETER OF CIRCLE = 200 FEET
NOT MORE THAN TWO (2) REQUIRED FRONTAGE LOTS SHALL HAVE ADJUTING FRONTAGE.

NOTES:

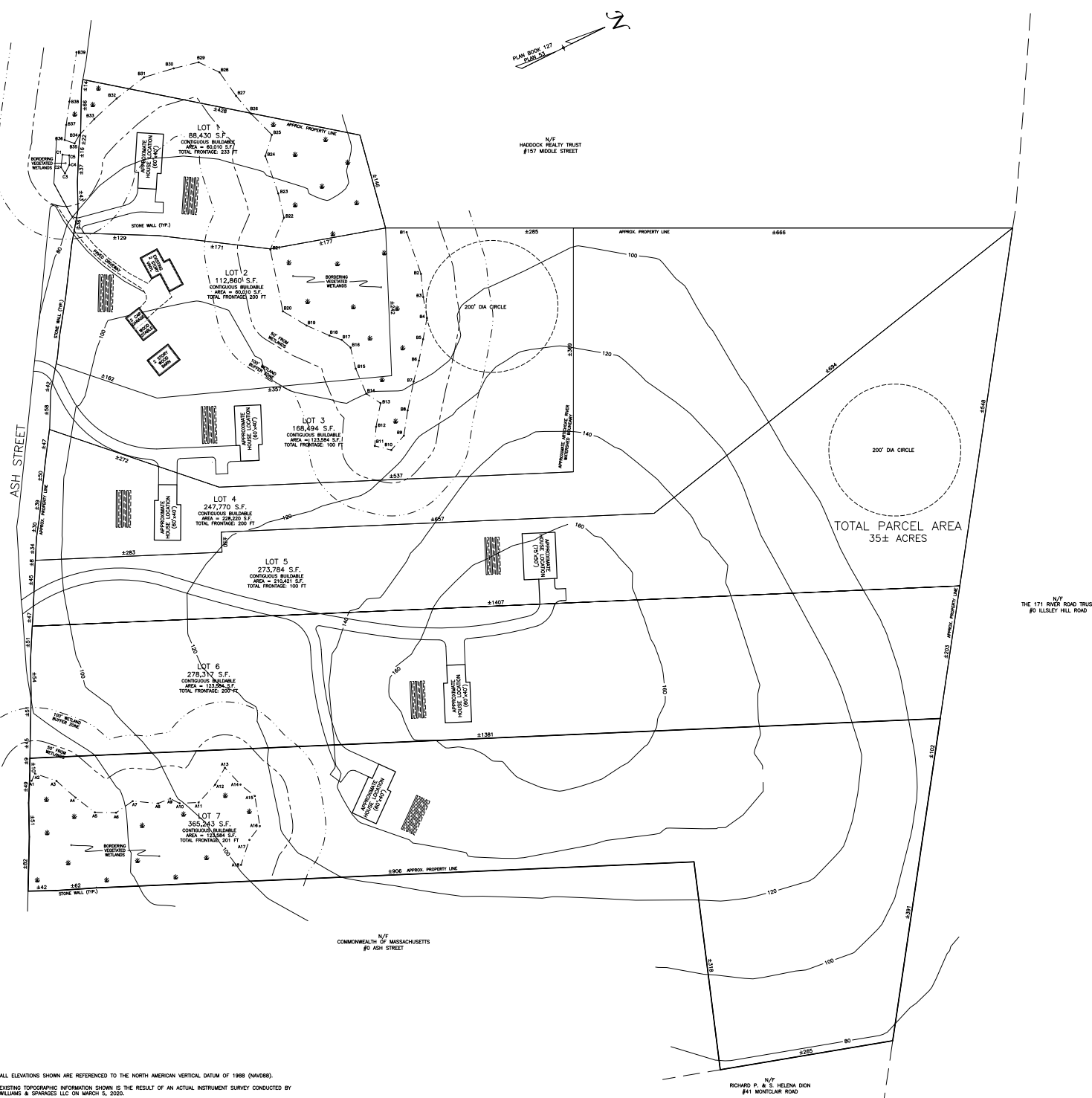
FRONTAGE: THE LINEAR EXTENT OF A LOT MEASURED ALONG A CONSTRUCTED STREET RIGHT-OF-WAY FROM THE INTERSECTION OF ONE SIDE LOT LINE TO THE INTERSECTION OF THE OTHER SIDE LOT LINE OF THE SAME LOT, WHICH CAN BE USED FOR ACCESS TO THE LOT BUT NOT INCLUDING ANY PORTION THEREOF DEVOTED TO A RIGHT-OF-WAY OR A DRIVEWAY SERVING MORE THAN ONE LOT UNLESS A SPECIAL PERMIT FOR A COMMON DRIVEWAY HAS BEEN APPROVED BY THE PLANNING BOARD.

LOT: A SINGLE AREA OF LAND IN ONE OWNERSHIP, WITH DEFINITE BOUNDARIES, USES, OR AVAILABLE FOR USE, AS THE SITE OF ONE OR MORE BUILDINGS. [AMENDED BY VOTE OF THE ANNUAL TOWN MEETING OF APRIL 30, 2007, APPROVED BY THE ATTORNEY GENERAL ON JUNE 11, 2007 AND POSTED ACCORDING TO LAW ON JUNE 25, 2007.]

LOT AREA: THE AREA OF A LOT EXCLUSIVE OF ANY AREA IN A STREET OR WAY, PUBLIC OR PRIVATE, ADJACENT BY VOTE OF THE ANNUAL TOWN MEETING OF APRIL 30, 2007, APPROVED BY THE ATTORNEY GENERAL ON JUNE 11, 2007 AND POSTED ACCORDING TO LAW ON JUNE 25, 2007.] LOT WIDTH: THE SHORTEST DISTANCE BETWEEN THE SIDE LOT LINES OF THE LOT MEASURED AT THE MINIMUM SET BACK LINE.

MAXIMUM BUILDING COVERAGE: THE MAXIMUM PERMISSIBLE AREA THAT MAY BE COVERED BY THE GROUND FLOOR AREA OF ALL BUILDINGS ON A LOT, TO BE MEASURED AS A PERCENT OF THE REQUIRED MINIMUM LOT AREA IN THE ZONING DISTRICT WHERE THE LOT IS LOCATED. MAXIMUM LOT COVERAGE: THE MAXIMUM PERMISSIBLE AREA THAT MAY BE COVERED BY ALL IMPERVIOUS SURFACES ON A LOT, SUCH AS BUT NOT LIMITED TO BUILDINGS, POOLS, PAVED TENNIS COURTS, PAVED DRIVEWAYS AND WALKWAYS, TO BE MEASURED AS A PERCENT OF THE REQUIRED MINIMUM LOT AREA IN THE ZONING DISTRICT. MEMBERSHIP CLUB, A PRIVATE, NON-PROFIT ORGANIZATION, BUILDING OR GROUNDS, TO INCLUDE.

COMMON DRIVEWAYS: SPECIAL PERMIT REQUIRED - NO MORE THAN 3 LOTS.



- NOTES:
1. ALL ELEVATIONS SHOWN ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
 2. EXISTING TOPOGRAPHIC INFORMATION SHOWN IS THE RESULT OF AN ACTUAL INSTRUMENT SURVEY CONDUCTED BY WILLIAMS & SPARGES LLC ON MARCH 5, 2020.
 3. WETLAND RESOURCE AREA DELINEATED BY WILLIAMS & SPARGES LLC ON FEBRUARY 29, 2020.



TOWN OF WEST NEWBURY

BOARD OF HEALTH

TOWN OFFICE BUILDING
381 MAIN STREET, WEST NEWBURY, MA 01985

PHONE 978-363-1100
FAX: 978-363-1119

Stormwater Management Permit

Date: 8/8/23 Permit #: SW 01-23

Project / Site Name: Single Family Dwelling

Project Street or Location: 154 Middle Street, West Newbury, MA

Assessors Map / Lot: R-8, Lot 12B Applicant Phone #: 978-265-6923

Applicant Name: Joseph + Margo Cooper

Applicant Address: 51 Greenville Street, Haverhill, MA 01830

Owners Name (if different than Applicant): Same

Owners Address (if different than Applicant): Same

Application Date: Submitted 7/17/23, meeting 8/8/23, Approved 8/8/23

The following action by the West Newbury Board of Health has been taken on this application based on information presented:

- Approval the Stormwater Permit Application
- Approval the Stormwater Management Permit Application subject to any conditions, modifications, or restrictions as required by the Board of Health (see below)
- Disapproval of the Stormwater Management Permit Application based upon a determination that the proposed plan, as submitted, fails to meet the objectives and requirements of the Town of West Newbury Stormwater Bylaw and related regulations; or
- Disapproval of the Stormwater Management Permit Application "without prejudice" due to not providing requested additional information or review fees that in the Stormwater Authority's opinion are needed to adequately describe or review the proposed project.

See Standard Conditions (Appendix B - Attached) as well as special conditions, if any, below.

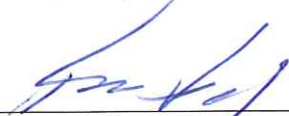
Special Conditions:

- 1) The applicant's site contractor needs to attend the pre-construction meeting.
- 2) The site contractor needs to provide a construction schedule for the project, including methods and BMP's that will be used to control stormwater during construction and before post construction BMP's are functioning as designed.
- 3) A stockpile of erosion/sediment control material's need to be on site and readily available.
- 4) Prior to the paving of the driveway and/or signing off on the occupancy permit, the DPW must be consulted with regarding the (potential) installation of a roadside culvert beneath the driveway.
- 5) In addition to the required inspection & maintenance schedule for the erosion controls, as stated in the standard conditions (Appendix B), all erosion/sediment controls need to be inspected weekly and conditions of said controls reported to the Board of Health.
- 6) Based on the amount of runoff generated from this site and associated hillside, additional BMP's may be needed. Any changes to the plan will be evaluated by the BOH, Conservation Commission, and site Engineer.

Robert Janes, Chairman



Blake Seale, Member



Thomas Fahey, Member

Cc: Building Department
Conservation Commission
Planning Board
DPW

Appendix B

Standard Conditions for Stormwater Management Permits

Failure to comply with all conditions stated herein shall be deemed cause to revoke or modify this Permit.

1. This Permit does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, by-laws, or regulations.
2. Prior to commencement of any work on-site, this Stormwater Management Permit and approved plan, and the Operations and Maintenance Plan shall be recorded at the Southern Essex District Registry of Deeds, and evidence of recording of both shall be provided to the Stormwater Authority.
3. Copies of the Registry recorded Stormwater Management Permit and approved plan, and the Erosion and Sedimentation Control Plan shall be kept on-site at all times during construction. All contractors and subcontractors engaged during construction shall be provided with copies of the aforementioned documents and plans before commencing work.
4. Prior to the Pre-construction Meeting and/or commencement of any activity on this site, the Applicant shall provide the following payments to the Town:
 - a. Project Review Fee for Inspection Services pursuant to Section 6.F. of the Stormwater Management Regulations, if applicable.
 - b. Surety in an amount and form satisfactory to the Stormwater Authority, pursuant to Section 11 of the Stormwater Management Regulations, providing for the completion of the work authorized under this Permit in accordance with this Stormwater Management Permit and approved plans, the Stormwater Management Bylaw, and the Stormwater Management Regulations, if applicable.
5. A pre-construction meeting must be held with the Stormwater Authority and the Applicant or the Applicants' representative. This is to ensure that all aspects of the Permit are fully understood, particularly the necessity to install the system in accordance with the approved design details.
6. The Applicant shall provide the Stormwater Authority with a contact list and 24-hour phone numbers(s) and email address(es) of the on-site construction supervisor(s) whose responsibility shall be to ensure compliance with the conditions of this Stormwater Management Permit. The Stormwater Authority shall be notified should the contact information of the construction supervisor(s) change at any point during this project.
7. For projects subject to the NPDES Construction General Permit, construction may not commence until the Applicant has submitted EPA's approval of the Construction General Permit Notice of Intent to the Stormwater Authority and posted the final Stormwater Pollution Prevention Plan (SWPPP) at the site.
8. The Applicant or the Applicant's agent shall notify the Stormwater Authority at least

two (2) business days before each of the following events, to keep the Stormwater Authority informed of construction progress and to facilitate timely inspections by the Stormwater Authority, at the Authority's discretion:

- a. Erosion and sedimentation control measures are in place and stabilized, prior to commencement of land disturbance activities;
- b. Site clearing has been substantially completed;
- c. Rough grading has been substantially completed;
- d. Excavation for stormwater BMPs has been completed;
- e. Subsurface components of stormwater BMPs have been installed, prior to backfilling;
- f. Stormwater BMP surface features have been substantially completed;
- g. Final grading has been substantially completed;
- h. Close of the construction season; and,
- i. Final Landscaping (permanent stabilization) and project final completion.

9. Construction-Site Stormwater Management

Projects receiving a Tier One Stormwater Management Permit shall meet the construction site stormwater management performance standards detailed below.

Projects receiving a Tier Two Stormwater Management Permit shall meet the construction-site stormwater management performance standards detailed below to the maximum extent practicable. At a minimum, controls for erosion, sediment, and construction wastes shall be implemented to prevent nuisance conditions, such as sediment or debris washouts onto abutting properties, public rights of way, or wetland resource areas.

- a. Applicants shall implement practices to control construction-related erosion, sedimentation, and wastes in accordance with the latest versions of the Massachusetts Stormwater Handbook, the NPDES Construction General Permit for Stormwater Discharges from Construction Activities, the Massachusetts Erosion and Sediment Control Guidelines for Urban & Suburban Areas, or more stringent standards as specified in these Regulations. For projects within jurisdiction of the West Newbury Conservation Commission, the Stormwater Authority shall coordinate with the Conservation Agent on review, inspection, and removal of erosion and sediment controls and construction-waste management.
- b. Natural Resource Protection: Before commencing land disturbance activities, the limits of permitted disturbance areas shall be marked with high-visibility flagging, fencing, and/or

signage. Areas designated for revegetation and/or infiltration-based stormwater practices shall be marked with flagging, fencing, and/or signage to restrict use of heavy vehicles and equipment in these areas to avoid soil compaction. Tree protection shall be installed around the dripline for all trees to be preserved. Wetland resource areas, wetland buffers, and other areas under the jurisdiction of the West Newbury Conservation Commission shall be maintained as required in the permit, Determination, or Order issued by the West Newbury Conservation Commission and/or Massachusetts Department of Environmental Protection.

- c. Area of Disturbance: Clearing and grading shall only be performed within areas needed to build the project, including structures, utilities, roads, recreational amenities, post-construction stormwater management facilities, and related infrastructure. Such areas shall be staked to ensure that the work is completed within the appropriate areas. Construction activities shall be phased to minimize the area of disturbed soil at any one time.
- d. Soil Stabilization: The time that soil is exposed shall be minimized by stabilizing dormant areas as work progresses. Exposed areas shall be vegetated, hydromulched, protected with erosion control blankets, or otherwise stabilized within 14 days after land disturbance activities have permanently ceased or will be temporarily inactive for 14 or more days. Vegetative cover shall be prepared by November 1st to ensure that exposed areas have cover before the first freeze.
- e. Stockpiles: Materials shall not be stored or stockpiled near a storm drain, a tree to be preserved, or a wetland resource area. Stockpiled materials that will be unused for 14 or more days shall be covered with roof, tarp, or temporary seeding (of soil stockpiles). Perimeter controls shall be installed around stockpile and staging areas.
- f. Perimeter Controls: Perimeter sediment controls, such as silt fencing and filter tubes, shall be installed around downgradient boundaries, along all resource areas, and around stockpile and staging areas. Compost socks and straw bale shall be free of invasive species. Perimeter controls shall not be removed until the drainage areas have been permanently stabilized.
- g. Stabilized Construction Entrance: Track-out controls (e.g., gravel apron) shall be installed at each construction entrance to remove sediment from vehicles and prevent tracking onto public roads. Where sediment has been tracked-out from the site, paved roads, sidewalks, or other paved areas shall be swept or vacuumed at the end of the workday. Sediment shall not be swept, hosed, or otherwise deposited into any stormwater conveyance, storm drain inlet, or waterbody.
- h. Inlet Protection: Filter bags, filter tubes, or other inlet protection controls shall be installed to prevent sediment from entering downgradient storm drains. Inlet protection shall be cleared of sediment and debris on a regular basis to ensure that storm drains function properly during rain events. Inlet controls shall not be removed until the drainage areas have been permanently stabilized.

- i. **Runoff Diversion:** Runoff shall be intercepted and diverted away from disturbed areas with berms, swales, or pipes toward stabilized outlets. Conveyances and outlets shall be stabilized with vegetation, erosion control blankets, check dams, stone aprons, or similar practices to slow velocities and prevent erosion. Runoff shall not be redirected to discharge toward wetland resource areas without approval by the Stormwater Authority in consultation with the Conservation Commission or Conservation Agent. Runoff shall not be redirected to discharge toward or onto a property not owned by the Applicant without a drainage easement or written agreement by the property owner.
- j. **Sediment Removal:** Sediment traps and basins shall be used to remove suspended solids from runoff before it discharges from the site. Traps and basins shall be designed to use baffles, multiple cells, and other practices to maximize the flow path and settling time. Sediment controls shall not be removed until the drainage areas have been permanently stabilized. Sediment traps and basins shall be cleaned of sediment and debris routinely to ensure proper functioning during rain events.
- k. **Dewatering:** Dewatering activities shall use tanks, filter bags, or other practices to remove sediment before discharge, in accordance with the standards and requirements contained within the NPDES Construction General Permit. Water shall not be discharged in a manner that causes erosion or flooding.
- l. **Outlet Protection:** Pipe outlets shall have stone aprons, level spreaders, or other energy dissipation practices installed to prevent erosion.
- m. **Construction Waste Management:** Trash, debris, and sanitary wastes shall be removed from the site on a regular basis. Dumpsters shall be covered at the end of every workday and before rain events. Dumpsters shall be located outside the 100-foot buffer zone for wetland resource areas. Dumpsters shall not be allowed to leak or otherwise discharge to any stormwater conveyance, storm drain inlet, or wetland resource area. Concrete mixers shall be washed out only in designated areas with liners. Designated areas for washing concrete mixers shall be located outside the 100-foot buffer zone for wetland resource areas and outside the 200-foot Riverfront Area. Demolition debris, discarded building materials, concrete truck wash out, chemicals, litter, and sanitary wastes shall not be discharged to the MS4 and shall be disposed of in compliance with all local, state, and federal requirements.
- n. **Post-Construction BMPs:** Stormwater management facilities to be used after construction shall not be used as BMPs during construction unless otherwise approved by the Stormwater Authority. Many technologies are not designed to handle the high concentrations of sediments typically found in construction runoff, and thus must be protected from construction-related sediment loadings.
- o. **Dust Control:** Dust control shall be used during grading operations. Dust control methods may consist of grading fine soils on calm days only or dampening the

ground with water; no salts or other wetting agents shall be used for dust control within wetland resource areas, 100-foot buffer zone for wetland resource areas, or 200-foot Riverfront Area.

- p. Inspection and Maintenance: Erosion and sediment controls shall be inspected as needed and at a minimum before and after rain events. Accumulated sediments shall be removed, and erosion and sediment controls shall be repaired or replaced as needed to ensure they perform as intended.
 - q. Applicant Inspections: The Applicant or the Applicant's agent shall conduct and document inspections of all erosion and sediment control measures no less than weekly or as specified in the permit, and prior to and following anticipated storm events as specified in the NPDES Construction General Permit. The Applicant or the Applicant's agent shall submit monthly reports to the Stormwater Authority in a format approved by the Stormwater Authority.
10. Following completion of work, and no later than 60 days after completion, the Applicant shall submit a Final Report pursuant to Section 6. O. of the Stormwater Management Regulations. The submission shall include a statement that the stormwater management system has been satisfactorily installed and the site has been adequately stabilized, and a request for a Certificate of Completion pursuant to Section 6. P. of the Stormwater Management Regulations.
 11. Concurrently with the Final Report, the Applicant shall submit surety to ensure adequate long-term operation and maintenance of the stormwater BMPs in an amount and form satisfactory to the Stormwater Authority pursuant to Section 11. of the Stormwater Management Regulations, if applicable as determined by the Stormwater Authority.
 12. The Applicant shall ensure that all components of the proposed stormwater management system are functioning according to manufacturer or design specifications for the life of the system. All components shall be maintained in good condition and promptly repaired, in accordance with the approved Operation and Maintenance Plan.
 13. The Applicant shall provide copies of the Operation and Maintenance Plan to all persons responsible for maintenance and repairs.
 14. The owner(s) of record of the Stormwater Management System must notify the Stormwater Authority of changes in ownership, assignment of Operation and Maintenance responsibilities, or assignment of financial responsibility within 30 days of the change in ownership. The owner of record shall be responsible for Operation and Maintenance activities until a copy of the updated Operation and Maintenance Plan has been furnished to the Stormwater Authority signed by the new owner or any new responsible person.
 15. The maintenance schedule in the Maintenance Agreement may be amended to achieve the purposes of the Stormwater Management Bylaw by mutual agreement of the Stormwater Authority and the Responsible Parties. Amendments must be in writing and signed by all

Responsible Parties. Responsible Parties shall include owner(s), persons with financial responsibility, and persons with operational and/or maintenance responsibility.

16. The Permittee shall submit an Annual Operation and Maintenance Report to the Stormwater Authority documenting the work that has been done over the last 12 months to properly operate and maintain the permitted stormwater management system. The certification shall be signed by the person(s) or authorized agent of the person(s) named in the permit as being responsible for ongoing operation and management.
17. In the event that the owner(s) and successors in title alter areas in violation of this Stormwater Management Permit, the Town shall have no responsibility to maintain the permitted drainage system and shall not be liable for any damages in the event of failure. By acceptance of this Stormwater Management Permit, the owner(s) and successors in title indemnify and hold harmless the Town for any damages attributable to said alterations.
18. Issuance of this Permit does not in any way imply or certify that the site or downstream areas will not be subject to flooding, storm damage, or any other form of water damage.
19. The Permittee shall maintain post-construction BMPs to ensure that they continue to function as intended.

The following apply only to Tier One Stormwater Management Permits

20. The Permittee shall ensure that all components of the proposed stormwater management system are functioning according to manufacturer or design specifications for the life of the system. All components shall be maintained in good condition and promptly repaired, in accordance with the approved Operation and Maintenance Plan. This shall constitute a perpetual condition of any Stormwater Management Permit issued under these Regulations.
21. The Permittee shall provide copies of the Operation and Maintenance Plan to all persons responsible for maintenance and repairs.
22. Stormwater Management Easement(s).
 - a. For public or shared stormwater systems, stormwater management easements shall be provided by the property owner(s) as necessary for:
 1. Access for facility inspections and maintenance;
 2. Preservation of stormwater runoff conveyance, infiltration, and detention areas and facilities, including flood routes for the 100-year storm event; and
 3. Direct maintenance access by heavy equipment to structures requiring maintenance.
 - b. Easements shall be recorded with the Southern Essex District Registry of Deeds prior to issuance of a Certificate of Completion by the Stormwater Authority pursuant to Section 6.P.
23. Changes to Operation and Maintenance Plans

- a. The owner(s) of record of the Stormwater Management System must notify the Stormwater Authority of changes in ownership, assignment of Operation and Maintenance responsibilities, or assignment of financial responsibility within 30 days of the change in ownership. The owner of record shall be responsible for Operation and Maintenance activities until a copy of the updated Operation and Maintenance Plan has been furnished to the Stormwater Authority signed by the new owner or any new responsible person.
- b. The maintenance schedule in the Maintenance Agreement may be amended to achieve the purposes of the Stormwater Management Bylaw by mutual agreement of the Stormwater Authority and the Responsible Parties. Amendments must be in writing and signed by all Responsible Parties. Responsible Parties shall include owner(s), persons with financial responsibility, and persons with operational and/or maintenance responsibility.

24. Annual Reporting

- a. The Permittee shall submit an Annual Operation and Maintenance Report to the Stormwater Authority documenting the work that has been done over the last 12 months to properly operate and maintain the permitted stormwater management system. The certification shall be signed by the person(s) or authorized agent of the person(s) named in the permit as being responsible for ongoing operation and management.
- b. Annual Operation and Maintenance Reports are not required for Stormwater Management Permits issued for individual single- and two-family homes that do not utilize stormwater management systems that are shared with or located on other properties and that are not part of a larger common plan of development.

¹ This document is provided for illustrative purposes only and may be modified and supplemented by the Planning Board during review of the Stormwater Management Permit Application.

Project Narrative

154 Middle Street, FKA 14 Kimball Road, Lot 2
West Newbury, Massachusetts

The subject property is located at 154 Middle Street in West Newbury within the Residential B zoning district. The lot is presently under construction. The lot is best defined as a drumlin formation that was formerly a field that sloped towards Middle Street. As a result, drainage primarily flows towards Middle Street. Existing vegetation primarily consists of grass ground cover.

The proposal is to construct a four-bedroom single family house on the 79,244 square-foot lot. Coincident with this proposal will be the construction of a paved driveway, regrading of portions of the lot, a proposed septic system, well and stormwater management areas to capture and infiltrate stormwater runoff.

Approximately 58,214 square feet of the lot will be disturbed as a result of the proposed project. While no impervious surfaces are present on the property today, a total of 7,580 ± square feet of impervious surfaces are proposed. A trenched silt fence is proposed around the perimeter of the project to protect neighboring properties and the adjacent wetland resource area from possible sediment during construction.

Due to the increase of impervious areas, additional stormwater runoff will be created. A 2'W x 2'D stone infiltration trench is proposed to capture runoff from the driveway and front of the property, while subsurface roof recharge chambers are proposed in front of the proposed dwelling. The proposed roof recharge system consists of three Cultec 330XLHD units placed on a 6-inch bed of stone that extends 1-foot around the footprint of the Cultec units with 6-inches above the units. A detail is provided on the accompanying plan as well as design calculations. The Cultec units and infiltration trench are both designed to contain the 1" rain storm.

Operations and Maintenance:

Subsurface Infiltration Chambers

Chamber maintenance is not generally required. However, recharge systems are prone to failure due to clogging. Regulating the sediment and petroleum product input into the proposed recharge system is the priority maintenance activity. Sediments and any oil spillage should be trapped and removed before they reach the chambers.

Sediments must also be removed whenever the depth of deposits is greater than or equal to 3".

The contractor shall verify that the required washed crushed stone and geotechnical fabric materials are clean and free of sediments and petroleum residue prior to, during and after chamber system installation.



Inspections of the chamber system shall be made by after every major storm for the first few months after construction to verify that proper functioning has been achieved. During the initial inspection the water level should be measured and recorded in a permanent log over several days to check the drainage duration and verify that sediments are not accumulating. If ponded water is present after 24 hours or an accumulation of sediment or debris is noted within the chambers the owner or designated property manager and engineer shall determine the cause for this condition and devise an action plan to improve system functionality.

Once the chamber system has been verified to perform as designed, interior chamber conditions shall be inspected at least twice per year. Post construction inspections (to be conducted through inspection ports) shall consist of documenting interior and stone bed conditions, measured water depth and presence of sediment. Should inspection indicate that the system is clogged (ponding water present after 24 hours and/or sediment accumulations) replacement or major repair actions may be required. Should the system require replacement or major repair actions the owner or designated property manager and engineer shall determine the cause for this condition and devise an action plan.

The inspection and maintenance of the subsurface infiltration system shall belong to the owner or designated property manager.

Infiltration Trench

The infiltration trench should be inspected and cleaned every six months and after every major storm event of 0.5 inches in a 24-hour period. The trench can be cleaned by removing accumulated sediment, trash, debris, leaves and grass clippings. Tree seedlings should be removed before they can become established as well.

Inspect the trench 24 hours or several days after a rain event to look for ponded water. If there is ponded water at the surface of the trench, it is likely that the trench surface is clogged. To address surface clogging, remove and replace the first layer of stone aggregate and filter fabric. If the water is ponded inside the trench, it may indicate that the bottom of the trench has failed.

To rehabilitate a failed trench, all accumulated sediment must be stripped from the bottom, the bottom of the trench must be scarified and tilled to induce infiltration, and all the stone aggregate and filter fabric or media must be removed and replaced.



APPENDIX A.

Town of West Newbury Application for Stormwater Management Permit

Town of West Newbury General Bylaw Section XLI

1. GENERAL INFORMATION

1. Applicant Joseph & Margo Cooper

Address 51 Greenville Street Town Haverhill

State MA Zip 01830

Phone # 978-265-6923 Email goarm89@aol.com

2. Owner Same as applicant

Address _____

Town _____ State _____

Zip _____

Phone # _____ Email _____

3. Representative (if any) Thorsen Akerley Firm Williams & Sparages LLC

Address 189 N. Main Street, Middleton, MA Town _____ State _____

Zip 01949

Phone # 978-539-8088 Email takerley@wsengineers.com

2. PROJECT SITE INFORMATION

Address 154 Middle Street, FKA 14 Kimball Road, Lot 2 Assessors Map # R8 Lot # 12B

Registry of Deeds Recording Information Book 41184 Page 409

Registry of Deeds Plan Book and Plan Plan Book 39871 Plan 409

Registered Land Court Certificate # _____

3. PROJECT DESCRIPTION

Proposed construction of a single family home, paved driveway, septic system and well.

Total Area of Disturbance 58,214 square feet (Acres or Square Feet)

4. TYPE OF APPLICATION (Check as appropriate)

Tier Two Stormwater Management Permit. Confirm that your project meets the following eligibility criteria:

The project site (limit of disturbance) lies entirely outside the MS4 Regulated Area, based on the current map available on the Town of West Newbury website.

The proposed projects or activities are exclusively associated with development, redevelopment, or property improvements for single- or two-family housing.

The proposed projects or activities will have a total land disturbance of less than four (4) acres.

Tier One Stormwater Management Permit. Any projects and activities subject to the Stormwater Management Bylaw that do not meet the eligibility criteria for Tier Two Projects.

5. FEES

The application fee shall be submitted to the Stormwater Authority. See Appendix E of the Planning Board's Stormwater Management Regulations for the fee structure. The application package will not be deemed complete until the application fee is submitted.

Applicants must submit the following information to confirm fee

payment: Payer name on check Joseph Cooper

Check made out to Town of West Newbury.

Check number 214

Check Amount \$250.00

Check date 7/6/23

Appendix A 2 of 7

6. SIGNATURES

I hereby certify under the penalties of perjury that the foregoing Stormwater Management Permit application and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

Applicant Name Joseph & Margo Cooper Date 7/6/23
for Cooper Margo Cooper
Signature of Applicant

Owner Name Same as owner Date 7/6/23
for Cooper Margo Cooper
Signature of Owner (required)

Representative Name Thorsen Akerley Date 7/5/2023
Thorsen Akerley
Signature of Representative (if any)

Appendix A 3 of 7

7. CONSULTANT FEE ACKNOWLEDGEMENT

This form is to be completed and signed by all applicants filing a Stormwater Management Permit Application with the Stormwater Authority.

I hereby acknowledge that this project application may be subject to engineering and consultant review fees as outlined in Section 6.F. of the Stormwater Management Regulations. These engineering and consultant review fees are in addition to any filing fees paid as part of the project application. The amount of these fees shall be based upon the time expended by the Stormwater Authority's consultant in the review of the application and supporting plans and documents.

Applicant Name Joseph & Margo Cooper

Date 7/6/23

Joseph Cooper Margo Cooper
Signature of Applicant

Project Address 154 Middle Street, West Newbury, MA

Assessors Map # R8 Lot # 12B

Appendix A 4 of 7

8. SITE INSPECTION AUTHORIZATION

As the owner of the property which is the subject of this permit application and listed below, I grant the members and agents of the Stormwater Authority the right to enter, inspect, and sample the premises for the following:

- A. To evaluate site conditions and verify information contained in the application prior to and during the review process.
- B. To monitor the site during construction.
- C. To verify compliance with the permit conditions

Property Owner Name Joseph & Margo Cooper Date 7/6/23

Signature of Property Owner
Joseph Cooper Margo Cooper

Address 154 Middle Street, West Newbury, MA Assessors Map # R8 Lot # 12B

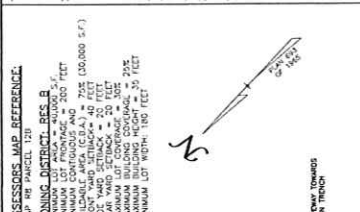
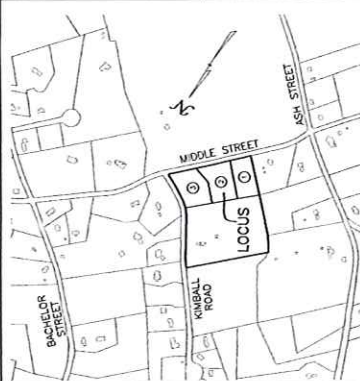
APPROVED
WEST NEWBURY
BOARD OF HEALTH

Blessed
[Signature]
AUG 08 2023

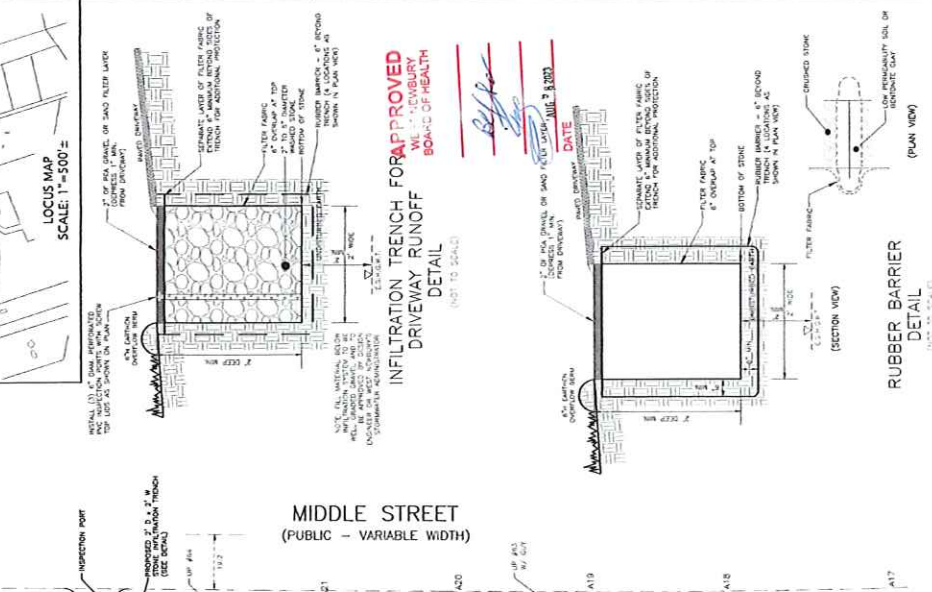
Appendix A 5 of 7

Stormwater Permit Application: _____

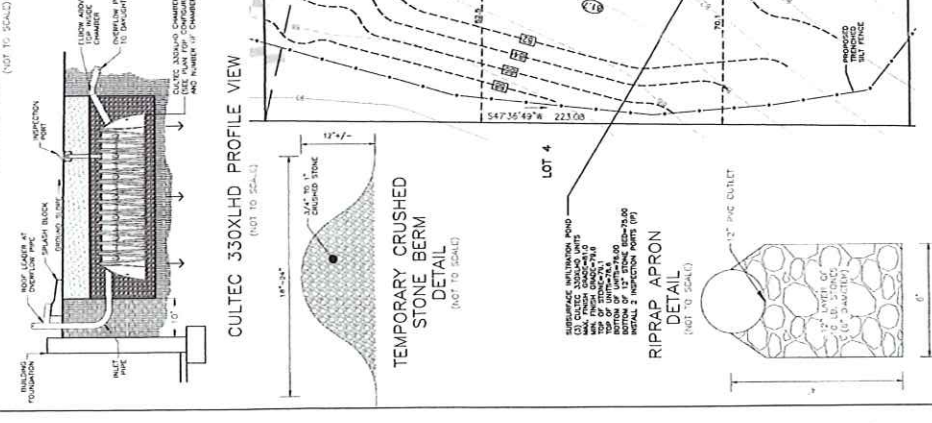
Stormwater Authority: _____
To be filled in by Town **DATE**



ASSESSOR'S MAP REFERENCE:
ASSESSOR'S MAP: 121
ZONING DISTRICT: RES. B
MINIMUM LOT AREA: 4,000 S.F.
MINIMUM LOT WIDTH: 30 FEET
MINIMUM CONTIGUOUS AND FRONT YARD SETBACKS: 10 FEET
MINIMUM SIDE YARD SETBACKS: 5 FEET
MINIMUM REAR YARD SETBACKS: 5 FEET
MINIMUM LOT COVERAGE: 30%
MINIMUM BUILDING HEIGHT: 25 FEET
MINIMUM LOT WIDTH: 150 FEET



DESIGNATION CALCULATIONS:
1. ONE INCH STORM (1.0 IN/12 IN/FT) * 4,480 SF (AREA OF DRIVEWAY) = 374.2 CF OF STORAGE REQUIRED.
2. STONE-FILLED TRENCH, 2' WIDE * 2 DEEP * 235' LONG = 438 CF OF STORAGE PROVIDED (VOID RATIO REQUIRED).
ISOTHERMALIZATION CALCULATIONS:
1. INFILTRATION UNITS SIZED TO CONTAIN 1.0 INCHES OF RAINFALL TIMES THE ROOFTOP AREA. (1.0 IN/12 IN/FT) * (208 SF) = 17.33 INCHES OF STORAGE REQUIRED.
2. USE THREE R-33000 UNITS 3' CHAMBER (1' HIGH) * 150.0 CF OF STORAGE (VOLUME) * 180 SF (CHAMBER) = 4,050 CF OF STORAGE.
NOTE: CALCULATIONS ARE FOR STORAGE ONLY. THE SYSTEM WILL EXHIBIT ADDITIONAL RUNOFF THROUGH THE SOILS BENEATH.



Town of Groveland Planning Board

183 Main Street
Groveland, MA 01834



LEGAL NOTICE

Project Location: 4 Federal Way, Map 49 Lot 005-G

Filing: Aquifer Protection Overlay Special Permit

Notice to run in the Eagle Tribune on August 7, 2023, and August 14, 2023.

The Groveland Planning Board public hearing on Tuesday August 22nd, 2023, at 7:00 PM in the Main Meeting Room of Town Hall, 183 Main Street, Groveland, MA, under the Groveland Zoning Bylaw, for an application made by MTC Mechanical Co. Inc, for the premises located at 4 Federal Way, Map 49 Lot 005-G, located in the Industrial (I) a special permit for a diesel generator in the Aquifer Protection District Zone II (Section 50-6.2(G)(e) of the Groveland Zoning Bylaw. The supporting materials are on file in the Economic Development, Planning, & Conservation Department at the Town Hall, and may be viewed during the hours of, Monday through Thursday 8AM to 3PM.

REC'D W. NENBURY CLERK
'23 AUG 8 AM 10:53



REC'D M. NEWBURY CLERK
23 AUG 8 AM 10:58

REC'D CITY CLERK JUL 27 2023 10:50

CITY OF HAVERHILL, MASSACHUSETTS

NOTICE OF DECISION

YOU ARE HEREBY NOTIFIED OF THE DECISION OF THE CITY COUNCIL ON THE APPLICATION OF:

Attorney Michael Migliori for 7-13 Kenoza Ave., LLC.

APPLICANT AND OWNER (IF DIFFERENT)

for property located at:

3 Kenoza Avenue combined with 7 Kenoza Avenue 204-48-1, 204-48-2A

SITE LOCATION, ASSESSOR'S MAP, BLOCK, PARCEL NUMBERS

which was filed with the City Clerk on July 27, 2023 as signified by the City Clerk's date stamp.

DATE

The Council, as authorized by Section 15, Chapter 40A of the M.G.L. held a PUBLIC HEARING on:

July 11, 2023

DATE OF HEARING (CONTINUANCE IF APPLICABLE)

The Council voted to **GRANT** said application.

Vote on Special Permit **WITH CONDITIONS.**

	YES	NO	ABSENT
PRESIDENT JORDAN	X		
COUNCILOR MICHITSON	X		
COUNCILOR BARRETT	X		
COUNCILOR BEVILACQUA	X		
COUNCILOR SULLIVAN	X		
COUNCILOR LEWANDOWSKI	X		
COUNCILOR MCGONAGLE	X		
COUNCILOR ROGERS	X		
COUNCILOR TOOHEY	X		

See attachments for reasons for decision of the City Council.*

An appeal of this Decision shall be made pursuant to Section 17 of Chapter 40A, MGL, and shall be filed with Superior or District Court within twenty (20) days after the date of filing of the above cited decision with the Office of the City Clerk. Procedural appeals shall be taken in accordance with Section 17 of Chapter 40A, MGL.

July 27, 2023

DATE

Timothy J. Jordan 1196
CITY COUNCIL PRESIDENT

*Record of evidence and detailed record of proceedings of the City Council hearing have been filed with the City Clerk and are incorporated herein by reference and considered a part hereof.

Hearing JULY 11, 2013



48

04/19/2023

CCSP-23-3

City Council Special Permit

Status: Active

Date Created: Apr 18, 2023

Applicant

michael migliori
mmigliori@firmilaw.com
280 Merrimack Street
Methuen, MA 01844
978-884-6431

Primary Location

3 KENOZA AVE
Haverhill, MA 1830

Owner:

7-13 KENOZA AVE, LLC
2 WATER ST MEDFORD, MA 2155

Important: Please Read Before Starting Your Application

Applicant Information

What is Your Role in This Process?
Attorney/Agent

Applicant Business/Firm Phone
978 884 6431

Applicant Business/Firm City
Meyhuen

Applicant Business/Firm Zip
01844

Client Business Name
7-13 Kenoza Ave., LLC

Client Email
developxprop@gmail.com

Client City
Medford

Client Zip
02155

Client Business Structure
Limited Liability Corporation (LLC)

Applicant Business/Firm Name
Fiorello & Migliori

Applicant Business/Firm Address
280 Merrimack Street

Applicant Business/Firm State
MA

Client Name
7-13 Kenoza Ave., LLC

Client Phone
781 835 7761

Client Address
2 Water Street

Client State
MA

Client County
middlesex

IN CITY COUNCIL: April 25 2023
COUNCIL HEARING: JULY 11 2023

Attest
Kathleen M. Wright City Clerk

Property Information IN CITY COUNCIL: July 11 2023

Proposed Housing Plan Name Attest: *Kathleen M. Wright* City Clerk Approved: *[Signature]* Mayor

xxxx Proposed Street Name(s)
Kenoza Avenue

How Long Owned by Current Owner? 3 years
Type of Dwelling(s) Planned in Project
Apartments

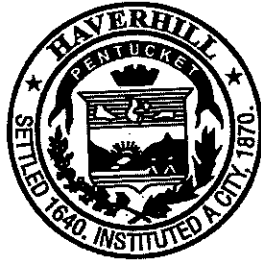
Lot Dimension(s) 75 X 160 X 170
Registry Plat Number, Block & Lot
204-48-1.204-48-2A

PASSED WITH FOLLOWING CONDITIONS:

SPECIAL PERMIT TO INCLUDE ALL DEPARTMENT CONDITIONS, TO INCLUDE ONE AFFORDABLE UNIT, ALSO THE PUBLIC/PRIVATE CITY SIDE BE APPLICANTS RESPONSIBILITY FOR LANDSCAPING, AND ALSO TO UPKEEP AND CLEAN UP SITE AND KEEP CLEAN UNTIL CONSTRUCTION

CITY COUNCIL

Timothy J. Jordan
President
John A. Michitson
Vice President
Melinda E. Barrett
Joseph J. Bevilacqua
Thomas J. Sullivan
Melissa J. Lewandowski
Michael S. McGonagle
Catherine P. Rogers
Shaun P. Toohey



CITY HALL, ROOM 204
4 SUMMER STREET
TELEPHONE: 978-374-2328
FACSIMILE: 978-374-2329
WWW.CITYOFHAVERHILL.COM
CITYCNCL@CITYOFHAVERHILL.COM

CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843

REC'D & NEWBURY CLERK
28 AUG 8 AM 10:53

**APPLICATION FOR SPECIAL PERMIT
DOCUMENT 48, CCSP-23-3
ATTORNEY MICHAEL MIGLIORI
FOR APPLICANT 7-13 KENOZA AVE., LLC.
3 KENOZA AVENUE COMBINED WITH 7 KENOZA AVENUE
JULY 11, 2023**

DOC. 48 – SUMMARY MINUTES OF A SPECIAL PERMIT IN-PERSON AND HYBRID HEARING HELD ON JULY 11, 2023 FOR PETITION FROM ATTORNEY MICHAEL MIGLIORI FOR APPLICANT 7-13 KENOZA AVE., LLC FOR SPECIAL PERMIT CCSP-23-3 FOR A 14-UNIT RESIDENTIAL BUILDING AT 3 KENOZA AVENUE COMBINED WITH 7 KENOZA AVENUE.

SUBJECT: Document 48; CCSP-23-3: Petition from Attorney Michael Migliori for applicant 7-13 Kenoza Ave., LLC. for a Special Permit CCSP-23-3 for a 14-unit residential building at 3 Kenoza Avenue combined with 7 Kenoza Avenue.

Present: President Timothy Jordan, Councilor Melinda Barrett, Councilor Joseph Bevilacqua, Councilor Thomas Sullivan, Councilor John Michitson, Councilor Melissa Lewandowski, Councilor Catherine Rogers, and Councilor Shaun Toohey

Remote: Councilor Michael McGonagle

City Clerk Kaitlin M. Wright: Document 48; CCSP-23-3: Hearing request – CCSP-23-3 Attorney Michael Migliori representing 7-13 Kenoza Ave., LLC; property currently zoned as commercial central (CC) requesting to building a 14-unit residential building at 3 Kenoza Avenue combined with 7 Kenoza Avenue; Map 204-48-1 and 204-48-2A. Comments from City Departments are included.

President Jordan opened the special permit hearing.

Michael Migliori: I represent the applicant 7-13 Kenoza Ave., LLC. regarding the project at 3-13 Kenoza Avenue. My offices are located at 280 Merrimack Street, Methuen. Here with me this evening are the owners of the project, Christos Eliopoulos and John Tucci, Architect Matt Juros, and Civil Design Consultants Project Engineer Tom Schomburg and all are available for questions and comments. My plan this evening is to provide the Council with some history and oversight of the project and ask Matt to discuss the building and the site with you and then have Tom talk about the engineering and traffic, then Christos would like to speak briefly to the Council and then I will wrap things up.

CITY COUNCIL
Timothy J. Jordan
President
John A. Michitson
Vice President
Melinda E. Barrett
Joseph J. Bevilacqua
Thomas J. Sullivan
Melissa J. Lewandowski
Michael S. McGonagle
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CITY OF HAVERHILL

HAVERHILL, MASSACHUSETTS 01830-5843

Christos and John, the owners, are not new to Haverhill but in fact they have been involved in several purchases in the city over the years and own a number of properties here. They enjoy working with the city and investing in Haverhill and look forward to doing more things here as a result of the potential they see in Haverhill. They have a great track record with the tenants who reside in their properties and have shown great compassion on more than one occasion helping out some of their disadvantaged tenants when the need arose.

We started this project almost two years ago. First had to deal with the Board of Appeals. At the meeting we realized we had some opposition from one of the neighbors at the Unitarian Universalist Church. We agreed at that time rather than to proceed with a hearing before the ZBA we met with the church members to try and understand the concerns. I will point out that Christos had been in touch with pastor prior to that hearing and reviewed the project in detail. That hearing continued to September. Once we met with the church and their council in August of last year, we realized we needed to rethink the entire project. We asked for a continuance before the ZBA. We filed a brand-new application for the project with the Board of Appeals due to the significant changes to the project which is what is before you this evening. The original application called for a 4-story 20-unit apartment building with 21 parking spaces. We heard the concerns of the church when we met with them. Those included the design of the original building, the height, the density, the proximity to the church, the impact on sunlight and the concern about parking. As you'll see from Matt's presentation, we addressed all their concerns. We reduced the number of units to 14, we shrunk the building, and moved it. We made significant changes to address their concerns. The lot itself presents challenges. It is a triangle lot, it intersects with three streets; Main, Kenosha and Ashland and because of that the parcel is deemed, even though only has three sides, technically it has three frontages. The building inspector determined that he wanted it to have three frontages so that presented some additional challenges for zoning because of setbacks. The second issue that makes this a challenge is it is contaminated and is subject to a notice of limitation use activity which says we cannot do any residential development on that portion of the property. It is limited to commercial use or parking. We have opted for parking. Will add a small park area and beautification as you are driving towards and around it making it look so much better. These two hardships have made this site difficult to develop. The team did a great job in designing the building so that at this time we are able to meet zoning requirements, we are not asking for a waiver from the Council, the project has become a by right project based upon our meeting and requirements for a special permit. The property currently contains a commercial/residential property to be demolished and an abandoned building on site of the former gas station. The applicant wishes to remove the blighted buildings and construct a 14-unit residential apartment building. Additionally, the Mayor has asked to make one of the units affordable, which we have agreed to do.

CITY COUNCIL

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REC'D N. NEWBURY CLERK
23 AUG 8 AM 10:53

Matt Juros, CI Design, 52 Wingate Street: The original design put together had 20 units, 4-story tall that fit within the set back of the property. After a series of meetings with the church, came back with a building that would provide a lower number of units, parking and keeping 20-foot set back we share with the church. We propose a place to maintain the hardscape and shrubs. The city owns a planted strip in the vicinity, and we ask the city to incorporate our design into the city's planted strip and maintain them both as though they were ours and provide a welcoming gateway to the city. The proposed building has a more residential scale and feel, it is lower than the existing building, the materials are traditional New England cape style feel with a continuance porch, and separate entrances. The units are studios and one-bedroom which allows us to hit the price point of what is in demand.

Councilor Bevilacqua: What the price point of the units?

Christos Eliopoulos, 2 Water Street, Medford: As far as rents are concerned, we are looking at market rate for the one-bedroom, right now properties currently getting \$1400-\$1500.

Tom Schomburg: Here to speak on traffic report which was prepared by Chappell Engineering Associates in March 2023 using standard Institute of Transportation and Engineering trip generation manual. The proposed development will generate 60 trips, 30 in and 30 out, on a daily basis. The previous gas station had over 880 trips per day. The expected traffic on the adjacent streets is negligible. Amounts are below the transportation impact assessment guidelines so no formal full traffic study is required. Chappell recommends the driveway in the front of the building be one-way from Kenoza Avenue to Ashland Street and "Do Not Enter" signs be placed on the Ashland Street driveway facing the Ashland Street traffic as well at the Kenoza Avenue driveway facing into the parking lot. These comments have been addressed in the plans.

Councilor Barrett: There is an island on the Ashland Street side, does your entrance or exit affect that at all?

Tom Schomburg: As it stands right now, the curb cut closest to the island is going to be removed.

Krista Martineau, 31-33 Ashland Street, appeared remotely: Believe there is a medium in the middle of Ashland and also an exit for CVS traffic. Where are the one-ways going? Is the flow of traffic going to change, not allowing you to turn off of Main Street? Also asked if there will be an additional bus stop. Was a traffic study done on the effect of traffic on Travers Street?

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CITY HALL, ROOM 204
4 SUMMER STREET
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FACSIMILE: 978-374-2329
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Tom Schomburg: The one-way leaving the street will be further up than the CVS exit. The one-way is just for the site parking lot only. They do not know about an additional bus stop. No, the study done was not on that street, the flow of traffic will not affect that street.

Christo Eliopoulos: I am one of the owners along with John Tucci. We purchased first property in Haverhill in 2018. Kenoza is our third property in Haverhill, it has been a wonderful and challenging experience. We have 60 support letters and support of the chamber. Excited about the project and feel it is a good fit for the city.

Councilor Barrett: The UU church is used as a polling place. Would construction affect Ashland Street access during the coming elections or the presidential election in 2024?

Michael Migliori: Not this year but accommodation will be made if some impact in 2024. The property is in the CC Zoning district. Contains a commercial building that will be demolished. In light of the requested use, we do need a special permit from the Council. We meet all the zoning requirements but at the same time there are benchmarks for a special permit and want to make sure to get them in the record. Community needs are served by the proposal, we believe creating 14 units in the inner city on a blighted site meets those criteria. The Mayor has requested one affordable unit. Traffic and pedestrian flow and safety including parking and based upon the traffic study and way designed traffic the units with 21 spaces meet that benchmark and note that zone only require 14 spaces, we have 50% more. The area has all the required utilities and services for the project. The building is a great fit for the site and will complement the highlands neighborhood. The project is recycling the entire site with needed housing and an improvement to the existing natural environment. It will generate tax revenue for the city and have no impact on schools. No plowing or trash services from the city and will be handled by the owners. The city departments and the Mayor support the project.

President Jordan asked if anyone would like to speak in favor?

Steven Costa, 18 Memorial Avenue, in support stating a home run for Haverhill. Moderately priced apartments. Questioned the amount of contamination on the site and storm drainage. I urge Council to vote in favor.

Christos Eliopoulos stated the property had already been cleared out. The issue is it has an AUL which only allows certain projects.

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Devan Ferreira, 12 Grant Street, stated they were not told about it. Glad compromise with number of unit size, scale and design. However, concern is with the landscape portion around the edges and hope there can be some conditions put in place while waiting for construction to begin. Also concerns of traffic in and out from CVS, and concern about the small island on Ashland for fire trucks to make turn.

Christo Eliopoulos: Owned Kenoza before we bought the gas station. The fence that is there now was installed by us when we purchased it. Property has been vacant for over a decade so we understand the safety concerns of property and will adhere to every safety guideline during construction.

President Jordan asked if anyone would like to speak in opposition?

Krista Martineau, 31-33 Ashland Street, appearing remotely. Definitely no for this project. Would like to know a timeline on how much disruption will be with water issues. Concerned with homelessness and shelters with vandalizing property, will attract more people to hang around. There doesn't seem to be enough parking. The roads are already very heavily traveled and can barely turn down the street. Not in favor of extra people living here, not knowing how one-way will work and who will maintain the park at the end of the road with impoverished people who will end up littering there.

Christos Eliopoulos: In our best interest to make sure the neighborhood is safe and kept up because we want to make sure our apartments are rented and folks living there feel safe. That is the responsibility we are going to take as the property owners, that is our business and we are going to commit to that standard. We are planning on adding EV stations as well.

President Jordan closed the hearing.

Motion by Councilor Sullivan to move for passage with all department's conditions, second Councilor Rogers

Councilor Toohey: Thank you everyone for the presentation. Did a great job on changing the look and lowering it and it fits in the neighborhood. Is the affordable unit happening?

Michael Migliori: Yes, the affordable unit is included and to incorporate into the decision.

Councilor Toohey: Asked if Christo could clarification on the contamination; two parcels, the gas station and the mixed parcel, the front gas station is contaminated, has there been phase 1 or phase 2 or 21E done

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and could we have the report at some point. Need clarification on where the building is going because with contamination it could leak especially if you bore into the ground.

Christo Eliopoulos: The reports were done when we bought and we were provided the studies when contamination was removed 10 years ago. Attorney Migliori will upload it to the website tomorrow.

Councilor Toohey: Looking for assurance with such a critical piece. I will support the project. I think it is well needed. I like the affordability piece. The housing crisis is there, this is one step in the right direction.

Councilor Barrett: Trash storage and where the dumpster is located. What is the snow removal plan?

Michael Migliori: It is private trash held in the building until the day of pickup. The plan shows an area for short term snow removal until it is removed.

Councilor Barrett: Would like to make it a condition the public/private area landscaping be the applicants' responsibility even the area with the gardens from Brightside.

Michael Migliori: That is our intention. We need to work out those details when we go to definitive plan review because the city and state will be involved but we have agreed to do it.

Councilor Sullivan: Thank you for your presentation. Wanted to ask about the current conditions of the site and concerns made. Could you clean the site up now and maintain it during the construction project? I will make it a condition. Matt did a great job with the design, and we will hold you to that design. We want this design presented tonight to be the final design. Not sure what happened to Emerson Street, but it is a disaster. We are going to hold you to the design, the amenities, and please work with the neighbors as you pursue the definitive planning and move forward. I intend to support this project.

Councilor McGonagle: I also intend to support. I do not think bad things will happen when you invest in a neighborhood. I would ask as a curiosity to the neighbors to clean up the site. In my thought process there will be no detrimental effect because of this building. This owner seems straightforward and committed.

Councilor Lewandowski: I echo what some of my colleagues have said the aesthetics are chef kiss. This is not an easy area to work with or had anything of merit from before that could be worked a different way. I applaud the efforts and respect the lower footprint and taking into consideration what the

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neighbors said, and their concerns they had included making the sight line smaller. I think it indicates your commitment to this project and the neighborhood. Thank you for your presentation and the considerations you have made to the project to fit the character of that area.

Councilor Bevilacqua: One of things I appreciate about his development is that it takes a blighted site away from the city. I also think there will be less traffic impact than the commercial property that was there previously. I would encourage the developer and development team to meet with the neighborhood and keep them apprised as to what is happening as the project goes forward. I think Universal does a tremendous job with all the community services. I will support this. I think it will have less of an impact but encourage the developer to talk with the neighbors.

Michael Migliori: We did speak with the neighbors and had meetings with church.

Councilor Rogers: In the state of Massachusetts do they force you to install electric charging stations? What about solar? Are you considering any thought process for dogs? Appreciate more room given to the church with the setback, also like the idea of the site being cleaned up, will support.

Christos Eliopoulos: The new stretch code with any renovation over 1,000 square feet requires at least a set up for new charging stations but not required. For solar, I would have to run the conduit to have it ready for solar panels. Will allow small animals, less than 25 pounds.

Vice President Michitson: A lot of my questions have been answered but one thing though is I am very concerned with what happened on Emerson Street, it looks like a prison. Would like an explanation of the colors, the quality, the materials of the building.

Matt Juros: The issue of aesthetics as approved vs. aesthetics as built is an interesting feature of the approval process. We develop the design through cost reduction. The aesthetics of the building is borrowed from Queen Anne and cape-style architecture which is smaller gabled house with single cladding and buildings that are two stories tall with multiple pitches. We are reinventing the classics.

President Jordan: I have a question for Mr. Eliopoulos. How many one-bedrooms vs studios? You said the one-bedrooms would be market rate at \$1,400-\$1,500. What would the studios be?

Christos Eliopoulos: We do not have a final number but thinking the majority will be one-bedrooms. There may be a few studios on the smaller side. The number I gave you is what we currently charge for

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our existing one-bedroom apartments, in that \$1,400-\$1,600 range. I don't have any studios right now but would assume those would be a few hundred dollars less.

President Jordan: I am not going to repeat all of what my fellow Councilors said. I agree with shrinking the size down, and glad you collaborated with the UU, and the conditions that my fellow colleagues wanted to add all the department head conditions, the landscape and upkeep being your responsibility, and clean up the area now and maintain it throughout the process. This project is very visually appealing, and I certainly hope it will be as visually appealing when it is finished. By having it be that much more attractive, it is going to cut down on some of the issues that exist right now with homelessness and people throwing things in there as stated it is in your best interest clearly to ensure that this is a pristine area and that you continue to collaborate with the entire neighborhood and work with the services that have been provided around you. It is in the city's best interest and your best interest. I plan to support it as well.

Councilor Lewandowski: Are you planning on installing a dog waste station in the park area? I would like to add that as a condition.

Christos Eliopoulos: I did not know that they had dog waste stations. We are getting into the next stage of design so we can definitely include something like that. I agree we are going to have dogs there; we should manage it.

President Jordan: Original motion by Councilor Sullivan, second Councilor Rogers with all department head conditions, the landscaping and upkeeping is responsibility of the developer, clean area now and maintain during process, dog waste station, and one affordable unit. Madam Clerk please call the roll.

City Clerk Wright: Vice President Michitson-yes, Councilor Barrett-yes, Councilor Bevilacqua-yes, Councilor Sullivan-yes, Councilor Lewandowski-yes, Councilor McGonagle-yes, Councilor Rogers-yes, Councilor Toohey-yes, President Jordan-yes, 9 Yeas, 0 Nays

President Jordan: PASSED with Conditions

Respectfully submitted,

Laurie A. Brown
Administrative Assistant

July 21, 2023

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REASON FOR VOTE

Document 48, CCSP-23-3

7-13 Kenoza Ave., LLC.

3 Kenoza Avenue and 7 Kenoza Avenue

July 11, 2023

President Jordan: I voted in favor because the project met all the requirements. It will greatly improve the aesthetics of a long-blighted area.

Councilor Michitson: I voted in favor because the requirements were met.

Councilor Barrett: I voted in favor because the project will take a blighted underutilized property and put 14 units of single bedroom and studio apartments on the tax roll. It provides for parking and impacts to traffic in the area will be less than potential commercial projects.

Councilor Bevilacqua: I voted in favor because the project met conditions of zoning, provides for assistance with housing needs of city, met conditions of city departments, addresses the blighted area, and provides excess parking spaces from needs/requirements of zoning.

Councilor Sullivan: I voted in support of the special permit because the project met all of the conditions and will provide badly needed rental apartments and will be an asset to the neighborhood.

Councilor Lewandowski: I voted in favor as the proposal meets with all department head approval and will transform a blighted area to one that will enhance the neighborhood.

Councilor McGonagle: I voted in favor based upon recommendation from the Economic Development Director and the benefit the housing will be for the city.

Councilor Rogers: I voted in favor because this project meets all zoning requirements of the city departments. This will significantly improve the run-down lot and meet the community need for more rental units and one affordable unit. This project will add a small park for the neighborhood and the development.

Councilor Toohey: I voted in favor because it will create affordable housing and remove a terrible blight in that neighborhood.

