



Ranger Engineering Group, Inc.

NOTICE OF INTENT APPLICATION

The Villages at Cricket Lane 55 Pearson Dr. Newbury, MA

ASSESSOR'S MAP R20 LOT 75

May 10, 2021

Submitted to:

Town of Byfield
Conservation Commission
12 Kent Road
Byfield, MA 01922

Prepared for:

Walter Eriksen
Cricket Lane, LLC
92 Middlesex Rd.
Tyngsboro, MA 01879

Prepared by:

Ranger Engineering Group, Inc.
13 Branch Street Suite 101
Methuen, MA 01844
Tel : 978-208-1762

Benjamin C. Osgood Jr, PE
Director of Engineering

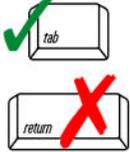


WPA Form 3 – Notice of Intent

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

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
Newbury
City/Town

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



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

55 Pearson Drive	Newbury	01922
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	42.759832	-70.929538
R-20	d. Latitude	e. Longitude
f. Assessors Map/Plat Number	75	g. Parcel /Lot Number

2. Applicant:

Walter	Eriksen	
a. First Name	b. Last Name	
Cricket Lane, LLC		
c. Organization		
92 Middlesex Road		
d. Street Address		
Tyngsboro	MA	01879
e. City/Town	f. State	g. Zip Code
508-509-5220	awc.walter@comcast.net	
h. Phone Number	i. Fax Number	j. Email Address

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

a. First Name	b. Last Name	
Byfield Estates LLC		
c. Organization		
2 Dearborn Way		
d. Street Address		
Middleton	MA	01949
e. City/Town	f. State	g. Zip Code
978-930-5001	N/A	N/A
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

Benajmin C.	Osgood Jr.	
a. First Name	b. Last Name	
Ranger Engineering Group, Inc.		
c. Company		
13 Branch Street Suite101		
d. Street Address		
Methuen	MA	01844
e. City/Town	f. State	g. Zip Code
978-435-1324	N/A	bosgood@rangereng.com
h. Phone Number	i. Fax Number	j. Email address

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

6,500.00	3,237.50	3,262.50
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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City/Town

A. General Information (continued)

6. General Project Description:

Construct 24 single family homes with 800 feet of roadway, common septic system, water lines, sewer lines, and stormwater management system. Roadway includes limited crossing wetland filling and replacement with work in the buffer zone.

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

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

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

- 1. Yes No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

Fill wetland to access upland

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

ESSEX

a. County

36692

c. Book

b. Certificate # (if registered land)

493

d. Page Number

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

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

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



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

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input checked="" type="checkbox"/> Bank	20 1. linear feet	20 2. linear feet
b. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	4,624 1. square feet	5660 2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

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

2. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

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

4. Proposed alteration of the Riverfront Area:

a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.
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5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

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

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

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



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

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

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

Table with columns: Resource Area, Size of Proposed Alteration, Proposed Replacement (if any). Rows include Designated Port Areas, Land Under the Ocean, Barrier Beach, Coastal Beaches, Coastal Dunes, Coastal Banks, Rocky Intertidal Shores, Salt Marshes, Land Under Salt Ponds, Land Containing Shellfish, Fish Runs, Land Subject to Coastal Storm Flowage, Restoration/Enhancement, and Project Involves Stream Crossings.



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Document Transaction Number

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City/Town

C. Other Applicable Standards and Requirements

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

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

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

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

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

- on line _____
b. Date of map _____

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

- c. Submit Supplemental Information for Endangered Species Review*

- 1. Percentage/acreage of property to be altered:
(a) within wetland Resource Area _____ percentage/acreage
(b) outside Resource Area _____ percentage/acreage

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

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

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

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



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

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Document Transaction Number

Newbury

City/Town

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

(c) MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/ mesa/ mesa_fee_schedule.htm).
Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

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

(d) Vegetation cover type map of site

(e) Project plans showing Priority & Estimated Habitat boundaries

(f) OR Check One of the Following

1. Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/ mesa/ mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

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

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

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

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

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

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

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694
Email: DMF.EnvReview-South@state.ma.us

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.



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

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

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

D. Additional Information

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

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

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

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



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Document Transaction Number
Newbury
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D. Additional Information (cont'd)

- 3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.
- 4. List the titles and dates for all plans and other materials submitted with this NOI.

40B Comprehensive Permit, The Villages at Cricket Lane	
a. Plan Title	
Ranger Engineering Group, Inc.	Benjamin C. Osgood Jr. PE
b. Prepared By	c. Signed and Stamped by
1/28/2021	1" = 40'
d. Final Revision Date	e. Scale
Stormwater Management Report	June 30, 2020
f. Additional Plan or Document Title	g. Date
- 5. If there is more than one property owner, please attach a list of these property owners not listed on this form.
- 6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
- 7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
- 8. Attach NOI Wetland Fee Transmittal Form
- 9. Attach Stormwater Report, if needed.

E. Fees

- 1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

1019	5/3/2021
2. Municipal Check Number	3. Check date
1018	5/3/21
4. State Check Number	5. Check date
Cricket Lane LLC	
6. Payor name on check: First Name	7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 3 – Notice of Intent
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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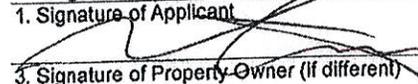
City/Town

F. Signatures and Submittal Requirements

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

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


 1. Signature of Applicant


 3. Signature of Property Owner (if different)

5. Signature of Representative (if any)

4/21/21
 2. Date

4/23/21
 4. Date

6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a copy of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

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

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

APPENDIX TO NOTICE OF INTENT

PROJECT DESCRIPTION	1
RESOURCE AREA PROTECTION	1
WILDLIFE HABITAT	1
CONSTRUCTION SEQUENCE	2
USGS QUADRANGLE MAP	3
NATURAL HERITAGE MAP	4
FLOOD INSURANCE RATE MAP	5
ASSESSOR'S MAP	6
AFFIDAVIT OF SERVICE	7
ABUTTERS LIST	8
NOTIFICATION OF ABUTTERS	9
SITE VISIT AUTHORIZATION FORM	10
PERMIT CERTIFICATION FORM	11
WETLANDS FEE TRANSMITTAL FORM	12
COPY OF CHECKS	13

PROJECT DESCRIPTION

SITE DESCRIPTION

The project site consists of a 15.08 ± acre parcel of land located at the rear portion of 55 Pearson Drive (Assessors Map 20 Lot 75) in the Byfield section of Newbury, Massachusetts (see Ranger Dwg. CS9201). The site presently is undeveloped and can be characterized as wooded land with rolling topography and some statutory wetland areas. The parcel is bordered by residential properties located along Pearson Drive to the south, residential properties with large areas of wooded land to the east, and primarily undeveloped land associated with the Martin Burns Wildlife Management Area to the west and north. Access to the property is gained through an easement over the front portion of 55 Pearson Drive which is an existing lot containing one single family dwelling.

The existing terrain is variably sloped, hilly, and rocky. The flattest terrain (5%-6%) exists within the northern regions of the parcel and much steeper terrain (>20%) exists within the southeastern regions of the parcel. Rock outcroppings are visible throughout the site as well. The majority of the site is covered with pervious woodland ground cover and well drained soils consisting of a mixture of sandy loam and loam. Stormwater runoff flows off in all directions within the site and into the surrounding wetland areas.

PROJECT DESCRIPTION

The project proposes to construct twenty-four (24) single family dwellings including six (6) affordable units, paved cul-de-sac roadway, related utility infrastructure, stormwater management systems, and a shared onsite septic system. The new roadway will cross through an easement and will measure 22' wide along the normal sections and 25' wide around the cul-de-sac center island. The roadway will be lined on both sides with sloped granite curb and a 5' wide sidewalk is proposed along one side of the roadway.

The roadway construction will require the filling of a portion of existing wetland area as a limited project wetland crossing to access otherwise inaccessible upland areas. Wetland replication areas will be constructed in the southwest corner of the site in an upland area adjacent to the E series of wetland flags. A small limited access temporary filling of wetland will be required to access the upland where the wetland replication area is proposed. The wetland replication area will be 5660 square feet which will provide a 1.5 to 1 ratio of the total disturbed wetland area which includes compensation for historically filled wetlands. A wetland restoration report has been completed by Norse Environmental which is an attachment to this Notice of Intent.

The new dwelling home designs will be approximately 2,200 square feet. Eight (8) of the dwellings will contain four (4) bedrooms and the remaining will contain three (3) bedrooms. Basement space will be designed to be finished. Each dwelling will contain an outside deck area as private space and a paved driveway with parking for 2 cars as well as a 2 car garage.

A stormwater management system consisting of roadside catch basins, drain manholes, underground piping, and open detention basins will be constructed in accordance with all Massachusetts Department of Environmental Protection (MADEP) regulations. The system has been designed to maintain the same drainage patterns, flow rates, and flow volumes as under existing conditions. Stormwater treatment will be provided by an underground filter system and an open detention pond with a pocket wetland. Infiltration will be provided by individual roof infiltration systems as well as a larger buried system which also functions to treat runoff from paved surfaces. Shared septic systems will be constructed in accordance with MADEP Title V Regulations to accommodate wastewater flow from the new dwellings. The septic system design has been approved by the Newbury Board of health.

WETLAND RESOURCE AREAS

The wetland delineation of the site was determined by Rimmer Environmental Inc. in accordance with the Massachusetts Wetlands Protection Act (M.G.L. Ch 131 S40). The edge of the wetlands (Bordering Vegetated Wetlands (BVW)) were identified and flagged using pink surveyor's tape and wetland delineation pennants. See appendix for full report.

The site contains several resource areas which are shown on the existing conditions plans (see sheet CS-0201) as described below. With the exception of the vernal pools, these areas were approved by the Newbury Conservation Commission through the Abbreviated Notice of Resource Area Delineation process on July 16, 2019.

BORDERING VEGETATED WETLAND

Five (5) numbered series of wetlands are shown on the existing conditions plans, three (3) of which delineate bordering vegetated wetlands. Wetlands Flags C-1 through C-23 delineate a large wooded wetland at the east side of the project site. This wetland is extensive and flows off site to the north.

Wetland Flags D-1 through D-22 and E-1 through E-23 delineate an extensive wetland which borders an intermittent stream on the west side of the property which flows to the south.

ISOLATED WETLAND

Two (2) series of wetlands flags shown on the existing conditions plan delineate isolated wetland areas. These areas are shown as flags A-1 through A-24 and B-1 through B-5.

ISOLATED LAND SUBJECT TO FLOODING

Within the A series wetland flags there exists an isolated land subject to flooding (ILSF). This ILSF has been determined to be large enough to hold the minimum required ¼ acre foot of water when it floods to its maximum elevation as determined by a detailed

elevation survey. The limit of the ILSF primarily contained within the A series wetland flags, although it does extend slightly outside of the A series flags in a few locations.

BANK

There is bank located within the BVW associated with the small intermittent stream within the wetland series D and E flags.

VERNAL POOL

An area of flooding which contains evidence of vernal pool habitat has been shown on the plan. This area is located within the D series wetland flags and has been delineated based upon a detailed elevation survey to determine the maximum elevation of flooding in the pool. This area extends onto the Martin Burns Reservation and has been certified as a vernal pool.

The ILSF located within the A series wetland was investigated by Mary Rimmer for the presence of vernal pool species, however, the evidence documented was not enough to establish that the ILSF holds water for a sufficient amount of time to classify the area as vernal pool habitat. The pool was investigated over 4 seasons and found to be dry before the end of June in 2 of the last 4 seasons. The other 2 seasons were found to be dry at the beginning of July, however no inspections were performed during June of those years.

RESOURCE AREA PROTECTION

CONSTRUCTION PHASE

During Construction the wetland resource areas will be protected by limiting cutting along the edge of sensitive wetland areas and the establishment of an erosion control system consisting of straw wattles staked by 1" by 1" stakes 8' on center along the limit of work. Stone check dams, filter berms, and other erosion control techniques will also be employed to prevent eroded material flowing to the wetland resource areas.

Erosion controls will be installed prior to the commencement of construction activities and remain in place until the site is stabilized with grass or other landscape material. Daily inspections by the contractor will be used to insure that deficiencies in the erosion control system will be repaired as required to maintain proper function during the duration of construction. Additional third-party inspections by a qualified environmental monitor will also be used to monitor the work of the contractor to verify that he/she is maintaining the erosion control as required. The environmental monitor will also be able to instruct the contractor to install additional measures if they feel additional measures are warranted.

LONG TERM RESOURCE PROTECTION

All disturbed areas will be loamed and seeded to prevent erosion upon completion of the project. The stormwater management will treat runoff from impervious roof and

paved surfaces and periodic inspections will be performed to insure their long-term functionality.

Development of the project site has been proposed with buffer zones of undisturbed wooded vegetation along the edge of wetland resource areas which contain vernal pools. Additionally, only lawn areas are proposed directly adjacent to the limit of clearing and no untreated stormwater will be directed towards the vernal pools. In areas where clearing is proposed within proximity to the edge of the bordering vegetated wetland, additional buffer zone plantings are proposed.

The wetland filling associated with the limited project roadway crossing will be replaced with an equivalent constructed wetland which will be large enough to compensate for the limited project crossing and historically filled wetlands near the proposed project entrance. The wetland replacement areas will be provided at a 1.5 to 1 ratio and covenants will be provided to prohibit any application for additional wetland filling in the future.

A small area of bank will be disturbed to accomplish the limited crossing to construct the wetland replacement area. This bank disturbance will be replicated in place as the crossing is a temporary crossing.

WILDLIFE HABITAT

According to current Massachusetts GIS Online Mapping Tool (Oliver) the site is not designated as an area for estimated habitat for rare wildlife or rare species and will not require a submittal to the Natural Heritage and Endangered Species Program (NHESP) as part of the permitting process.

The vernal pool which is located on the north west corner of the development has been identified and delineated and is shown on the plans. A suitable undisturbed vegetated buffer zone has been provided to protect this resource area. The stormwater management system diverts runoff from impervious surfaces away from the vernal pool and all of the components are located outside of the 100 foot vernal pool buffer zone. The proposed subsurface sewage disposal system is also located outside of the vernal pool buffer zone.

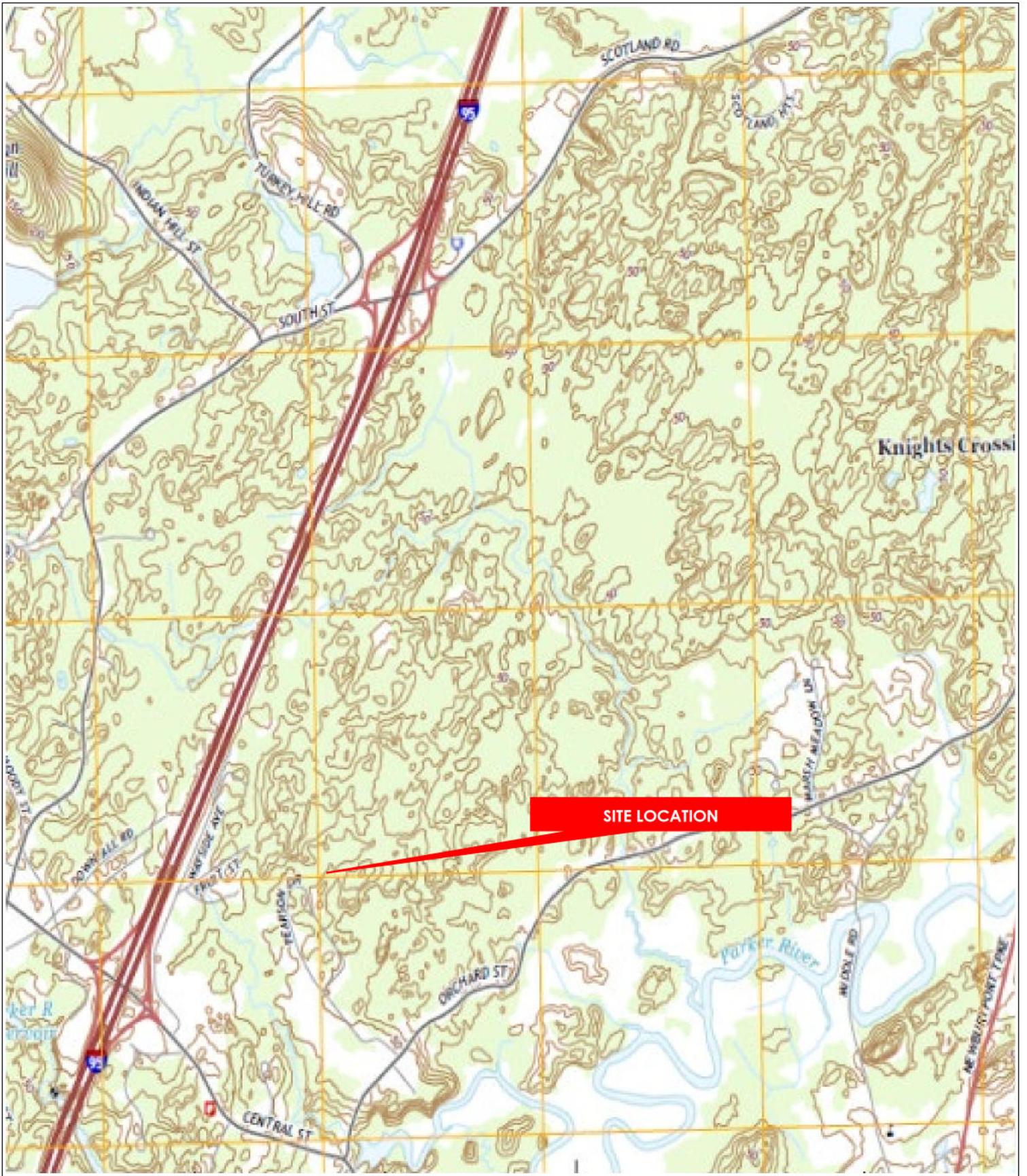
CONSTRUCTION SEQUENCE

Construction of the development will generally follow the sequence outlined below. A full Stormwater Pollution Prevention Plan (SWPPP) will be developed and submitted under the Construction General Permit Notice of Intent through the EPA. The following construction sequence may be altered slightly as the project progresses to address erosion control issues.

1. Engineer to stake the location of perimeter erosion control devices prior to installation.

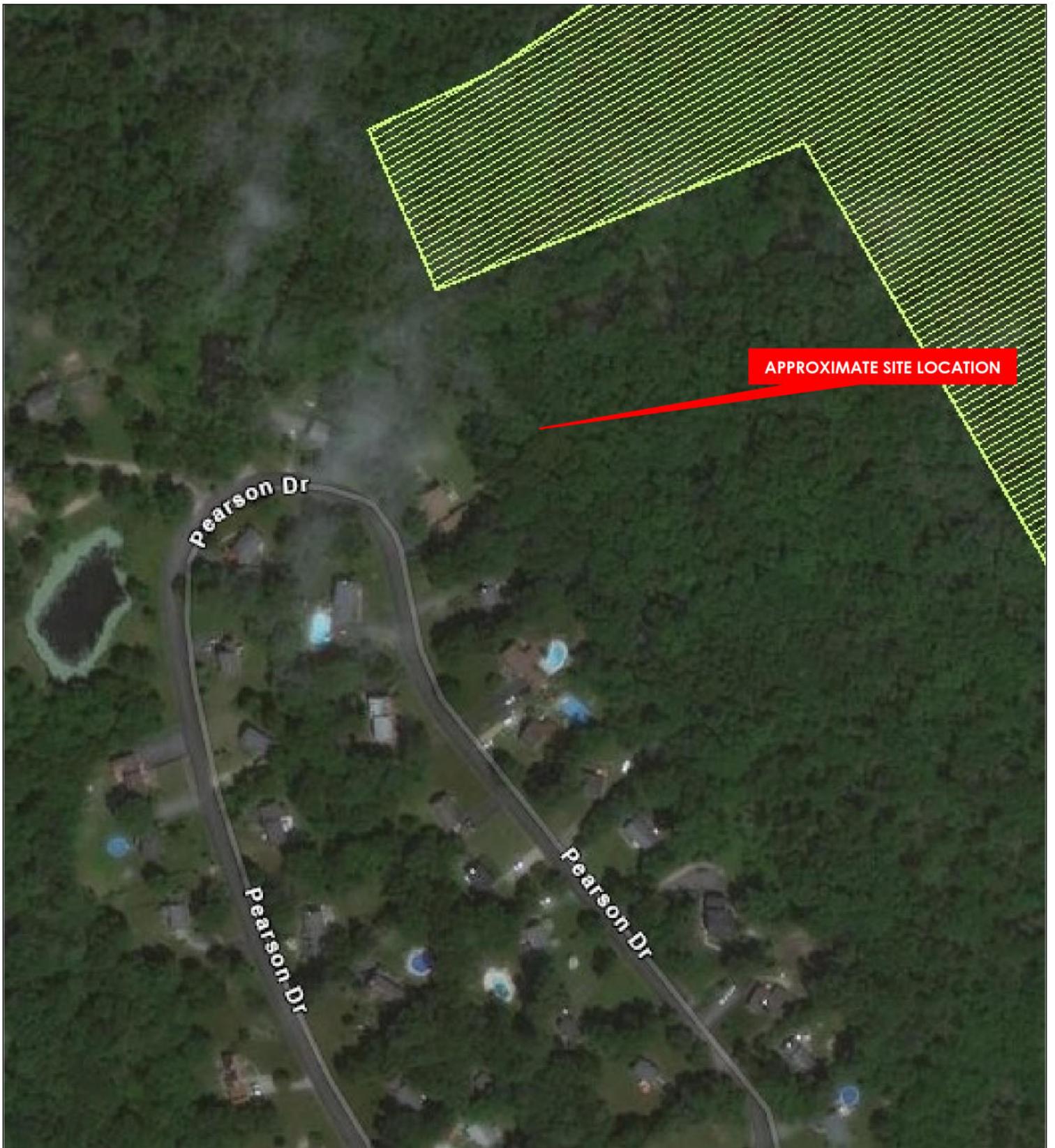
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2. Install erosion control at the limit of clearing. Locations which are adjacent to wetland areas shall be Heavy Duty Silt Fence which consists of staked siltation fencing reinforced with 4' wire fencing. Other locations shall be staked siltation fence, or mulch waddles.
 3. Install Construction entrance at Pearson Drive. Perform clearing and grubbing only to the extent required to install the entrance.
 4. Cut trees to the extent required to access the limited crossing roadway fill areas.
 5. Remove stumps and debris from the wetland crossing area, then remove wetland soils and stockpile for use in the wetland replacement area.
 6. Fill the wetland crossing area with crushed rock to provide an appropriate construction access roadway to accomplish full clearing and grubbing of the project site.
 7. Complete clearing of vegetation and removal of stumps from the project area.
 8. Construct two wetland replacement areas and temporary crossing at wetland flags D14 and E4.
 9. Strip and stockpile loam within the area of roadway construction and detention pond areas. Seed adjacent areas to temporarily stabilize areas outside of the roadway construction and detention pond areas. Install erosion control around stockpiles and seed stockpiles to provide temporary stabilization.
 10. Perform cut and fill operations to bring roadway to subgrade.
 11. Install retaining wall along roadway with outlet pipe from detention P1-1. Install erosion control on pipe inlet and outlet.
 12. Install wetland replacement along bottom of retaining wall.
 13. Construct detention pond areas to be used for erosion control sedimentation ponds. Install outlet control structures with inlet and outlet protection. Loam and seed side slopes to provide stabilization. Obstruct lowest level outlet to allow pond to hold water and provide settlement of solids within the pond.
 14. Install drainage system within roadway. Protect all inlets with erosion control. Do not install subsurface detention/ infiltration system until roadway has been paved and inlet protection consisting of silt sacks has been installed in catch basins.
 15. Install septic tanks and pump chamber.
 16. Install water lines, sewer lines, gas, and other underground utilities.
 17. Install roadway binder pavement.
 18. Install subsurface detention/infiltration system and protect from silt entering the system.
 19. Begin home construction.
 - a. Excavate and install foundation.
 - b. Backfill foundation and install utility services.
 - c. Construct dwelling
 - d. Install driveway
 - e. Install roof infiltrator if applicable
 - f. Loam and seed adjacent area.
 20. Install retaining wall at 21 and 22 prior to construction on those lots.
 21. Install septic system fill slope and drainage swale along top of fill slope to divert runoff to detention pond P1-2.
 22. Install Septic System
-

23. Loam and seed septic system area.
24. Install granite curb and sidewalks in sections as home construction progresses.
25. Construct pocket wetland within detention pond P1-1 once contributing drainage area has been stabilized (Units 1-7 and 24).
26. Complete home construction stabilizing adjacent areas as construction progresses.
27. Complete roadway landscaping.
28. Complete detention ponds P1-2 and P3-2 by cleaning any accumulated sediment and installing any remaining loam and seed. Protect outlet until ponds are stabilized.
29. Install roadway finish pavement, signage, and other amenities.



Source: Office of Geographic and Environmental Information (MassGIS), Commonwealth of Massachusetts Executive Office of Environmental Affairs; USGS Topographic Quadrangle Images

**USGS MAP
55 PEARSON DRIVE, BYFIELD, MA
MAP R-20 LOT 75**



Source: Office of Geographic and Environmental Information (MassGIS), Commonwealth of Massachusetts

**NATURAL HERITAGE MAP
55 PEARSON DRIVE NEWBURY, MA
MAP R-20 LOT 75**

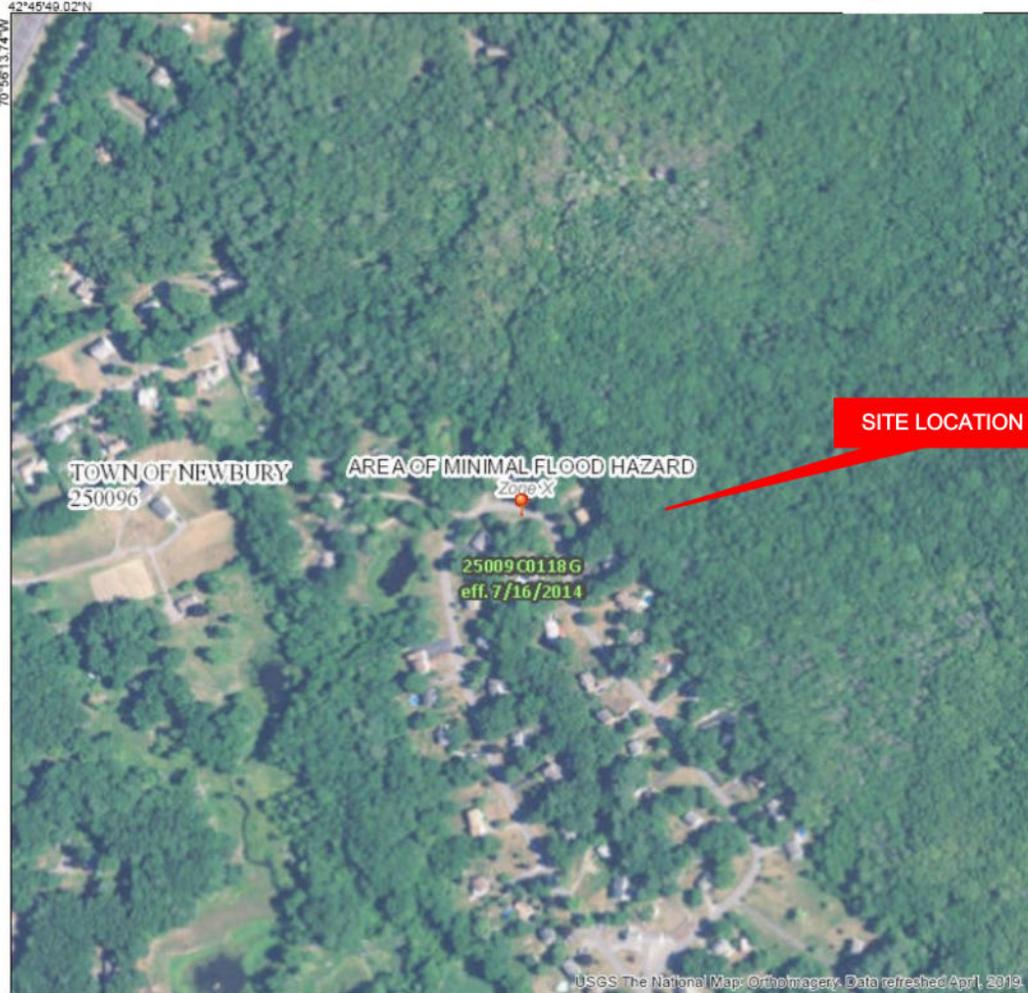
National Flood Hazard Layer FIRMette



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee, See Notes, Zone X
		Area with Flood Risk due to Levee Zone D
		Area of Minimal Flood Hazard Zone X
OTHER AREAS		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Cross Sections with 17.5% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 1/27/2020 at 10:56:17 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Source: Official Website of the Department of Homeland Security FEMA

**FEMA MAP
55 PEARSON DRIVE NEWBURY, MA
MAP R20 LOT 75**

Town of Newbury

08/17/2020



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



- Municipal Boundary
- Building
- Roads
- Trails
- Interstate
- Rail Line
- Legend
- Major Road
- Local Road
- Hydrographic Features
- Streams
- Parcels

Projection: NAD_1983_StatePlane_Massachusetts_Mainland_FIPS_2001

© Merrimack Valley Planning Commission

Source: Office (MassGIS), Commonwealth of Massachusetts

ASSESSORS MAP 55 PEARSON DRIVE, NEWBURY MA MAP R-20 LOT 75

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act

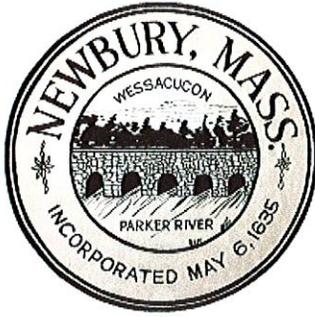
[to be submitted to the Massachusetts Department of Environmental Protection and the Newbury Conservation Commission when filing a Notice of Intent]

I, (name/s) Benjamin C. Osgood Jr., PE, hereby certify under the pains and penalties of perjury that on (date) May 19, 2021, I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the D.E.P. Guide to Abutter Notification dated April 8, 1994 in connection with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection Act by (property owner/s) Cricket Lane, LLC with the Newbury Conservation Commission on (date) May 12, 2021 pertaining to property located at 55 Pearson Drive Byfield, MA.

The notification and the names and addresses of the abutters to whom it was given are included as part of the Notice of Intent and/or a request to Amend an existing Notice of Intent/Order of Conditions Application.

 5-12-2021
Name Date



Town Of Newbury
Office of
The Board of Assessors
12 Kent Way Suite 101
Newbury, MA. 01951-4799
(978) 465-0862 x308
Fax: (978) 465-3064

Frank N. Kelley III, Chairman, Board of Assessors
Sanford Wechsler, Assessor
Linda McCamic, Assessor

Jason DiScipio , Principal Assessor
Stephanie Sergi, Assessor's Clerk

Memo

To: Ben Osgood
Date: April 26, 2021
RE: 55 Pearson Dr.

The following is a list of abutters within 100' of R20-0-75. These listed owners are to the best of our knowledge the owners of record as of April 26, 2021 and are the only abutters listed in Newbury.

Attached:

1. This cover letter
2. Original request
3. Mailing Labels (2 sets)
4. Mailing List (non-label)
5. GIS Map
6. Abutters List Other Towns (if applicable)

Sincerely,

Stephanie Sergi
Assessor's Clerk
Town of Newbury

CERTIFIED ABUTTERS LIST

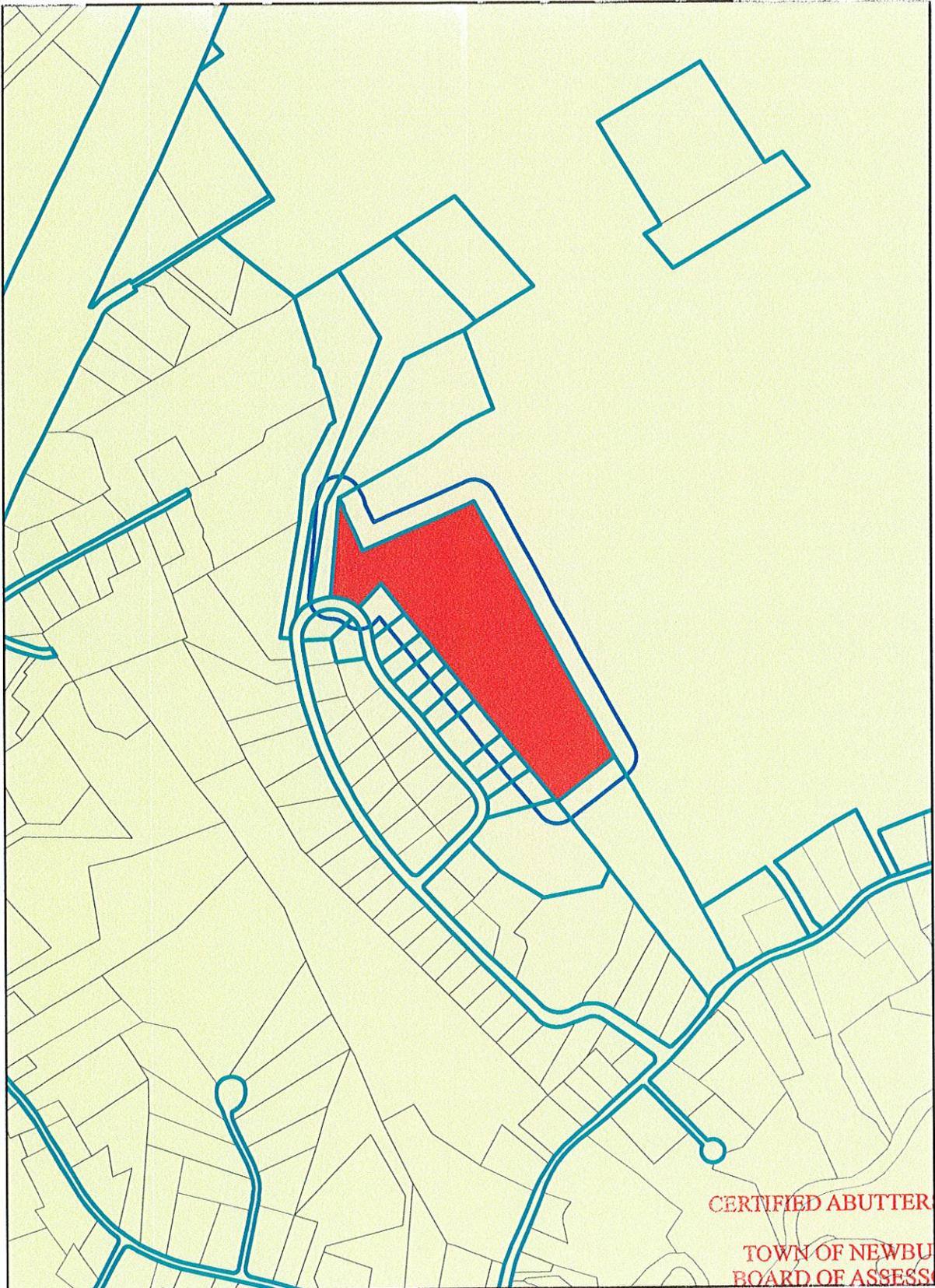
TOWN OF NEWBURY
BOARD OF ASSESSORS

ADDRESS 55 Pearson Dr

PAGE 1 OF 4

4/26/21 SS

55 PEARSON DR



CERTIFIED ABUTTERS LIST

TOWN OF NEWBURY
BOARD OF ASSESSORS

ADDRESS 55 Pearson Dr

PAGE 4 OF 4

4/26/21 35

71 PEARSON DR R20-0-83
LUC: 101
BAKER NICOLE T
BAKER JOSHUA P
71 PEARSON DR
BYFIELD. MA 01922

49 PEARSON DR R20-0-72
LUC: 101
BIRKE THEODORE S
49 PEARSON DRIVE
BYFIELD. MA 01922

69 PEARSON DR R20-0-82
LUC: 101
BRACKEN BARTON W
BRYAN REBECCA M
69 PEARSON DRIVE
BYFIELD. MA 01922

55 PEARSON DR R20-0-75
LUC: 101
BYFIELD ESTATES LLC
2 DEARBORN WAY
MIDDLETON. MA 01949

57 PEARSON DR R20-0-76
LUC: 101
CALL NICHOLAS N
CALL CHRISTINE
57 PEARSON DRIVE
BYFIELD. MA 01922

51 PEARSON DR R20-0-73
LUC: 132
CLARIZIA ROBERT W
CLARIZIA BRENDA
16 ASHTON ST
BEVERLY. MA 01915

67 PEARSON DR R20-0-81
LUC: 101
COSTA JONATHAN
FORCIER JESSIE
67 PEARSON DRIVE
BYFIELD. MA 01922

58 PEARSON DR R20-0-95
LUC: 101
DACY SHELIA M
RICHARDSON BRIAN P
58 PEARSON DRIVE
BYFIELD. MA 01922

73 PEARSON DR R20-0-84
LUC: 101
DILUIGI KATHLEEN M
73 PEARSON DRIVE
BYFIELD. MA 01922

63 PEARSON DR R20-0-79
LUC: 101
DUBE TAD R
DUBE HAYLEY FOX
63 PEARSON DRIVE
BYFIELD. MA 01922

65 PEARSON DR R20-0-80
LUC: 101
DUNFEE ALBERT H
DUNFEE KATHRYN M
65 PEARSON DRIVE
BYFIELD. MA 01922

61 PEARSON DR R20-0-78
LUC: 101
GARGAN TE CAROL K
GARGAN TE MARK
61 PEARSON DRIVE
BYFIELD. MA 01922

53 PEARSON DR R20-0-74
LUC: 101
GRAHAM DONALD P
GRAHAM DIANE A
16 ALEXANDER CIRCLE
MARLBLEHEAD. MA 01945

150 ORCHARD ST R20-0-114
LUC: 101
GWOZDZ CHRISTOPHER E
GWOZDZ HOLLY P
150 ORCHARD ST
BYFIELD. MA 01922

77 PEARSON DR R20-0-86
LUC: 101
LIVAS PETER B
LIVAS KARA
77 PEARSON DR
BYFIELD. MA 01922

46 PEARSON DR R20-0-96
LUC: 101
MARINELLI SAMANTHA G
46 PEARSON DRIVE
BYFIELD. MA 01922

59 PEARSON DR R20-0-77
LUC: 101
MOSER TE RUSSELL N JR
MOSER TE REBECCA J
59 PEARSON DRIVE
BYFIELD. MA 01922

75 PEARSON DR R20-0-85
LUC: 101
SARGENT CHRISTOPHER A
POMPEY MEGAN H
75 PEARSON DRIVE
BYFIELD. MA 01922

CERTIFIED ABUTTERS LIST

TOWN OF NEWBURY
BOARD OF ASSESSORS

ADDRESS 55 Pearson Dr

PAGE 3 OF 4

4/26/21 SS

Notification to Abutters Under the Massachusetts Wetlands Protection Act

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the Town of Newbury Bylaw, you are hereby notified of the following:

- A. The name of the applicant is: Cricket Lane, LLC
- B. The applicant has filed a **Notice of Intent** on (date): 5-11-2021 with the **Newbury Conservation Commission** requesting an **Order of Conditions** authorizing the following description of work:

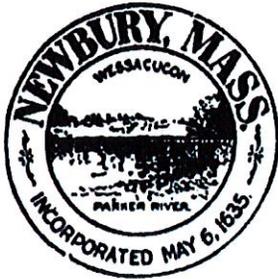
Construction of 24 Single Family Homes with roadways and utilities with work in the buffer zone and a limited project crossing.

- C. The address of the property and the Map/Lot(s) where the activity is proposed is:

55 Pearson Drive Map R-20 Lot 75

- D. Copies of the Notice of Intent may be examined at the Newbury Conservation Commission, 12 Kent Way, Byfield, MA 01922 between the hours of 8:00 a.m. and 12:00 p.m. Monday through Thursday. Telephone (978) 465-0862 X304. There is a printing charge of twenty-five dollars (\$25.00). Architectural size plans shall incur an additional fee.
- E. Information regarding the date, time and place of the public hearing may be obtained from the Newbury Conservation Commission by calling (978) 465-0862 X304. A public hearing is currently scheduled for (date): June 1, 2021 at 12 Kent Way at 7:00 p.m. You may contact the Newbury Conservation Commission on that day to verify that the hearing is taking place. Notice of the public hearing, including date/time/place will be posted at the Newbury Town Hall and the Town of Newbury's website www.townofnewbury.org at least 48 hours in advance.

NOTE: For more information about this application and the Wetlands Protection Act you may contact the Massachusetts Department of Environmental Protection, Northeast Regional Office at (978) 694-3200 or email them at NERO.Service@state.ma.us.

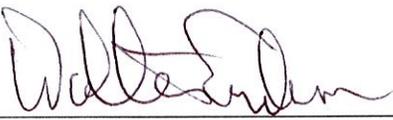


Town of Newbury

Office of
The Conservation Commission
Newbury, MA 01922
Tel: 978-465-0862 x310
Fax: 978-572-1228

SITE VISIT AUTHORIZATION FORM

I WALTER ERIKSEN of 55 Pearson Road Cricket Lane LLC (number/street)
Give the Newbury Conservation Commission, its agent and members, and
the Department of Environmental Protection my permission to enter and
inspect the above stated property at all reasonable times to acquire any
information, measurements, photographs, observations, and/or materials
deemed necessary for the evaluation of any permits required under this
application. *with notice.*

Signature: 

Printed Name: WALTER ERIKSEN

Date: 4/21/21



Town of Newbury
Office of
The Conservation Commission
Newbury, MA 01922
Tel: 978-465-0862 x310
Fax: 978-572-1228

PERMIT CERTIFICATION FORM

Name: Walter Eriksen, Cricket Lane, LLC

Address: 92 Middlesex Rd., Tyngsboro, MA 01879

Phone Number: 508-509-5220

Project Location: 55 Pearson Drive

Please list all permits that will be necessary to obtain before receiving a building permit for the above project location:

Permit Title	Date Applied	Date Obtained
40B Comprehensive Permit	02-2020	04-2021
Subsurface Sewage Disposal	8-17-2020	11-2020

Signature: *B. C. Osgood Jr*

Printed Name: Benjamin C Osgood Jr

Date: 5/10/21



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

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



A. Applicant Information

1. Location of Project:

55 Pearson Drive
 a. Street Address
 Newbury
 b. City/Town
 1018
 c. Check number
 3,237.50
 d. Fee amount

2. Applicant Mailing Address:

Walter
 a. First Name
 Eriksen
 b. Last Name
 Cricket Lane, LLC
 c. Organization
 92 Middlesex Rd
 d. Mailing Address
 Tyngsboro MA 01879
 e. City/Town f. State g. Zip Code
 978-384-8283 N/A awc.walter@comcast.net
 h. Phone Number i. Fax Number j. Email Address

3. Property Owner (if different):

Byfield Estates, LLC
 a. First Name b. Last Name
 c. Organization
 2 Dearborn Way
 d. Mailing Address
 Middleton MA 01949
 e. City/Town f. State g. Zip Code
 N/A N/A N/A
 h. Phone Number i. Fax Number j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).

CRICKET LANE LLC

92 MIDDLESEX ROAD UNIT 3
TYNGSBORO, MA 01879



5/3/2021

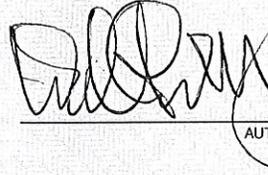
PAY TO THE ORDER OF MASSACHUSETTS DEP

\$ **3,237.50

Three Thousand Two Hundred Thirty-Seven and 50/100*****

DOLLARS

MASSACHUSETTS DEP

 MANAGER

AUTHORIZED SIGNATURE

MEMO Conservation Filing Fee - Villages of Cricket Lane, N



Security features. Details on back.

CRICKET LANE LLC

92 MIDDLESEX ROAD UNIT 3
TYNGSBORO, MA 01879



5/3/2021

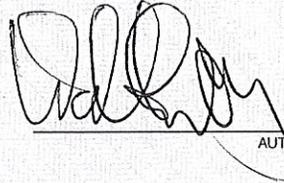
PAY TO THE ORDER OF TOWN OF NEWBURY

\$ **3,262.50

Three Thousand Two Hundred Sixty-Two and 50/100*****

DOLLARS

TOWN OF NEWBURY

 MANAGER

AUTHORIZED SIGNATURE

MEMO Conservation Filing Fee - Villages of Cricket Lane, N



Security features. Details on back.