



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 8A – Request for Certificate of Compliance

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

DEP File Number:

051-0933

Provided by DEP 07015

A. Project Information

Important:

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



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

Anthony Barbiris, 6 Perkins Way Nominee Trust

Name

PO Box 2162

Mailing Address

South Hamilton

City/Town

MA

State

01982

Zip Code

978-815-0195

Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:

Anthony Barbiris, 6 Perkins Way, Nominee Trust

Applicant

10-19-2015

Dated

051-0933

DEP File Number

3. The project site is located at:

6 Perkins Way

Street Address

78

Assessors Map/Plat Number

Newburyport

City/Town

8-A

Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

Property Owner (if different)

Essex

County

35326

Book

489

Page

Certificate (if registered land)

5. This request is for certification that (check one):

[X] the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.

[] the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

Blank lines for additional information regarding the certification request.

[] the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

Yes

If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).



William G. Holt, PLS, RS, SE
WGH Land Surveying and Design Services

83 West Main Street
Merrimac, MA 01860
978-257-4576 email billgholt@aol.com

Newburyport Conservation Commission
City Hall
60 Pleasant Street
Newburyport, MA 01950

**Subject: Certificate of Compliance for #6 Perkins Way,
Newburyport, MA ~ DEP File #051-0933
OOC Recorded in the ESRD Bk 36,477 Pg 096**

Applicant: Anthony Barbaris;

September 21, 2021

Dear Commission Members;

The Applicant Anthony Barbaris has completed the construction of the building and all associated infrastructure located at #6 Perkins Way in Newburyport, MA (Map 78 Lot 8A). In August and September 2021, I visited the site to perform an as built survey and prepare the accompanying as built plan. This letter is to certify that all work was completed in close conformance with the Proposed Design plans and Order of Conditions permitting said construction, with the following insignificant modifications:

- 1 – Catch basin #6 was slightly relocated due to a conflict with the installation of the relocated water main on the property, resulting in a ,minor deviation that did not affect the design intent or function of the drainage system.
- 2 - The paving contractor installed curbing along the parking at Basin #11, no curbinig was proposed. WGH instructed the applicant to remove sections of curb to allow runoff to flow to the drainage basin as designed, resulting in a minor deviation that did not affect the design intent or function of the drainage system.
- 3 - Added drainage features infiltration trench with perforated pipe to direct runoff from # #4 Perkins Way to the Stormceptor water quality treatment unit (STC#7) within the existing easement, to address runoff from that lot, a minor modification that represents an improvement to the safety (eliminated icing during the Winter) and to the existing drainage that originally flowed to the wetlands areas without treatment and now receives treatment and reflects the intent of the approved design.

William G. Holt, PLS, RS, SE
PLS MA #39688
PLS ID #16012
RS #1161 SE #1083

Thad D. Berry, PE, SE
PE MA # 41258
PE NH #12087
SE # 154

- 4 - The relocation of the roof runoff infiltrators (Basin 12) from the southerly front side of the building to the northerly side of the building, resulting in a minor deviation that did not affect the design intent or function of the drainage system.
- 5 - The elimination of the proposed rain gardens. The proposed rain gardens were not included in the drainage calculations or stormwater compliance documentation, as such there removal is a minor modification that does not alter the design intent or function of the drainage system.
- 6 - The added transformer and concrete pad required by the utility provider, a minor deviation that has no impact on the overall project design.
- 7 - The fingerlike wetland from flag B8 to C2 was not altered, it was maintained to allow drainage from #4 Perkins Way to continue to flow in its original drainage pattern.
- 8 - There are some minor construction alterations with respect to walks, and landscaping, which are minor deviations and do not impact the overall design intent.

On behalf of the applicant I respectfully request that the Newburyport Conservation Commission issue a final Certificate of Compliance for this project at its earliest convenience.

Patrick Seekamp from Seekamp Environmental Inc., has prepared the a report on the wetland resource replacement areas, and the DEP Form WPA-8A Request for a Certificate of Compliance. Please contact me at 978-257-4576 or by e-mail billgholt@aol.com, if you have any questions regarding this request. Thank you for your cooperation on this matter.

Sincerely,



William G. Holt, PLS RS, SE

WGH Land Survey and Design
83 West Main Street
Merrimac, MA 01860

Enclosures: One copy of DEP Form WPA 8A; As built Site Plan #6 Perkins Way,
Newburyport, MA

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Replication Area and Buffer Zone Planting Status Report

**6 Perkins Way,
Newburyport, Massachusetts
(Map 78, Lot 8A)**

Prepared For:

**Anthony Barbaris
PO Box 2162
South Hamilton, MA**

Prepared By:



129 Route 125
Kingston, NH 03848

August 30, 2021

Introduction:

On behalf of the applicant, Anthony Barbaris, Seekamp Environmental Consulting, Inc., (SEC) has prepared the ensuing report detailing the status of the wetland replication areas as well as the 25 foot Buffer Zone restoration planting following construction of the commercial building at 6 Perkins Way in Newburyport, MA (Site). Construction on the site is essentially complete. The landscaped areas around the building, as well as Wetland Replication Area #1 and #2, 25 Foot Buffer plantings, and detention areas are complete and fully vegetated and stable at this time. The following provides details on the planted areas:

Wetland Replication Area #1 (2,295 sq. ft.):

Following construction to the grades per the design plan, this area was monitored prior to planting to determine the actual hydrologic conditions present in this replication area adjacent to the intermittent ditch along Perkins Way. The final hydrology which has established in this area is fairly consistent to a shallow emergent marsh. Once it was determined that this area would support a secondary emergent wetland community, a field change was made such that the shrub plantings were placed along the side slopes, and the entire bottom of this area was seeded with a wetland seed mix. Because the side slopes represented a smaller planting area for the specified trees and shrubs, extra small trees and shrubs were placed in the 25 foot Buffer Zone planting area along with the required numbers there. In addition, native cattail from the immediate adjacent BVW ditch has become a volunteer species here due to the similar hydrology conditions. In our opinion, with the seeded wetland and side slope planting along with a robust native community now established, this area now exceeds the required 75% native wetland vegetative cover for wetland replication areas, and in fact represents +100% native wetland species cover. **(See attached photographs of Wetland Replication Area #1 and confirmation of planted species and numbers from Mountain Top Landscaping Co.).**

Wetland Replication/ Floodplain Area #2 (7,838 sq. ft.):

Following construction to the grades per the design plan, this area was seeded with a native wetland seed mix, and planted with native shrubs per the prescribed planting schedule. The area has become well established with native wetland vegetation. The shrub plantings and conservation mix seeding were placed along the side slopes, in select locations throughout the bottom of the area, and the entire bottom of this replication area was seeded with a native wetland species seed mix. In addition, native cattail from the immediate adjacent BVW along the Little River has become a volunteer species in the "deeper" portions of the area here due to the similar hydrology conditions. In our opinion this area now exceeds the required 75% native wetland vegetative cover for wetland replication areas, and in fact represents +100% native wetland species cover. **(See attached photographs of Wetland Replication Area #2 and confirmation of planted species and numbers from Mountain Top Landscaping Co.).**

25 Foot Buffer Area:

Following detention basin construction, the 25 foot buffer area was planted with a variety of small trees and shrubs per the approved Planting Schedule and seeded with a native conservation seed mix. The area currently has a dense herbaceous cover along with planted trees and shrubs present in the

understory. This area is stable and well vegetated at this time. (See attached photograph of the 25 foot Buffer Zone restoration area and confirmation of planted species and numbers from Mountain Top Landscaping Co.).

Wetland and Buffer Zone Planting Successful Outcome:

In our opinion, each of the Wetland Replication Areas, along with the Buffer Zone planting area referenced in this report meet, and in fact exceeds, the 75% native vegetation cover at this time. The areas are stable and represent wholly functional native wetland, floodplain and Buffer zone areas. We wholly expect these areas to continue to develop into native wetland and buffer zone habitats .

Photographs - 6 Perkins Way, Newburyport, MA and Newbury, MA



Wetland Replacement Area #1-(2,295 sq. ft.)



Area and side slopes 100% vegetated with native wetland species.

Photographs - 6 Perkins Way, Newburyport, MA and Newbury, MA



Wetland Replacement Area #2 – (7,838 sq. ft.)



Area and side of slopes 100% vegetated with native wetland species.

Photographs - 6 Perkins Way, Newburyport, MA and Newbury, MA



25' BVW Buffer Area Planting
Buffer area and detention basin in foreground 100% vegetated.

14 Perkins Plant List

To seekampp.sec@comcast.net <seekampp.sec@comcast.net>

Pat

Sorry for the delay i have been crazy busy and had to find the plant orders

15 - Amelanchier canadensis 2.5-3'
15 - Aronia Melanocarpa 3-3.5'
12 Betula Nigra 4-5'
12 Betula populifolia 5-6'
15 cornus amomum 2.5-3'
15 cornus sericea 2.5-3'
12 junipers virginiana 3-4'
30 vaccinium corymbosum 2-2.5
30 alnus rugosa 12-15"
15 cornus sericea baileyi 2.5-3'

Matt Bailey
President
Mountain Top Landscape Co.

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m Bailey@mountaintoplandscape.com

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Planting Table Per Original Bill Holt Plan

25' BUFFER AREA PLANTING SCHEDULE:

EXIST.
U. POLE 13

13x1

EDGE OF PAVE 13x4

KEY	SCIENTIFIC NAME:	COMMON NAME:	SIZE	QUANTITY
TREES:				
RCD	JUNIPERUS VIRGINIANA	RED CEDAR	3'-4'	12
RVB	BETULA NIGRA	RIVER BIRCH	4'-6'	12
GYB	BETULA PAPULIFOLIA	GRAY BIRCH	4'-6'	12
SHRUBS:				
BCH	ARONIA MELANOCARPA	BLACK CHOKEBERRY	3'-4'	15
SHB	AMELANCHIER CANADENSIS	SHADBUSH	3'-4'	15
ROD	CORNUS SERICEA	RED OSIER DOGWOOD	3'-4'	15
HERBACEOUS:				
WILDFLOWER AND		SOW IN ON ALL REGRADED SOILS AREA		
CONSERVATION SEED MIX.		RATE 2.0 LBS PER 1000 S.F.		

WETLAND REPLACEMENT AREA #1 (B3-B6) 2,295 S.F. PLANTING SCHEDULE

KEY	SCIENTIFIC NAME:	COMMON NAME:	SIZE	QUANTITY
TREES:				
HBB	VACCINIUM CORYMBOSUM	HIGH BUSH BLUEBERRY	2-3'	10 @ 8' O.C.
SDW	CORNUS AMOMUM	SILKY DOGWOOD	2-3'	10 @ 8' O.C.
SPA	ALNUS RUGOSA	SPECKLED ALDER	2-3'	10 @ 8' O.C.
HERBACEOUS:				
WETLAND SEED MIX		SEED ENTIRE AREA WITH TOTAL OF 2.5 LBS. OF SEED MIX.		
CONSERVATION SEED MIX.		SEED EXPOSED UPLAND SIDE SLOPES TO STABILIZE		

WETLAND REPLACEMENT AREA #2 (C19-C23) 7,838 S.F. PLANTING SCHEDULE

KEY	SCIENTIFIC NAME:	COMMON NAME:	SIZE	QUANTITY
TREES:				
HBB	VACCINIUM CORYMBOSUM	HIGH BUSH BLUEBERRY	2-3'	20 @ 8' O.C.
SDW	CORNUS AMOMUM	SILKY DOGWOOD	2-3'	20 @ 8' O.C.
SPA	ALNUS RUGOSA	SPECKLED ALDER	2-3'	20 @ 8' O.C.
HERBACEOUS:				
WETLAND SEED MIX		SEED ENTIRE AREA WITH TOTAL OF 2.5 LBS. OF SEED MIX.		
CONSERVATION SEED MIX.		SEED EXPOSED UPLAND SIDE SLOPES TO STABILIZE		