

# HUGHES ENVIRONMENTAL CONSULTING

44 MERRIMAC STREET, NEWBURYPORT, MA 01950  
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PO BOX 392, CONCORD, MA 01742  
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## BRP WPA Form 3 – Notice of Intent

(M.G.L. c. 131, §40 and Newburyport Ordinance Chapter 6.5: Environment, Article II: Wetlands Protection Ordinance)

### 7 Doe Run Drive



*Submitted to:*

**Newburyport Conservation Commission**  
Office of Planning and Development  
60 Pleasant Street, 1st Floor  
Newburyport, MA 01950

*Prepared by:*

**Hughes Environmental Consulting**  
44 Merrimac Street  
Newburyport, MA 01950

*On behalf of:*

**Kerriann and Corey Kreuz**  
7 Doe Run Drive  
Newburyport, MA 01950

*Copies to:*

**MassDEP NERO**  
205B Lowell Street  
Wilmington, MA 01887

**September 30, 2022**



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## **Application Contents:**

- 1. Project Narrative**
- 2. WPA Form 3 Notice of Intent**
- 3. USGS Map**
- 4. 2021 Orthophoto**
- 5. Riparian Area shown over 2021 Aerial**
- 6. Site Photos**
- 7. Abutters List and copy of Abutter Notice**
- 8. DEP Fee Transmittal form**
- 9. Site Plan**



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**PROJECT NARRATIVE**  
**to accompany a**  
**NOTICE OF INTENT**  
**For**  
**Corey and Keriann Kreuz**  
**Addition to Single Family Home**  
**And After-the-fact Pool**  
**7 Doe Run Drive**  
**Newburyport**  
**September 30, 2022**

## **Overview**

Keriann and Corey Kreuz are proposing a new garage addition to their home, with living space above. They are also seeking after-the-fact approval for a swimming pool and associated work that was done this Summer. The pool contractor applied for city permits, but an error in the City system did not trigger a conservation sign off. The system has since been fixed and when the addition was applied for the need for a wetlands permit was noted. The project is located in the buffer zone to Bordering Vegetated Wetlands. A portion of the pool fence goes through wetlands at the edge of the yard. Mitigation for the impacts from the fence is proposed in the form of removal of debris from the wetland area and native plantings to restore historically altered wetland.

## **Current site conditions**

The lot, approximately 32,442 square feet in size contains an upland area developed with lawn, a single-family home, associated driveway a shed and landscaping. There are wetlands located in the rear of the property and between 7 and 9 Doe Run Drive. The wetlands ultimately connect to a system associated with a stream. The stream is located greater than 200 feet from the pool or proposed addition. The wetland edge is also influenced by runoff from the surrounding yard areas.

Hughes Environmental Consulting (HEC) delineated wetland resource areas on September 28, 2022 using the methodologies spelled out in the handbook "Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act", (Department of Environmental Protection, Division of Wetlands and Waterways, 1995).

The boundary is fairly clear due to the presence of a low area surrounding the occupied portion of the property. While portions of the boundary are sparsely vegetated, upland areas have brighter soils, white pine, honeysuckle and black cherry present. The wetland area has dogwoods (silky), red maple, and honeysuckle. There is little or no herbaceous layer in the wetland area near the boundary. HEC also noted saturated soils within the wetland areas, with water filling auger holes to about 8 inches from the top of the hole after 20 minutes. Recent heavy rains have resulted in relatively high groundwater in this area.

The flags at A1 start on the other side of the fence in the rear corner of the yard near 5 Doe Run. A2 is located at a timber retaining wall that separates the upland yard from the wetland area. The flags follow the wall nearly the entire width of the back yard and then follow a boundary determined by soils, vegetation and hydrology parallel to the side yard chain link fence towards the road. At Flag A10, the wetland line follows a low area that appears to receive water from drainage associated with the neighboring home at 9 Doe Run. This low area crosses the fence line to a small stand of trees and then the line moves away from the main property towards flag A13. From there the line heads away and back towards the main wetland area in the rear.

## ***Proposed Project***

The proposed project consists of the construction of a new garage on a slab foundation with additional living space above. Additionally, the notice includes a request for after the fact installation of a swimming pool, and associated site work including relocating a shed and installation of a perimeter chain link fence that was installed with the pool.

The pool and its associated pool deck are located 24.4 feet at the closest to wetlands near flag A12. The proposed garage addition will be located 40.3 feet from the wetland in that same area. The perimeter fence is located partially within wetlands (between flags A1 and A7 and between flags A10 and A13, and partially within buffer zone. Fence posts in the BVW have a total impact of about 5 square feet.

The area surrounding the pool has yet to be loamed and seeded, and erosion control is proposed to be installed to accommodate both the remaining stabilization of the yard and the disturbance associated with the addition.

## **Construction**

During construction, erosion control will be installed as shown on the plans. Temporary stockpiling will be minimal, with material being removed from the site if it cannot be accommodated at least 25 feet from BVW and within the erosion control line. The foundation is a slab so the excavation is necessary for frost walls and the slab. All areas damaged during construction will be restored upon completion of work. In the event that any areas are not stabilized through vegetation or other means prior to winter conditions, the disturbed areas will be mulched with straw or salt marsh hay.

The pool area slopes off to the sides. These will be loamed and seeded with lawn grasses to stabilize the slopes.

## **Mitigation**

In order to mitigate for the small BVW impact of the chain link fence, the proposal is to remove significant areas of old yard waste, wooden debris, fill, and other materials in the wetland near the area of occupation of the house where materials appear to have been deposited since the house was built decades ago. We will then plant a total of 18 red-osier dogwoods and/or silky dogwoods, winterberry, and high bush blueberry within the BVW to restore at least 100 square feet of wetlands.

## ***Wetlands Protection Act***

All proposed work (other than clean up and planting), soil disturbance, and grading will be within the buffer zone to BVW. The project conforms to the regulatory requirements under the Wetland Protection Act, in that the proposed erosion controls and clear limit of work, will prevent any further alteration of the BVW. The impact to the BVW from the fence will be mitigated by the above proposed restoration.

## **Newburyport Wetlands Regulations**

In addition to the Wetlands Protection Act, the project falls under the Newburyport Wetlands Ordinance. The performance standards are addressed below:

### **Section 8.A.4. 4. Performance Standards for Buffer Zones**

*The following standards apply to the Buffer Zone of all the resource areas identified in Sections 6(A)(2)(a through d) of these Regulations:*

*(a.) 25-Foot No-Disturbance Zone. Except as otherwise provided in these Regulations, no activity is permitted within 25 feet of the delineated edge of the above-mentioned wetland resource areas as defined in Section 6(A)(2)(a through d). The Commission has adopted this standard because the alteration of land immediately adjacent to a wetland or water body is likely to result in the alteration of the wetland itself. Alterations typically result from extension of lawns, depositing/dumping of yard waste, over-grading, siltation, extension of impervious areas, deposition of construction debris, unregulated filling, and clearing of vegetation, all of which is prohibited.*

We have maintained at least 25 feet from the wetlands with our limit of work for the addition, but disturbance associated with the pool did encroach as close as 8 feet from the wetland. The fence was installed partially within the BVW. Since this work is associated with a single family home, the Ordinance provides relief from the no disturb zone.

*No-Disturbance Zone Demarcation. To maintain the perpetual integrity of the No-Disturbance Zone and to ensure that there will be no encroachments into this Zone by the applicant or future owners of the subject property, the Commission may require the No-Disturbance Zone to be marked on the ground, at the applicant's expense, with permanent markers. These markers shall be made of weather resistant material (e.g., granite, or concrete), and the Commission shall determine their number, size and location. The Commission may require one or more of these markers to bear, on their upland side, writing (i.e. permanent plaque or engraving) that shall read "No Disturbance Beyond This Point By Order of the Newburyport Conservation Commission."*

In this case, it would make no sense to mark the No-disturb zone at 25 feet, since the area is already altered and occupied by yard and the shed. Instead we propose markers along the wooden retaining structure and on the trees at flags A11 and A12, and the chain link fence for the remaining line.

*Limit on scope of alteration. In addition to complying with the above setbacks, the total disturbance to the Buffer Zone by any project or projects cumulatively shall not exceed twenty percent (20%) of the Buffer Zone existing on the project site (e.g., if a project site has a total of 100 square feet of Buffer Zone and Project "A" disturbs 20 square feet of that Buffer Zone, any subsequent development of that site will have to avoid any disturbance of the Buffer Zone).*

The total disturbance from the project plans is within areas previously disturbed.

*Minor activities in the outer 50 feet of the Buffer Zone. Minor activities that are proposed within the outer 50 feet of the Buffer Zone (50 feet or more from the delineated edge of the wetland resource) may be allowed through a "Letter Permit" at the discretion of the Commission's agent. Minor activities are those that in the judgment of the Commission's agent or the Commission will not have an impact on the resource area.*



The project is an addition and does not constitute a minor activity. Conversion of lawn to pool would have been a minor activity if it were further from the BVW and did not include grading.

***(b.) Activities prohibited in the Buffer Zone. Underground fuel storage tanks and other structures or facilities for the storage of gasoline, oil, or other fuels or hazardous materials located outside of any dwelling or building shall not be located in any Buffer Zone.***

No such structures or facilities are proposed.

***(c.) Additional conditions. For work in the Buffer Zone, the Commission may impose conditions to protect the adjacent resource area. The potential for adverse impacts to resource areas from work in the buffer zone may increase with the extent of the work and the proximity to the resource area. The Commission may consider the characteristics of the buffer zone, such as the presence of steep slopes, which may increase the potential for adverse impacts on resource areas. Conditions may include limitations on the scope and location of work in the buffer zone as necessary to avoid adverse impact on resource areas. The Commission may require erosion and sedimentation controls during construction, a clear plan of work, and the preservation or addition of natural vegetation adjacent to the resource area and/or other measures commensurate with the scope and location of the work within the Buffer Zone.***

The Notice of Intent includes provisions to protect the wetlands during work in the form of erosion controls.

### **Conclusion:**

In summary, the project as proposed complies with the Wetland Protection Act, the Newburyport Wetlands Ordinance, and the Newburyport Wetlands Regulations. We ask that the Commission approve the project as proposed.





**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

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

Provided by MassDEP:

MassDEP File Number
Document Transaction Number
Newburyport
City/Town

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



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

**A. General Information**

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

<u>7 Doe Run Drive</u>	<u>Newburyport</u>	<u>01950</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:		
<u>42.807236</u>	<u>-70.899997</u>	
d. Latitude	e. Longitude	
<u>96</u>	<u>171</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>Kerriann and Corey</u>	<u>Kreuz</u>	
a. First Name	b. Last Name	
c. Organization		
<u>7 Doe Run Drive</u>		
d. Street Address		
<u>Newburyport</u>	<u>MA</u>	<u>01950</u>
e. City/Town	f. State	g. Zip Code
h. Phone Number	i. Fax Number	j. Email Address

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

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

4. Representative (if any):

<u>Thomas</u>	<u>Hughes</u>	
a. First Name	b. Last Name	
<u>Hughes Environmental Consulting</u>		
c. Company		
<u>44 Merrimac Street</u>		
d. Street Address		
<u>Newburyport</u>	<u>MA</u>	<u>01950</u>
e. City/Town	f. State	g. Zip Code
<u>978-465-5400</u>	<u>978-465-8100</u>	<u>thughes@hughesenvr.com</u>
h. Phone Number	i. Fax Number	j. Email address

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

<u>110.00</u>	<u>42.50</u>	<u>67.50</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



Massachusetts Department of Environmental Protection  
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# WPA Form 3 – Notice of Intent

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

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Newburyport  
City/Town

## A. General Information (continued)

6. General Project Description:

Addition of Garage with living space above, and an after the fact pool, fence and shed relocation in the buffer zone to wetlands.

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

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

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

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

2. Limited Project Type

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

8. Property recorded at the Registry of Deeds for:

Essex South

a. County

32019

c. Book

b. Certificate # (if registered land)

562

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.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

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

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

**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 type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	5+/- 1. square feet	100+/- 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) - <b>specify coastal or inland</b>	

2. Width of Riverfront Area (check one):

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

3. Total area of Riverfront Area on the site of the proposed project: \_\_\_\_\_ 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.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

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

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

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

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

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

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

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

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

_____	_____
a. square feet of BVW	b. square feet of Salt Marsh

5.  Project Involves Stream Crossings

_____	_____
a. number of new stream crossings	b. number of replacement stream crossings



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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Document Transaction Number

Newburyport  
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](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**

August 1, 2021

b. Date of map

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

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

1.  Percentage/acreage of property to be altered:

(a) within wetland Resource Area \_\_\_\_\_  
percentage/acreage

(b) outside Resource Area \_\_\_\_\_  
percentage/acreage

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

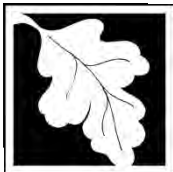
2.  Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*

- (a)  Project description (including description of impacts outside of wetland resource area & buffer zone)
- (b)  Photographs representative of the site

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

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

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



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

## WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Newburyport  
City/Town

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

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

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

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

- (d)  Vegetation cover type map of site

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

- (f) OR Check One of the Following

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

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

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

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

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

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

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

North Shore - Hull to New Hampshire border:

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

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

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

- c.  Is this an aquaculture project?      d.  Yes     No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).





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Bureau of Resource Protection - Wetlands

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Newburyport

City/Town

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

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

**D. Additional Information**

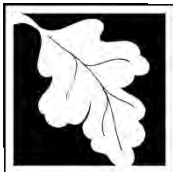
- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

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

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

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

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



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

# WPA Form 3 – Notice of Intent

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

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

## 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.

Proposed Addition Plan

a. Plan Title

Donohoe Survey, Inc.

Adam Paul Donohoe, PLS

b. Prepared By

c. Signed and Stamped by

September 29, 2022

1"=20'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5.  If there is more than one property owner, please attach a list of these property owners not listed on this form.

6.  Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7.  Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8.  Attach NOI Wetland Fee Transmittal Form

9.  Attach Stormwater Report, if needed.

## E. Fees

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

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

2294

2. Municipal Check Number

9/19/2022

3. Check date

2293

4. State Check Number

9/29/2022

5. Check date

Hughes Environmental Consulting

6. Payor name on check: First Name

7. Payor name on check: Last Name



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

**WPA Form 3 – Notice of Intent**

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

MassDEP File Number

Document Transaction Number

Newburyport

City/Town

**F. Signatures and Submittal Requirements**

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

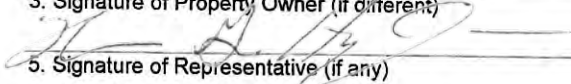
I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet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

  
1. Signature of Applicant

  
2. Date

3. Signature of Property Owner (if different)

4. Date

  
5. Signature of Representative (if any)

9/30/2022  
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.

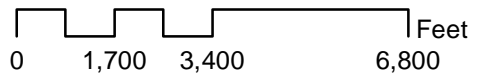
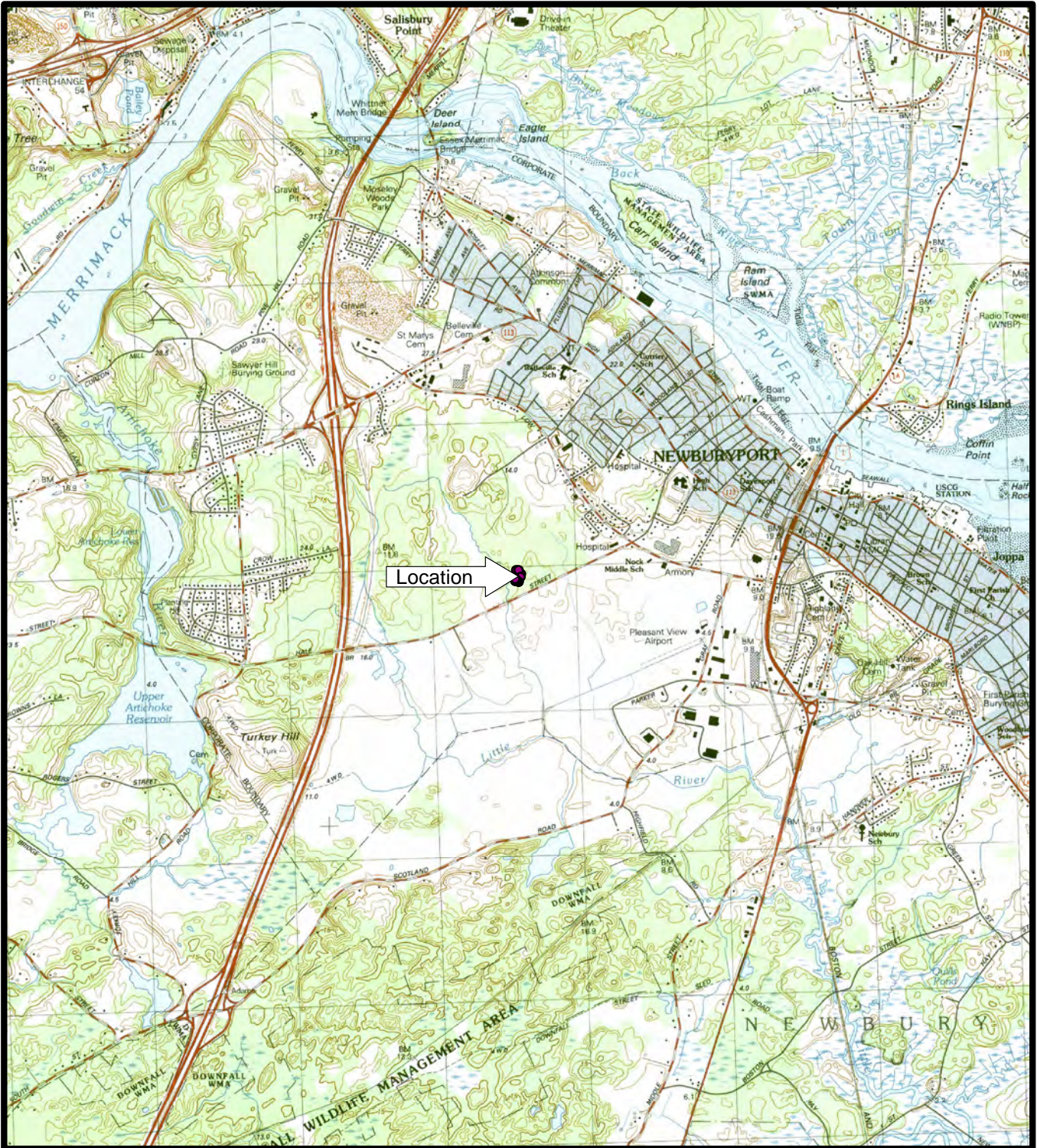
**Other:**

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.

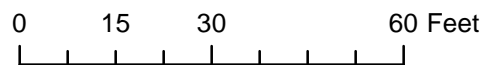
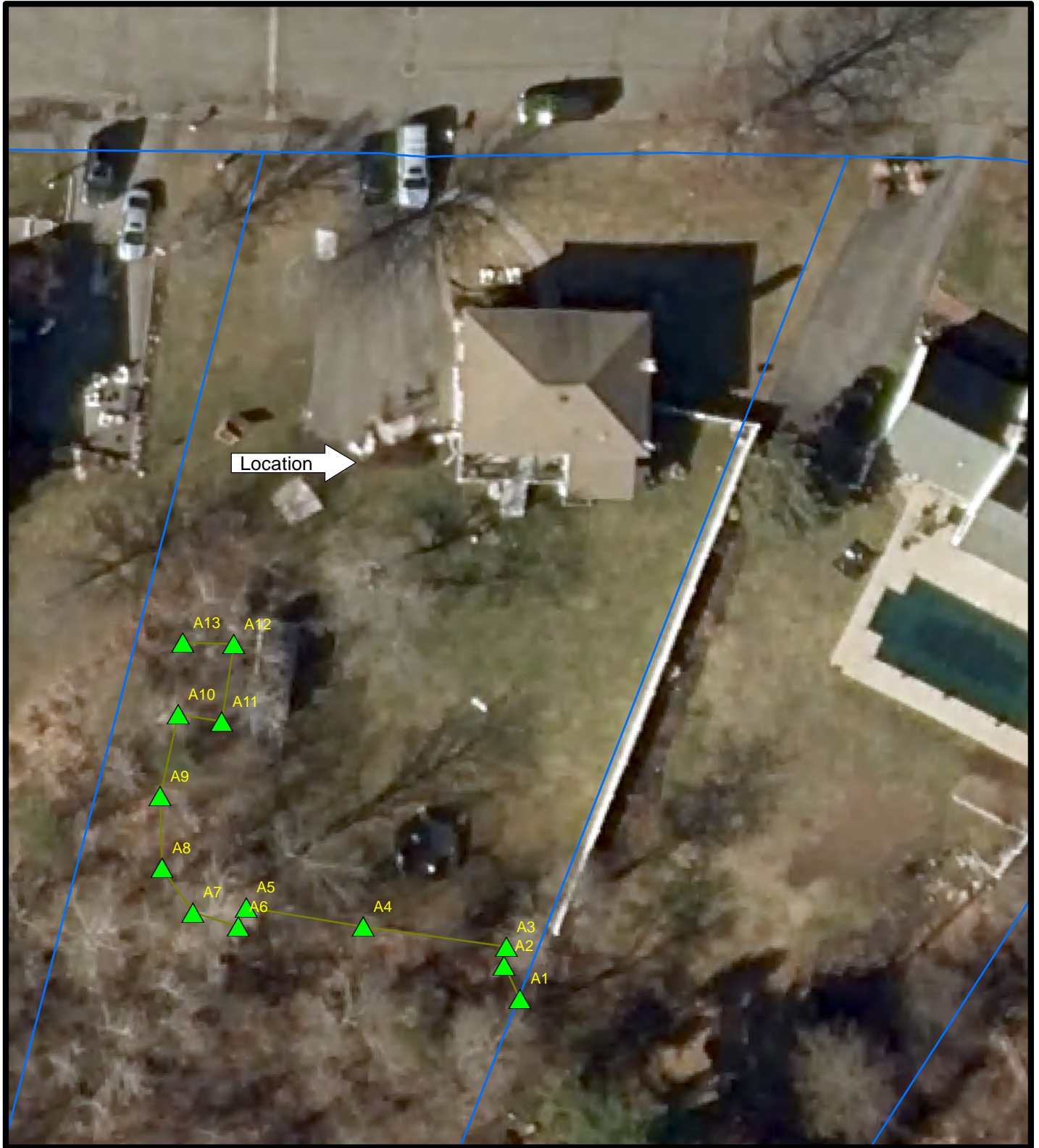


# 7 Doe Run Drive USGS Location Map





# 7 Doe Run Drive 2021 Orthophoto





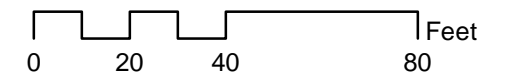
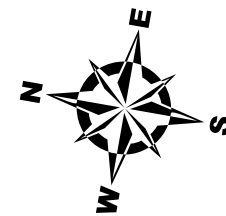


# 2021 Orthophoto 7 Doe Run Maximum Riparian Limits



## Legend

-  Wetland Flags
-  Wetland Boundary
-  200 Foot Riverfront





# 7 Doe Run Drive — Site Photos



2020 Orthophoto



View from rear corner towards pool and proposed addition



Wetland Boundary follows timber wall at rear of lawn



Debris in and around wetland to be cleaned up

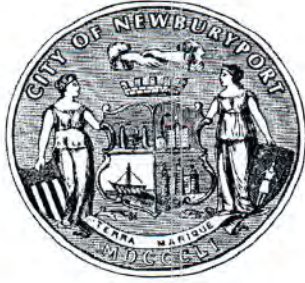


View along fence of side yard  
Wetland crosses fence near trees



View along fence, wetland flag to left





**City of Newburyport**  
**Office of the Assessor**  
60 Pleasant Street / P.O. Box 550  
Newburyport, MA 01950  
978-465-4403 / Fax 978-462-8495  
assessor@cityofnewburyport.com

**September 29, 2022**

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**To: Newburyport Conservation Commission**

**From: Newburyport Board of Assessors**

**Re: Abutters List: 7 DOE RUN DRIVE**

**Newburyport Map: 96 Lot: 171**

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**The following are the abutters of the above-mentioned property:**

**Board of Assessors**

A handwritten signature in cursive script that reads "Jill Brennan".

*The Assessors Office is certifying that the persons listed in the foregoing list of abutters are the owners of record of the foregoing properties as of January 1, 2022. The city Assessor is not certifying that the persons so listed are the persons who are required to receive notification under applicable law.*

96/ 12/ / /  
JOSEPH C TEIXEIRA TRUSTEE  
44 HALE ST  
NEWBURYPORT, MA 01950

96/ 181/A / /  
SARAFIAN C - ROBERTS M TRS  
QUAIL RUN REALTY TRUST  
10 PAGE BROOK RD  
CARLISLE, MA 01741

96/ 15/ / /  
BRADLEY BENJAMIN T  
KATHERINE T T/E  
46 HALE ST  
NEWBURYPORT, MA 01950

96/ 167/ / /  
NAUGHTON MICHAEL R  
LAURIE A  
8 DOE RUN DR  
NEWBURYPORT, MA 01950

96/ 168/ / /  
HOWARD CHARLES W  
JENNIFER R T/E  
2 QUAIL RUN HOLLOW  
NEWBURYPORT, MA 01950

96/ 169/ / /  
REFFETT BRENDA L  
PATRICK H T/E  
3 DOE RUN DR  
NEWBURYPORT, MA 01950

96/ 170/ / /  
ANDONI LEON & ALDA T/E  
5 DOE RUN DR  
NEWBURYPORT, MA 01950

96/ 171/ / /  
KREUZ COREY M  
KERIANN T/E  
7 DOE RUN DR  
NEWBURYPORT, MA 01950

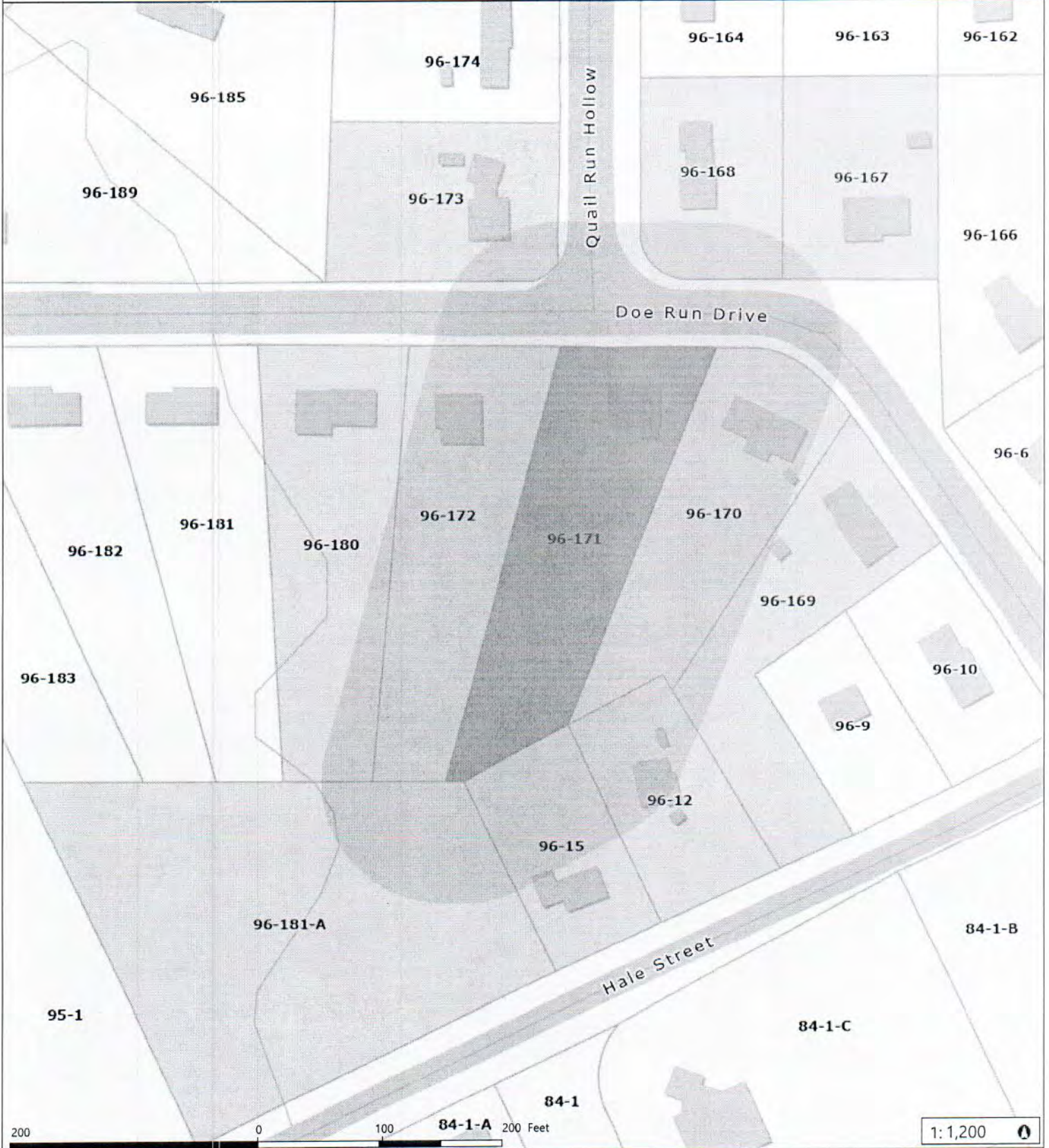
96/ 172/ / /  
SLOAN KIMBERLY A  
9 DOE RUN DRIVE  
NEWBURYPORT, MA 01950

96/ 173/ / /  
GRAY-STURTEVANT PAMELA A TRS  
PAMELA A GRAY-STURTEVANT TRUST  
1 QUAIL RUN HOLLOW  
NEWBURYPORT, MA 01950

96/ 180/ / /  
PELUSO FRANCIS C & JEAN TRS  
F & J REALTY TRUST  
11 DOE RUN DR  
NEWBURYPORT, MA 01950

# City of Newburyport

09/29/2022



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



**Legend**

Municipal Boundary	Roads	Interstate	Major Road	Local Road	Parcel
Stream	Road Right of Way	Paved	Unpaved	Hydrographic Features	Streams
	Intermittent Stream				

# HUGHES ENVIRONMENTAL CONSULTING

44 MERRIMAC STREET, NEWBURYPORT, MA 01950  
PHONE 978.465.5400 • FAX 978.465.8100  
EMAIL THUGHES@HUGHESNVR.COM

PO BOX 392, CONCORD, MA 01742  
PHONE/FAX 978.369.2100

## Notification to Abutters Under the Massachusetts Wetlands Protection Act and the Newburyport Wetlands Ordinance

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40 and the City of Newburyport's Wetlands Ordinance, you are hereby notified of the following.

- A. The name of the applicant is **Kerriann and Corey Kreuz**
- B. The applicant has filed a Notice of Intent with the Conservation Commission for the City of Newburyport seeking permission to remove, fill, dredge, or alter an Area subject to Protection under the Wetlands Protection Act (General Laws Chapter 131, Section 40) and the City of Newburyport's Wetlands Ordinance. The project involves a garage addition, a pool and associated site work.
- C. The address of the lot where the activity is proposed is: **7 Doe Run Drive**
- D. The Public Hearing will be held on **October 18, 2022** at 7 pm. Said hearing shall be located either in the Senior/Community Center or online via remote participation with confirmation and access information to be posted on the City Website meetings calendar at [www.cityofnewburyport.com/calendar](http://www.cityofnewburyport.com/calendar). All interested parties should look to the meetings calendar on the City website as the hearing date approaches.
- E. Copies of the Notice of Intent may be examined by visiting [www.cityofnewburyport.com/conservation-commission](http://www.cityofnewburyport.com/conservation-commission) and selecting the meeting agenda.
- F. Copies of the Notice of Intent may be obtained from applicant's representative Hughes Environmental Consulting, by calling 978-465-5400 between the hours of 9 and 4:30, on the following days of the week: Monday thru Thursday.

NOTE: Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in the Newburyport Daily News.

NOTE: Notice of the public hearing, including its date, time, and place, will be posted in Newburyport City Hall not less than forty-eight (48) hours in advance.

NOTE: You also may contact the Newburyport Conservation Commission or the Department of Environmental Protection Northeast Regional Office for more information about this application or the Wetlands Protection Act. To contact the Newburyport Conservation Commission, please email [jgodtfreds@cityofnewburyport.com](mailto:jgodtfreds@cityofnewburyport.com).

Please do not hesitate to contact me with any questions regarding this hearing or the application,

Thomas G. Hughes, BS, MA





**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 key.



**A. Applicant Information**

1. Location of Project:

<u>7 Doe Run Drive</u>	<u>Newburyport</u>
a. Street Address	b. City/Town
<u>2293</u>	<u>42.50</u>
c. Check number	d. Fee amount

2. Applicant Mailing Address:

<u>Kerriann &amp; Corey</u>	<u>Kreuz</u>	
a. First Name	b. Last Name	
<u></u>		
c. Organization		
<u>7 Doe Run Drive</u>		
d. Mailing Address		
<u>Newburyport</u>	<u>MA</u>	<u>01950</u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

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



**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

**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 1	1	110.00	110.00
			110.00
<b>Step 5/Total Project Fee:</b>			110.00
<b>Step 6/Fee Payments:</b>			
Total Project Fee:			110.00
			a. Total Fee from Step 5
State share of filing Fee:			42.50
			b. 1/2 Total Fee <b>less</b> \$12.50
City/Town share of filing Fee:			67.50
			c. 1/2 Total Fee <b>plus</b> \$12.50

**C. Submittal Requirements**

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
 Box 4062  
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

DISTRICT : R-1

	LOT AREA	STREET FRONTAGE	% LOT COVERAGE	OPEN SPACE	FRONT YARD	SIDE YARD	REAR YARD
REQUIRED	20,000 SF	125'	20% MAX.	50% MIN.	30'	20'	30'
EXISTING	32,442 SF	125'	4.1%	91.2%	30.0'	18.7' (PORCH) 21.7' (DWELLING)	243.6'
PROPOSED	32,442 SF	125'	6.4%	90.7%	30.0'	18.7' (PORCH) 21.3' (ADDITION)	240.5'

ZONING DISTRICT: R-1

ASSESSORS: MAP 96 LOT 171

REFERENCES:

DEED - BK. 32019 PG. 562

PLAN - PL. BK. 179 PL. 56

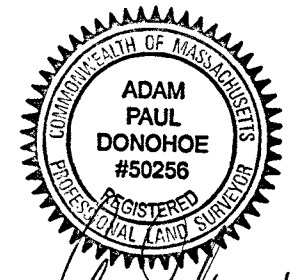
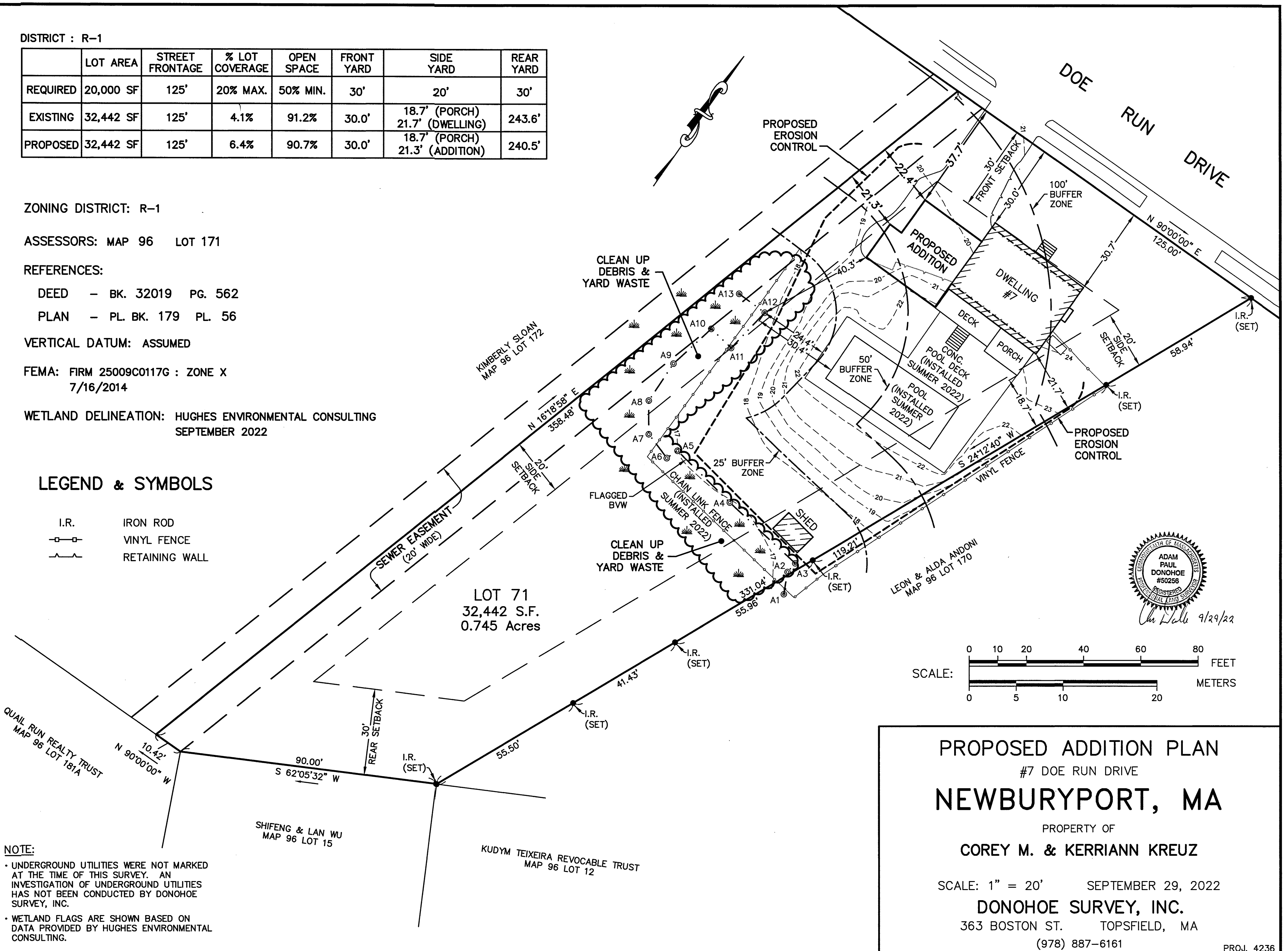
VERTICAL DATUM: ASSUMED

FEMA: FIRM 25009C0117G : ZONE X  
7/16/2014

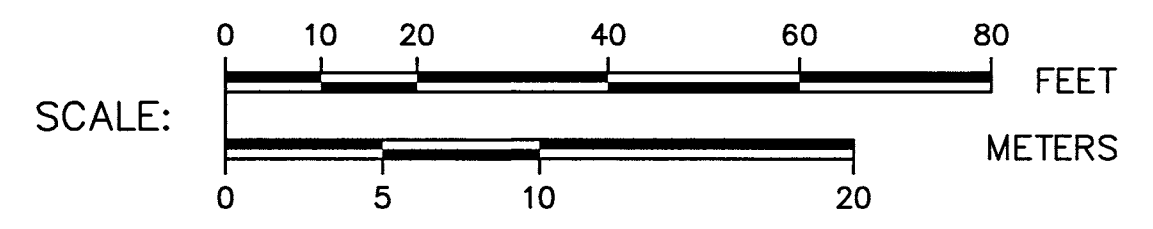
WETLAND DELINEATION: HUGHES ENVIRONMENTAL CONSULTING  
SEPTEMBER 2022

**LEGEND & SYMBOLS**

- I.R. IRON ROD
-  VINYL FENCE
-  RETAINING WALL



*Ch. Hall 9/29/22*



QUAIL RUN REALTY TRUST  
MAP 96 LOT 181A

SHIFENG & LAN WU  
MAP 96 LOT 15

KUDYM TEIXEIRA REVOCABLE TRUST  
MAP 96 LOT 12

**NOTE:**

- UNDERGROUND UTILITIES WERE NOT MARKED AT THE TIME OF THIS SURVEY. AN INVESTIGATION OF UNDERGROUND UTILITIES HAS NOT BEEN CONDUCTED BY DONOHOE SURVEY, INC.
- WETLAND FLAGS ARE SHOWN BASED ON DATA PROVIDED BY HUGHES ENVIRONMENTAL CONSULTING.

**PROPOSED ADDITION PLAN**  
#7 DOE RUN DRIVE  
**NEWBURYPORT, MA**

PROPERTY OF  
**COREY M. & KERRIANN KREUZ**

SCALE: 1" = 20'      SEPTEMBER 29, 2022  
**DONOHOE SURVEY, INC.**  
363 BOSTON ST.      TOPSFIELD, MA  
(978) 887-6161

PROJ. 4236

