

# **Notice of Intent Application**

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Wetlands Protection Act and Burlington Wetlands By-law

**7 A Street  
Burlington, MA**

January 2025



**Wetlands & Land Management, Inc.  
100 Conifer Hill Drive-Suite 516  
Danvers, MA 01923**



# Town of Burlington

29 Center Street, Burlington, MA 01803  
Phone 781-270-1655 Fax 781-238-4690

## BURLINGTON BY-LAW ARTICLE 14 WETLANDS

### APPLICATION FORM

Application for: Notice of Intent X Determination of Applicability \_\_\_\_\_ ANRAD \_\_\_\_\_  
Filing Fee: \$1000.00 (By-Law Fee Only)  
Applicant: American Maplewood Properties, LLC (Please type or print)  
Address: 9-11 A Street, Burlington, MA 01803  
E-mail Address: timmacd @ comcast.net

Property Owner: Same (Please type or print)

Address: \_\_\_\_\_

Location of Site: 7 A Street

Burlington Assessor's Map No. 33 Parcel No. 79

Project Description: Site improvements on a commercial property

A signed application by both the applicant, and the property owner, if other than the applicant, is required as part of a complete filing for work in a wetland (both bordering on a water body or isolated); a water body, intermittent stream, and/or ditch; and/or land within 100 feet of such areas; and/or land within 200 feet of a regulated stream. In signing this application form both the owner and applicant shall consent to granting permission to the Burlington Conservation Commission and agents thereof, as well as other Town employees who may be required to view the site, to enter upon and inspect the land in question.

Signature(s)

Tim MacDonald  
Applicant

617-590-7776  
Telephone Number

Tim MacDonald  
Property Owner

\_\_\_\_\_  
Telephone Number

Incorrect information may be grounds to deny an application.

# **Wetlands & Land Management, Inc.**

100 Conifer Hill Drive - #516  
Danvers, MA 01923  
978-777-0004 Telephone

February 13, 2025

Eileen Coleman  
Burlington Conservation Commission  
25 Center Street  
Burlington, MA 0101803

RE: Notice of Intent for site restoration and continued usage at 7 A Street

Dear Ms. Coleman and Conservation Commission Members:

On behalf of the applicant, Wetlands & Land Management Inc. is submitting this Notice of Intent application to restore and continue using a portion of the property at 7A street. The site borders Vine Brook. The entire property is encumbered by riverfront area. A portion of the property up to elevation 125 (NAV88 datum) is encumbered by FEMA zone A/ Bordering Land Subject to Flooding.

The bank of Vine brook is armored with a large boulder embankment, creating a very distinct top of bank line. A 100-foot buffer zone extends from the top of bank.

MassDOT aerial photos going back to 2003 show this property has been used for storage of various equipment and vehicles.

As you know, the relatively new owner purchased the site last year. Unaware of Conservation Commission restrictions, the Applicant/ new owner began to store construction forms, materials and dirt piles on the site. The Commission issued an Enforcement Order requiring restoration. Much of the restoration, except for final seeding was completed with communication and direction from your office through the fall and early winter 2024. It is my understanding that the Applicant was encouraged to file a Notice of Intent for future use of the property.

To date, all temporary fill piles have been removed and based on a site inspection in November 2024, it appeared to me that the ground surface had been restored to original grade. I based this characterization on observation on the existing vegetation growing at the site (growing out of natural earth and no fill around the trunks or stems.)

The restored areas will receive final seeding with a turf grass mix in the spring. This would complete the required restoration pursuant to the Enforcement Order.

The Applicant would like to continue to use the front portion of the property as it has been used for at least the past 21 years. The site plan shows a line across the property. All area to the west of the line would be allowed to revert to natural conditions. The remainder of the site to the east of the line would be utilized as it has been for more than two decades.

Historically, the entire site was maintained clear of vegetation. A 1995 aerial photo, one year prior to the enactment of the Rivers Protection Act (RPA), is included. Presently, some of the site has young shrub and tree growth typical when a site use is discontinued. Young sapling growth, primarily of European buckthorn, gray birch, Asiatic bittersweet, black locust, Norway maple and occasional white pine shrubs or trees the east side of the site will be maintained again, as they

have been periodically, over time. The east half of the site will be utilized for construction material storage, forms, occasional stone or soil storage, trailer parking or storage trailers. The ground surface will be treated with crushed stone to avoid the mud conditions.

Today, 16,328 square feet of the site is cleared/ used now or in the past 20+ years for storage. Roughly half of that area is within 100 feet of the bank of Vine Brook.

The owner will relocate all site use to the east side of the site and reduce the site usage to 13,362 square feet – a reduction of 2966 square feet over current site use conditions and over 16,500 square feet over historic conditions at the enactment of the RPA.

Present site usage has 8636+/- square feet of usage in the 0-100 foot zone. This will now be reduced to 2930 square feet – a reduction of 5706 square feet in the 0-100 foot zone.

The proposed site usage provides a wider overall vegetated zone between the proposed site use and the river bank and also shows a significant reduction of site use in the 0-100-foot zone. All new soil piles have been removed to restore the function and volume of the bordering land subject to flooding.

Please schedule this matter for your earliest meeting. I will be available to present the project and answer any questions.

Sincerely,

Wetlands & Land Management, Inc.

*William Manuell*

William J. Manuell  
For the Applicant



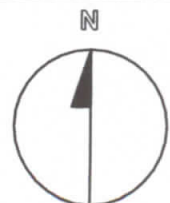
1995 Aerial Photo



**Wetlands & Land Management, Inc.**  
100 Conifer Hill Drive - #516  
Danvers, MA 01923  
978-777-0004



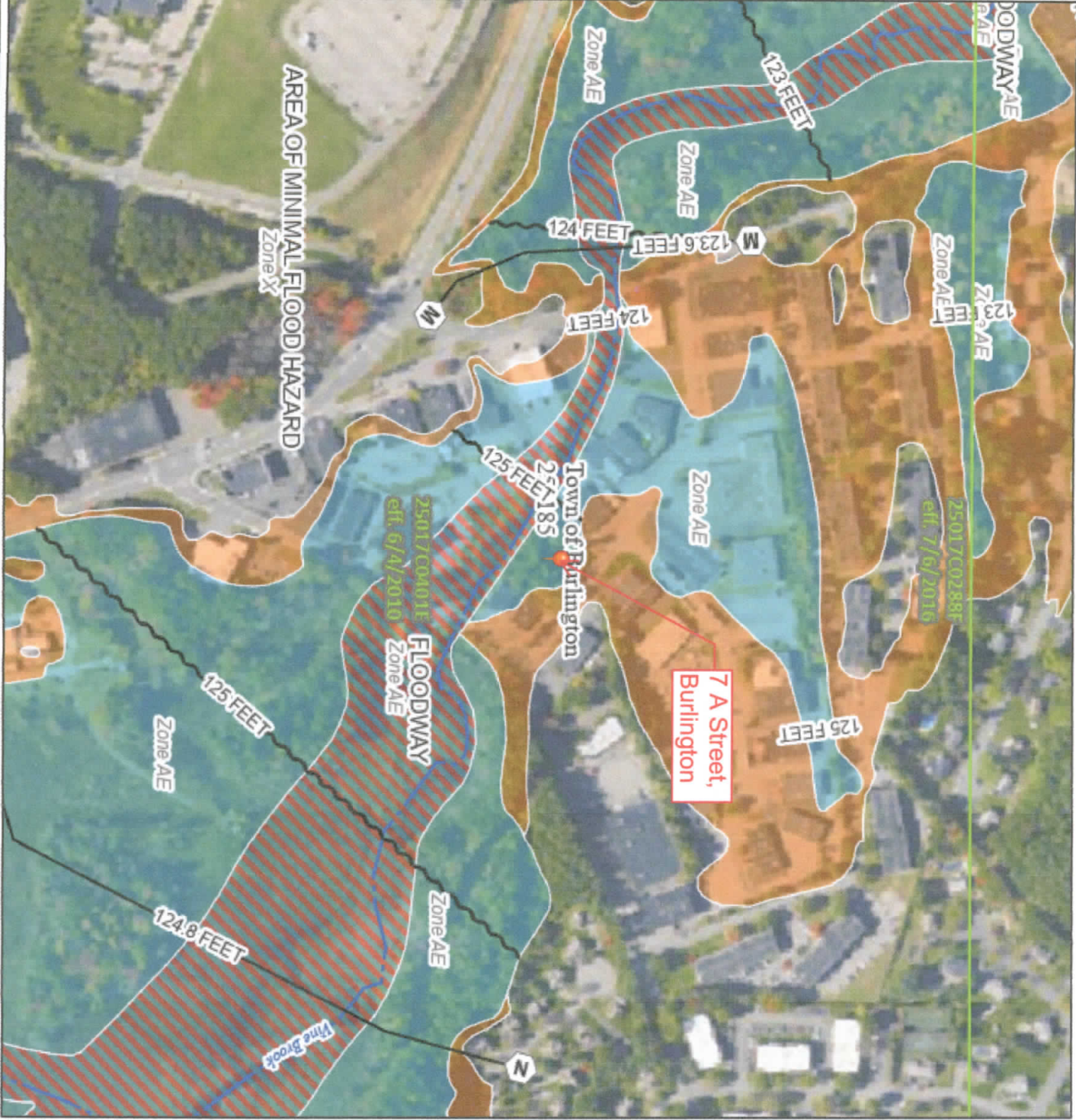
Source: United States Geological Survey





# National Flood Hazard Layer FIRMeTte

71°13'48"W 42°30'3"N



## 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, AE3 With BFE or Depth Zone AE, AO, AH, VE, AR Regulatory Floodway
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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
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OTHER AREAS GENERAL STRUCTURES	NO SCREEN Area of Minimal Flood Hazard Zone X Effective LOMRS Area of Undetermined Flood Hazard Zone I Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall
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OTHER FEATURES	2025 Cross Sections with 1% Annual Chance Water Surface Elevation 17.5 Coastal Transect Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Transect Baseline Profile Baseline Hydrographic Feature
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MAP PANELS	<input type="checkbox"/> Digital Data Available <input type="checkbox"/> No Digital Data Available <input checked="" type="checkbox"/> Unmapped
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The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

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 **12/9/2024 at 7:12 PM** 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 undetermined areas cannot be used for regulatory purposes.

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**Notice of Intent Application (WPA Form 3)**





**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:

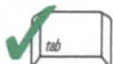
MassDEP File Number

Document Transaction Number

Burlington

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):

7 A Street

a. Street Address

Burlington

b. City/Town

01803

c. Zip Code

Latitude and Longitude:

42.49711

d. Latitude

-71.22467

e. Longitude

33

f. Assessors Map/Plat Number

79

g. Parcel /Lot Number

2. Applicant:

Tim

a. First Name

MacDonald. Mgr.

b. Last Name

American Maplewood Properties, LLC

c. Organization

9-11 A Street

d. Street Address

Burlington

e. City/Town

MA

f. State

01803

g. Zip Code

617-590-7776

h. Phone Number

i. Fax Number

Tim MacDonald <timmacd@comcast.net>

j. Email Address

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

SAME

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

William

a. First Name

Manuell

b. Last Name

Wetlands & Land Management, Inc.

c. Company

100 Conifer Hill Drive #516

d. Street Address

Danvers

e. City/Town

MA

f. State

01923

g. Zip Code

978-777-0004

h. Phone Number

i. Fax Number

bill@wetlandslm.com

j. Email address

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

\$1575.00

a. Total Fee Paid

\$775.00

b. State Fee Paid

\$800 plus \$1000 local fee

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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**A. General Information (continued)**

6. General Project Description:

Commercial use site improvements.

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

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Single Family Home                        | 2. <input type="checkbox"/> Residential Subdivision       |
| 3. <input checked="" type="checkbox"/> Commercial/Industrial          | 4. <input type="checkbox"/> Dock/Pier                     |
| 5. <input type="checkbox"/> Utilities                                 | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation                |
| 9. <input type="checkbox"/> 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 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Middlesex South

a. County

82786

c. Book

b. Certificate # (if registered land)

563

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

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input 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 checked="" type="checkbox"/> Riverfront Area	Vine Brook - Inland 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:

29,932  
square feet

4. Proposed alteration of the Riverfront Area:

13362	2930	10432
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.

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

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

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

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





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

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

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet _____ 2. cubic yards dredged _____	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. <input type="checkbox"/> Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet _____	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet _____	
h. <input type="checkbox"/> Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet _____	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged _____	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet _____	
4. <input type="checkbox"/> 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. <input type="checkbox"/> Project Involves Stream Crossings	a. number of new stream crossings _____ b. number of replacement stream crossings _____	



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## **C. Other Applicable Standards and Requirements**

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

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

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**

MassGIS

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/mas-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

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

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

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

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

- (d) ☐ Vegetation cover type map of site

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

- (f) OR Check One of the Following

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

2. ☐ Separate MESA review ongoing.

a. NHESP Tracking #

b. Date submitted to NHESP

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

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

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

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

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

North Shore - Hull to New Hampshire border:

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

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

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

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

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





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

**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: *Reduction of use of the site.*  
1. ☐ Single-family house  
2. ☐ Emergency road repair  
3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

**D. Additional Information**

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

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

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

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



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**D. Additional Information (cont'd)**

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

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

**Site Plan**

a. Plan Title

Vineyard Engineering and Environmental  
Services, Inc

1-17-25

d. Final Revision Date

James Abley, PLS

c. Signed and Stamped by

30

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:

1001

2. Municipal Check Number

1000

4. State Check Number

American Concrete Cutting Inc.

6. Payor name on check: First Name

2-11-25

3. Check date

2-11-25

5. Check date

7. Payor name on check: Last Name



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**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.

*Jim McDermott*

1. Signature of Applicant

2-13-25

2. Date

3. Signature of Property Owner (if different)

4. Date

*William Maxwell*

5. Signature of Representative (if any)

2-13-25

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.



## Notice of Intent Fee Transmittal Form



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:

7 A Street

a. Street Address

1000

c. Check number

Burlington

b. City/Town

\$775.00

d. Fee amount

### 2. Applicant Mailing Address:

Tim

a. First Name

MacDonald, Mgr.

b. Last Name

American Maplewood Properties LLC

c. Organization

9-11 A Street

d. Mailing Address

Burlington

e. City/Town

MA

f. State

01803

g. Zip Code

617-590-7776

h. Phone Number

i. Fax Number

Tim MacDonald <timmacd@comcast.net>

j. Email Address

### 3. Property Owner (if different):

SAME

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

## B. Fees

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

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

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

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

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

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

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

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



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
Commercial site improvement in RA	one	1050 x 1.5	\$1575.00

**Step 5/Total Project Fee:** \_\_\_\_\_

**Step 6/Fee Payments:**

Total Project Fee:	\$1575.00
State share of filing Fee:	a. Total Fee from Step 5 775.00
City/Town share of filling Fee:	b. 1/2 Total Fee less \$12.50 800.00
	c. 1/2 Total Fee plus \$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.)



**APPENDIX C - FEES**  
**FEE SCHEDULE\***  
**BURLINGTON WETLANDS BYLAW ARTICLE 14**  
**Burlington Conservation Commission**

**Adopted 10/11/1988**

*Revised 2/14/2002*

*Revised 1/27/2011*

*Revised 3/14/2024*

1. **Determination of Applicability:**
  - a. Existing Single Family House Addition/Alteration/Buffer zone work/Resource area improvement \$50
  - b. New Single Family House \$150
  - c. New Subdivision Road/Drainage (>50 ft. from resource area) \$100
  - d. Monitoring Wells/Remediation/Etc. \$100
  - e. Commercial/Non-residential Construction \$250
2. **Notice of Intent (Abbreviated Notice of Intent):**
  - a. Single Family House \$250
  - b. Existing Single Family Home Addition/Alteration \$150
  - c. Multi-family Structure (more than 2 residences) \$1000
  - d. Subdivisions (road and utilities only, a per house fee—a. above—also applies) \$1000
  - e. Limited Projects \$1500
  - f. Non-residential Projects (Commercial, Utility, Remediation, Etc.) \$1000
3. **Abbreviated Notice of Resource Area Delineation:**
  - a. Single family residential \$200
  - b. Other (Multi-family, Commercial, Etc.) \$800
4. **Extensions (OOC, ORAD):**
  - a. Residential (one and two family only) \$50
  - b. Others \$100
5. **Minor Engineering Change** \$50
6. **Amendment to Order of Conditions** \$100
7. **Certificate of Compliance:**
  - a. Single family residential \$50
  - b. Subdivisions, multi-family, commercial, etc. \$100

*\*These fees are in addition to the filing fee for a Notice of Intent charged under M.G.L. Ch. 131, s. 40.*

1000

American Concrete Cutting, Inc.  
[REDACTED]

2/11/2025

PAY TO THE  
ORDER OF

Commonwelath of Massachusetts

\$ \*\*775.00

Seven Hundred Seventy-Five and 00/100\*\*\*\*\*DOLLARS

Commonwealth of Massachusetts

MEMO  
[REDACTED]*Allen Caspiello*

1001

American Concrete Cutting, Inc.  
[REDACTED]

2/11/2025

PAY TO THE  
ORDER OF

Town of Burlington

\$ \*\*800.00

Eight Hundred and 00/100\*\*\*\*\*DOLLARS

Town of Burlington  
29 Center St  
Burlington, MA 01803MEMO  
A Street - American Maplewood  
[REDACTED]*Allen Caspiello*

1002

American Concrete Cutting, Inc.  
[REDACTED]

2/11/2025

PAY TO THE  
ORDER OF

Town of Burlington

\$ \*\*1,000.00

One Thousand and 00/100\*\*\*\*\*DOLLARS

Town of Burlington  
29 Center St  
Burlington, MA 01803MEMO  
9 - 11 A Street American Maplewood  
[REDACTED]*Allen Caspiello*

## Abutter Information



# NOTIFICATION TO ABUTTERS UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT

In accordance with the second paragraph of Massachusetts General Laws, Chapter 131, § 40, as well as the Town of Burlington Bylaws, you are hereby notified of the following work within a resource area or within the 100' buffer zone of a resource area:

- A. The name of the applicant is: American Maplewood Properties, LLC
- B. The address of the lot where the activity is proposed is: 7 A Street, Burlington
- C. The applicant has filed a XX Notice of Intent or an \_\_\_\_\_ Abbreviated Notice of Resource Area Delineation with the Burlington Conservation Commission. Said permit applicant is seeking permission to confirm wetland resource area boundaries or to conduct work within a wetland, water body or resource area or a buffer zone to a wetland, waterbody or resource area subject to protection under the Wetlands Protection Act (MGL c. 131, § 40), and/or the Town of Burlington Wetland Bylaws.
- D. ☒ Copies of the application may be examined at the office of the Burlington Conservation Commission, Town Hall Annex, 25 Center Street, Burlington, MA between the hours 8:30 a.m. – 4:30 p.m. on Monday, Tuesday and Thursday, 8:30 a.m. – 7 p.m. on Wednesday, and 8:30 a.m. – 1 p.m. on Friday. **Telephone: (781) 270-1655.** Additional times are available by appointment.
- E. Copies of the application may be obtained from either (check one) the \_\_\_\_\_ applicant, or X the applicant's representative, by calling this telephone number (978 ) 777-0004 on the following days of the week: M-F \_\_\_\_\_ between the hours of: 9 and 3.
- F. Information regarding the date, time and place of the public hearing may be obtained from the Burlington Conservation Commission. Telephone: **(781) 270-1655.** If available from the applicant, check here \_\_\_ and see the information available in # E.

NOTE: At least five days in advance, notice of the Public hearing will be published in **The Daily Times Chronicle**, Woburn, MA. The notice will include the hearing date, time and place. Notice of the Public Hearing will be posted in the Town Hall not less than forty-eight (48) hours in advance.

**Town of Burlington  
Abutters List**

**Subject Parcel ID: 33-79-0**

**Subject Property Location: 7 A STREET**

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
33-44-0	8 A STREET	SALVUCCI FORTUNATO & ROSAL	TRS NEW CADARO REALTY	60 BULLARD RD	WESTON	MA	02493-2204
33-46-0	4 A STREET	REGAN BRYAN M & P S SANTANG	TRS JOSJAR REALTY TR	4 A STREET	BURLINGTON	MA	01803
33-74-0	105 -107 TERRACE HALL AVE	TERRACE HALL PROPERTIES LLC	C/O SEAVER CONSTRUCTIC	215 LEXINGTON ST 2ND FL	WOBURN	MA	01801
33-76-0	TERRACE HALL AVE	GRAHAM ASSOCIATES		P O BOX 597	LOWELL	MA	01853
33-77-0	95 TERRACE HALL AVE	MUNJAL RENUKA		23 BABE RUTH DRIVE	SUDBURY	MA	01776
33-78-0	1-3 A STREET	TECHEX REALTY HOLDINGS LLC		1 A ST	BURLINGTON	MA	01803
33-79-0	7 A STREET	AMERICAN MAPLEWOOD PROP L		7 A STREET	BURLINGTON	MA	01803
33-80-0	11 A STREET	AMERICAN MAPLEWOOD PROP L		11 A STREET	BURLINGTON	MA	01803
33-86-0	217 MIDDLESEX TPK EXT	BUONOPANE ROBERT N & D R T	217 MIDDLESEX TPK BURL	217 MIDDLESEX TPK EXT	BURLINGTON	MA	01803
33-91-0	MIDDLESEX TPK	GRAHAM ASSOCIATES		P O BOX 597	LOWELL	MA	01853

Parcel Count: 10

**End of Report**