

NOTICE OF INTENT

Rocky Hill MBTA Community Elm Street Amesbury, Massachusetts



SUBMITTED TO:

City of Amesbury
Conservation Commission
39 South Hunt Road
Amesbury, Massachusetts 01913

PREPARED FOR:

Dale Development, LLC
360 Washington Road
Rye, New Hampshire 03870

PREPARED BY:

Lucas Environmental, LLC
500A Washington Street
Quincy, Massachusetts 02169

IN ASSOCIATION WITH:

Millenium Engineering, Inc.
62 Elm Street
Salisbury, Massachusetts 01952



500A Washington Street, Quincy, MA 02169

January 9, 2026

City of Amesbury
Conservation Commission
39 South Hunt Road
Amesbury, MA 01913

Re: Notice of Intent (NOI)
Rocky Hill MBTA Community at Elm Street
265, 277, 281, 287, and 287½ Elm Street, Amesbury, Massachusetts

Members of the Amesbury Conservation Commission:

On behalf of Dale Development, LLC, and in association with Millenium Engineering, Inc., Lucas Environmental, LLC (LE) is pleased to submit this Notice of Intent (NOI) to the Amesbury Conservation Commission for the proposed Rocky Hill MBTA Community residential development located at 265, 277, 281, 287, and 287½ Elm Street in Amesbury, Massachusetts (Assessor's ID Map 68: Lots, 12, 13, 15, 20 & Map 80: Lots 3, 4). As currently designed, proposed work will occur within the 100-Foot Buffer Zone and the 25-Foot and 50-Foot City of Amesbury Buffer Zones to Bordering Vegetated Wetlands (BVW) and Inland Bank, as well as within the 200-Foot Riverfront Area associated with an unnamed tributary to the PowWow River. This NOI is submitted in accordance with the Massachusetts Wetlands Protection Act (WPA; M.G.L. Ch. 131, Section 40) and implementing regulations (310 CMR 10.00 et seq.) and the City of Amesbury Wetlands Protection Ordinance (Chapter 460) and associated Rules & Regulations.

Enclosed please find two (2) copies of the NOI, Site Plans, and the Stormwater Report. The NOI application package includes the WPA Form 3, project narrative, figures, abutter notification, Stormwater Report, and Site Plans. A link to an electronic copy of the pdf file of the NOI application and supporting documentation will be provided concurrently with this submittal via the OpenGov portal. We respectfully request that you place this matter on your agenda for the February 2, 2026, Public Meeting.

If you have any questions, please do not hesitate to contact me at 617.405.4140 or cml@lucasenviro.com. Thank you for your consideration in this matter.

Sincerely,
LUCAS ENVIRONMENTAL, LLC

Christopher M. Lucas, PWS, CWS, RPSS
Certified Wetland Scientist/Professional Soil Scientist

cc: Applicant: Dale Development, LLC – Robert Dale
Owners: True Homestead Limited Partnership(s) (electronic copy)
287 Elm Street Realty Trust (electronic copy)
Stanley O. Bean Jr. Revocable Trust (electronic copy)
Millenium Engineering, Inc. (electronic copy)
MassDEP – NERO

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SECTION I – FORMS



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

Amesbury

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):

265 Elm St. #R, 277 Elm St. #R, 281 Elm St.,
287 Elm Street, 287½ Elm Street

Amesbury

01913

b. City/Town

c. Zip Code

Latitude and Longitude:

42°50'59.50" N

70°54'17.97" W

d. Latitude

e. Longitude

Map 68 / Map 80

Lots 12, 13, 15, 20 / Lots 3, 4

f. Assessors Map/Plat Number

g. Parcel /Lot Number

2. Applicant:

Bob

Dale

a. First Name

b. Last Name

Dale Development, LLC

c. Organization

630 Washington Road

d. Street Address

Rye

NH

03870

e. City/Town

f. State

g. Zip Code

609.744.5031

bob@buckinghampartners.com

h. Phone Number

i. Fax Number

j. Email Address

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

See Attached Property Ownership Information

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):

Christopher

Lucas

a. First Name

b. Last Name

Lucas Environmental, LLC

c. Company

500A Washington Street

d. Street Address

Quincy

MA

02169

e. City/Town

f. State

g. Zip Code

517.405.4118

617.405.4465

cml@lucasenviro.com

h. Phone Number

i. Fax Number

j. Email address

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

\$32,550.00

\$16,262.50

\$16,287.50

a. Total Fee Paid

b. State Fee Paid

c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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A. General Information (continued)

6. General Project Description:

The Applicant proposes to construct a 379 unit residential development (296 units in the North Neighborhood and 83 units in the South Neighborhood), on 65.6 acres comprised of six individual tax parcels, located on the east side of Elm Street. Work is proposed in the Riverfront Area and 100-Foot Buffer Zone to BVW and Inland Bank.

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 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:

Essex County

a. County

b. Certificate # (if registered land)

See Attached Property Ownership Information

c. Book

d. Page Number

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

- ☐ 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.
- ☒ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

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



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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. ☐ Bank	1. linear feet	2. linear feet
b. ☐ Bordering Vegetated Wetland	1. square feet	2. square feet
c. ☐ 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. ☐ Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. ☐ Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. ☒ Riverfront Area	Unnamed tributary to Powwow River 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: 341,962
square feet

4. Proposed alteration of the Riverfront Area: **See Narrative for Detailed RFA Impact Analysis.**

<u>32,874 - Permanent</u>	<u>0 - Perm; 5,105 - Temporary</u>	<u>32,874 - Perm; 21,432 Temp</u>
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. ☐ Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. ☐ Land Under the Ocean	1. square feet	
	2. cubic yards dredged	
c. ☐ Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. ☐ Coastal Beaches	1. square feet	2. cubic yards beach nourishment
e. ☐ Coastal Dunes	1. square feet	2. cubic yards dune nourishment
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. ☐ Coastal Banks	1. linear feet	
g. ☐ Rocky Intertidal Shores	1. square feet	
h. ☐ Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. ☐ Land Under Salt Ponds	1. square feet	
	2. cubic yards dredged	
j. ☐ Land Containing Shellfish	1. square feet	
k. ☐ 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. ☐ 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



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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.

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/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.



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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 - Bourne to Rhode Island border, and the Cape & Islands:

North Shore - Plymouth 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

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: 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).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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Provided by MassDEP:

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Amesbury

City/Town

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

Online Users:

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

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

D. Additional Information

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

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

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

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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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.

Proposed Site Plan Review Plans, Rocky Hill MBTA Community at Elm Street, in Amesbury, MA

a. Plan Title

Millennium Engineering, Inc.

Stephen Sawyer, PE

b. Prepared By

c. Signed and Stamped by

December 22, 2025

1" = 40'

d. Final Revision Date

e. Scale

Stormwater Management Report for the Rocky Hill MBTA Community

December 8, 2025

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:

0489

December 10, 2025

2. Municipal Check Number

3. Check date

0486

December 10, 2025

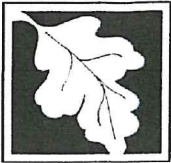
4. State Check Number

5. Check date

Dale Development LLC

6. Payor name on check: First Name

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.

DALE DEVELOPMENT LLC
By: *[Signature]*

1. Signature of Applicant

12/10/25
2. Date

3. Signature of Property Owner (if different)

[Signature]

5. Signature of Representative (if any)

4. Date

01/09/2026
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.

OWNER AUTHORIZATION

The undersigned record owners of the listed properties do hereby state that Dale Development LLC and/or its respective agents is authorized to file with, apply to, and process for review by, the City of Amesbury through its Planning Board, Conservation Commission and other local boards, commissions, departments, and/or officials, as well as state and federal authorities, all applications and plans for approvals, entitlements, permits and consents necessary or desirable for the applicant's use and development of such Properties.

Dated as of August 6, 2025

Map/Lot

Map 68/Lot 13

TRUE HOMESTEAD LIMITED PARTNERSHIP I

By: 287 Elm Realty of Amesbury, LLC, its General Partner

By: 

Herbert T. Sears, its Manager

Map 68/Lot 20

TRUE HOMESTEAD LIMITED PARTNERSHIP III

By: 287 Elm Realty of Amesbury, LLC, its General Partner

By: 

Herbert T. Sears, its Manager

Map 68/Lot 12

TRUE HOMESTEAD LIMITED PARTNERSHIP IV

Map 80/Lot 03

By: 287 Elm Realty of Amesbury, LLC, its General Partner

By: 

Herbert T. Sears, its Manager

[signatures continue on following page]

Map 80/Lot 04

STANLEY O. BEAN REVOCABLE TRUST

By: Stanley O. Bean, Jr.
Stanley O. Bean Jr., Trustee

Map 68/Lot 15

ALICE M. BEAN REVOCABLE TRUST

By: Stanley O. Bean, Jr.
Stanley O. Bean Jr., Trustee

By: _____
Herbert T. Sears, its Manager

By: _____
Herbert T. Sears, its Manager

By: _____
Herbert T. Sears, its Manager

By: _____
Herbert T. Sears, its Manager

[signatures continue on following page]



PROPERTY OWNERSHIP

Property Address	Ownership Entity	Map / Lot	Book/Page
265 Elm Street #R Amesbury, MA	True Homestead Limited Partnership IV 196 Water Street, Unit 12 Exeter, NH 03833	68 / 12	15596 / 174
277 Elm Street #R Amesbury, MA	True Homestead Limited Partnership I 196 Water Street, Unit 12 Exeter, NH 03833	68 / 13	15871 / 553
281 Elm Street Amesbury MA	True Homestead Limited Partnership III Herbert T. Sears 196 Water Street, Unit 12 Exeter, NH 03833	68 / 20	12307 / 510
287 Elm Street Amesbury, MA	True Homestead Limited Partnership 196 Water Street, Unit 12 Exeter, NH 03833	80 / 03	12307 / 508
287 Elm Street Amesbury, MA	Stanley O. Bean Jr. & Alice M. Bean Trustees, 287 Elm Street Realty Trust PO Box 27, Leavitt Road Gilmanton Iron Works, NH 03837	68 / 15	12779 / 376
287½ Elm Street Amesbury, MA	Stanley O. Bean Jr. Revocable Trust Stanley O. Bean Jr., Trustee PO Box 27 Gilmanton Iron Works, NH 03837	80 / 04	24120 / 288



SECTION II – PROJECT NARRATIVE

1.0 INTRODUCTION

On behalf of Dale Development, LLC, and in association with Millenium Engineering, Inc., Lucas Environmental, LLC (LE) is pleased to submit this Notice of Intent (NOI) to the Amesbury Conservation Commission for the proposed Rocky Hill MBTA Community residential development located at 265, 277, 281, 287, and 287½ Elm Street in Amesbury, Massachusetts (Assessor's ID Map 68: Lots, 12, 13, 15, 20 & Map 80: Lots 3, 4). As currently designed, proposed work will occur within the 100-Foot Buffer Zone and the 25-Foot and 50-Foot City of Amesbury Buffer Zones to Bordering Vegetated Wetlands (BVW) and Inland Bank, as well as within the 200-Foot Riverfront Area associated with an unnamed tributary to the PowWow River. This NOI is submitted in accordance with the Massachusetts Wetlands Protection Act (WPA; M.G.L. Ch. 131, Section 40) and implementing regulations (310 CMR 10.00 et seq.) and the City of Amesbury Wetlands Protection Ordinance (Chapter 460) and associated Rules & Regulations.

This Project Narrative describes the existing conditions and proposed design/regulatory compliance for work within jurisdictional areas on and near the site. The proposed project is depicted on the Site Plans entitled "Proposed Site Plan Review Plans, Rocky Hill MBTA Community at Elm Street, in Amesbury, MA," (Plans) prepared by Millenium Engineering, Inc., last revised December 22, 2025.

2.0 EXISTING CONDITIONS

The project is located off Elm Street in Amesbury, Massachusetts (See Figure 1 – USGS Map and Figure 2 – Aerial Map) and consists of six parcels identified as follows on the Amesbury Assessor's Maps.

- 265 Elm Street #R Map 68, Lot 12
- 277 Elm Street #R Map 68, Lot 13
- 281 Elm Street Map 68, Lot 20
- 287 Elm Street Map 68, Lot 15
- 287 Elm Street Map 80, Lot 03
- 287½ Elm Street Map 80, Lot 04

The general location of the site is the area northeast of Elm Street, west of Interstate 95, and south of Interstate 495. The six properties total approximately 65.6 acres, and consist of two existing dwellings along Elm Street, agricultural fields, and forested uplands and wetlands. The project area is bounded by undeveloped forested land to the east and south, residential and commercial properties along Elm Street to the west, and Interstate 495 to the north. Elevations on the site range from 68 feet to the north end down to 42 feet along the back of the perennial stream along the southern parcel boundary.

Two unnamed streams flow generally to the southwest through the Project Area. The northern stream flows under Elm Street just south of the entrance to the Carriage Town Marketplace and the southern stream flows under Elm Street approximately 400 feet north of the junction with Macy Street. The two streams converge at a point north of Macy Street, approximately 750 to 800 feet south of Elm Street, and continue to flow as a single stream under Macy Street and then west-southwest to the Powwow River.

The undeveloped upland areas consist of a mix of agricultural fields and forest. Common vegetation observed within the upland forest includes red oak (*Quercus rubra*), sugar maple (*Acer saccharum*), American beech (*Fagus grandifolia*), white pine (*Pinus strobus*), red maple (*Acer rubrum*), black cherry (*Prunus serotina*), American witch-hazel (*Hamamelis virginiana*), honeysuckle (*Lonicera sp.*), wild sarsaparilla (*Aralia nudicaulis*), Canada mayflower (*Maiathemum canadense*), Virginia creeper (*Parthenocissus quinquefolia*), and grape (*Vitis sp.*).

A review of the current MassGIS data layer for the Massachusetts Natural Heritage Atlas (effective August 1, 2021) under the Natural Heritage and Endangered Species Program (NHESP) indicates that no portion of the Project Area is located within Estimated Habitats of Rare Wildlife or Priority Habitats of Rare Species. No Certified Vernal Pools under the jurisdiction of the Wetlands Protection Act Regulations (310 CMR 10.00 et seq.) or the Massachusetts Endangered Species Act (321 CMR 10.00 et seq.) occur within the Project Area; nor is there any mapped Potential Vernal Pools (PVP) within the site (See Figure 3 – NHESP Map).

Per MassGIS data, the site is not located within an Area of Critical Environmental Concern (ACEC), MassDEP Wellhead Protection Area, Outstanding Resource Water (ORW), or a Watershed Protection Area.

3.0 WETLAND RESOURCE AREAS

Wetland resource areas were reviewed by the Amesbury Conservation Commission under an Abbreviated Notice of Resource Area Delineation (ANRAD) application submitted in March 2023. The ANRAD underwent peer review, and an Order of Resource Area Delineation (ORAD) was issued on August 7, 2023 (MassDEP File #002-1316) (ORAD #1). A second ANRAD designed to clarify several omissions to ORAD #1 was submitted in February 2024 and an ORAD was subsequently issued on March 18, 2024 (MassDEP File #002-1327) (ORAD #2). See Appendix A for a copy of the valid ORADs.

Under the Massachusetts Wetlands Protection Act and Ordinance, the approved wetlands on and near the site are regulated as described below. The Ordinance includes all resource areas and Buffer Zones defined under the WPA regulations. In addition, the Ordinance protects Freshwater Wetlands whether or not they border on a water body or waterway and also includes the 100-Foot Buffer Zone as a resource area.

3.1 Inland Bank

Section 310 CMR 10.54 of the WPA defines a Bank *as the portion of the land surface which normally abuts and confines a water body. It occurs between a water body and a vegetated bordering wetland and adjacent flood plain, or, in the absence of these, it occurs between a water body and an upland. The upper boundary of a Bank is the first observable break in the slope or the mean annual flood level, whichever is lower. The lower boundary of a Bank is the mean annual low flow level.* Inland Bank is defined similarly under Section 18.2(c) of the Amesbury Wetlands Regulations; however, Section VIII of the Wetlands Ordinance states that the upper boundary is the *higher* of the first observable break in slope or the mean annual flood level.

The delineated Mean Annual High Water Line (MAHW) along the perennial portions of the streams generally coincides with the Bank and is described below.

3.2 Bordering Vegetated Wetlands/Freshwater Wetland

Section 310 CMR 10.55 of the WPA defines BVW as *freshwater wetlands which border on creeks, rivers, streams, ponds and lakes. The types of freshwater wetlands are wet meadows, marshes, swamps and bogs. Bordering Vegetated Wetlands are areas where the soils are saturated and/or inundated such that they support a predominance of wetland indicator plants. The boundary of Bordering Vegetated Wetlands is the line within which 50% or more of the vegetational community consists of wetland indicator plants and saturated or inundated conditions exist. Wetland indicator plants are also those classified in the indicator categories of Facultative, Facultative+, Facultative Wetland-, Facultative Wetland, Facultative Wetland+, or Obligate Wetland in the National List of Plant Species That Occur in Wetlands: Massachusetts (Fish & Wildlife Service, U.S. Department of the Interior, 1988) or plants exhibiting physiological or morphological adaptations to life in saturated or inundated conditions.* Under the Ordinance, Freshwater Wetlands shall include all wetlands whether or not they border on a water body. The delineated BVWs are described below and include Wetlands A and B.

3.3 Isolated Vegetated Wetland/Freshwater Wetland

As defined under Section VIII of the Ordinance, Freshwater Wetlands *shall include all wetlands whether or not they border on a water body. For the purposes of this Ordinance, all bordering vegetated wetlands, as well as isolated vegetated wetlands encompassing at least 500 sq. ft. shall be regulated by this Ordinance.* Isolated Vegetated Wetlands *per se* are not regulated under the WPA. However, if an IVW ponds a sufficient volume of water, it would be regulated under the WPA as Isolated Land Subject to Flooding. The delineated IVW area is described below as Wetland C.

3.4 Bordering Land Subject to Flooding

According to the July 3, 2012, FEMA Flood Insurance Rate Maps (FIRM) for Essex County, Massachusetts, Maps Number 25009C0106F and 25009C0107F, the majority of the Study Area is located within a Zone X Area of Minimal Flood Hazard. Areas immediately along the two streams that flow through the Study Area are mapped as Zone X, 0.2 percent Annual Chance Flood Hazard (i.e., 500-year flood). This includes areas of one percent annual chance flood with average depth less than one foot or with drainage areas less than one square mile. Because no Zone A (100-year flood) is mapped within the Study Area, Bordering Land Subject to Flooding (100-year floodplain) is presumed not to be present within the Study Area (See Figure 4 – FEMA Map). Per the currently valid ORADs issued for this project site, Bordering Land Subject to Flooding (i.e., 100-year floodplain) was confirmed NOT to be present within.

According to the July 8, 2025, FEMA Flood Insurance Rate Maps (FIRM) for Essex County, Massachusetts, Maps Number 25009C0106G and 25009C0107G, the majority of the site is located within Zone X (Unshaded) which is classified as an Area of Minimal Flood Hazard outside the 500-year flood level. However, areas immediately adjacent to the two streams that flow through the site have been updated by FEMA in 2025 (See Figure 4A – FEMA FIRMette) and mapped as Special Flood Hazard Areas (SFHA) Zone A which are defined without a Base Flood Elevation (BFE) with a 1% annual chance of inundation from the 100-year flood event.

The Applicant's maintains that BLSF is not present on the site per the approved ORADs for the purposes of this NOI filing, and will comply with all applicable FEMA regulations.

3.5 Isolated Land Subject to Flooding

Section 310 CMR 10.57(2)(b) of the WPA defines ILSF as *an isolated depression or closed basin without an inlet or an outlet. It is an area which at least once a year confines standing water to a volume of at least ¼ acre-feet and to an average depth of at least six inches.* ILSF is defined similarly under Section 18.1(c) of the Amesbury Wetlands Regulations, with the addition that *the buffer zone for isolated land subject to flooding shall extend 100 feet from the highest extent of flooding.* Based upon visual observations, the IVW appears too shallow to hold water to a depth of at least six inches and would not meet the definition of ILSF under the WPA, which was confirmed through the ANRAD review.

3.6 Land Under Water Bodies and Waterways

Section 310 CMR 10.56 of the WPA defines LUWW as *the land beneath any creek, river, stream, pond or lake. Said land may be composed of organic muck or peat, fine sediments, rocks or bedrock. The boundary of Land under Water Bodies and Waterways is the mean annual low water level.* LUWW is defined similarly under Section 17.1(c) of the Amesbury Wetlands Regulations, with the addition that *the term "pond" shall include any open body of fresh water with a surface area observed or recorded within the last ten years of at least 5,000 square feet.* LUWW is present within the perennial portions of the streams that flow through the Study Area and within beaver impounded wetlands present within the Study Area. The boundary of LUWW was not delineated in the field.

3.7 Riverfront Area

Section 310 CMR 10.58(2)(a)(3) of the WPA defines Riverfront Area as *the area of land between a river's mean annual high water line measured horizontally outward from the river and a parallel line located 200 feet away.* Riverfront Area is defined similarly in Section 19.1(c) of the Amesbury Wetlands Regulations. Under the Riverfront Performance Standards, Section 19.1(d)(4) of the Amesbury Wetlands Regulations, it states: *Notwithstanding any provisions of 310 CMR 10.58, the Commission shall presume that the mean annual high water line of a non-tidal river is coincident with the outer (land most) boundary of any Bordering Vegetated Wetland (as defined in these regulations) that may be adjacent to the river. This presumption may be overcome upon a clear showing that the mean annual high water line is closer to the river.*

Portions of the unnamed streams located within the Study Area are mapped as perennial on the current USGS topographic map (Newburyport West, MA, NH Quadrangle, 2021) and are therefore presumed to be perennial. The Mean Annual High Water (MAHW) line was delineated in the field for the perennial portion of these streams, as described for Bank 1 and Bank 2 in the following section.

3.8 Resource Area Descriptions

Wetland resource areas field delineated include two areas of BVW identified as Wetlands A and B. The IVW is identified as Wetland C. The stream segments are identified as Streams 1 and 2. Each is described below.

Bank 1 – Southern Unnamed Stream

The northern MAHW line of the mapped perennial length of the southern stream is delineated with blue survey flagging numbered sequentially from BF1-1 to BF1-76. The upper reach of the delineated stream length is confined within a relatively well-defined channel and the Banks are well defined. The perennial portion of the stream begins at about flag BF1-8, based upon the USGS mapping. Near flag BF1-11, the stream channel splits and the northern most channel was delineated. Downstream of this location the channel becomes less well defined and disappears within a flooded beaver impoundment. Where the impoundment was flooded, the apparent limit of flooding was delineated. In areas where the channel was apparent, the delineated MAHW line is coincident with the Bank. In areas where the channel was flooded by the beaver impoundment, the MAHW line is upgradient of the flooded Bank.

Bank 2 – Northern Unnamed Stream

The southern MAHW line of the mapped perennial length of the northern stream is delineated with blue survey flagging numbered sequentially from BF2-1 to BF2-27. The perennial portion of the stream begins at about flag BF2-22, based upon the USGS mapping. For most of the delineated stream, the channel is fairly well defined, except for a portion between flags BF2-14 and BF2-22 where the channel flows through a cattail marsh and becomes less well defined. The delineated MAHW line is generally coincident with the Bank.

Wetland A – BVW/Freshwater Wetland

Wetland A borders on the southern stream within the Study Area and is delineated with pink survey tape numbered sequentially from WFA-1 to WFA-205. The wetland contains areas of palustrine forested (PFO), scrub-shrub (PSS) and emergent (PEM) vegetation. A significant area of the wetland has been historically inundated by beaver impoundments. Common vegetation observed within the wetland includes red maple, yellow birch (*Betula alleghaniensis*), black gum (*Nyssa sylvatica*), American hornbeam (*Carpinus caroliniana*), glossy buckthorn (*Frangula alnus*), cinnamon fern (*Osmunda cinnamomea*), sensitive fern (*Onoclea sensibilis*), poison ivy (*Toxicodendron radicans*), and cattail (*Typha latifolia*). Observed soils are variable but generally consisted of a fine sandy loam with shallow redoximorphic features and a depleted matrix. Local, state, and federal boundaries are coincident.

Wetland B – BVW/Freshwater Wetland

Wetland B borders on the northern stream within the Study Area and generally consists of forested (PFO) red maple swamp. Wetland B is delineated with pink survey tape numbered sequentially from WFB-1 to WFB-135. Common vegetation observed within the wetland includes red maple, gray birch (*Betula populifolia*), common winterberry (*Ilex verticillata*), glossy buckthorn, northern spicebush (*Lindera benzoin*), cinnamon fern, and intermediate woodfern (*Dryopteris intermedia*). Observed soils consisted of a fine sandy loam or silt loam with shallow redoximorphic features and a depleted B-horizon matrix. Local, state, and federal boundaries are coincident.

Wetland C – IVW/Freshwater Wetland

Wetland C consists of an IVW/Freshwater Wetland located within the north central portion of the Study Area. Wetland C was delineated with pink survey tape numbered sequentially from WFC-1 to WFC-30. Common vegetation observed within the wetland includes red maple, gray birch, black gum, common greenbrier (*Smilax rotundifolia*), New York fern (*Thelypteris noveboracensis*), and poison ivy (*Toxicodendron radicans*). A small portion of the wetland extends into the agricultural field. Observed soil within the wetland is silt loam with a B-horizon exhibiting a shallow depleted soil matrix. Local and federal boundaries are coincident.

Riverfront Area

The RFA extends 200 feet horizontally from the delineated MAHW line along the north and south streams within the Study Area. This includes the delineated BVW described above as well as adjacent upland areas. The adjacent upland RFA consists of primarily forested land along the northern stream and a mix of forested land and agricultural fields along the southern stream. Typical vegetation within the upland RFA includes red oak, sugar maple, American beech, white pine, red maple, black cherry, American witch-hazel, honeysuckle, wild sarsaparilla, Canada mayflower, Virginia creeper, and grape.

The streams identified in the Study Area are shown on the current USGS map at intermittent and perennial. The perennial portion of the southern stream begins at about flag BF1-8, based upon the USGS mapping. The perennial portion of the southern stream begins at about flag BF2-22, based upon the USGS mapping. Upgradient of these locations are confirmed as intermittent per the regulations as noted below.

Per Section 310 CMR 10.58(2)(a)1.c. of the WPA, “a stream shown as intermittent on the current USGS map...that has a watershed size of less than one square mile is characterized under the State Wetlands Protection Act as “intermittent” unless the stream has a watershed size of at least one-half square mile and has a predicted flow rate greater than or equal to 0.01 cubic feet per second (cfs) at the 99% flow duration using the USGS StreamStats method...”. The WPA employs the USGS StreamStats model to determine affected watershed area jurisdiction.

StreamStats analyses were conducted using points on the two streams located approximately 200 feet southwest of Elm Street. The results of the StreamStats analyses support the conclusion that the USGS mapped intermittent portions of the streams are intermittent. The watersheds of both streams, from a point approximately 200 feet south of Elm Street, are both less than one-half square mile (northern stream = 0.20 square mile, southern stream = 0.27 square mile) and both have predicted flow rates less than 0.01 cubic feet per second at the 99% flow duration (northern stream = 0.00381 cfs, southern stream = 0.00447 cfs).

Therefore, both streams are confirmed as intermittent per at the points identified on the Plans, and no Riverfront Area upgradient, as approved through the ORADs.

4.0 PROJECT DESCRIPTION

The Rocky Hill MBTA Community is designed to meet the criteria and spirit of the Rocky Hill Multi-family Overlay District (“RH-MFOD”), Section XI.V of the Amesbury Zoning Code, and the accompanying Design Guidelines set forth in the “Residential Pattern Book, The Rocky Hill, Amesbury”. The Applicant and City planning staff worked extensively on concept plans and the Residential Pattern Book which is incorporated in the RH-MFOD. As a result of this collaborative planning process, the Applicant proposes to construct a residential development on approximately 32.6 acres of upland within the approximate 65.6-acre project site located generally on the east side of Elm Street and comprised of the aforementioned six individual tax parcels (collectively, the “site”).

The Rocky Hill MBTA Community is designed with two distinct neighborhoods with a total of 379 units proposed. The South Neighborhood is proposed as a total of 83 units in a mix of single-family, duplex, triplex and quad-plex buildings and will be marketed for-sale to individual homeowners. The North Neighborhood is proposed as 296 units in 29 multi-unit buildings. Ten percent (10%) of residences within Rocky Hill MBTA Community will be designated as “Affordable Housing”. Each neighborhood includes community buildings, formal greens, pocket parks and related amenities (See Site Plans for additional details). A series of connected trails within the proposed development and adjacent forested areas of the site perimeter will serve the residents and the general public. A parking area is designated for public access to the trails immediately off a roundabout which separates the two Neighborhoods. A significant portion of the approximate 65.6-acre site will remain in its natural, forested, and wetland condition. Deed restrictions will ensure the permanent protection of wetlands, stream corridors, and other sensitive environmental areas adjacent to the development.

The proposed redevelopment also includes a significant improvement to the management of stormwater. The design of the stormwater system complies with the Massachusetts Stormwater Management Policy and the City of Amesbury Stormwater Ordinance. In addition, in compliance with the Amesbury Wetlands Protection Ordinance, all proposed structures meet or exceed the required 25-foot minimum setback from wetlands. The project has also been designed to maximize groundwater recharge and ensure groundwater quality protection in accordance with City of Amesbury Smart Growth Zoning District requirements.

The proposed improvements involve the collection, treatment, and infiltration of the surface runoff (and collection and infiltration of the roof runoff), which represents a major improvement over the existing conditions. The stormwater management system will treat for the new impervious surfaces, by collecting and treating the accumulated runoff from the parking areas and providing adequate subsurface infiltration. The proposed subsurface infiltration systems will be preceded by deep-sump catch basins, then followed by either a bioswale or a Contech® CDS treatment unit (labeled as a water quality unit on the Plans), which will provide the removal of the total suspended solids (TSS) in the stormwater. As an additional measure of treatment, each infiltration system (except for those designed for the roof drains) will be constructed with a StormTech® Isolator Row (StormTech Chambers wrapped in woven geotextile fabric, with two layers at the bottom). This filter system provides enhanced suspended solids and pollutant removal. See the Stormwater Management Report for additional details on the stormwater management system (provided under separate cover).

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The proposed stormwater management system is sized for the 100-year storm, and will adequately allow for the treatment of the first ½-inch of runoff, or the “first flush” from a storm event. This approach will accomplish the following goals:

- Improve the existing site conditions of uncontrolled runoff by collecting, treating, and recharging runoff.
- Provide TSS removal/treatment for all paved surfaces and additional infiltration. The TSS removal calculations show that the stormwater management systems remove 85% of the TSS in the pre-treatment subsurface infiltration basins and 80% of the TSS in the constructed wetland and surface infiltration basins, which meets or exceeds the requirement to remove 80% TSS for new development per the 2020 Amesbury Subdivision Rules and Regulations.
- Provide 87,815 cubic feet of recharge, which exceeds the 26,902 cubic feet required volume.
- Provide Total Phosphorous (TP) removal/treatment for all paved surfaces and additional infiltration. Per Millenium Engineering, by providing the ½ inch water quality volume by infiltration, the project meets the 60% TP removal requirement of the 2020 Amesbury Subdivision Rules and Regulations.
- Decrease the stormwater peak rate of runoff from the site for all storm events.
- Provide a robust stormwater management system capable of collecting and treating the 100-year storm event.

The proposed stormwater management measures described above will have no adverse impacts to resource areas or adjacent properties. Runoff peak flows will be reduced, water quality will be enhanced, and groundwater recharge will be increased over existing conditions resulting in a substantial improvement compared to the existing conditions.

Erosion and sedimentation control Best Management Practices (BMPs) have been incorporated into the project design in order to control runoff and prevent siltation to the wetland resource area during construction (See Site Plans). At the outset of the construction, the site limit of work will be staked and erosion controls will be installed.

5.0 REGULATORY COMPLIANCE

The following section details the project’s compliance with the performance standards for each resource area, specifically the 200-Foot Riverfront Area (310 CMR 10.58) and the locally regulated Buffer Zones. No impacts are proposed to Inland Bank, BVW, IVW, BLSF, or LUWW, therefore no further discussion is warranted for these resource areas.

As noted during the Massachusetts Environmental Policy Act (MEPA) review for this project, the Applicant proposed impacts to the BVW for an emergency access roadway. The project has been redesigned to avoid the need for this access, and as such, no longer proposed temporary or permanent impacts to BVW. The City of Amesbury Wetlands Protection Ordinance protects the area within the 100-Foot Buffer Zone as a resource area, as well as restricting various project specific activities in the 50-Foot and 25-Foot Buffer Zones.

5.1 Land Alteration

A significant portion of the project site (64.42 acres) has been previously altered. Approximately 40.8 acres of the site is uplands and the remaining approximately 23.62 acres of area is either BVW or Riverfront Area and/or their associated Buffer Zones. There are large open fields (formerly agricultural) and pockets of wooded areas. The project has been designed to minimize impacts to the existing wooded areas to the maximum extent practicable. The project has also reduced street width and implemented a compact design for residential units to minimize impervious area and land alteration to the maximum extent practicable. The Applicant is working with the City of Amesbury on reducing street widths to the minimum size for vehicles to safely travel. Residential lots have been narrowed to minimize the street frontage required for each lot, reducing street length. Additionally, single-family dwelling units will be attached, which is helpful in reducing lot width, land alteration, and impervious area. Sewer and water infrastructure will not result in any additional impact to land with all sewer piping located under roadways.

The project has worked to maximize open space with a majority of the perimeter of the site remaining in a natural state. Stormwater mitigation areas incorporate low impact development (LID) measures which include bioswales, rain gardens, and vegetated stormwater features where feasible.

5.2 Riverfront Area

The project complies with the WPA performance standards for the resource area RFA. Section 310 CMR 10.58(5) of the WPA describes the performance standards for redevelopment in the RFA, as portions of the existing RFA are currently degraded. The performance standard (*italics*) and the compliance statement (standard format) for RFA are listed below. Table 5-1 on the following page provides an updated summary of the RFA impacts and proposed restoration areas.

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**TABLE 5-1
RIVERFRONT AREA IMPACT ANALYSIS**

RFA Description	Existing (sf)	Proposed (sf)
Total RFA On-Site	341,962	341,962
Degraded Areas		
Structures & Decks (Permanent)	875 (0.26%)	2,822 (0.83%)
Gravel Drive	3,135 (0.92%)	0 (0.00%)
Pavement (Permanent)	0 (0.00%)	3,008 (0.88%)
Patios (Permanent)	0 (0.00%)	870 (0.25%)
Total Degraded Areas	4,010 (1.18%)	6,700 (1.96%)
Non-Degraded & Disturbed Areas		
Lawn & Field Areas	27,928 (8.2%)	0 (0.0%)
Landscaped Areas	0 (0.0%)	8,443 (2.5%)
Temporary Impact Areas*	0 (0.0%)	26,537 (7.8%)
Stormwater (Permanent)	0 (0.0%)	17,731 (5.2%)
Total Non-Degraded & Disturbed Areas	27,928 (8.2%)	52,711 (15.5%)
Total Degraded & Non-Degraded Areas	31,938 (9.4%)	59,411 (17.5%)
Restoration		
Restored Temporary Impact Areas	0 (0.0%)	26,537 (7.8%)
Restoration Areas	0 (0.0%)	8,780 (2.6%)
Total Restoration Areas	0 (0.0%)	35,317 (10.4%)

* Temporary Impact Areas in the RFA include areas that require temporary earthwork and grading for construction of the stormwater features. These areas will be restored upon completion.

5.2.1 Consistency with Section 310 CMR 10.58(5) RFA Standards

310 CMR 10.58(5) Redevelopment Within Previously Developed Riverfront Areas; Restoration and Mitigation.

Notwithstanding the provisions of 310 CMR 10.58(4)(c) and (d), the issuing authority may allow work to redevelop a previously developed riverfront area, provided the proposed work improves existing conditions. Redevelopment means replacement, rehabilitation or expansion of existing structures, improvement of existing roads, or reuse of degraded or previously developed areas. A previously developed riverfront area contains areas degraded prior to August 7, 1996 by impervious surfaces from existing structures or pavement, absence of topsoil, junkyards, or abandoned dumping grounds. Work to redevelop previously developed riverfront areas shall conform to the following criteria:

Approximately 4,010 square feet (1.18%) of existing degraded areas are present on the site, with approximately 341,962 square feet of RFA total on the Site (See Figure 5). As such, the project is subject to the redevelopment standards of the RFA.

- (a) *At a minimum, proposed work shall result in an improvement over existing conditions of the capacity of the riverfront area to protect the interests identified in M.G.L. c. 131 § 40. When a lot is previously developed but no portion of the riverfront area is degraded, the requirements of 310 CMR 10.58(4) shall be met.* See Table 5-1 and Figures 5 & 6 for supporting documentation on the following section.

Overall, the Applicant has reduced the work in the RFA and provided significant restoration to degraded and disturbed areas of the RFA.

Approximately 4,010 square feet (1.18%) of the RFA is currently degraded. Degraded area in the RFA is being increased from 4,010 square feet to 6,700 square feet (1.96%), less than 1% increase of impervious surfaces. The existing degraded areas of the RFA will be restored near Elm Street, although a portion will remain to keep an existing historic house. Additionally, portions of the exiting lawn and field areas that are not proposed for redevelopment within the RFA will be restored upon completion of the project totaling 8,780 square feet (2.6%).

No new permanent work is proposed within the Inner Riparian Zone (0- to 100-Foot RFA), although approximately 5,105 square feet of temporary work is proposed to construct the stormwater features, which will be restored to a naturally vegetated area upon completion of the work. Approximately 26,537 square feet (7.8%) of total temporary impacts are proposed in the RFA and include areas that require temporary earthwork for construction of the stormwater ponds and other impervious structures (21,432 square feet in the 100- to 200-Foot RFA.) These areas will be fully restored upon completion.

Permanent RFA impacts proposed include 32,874 square feet or 9.6%. This consists of 17,731 square feet of the RFA to be impacted for proposed stormwater management. Additionally, 2,822 square feet of work associated with new structures and decks, 3,008 square feet of new pavement, and 870 square feet of patios is proposed in the Outer Riparian Zone. Landscaping in the RFA is approximately 8,443 square feet.

A summary of RFA impacts is as follows:

- Permanent impacts = 32,874 sf [17,731 + 2,822 + 3,008 + 870 + 8,443] (9.7%)
- Temporary Impacts = 26,537 sf (7.8%)
- Total RFA Impacts = 59,411 sf [32,874 + 26,537] (17.5%)
- Total Net Impacts = 24,094 sf [59,411 (impact) – 35,317 (restoration)] (7.0%)

As the total existing degraded area is approximately 1.18%, and the project proposes at total of 1.96% of total degraded areas, the project has not exceeded the 10% threshold. Additionally, the project proposed total permanent impacts of 9.7% to degraded and non-degraded areas, or 7.0% accounting for mitigation, also below the 10% threshold. The temporarily impacted areas will be restored in place upon completion of the work to construct the stormwater features.

The Applicant has committed to mitigation of the temporary impacts to the RFA in addition to the proposed restoration areas. The Applicant is proposing 8,780 square feet (2.6%) of restoration of the RFA. The mitigation/restoration will include a wildflower/pollinator meadow to provide additional habitat with nectar, pollen, and seeds that serve as food for native butterflies, insects, birds, and other animals. It would be anticipated that this area would be mowed annually in the late fall to maintain the area as a meadow. The specifications for the restoration areas are described in further detail in the following sections.

(b) Stormwater management is provided according to standards established by the Department.

This standard has been met. The project has been designed in accordance with the Massachusetts Stormwater Management Standards. A Stormwater Management Report is included with this NOI.

(c) Within 200 foot riverfront areas, proposed work shall not be located closer to the river than existing conditions or 100 feet, whichever is less, or not closer than existing conditions within 25 foot riverfront areas, except in accordance with 310 CMR 10.58(5)(f) or (g).

This standard has not been met; however, the impacted area closer to the river is being restored in-situ. 5,105 square feet is currently proposed within 100 feet of the stream. The closest limit of existing disturbance in the RFA is 110 feet. The closest limit of proposed disturbance to the stream in the RFA is 75 feet. The new work located closer to the stream consists of approximately 10,727 square feet of temporary RFA impacts to construct the stormwater features, and will be restored to a naturally vegetated area upon completion of construction. See Figures 5, 6 & 7.

(d) Proposed work, including expansion of existing structures, shall be located outside the riverfront area or toward the riverfront area boundary and away from the river, except in accordance with 310 CMR 10.58(5)(f) or (g).

This standard has not been met; however, it is being mitigated per 310 CMR 10.58(5)(g). The closest limit of existing degraded area in the RFA is 172 feet from the stream with the closest existing structure 184 feet from the stream. The closest limit new degraded area is 164 feet from the stream and the closest newly proposed structure to the stream in the RFA is 156 feet.

The new degraded area located closer to the stream than existing conditions consists of approximately 2,040 square feet (0.6%). The new structures located closer to the stream than existing conditions consists of approximately 613 square feet (0.2%). See Figures 5, 6 & 7. See (c) above regarding discussion of proposed limit of work distances to the stream.

- (e) *The area of proposed work shall not exceed the amount of degraded area, provided that the proposed work may alter up to 10% if the degraded area is less than 10% of the riverfront area, except in accordance with 310 CMR 10.58(5)(f) or (g).*

As the total existing degraded area is approximately 1.18%, and the project proposes 9.7% of total permanent impacts to degraded and non-degraded areas, the project has not exceed the 10% threshold. The Applicant has proposed restoration as part of this RFA work, as noted above and below.

- (f) *When the applicant proposes restoration on-site of degraded riverfront area, alteration may be allowed notwithstanding the criteria of 310 CMR 10.58(5)(c), (d), and (e) at a ratio in square feet of at least 1:1 restored area to area of alteration not conforming to the criteria. Areas immediately along the river shall be selected for restoration.*

Not applicable.

- (g) *When an applicant proposes mitigation either on-site or in the riverfront area within the same general area of the river basin, alteration may be allowed notwithstanding the criteria of 310 CMR 10.58(5)(c), (d), or (e), at a ratio in square feet of at least 2:1 of mitigation area to area of alteration not conforming to the criteria or an equivalent level of environmental protection where square footage is not a relevant measure...*

The new degraded area located closer to the stream than existing conditions consists of approximately 2,040 square feet (0.6%). The new structures located closer to the stream than existing conditions consists of approximately 613 square feet (0.2%). The total non-conforming area is approximately 2,653 square feet.

Approximately 8,780 square feet (2.6%) of RFA restoration is proposed or 3.3:1 for the non-conforming work. The temporary impacts to the RFA are proposed to be restored in-situ at 1:1.

5.2.2 Consistency with Section 19.1 of the Ordinance (RFA)

The RFA performance standard (*italics*) and the compliance statement (standard format), are listed below (Section 19.01(d)).

- (1) *Except as stated below, the Commission hereby incorporates 310 CMR 10.58 in its regulations for all matters related to Ordinance jurisdiction in lands within 200 feet of rivers and streams.*

The previous section documents the project's compliance with 310 CMR 10.58.

- (2) *Notwithstanding the above, a river is any natural flowing body of water that empties to any ocean, lake, pond, other river, stream or wetland and which flows throughout the year. Perennial rivers, streams and creeks are rivers; intermittent streams are not. Notwithstanding 310 CMR 10.58, the burden of proof shall be on any applicant to show that a river, stream or creek is not perennial (i.e., is intermittent).*

The intermittent and perennial portions of the existing streams on the site were evaluated and confirmed through the two ORADs referenced above.

- (3) *For any river or stream that is tidally influenced.....*

Not applicable as the streams on the site are not tidally influenced.

- (4) *Notwithstanding any provisions of 310 CMR 10.58, the Commission shall presume that the mean annual high water line of a non-tidal river is coincident with the outer (landmost) boundary of any Bordering Vegetated Wetland (as defined in these regulations) that may be adjacent to the river. This presumption may be overcome upon a clear showing that the mean annual high water line is closer to the river. Such evidence may include hydrological measurements and calculations prepared by a registered professional engineer and/or hydrologist, and/or stream flow stage data from U.S. Geological Survey stream gauges and survey. For non-tidal rivers lacking any Bordering Vegetated Wetland, the inner boundary of the 200-foot Riverfront Area shall be the top of Inland Bank as determined by the first observable break in slope or the mean annual flood level, whichever is lower. For tidal rivers, the inner boundary of the 200-foot Riverfront Area shall be the mean annual high water line.*

The boundaries of the intermittent and perennial portions of the existing streams on the site were confirmed through the two ORADs referenced above.

- (5) *Notwithstanding any provisions of 310 CMR 10.58, the alternatives analysis shall include only lots adjacent to the lot(s) being proposed for development, or located in the near vicinity.*

An alternatives analysis is not required for redevelopment projects subject to 310 CMR 10.58(5). Alternative site designs were presented in the Environmental Notification Form and Environmental Impact Reports which adequately and appropriately completed review with the Massachusetts Environmental Protection Act (MEPA) Office.

Impacts within the riverfront area along the South Neighborhood portion of the Rocky Hill development have increased from those shown in earlier filings. In order to satisfy planning and design goals of the City and its professional staff, neighborhood parks and amenities were increased and located in ways that expanded the development footprint and limits of disturbance closer to riverfront buffer zones. In consideration, applicant is offering excess mitigation.

The collaborative efforts between the development team and the Town are well-documented. Early conceptual site plans served as the basis for a jointly produced *Residential Pattern Book* setting the design guidelines for the project. The site plan developed incrementally as the building architecture and home-type mix, site civil, and landscape architectural design advanced.

At the Town's encouragement, the most focused, final rounds of design zeroed in on the South Neighborhood and worked to increase the size of the internal common areas in keeping with the *Pattern Book* guidelines. This had the effect of pushing building locations out toward the perimeter of the development area with the increased impacts to the RFA being of the greatest consequence.

Upon realizing this increase and after much discussion, the Team assembled the attached documentation, quantifying these differences and proposed mitigation. The decision to proceed on this manner was made on the basis of the relatively modest extents of the increase, the existing condition of the affected areas, and out of respect for the collective efforts of the design team with Town staff and committees to arrive at the proposed Site Plan.

The Applicant reduced the unit count in order to accommodate the changes to incorporate the park space. The historic building near Elm Street will also remain.

- (6) *Notwithstanding the above provisions, no project may be permitted which will have any adverse effect on specified habitat of rare vertebrate or invertebrate and rare plant species, as identified by procedures established under 310 CMR 10.59.*

A review of the current MassGIS data layer for the Massachusetts Natural Heritage Atlas (effective August 1, 2021) under the NHESP indicates that no portion of the Study Area is located within Estimated Habitats of Rare Wildlife or Priority Habitats of Rare Species.

- (7) *The Commission may impose such additional requirements as are necessary to protect the wetland values protected under the Ordinance.*

The Applicant is working with the Town to ensure protection of the wetland values protected under the Ordinance.

5.3 City of Amesbury Wetlands Protection Ordinance

The following sections detail the project's compliance with the City of Amesbury Wetlands Protection Ordinance.

5.3.1 Consistency with Section 20.0 of the Ordinance (Buffer Zone)

The Buffer Zone performance standard (*italics*) and the compliance statement (standard format), are listed below (Section 20.0.d)). The project has been designed to avoid structures in the 50-Foot Buffer Zone, and permanent impacts in the 25-Foot Buffer Zone to the extent feasible.

- (1) *The intent of the Conservation Commission is to move all structures and activities as far away as possible from any Resource Area, in order to protect the wetland values of Resource Areas.*

All structures have been located at least 50 feet from the limit of the BVW.

- (2) *Except as otherwise specified, Resource Area buffers shall be retained and maintained in a naturally vegetated condition. Where buffer disturbance has occurred during construction, revegetation with native vegetation may be required.*

Figure 8 provides a breakdown of the impacts to the Buffer Zone, which have been minimized to the extent practicable. Approximately 31,076 square feet of temporary impacts to the 25-Foot Buffer Zone are proposed in order to construct the overall project. These areas will be restored in-situ upon completion. Additionally, approximately 1,150 square feet of permanent impact is proposed within the 25-Foot Buffer Zone for the drainage stone outfall.

- (3) *The Commission may require that already-altered buffer zone be restored in order to protect or improve Resource Area values. Restoration means planting native vegetation, grading, correcting site drainage, removing debris, or other measures which will improve, restore and protect the wetland values of the Resource Area.*

As noted above, approximately 31,076 square feet of temporary impacts to the 25-Foot Buffer Zone will be restored in-situ upon completion.

- (4) *Notwithstanding the above provisions, no project may be permitted which will have any adverse effect on specified habitat of rare vertebrate or invertebrate and rare plant species, as identified by procedures established pursuant to 310 CMR 10.59.*

A review of the current MassGIS data layer for the Massachusetts Natural Heritage Atlas (effective August 1, 2021) under the NHESP indicates that no portion of the Study Area is located within Estimated Habitats of Rare Wildlife or Priority Habitats of Rare Species.

- (5) *The Commission may impose such additional requirements as are necessary to protect the wetland values protected under the Ordinance.*

Acknowledged.

5.3.2 Consistency with Section 21.0 of the Ordinance

The Applicant has reviewed the project-specific performance standards in detail. The overall project meets the performance standards as follows. The performance standard (*italics*) and the compliance statement (standard format) for each applicable section are described below.

21.2. Pools and Tennis Courts

- (1) *The intent of the Conservation Commission is to move all structures and activities as far away as possible from any Resource Area.*

As noted in the previous sections, all structures have been located at least 50 feet from Resource Areas.

- (2) *The Commission may at its discretion allow a proposed pool or tennis courts and all associated structures and facilities if they are at least 50 feet from a Resource Area, as defined in AWR 2.0 (1-4), (specifically, (1) Any freshwater or coastal wetland, isolated wetland, beach, dune, flat, marsh, wet meadow, bog, swamp, vernal pool, creek, river, stream, pond or lake; 2) Any bank bordering on a freshwater or coastal wetland or water body; 3) Land under water bodies, including but not limited to, land under ponds, lakes, rivers, streams, creeks, or any fresh water wetland; or 4) Land subject to flooding or inundation by groundwater or surface water, including but not limited to, fresh water wetlands, isolated wetlands, wet meadows, marsh, swamps, bogs, vernal pools, streams, rivers, ponds, lakes, or reservoirs) if it is satisfied that mitigation required in the Order of Conditions is sufficient to protect the Resource Area.*

A corner of the proposed pool patio is located within the outer 50-Foot Buffer Zone; however, the pool and all associated structures and mechanical equipment are located greater than 50 feet from the limit of the BVW. As such, the Applicant believes this is compliant with the intent of this performance standard.

21.3. Landscaping

No lawns or driveways may be constructed within 25 feet of any Resource Area, as defined in AWR 2.00 (1-4), (specifically, (1) Any freshwater or coastal wetland, isolated wetland, beach, dune, flat, marsh, wet meadow, bog, swamp, vernal pool, creek, river, stream, pond or lake; 2) Any bank bordering on a freshwater or coastal wetland or water body; 3) Land under water bodies, including but not limited to, land under ponds, lakes, rivers, streams, creeks, or any fresh water wetland; or 4) Land subject to flooding or inundation by groundwater or surface water, including but not limited to, fresh water wetlands, isolated wetlands, wet meadows, marsh, swamps, bogs, vernal pools, streams, rivers, ponds, lakes, or reservoirs).

No lawns or driveways are proposed in the 25-Foot Buffer Zone.

21.6. Filling

- (1) *No fill shall be placed in any Resource Area or any buffer zone so as to alter the flow of surface water in a way that the Conservation Commission feels will adversely affect the wetland values of the Resource Area(s).*

The Applicant does not anticipate that the proposed project will alter the flow of surface water to adversely affect the Resource Area, particularly with the limited permanent alteration in the 25-Foot Buffer Zone, and all structures proposed 50 feet from the BVW.

- (2) *No filling or excavation or other alteration of salt marshes shall be permitted.*

Not applicable, as there is no Salt Marsh on the site.

- (3) *The Commission at its discretion may allow the filling of up to 2,500 square feet of Vegetated Wetland for a limited project, if satisfied that mitigation required in the Order of Conditions is sufficient to protect the Resource Area.....*

Not applicable, as there are no impacts proposed to the Vegetated Wetlands/BVW on the project site.

- (4) *A bridge covering a Resource Area is considered fill.*

Not applicable, as there are no bridges proposed over any Resource Areas.

- (5) *Compatible fill shall be used for beach and dune nourishment projects. Compatible fill means clean sediment of a grain size that is approximately the same as the area being nourished (e.g., if the area being nourished consists of gravel, sand, silt or clay, then the fill brought in for nourishment should be gravel, sand, silt or clay). Clean means the sediment does not contain contaminants and is free of debris.*

Not applicable, as this is not a beach or dune nourishment project.

- (6) *Dumping of lawn wastes, brush or leaves or other materials or debris is not permitted in any Resource Area.*

No dumping of lawn wastes, brush or leaves or other materials or debris is proposed.

- (7) *The Commission is authorized to deny any filling of any Resource Area in order to protect the wetland values of the Resource Area.*

No wetland fill is proposed, and the work in the RFA meets the other applicable performance standards.

21.7. Structures

- (1) *The intent of the Conservation Commission is to move all structures and activities as far away as possible from any Resource Area.*

As noted in the previous sections, all structures have been located at least 50 feet from Resource Areas.

- (2) *The Commission may at its discretion allow a proposed structure on a wall-type foundation within 100 to 50 feet of the Resource Area, as defined in AWR 2.0 (1-5), if satisfied that mitigation required in the Order of Conditions is sufficient to protect the Resource Area.*

The Applicant has graded the site appropriately to minimize impacts to the Buffer Zone and RFA, and proposed appropriate RFA mitigation.

- (3) *No mitigation is sufficient to allow a structure on a wall-type foundation less than 50 feet to a Resource Area, as defined in AWR 2.0 (1-5).*

No wall-type foundations are proposed within 50 feet of a Resource Area.

- (4) *The Commission may at its discretion allow a structure on an open pile foundation within 100 to 35 feet of a Resource Area, as defined in AWR 2.0 (1-5).*

Not applicable.

- (5) *No mitigation is sufficient to allow a structure on an open pile foundation less than 35 feet to a Resource Area, as defined in AWR 2.0 (1-5).*

Not applicable.

- (6) *New structures and substantially renovated or reconstructed structures on any barrier beach are required to be constructed on an open pile-type foundation.*

Not applicable as the site is not located on a Barrier Beach.

5.3.3 Waivers (Section 7.13)

Based upon a review of the project, the Applicant does not believe any waivers are formally required, as the project is consistent with the performance standards for work in the RFA and Buffer Zone.

6.0 RESTORATION

As part of the proposed project work, the Applicant is proposing the restoration of previously degraded Riverfront Area and Buffer Zone with native tree, shrub, and herbaceous species. The following describes the sequence of construction activities and provides information regarding grading, planting, and seeding following construction of the RFA and 25-Foot Restoration Areas. The Conservation Commission will be notified prior to the commencement of work, to schedule inspection of the work. A qualified Professional Wetland Scientist (PWS) will document conditions relative to vegetation composition and structure, topography, and soils both before and after restoration measures are implemented.

Approximately 35,317 square feet of Riverfront Area and 31,076 square feet of the 25-Foot Buffer Zone restoration are proposed. The goal is to create a forested Riparian restoration area over time, while the 25-Foot Buffer Zone is proposed as a wildlife meadow to restore naturally over time.

Clearing, Grading, and Soils

The Restoration Areas will be cleared and grubbed, and will be excavated to a depth of a minimum of six (6) inches below the final design elevations. Areas that contain invasive species will be excavated to a depth of approximately two to three feet to the extent feasible where groundwater will not be impacted. Minor modifications to this grading plan may be made in the field by the PWS in response to subsurface conditions. Approximately four to six inches of top soil will be added. After soils have been placed and tilled, the RFA Restoration Areas will be planted and seeded. Any fine grading will be completed and erosion controls will be left in place until adequate vegetation cover is established and inspected.

PROJECT NARRATIVE

Shrub and Tree Planting

The shrubs and trees used for re-vegetation of the mitigation areas will be obtained from a reputable plant nursery. Shrubs will measure approximately two to three (2-3) feet in height, and tree seedlings will have a minimum caliper size of one to two (1-2) inches with root balls secured with burlap. Several trees are proposed with a minimum caliper size of three (3) inches. Rootstock will be grouped within the restoration areas to approximate natural communities and provide food and/or cover for wildlife. Plantings should be placed according to the locations identified on the plans and be performed by hand under the supervision of a qualified PWS. After soils have been placed and tilled, the RFA Restoration Areas will be planted with the native shrubs and trees listed in Table 6-1, and the seed mixes will be applied to both the RFA Mitigation Areas and the 25-Foot Buffer Zone Restoration Areas.

**TABLE 6-1
RIVERFRONT AREA RESTORATION PLANTING SCHEDULE***

Common Name	Scientific Name	Indicator Status	Planted Size (height)	Quantity
Trees = 45				
Northern Red Oak	<i>Quercus rubra</i>	FACU	3" caliper	9
White Oak	<i>Quercus alba</i>	FACU	3" caliper	9
Red Maple	<i>Acer rubrum</i>	FAC	3" caliper	7
Gray Birch	<i>Betula populifolia</i>	FAC	1-2" caliper	7
Box Elder	<i>Acer negundo</i>	FAC+	1-2" caliper	5
Black Gum	<i>Nyssa sylvatica</i>	FAC	1-2" caliper	4
American Hornbeam	<i>Carpinus caroliniana</i>	FAC	1-2" caliper	4
Shrubs = 180				
Northern Arrow-wood	<i>Viburnum recognitum</i>	FAC	2-3' height	30
Serviceberry	<i>Amelanchier canadensis</i>	FAC	2-3" height	30
Witch Hazel	<i>Hamamelis virginiana</i>	FACU	2-3' height	30
Alternate-leaved Dogwood	<i>Cornus alterniflora</i>	UPL	2-3' height	30
Gray Dogwood	<i>Cornus racemose</i>	FAC	2-3' height	30
American Hazelnut	<i>Corylus americana</i>	FACU	2-3' height	30
Ground Cover				
New England Conservation/Wildlife Mix		Varies	1,750 sf / 1 lb	10 lbs.
New England Wildflower Mix		Varies	1,900 sf / 1 lb	9 lbs.

Note: Trees and shrubs shall be randomly spaced throughout mitigation area to simulate natural growth patterns.

Seeding

The following tables list the species in the New England Conservation/Wildlife Mix and the New England Wildflower Mix to be used in both the RFA Restoration Areas and the 25-Foot Buffer Zone Restoration Areas.

The New England Wildflower mix provides a selection of native wildflowers and grasses to insure that a variety of species will survive in conditions from dry to moist. It is an appropriate seed mix for roadsides, commercial landscaping, parks, golf courses, industrial sites and areas undergoing ecological restoration. The mix can be applied by hydro-seeding (no tackifiers), by mechanical spreader, or by hand. Lightly rake or roll after sowing to increase seed to soil contact. Apply on a clean, weed free seed bed. Best results are obtained with a Spring or late fall dormant seeding.

The New England Conservation/Wildlife Mix provides a permanent cover of grasses, wildflowers, and legumes. For both good erosion control and wildlife habitat value. The mix is designed to be a no-maintenance seeding, and is appropriate for cut and fill slopes, detention basin side slopes, and disturbed areas adjacent to commercial and residential projects.

TABLE 6-2 NEW ENGLAND CONSERVATION/WILDLIFE MIX		
Species Common Name	Species Latin Name	Indicator Status
Virginia Wild Rye	<i>Elymus virginicus</i>	FACW-
Little Bluestem	<i>Schizachyrium scoparium</i>	FACU
Big Bluestem	<i>Andropogon gerardii</i>	FAC
Creeping Red Fescue	<i>Festuca rubra</i>	FACU
Switch Grass	<i>Panicum virgatum</i>	FAC
Partridge Pea	<i>Chamaecrista fasciculata</i>	FACU
Deer Tongue	<i>Panicum clandestinum</i>	FAC+
Indian Grass	<i>Sorghastrum nutans</i>	UPL
Common Milkweed	<i>Asclepias syriaca</i>	FACU-
Ox Eye Sunflower	<i>Heliopsis helianthoides</i>	UPL
Purple Joe Pye Weed	<i>Eupatorium purpureum</i>	FAC
Grass Leaved Goldenrod	<i>Euthamia graminifolia</i>	FAC
Blue Vervain	<i>Verbena hastata</i>	FACW
Golden Alexanders	<i>Zizia aurea</i>	FAC
Flat Topped/Umbrella Aster	<i>Aster umbellatus</i>	FACW
Early Goldenrod	<i>Solidago juncea</i>	NI

**TABLE 6-3
NEW ENGLAND WILDFLOWER MIX**

Species Common Name	Species Latin Name	Indicator Status
Little Bluestem	<i>Schizachyrium scoparium</i>	FACU
Indian Grass	<i>Sorghastrum nutans</i>	UPL
Partridge Pea	<i>Chamaecrista fasciculata</i>	FACU
Virginia Wild Rye	<i>Elymus virginicus</i>	FACW-
Canda Wild Rye	<i>Elymus canadensis</i>	FACU+
Red Fescue	<i>Festuca rubra</i>	FACU
Butterfly Milkweed	<i>Asclepias tuberosa</i>	NI
New York Ironweed	<i>Vernonia noveboracensis</i>	FACW+
Evening Primrose	<i>Oenothera biennis</i>	FACU
New England Aster	<i>Aster novae-angliae</i>	FACW-
Black Eyed Susan	<i>Rudbeckia hirta</i>	FACU-
Early Goldenrod	<i>Solidago juncea</i>	NI
Hollow-Stem Joe Pye Weed	<i>Eupatorium fistulosum</i>	FACW
Starved/Calico Aster	<i>Aster lateriflorus</i>	FACW

Irrigation

If necessary, the Restoration Areas will be irrigated with an approved water source if natural hydrological cycles do not provide sufficient water to initially sustain the newly planted vegetation. Irrigation practices will only be used in drought situations or if other unforeseen situations warrant the need for irrigation practices. After planting and seeding, the replication area shall be mulched with straw. The mulch shall provide sufficient cover for moisture retention, seed protection, and soil stabilization. The mulch will be free of weeds, reeds, twigs, chaff, debris, and excessive amounts of seed and grain.

Monitoring

Monitoring of the Restoration Areas will be performed by a qualified PWS to ensure successful plant establishment for a minimum two years in accordance with all applicable permit conditions. The first inspection will take place after the first growing season or 180 growing season days after planting. Two inspections will occur each year, one in the late spring and another in the early fall. A yearly monitoring report will be prepared and submitted to the appropriate regulatory agencies and will describe the work completed and vegetation within the replicated site as well as any action to be taken to repair, restore, or replant the area if needed.

After the inspections, the contractor will replace all plants that have not become established and re-seed areas that have not reached the desired 75% percent cover of native vegetation. Once all areas have been stabilized with vegetation and monitoring is complete, the erosion control and siltation barriers shall be removed. If conditions develop that impede the success of the replication efforts, corrective action shall be taken.

If the required corrective measures are minor in nature, including additional erosion controls, removal of undesirable invasive plants, or minor regrading/re-seeding, then the work shall be performed as required.

7.0 SUMMARY

The proposed project consists of the construction of the Rocky Hill MBTA Community residential development located at 265, 277, 281, 287, and 287½ Elm Street in Amesbury, Massachusetts (Assessor's ID Map 68: Lots, 12, 13, 15, 20 & Map 80: Lots 3, 4). As currently designed, proposed work will occur within the 100-Foot Buffer Zone and the 25-Foot and 50-Foot City of Amesbury Buffer Zones to Bordering Vegetated Wetlands (BVW) and Inland Bank, as well as within the 200-Foot Riverfront Area associated with an unnamed tributary to the PowWow River. Applicable stormwater standards will be met or exceeded and erosion and sedimentation controls shall be installed before the start of work, and maintained until the entire site area has been stabilized. The project will include new water quality and quantity controls designed to protect surface and groundwater resources and adjacent properties from potential impacts resulting from the proposed project.

The Rocky Hill MBTA Community is designed to meet the criteria and spirit of the Rocky Hill Multi-family Overlay District ("RH-MFOD"), Section XI.V of the Amesbury Zoning Code, and the accompanying Design Guidelines set forth in the "Residential Pattern Book, The Rocky Hill, Amesbury". The Applicant and City planning staff worked extensively on concept plans and the Residential Pattern Book which is incorporated in the RH-MFOD. As a result of this collaborative planning process, the Applicant proposes to construct a residential development on approximately 32.6 acres of upland within the approximate 65.6-acre project site located generally on the east side of Elm Street and comprised of the aforementioned six individual tax parcels.

The Rocky Hill MBTA Community is designed with two distinct neighborhoods with a total of 379 units proposed. The South Neighborhood is proposed as a total of 83 units in a mix of single-family, duplex, triplex and quad-plex buildings and will be marketed for-sale to individual homeowners. The North Neighborhood is proposed as 296 units in 29 multi-unit buildings. Ten percent (10%) of residences within Rocky Hill MBTA Community will be designated as "Affordable Housing". Each neighborhood includes community buildings, formal greens, pocket parks and related amenities

It is LE's opinion, based on our professional education, training, and familiarity with the project site, that the proposed work will not have any permanent adverse effect on any interests identified in the Wetlands Protection Act or the City of Amesbury Wetlands Protection Ordinance and are designed to minimize adverse effects on the local ecosystem. The basis for our opinion is as follows:

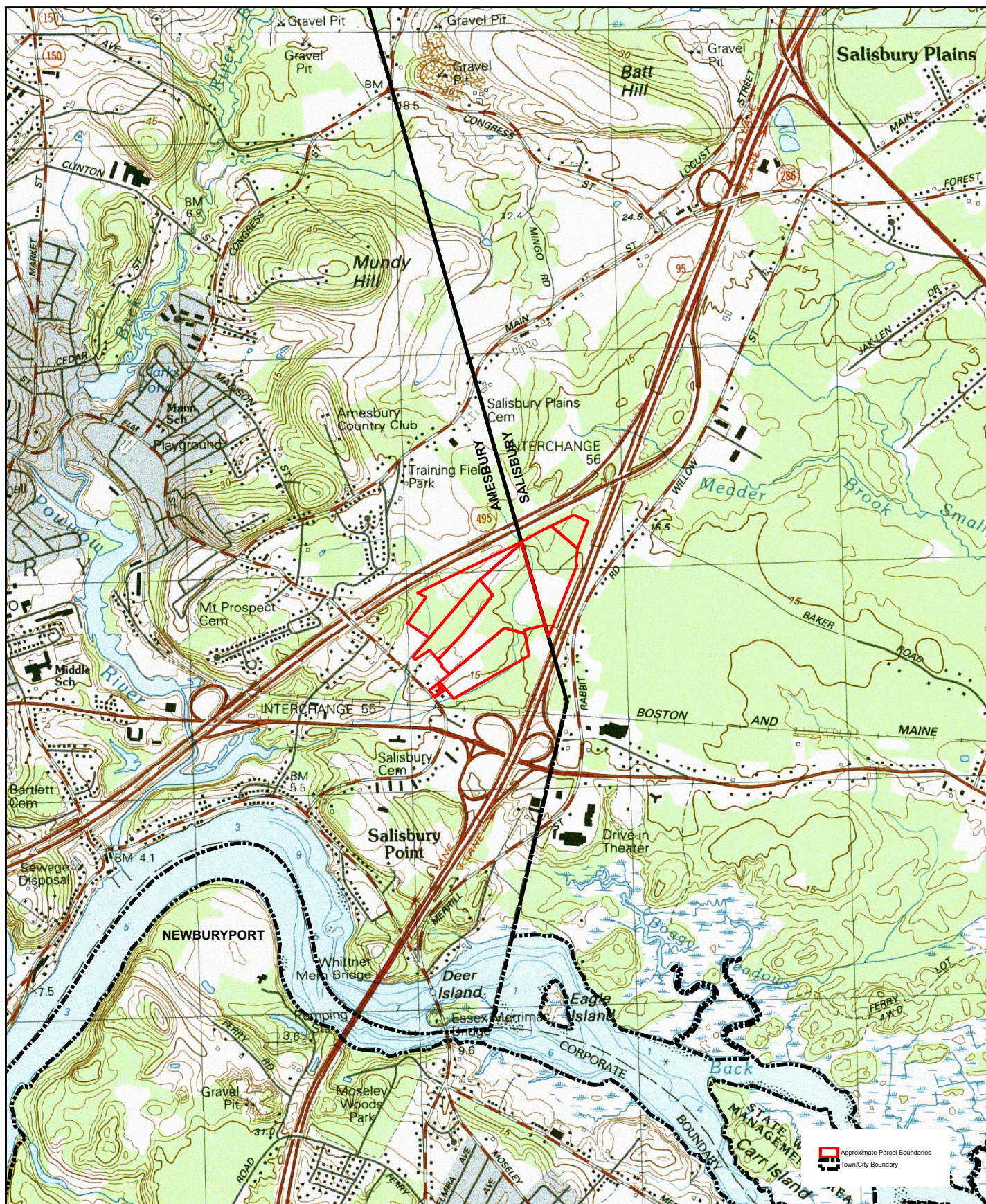
- The project meets the performance standards for RFA of the Wetlands Protection Act under 310 CMR 10.58.
- The project meets the performance standards for RFA and the Buffer Zone under the City of Amesbury Wetlands Protection Ordinance under Section 19.1 and Section 20.0.

PROJECT NARRATIVE

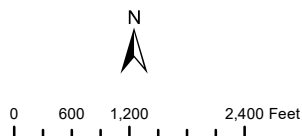
- The project meets the project-specific performance standards under the City of Amesbury Wetlands Protection Ordinance for Sections 21.2. Pools and Tennis Courts, 21.3. Landscaping, 21.6. Filling, and 21.7. Structures.
- The project does not require any impacts to BVW.
- Temporary impacts for grading and construction of the stormwater features within the RFA will be restored in-situ.
- On-site restoration is proposed within 8,780 square feet of the Riverfront Area along the unnamed tributary of the Powwow River.
- The project has been designed to avoid structures in the 50-Foot Buffer Zone, and permanent impacts in the 25-Foot Buffer Zone to the extent feasible.
- Erosion controls are proposed for the project to protect resource areas during construction.
- The project complies with the MassDEP Stormwater Management Standards.

The proposed design achieves the goals of the Applicant, while being sensitive to adjacent regulated resource areas to the extent feasible. Accordingly, the Applicant respectfully requests that the Conservation Commission consider a finding that the proposed design is adequately protective of the interests identified in the Wetlands Protection Act and City of Amesbury Wetlands Protection Ordinance, and issue an Order of Conditions approving the project as described in this NOI application and as shown on the attached Site Plans.

SECTION III – FIGURES



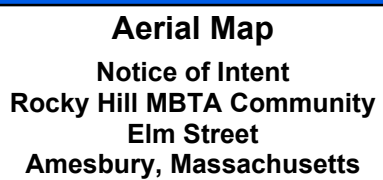
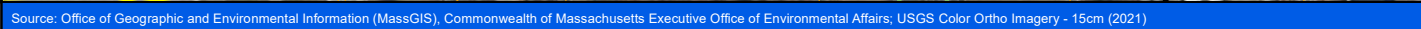
Source: Office of Geographic and Environmental Information (MassGIS), Commonwealth of Massachusetts Executive Office of Environmental Affairs; USGS Topographic Quadrangle Images



USGS Map
Notice of Intent
Rocky Hill MBTA Community
Elm Street
Amesbury, Massachusetts

FIGURE 1





LUCAS
ENVIRONMENTAL, LLC





Source: Office of Geographic and Environmental Information (MassGIS), Commonwealth of Massachusetts Executive Office of Environmental Affairs; USGS Color Ortho Imagery - 15cm (2021)



FEMA Map **Notice of Intent** **Rocky Hill MBTA Community** **Elm Street** **Amesbury, Massachusetts**

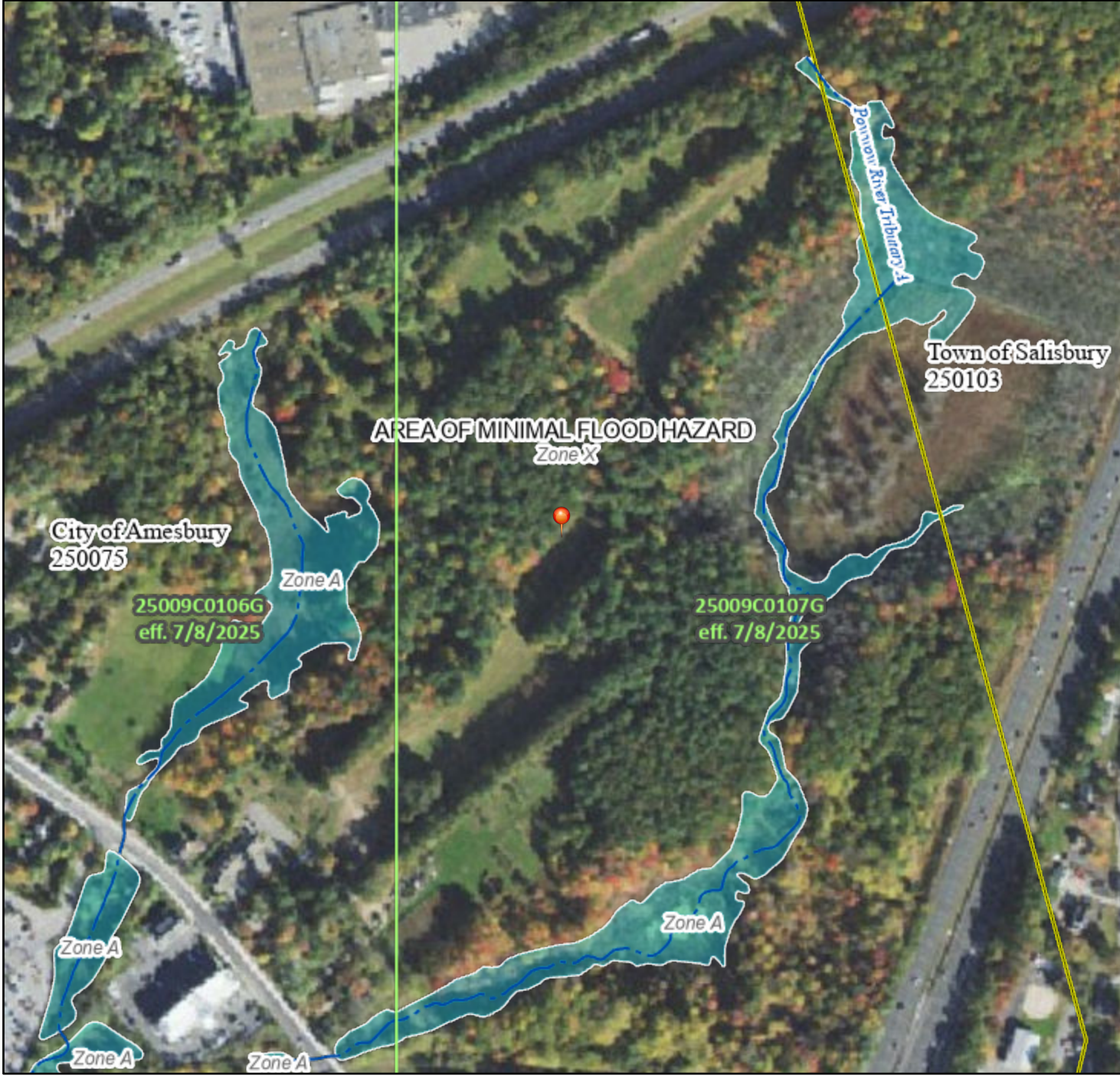
FIGURE 4



National Flood Hazard Layer FIRMette



70°54'36"W 42°51'16"N



0 250 500 1,000 1,500 2,000 Feet

1:6,000

70°53'58"W 42°50'50"N

Basemap Imagery Source: USGS National Map 2023

Legend

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

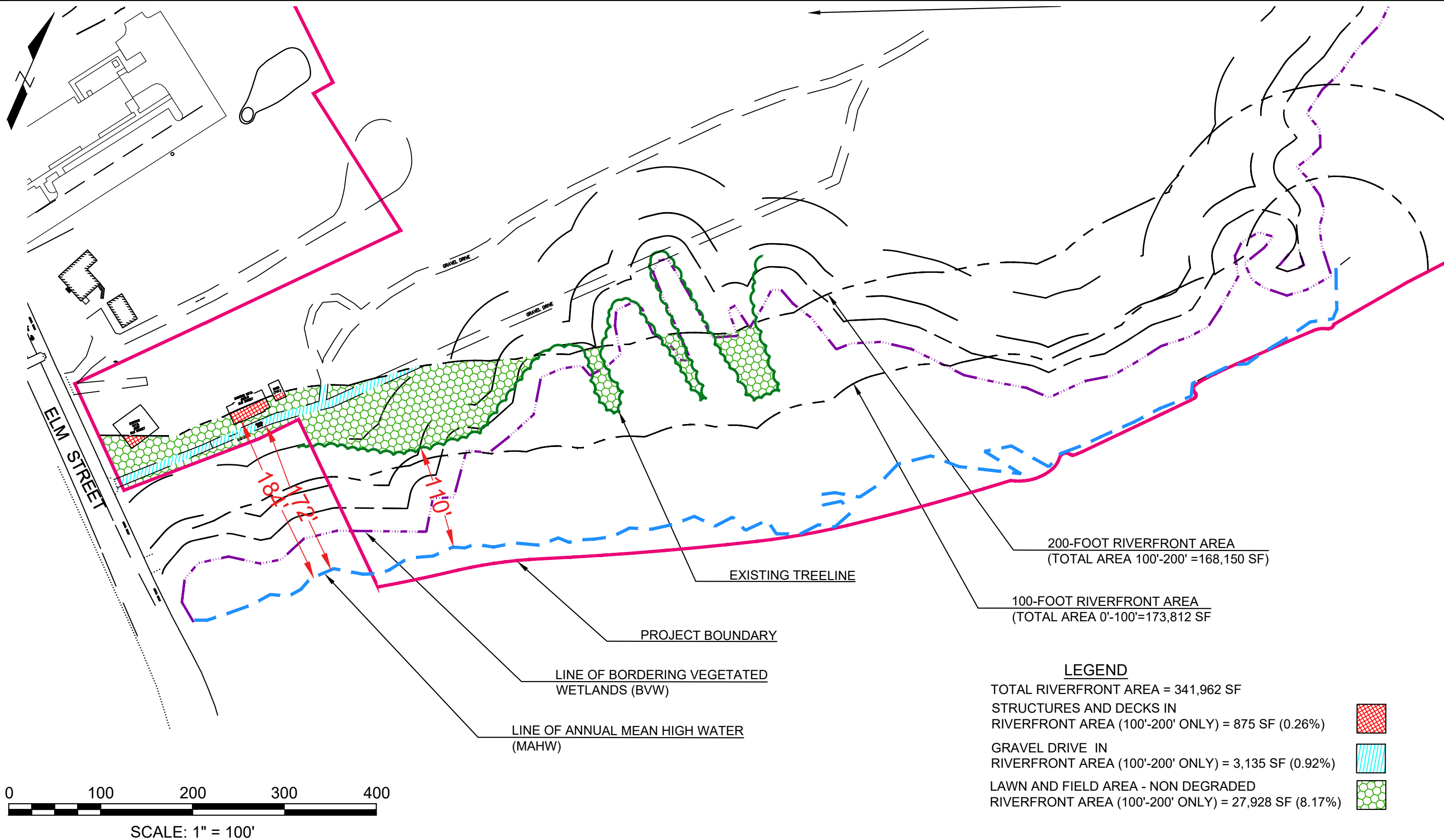
SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square 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
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
OTHER FEATURES		Levee, Dike, or Floodwall
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
MAP PANELS		Unmapped
		The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

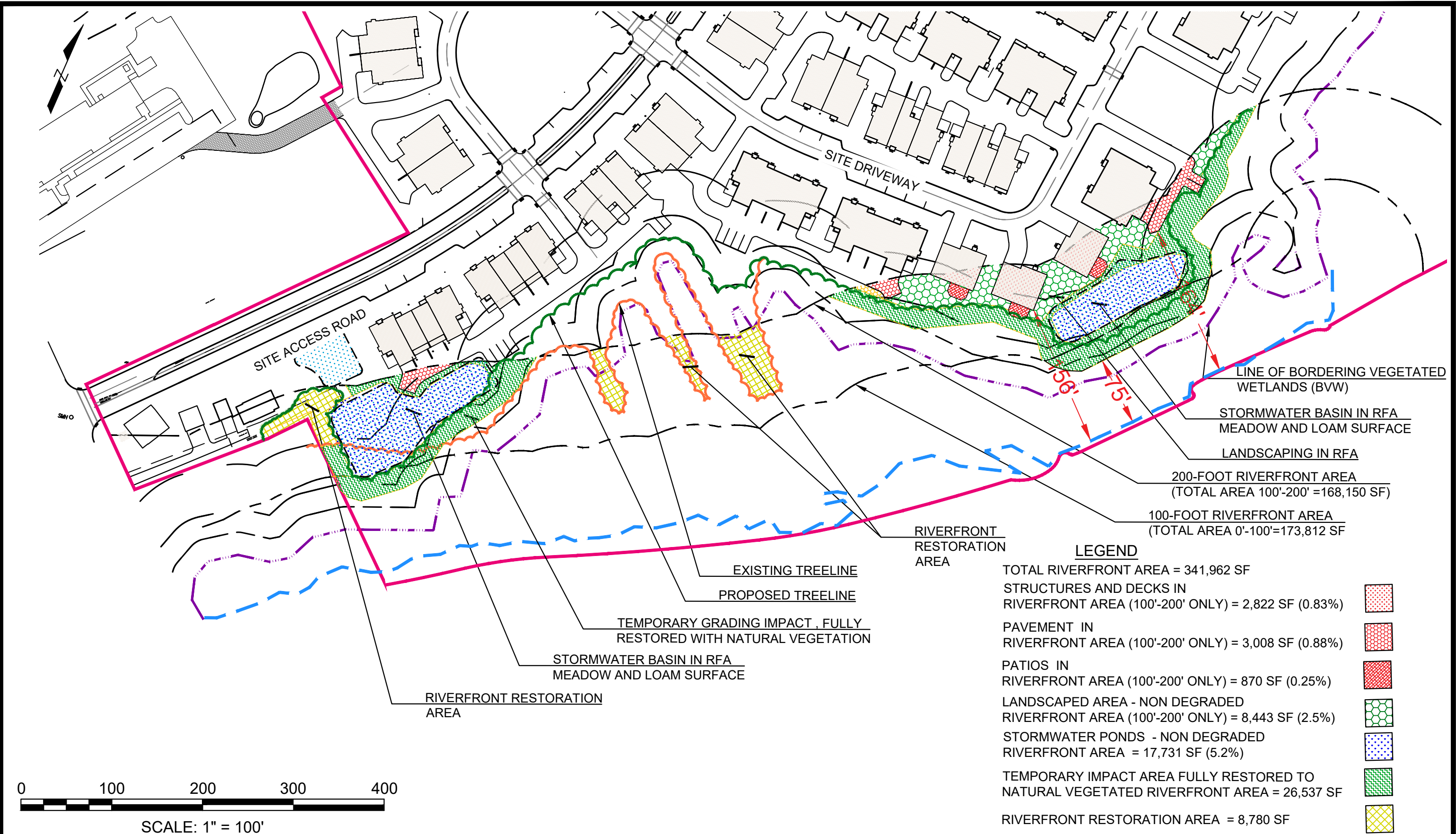
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

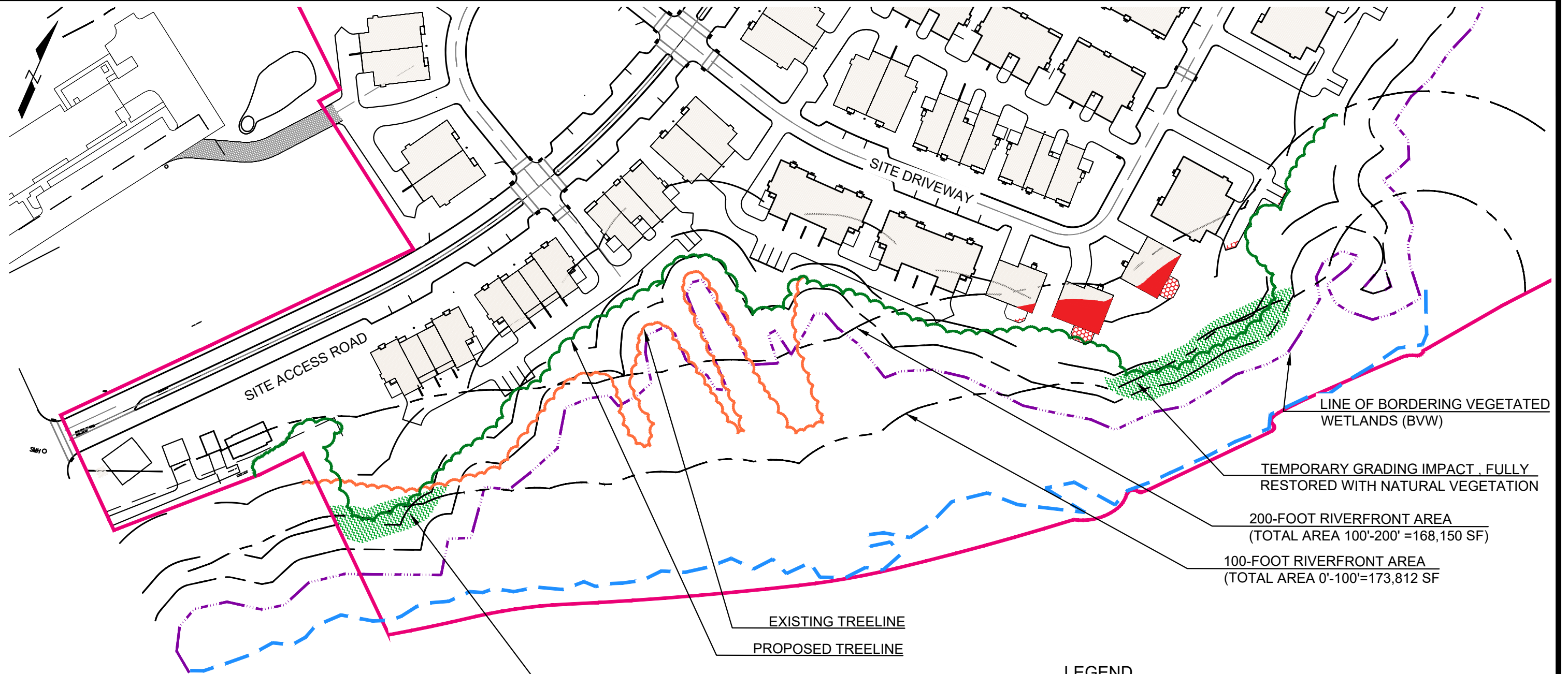
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **12/11/2025 at 2:15 AM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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

FIGURE 4A





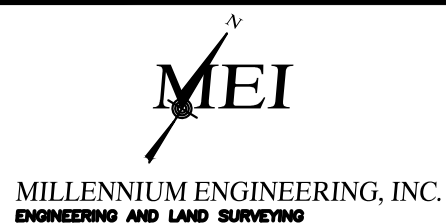
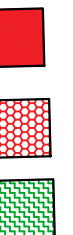


LEGEND

STRUCTURES AND DECKS IN RIVERFRONT AREA (WITHIN 184' TO RFA) = 2,040 SF (0.6%)

PAVEMENT & PATIOS RIVERFRONT AREA (WITHIN 172' TO RFA) = 613 SF (0.2%)

TEMPORARY GRADING IMPACT AREA FULLY RESTORED TO NATURAL VEGETATED RIVERFRONT AREA (WITHIN 110' TO RFA)= 10,727 SF (3.1%)



SITE NAME/ADDRESS

SITE NAME AND ADDRESS
ROCKY HILL
MBTA COMMUNITY
DEVELOPMENT
AMESBURY, MA

SHEET NAME

PROPOSED RFA IMPACT AREAS FIGURE 7

DR BY: JM
CHK BY: SS
PROJ NO.: M244407
DATE: 12/16/25
SCALE: 1" = 100'

TOTAL 100 FOOT BUFFER AREA = 805,270 SF

TOTAL LAND DISTURBANCE IN THE
WETLAND BUFFER AREA = 490,800 SF

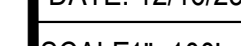
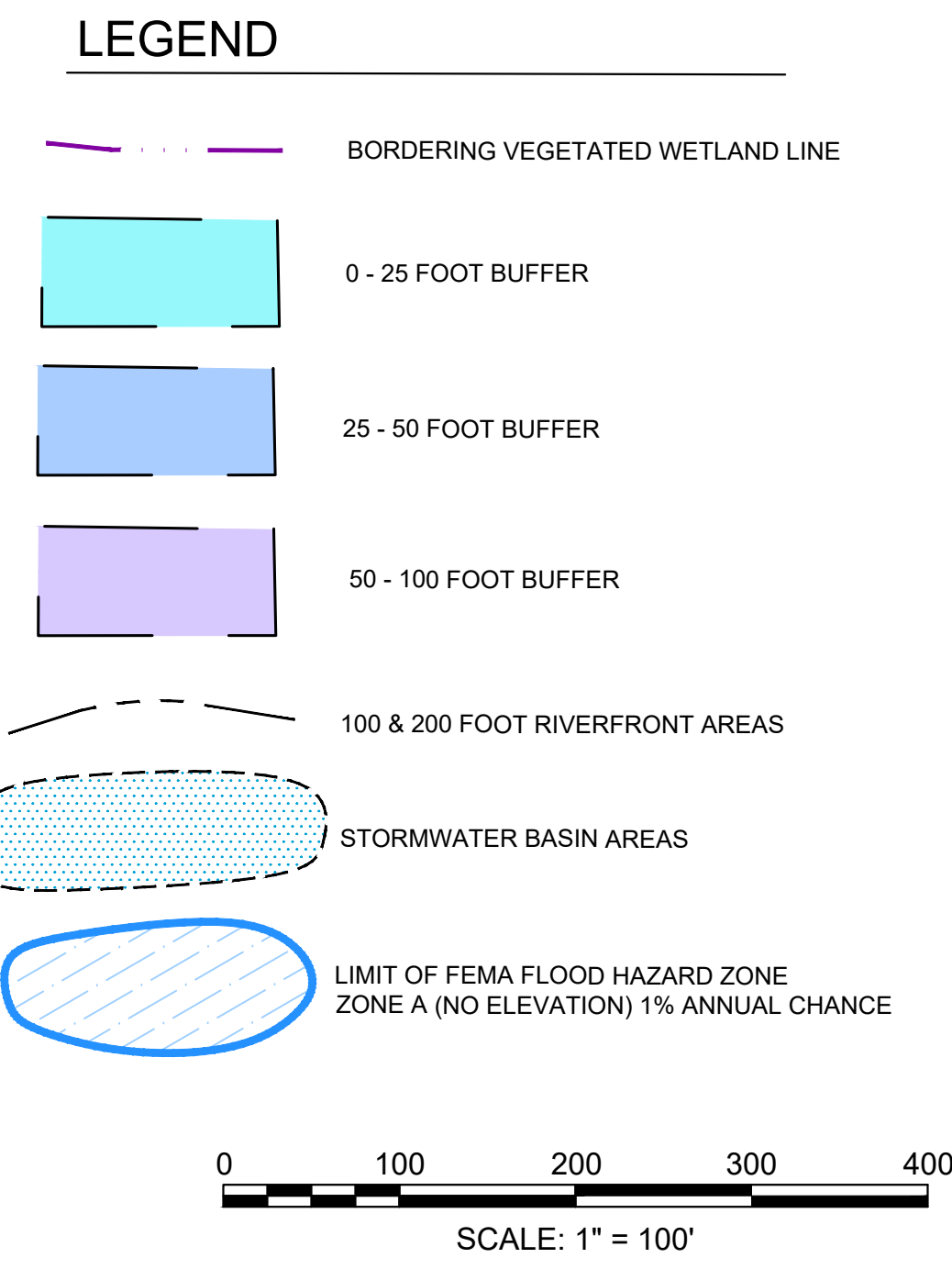
STUCTURES IN THE
BVW BUFFER AREA = 41,525 SF

PAVING, WALK & HARDSCAPE IN THE
BVW BUFFER AREA = 130,170 SF

LANDSCAPING & STORMWATER TREATMENT AREAS
IN THE BVW BUFFER AREA = 286,879 SF

TEMPORARY LAND DISTURBANCE IN THE
25 FT. WETLAND BUFFER AREA = 31,076 SF

DRAINAGE STONE OUTFALL IN THE
25 FT. WETLAND BUFFER AREA = 1,150 SF





SECTION IV – APPENDICES

ORDERS OF RESOURCE AREA DELINEATION



CONSERVATION COMMISSION

October 12th, 2023

Christopher M. Lucas, Principal, PWS, CWS, RPSS
Lucas Environmental, LLC
500A Washington St
Quincy, MA 02169

RE: ORAD 265#R, 277,281, 287½ Elm St (Map 68/Map 80 Lots 12, 13, 15, 20 / Lots 3, 4), Amesbury MA
01913 – DEP File #002-1316 – Corrections to ORAD

Dear Mr. Lucas,

Thank you for reaching out with the concerns regarding the ORAD issued on 08/07/2023 by the Amesbury Conservation Commission for DEP File# 002-1316. After reviewing the recording of the vote at the close of the hearing for DEP File #002-1316, corrections to the ORAD could be made under Scrivener's errors. Enclosed are the corrected pages to the ORAD. Any further concerns or changes to the ORAD should be dealt with through the Amendment process.

Attached:

- WPA Form 4B Page 2 - Striking "MAHW for" from c. and e. as intermittent
- Attachment to the ORAD Findings Page 1 - Striking "and intermittent" from Finding 8
- Attachment to the ORAD Findings Page 2
 - Striking "Buffer Zone Areas and" from Fact of Finding 10
 - Striking "Buffer Zone Areas and" from Fact of Finding 11
 - Adding "#14. Buffer Zone and Riverfront Area located on the Property associated with off-site flags has been approved under this review."
- Missing "See Attached Property Owners List" page to the ORAD - Property Ownership List

Sincerely,

Kassandra Pearl
Conservation Agent



CONSERVATION COMMISSION

August 7th, 2023

Bob Dale
Dale Development, LLC
630 Washington Road
Rye, NH 02169

Re: ANRAD 265#R, 277, 281, 287 ½ Elm Street, Amesbury, MA 01913, DEP File # 002-1316

Dear Mr. Dale,

Enclosed is your Order of Resource Area Determination (ORAD) filed by you or your representative for an Abbreviated Notice of Resource Area Delineation (ANRAD) for 265#R, 277, 281, 287 ½ Elm Street, Amesbury, MA 01913, DEP File # 002-1316.

The ORAD is valid for three years from the issuance date. Any future work proposed in a Buffer Zone or Resource Area as defined in the Massachusetts Wetlands Protection Act and the City of Amesbury Wetlands Protection Ordinance will require a filing with the Amesbury Conservation Commission.

It is your responsibility to record the ORAD at the Essex South Registry of Deeds. The registry is located at 45 Congress Street, Salem, MA 01970. Additional information for the registry may be found on their website www.salemdeeds.com.

Once the ORAD is recorded, please send a copy of the recording information. This may be sent to me by mail or email at pearlk@amesburyma.gov. If you have any questions, please do not hesitate to contact me.

Sincerely,

Kassandra Pearl
Amesbury Conservation Agent

Municipal Development Center • 39 South Hunt Road • Amesbury, MA 01913

P (978) 388-8110 x 504

[MAKE HISTORY HERE](#)

Page 1 of 1

For Registry of Deeds Use Only



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

**WPA Form 4B – Order of Resource Area
Delineation**

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

Provided by MassDEP:

002-1316

MassDEP File Number

eDEP Transaction Number

Amesbury

City/Town

A. General Information

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.

From: Amesbury
1. Conservation Commission

2. This Issuance is for (check one):

a. ☒ Order of Resource Area Delineation

b. ☐ Amended Order of Resource Area Delineation

3. Applicant:

Bob Dale
a. First Name b. Last Name

Dale Development, LLC
c. Organization

630 Washington Road
d. Mailing Address

Rye NH 02169
e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

See Attached Property Owners List
a. First Name b. Last Name

c. Organization

d. Mailing Address

e. City/Town f. State g. Zip Code

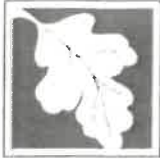
5. Project Location:

Amesbury 01913
a. Street Address b. City/Town c. Zip Code

Map 68/Map 80 Lots 12,13,15,20/ Lots 3,4
d. Assessors Map/Plat Number e. Parcel/Lot Number

Latitude and Longitude 42d50m5970s 70d54m17s
(in degrees, minutes, seconds): f. Latitude g. Longitude

6. Dates: 03/16/2023 07/17/2023 08/07/2023
a. Date ANRAD filed b. Date Public Hearing Closed c. Date of Issuance



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

002-1316

MassDEP File Number

**WPA Form 4B – Order of Resource Area
Delineation**

eDEP Transaction Number

Amesbury

City/Town

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

A. General Information (cont.)

7. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

Resource Area Location Plan by GM2 Associates

06/27/2023

a. Title

b. Date

c. Title

d. Date

B. Order of Delineation

1. The Conservation Commission has determined the following (check whichever is applicable):

- a. ☒ **Accurate:** The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

1. ☒ Bordering Vegetated Wetlands

2. ☒ Other resource area(s), specifically:

a. BVW for WFA-1 to WFA-4, WFA-12 to WFA-196

b. BVW for WFB-0 to WFB-126, WFB-129 to WFB-132

☒ c. ~~MAHW~~ for BF1-1 to BF1-8 as intermittent

d. MAHW for BF1-9 to BF1-66R as perennial

☒ e. ~~MAHW~~ for BF2-1 to BF2-21 as intermittent

f. MAHW for BF2-22 to BF2-27 as perennial

g. IVW for WFC-1 to WFC-30 (has not been evaluated for ILSF)

- b. ☐ **Modified:** The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):

1. ☐ Bordering Vegetated Wetlands

2. ☐ Other resource area(s), specifically:

a.

- c. ☒ **Inaccurate:** The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

1. ☒ Bordering Vegetated Wetlands

2. ☒ Other resource area(s), specifically:

BVW for WFA-5 to WFA-11 are located in Salisbury

BVW for WFB-127 to WFB-128 are located on abutter parcel



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

**WPA Form 4B – Order of Resource Area
Delineation**

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

BVW for WFB-133 to WFB-135 are located on abutter parcel

MAHW for BF1-67R to BF1-76 are located on abutter parcel

Provided by MassDEP:

002-1316

MassDEP File Number

eDEP Transaction Number

Amesbury

City/Town

B. Order of Delineation (cont.)

3. ☒ The boundaries were determined to be inaccurate because:

Amesbury Conservation Commission does not have jurisdiction to approve delineation flags in Salisbury. No written permission from the abutting parcels for the above-mentioned flags has been received. Wetland series C has not been evaluated to determine if it meets definition for ILSF. Limit of MAHW from BF2-27 to Property line has not been confirmed.

C. Findings

This Order of Resource Area Delineation determines that the boundaries of those resource areas noted above, have been delineated and approved by the Commission and are binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, § 40) and its regulations (310 CMR 10.00). This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation.

This Order must be signed by a majority of the Conservation Commission. The Order must be sent by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate DEP Regional Office (see <https://www.mass.gov/service-details/massdep-regional-offices-by-community>).

D. Appeals

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

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

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, § 40) and is inconsistent with the wetlands regulations (310 CMR 10.00).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

**WPA Form 4B – Order of Resource Area
Delineation**

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

To the extent that the Order is based on a municipal bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate

Provided by MassDEP:

002-1316

MassDEP File Number

eDEP Transaction Number

Amesbury

City/Town

E. Signatures

08/07/2023

Date of Issuance

3

1. Number of Signers

Please indicate the number of members who will sign this form.

Amesbury Conservation Commission

Signatures

By vote on 04/03/2023 the Amesbury Conservation Commission authorized the use of their electronic signatures pursuant to the certificate of vote recorded with the Essex South Registry of Deeds in Book 41530 Page 251. They intend for their typed names below to serve as electronic signatures.

Timothy Broadrick (Aug 5, 2023 06:37 PDT)

Signature of Conservation Commission Member

Michael Jewell (Aug 4, 2023 08:35 CDT)

Signature of Conservation Commission Member

Signature of Conservation Commission Member

Timothy Broadrick

Printed Name

Michael Jewell

Printed Name

Evin Guvendiren

Printed Name

Signature of Conservation Commission Member

Printed Name

Signature of Conservation Commission Member

Printed Name

Signature of Conservation Commission Member

Printed Name

Signature of Conservation Commission Member

Printed Name

Signature of Conservation Commission Member

Printed Name

This Order is valid for three years from the date of issuance.

If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, which expires on _____ unless extended in writing by the issuing authority.

This Order is issued to the applicant and the property owner (if different) as follows:

2. ☐ By hand delivery on

3. ☒ By certified mail, return receipt requested on

a. Date

a. Date

8/7/2023



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number: _____

**Request for Departmental Action Fee
Transmittal Form**

Provided by DEP _____

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

A. Request Information

1. Location of Project

a. Street Address _____

b. City/Town, Zip _____

c. Check number _____

d. Fee amount _____

2. Person or party making request (if appropriate, name the citizen group's representative):

Name _____

Mailing Address _____

City/Town _____

State _____

Zip Code _____

Phone Number _____

Fax Number (if applicable) _____

3. Applicant (as shown on Determination of Applicability (Form 2), Order of Resource Area Delineation (Form 4B), Order of Conditions (Form 5), Restoration Order of Conditions (Form 5A), or Notice of Non-Significance (Form 6)):

Name _____

Mailing Address _____

City/Town _____

State _____

Zip Code _____

Phone Number _____

Fax Number (if applicable) _____

4. DEP File Number: _____

B. Instructions

1. When the Departmental action request is for (check one):

- ☐ Superseding Order of Conditions – Fee: \$120.00 (single family house projects) or \$245 (all other projects)
- ☐ Superseding Determination of Applicability – Fee: \$120
- ☐ Superseding Order of Resource Area Delineation – Fee: \$120

Send this form and check or money order, payable to the *Commonwealth of Massachusetts*, to:

Department of Environmental Protection
Box 4062
Boston, MA 02211

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





Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

**Request for Departmental Action Fee
Transmittal Form**

Provided by DEP

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

B. Instructions (cont.)

2. On a separate sheet attached to this form, state clearly and concisely the objections to the Determination or Order which is being appealed. To the extent that the Determination or Order is based on a municipal bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.
3. Send a **copy** of this form and a **copy** of the check or money order with the Request for a Superseding Determination or Order by certified mail or hand delivery to the appropriate DEP Regional Office (see <https://www.mass.gov/service-details/massdep-regional-offices-by-community>).
4. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

**WPA Form 4B – Order of Resource Area
Delineation**

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

Provided by MassDEP:

MassDEP File Number

eDEP Transaction Number

City/Town

Recording Information

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

Conservation Commission

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

To:

Conservation Commission

Please be advised that the Order of Resource Area Delineation for the Project at:

Project Location

MassDEP File Number

Has been recorded at the Registry of Deeds of:

County

Book

Page

For:

Property Owner

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

Book

Page

In accordance with the Order of Resource Area Delineation issued on:

Date

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

Instrument Number

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

Document Number

Signature of Applicant

Order of Resource Area Delineation

City of Amesbury

265#R, 277, 281, 287, 287 ½ Elm St (Map 68/Map 80 Lots 12, 13, 15, 20 / Lots 3, 4)

Findings:

Findings listed herein are pursuant to the Massachusetts Wetland Protection Act (MGL Chapter 131, Section 40), implementing Regulations (310 CMR 10.00) and City of Amesbury Local Wetlands Protection Ordinance (Chapter 43)

Under Massachusetts Wetland Protection Act (MGL Chapter 131, Section 40), implementing Regulations (310 CMR 10.00)

1. **Bank** a resource area, subject to protection under the Wetland Protection Act and Regulations 310CMR10.54. Bank has a 100-foot Buffer Zone. Bank was not reviewed, approved, or confirmed under this review.
2. **Bordering Vegetated Wetland (BVW)** has been identified as a resource area, subject to protection under the Wetland Protection Act and Regulations 310CMR10.55. BVW has a 100-foot Buffer Zone.
3. **Riverfront Area** to unnamed western perennial stream and unnamed eastern perennial stream has been identified through the identification of the mean annual high water mark (MAHW) as a resource area, subject to protection under the Wetland Protection Act and Regulations 310CMR10.58

Under Amesbury Local Ordinance (Ch. 43)

4. The property contains **Vegetated wetlands**. Vegetated wetlands have a 100 foot jurisdictional area and a 25-foot No Disturbance Zone and 35 ft No-Build Zone. Vegetated wetland boundaries are confirmed as indicated by the flags described in the ORAD.
5. The property contains **Inland banks (bordering on freshwater)**. Inland banks have a 100-foot jurisdictional area and 25 ft No Disturbance Zone. Bank was not reviewed, approved, or confirmed under this review.
6. The property contains **Land Under Water Bodies (pond, lakes, rivers, streams, creeks, or any fresh water wetland)**. LUWW has a 25-foot No Disturbance Zone. LUWW have a 100 foot jurisdictional area. LUWW was not reviewed, approved, or confirmed under this review.
7. The property contains **Land subject to flooding (LSF - including but not limited to, fresh water wetlands, isolated wetlands, wet meadows, marsh, swamps, bogs, vernal pools, streams, rivers, ponds, lakes, or reservoirs)** LSF have a 100 foot jurisdictional area and a 25-foot No Disturbance Zone. Wetland Series C has not been evaluated to determine if it meets the definition for ILSF under this review.
8. The property contains **Rivers, streams, or creeks**. Perennial ~~and intermittent~~ streams have a 200-foot Riverfront Area. Rivers, streams (creeks) have a 25-foot No Disturbance Zone.

Order of Resource Area Delineation

City of Amesbury

265#R, 277, 281, 287, 287 ½ Elm St (Map 68/Map 80 Lots 12, 13, 15, 20 / Lots 3, 4)

Fact of Findings:

- 1) The property contains **Buffer zones (100-foot)** to:
 - a) **Vegetated wetlands**
 - b) **Inland banks (bordering on freshwater)**
 - c) **Land Under Water Bodies (pond, lakes, rivers, streams, creeks. or any fresh water wetland)**
 - d) **Land subject to flooding (LSF - including but not limited to, fresh water wetlands, isolated wetlands, wet meadows, marsh, swamps, bogs, vernal pools, streams, rivers, ponds, lakes, or reservoirs**

Buffer Zones have a 25-foot No Disturbance Zone.

9. The property contains **Riverfront Areas to rivers, streams, or creeks**. Riverfront of perennial streams have a 200-foot area and 25 ft No Disturbance Zone.
10. ~~Buffer Zone Areas and~~ ^{KP} Resource Areas without written permission from abutting lots, prior to issuance of the ORAD, are not approved under this review
11. ~~Buffer Zone Areas and~~ ^{KP} Resource Areas outside of the Amesbury Conservation Commission jurisdiction, located in neighboring Salisbury, are not approved under this review.
12. Limit of MAHW from BF2-27 to Property Line has not been confirmed.
13. Work is not approved with this Order of Resource Area Delineation.

END

14. Buffer Zone and Riverfront Area located on the Property associated with off-site flags has been approved under this review.

^{KP}

Attached 10/12/2023 K. Pearl
missing page



PROPERTY OWNERSHIP

Property Address	Ownership Entity	Map / Lot	Book/Page
265 Elm Street #R Amesbury, MA	True Homestead Limited Partnership IV 196 Water Street, Unit 12 Exeter, NH 03833	68 / 12	15596 / 174
277 Elm Street #R Amesbury, MA	True Homestead Limited Partnership I 196 Water Street, Unit 12 Exeter, NH 03833	68 / 13	15871 / 553
281 Elm Street Amesbury MA	True Homestead Limited Partnership III Herbert T. Sears 196 Water Street, Unit 12 Exeter, NH 03833	68 / 20	12307 / 510
287 Elm Street Amesbury, MA	True Homestead Limited Partnership 196 Water Street, Unit 12 Exeter, NH 03833	80 / 03	12307 / 508
287 Elm Street Amesbury, MA	Stanley O. Bean Jr. & Alice M. Bean Trustees, 287 Elm Street Realty Trust PO Box 27, Leavitt Road Gilmanton Iron Works, NH 03837	68 / 15	12779 / 376
287½ Elm Street Amesbury, MA	Stanley O. Bean Jr. Revocable Trust Stanley O. Bean Jr., Trustee PO Box 27 Gilmanton Iron Works, NH 03837	80 / 04	24120 / 288

For Registry of Deeds Use Only



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 4B – Order of Resource Area Delineation

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

Provided by MassDEP:

002-1327

MassDEP File Number

eDEP Transaction Number

Amesbury

City/Town

A. General Information

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.

From: Amesbury
 1. Conservation Commission

2. This Issuance is for (check one):
 a. ☐ Order of Resource Area Delineation
 b. ☐ Amended Order of Resource Area Delineation

3. Applicant:
 Bob Dale
 a. First Name b. Last Name
 Dale Development, LLC
 c. Organization
 630 Washington Road
 d. Mailing Address
 Rye NH 02169
 e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):
 See Attached Property Owners List
 a. First Name b. Last Name
 c. Organization
 d. Mailing Address
 e. City/Town f. State g. Zip Code

5. Project Location:
 265r Elm St., 277R Elm St. 281 Elm St., 287 Elm St., 287.5 Elm St. Amesbury 01913
 68 / 80 b. City/Town c. Zip Code
 d. Assessors Map/Plat Number 12, 13, 15, 20 / Lots 3, 4
 e. Parcel/Lot Number
 Latitude and Longitude 42d50'59m50"s 70d54;17m97"s
 (in degrees, minutes, seconds) f. Latitude g. Longitude
2.8.24 3.4.24
 6. Dates: a. Date ANRAD filed b. Date Public Hearing Closed c. Date of Issuance



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

**WPA Form 4B – Order of Resource Area
Delineation**

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

Provided by MassDEP:

002-1327

MassDEP File Number

eDEP Transaction Number

Amesbury

City/Town

A. General Information (cont.)

7. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

Resource Area Location Plan, Golden Triangle in Amesbury, MA

6.27.23

a. Title

b. Date

c. Title

d. Date

B. Order of Delineation

1. The Conservation Commission has determined the following (check whichever is applicable):

- a. **Accurate:** The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

1. Bordering Vegetated Wetlands

2. Other resource area(s), specifically:

a. 1) Inland Bank associated with flags BF1-1 to BF1-76, and BF2-1 to BF2-27: Yes present.

2) Bordering Land Subject to Flooding and Isolated Land Subject to Flooding: Not present, except for a potential area of ILSF within the limit of Wetland C that has not been evaluated. If future work is proposed within Wetland C, it will be evaluated per the definitions of ILSF.

3) No other resource areas are present on the site other than the resource areas previously approved by the Conservation Commission under ORAD #1 (MassDEP File #002-1316).

- b. **Modified:** The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):

1. Bordering Vegetated Wetlands

2. Other resource area(s), specifically:

a.

- c. **Inaccurate:** The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

1. Bordering Vegetated Wetlands

2. Other resource area(s), specifically:



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

**WPA Form 4B – Order of Resource Area
Delineation**

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

Provided by MassDEP:

002-1327

MassDEP File Number

eDEP Transaction Number

Amesbury

City/Town

B. Order of Delineation (cont.)

3. The boundaries were determined to be inaccurate because:

C. Findings

This Order of Resource Area Delineation determines that the boundaries of those resource areas noted above, have been delineated and approved by the Commission and are binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, § 40) and its regulations (310 CMR 10.00). This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation.

This Order must be signed by a majority of the Conservation Commission. The Order must be sent by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate DEP Regional Office (see <https://www.mass.gov/service-details/massdep-regional-offices-by-community>).

D. Appeals

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

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

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

**WPA Form 4B – Order of Resource Area
Delineation**

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

Provided by MassDEP:

002-1327

MassDEP File Number

eDEP Transaction Number

Amesbury

City/Town

3.18.24

Date of Issuance

E. Signatures

Please indicate the number of members who will sign this form.

1. Number of Signers

By vote on 04/03/2023 the Amesbury Conservation Commission authorized the use of their electronic signatures pursuant to the certificate of vote recorded with the Essex south Registry of Deeds in Book 41530 Page 251. They intend for their typed names to serve as electronic signatures.

Signatures



Tim Broadrick (Mar 24, 2024 20:23 EDT)

Signature of Conservation Commission Member

Michael Ebert

Signature of Conservation Commission Member



Fred Zackon (Mar 19, 2024 22:06 EDT)

Signature of Conservation Commission Member



Amanda Jones (Mar 18, 2024 16:33 EDT)

Signature of Conservation Commission Member

Signature of Conservation Commission Member

Signature of Conservation Commission Member

Signature of Conservation Commission Member

Signature of Conservation Commission Member

Timothy Broadrick

Printed Name

Michael Ebert

Printed Name

Fred Zackon

Printed Name

Amanda Jones

Printed Name

Printed Name

Printed Name

Printed Name

Printed Name

This Order is valid for three years from the date of issuance.

If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, which expires on _____ unless extended in writing by the issuing authority.

This Order is issued to the applicant and the property owner (if different) as follows:

2. By hand delivery on _____

3. By certified mail, return receipt requested on _____

a. Date

a. Date



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

**Request for Departmental Action Fee
Transmittal Form**

Provided by DEP

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

A. Request Information

1. Location of Project

a. Street Address

b. City/Town, Zip

c. Check number

d. Fee amount

2. Person or party making request (if appropriate, name the citizen group's representative):

Name

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

3. Applicant (as shown on Determination of Applicability (Form 2), Order of Resource Area Delineation (Form 4B), Order of Conditions (Form 5), Restoration Order of Conditions (Form 5A), or Notice of Non-Significance (Form 6)):

Name

Mailing Address

City/Town

State

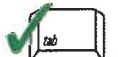
Zip Code

Phone Number

Fax Number (if applicable)

4. DEP File Number:

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



B. Instructions

1. When the Departmental action request is for (check one):

Superseding Order of Conditions – Fee: \$120.00 (single family house projects) or \$245 (all other projects)

Superseding Determination of Applicability – Fee: \$120

Superseding Order of Resource Area Delineation – Fee: \$120

Send this form and check or money order, payable to the *Commonwealth of Massachusetts*, to:

Department of Environmental Protection
Box 4062
Boston, MA 02211



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
Request for Departmental Action Fee
Transmittal Form

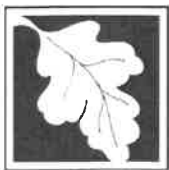
DEP File Number:

Provided by DEP

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

B. Instructions (cont.)

2. On a separate sheet attached to this form, state clearly and concisely the objections to the Determination or Order which is being appealed. To the extent that the Determination or Order is based on a municipal bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.
3. Send a **copy** of this form and a **copy** of the check or money order with the Request for a Superseding Determination or Order by certified mail or hand delivery to the appropriate DEP Regional Office (see <https://www.mass.gov/service-details/massdep-regional-offices-by-community>).
4. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

**WPA Form 4B – Order of Resource Area
Delineation**

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

Provided by MassDEP:

002-1327

MassDEP File Number

eDEP Transaction Number

Amesbury

City/Town

Recording Information

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

Amesbury

Conservation Commission

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

To:

Amesbury

Conservation Commission

Please be advised that the Order of Resource Area Delineation for the Project at:

265R Elm St., 277R Elm St. 281 Elm St., 287
Elm St., 287.5 Elm St

Project Location

002-1327

MassDEP File Number

Has been recorded at the Registry of Deeds of:

Essex South

County

Book

Page

For:

See List of Property Owners
Property Owner

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

Book

Page

In accordance with the Order of Resource Area Delineation issued on:

Date

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

Instrument Number

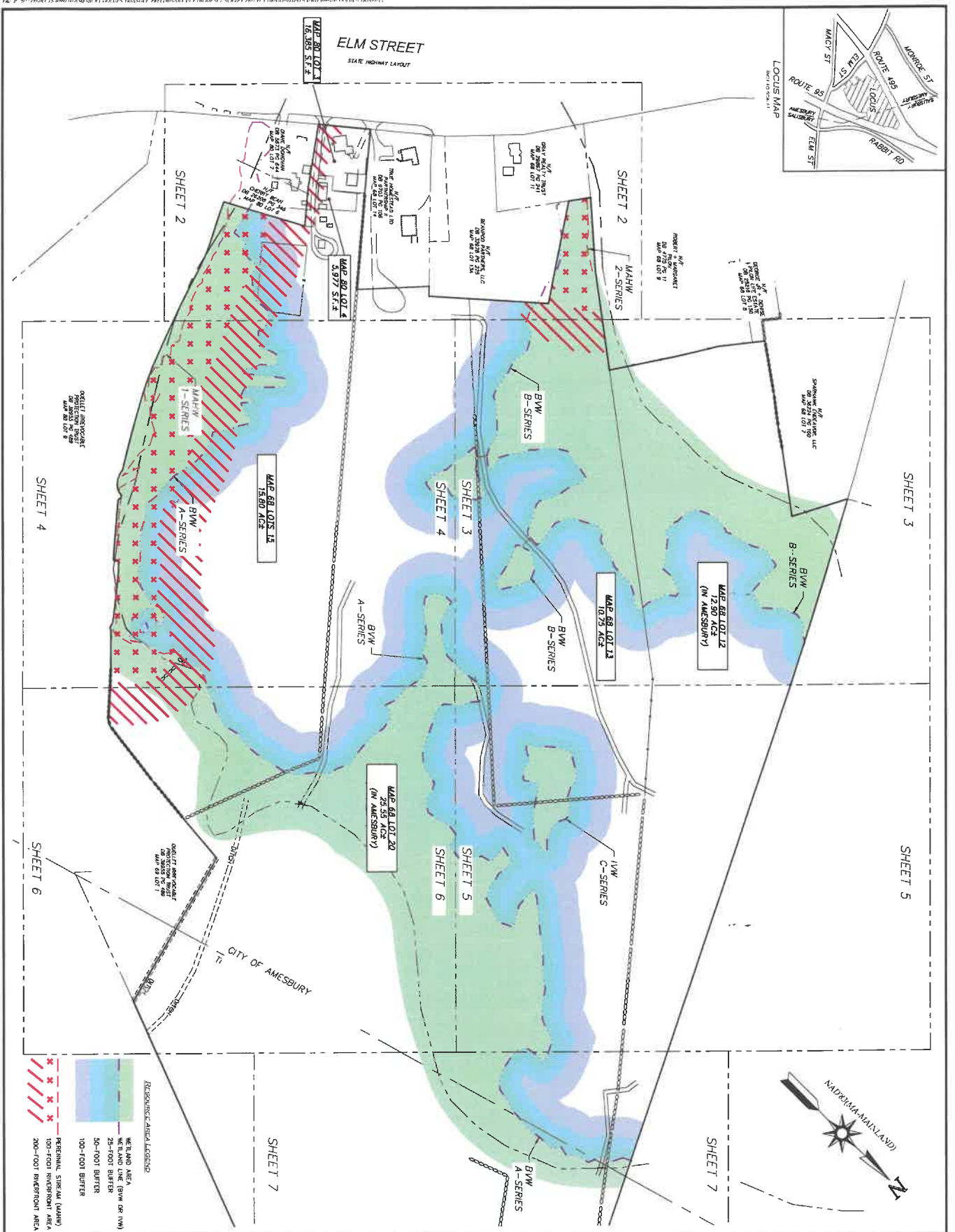
If registered land, the document number identifying this transaction is:

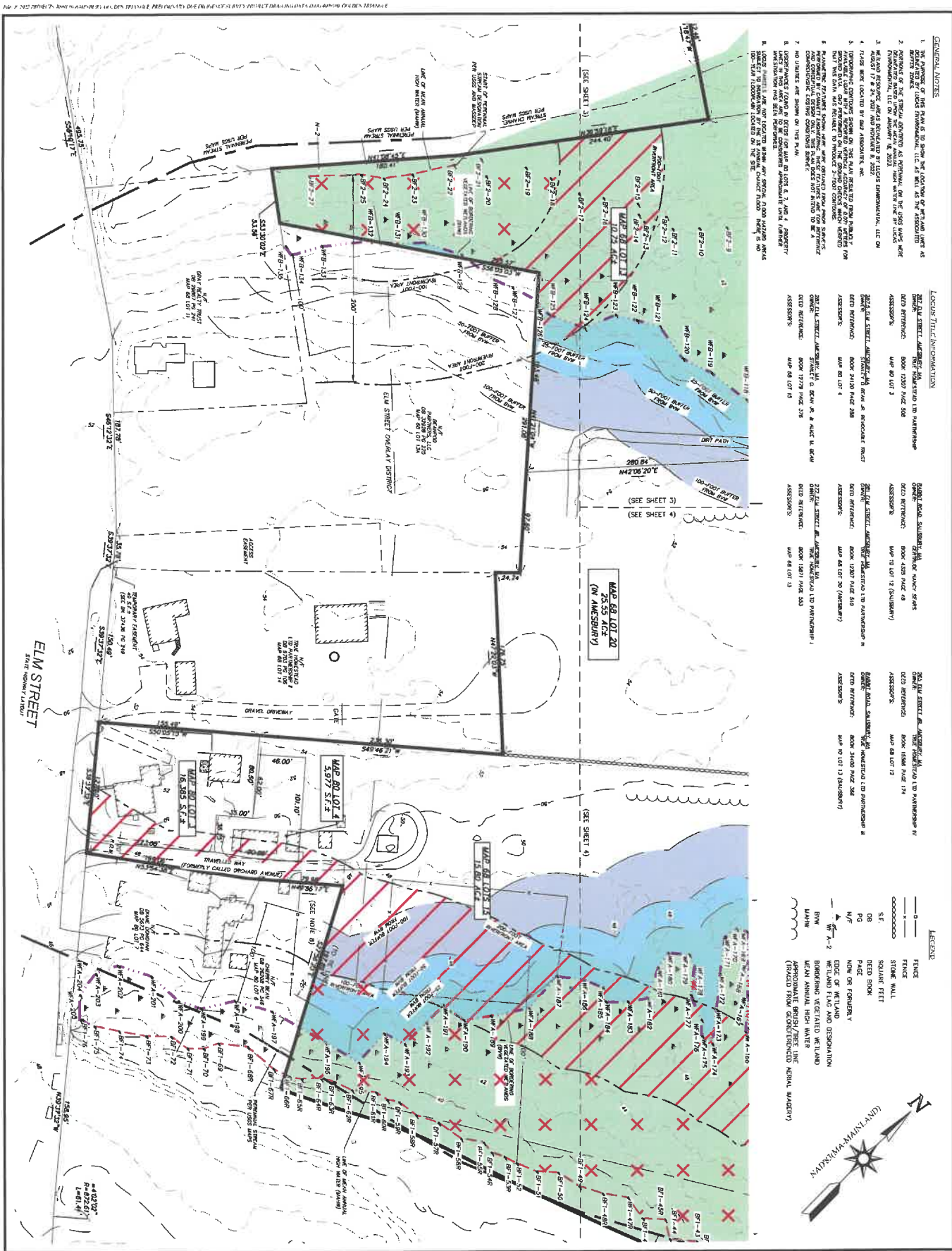
Document Number

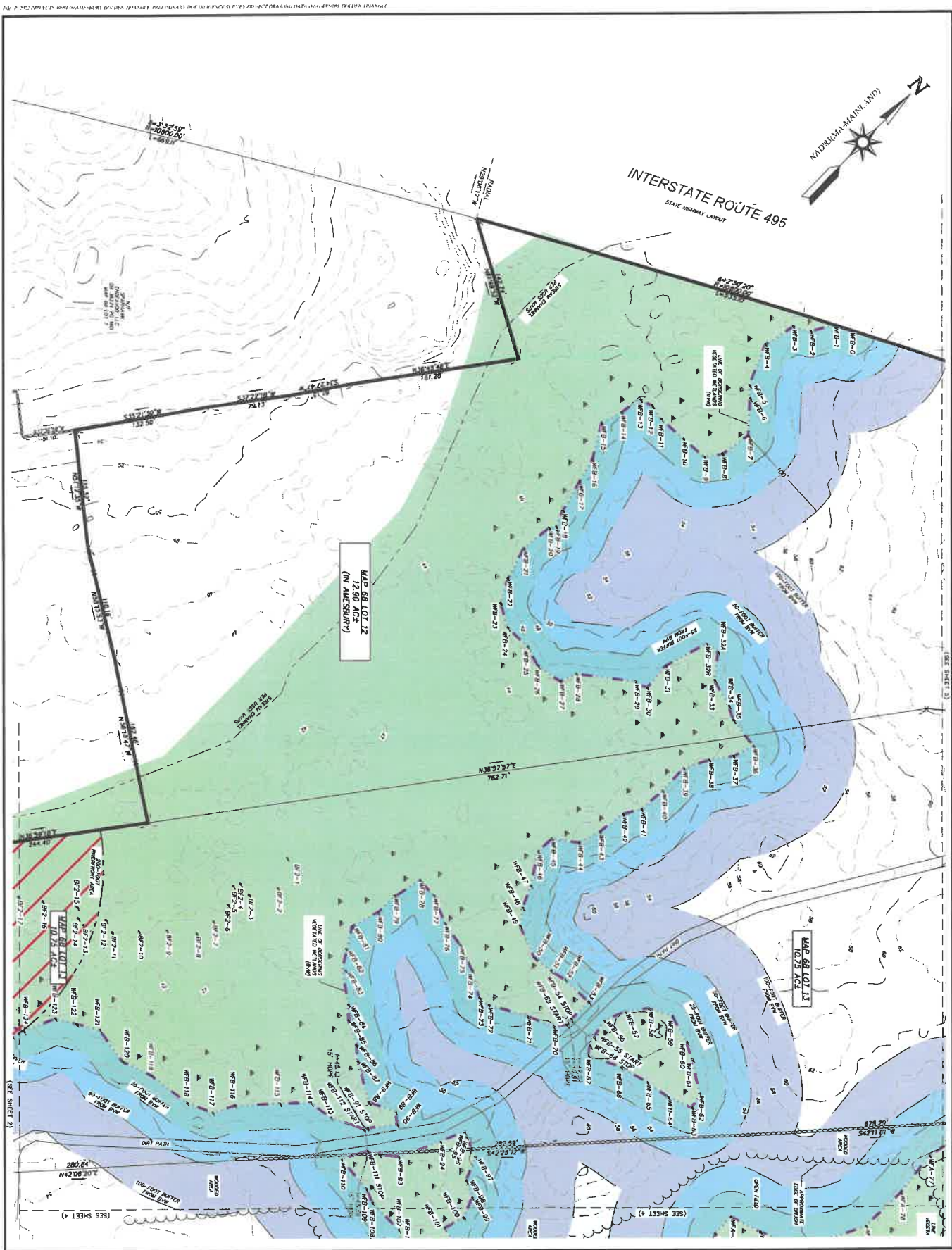
Signature of Applicant

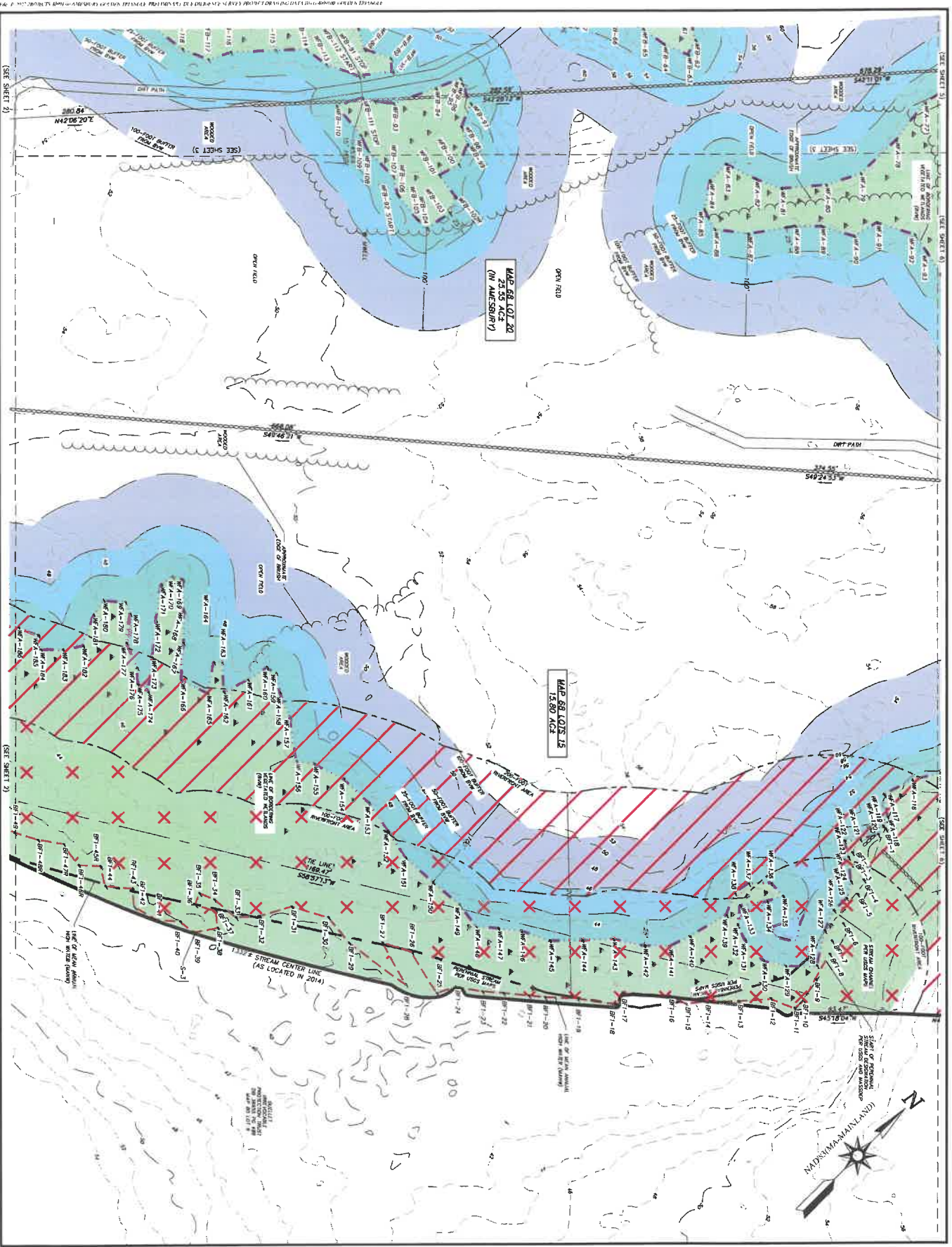
PROPERTY OWNERSHIP

Property Address	Ownership Entity	Map / Lot	Book/Page
265 Elm Street #R Amesbury, MA	True Homestead Limited Partnership IV 196 Water Street, Unit 12 Exeter, NH 03833	68 / 12	15596 / 174
277 Elm Street #R Amesbury, MA	True Homestead Limited Partnership I 196 Water Street, Unit 12 Exeter, NH 03833	68 / 13	15871 / 553
281 Elm Street Amesbury MA	True Homestead Limited Partnership III Herbert T. Sears 196 Water Street, Unit 12 Exeter, NH 03833	68 / 20	12307 / 510
287 Elm Street Amesbury, MA	True Homestead Limited Partnership 196 Water Street, Unit 12 Exeter, NH 03833	80 / 03	12307 / 508
287 Elm Street Amesbury, MA	Stanley O. Bean Jr. & Alice M. Bean Trustees, 287 Elm Street Realty Trust PO Box 27, Leavitt Road Gilmanton Iron Works, NH 03837	68 / 15	12779 / 376
287½ Elm Street Amesbury, MA	Stanley O. Bean Jr. Revocable Trust Stanley O. Bean Jr., Trustee PO Box 27 Gilmanton Iron Works, NH 03837	80 / 04	24120 / 288









RESOURCE AREA LOCATION PLAN

GOLDEN TRIANGLE IN AMESBURY MASSACHUSETTS (ESSEX COUNTY)

MARCH 6, 2023

06/11/2023

REVISIONS

NO.	DESCRIPTION	DATE
1	PRELIMINARY DESIGN	10/1/2022
2	FINAL DESIGN	10/1/2022
3	FINAL DESIGN	10/1/2022

DATE DEVELOPMENT LLC
630 WASHINGTON STREET
RIV. NH

GMA ASSOCIATES

6 CHESTNUT STREET
SUITE 110
AMESBURY, MA 01913
978-388-2157

SCALE: 1" = 100'

PROJECT NO. 2023-001

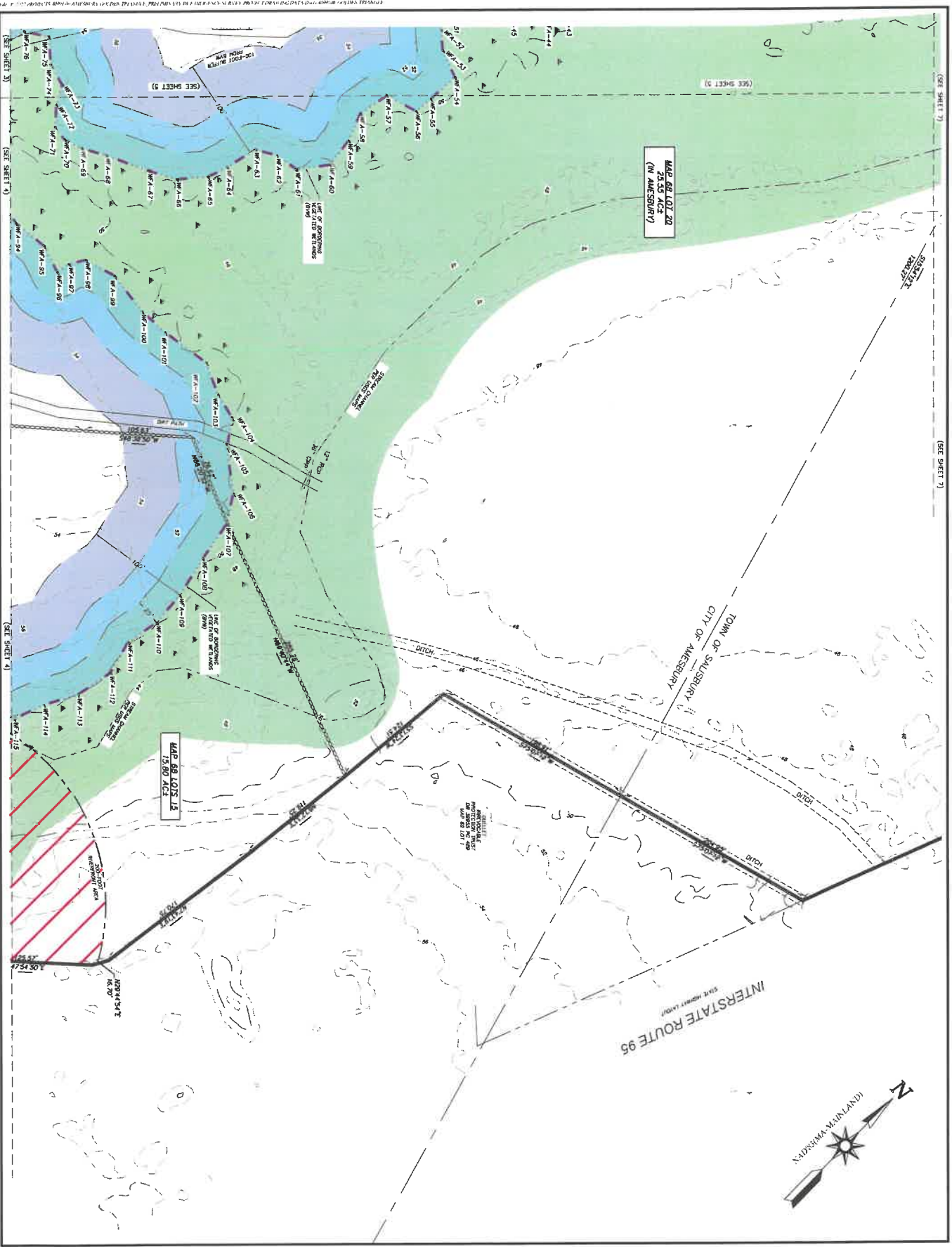
DATE: 10/1/2022

DESIGNER: J. J. S. S. S.

CHECKER: J. J. S. S. S.

APPROVED: J. J. S. S. S.

DATE: 10/1/2022



FOOTING: 1:10,000

RESOURCE AREA LOCATION PLAN

GOLDEN TRIANGLE
IN
AMESBURY
MASSACHUSETTS
(ESSEX COUNTY)

MARCH 6, 2023



Signature
06/21/2023

No.	Description of Change	Date
1	PRELIMINARY PLAN	11/27
2	FINAL PLAN	03/06
3	REVISIONS	

DAVE DEVELOPMENT LLC
630 WASHINGTON STREET
RTE. 1N1

PROJECT NO.	42991.00
DATE	03/06/23
DESIGNER	D. BAI / J. SALVENDY
CHECKED	J. SALVENDY



6 7



RESOURCE
AREA
LOCATION
PLAN

GOLDEN TRIANGLE
IN
AMESBURY
MASSACHUSETTS
(ESSEX COUNTY)

MARCH 6, 2023



Revisions
06/27/2023
Don DeLuca

[illegible]

DALE DEVELOPMENT LLC
630 WASHINGTON STREET
RYE, NH



LIBERTY	D. BEAL / J. SALVADORI
TRACETT	D. BEAL / J. SALVADORI
CHECKFIELD	J. SALT MORGIO

G&M
ASSOCIATES
6 CHESTNUT STREET
SUITE 110
AMESBURY, MA
01913
978.388.2157

ABUTTER INFORMATION



NOTIFICATION TO ABUTTERS UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT AND AMESBURY WETLANDS PROTECTION BYLAW

In accordance with the Massachusetts General Laws, Chapter 131, Section 40, and the Amesbury Wetlands Protection Ordinance, you are hereby notified of the following:

The Amesbury Conservation Commission will hold a public hearing on February 2, 2026 at 6:30 PM, located VIRTUALLY to act on application of a Notice of Intent (NOI) submitted by Dale Development, LLC, concerning the property located at the following addresses: 265 Elm Street #R (Map 68, Lot 12), 277 Elm Street #R (Map 68, Lot 13), 281 Elm Street (Map 68, Lot 20), 287 Elm Street (Map 68, Lot 15), 287 Elm Street (Map 80, Lot 03), and 287½ Elm Street (Map 80, Lot 04), in Amesbury, MA 01913, for the proposed Rocky Hill MBTA Community residential development with a total of 379 units proposed, in accordance with the Amesbury Wetlands Protection Ordinance, and the Wetlands Protection Act (Massachusetts GL Chapter 131 Section 40).

Copies of the application may be examined at the Conservation Commission office, 39 South Hunt Road, Amesbury, MA 01913. The application can also be viewed by visiting the Amesbury Conservation Commission website at <https://www.amesburyma.gov/AgendaCenter/Conservation-Commission-12>. For more information concerning the date, time or place of hearing, contact the Conservation Commission at 978.388.8110.

NOTE: Notice of the public hearing, including its date, time, and place will be posted in City Hall not less than 48 hours in advance. **The meeting link will be on the agenda posted on the City website.**

NOTE: Notice of the public hearing, including its date, time, and place will be published in the Newburyport Daily News not less than 5 business days prior to the public hearing.

NOTE: You may also contact the Amesbury Conservation Commission or the Department of Environmental Protection (MassDEP) Wetlands Division – Northeast Regional Office (NERO) for more information about this application or the Wetlands Protection Act. The MassDEP, Northeast Regional Office can be reached at 978.694.3200.

NOTE: To preserve your appeal rights you must submit comments/concerns in writing.

Covid-19 Notice: This meeting will be conducted under the 'Executive Order Suspending Certain Provisions of the Open Meeting Law G.L. c.30A, §20, signed on March 12, 2020. The public can view this meeting on ACTV Channel 12, the ACTV website.

To submit a public comment, you can email conservation@amesburyma.gov with PUBLIC COMMENT in the subject line.

Bruce Collins

From: noreply@civicplus.com
Sent: Wednesday, December 3, 2025 11:27 AM
To: Assessor
Subject: Online Form Submittal: REQUEST FOR AN ABUTTERS LIST

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you have confirmed that the content is safe.

REQUEST FOR AN ABUTTERS LIST

LOCATION OF PROPERTY:	265 Elm Street #R 277 Elm Street #R 287 Elm Street 281 Elm Street 287 Elm Street 287 1/2 Elm Street
MAP/LOT (IF KNOWN)	Map 68: Lots 12, 13, 15, 20 / Map 80: Lots 3, 4
REQUESTER:	Lucas Environmental, LLC; Christopher M. Lucas
PHONE NUMBER:	6174054140
EMAIL:	cml@lucasenviro.com
REQUEST IS MADE FOR APPLICATION TO THE FOLLOWING BOARD	CONSERVATION COMMISSION (300')
When Abutters List is Ready	I would like the abutters list emailed to me & cc' the appropriate City department.
CUSTOM LIST - EXPLAIN (FEE MAY BE REQUIRED)	<i>Field not completed.</i>

NOTE: The Assessor Office will typically complete your request within 10 days from the date of receipt. We will call the requestor when the abutters list is complete. The ORIGINAL COMPLETE ABUTTERS list must be submitted with your application for the appropriate board. LISTS CANNOT BE MAILED UNLESS A PREPAID, SELF ADDRESSED ENVELOPE IS SENT TO OUR OFFICE. We will not be responsible for lists sent through the mail. Completed lists can be picked up at the Assessors Office during normal office hours.

Email not displaying correctly? [View it in your browser.](#)



81-1

JOHNSON DEBORAH
TRS RABBIT REALTY TRUST
15 RABBIT RD
SALISBURY, MA 01952

81-2

COATES HAROLD N
DONNA L COATES T/E
11 RABBIT RD
SALISBURY, MA 01952

81-3

AMESBURY CITY OF
62 FRIEND ST
AMESBURY, MA 01913

79-6

CARRIAGETOWN STATION LLC
C/O THE PHILLIPS EDISON GROUP LLC
11501 NORTHLAKE DR
CINCINNATI, OH 45249

80-10

291-293 ELM ST LLC
291-293 ELM ST
AMESBURY, MA 01913

68-13A

BEANPOD PARTNERS, LLC
136 WHITEHALL RD
AMESBURY, MA 01913

FEE

THE BOARD OF ASSESSORS OF THE TOWN OF
AMESBURY, MA HEREBY CERTIFIES THAT THIS
LIST OF ABUTTERS IS THE MOST RECENT
APPLICABLE TAX LIST AS REQUIRED BY CHAPTER
40A, SECTION 11 OF THE MASSACHUSETTS
GENERAL LAWS AS AMENDED

Bruce A. 12/1/25

80-1

AMESBURY HOSPITALITY, LLC
284 ELM STREET
AMESBURY, MA 01913

68-18

DESMOND ROBERT J
JODY M DESMOND T/E
270 ELM ST
AMESBURY, MA 01913

67-134A

SCHWECHHEIMER BETSY
WENDELL & SANDRA LUCE (LIFE ESTATE)
266 ELM ST
AMESBURY, MA 01913

67-53A

YOUNG MENS CHRISTIAN ASSOCIATION
251 ELM ST
AMESBURY, MA 01913

68-7

SPARHAWK ENDEAVOR LLC
10 MAUDSLEY VIEW LANE
AMESBURY, MA 01913

68-9

PILON ROBERT W JR
265 ELM ST
AMESBURY, MA 01913

68-20

TRUE HOMESTEAD LTD PTNRSHIP III
HERBERT T SEARS
196 WATER ST UNIT 12
EXETER, NH 03833

68-14

THE 1800 FARMHOUSE LLC
C/O HERBERT T SEARS
196 WATER STREET UNIT 12
EXETER, NH 03833

80-6

BEAN CHERRY E
289R ELM ST
AMESBURY, MA 01913

80-11

WLPO REALTY LLC
86 HOLYOKE STREET
LYNN, MA 01905

80-2

108 MACY STREET
C/O MABARDY OIL
720 LAFAYETTE ROAD
SEABROOK, NH 03874

68-16

PRYOR & LYLE LLC
25 WASHINGTON STREET
RYE, NH 03870

67-134

STINSON ROBERT H
JENNIFER N STINSON T/E
49 ROCKY HILL RD
AMESBURY, MA 01913

67-23

AMESBURY CITY OF
TOWN HALL
AMESBURY, MA 01913

68-8

PILON JR GEORGE & DENISE LIFE ESTAT
SUZANNE POULIOTTE, LISE & ROBERTA P
263 ELM ST
AMESBURY, MA 01913

68-11

ROBIN E & JAMES N DEVEAU TRSTEE
GRAY REALTY TRUST
22 WHITEHALL RD
AMESBURY, MA 01913

69-1

291-293 ELM ST LLC
291-293 ELM ST
AMESBURY, MA 01913

80-4

BEAN JR. STANLEY O., TRUSTEE
STANLEY O. BEAN, JR. REVOCABLE TRUS
P O BOX 27
GILMANTON IRON WOR, NH 03837-0027

80-7

DONOVAN DIANE L
289 ELM STREET
AMESBURY, MA 01913

80-12

WLPO REALTY LLC
86 HOLYOKE STREET
LYNN, MA 01905

80-15

THREE-WAY REALTY, LLC
107 MACY ST
AMESBURY, MA 01913

68-19

MACK SARAH L
MICHAEL E ROBINSON
268 ELM ST
AMESBURY, MA 01913

67-132

MELLON JANET H
C/O MICHAEL MELLON
80 MONROE ST
AMESBURY, MA 01913

67-133

SOCIETY PRESRVTN OF NE ANTIQ
C/O JOHN TARVIN
151 ESSEX ST, 2ND FLOOR
HAVERHILL, MA 01832

68-12

TRUE HOMESTEAD LTD PTRNSHP IV
196 WATER ST UNIT 12
EXETER, NH 03833

68-13

TRUE HOMESTEAD LTD PTNSHP I
196 WATER ST UNIT 12
EXETER, NH 03833

68-15

BEAN JR STANLEY O
ALICE M BEAN
PO BOX 27 LEAVITT RD
GILMANTON IRON WKS, NH 03837

80-3

TRUE HOMESTEAD LTD PARTNERSHP
196 WATER ST UNIT 12
EXETER, NH 03833

80-8

291-293 ELM ST LLC
291-293 ELM ST
AMESBURY, MA 01913

80-9

291-293 ELM ST LLC
291-293 ELM ST
AMESBURY, MA 01913



CURRENT OWNER			TOPO	UTILITIES	STRT / ROAD	LOCATION	CURRENT ASSESSMENT			PREVIOUS ASSESSMENTS (HISTORY)			101 AMESBURY, MA			
BEAN JR. STANLEY O., TRUSTEE			1 Level	1 All Public	1 Paved	2 Suburban	Description	Code	Assessed	Year	Code	Assessed				
STANLEY O. BEAN, JR. REVOCABLE							RESIDENTL	1010	262,700	2022	1010	262,700				
P O BOX 27							RES LAND	1010	196,600		1010	196,600				
							RESIDENTL	1010	7,500		1010	7,500				
SUPPLEMENTAL DATA																
Alt Prcl ID 00040 00000 00011			Use Chang													
Sub-Div			Original Lo													
Spec.Cond			NOTES 1094													
OWNER O			STYLE													
ABC			CHAPTER													
AB APPLI			Assoc Pld#													
GIS ID			M_248483_955436													
RECORD OF OWNERSHIP			BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	OTHER ASSESSMENTS							
BEAN JR. STANLEY O., TRUSTEE			24120 0288	03-31-2005	U	I		1 1F	Year	Code	Assessed	Year	Code	Assessed		
BEAN STANLEY O JR			12779 0376	10-12-1994	U	I		1 1F	2024	1010	231,400	2023	1010	202,600		
BEAN STANLEY O JR			06955 0710	07-13-1982	U	I		1A		1010	180,100		1010	156,600		
BEAN STANLEY O			03082 0319					0		1010	7,500		1010	7,500		
			Total						Total	419,000	Total	366,700	Total	323,800		
This signature acknowledges a visit by a Data Collector or Assessor																
APPRAISED VALUE SUMMARY																
			Appraised Bldg. Value (Card)												262,700	
			Appraised Xf (B) Value (Bldg)												0	
			Appraised Ob (B) Value (Bldg)												7,500	
			Appraised Land Value (Bldg)												196,600	
			Special Land Value												0	
			Total Appraised Parcel Value												466,800	
			Valuation Method												C	
			Total Appraised Parcel Value												466,800	
VISIT / CHANGE HISTORY																
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments	Date	Id	Type	Is	Cd	Purpose/Result		
90-277	08-27-1990	RS		0	08-10-2006	100	08-10-2006	RENO AFTE	08-18-2025	LP			LH	Left hanger/measured		
									08-06-2014	CW			ED	Entry Denied		
									08-10-2006	TZ			DC	Data Change		
									08-07-1991	HF			BP	Building Permit		
									05-01-1980	40			10	Letter sent		
Total Appraised Parcel Value																
LAND LINE VALUATION SECTION																
B Use Code	Description	Zone	LA	Land Type	Land Units	Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes		Location Adjustmen	Adj Unit P	Land Value
1 1010	Single Family	OP			5,000 SF	39.32	1.00000	5	1.00	1.000		1.0000		39.32	196,600	
Total Card Land Units 5,000 SF Parcel Total Land Area 0.1148 Total Land Value 196,600																

CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)							
Element	Cd	Description	Element	Cd	Description						
Style:	03	Colonial									
Model:	01	Residential									
Grade:	04	Average Plus									
Stories:	2	2 Stories									
Occupancy	1										
Exterior Wall 1	14	Wood Shingle									
Exterior Wall 2											
Roof Structure:	07	Gambrel									
Roof Cover	03	Asph/F Gls/Cmp									
Interior Wall 1	03	Plastered									
Interior Wall 2	05	Drywall/Sheet									
Interior Fir 1	09	Pine/Soft Wood									
Interior Fir 2	05	Vinyl/Asphalt									
Heat Fuel	02	Oil									
Heat Type:	06	Steam									
AC Type:	01	None									
Total Bedrooms	03	3 Bedrooms									
Total Bthrms:	1										
Total Half Baths	0										
Total Xtra Fixtrs											
Total Rooms:	6	6 Rooms									
Bath Style:	02	Average									
Kitchen Style:	02	STANDARD									
OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)											
Code	Description	L/B	Units	Unit Price	Yr Blt	Cond.	Cd	% Gd	Grade	Grade Adj.	Appr. Value
FGR1	GARAGE AVG	L	260	35.00	1980			75	0.00	0.00	6,800
MSC7	SHD MTL	L	1	100.00	1980			100	0.00	0.00	100
MSC6	SHD	L	1	500.00	1980			100	0.00	0.00	500
MSC7	SHD MTL	L	1	100.00	1980			100	0.00	0.00	100
BUILDING SUB-AREA SUMMARY SECTION											
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value					
BAS	First Floor	616	616	616	288.18	177,518					
FEP	Porch, Enclosed, Finished	0	272	190	201.30	54,754					
FUS	Upper Story, Finished	616	616	616	288.18	177,518					
UBM	Basement, Unfinished	0	616	123	57.54	35,446					
Ttl Gross Liv / Lease Area		1,232	2,120	1,545	445,236						

CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)							
Element	Cd	Description	Element	Cd	Description						
Style:	03	Colonial									
Model:	01	Residential									
Grade:	04	Average Plus									
Stories:	2	2 Stories									
Occupancy	1										
Exterior Wall 1	14	Wood Shingle									
Exterior Wall 2											
Roof Structure:	07	Gambrel									
Roof Cover	03	Asph/F Gls/Cmp									
Interior Wall 1	03	Plastered									
Interior Wall 2	05	Drywall/Sheet									
Interior Fir 1	09	Pine/Soft Wood									
Interior Fir 2	05	Vinyl/Asphalt									
Heat Fuel	02	Oil									
Heat Type:	06	Steam									
AC Type:	01	None									
Total Bedrooms	03	3 Bedrooms									
Total Bthrms:	1										
Total Half Baths	0										
Total Xtra Fixtrs											
Total Rooms:	6	6 Rooms									
Bath Style:	02	Average									
Kitchen Style:	02	STANDARD									
OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)											
Code	Description	L/B	Units	Unit Price	Yr Blt	Cond.	Cd	% Gd	Grade	Grade Adj.	Appr. Value
FGR1	GARAGE AVG	L	260	35.00	1980			75	0.00	0.00	6,800
MSC7	SHD MTL	L	1	100.00	1980			100	0.00	0.00	100
MSC6	SHD	L	1	500.00	1980			100	0.00	0.00	500
MSC7	SHD MTL	L	1	100.00	1980			100	0.00	0.00	100
BUILDING SUB-AREA SUMMARY SECTION											
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value					
BAS	First Floor	616	616	616	288.18	177,518					
FEP	Porch, Enclosed, Finished	0	272	190	201.30	54,754					
FUS	Upper Story, Finished	616	616	616	288.18	177,518					
UBM	Basement, Unfinished	0	616	123	57.54	35,446					
Ttl Gross Liv / Lease Area		1,232	2,120	1,545	445,236						

6

6

16

FEP

6

28

28

16

16

BAS

FUS

UBM

28

8

22

22

FEP

8

6	16	6	FEP	6	16	16	28	28	8	22	22	22	22	8
BAS FUS UBM														



CURRENT OWNER				TOPO	UTILITIES		STRT / ROAD		LOCATION		CURRENT ASSESSMENT					101	
TRUE HOMESTEAD LTD PARTNERS				1 Level	1 All Public	1 Paved	1 Urban				Description	Code	Assessed	Assessed	AMESBURY, MA		
									RESIDENTIAL	1010	317,000	317,000					
									RES LAND	1010	229,800	229,800					
196 WATER ST UNIT 12				SUPPLEMENTAL DATA								1010	15,800	15,800	VISION		
Alt Prcl ID 00040 00000 00012				Use Chang													
Sub-Div Original Lo				NOTES													
EXETER NH 03833				Spec.Cond OWNER O		STYLE CHAPTER											
AB APPLI FY11-42/				GIS ID M_248461_955418		Assoc Pid#											
RECORD OF OWNERSHIP				BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE		VC	PREVIOUS ASSESSMENTS (HISTORY)						
TRUE HOMESTEAD LTD PARTNERSHIP				12307 0508	12-13-1993	U	I	100		1F	Year	Code	Assessed	Year	Code	Assessed	
SEARS HERBERT T				09459 0002	04-05-1988	U	I	128,000		1L	2024	1010	278,700	2023	1010	278,700	
SIMMONS ROBERT E				08074 0315	01-08-1986	U	I	35,000		1A	1010	1010	182,900	1010	1010	159,100	
THOMSEN-SIMMONS ROBERT E				06452 0225	03-20-1978			0			1010	1010	15,800	1010	1010	15,800	
				0				0									
EXEMPTIONS				OTHER ASSESSMENTS													
Year	Code	Description	Amount	Code	Description	Number	Amount	Comm Int	This signature acknowledges a visit by a Data Collector or Assessor								
Total				0.00													
ASSESSING NEIGHBORHOOD																	
Nbhd		Nbhd Name		B		Tracing		Batch									
0001																	
NOTES																	
Appraised Bldg. Value (Card)																	
Appraised Xf (B) Value (Bldg)																	
Appraised Ob (B) Value (Bldg)																	
Appraised Land Value (Bldg)																	
Special Land Value																	
Total Appraised Parcel Value																	
Valuation Method																	
Total Appraised Parcel Value																	
VISIT / CHANGE HISTORY																	
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments	Date	Id	Type	Is	Cd	Purpose/Result			
03-D19	02-19-2003	DE	Demolish		08-27-2003	100	04-30-2003	COLLAPSED WOODEN BAR	08-28-2019	ML			LH	Left hanger/measured			
									04-20-2011	JD			II	Interior Inspection			
									08-24-2010	JD			LH	Left hanger/measured			
									08-27-2003	HF			BP	Building Permit			
									10-21-1993	HF			RS	Review Sale			
									01-03-1992	HF			AB				
									02-09-1989	HF			DQ	Data Quality			
LAND LINE VALUATION SECTION																	
B Use Code	Description	Zone	LA	Land Type	Land Units	Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd. Adj	Location Adjustment		Adj Unit P	Land Value		
1 1010	Single Family	OP			14,000 SF	16.41	1.00000	5	1.00	1,000		1,000	16.41	229,800			
Total Card Land Units				14,000 SF	Parcel Total Land Area 0.3214				Total Land Value				229,800				

CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)			
Element	Cd	Description	Element	Cd	Description		
Style: 06		Conventional					
Model: 01		Residential					
Grade: 03		Average					
Stories: 2		2 Stories					
Occupancy: 1		Clapboard					
Exterior Wall 1	11						
Exterior Wall 2							
Roof Structure:	03						
Roof Cover: 11		Gable/Hip					
Interior Wall 1	05	Slate					
Interior Wall 2	03	Drywall/Sheet					
Interior Fir 1	09	Plastered					
Interior Fir 2		Pine/Soft Wood					
Heat Fuel: 02		Oil					
Heat Type: 05		Hot Water					
AC Type: 01		None					
Total Bedrooms: 03		3 Bedrooms					
Total Bthrms: 1							
Total Half Baths: 0							
Total Rooms: 8		8 Rooms					
Bath Style: 02		Average					
Kitchen Style: 02		STANDARD					
				Building Value New		533,606	
				Year Built		1800	
				Effective Year Built		1984	
				Depreciation Code		A	
				Remodel Rating			
				Year Remodeled		41	
				Depreciation %		0	
				Functional Obsol			
				External Obsol		1	
				Trend Factor			
				Condition			
				Condition %		59	
				Percent Good			
				RCNLD		314,800	
				Dep % Ovr			
				Dep Ovr Comment			
				Misc Imp Ovr			
				Misc Imp Ovr Comment			
				Cost to Cure Ovr			
				Cost to Cure Ovr Comment			
OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)							
Code	Description	L/B	Units	Unit Price	Yr Blt	Cond. Cd	% Gd
FPL3	2 STORY CHI	B	1	2800.00	1980		50
BRN5	2 STORY	L	780	27.00	1980		75
FPO	EXTRA FPL O	B	2	800.00	1980		50
				Grade	Grade Adj.	Appr. Value	
						0.00	1,400
						0.00	15,800
						0.00	800
BUILDING SUB-AREA SUMMARY SECTION							
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value	
BAS	First Floor	1,088	1,088		205.47	223,551	
FEP	Porch, Enclosed, Finished	0	398	279	144.04	57,326	
FUS	Upper Story, Finished	980	980		205.47	201,361	
UAT	Attic, Unfinished	0	780	78	20.55	16,027	
UBM	Basement, Unfinished	0	780	156	41.09	32,053	
WDK	Deck, Wood	0	156	16	21.07	3,288	
Ttl Gross Liv / Lease Area		2,068	4,182	2,597		533,606	

WDK

12

13

12

13

0

15

8

7

6

18

18

10

30

20

20

28

26

34

7

30

UAT

FUS

BAS

UBM

27EP

8

20

30

20

18

18

6

BAS

12

13

CURRENT OWNER		TOPO	UTILITIES	STRT / ROAD	LOCATION		CURRENT ASSESSMENT		101 AMESBURY, MA	
TRUE HOMESTEAD LTD PTNRSH III HERBERT T SEARS 196 WATER ST UNIT 12		1 Level	1 All Public	1 Paved	1 Urban 4 Bus. District		Description COM LAND	Code 3920		Assessed 138,300
EXETER NH 03833		SUPPLEMENTAL DATA								
		Alt Prc ID 00040 00000 00015A Sub-Div Spec.Cond OWNER O NO ABC ABAPPLI FY14-2/FY11-45 GIS ID M_248731_955776 Assoc Pld#								
RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE		VC	PREVIOUS ASSESSMENTS (HISTORY)	
TRUE HOMESTEAD LTD PTNRSH III		12307 0510	12-13-1993	U	V	100		1	Year	Code
TRUE HOMESTEAD LTD PTNRSH II		9703 0106	09-19-1988	U	I	0			Assessed	Year
									2024	3920
									112,800	2022
									112,800	2022
									112,800	2022
									112,800	2022
									112,800	2022
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									112,800	2022

CONSTRUCTION DETAIL										CONSTRUCTION DETAIL (CONTINUED)									
Element	Cd	Description	Element	Cd	Description														
Style: Model Grade: Stories: Occupancy Exterior Wall 1 Exterior Wall 2 Roof Structure: Roof Cover Interior Wall 1 Interior Wall 2 Interior Flr 1 Interior Flr 2 Heat Fuel Heat Type: AC Type: Total Bedrooms Total Bthrms: Total Half Baths Total Xtra Fixtrs Total Rooms: Bath Style: Kitchen Style:	99 00	Vacant Land Vacant																	
CONDO DATA																			
Parcel Id			C		Owne 0.0														
Adjust Type	Code	Description	B	S	Factor%														
Condo Flr																			
Condo Unit																			
COST / MARKET VALUATION																			
Building Value New					0														
Year Built					0														
Effective Year Built					0														
Depreciation Code					0														
Remodel Rating					0														
Year Remodeled					0														
Depreciation %					0														
Functional Obsol					0														
External Obsol					1														
Trend Factor					0														
Condition					0														
Condition %					0														
Percent Good					0														
RCNLD					0														
Dep % Ovr					0														
Dep Ovr Comment																			
Misc Imp Ovr																			
Misc Imp Ovr Comment																			
Cost to Cure Ovr																			
Cost to Cure Ovr Comment																			
OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)																			
Code	Description	L/B	Units	Unit Price	Yr Blt	Cond.	Cd	% Gd	Grade	Grade Adj.	Appr. Value								
BUILDING SUB-AREA SUMMARY SECTION																			
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value													
Ttl Gross Liv / Lease Area																			
		0	0	0	0	0													

No Sketch

Property Location 287 ELM ST

Vision ID 3532

Account # CHLND

Map ID 68 / 15 / 1

Bldg # 1

Bldg Name

Sec # 1 of 1

Card # 1 of 1

State Use 7120

Print Date 12/4/2025 8:53:13 AM

CURRENT OWNER

BEAN JR STANLEY O

ALICE M BEAN

PO BOX 27 LEAVITT RD

TOPO

2 High

4 Rolling

UTILITIES

1 All Public

STRT / ROAD

1 Paved

LOCATION

3 Rural

4 Bus. District

SUPPLEMENTAL DATA

Alt Prcl ID 00040 00000 00010

Sub-Div

Spec Cond

OWNER O

ABC

AB APPLI

GIS ID M_248686_955550

Use Chang

Original Lo

NOTES

STYLE

CHAPTER

NO SCH F, LEAS

Assoc Pld#

RECORD OF OWNERSHIP

BK-VOL/PAGE

SALE DATE

Q/U

V/I

SALE PRICE

VC

12779 0376

10-12-1994

U

I

1

1F

06955 0710

07-13-1982

U

V

50,000

1A

0

0

0

EXEMPTIONS

Description

Amount

Code

Description

Number

Amount

Comm Int

BEAN JR STANLEY O

BEAN STANLEY O JR

BEAN STANLEY O

OTHER ASSESSMENTS

Year

Code

Description

Amount

Code

Description

Number

Amount

Comm Int

ASSESSING NEIGHBORHOOD

Nbhd

Nbhd Name

B

Tracing

Batch

0001

NOTES

NO SCH F FOR FY09, FLOODING

CURRENT ASSESSMENT

Code

Description

Assessed

Assessed

7120

61A LAND

213,400

4,080

7140

61A LAND

37,800

4,090

7160

61A LAND

50,400

1,090

7200

61A LAND

63,000

340

PREVIOUS ASSESSMENTS (HISTORY)

Year

Code

Assessed

Assessed

V

Year

Code

Assessed

Assessed

2023

7120

3,750

3,450

2022

7120

3,180

3,180

2024

7140

3,760

3,450

2022

7140

3,170

3,170

2024

7160

1,000

920

2022

7160

860

860

2024

7200

310

290

2022

7200

260

260

APPRAISED VALUE SUMMARY

Appraised Bldg. Value (Card)

Appraised Xf (B) Value (Bldg)

Appraised Ob (B) Value (Bldg)

Appraised Land Value (Bldg)

Special Land Value

Total Appraised Parcel Value

Valuation Method

0

0

0

364,600

9,600

364,600

C

VISIT / CHANGE HISTORY

Date

Id

Type

Is

Cd

Purpose/Result

11-27-2017

JD

DQ

Data Quality

08-09-2000

HF

DC

Data Change

05-11-1989

HF

01

Measur+1Visit

LAND LINE VALUATION SECTION

B Use Code

Description

Zone

LA

Land Type

Land Units

Unit Price

Size Adj

Site Index

Cond.

Nbhd.

Nbhd. Adj

Notes

Location Adjustment

Adj Unit P

Land Value

1 7120

Tender Crops/Ve

OP

1,000 AC

188,200.00

5

1.00

1,000

VEG

188,200

1 7120

Tender Crops/Ve

OP

2,000 AC

12,600.00

0

1.00

1,000

BEANS/CARROTS/CORN/P

25,200

1 7140

Orchards

OP

3,000 AC

12,600.00

0

1.00

1,000

APPLES/PEARS/BLUEBERR

37,800

1 7160

Till Forage

OP

4,000 AC

12,600.00

0

1.00

1,000

HAY/MULCH

50,400

1 7200

Non Prod

OP

5,000 AC

12,600.00

0

1.00

1,000

NON PROD

63,000

Total Card Land Units

653,400 AC

Parcel Total Land Area 15.0000

Total Land Value

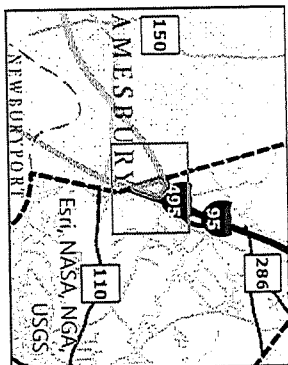
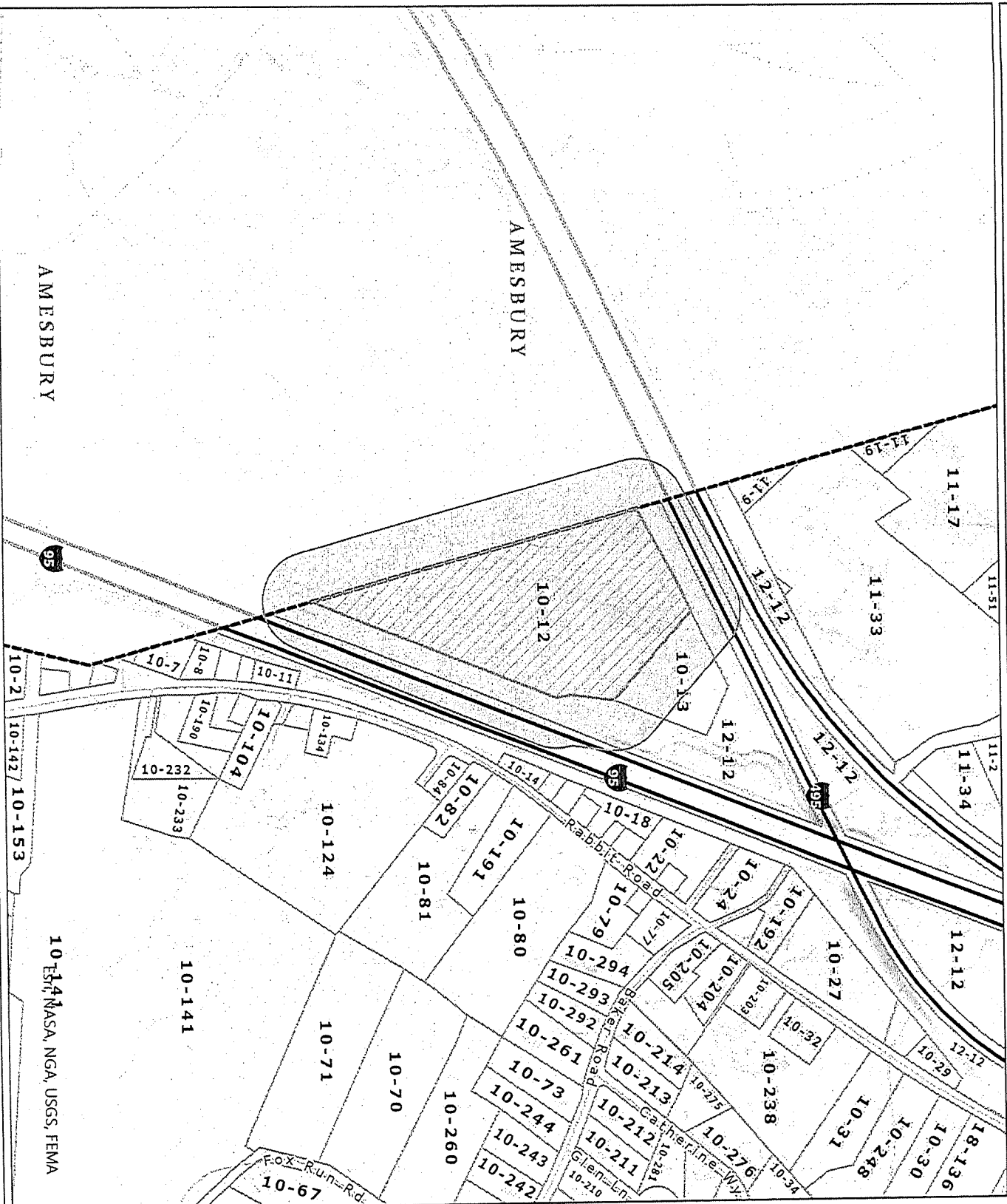
364,600

CONSTRUCTION DETAIL					CONSTRUCTION DETAIL (CONTINUED)					
Element	Cd	Description	Element	Cd	Description					
Style: Model Grade: Stories: Occupancy Exterior Wall 1 Exterior Wall 2 Roof Structure: Roof Cover Interior Wall 1 Interior Wall 2 Interior Flr 1 Interior Flr 2 Heat Fuel Heat Type: AC Type: Total Bedrooms Total Bthrms: Total Half Baths Total Xtra Fixtrs Total Rooms: Bath Style: Kitchen Style:	99 00	Vacant Land Vacant								
CONDO DATA										
Parcel Id			C		Owne 10.0					
Adjust Type			Description	B	S					
Condo Flr					Factor%					
Condo Unit										
COST / MARKET VALUATION										
Building Value New					0					
Year Built					0					
Effective Year Built					0					
Depreciation Code										
Remodel Rating										
Year Remodeled										
Depreciation %					0					
Functional Obsol					0					
External Obsol					1					
Trend Factor										
Condition					0					
Condition %										
Percent Good					0					
RCNLD										
Dep % Ovr										
Dep Ovr Comment										
Misc Imp Ovr										
Misc Imp Ovr Comment										
Cost to Cure Ovr										
Cost to Cure Ovr Comment										
OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)										
Code	Description	L/B	Units	Unit Price	Yr Blt	Cond. Cd	% Gd	Grade	Grade Adj.	Appr. Value
BUILDING SUB-AREA SUMMARY SECTION										
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value				
Ttl Gross Liv / Lease Area		0	0	0	0	0				



CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)			
Element	Cd	Description	Element	Cd	Description		
Style: 99		Vacant Land					
Model 00		Vacant					
Grade:							
Stories:							
Occupancy							
Exterior Wall 1							
Exterior Wall 2							
Roof Structure:							
Roof Cover							
Interior Wall 1							
Interior Wall 2							
Interior Flr 1							
Interior Flr 2							
Heat Fuel							
Heat Type:							
AC Type:							
Total Bedrooms							
Total Bthrms:							
Total Half Baths							
Total Xtra Fixtrs							
Total Rooms:							
Bath Style:							
Kitchen Style:							
				</			

Town of Salisbury



Legend

GIS Layers

- Bordering Communities
- Salisbury
- Parcels
- Local Road
- Interstate
- Local Road
- Major Road
- Interstate
- Streams

Produced by Merrimack Valley Planning Commission
(MWPC) using data provided by municipal governments &
MassDOT/MassGIS.

MVPC AND THE MUNICIPAL GOVERNMENT MAKE NO
WARRANTIES EXPRESSED OR IMPLIED CONCERNING THE
ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY
OF THIS DATA. THE MUNICIPAL GOVERNMENT AND
MVPC DOES NOT ASSUME ANY LIABILITY ASSOCIATED
WITH THE USE OR MISUSE OF THIS INFORMATION.

Merrimack Valley Planning Commission

Scale 1:10266

N
0
1

Date: 12/10/2025
txaabut

Town of Salisbury

CERTIFIED ABUTTERS' LIST

Page 1

Parcel ID	Location	Owner Name/Address
10-012	RABBIT RD	SEARS G NANCY T C/O HERBERT SEARS 196 WATER STREET STE 12 EXETER, NH 03833-2422

A B U T T E R S =====		
10-013	RABBIT RD	TRUE HOMESTEAD LTD PARTNERSHIP C/O HERBERT SEARS PO BOX 1050 EXETER, NH 03833-1050
12-012	90 INTERSTATE 95 SOUTHBOUND	COMMONWEALTH OF MASSACHUSETTS MASS DEPT OF TRANSPORTATION 10 PARK PLAZA SUITE 4160 BOSTON, MA 02116

3 parcels listed

10-12 *Subg*
SEARS G NANCY T
196 WATER STREET
EXETER, NH 03833

10-13 *X*
TRUE HOMESTEAD LTD PARTNERSHIP
WATER STREET STE 12
EXETER, NH 03833

12-12 *X*
COMMONWEALTH OF MASSACHUSETTS
10 PARK PLAZA SUITE 4160
BOSTON, MA 02116

10-013 LUC: 132
TRUE HOMESTEAD LTD PARTNERSHIP
C/O HERBERT SEARS
PO BOX 1050
EXETER, NH 03833-1050

12-012 LUC: 924
COMMONWEALTH OF MASSACHUSETTS
MASS DEPT OF TRANSPORTATION
10 PARK PLAZA SUITE 4160
BOSTON, MA 02116

FILING FEE INFORMATION



CALCULATED FILING FEE STATEMENT

The proposed project is located at 265, 277, 281, 287, and 287^{1/2} Elm Street in Amesbury, Massachusetts (Assessor's ID Map 68: Lots, 12, 13, 15, 20 / Map 80: Lots 3, 4). Proposed activities are included under Category 3(b) fees found at 310 CMR 10.03(7)(c) of the Massachusetts Wetland Protection Act and in the City of Amesbury Conservation Commission's Wetlands Filing Fee Calculation Worksheet found in the Amesbury Wetlands Protection Ordinance (General Legislation, Chapter 460).

Category 3(b): *Construction of each building for any commercial, industrial, institutional, or apartment/condominium/townhouse-type development, any part of which is in a buffer zone or resource area. Any activities associated with the construction of said building, including associated site preparation, and construction of retention/detention basins, septic systems, parking lots, utilities, point source discharges, package sewage treatment plants, and roadways and driveways other than those roadways and driveways reviewable under 310 CMR 10.53(3)(e), shall not be subject to additional fees if all said activities are reviewed under a single Notice of Intent.* The fee is \$1,050.00 per activity under the WPA. Activities within Riverfront Area in addition to another Resource Area or buffer zone, the fee per activity should be multiplied by 1.5.

Wetlands Protection Act Fees:

Category 3(b) in BVW Buffer = 25 [1.0 x \$1,050.00] = \$26,250
Category 3(b) In Riverfront Area = 4 [1.5 x \$1,050.00] = \$ 6,300
Total WPA Category 3(b) Fees = \$32,550

State Share of WPA Filing Fee: (\$32,550/2) - \$12.50 = \$16,262.50
Town Share of WPA Filing Fee: (\$32,550/2) + \$12.50 = \$16,287.50

City of Amesbury Wetlands Ordinance Fees:

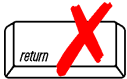
Category 3(b) in BVW Buffer = 25 [1.0 x \$1,050.00] = \$26,250
Category 3(b) In Riverfront Area = 4 [1.5 x \$1,050.00] = \$6,300
Total Local Category 3(b) Fees = \$32,550.00

MA WPA Fees - Check Payable to: Commonwealth of Massachusetts for \$16,262.50
MA WPA Fees - Check Payable to: City of Amesbury for \$16,287.50.00
COA Wetlands Fees - Check Payable to: City of Amesbury for \$32,550.00



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:

265 Elm St. #R, 277 Elm St. #R, 281 Elm St.,
287 Elm Street, 287½ Elm Street
0486

c. Check number

Amesbury

b. City/Town

\$16,262.50

d. Fee amount

2. Applicant Mailing Address:

a. First Name

Dale Development, LLC

b. Last Name

c. Organization

630 Washington Road

d. Mailing Address

Rye

e. City/Town

NH

f. State

03870

g. Zip Code

609.744.5031

h. Phone Number

i. Fax Number

bob@buckinghampartners.com

j. Email Address

3. Property Owner (if different):

See Attached Property Ownership Information

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).



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B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 3(b) - Buffer Zone	25	\$1,050.00	\$26,250.00
Category 3(b) - RFA	4	\$1,575.00	\$6,300.00

Step 5/Total Project Fee:

Step 6/Fee Payments:

Total Project Fee:	\$32,550.00
	a. Total Fee from Step 5
State share of filing Fee:	\$16,262.50
	b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:	\$16,287.50
	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.)

Dale Development LLC
630 Washington Road
Rye, NH 03870

0490

3-7615/360

DATE 12/10/25

PAY TO THE
ORDER OF

CITY OF AMESBURY

\$ 32,550.00

THIRTY-TWO THOUSAND FIVE HUNDRED FIFTY

DOLLARS  Security Features
Included
Details on Back

✱Citizens

FOR WETLAND Fees

Robert M.

MP

Dale Development LLC
630 Washington Road
Rye, NH 03870

0489

3-7615/360

DATE 12/10/25

PAY TO THE
ORDER OF

CITY OF AMESBURY

\$ 16,287.50

SIXTEEN THOUSAND TWO HUNDRED EIGHTY-SEVEN and 50/100

DOLLARS  Security Features
Included
Details on Back

✱Citizens

FOR MA WPA Fees

Robert M.

MP

Dale Development LLC
630 Washington Road
Rye, NH 03870

0486

3-7615/360

DATE 12/10/25

PAY TO THE
ORDER OF

Commonwealth of MASSACHUSETTS

\$ 16,262.50

SIXTEEN THOUSAND TWO HUNDRED SIXTY-TWO and 50/100

DOLLARS  Security Features
Included
Details on Back

✱Citizens

MP