

received 08/15/2023

Notice of Intent

Evan Jones

64 Lake Drive, Shutesbury, MA

Aug 1, 2023

Dear commission members,

Evan Jones has prepared this Notice of Intent (NOI) as the homeowner, for the installation of a permeable stone patio, retaining walls, a deck expansion, and a master bedroom addition. This NOI has no alterations to the Land under Waterbody.

The proposed project is located on a single family houselot on Lake Drive on the southern shoreline of Lake Wyola. The site slopes towards the water and is primarily mown lawn and assorted landscaping/bushes. The site has an existing brick paver patio against the house facing the lake.

The project entails a 24 x 26 foundation to be dug beyond the 50' wetland buffer zone, and a stone patio and two retaining walls within the 50' wetland buffer zone but not encroaching past the 26' mark. An extension of the existing deck will be over the new patio at approximately the 40' mark. The deck will be supported by helical piers screwed into the soil for least ground impact. Installation of straw wattles will be done at the 25' mark as shown on the site plan.

The proposed work will only be within the *buffer zone* of the Land Under Waterbody. Erosion controls will be in place prior to work to protect against siltation of Lake Wyola. There will be no work within 25' of the Land under Waterbody. Any soil stockpiles will be tarped and protected.

Construction plan is to dig and construct foundation, cap the foundation with floor joists and plywood, and then move on to the patio and retaining walls. Screwing in the helical piers would come next and that would be the end of the "landscape disruption" After everything is stabilized, the carpentry work of the addition and deck would commence.

This project should have minimal impact to the lake and to the abutters. I look forward to presenting the project when you are ready.



Evan Jones

From: customerservice@nCourt.com
Sent: Friday, August 11, 2023 10:50 AM
To: Evan Jones
Subject: Receipt from nCourt

YOUR RECEIPT >>

Paid To	
Name:	Massachusetts Department of Environmental Protection
Address 1:	One Winter St
City:	Boston
State:	Massachusetts
Zip:	02108

Payment On Behalf Of			
First Name:	EVAN	Last Name:	JONES
Address 1:	64 LAKE DRIVE	State/Territory:	MA
City:	SHUTESBURY, MA	Zip:	01072
Phone:	(413) 222-8645		

Description	ID	Service Fee	Amount
DEP Tracking ID: 1593966 - WPA Form 3 - NOI (Fee Transmittal)	eDEP Online Filling System	\$0.35	\$42.50

Receipt Date: 8/11/2023 10:50:07 AM EDT

Invoice Number: 77dccd01-0da6-4a50-b263-f3dd2db47397

Total Amount Paid:\$42.85

Billing Information	Credit / Debit Card Information
First Name: Evan Last Name: Jones Address 1: 64 Lake Drive US City: Shutesbury, MA State/Territory: MA Zip: 01072 Email: evan@cowls.com	Card Type: Checking Card Number: *****9545

IMPORTANT INFORMATION >>

Please verify the information shown above. Your payment has been submitted to the location listed above.

This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

CAUTION: This message came from an external sender. Do not click links or open attachments unless you know the content is safe. If you suspect the email for phishing, use the 'Click here to report' link at the bottom of the email. [Review full email log here.](#)



Massachusetts Department of Environmental Protection

eDEP Transaction Copy

Here is the file you requested for your records.

To retain a copy of this file you must save and/or print.

Username: **EVANYJ350**

Transaction ID: **1593966**

Document: **WPA Form 3 - NOI**

Size of File: **272.15K**

Status of Transaction: **In Process**

Date and Time Created: **8/11/2023:10:52:00 AM**

Note: This file only includes forms that were part of your transaction as of the date and time indicated above. If you need a more current copy of your transaction, return to eDEP and select to "Download a Copy" from the Current Submittals page.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 3 - Notice of Wetland Fee Transmittal
Form

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

Provided by MassDEP:
 MassDEP File #:
 eDEP Transaction #:1593966
 City/Town:SHUTESBURY

A. Applicant Information

1. Applicant:

a. First Name EVAN b. Last Name JONES
 c. Organization
 d. Mailing Address 64 LAKE DRIVE
 e. City/Town SHUTESBURY f. State MA g. Zip Code 01072
 h. Phone Number 14132228645 i. Fax j. Email evan@cowls.com

2. Property Owner:(if different)

a. First Name EVAN b. Last Name JONES
 c. Organization
 d. Mailing Address 64 LAKE DRIVE
 e. City/Town SHUTESBURY f. State MA g. Zip Code 01072
 h. Phone Number 14132228645 i. Fax j. Email evan@cowls.com

3. Project Location:

a. Street Address 64 LAKE DRIVE b. City/Town SHUTESBURY

Are you exempted from Fee?

Note: Fee will be exempted if you are one of the following:

- City/Town/County/District
- Municipal Housing Authority
- Indian Tribe Housing Authority
- MBTA

State agencies are only exempt if the fee is less than \$100

B. Fees

Activity Type	Activity Number	Activity Fee	RF Multiplier	Sub Total
A.) WORK ON SINGLE FAMILY LOT; ADDITION, POOL, ETC.;	1	110.00		110.00
		City/Town share of filing fee	State share of filing fee	Total Project Fee
		\$67.50	\$42.50	\$110.00



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

Provided by MassDEP:
MassDEP File #:
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City/Town:SHUTESBURY

A.General Information

1. Project Location:

a. Street Address	64 LAKE DRIVE		
b. City/Town	SHUTESBURY	c. Zip Code	01072
d. Latitude	42.49857N	e. Longitude	72.43172W
f. Map/Plat #	ZB47	g.Parcel/Lot #	46,47,48

2. Applicant:

Individual Organization

a. First Name	EVAN	b.Last Name	JONES
c. Organization			
d. Mailing Address	64 LAKE DRIVE		
e. City/Town	SHUTESBURY	f. State	MA
h. Phone Number	141-322-2864	g. Zip Code	01072
		i. Fax	
		j. Email	evan@cowls.com

3.Property Owner:

more than one owner

a. First Name	EVAN	b. Last Name	JONES
c. Organization			
d. Mailing Address	64 LAKE DRIVE		
e. City/Town	SHUTESBURY	f.State	MA
h. Phone Number	141-322-2864	g. Zip Code	01072
		i. Fax	
		j.Email	evan@cowls.com

4.Representative:

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

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

a.Total Fee Paid	110.00	b.State Fee Paid	42.50	c.City/Town Fee Paid	67.50
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6.General Project Description:

ADD A MASTER BEDROOM ADDITION, DECK, AND PERMEABLE STONE PATIO WITHIN THE BUFFER ZONE.

7a.Project Type:

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Limited Project Driveway Crossing | 4. <input type="checkbox"/> Commercial/Industrial |
| 5. <input type="checkbox"/> Dock/Pier | 6. <input type="checkbox"/> Utilities |
| 7. <input type="checkbox"/> Coastal Engineering Structure | 8. <input type="checkbox"/> Agriculture (eg., cranberries, forestry) |
| 9. <input type="checkbox"/> Transportation | 10. <input type="checkbox"/> Other |

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



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MassDEP File #:
eDEP Transaction #:1593966
City/Town:SHUTESBURY

- 1. Yes No If yes, describe which limited project applies to this project:
- 2. Limited Project

8. Property recorded at the Registry of Deeds for:

a. County: FRANKLIN **b. Certificate:** **c. Book:** **d. Page:**

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

1. Buffer Zone & Resource Area Impacts (temporary & permanent):

This is a Buffer Zone only project - Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.

2. Inland Resource Areas: (See 310 CMR 10.54 - 10.58, if not applicable, go to Section B.3. Coastal Resource Areas)

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land under Waterbodies and Waterways	1. Square feet	2. square feet
d. <input type="checkbox"/> Bordering Land Subject to Flooding	3. cubic yards dredged	
	1. square feet	2. square feet
e. <input type="checkbox"/> Isolated Land Subject to Flooding	3. cubic feet of flood storage lost	4. cubic feet replaced
	1. square feet	
f. <input type="checkbox"/> Riverfront Area	2. cubic feet of flood storage lost	3. cubic feet replaced
	1. Name of Waterway (if any)	
2. Width of Riverfront Area (check one)	<input type="checkbox"/> 25 ft. - Designated Densely Developed Areas only <input type="checkbox"/> 100 ft. - New agricultural projects only <input type="checkbox"/> 200 ft. - All other projects	
3. Total area of Riverfront Area on the site of the proposed project		square feet
4. Proposed Alteration of the Riverfront Area:		
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.
5. Has an alternatives analysis been done and is it attached to this NOI?		<input type="checkbox"/> Yes <input type="checkbox"/> No



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eDEP Transaction #:1593966
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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)

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
---------------	-----------------------------	-------------------------------

- | | | |
|---|---|------------------------------------|
| a. <input type="checkbox"/> Designated Port Areas | Indicate size under | Land under the ocean below, |
| b. <input type="checkbox"/> Land Under the Ocean | 1. square feet
2. cubic yards dredged | |
| c. <input type="checkbox"/> Barrier Beaches | Indicate size under Coastal Beaches and/or Coastal Dunes, below | |
| d. <input type="checkbox"/> Coastal Beaches | 1. square feet | 2. cubic yards beach nourishment |
| e. <input type="checkbox"/> Coastal Dunes | 1. square feet | 2. cubic yards dune nourishment |
| f. <input type="checkbox"/> Coastal Banks | 1. linear feet | |
| g. <input type="checkbox"/> Rocky Intertidal Shores | 1. square feet | |
| h. <input type="checkbox"/> Salt Marshes | 1. square feet | 2. sq ft restoration, rehab, crea. |
| i. <input type="checkbox"/> Land Under Salt Ponds | 1. square feet
2. cubic yards dredged | |
| j. <input type="checkbox"/> Land Containing Shellfish | 1. square feet | |
| k. <input type="checkbox"/> Fish Runs | Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above | |
| l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage | 1. cubic yards dredged
1. square feet | |

4.Restoration/Enhancement

Restoration/Replacement

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 entered the additional amount here.

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

5.Projects Involves Stream Crossings

Project Involves Streams Crossings

If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.



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MassDEP File #:
eDEP Transaction #:1593966
City/Town:SHUTESBURY

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

C. Other Applicable Standards and Requirements

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 of Endangered Species program (NHESP)?

- 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

b. Date of map:FROM MAP VIEWER

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18)...

c. Submit Supplemental Information for Endangered Species Review * (Check boxes as they apply)

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

3. Project plans for entire project site, including wetland resource areas and areas outside of wetland 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

c. MESA filing fee (fee information available at: <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html>)

Make check payable to "Natural Heritage & Endangered Species Fund" 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

d. OR Check One of the following

1. Project is exempt from MESA review. Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <http://www.mass.gov/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14>; 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 Number

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.



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* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review...

- 2. For coastal projects only, is any portion of the proposed project located below the mean high waterline or in a fish run?
 - a. Not applicable - project is in inland resource area only

b. Yes No

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

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

North Shore - Hull to New Hampshire:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 S. Rodney French Blvd
New Bedford, MA 02744

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

If yes, it 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.

- 3. 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 DEP Website for ACEC locations). **Note:** electronic filers click on Website.

b. ACEC Name

- 4. 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

- 5. 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

- 6. 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, Explain why the project is exempt:

1. Single Family Home

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



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housing project) with no discharge to Critical Areas.

D. Additional Information

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 by regular mail delivery.

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.
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.

a. Plan Title: **b. Plan Prepared By:** **c. Plan Signed/Stamped By:** **c. Revised Final Date:** **e. Scale:**

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.



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Bureau of Resource Protection - Wetlands

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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:

2. Municipal Check Number	3. Check date
4. State Check Number	5. Check date
6. Payer name on check: First Name	7. Payer name on check: Last Name

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.

Evan D Jones	8/11/2023
1. Signature of Applicant	2. Date
Evan D Jones	8/11/2023
3. Signature of Property Owner(if different)	4. Date
5. Signature of Representative (if any)	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:

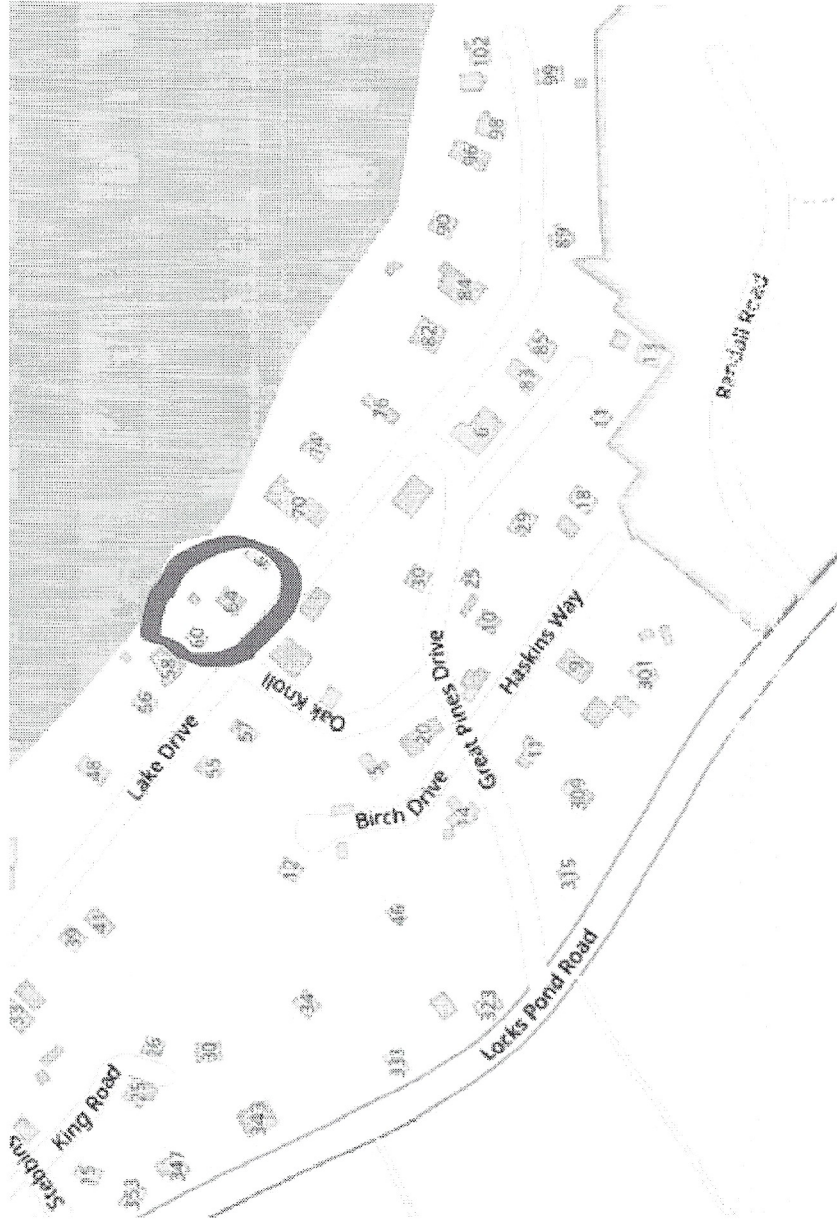
If the applicant has checked the "yes" box in Section C, Items 1-3, above, refer to that section and the Instructions for additional submittal requirements.

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.





NATURAL HERITAGE MAP



USGS map

TOWN OF SHUTESBURY CERTIFIED 100' ABUTTERS LIST FOR EVAN D JONES, 64 LAKE DR, MAP ZB PARCEL 47

MAP	LOT	OWNER	CO-OWNER	MAILING ADDRESS	TOWN	ST	ZIP	LOCATION
ZB	47	JONES EVAN D		P O BOX 9311	NORTH AMHERST	MA	01059	64 LAKE DR
B	10	JONES EVAN		P O BOX 9311	N. AMHERST	MA	01059	LAKE DR
B	49	DOUGLAS ROBERT J TRUSTEE	SIXTY-SIX LAKE REALTY TRUST	163 STOWE RD	HARVARD	MA	01451	66 LAKE DR
B	117	JONES EVAN		P O BOX 9311	NORTH AMHERST	MA	01059	LAKE DR
B	805	TOWN OF SHUTESBURY	DAM AND SHORE UNDERWATER	P O BOX 276	SHUTESBURY	MA	01072	LOCKS POND RD
B	818	LAKE WYOLA ASSOCIATION	C/O GEORGE ABDOW PRESIDENT	55 ELY RD	LONGMEADOW	MA	01106	LAKE WYOLA ROADS
ZB	5	SMITH RANDALL P	SMITH ELIZABETH C	349 LEVERETT RD	AMHERST	MA	01002	57 LAKE DR
ZB	7	JONES EVAN D		P O BOX 9311	N AMHERST	MA	01059	LAKE DR
ZB	11	RIVERS MARK	RIVERS THERESA NOLIN	P.O. BOX 521	SHUTESBURY	MA	01072	LAKE DR
ZB	43	BURNS KAREN E TRUSTEE	THE 58 LAKE DRIVE REALTY TRUST	51 EVERGREEN RD	TEWKSBURY	MA	01876	58 LAKE DR
ZB	45	SMITH RANDALL P	SMITH ELIZABETH C	349 LEVERETT RD	AMHERST	MA	01002	60 LAKE DR
ZB	50	RIVERS MARK	RIVERS THERESA NOLIN	P.O. BOX 521	SHUTESBURY	MA	01072	70 LAKE DR

FOR: EVAN D JONES

FOR 64 LAKE DR SHUTESBURY (LOCATION)

P O BOX 9311 (FOR MAILING)

NORTH AMHERST MA 01059

413.222.8645

EVAN@COWLS.COM

Respectfully submitted,

Leslie Bracebridge, Assessors Clerk for
 David W. Burgess, Administrative Assessor
 Shutesbury Board of Assessors
 8/9/2023