



City of Haverhill Conservation Commission

HCC Local Application Form 3

Notice of Intent

A. STATUTE APPLICABILITY

This application is being filed with the Commission in accordance with the following (check all that apply):

- ☐ Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, Section 40
- ☐ Haverhill Municipal Ordinance Chapter 253

B. GENERAL INFORMATION

Applicant Beribulas II - Francis Bevilacqua
Property Owner _____
Representative _____
Location (Street Address) 16 Margin St Haverhill
Assessor's Parcel Identification _____

C. APPLICATION CHECKLIST

The Commission requires the submittal of this original, completed Form; one (1) paper copy of site plans; and one (1) paper copy of all other materials. Additionally, the Commission requires the submittal of individual PDFs of this Form and all listed application materials. If practical, related items may be combined into a single PDF. PDFs should not mix larger format sheets (e.g. site plans) with smaller sheets (e.g. letters). These submittal requirements also apply to supplemental information provided during the public hearing. The following materials shall be submitted with this form:

- ☐ Completed, current WPA Form 3, 3A, or 4 and NOI Wetland Fee Transmittal Form
- ☐ Project Narrative with description of resource areas & delineation methodology and demonstration of compliance with pertinent Performance Standards
- ☐ Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan
- ☐ Site Plans clearly describing the location and nature of the work, including such information as site boundaries, wetlands, topography, existing and proposed conditions, vegetation cover, soils, erosion & sedimentation controls, Title 5 compliance, flood storage calculations...(24" x 36" max. sheet size)
- ☐ MassDEP Bordering Vegetated Wetland Delineation Field Data Forms, as appropriate
- ☐ Wetland Resource Area Impact Mitigation Plan prepared in accordance with MA Inland Wetland Replication Guidelines, if applicable
- ☐ Demonstration of compliance with MA River & Stream Crossing Standards, if applicable (The HCC applies the General Standards to all resource area crossings for wildlife passage.)
- ☐ Simplified or Detailed Wildlife Habitat Evaluation (Appendix A or B), if applicable (See "MA Wildlife Habitat Protection Guidance for Inland Wetlands")
- ☐ Demonstration of compliance with MA Stormwater Management Standards, including but not limited to
 - ☐ Stormwater Report with pertinent calculations based on NOAA Atlas 14 rainfall data
 - ☐ Checklist for Stormwater Report
 - ☐ Long-Term Pollution Prevention Plan
 - ☐ Operation and Maintenance Plan
 - ☐ Illicit Discharge Compliance Statement

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- ☐ 8½" x 11" sections of the following maps with project location clearly identified
- ☐ USGS Quadrangle
 - ☐ MassGIS Orthophoto
 - ☐ City of Haverhill Parcel ID Map, also identifying properties within 300' of subject property
 - ☐ NRCS Soils Map and Resource Report
 - ☐ FEMA Flood Insurance Rate Map, if applicable
 - ☐ MA NHESP Estimated Habitats of Rare Wildlife and Priority Habitats of Rare Species, if applicable
 - ☐ MassDEP/UMass-Amherst Habitat of Potential Regional or Statewide Importance, if applicable
- ☐ Proof of NOI filing with the MA Natural Heritage & Endangered Species Program, if applicable
- ☐ Appropriate Filing Fees, payable to the City of Haverhill, under the Act and Ordinance
- ☐ Other: _____

D. LOCAL PERMIT DOCUMENTATION

In accordance with 310 CMR 10.05(4)(e), list all obtainable permits, variances, and approvals required by local ordinance with respect to the proposed activity and status of same: _____

E. APPLICATION CERTIFICATION

I have read the Department of Environmental Protection's "Instructions for Completing Application" and the City's Municipal Ordinance under Chapter 253, with all applicable regulations and policies, for the filing of this application with the Haverhill Conservation Commission and agree to its terms and conditions, as amended. I understand the submitted NOI, its plans, and all its supporting materials are public records and may be uploaded to the City's website for public review. As required by the Commission, the wetland resource area(s) are flagged, the corners of proposed structures are staked, and the centerline of proposed roadway(s) and/or driveway(s) are marked, as appropriate, to facilitate site inspections by Commissioners and Conservation Staff.

Signed: _____

(APPLICANT)

9/3/26

(DATE)

F. SITE ACCESS ACKNOWLEDGEMENT

I hereby grant the Haverhill Conservation Commission and its officials permission to enter upon my property at _____ to review the filed Notice of Intent and

(STREET ADDRESS AND ASSESSOR'S PARCEL ID)

future site conditions for compliance with the issued Order of Conditions. The sole purpose of this acknowledgement is to allow the Commission and its officials to perform their duties under the Massachusetts Wetlands Protection Act and the City's wetlands protection ordinance.

Signed: _____

(PROPERTY OWNER)

9/3/26

(DATE)

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G. AFFIDAVIT OF SERVICE FOR ABUTTER NOTIFICATION

I, Francis Bevilacqua, hereby certify under the pains and penalties of perjury that on
(NAME OF PERSON MAKING AFFIDAVIT)
9/4/26 I gave notification to all abutters pursuant to the requirements of the second
(DATE)
paragraph of Massachusetts General Laws Chapter 131, Section 40, the DEP Guide to Abutter Notification dated April 8, 1994, and Haverhill Municipal Ordinance Chapter 253, Section 5 in connection with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection Act and said ordinance by
Bevilacqua LLC with the Haverhill Conservation Commission on
(NAME OF APPLICANT)

9/3/26 for property located at 16 Margin St
(DATE) (STREET ADDRESS AND ASSESSOR'S PARCEL ID)

The list of the abutters to whom the Abutter Notification Form sent, with their addresses and Assessor's parcel identification information that corresponds with the submitted map section, are attached to this application.

Signed: [Signature]
(NAME OF PERSON MAKING AFFIDAVIT)

9/3/26
(DATE)



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H. ABUTTER NOTIFICATION FORM

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40 (the Wetlands Protection Act) and Haverhill Municipal Ordinance Chapter 253, Section 5, you are hereby notified of the following:

1. The name of the applicant is Bev. builds II LLC
2. Brief Project Description: Demo of existing / Construction of 3 unit townhouse building
3. The applicant has filed a Notice of Intent ("NOI") with the Haverhill Conservation Commission seeking permission to remove, fill, dredge or alter an Area Subject to Protection Under the Wetlands Protection Act and/or Haverhill Municipal Ordinance Chapter 253 and/or to perform work within the buffer zone of such an Area.
4. The address of the lot where the activity is proposed is 16 Morgan St.
(INCLUDE ASSESSOR'S MAP/BLOCK/LOT)
5. Copies of the NOI may be examined at the *Haverhill Conservation Department Office* between the hours of *8am and 4pm* from *Monday through Friday*. Contact information is below. You may also find helpful application materials on the "Projects Under Review" section of the Commission's website.
6. Copies of the NOI may be obtained from either (check one) the applicant ☒, or the applicant's representative _____, by calling this telephone number (978) 474 - 2216 between the hours of 10 and 3 on the following days of the week Monday - Friday
7. Information regarding the *date, time, and place* of the public hearing may be obtained from the *Haverhill Conservation Department Office* between the hours of *8am and 4pm* from *Monday through Friday*. Contact information is below. You may also consult the "Agenda" section of the Commission's website.

NOTE: Notice of the public hearing, including its date, time and place, will be published at least five (5) days in advance in the *Haverhill Gazette newspaper*.

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

NOTE: You may contact the Haverhill Conservation Department for more information about this application, the Wetlands Protection Act, and Haverhill Municipal Ordinance Chapter 253. Please note the Department has only one staff person; every effort will be made to assist you in a timely manner.

Website: http://www.cityofhaverhill.org/departments/conservation_commission/index.php.

Email: conservation@cityofhaverhill.com

Phone: 978.374.2334

NOTE: For additional information about this application and the Act, you may contact the MA Department of Environmental Protection Northeast Regional Office Service Center.

Website: <http://www.mass.gov/eea/agencies/massdep/about/contacts/northeast-region.html>

Phone: 978.694.3200

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I. LOCAL ORDINANCE FEE CALCULATION FORM

ACTIVITY	LOCAL ORDINANCE FEE	# of Activities or Measurement	Subtotal
*Abbrev. Notice of Resource Area Delineation (ANRAD)			
Single Family House Project	\$1/linear foot, first 100'; \$0.50/lf, second 100'; \$0.10/lf, each additional foot		
All Other Projects	***\$1/linear foot, first 1000'; \$0.50/lf, second 1000'; \$0.10/lf, each additional foot		
%*Notices of Intent (NOI)			
Category 1 Activity	\$100		
Category 2 Activity	\$250		
Category 3 Activity	\$525	1.5	\$787.50
Category 4 Activity	\$725		
Category 5 Activity	\$2/foot		
Category 6 Activity - If no ANRAD was filed for the project site, then a local Cat. 6 fee must be paid in accordance with the ANRAD fee schedule	See ANRAD fee schedule		
Resource Area Alterations			
Buffer Zone, 75'-100' from resource area boundary	\$0.05 / square foot		
Buffer Zone, 35'-75' from resource area boundary	\$0.10 / square foot		
Buffer Zone, 0'-35' from resource area boundary	\$0.25 / square foot		
Bordering Vegetated Wetland	\$0.50 / square foot		
Bank	\$5 / linear foot		
Land Under Water	\$0.50 / square foot		
Land Subject to Flooding	\$0.05 / square foot		
Riverfront Area	\$0.05 / square foot	13500	675
Riverfront Area with the watershed of a potable water supply	\$0.50 / square foot		
Land within 100' of a Certified Vernal Pool	\$0.25 / square foot		
Local-only Jurisdictional Resource Area	\$0.25 / square foot		
Land within 200' of a potable water supply	\$0.50 / square foot		
ADVERTISING FEE*			\$45
LOCAL ORDINANCE FEE TOTAL			1507.50
For filings resulting from enforcement action, double the Local Ordinance Fee Total			
NOTES:			
*Application is subject to an additional \$45 Local Advertising Fee payable to the City of Haverhill prior to EACH advertising			
***Local Ordinance Fee maximum of \$100 for applications exceeding 1000'. Commission requires review by outside consultant under M.G.L. Ch. 44, sec. 53G for projects exceeding 1000'. Applicant shall post escrow in accordance with HCC Rules for Hiring Outside Consultants. Cap passed by a 5-0 vote of the Commission on March 7, 2019.			
%Local Ordinance Fees for RDA, NOI, & RMOC increase 50% when project is also proposed within a Riverfront Area			
Local Ordinance Fees passed by a 7 – 0 vote of the Commission on October 28, 2010, effective January 1, 2011			

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	A	B	C	D	E	F	G	H	I	J	K
1	ParcelID	StreetNum	AltStreetName	StreetName	LocCity	CondoUnit	Owner1	BillingAddress	City	State	Zip
2	503-227-5	312		RIVER ST	HAVERHILL		324 RIVER STREET REALTY, LLC	312 RIVER ST	HAVERHILL	MA	01832
3	504-241-6-1	337		RIVER ST	HAVERHILL	1	337 RIVER STREET TRUST	P.O. BOX 417	HAVERHILL	MA	01831
4	504-241-6-2	337		RIVER ST	HAVERHILL	2	337 RIVER STREET TRUST	P.O. BOX 417	HAVERHILL	MA	01831
5	504-241-6-3	337		RIVER ST	HAVERHILL	3	337 RIVER STREET TRUST	P.O. BOX 417	HAVERHILL	MA	01831
6	504-241-7	357		RIVER ST	HAVERHILL		JKI HOWARTH REALTY LLC	38 ORIOLE RD	WINDHAM	NH	03087
7	505-247-1	324		RIVER ST	HAVERHILL		THREE TWO FOUR RIVER TRUST	600 RIVER ST	HAVERHILL	MA	01832
8	505-247-10	5	7	BEACH ST	HAVERHILL		MOYA SANTIAGO	5 BEACH ST #2	HAVERHILL	MA	01832
9	505-247-10A	9	11	BEACH ST	HAVERHILL		RODRIGUEZ YNGRIS	911 BEACH ST	HAVERHILL	MA	01832
10	505-247-14	374		RIVER ST	HAVERHILL		SHRESTHA JITENDRA	374 RIVER ST	HAVERHILL	MA	01832
11	505-247-14A	378		RIVER ST	HAVERHILL		TORTORA REAL ESTATE LLC	39 LONGWOOD AV	NORTH ANDOVER	MA	01845
12	505-247-14B	31		BEACH ST	HAVERHILL		JIMENEZ CIPRIANO	31 BEACH ST	HAVERHILL	MA	01832
13	505-247-15	368		RIVER ST	HAVERHILL		RD WAB SPV LLC	256 15TH WEST 38TH ST	NEW YORK	NY	10018
14	505-247-16	364		RIVER ST	HAVERHILL		MERINO DANIEL G-ETUX	364 RIVER ST	HAVERHILL	MA	01832
15	505-247-18	354		RIVER ST	HAVERHILL		NANCY J SPAULDING LIVING TRUST	354 RIVER ST	HAVERHILL	MA	01832
16	505-247-3	344		RIVER ST	HAVERHILL		KAZUNGUZENI SITHEMBISO	42 STERLING LANE	HAVERHILL	MA	01832
17	505-247-4	348		RIVER ST	HAVERHILL		ZIMINSKI JOHN A ETUX	1163 WEST LOWELL AVE	HAVERHILL	MA	01832
18	505-247-6-25	25		MARGIN ST	HAVERHILL		ZAKARIAN ROY	25 MARGIN ST	HAVERHILL	MA	01832
19	505-247-6-27	27		MARGIN ST	HAVERHILL		CRESPO LUCY	41 ASHLAND ST	HAVERHILL	MA	01830
20	505-247-9	33		MARGIN ST	HAVERHILL		MASYS KEVIN J	33 MARGIN ST	HAVERHILL	MA	01832
21	505-248-3	16		MARGIN ST	HAVERHILL		BEVI BUILDS II LLC	143 ESSEX ST, Unit 217	HAVERHILL	MA	01830
22	505-248-4	24		MARGIN ST	HAVERHILL		DODIER VIRGINIA L-ETUX	24 MARGIN ST	HAVERHILL	MA	01832
23	505-248-5	34		MARGIN ST	HAVERHILL		GALDAMEZ JOSE D ACEVEDO	34 MARGIN ST	HAVERHILL	MA	01832
24	505-248-5A	30		MARGIN ST	HAVERHILL		USSELMAN JOSEPH W ETUX	30 MARGIN ST	HAVERHILL	MA	01832
25	505-248-6	38		MARGIN ST	HAVERHILL		THE SONIA AND EDDIE N GONZALEZ LIVING TRUST	38 MARGIN ST	HAVERHILL	MA	01832

BOARD OF ASSESSORS
CITY OF HAVERHILL
4 SUMMER STREET • RM 115
HAVERHILL, MA 01830-5843

503-227-5
324 RIVER STREET REALTY, LLC
312 RIVER ST
HAVERHILL, MA 01832

504-241-6-3
337 RIVER STREET TRUST
P.O. BOX 417
HAVERHILL, MA 01831

505-247-10
MOYA SANTIAGO
5 BEACH ST #2
HAVERHILL, MA 01832

505-247-14A
TORTORA REAL ESTATE LLC
39 LONGWOOD AV
NORTH ANDOVER, MA 01845

505-247-16
MERINO DANIEL G-ETUX
364 RIVER ST
HAVERHILL, MA 01832

505-247-4
ZIMINSKI JOHN A ETUX
1163 WEST LOWELL AVE
HAVERHILL, MA 01832

505-247-9
MASYS KEVIN J
33 MARGIN ST
HAVERHILL, MA 01832

505-248-5
GALDAMEZ JOSE D ACEVEDO
34 MARGIN ST
HAVERHILL, MA 01832

504-241-6-1
337 RIVER STREET TRUST
P.O. BOX 417
HAVERHILL, MA 01831

504-241-7
JKJ HOWARTH REALTY LLC
38 ORIOLE RD
WINDHAM, NH 03087

505-247-10A
RODRIGUEZ YNGRIS
9 11 BEACH ST
HAVERHILL, MA 01832

505-247-14B
JIMENEZ CIPRIANO
31 BEACH ST
HAVERHILL, MA 01832

505-247-18
NANCY J SPAULDING LIVING TRUST
354 RIVER ST
HAVERHILL, MA 01832

505-247-6-25
ZAKARIAN ROY
25 MARGIN ST
HAVERHILL, MA 01832

505-248-3
BEVI BUILDS II LLC
143 ESSEX ST, Unit 217
HAVERHILL, MA 01830

505-248-5A
USSELMAN JOSEPH W ETUX
30 MARGIN ST
HAVERHILL, MA 01832

504-241-6-2
337 RIVER STREET TRUST
P.O. BOX 417
HAVERHILL, MA 01831

505-247-1
THREE TWO FOUR RIVER TRUST
600 RIVER ST
HAVERHILL, MA 01832

505-247-14
SHRESTHA JITENDRA
374 RIVER ST
HAVERHILL, MA 01832

505-247-15
RD WAB SPV LLC
256 15TH WEST 38TH ST
NEW YORK, NY 10018

505-247-3
KAZUNGUZENI SITHEMBISO
42 STERLING LANE
HAVERHILL, MA 01832

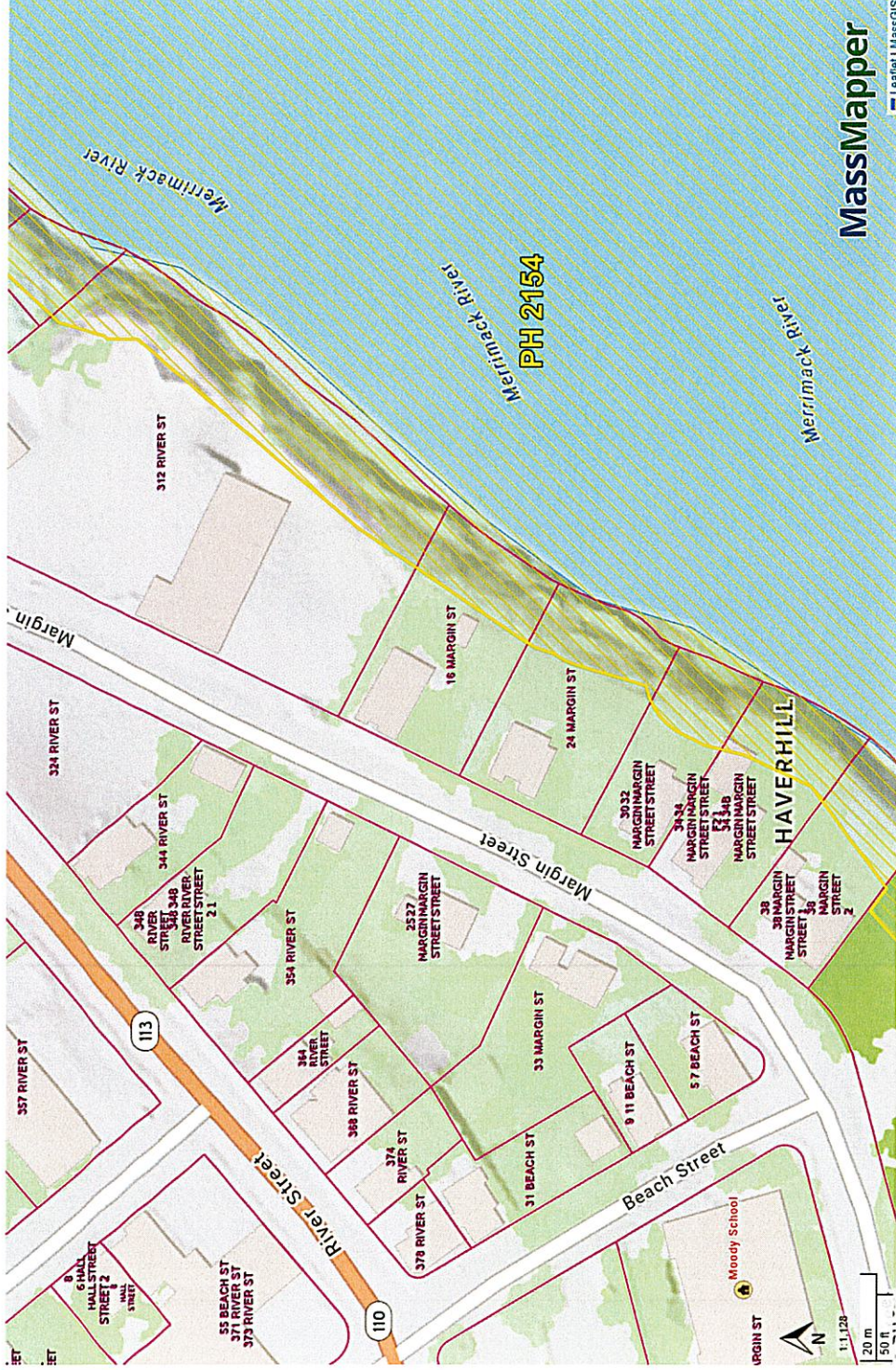
505-247-6-27
CRESPO LUCY
41 ASHLAND ST
HAVERHILL, MA 01830

505-248-4
DODIER VIRGINIA L-ETUX
24 MARGIN ST
HAVERHILL, MA 01832

505-248-6
THE SONIA AND EDDIE N GONZALEZ LIVING TRUST
38 MARGIN ST
HAVERHILL, MA 01832

176 Margin

NHESP Priority Habitats of Rare Species
Property Tax Parcels



[illegible]

Transparency

	ESTUARINE AND MARINE
	DEEPWATER
	ESTUARINE AND MARINE
	WETLAND
	FRESHWATER EMERGENT
	WETLAND
	FRESHWATER FORESTED/SHRUB
	WETLAND
	FRESHWATER POND
	LAKE
	RIVERINE
	OTHER

Attribution

MassGIS: National Wetlands Inventory, Nov 2020 (<https://www.mass.gov/info-details/massgis-data-national-wetlands-inventory>)

NHESP Habitats

Transparency

☒ PRIORITY HABITATS OF RARE SPECIES

☒ ESTIMATED HABITATS OF RARE WILDLIFE

Attribution



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Single Family Lot			\$165
Construction of 3 Family Structure	1.5	1050	\$468 1575

Step 5/Total Project Fee: ~~\$632.00~~ 1575

Step 6/Fee Payments:

Total Project Fee: ~~\$632.00~~ 1575
a. Total Fee from Step 5
State share of filing Fee: ~~\$632.00~~ 775
b. 1/2 Total Fee less \$12.50
City/Town share of filling Fee: ~~\$632.00~~ 800
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.)



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

Haverhill

City/Town

F. Signatures and Submittal Requirements

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

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

[Handwritten Signature]

1. Signature of Applicant

9/3/26

2. Date

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 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.