



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
NORTHEAST REGIONAL OFFICE  
205B LOWELL STREET, WILMINGTON, MA 01887 978-694-3200

CHARLES D. BAKER  
Governor

KATHLEEN A. THEOHARIDES  
Secretary

KARYN E. POLITO  
Lieutenant Governor

MARTIN SUUBERG  
Commissioner

DATE: May 13, 2021

Municipality HAVERHILL  
(city/town)

RE: NOTIFICATION OF WETLANDS PROTECTION ACT FILE NUMBER

The Department of Environmental Protection has received a Notice of Intent filed in accordance with the Wetlands Protection Act (M.G.L. c. 131, §40):

Applicant: STEPHEN SMOLAK  
Address: 86 WILLOW AVE  
HAVERHILL, MA 01835

Owner:  
Address:

LOCUS: 86 WILLOW AVE

**This project has been assigned the following file # : NE 033-1497**

**A FILE NUMBER ONLY INDICATES THAT THE APPLICATION CONTAINS THE MINIMAL SUBMITTAL REQUIREMENTS AND IS ADMINISTRATIVELY COMPLETE - NOT THAT THE INFORMATION IN THE APPLICATION IS ADEQUATE FOR ISSUANCE OF AN ORDER OF CONDITIONS.**

Although a file # is being issued, please note the following:

The applicant must demonstrate how the project meets the criteria listed in 310 CMR 10.53(5)(a) through(e), including how wetland impacts have been minimized. Applicant should update the NOI to reflect the conversion of BVW to LUW and to describe which limited project applies to this application. A copy of the ORAD should be included with the application. If the ORAD is expired, wetlands should be re-delineated in the field and reviewed under this NOI.

The narrative does not provide any details about the driveway crossing shown on the plan. Please clarify. It is MassDEP's opinion that the driveway should be separated from the alteration amounts associated with the farm pond project. The applicant should explain what the driveway crossing is for. According to USGS, there is an intermittent stream in the location of the driveway crossing. This Bank associated with the stream must be delineated in field, impacts to Bank and BVW associated with the crossing should be quantified and shown on the plan. As currently designed, project does not comply with performance standards for BVW and Bank (310 CMR 10.54(4), including meeting the MA Stream Crossing Standards fully, and 10.55(4)(a), including replication and an alternatives analysis). Project requires a 401 Water Quality Certification-Dredge permit (314 CMR 9.04(6)), and may also require a 404 USACOE General Permit.

ADDITIONAL REQUIREMENTS:

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD# 1-866-539-7622 or 1-617-574-6868.

 <http://www.mass.gov/dep>  
Printed on Recycled Paper

STEPHEN SMOLAK  
86 WILLOW AVE  
HAVERHILL, MA 01835

Your project involves dredging of greater than 100 cubic yards of Land Under Water. Please complete a 401 Water Quality Certification application form (<http://www.mass.gov/eea/agencies/massdep/service/approvals/brp-ww-07-08-09.html>) and submit to the MassDEP, Waterways Regulation Program, One Winter Street, Boston, MA 02108. Call the Waterways Regulation Program at 617-292-5893 with any questions.

If you have any questions regarding this letter, please contact: DANIELLE MUCCIARONE @ (978)-694-3256

Cc: Haverhill Conservation Commission, City Hall 4 Summer Street, Haverhill, MA, 01830

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