



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

DEP File Number: **4**
33-1514
 Provided by DEP

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

A. Request Information

RECEIVED

1. Location of Project

887 Boston Road - Parcel ID's 754-2-20 & 730-780N-4, -5 & 18A Haverhill 01835

a. Street Address

b. City/Town, Zip

Money Order #19-339519218

\$245.00

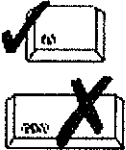
c. Check number

d. Fee amount

DEC 16 2021

**CITY OF HAVERHILL
 CONSERVATION DEPARTMENT**

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



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

Chris Twombly

Name

49 Vernon Street

Mailing Address

Haverhill

MA

01835

City/Town

State

Zip Code

978-317-5318

chrislegends17@gmail.com

Phone Number

Fax Number

Email Address

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)):

Princeton Development LLC

Name

1115 Westford Street, 4th Floor

Mailing Address

Lowell

MA

01851

City/Town

State

Zip Code

978-458-8700

978-458-8701

achaban@princetonproperties.com

Phone Number

Fax Number

Email Address

4. DEP File Number:

33-1514

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



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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.

December 13, 2021

BY CERTIFIED MAIL

Massachusetts Department of Environmental Protection
Northeast Regional Office
205B Lowell Street
Wilmington, MA 01887

Re: Request for Superseding Order of Conditions
887 Boston Road, Princeton Development, LLC - Parcel IDs: 754-2-20 and 730-780N-4, -5, & -18A
Haverhill, MA 01835

Dear Sir or Madam,

I, Chris Twombly of 49 Vernon Street, Haverhill, Massachusetts, a life-long resident of Bradford, pursuant to 310 CMR 10.05 (7) (a) §4. and (b) 3., request that the Northeast Region of the Massachusetts Department of Environmental Protection (the "Department") issue a Superseding Order of Conditions concerning land and building located at 887 Boston Road, Parcel IDs: 754-2-20 and 730-780N-4, -5, & -18A in Haverhill, Massachusetts (the "Site").

On December 7, 2021, the Haverhill Conservation Commission (the "Commission") issued an Order of Conditions ("OOC") to Princeton Development LLC with an address of 1115 Westford Street, 4th floor, Lowell, Massachusetts (the "Applicant") under the Massachusetts Wetlands Protection Act, G.L. c. 131, 40 (the "Act") its associated Regulations at 310 CMR 10.00 *et seq.* (the "Regulations"), and the Haverhill City Code Chapter 253 ("An Ordinance to Protect the Wetlands, Related Water Resources and Adjoining Land Areas") for the purpose of the demolition of the DiBurro's Function Facility and the construction of an apartment community consisting of 4 apartment buildings, a clubhouse, and a commercial retail building. A portion of the apartment development is within 100 feet of a wetland stream in the southwest corner of the property near Boston Road.

We the below signed 10 residents of the City of Haverhill request the DEP to issue a Superseding Order of Conditions for the project proposed at 887 Boston Road, Haverhill. The reason for the request is because we believe the storm water mitigation plan is not adequate as provided by the Applicant. We also believe the impacts to the wetland were not properly described in the Notice of Intent and protected in the order of conditions. Possible wetlands in a drainage swale along S. Main Street, (Rt. 125) were not delineated. The proposed retaining wall along the edge of 25 foot "no disturb" zone of wetlands cannot be constructed without disturbing the buffer area. There are no details on how that will be built and the impacts of the wall sub drainage system leaching groundwater into the wetlands and stream. That run off volume was not included in the drainage analysis. Furthermore, we believe there are endangered species in the wetlands that have not been properly addressed, (The Blue-Spotted Salamander).

We would also like to note that the snow storage areas on the plan are not adequate in size and the existing drainage system along Boston Road and S. Main Street should be further analyzed and identified prior to the issue of the order. It is our belief that there will be an increase in runoff from the site to Boston Road for the 2 year storm. Additional cleanouts of adequate size should have been added to the plans for eventual cleaning, when necessary, of the storm water infiltration system as failure of the system would result in flooding of downstream properties without mitigation

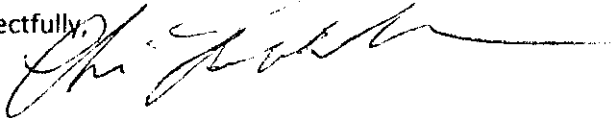
The drainage system in the parking garage will discharge to the city sewer system. It is not clear the sewer system has adequate capacity to handle runoff that might occur within the garage. The drainage area of DCB-16 is greater than ¼ acre in size not permitted in the DEP storm water regulations. There is no guarantee the adjacent land to it will ever be developed to reduce the drainage area size. Finally, it appears the downstream pipe will be surcharged from the runoff from this project and the impact of that has not been properly evaluated.

Relief Requested

For the reasons stated above, I, Chris Twombly along with 9 other residents as evidenced by their signatures below, respectfully request that the Department issue a Superseding Order of Conditions which denies the proposed project in its entirety.

Thank you for your attention to this matter.

Respectfully,



Chris Twombly

Encls. (Exhibit A)

cc. Haverhill Conservation Commission (by certified mail)
Princeton Development LLC (by certified mail)

EXHIBIT A

10 Residents Requesting a Superseding Order of Conditions for 887 Boston Road, Haverhill, MA

Name: Christopher Twombly
Signature: [Signature]
Address: 49 Vernon St. Haverhill
Date: Dec 8, 2021

Name: Kurt Stepanow
Signature: [Signature]
Address: 61 Charles St
Date: 12/8/21

Name: JAKE HOYLE
Signature: [Signature]
Address: 60 WASHINGTON ST
Date: DEC. 8, 2021

Name: Kenneth Stepanow
Signature: [Signature]
Address: 61 Charles St
Date: 12/8/21

Name: Joseph Terilli
Signature: [Signature]
Address: 96 Margin St.
Date: Dec 8, 2021

Name: Kristle Stepanow
Signature: [Signature]
Address: 61 Charles St
Date: 12/8/21

Name: Jennie Twombly
Signature: Jenni Twombly
Address: 49 Vernon St HAV.
Date: Dec 8th 2021

Name: Simone Turcotte
Signature: [Signature]
Address: 10 Rockview Ln Haver MA 01831
Date: Dec 8, 2021

Name: EDMUND PALEN JR
Signature: Edmund Palen Jr.
Address: 124 Grove St. HAV.
Date: Dec. 8 2021

Name: Nicholas Lupoli
Signature: [Signature]
Address: 211 River St Apt 4 Haverhill, MA
Date: 12/8/21