

CITY OF HAVERHILL

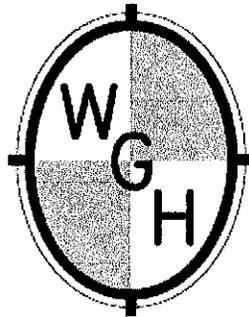
Request for Determination of Applicability

MA-DEP ~ WPA Form 1

FOR

2 South Grove Street ~ Map 702 Block 636 Parcel 1,1A

Residential Apartment ~ Re-Development Project



Prepared by:

**WGH Land Survey and Design
83 West Main Street
Merrimac, MA 01860**

Prepared for:

**J & J Realty Trust
2 South Grove Street
Bradford, MA 01835**

September 2016

	William G. Holt, PLS, RS, SE Land Surveying and Design Services 83 West Main Street, Merrimac MA 01860	2 South Grove Street ~ Haverhill, MA Residential ~ Re-developemnt (40 Units) <i>Request for Determination of Applicability ~ Table of Contents</i>
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WPA Form 1- Request for Determination of Applicability

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

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.



1. Applicant:

J & J Reatly Trust, c/o James A. Allen, Trustee

bwte@aol.com

Name

E-Mail Address

2 South Grove Street

Mailing Address

Bradford

MA

01835

City/Town

State

Zip Code

978-423-1766

Phone Number

Fax Number (if applicable)

2. Representative (if any):

WGH Land Survey and Design

Firm

William G. Holt, PLS,RS,SE

billgholt@aol.com

Contact Name

E-Mail Address

83 West Main Street

Mailing Address

Merrimac

MA

01860

City/Town

State

Zip Code

978-257-4576

Phone Number

Fax Number (if applicable)

B. Determinations

1. I request the City of Haverhill make the following determination(s). Check any that apply:
Conservation Commission

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance** or **bylaw** of:

City of Haverhill

Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



WPA Form 1- Request for Determination of Applicability

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C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

2 South Grove Street

Street Address

Map 702 Block 636

Assessors Map/Plat Number

Haverhill

City/Town

1, 1A

Parcel/Lot Number

b. Area Description (use additional paper, if necessary):

The current parcel consists of approximately an area of 64,558 s.f. (1.482 Ac.) , and includes a portion of the former B & M Railroad ROW. It is largely developed with an existing commercial - industrial building with an approximate footprint of 26,720. The building currently contains office, industrial and commercial uses. The remainder of the site is nearly all (95.3%) impervious paved or dense packed gravel parking and driveway (approximately 18,105 s.f. paved and 16,700 s.f. gravel) with approximately 3,033 s.f. or (4.7%) of pervious cover.

c. Plan and/or Map Reference(s):

Plan of Land for J & J Realty Trust, Perimeter Survey Plan Sheet S1

Title

8-17-2016

Date

Plan of Land for J & J Realty Trust, Exsiting Condtions Plan Sheet S2

Title

8-17-2016

Date

Plan of Land for J & J Realty Trust, Proposed Conditions Plan Sheet S3

Title

Rev 9-7-2016

Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

Redevelopment of existing commercial/industrial building into Residential Appartments, with decreased building footprint, associated utility infrastructure improvements, parking garage, modified exterior parking, resulting in a (29.5%) decrease in impervious area, and an increase in pervious landscaped areas. As part of the project a 6' wide paved "walkng path" is proposed to traverse the property within the fromer Railroad ROW, a small portion of this walk will be constructed within the area identified as 100 year floodplain. The path will be constructed at the same elevation as the current paved drive and parking located within the floodplain area. No increase in finish grade is proposed, and no loss of flood storage is anticipated. Overall a net decrease in surface water runoff will result from the net decrease in the existing impervious area.



WPA Form 1- Request for Determination of Applicability

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

C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

There are no bordering vegetated wetlands, isolated wetlands, perennial streams, riverfront areas, vernal pools, endangered species habitat, located upon or within 200 feet of the proposed project work area. A small area (521 s.f.) in the northwesterly corner of the property has been identified as being located within the 100 year floodplain, elevation 21.4' NVD88, as defined by FEMA in the FIS profile for the Merrimack River. This area is currently paved drive and parking area. It is proposed to remove the majority of the pavement and gravel base, within this area and replace it with loam and seed at the same grade. A small portion will remain paved (approx. 165 s.f.).

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)

Not Applicable.



WPA Form 1 - Request for Determination of Applicability

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

D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

J & J Realty Trust, c/o James A. Allen, Trustee

Name

2 South Grove Street

Mailing Address

Bradford

City/Town

MA

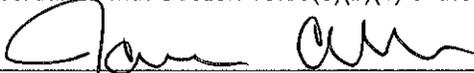
State

01835

Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.


Signature of Applicant

9-23-16
Date

Signature of Representative (if any)

Date

	William G. Holt, PLS, RS, SE Land Surveying and Design Services 83 West Main Street, Merrimac MA 01860	2 South Grove Street ~ Bradford, MA 01835 Proposed Residential Appartment Re-devlopement Project <i>Request for Determination of Applicability (RDA) ~Narrative</i>
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2 South Grove Street ~ Bradford

NARRATIVE

**PROJECT PURPOSE: Proposed Re-devlopement of Commercial – Industrial
Building into 40 Unit Residential Apparpments Project**

The site location is currently an existing commercial, industrial business site as depicted as Parcel 1 and 1A on Assessor Map 702 Block 636, and is zoned for Market Rate Housing Incentive residential use. The lot was created prior to 1996, and has been owned by J & J Realty Trust, c/o James A. Allen, Trustee, since 1992, (see Bk 18,933 Pg 249), in the S.E.R.D. The site is approximately 64,558 s.f. total area, and is developed with at a large commercial/industrial building with a footprint of 26,700 s.f. The building has an existing bituminous concrete paved (18,105 s.f.) and hard packed gravel (16,700 s.f.) drive. The current pervious area on the site is limited to just 3,033 s.f. or 4.7% of the total lot area. The building is currently served by municipal sewer and water services, as well as natural gas, overhead electric, telephone and communication services. The property has 148.54' of frontage on South Grove Street, an existing public roadway that has a paved surface, and 117.34' of frontage on Stone Ave, an existing public roadway that has a paved surface.

It is the desire of the applicant and property owner to abandon the current use and re-develop the property for use as a residential apartment building. A portion of the existing building will be removed, as well as a significant portion of the existing paved and gravel parking areas. The ground level of the building will be converted into a parking garage to house the majority of the occupant's vehicles. Overall, a net decrease in impervious area; from 61,525 s.f. to 42,507 s.f. (29% reduction) results in an increase in pervious area from 3,033 s.f. to 22,051 s.f. which will reduce the total amount of runoff from the site, and provide greater treatment via overland flow and increased infiltration and recharge.

	William G. Holt, PLS, RS, SE Land Surveying and Design Services 83 West Main Street, Merrimac MA 01860	2 South Grove Street ~ Bradford, MA 01835 Proposed Residential Appartment Re-development Project <i>Request for Determination of Applicability (RDA) ~Narrative</i>
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All existing utility services will be maintained or updated to accommodate the proposed needs of the residential use. The applicant proposes to construct a 6' wide recreational rail trail path through the property along the former B &M Railroad ROW, providing for connection to future extensions of this proposed trail system. Large areas of the existing paved and gravel drive and parking will be removed, loamed and seeded creating the additional pervious landscaped open space with newly planted shade trees and shrubs included in the re-development plan. Minimal site grading is needed to accomplish these proposed site improvements.

RESOURCE IDENTIFICATION:

No bordering vegetated wetlands (BVW), isolated vegetated wetlands, perennial streams, riverfront area (adjacent to the Merrimack River), vernal pools, or endangered species habitats have been identified upon or within 100 feet of the limits of the project boundary or the proposed work areas. A small portion of the site is potentially affected by the 100 year floodplain, which has been established by a FEMA FIS as elevation 21.4' NVD88. The total surface area within the subject site, associated with the floodplain is 521 s.f., located in the northwesterly corner of the parcel. The area within the floodplain currently consists of paved driveway and parking.

POTENTIAL IMPACT to IDENTIFIED RESOURCE AREAS:

The proposed limits of the site construction work is largely confined to the upland areas located within the paved and gravel driveway and parking area, and completely outside of the 100' BVW buffer. It is proposed to remove, all of the existing paved surface located within the floodplain, to a minimum depth of 6" below the existing paved surface elevation, and replace it with loam and seed, at or below the current grade, thereby maintaining the current flood storage volumes and increasing the ability of the area to infiltrate runoff. Approximately 165 s.f. of the floodplain area will be re-paved with a small portion of the newly reconfigured parking area, and a portion of the proposed 6' wide recreation trail. The site is NOT located within the estimated habitat for rare or

	William G. Holt, PLS, RS, SE Land Surveying and Design Services 83 West Main Street, Merrimac MA 01860	2 South Grove Street ~ Bradford, MA 01835 Proposed Residential Apartment Re-development Project <i>Request for Determination of Applicability (RDA) ~Narrative</i>
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endangered species based upon the NHESP Maps, therefore there will be no impact to the habitat of endangered species. Although the site is located near the banks of the Merrimack River, the proposed site does not have a jurisdictional riverfront area located within the property or the proposed work limits associated with the redevelopment of the site. By reducing the overall impervious area and providing re-claimed open space (lawn and landscaped areas), the total amount of runoff volume leaving the site will be reduced from the pre-development conditions, and the overall water quality of the runoff will be improved as a result of longer travel time through vegetated areas, promoting TSS removal and recharge through improve infiltration. The net result is less impact to existing offsite wetland resource areas. All disturbed areas located outside of existing buildings and paved areas will be stabilized with reseeding and landscaping at the completion of the project.

MITIGATION MEASURES IMPLEMENTED:

The installation of temporary erosion control (TEC) devices such as silt fencing and staked hay bales or silt socks (if allowed), placed as indicated on the site plans, will assist in mitigating the potential effects of erosion and sedimentation during construction.

Storage of construction equipment will be located beyond the limit of the 100' buffer or within a protected area designated by the Commission or its Agent.

Impact to these resource areas will be limited to the minimal temporary disturbances commonly associated with the construction activities undertaken to re-develop the existing buildings and make the proposed site improvements such as limited site grading , removal of portions of existing paved areas, and removal of portions of the existing building, which as previously indicated will be mitigated through the use of temporary erosion control (T.E.C.) devices, installed prior to commencement of work, as depicted on the accompanying site drawings. A stabilized construction entrance will be provided to limit tracking of sediment offsite. Silt sacks or other similar devices will be installed in all onsite and nearby down grade catch basins to prevent sediment from entering the

	William G. Holt, PLS, RS, SE Land Surveying and Design Services 83 West Main Street, Merrimac MA 01860	2 South Grove Street ~ Bradford, MA 01835 Proposed Residential Appartment Re-devlopement Project <i>Request for Determination of Applicability (RDA) ~Narrative</i>
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existing drainage infrastructure. These TEC devices will be maintained in place until slope stabilization has been reached. Soils removed from the disturbed areas may be removed (if allowed) from the site, if stored on-site, they will be stockpiled, and protected with hay bale and silt fence erosion controls. Final restoration of the disturbed areas will be accomplished initially by re-grading the area by mechanically replacing the previously removed top soil. Finer grading will be performed by hand, with rakes and shovels. Re-seeding of areas within the residential lawn use, will be completed in a timely fashion to promote rapid re-vegetation and stabilization of the exposed soils. Placement of mulch, jute matting, or similar grade stabilization measures will be implemented on all slopes of 3:1 or greater, providing slope stabilization and preventing potential impact to, or loss of, the resource areas.

SUMMARY:

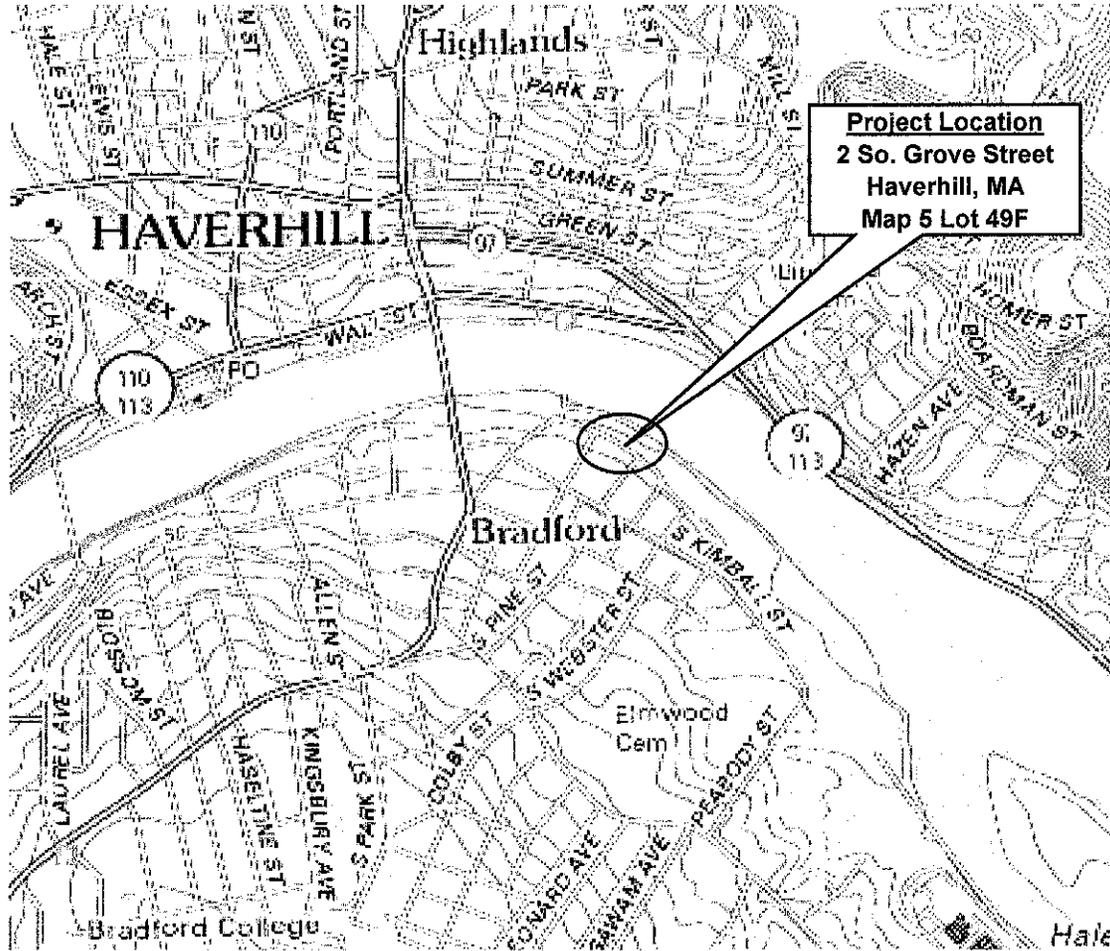
This proposal is limited in scope to minimal temporary disturbance of approximately 521 s.f. of area associated with the 100 year floodplain. Final elevations within the floodplain area will be maintained. Overall decreases in impervious area cover, and increases in pervious area will provide for a net decrease in site runoff leaving the site. In addition increases in groundwater recharge will result, which will provide improved runoff water quality discharge off site.. No loss of resource area is proposed.

The project constructed as proposed, with the necessary temporary and long term construction Best Management Procedures (BMP's) in place, preservation of adequate vegetated buffers, and restoration of and stabilization of disturbed areas, will assure the continued stability of the site, and maintenance of the runoff water quality, thereby protecting the resource areas associated within the site.

Printed: September 18, 2016

USGS MAP

QUAD ~ Haverhill 2012



Locus Map

NOT TO SCALE

Lat: 42°-46'-13.6" N

Long: 71°-04'-09.6" W

USGS ~ Locus Map
RDA APPLICATION
2 South Grove Street ~ Haverhill
Map 702 Block 636 Lot 1,1A

WGH Land Survey & Design
83 West Main Street, Merrimac MA 01860

TEL: (978) 257-4576

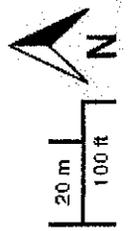
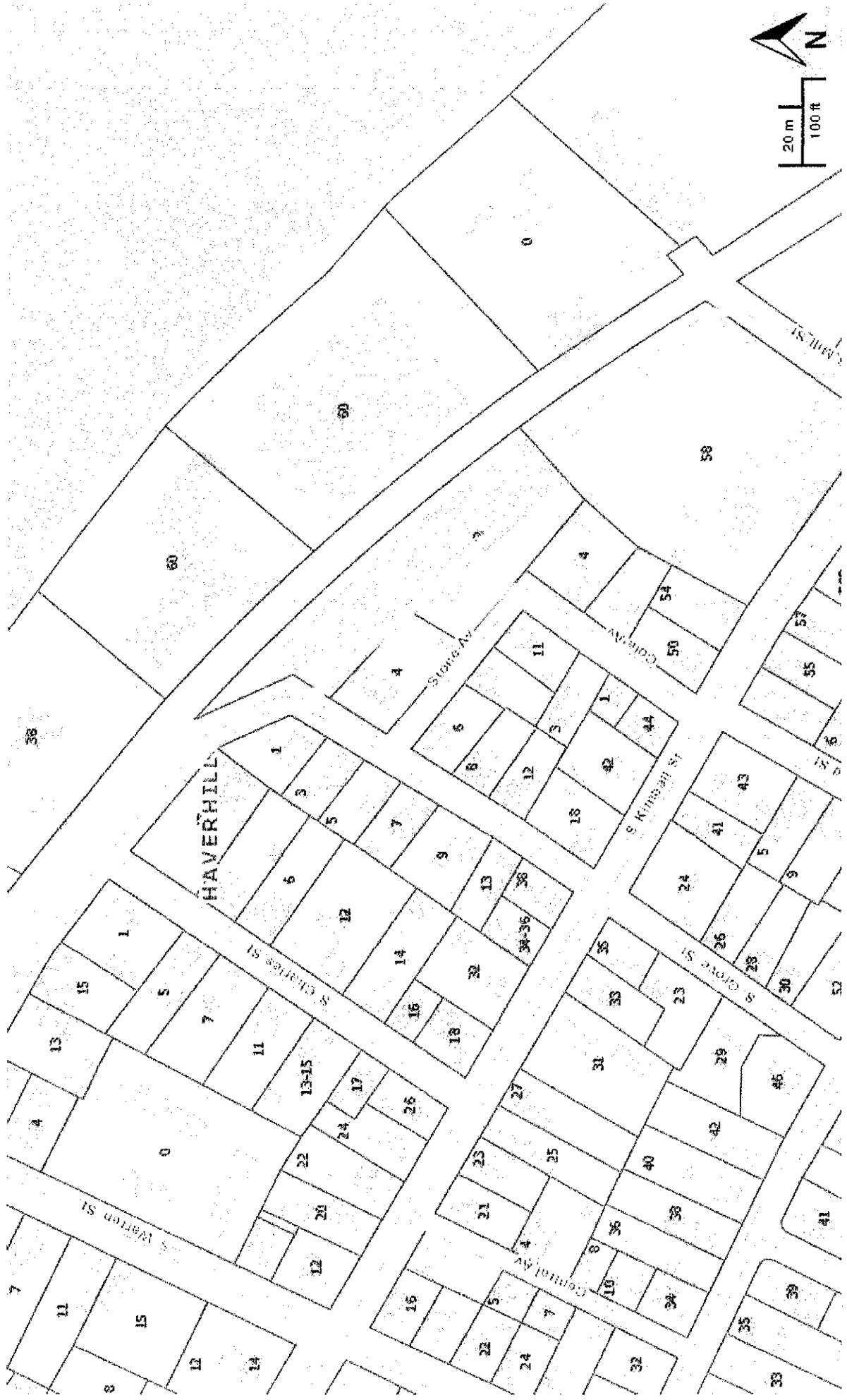
e-mail: billgholt@aol.co



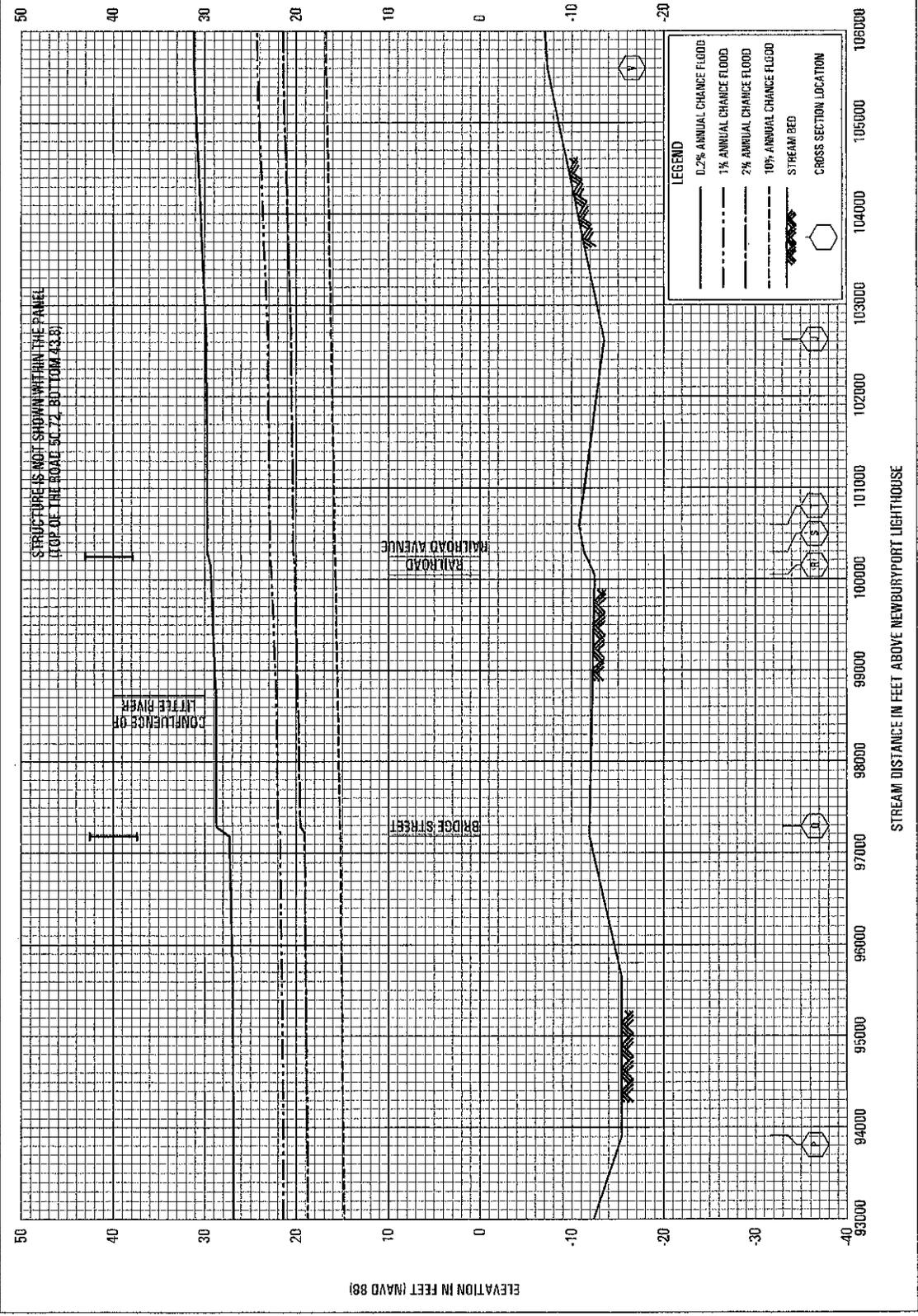
ASSESSOR MAP

MAP 702 BLOCK 636 LOT 1

SCALE 1"=100'



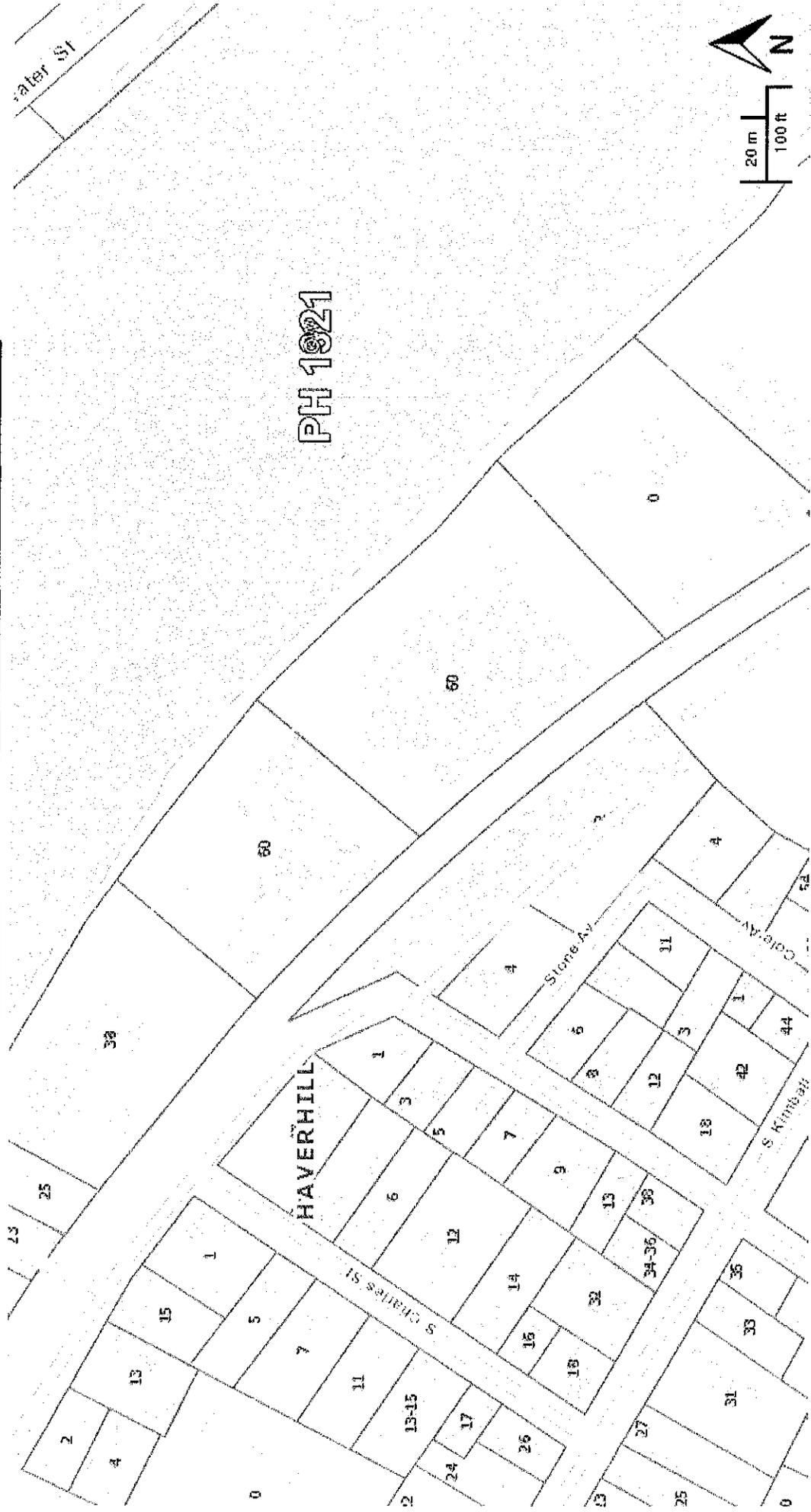
FLOOD PROFILES
 MERRIMACK RIVER



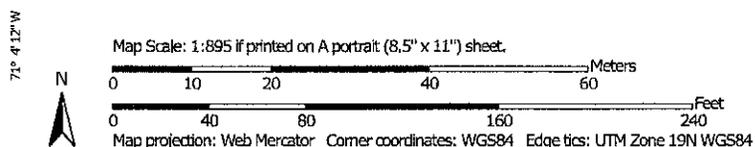
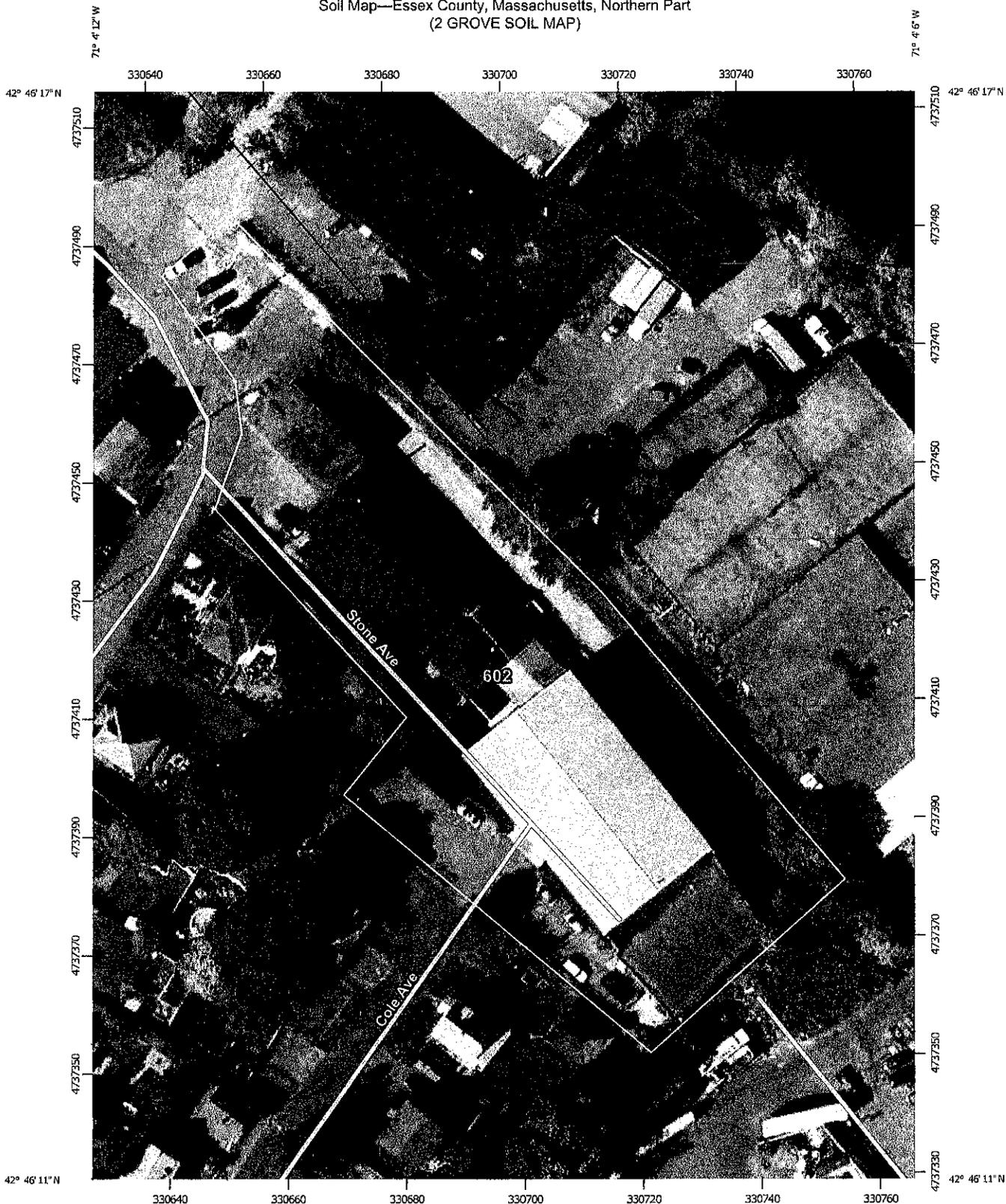
ELEVATION IN FEET (NAVD 89)

STREAM DISTANCE IN FEET ABOVE NEWBURYPORT LIGHTHOUSE

NATURAL HERITAGE AND ENDANGERED SPECIES PROGRAM
2 GROVE STREET
HAVERHILL MA 01835



Soil Map—Essex County, Massachusetts, Northern Part
(2 GROVE SOIL MAP)



MAP LEGEND

	Area of Interest (AOI)		Spoil Area
	Soil Map Unit Polygons		Stony Spot
	Soil Map Unit Lines		Very Stony Spot
	Soil Map Unit Points		Wet Spot
	Special Point Features		Other
	Blowout		Special Line Features
	Borrow Pit		Water Features
	Clay Spot		Streams and Canals
	Closed Depression		Transportation
	Gravel Pit		Rails
	Gravelly Spot		Interstate Highways
	Landfill		US Routes
	Lava Flow		Major Roads
	Marsh or swamp		Local Roads
	Mine or Quarry		Background
	Miscellaneous Water		Aerial Photography
	Perennial Water		
	Rock Outcrop		
	Saline Spot		
	Sandy Spot		
	Severely Eroded Spot		
	Sinkhole		
	Slide or Slip		
	Sodic Spot		

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Essex County, Massachusetts, Northern Part
Survey Area Data: Version 11, Sep 28, 2015

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 29, 2014—Sep 19, 2014

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Essex County, Massachusetts, Northern Part (MA605)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
602	Urban land	1.5	100.0%
Totals for Area of Interest		1.5	100.0%



Haverhill

Economic Development and Planning
Conservation Department
Phone: 978-374-2334 Fax: 978-374-2366
rmoores@cityofhaverhill.com
conservation@cityofhaverhill.com

MUNICIPAL ORDINANCE-CHAPTER 253 REQUEST FOR DETERMINATION OF APPLICABILITY (RDA) APPLICATION AGREEMENT

TO BE COMPLETED BY APPLICANT:

I, James A. Allen, Trustee, have read the Department of Environmental Protection's "Instructions for
(NAME OF APPLICANT)
Completing Application" and the City's Municipal Ordinance under Chapter 253, with all applicable regulations and policies, for the filing of a Request for Determination of Applicability with the Haverhill Conservation Commission and agree to its terms and conditions, as amended. As required under 310 CMR 10.05(3)a.3, I hereby certify that the Massachusetts Department of Environmental Protection and the property owner of the area subject to this request (if not also the applicant) have been notified that this determination is being requested under M.G.L. c. 131, § 40. As required by the Commission, the wetland resource area(s) are flagged, the corners of proposed structures and leaching systems are staked, and the centerlines of proposed roadway(s) and/or driveway(s) are marked, as appropriate, to facilitate site inspections by Commissioners and Conservation Staff.

Signed: James Allen (APPLICANT) 9-23-16 (DATE)

TO BE COMPLETED BY PROPERTY OWNER:

I, James A. Allen, Trustee, hereby grant the Haverhill Conservation Commission and its officials
(NAME OF PROPERTY OWNER)
permission to enter upon my property at 2 South Grove Street, Map 702 Block 636 Lot 1,1A to review the
(STREET ADDRESS AND ASSESSOR'S MAP,BLOCK,LOT)
filed Request for Determination of Applicability and future site conditions for compliance with the issued Order of Conditions. The sole purpose of this document is to allow Commissioners and their officials to perform their duties under the Wetlands Protection Act (M.G.L. c. 131 s. 40) and the City's Municipal Ordinance under Chapter 253.

Signed: James Allen (PROPERTY OWNER) 9-28-16 (DATE)



Haverhill

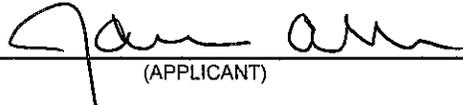
Economic Development and Planning
Conservation Department
Phone: 978-374-2334 Fax: 978-374-2366
rmoore@cityofhaverhill.com
conservation@cityofhaverhill.com

MUNICIPAL ORDINANCE - CHAPTER 253 REQUEST FOR DETERMINATION OF APPLICABILITY (RDA) APPLICATION CHECKLIST

APPLICANT J and J Realty Trust, c/o James A. Allen, Trustee
PROPERTY OWNER SAME
REPRESENTATIVE WGH Land Survey and Design, William G. Holt, PLS,RS,SE
LOCATION (STREET ADDRESS) 2 South Grove Street
ASSESSOR'S MAP(S) 702 BLOCK(S) 636 LOT(S) 1, 1A

- A completed Form 1
- An 8½" x 11" section of the USGS quadrangle with property clearly identified
- An appropriately sized section of the Assessor's map clearly identifying the property and all other properties within 100' of the property
- Plans and calculations clearly describing the location and nature of the work
- Application Agreement
- Other: _____

I, J & J Realty Trust, James A. Allen, Trustee, hereby certify that eleven (11) copies (except as noted) of the above information and the City's share of the filing fee have been submitted to the Haverhill Conservation Commission. (Checks should be made out to the City of Haverhill).

Signed: 
(APPLICANT)

9-23-16
(DATE)



Haverhill

Economic Development and Planning
 Conservation Department
 Phone: 978-374-2334 Fax: 978-374-2366
rmoores@cityofhaverhill.com
conservation@cityofhaverhill.com

2016 LOCAL ORDINANCE FEE CALCULATION FORM

APPLICATION NAME / ACTIVITY	LOCAL ORDINANCE FEE	# of Activities or Measurement	Subtotal
%*Request for a Determination of Applicability (RDA)	\$100	1	100
*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		
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		
%*Request for a Modification to an OOC (RMOC)	\$100		
Resource Area Alterations (for NOI & RMOC)			
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		
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		
Extension Permit	\$250		
Certificate of Compliance	Partial: \$100 / Complete: \$100 - individual house lot project; \$250 - all other projects / Invalid: \$100		
ADVERTISING FEE (if applicable*)			45
LOCAL ORDINANCE FEE TOTAL			\$145
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, if, when determined necessary by Commission, applicant agrees to ANRAD review by outside consultant under M.G.L. Ch. 44, sec. 53G			
%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			