

Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

# WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Haverhill

City/Town

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



**Note:**  
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

## A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

799 Amesbury Road	Haverhill	01830-1708
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	42.811752	-71.031548
	d. Latitude	e. Longitude
433	6-7	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

Peter	Lesiczka	
a. First Name	b. Last Name	
Lesiczka Irrevocable Trust		
c. Organization		
49 Corliss Hill Road		
d. Street Address		
Haverhill	MA	01830
e. City/Town	f. State	g. Zip Code
9782655003	stephanielesiczka@gmail.com	
h. Phone Number	i. Fax Number	j. Email Address

3. Property owner (required if different from applicant):  Check if more than one owner

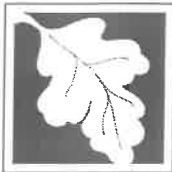
_____	_____	
a. First Name	b. Last Name	
_____		
c. Organization		
_____		
d. Street Address		
_____	_____	_____
e. City/Town	f. State	g. Zip Code
_____	_____	_____
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

Stephen	Stapinski	
a. First Name	b. Last Name	
Merrimack Engineering Services		
c. Company		
66 Park Street		
d. Street Address		
Andover	MA	01810
e. City/Town	f. State	g. Zip Code
9784753555	9784751448	merreng@aol.com
h. Phone Number	i. Fax Number	j. Email address

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

\$1405	\$690	\$715
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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**A. General Information (continued)**

6. General Project Description:

Reconstruction of existng farm stand and associated site improvements (grant from Comm of MA for Agricultural Project)

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- 1.  Single Family Home
- 2.  Residential Subdivision
- 3.  Commercial/Industrial
- 4.  Dock/Pier
- 5.  Utilities
- 6.  Coastal engineering Structure
- 7.  Agriculture (e.g., cranberries, forestry)
- 8.  Transportation
- 9.  Other

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

- 1.  Yes  No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Essex South

a. County

41277

c. Book

b. Certificate # (if registered land)

437

d. Page Number

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

- 1.  Buffer Zone Only – 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).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



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## B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

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
	3. cubic yards dredged	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced

f.  Riverfront Area  
 East Meadow River  
 1. Name of Waterway (if available) - specify coastal or inland

2. Width of Riverfront Area (check one):

25 ft. - Designated Densely Developed Areas only

100 ft. - New agricultural projects only

200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: 40,000 square feet

4. Proposed alteration of the Riverfront Area:

<u>3280</u>	<u>50</u>	<u>3230</u>
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?  Yes  No

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)

**Note:** for coastal riverfront areas, please complete **Section B.2.f.** above.



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**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:  
 Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
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 Beach	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

	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
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., creation
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	
	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet	

4.  Restoration/Enhancement  
 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 enter the additional amount here.

a. square feet of BWV

b. square feet of Salt Marsh

5.  Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings



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City/Town \_\_\_\_\_

**C. Other Applicable Standards and Requirements**

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

**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 and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to [http://maps.massgis.state.ma.us/PRI\\_EST\\_HAB/viewer.htm](http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm).

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**

March 2026 \_\_\_\_\_

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); OR complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review\*

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

2.  Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*

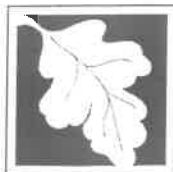
(a)  Project description (including description of impacts outside of wetland resource area & buffer zone)

(b)  Photographs representative of the site

\* Some projects not in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/ma-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

\*\* MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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**C. Other Applicable Standards and Requirements (cont'd)**

- (c)  MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" 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

- (f) 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, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; 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 # 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.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a.  Not applicable – project is in inland resource area only      b.  Yes     No

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

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

Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
836 South Rodney French Blvd.  
New Bedford, MA 02744  
Email: [dmf.envreview-south@mass.gov](mailto:dmf.envreview-south@mass.gov)

North Shore - Plymouth to New Hampshire border:

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [dmf.envreview-north@mass.gov](mailto:dmf.envreview-north@mass.gov)

Also if yes, the project 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.

- c.  Is this an aquaculture project?      d.  Yes     No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



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### C. Other Applicable Standards and Requirements (cont'd)

4. 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 MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
5. 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
6. 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
7. 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. Check why the project is exempt:
1.  Single-family house
  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 housing project) with no discharge to Critical Areas.

### D. Additional Information

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

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.

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.

**Online Users:**  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.



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**D. Additional Information (cont'd)**

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.

Site Construction Plan 799 Amesbury road in Haverhill MA 2 sheets

a. Plan Title

Merrimack Engineering Services

stephen Stapinski, pls and Vladimir Nemchenok

b. Prepared By

PE

March 19, 2026

1"=20

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

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.

**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:

4230  
2. Municipal Check Number

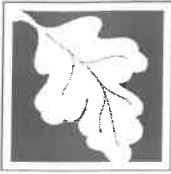
3-30-26  
3. Check date

4231  
4. State Check Number

3-30-26  
5. Check date

WALTER  
6. Payor name on check: First Name  
Catherine

Lesicka  
7. Payor name on check: Last Name  
Lesicka



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## 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.

	3-30-26
1. Signature of Applicant	2. Date
3. Signature of Property Owner (if different)	4. Date
5. Signature of Representative (if any)	3-30-26
	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.

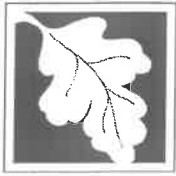
**For MassDEP:**

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.



**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

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



**A. Applicant Information**

1. Location of Project:

799 Amesbury Road

a. Street Address

Haverhill

b. City/Town

c. Check number

d. Fee amount

2. Applicant Mailing Address:

Peter

a. First Name

Lesiczka

b. Last Name

Lesiczka Irrevocable Trust

c. Organization

49 Corliss Hill Road

d. Mailing Address

Haverhill

e. City/Town

MA

f. State

01830

g. Zip Code

9782655003

h. Phone Number

i. Fax Number

stephanielesiczka@gmail.com

j. Email Address

3. Property Owner (if different):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

**B. Fees**

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

**Step 1/Type of Activity:** Describe each type of activity that will occur in wetland resource area and buffer zone.

**Step 2/Number of Activities:** Identify the number of each type of activity.

**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

**Step 4/Subtotal Activity Fee:** Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

**Step 5/Total Project Fee:** Determine the total project fee by adding the subtotal amounts from Step 4.

**Step 6/Fee Payments:** To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



WALTER LESICZKA  
STEPHANIE S LESICZKA  
49 CORLISS HILL ROAD  
HAVERHILL MA 01830

4229

53-7054/2113  
22

3/30/26

Date

Pay to the  
Order of

City of Haverhill

\$ 45.00

Forty-five & 00/100

Dollars



Photo  
Safe  
Deposit  
Details on back



America's Most Convenient Bank®

For

Stephanie Lesiczka

⑆ 2 1 1 3 7 0 5 4 5 ⑆

88 20 28 27 7 ⑆

4 2 2 9

TD Bank, N.A.

WALTER LESICZKA  
STEPHANIE S LESICZKA  
49 CORLISS HILL ROAD  
HAVERHILL MA 01830

4230

53-7054/2113  
22

3/30/26

Date

Pay to the  
Order of

City of Haverhill

\$ 715.00

Seven hundred fifteen & 00/100

Dollars



Photo  
Safe  
Deposit  
Details on back



America's Most Convenient Bank®

For

Stephanie Lesiczka

⑆ 2 1 1 3 7 0 5 4 5 ⑆

88 20 28 27 7 ⑆

4 2 3 0

TD Bank, N.A.

WALTER LESICZKA  
STEPHANIE S LESICZKA  
49 CORLISS HILL ROAD  
HAVERHILL MA 01830

4231

53-7054/2113  
22

3/30/26

Date

Pay to the  
Order of

Commonwealth of Mass.

\$ 690.00

Six hundred ninety & 00/100

Dollars



Photo  
Safe  
Deposit  
Details on back



America's Most Convenient Bank®

For

Stephanie Lesiczka

⑆ 2 1 1 3 7 0 5 4 5 ⑆

88 20 28 27 7 ⑆

4 2 3 1

TD Bank, N.A.

AMESBURY ROAD 818, LLC  
828 AMESBURY RD

AMESBURY ROAD 810, LLC  
828 AMESBURY RD

BEVILACQUA JAMES M ETUX BEVILACQUA DIANE L  
808 AMESBURY RD

MCNEIL RYAN P-ETUX MCNEIL HANNAH E  
800 AMESBURY RD

THE KEVIN S. HILL IRREVOCABLE TRUST SMITH  
JAY-TRUSTEE  
794 AMESBURY RD

BENNER ALANA LAMPMAN JENNIFER  
809 AMESBURY RD

SALIBA JEAN PIERRE  
266 CENTRAL ST

SALIBA JEAN-PIERRE  
247 CONCORD STREET REAR

CITY OF HAVERHILL PUBLIC WORKS DEPT  
4 SUMMER ST



1" = 967.1633716737529 ft



**MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT**

City of Haverhill, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated June 25, 2025  
Data updated June 25, 2025

Print map scale is approximate.  
Critical layout or measurement activities should not be done using this resource.



# City of Haverhill Conservation Commission

HCC Local Application Form 3  
Notice of Intent

## H. ABUTTER NOTIFICATION FORM

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

1. The name of the applicant is Peter Lesiczka
2. Brief Project Description: reconstruction of Farm Stand and associated site improvements
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 to perform work within the buffer zone of such an Area.
4. The address of the lot where the activity is proposed is 799 Amesbury Road 733-6-7

(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 \_\_\_\_\_ x, by calling this telephone number (9784753555) \_\_\_\_\_ - \_\_\_\_\_ between the hours of 10 AM and 4PM on the following days of the week Tuesday and Thursday
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](http://www.cityofhaverhill.org/departments/conservation_commission/index.php).

Email: [conservation@cityofhaverhill.com](mailto: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.

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# City of Haverhill Conservation Commission

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HCC Local Application Form 3

Notice of Intent

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

Phone: 978.694.3200



# 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):  
xMassachusetts Wetlands Protection Act, M.G.L. Chapter 131, Section 40

Haverhill Municipal Ordinance Chapter 253

## B. GENERAL INFORMATION

Applicant Peter Lescizka

Property Owner Peter Lescizka Tr of the Lesiczka Irrevocable trust

Representative Stephen Stapinski Merrimack Engineering Services

Location (Street Address) 799 Amesbury Road Haverhill

Assessor's Parcel Identification 433-6-7

## 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:

xCompleted, current WPA Form 3, 3A, or 4 and NOI Wetland Fee Transmittal Form

xProject Narrative with description of resource areas & delineation methodology and demonstration of compliance with pertinent Performance Standards

xConstruction Period Pollution Prevention and Erosion and Sedimentation Control Plan

xSite 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)

xMassDEP Bordering Vegetated Wetland Delineation Field Data Forms, as appropriate

xWetland Resource Area Impact Mitigation Plan prepared in accordance with MA Inland Wetland Replication Guidelines, if applicable

xDemonstration 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")

xDemonstration 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

xLong-Term Pollution Prevention Plan

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# City of Haverhill Conservation Commission

HCC Local Application Form 3  
Notice of Intent

xOperation and Maintenance Plan

Illicit Discharge Compliance Statement

x8½" x 11" sections of the following maps with project location clearly identified

xUSGS Quadrangle

xMassGIS Orthophoto

xCity of Haverhill Parcel ID Map, also identifying properties within 300' of subject property

xNRCS Soils Map and Resource Report

xFEMA Flood Insurance Rate Map, if applicable

xMA 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

xAppropriate 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: \_\_\_\_\_ none other than building permit and Board of Health being applied for

## 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: Peter Desjardis  
(APPLICANT)

3-30-26  
(DATE)

## F. SITE ACCESS ACKNOWLEDGEMENT

I hereby grant the Haverhill Conservation Commission and its officials permission to enter upon my property at \_\_\_\_\_ 799 Amesbury Road 733-6-7 \_\_\_\_\_ 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

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# City of Haverhill Conservation Commission

HCC Local Application Form 3  
Notice of Intent

Signed: Peter Lesczika 3-30-26  
(PROPERTY OWNER) (DATE)

## G. AFFIDAVIT OF SERVICE FOR ABUTTER NOTIFICATION

I, Stephen Stapinski, hereby certify under the pains and penalties of perjury that on

(NAME OF PERSON MAKING AFFIDAVIT)

3-31-26 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, in connection with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection Act and said ordinance by Peter Lesczika with the Haverhill Conservation

Commission on

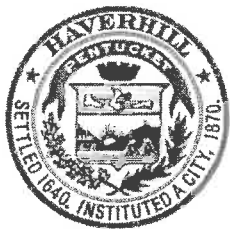
(NAME OF APPLICANT)

3-31-26 for property located at 799 Amesbury Road 733-6-7  
(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] 3-30-26  
(NAME OF PERSON MAKING AFFIDAVIT) (DATE)



# City of Haverhill Conservation Commission

HCC Local Application Form 3  
Notice of Intent

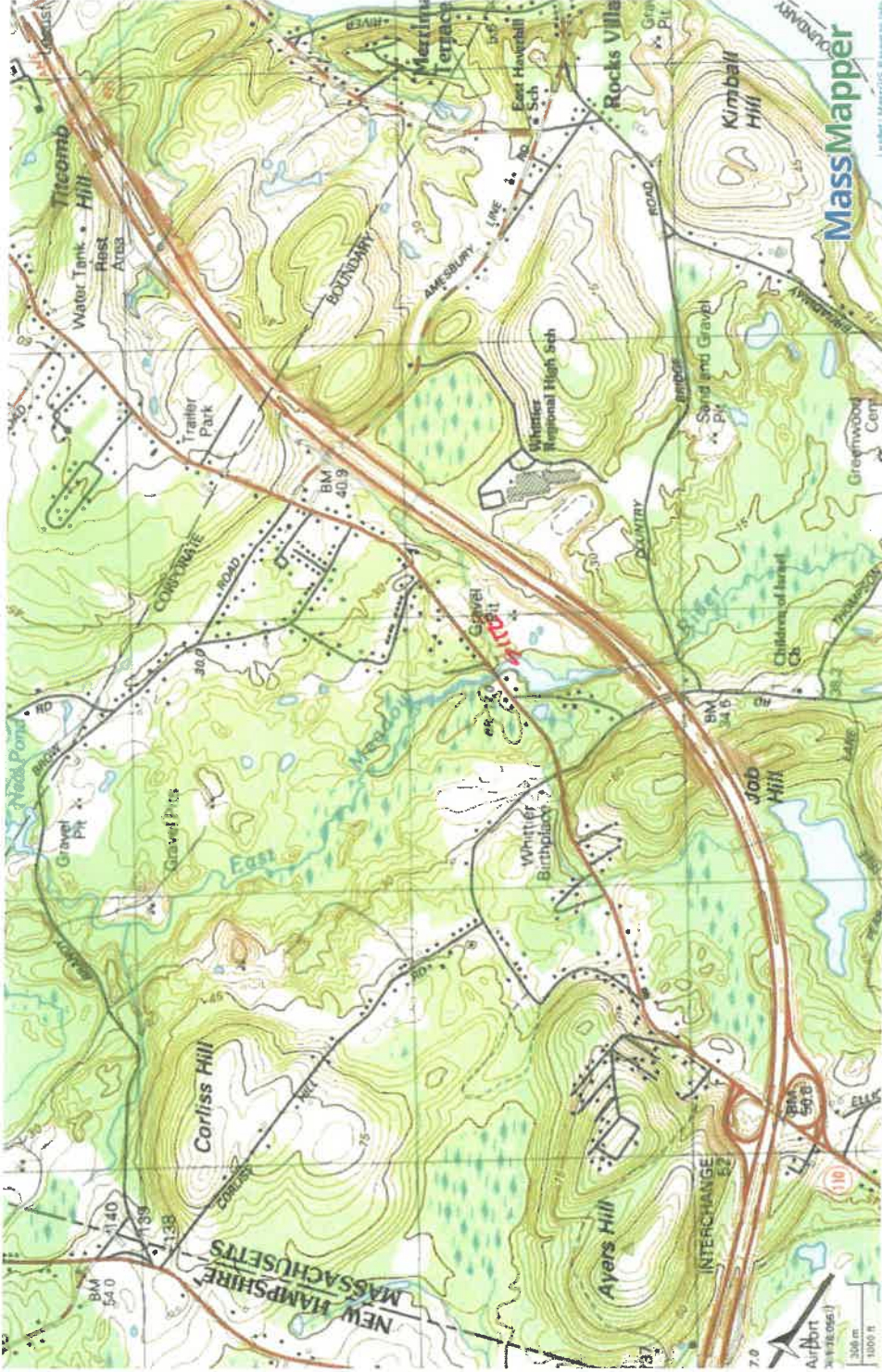
## I. LOCAL ORDINANCE FEE CALCULATION FORM (Not Applicable see Project Narrative)

ACTIVITY	LOCAL ORDINANCE FEE	# of Activities or Measurement	Subtotal
<b>*Abbrev. Notice of Resource Area Delineation (ANRAD)</b>			
Single Family House Project	\$1/linear foot, first 100'; \$0.50/ft, second 100'; \$0.10/ft, each additional foot		
All Other Projects	***\$1/linear foot, first 1000'; \$0.50/ft, second 1000'; \$0.10/ft, each additional foot		
<b>***Notices of Intent (NOI)</b>			
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		
<b>Resource Area Alterations</b>			
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		
		<b>ADVERTISING FEE*</b>	<b>\$45</b>
		<b>LOCAL ORDINANCE FEE TOTAL</b>	
<b>For filings resulting from enforcement action, double the Local Ordinance Fee Total</b>			
<b>NOTES:</b>			
*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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# 799 Amesbury Road

USGS Topographic Maps  
Property Tax Parcels



PROJECT NARRATIVE  
Wallys Farm Stand  
799 Amesbury Road  
Haverhill MA  
Notice of Intent  
March 30, 2026

Peter Lesiczka is proposing to reconstruct the existing Wally's Farm Stand, having received a grant from the Commonwealth of Massachusetts for this project (Agricultural Project). The site currently supports the sales outlet for the products produced by the Lesiczka family Farm in Haverhill, MA. The proposed work and site are shown on drawings attached to the Notice of Intent.

There are two drawings in the set, the first depicting the existing conditions and the second the actual work proposed on the site. The second plan depicts reconstruction of the existing farm stand and out building and connection of them into one building consisting of a total of 2,680 square feet of building area. It is intended that the foundations be reused and if that is not possible, once the buildings are removed, they will be replaced with new foundations in the same location of the existing buildings.

The site and use is located in an RS Zone and this building meets more than the setback requirements of the zoning, 40' front, 25' side and 25' rear, and the proposed building will be less than the 15% building coverage allowed and will have more than the 70% open space required. It is a preexisting non conforming commercial use, having previously been Cy's Drive In Restaurant before its use as Wally's Farmstand. The site is in a watershed Zone A and is subject to those requirements. The site is in the Riverfront of the East Meadow River, which is part of the Haverhill Watershed for Kenoza Lake (via Millvale Reservoir). The site also has Bordering Vegetated Wetlands on it and the work proposed is in the Buffer Zone of those.

The site is to be used for Commercial Agriculture, selling more than 25% of the products produced at the owners farm, and other products are being sold at the stand from farms in MA, that account for a total of 50% additional of the facility sales.. The owner has received a grant for the redevelopment of the site from the Commonwealth of Massachusetts, and will be placing a covenant on this site, as well as their farm, that the site can only be used for Commercial Agriculture and the farm can only be used for that as well, for a period of 15 years.

MGL c.40A S3 states in part: " No zoning ordinance or by-law shall regulate or restrict the use of materials or methods of construction of structures regulated by the state

building code, nor shall any such ordinance or by law prohibit, unreasonable regulate, or require a special permit for the use of the land for the primary purpose of commercial agriculture, unreasonably regulate or require a special permit for the use, expansion, reconstruction or construction of structures thereon for the primary purpose of commercial agriculture.....including those facilities for the sale of produce....provided that during the harvest season....25% OF SUCH PRODUCTS FOR SALE, BASED ON EITHER GROSS SALES OR ANNUAL VOLUME, HAVE BEEN PRODUCED BY THE OWNER OF THE LAND ON WHICH THE FACILITY IS LOCATED AND AN ADDITIONAL 50% OF SUCH PRODUCTS FOR SALE, BASED UPON EITHER GROSS ANNUAL SALES OR ANNUAL VOLUME HAVE BEEN PRODUCED IN MASSACHUSETTS ON LAND OTHER THAN THAT ON WHICH THE FACILITY IS LOCATED.....

Based on the above, the use is a permitted use in this zone, since the owner of the site meets those standards and is going to be covenanting to the Commonwealth the same. As such, no Special Permit for the work shown on the site plan is required.

Further, the Haverhill Zoning Code, Section 9.2.5 Permitted Uses, item 6 allows Maintenance and Repair of an existing structure provided that if the existing impervious area exceeds more than 10% (of the lot) there is no increase in impermeable area. In fact this site currently has 16.67% impervious area and with the removal of pavement on the site, as proposed, it will have 16.59% impervious area-a reduction in impervious area, meeting this criteria of Permitted Use without a Special Permit. Further in item 7 Farming, gardening, nursery...harvesting provided that fertilizers and other leachable materials are not stored on site. Since this is clearly a use that is related to the owners farm, and is to be covenanting so, and given the MGL c40A S3 definition of the land use associated with farming and agriculture, and given that no fertilizers are stored on the site or will be, the work shown on the site plan would be an allowed use for the site without the requirement of a Special Permit.

The work shown on the site plan is not a Prohibited Use, and in fact has been designed to improve the water quality in the Zone. Specifically the runoff from the roof, which currently flows overland across a paved parking lot to the east Meadow River, will be collected in gutters and infiltrated into the ground, improving the ground water recharge of the area and reducing the runoff to the east Meadow River. Further, the runoff from the parking area and other areas in the site being used as accessory of the building, will be directed into a Rain Garden, designed in accordance with DEP requirements, all as shown on the plan, reducing runoff from the impervious area into the east Meadow River, and promoting ground water recharge. So essentially the site design, brings the

site closer to environmental compliance, described in the Ordinance, as compared to the current use and in situ condition.

Therefore the work on the site plan, if considered in the absence of MGL c.40A S3, would not require a Special Permit and could be permitted by you and the City Departments "by right".

However MGL c40A S3 does not exempt compliance with the MA Wetlands Protection Act so the owner is filing a Notice of Intent with the Haverhill Conservation Commission under the State Regulations (as the owner is exempt from the Local By Law) and also will require approval from the Board of Health associated with the installation of a new septic tank and pump chamber (shown on the plans) to connect into the existing leaching facility previously approved by the Board of Health and currently working to service the existing building without failure (the septic system is a leaching pit that was designed for 300 gallons of sewer flow per day when it was a restaurant and in fact is seeing 30 gallons per day or less sewer flow-under the new system we have designed it for 60 gallons per day to accommodate part time as well as full time employees who might work there). The system currently meets or exceeds Title V of the State Sanitary Code and will continue to do so given the design shown on the site plan. In the absence of opinions otherwise, the owner will proceed with permitting as I have outlined above.

# Aerial Photo



Contours 2ft (Labels in Feet)

Property Tax Parcels



# 799 Amesbury Road

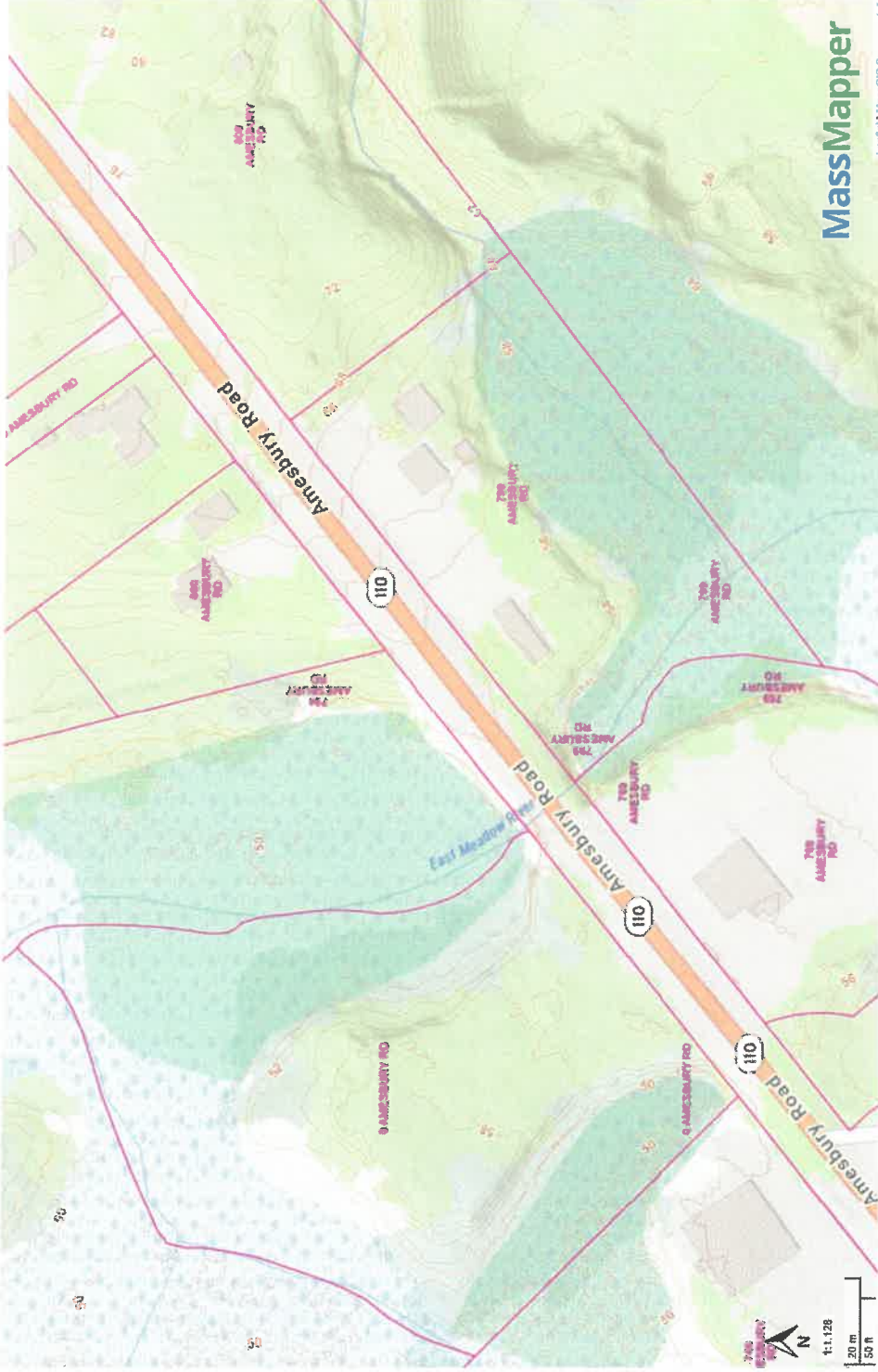
- NHESP Priority Habitats of Rare Species
- NHESP Estimated Habitats of Rare Wildlife
- Property Tax Parcels



# 799 Amesbury Road

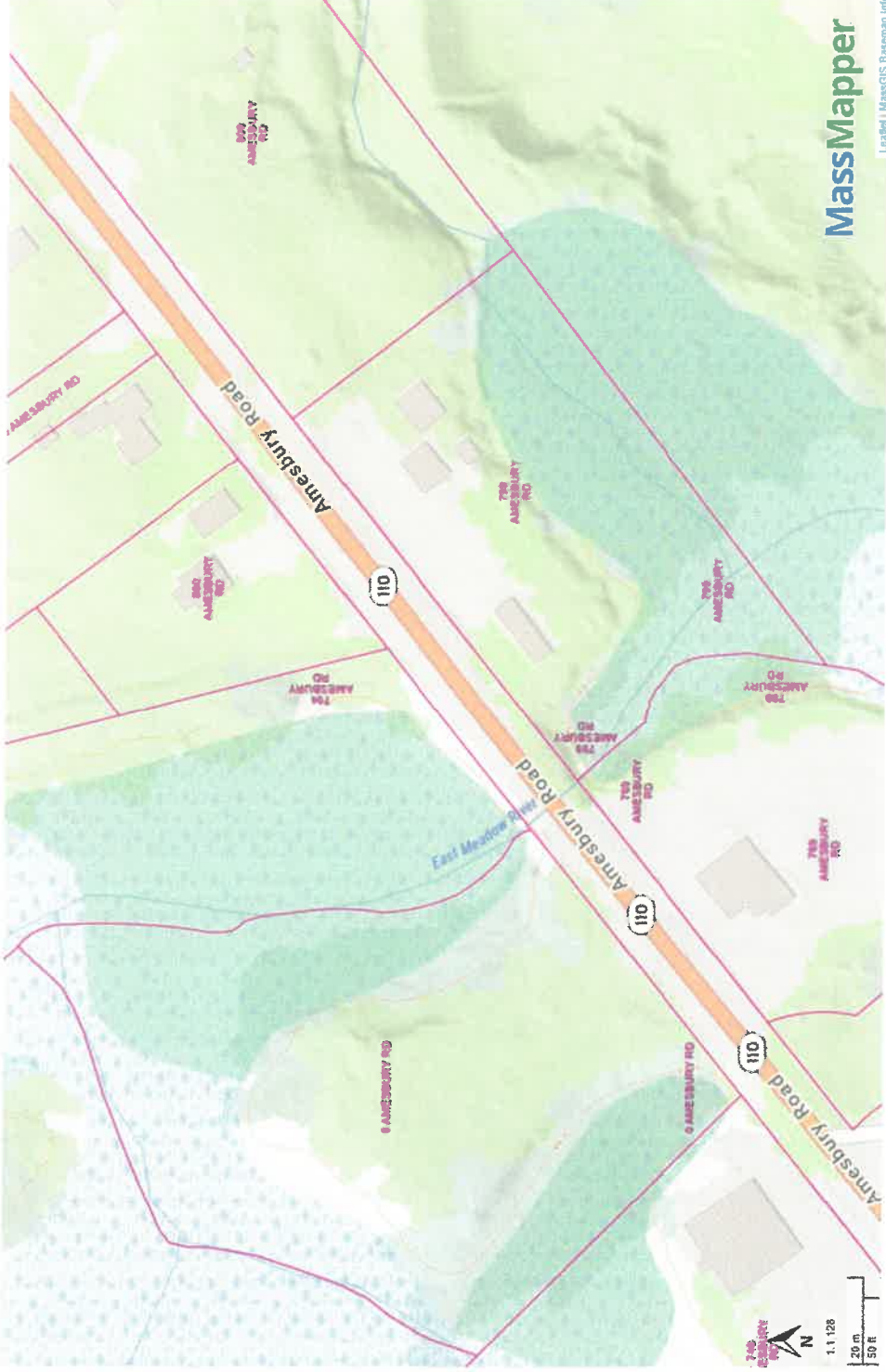
Contours 2ft (Labels in Feet)

Property Tax Parcels



# 799 Amesbury Road

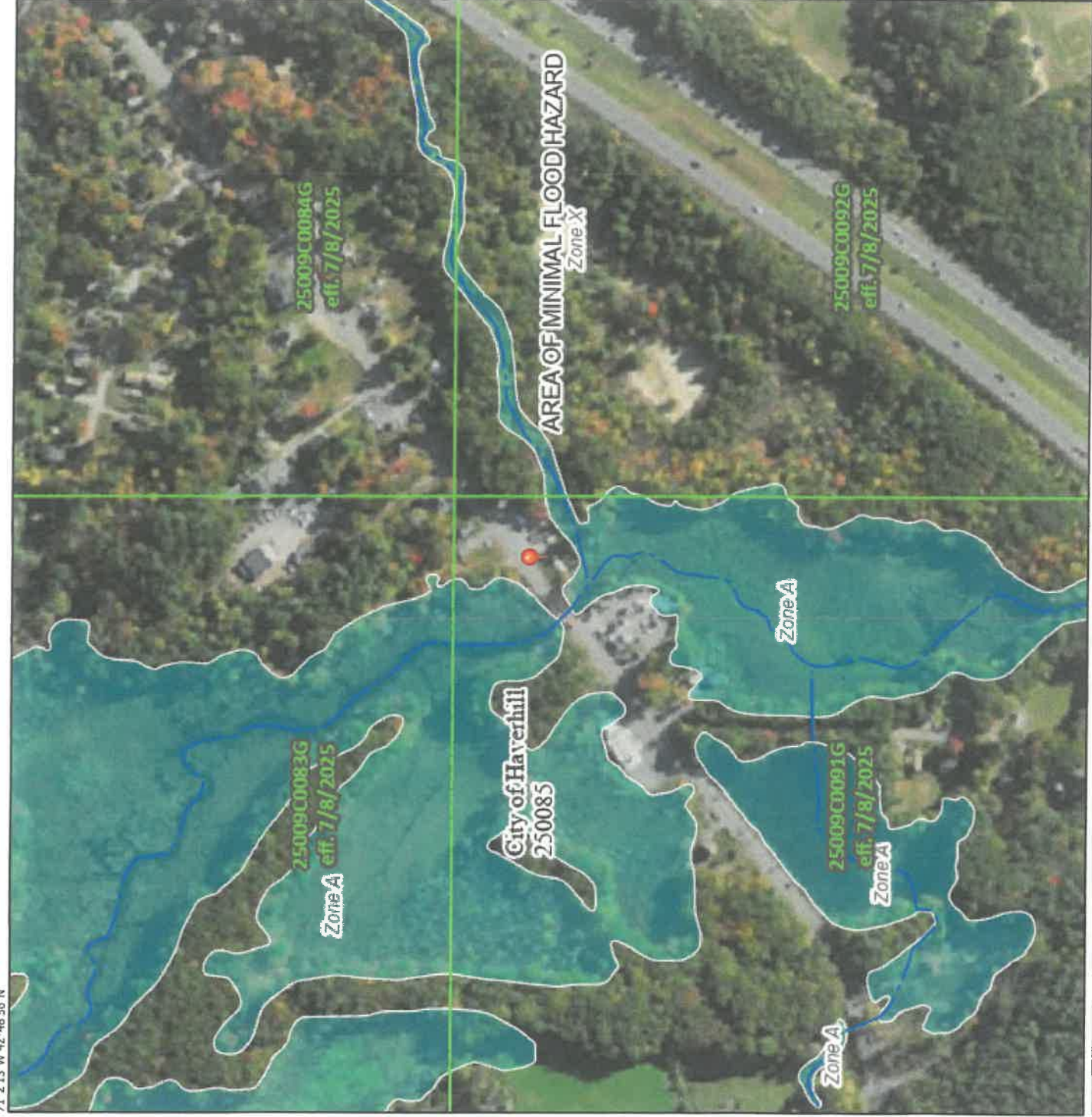
Property Tax Parcels



# National Flood Hazard Layer FIRMette



71°13'W 42°48'55"N



71°13'W 42°48'29"N

Basemap Imagery Sourced: HERE National Map, 2022

## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

**SPECIAL FLOOD HAZARD AREAS**

- Without Base Flood Elevation (BFE) Zone A, V, A99
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

**OTHER AREAS OF FLOOD HAZARD**

- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes. Zone X
- Area with Flood Risk due to Levee Zone D

**OTHER AREAS**

- NO SCREEN
- Area of Minimal Flood Hazard Zone X
- Effective LOMRS
- Area of Undetermined Flood Hazard Zone I

**GENERAL STRUCTURES**

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

**Cross Sections with 1% Annual Chance Water Surface Elevation**

- 20.2
- 17.5
- 0
- 85

**OTHER FEATURES**

- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

**MAP PANELS**

- Digital Data Available
- No Digital Data Available
- Unmapped

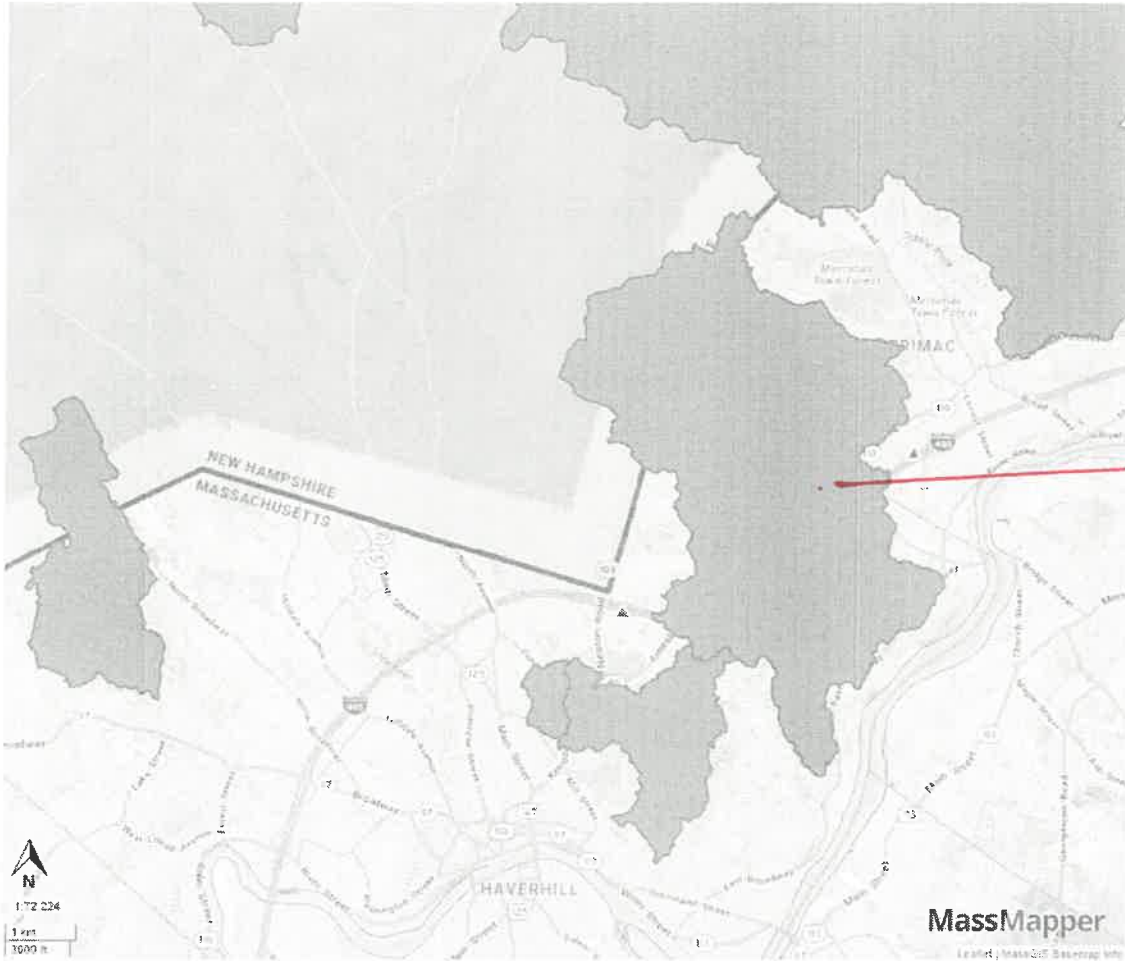
The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/30/2026 at 3:54 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and undetermined areas cannot be used for regulatory purposes.

# Outstanding Resource Waters



## Outstanding Resource Waters

- ACEC
- Cape Cod National Seashore
- Protected Shoreline
- Public Water Supply Watershed
- Retired Public Water Supply
- Scenic/Protected River
- Wildlife Refuge

## Property Tax Parcels

Construction Sequence  
Wallys Farm Stand  
March 30, 2026

1. Prior to any work on the site the erosion control shall be installed where shown on the plan and as specified in the Order of Conditions.
2. The utilities to the building shall be disconnected in accordance with the private utility company requirements and those of the City of Haverhill
3. The buildings shall be removed and an evaluation made regarding foundation adequacy
4. The pavement shall be saw cut where indicated on the plan
5. The existing septic tank and pump chamber shall be removed and disposed of after cutting the existing forcemain ( and capping for future connection)
6. The building foundations shall be installed
7. As the superstructure proceeds on the buildings the new septic system components shall be installed and the new forcemain constructed and connected at the previous cut
8. The stormwater infiltration system shall be installed and the rain garden installed per the specifications on the plan and as required by the Order of Conditions.
9. Pave the exposed portions of the site and loam and seed where shown on the plan.
10. Remove erosion control once the grass and plantings are germinated and the site is stable and the conditions of the Order of Conditions are met.

Operation and Management Plan  
Wally's Farm Stand  
799 Amesbury Road  
Haverhill, MA

The responsibility party for Operation and Maintenance of the short term and long term operations shall be Peter Lesiczka and/or Stephanie Lesiczka the owners of the site, telephone 978-265-6003

During construction the site shall be inspected on a daily basis and kept clear of debris, sediment and tracking and when necessary sweeping of the parking lot to remove sediment is to occur using a power or other acceptable sweeper. Any erosion that occurs shall be repaired and the soil replaced on the site. The erosion control shall be inspected as well and any sediment build up behind it shall be removed and disposed of at an approved location. If necessary, additional erosion control shall be installed when directed by City Staff or if the erosion control device is found to be disturbed or damaged. Once all items of work on the site are completed, and when authorized by the Conservation Commission staff, the erosion control devices shall be removed and disposed of at an approved location.

After construction is completed, on a daily basis, the site shall be inspected and any sediment buildup or debris found on the site shall be removed and disposed of at an approved location. Any areas found to be eroded shall be immediately repaired and restored.

On an as needed basis, but at least twice per year, the parking lot shall be swept by a power sweeper and the sediment removed and disposed of at an approved location.

On a month basis as a minimum, the rain garden shall be inspected and any plants found to be dead replaced and any debris found within it shall be removed. Any erosion found within it shall be restored.

On an annual basis, the stormwater infiltration system shall be inspected to determine if there is sediment within the chamber. If sediment is found then it shall be cleaned by a vacuum truck and a report of the inspection and cleaning provided to the Conservation Commission.

On an annual basis, the septic tank shall be cleaned and pumped by a licensed septic pumper. The sewer pump chamber shall be inspected on an annual basis and any solids found in the chamber removed concurrent with the septic tank pumping.