EcoTec, Inc.

ENVIRONMENTAL CONSULTING SERVICES
102 Grove Street
Worcester, MA 01605-2629
508-752-9666 – Fax: 508-752-9494

May 29, 2019

Leicester Conservation Commission
3 Washburn Square
Leicester, MA 01524

Re: Notice of Intent (NOI) Filing – Proposed addition and deck - 14 Massasoit Drive
Applicant/Owner: Carl & Sharyn Dale

Dear Commission Members:

Enclosed please find two (2) copies of the WPA – NOI Form with required attachments and seven (7) copies of supporting plans filed under the Massachusetts Wetlands Protection Act and the Leicester Wetlands Bylaw on behalf of the Applicant and Owner for the above referenced property. The applicant is seeking an Order of Conditions to construct an addition and deck within the outer Buffer Zone associated with Waite Pond. No work is proposed within approximately 57 feet of the delineated wetland boundary on the site. Additionally, the project area consists of flat topography and no grade changes are proposed as part of the project. A detailed wetland resource area report is attached for your information.

The filing is comprised of:

1. The WPA Form 3 -NOI Form with required attachments;
2. The NOI Wetland Fee Transmittal Form and photocopy of checks;
3. Notification to Abutters letter with Leicester 300-ft Abutter list;
4. WPA filing fee check to the Town of Leicester in the amount of $62.50.00;
5. Bylaw filing fee check to the Town of Leicester in the amount of $25.00;
6. Wetland Resource Evaluation, 14 Massasoit Dr, Leicester MA, prepared by EcoTec, Inc., dated 5/23/2017;
7. Site Plans prepared by Levesque Geomatics, Inc., dated 5/18/2019;

One (1) copy of the filing has also been sent certified mail/return receipt to the DEP Central Regional Office.

We look forward to discussing this project with the Commission at the next available public hearing. If you have any questions, please feel free to contact me at any time.

Sincerely,

Scott Jordan

Scott Jordan
Senior Environmental Scientist

Cc: Carl & Sharyn Dale
DEP CERO

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Leicester
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):

14 Massasoit Drive — a. Street Address
Leicester — b. City/Town
01524 — c. Zip Code

Latitude and Longitude:
42.24773° — d. Latitude
71.89263° — e. Longitude

21A — f. Assessors Map/Plat Number
26 — g. Parcel /Lot Number

2. Applicant:

Carl & Sharyn — a. First Name
Dale — b. Last Name
c. Organization
14 Massasoit DR — d. Street Address
Leicester — e. City/Town
MA — f. State
01524 — g. Zip Code
5089637478 — h. Phone Number
i. Fax Number
cdmusky@gmail.com — j. Email Address

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

same — 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):

Scott — a. First Name
Jordan — b. Last Name
EcoTec Inc. — c. Company
102 Grove St — d. Street Address
Worcester — e. City/Town
MA — f. State
01605 — g. Zip Code
5087529666X26 — h. Phone Number
5087529494 — i. Fax Number
sjordan@ecotecinc.com — j. Email address

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

$110 — a. Total Fee Paid
$42.50 — b. State Fee Paid
$67.50 — c. City/Town Fee Paid

A. General Information (continued)

6. General Project Description:

The applicant proposes to construct an addition and deck within the outer Buffer Zone associated with Waite Pond.

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:

Worcester	
a. County	b. Certificate # (if registered land)
12236	303
c. Book	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.

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. ☐ Bank	1. linear feet	2. linear feet
b. ☐ Bordering Vegetated Wetland	1. square feet	2. square feet
c. ☐ Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. ☐ Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. ☐ Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. ☐ Riverfront Area	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: _____ square feet

4. Proposed alteration of the Riverfront Area:

   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.

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.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. ☐ Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. ☐ Land Under the Ocean	1. square feet 2. cubic yards dredged	
c. ☐ Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. ☐ Coastal Beaches	1. square feet	2. cubic yards beach nourishment
e. ☐ Coastal Dunes	1. square feet	2. cubic yards dune nourishment

	Size of Proposed Alteration	Proposed Replacement (if any)
f. ☐ Coastal Banks	1. linear feet	
g. ☐ Rocky Intertidal Shores	1. square feet	
h. ☐ Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. ☐ Land Under Salt Ponds	1. square feet 2. cubic yards dredged	
j. ☐ Land Containing Shellfish	1. square feet	
k. ☐ 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. ☐ 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 BVW | b. square feet of Salt Marsh

5. ☐ Project Involves Stream Crossings

a. number of new stream crossings | b. number of replacement stream crossings

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.

   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

   8/7/2018
   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

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* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/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.

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

(c) ☐ MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_fee_schedule.htm). 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, http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_exemptions.htm; 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 - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694
Email: DMF.EnvReview-South@state.ma.us

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

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. Other Applicable Standards and Requirements (cont'd)

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

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.

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.

Plot Plan of Map 21A, Lot 26
a. Plan Title

Levesque Geomatics Inc.
b. Prepared By

Joseph Levesque III
c. Signed and Stamped by

5/18/2019
d. Final Revision Date

10'
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:

18934
2. Municipal Check Number

5/23/19
3. Check date

18936
4. State Check Number

5/23/19
5. Check date

Ecotec, Inc.
6. Payor name on check: First Name

7. Payor name on check: Last Name

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Leicester
City/Town

F. Signatures and Submittal Requirements

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

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

1. Signature of Applicant	2. Date: 24 MAY 2019
3. Signature of Property Owner (if different)	4. Date
5. Signature of Representative (if any)	6. Date

For Conservation Commission:
Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:
One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

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:

14 Massasoit Dr	Leicester
a. Street Address	b. City/Town
18936 (state)	$42.50 (state)
c. Check number	d. Fee amount

2. Applicant Mailing Address:

Carl & Sharyn	Dale
a. First Name	b. Last Name

c. Organization

14 Massasoit Dr
d. Mailing Address

Leicester	MA	01524
e. City/Town	f. State	g. Zip Code

5089637478		cdmusky@gmail.com
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

same	
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

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

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.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

NOI Wetland Fee Transmittal Form

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

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 1.a.)	1	$110	$110

Step 5/Total Project Fee: $110

Step 6/Fee Payments:

Total Project Fee:	$110 a. Total Fee from Step 5
State share of filing Fee:	$42.50 b. 1/2 Total Fee **less** $12.50
City/Town share of filling Fee:	$67.50 c. 1/2 Total Fee **plus** $12.50

C. Submittal Requirements

a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
Box 4062
Boston, MA 02211

b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

GREEN SECURELINK CHAIN AND GREEN DIAMOND DISAPPEAR WHEN COPIED HEAT SENSITIVE RED LOCK DISAPPEARS WHEN HEATED

18936

ECOTEC, INC.
102 GROVE STREET
WORCESTER, MA 01605
(508) 752-9666

BayState Savings Bank
The Community Bank of Choice

EZShield™ Check Fraud Protection for Business

53-7102/2113

5/23/2019

PAY TO THE ORDER OF Commonwealth of Massachusetts $ **42.50

Forty-Two and 50/100********** DOLLARS

Commonwealth of Massachusetts

AUTHORIZED SIGNATURE

MEMO NOI Leicester, 14 Massasoit Dr

Security features. Details on back.

GREEN SECURELINK CHAIN AND GREEN DIAMOND DISAPPEAR WHEN COPIED HEAT SENSITIVE RED LOCK DISAPPEARS WHEN HEATED

18935

ECOTEC, INC.
102 GROVE STREET
WORCESTER, MA 01605
(508) 752-9666

BayState Savings Bank
The Community Bank of Choice

EZShield™ Check Fraud Protection for Business

53-7102/2113

5/23/2019

PAY TO THE ORDER OF Town of Leicester $ **25.00

Twenty-Five and 00/100********** DOLLARS

Town of Leicester

AUTHORIZED SIGNATURE

MEMO NOI Leicester, 14 Massasoit Dr - Bylaw fee

Security features. Details on back.

⑈018935⑈ ⑆211371023⑆ 02 25 201060⑈

GREEN SECURELINK CHAIN AND GREEN DIAMOND DISAPPEAR WHEN COPIED HEAT SENSITIVE RED LOCK DISAPPEARS WHEN HEATED

18934

ECOTEC, INC.
102 GROVE STREET
WORCESTER, MA 01605
(508) 752-9666

BayState Savings Bank
The Community Bank of Choice

EZShield™ Check Fraud Protection for Business

53-7102/2113

5/23/2019

PAY TO THE ORDER OF Town of Leicester $ **67.50

Sixty-Seven and 50/100********** DOLLARS

Town of Leicester

AUTHORIZED SIGNATURE

MEMO NOI Leicester, 14 Massasoit Dr

Security features. Details on back.

⑈018934⑈ ⑆211371023⑆ 02 25 201060⑈

ECOTEC, INC.

18934

Town of Leicester		5/23/2019	
688 · Project costs - Filing Fee	NOI Leicester, 14 Massasoit Dr		67.50

Town of Leicester

Abutters List

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
21A A17 0	7 MASSASOIT DR	SCALLEY DIANE M		58 EUNICE AVE	WORCESTER	MA	01605
21A A18 0	9 MASSASOIT DR	FLUET JOSEPH J	FLUET KATHLEEN A	9 MASSASOIT DR	LEICESTER	MA	01524
21A A19 0	11 MASSASOIT DR	OLEARY ANDREW R	OLEARY CAROL F	11 MASSASOIT DR	LEICESTER	MA	01524
21A A20 0	13 MASSASOIT DR	SCHULMAN STEVEN A	SCHULMAN LINDA S	13 MASSASOIT DR	LEICESTER	MA	01524
21A A21 0	15 MASSASOIT DR	ZMAYEFSKI JEFFREY A		15 MASSASOIT DRIVE	LEICESTER	MA	01524
21A A22 0	17 MASSASOIT DR	MURPHY MCCANCE DONNA M		17 MASSASOIT DR	LEICESTER	MA	01524
21A A23 0	19 MASSASOIT DR	EARLE THERESA M		19 MASSASOIT DR	LEICESTER	MA	01524
21A A24 0	18 MASSASOIT DR	JEROME GEORGE	JEROME SANDRA	18 MASSASOIT DR	LEICESTER	MA	01524
21A A25 0	16 MASSASOIT DR	FERDELLA KARYN M		16 MASSASOIT DR	LEICESTER	MA	01524
21A A27 0	12 MASSASOIT DR	PASZUK CHRISTINE		12 MASSASOIT DR	LEICESTER	MA	01524
21A A28 0	10 MASSASOIT DR	MERCIER A J	MERCIER ERIN A	10 MASSASOIT DRIVE	LEICESTER	MA	01524
21A A29 0	8 MASSASOIT DR	LUPA STEVEN J		P O BOX 382	LEICESTER	MA	01524
21A A30 0	6 MASSASOIT DR	O`LEARY CHRISTINE G	HOLMES MICHAEL	6 MASSASOIT DR	LEICESTER	MA	01524
21A A48 0	MANNVILLE ST	TOWN OF LEICESTER	TOWN HALL	3 WASHBURN SQUARE	LEICESTER	MA	01524

End of Report

Above is a certified list of abutters and abutters to abutters within 300 feet of subject.
Subject property: 14 Massasoit Drive, Assessors Map 21A-A26-0, Deed Ref. 12236/303
Subject owner(s): Carl & Sharyn Dale

John Prescott, Principal Assessor

Prepared by: Kathleen Asquith, Assistant

Notification of Abutters Under the
Massachusetts Wetlands Protection Act and the Town of Leicester Wetlands Bylaw

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

A. The name of the applicant is Carl & Sharyn Dale.

B. The applicant has filed a Notice of Intent with the Conservation Commission for the municipality of Leicester seeking permission to construct an addition and deck within the 100-foot Buffer Zone associated with an Area Subject to Protection Under the Wetlands Protection Act (General Laws Chapter 131, Section 40) and the Town of Leicester Wetlands Bylaw.

C. The address where the planned activity will take place is 14 Massasoit Drive, Leicester MA.

D. Copies of the Notice of Intent may be examined and obtained by making an appointment at EcoTec, Inc., 102 Grove Street, Worcester, MA, during regular business hours.

For more information call Scott Jordan of EcoTec at (508) 752-9666 extension 226, to make an appointment to review the filing materials. This is the applicant's representative.

E. A public hearing will be held on the matter in the Leicester Town Hall on June 12, 2019 at 6:30. Information regarding the date, time and place of the public hearing may be obtained from EcoTec, Inc., by calling this telephone number (508) 752-9666 extension 226, during regular business hours.

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

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

NOTE: You also may contact your local Conservation Commission or the nearest Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act. To contact DEP, call:

Leicester Conservation Commission: 508-892-7007
Central Region: 508-792-7650

EcoTec, Inc.

ENVIRONMENTAL CONSULTING SERVICES
102 Grove Street
Worcester, MA 01605-2629
508-752-9666 – Fax: 508-752-9494

May 23, 2019

Carl & Sharyn Dale
14 Massasoit Drive
Leicester, MA 01524

RE: Wetland Resource Evaluation, 14 Massasoit Drive, Leicester, Massachusetts

Dear Mr. & Mrs. Dale:

On April 5, 2019, EcoTec, Inc. inspected the above-referenced property for the presence of wetland resources as defined by: (1) the Massachusetts Wetlands Protection Act (M.G.L. Ch. 131, § 40; the "Act") and its implementing regulations (310 CMR 10.00 *et seq.*; the "Regulations"); (2) the Town of Leicester Wetlands Bylaw and its implementing regulations; and (3) the U.S. Clean Water Act (i.e., Section 404 and 401 wetlands). Scott Jordan, CPESC conducted the inspection.

The subject site consists of an existing single-family home with associated lawn, driveway and detached garage. The wetland resources observed on the site are described below.

Methodology

The site was inspected, and areas suspected to qualify as wetland resources were identified. The boundary of Bordering Vegetated Wetlands or, in the absence of Bordering Vegetated Wetlands, Bank was delineated in the field in accordance with the definitions set forth in the regulations at 310 CMR 10.55(2)(c) and 310 CMR 10.54(2). Section 10.55(2)(c) states that "The boundary of Bordering Vegetated Wetlands is the line within which 50% or more of the vegetational community consists of wetland indicator plants and saturated or inundated conditions exist." Section 10.54(2)(c) states that "The upper boundary of Bank is the first observable break in the slope or the mean annual flood level, whichever is lower." The methodology used to delineate Bordering Vegetated Wetlands is further described in: (1) the BVW Policy "*BVW: Bordering Vegetated Wetlands Delineation Criteria and Methodology*," issued March 1, 1995; and (2) "*Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act: A Handbook*," produced by the Massachusetts Department of Environmental Protection, dated March 1995. The plant taxonomy used in this report is based on the *National List of Plant Species that Occur in Wetlands: Massachusetts* (Fish and Wildlife Service, U.S. Department of the Interior, 1988). Federal wetlands were presumed to have boundaries conterminous with the delineated Bordering Vegetated Wetlands and Bank. The table below provides the Flag Numbers, Flag Type, and Wetland Types and Locations for the delineated wetland resources.

Flag Numbers	Flag Type	Wetland Types and Locations
Start A1 to A4 Stop	Blue Flags	Upper Boundary of Bank associated with Waite Pond in the eastern portion of the site.

Findings

Wetland A (i.e., flags A1 to A4) consists of the upper boundary of the Bank located in the eastern portion of the site that is associated with Waite Pond. The Bank in this area consists of an abrupt, steep stone banking. Based upon a soils and vegetation evaluation, it is EcoTec's opinion that no Bordering Vegetated Wetland (BVW) is present on the site. The pond would be regulated as Bank and Land Under Water Bodies and Waterways under the Act and Bylaw. A 100-foot Buffer Zone extends horizontally outward from the edge of Bank under the Act and Bylaw.

Bordering Land Subject to Flooding is an area that floods due to a rise in floodwaters from a bordering waterway or water body. Where flood studies have been completed, the boundary of Bordering Land Subject to Flooding is based upon flood profile data prepared by the National Flood Insurance Program. Section 10.57(2)(a)3. states that "The boundary of Bordering Land Subject to Flooding is the estimated maximum lateral extent of flood water which will theoretically result from the statistical 100-year frequency storm." The project engineer should evaluate the most recent National Flood Insurance Program flood profile data to determine if Bordering Land Subject to Flooding occurs on the site. Bordering Land Subject to Flooding would occur in areas where the 100-year flood elevation is located outside of or upgradient of the delineated Bank boundary. Bordering Land Subject to Flooding does not have a Buffer Zone under the Act or the Bylaw.

The Massachusetts Rivers Protection Act amended the Act to establish an additional wetland resource area: Riverfront Area. Based upon a review of the current USGS Map (i.e., Worcester South Quadrangle, dated 1983, attached) and observations made during the site inspection, there are no mapped or unmapped streams located within 200 feet of the site. Accordingly, Riverfront Area would not occur on the site. Riverfront Area does not have a Buffer Zone under the Act.

The Regulations require that no project may be permitted that will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures set forth at 310 CMR 10.59. Based upon a review of the *Massachusetts Natural Heritage Atlas*, 14th edition, Priority Habitats and Estimated Habitats from the NHESP Interactive Viewer, valid from 8/7/2018, and Certified Vernal Pools from MassGIS, there are no Estimated Habitats [for use with the Act and Regulations (310 CMR 10.00 *et seq.*)], Priority Habitats [for use with Massachusetts Endangered Species Act (M.G.L. Ch. 131A; "MESA") and MESA Regulations (321 CMR 10.00 *et seq.*)], or Certified Vernal Pools on or in the immediate vicinity of the site. A copy of this map is attached.

The reader should be aware that the regulatory authority for determining wetland jurisdiction rests with local, state, and federal authorities. A brief description of my experience and qualifications is attached. If you have any questions, please feel free to contact me at any time.

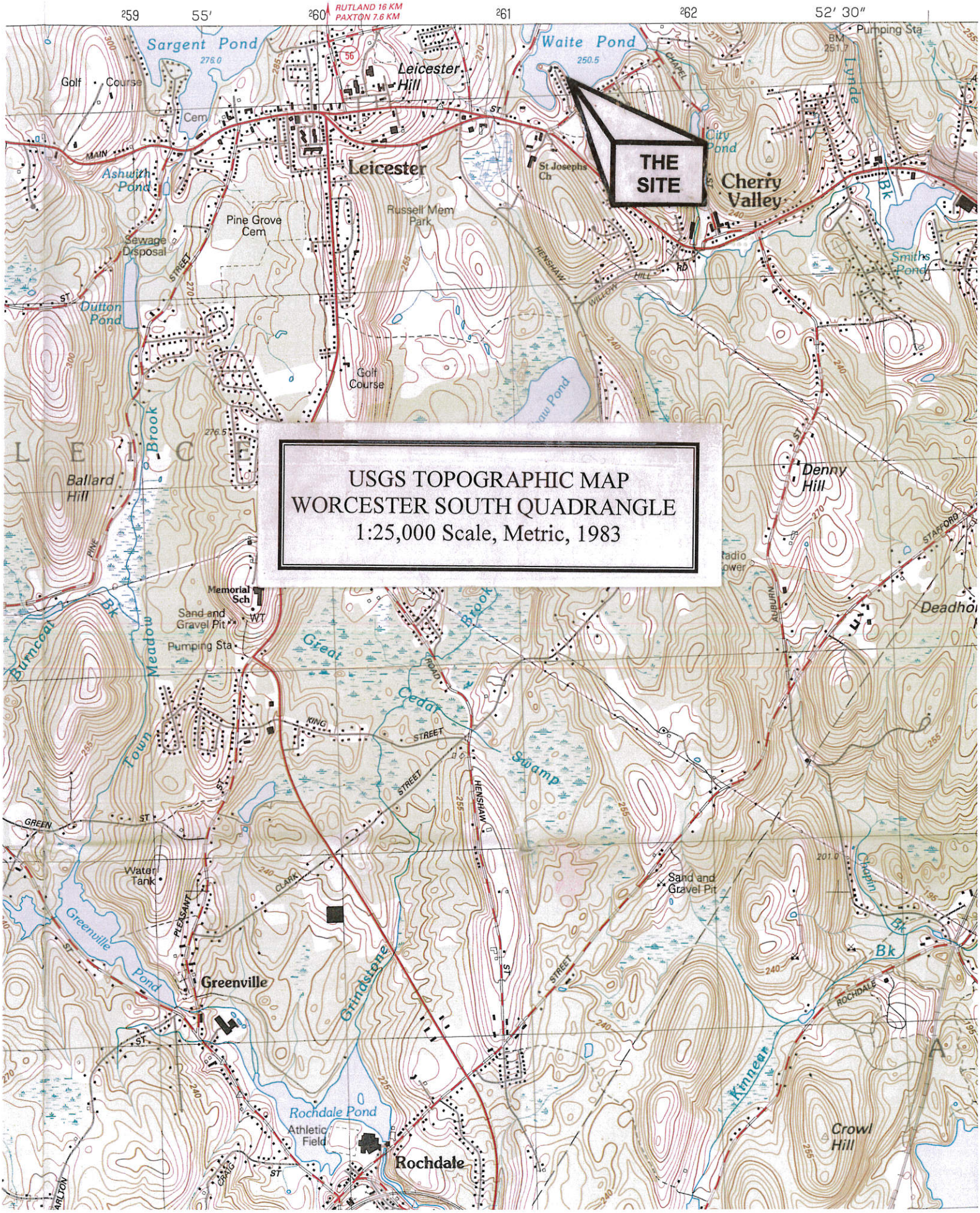
Cordially,
ECOTEC, INC.

Scott Jordan

Scott Jordan, CPESC
Senior Environmental Scientist

Attachments (4 pages)

11/W/Leicester14MassasoitDrReport



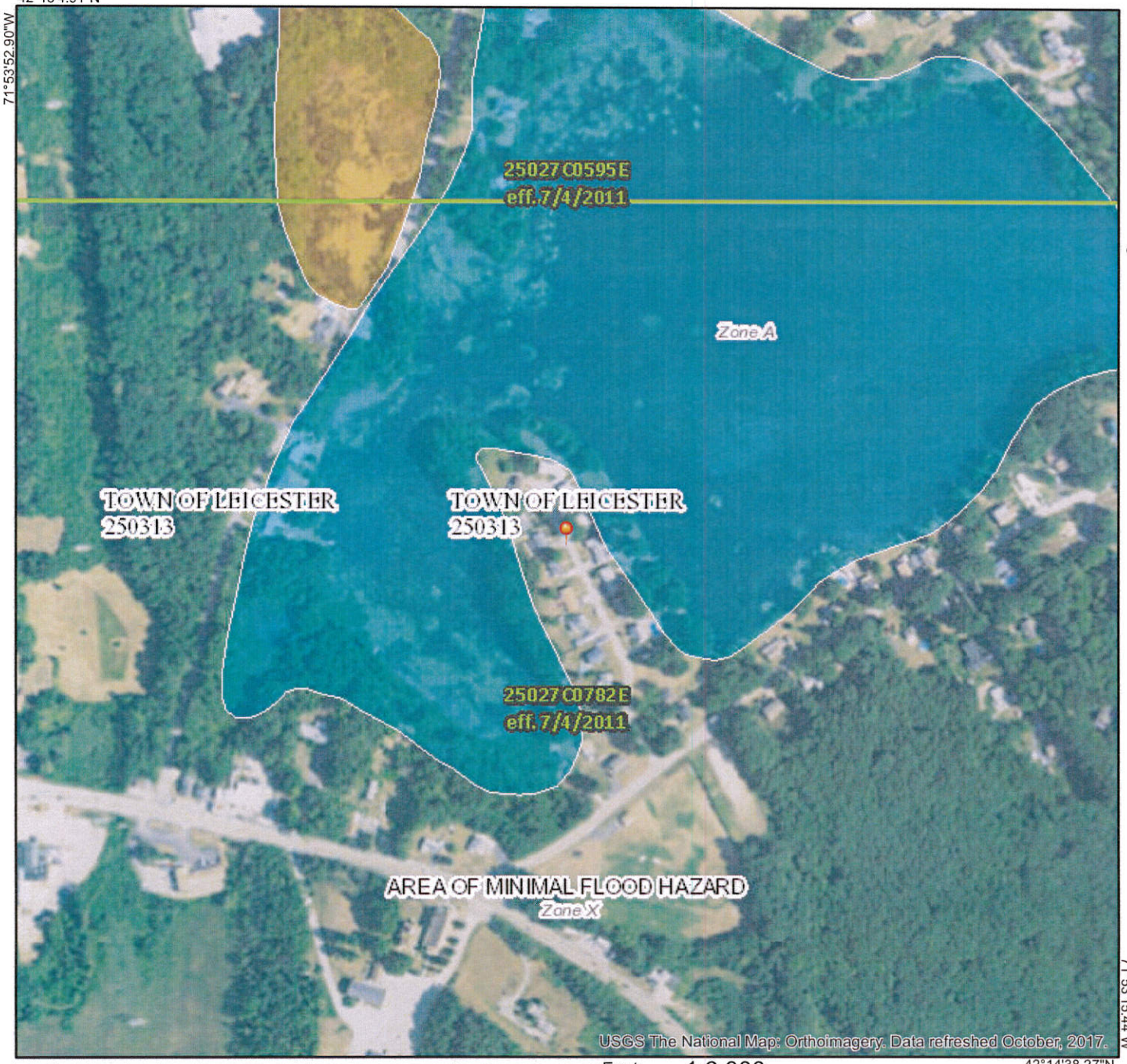
USGS TOPOGRAPHIC MAP
WORCESTER SOUTH QUADRANGLE
1:25,000 Scale, Metric, 1983

National Flood Hazard Layer FIRMette

FEMA

42°15'4.91"N

71°53'52.90"W



71°53'15.44"W

42°14'38.27"N

0 250 500 1,000 1,500 2,000 Feet 1:6,000

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 D*

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

OTHER FEATURES
- B 20.2 17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- 513 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

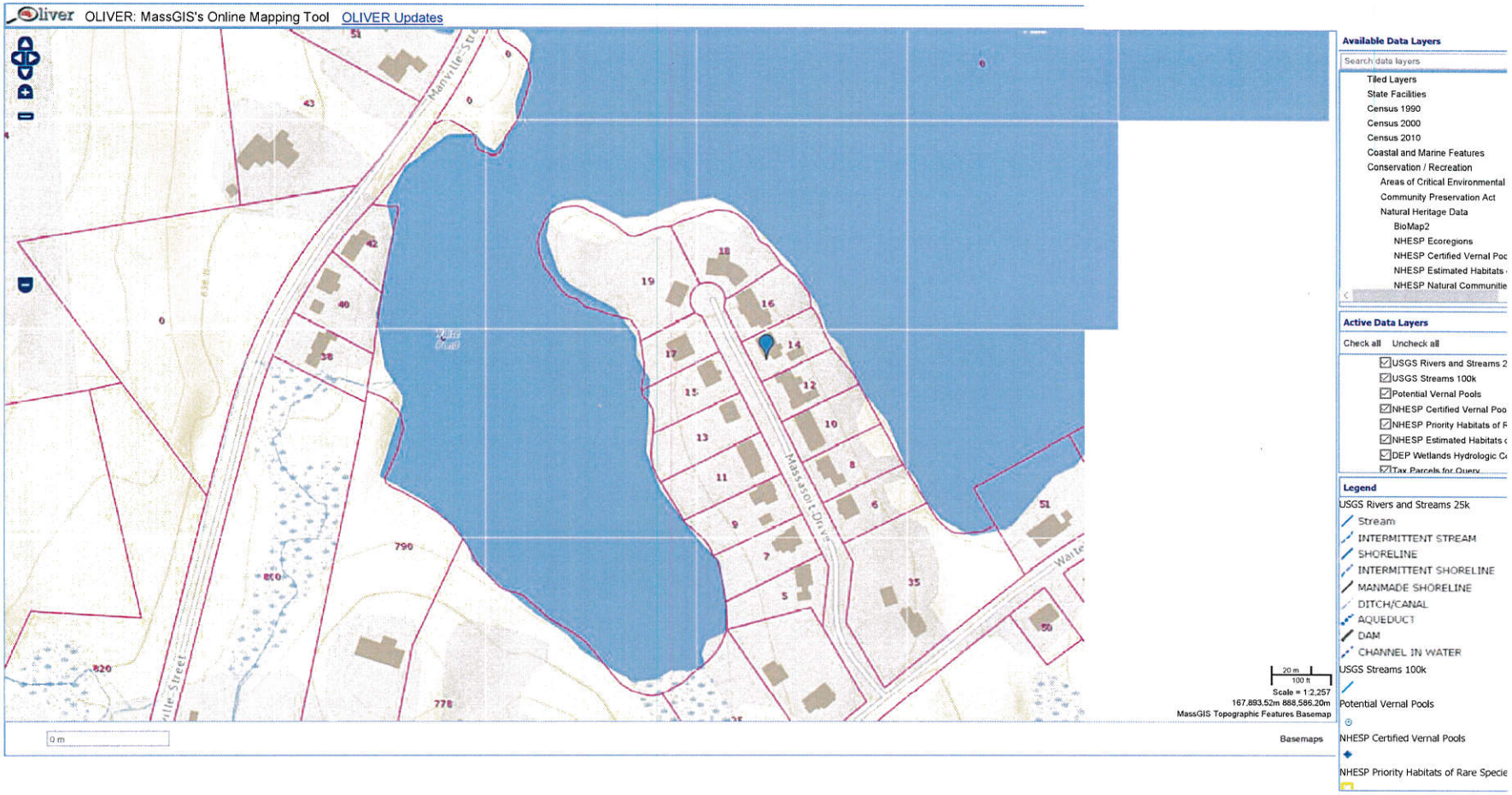
N

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 4/10/2019 at 11:34:05 AM 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 unmodernized areas cannot be used for regulatory purposes.



Natural Heritage Atlas On-line Data Viewer Output 8/7/2018

EcoTec, Inc.

ENVIRONMENTAL CONSULTING SERVICES
102 Grove Street
Worcester, MA 01605-2629
508-752-9666 – Fax: 508-752-9494

Scott Jordan, CPESC
Senior Environmental Scientist

Scott Jordan is an Environmental Scientist with EcoTec, Inc. Since joining EcoTec in 2000, Mr. Jordan's duties have included wetland resource evaluation and delineation; erosion and sediment control planning and monitoring, environmental monitoring, including water quality analysis, sediment analysis and wildlife habitat impact analysis; environmental permitting at local, state, and federal level; pond and stream evaluation; wildlife habitat evaluation, vernal pool evaluation; and wetland restoration and replication design and oversight. He has served as an environmental consultant to the development community, engineering firms, municipalities, and conservation commissions. Prior to joining EcoTec, Mr. Jordan was the Senior Laboratory Technician for GeoComp Corporation where he performed numerous physical properties analysis of soils and geosynthetic materials in accordance with ASTM, and AASHTO specifications. His approximately seven years experience evaluating New England soils includes soil analysis and classification of site-remediated soils with oil and hazardous material contamination. His educational background includes courses in organic and inorganic chemistry, biology, botany and comparative vertebrate physiology, with extensive coursework in ecology and wildlife biology; and he has completed several professional training seminars including erosion and sediment control, soil evaluation, wildlife habitat evaluation, wetland mitigation, vernal pool evaluation, water quality assessment using macro-invertebrates, and river morphology and functions. He has participated in several rare species and wildlife monitoring and inventory projects, including marsh bird surveys, marbled salamander (*Ambystoma opacum*) survey, great laurel (*Rhododendron maximum*) survey, wood turtle (*Glyptemys insculpta*) habitat assessments and sweeps, eastern box turtle (*Terrapene carolina*) habitat assessments, and greater black-backed gull (*Larus marinus*) inventory. His prior research experience includes behavioral and acoustic studies of the common loon (*Gavia immer*) in northwestern Maine.

Education: Bachelor of Science: Biology - Wildlife and Environmental, *Cum Laude*
Framingham State College, 2000
Biotechnology Certificate
Middlesex Community College, 1994

Professional Affiliations: Certified Professional in Erosion and Sediment Control (Cert. #3644)
Massachusetts Association of Conservation Commissioners
Association of Massachusetts Wetland Scientists
Society of Wetland Scientists
Society of Soil Scientists of Southern New England