

From: CERO_NOI@MassMail.state.ma.us
Sent: Tuesday, April 9, 2024 1:43 PM
To: gwen@antanavica.net; kodonnell@ecotecinc.com; bryanna.weigel@mass.gov
Cc: cero_noi@state.ma.us; Conservation Commission; Donna Main; cero_noi@state.ma.us
Subject: MassDEP NOI File Number

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
CENTRAL REGIONAL OFFICE
8 NEW BOND STREET, WORCESTER, MA 01606 508-792-7650

Date: 04/09/2024

Municipality LEICESTER

RE: NOTIFICATION OF WETLANDS PROTECTION ACT FILE NUMBER

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

Applicant ANTANAVICA CONSTRUCTION		Owner Address
Address	208 PINE STREET, LEICESTER MA 01524	
Locus	KING STREET , LEICESTER MA 01524	

This project has been assigned the following file # : **CE 197-0713**

ISSUANCE OF A FILE NUMBER INDICATES ONLY COMPLETENESS OF SUBMITTAL, NOT APPROVAL OF APPLICATION

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

- The narrative provided only confirms the presence of Zone A floodplain on the lot and states, "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." Provide additional information to MassDEP and the Commission on the BFE and include the 100-year floodplain boundary on revised site plans. Per 10.57(2)(a)3. ... "the boundary of Bordering Land Subject to Flooding shall be the maximum lateral extent of flood water which as been observed or recorded" or "the issuing authority may require the applicant to determine the boundary of Bordering Land Subject to Flooding by engineering calculations...". See 10.57(2)(a)3.(a)-(c). If there are impacts to BLSF, the Applicant should submit a revised WPA form 3 to MassDEP and the Commission quantifying impacts to BLSF and demonstrate compliance with 310 CMR 10.57(4)(b).

- MassDEP highlights that, per the narrative provided, the lot was originally inspected for wetland resource areas in January of 2018. The site was re-inspected on March 6th, 2024; however, at the time of re-inspection, the consultant was unable to re-inspect and confirm the present-day accuracy of the MAHW line determined in January of 2018 because Grindstone Brook was flooded due to recent rain (see narrative addressed to Steve Antanavica). The Commission may consider this in their review of the MAHW line and associated Riverfront Area boundary.

- If the project is found to be within Riverfront Area, the Applicant should submit a fee for work within Riverfront Area in addition to the Buffer Zone.

Regards,
for MassDEP,

Bryanna.Weigel@mass.gov