



EcoTec, Inc.

ENVIRONMENTAL CONSULTING SERVICES

102 Grove Street

Worcester, MA 01605-2629

508-752-9666 / Fax: 508-752-9494

June 5, 2020

Leicester Conservation Commission
Town Hall
3 Washburn Square
Leicester, MA 01524

Re: Notice of Intent

Subject Property: 5A & 5B Virginia Drive, Leicester, MA

Dear Commission Members:

Enclosed please find two (2) copies of a Notice of Intent ("NOI") and attachments, along with three (3) full-size and two (2) half-size copies of the site plan, submitted on behalf of the Applicant: Kevin J. Maher of Oakridge Estates. This NOI is filed under the Massachusetts Wetlands Protection Act and the Leicester Wetland Bylaw for the above-referenced property. This filing comprises:

- This cover letter;
- WPA Form 3 (Notice of Intent);
- Copies of filing fee checks including Bylaw fee (\$262.50) and Town portion of WPA fee (\$537.50);
- Certified Abutters List & Form of Notice;
- EcoTec Wetland Evaluation Report with USGS Map Section & DEP Data Forms;
- Proposed Site Plan, Lot 1, Units 1 & 2 (1 page), dated May 29, 2020.

A copy of this filing has been submitted by certified mail, return receipt requested to the Central Regional Office of the Department of Environmental Protection and to the property owner, as required. The abutters will be notified and Certificates of Mailing will be provided as soon as the public hearing notice is provided to me.

This NOI pertains to the proposed construction of a duplex dwelling unit on Lot 1 (5A & 5B) Virginia Drive. The proposed dwelling is within the Oakridge Community on a lot that was formerly proposed for the community center building. The limit of work is at the existing treeline which is 25-feet from the wetland, at the closest point. All work is within an existing lawn area. The existing wooded buffer will not be disturbed. A limit of work sediment/control barrier is proposed and all disturbed areas will be stabilized with vegetation or impervious surfaces upon project completion.

We look forward to meeting with the Commission regarding this project. If you have any questions, please feel free to contact me at any time.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Arthur Allen', is positioned above a faint, light blue rectangular stamp.

Arthur Allen
Senior Environmental Scientist

cc: DEP-CERO Wetlands & Waterways
John Stelmok, Applicant

AA/NOI/5A & 5B Virginia NOI Cover.doc



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):

5A & 5B Virginia Drive

a. Street Address

Leicester

b. City/Town

01542

c. Zip Code

Latitude and Longitude:

46

f. Assessors Map/Plat Number

42.200202

d. Latitude

-71.894012

e. Longitude

C-1

g. Parcel /Lot Number

2. Applicant:

John

a. First Name

Stelmok

b. Last Name

Prospect Hill Estates, LLC

c. Organization

1B Swanson Raod

d. Street Address

Auburn

e. City/Town

MA

f. State

01501

g. Zip Code

508-754-9641

h. Phone Number

i. Fax Number

jestelmok@gmail.com

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):

Arthur

a. First Name

Allen

b. Last Name

EcoTec, Inc.

c. Company

102 Grove Street

d. Street Address

Worcester

e. City/Town

MA

f. State

01605

g. Zip Code

508-752-9666

h. Phone Number

i. Fax Number

aallen@ecotecinc.com

j. Email address

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

\$1,050

a. Total Fee Paid

\$512.50

b. State Fee Paid

\$537.50

c. City/Town Fee Paid



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

A. General Information (continued)

6. General Project Description:

Construct a duplex dwelling unit with utilities, driveway and landscaping. All work within existing mowed lawn. Structure is 39-feet from wetland, at closest point.

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

- | | |
|---|---|
| 1. <input type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input checked="" type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input type="checkbox"/> 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 CMR 10.24(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

816

c. Book

b. Certificate # (if registered land)

38

d. Page Number

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

- ☒ 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.
- ☐ 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.



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

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 3. cubic yards dredged	2. square feet

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



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

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. <input type="checkbox"/> 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. <input type="checkbox"/> Project Involves Stream Crossings		
a. number of new stream crossings _____	b. number of replacement stream crossings _____	



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

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

3/4/2020

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 <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.



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

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

- (c) ☐ MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhosp/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/nhosp/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
836 South Rodney French Blvd.
New Bedford, MA 02744
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.



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

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.



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

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.
- | | |
|--|----------------------------|
| Proposed Site Plan, Lot 1, Units 1 & 2, 5A/5B Virginia Drive | |
| a. Plan Title | |
| McClure Engineering, Inc. | Christopher P. McClure, PE |
| b. Prepared By | c. Signed and Stamped by |
| 5/29/2020 | 1"=20' |
| d. Final Revision Date | e. Scale |
| EcoTec Wetland Evaluation Report (with Data Forms) | 4/16/2020 |
| 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:

20358	6/2/2020
2. Municipal Check Number	3. Check date
20359	6/2/2020
4. State Check Number	5. Check date
EcoTec, Inc.	
6. Payor name on check: First Name	7. Payor name on check: Last Name



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

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

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6/5/2020

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:

5A & 5B Virginia Drive

a. Street Address

20359

c. Check number

Leicester

b. City/Town

\$512.50

d. Fee amount

2. Applicant Mailing Address:

John

a. First Name

Stelmok

b. Last Name

Prospect Hill Estates, LLC

c. Organization

1B Swanson Road

d. Mailing Address

Auburn

e. City/Town

MA

f. State

01501

g. Zip Code

508-754-9641

h. Phone Number

i. Fax Number

jestelmok@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).



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
Cat. 3.b. (Commercial duplex including site work)	\$1,050	\$1,050	\$1,050
Step 5/Total Project Fee:			\$1,050

Step 6/Fee Payments:

Total Project Fee:	<u>\$1,050</u>
	a. Total Fee from Step 5
State share of filing Fee:	<u>\$512.50</u>
	b. 1/2 Total Fee less \$12.50
City/Town share of filling Fee:	<u>\$537.50</u>
	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.)

20358

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

53-7102/2113



6/2/2020

PAY TO THE ORDER OF Town of Leicester

\$**537.50

Five Hundred Thirty-Seven and 50/100*****

DOLLARS

Town of Leicester



AUTHORIZED SIGNATURE

MEMO Lot 1 Oakridge Estates, Leicester - NOI fee

Security features. Details on back.



20359

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

53-7102/2113



6/2/2020

PAY TO THE ORDER OF Commonwealth of Massachusetts

\$**512.50

Five Hundred Twelve and 50/100*****

DOLLARS

Commonwealth of Massachusetts



AUTHORIZED SIGNATURE

MEMO Lot 1 Oakridge Estates, Leicester - NOI fee

Security features. Details on back.



20360

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

53-7102/2113



6/2/2020

PAY TO THE ORDER OF Town of Leicester

\$**262.50

Two Hundred Sixty-Two and 50/100*****

DOLLARS

Town of Leicester



AUTHORIZED SIGNATURE

MEMO Lot 1 Oakridge Estates, Leicester - Bylaw fee

Security features. Details on back.



Town of Leicester

Abutters List

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
45 B1.1 0	909 STAFFORD ST	LANGE SARA		62 MECHANIC STREET	SPENCER	MA	01562
45 B9 0	HENSHAW ST	SDC REALTY LLC	C/O CONNIE PAPPAS	67 DAWN STREET	FAIRFIELD	CT	06824
46 C1.2 0	605 HENSHAW ST	MEKELSKI STEPHEN J		605 HENSHAW STREET	ROCHDALE	MA	01542-1215
46 C1.3 0	607 HENSHAW ST	MACCHESNEY JOHN	MACCHESNEY ANNA K	607 HENSHAW STREET	ROCHDALE	MA	01542
46 C1.4 0	609 HENSHAW ST	NICHOLSON JR RICHARD	NICHOLSON HEIDI A	609 HENSHAW STREET	ROCHDALE	MA	01542
46 C1.5 0	611 HENSHAW ST	BARON ALICE A		611 HENSHAW STREET	ROCHDALE	MA	01542
46 C1.6 0	613 HENSHAW ST	POTTER EDGAR E	ORTIZ THAO T	613 HENSHAW STREET	ROCHDALE	MA	01542
46 C1.7 0	615 HENSHAW ST	POTTER GARY K JR	NGUYEN VENESA	615 HENSHAW ST	ROCHDALE	MA	01542-1215
46 C2 0	699 HENSHAW ST	WHITE RAYMOND OLNEY		699 HENSHAW ST	ROCHDALE	MA	01542
46 C2.1 0	621 HENSHAW ST	WHITE ETHAN O	WHITE APRIL	621 HENSHAW STREET	ROCHDALE	MA	01542
46D E2 0	9 LILLIAN AV	STANIKMAS PAUL H	BLAIR RAE M	9 LILLIAN AVE	ROCHDALE	MA	01542
46D E3 0	7 LILLIAN AV	LAPERLE TRACEY A		7 LILLIAN AVE	ROCHDALE	MA	01542
46D E4 0	5 LILLIAN AV	ST PIERRE PATRICIA	MURPHY THOMAS A	5 LILLIAN AVE	ROCHDALE	MA	01542
46D E5 0	3 LILLIAN AV	DUFAULT RODNEY W	DUFAULT SUSAN M	3 LILLIAN AVE	ROCHDALE	MA	01542
46D E6 0	3 VIRGINIA DR	MCGINN JOSEPH M	MCGINN DEBRA E	3 VIRGINIA DR	ROCHDALE	MA	01542
46D F1.1 0	WILSON ST	CHAFFEE ANN MARIE	CHAFFEE GORDON A JR	PO BOX 6	ROCHDALE	MA	01542-0006
46D F2 0	WILSON ST	CHAFFEE ANN MARIE	CHAFFEE GORDON A JR	PO BOX 6	ROCHDALE	MA	01542-0006
46D F3 0	915 STAFFORD ST	CHAFFEE JR GURDON A	CHAFFEE ANN MARIE	PO BOX 6	ROCHDALE	MA	01542
46D F4 0	911 STAFFORD ST	BOVIN PATRICIA		911 STAFFORD ST	ROCHDALE	MA	01542
46D G1 0	12 LILLIAN AV	MULRAIN LOUIS H		12 LILLIAN AVENUE	ROCHDALE	MA	01542
46D G2 0	10 LILLIAN AV	JAROSKI GARY E EDWARD R	OVASKA IRREVOCABLE TR	10 LILLIAN AVE	ROCHDALE	MA	01542
46D G3 0	8 LILLIAN AV	GALLANT ROBERT J	GALLANT SUSAN	8 LILLIAN AVE	ROCHDALE	MA	01542
46D G4 0	6 LILLIAN AV	FERDELLA JAMES T	FERDELLA JUDITH M	6 LILLIAN AVE	ROCHDALE	MA	01542
46D G5 0	4 LILLIAN AV	MAY WILLIAM J		4 LILLIAN AVENUE	ROCHDALE	MA	01542
46D G6 0	2 LILLIAN AV	LAPORTE WILLIAM J	LAPORTE ANDREA D	2 LILLIAN AVE	ROCHDALE	MA	01542-0242
46D H4 0	8 VIRGINIA DR	CORLEY PAUL R	CORLEY BARBARA A	8 VIRGINIA DR	ROCHDALE	MA	01542
46D H5 0	10 VIRGINIA DR	TOWN OF LEICESTER	TOWN HALL	3 WASHBURN SQUARE	LEICESTER	MA	01524

End of Report

PLEASE NOTE: Abutters in the Town of Auburn

Above is a certified list of abutters and abutters to abutters within 300 feet of subjects.

Subject property: Virginia Drive, Ryans Way, Assessors Map 46-C1-0

Subject owner: Over 55 Condos, Prospect Hill Estates

John Prescott, Principal Assessor

Prepared by: Kathleen Asquith, Assistant

70 VIRGINIA DR 46 C1.37 0

LUC: 102

ANGERS JOSEPH CD
70 VIRGINIA DRIVE
ROCHDALE, MA 01542

48 VIRGINIA DR 46 C1.33 0

LUC: 102

ARCHAMBEAULT CHERYL M
ARCHAMBEAULT JOSEPH M
48 VIRGINIA DRIVE
ROCHDALE, MA 01542

69 VIRGINIA DR 46 C1.64 0

LUC: 102

BATES LAURENCE
BATES KRISTI
69 VIRGINIA DR
ROCHDALE, MA 01542

46 VIRGINIA DR 46 C1.29 0

LUC: 102

BELANGER A PHILIP
BELANGER SANDRA M
46 VIRGINIA DR
ROCHDALE, MA 01542

17 VIRGINIA DR 46 C1.50 0

LUC: 102

BELANGER RAYMOND O
BELANGER CLAIRE
17 VIRGINIA DR
ROCHDALE, MA 01542

33 VIRGINIA DR 46 C1.54 0

LUC: 102

BENOIT FRANCIS
BENOIT JEAN L
33 VIRGINIA DR
ROCHDALE, MA 01542

76 VIRGINIA DR 46 C1.40 0

LUC: 102

BOURASSA LIVING TRUST
BOURASSA THOMAS L DEBBIE L TRUSTEE
76 VIRGINIA DR
ROCHDALE, MA 01542

22 VIRGINIA DR 46 C1.13 0

LUC: 102

CANHAM PAUL
CANHAM EILEEN
22 VIRGINIA DR
ROCHDALE, MA 01542

43 VIRGINIA DR 46 C1.57 0

LUC: 102

CAPOCCIA MARTHA J
43 VIRGINIA DR
ROCHDALE, MA 01542

35 VIRGINIA DR 46 C1.55 0

LUC: 102

CASHMAN LIVING TRUST
CASHMAN DEBRA A TRUSTEE
35 VIRGINIA DR
ROCHDALE, MA 01542

90 VIRGINIA DR 46 C1.47 0

LUC: 102

CEPPI ROBERT J
TRUSTEE CEPPI FAM IRR TRUST
90 VIRGINIA DR
ROCHDALE, MA 01542

67 VIRGINIA DR 46 C1.63 0

LUC: 102

CHUMSAE FAM IRREV TRUST
CHUMSAE JOHN J III TRUSTEE
67 VIRGINIA DR
ROCHDALE, MA 01542

66 VIRGINIA DR 46 C1.35 0

LUC: 102

CLARK JOHN F
CLARK NANCY M
66 VIRGINIA DR
ROCHDALE, MA 01542

21 VIRGINIA DR 46 C1.52 0

LUC: 102

CONNOLE CAROL A
21 VIRGINIA DR
ROCHDALE, MA 01542

64 VIRGINIA DR 46 C1.34 0

LUC: 102

COOKE FAM NOMINEE REALTY TRUST
COOKE JOHN
64 VIRGINIA DRIVE
ROCHDALE, MA 01542

55 VIRGINIA DR 46 C1.59 0

LUC: 102

CULLINAN GALE A
CULLINAN ROY B
55 VIRGINIA DR
ROCHDALE, MA 01542

71 VIRGINIA DR 46 C1.65 0

LUC: 102

CULROSS RICHARD R
CULROSS PATRICIA I
71 VIRGINIA DR
ROCHDALE, MA 01542

28 VIRGINIA DR 46 C1.15 0

LUC: 102

DALIDA DENNIS A
DALIDA ELEANOR J
28 VIRGINIA DR
ROCHDALE, MA 01542

60 VIRGINIA DR 46 C1.32 0

LUC: 102

DECOTEAU JOHN J
DECOTEAU JEAN M
60 VIRGINIA DR
ROCHDALE, MA 01542

52 VIRGINIA DR 46 C1.28 0

LUC: 102

DESFORGES EILEEN D
DESFORGES PAUL R
52 VIRGINIA DR
ROCHDALE, MA 01542

38 VIRGINIA DR 46 C1.21 0

LUC: 102

DICKMAN IRREVOCABLE TRUST
GENNA DOREEN A TRUSTEE
38 VIRGINIA DR
ROCHDALE, MA 01542

80 VIRGINIA DR 46 C1.42 0

LUC: 102

DINICOLA FRANCES E
80 VIRGINIA DR
ROCHDALE, MA 01542

82 VIRGINIA DR 46 C1.43 0

LUC: 102

DORR NANCY L TRUSTEE
DORR REALTY TRUST
82 VIRGINIA DR
ROCHDALE, MA 01542

20 VIRGINIA DR 46 C1.12 0

LUC: 102

ELLIOTT DON B
ELLIOTT MORGOT T
20 VIRGINIA DR
ROCHDALE, MA 01542

7 VIRGINIA DR 46 C1.72 0

LUC: 102

FARRELL BRIAN J
FARRELL DELORES R
7 VIRGINIA DR
ROCHDALE, MA 01542

18 VIRGINIA DR 46 C1.11 0

LUC: 102

GAGLIASTRO FRANCIS A
GAGLIASTRO GAIL F
18 VIRGINIA DR
ROCHDALE, MA 01542

85 VIRGINIA DR 46 C1.69 0

LUC: 102

GEORGE ALBERTA S
85 VIRGINIA DR
ROCHDALE, MA 01542

81 VIRGINIA DR 46 C1.68 0

LUC: 102

GERMAIN KAREN E
20 WALNUT STREET
RUTLAND, MA 01543

75 VIRGINIA DR 46 C1.67 0

LUC: 102

GILES IRREV TRUST
GILES NANCY M
75 VIRGINIA DR
ROCHDALE, MA 01542

44 VIRGINIA DR 46 C1.24 0

LUC: 102

GUINEE STEPHEN
GUINEE KAREN
PO BOX 355
ROCHDALE, MA 01542

65 VIRGINIA DR 46 C1.62 0
LUC: 102
HANLON SUZANNE
HANLON DAVID
65 VIRGINIA DR
ROCHDALE, MA 01542

6 RYANS WY 46 C1.78 0
LUC: 102
HARRISON MICHELLE
HARRISON FLOYD
6 RYANS WAY
ROCHDALE, MA 01542

11 VIRGINIA DR 46 C1.74 0
LUC: 102
HOLYOAK RAYMOND
HOLYOAK ANITA
11 VIRGINIA DR
ROCHDALE, MA 01542

73 VIRGINIA DR 46 C1.68 0
LUC: 102
JANKOSKI KATHLEEN S
73 VIRGINIA DR
ROCHDALE, MA 01542

2 RYANS WY 46 C1.76 0
LUC: 102
JOHNSON JR FRANCIS E
JOHNSON CONSTANCE C
2 RYANS WAY
ROCHDALE, MA 01542

41 VIRGINIA DR 46 C1.56 0
LUC: 102
KALL KAREN MARK TRUSTEES
KALL LIVING TRUST
41 VIRGINIA DR
ROCHDALE, MA 01542

68 VIRGINIA DR 46 C1.36 0
LUC: 102
KANE BARBARA
68 VIRGINIA DR
ROCHDALE, MA 01542

58 VIRGINIA DR 46 C1.31 0
LUC: 102
KEANEY JOHN T
KEANEY MARIE A
58 VIRGINIA DRIVE
ROCHDALE, MA 01542

89 VIRGINIA DR 46 C1.71 0
LUC: 102
KOWAL ROSE M
89 VIRGINIA DR
ROCHDALE, MA 01542

61 VIRGINIA DR 46 C1.61 0
LUC: 102
KOWALCZYK STANLEY J
KOWALCZYK HELINA
61 VIRGINIA DR
ROCHDALE, MA 01542

23 VIRGINIA DR 46 C1.53 0
LUC: 102
KUSTIGIAN FAMILY INVEST. TRUST
23 VIRGINIA DR
ROCHDALE, MA 01542

8 RYANS WY 46 C1.79 0
LUC: 102
LAVIGNE LINDA
8 RYANS WAY
ROCHDALE, MA 01542

50 VIRGINIA DR 46 C1.27 0
LUC: 102
LEBLANC DONNA M
LEBLANC WAYNE M
50 VIRGINIA DR
ROCHDALE, MA 01542

88 VIRGINIA DR 46 C1.46 0
LUC: 102
LORANGE NORMAN P
LORANGE SUSAN
88 VIRGINIA DR
ROCHDALE, MA 01542

84 VIRGINIA DR 46 C1.44 0
LUC: 102
MACKENZIE ALEX J
MACKENZIE DOROTHY M
84 VIRGINIA DR
ROCHDALE, MA 01542

59 VIRGINIA DR 46 C1.60 0
LUC: 102
MARINI STEPHEN
MARINI SHARON
59 VIRGINIA DR
ROCHDALE, MA 01542

30 VIRGINIA DR 46 C1.17 0
LUC: 102
MCCLUSKEY RICHARD
MCCLUSKEY PHYLLIS
30 VIRGINIA DR
ROCHDALE, MA 01542

40 VIRGINIA DR 46 C1.22 0
LUC: 102
MCCONVILLE ALICE A
40 VIRGINIA DR
ROCHDALE, MA 01542

15 VIRGINIA DR 46 C1.49 0
LUC: 102
MORAN MILTON
MORAN MARY
15 VIRGINIA DR
ROCHDALE, MA 01542

4 RYANS WY 46 C1.77 0
LUC: 102
MORIN ROBERT F
MORIN HELEN J
4 RYANS WAY
ROCHDALE, MA 01542

42 VIRGINIA DR 46 C1.23 0
LUC: 102
OAK ALFRED J
OAK LOIS
42 VIRGINIA DR
ROCHDALE, MA 01542

10 RYANS WY 46 C1.80 0
LUC: 102
OSSENE KATHY A
10 RYANS WAY
ROCHDALE, MA 01542

28 VIRGINIA DR 46 C1.16 0
LUC: 102
OSTROMECKY MARY JANE
28 VIRGINIA DR
ROCHDALE, MA 01542

72 VIRGINIA DR 46 C1.38 0
LUC: 102
PAQUETTE STEPHEN A
PAQUETTE MARIE D
72 VIRGINIA DR
ROCHDALE, MA 01542

32 VIRGINIA DR 46 C1.18 0
LUC: 102
PAULHUS BONNIE L
32 VIRGINIA DR
ROCHDALE, MA 01542

92 VIRGINIA DR 46 C1.48 0
LUC: 102
PIERCE RONALD K
PIERCE CARO K
92 VIRGINIA DR
ROCHDALE, MA 01542

87 VIRGINIA DR 46 C1.70 0
LUC: 102
QUINN DIANE R
87 VIRGINIA DR
ROCHDALE, MA 01542

12 RYANS WY 46 C1.81 0
LUC: 102
RABOIN RAYMOND L
RABOIN JANE M
12 RYANS WAY
ROCHDALE, MA 01542

9 VIRGINIA DR 46 C1.73 0
LUC: 102
RANDALL JONATHAN C
9 VIRGINIA DR
ROCHDALE, MA 01542

86 VIRGINIA DR 46 C1.45 0
LUC: 102
REMILLARD SUSAN M TRUSTEE
REMILLARD LIVING TRUST
86 VIRGINIA DR
ROCHDALE, MA 01542

74 VIRGINIA DR 46 C1.39 0

LUC: 102

RENE L DAOUST TRUST
DAOUST RENE TRUSTEE
74 VIRGINIA DR
ROCHDALE, MA 01542

62 VIRGINIA DR 46 C1.26 0

LUC: 102

ROSS WILLIAM F
ROCCO PAULA M
62 VIRGINIA DR
ROCHDALE, MA 01542

34 VIRGINIA DR 46 C1.19 0

LUC: 102

SBROGNA ELEANOR M
34 VIRGINIA DR
ROCHDALE, MA 01542

13 VIRGINIA DR 46 C1.75 0

LUC: 102

SPARHAWK KEITH S
SPARHAWK BARBARA J
13 VIRGINIA DR
ROCHDALE, MA 01542

19 VIRGINIA DR 46 C1.51 0

LUC: 102

STALTARE SHARRON
19 VIRGINIA DR
ROCHDALE, MA 01542

54 VIRGINIA DR 46 C1.25 0

LUC: 102

STIMSON JUNE P PAUL F TRUSTEES
STIMSON LIVING TRUST
54 VIRGINIA DR
ROCHDALE, MA 01542

78 VIRGINIA DR 46 C1.41 0

LUC: 102

SULLIVAN BRIAN T
78 VIRGINIA DR
ROCHDALE, MA 01542

36 VIRGINIA DR 46 C1.20 0

LUC: 102

SULLIVAN KELLY
LEAL KATHLEEN
36 VIRGINIA DR
ROCHDALE, MA 01542

16 VIRGINIA DR 46 C1.10 0

LUC: 102

TELLO GERALD F
TELLO VIRGINIA M
16 VIRGINIA DR
ROCHDALE, MA 01542

53 VIRGINIA DR 46 C1.58 0

LUC: 102

TROMBLEY CONSTANCE E
53 VIRGINIA DRIVE
ROCHDALE, MA 01542

56 VIRGINIA DR 46 C1.30 0

LUC: 102

WILBUR FAMILY TRUST ROBERT B JR
WILBUR ROBERT DEBORAH TRUSTEES
56 VIRGINIA DR
ROCHDALE, MA 01542

**Notification of Abutters Under the
Massachusetts Wetlands Protection Act &
The Town of Leicester Wetland 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 John Stelmok at Prospect Hill Estates, LLC.
- B. The applicant has filed a Notice of Intent with the Conservation Commission for the municipality of Leicester seeking permission to construct a duplex residential building within 100 feet of an Area Subject to Protection Under the Wetlands Protection Act (General Laws Chapter 131, Section 40).
- C. The address where the planned activity will take place is 5A & 5B Virginia Drive, Leicester, MA.
- D. Copies of the Notice of Intent may be examined and obtained at the Leicester Town Clerk's office or at EcoTec, Inc., 102 Grove Street, Worcester, MA, during regular business hours (Mon.– Fri., 9-4).

For more information call Arthur Allen at (508) 752-9666, ext. 24 or email him at aallen@ecotecinc.com. This is the applicant's representative.

- E. A public hearing for this project will be held by the Leicester Conservation Commission on a date, time, location and format to be determined.

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 & Gazette.

NOTE: Notice of the public hearing, including the date, time and place will be posted on the Town website (<https://www.leicesterma.org/conservation-commission>) and in the City or 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:

DEP Central Region: 508-792-7650

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

April 16, 2020

Justin Stelmok
Emerson Homes, Inc.
1B Swanson Road
Auburn MA, 01501

RE: Wetland Resource Evaluation, Lot 1 Virginia Drive, Massachusetts

Dear Justin:

On March 10, 2020 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”); and (2) the U.S. Clean Water Act (i.e., Section 404 and 401 wetlands). Arthur Allen, CPSS, CWS, CESSWI conducted the inspection.

The subject site consists of a 2.4-acre parcel located in the Rochdale section of Leicester. The upland portions of the site are a combination of mowed lawn in the southerly part and mixed wood forest in the northerly and central parts. Plant species observed include eastern white pine (*Pinus strobus*), red maple (*Acer rubrum*), northern red oak (*Quercus rubra*), black cherry (*Prunus serotina*), black birch (*Betula lenta*), white ash (*Fraxinus americana*), shag-bark hickory (*Carya ovata*), black raspberry (*Rubus occidentalis*), and cinnamon fern (*Osmunda cinnamomea*). 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 was delineated in the field in accordance with the definition set forth in the regulations at 310 CMR 10.55(2)(c). 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.” 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. One set of DEP Bordering Vegetated Wetland Delineation Field Data Forms completed for observation plots located in the wetlands and uplands near flag E-7 is attached. 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
E-1 to E-9	Blue Flags	Southerly boundary of Bordering Vegetated Wetlands. Wetlands are associated with a seasonal ponding area.

Findings

Wetland E (i.e., flags E-1 to E-9) consists of a wooded swamp wetland located in the central portion of the site that is associated with a seasonal ponding area that drains to the northeast via an unmapped, intermittent stream. Plant species observed include red maple (*Acer rubrum*), common winterberry (*Ilex verticillata*), northern arrowwood (*Viburnum dentatum*) and cinnamon fern (*Osmunda cinnamomea*). Evidence of wetland hydrology, including hydric soils, high groundwater, saturated soils, seasonal flooding and drainage patterns, were observed within the delineated wetland. This vegetated wetland borders an unmapped, intermittent stream; accordingly, the vegetated wetlands would be regulated as Bordering Vegetated Wetlands under the Act. A 100-foot Buffer Zone extends horizontally outward from the edge of Bordering Vegetated Wetlands under the Act.

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 confirm that Bordering Land Subject to Flooding does not occur 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 Bordering Vegetated Wetlands boundary. Bordering Land Subject to Flooding does not have a Buffer Zone under the Act.

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 (attached) and observations made during the site inspection, there is an unmapped stream which drains from the northeast side of the wetland. The stream originates within the delineated wetland and has a watershed area of less than 0.1 square miles. Accordingly, Riverfront Area would not occur on the site. Riverfront Area does not have a Buffer Zone under the Act.

Lot 1 Virginia Dr., Leicester, MA

April 16, 2020

Page 3.

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 August 1, 2017, 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.



Arthur Allen, CPSS, CWS
Vice President

Attachments (5, 8 pages)



EcoTec, Inc.

ENVIRONMENTAL CONSULTING SERVICES

102 Grove Street
Worcester, MA 01605-2629
508-752-9666 / Fax: 508-752-9494

Arthur Allen, CPSS, CWS, CESSWI
Vice President
Soil & Wetland Scientist

Arthur Allen is the Vice President of EcoTec, Inc. and has been a senior environmental scientist there since 1995. His work with EcoTec has involved wetland delineation, wildlife habitat evaluation, environmental permitting (federal, state and local), environmental monitoring, expert testimony, peer reviews, contaminated site assessment and the description, mapping and interpretation of soils. His clients have included private landowners, developers, major corporations and regulatory agencies. Prior to joining EcoTec, Mr. Allen mapped and interpreted soils in Franklin County, MA for the U.S.D.A. Natural Resources Conservation Service (formerly Soil Conservation Service) and was a research soil scientist at Harvard University's Harvard Forest. Since 1994, Mr. Allen has assisted the Massachusetts Department of Environmental Protection and the Massachusetts Association of Conservation Commissions as an instructor in the interpretation of soils for wetland delineation and for the Title V Soil Evaluator program.

Mr. Allen has a civil service rating as a soil scientist, an undergraduate degree in Natural Resource Studies and a graduate certificate in Soil Studies. His work on the Franklin County soil survey involved interpretation of landscape-soil-water relationships, classifying soils and drainage, and determining use and limitation of the soil units that he delineated. As a soil scientist at the Harvard Forest, Mr. Allen was involved in identifying the legacies of historical land-use in modern soil and vegetation at a number of study sites across southern New England. He has a working knowledge of the chemical and physical properties of soil and water and how these properties interact with the plants that grow on a given site. While at Harvard Forest he authored and presented several papers describing his research results which were later published. In addition to his aforementioned experience, Mr. Allen was previously employed by the Trustees of Reservations as a land manager and by the Town of North Andover, MA as a conservation commission intern.

Education:

1993-Graduate Certificate in Soil Studies, University of New Hampshire
1982-Bachelor of Science in Natural Resource Studies, University of Massachusetts

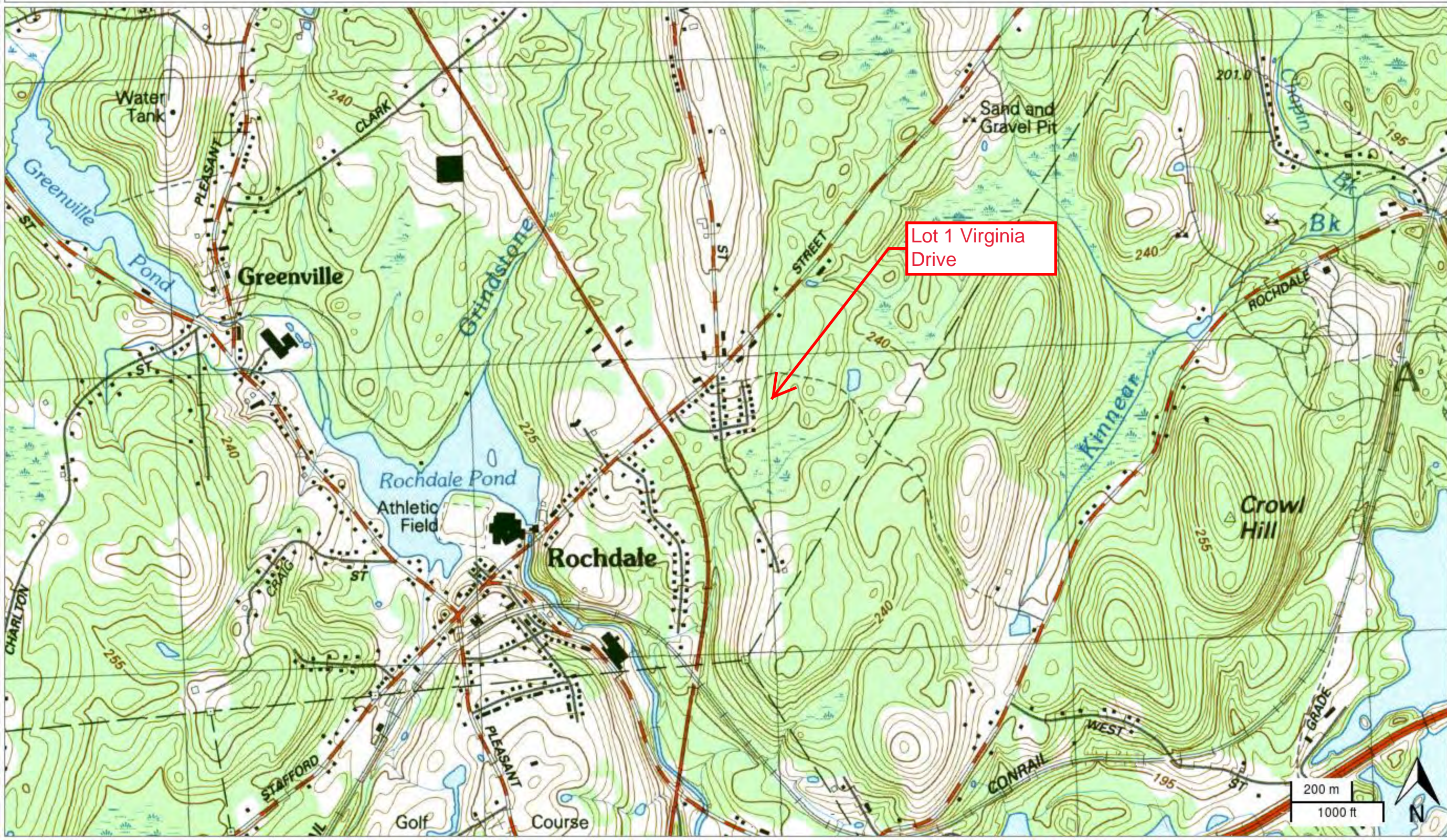
Professional Affiliations:

Certified Professional Soil Scientist (ARCPACS CPSS #22529)
New Hampshire Certified Wetland Scientist (#19)
Registered Professional Soil Scientist – Society of Soil Scientists of SNE [Board Member (2000-2006)]
Certified Erosion, Sediment & Stormwater Inspector (#965)
Massachusetts Approved Soil Evaluator (#13764)
Massachusetts Arborists Association-Certified Arborist (1982 – 1998)
New England Hydric Soils Technical Committee member
Massachusetts Association of Conservation Commissions member
Society of Wetland Scientists member

Refereed Publications:

Soil Science and Survey at Harvard Forest. A.Allen. In: Soil Survey Horizons. Vol. 36, No. 4, 1995, pp. 133-142.
Controlling Site to Evaluate History: Vegetation Patterns of a New England Sand Plain. G.Motzkin, D.Foster, A.Allen, J.Harrold, & R.Boone. In: Ecological Monographs 66(3), 1996, pp. 345-365.
Vegetation Patterns in Heterogeneous Landscapes: The Importance of History and Environment. G.Motzkin, P.Wilson, D.R.Foster & A.Allen. In: Journal of Vegetation Science 10, 1999, pp. 903-920.

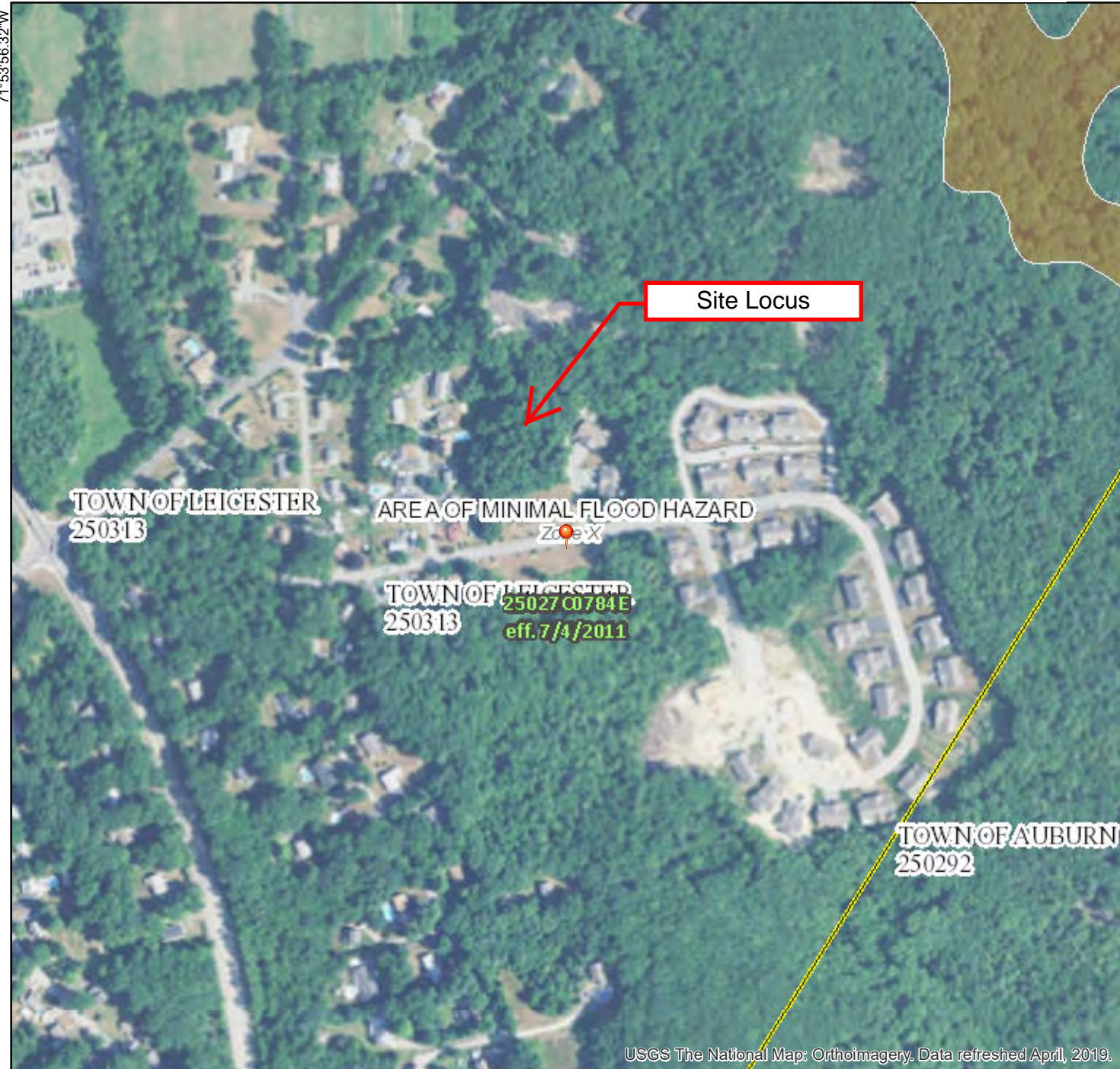
USGS MAP - LEICESTER, MA



National Flood Hazard Layer FIRMette



42°12'12.54"N



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		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
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 **3/4/2020 at 1:37:37 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 unmodernized areas cannot be used for regulatory purposes.

USGS The National Map: Orthoimagery. Data refreshed April, 2019.

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

1:6,000

42°11'45.88"N

71°53'18.87"W

NHESP Map_Lot 1 Virginia Dr. Leicester, Ma



Natural Heritage Atlas Online Data
Viewer Output
Date: March 4th, 2020

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Form

Applicant

Prepared by: EcoTec, Inc

Project Location: Lot 1 Virginia Drive

DEP File #

Section I. Vegetation

Number: TP-U

Transect # E-7

Date of Delin: 3/10/2020

A. Sample layer and plant species (Enter largest to smallest % cover by layer)			Percent Cover (or basal area)	Percent Dominance	Dominant Plant?	Wetland Indicator Category
Tree	Red Maple	Acer rubrum	70	70.0	YES	FAC *
	black cherry	Prunus serotina	20	20.0	YES	FACU
	White ash	Fraxinus americana	10	10.0	NO	FACU
						
Sapling	Sugar maple	Acer saccharum	20	50.0	YES	FACU-
	Red oak	Quercus rubra	10	25.0	YES	FACU-
	black cherry	Prunus serotina	10	25.0	YES	FACU
						
Shrub	multi-flora rose	Rosa multiflora	10	100.0	YES	FACU
						
Ground	Pennsylvania/upland sedge	Carex pensylvanica	10	25.0	YES	NL
	Cinnamon fern	Osmunda cinnamomea	30	75.0	YES	FACW *
						
Vine	fox grape	Vitis labrusca	10	100.0	YES	FACU
						

Vegetation Conclusions

Number of dominant wetland indicator plants

2

Number of dominant non-wetland indicator plants

7

Is the number of dominant wetland plants equal or greater than the number of dominant non-wetland plants?

NO

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Form

Applicant

Prepared by: EcoTec, Inc

Project Location: Lot 1 Virginia Drive

DEP File #

Section II. Indicators of Hydrology

Number: TP-U

Transect # E-7

Date of Delin: 3/10/2020

1. Soil Survey

Is there a published soil survey for this site?

title/date

map number

soil type mapped

hydric soil inclusions

Are field observations consistent with soil survey?

Remarks:

2. Soil Description

Horizon	Depth (inches)	Matrix Color	Mottle Color
O	1-0		
A	0-6	10YR 3/2	
Bw	6-15	10YR 5/6	

Remarks stony fine sandy loams

3. Other

Conclusion: Is the soil hydric?

No

Other Indicators of hydrology (check all that apply):

- ☐ Site Inundated
- ☐ Depth to free water in observation hole
- ☐ Depth to soil saturation in observation hole
- ☐ Water marks
- ☐ Drift lines
- ☐ Sediment Deposits
- ☐ Drainage patterns in BVWs
- ☐ Oxidized rhizospheres
- ☐ Water stained leaves
- ☐ Recorded data (stream, lake, or tidal gauge; aerial photo; other):
- ☐ Other:

Vegetation and Hydrology Conclusion

	Yes	No
Number of wetland indicator plants \geq number of non-wetland indicator plants	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wetland hydrology present:		
Hydric soil present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other indicators of hydrology present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sample Location is in a BVW	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Form

Applicant

Prepared by: EcoTec, Inc

Project Location: Lot 1 Virginia Drive

DEP File #

Section I. Vegetation

Number: TP-W

Transect # E-7

Date of Delin: 3/10/2020

A. Sample layer and plant species (Enter largest to smallest % cover by layer)			Percent Cover (or basal area)	Percent Dominance	Dominant Plant?	Wetland Indicator Category	
Tree	Red Maple	Acer rubrum	100		100.0 YES	FAC	*
							
Sapling	Sugar maple	Acer saccharum	10		50.0 YES	FACU-	
	American Elm	Ulmus americana	10		50.0 YES	FACW-	*
							
Shrub	Winterberry	Ilex verticillata	30		46.2 YES	FACW+	*
	Sugar maple	Acer saccharum	20		30.8 YES	FACU-	
	Northern arrow-wood	Viburnum dentatum	10		15.4 NO	FAC	*
	Black cherry	Prunus serotina	5		7.7 NO	FACU	
							
Ground	Jewelweed	Impatiens capensis	10		20.0 YES	FACW	*
	Cinnamon fern	Osmunda cinnamomea	20		40.0 YES	FACW	*
	sensitive fern	Onoclea sensibilis	20		40.0 YES	FACW	*
Vine							

Vegetation Conclusions

Number of dominant wetland indicator plants

6

Number of dominant non-wetland indicator plants

2

Is the number of dominant wetland plants equal or greater than the number of dominant non-wetland plants?

YES

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Form

Applicant	Prepared by: EcoTec, Inc	Project Location: Lot 1 Virginia Drive	DEP File #
Section II. Indicators of Hydrology	Number: TP-W	Transect # E-7	Date of Delin: 3/10/2020

1. Soil Survey

Is there a published soil survey for this site?

title/date

map number

soil type mapped

hydric soil inclusions

Are field observations consistent with soil survey?

Remarks:

2. Soil Description

Horizon	Depth (inches)	Matrix Color	Mottle Color
A	0-8	10YR 2/1	
Bg	8-15	10YR 5/2	15% 7.5YR 4/6

Remarks very stony fine sandy loams

3. Other

Conclusion: Is the soil hydric?

Yes

Other Indicators of hydrology (check all that apply):

- ☐ Site Inundated
- ☒ Depth to free water in observation hole 6"
- ☒ Depth to soil saturation in observation hole Surface
- ☐ Water marks
- ☐ Drift lines
- ☐ Sediment Deposits
- ☐ Drainage patterns in BVWs
- ☐ Oxidized rhizospheres
- ☒ Water stained leaves
- ☐ Recorded data (stream, lake, or tidal gauge; aerial photo; other):
- ☐ Other:

Vegetation and Hydrology Conclusion

	Yes	No
Number of wetland indicator plants ≥ number of non-wetland indicator plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wetland hydrology present:		
Hydric soil present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other indicators of hydrology present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sample Location is in a BVW	<input checked="" type="checkbox"/>	<input type="checkbox"/>