

Finlay Engineering Services
625 Chandler Street
Worcester, MA. 01602
(508) 757-1595

NOTICE OF INTENT

Prepared for
Terence P. & Mary A. O'Coin
for
6 Lake Shore Drive
Leicester, Massachusetts
August 2018

Civil Engineers - Land Surveyors



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):

6 Lake Shore Drive

a. Street Address

Leicester

b. City/Town

01524

c. Zip Code

Latitude and Longitude:

42deg13'40"

d. Latitude

-71deg56'42"

e. Longitude

28A

f. Assessors Map/Plat Number

F3

g. Parcel /Lot Number

2. Applicant:

Terence P. & Mary A.

a. First Name

O'Coin

b. Last Name

c. Organization

12 Caron Road

d. Street Address

Sturbridge

e. City/Town

MA

f. State

01566

g. Zip Code

(508) 864-8437

h. Phone Number

i. Fax Number

m_a_ocoin@yahoo.com

j. Email Address

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

same as above

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):

John

a. First Name

Finlay

b. Last Name

Finlay Engineering Services

c. Company

625 Chandler Street

d. Street Address

Worcester

e. City/Town

MA

f. State

01602

g. Zip Code

508-757-1595

h. Phone Number

i. Fax Number

finlayengineeringservices@gmail.com

j. Email address

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

\$500.00

a. Total Fee Paid

\$237.50

b. State Fee Paid

\$262.50

c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

Removal and replacement of a two bedroom dwelling with a proposed garage addition. Removal of two existing wells and construction of a new well. Replacement of an existing cesspool with a septic tank, pump chamber and a leaching bed, and all appurtenant earthwork and utility connections. Replacement of a retaining wall along the pond's edge.

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

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input 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 South

a. County

55139

c. Book

b. Certificate # (if registered land)

340

d. Page Number

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

1. ☒ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
2. ☐ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

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



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

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 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:

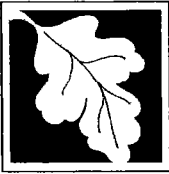
a. total square feet b. square feet within 100 ft. c. square feet between 100 ft. and 200 ft.

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.



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

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

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet _____ 2. cubic yards dredged _____	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. <input type="checkbox"/> Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet _____	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet _____	
h. <input type="checkbox"/> Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet _____	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged _____	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet _____	
4. <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 _____



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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

August 1, 2017

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.



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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/esa_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/esa/esa_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.



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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, §
 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.

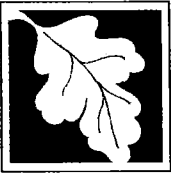
D. Additional Information

- ☐ 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 [BWV] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



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D. Additional Information (cont'd)

3. ☒ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☒ List the titles and dates for all plans and other materials submitted with this NOI.

Proposed Subsurface Sewage Disposal System

a. Plan Title

Finlay Engineering Services

John E. Finlay, II P.E.

b. Prepared By

c. Signed and Stamped by

1"=20'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☒ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

E. Fees

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

5574

2. Municipal Check Number

08/31/18

3. Check date

5573

4. State Check Number

08/31/18

5. Check date

Terence P. & Mary A.

O'Coin

6. Payor name on check: First Name

7. Payor name on check: Last Name



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F. Signatures and Submittal Requirements

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

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

Mary A. Olin
1. Signature of Applicant

8/31/18
2. Date

3. Signature of Property Owner (if different)

4. Date

J. E. Olin II
5. Signature of Representative (if any)

8/31/18
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.



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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:

6 Lake Shore Drive

a. Street Address

5573

c. Check number

Leicester

b. City/Town

\$237.50

d. Fee amount

2. Applicant Mailing Address:

Terence P. & Mary A.

a. First Name

O'Coin

b. Last Name

c. Organization

12 Caron Road

d. Mailing Address

Sturbridge

e. City/Town

(508) 864-8437

h. Phone Number

i. Fax Number

MA

f. State

01566

g. Zip Code

m_a_ocoins@yahoo.com

j. Email Address

3. Property Owner (if different):

same as above

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.

[illegible]

Total Project Fee:	<u>\$500.00</u>
	a. Total Fee from Step 5
My share of filing Fee:	<u>\$237.50</u>
	b. 1/2 Total Fee less \$12.50
My share of filling Fee:	<u>\$262.50</u>
	c. 1/2 Total Fee plus \$12.50

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.)

TERENCE P. O'COIN
MARY A. O'COIN
12 CARON RD
STURBRIDGE, MA 01566

5573

51-7689/2111
100

8/31/18

DATE

CHECK ARMOR

PAY TO THE ORDER OF Commonwealth of Mass.

\$ 237.50

Two Hundred Thirty Seven and 50/100

DOLLARS

1

Photo
Safe
Deposit
Details on back


American Eagle
Financial Credit Union

FOR DEP

Mary A. O'Coin

⑆211176891⑆03 01 1537222⑈ 5573

TERENCE P. O'COIN
MARY A. O'COIN
12 CARON RD
STURBRIDGE, MA 01566

5574

51-7689/2111
100

8/31/18

DATE

CHECK ARMOR

PAY TO THE ORDER OF Town of Leicester

\$ 387.50

Three Hundred Eighty Seven and 50/100

DOLLARS

1

Photo
Safe
Deposit
Details on back


American Eagle
Financial Credit Union

FOR Con Com

Mary A. O'Coin

⑆211176891⑆03 01 1537222⑈ 5574

AFFIDAVIT OF SERVICE

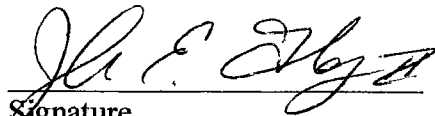
Under the Massachusetts Wetland Protection Act

(to be submitted to the Massachusetts Department of
Environmental Protection and the Conservation Commission
when filing a Notice of Intent)

I, John E. Finlay II, P.E., hereby certify under the pains and penalties of perjury that on 9/4/18 I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:

A Notice of Intent filed under the Commonwealth of Massachusetts Wetlands Protection Act by Terence P. & Mary A. O'Coin with the Town of Leicester Conservation Commission on 9/4/18 for property located at 6 Lake Shore Drive in Leicester, Massachusetts.

The form of the notification, and a list of the abutters to whom it was given and their addresses, are attached to this Affidavit of Service.


Signature

9/4/18
Date

**Notification to Abutters Under the
Massachusetts Wetlands Protection Act**

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 Terence P. & Mary A. O'Coin
- B. The applicant has filed a Notice of Intent with the Conservation Commission for the municipality of Leicester, Massachusetts seeking permission to remove, fill, dredge or alter an Area Subject to Protection Under the Wetlands Protection Act (General Laws Chapter 131, Section 40).
- C. The address of the lot where the activity is proposed is: 6 Lake Shore Drive, Leicester, Massachusetts
- D. Copies of the Notice of Intent may be examined at the office of Finlay Engineering Services, 625 Chandler Street, Worcester, Massachusetts between the hours of 9 am and 3 pm on the following days of the week: Monday – Friday (by appointment only).
Check one: This is the applicant , representative or other (specify): The applicant's representative.
- E. Copies of the Notice of Intent may be obtained from the applicant's representative, by calling this telephone (508) 757-1595 between the hours of 9 am and 3 pm on the following days of the week: Monday – Friday (Printing fee: \$ 35.00)
- F. Information regarding the date, time and place of the public hearing may be obtained from Finlay Engineering Services by calling this telephone number (508) 757-1595 between the hours of 9 am and 3 pm on the following days of the week: Monday – Friday
Check one: This is the applicant, representative or other (specify):
The applicant's representative ☒

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

NOTE: You may also 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:

Central Region 508-792-7650
Southeast Region: 508-946-2800

Northeast Region: 617-935-2160
Western Region: 413-784-1100

08/27/2018

Town of Leicester

Page 1 of 1

11:57:02AM

Abutters List

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
28 A12 0	CHARLES ST	CEDAR MEADOW LAKE	WATERSHED DISTRICT	PO BOX 320	LEICESTER	MA	01524
28 A5 0	2 LILYSTROM GR	WHITE JAMES K	WHITE JOSEPH J	2 CANTLEY LN	PAXTON	MA	01612
28 A6 0	1 LILYSTROM GR	POCE MATTHEW S	POCE SHANNON M	19 CRESTWOOD RD	LEICESTER	MA	01524
28A A1 0	LILYSTROM GR	CARR RICHARD M	CARR LORI D	2 LAKE SHORE DR	LEICESTER	MA	01524
28A B7 0	LAKE SHORE DR	WILBUR PAULINE R		228 MAIN STREET	MILLBURY	MA	01527
28A B8 0	LILYSTROM GR	JONCAS LEO R	JONCAS CAROL A	10 LAKESHORE DRIVE	LEICESTER	MA	01524
28A E1 0	10 LAKE SHORE DR	JONCAS LEO R, CAROL A	JONCAS LIVING TRUST	10 LAKESHORE DRIVE	LEICESTER	MA	01524
28A E2 0	12 LAKE SHORE DR	WILBUR PAULINE R		228 MAIN STREET	MILLBURY	MA	01527
28A F1 0	2 LAKE SHORE DR	CARR RICHARD M	CARR LORI D	2 LAKE SHORE DR	LEICESTER	MA	01524
28A F2 0	4 LAKE SHORE DR	MURPHY YORKE W		4 LAKE SHORE DRIVE	LEICESTER	MA	01524

End of Report

Above is a certified list of abutters and abutters to abutters within 300 feet of subject.
 Subject property: 6 Lakeshore Drive, Assessors Map 28A-F3-0, Deed Ref. 55139/340
 Subject owner(s): Mary & Terence O'Coin

John Prescott, Principal Assessor

Prepared by: Kathleen Asquith, Assistant

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

August 29, 2018

Terry & Mary O'Coin
12 Caron Road
Sturbridge, MA 01566

RE: Wetland Resource Evaluation, 6 Lakeshore Drive, Leicester, Massachusetts

Dear Mr. and Mrs. O'Coin:

On July 10, 2018, 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 U.S. Clean Water Act (i.e., Section 404 and 401 wetlands); and (3) the Town of Leicester Wetlands Protection Bylaw and regulations Scott M. Morrison, PWS conducted the inspection.

The subject site consists of a 1/2-acre parcel located to the east of Lakeshore Drive in Leicester. The upland portions of the site consist of an existing single-family home, lawn, and landscaping. 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 coterminous with the delineated Bordering Vegetated Wetlands and Bank. One set of DEP Bordering Vegetated Wetland Delineation Field Data Forms completed for observation plots located in the wetlands and uplands near flag A-1 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
Start A1 to A8 Stop	Blue Flags	Boundary of Bordering Vegetated Wetlands/Bank located in the eastern portion of the site that is associated with Cedar Meadow Pond.

Findings

Wetland A (i.e., flags A1 to A8) consists of a shrub swamp/ wet meadow located in the eastern portion of the site that is associated with a pond. Plant species observed include red maple (*Acer rubrum*), trees and/or saplings; poison ivy (*Toxicodendron radicans*) climbing woody vines; silky dogwood (*Cornus amomum*) and American elderberry (*Sambucus canadensis*) shrubs; and sensitive fern (*Onoclea sensibilis*), spotted touch-me-not (*Impatiens capensis*), broad-leaf cattail (*Typha latifolia*), purple loosestrife (*Lythrum salicaria*) and soft rush (*Juncus effusus*) ground cover. Evidence of wetland hydrology, including hydric soils, high groundwater, and saturated soils, was observed within the delineated wetland. This vegetated wetland borders a pond; accordingly, the vegetated wetlands would be regulated as Bordering Vegetated Wetlands and 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 Bordering Vegetated Wetlands and 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." Based upon a review of the Flood Insurance Rate Map, Worcester County, Massachusetts, Map Number 25027C0780E, Effective Date July 4, 2011, there is a mapped Zone A (i.e., 100-year floodplain with an unspecified flood elevation) located over Cedar Meadow Pond. 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 Bordering Vegetated Wetlands or Bank 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 (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

6 Lakeshore Drive, Leicester
August 29, 2018
Page 3.

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.



Scott M. Morrison, PWS
Senior Environmental Scientist

Attachments (6, 8 pages)

17/Leic6LakeshoreDrReport

EcoTec, Inc.

ENVIRONMENTAL CONSULTING SERVICES

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

Scott M. Morrison, PWS, RPSS, SE **Senior Environmental Scientist**

Scott Morrison is a Senior Environmental Scientist with EcoTec, Inc. Since joining EcoTec in 2000, Mr. Morrison's project experience include wetland resource evaluation, delineation, and permitting at the local, state, and federal levels; wildlife habitat evaluation; pond and stream evaluation; vernal pool evaluation, monitoring, and certification; wetland replacement, replication, and restoration area design, construction, and monitoring; soil evaluations to determine infiltration rates and seasonal high groundwater elevations for detention basin construction; environmental sampling and analysis tasks, including soil and groundwater sample collection and handling; and expert testimony preparation. He has conducted rare species habitat assessments for the eastern box turtle, wood turtle, Blanding's turtle, spotted turtle, and marbled salamander. He has participated in rare species studies for rare species including the marbled salamander, piping plover, eastern box turtle, and northern diamondback terrapin and developed mitigation strategies for the marbled salamander, spotted turtle, eastern box turtle and wood turtle. He has participated in visual preconstruction sweeps for the wood turtle and both preconstruction and research projects for the eastern box turtle. He has served as a consultant to municipalities, conservation commissions, engineering and survey firms. He has completed numerous wetland related projects including environmental impact assessments for proposed development, erosion control and environmental monitoring for subdivisions, commercial developments, golf courses and landfills. He has prepared Massachusetts Environmental Policy Act (MEPA) documentation, including Environmental Notification Forms (ENFs), Notice of Project Changes (NPCs), and Draft and Final Environmental Impact Reports (EIRs) including Green House Gas Assessments for various projects including subdivisions, commercial buildings, and dredging projects. Prior to joining EcoTec, Inc. Mr. Morrison worked for the Massachusetts Department of Environmental Management (currently the Department of Conservation and Recreation) where he was involved with the monitoring and protection of endangered species and rare old growth forest. He was an active member of the Spencer Conservation Commission from 1998 to 2000 where he provided oversight of proposed wetland replication projects and review of projects submitted for wetland permitting. His educational background includes courses in forestry, ecology, chemistry, soils, and natural resource policy. His prior research experience includes research on forest succession and field research on nesting piping plovers, an endangered coastal shore bird.

Education:

Graduate Soil Science Certificate Program
University of Massachusetts at Amherst, 2006
Bachelor of Science: Natural Resource Studies
University of Massachusetts at Amherst, 1998
Associate of Science: Business Administration
Quinsigamond Community College, 1996

Professional Affiliations:

Registered Professional Soil Scientist, Society of Soil Scientists of
Southern New England (SSSSNE)
Massachusetts Association of Conservation Commissioners
Association of Massachusetts Wetland Scientists
Society of Wetland Scientists

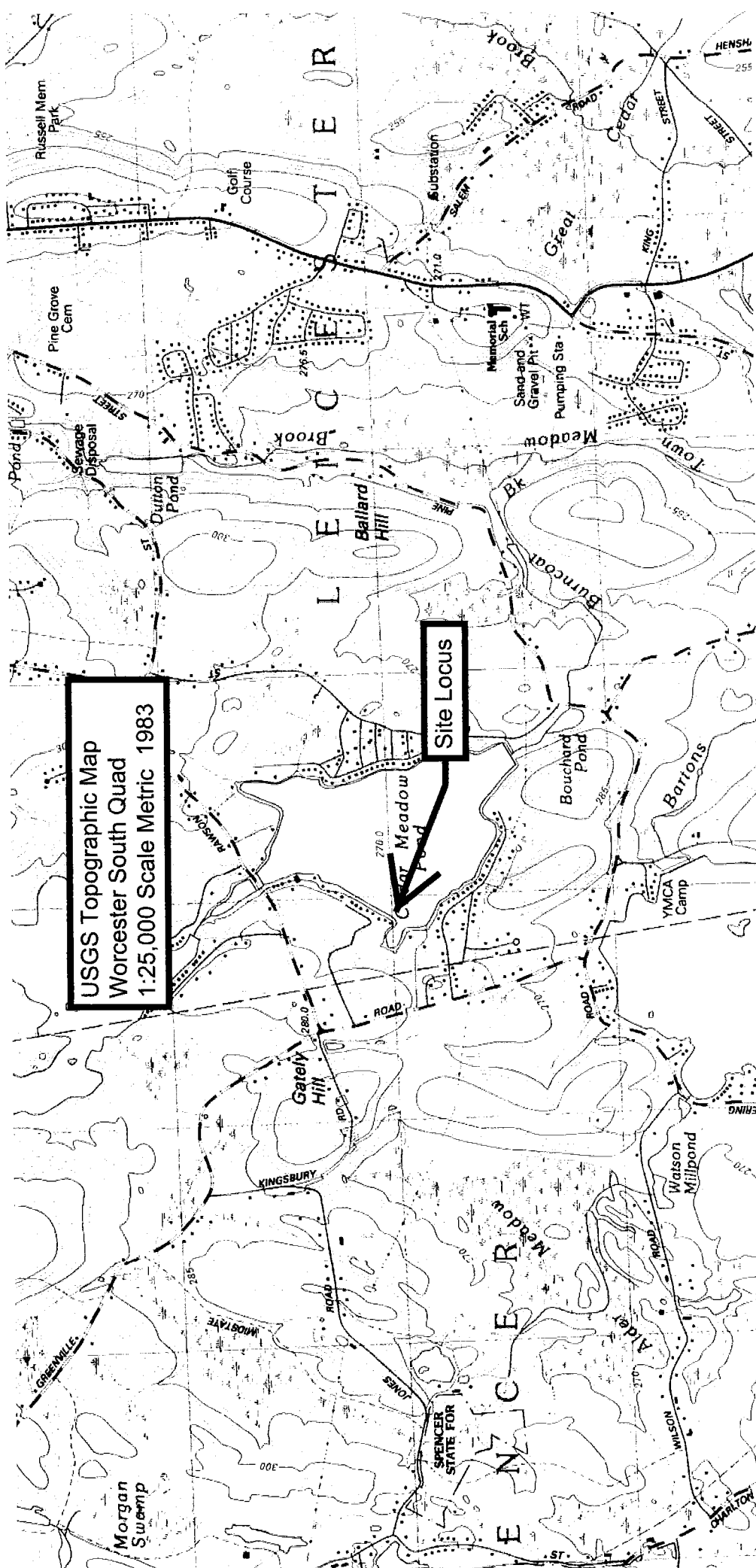
Certifications:

Society of Wetlands Scientists Professional Wetland Scientist,
Certification Number 2583
Massachusetts Department of Environmental Protection Soil Evaluator,
Certification Number SE 13766

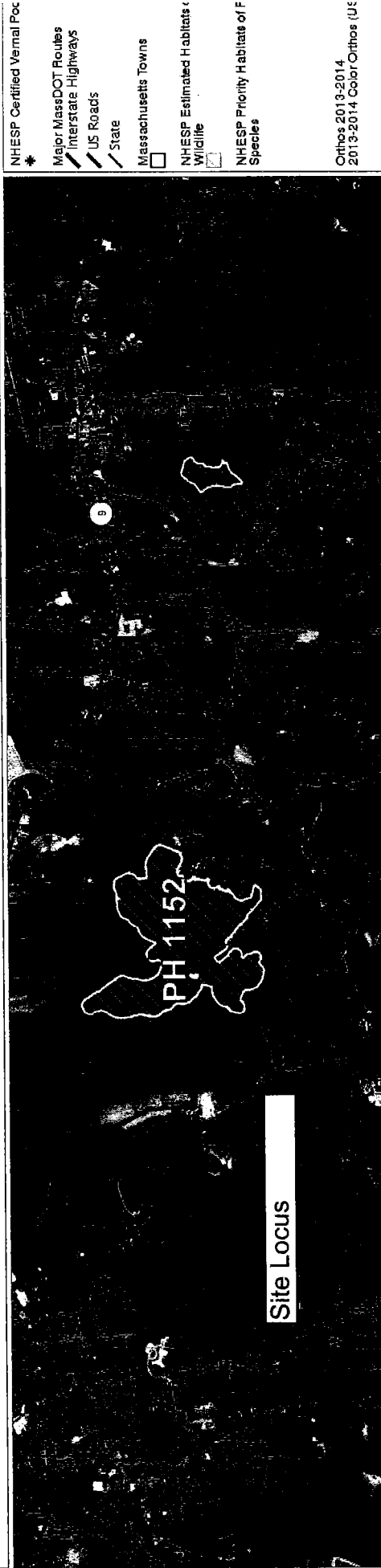
OSHA Health and Safety Training, 40-Hour, 29 CFR 1910.120

USGS Topographic Map
Worcester South Quad
1:25,000 Scale Metric 1983

Site Locus



Natural Heritage Atlas Online Data Viewer Output 6/22/18.



National Flood Hazard Layer FIRMette



42°13'53.70"N

M:2022.09.17

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
	Regulatory Floodway Zone AE, AO, AH, VE, AR
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
OTHER AREAS	Area of Minimal Flood Hazard Zone X
	Area of Undetermined Flood Hazard Zone I
GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer
	Levee, Dike, or Floodwall
OTHER FEATURES	Cross Sections with 1% Annual Chance Water Surface Elevation
	Coastal Transect
	Base Flood Elevation Line (BFE)
	Limit of Study
	Jurisdiction Boundary
	Coastal Transect Baseline
	Profile Baseline
MAP PANELS	Hydrographic Feature
	Digital Data Available
	No Digital Data Available
	Unmapped



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

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/22/2018 at 8:33:51 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: base map 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.



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



42°13'27.06"N

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

Applicant

Prepared by: EcoTec, Inc

Project Location: Leicester 6 Lakeshore Dr

DEP File #

Section I. Vegetation

Number:

Transect # A-2

Date of Delin: 7/10/2018

Wetland Indicator Category			
A. Sample layer and plant species (Enter largest to smallest % cover by layer)	Percent Cover (or basal area)	Percent Dominance	Dominant Plant?
Tree red maple	30	100.0	YES
* FAC			
Sapling			
Shrub	Winged euonymus	Euonymus alatus	30
100.0 YES NL			
Ground	un ID grass daisy white clover Dandelion	Graminae sp. Chrysanthemum L. Trifolium repens Taraxacum officinale	50 20 20 10
50.0 YES NL 20.0 YES FACU 20.0 YES FACU- 10.0 NO			
Vine			

Vegetation Conclusions

Number of dominant wetland indicator plants

1

Number of dominant non-wetland indicator plants

4

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: Leicester 6 Lakeshore Dr

DEP File #

Section II. Indicators of Hydrology

Number: Upland

Transect # A-2

Date of Delin: 7/10/2018

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)

Mottle Color

A

0-3

10YR3/2

Bw

3-12+

10YR4/4

10% 10YR4/6

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:

Remarks Fine Sandy Loams

3. Other

Conclusion: Is the soil hydric?

No

Vegetation and Hydrology Conclusion

Number of wetland indicator plants ≥
number of non-wetland indicator plants

Yes

No

☐

☒

Wetland hydrology present:

Hydric soil present

Other indicators of hydrology present

☐

☒

☐

☒

Sample Location is in a BVW

☐

☒

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

Applicant

Prepared by: EcoTec, Inc

Project Location: Leicester 6 Lakeshore Dr

DEP File #

Section I. Vegetation

Number: Wetland

Transect # A-2

Date of Delin: 7/10/2018

A. Sample layer and plant species (Enter largest to smallest % cover by layer)				Wetland Indicator Category	
Tree	red maple	Acer rubrum	30	100.0 YES	FAC *
Sapling					
Shrub	Winged euonymus	Euonymus alatus	20	100.0 YES	NL
Ground	broad leaf cattail tussock sedge boneset	Typha latifolia Carex stricta Eupatorium perfoliatum	40 30 20	44.4 YES 33.3 YES 22.2 YES	OBL OBL FACW+ *
Vine					

Vegetation Conclusions

Number of dominant wetland indicator plants

2

Number of dominant non-wetland indicator plants

3

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: Leicester 6 Lakeshore Dr

DEP File #

Section II. Indicators of Hydrology

Number: Wetland

Transect # A-2

Date of Delin: 7/10/2018

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

0-2

10YR2/1

10YR4/2

Bg

2-12

20% 10YR4/4

10% 10YR5/1

Remarks Sand

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

☐ 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

Number of wetland indicator plants ≥
number of non-wetland indicator plants

Yes No

☒

☐

Wetland hydrology present:

Hydric soil present

Other indicators of hydrology present

☒

☐

☐

☒

Sample Location is in a BVW

☒

☐