



**New
England
Environmental
Design, LLC**

P.O. Box 376, Rutland, MA 01543 Phone: (508) 829-7222 Email: needllc@hotmail.com

TOWN OF LEICESTER
CONSERVATION COMMISSION
3 WASHBURN SQUARE
LEICESTER, MA 01524

ENCLOSED PLEASE FIND THE NOTICE OF INTENT FOR:

FOX HILL BUILDERS, INC.
31 GALLAIR CIRCLE
HOLDEN, MA 01520

PROJECT LOCATION: LOT 79R AUBURN STREET
LEICESTER, MA 01524

BELOW IS A LIST OF ALL PLANS & OTHER MATERIALS SUBMITTED
WITH THE FOX HILL BUILDERS, INC./ LOT 79R AUBURN STREET NOTICE OF INTENT:

- SUBSURFACE SEWAGE DISPOSAL SYSTEM PLAN
- NOTICE OF INTENT FEE TRANSMITTAL FORM
- COPY OF CHECKS FOR STATE AND TOWN FEE PAYMENT
- AFFIDAVIT OF SERVICE
- COPY OF NOTIFICATION TO ABUTTERS
- CERTIFIED LIST OF ABUTTERS
- DEED OF PROPERTY
- USGS LOCUS MAP
- DCR WATERSHED PROTECTION ACT MAP
- MASS DEP PRIORITY RESOURCE MAP
- MASS DEP TITLE 5 SETBACK AREAS MAP
- MASS DEP WATER SUPPLY PROTECTION AREAS MAP
- MASS DEP WETLAND AND WETLAND CHANGE AREAS MAP
- NHESP 2017 PRIORITY AND ESTIMATED HABITATS MAP
- NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP
- WETLAND RESOURCE DELINEATION REPORT
- MASS DEP BVW FORM
- TOWN OF LEICESTER REQUIRED DESCRIPTIONS

If you have any questions or need any further information, please feel free to contact me at (508) 829-7222.

Sincerely,

Julian P. Votruba

New England Environmental Design, LLC



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

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):

Lot 79R Auburn Street

a. Street Address

Leicester

b. City/Town

01524

c. Zip Code

Latitude and Longitude:

42.22102°

d. Latitude

-71.87852°

e. Longitude

35A

f. Assessors Map/Plat Number

A3.40

g. Parcel /Lot Number

2. Applicant:

Steven

a. First Name

Gallo

b. Last Name

Fox Hill Builders

c. Organization

31 Gallair Circle

d. Street Address

Holden

e. City/Town

MA

f. State

01520

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

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

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Julian P.

a. First Name

Votruba

b. Last Name

New England Environmental Design, LLC.

c. Company

PO Box 376

d. Street Address

Rutland

e. City/Town

MA

f. State

01543

g. Zip Code

(508) 829-7222

h. Phone Number

i. Fax Number

NEEDLLC@hotmail.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:

Construction of a single family home and associated grading.

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

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

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

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

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 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

24185

c. Book

b. Certificate # (if registered land)

104

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.



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

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. ☐ Bordering Land Subject to Flooding	1. square feet _____ 3. cubic feet of flood storage lost _____	2. square feet _____ 4. cubic feet replaced _____
e. ☐ Isolated Land Subject to Flooding	1. square feet _____ 2. cubic feet of flood storage lost _____	3. cubic feet replaced _____
f. ☐ Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland _____ 2. Width of Riverfront Area (check one): ☐ 25 ft. - Designated Densely Developed Areas only ☐ 100 ft. - New agricultural projects only ☐ 200 ft. - All other projects	

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

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

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☐ Yes ☐ No

3. ☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

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



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Bureau of Resource Protection - Wetlands

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

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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. ☐ Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. ☐ Land Under the Ocean	1. square feet 2. cubic yards dredged	
c. ☐ Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. ☐ Coastal Beaches	1. square feet	2. cubic yards beach nourishment
e. ☐ Coastal Dunes	1. square feet	2. cubic yards dune nourishment
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. ☐ Coastal Banks	1. linear feet	
g. ☐ Rocky Intertidal Shores	1. square feet	
h. ☐ Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. ☐ Land Under Salt Ponds	1. square feet 2. cubic yards dredged	
j. ☐ Land Containing Shellfish	1. square feet	
k. ☐ Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above 1. cubic yards dredged	
l. ☐ Land Subject to Coastal Storm Flowage	1. square feet	
4. ☐ Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here. a. square feet of BWV b. square feet of Salt Marsh	
5. ☐ Project Involves Stream Crossings	a. number of new stream crossings	b. number of replacement stream crossings



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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

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.



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

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City/Town

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

- (c) ☐ MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/ mesa/ mesa_fee_schedule.htm). Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) ☐ Vegetation cover type map of site
- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following
1. ☐ Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/ mesa/ mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
2. ☐ Separate MESA review ongoing. a. NHESP Tracking # _____ b. Date submitted to NHESP _____
3. ☐ Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
- a. ☒ Not applicable – project is in inland resource area only b. ☐ Yes ☐ No

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

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

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

North Shore - Hull to New Hampshire border:

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

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.



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

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

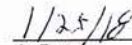
City/Town

F. Signatures and Submittal Requirements

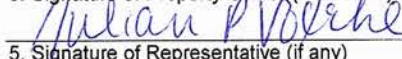
I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the 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)


5. Signature of Representative (if any)

4. Date


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:

Lot 79R Auburn Street

a. Street Address

32254 & 32256

c. Check number

Leicester

b. City/Town

\$500.00

d. Fee amount

2. Applicant Mailing Address:

Steven

a. First Name

Fox Hill Builders

c. Organization

31 Gallair Circle

d. Mailing Address

Holden

e. City/Town

MA

f. State

01520

g. Zip Code

h. Phone Number

i. Fax Number

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

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

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.

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER AND ORIGINAL DOCUMENT SECURITY SCREEN ON BACK WITH PADLOCK SECURITY ICON.

R.H. Gallo Builders, Inc.
31 Gallair Circle
Holden, Ma 01520

Morgan Stanley

25-80/440

1/24/18

PAY TO THE
ORDER OF Commonwealth of Ma

****237.50**

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

Commonwealth of Ma

DOLLARS
Security features
included.
Details on back.

MEMO NOI

⑈032254⑈ ⑆044000804⑆ 8902012437789⑈

[Signature]
AUTHORIZED SIGNATURE

MP

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER AND ORIGINAL DOCUMENT SECURITY SCREEN ON BACK WITH PADLOCK SECURITY ICON.

R.H. Gallo Builders, Inc.
31 Gallair Circle
Holden, Ma 01520

Morgan Stanley

25-80/440

1/24/18

PAY TO THE
ORDER OF Town of Leicester

****262.50**

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

Town of Leicester
3 Washburn Square
Leicester, Ma 01524-1333

DOLLARS
Security features
included.
Details on back.

MEMO NOI

⑈032256⑈ ⑆044000804⑆ 8902012437789⑈

[Signature]
AUTHORIZED SIGNATURE

MP

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER AND ORIGINAL DOCUMENT SECURITY SCREEN ON BACK WITH PADLOCK SECURITY ICON.

R.H. Gallo Builders, Inc.
31 Gallair Circle
Holden, Ma 01520

Morgan Stanley

32258

25-80/440

1/24/18

PAY TO THE
ORDER OF Town of Leicester

****125.00**

\$

One Hundred Twenty-Five and 00/100*****

DOLLARS
Security Features
Included
?
Printed on Back

Town of Leicester
3 Washburn Square
Leicester, Ma 01524-1333

MEMO

D. Pappalardo
AUTHORIZED SIGNATURE

IMP

⑈032258⑈ ⑆044000804⑆ 890201243789⑈

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act

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

I, Julian P. Votruba, hereby certify under the pains and penalties of perjury that on February 7, 2018 I gave notification to abutters in compliance with the second paragraph of the 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 Massachusetts Wetlands Protection Act by Fox Hill Builders, Inc. with the Town of Leicester Conservation Commission for Lot 79R Auburn Street located in the Town of Leicester.

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

Julian P. Votruba

Julian P. Votruba
New England Environmental Design, LLC

2/7/18
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: Fox Hill Builders, Inc.
- B. The applicant has filed a Notice of Intent with the Conservation Commission for the Town of Leicester seeking permission to remove, fill, dredge or *alter* an area subject to protection under the Massachusetts Wetlands Protection Act (General Laws Chapter 131, Section 40).
- C. The address where the activity is proposed is: Lot 79R Auburn Street, Leicester.
- D. Copies of the Notice of Intent may be examined at the Town of Leicester Town Clerks or Conservation Commission Office during regular office hours. For more information, call the Town of Leicester Conservation Commission.
- E. The meeting will be held **on date and time to be determined by the Town of Leicester's Conservation Commission.**

NOTE: Notice of the public hearing, including its time, date, and place will be published at least five days in advance in the *local newspaper*.

NOTE: You may contact the Department of Environmental Protection (DEP) Central Regional Office for more information about this application for the Wetlands Protection Act. To contact DEP, call the Central Regional Office at (508) 792-7650.

Town of Leicester

Abutters List

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
35 C5 0	387 AUBURN ST	JEROME BONNIE L		387 AUBURN ST	CHERRY VALLEY	MA	01611
35 C5.1 0	383 AUBURN ST	PRUNIER WILLIAM J	PRUNIER KATHLEEN M	383 AUBURN ST	CHERRY VALLEY	MA	01611
35 C5.2 0	391 AUBURN ST	ROBICHAUD DANIEL J	ROBICHAUD JUDY	391 AUBURN ST	CHERRY VALLEY	MA	01611
35 C6 0	401 AUBURN ST	SHEA JOSEPH D	SHEA CHRISTINE J	401 AUBURN ST	CHERRY VALLEY	MA	01611
35A A2 0	HIGHLAND PK	ELLIOTT THOMAS D	C/O GEORGE W GILLIGAN	10 RAY ST	NO GRAFTON	MA	01536
35A A3 0	396 AUBURN ST	LEICESTER ONE MA SOLAR LLC		545 MADISON AVE	NEW YORK	NY	10022
35A A3.11 0	370 AUBURN ST	MANCUSO PETER		370 AUBURN ST	CHERRY VALLEY	MA	01611
35A A3.2 0	394 AUBURN ST	BOISVERT DONALD E	BOISVERT BERTHE	394 AUBURN ST	CHERRY VALLEY	MA	01611
35A A3.5 0	AUBURN ST	FOX HILL BUILDERS INC		31 GALLAIR CIRCLE	HOLDEN	MA	01520
35A A3.7 0	350 AUBURN ST	TOWN OF LEICESTER	TOWN HALL	3 WASHBURN SQUARE	LEICESTER	MA	01524

End of Report

Above is a certified list of abutters and abutters to abutters within 300 feet of subject.
 Subject property: 390 Auburn Street, Assessors Map 35A-A3.4-0, Deed Ref. N/A
 Subject owner(s): Fox Hill Builders Inc.

John Prescott, Principal Assessor

Prepared by: Kathleen Asquith, Assistant



MuniMapper: Leicester, MA

Town of Leicester Web Site
Disclaimer



Mass. MAPPER

LOCUS

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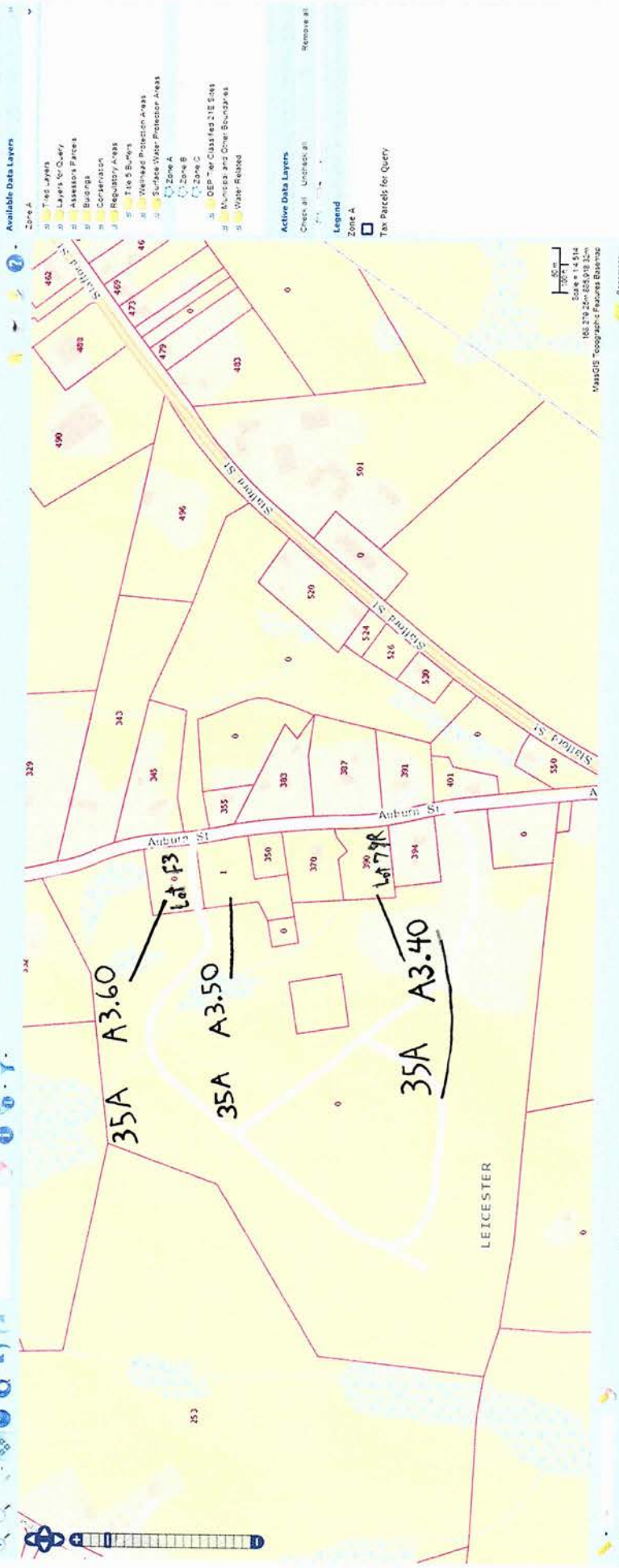
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MuniMapper: Leicester, MA
Town of Leicester Web Site
Disclaimer



Lot 79R

Town of Leicester



Patriot
Properties Inc.

PROPERTY LOCATION

No	Alt No	Direction/Street/City
390		AUBURN ST, LEICESTER

OWNERSHIP

Owner 1:	FOX HILL BUILDERS INC
Owner 2:	
Owner 3:	
Street 1:	31 GALLAIR CIRCLE
Street 2:	

Twtn/City: HOLDEN

St/Prov:	MA	Cntry:		Own Occ:	
Postal:	01520				
			Type:		

PREVIOUS OWNER

Owner 1:		
Owner 2:		
Street 1:		
Twn/City:		
St/Prov:	Cntry	
Postal:		

NARRATIVE DESCRIPTION

This Parcel contains 1.2 ACRES of land mainly classified as LAND

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Descr	%	Item	Code	Descr
Z	BR-1	BR-1	100	U		
o				t		
n				i		
Census:				Exempt		
Flood Haz:						
D				Topo		
s				Street		
t				Traffic		

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / PriceUnits	Unit Type
130	LAND		52272		SQUARE FEET

IN PROCESS APPRAISAL SUMMARY

INTRODUCED AT THE PROPOSED CONVEYANCE							Legal Description	User Acct
Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value			
130			1,200	57,100	57,100			
								GIS Ref
								GIS Ref
Total Card				1,200	57,100	57,100	Entered Lot Size	
Total Parcel				1,200	57,100	57,100	Total Land:	
Source:	Market Adj	Cost	Total Value per SQ unit /Card:		N/A	/Parcel:	Land Unit Type:	
								Insp Date

PREVIOUS ASSESSMENT

REVENUE ACQUISITION									Notes		Date
Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Assesd Value			
2018	130	FV		0	1.2	57,100	57,100	57,100		10/10/2017	
2018	130	TB		0	1.2	57,100	57,100	57,100	18 PRELIM	6/13/2017	
2017	130	FV		0	1.2	57,100	57,100	57,100		9/20/2016	
2017	130	IN		0	1.2	57,100	57,100	57,100		6/27/2016	
2017	130	TB		0	1.2	71,100	71,100	71,100	1st 2nd quarter billing	5/16/2016	
2016	130	FV		0	1.2	71,100	71,100	71,100	3rd 4th	11/4/2015	
2016	130	TB		0	1.2	71,100	71,100	71,100	prelim billing	6/30/2015	
2015	130	FV		0	1.2	71,100	71,100	71,100	3rd and 4th	10/14/2014	
PRINT											
Date										Time	
12/28/17										10:26:15	
LAST REV											
Date										Time	
04/04/13										08:59:47	

SALES INFORMATION

[illegible]

BUILDING PERMITS

[illegible]

Sign: VERIFICATION OF VISIT NOT DATA

Signal	VERIFICATION OF VISIT NOT DATA	Alt	%	Spec	J	Fact	Us
raised	Class		Land	Code			
57,064							

Total:	57,064	Spl Credit	Total:
--------	--------	------------	--------

Total AC/HA:	1.20000	Total SF/SM:	52272.00	Parcel LUC:	130	LAND	Prime NB Desc	RURAL
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Disclaimer: This Information is believed to be correct but is subject to change and is not warranted. Database: AssessPro

apro

2018

80381

BK24185PG104

QUITCLAIM DEED

WOR. COUNTY REG. CL.
ORDER NO. P722045/20
ENTI, **William F. Kelly** of Cherry Valley, Massachusettsfor consideration paid and in full consideration of **THIRTY FIVE THOUSAND and 00/100 (\$35,000.00) DOLLARS**grant to **Mason Ridge, Inc.**, a corporation duly established under the laws of the Commonwealth of Massachusetts whose address is 31 Gallair Circle, Holden, Massachusetts with **quitclaim covenants**

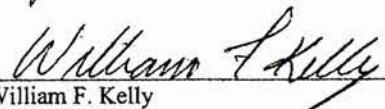
The land in Leicester, Massachusetts bounded and described as follows:

A certain tract of land near Auburn Street in Leicester known as the 17 Acre lot. Being the same premises described in a deed to Max Robbins, et al from Mary L. Schofield, Commissioner, dated November 30, 1915, and recorded with Worcester District Registry of Deeds, Book 2092, Page 291.

Said parcel being the same described in a deed from Daniel A. Barrett, Treasurer of the Town of Leicester, to it, dated December 27, 1945, and recorded with Worcester District Registry of Deeds, Book 2981, Page 266.

Being the same premises conveyed to James Kelly, (now deceased, intestate) by the Town of Leicester, a municipal corporation within said County of Worcester, by deed dated May 29, 1946, and recorded in said Registry of Deeds, Book 3002, Page 261.

Being the same premises conveyed to the grantor by deed dated March 28, 1950 and recorded in Worcester District Registry of Deeds in Book 3243, Page 142.

Witness my hand and seal this 5TH day of June, 2001.
William F. KellyRECORD AND RETURN TO:
Paul Vozella, Esquire
Melia & Osol
16 Harvard Street
Worcester, MA 01609WORCESTER
DEEDS REG 20
WORCESTER
01
WCA
36/08/01
000000
FEE
CASH
\$159.60
\$159.60
CANCELLED

property address: Auburn St., Leicester, MA

01 JUN -8 PM 1:21

BK24185PG105

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

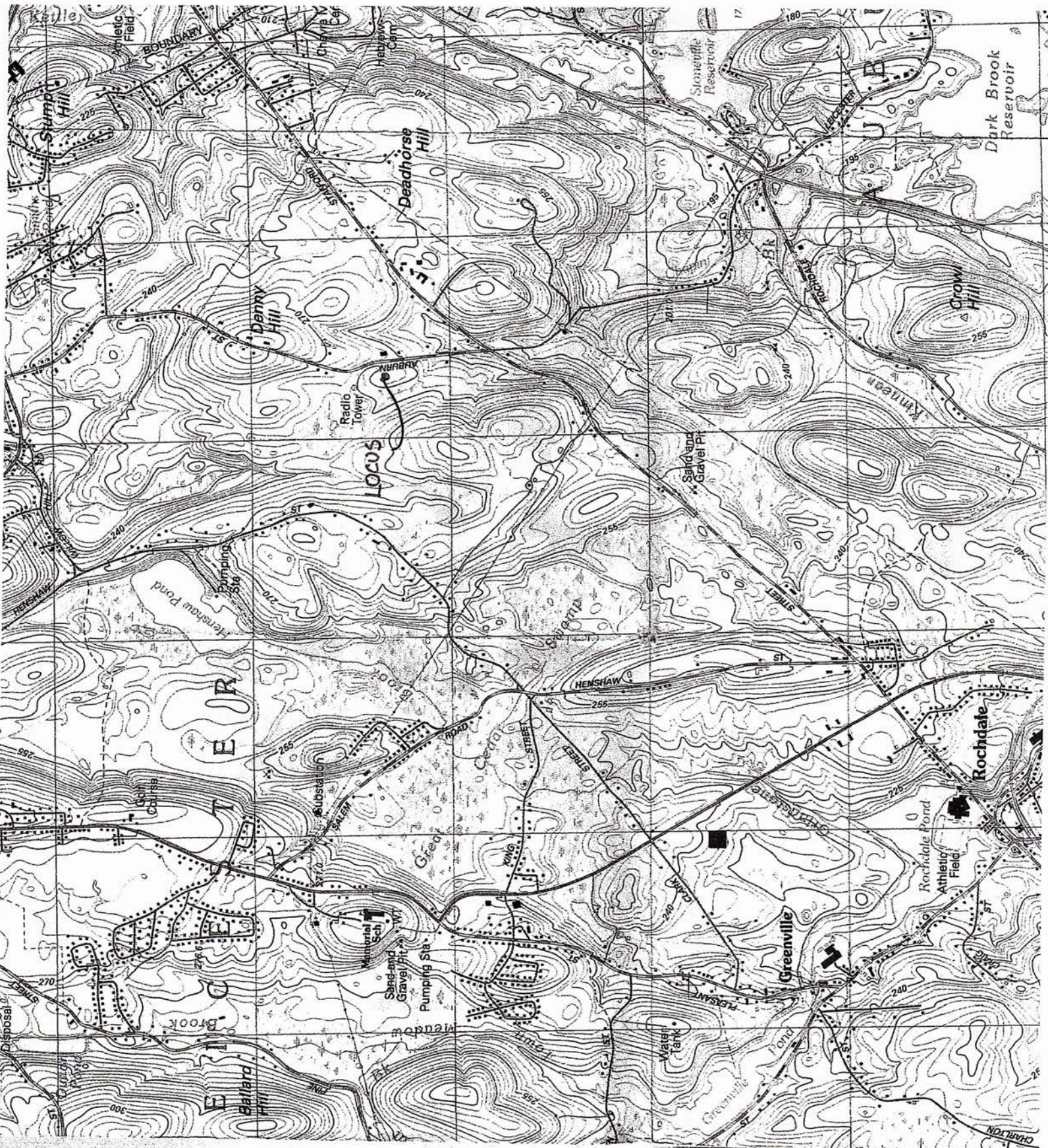
June 5, 2001

Then personally appeared the above named William F. Kelly and acknowledged the foregoing attached instrument to be his free act and deed before me.

Karen Kenward
KAREN KENWARD, Notary Public
My Commission Expires: 5/3/07

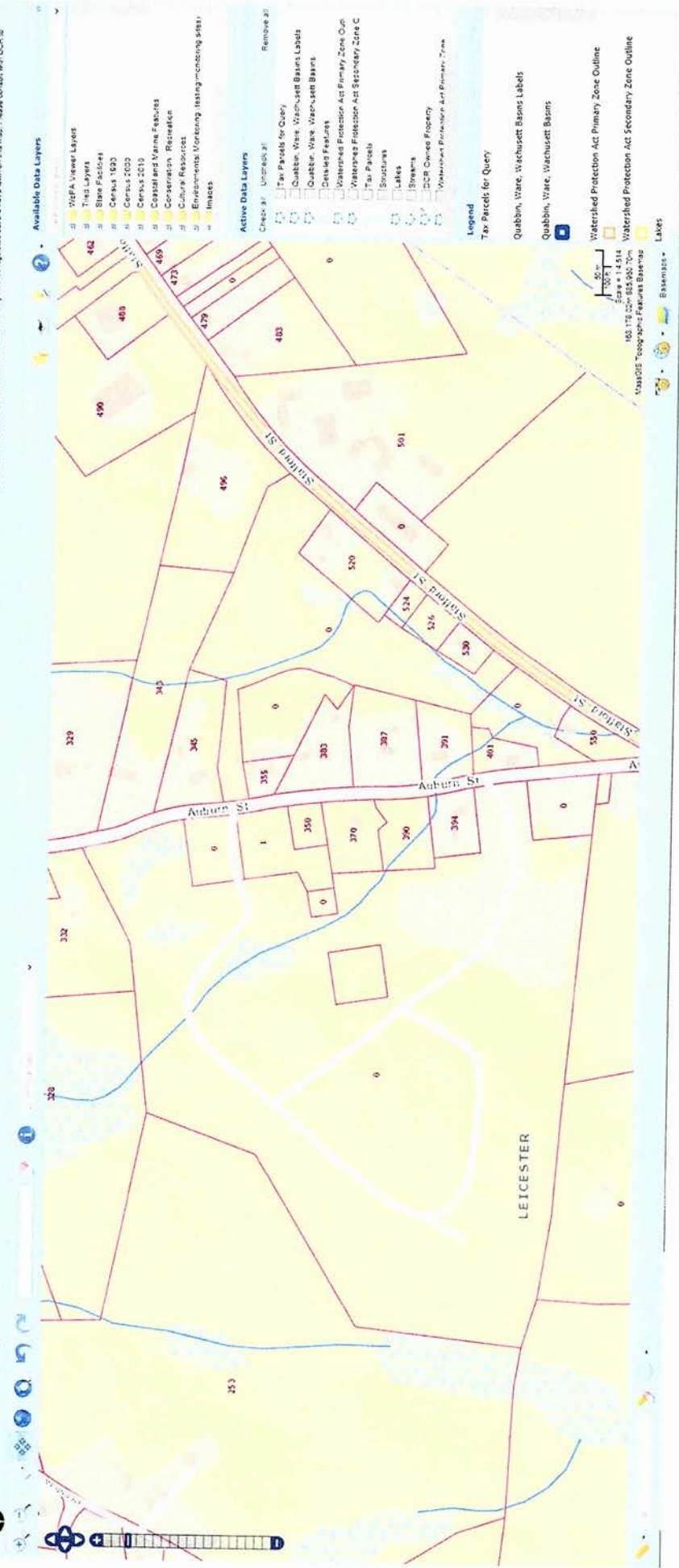
peal

ATTEST: WORC. Anthony J. Vigliotti, Register



USGS

It is the responsibility of the land owner to be in compliance with the Watershed Protection Act (WsPA). You are encouraged to contact the Department of Conservation and Recreation (DCR) if you intend to build on, or otherwise alter, a piece of property in the watershed system. This viewer provides an initial interpretation of parcels affected by the WsPA, however DCR utilizes field verification to determine the final boundaries of the WsPA protection zones. DCR cannot guarantee that all parcels are represented by this data viewer. Not all Boringing, Impaired Watershed (B/W) that may be regulated are shown on this map. The extent of B/Ws is determined on a case by case basis by the local Conservation Commission. Low risk features in the Watershed Region may also be regulated but are not shown on this map. Please consult with DCR to determine WsPA, extent and applicability.



Priority Resource Map

Map Tools

Overview Map Layers Legend Map Help Contact

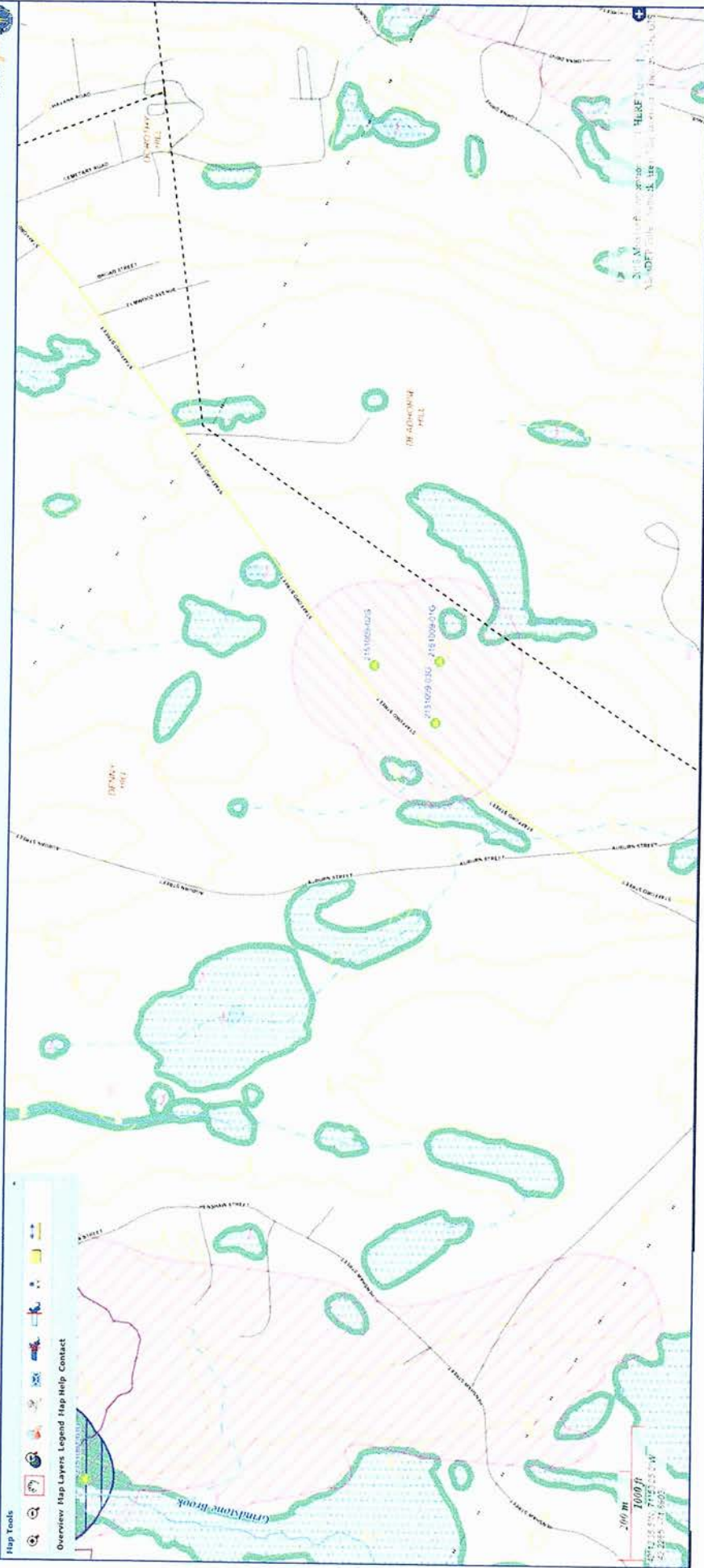


Title 5 Setback Areas Map

Map Tools

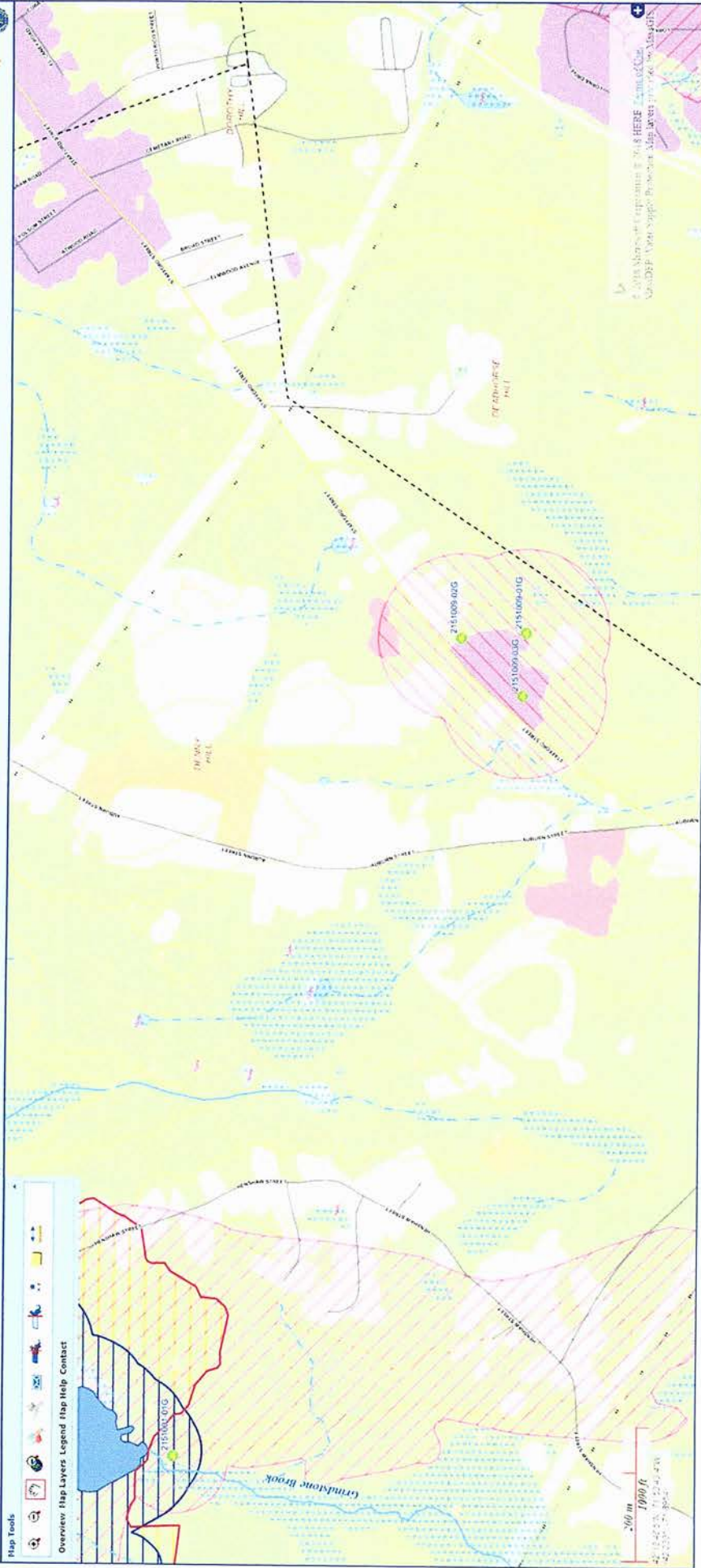
- Overview
- Map Layers
- Legend
- Map Help
- Contact

Map Tools



Water Supply Protection Areas Map

Map Tools

[Overview](#) [Map Layers](#) [Legend](#) [Map Help](#) [Contact](#)



MassDEP Online Map Viewer

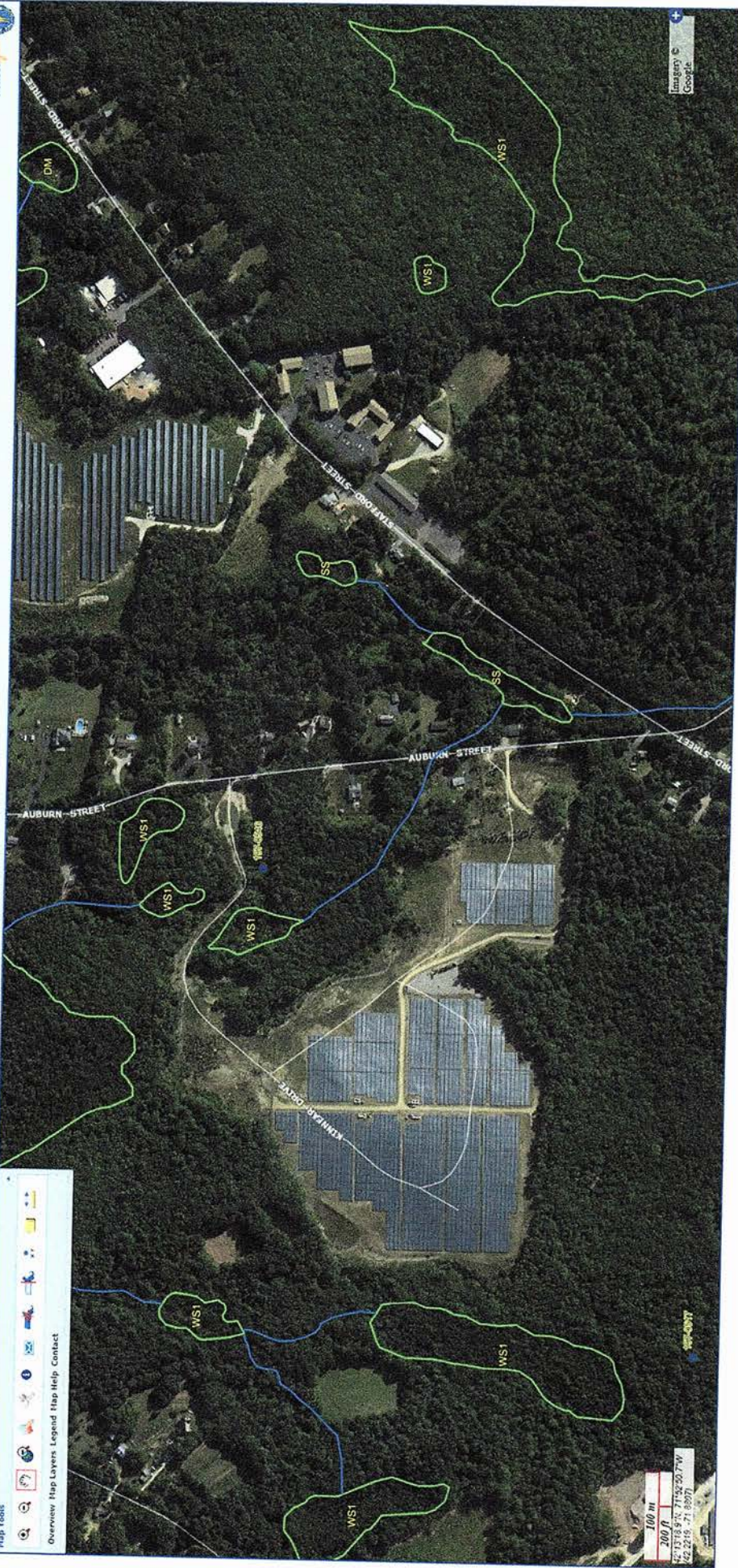
Wetland and Wetland Change Areas Map

Map Tools



Overview Map Layers Legend Map Help Contact

Mass.
.gov



Imagery ©
Google



**New
England
Environmental
Design, LLC**

P.O. Box 376, Rutland, MA 01543 Phone: (508) 829-7222 Email: needllc@hotmail.com

Fox Hill Builders Inc.
31 Gallair Circle
Holden MA 01543

RE: Wetland Resource Delineation/Evaluation at Auburn Street , Leicester, MA

October 19, 2017

Dear Mr. Gallo ,

On October 3, 2017 New England Environmental Design, LLC delineated and evaluated the above referenced property for the presence of bordering vegetated wetlands as defined by: (1) the Massachusetts Wetland Protection Act (M.G.L. Ch. 131, section 40; the "Act" and its established regulations 310 CMR 10.00 et seq; the "Regulations") and (2) the U.S. Clean Water Act (i.e., Section 404 and 401 wetlands). Julian P. Votruba the wetlands scientist for New England Environmental Design, LLC conducted the evaluation.

The site consists of a palustrine forested wetland. Plant species identified in the wetland portion include but are not limited to TREES & SAPLINGS : Red Maple (*Acer rubrum*), White Oak (*Quercus alba*), White Pine (*Pinus strobus*). SHRUBS : Highbush Blueberry (*Vaccinium corymbosum*), Japanese barberry (*Berberis thunbergii*). GROUND COVER: Poison-ivy (*Toxicodendron radicans*), Broad-leaf cattail (*Typha latifolia*), Greater celandine (*Chelidonium majus*)

Methodology

The site was analyzed for areas that qualify as wetland resource areas. The Bordering Vegetated Wetland (BVW) was delineated in accordance with the definition set forth in the regulations 310 CMR 10.55 (2) © states that "The boundary of a Bordering Vegetated Wetland is the line within which 50% or more of the plant 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 "Bordering Vegetated Wetlands Delineation Criteria and Methodology," issued March 1, 1995; and "Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act: A Handbook," produced by the Massachusetts Department of Environmental Protection, dated March 1995, federal wetlands were assumed to have boundaries consistent with the delineated Bordering Vegetated Wetlands located on Haggerty Landing, the locus site. Two sets of DEP Bordering Vegetated Wetland Delineation Field Data forms were completed for the observation plots located in the vicinity of the wetland flags. See field data sheets.



**New
England
Environmental
Design, LLC**

P.O. Box 376, Rutland, MA 01543 Phone: (508) 829-7222 Email: needllc@hotmail.com

Findings

The numbered (#) wetland resource area consists of a palustrine forested swamp flagged in blue and marked accordingly. Based on visual inspection, there exists no evidence of endangered species or vernal pools in the resource area. Evidence of wetland hydrology, including hydric soils, evidence of flooding, saturated soils and drainage patterns were observed within the delineated wetlands. Any vegetated wetland borders, intermittent streams and vegetated wetlands are regulated under the Wetlands Protection Act (WPA). A buffer zone extends outward a horizontal distance of 100 feet from the edge of the Bordering Vegetated Wetlands under the WPA.

Bordering land subject to flooding is an area that floods due to the rise in floodwaters from an adjacent waterway or water body. Where flood studies have been compiled, the boundary of bordering land subject to flooding is based upon the 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 must evaluate the most recent National Flood Insurance Program data to determine if bordering land subject to flooding occurs on this site. Bordering land subject to flooding occurs in areas where the 100-year flood elevation is located outside of or up gradient of the delineated bordering vegetated wetland boundary. Bordering land subject to flooding does not have a buffer zone under the WPA.

The regulations require that no project may be permitted that will have an adverse effect on specified habitat sites of the rare vertebrates or invertebrate species, as identified by procedures set forth at 3210 CMR 10.59 based upon a review of the Massachusetts Natural Heritage Atlas, 12th edition, Priority habitats and Estimated Habitats, there are no Estimated Habitats, Priority Habitats, Certified Vernal pools on or in the vicinity of this site. A copy of the map is included.

The reader must be aware that regulatory authority for determining wetland jurisdiction rests with local, state, and federal authorities. If you have any questions, please do not hesitate to contact me with any concerns.

Sincerely,

Julian P. Votruba
New England Environmental Design, LLC

MassDEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Fox Hill Builders Inc. Prepared by: New England Environmental Design, LLC Project location: Auburn St , Leicester, MA DEP File #: _____

Check all that apply:

Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
☒ **Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II**

Method other than dominance test used (attach additional information)

Section I.

Vegetation		Observation Plot Number: J3 Up		Transect Number: 3		Date of Delineation: 10/3/17
A. Sample Layer & Plant Species (by common/scientific name)	B. Percent Cover (or basal Area)	C. Percent Dominance	D. Dominant Plant (yes or no)		E. Wetland Indicator Category*	
Trees:						
White Oak (Quereus alba)	10%	100%	Yes		FACU	
Saplings:						
White Oak (Quereus alba)	5%	100%	Yes		FACU	
Shrubs:						
Witch Hazel	5%	100%	Yes		FAC-	
(Haomamelis Virginiana)						
Ground:						
Teaberry	10%	66%	Yes		FACU	
(Gaultheria Procumbens)						
Canada Mayflower	5%	33%	Yes		FACU	
(Maianthemum canadense)						

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus Sphagnum; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants:
0

Number of dominant non-wetland indicator plants:
5

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? yes no **X**

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? yes ☒ no ☒
title/date: _____
map number: _____
soil type mapped: _____
hydric soil inclusions: _____

Are field observations consistent with soil survey? yes ☐ no ☐
Remarks: _____

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
A	0-4"	10YR5/2	
B	4-18"	5YR5/3	
C	18-43+	2.5YR5/3	

Remarks: _____
No Mottles @ 43"

3. Other:

Conclusion: Is soil hydric? yes ☒ no ☒

Other Indicators of Hydrology: (check all that apply & describe)

- ☐ 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 BVW: _____
- ☐ Oxidized rhizospheres: _____
- ☐ Water-stained leaves: _____
- ☐ Recorded Data (streams, lake, or tidal gauge; aerial photo; other): _____
- ☐ Other: _____

Vegetation and Hydrology Conclusion

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

Yes _____ No _____

☒

Wetland hydrology present:

Hydric soil present

☒

Other indicators of hydrology present

☒

Sample location is in a BVW

☒

Submit this form with the Request for Determination of Applicability or Notice of Intent.

MassDEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: **Fox Hill Builders Inc.** Prepared by: **New England Environmental Design, LLC** Project location: **Auburn St. Leicester MA** DEP File #: _____

Check all that apply:

Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only

✓ **Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II**
Method other than dominance test used (attach additional information)

Section I.

Vegetation		Observation Plot Number: J3 Wet		Transect Number: 3	Date of Delineation: 10/13/17
A. Sample Layer & Plant Species (by common/scientific name)	B. Percent Cover (or basal Area)	C. Percent Dominance	D. Dominant Plant (yes or no)		
Trees:					
Red Maple (Acer rubrum)	10%	100%	Yes		FAC*
Saplings:					
Red Maple (Acer rubrum)	10%	100%	Yes		FAC*
Shrubs:					
Highbush Blueberry	10%	66%	Yes		FACW*
(Vaccinium Corymboson)					
Spice Bush (Lindera benzoin)	5%	33%	Yes		FAC+*
Ground:					
Cinnamon Fern	5%	100%	Yes		FACW+*
(Osmunda cinnamomea)					

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c. 131, s. 40); plants in the genus Sphagnum; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants:

5

Number of dominant non-wetland indicator plants:

0

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? yes **X** no

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? yes no **X**
title/date: _____
map number: _____
soil type mapped: _____
hydric soil inclusions: _____

Are field observations consistent with soil survey? yes no
Remarks: _____

2. Soil Description

Horizon O Depth 0-6"
Cg 6-21"
Matrix Color 10YR1/1
Mottles Color 5Y5/2
Gley 16/N

Remarks: _____

Mottles @ 7"
Abundant/Distinct

3. Other:

Histic Epipedon

Conclusion: Is soil hydric? Yes **X** no

Other Indicators of Hydrology: (check all that apply & describe)

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 BVW: _____

✓ Oxidized rhizospheres: Many

✓ Water-stained leaves: Few

Recorded Data (streams, lake, or tidal gauge; aerial photo; other): _____

Vegetation and Hydrology Conclusion

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

Yes No

X

Wetland hydrology present:

Hydric soil present

X

Other indicators of hydrology present

X

Sample location is in a BVW

X

Submit this form with the Request for Determination of Applicability or Notice of Intent.

MassDEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Fox Hill Builders Inc. Prepared by: New England Environmental Design, LLC Project location: Auburn St , Leicester, MA DEP File #: _____

Check all that apply:

Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only

✓ **Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II**
Method other than dominance test used (attach additional information)

Section I.

Vegetation A. Sample Layer & Plant Species (by common/scientific name)	Observation Plot Number: J8 Up		Transect Number: 8 D. Dominant Plant (yes or no)	Date of Delineation: 10/3/17 E. Wetland Indicator Category*
	B. Percent Cover (or basal Area)	C. Percent Dominance		
Trees:				
White Oak (Quercus alba)	10%	100%	Yes	FACU
Saplings:				
White Oak (Quercus alba)	5%	100%	Yes	FACU
Shrubs: N/A				
Ground:				
Teaberry				
(Gaultheria Procumbens)	10%	66%	Yes	FACU
Canada Mayflower	5%	33%	Yes	FACU
(Maianthemum canadense)				

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus Sphagnum; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants:

0

Number of dominant non-wetland indicator plants:

4

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? yes no **X**

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? yes ☐ no ☒
title/date: _____
map number: _____
soil type mapped: _____
hydric soil inclusions: _____

Are field observations consistent with soil survey? yes ☐ no ☐
Remarks: _____

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
A	0-4"	10YR5/2	
B	4-18"	5YR5/3	
C	18-43+	2.5YR5/3	

Remarks:
No Mottles @ 43"

3. Other:

Conclusion: Is soil hydric? yes ☐ no ☒

Other Indicators of Hydrology: (check all that apply & describe)

- ☐ 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 BWV: _____
- ☐ Oxidized rhizospheres: _____
- ☐ Water-stained leaves: _____
- ☐ Recorded Data (streams, lake, or tidal gauge; aerial photo; other): _____

☐ Other: _____

Vegetation and Hydrology Conclusion

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

Yes _____ No ☒

Wetland hydrology present:

Hydric soil present

Other indicators of hydrology present

Yes _____ No ☒

Yes _____ No ☒

Sample location is in a BWV

Yes _____ No ☒

Submit this form with the Request for Determination of Applicability or Notice of Intent.

MassDEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Fox Hill Builders Inc. Prepared by: New England Environmental Design, LLC Project location: Auburn St. Leicester MA DEP File #: _____

Check all that apply:

Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only

✓ **Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II**
Method other than dominance test used (attach additional information)

Section I.

Vegetation	Observation Plot Number: J8 Wet		Transect Number: 8	Date of Delineation: 10/13/17
A. Sample Layer & Plant Species (by common/scientific name)	B. Percent Cover (or basal Area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*

Trees:

Red Maple (Acer rubrum)

Saplings: N/A

Shrubs:

Highbush Blueberry

(Vaccinium Corymbosum)

Spice Bush (Lindera benzoin)

Ground:

Cinnamon Fern

(Osmunda cinnamomea)

10%

Yes

FAC*

10%

Yes

FACW*

5%

Yes

FAC+*

5%

Yes

FACW+*

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c. 131, s. 40); plants in the genus Sphagnum; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants:

4

Number of dominant non-wetland indicator plants:

0

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? yes **X** no

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? yes **no** **X**
title/date: _____
map number: _____
soil type mapped: _____
hydric soil inclusions: _____

Are field observations consistent with soil survey? yes **no**
Remarks: _____

2. Soil Description

Horizon _____ Matrix Color _____ Mottles Color _____
O **0-6"** **10YR1/1**
Cg **6-21"** **Gley 16/N** **5Y5/2**

Remarks: _____

Mottles @ 7"
Abundant/Distinct

3. Other:

Histic Epipedon

Conclusion: Is soil hydric? Yes **X** no

Other Indicators of Hydrology: (check all that apply & describe)

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 BVW: _____

✓ Oxidized rhizospheres: Many
✓ Water-stained leaves: Few
Recorded Data (streams, lake, or tidal gauge; aerial photo; other):

Vegetation and Hydrology Conclusion

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

Yes **No**

X _____

Wetland hydrology present:

Hydric soil present

X _____

Other indicators of hydrology present

X _____

Sample location is in a BVW

X _____

Submit this form with the Request for Determination of Applicability or Notice of Intent.



**New
England
Environmental
Design, LLC**

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TOWN OF LEICESTER
CONSERVATION COMMISSION
3 WASHBURN SQUARE
LEICESTER, MA 01524

ENCLOSED PLEASE FIND THE REQUIRED DESCRIPTIONS FOR THE NOTICE OF INTENT FOR:

FOX HILL BUILDERS, INC.
31 GALLAIR CIRCLE
HOLDEN, MA 01520

PROJECT LOCATION: LOT 79R AUBURN STREET
LEICESTER, MA 01524

WORK TO BE PERFORMED:

The above-mentioned project is the construction of a single-family home, private well, and septic with associated grading. All work is to be done in the buffer zone only of a bordering vegetated wetland.

EXISTING CONDITIONS:

The existing conditions currently consist of a forested parcel that is zoned for a single family home.

PROPOSED CONDITIONS:

The project proposes the construction of a single-family home and associated grading as shown on the submitted plan.

WETLAND DELINEATION INFORMATION:

Please see the Wetland Delineation Report which is attached as a supporting document for the Notice of Intent.

STORMWATER INFORMATION:

The project is exempt from the provisions of the Mass DEP Stormwater Management Standards because it is the construction of a single-family house. The proposed grading has been designed to avoid any point discharge areas and avoid any steep slopes.

CONSTRUCTION SEQUENCING:

Before any construction commences, erosion control measures are to be put in place and construction will be sequenced as follows:

- The erosion control will be installed and inspected.
- Trees will be removed in the construction area.
- Erosion control will be inspected and repaired where necessary.
- The well will be drilled.
- The driveway and foundation will be constructed.
- The septic will be constructed.
- All disturbed areas will be loamed and seeded.

HOW THE PROJECT CONTRIBUTES TO THE PROTECTION OF THE INTEREST OF THE WETLAND PROTECTION ACT:

The project proposes the construction of a single-family home and associated grading. The wetlands have been flagged per the Wetland Protection Act. The project proposes erosion control to protect the wetlands as shown on the plan. The site is relatively flat and doesn't create any adverse effect towards the wetlands. All disturbed areas will be loamed and seeded.

