

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.

1.

2.

3.

4.

5.

a. Total Fee Paid





Note: Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

Project Location (Note: electronic	filers will click on	button to locate pro	ject site):
875 Pleasant Street		Leicester	01542
a. Street Address		b. City/Town	c. Zip Code
Latitude and Langitude:		42.194720	-71.907766
Latitude and Longitude:		d. Latitude	e. Longitude
46A		A18	
f. Assessors Map/Plat Number		g. Parcel /Lot Number	
Applicant:			
Sanjay		Patel	
a. First Name		b. Last Name	
He Parth, LLC			
c. Organization			
875 Pleasant Street			
d. Street Address	MA		01542
Leicester e. City/Town	f. St		01042 g. Zip Code
(508) 892-8646		oksideliquors@yah	
h. Phone Number i. Fax Number		nail Address	00.00111
a. First Name		b. Last Name	
c. Organization			
d. Street Address			
e. City/Town	f. SI	ate	g. Zip Code
h. Phone Number i. Fax Numb	per j. Er	nail address	
Representative (if any):			
Elliott		Paturzo	
a. First Name		b. Last Name	
A.S. Elliott & Associates	MALE TY		
c. Company			
P.O. Box 85	<u></u> .		
d. Street Address	RÆA		04747
Hopedale e. City/Town	MA f. Si		<u>01747</u> g. Zip Code
· · · · · · · · · · · · · · · · · · ·		_{aturzo@yahoo.com}	- :
(508)634-0256 h. Phone Number i. Fax Numl		nail address	1
Total WPA Fee Paid (from NOI W	,		
•		·	262 F0
\$500.00	\$237.50	Þ .	262.50

b. State Fee Paid

c. City/Town Fee Paid



Massachusetts Department of Environmental Protection Provided by MassDEP:

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

Mas	DEP File	Number	
Doc	ment Tra	nsaction	Number
Lei	ester		
City	Town		

A. General Information (continued)

•	(30.133)				
3.	General Project Description:				
	A cold storage and dry storage facility is proposed to be added to the existing one story structure. The buffer zone extends into the site form the top of the bank. No increase in stormwater is anticipated since the proposed structure will be built where there is existing pavement.				
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.		treated as a limited project (including Ecological 0.24 (coastal) or 310 CMR 10.53 (inland)? ed project applies to this project. (See 310 CMR blete list and description of limited project types)			
	2. Limited Project Type				
	If the proposed activity is eligible to be treated as an CMR10.24(8), 310 CMR 10.53(4)), complete and at Project Checklist and Signed Certification.	n Ecological Restoration Limited Project (310 ttach Appendix A: Ecological Restoration Limited			
8.	Property recorded at the Registry of Deeds for:				
	Worcester				
	a. County	b. Certificate # (if registered land)			
	42955	274			
	c. Book	d. Page Number			

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

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

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



Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

/i	ded by MassDEP:
-	MassDEP File Number
-	Document Transaction Number
	Leicester
	City/Town

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

Resour	ce Area	Size of Proposed Alteration	Proposed Replacement (if any)	
а. 🗌	Bank	1, linear feet	2. linear feet	
b. 🗌	Bordering Vegetated Wetland	1. square feet	2. square feet	
с. 🗌	Land Under Waterbodies and	1. square feet	2. square feet	
	Waterways	3. cubic yards dredged		
	ce Area	Size of Proposed Alteration	Proposed Replacement (if any)	
d. 🗌	Bordering Land Subject to Flooding	1. square feet	2. square feet	
	la clade d l and	3. cubic feet of flood storage lost	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	Name of Waterway (if available) - spec	cify coastal or inland	
2.	2. Width of Riverfront Area (check one):			
25 ft Designated Densely Developed Areas only				
	100 ft New agricultu	ural projects only		
	200 ft All other proje	ects		
3.	Total area of Riverfront Are	a on the site of the proposed projec	square feet	
4. Proposed alteration of the Riverfront Area:		·		
	·			
a. total square feet between 100 ft. c. square feet between 100 ft.				
5.	5. Has an alternatives analysis been done and is it attached to this NOI?			
6.	Was the lot where the activ	ity is proposed created prior to Aug	ust 1, 1996?	
3. 🔲 Co	astal Resource Areas: (See	310 CMR 10.25-10.35)		
Note:	for coastal riverfront areas,	please complete Section B.2.f. ab	ove.	

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



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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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.

	Resour	ce Area	Size of Proposed A	lteration	Proposed Replacement (if any)
	a. 🔲	Designated Port Areas	Indicate size unde	er Land Under	r the Ocean, below
	b. 🔲	Land Under the Ocean	1. square feet		
			2. cubic yards dredged		
	с. 🔲	Barrier Beach	Indicate size under	Coastal Bead	ches and/or Coastal Dunes below
	d. 🗌	Coastal Beaches	1. square feet	HARATTY Y	2. cubic yards beach nourishment
	е. 🗌	Coastal Dunes	1. square feet		2. cubic yards dune nourishment
			Size of Proposed A	<u>Iteration</u>	Proposed Replacement (if any)
	f. 🗌	Coastal Banks	1. linear feet		
	g. 🔲	Rocky Intertidal Shores	1. square feet		
	h. 🔲	Salt Marshes	1. square feet		2. sq ft restoration, rehab., creation
	i	Land Under Salt Ponds	1. square feet		
			2. cubic yards dredged		
	j. 🔲	Land Containing Shellfish	1. square feet		
	k. 🔲	Fish Runs			ks, inland Bank, Land Under the er Waterbodies and Waterways,
			1. cubic yards dredged		
	I.	Land Subject to Coastal Storm Flowage	1. square feet		
4.					
	a. squar	e feet of BVW	b	. square feet of S	Salt Marsh
5.	☐ Pro	oject Involves Stream Cros	ssings		
	a. numb	er of new stream crossings	<u>b</u>	number of repla	acement stream crossings



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WPA Form 3 - Notice of Intent

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

Provided	by	MassDEP:

City/Town

MassDEP.	File	Numb	e

Document Transaction Number Leicester

C.	Other	Applicable	Standards	and	Requirements
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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

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*

(a) within wetland Resource Area (b) outside Resource Area 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		1. 🔲	Percentage/acreage of property to be	altered:
 Assessor's Map or right-of-way plan of site 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) 		(a)	within wetland Resource Area	percentage/acreage
 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)	outside Resource Area	percentage/acreage
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)		2.	Assessor's Map or right-of-way plan of	f site
buffer zone)	2.	wetlands ju	urisdiction, showing existing and propos	sed conditions, existing and proposed
(b) Photographs representative of the site		(a) 🔀	•	ion of impacts outside of wetland resource area &
		(b)	Photographs representative of the sit	e

** 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.

wpaform3.doc • rev. 6/28/2016

Page 5 of 9

^{*} 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.



Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

rided by N	/lassDEP:
MassDE	P File Number
Docume	nt Transaction Number
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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/nhesp/regulatory_review/mesa/mesa_fee_schedule.htm). Make check payable to "Commonwealth of Massachusetts - NHESP" and <i>mail to NHESP</i> at above address						
	Projects	Projects altering 10 or more acres of land, also submit:					
	(d) 🔲	Vegetation cover type map of site					
	(e)	(e) Project plans showing Priority & Estimated Habitat boundaries					
	(f) OF	(f) OR Check One of the Following					
	1. 🗀	Project is exempt from MESA review. Attach applicant letter indicating which http://www.mass.gov/dfwele/dfw/nhesp the NOI must still be sent to NHESP if 310 CMR 10.37 and 10.59.)	/regulatory review/mesa	/mesa_exemptions.htm;			
	2. 🔲	Separate MESA review ongoing.	a. NHESP Tracking #	b. Date submitted to NHESP			
	3.	Separate MESA review completed. Include copy of NHESP "no Take" dete Permit with approved plan.	ermination or valid Conse	rvation & Management			
3.		or coastal projects only, is any portion of the proposed project located below the mean high water se or in a fish run?					
	a. 🗌 Not a	a. Not applicable – project is in inland resource area only b. Yes No					
	If yes, inclu	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:						
	Southeast M Attn: Enviro 1213 Purch New Bedfor	Marine Fisheries - Marine Fisheries Station nmental Reviewer ase Street – 3rd Floor d, MA 02740-6694 F.EnvReview-South@state.ma.us	Division of Marine Fisheri North Shore Office Attn: Environmental Revie 30 Emerson Avenue Gloucester, MA 01930 Email: <u>DMF.EnvRevie</u>	ewer			

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 ProtectionBureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

PR	ovided by MassDEP:
	MassDEP File Number
	Document Transaction Number
	Leicester

City/Town

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

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

Online Users: Include your document		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.
transaction		b. ACEC
number (provided on your receipt page) with all	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?
supplementary		a. 🗌 Yes 🗵 No
information you submit to the Department.	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:
		 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. Subject to 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

Number
nsaction Number

City/Town

D. Additional Inf	formation (d	cont'd)
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		(
	3. 🖾		ther resource area boundary delineations (MassDEP BVW of Applicability, Order of Resource Area Delineation, etc.), e methodology.			
	4. 🛛	List the titles and dates for all plans	and other materials submitted with this NOI.			
	Exi	sting Conditions Plan Showing Prop	osed Addition			
		lan Title				
	A.S. Elliott & Associates		Elliott J. Paturzo			
		repared By	c. Signed and Stamped by			
		2/18	1" = 20' e. Scale			
	a. F	inal Revision Date	e. Scale			
	f. Ad	dditional Plan or Document Title	g. Date			
	5. 🗌	If there is more than one property of listed on this form.	owner, please attach a list of these property owners not			
	6.	Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.				
	7. 🔲	Attach proof of mailing for Massacl	ach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.			
	8. 🛛	Attach NOI Wetland Fee Transmittal Form				
	9.	Attach Stormwater Report, if neede	ed.			
<u>E</u> .	Fees					
_,	1.	Fee Exempt: No filing fee shall be	assessed for projects of any city, town, county, or district cognized Indian tribe housing authority, municipal housing by Transportation Authority.			
	Applica Fee Tr	ants must submit the following inforn ansmittal Form) to confirm fee paym	nation (in addition to pages 1 and 2 of the NOI Wetland ent:			
	2. Munic	ipal Check Number	3. Check date			
	4. State	Check Number	5. Check date			
	6. Payor	name on check: First Name	7. Payor name on check: Last Name			



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WPA Form 3 - Notice of Intent

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

۲۱	ovided 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.

Christell Cheel.	02-13-18
1. Signature of Applicant	2. Date
3. Signature of Property Owner (if different)	4. Date
5. Signature of Representative (if any)	6. Date

For Conservation Commission:

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

For MassDEP:

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

Other:

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

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



important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.





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

A. Applicant Information

 Location of Project 	Location of Project:				
875 Pleasant Stre	eet	Leicester			
a. Street Address	Jahn W Thomas	b. City/Town			
c. Check number	. Water John T.	d. Fee amount			
. Applicant Mailing	Address:				
Sanjay		Patel			
a. First Name		b. Last Name			
He Path, LLC					
c. Organization					
875 Pleasant Stre	eet				
d. Mailing Address					
Leicester		<u>MA</u>	01542		
e. City/Town		f. State	g. Zip Code		
(508) 892-8646		brooksideliquors@yahoo.d	com		
h. Phone Number	i. Fax Number	j. Email Address			
B. Property Owner (if different):				
a. First Name		b. Last Name			
c. Organization	1.07.273				
d. Mailing Address					
e. City/Town		f. State	g. Zip Code		
h. Phone Number	i. Fax Number	i. 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.



Bureau of Resource Protection - Wetlands

NOI Wetland Fee Transmittal Form

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

B. Fees (continued)			
Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
category 2j.	1	\$500	\$500
	Step 5/To	otal Project Fee:	\$500
	Step 6/	Fee Payments:	
	Total	Project Fee:	\$500 a. Total Fee from Step 5
	State share	of filing Fee:	\$237.50 b. 1/2 Total Fee less \$12.50
	City/Town share	e of filling Fee:	\$262.50 c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

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

Department of Environmental Protection Box 4062 Boston, MA 02211

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

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

Project Summary Narrative LEICESTER'S WETLANDS AND WATER RESOURCES BYLAW #875 Pleasant Street, Leicester, MA

The 10,388± s.f. site is located on the north side of Pleasant Street in Leicester, Massachusetts. Currently, there is an existing 1,651 s.f. one-story *Brookside Liquors* building with parking for approximately ten (10) vehicles at the site. *Brookside Liquors* is proposing to expand this building to 2,441 s.f. with a 751 +/- s.f. Dry Storage and Cold Storage addition.

Project Site Proposed Activities:

The applicant seeks to expand the existing on-site structure into a one-story, 2,441 square-foot building to accommodate a 751 +/- s.f. Dry Storage and Cold Storage addition. *Brookside Liquors* is not changing the configuration of the parking lot but is building the addition on the existing pavement behind the existing building. There is no change in the impervious area.

Wetland Resource Area (Bank):

The bank of the existing stream runs mostly along the northwesterly property line of Brookside Liquors. The 25' No Disturb Zone currently has a storage trailer, pavement, concrete pad, diesel tank and a portion of the existing building within the zone. The proposed dry and cold storage addition will eliminate the existing storage trailer that is within the 25' No Disturb Zone.

Project Justification:

The existing building was built circa-1947 and is in need of a storage area. The new addition would eliminate the existing storage trailer from the 25' No Disturb Zone and would be mostly out of the No Disturb Zone. Since there is no increase in impervious area there will no additional runoff.



