



TOWN OF LEICESTER

CONSERVATION COMMISSION

3 Washburn Square
Leicester, MA 01524-1333
Phone: 508-892-7007 – Fax: 508-892-7070
www.leicesterma.org

2024 APR -3 AM 10: 25

TOWN CLERK'S OFFICE
LEICESTER, MASS.

CONSERVATION COMMISSION AGENDA

Wednesday, April 10, 2024 at 6:30 PM
Select Board Meeting Room

Call to Order

1. Public Hearings

Public Hearing (Continued from 3/13/24 and 2/14/24):

Notice of Intent – Waite Pond Dam (DEP #197-Pending)

Repairs to Waite Pond Dam described as the vertical extension of the retaining wall on the right side of the spillway. Applicant: Town of Leicester.

Public Hearing (Continued from 3/13/24):

Notice of Intent – Boutilier Rd., Henshaw St., Peter Salem Rd., Pine St., and Stafford St. (DEP #197-Pending)

For activities associated with exploratory geotechnical soil borings along the E5/E6 Transmission Lines Right-of-Way within Bordering Vegetated Wetlands, the 100' buffer zone to Bordering Vegetated Wetlands, 200' Riverfront Area, and 25' no disturb zone. Applicant: BSC Group, Inc. for New England Power Company

Public Hearing:

Notice of Intent – 74 King Street (DEP #197-Pending)

For the proposed construction of a single family home, paved driveway, septic system, and associated site work within the 100 foot buffer zone to a Bordering Vegetated Wetland. Applicant: EcoTec, Inc. for Stephan Antanavica Construction

Public Hearing:

Notice of Intent – 50 Peter Salem Road (DEP #197-Pending)

For the purpose of a septic system repair, removal of an existing building (shop), and construction of a new 1,350 s.f. building (shop) within the 100 foot buffer zone to a Bordering Vegetated Wetland, and minor work within the 25' no disturb zone.

Applicant: Paul Morris

2. Request for Determination of Applicability – 11 Salminen Drive

For work associated with the demolition/removal of the existing house and septic system and the construction of a new house and septic system essentially on the same footprint as the existing conditions within the 100 foot buffer zone to Stiles Reservoir.

Applicants: Matthew and Naomi Beauregard

3. Request for Certificate of Compliance – 59 Burncoat Lane (DEP File#197-0666)

Application: Richard Gorman, Sr.

Please note that agenda items may be taken out of order.

4. **506 & 508 Pine St. – Cease & Desist**
5. **28 Salminen Drive – Complaint**
6. **Recommendations to Board of Selectmen for appointments to the Open Space & Rec Plan Implementation Committee:**
 - Steve Dodge – At Large
 - Kurt Parliment – Land Trust liason
 - Sharon Nist – Planning Board member
 - Matthew Fournier – Parks and Rec member
7. **Discussion**
 - Tree Removal Policy (Draft)
 - Certificate of Compliance Policy
 - Proposed Revisions to Wetland Bylaw and Rules/Regs Administering Wetland Bylaw
8. **Approval of Minutes:** March 13, 2024
9. **Miscellaneous/Board Updates**

RECEIVED
2024 APR -3 AM 10:25
TOWN CLERK'S OFFICE
LEICESTER, MASS.

Public Hearing (Cont.)

Waite Pond Dam Repairs – NOI

From: Ken Berchielli <Kberchielli@fando.com>
Sent: Saturday, April 6, 2024 11:25 AM
To: Lisa Westwell <westwell@leicesterma.org>
Subject: RE: Waite Pond Dam, Leicester

Hi Lisa – sorry for the delayed response, I missed your original email somehow. I wanted to let you know that I will be on vacation from April 8 through April 19, so I will not be able to attend the April 10 con com meeting.

Can we extend to the next hearing in May when I will be back from my vacation? I'd prefer not to send someone else with F&O to represent me, since this is a bit of an unorthodox situation. If we don't have a file number by then, I will plan to closeout the original NOI for the project as the Con Com recommended during the original hearing back in March.

Thanks for all your help.

Regards,

Ken

Ken Berchielli, EIT, MS
Water Resources Engineer
Fuss & O'Neill, Inc. | Kberchielli@fando.com
(401) 533-5968

317 Iron Horse Way Suite 204 | Providence, RI 02908
www.fando.com | [Instagram](#) | [vimeo](#) | [facebook](#) | [linkedin](#)

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Public Hearing (Cont.)

BSC Group for NE Power - NOI

Boutilier Rd., Henshaw St., Peter Salem Rd.,
Pine St. and Stafford St.

Lisa Westwell

From: CERO_NOI@MassMail.state.ma.us
Sent: Tuesday, April 9, 2024 11:55 AM
To: michael.tyrrell@nationalgrid.com; cgorss@bscgroup.com
Cc: cero_noi@state.ma.us; Conservation Commission; Donna Main; cero_noi@state.ma.us
Subject: MassDEP NOI File Number

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

Date: 04/09/2024 Municipality LEICESTER

RE: **NOTIFICATION OF WETLANDS PROTECTION ACT FILE NUMBER**

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

Applicant NEW ENGLAND POWER COMPANY (NEP)	Owner Address
Address 170 DATA DRIVE,WALTHAM MA	
Locus E5/F6 TRANSMISSION LINE RIGHT-OF- WAY (ROW) , LEICESTER MA	

This project has been assigned the following file # : **CE 197-0712**

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

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

No Comment

Regards,
for MassDEP,

(508)-767-2721
Thomas.Rebula@Mass.gov

Public Hearing

74 King Street – NOI



Town of Leicester
CONSERVATION COMMISSION
LEICESTER, MASSACHUSETTS, 01524-1333
Phone: 508-892-7007 Fax: 508-892-7070
www.leicesterma.org

RECEIVED
2024 MAR 25 PM 4:29
TOWN CLERK'S OFFICE
LEICESTER, MASS.

PUBLIC HEARING NOTICE
Leicester Conservation Commission

74 King Street (37-C12-0)

The Leicester Conservation Commission will hold a Public Hearing on **Wednesday, April 10, 2024 at 6:30 PM** in the Conference Room of the Leicester Town Hall, 3 Washburn Square, Leicester, MA in accordance with M.G.L. c.131 s.40 and the Town of Leicester Wetland Bylaw to hear the Notice of Intent filed by EcoTec, Inc. for the proposed construction of a single family home, paved driveway, septic system, and associated site work within the 100 foot buffer zone to a Bordering Vegetated Wetland. Site Location: 74 King Street, Assessors Parcel 37-C12-0, Zoned Residential 1 (R1) and Suburban Agricultural (SA).

Anyone wishing to comment or hear discussion should be present at the above stated date and time. The submitted documents may be viewed in the Leicester Town Conservation Commission Office during Town Hall hours or online at leicesterma.org.

Stephan Parretti, Chair
Leicester Conservation Commission

Published in Worcester Telegram & Gazette: Tuesday, April 2, 2024

Ad Preview

**PUBLIC
HEARING NOTICE
Leicester Conservation
Commission**

74 King Street (37-C12-0)

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Anyone wishing to comment or hear discussion should be present at the above stated date and time. The submitted documents may be viewed in the Leicester Town Conservation Commission Office during Town Hall hours or online at leicesterma.org.

Stephan Parretti, Chair
Leicester Conservation
Commission

Published in Worcester
Telegram & Gazette:
Tuesday, April 2, 2024

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

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

Date: 04/09/2024

Municipality LEICESTER

RE: NOTIFICATION OF WETLANDS PROTECTION ACT FILE NUMBER

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

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

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

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

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

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

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

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

Regards,
for MassDEP,

Bryanna.Weigel@mass.gov

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

March 25, 2024

Leicester Conservation Commission
3 Washburn Square,
Leicester, MA 01524

RE: 74 King Street, Leicester

Subject: Notice of Intent under the Massachusetts Wetlands Protection Act and Leicester Wetland Protection Bylaw: for the Proposed Construction of a Single-Family Home, Paved Driveway, Septic System, and Associated Site Work, located at 74 King Street, (Map: 37 Parcel: C12-0,) Leicester, Massachusetts; Applicant: Stephan Antanavica, Antanavica Construction

To the Commission:

Enclosed please find two (2) copies of the Notice of Intent filed under the Massachusetts Wetlands Protection Act and the Leicester local wetlands Bylaw for the above-referenced property. Also enclosed, please find a check in the amount of \$262.50 to cover the town share of the filing fee under the Act, and a check in the amount of \$175.00 to cover the Bylaw filing fee. Please note that EcoTec will pay for the Legal Advertisement promptly upon notification of the cost of the advertisement, at your direction, with information to be provided by the Commission. This filing comprises:

This filing is comprised of:

1. This cover letter;
2. WPA Form 3, Notice of Intent Form; with all required attachments and copies of WPA checks
3. Certified Abutters List, Form of Abutter Notice, see Affidavit of Service below;
4. Wetland Resource Evaluation report by EcoTec dated March 7, 2024, including:
 - a. USGS Map, with site indicated;
 - b. Flood Insurance Rate Map FIRMette, with site indicated;
 - c. NHESP Atlas, including Estimated Habitats of Rare Wetlands Wildlife and Certified Vernal Pools, from MassGIS Datalayer with site indicated; and
 - d. BVW delineation field forms.
5. Site Plan titled "Proposed Subsurface Sewage Disposal System" by Finlay Engineering Services dated February 8, 2024, signed, and stamped by John E. Finlay, II, PE.

One copy of this filing has been submitted by email to the Central Regional Office of the Department of Environmental Protection. A payment of \$237.50 has been sent to the DEP lockbox.

Affidavit of service to abutters: In compliance with the Act and Bylaw, all abutters to the site will be notified of this filing. The list of abutters, and the form by which the abutters were notified, are included in the filing. Proof of mailing will be provided to the Commission.

The applicant is seeking an Order of Conditions for the proposed construction of a single-family house, a paved driveway, a septic system, a well, a footing drain, grading, utilities, and associated site work. The work is proposed within the 100-foot Buffer Zone to a Bordering Vegetated Wetland at the site, but the limit of work is located outside of the 25-foot No-Disturbance Zone under the Leicester Wetland Protection Bylaw/Bylaw Regulations. The proposed work is also located outside of the 200-foot Riverfront Area to the perennial stream on the site. The septic system leach-field, the proposed driveway, proposed well, and the foundation to the house are all located greater than 50-feet from the wetland at the site. Erosion control barriers will be installed at the limit of work and will be maintained until final site stabilization and approval from the Leicester Conservation Commission.

The following is a general construction sequence that will be implemented for the house construction and final stabilization at the site.

1. Install silt fence and straw wattle erosion control and sediment barriers prior to commencement of earth work;
2. Excavate for foundation/slab and septic system. Immediately temporarily stabilize exposed soils where earth disturbing activities have/will cease for more than 14 days;
3. Form and pour foundation/slab, Install septic system;
4. Backfill foundation/slab and complete rough grading. Temporarily stabilize exposed soils as necessary with hydromulch (min. 2,200 lbs/acre), wood mulch, hay mulch (2 bales/1,000 sf), or similar;
5. Construct house, including framing, roofing, siding and interior;
6. Connect underground utilities;
7. Complete grading, pave driveway.
8. Conduct final cleanup of wood scraps, building materials, etc.;
9. Loam and seed lawn area. Use sod, seed and erosion control blanket, or bonded fiber matrix hydroseed applied at manufacturer's recommended rate for slopes in excess of 3:1.

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

Cordially,
ECOTEC, INC.



Kate O'Donnell, WPIT
Environmental Scientist

C: DEP-CERO
Applicant: Antanavica Construction



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

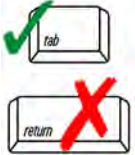
Document Transaction Number

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):

King Street	Leicester	01524
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	42.215587,	-71.903437
	d. Latitude	e. Longitude
37	C12 0	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

Stephen	Antanavica	
a. First Name	b. Last Name	
Antanavica Construction		
c. Organization		
208 Pine Street		
d. Street Address		
Leicester	MA	01524
e. City/Town	f. State	g. Zip Code
508-892-8540	-	gwen@antanavica.net
h. Phone Number	i. Fax Number	j. Email Address

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

Judith	Antanavica	
a. First Name	b. Last Name	
-		
c. Organization		
208 Pine Street		
d. Street Address		
Leicester	MA	01524
e. City/Town	f. State	g. Zip Code
508-892-8540	-	gwen@antanavica.net
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

Kate	O'Donnell	
a. First Name	b. Last Name	
EcoTec, Inc.		
c. Company		
102 Grove Street		
d. Street Address		
Worcester	MA	01605
e. City/Town	f. State	g. Zip Code
508-752-9666 x228		kodonnell@ecotecinc.com
h. Phone Number	i. Fax Number	j. Email address

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

\$500.00	\$262.50	\$237.50
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Leicester

City/Town

A. General Information (continued)

6. General Project Description:

Construction of a single-family house, a well, a paved driveway, a septic system, and associated site work within the 100-foot Buffer Zone to a Bordering Vegetated Wetland. The limit of work is located approximately 25-feet from the wetland. The septic system leachfield is located greater than 50-feet from the wetland. Erosion control barriers will be installed and maintained until final site stabilization.

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

a. County

52839,

c. Book

-

b. Certificate # (if registered land)

45

d. Page Number

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

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

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Leicester

City/Town

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

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	- 1. linear feet	- 2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	- 1. square feet	- 2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	- 1. square feet 3. cubic yards dredged	- 2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	- 1. square feet 3. cubic feet of flood storage lost	- 2. square feet 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	- 1. square feet 2. cubic feet of flood storage lost	- 3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	- 1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

- ☐ 25 ft. - Designated Densely Developed Areas only
- ☐ 100 ft. - New agricultural projects only
- ☐ 200 ft. - All other projects

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

4. Proposed alteration of the Riverfront Area:

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

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

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

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

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Leicester

City/Town

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

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

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

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

4. ☐ 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. ☐ Project Involves Stream Crossings

-	-
a. number of new stream crossings	b. number of replacement stream crossings



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

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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, 2021

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 <https://www.mass.gov/ma-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

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Leicester

City/Town

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

- (c) ☐ MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

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, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; 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 - Bourne to Rhode Island border, and the Cape & Islands:

North Shore - Plymouth to New Hampshire border:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

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.

- c. ☐ Is this an aquaculture project? d. ☐ Yes ☐ No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Leicester

City/Town

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

Online Users:

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

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
 a. ☐ Yes ☒ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
 b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
 a. ☐ Yes ☒ No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
 a. ☐ Yes ☒ No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
 a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
 1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. ☐ A portion of the site constitutes redevelopment
 3. ☐ Proprietary BMPs are included in the Stormwater Management System.
- b. ☒ No. Check why the project is exempt:
 1. ☒ Single-family house
 2. ☐ Emergency road repair
 3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☒ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Leicester

City/Town

D. Additional Information (cont'd)

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

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

"Proposed Subsurface Sewage Disposal System"

a. Plan Title

Finlay Engineering Services

John E. Finlay, II, PE

b. Prepared By

c. Signed and Stamped by

2/8/2024

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:

6096

3/20/2024

2. Municipal Check Number

3. Check date

6097

3/20/2024

4. State Check Number

5. Check date

Antanavica Construction Co., Inc.

-

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Leicester

City/Town

F. Signatures and Submittal Requirements

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

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

1. Signature of Applicant *S. A. A.*
2. Signature of Property Owner (if different) *Dudley A. Antonavica*
3. Signature of Representative (if any) *Kate O'Donnell*
5. Signature of Representative (if any)

3-20-24

2. Date

3-20-24

4. Date

3/25/2024

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:

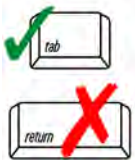
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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:

King Street

a. Street Address

State: 6097, Local: 6096

c. Check number

Leicester

b. City/Town

State: \$237.50, Total: \$500.00

d. Fee amount

2. Applicant Mailing Address:

Stephan

a. First Name

Antanavica Construction

c. Organization

208 Pine Street

d. Mailing Address

Leicester

e. City/Town

508-892-8540

h. Phone Number

-

i. Fax Number

MA

f. State

01524

g. Zip Code

gwen@ananavica.net

j. Email Address

3. Property Owner (if different):

Judith

a. First Name

-

c. Organization

208 Pine Street

d. Mailing Address

Leicester

e. City/Town

508-892-8540

h. Phone Number

-

i. Fax Number

MA

f. State

01524

g. Zip Code

gwen@ananavica.net

j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 2.a. Const. S/F house	1	\$500.00	\$500.00
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
Step 5/Total Project Fee:			\$500.00

Step 6/Fee Payments:

Total Project Fee:	\$500.00
	a. Total Fee from Step 5
State share of filing Fee:	\$237.50
	b. 1/2 Total Fee less \$12.50
City/Town share of filing 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.)

SECURITY FEATURES INCLUDE TRUE WATERMARK PAPER, HEAT SENSITIVE ICON AND FOIL HOLOGRAM.



ANTANAVICA CONSTRUCTION CO., INC.
208 PINE ST
LEICESTER, MA 01524
508-892-8540

6097
53-7173/2113

DATE 3-20-24

PAY
TO THE
ORDER OF

Commonwealth of Massachusetts

\$ 237.50

Two Hundred Thirty Seven and 50/100

DOLLARS



CORNERSTONE BANK
MAIN ST
SPENCER, MA

S. Khan

FOR King St WPA Fee

MP

SECURITY FEATURES INCLUDE TRUE WATERMARK PAPER, HEAT SENSITIVE ICON AND FOIL HOLOGRAM.



ANTANAVICA CONSTRUCTION CO., INC.
208 PINE ST
LEICESTER, MA 01524
508-892-8540

6096
53-7173/2113

DATE 3-20-24

PAY
TO THE
ORDER OF

Town of Leicester

\$ 262.50

Two Hundred Sixty Two and 50/100

DOLLARS



CORNERSTONE BANK
MAIN ST
SPENCER, MA

S. Khan

FOR King St WPA Fee

MP

SECURITY FEATURES INCLUDE TRUE WATERMARK PAPER, HEAT SENSITIVE ICON AND FOIL HOLOGRAM.



ANTANAVICA CONSTRUCTION CO., INC.
208 PINE ST
LEICESTER, MA 01524
508-892-8540

6095
53-7173/2113

DATE 3-20-24

PAY
TO THE
ORDER OF

Town of Leicester

\$ 175.00

One Hundred Seventy Five and 00/100

DOLLARS



CORNERSTONE BANK
MAIN ST
SPENCER, MA

S. Khan

FOR Bylaw Fee King St.

MP



Notification of Abutters Under the
Massachusetts Wetlands Protection Act and the Town of Leicester Wetlands Bylaw

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following:

- A. The name of the applicant is Antanavica Construction.
- B. The applicant has filed a Notice of Intent with the Conservation Commission for the municipality of Leicester seeking permission to construct a single-family house, paved driveway, septic system, and associated site work within the 100-foot Buffer Zone to an Area Subject to Protection Under the Wetlands Protection Act (General Laws Chapter 131, Section 40) and the Town of Leicester Wetlands Bylaw.
- C. The address where the planned activity will take place is King Street, Leicester.
- D. Copies of the Notice of Intent may be examined and obtained by making an appointment at EcoTec, Inc., 102 Grove Street, Worcester, MA, during regular business hours.

For more information call or email Kate O'Donnell of EcoTec at (508) 752-9666 x228 or kodonnell@ecotecinc.com to make an appointment to review the filing materials. This is the applicant's representative.

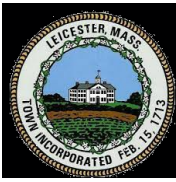
- E. Information regarding the date, time and place of the public hearing may be obtained from EcoTec, Inc., by calling this telephone number (508) 752-9666 during regular business hours, or by calling the Leicester Conservation Commission at: (508) 892-7007.

NOTE: Notice of the public hearing, including the date, time and place will be published at least five (5) days in advance in the Worcester Telegram & Gazette or other local newspaper.

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

NOTE: You also may contact your local Conservation Commission or the nearest Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act. To contact DEP, call:

Central Region: 508-792-7650



300 feet Abutters List Report

Leicester, MA

March 13, 2024

Subject Property:

Parcel Number: 37-C12-0
CAMA Number: 37-C12-0
Property Address: KING ST

Mailing Address: ANTANAVICA THEODORE P
208 PINE ST
LEICESTER, MA 01524

Abutters:

Parcel Number: 31-A5-0
CAMA Number: 31-A5-0
Property Address: PETER SALEM RD

Mailing Address: GIGUERE LENOERA M TRUSTEE VAN
HOOK IRREVOCABLE TRUST
360 HENSHAW ST
LEICESTER, MA 01524-1251

Parcel Number: 37A-A16-0
CAMA Number: 37A-A16-0
Property Address: 65 KING ST

Mailing Address: SMYTH JR GREGORY J SMYTH DENISE
J
65 KING ST
LEICESTER, MA 01524

Parcel Number: 37A-A17-0
CAMA Number: 37A-A17-0
Property Address: 67 KING ST

Mailing Address: HARRIS ROBERT M JR HARRIS JANE
M
67 KING ST
LEICESTER, MA 01524-1258

Parcel Number: 37-B1.1-0
CAMA Number: 37-B1.1-0
Property Address: 69 KING ST

Mailing Address: LAUDER ROBERT LAUDER ROBIN
BOX 96
ROCHDALE, MA 01542-0096

Parcel Number: 37-B1.3-0
CAMA Number: 37-B1.3-0
Property Address: 71 KING ST

Mailing Address: SULLIVAN KEVIN D SULLIVAN MARTHA
71 KING ST
LEICESTER, MA 01524

Parcel Number: 37-B1-0
CAMA Number: 37-B1-0
Property Address: KING ST

Mailing Address: DICENTES JAMES P
1 GOLDEN ROAD
LEICESTER, MA 01524

Parcel Number: 37-C1.1-0
CAMA Number: 37-C1.1-0
Property Address: 68 KING ST

Mailing Address: STEPHENS JAMES P STEPHENS
CELESTE
68 KING ST
LEICESTER, MA 01524

Parcel Number: 37-C1.2-0
CAMA Number: 37-C1.2-0
Property Address: 66 KING ST

Mailing Address: DEANDRADE LETICIA LOPEZ KEVIN
66 KING ST
LEICESTER, MA 01524

Parcel Number: 37-C1.3-0
CAMA Number: 37-C1.3-0
Property Address: 64 KING ST

Mailing Address: SWEENEY DAVID A BARRETT ELLEN M
64 KING ST
LEICESTER, MA 01524

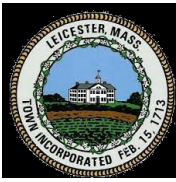
Parcel Number: 37-C1.6-0
CAMA Number: 37-C1.6-0
Property Address: 66 A KING ST

Mailing Address: STUART JR ROBERT R
66A KING STREET
LEICESTER, MA 01524



www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.



300 feet Abutters List Report

Leicester, MA

March 13, 2024

Parcel Number: 37-C10-0
CAMA Number: 37-C10-0
Property Address: 231 CLARK ST

Mailing Address: PROVO BRUCE F PROVO GAIL M
231 CLARK STREET
ROCHDALE, MA 01542

Parcel Number: 37-C13.1-0
CAMA Number: 37-C13.1-0
Property Address: 78 KING ST

Mailing Address: LAFAYETTE PAUL K LAFAYETTE
SHANNON K
78 KING STREET
LEICESTER, MA 01524

Parcel Number: 37-C13.4-0
CAMA Number: 37-C13.4-0
Property Address: 247 CLARK ST

Mailing Address: RICHARDS JOHN H
247 CLARK ST
ROCHDALE, MA 01542

Parcel Number: 37-C13.5-0
CAMA Number: 37-C13.5-0
Property Address: 245 CLARK ST

Mailing Address: BERARD WAYNE C BERARD DEBORAH
L
245 CLARK ST
ROCHDALE, MA 01542

Parcel Number: 37-C13-0
CAMA Number: 37-C13-0
Property Address: 76 KING ST

Mailing Address: BUCKLEY THOMAS E BUCKLEY LINDA J
76 KING ST
LEICESTER, MA 01524

Parcel Number: 37-D4-0
CAMA Number: 37-D4-0
Property Address: 240 CLARK ST

Mailing Address: GUSTAFSON PAUL L
240 CLARK ST
ROCHDALE, MA 01542

Parcel Number: 37-D5-0
CAMA Number: 37-D5-0
Property Address: CLARK ST

Mailing Address: FITZGERALD ANITA E AIJALA MARIA E,
RONALD M
48 TROLLEY CROSSING LN
MIDDLETOWN, CT 06456

Parcel Number: 37-D6.7-0
CAMA Number: 37-D6.7-0
Property Address: CLARK ST

Mailing Address: G&C REAL ESTATE LLC
25 WATERVILLE LANE
SHREWSBURY, MA 01545

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

Subject property: Assessors Map 37-C12-0 Deed Ref. 52839/45

Subject owner(s): Theodore P Antanavica

Prepared by: John Stencil, Department Assistant



www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

3/13/2024

Page 2 of 2

EcoTec, Inc.

ENVIRONMENTAL CONSULTING SERVICES

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

March 7, 2024

Steve Antanavica
Antanavica Construction
208 Pine Street
Leicester, MA 01524

RE: Wetland Resource Evaluation, 74 King Street, Leicester, Massachusetts

Dear Mr. Tivnan:

On January 3, 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. Scott Morrison, RPSS conducted the 2018 inspection.

On March 6, 2024, EcoTec re-inspected the delineated wetland resource area boundaries in proximity to the proposed limit of work as shown on the “Proposed Subsurface Sewage Disposal System Prepared for Antanavica Construction Co., Inc.” by Finlay Engineering Services dated February 8, 2024. Kate O’Donnell, WPIT and Art Allen, CWS, CPSS, conducted the inspection. On the date of the inspection in 2024, the perennial stream at the site was flooded due to recent rain and EcoTec was unable to reflag the stream. Therefore, we are deferring to the previously delineated stream location and associated Riverfront Area setbacks.

The subject site consists of an 8-acre parcel located to the south of King Street and east of Grindstone Brook. The upland portions of the site consist of undeveloped forest. Plant species observed include northern red oak (*Quercus rubra*), white oak (*Quercus alba*), eastern white pine (*Pinus strobus*), black cherry (*Prunus serotina*), red maple (*Acer rubrum*), white ash (*Fraxinus americana*), black birch (*Betula lenta*), and sassafras (*Sassafras albidum*) trees and/or saplings; poison ivy (*Toxicodendron radicans*) climbing woody vines; American witch-hazel (*Hamamelis virginiana*), highbush blueberry (*Vaccinium corymbosum*), mountain laurel (*Kalmia latifolia*), eastern red cedar (*Juniperus virginiana*), American hazel-nut (*Corylus americana*), black huckleberry (*Gaylussacia baccata*), and maple-leaf viburnum (*Viburnum acerifolium*) shrubs; and sheep-laurel (*Kalmia angustifolia*), lowbush blueberry (*Vaccinium angustifolium*), wild sarsaparilla (*Aralia nudicaulis*), tree clubmoss (*Lycopodium obscurum*), trailing clubmoss (*Lycopodium complanatum*), bracken fern (*Pteridium aquilinum*), hayscented fern (*Dennstaedtia punctilobula*) and wild-lily-of-the-valley (*Maianthemum canadense*) ground cover. The wetland resources observed on the site are described below.

Methodology

The site was inspected, and areas suspected to qualify as wetland resources were identified. The boundary of Bordering Vegetated Wetlands was delineated in the field in accordance with the definition set forth in the regulations at 310 CMR 10.55(2)(c). Section 10.55(2)(c) states that “The boundary of Bordering Vegetated Wetlands is the line within which 50% or more of the vegetational community consists of wetland indicator plants and saturated or inundated conditions exist.” The methodology used to delineate Bordering Vegetated Wetlands is further described in the Massachusetts Handbook for Delineation of Bordering Vegetated Wetlands, Second Edition, produced by the Massachusetts Department of Environmental Protection, dated September 2022. The plant taxonomy used in this report is based on the *National List of Plant Species that Occur in Wetlands: Massachusetts* (Fish and Wildlife Service, U.S. Department of the Interior, 1988). Federal wetlands were presumed to have boundaries conterminous with the delineated Bordering Vegetated Wetlands. One set of DEP Bordering Vegetated Wetland Delineation Field Data Forms completed for observation plots located in the wetlands and uplands near flag A-47 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 A67 Stop	Blue Flags	Boundary of Bordering Vegetated Wetlands located in the central portion of the site that is associated with Grindstone Brook.
Start B1 to B18 Stop	Blue Flags	Boundary of Bordering Vegetated Wetlands located in the central portion of the site that is associated with Grindstone Brook.
Start R1 to R24 Connect to culvert	Red Flags	Mean Annual High-water Line (MAHWL) of Grindstone Brook located in the western portion of the site.

Findings

Wetland A and B (i.e., flags A1 to A67 and B1 to B18) consists of a forested swamp located in the western and southern portions of the site that is associated with a perennial stream. Plant species observed include red maple (*Acer rubrum*), yellow birch (*Betula alleghaniensis*), gray birch (*Betula populifolia*), and American elm (*Ulmus americana*) trees and/or saplings; poison ivy (*Toxicodendron radicans*) and common greenbrier (*Smilax rotundifolia*) climbing woody vines; highbush blueberry (*Vaccinium corymbosum*), common winterberry (*Ilex verticillata*), arrow-wood (*Viburnum dentatum*), withe-rod (*Viburnum cassinoides*), northern spicebush (*Lindera benzoin*), swamp rose (*Rosa palustris*), speckled alder (*Alnus rugosa*), silky dogwood (*Cornus amomum*), maleberry (*Lyonia ligustrina*), fetter-bush (*Leucothoe racemosa*), glossy buckthorn (*Rhamnus frangula*), sweet pepper-bush (*Clethra alnifolia*), swamp azalea (*Rhododendron viscosum*), and American elderberry (*Sambucus canadensis*) shrubs; and sheep-laurel (*Kalmia angustifolia*), bristly blackberry (*Rubus hispidus*), cinnamon fern (*Osmunda cinnamomea*), royal fern (*Osmunda regalis*), sensitive fern (*Onoclea sensibilis*), spotted touch-me-not (*Impatiens capensis*), and sphagnum moss (*Sphagnum sp.*) ground cover. Evidence of

wetland hydrology, including hydric soils, high groundwater, saturated soils, and evidence of flooding, was observed within the delineated wetland. This vegetated wetland borders a perennial stream; accordingly, the vegetated wetlands would be regulated as Bordering Vegetated Wetlands and the perennial stream 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 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 25027C0784F, Effective Date June 21, 2023, there is a mapped Zone A (i.e., 100-year floodplain with an unspecified flood elevation) located throughout a portion of the site. 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 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), a stream (Grindstone Brook) that is shown as perennial is located in the western portion of the site. Streams that are shown as perennial on the current USGS map are designated perennial under the Massachusetts Wetlands Protection Act regulations. Unless this perennial designation is overcome, Riverfront Area is presumed to extend 200 feet horizontally upgradient from the mean annual high-water line of the stream. Section 10.58(2)(a)2. states that the “Mean annual high-water line of a river is the line that is apparent from visible markings or changes in the character of soils or vegetation due to prolonged presence of water and that distinguishes between predominantly aquatic and predominantly terrestrial land. Field indicators of bankfull conditions shall be used to determine the mean annual high-water line. Bankfull field indicators include but are not limited to: changes in slope, changes in vegetation, stain lines, top of pointbars, changes in bank materials, or bank undercuts.” Section 10.58(2)(a)2.a. states that “In most rivers, the first observable break in slope is coincident with bankfull conditions and the mean annual high-water line.” The mean annual high-water line of the stream was delineated in the field with flags R1 to R24 based upon the above-referenced regulation. Furthermore, based upon a review of the current USGS Map and observations made during the site inspection, there are no other mapped or unmapped streams located within 200 feet of the site. Accordingly, except as noted above, Riverfront Area would not occur on the site. Riverfront Area does not have a Buffer Zone under the Act, but may overlap other wetland resources and their Buffer Zones.

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*, 15th edition, Priority Habitats and Estimated Habitats, valid from August 1, 2021, 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.

A handwritten signature in cursive script that reads "Kate O'Donnell".

Kate O'Donnell, WPIT
Environmental Scientist

Attachments (12 pages)

KO/E/P/LeicesterKingSt74_WetlandReport

BORDERING VEGETATED WETLAND DETERMINATION FORM

Project/Site: 74 King Street City/Town: Leicester Sampling Date: 1/3/2018
 Applicant/Owner: _____ Sampling Point or Zone: A47 -UPLAND
 Investigator(s): Scott Morrison, EcoTec, Inc. Latitude / Longitude: _____
 Soil Map Unit Name: _____ NWI or DEP Classification: _____

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks)

Are Vegetation ☐, Soil ☐, or Hydrology ☐ significantly disturbed? (If yes, explain in Remarks)

Are Vegetation ☐, Soil ☐, or Hydrology ☐ naturally problematic? (If yes, explain in Remarks)

SUMMARY OF FINDINGS – Attach site map and photograph log showing sampling locations, transects, etc.

Wetland vegetation criterion met?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the Sampled Area within a Wetland? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Hydric Soils criterion met?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Wetlands hydrology present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Remarks, Photo Details, Flagging, etc.:			

HYDROLOGY

Field Observations:		
Surface Water Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> Depth (inches) _____
Water Table Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> Depth (inches) _____
Saturation Present (including capillary fringe)?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> Depth (inches) _____
Wetland Hydrology Indicators		
Reliable Indicators of Wetlands Hydrology	Indicators that can be Reliable with Proper Interpretation	Indicators of the Influence of Water
<input type="checkbox"/> Water-stained leaves <input type="checkbox"/> Evidence of aquatic fauna <input type="checkbox"/> Iron deposits <input type="checkbox"/> Algal mats or crusts <input type="checkbox"/> Oxidized rhizospheres/pore linings <input type="checkbox"/> Thin muck surfaces <input type="checkbox"/> Plants with air-filled tissue (aerenchyma) <input type="checkbox"/> Plants with polymorphic leaves <input type="checkbox"/> Plants with floating leaves <input type="checkbox"/> Hydrogen sulfide odor	<input type="checkbox"/> Hydrological records <input type="checkbox"/> Free water in a soil test hole <input type="checkbox"/> Saturated soil <input type="checkbox"/> Water marks <input type="checkbox"/> Moss trim lines <input type="checkbox"/> Presence of reduced iron <input type="checkbox"/> Woody plants with adventitious roots <input type="checkbox"/> Trees with shallow root systems <input type="checkbox"/> Woody plants with enlarged lenticels	<input type="checkbox"/> Direct observation of inundation <input type="checkbox"/> Drainage patterns <input type="checkbox"/> Drift lines <input type="checkbox"/> Scoured areas <input type="checkbox"/> Sediment deposits <input type="checkbox"/> Surface soil cracks <input type="checkbox"/> Sparsely vegetated concave surface <input type="checkbox"/> Microtopographic relief <input type="checkbox"/> Geographic position (depression, toe of slope, fringing lowland)
Remarks (describe recorded data from stream gauge, monitoring well, aerial photos, previous inspections, if available):		

This form is only for BVW delineations. Other wetland resource areas may be present and should be delineated according to the applicable regulatory provisions.

VEGETATION – Use both common and scientific names of plants.

<u>Tree Stratum</u> Plot size <u>30</u>		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name	Scientific name				
1. red oak	Quercus rubra	FACU	40.0	Yes	No
2. white oak	Quercus alba	FACU	30.0	Yes	No
3. red maple	Acer rubrum	FAC	20.0	Yes	Yes
4.					
5.					
6.					
7.					
8.					
9.					
<u>90.0</u> = Total Cover					
<u>Shrub/Sapling Stratum</u> Plot size <u>15</u>		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name	Scientific name				
1. witch hazel	Hamamelis virginiana	FAC	40.0	Yes	No
2. mountain laurel	Kalmia latifolia	FACU	30.0	Yes	No
3. highbush blueberry	Vaccinium corymbosum	FACW	20.0	No	Yes
4. white oak	Quercus alba	FACU	20.0	No	No
5. red maple	Acer rubrum	FAC	20.0	No	Yes
6.					
7.					
8.					
9.					
<u>130.0</u> = Total Cover					
<u>Herb Stratum</u> Plot size <u>5</u>		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name	Scientific name				
1. white pine	Pinus strobus	FACU	20.0	Yes	No
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
<u>20.0</u> = Total Cover					

VEGETATION – continued.

<u>Woody Vine Stratum</u>		Plot size <u>30</u>			
		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name	Scientific name				
1.					
2.					
3.					
4.					
<u>0.0</u> = Total Cover					

Rapid Test: Do all dominant species have an indicator status of OBL or FACW? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
Dominance Test:	Number of dominant species	Number of dominant species that are wetland indicator plants		Do wetland indicator plants make up ≥ 50% of dominant plant species? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	6	1		
Prevalence Index:		Total % Cover (all strata)	Multiply by:	Result
	OBL species	0	X 1	= 0.00
	FACW species	20	X 2	= 40.00
	FAC species	80	X 3	= 240.00
	FACU species	140	X 4	= 560.00
	UPL species	0	X 5	= 0.00
	Column Totals	(A) 240		(B) 840
Prevalence Index		B/A = 3.50		Is the Prevalence Index ≤ 3.0? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Wetland vegetation criterion met? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				

Definitions of Vegetation Strata

- Tree - Woody plants 3 in. (7.62 cm) or more in diameter at breast height (DBH), regardless of height
- Shrub / Sapling - Woody plants less than 3 in. (7.62 cm) DBH and greater than or equal to 3.3 ft. (1 m) tall
- Herb - All herbaceous (non-woody plants, regardless of size, and woody plants less than 3.3 ft. (1 m) tall
- Woody vines - All woody vines greater than 3.3 ft. (1 m) in height

Cover Ranges	
Range	Midpoint
1-5 %	3.0 %
6-15 %	10.5 %
15-25 %	20.5 %
26-50 %	38.0 %
51-75 %	63.0 %
76-95 %	85.5 %
96-100 %	98.0 %

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains ²Location: PL=Pore Lining, M=Matrix

Restrictive Layer (if observed) Type: _____ Depth (inches): _____

Remarks:

Hydric Soils criterion met? Yes ☐ No ☒

BORDERING VEGETATED WETLAND DETERMINATION FORM

Project/Site: 74 King Street City/Town: Leicester Sampling Date: 1/3/2018
 Applicant/Owner: n/a Sampling Point or Zone: A47 - WET
 Investigator(s): Scott Morrison, EcoTec, Inc. Latitude / Longitude: _____
 Soil Map Unit Name: _____ NWI or DEP Classification: _____

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks)
 Are Vegetation ☐, Soil ☐, or Hydrology ☐ significantly disturbed? (If yes, explain in Remarks)
 Are Vegetation ☐, Soil ☐, or Hydrology ☐ naturally problematic? (If yes, explain in Remarks)

SUMMARY OF FINDINGS – Attach site map and photograph log showing sampling locations, transects, etc.

Wetland vegetation criterion met?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Is the Sampled Area within a Wetland? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Hydric Soils criterion met?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Wetlands hydrology present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Remarks, Photo Details, Flagging, etc.:			

HYDROLOGY

Field Observations:		
Surface Water Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches) _____
Water Table Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches) _____
Saturation Present (including capillary fringe)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches) _____
Wetland Hydrology Indicators		
Reliable Indicators of Wetlands Hydrology	Indicators that can be Reliable with Proper Interpretation	Indicators of the Influence of Water
<input type="checkbox"/> Water-stained leaves <input type="checkbox"/> Evidence of aquatic fauna <input type="checkbox"/> Iron deposits <input type="checkbox"/> Algal mats or crusts <input type="checkbox"/> Oxidized rhizospheres/pore linings <input type="checkbox"/> Thin muck surfaces <input type="checkbox"/> Plants with air-filled tissue (aerenchyma) <input type="checkbox"/> Plants with polymorphic leaves <input type="checkbox"/> Plants with floating leaves <input type="checkbox"/> Hydrogen sulfide odor	<input type="checkbox"/> Hydrological records <input type="checkbox"/> Free water in a soil test hole <input type="checkbox"/> Saturated soil <input type="checkbox"/> Water marks <input type="checkbox"/> Moss trim lines <input type="checkbox"/> Presence of reduced iron <input type="checkbox"/> Woody plants with adventitious roots <input type="checkbox"/> Trees with shallow root systems <input type="checkbox"/> Woody plants with enlarged lenticels	<input type="checkbox"/> Direct observation of inundation <input type="checkbox"/> Drainage patterns <input type="checkbox"/> Drift lines <input type="checkbox"/> Scoured areas <input type="checkbox"/> Sediment deposits <input type="checkbox"/> Surface soil cracks <input type="checkbox"/> Sparsely vegetated concave surface <input type="checkbox"/> Microtopographic relief <input type="checkbox"/> Geographic position (depression, toe of slope, fringing lowland)
Remarks (describe recorded data from stream gauge, monitoring well, aerial photos, previous inspections, if available):		

This form is only for BVW delineations. Other wetland resource areas may be present and should be delineated according to the applicable regulatory provisions.

VEGETATION – Use both common and scientific names of plants.

<u>Tree Stratum</u> Plot size <u>30</u>		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name	Scientific name				
1. red maple	Acer rubrum	FAC	40.0	Yes	Yes
2. white pine	Pinus strobus	FACU	20.0	Yes	No
3.					
4.					
5.					
6.					
7.					
8.					
9.					
			60.0 = Total Cover		
<u>Shrub/Sapling Stratum</u> Plot size <u>15</u>		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name	Scientific name				
1. red maple	Acer rubrum	FAC	30.0	Yes	Yes
2. sweet pepperbush	Clethra alnifolia	FAC	30.0	Yes	Yes
3. highbush blueberry	Vaccinium corymbosum	FACW	30.0	Yes	Yes
4.					
5.					
6.					
7.					
8.					
9.					
			90.0 = Total Cover		
<u>Herb Stratum</u> Plot size <u>5</u>		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name	Scientific name				
1. cinnamon fern	Osmunda cinnamomea	FACW	60.0	Yes	Yes
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
			60.0 = Total Cover		

VEGETATION – continued.

<u>Woody Vine Stratum</u>		Plot size <u>30</u>			
		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name	Scientific name				
1.					
2.					
3.					
4.					
<u>0.0</u> = Total Cover					

Rapid Test: Do all dominant species have an indicator status of OBL or FACW? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
Dominance Test:	Number of dominant species	Number of dominant species that are wetland indicator plants		Do wetland indicator plants make up ≥ 50% of dominant plant species? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	6	5		
Prevalence Index:		Total % Cover (all strata)	Multiply by:	Result
	OBL species	0	X 1	= 0.00
	FACW species	90	X 2	= 180.00
	FAC species	100	X 3	= 300.00
	FACU species	20	X 4	= 80.00
	UPL species	0	X 5	= 0.00
	Column Totals	(A) 210		(B) 560
Prevalence Index		B/A = 2.67		Is the Prevalence Index ≤ 3.0? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Wetland vegetation criterion met? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>				

Definitions of Vegetation Strata

- Tree - Woody plants 3 in. (7.62 cm) or more in diameter at breast height (DBH), regardless of height
- Shrub / Sapling - Woody plants less than 3 in. (7.62 cm) DBH and greater than or equal to 3.3 ft. (1 m) tall
- Herb - All herbaceous (non-woody plants, regardless of size, and woody plants less than 3.3 ft. (1 m) tall
- Woody vines - All woody vines greater than 3.3 ft. (1 m) in height

Cover Ranges	
Range	Midpoint
1-5 %	3.0 %
6-15 %	10.5 %
15-25 %	20.5 %
26-50 %	38.0 %
51-75 %	63.0 %
76-95 %	85.5 %
96-100 %	98.0 %

SOIL

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Location ²		
A: 0-12"	10YR2/1	100.00					mucky loam	
Bg: 12-16"	10YR 4/1	100.00					mucky loam	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains
²Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators (Check all that apply)		Indicators for Problematic Hydric Soils
<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Polyvalue Below Surface (S8)	<input type="checkbox"/> 2 cm Muck (A10)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Thin Dark Surface (S9)	<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)
<input type="checkbox"/> Black Histic (A3)	<input checked="" type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> Iron-Manganese Masses (F12)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input checked="" type="checkbox"/> Depleted Matrix (F3)	<input type="checkbox"/> Mesic Spodic (A17)
<input type="checkbox"/> Stratified Layers (A5)	<input type="checkbox"/> Redox Dark Surface (F6)	<input type="checkbox"/> Red Parent Material (F21)
<input checked="" type="checkbox"/> Depleted Below Dark Surface (A11)	<input checked="" type="checkbox"/> Depleted Dark Surface (F7)	<input type="checkbox"/> Very Shallow Dark Surface (F22)
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Redox Depressions (F8)	
<input type="checkbox"/> Sandy Mucky Mineral (S1)		
<input type="checkbox"/> Sandy Gleyed Matrix (S4)		
<input type="checkbox"/> Sandy Redox (S5)		<input type="checkbox"/> Other (Include Explanation in Remarks)
<input type="checkbox"/> Stripped Matrix (S6)		
<input type="checkbox"/> Dark Surface (S7)		

Restrictive Layer (if observed) Type: _____ Depth (inches): _____

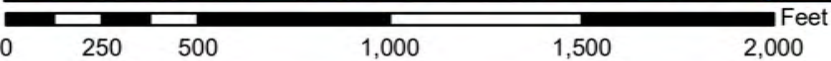
Remarks:

Hydric Soils criterion met? Yes ☒ No ☐

National Flood Hazard Layer FIRMette



71°54'32"W 42°13'10"N



1:6,000

71°53'54"W 42°12'43"N

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
OTHER FEATURES		Levee, Dike, or Floodwall
		Cross Sections with 1% Annual Chance Water Surface Elevation
MAP PANELS		Coastal Transect
		Base Flood Elevation Line (BFE)
OTHER FEATURES		Limit of Study
		Jurisdiction Boundary
OTHER FEATURES		Coastal Transect Baseline
		Profile Baseline
OTHER FEATURES		Hydrographic Feature
		Digital Data Available
MAP PANELS		No Digital Data Available
		Unmapped

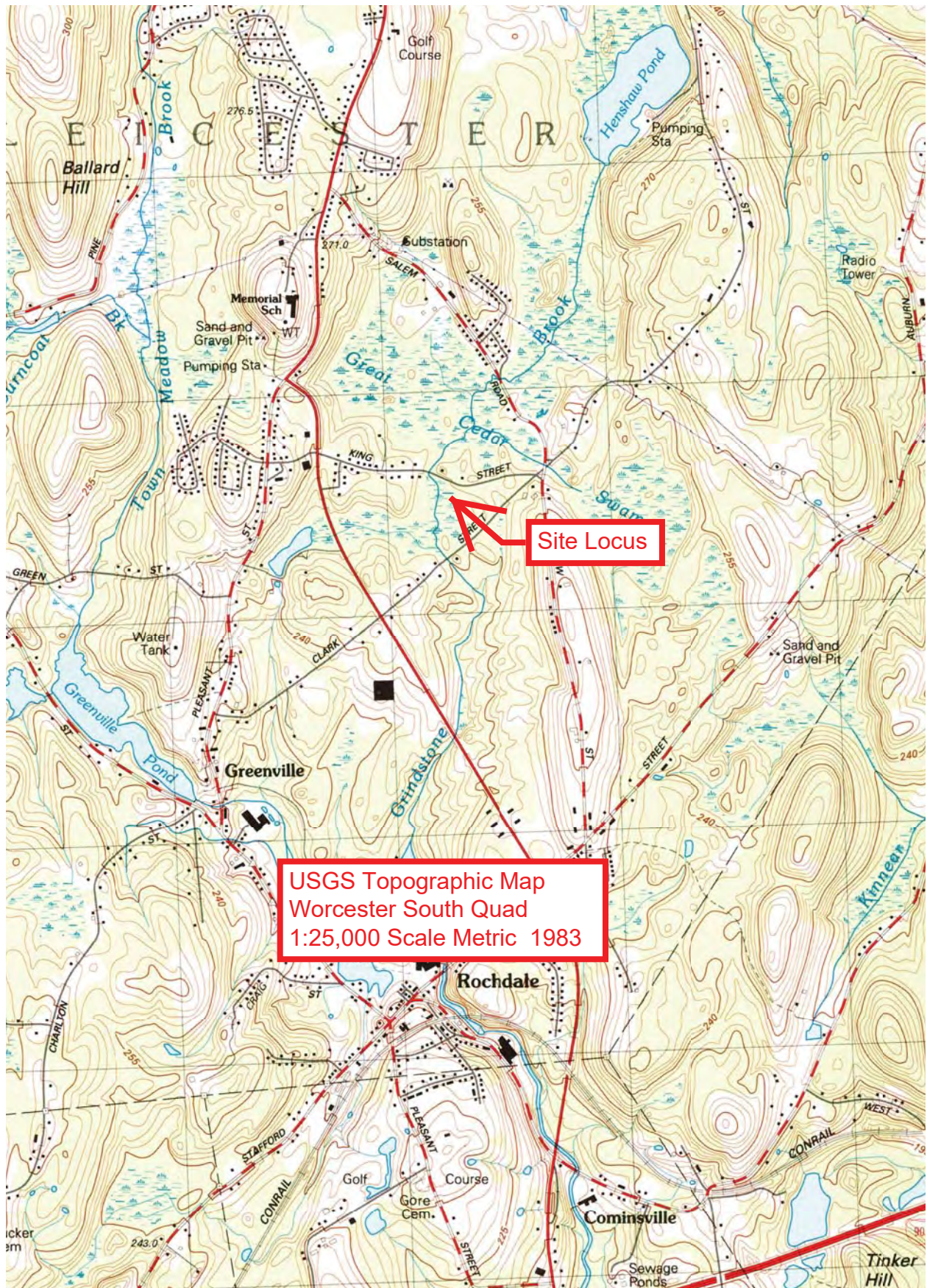


The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

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

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/6/2024 at 12:26 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



74 King Street Leicester - NHESP



NHESP Estimated Habitats of Rare Wildlife



NHESP Priority Habitats of Rare Species



NHESP Certified Vernal Pools



Natural Heritage Atlas Online
Data Viewer, 15th edition,
valid August 1, 2021
created: 3/6/2024
74 King Street, Leicester

Approximate site
locus

EcoTec, Inc.

ENVIRONMENTAL CONSULTING SERVICES

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

Kate O'Donnell, WPIT Environmental Scientist

Kate O'Donnell is an Environmental Scientist at EcoTec, Inc. Since joining EcoTec in June of 2021, her project experience includes wetland resource evaluation and delineation, as well as environmental permitting at the local, state, and federal level. She received certification as a Wetland Professional In Training (WPIT) from the International Society of Wetland Scientists (SWS) in September of 2021. Additionally, Ms. O'Donnell has experience in turbidity and erosion control monitoring, salinity sampling, wildlife habitat evaluation, stream evaluation, vernal pool evaluation and certification, preconstruction sweeps for rare species including the eastern box turtle, Stormwater Pollution Prevention Plan (SWPPP) preparation, Turtle Protection Plan preparation, Massachusetts Endangered Species Act (MESA) Project Review Checklists, and Massachusetts Environmental Policy Act (MEPA) documentation. Prior to starting at EcoTec, Ms. O'Donnell was a student at the College of the Holy Cross, where she received degrees in Biology and Environmental Studies. Her educational background includes with extensive coursework in ecology and environmental science, as well as courses in geoscience, biology, chemistry, and environmental law. During her time at Holy Cross, she conducted hydrologic and water quality research to investigate the impacts of road salt on the salinity of the Middle River in Worcester, MA.

Education:

Bachelor of Arts in Biology (Ecology emphasis) and Bachelor of Arts in Environmental Studies, College of the Holy Cross, 2021

Professional Affiliations:

Society of Wetland Scientists
Massachusetts Association of Conservation Commissioners

Certifications:

Society of Wetland Scientists Wetland Professional In Training
EPA Construction General Permit Site Inspector Certification



BREAKOUT CALCULATIONS

BREAKOUT EL.= 197.04
DISTANCE =15' MIN.

I CERTIFY THAT ON JUNE 1995 I HAVE PASSED THE SOIL EVALUATOR EXAMINATION APPROVED BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THAT THE ABOVE ANALYSIS WAS PERFORMED BY ME CONSISTENT WITH THE REQUIRED TRAINING, EXPERTISE AND EXPERIENCE DESCRIBED IN 310 CMR 15.017.





SIGNATURE John E. Farley II DATE 02/15/24

NOTE A: ALL TOPSOIL, SUBSOIL, AND DELETERIOUS MATERIAL, IF ANY, MUST BE EXCAVATED AND REMOVED BELOW THE LEACHING AREA AND TO A DISTANCE OF 5 FEET FROM ALL SIDES OF THE LEACHING AREA. EXCAVATE DOWN TO 3 INCHES BELOW THE SURFACE OF THE NATURAL PERMEABLE SOIL. BACKFILL AS REQUIRED WITH A CLEAN GRAVEL OR SAND FILL MATERIAL, FREE FROM PINES, CLAY, ORGANIC MATERIAL, AND LARGE BOULDERS, HAVING PERCOLATION RATE IN THE CHARGE LOCATION AND A MINIMUM OF TWO MINUTES PER INCH OR FASTER. CONSTRUCT LEACHING BED IN THIS MATERIAL. SEE 310 CMR 15.255(3) AND ASTM C-33 FOR MATERIAL SPECIFICATION.

GENERAL NOTES

- 1.) THE EXISTING TOPOGRAPHY WAS PERFORMED BY FINLAY ENGINEERING SERVICES. THE EXISTING PROPERTY LINE WAS PERFORMED BY HS&T GROUP, INC. AND SUPPLIED BY THE CLIENT.
- 2.) ALL CONSTRUCTION TO CONFORM TO TITLE 5 OF THE MASSACHUSETTS STATE ENVIRONMENTAL CODE AND THE BOARD OF HEALTH REQUIREMENTS FOR THE TOWN OF LEICESTER, MASSACHUSETTS.
- 3.) TIGHT JOINT PIPING TO CONSIST OF POLYVINYL CHLORIDE PIPE (P.V.C.), SCHEDULE 40 , UNLESS OTHERWISE NOTED.
- 4.) HEAVY MACHINERY NOT PERMITTED TO PASS OVER PIPE LEACHING AREA.
- 5.) UNDERGROUND UTILITY INFORMATION IS PLOTTED FROM VISIBLE FIELD LOCATIONS AND AVAILABLE RECORDS. THE LOCATIONS ARE APPROXIMATE ONLY AND VERIFICATION MUST BE MADE IN THE FIELD.
- 6.) NO GARBAGE DISPOSAL IS ALLOWED WITH THIS DESIGN.
- 7.) THERE ARE NO STREAMS OR WETLANDS LOCATED WITHIN 50 FEET OF THIS SYSTEM. THERE ARE NO CATCH BASINS LOCATED WITHIN 50 FEET OF THIS SYSTEM.
- 8.) NO FOOTING DRAINS OR DRY WELLS ARE TO BE LOCATED WITHIN 20 FEET OF THE LEACHING SYSTEM OR THE EXPANSION AREA OR WITHIN 10 FEET OF THE SEPTIC TANK.
- 9.) THIS PLAN IS FOR THE DESIGN AND CONSTRUCTION OF THE SUBSURFACE SEWAGE DISPOSAL SYSTEM ONLY .
- 10.) NO CHANGE SHALL BE MADE TO THIS PLAN WITHOUT THE APPROVAL OF THE DESIGN ENGINEER AND THE BOARD OF HEALTH.
- 11.) A COPY OF THIS PLAN MUST BE FURNISHED TO THE CONTRACTOR CONSTRUCTING THE SYSTEM AND A COPY MUST BE KEPT ONSITE DURING CONSTRUCTION .
- 12.) ELEVATION DATUM IS ASSUMED .
- 13.) FOR PROPER PERFORMANCE SEPTIC TANK SHOULD BE INSPECTED AT LEAST ONCE A YEAR AND WHEN THE TOTAL DEPTH OF SCUM AND SOLIDS EXCEEDS 1/3 THE LIQUID DEPTH OF THE TANK THE TANK SHOULD BE PUMPED (USUALLY TWO YEARS).
- 14.) MAGNETIC TAPE SHALL BE INSTALLED ON ALL SYSTEM COMPONENTS.
- 15.) THERE ARE NO KNOWN PRIVATE WATER SUPPLY WELLS WITHIN 100 FEET OF THE PROPOSED SUBSURFACE SEWAGE DISPOSAL SYSTEM.
- 16.) THE PROJECT DOES NOT FALL WITHIN A FLOOD HAZARD AREA (ZONE X) ACCORDING TO FEMA MAP 25027C0595F DATED JUNE 21, 2023.
- 17.) THE BORDERING VEGATED WETLAND WAS DELINEATED BY ECOTEC INC.
- 18.) THIS PLAN REQUIRES APPROVAL OF THE LEICESTER CONSERVATION COMMISSION.

LEGEND

- | | |
|---|--|
|  | INDICATES EXISTING CONTOUR |
|  | INDICATES PROPOSED CONTOUR |
|  | INDICATES TEST PIT LOCATION AND NUMBER |
|  | INDICATES PERC TEST LOCATION & NUMBER |

PERCOLATION TEST DATA


PERC:	1	2
DEPTH:	36"	48"
RATE:	16 M.P.I.	17 M.P.I.
DATE:	12/12/23	2/7/24
TEST PERFORMED BY : JOHN E. FINLAY II, PE		
TEST WITNESSED BY: MACKENZIE FAULKER, M.P.H., T/O Leicester B.O.H.		
SOIL EVALUATION BY: JOHN E. FINLAY II, PE		

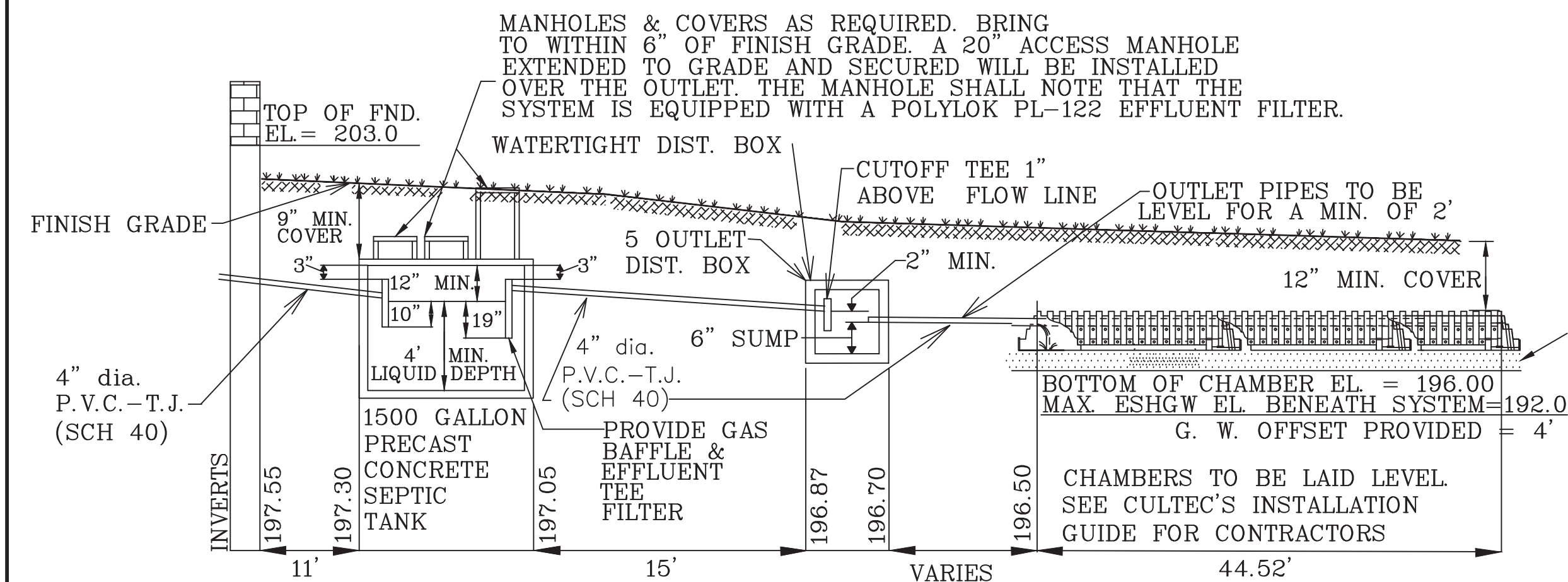
DESIGN DATA

- 1.) ESTIMATED HYDRAULIC LOADING :
3 BEDROOMS AT 110 GALLONS/DAY/BEDROOM = 330 GALS./DAY
- 2.) SEPTIC TANK SIZE: 1500 GALLONS
- 3.) LEACHING AREA BASED ON A PERCOLATION RATE OF 20 M.P.I.
18 UNITS X 7.42 L.F./UNIT = 133.56' OF CHAMBER (PROVIDED)

EFFECTIVE LEACHING AREA : 18 UNITS X 7.42 L.F./UNIT X 5.00 S.F./L.F.= 667.8 S.F.
667.8 S.F. X 0.53 GALS./S.F. = 354 G.P.D. (PROVIDED)
ACTUAL HYDRAULIC LOADING = 330 G.P.D. (REQUIRED)

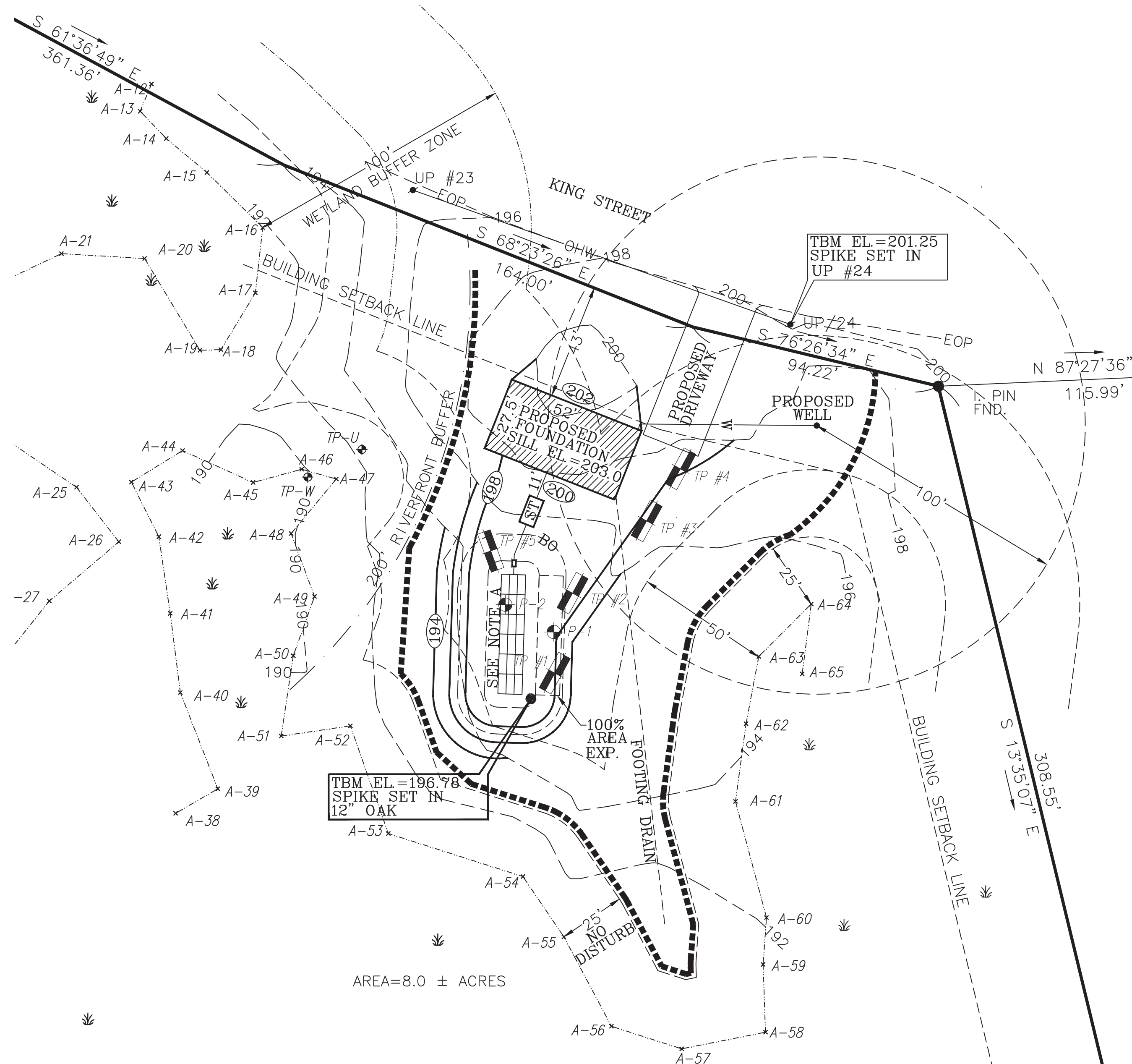
ZONING DISTRICT: SUBURBAN AGRICULTURAL

DATE	ISSUE	REVISION	DESCRIPTION	APP.
<p>PROPOSED SUBSURFACE SEWAGE DISPOSAL SYSTEM</p> <p>PREPARED FOR</p> <p>ANTANAVICA CONSTRUCTION CO., INC.</p> <p>74 KING STREET</p> <p>LEICESTER, MASSACHUSETTS</p>				
 <p>625 CHANDLER STREET WORCESTER, MASSACHUSETTS (508) 757-1595</p>			<p>DES. JEF DWN. PPF CHK. JEF</p> <p>SCALE 1"=20' DATE: 02/08/24</p> <p>PLAN NUMBER 240004</p> <p>SHEET 1 OF 1</p>	



PROFILE
NO SCALE

NOTE: OUTLET GAS BAFFLE & EFFLUENT TEE
FILTER TO BE A POLYLOCK PL-122.



1)

Public Hearing

50 Peter Salem Road – NOI



Town of Leicester
CONSERVATION COMMISSION
LEICESTER, MASSACHUSETTS, 01524-1333
Phone: 508-892-7007 Fax: 508-892-7070
www.leicesterma.org

PUBLIC HEARING NOTICE
Leicester Conservation Commission

50 Peter Salem Road

RECEIVED
2024 MAR 25 PM 4:42
TOWN CLERK'S OFFICE
LEICESTER, MASS.

The Leicester Conservation Commission will hold a Public Hearing on **Wednesday, April 10, 2024 at 6:30 PM** in the Conference Room of the Leicester Town Hall, 3 Washburn Square, Leicester, MA in accordance with M.G.L. c.131 s.40 and the Town of Leicester Wetland Bylaw to hear the Notice of Intent filed by Paul Morris for the purpose of a septic system repair, removal of an existing building (shop), and construction of a new 1,350 s.f. building (shop) within the 100 foot buffer zone to a Bordering Vegetated Wetland, and minor work within the 25' no disturb zone. Site Location: 50 Peter Salem Road, Assessors Parcel 39-B1.2, Zoned Residential 1 (R1).

Anyone wishing to comment or hear discussion should be present at the above stated date and time. The submitted documents may be viewed in the Leicester Town Conservation Commission Office during Town Hall hours or online at leicesterma.org.

Stephan Parretti, Chair
Leicester Conservation Commission

Published in Worcester Telegram & Gazette: Tuesday, April 2, 2024

Ad Preview

PUBLIC HEARING NOTICE

Leicester Conservation
Commission

50 Peter Salem Road

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Anyone wishing to comment or hear discussion should be present at the above stated date and time. The submitted documents may be viewed in the Leicester Town Conservation Commission Office during Town Hall hours or online at leicesterma.org.

Stephan Parretti, Chair
Leicester Conservation
Commission

Published in Worcester
Telegram & Gazette:
Tuesday, April 2, 2024

4/2/2024

SETH L. LAJOIE AND ASSOCIATES

27 BECKET STREET
SALEM, MA 01970
(774) 230-7029

March 25, 2024

Leicester Conservation Commission
3 Washburn Square
Leicester, MA 01524

Re: Project Narrative
50 Peter Salem Road

Der Commission Members:

I am writing this narrative on behalf of my client, Paul Morris, to detail the project at 50 Peter Salem Road.

The site consists of a 2.04 acre parcel of land located on the south side of Peter Salem Road. Currently located on this parcel is a single-family home, well, pool, tennis court, and detached garage / workshop.

The applicant is seeking to replace the currently failing subsurface sewage disposal system, raze the existing shop and replace the existing shop with a new metal building (to be placed on a slab foundation) and a lean-to (to be placed on sono tubes). The parcel is detailed in its entirety on page two of the plans. The existing tree line is shown on the plans and everything located within the tree line on the parcel is currently lawn unless otherwise noted.

As part of this application, Mr. Morris is seeking to remove the portion of the existing gravel driveway located to the south of the existing shop to be razed. A very small portion of this gravel driveway is located within the 25-foot "No Disturb" area. As a result, the applicant is seeking a waiver from the Commission to work within the 25-foot "No Disturb" area to revert the current gravel driveway back to lawn by loaming and seeding the area.

Please do not hesitate to contact the undersigned if you have any questions or concerns.

Very Truly Yours,

SETH L. LAJOIE AND ASSOCIATES

By:



Seth L. Lajoie, R.S.

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 Paul Morris.
- B. The applicant has filed a ☒ Notice of Intent, ☐ a Request for Determination of Applicability, or ☐ a Notice of Resource Area Delineation, with the Conservation Commission for Town of Leicester 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: 50 Peter Salem Road

Description of Project: Construction of a garage and replacement septic system.

- D. Copies of the Notice or Request may be examined at the Leicester Conservation Commission Office and/or Seth L. Lajoie and Associates, Inc.* by appointment (excluding holidays). Call Seth L. Lajoie and Associates, Inc at (774) 230-7029 or the Conservation Office at (508) 892-7007 for an appointment to review the Notice or Request.

Check One: *This is the ☐ Applicant, ☒ Representative, or ☐ Other (specify):
Seth L. Lajoie and Associates, Inc.

- E. Copies of the Notice or Request may be obtained from either (check one) the ☐ Applicant, or the ☒ Applicant's Representative, by calling this telephone number (774) 230-7029 to schedule an appointment.
- F. Information regarding the date, time, and place of the public hearing may be obtained from the Leicester Conservation Commission by calling this number (508) 892-7007
- G. between the hours of 8:00 am and 5:00 pm on the following days of the week: Monday, Wednesday, and Thursday and 8:00 am to 7:00 pm on Tuesdays.

H.

Note: Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in the Locally Circulated Newspaper.

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

Note: You also may contact your local Conservation Commission or the nearest Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act. To contact DEP, call: 508 792-7650.

NOTICE OF INTENT

for

Paul Morris

at

50 Peter Salem Road

Leicester, MA

Leicester Assessor's Information:

Map# 15 ; Lot# B-4.7

RECEIVED

MAR 19 2024

**Town of Leicester
Planning Department**

APPLICANT

Paul Morris

50 Peter Salem Road

Leicester, MA 01524

Representative

Seth L. Lajoie and Associates, Inc.

27 Becket Street

Salem, MA 01970



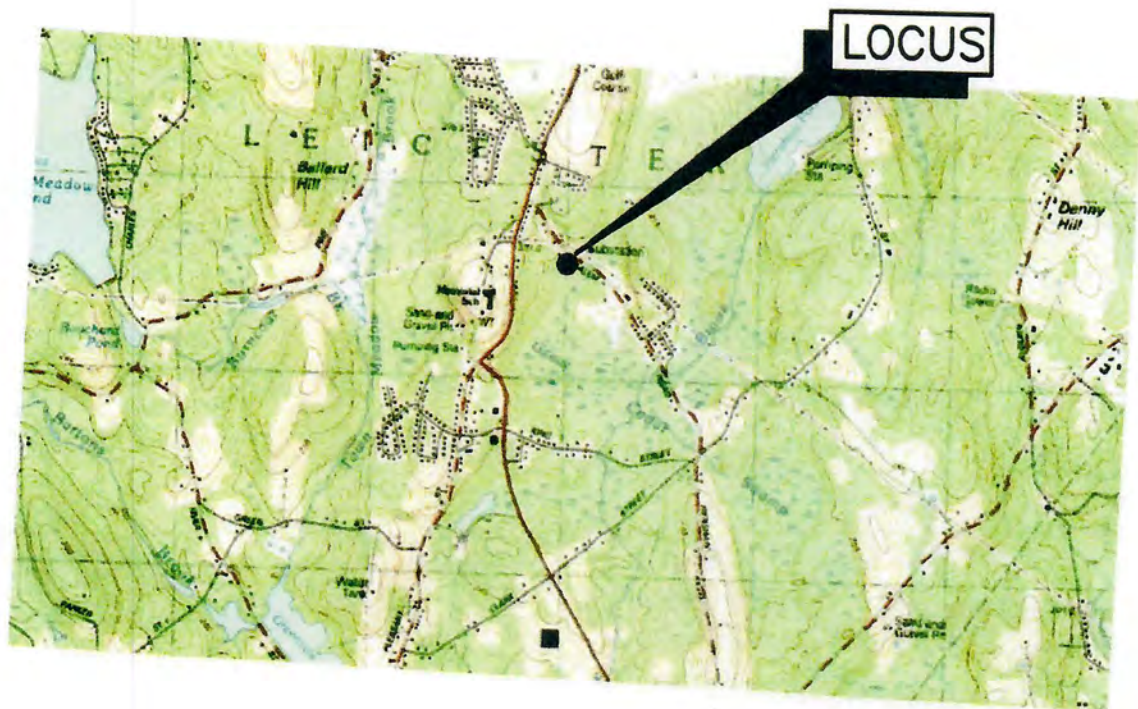
TABLE OF CONTENTS

Paul Morris
50 Peter Salem Road
LEICESTER, MASSACHUSETTS

DESCRIPTION

USGS LOCUS PLAN.....	
CERTIFIED ABUTTERS LIST.....	
WPA ABUTTERS NOTIFICATION FORM.....	
COPIES OF FEE CHECKS.....	
WPA FORM 3.....	
NOI WETLAND FEE TRANSMITTAL FORM.....	

U . S . G . S . Q U A D R A N G L E M A P



SCALE: 1" = 25,000'



300 feet Abutters List Report

Leicester, MA

March 12, 2024

Subject Properties:

Parcel Number: 39-B1.2-0
CAMA Number: 39-B1.13-0
Property Address: REAR PLEASANT ST

Mailing Address: MORRIS PAUL R
50 PETER SALEM RD
LEICESTER, MA 01524

Parcel Number: 39-B1.2-0
CAMA Number: 39-B1.2-0
Property Address: 50 PETER SALEM RD

Mailing Address: MORRIS PAUL MORRIS LAURA A
50 PETER SALEM RD
LEICESTER, MA 01524

Abutters:

Parcel Number: 30-A6-0
CAMA Number: 30-A6-0
Property Address: 59 PETER SALEM RD

Mailing Address: TOWN OF LEICESTER HIGHWAY DEPT
3 WASHBURN SQUARE
LEICESTER, MA 01524

Parcel Number: 30-A7-0
CAMA Number: 30-A7-0
Property Address: PETER SALEM RD

Mailing Address: MASS ELECTRIC CO PROPERTY TAX
DEPT
40 SYLVAN ROAD
WALTHAM, MA 02451

Parcel Number: 30-A8-0
CAMA Number: 30-A8-0
Property Address: PETER SALEM RD

Mailing Address: NEW ENGLAND POWER CO ATTN:
PROPERTY TAX DEPT.
40 SYLVAN ROAD
WALTHAM, MA 02451

Parcel Number: 30-A9-0
CAMA Number: 30-A9-0
Property Address: 27 PETER SALEM RD

Mailing Address: OCOIN WILLIAM W OCOIN BETTE E
27 PETER SALEM RD
LEICESTER, MA 01524

Parcel Number: 31-A1-0
CAMA Number: 31-A1-0
Property Address: 126 PETER SALEM RD

Mailing Address: LARSON ROBERT A
126 PETER SALEM RD
LEICESTER, MA 01524

Parcel Number: 39A-D13.1-0
CAMA Number: 39A-D13.1-0
Property Address: PETER SALEM RD

Mailing Address: MARCINKUS PETER A MARCINKUS
NANCY E
44 PETER SALEM RD
LEICESTER, MA 01524

Parcel Number: 39A-D6-0
CAMA Number: 39A-D6-0
Property Address: 44 PETER SALEM RD

Mailing Address: MARCINKUS PETER A MARCINKUS
NANCY E
44 PETER SALEM RD
LEICESTER, MA 01524

Parcel Number: 39-B1.1-0
CAMA Number: 39-B1.1-0
Property Address: 46 PETER SALEM RD

Mailing Address: GAUDET JASON K
46 PETER SALEM RD
LEICESTER, MA 01524

Parcel Number: 39-B1-0
CAMA Number: 39-B1-0
Property Address: HUNTOON MEMORIAL HW

Mailing Address: DICENTES JAMES
1 GOLDEN ROAD
LEICESTER, MA 01524

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

Subject property: 50 Peter Salem Rd, Assessors Map 38A-A31.0 Deed Ref. 8736/59

Subject owner(s): Paul Morris

Certified By John Stencel, Assistant Assessor

3/12/24

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 Hadley Zabinski.
- B. The applicant has filed a ☒ Notice of Intent, ☐ a Request for Determination of Applicability, or ☐ a Notice of Resource Area Delineation, with the Conservation Commission for Town of Leicester 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: 50 Peter Salem Road

Description of Project: Construction of a garage and replacement septic system.

- D. Copies of the Notice or Request may be examined at the Leicester Conservation Commission Office and/or Seth L. Lajoie and Associates, Inc.* by appointment (excluding holidays). Call Seth L. Lajoie and Associates, Inc at (774) 230-7029 or the Conservation Office at (508) 892-7007 for an appointment to review the Notice or Request.

Check One: *This is the ☐ Applicant, ☒ Representative, or ☐ Other (specify):
Seth L. Lajoie and Associates, Inc.

- E. Copies of the Notice or Request may be obtained from either (check one) the ☐ Applicant, or the ☒ Applicant's Representative, by calling this telephone number (774) 230-7029 to schedule an appointment.
- F. Information regarding the date, time, and place of the public hearing may be obtained from the Leicester Conservation Commission by calling this number (508) 892-7007
- G. between the hours of 7:30 am and 5:00 pm on the following days of the week: Monday thru Thursday.

H.

- Note: Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in the Locally Circulated Newspaper.
- Note: Notice of the public hearing, including its date, time, and place, will be posted in the Town Hall not less than forty-eight (48) hours in advance.
- Note: You also may contact your local Conservation Commission or the nearest Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act. To contact DEP, call: 508 792-7650.

PAUL R MORRIS, SR
DBA MORRIS EXCAVATING CO.
50 PETER SALEM RD
LEICESTER, MA 01524

12810


DATE 3-14-24 53-7098/2118

PAY TO THE ORDER OF

Commonwealth of Mass
Forty Two and 50/100

\$ 42 50

 countrybank

DOLLARS  Security Features
Include Details on Back

FOR

Full

MP

PAUL R MORRIS, SR
DBA MORRIS EXCAVATING CO.
50 PETER SALEM RD
LEICESTER, MA 01524

12809

DATE 3-14-25 53-7098/2118

PAY TO THE ORDER OF

Town of Leicester
Forty Seven and 50/100

\$ 67 50

 countrybank

DOLLARS  Security Features
Include Details on Back

FOR

Full

MP

PAUL R MORRIS, SR
DBA MORRIS EXCAVATING CO.
50 PETER SALEM RD
LEICESTER, MA 01524

12808

DATE 3-14-24 53-7098/2118

PAY TO THE ORDER OF

Town Leicester
Twenty Seven and 50/100

\$ 27 50

 countrybank

DOLLARS  Security Features
Include Details on Back

FOR

Full

MP



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):

50 Peter Salem Road

a. Street Address

Leicester

b. City/Town

01524

c. Zip Code

Latitude and Longitude:

39

f. Assessors Map/Plat Number

d. Latitude

e. Longitude

B-1.2

g. Parcel /Lot Number

2. Applicant:

Paul

a. First Name

Morris

b. Last Name

c. Organization

50 Peter Salem Road

d. Street Address

Leicester

e. City/Town

MA

f. State

01524

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):

Seth

a. First Name

Lajoie

b. Last Name

Seth L. Lajoie and Associates

c. Company

27 Becket Street

d. Street Address

Salem

e. City/Town

MA

f. State

01970

g. Zip Code

(774) 230-7029

h. Phone Number

i. Fax Number

sethlajoie@gmail.com

j. Email address

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

\$110.00

a. Total Fee Paid

\$42.50

b. State Fee Paid

\$67.50

c. City/Town Fee Paid



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

A. General Information (continued)

6. General Project Description:

Replace failing leach field with new leach field and installation of new garage

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

a. County

13659

c. Book

b. Certificate # (if registered land)

360

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

Provided by MassDEP:

MassDEP File Number _____

Document Transaction Number _____

Leicester

City/Town

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

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet _____	2. linear feet _____
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet _____	2. square feet _____
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet _____ 3. cubic yards dredged _____	2. square feet _____

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____ 3. cubic feet of flood storage lost _____	2. square feet _____ 4. cubic feet replaced _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet _____ 2. cubic feet of flood storage lost _____	3. cubic feet replaced _____
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland _____	

2. Width of Riverfront Area (check one):

- ☐ 25 ft. - Designated Densely Developed Areas only
- ☐ 100 ft. - New agricultural projects only
- ☐ 200 ft. - All other projects

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

square feet

4. Proposed alteration of the Riverfront Area:

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

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

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

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

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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

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

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

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

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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

- ☐ 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

Online _____

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

MassDEP File Number

Document Transaction Number

Leicester

City/Town

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

- (c) ☐ MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/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:

North Shore - Hull to New Hampshire border:

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

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

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.

Sewage Disposal System Designed for Paul Morris

a. Plan Title

Seth L. Lajoie and Associates

b. Prepared By

Seth L. Lajoie, R.S.

c. Signed and Stamped by

1"=20'

e. Scale

d. Final Revision Date

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:

12809 12813

2. Municipal Check Number

12810 12815

4. State Check Number

Paul

6. Payor name on check: First Name

03/14/2024 3/19/24

3. Check date

03/14/2024 3/19/24

5. Check date

Morris

7. Payor name on check: Last Name



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

3. Signature of Property Owner (if different)

5. Signature of Representative (if any)

2. Date

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:

50 Peter Salem Road

a. Street Address

12810 12815

c. Check number

Leicester

b. City/Town

\$42.50

d. Fee amount

2. Applicant Mailing Address:

Paul

a. First Name

Morris

b. Last Name

c. Organization

50 Peter Salem Road

d. Mailing Address

Leicester

e. City/Town

MA

f. State

01524

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

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
1e	1	\$110.00	\$110.00

Step 5/Total Project Fee: \$110.00

Step 6/Fee Payments:

Total Project Fee:	\$110.00
State share of filing Fee:	\$42.50
City/Town share of filing Fee:	\$67.50

a. Total Fee from Step 5
b. 1/2 Total Fee less \$12.50
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.)

USPS

50 YETER SALEM ROAD, LEICESTER

UNITED STATES
POSTAL SERVICE®

Certificate of Mailing

To pay by, a/c, stamp, or meter postage here

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing.
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To pay by, a/c, stamp, or meter postage here

To: — Seth L. Lajoie, R.S.
— 27 Becket Street
— Salem, MA 01970

— James Dientes
— 1 Golden Road
— Leicester, MA 01524

PS Form 3817, April 2007 PSN 7530-02-000-9065



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To: — Seth L. Lajoie, R.S.
— 27 Becket Street
— Salem, MA 01970

— NE Power CO. Property Tax
— 40 Sylvan Road
— Waltham, MA 02451

PS Form 3817, April 2007 PSN 7530-02-000-9065



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To: — Seth L. Lajoie, R.S.
— 27 Becket Street
— Salem, MA 01970

PS Form 3817, April 2007 PSN 7530-02-000-9065

Postmark Here

SCHEDULE OF ELEVATIONS	PROPOSED	AS-BUILT
TOP CONCRETE FOUNDATION	EXISTING	
INVERT AT FOUNDATION	EXISTING 89.75	----
INVERT TANK INLET	89.50	----
INVERT TANK OUTLET	89.25	----
TOP SEPTIC TANK	90.7±	----
INV. "D" BOX INLET	88.60	----
INV. "D" BOX OUTLET	88.53	----
TOP OF STONE	88.80	
INVERT HIGH END	88.30	----
INVERT LOW END	88.00	----
BOTTOM OF STONE	87.50	
GROUNDWATER OFFSET REQUIRED	4'	
GROUNDWATER OFFSET UTILIZED	3'*	

*3' G.W. SEPARATION PROPOSED PER 310 CMR 15.405(1)(h)

DESIGN CRITERIA

GARBAGE GRINDERS - NOT PERMITTED

PERC. TESTS: PERFORMED BY SETH L. LAJOIE

WITNESSED BY MCKENZIE FALKER, AGENT

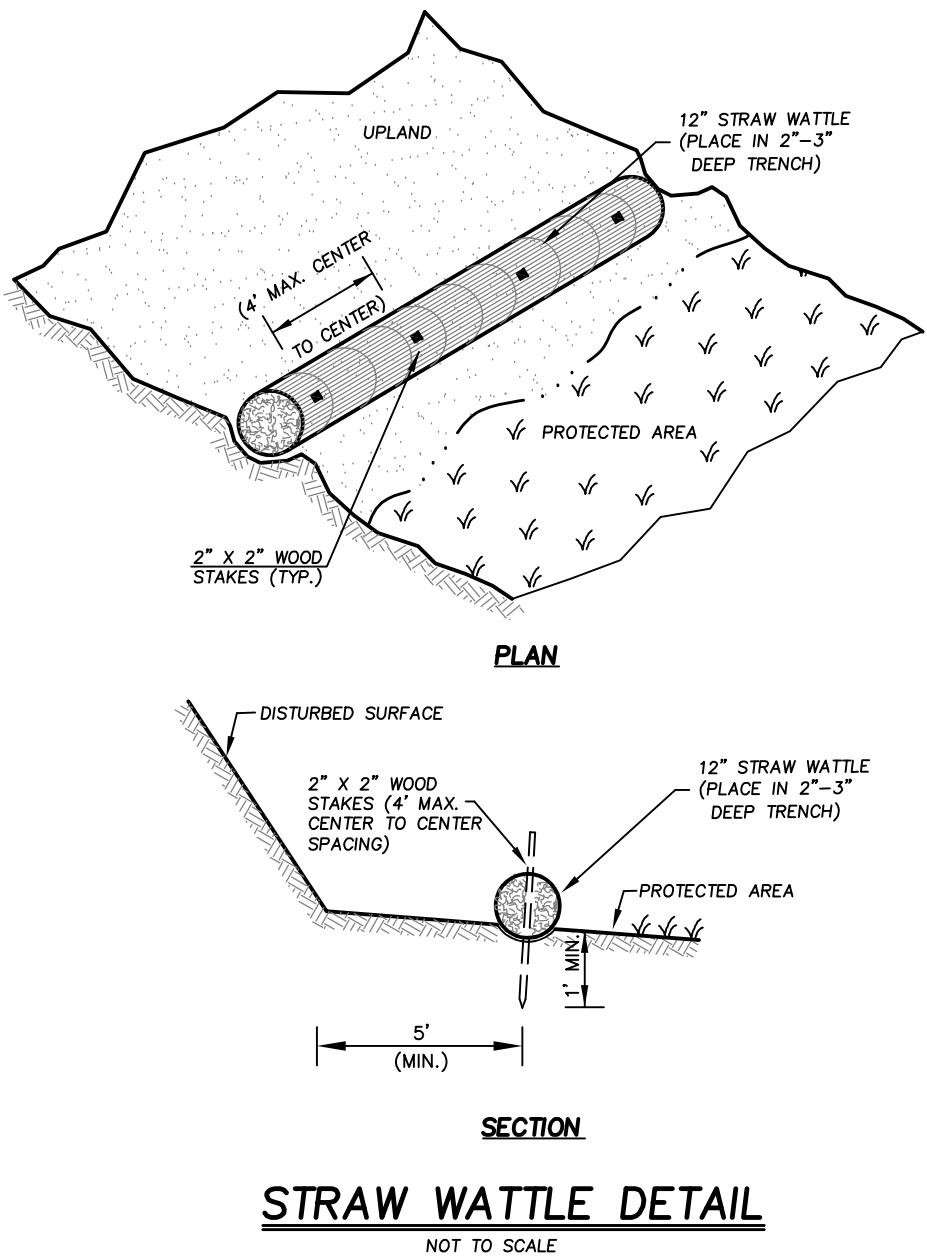
PERC. #	RATE (M/I)	ELEVATION	DEPTH	DATE
324-A	5 MPI	89.0	66"	03/06/24

OBSERVATION TEST HOLE DATA
PERFORMED BY: SETH L. LAJOIE, LAJOIE ASSOCIATES
WITNESSED BY: MCKENZIE FALKER, AGENT
03/06/2024
326-1 ELEV. = 89.0
0"-46" Ap & FILL
46"-56" Bw LOAMY SAND
56"-108" C LOAMY SAND
MOTTLING OBSERVED AT 66" (ELEV. = 83.50)
NO GROUNDWATER OBSERVED
E.S.H.W.T. = 66"
NO REFUSAL

"I CERTIFY THAT ON MAY 27, 1999 I HAVE PASSED THE EXAMINATION APPROVED BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THAT THE ABOVE ANALYSIS HAS BEEN PERFORMED BY ME CONSISTENT WITH THE REQUIRED TRAINING, EXPERTISE, AND EXPERIENCE DESCRIBED IN 310 CMR 15.0.18(2)"
NAME: SETH L. LAJOIE

DESIGN CRITERIA PROPOSED IN ACCORDANCE WITH THE PROVISIONS OF 310 CMR 15.405(1): CONTENTS OF LOCAL UPGRADE APPROVAL:

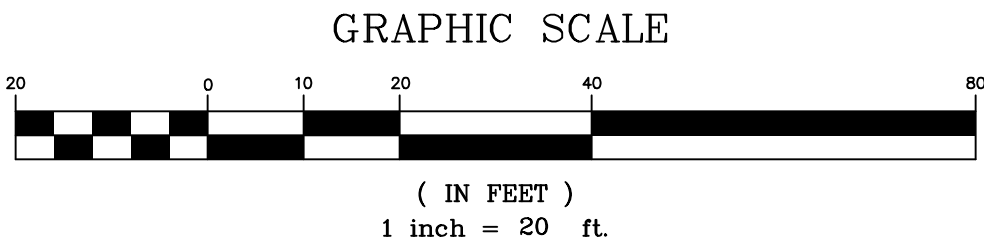
310 CMR 15.405(1)(h) HAS BEEN UTILIZED TO ALLOW FOR A 3-FOOT TO GROUNDWATER SEPARATION.



ZONING DISTRICT: R1

ZONING REQUIREMENTS	
FRONT SETBACK	25 FEET
SIDE SETBACK	15 FEET
REAR SETBACK	25 FEET

PARCEL LIES WITHIN WATER RESOURCES PROTECTION DISTRICT



- LEGEND
- 300 --- EXISTING CONTOUR
 - [300] PROPOSED CONTOUR
 - ☒ PERCOLATION TEST HOLE
 - ☒ OBSERVATION TEST HOLE
 - S SEWER LINE
 - W WATER LINE
 - EDGE OF WETLANDS

	SEWAGE DISPOSAL SYSTEM	
	FOR: LOT --- STREET 50 PETER SALEM ROAD	
ASSESSOR'S MAP 39 PARCEL B-1.2		
TOWN: LEICESTER, MASSACHUSETTS		
DESIGNED FOR PAUL MORRIS		
SCALE: 1" = 20' MARCH, 2024		
SETH L. LAJOIE & ASSOCIATES		
REGISTERED SANITARIANS, TOPOGRAPHIC SURVEYS		
PERCOLATION TESTING, ENVIRONMENTAL CONSULTANTS		
27 BECKET STREET SALEM, MA 01970		
CELL: (774) 230-7029		
JOB NO. 1095 SHEET 2 OF 2 PLAN NO. L-870		

REVISIONS	
03/18/24	ORIGINAL ENDORSEMENT

Request for Determination of
Applicability (RDA)
11 Salminen Drive



Town of Leicester
CONSERVATION COMMISSION
LEICESTER, MASSACHUSETTS, 01524-1333
Phone: 508-892-7007 Fax: 508-892-7070
www.leicesterma.org

RECEIVED
2024 MAR 27 AM 10:33
TOWN CLERK'S OFFICE
LEICESTER, MASS.

PUBLIC HEARING NOTICE
Leicester Conservation Commission

11 Salminen Drive

The Leicester Conservation Commission will hold a Public Hearing on **Wednesday, April 10, 2024 at 6:30 PM** in the Conference Room of the Leicester Town Hall, 3 Washburn Square, Leicester, MA in accordance with M.G.L. c.131 s.40 and the Town of Leicester Wetland Bylaw to hear the Request for Determination of Applicability filed by Matthew and Naomi Beauregard for work associated with the demolition/removal of the existing house and septic system and the construction of a new house and septic system essentially on the same footprint as the existing conditions within the 100 foot buffer zone to Stiles Reservoir. Site Location: 11 Salminen Drive, Assessors Parcel 42A-A22, A23, A23.1, Zoned Suburban Agricultural (SA).

Anyone wishing to comment or hear discussion should be present at the above stated date and time. The submitted documents may be viewed in the Leicester Town Conservation Commission Office during Town Hall hours or online at leicesterma.org.

Stephan Parretti, Chair
Leicester Conservation Commission

Published in Worcester Telegram & Gazette: Tuesday, April 2, 2024

Ad Preview

**PUBLIC HEARING
NOTICE
Leicester Conservation
Commission
11 Salminen Drive**

The Leicester Conservation Commission will hold a Public Hearing on Wednesday, April 10, 2024 at 6:30 PM in the Conference Room of the Leicester Town Hall, 3 Washburn Square, Leicester, MA in accordance with M.G.L. c.131 s.40 and the Town of Leicester Wetland Bylaw to hear the Request for Determination of Applicability filed by Matthew and Naomi Beauregard for work associated with the demolition/removal of the existing house and septic system and the construction of a new house and septic system essentially on the same footprint as the existing conditions within the 100 foot buffer zone to Stiles Reservoir. Site Location: 11 Salminen Drive, Assessors Parcel 42A-A22, A23, A23.1, Zoned Suburban Agricultural (SA). Anyone wishing to comment or hear discussion should be present at the above stated date and time. The submitted documents may be viewed in the Leicester Town Conservation Commission Office during Town Hall hours or online at leicesterma.org.

Stephan Parretti, Chair
Leicester Conservation
Commission
Published in Worcester
Telegram & Gazette:
Tuesday, April 2, 2024

GRAZ Engineering, L.L.C.



PO Box 813 • Petersham, MA 01366-0813 • Telephone (508) 769-9084 • Email: Brian@GrazEngineering.com

Transmittal

To: Conservation Commission
Company: Town of Leicester
Address: 3 Washburn Square
City/State: Leicester, MA 01524
Subject: 11 Salminen Drive
RDA Application
Date: March 27, 2024
Transmitted: ☒ EMail ☒ Hand ☐ Mail

- | | |
|--|---|
| <input checked="" type="checkbox"/> For Your Approval | <input checked="" type="checkbox"/> Which You requested |
| <input checked="" type="checkbox"/> For Your Review | <input type="checkbox"/> Approved |
| <input type="checkbox"/> For Your Signature | <input type="checkbox"/> Approved As Noted |
| <input checked="" type="checkbox"/> For Your Information | <input type="checkbox"/> Revise And Resubmit |
| <input type="checkbox"/> For Your Files | <input type="checkbox"/> Not Approved |

2	copies	WPA Form 1 - RDA Application
<hr/>		
2	copies	RDA – Site & Septic Design Plan, 11 Salminen Drive, 03/27/24, Sht. 1 of 1 (24x36)
<hr/>		
5	copies	RDA – Site & Septic Design Plan, 11 Salminen Drive, 03/27/24, Sht. 1 of 1 (11x17)
<hr/>		
2	copies	Leicester Certified Abutters' List
<hr/>		
2	copies	Spencer Certified Abutters' List
<hr/>		
2	copies	Affidavit of Service
<hr/>		
1	check	RDA Local Filing Fee Check for \$ 50.00
<hr/>		
	copy	

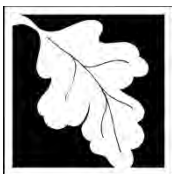
Comments: Enclosed is a Request for Determination of Applicability (RDA) for Matthew & Naomi Beauregard (Owner/Applicant) for the demolition/replacement of the existing house & septic system with a new 5-bedroom single-family house and septic system for their property located on 11 Salminen Drive and depicted on Leicester Assessors Map 42A as Parcels A22, A23, A23.2, & B13 and Spencer Assessors Map U128, Parcel 135. I trust that this submittal meets the requirements of the Commission and look forward to discussing this project at their next public meeting.

Should you have any questions or require any additional information, please call my cell at 508-769-9084.

Respectfully yours,
GRAZ Engineering, L.L.C.

Brian MacEwen, BSCE, PLS
Project Manager

cc: Matthew & Naomi Beauregard, Owner/Applicant



Massachusetts Department of Environmental Protection

Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

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

Municipality _____

A. General Information

Important:

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



1. Applicant:

First Name _____

Last Name _____

Address _____

City/Town _____

State _____

Zip Code _____

Phone Number _____

Email Address _____

2. Property Owner (if different from Applicant):

First Name _____

Last Name _____

Address _____

City/Town _____

State _____

Zip Code _____

Phone Number _____

Email Address (if known) _____

3. Representative (if any)

First Name _____

Last Name _____

Company Name _____

Address _____

City/Town _____

State _____

Zip Code _____

Phone Number _____

Email Address (if known) _____

B. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

Street Address _____

City/Town _____

Latitude (Decimal Degrees Format with 5 digits after decimal
e.g. XX.XXXXX)

Longitude (Decimal Degrees Format with 5 digits after
decimal e.g. -XX.XXXXX)

Assessors' Map Number _____

Assessors' Lot/Parcel Number _____

b. Area Description (use additional paper, if necessary):

c. Plan and/or Map Reference(s): (use additional paper if necessary)

Title _____

Date _____

Title _____

Date _____

[How to find Latitude and Longitude](#)

[and how to convert to decimal degrees](#)



Massachusetts Department of Environmental Protection

Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

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

Municipality

B. Project Description (cont.)

2. a. Activity/Work Description (use additional paper and/or provide plan(s) of Activity, if necessary):

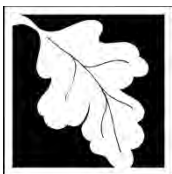
b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

since the proposed back-yard lawn area will be maintained essentially like the existing conditions.

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- ☐ Single family house on a lot recorded on or before 8/1/96
- ☐ Single family house on a lot recorded after 8/1/96
- ☐ Expansion of an existing structure on a lot recorded after 8/1/96
- ☐ Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- ☐ New agriculture or aquaculture project
- ☐ Public project where funds were appropriated prior to 8/7/96
- ☐ Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- ☐ Residential subdivision; institutional, industrial, or commercial project
- ☐ Municipal project
- ☐ District, county, state, or federal government project
- ☐ Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary).



Massachusetts Department of Environmental Protection

Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

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

Municipality _____

C. Determinations

1. I request the _____ make the following determination(s). Check any that apply:
Conservation Commission

- ☐ a. whether the **area** depicted on plan(s) and/or map(s) referenced above is an area subject to jurisdiction of the Wetlands Protection Act.
- ☐ b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced above are accurately delineated.
- ☐ c. whether the **Activities** depicted on plan(s) referenced above is subject to the Wetlands Protection Act and its regulations.
- ☐ d. whether the area and/or Activities depicted on plan(s) referenced above is subject to the jurisdiction of any **municipal wetlands' ordinance** or **bylaw** of:

Name of Municipality

- ☐ e. whether the following **scope of alternatives** is adequate for Activities in the Riverfront Area as depicted on referenced plan(s).
- _____

D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Signatures:

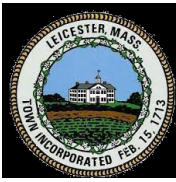
I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Signature of Applicant

Date

Signature of Representative (if any)

Date



300 feet Abutters List Report

Leicester, MA
December 05, 2023

Subject Property:

Parcel Number: 42A-A23-0
CAMA Number: 42A-A23-0
Property Address: SALMINEN AV

Mailing Address: HOULE RONALD H HOULE SHELLY M
11 SALMINEN AVE
LEICESTER, MA 01524

Abutters:

Parcel Number: 42A-A15-0
CAMA Number: 42A-A15-0
Property Address: 15 SALMINEN DR

Mailing Address: WILLIAMSON MATTHEW M
17 SALMINEN DR
LEICESTER, MA 01524

Parcel Number: 42A-A16-0
CAMA Number: 42A-A16-0
Property Address: DOLMA LN

Mailing Address: WILLIAMSON MATTHEW M
17 SALMINEN DR
LEICESTER, MA 01524

Parcel Number: 42A-A17-0
CAMA Number: 42A-A17-0
Property Address: 3 DOLMA LN

Mailing Address: MAHONEY CHRISTINE L MAHONEY JR
JOSEPH W
PO BOX 461
ROCHDALE, MA 01542-0461

Parcel Number: 42A-A18-0
CAMA Number: 42A-A18-0
Property Address: 5 DOLMA LN

Mailing Address: PREMO RONALD F PREMO KATHRYN A
64 BRITNEY DRIVE
HOLDEN, MA 01520

Parcel Number: 42A-A19-0
CAMA Number: 42A-A19-0
Property Address: 7 DOLMA LN

Mailing Address: GREENWOOD KATELYN O
GREENWOOD JEFFREY E
7 DOLMA LANE
LEICESTER, MA 01524

Parcel Number: 42A-A20-0
CAMA Number: 42A-A20-0
Property Address: 2 DOLMA LN

Mailing Address: GOODWIN SANDRA A TRUSTEE R
GOODWIN JR IRR TRUST
2 DOLMA LANE
LEICESTER, MA 01524

Parcel Number: 42A-A21-0
CAMA Number: 42A-A21-0
Property Address: 13 SALMINEN AV

Mailing Address: WILLIAMSON TIMOTHY D
15 SALMINEN AVE
LEICESTER, MA, MA 01524

Parcel Number: 42A-A22-0
CAMA Number: 42A-A22-0
Property Address: 11 SALMINEN AV

Mailing Address: HOULE RONALD H HOULE SHELLY M
11 SALMINEN AV
LEICESTER, MA 01524

Parcel Number: 42A-A23.1-0
CAMA Number: 42A-A23.1-0
Property Address: 20 OAK BLUFF LN

Mailing Address: PAJER KAREN PAJER JOHN
20 OAK BLUFF LANE
LEICESTER, MA 01524-2209

Parcel Number: 42A-A23.2-0
CAMA Number: 42A-A23.2-0
Property Address: SALMINEN AV

Mailing Address: HOULE RONALD H HOULE SHELLY M
11 SALMINEN AV
LEICESTER, MA 01524

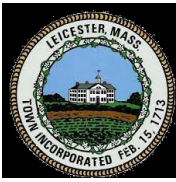


www.cai-tech.com

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12/5/2023

Page 1 of 2



300 feet Abutters List Report

Leicester, MA
December 05, 2023

Parcel Number: 42A-A24-0 CAMA Number: 42A-A24-0 Property Address: 9 SALMINEN AV	Mailing Address: DEROSIER MARK T DEROSIER DOROTHY F 9 SALMINEN DRIVE LEICESTER, MA 01524
Parcel Number: 42A-B10-0 CAMA Number: 42A-B10-0 Property Address: 26 SALMINEN AV	Mailing Address: GOLDEN OAK FINANCIAL TRUST FOURNIER FRAN 62 LYONS RD DUDLEY, MA 01571
Parcel Number: 42A-B11-0 CAMA Number: 42A-B11-0 Property Address: SALMINEN AV	Mailing Address: GOLDEN OAK FINANCIAL TRUST FOURNIER FRAN 62 LYONS RD DUDLEY, MA 01571
Parcel Number: 42A-B12-0 CAMA Number: 42A-B12-0 Property Address: SALMINEN AV	Mailing Address: CAMBRIDGE PROPERTIES LLC P O BOX 947 WEBSTER, MA 01570
Parcel Number: 42A-B13-0 CAMA Number: 42A-B13-0 Property Address: 14 SALMINEN AV	Mailing Address: HOULE RONALD H HOULE SHELLY M 11 SALMINEN AV LEICESTER, MA 01524
Parcel Number: 42A-B14-0 CAMA Number: 42A-B14-0 Property Address: 12 SALMINEN DR	Mailing Address: DAGGETT WILLAM D EMOND ANN G 12 SALMINEN DRIVE LEICESTER, MA 01524
Parcel Number: 48-A1.5-0 CAMA Number: 48-A1.5-0 Property Address: 4 OAK BLUFF LN	Mailing Address: JENNINGS DAWN L. 4 OAK BLUFF LANE LEICESTER, MA 01524
Parcel Number: 48-A1.6-0 CAMA Number: 48-A1.6-0 Property Address: 6 OAK BLUFF LN	Mailing Address: PATEL HASITKUMAR 1044 MAIN ST LEICESTER, MA 01524
Parcel Number: 48-A1.7-0 CAMA Number: 48-A1.7-0 Property Address: 8 OAK BLUFF LN	Mailing Address: LINDBERG STEPHEN A LINDBERG KYLIE A 8 OAK BLUFF LN LEICESTER, MA 01524
Parcel Number: 48-A1.8-0 CAMA Number: 48-A1.8-0 Property Address: 10 OAK BLUFF LN	Mailing Address: BOATENG RAYMOND 10 OAK BLUFF LANE LEICESTER, MA 01524
Parcel Number: 48-A1-0 CAMA Number: 48-A1-0 Property Address: 2 OAK BLUFF LN	Mailing Address: SHARMA KRISTAN KIRAN 2 OAK BLUFF LN LEICESTER, MA 01524

Above is a certified list of abutters and abutters to abutters within 300 feet including across any street.
Subject Property: 11 Salminen Drive Assessors Map 42 A22, A23, A23.2
Deed Reference Book 69856 Page 140
Certified by Alyce D. Johns, Interim Assessor

Alyce D Johns

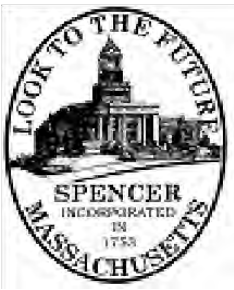


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12/5/2023

Page 2 of 2



TOWN OF SPENCER

BOARD OF ASSESSORS

157 MAIN STREET

SPENCER, MA 01562

TEL: 508-885-7500 x165

ASSESSED OWNER: Matthew & Naomi Beauregard

PROPERTY LOCATION: SPENCER-LEICESTER

PARCEL ID: U28-135

The following is a list of abutters to the property designated on the application for appeal. "Parties in interest" shall mean the petitioners, abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line of the petitioner as they appear on the most recent taxable tax list, notwithstanding that the land of such owner is located in another city or town, the planning board of the city or town.

MAP/PARCEL	OWNERS NAME	MAILING ADDRESS
U28-124	FARR JOHN E & MARJORIE R	9 SYCAMORE AVE, SPENCER, MA 01562
U28-125	DONNELLY JANET C	498 YORK ST, CANTON, MA 02021
U28-127	BOATENG RAYMOND	10 OAK BLUFF LN, LEICESTER, MA 01524
U28-136	GREENWOOD KATELYN O	7 DOLMA LANE, LEICESTER, MA 01524
U28-137	PREMO RONALD F	64 BRITNEY DR, HOLDEN, MA 01520
U28-138	JOSEPH CHRISTINE L	3 DOLMA LN, LEICESTER, MA 01524
U28-139 & U28-140	WILLIAMSON MATTHEW M	17 SALMINEN DR, LEICESTER, MA 01524

Date Certified: March 25, 2024

slc



Certificate of Mailing — Firm

GRAZ Engineering, LLC
C/O Brian MacLewen
PO Box 813
Petersham, MA 01366-0813

TOTAL NO. of Pieces Listed by Sender

20

101A, NO. of Pieces Received at Post Office

Postmark per name of receiving employee

50

USPS Tracking Number
Firm-Specific Identifier

11 Salminen Drive, Leicester, MA
RDA Notice of Filing

Address

MATTHEW & NAOMI BEAUREGARD
1 MERRICK ST
CHERRY VALLEY MA 01611

2.

CHRISTINE L JOSEPH
3 DOUGLASS LN
LEICESTER MA 01524

3

JANET C DONNELLY
498 YORK ST
CANTON MA 02021

4

JOHN E & MARJORIE R FARR
9 SYCAMORE AVE
SPENCER MA 01562

5

BOATING RAYMOND
30 OAK BLUFF LANE
LEICESTER, MA 01524

6

CAMBRIDGE PROPERTIES LLC
P O BOX 947
WEBSTER, MA 01570

Postage

Fee

Special Handling

Parcel Amount



RDC 99

U.S. POSTAGE PAID
FCM LETTER
ORANGE, MA
01364
APR 01 '24
AMOUNT
\$2.00
R2307N153235-9



RDC 99

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R2307N153235-9



Certificate of Mailing — Firm

UNITED STATES
POSTAL SERVICE
Name and Address of Sender
GRAZ Engineering, LLC
C/O Brian MacEwen
PO Box 813
Petersham, MA 01366-0813

TOTAL NO.
of Pieces Listed by Sender
20
TOTAL NO.
of Pieces Received at Post Office™

At X Stamp Here
Postmark with Date of Receipt

Postmaster, per (name of receiving employee)

USPS Tracking Number Firm-specific Identifier	Address (Name, Street, City State and ZIP Code™)	Postage	Fee	Special Handling	Parcel Affix
1. 11 Salminen Drive, Leicester, RDA Notice of Filing	DAGGETT WILLIAM D EMOND ANN G 12 SALMINEN DRIVE LEICESTER, MA 01524				
2.	DEROSIER MARK T DEROSIER DOROTHY F 9 SALMINEN DRIVE LEICESTER, MA 01524				
3.	GOLDEN OAK FINANCIAL TRUST FOURNIER FRAN 62 LYONS RD DUDLEY, MA 01571				
4.	GOODWIN SANDRA A TRUSTEE R GOODWIN JR IRR TRUST 2 DOLMA LANE LEICESTER, MA 01524				
5.	GREENWOOD KATELYN D GREENWOOD JEFFREY E 7 DOLMA LANE LEICESTER, MA 01524				
6.	JENNINGS DAWN L. 4 OAK BLUFF LANE LEICESTER, MA 01524				



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APR 01 '24
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R2307N153235-9



UNITED STATES
POSTAL SERVICE

Certificate of Mailing — Firm

Name and Address of Sender
GRAZ Engineering, LLC
C/O Brian MacEwen
PO Box 813
Petersham, MA 01366-0813

TOTAL NO.
of Pieces, listed by Sender

20

TOTAL NO.
of Pieces Received at Post Office™

Affix Stamp Here
Postmark with Date of Receipt

Postmaster, per name of receiving endorsement

USPS® Tracking Number Firm-Specific Identifier	Address (Name, Street, City, State and ZIP Code™)	Postage	Fee	Special Handling	Parcel Airtel
1. 11 Salminen Drive, Leicester, MA RDA Notice of Filing	LUNDBERG STEPHEN A LUNDBERG AYLEE A 8 OAK BLUFF LN LEICESTER, MA 01524				
2.	MAHONEY CHRISTINE L MAHONEY JR JOSEPH W PO BOX 461 ROCHDALE, MA 01542-0461				
3.	PAIER KAREN PAIER JOHN 20 OAK BLUFF LANE LEICESTER, MA 01524-2209				
4.	PATEL HASITKUMAR 1044 MAIN ST LEICESTER, MA 01524				
5.	PREMO RONALD F PREMO NATHAN A 64 BRITNEY DRIVE HOLDEN, MA 01520 SHARMA KRISTIAN KIRAN 2 OAK BLUFF LN LEICESTER, MA 01524				
6.					



RDC 98

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ORANGE, MA
01364
APR 01 '24
AMOUNT
\$2.00
R2307N153235-9



RDC 99

U.S. POSTAGE PAID
FCM LETTER
ORANGE, MA
01364
APR 01 '24
AMOUNT
\$2.00
R2307N153235-9



RDC 99

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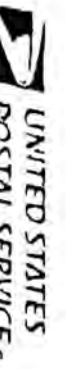
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R2307N153235-9



Certificate of Mailing — Firm

Name and Address of Sender
GRAZ Engineering, LLC
C/O Brian MacEwen
PO Box 813
Petersham, MA 01366-0813


TOTAL NO.
of Pieces Listed by Sender

TOTAL NO.
of Pieces Received at Post Office

4th Stamp Here
Postmark with Date of Receipt

20

Postmaster, Do Not Remove (Produce)

USPS Tracking Number Firm-Specific Identifier	Address (Name, Street City, State and ZIP Code)	Postage	Fee	Special Handling	Parcel Airtel
1. 11 Salminen Drive, Leicester, MA RDA Notice of Filing	WILLIAMSON TIMOTHY D 15 SALMINEN AVE LECESTER, MA, MA 01524				
2. 	WILLIAMSON MATTHEW M 17 SALMINEN DR LECESTER, MA 01524				
3.					
4.					
5.					
6.					



RDC 99

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ORANGE, MA
01364
APR 01 '24
AMOUNT

\$2.00

R2307N153235-9

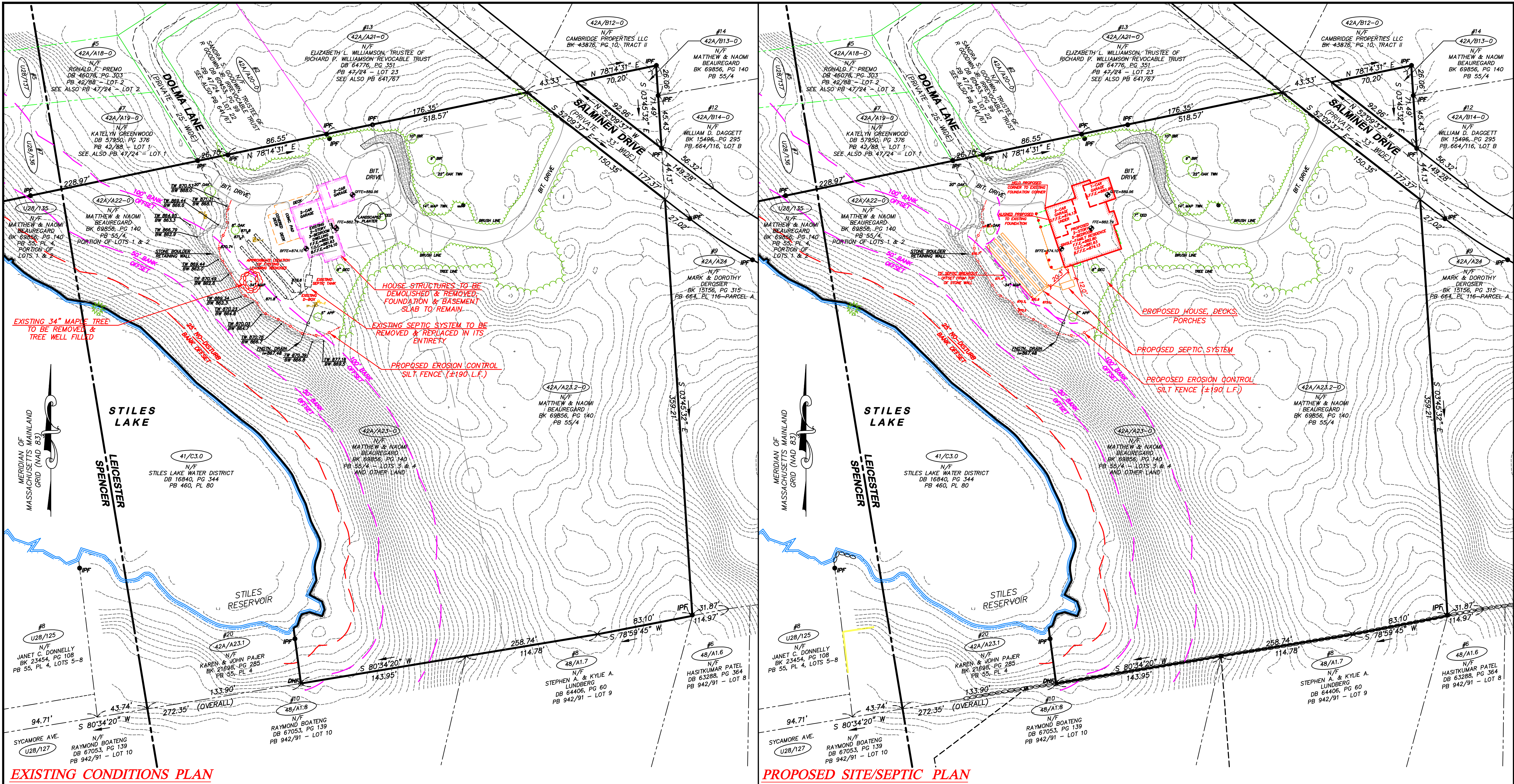


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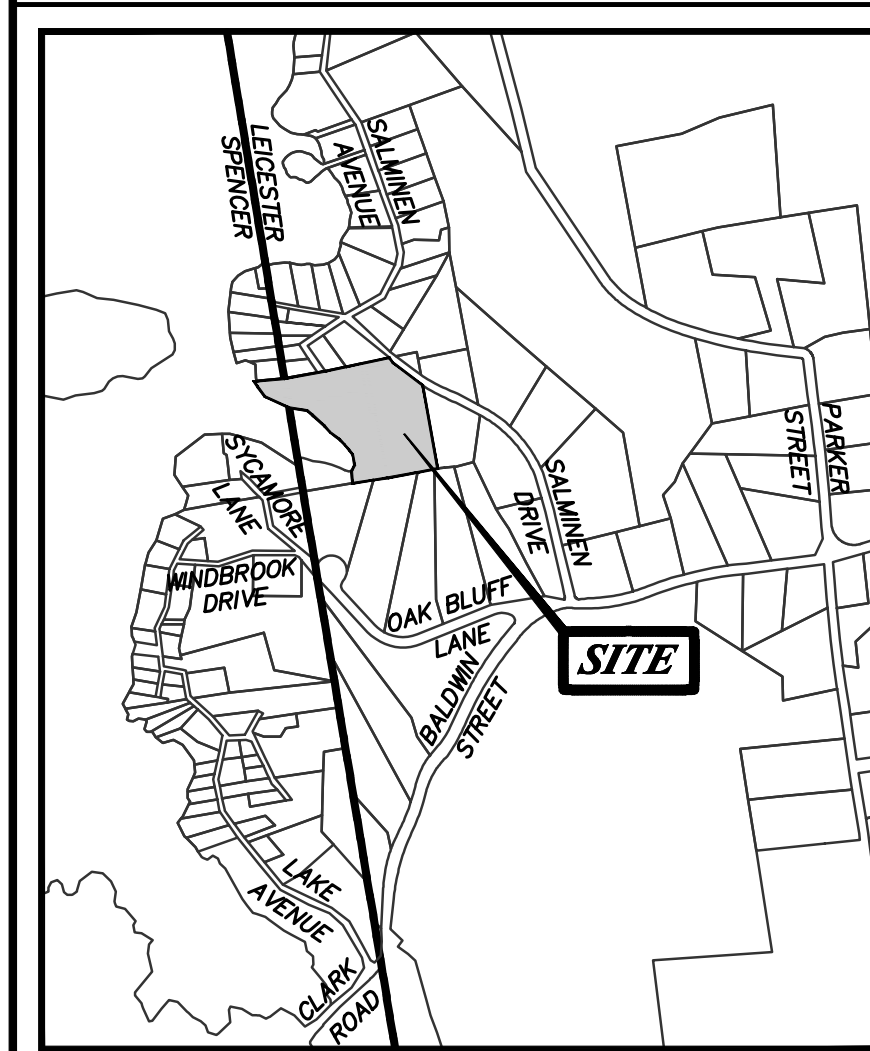
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ORANGE, VA
01364
APR 01 '24
AMOUNT

\$2.00

R2307N153235-9



EXISTING CONDITIONS PLAN



LOCUS PLAN
SCALE: 1"= 750'

PROPERTY DATA

ASSESSORS PARCEL NO.: MAP 42A/A22, A23, A23.2, & B13
SPENCER MAP U128/135
LOT ADDRESS: 11 SALMINEN DRIVE
OWNER OF RECORD: MATTHEW & NAOMI BEAUREGARD
LOCUS DEED: BOOK 69856, PAGE 140
LOCUS PLAN: PLAN BOOK 55, PLAN 4, LOTS 1-4
ZONING DISTRICT: SUBURBAN-AGRICULTURAL (SA)

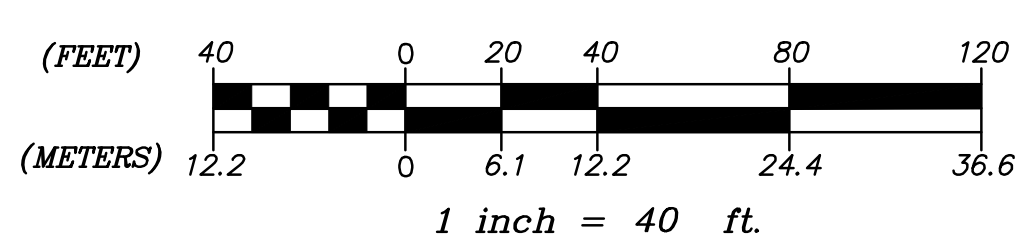
LEGEND & ABBREVIATIONS

STONEWALL
FINISHED FLOOR ELEVATION
EXISTING CONTOUR
PROPOSED CONTOUR
EXISTING SPOT ELEVATION
PROPOSED SPOT ELEVATION
ASSESSORS MAP & PARCEL

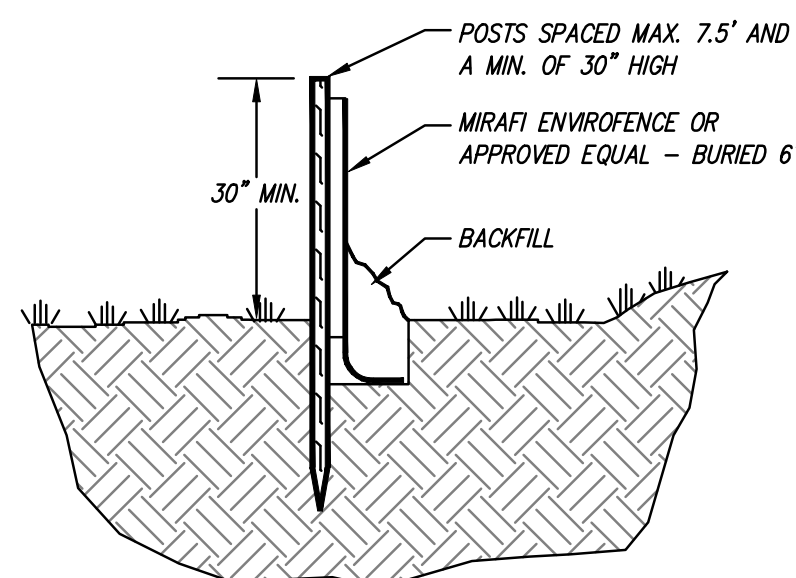
GENERAL NOTES

- THIS PLAN WAS PREPARED FROM AN ACTUAL ON THE GROUND FIELD SURVEY PERFORMED BY GRAZ ENGINEERING, LLC IN DECEMBER 2023-MARCH 2024 AND A COMPILATION OF THE DEEDS AND PLANS OF RECORD CITED HEREON.
- THE HORIZONTAL AND VERTICAL DATUMS WERE ESTABLISHED BY NETWORK-RTK GNSS GPS PERFORMED AT THE SITE. HORIZONTAL DATUM & BEARING BASIS = MASSACHUSETTS MAINLAND GRID (NAD83) VERTICAL DATUM = NAVD83 (REFER TO PLAN FOR LOCATION OF BENCHMARKS SET DURING SURVEY)
- THE STILES LAKE BANK (RESOURCE AREA) WAS DELINEATED AND SURVEYED BY GRAZ ENGINEERING, LLC DURING THE ABOVE NOTED FIELD SURVEY.
- THE LOCATION OF ALL UNDERGROUND UTILITIES SHOWN HEREON, ARE APPROXIMATE AND ARE BASED ON THE FIELD LOCATION OF THE OBSERVABLE STRUCTURES SUCH AS CATCH BASINS, MANHOLES, WATER GATES, ETC. AND THE COMPILATION OF INFORMATION OBTAINED FROM VARIOUS UTILITY COMPANIES AND GOVERNMENT AGENCIES. THE ENGINEER DOES NOT GUARANTEE THAT ALL UTILITIES AND SUB-SURFACE STRUCTURES ARE SHOWN. THE CONTRACTOR SHALL VERIFY SIZE, LOCATION, AND INVERT ELEVATIONS OF THE UTILITIES AND STRUCTURES, AS REQUIRED PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IF ANY DISCREPANCIES ARE OBSERVED BETWEEN THE EXISTING CONDITIONS DEPICTED HEREON AND THE ACTUAL CONDITIONS.
- IN ACCORDANCE WITH CHAPTER 82, SECTION 40, INCLUDING AMENDMENTS, ALL CONTRACTORS SHALL NOTIFY IN WRITING ALL UTILITY COMPANIES AND GOVERNMENT AGENCIES PRIOR TO ANY EXCAVATION WORK AND CALL DIG-SAFE AT 1-888-344-7233 72 HOURS BEFORE ANY EXCAVATION.
- AS DEPICTED HEREON, A PORTION OF THE SITE LIES WITHIN ZONE A OF THE FLOOD HAZARD AREA (1% CHANCE) AS SET FORTH ON THE NATIONAL FLOOD INSURANCE RATE MAP (FIRM) 25027C0780E, WHICH BEARS AN EFFECTIVE DATE OF JULY 4, 2011.

GRAPHIC SCALE



PROPOSED SITE/SEPTIC PLAN



NOTES:

- SILT FENCE SHALL BE INSTALLED AT ALL LOCATIONS DEPICTED ON THE PLAN. IN ADDITION, SILT FENCING SHALL BE INSTALLED AROUND ALL STOCKPILES.
- DIG A TRENCH 4" DEEP X 4" WIDE WHERE SILT FENCE IS TO BE INSTALLED.
- SEAT THE SILT FENCE AGAINST THE DOWNGRADIENT SIDE OF THE TRENCH WITH THE BASE OF THE FENCING FABRIC SEATED INTO BOTTOM OF THE TRENCH.
- STAKE WITH WOODEN STAKES AT 7.5' MAXIMUM ON CENTER.
- FOOT TAMP THE EXCAVATED SOIL ALONG THE ENTIRE UPSLOPE SIDE THE SILT FENCE TO PREVENT DRAINAGE FROM ROUTING BENEATH THE BARRIER.

SILT FENCE
EROSION CONTROL BARRIER DETAIL
N.T.S.

EROSION CONTROL NOTES

- PRIOR TO THE START OF ANY CONSTRUCTION, ALL SEDIMENTATION AND EROSION CONTROL MEASURES SHALL BE INSTALLED AS DEPICTED HEREON. THE CONTRACTOR SHALL INSPECT THE BARRIERS AT LEAST WEEKLY AND AFTER SIGNIFICANT (0.5 INCH OR GREATER) PRECIPITATION EVENTS. THE CONTRACTOR SHALL MAINTAIN AND REPAIR THE BARRIERS, INCLUDING THE REMOVAL OF ACCUMULATED SEDIMENTS, UNTIL ALL WORK IS COMPLETED AND ALL AREAS HAVE BEEN STABILIZED.
- THE SEDIMENTATION AND EROSION CONTROLS DEPICTED HEREON ARE THE MINIMUM REQUIRED. THE CONTRACTOR SHALL INSTALL ADDITIONAL MITIGATION MEASURES AS MAY BE NECESSARY TO ENSURE PROTECTION OF ALL WETLAND RESOURCES. THE CONTRACTOR SHALL REVIEW AND COMPLY WITH ALL REQUIREMENTS OF THE PROJECT CONDITIONS AS ISSUED BY THE TOWN CONSERVATION COMMISSION.
- ALL DISTURBED NON-PAVED AREAS SHALL BE STABILIZED BY LOAMING, SEEDING, AND MULCHING OR SHALL BE RIPRAPED AS SOON AS POSSIBLE AFTER THE FINAL GRADING IS COMPLETED. IF PERMANENT SEEDING CAN NOT BE INSTALLED IMMEDIATELY AFTER FINAL GRADING OR FINAL GRADING DOES NOT OCCUR DURING THE GROWING SEASON, THESE AREAS SHALL BE MULCHED WITH HAY SECURED BY WEIGHTED SNOW FENCE, CHICKEN WIRE MESH, OR JUTE NETTING WITH STAPLES. WHERE PRACTICAL DURING CONSTRUCTION, DISTURBED AREAS SHALL BE STABILIZED BY TEMPORARILY SEEDING OR MULCHING.
- ALL NON-PAVED AREAS SHALL BE DRESSED WITH A MINIMUM OF FOUR INCHES (4") OF SCREENED LOAM AND SHALL BE SEED WITH AN APPROVED GRASS MIX.
- DEWATERING OPERATIONS, IF REQUIRED SHALL DISCHARGE ONTO STABILIZED AREAS AND ALL DISCHARGE WATER IS TO PASS THROUGH SEDIMENTATION CONTROL DEVICES TO PREVENT IMPACTS UPON THE WATERSHED AND WETLAND RESOURCES, DRAINAGE SYSTEMS, AND ADJUTING PROPERTIES.
- ALL ACCUMULATED AND TRAPPED SEDIMENT SHALL BE REMOVED AND DISPOSED OF AS REQUIRED BY THE CONSERVATION COMMISSION.
- ALL SEDIMENTATION AND EROSION CONTROL MEASURES SHALL BE MAINTAINED UNTIL AFTER FINAL SITE STABILIZATION.

SCALE	AS-NOTED	DATE	DESCRIPTION	BY



Request for Certificate of
Compliance (DEP File #197-0666)

59 Burncoat Lane



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 8A – Request for Certificate of Compliance

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

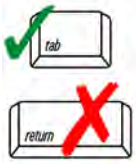
DEP File Number:

197-0666
Provided by DEP

A. Project Information

Important:

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



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

Richard Gorman Sr.

Name

59 Burncoat Lane

Mailing Address

Leicester

City/Town

413-668-8023

Phone Number

MA

State

01524

Zip Code

2. This request is in reference to work regulated by a final Order of Conditions issued to:

Richard Gorman Sr.

Applicant

8/18/2021

Dated

197-0666

DEP File Number

3. The project site is located at:

59 Burncoat Lane

Street Address

27A

Assessors Map/Plat Number

Leicester

City/Town

E30

Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

Property Owner (if different)

Worcester

County

50937

Book

385

Page

Certificate (if registered land)

5. This request is for certification that (check one):

☒ the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.

☐ the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

☐ the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 8A – Request for Certificate of Compliance

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DEP File Number:

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Provided by DEP

A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

☒ Yes

If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

☐ No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).



ENGINEERING
& SURVEY INC.



ONE WASHINGTON ST., SUITE 200

508-769-6659
508-541-2197

October 13, 2023

Leicester Conservation Commission
3 Washburn Sq
Leicester, MA 01524

Subject:
59 Burncoat Lane

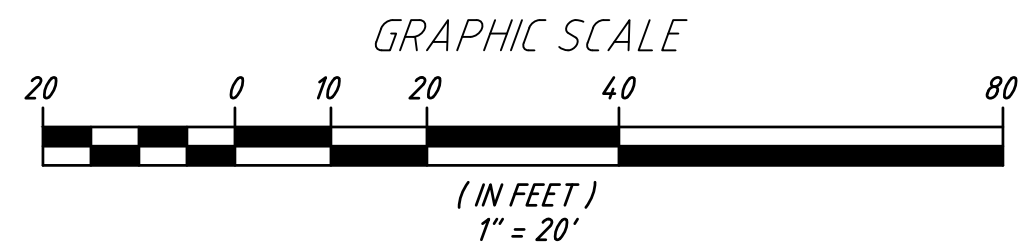
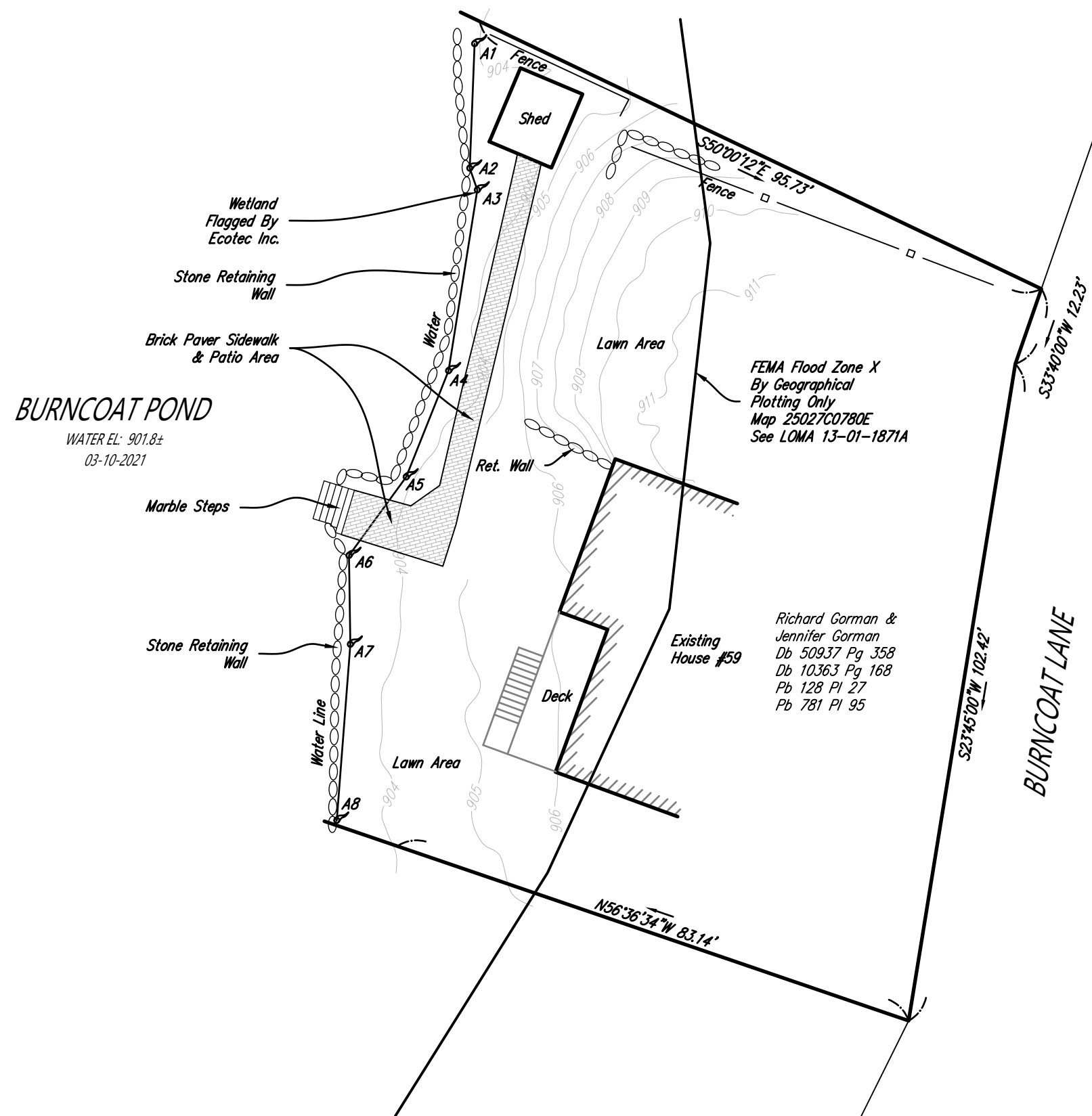
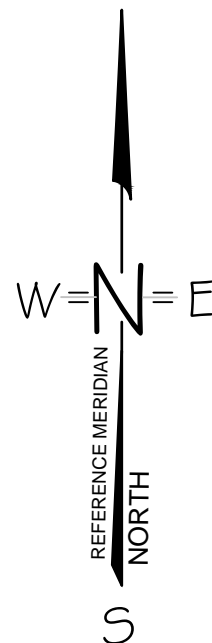
To the Commission:

An inspection of the site was done in October 2023 by DC Engineering & Survey, Inc. to verify that the site has been stabilized according to the Wetlands Protection Act. The site ground conditions appear to be stable and site work is complete and in substantial compliance to the approved plan and we would recommend that the commission issue a Certificate of Compliance at this time.

Respectfully submitted,

A handwritten signature in black ink that reads 'Jason Dubois'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

DC Engineering & Survey, Inc.
Jason Dubois, P.E.
508.769.6659



SYMBOL KEY

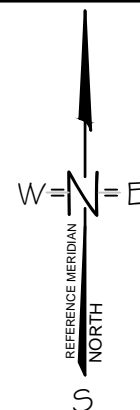
BOUND	□	IRON ROD FOUND	IRF
IRON PIPE	○	IRON PIPE FOUND	IPF
IRON ROD W/ CAP	⊙	BOUND FOUND	BNDF
DRILL HOLE	●	RAIL ROAD SPIKE	RRSPK
DRAIN MANHOLE	● DMH	DRILL HOLE FOUND	DHF
CATCH BASIN	■ CB	FOUND	FND.
WETLAND FLAG	⌘	BITUMINOUS	BIT.
UTILITY POLE	⌘	CONCRETE	CONC.
GUY WIRE	×	BOLLARD	BOL.
ELECTRIC MANHOLE	⊙	UTILITY POLE	UP
FIRE HYDRANT	⌘ HYD	GUY WIRE	GUY
WATER GATE	● WG		

NO.	DATE	REVISION	BY

JASON D.
DUBOIS, P.E.
PROFESSIONAL
ENGINEER
MA.LIC.NO.: 48724

JEREMY S.
CRÓTEAU, P.L.S.
PROFESSIONAL
LAND SURVEYOR
LIC.NO.: 48722

NORTH



EXISTING PLAN OF LAND

SITE ADDRESS:
59 Burncoat Lane
Leicester, Ma 01524

CLIENT:
Richard Gorman
59 Burncoat Lane
Leicester, Ma 01524

DRAWN BY:

JSC

CK'D BY

JDD

REV #:

0

DATE:

5-19-2024

SCALE:

1"=20'

PROJECT #:

21-116

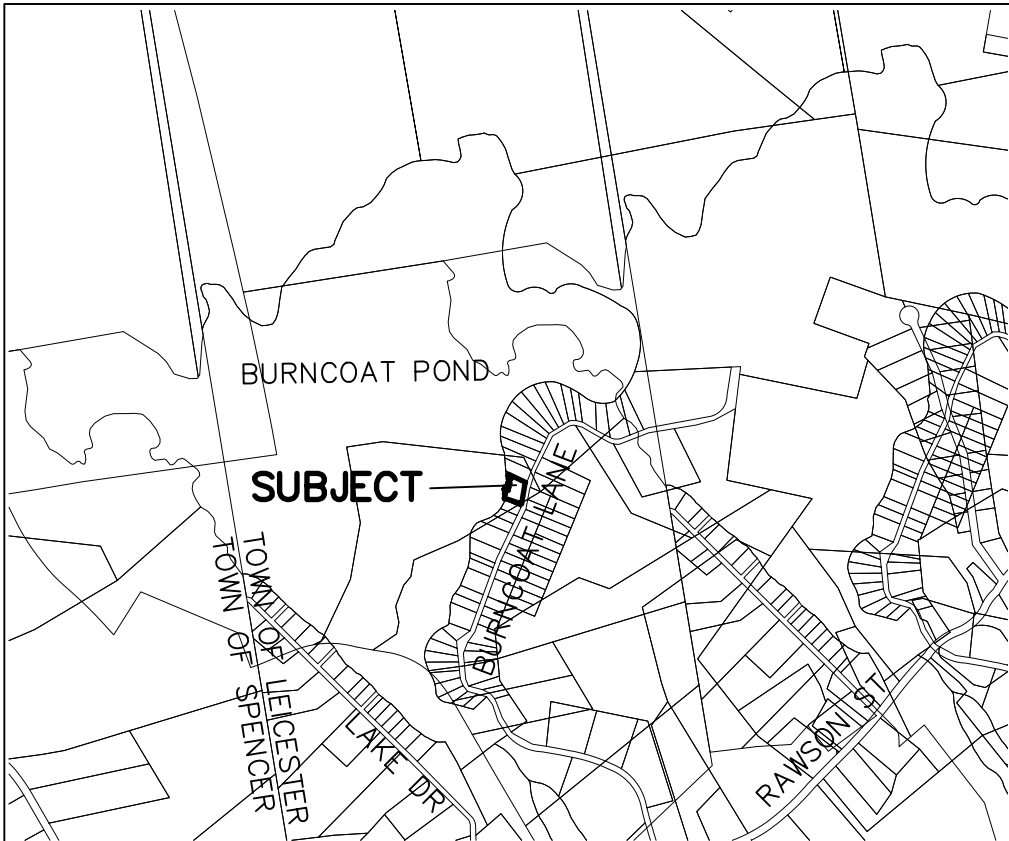
DWG. NO.:

EX

DOC ENGINEERING & SURVEY INC.

88 GRANBERRY MEADOW RD
CHARLTON, MA

508-769-8659
508-341-2127



LOT LOCUS

SCALE: 1"=1000'

RECORD OWNERS

RICHARD L. & JENNIFER L. GORMAN
DB 50937 PG 358

TAX MAP REFERENCES:

TAX MAP PARCEL ID: 27A E30

GENERAL NOTES:

- BOUNDARIES SHOWN ARE THE RESULTS OF AN ACTUAL FIELD SURVEY BASED ON AVAILABLE MAPS, DEEDS OF RECORD AND PHYSICAL EVIDENCE, BUT ARE SUBJECT TO ALL EASEMENTS, RIGHT OF WAYS, AGREEMENTS, AND RIGHTS AND ENCUMBRANCES OF RECORD THAT AN ACCURATE AND THOROUGH TITLE SEARCH MAY DISCLOSE.
- LOCATION AND DEPTH OF ALL UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE AND ARE BASED ON OBVIOUS ABOVE GROUND PHYSICAL UTILITY APPURTENANCES AND ACCESSIBLE MANHOLES. DIG SAFE SHALL BE NOTIFIED PRIOR TO ANY EXCAVATION OR CONSTRUCTION. ADDITIONAL UNDERGROUND UTILITIES MAY EXIST.
- SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT.
- VERTICAL DATUM BASED ON NAVD 88, GEOID 12A, ESTABLISHED VIA GNSS.
- BY GEOGRAPHICAL PLOTTING ONLY THE SITE IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE AS PER THE FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NO. # 25027C0780E, WITH AN EFFECTIVE DATE OF JULY, 2011.
- WETLANDS SHOWN HEREON WERE FLAGGED BY ECOTEC INC. ANY CONTRACTOR SHOULD BE AWARE OF THE RESPONSIBILITY TO THE WETLANDS PROTECTION ACT. IF ANY CONSTRUCTION IS SUBJECT TO THE ACT A NOTICE OF INTENT MUST BE SUBMITTED TO THE LOCAL CONSERVATION COMMISSION AND DEP PRIOR TO ANY WORK.

506 and 508 PINE STREET

Cease & Desist Status

Lisa Westwell

From: [REDACTED]
Sent: Wednesday, April 10, 2024 12:34 PM
To: Lisa Westwell
Subject: Status Check on 506 & 508 Pine Street As Well As Cleanup At 525 Pine Street

Lisa,
Due to a professional commitment, I cannot attend the Conservation Committee meeting this evening. I'd have some questions and requests for the board.

What is the status of cleanup work on 525 Pine Street?

1. While my front yard isn't Augusta National, there is still significant amounts of sediment on patches of grass. If this grass hasn't died yet, my guess is it will soon. In my opinion, cleanup of my yard can and should be separate from cleanup of other areas. With collection box and hose I have in place, the yard itself is pretty dry and foot traffic and hand equipment should not cause excessive damage.
2. It would stand to reason that the sediment areas adjacent to the beaver pond behind my house are getting washed into the pond with every rain event.
 - a. I know the plans are supposedly in progress for erosion and site control at 506 & 508, but the existing damage continues.
 - b. I would remind all parties that this area is at the base of a sloped wetlands that is fed from the water coming from the wetlands / stream on '504 Pine Street' and that water flows 12 months of the year.
3. The water trespass continues unabated onto my property. It's in the gallons per minute range, not a small flow. Kris Lauzon has seen it personally and you are welcome to view this at any time. Is there any word on the plans to seal off the culvert? I do realize much of this is under the purview of Leicester DPW, but it's going on 120 days of steady flow at this point.

Thanks for your time and your support.
Don Cherry

28 SALMINEN DRIVE COMPLAINT



TOWN OF LEICESTER CONSERVATION COMMISSION

3 Washburn Square
Leicester, MA 01524-1333
Phone: 508-892-7007 – Fax: 508-892-7070
www.leicesterma.org

**REGULAR MAIL AND
CERTIFIED MAIL/RETURN RECEIPT
7022 2410 0003 2295 8087**

March 19, 2024

Aubrey White
6 Mad Brook Road
North Brookfield, MA 01535

Re: Wetland Violation - 28 Salminen Drive, Leicester, MA

Dear Ms. White,

Construction activities, including excavation and stockpiling loam by a stream, on your property at 28 Salminen Drive, Leicester, MA, are in violation of the Massachusetts Wetland Protection Act (M.G.L. c. 131 Section 40), and the Town of Leicester Wetlands Protection Bylaw.

The activities are within Wetland Resource Areas and you have not filed with the Conservation Commission for approval before the start of work.

**YOU ARE HEREBY ORDERED TO CEASE AND DESIST ALL WORK IMMEDIATELY
AT 28 SALMINEN DRIVE**

Failure to do so will result in fines.

You are required to:

- Immediately cover and stabilize all soil piles with jute netting.
- Bring in a Wetland Specialist to evaluate the areas impacted by the runoff and silt/sedimentation within the buffer zone, bordering vegetated wetland, the unnamed stream, and Stiles Reservoir.
- The Wetland Specialist must also determine whether the wetlands were filled or disrupted. A report from the Wetland Specialist, with pictures, is required to be submitted to the Conservation Office confirming stabilization of these sites. Please inform the Commission when the Wetland Specialist expects to have the report submitted.

This Cease & Desist will remain in effect until all requirements are fulfilled to the satisfaction of the Conservation Commission and/or MassDEP.

You are also asked to be at the next Conservation Commission on Wednesday, April 10, 2024 with a plan to remediate any disturbed areas. The meeting starts at 6:30 p.m. and is held in the Select Board Meeting Room, bottom floor of the Leicester Town Hall at 3 Washburn Square, Leicester, MA 01524.

cc: Leicester Board of Health
Leicester Building Inspector/ZEO



TOWN OF LEICESTER CONSERVATION COMMISSION

3 Washburn Square
Leicester, MA 01524-1333
Phone: 508-892-7007 – Fax: 508-892-7070
www.leicesterma.org

**REGULAR MAIL AND
CERTIFIED MAIL/RETURN RECEIPT
7022 2410 0003 2295 6892**

April 1, 2024

Aubrey White
15 N Common St.
North Brookfield, MA 01535

Re: Wetland Violation - 28 Salminen Drive, Leicester, MA

Dear Ms. White,

Construction activities, including excavation and stockpiling loam by a stream, on your property at 28 Salminen Drive, Leicester, MA, are in violation of the Massachusetts Wetland Protection Act (M.G.L. c. 131 Section 40), and the Town of Leicester Wetlands Protection Bylaw.

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cc: Leicester Board of Health
Leicester Building Inspector/ZEO

RECOMMENDATION OF
APPOINTMENTS TO OPEN
SPACE AND REC
IMPLEMENTATION COMMITTEE



TOWN OF LEICESTER CITIZEN VOLUNTEER FORM

From time to time vacancies/resignations occur on various town boards and committees. Should you be interested in volunteering to serve the Town in any capacity, please complete this form. Information received will be made available to boards, committees, and departments for their reference in filling vacancies.

NAME Steve Dodge HOME TEL. [REDACTED]
ADDRESS: 100 Marshall St, Leicester, MA 01524 WORK TEL.

EMAIL ADDRESS: [REDACTED]

Are you a citizen? ☒ Yes ☐ No Are you a registered voter? ☒ Yes ☐ No

- | | |
|---|---|
| <input type="checkbox"/> Advisory/Finance Committee | <input type="checkbox"/> Economic Development Committee |
| <input type="checkbox"/> Agricultural Commission | <input type="checkbox"/> Historical Commission |
| <input type="checkbox"/> Arts Council | <input type="checkbox"/> Memorial Day Committee |
| <input type="checkbox"/> Bandstand Committee | <input type="checkbox"/> Parks and Recreation Committee |
| <input type="checkbox"/> Burncoat Park Planning Committee | <input type="checkbox"/> Recycling Committee |
| <input type="checkbox"/> Bylaw Committee | <input type="checkbox"/> Road Conversion Committee |
| <input type="checkbox"/> Capital Improvement Planning Comm. | <input type="checkbox"/> Stormwater Committee |
| <input type="checkbox"/> Commission on Disabilities | <input type="checkbox"/> Zoning Board of Appeals |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Other <u></u> |

AVAILABILITY FOR MEETINGS

How many times per month are you available for meetings?

☐ Four ☒ Two ☐ One ☐ Less than one

Are you available for evening meetings?

☐ Monday ☒ Tuesday ☒ Wednesday ☐ Thursday

Are you available throughout the year for committee meetings?

☒ Yes ☐ No

If not, when are you **NOT** available?

☐ Winter ☐ Spring ☐ Summer ☐ Autumn

EDUCATION:

BS in Math

(Please complete reverse side)

EMPLOYMENT EXPERIENCE:

Town of Leicester: Are you currently or have you ever been employed by the Town? ☐ Yes ☒ No

If yes, state position(s) and date(s): _____

Other Experience: Start with present or last job (include title) and military service assignments.
Exclude organizations' names which indicate race, religion, sex, or national origin.

manager of maple hill / event organizer mvp open disc golf event

COMMENTS: Please tell us why you are interested in serving on the committees noted and any additional comments you may have: _____

Open Space and Recreation Plan Implementation Comm - it feels like time to give back
and get involved with the town a bit more.

Sometimes there is a short-term need for special background skills.

Please indicate your field(s) of training or experience below, as appropriate. Your application will be added to the list of residents who have expressed an interest in serving in similar capacities.

I possess the following training or experience:

- | | | |
|--|--|---|
| <input type="checkbox"/> Architecture | <input type="checkbox"/> Communications | <input type="checkbox"/> Computer Technology |
| <input type="checkbox"/> Construction | <input type="checkbox"/> Economics | <input type="checkbox"/> Education |
| <input type="checkbox"/> Engineering, Civil | <input type="checkbox"/> Engineering, Electronic | <input type="checkbox"/> Engineering, Mechanical |
| <input type="checkbox"/> Financial Administration | <input type="checkbox"/> Fine Arts | <input type="checkbox"/> Government Contracts |
| <input type="checkbox"/> Health Care | <input type="checkbox"/> Historic Activities | <input type="checkbox"/> Human Services |
| <input type="checkbox"/> Insurance | <input type="checkbox"/> Land Use Planning | <input type="checkbox"/> Grant Writing |
| <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Management | <input type="checkbox"/> Personnel Administration |
| <input type="checkbox"/> Property Appraisal | <input checked="" type="checkbox"/> Public Relations | <input type="checkbox"/> Real Estate |
| <input type="checkbox"/> Science | <input checked="" type="checkbox"/> Statistics | <input type="checkbox"/> Survey Research |
| <input checked="" type="checkbox"/> Systems Analysis | <input type="checkbox"/> Transportation | |

Other Skills & Interests: _____

I'm pretty good at streamlining stuff, just like everyone. :-)

Government or Community Volunteer Experience (Leicester or Elsewhere)

Position/Activity	Date(s)	City or Town
_____	_____	_____
_____	_____	_____
_____	_____	_____

eSigned via Seamedirect.com

Stacy Leigh Dodge
Signature of Applicant

01-11-2024

Date

Thank you for your interest in serving the Town of Leicester



TOWN OF LEICESTER CITIZEN VOLUNTEER FORM

From time to time vacancies/resignations occur on various town boards and committees. Should you be interested in volunteering to serve the Town in any capacity, please complete this form. Information received will be made available to boards, committees, and departments for their reference in filling vacancies.

NAME Kurt Parliment HOME TEL. [REDACTED]
ADDRESS: 44 Henshaw St WORK TEL. [REDACTED]
Leicester MA 01524
EMAIL ADDRESS: [REDACTED]

Are you a citizen? ☒ Yes ☐ No Are you a registered voter? ☒ Yes ☐ No

- ☐ Advisory/Finance Committee
- ☐ Agricultural Commission
- ☐ Arts Council
- ☐ Bandstand Committee
- ☐ Burncoat Park Planning Committee
- ☐ Bylaw Committee
- ☐ Capital Improvement Planning Comm.
- ☐ Commission on Disabilities
- ☐ Conservation Commission

- ☐ Economic Development Committee
- ☐ Historical Commission
- ☐ Memorial Day Committee
- ☐ Parks and Recreation Committee
- ☐ Recycling Committee
- ☐ Road Conversion Committee
- ☐ Stormwater Committee
- ☐ Zoning Board of Appeals

☒ Other OPEN SPACE - LAND TRUST LIASON
MASTER PLAN - AT LARGE MEMBER

AVAILABILITY FOR MEETINGS

How many times per month are you available for meetings?

☒ Four ☐ Two ☐ One ☐ Less than one

Are you available for evening meetings?

☒ Monday ☒ Tuesday ☒ Wednesday ☒ Thursday

Are you available throughout the year for committee meetings?

☒ Yes ☐ No

If not, when are you **NOT** available?

☐ Winter ☐ Spring ☐ Summer ☐ Autumn

EDUCATION: Reganville HS Leicester Sr Vn Waupun

(Please complete reverse side)

EMPLOYMENT EXPERIENCE:

Town of Leicester: Are you currently or have you ever been employed by the Town? ☒ Yes ☐ No

If yes, state position(s) and date(s): Senior Cit. Bus Driver 10/11/2018 - 10/11/2020

Other Experience: Start with present or last job (include title) and military service assignments.

Exclude organizations' names which indicate race, religion, sex, or national origin.

COMMENTS: Please tell us why you are interested in serving on the committees noted and any additional comments you may have: Want to help

Sometimes there is a short-term need for special background skills.

Please indicate your field(s) of training or experience below, as appropriate. Your application will be added to the list of residents who have expressed an interest in serving in similar capacities.

I possess the following training or experience:

- | | | |
|---|---|---|
| <input type="checkbox"/> Architecture | <input type="checkbox"/> Communications | <input type="checkbox"/> Computer Technology |
| <input checked="" type="checkbox"/> Construction | <input type="checkbox"/> Economics | <input checked="" type="checkbox"/> Education |
| <input type="checkbox"/> Engineering, Civil | <input type="checkbox"/> Engineering, Electronic | <input type="checkbox"/> Engineering, Mechanical |
| <input type="checkbox"/> Financial Administration | <input type="checkbox"/> Fine Arts | <input type="checkbox"/> Government Contracts |
| <input type="checkbox"/> Health Care | <input checked="" type="checkbox"/> Historic Activities | <input type="checkbox"/> Human Services |
| <input type="checkbox"/> Insurance | <input type="checkbox"/> Land Use Planning | <input type="checkbox"/> Grant Writing |
| <input type="checkbox"/> Law | <input type="checkbox"/> Management | <input type="checkbox"/> Personnel Administration |
| <input type="checkbox"/> Property Appraisal | <input type="checkbox"/> Public Relations | <input type="checkbox"/> Real Estate |
| <input type="checkbox"/> Science | <input type="checkbox"/> Statistics | <input type="checkbox"/> Survey Research |
| <input type="checkbox"/> Systems Analysis | <input checked="" type="checkbox"/> Transportation | |

Other Skills & Interests: _____

Government or Community Volunteer Experience (Leicester or Elsewhere)

Position/Activity	Date(s)	City or Town
<u>ZBA</u>	_____	<u>Leicester</u>
<u>Arts Council</u>	_____	<u>"</u>
<u>Ag. Commission</u>	_____	<u>"</u>
<u>10th</u>	_____	_____
<u>Signature of Applicant</u>	_____	<u>7/24/24</u> Date

Thank you for your interest in serving the Town of Leicester



TOWN OF LEICESTER CITIZEN VOLUNTEER FORM

From time to time vacancies/resignations occur on various town boards and committees. Should you be interested in volunteering to serve the Town in any capacity, please complete this form. Information received will be made available to boards, committees, and departments for their reference in filling vacancies.

NAME Miss Sharon J HOME TEL. [REDACTED]

ADDRESS: 44 WENSHAW STREET WORK TEL.
LEICESTER

EMAIL ADDRESS: [REDACTED]

Are you a citizen? ☒ Yes ☐ No Are you a registered voter? ☒ Yes ☐ No

- | | |
|---|---|
| <input type="checkbox"/> Advisory/Finance Committee | <input type="checkbox"/> Economic Development Committee |
| <input type="checkbox"/> Agricultural Commission | <input type="checkbox"/> Historical Commission |
| <input type="checkbox"/> Arts Council | <input type="checkbox"/> Memorial Day Committee |
| <input type="checkbox"/> Bandstand Committee | <input type="checkbox"/> Parks and Recreation Committee |
| <input type="checkbox"/> Burncoat Park Planning Committee | <input type="checkbox"/> Recycling Committee |
| <input type="checkbox"/> Bylaw Committee | <input type="checkbox"/> Road Conversion Committee |
| <input type="checkbox"/> Capital Improvement Planning Comm. | <input type="checkbox"/> Stormwater Committee |
| <input type="checkbox"/> Commission on Disabilities | <input type="checkbox"/> Zoning Board of Appeals |
| <input type="checkbox"/> Conservation Commission | <input checked="" type="checkbox"/> Other <u>PLANNING BOARD LIASON FOR</u>
<u>1. OPEN SPACE COMMITTEE</u>
<u>2. MASTER PLAN</u> |

AVAILABILITY FOR MEETINGS

How many times per month are you available for meetings?

☒ Four ☐ Two ☐ One ☐ Less than one

Are you available for evening meetings?

☒ Monday ☒ Tuesday ☒ Wednesday ☒ Thursday

Are you available throughout the year for committee meetings?

☒ Yes ☐ No

If not, when are you **NOT** available?

☐ Winter ☐ Spring ☐ Summer ☐ Autumn

EDUCATION: MASTERS IN SCIENCE EDUCATION

(Please complete reverse side)

EMPLOYMENT EXPERIENCE:

Town of Leicester: Are you currently or have you ever been employed by the Town? ☒ Yes ☐ No

If yes, state position(s) and date(s): SUBSTITUTE TEACHER / POLL WORKER

Other Experience: Start with present or last job (include title) and military service assignments.

Exclude organizations' names which indicate race, religion, sex, or national origin.

RETIRED MIDDLE SCHOOL SCIENCE TEACHER

COMMENTS: Please tell us why you are interested in serving on the committees noted and any

additional comments you may have: HAVE BEEN ON BOTH COMMITTEES IN

THE PAST

Sometimes there is a short-term need for special background skills.

Please indicate your field(s) of training or experience below, as appropriate. Your application will be added to the list of residents who have expressed an interest in serving in similar capacities.

I possess the following training or experience:

- | | | |
|---|---|---|
| <input type="checkbox"/> Architecture | <input type="checkbox"/> Communications | <input type="checkbox"/> Computer Technology |
| <input type="checkbox"/> Construction | <input type="checkbox"/> Economics | <input type="checkbox"/> Education |
| <input type="checkbox"/> Engineering, Civil | <input type="checkbox"/> Engineering, Electronic | <input type="checkbox"/> Engineering, Mechanical |
| <input type="checkbox"/> Financial Administration | <input checked="" type="checkbox"/> Fine Arts | <input type="checkbox"/> Government Contracts |
| <input type="checkbox"/> Health Care | <input checked="" type="checkbox"/> Historic Activities | <input type="checkbox"/> Human Services |
| <input type="checkbox"/> Insurance | <input type="checkbox"/> Land Use Planning | <input type="checkbox"/> Grant Writing |
| <input type="checkbox"/> Law | <input type="checkbox"/> Management | <input type="checkbox"/> Personnel Administration |
| <input type="checkbox"/> Property Appraisal | <input type="checkbox"/> Public Relations | <input type="checkbox"/> Real Estate |
| <input checked="" type="checkbox"/> Science | <input type="checkbox"/> Statistics | <input type="checkbox"/> Survey Research |
| <input type="checkbox"/> Systems Analysis | <input type="checkbox"/> Transportation | |

Other Skills & Interests: _____

Government or Community Volunteer Experience (Leicester or Elsewhere)

Position/Activity	Date(s)	City or Town
<u>PLANNING BOARD</u>	<u>PRESENT</u>	<u>LEICESTER</u>
<u>ARTS COUNCIL</u>	<u>PRESENT</u>	<u>LEICESTER</u>
<u>HARVEST FAIR</u>	<u>PRESENT</u>	<u>LEICESTER</u>
<u>CAPITAL IMPROVEMENT</u>	<u>PRESENT</u>	
<u>RECYCLING</u>	<u>PRESENT</u>	
<u>Signature of Applicant</u> <i>Sharon J. Spink</i>		<u>11/11/24</u>
		<u>Date</u>

Thank you for your interest in serving the Town of Leicester



TOWN OF LEICESTER CITIZEN VOLUNTEER FORM

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NAME Matt Fournier HOME TEL. [REDACTED]
ADDRESS: 84 Winslow Ave WORK TEL. [REDACTED]
Leicester, MA 01524

EMAIL ADDRESS: [REDACTED]

Are you a citizen? ☒ Yes ☐ No Are you a registered voter? ☒ Yes ☐ No

- | | |
|---|--|
| <input type="checkbox"/> Advisory/Finance Committee | <input type="checkbox"/> Economic Development Committee |
| <input type="checkbox"/> Agricultural Commission | <input type="checkbox"/> Historical Commission |
| <input type="checkbox"/> Arts Council | <input type="checkbox"/> Memorial Day Committee |
| <input type="checkbox"/> Bandstand Committee | <input type="checkbox"/> Parks and Recreation Committee |
| <input type="checkbox"/> Burncoat Park Planning Committee | <input type="checkbox"/> Recycling Committee |
| <input type="checkbox"/> Bylaw Committee | <input type="checkbox"/> Road Conversion Committee |
| <input type="checkbox"/> Capital Improvement Planning Comm. | <input type="checkbox"/> Stormwater Committee |
| <input type="checkbox"/> Commission on Disabilities | <input type="checkbox"/> Zoning Board of Appeals |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Other <u>Open Space & Rec</u> |

AVAILABILITY FOR MEETINGS

How many times per month are you available for meetings?

☐ Four ☒ Two ☐ One ☐ Less than one

Are you available for evening meetings?

☐ Monday ☒ Tuesday ☒ Wednesday ☐ Thursday

Are you available throughout the year for committee meetings?

☒ Yes ☐ No

If not, when are you **NOT** available?

☐ Winter ☐ Spring ☐ Summer ☐ Autumn

EDUCATION: _____

Bachelor of Science in Math from Worcester State University

(Please complete reverse side)

EMPLOYMENT EXPERIENCE:

Town of Leicester: Are you currently or have you ever been employed by the Town? ☐ Yes ☒ No

If yes, state position(s) and date(s): _____

Other Experience: Start with present or last job (include title) and military service assignments.
Exclude organizations' names which indicate race, religion, sex, or national origin.

General Manager/Senior Designer for Sunroom Living LLC

Chair of Leicester Parks & Rec

COMMENTS: Please tell us why you are interested in serving on the committees noted and any additional comments you may have: _____

Looking for member of Parks & Rec for Open Space & Rec Committee

Sometimes there is a short-term need for special background skills.

Please indicate your field(s) of training or experience below, as appropriate. Your application will be added to the list of residents who have expressed an interest in serving in similar capacities.

I possess the following training or experience:

- | | | |
|---|--|---|
| <input type="checkbox"/> Architecture | <input type="checkbox"/> Communications | <input type="checkbox"/> Computer Technology |
| <input type="checkbox"/> Construction | <input type="checkbox"/> Economics | <input type="checkbox"/> Education |
| <input type="checkbox"/> Engineering, Civil | <input type="checkbox"/> Engineering, Electronic | <input type="checkbox"/> Engineering, Mechanical |
| <input type="checkbox"/> Financial Administration | <input type="checkbox"/> Fine Arts | <input type="checkbox"/> Government Contracts |
| <input type="checkbox"/> Health Care | <input type="checkbox"/> Historic Activities | <input type="checkbox"/> Human Services |
| <input type="checkbox"/> Insurance | <input type="checkbox"/> Land Use Planning | <input type="checkbox"/> Grant Writing |
| <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Management | <input type="checkbox"/> Personnel Administration |
| <input type="checkbox"/> Property Appraisal | <input type="checkbox"/> Public Relations | <input type="checkbox"/> Real Estate |
| <input type="checkbox"/> Science | <input type="checkbox"/> Statistics | <input type="checkbox"/> Survey Research |
| <input type="checkbox"/> Systems Analysis | <input type="checkbox"/> Transportation | |

Other Skills & Interests: _____

Government or Community Volunteer Experience (Leicester or Elsewhere)

Position/Activity	Date(s)	City or Town
Leicester Parks & Rec Committee	8/22 - Present	Leicester
_____	_____	_____
_____	_____	_____
_____	_____	_____

eSigned via SeamlessDocs.com

George Matthew Fournier
Signature of Applicant

03-26-2024

Date

Thank you for your interest in serving the Town of Leicester

TREE REMOVAL POLICY

- DRAFT-

Leicester Conservation Commission **Tree Removal Policy – DRAFT 3/5/2024**

ECOLOGICAL VALUE OF TREES:

Trees and other vegetation in and around wetland resource areas provide significant ecological functions in Leicester. Removing trees and vegetation can reduce the ability of the landscape to perform these important functions.

Root systems stabilize soils which prevent erosion into wetlands and waters and maintain soil structure. As plants absorb water and air, they filter nutrients, pollutants, and greenhouse gases, such as dust, toxins, bacteria, and carbon dioxide. A single tree can absorb thousands of gallons of water in a growing season, which helps regulate water levels. During flood events, the water retained in vegetation reduces flooding, and the vegetation itself acts as a barrier to slow and disperse flood waters. This reduces downstream flooding and property damage.

Shade from vegetation helps to regulate air, soil, and water temperature. Lower air temperatures require less energy to cool buildings in summer and certain species require cool water to survive. Leaves shield areas during storm events, preventing and minimizing storm damage. When vegetation falls to the ground, it produces rich organic soils as it decomposes. Living and dead trees and other vegetation provide important habitat for a variety of plants and animals.

However, the Leicester Conservation Commission (LCC) recognizes that a tree which is diseased, dying, dead, too close to a dwelling, or otherwise compromised can pose a danger to persons and property prompting their removal.

This Tree Removal Policy does NOT apply to a major forest cutting operation defined by Town of Leicester General Bylaws Chapter 13: Forest Cutting.

See: https://www.leicesterma.org/sites/g/files/vyhli781/f/uploads/general_by_laws_06.02.2022_0.pdf

This Tree Removal Policy applies to “compromised” trees and “healthy” trees, and is intended to:

- Prevent damage to or alteration of LCC jurisdictional areas which include:
 - Town of Leicester 25’ No Disturb Zone.
 - Buffer Zone - Land within 100’ of a Wetland Resource Area.
 - Wetland Resource Areas, defined as 100-year flood zones, wetlands, streams, ponds, and marshes.
 - Riverfront Areas - Land within 200’ of a perennial stream.
- Mitigate the net loss of trees owing to their removal therefrom and to provide an expedited procedure and guidelines for tree removal where appropriate circumstances warrant their removal.

Compromised Tree: A “compromised” tree is either deemed to be:

- A threat to a dwelling, structure, maintained portion of their property (i.e. driveway, yard, leaching field, parked equipment, home, shed), or a public facility by virtue of its size and proximity, its state of health, or persistent insect activity; or

- Trees that have been infected with insects, fungi, or diseases that pose a safety hazard because of disease, rot, insect damage, etc., or a threat of spreading disease to the surrounding area. A letter from a Certified Arborist may be required to verify its condition as a “compromised” tree.

Healthy Tree: A “healthy” tree is one that is growing, and able to maintain a crown of leaves or needles. It produces new growth yearly on both its trunk and branches.

Emergency Authorization: In instances where there is clear evidence of a tree’s imminent failure threatening danger to persons and property (e.g. broken limbs, “sawdust” noted about the tree due to insect activity, etc.), an LCC Commissioner or a Conservation Department staff authorized by the LCC may, after a site visit and at their discretion, issue an Emergency Authorization for the immediate removal of the tree.

PROCEDURE:

Any applicant proposing to remove compromised and/or healthy trees from a jurisdictional area of the LCC shall:

1. Mark each “compromised” tree to be removed with RED ribbon or string.
2. Mark each “healthy” tree with a ribbon or string in any color except red.
3. Identify each tree to be removed on a sketch or plan or in photographs to be filed with their application (numbered in a way that can be cross-referenced with application).
4. Provide a written narrative describing in detail:
 - a. For “compromised” trees – describe why this tree constitutes a “compromised” tree and the immediate danger each tree poses; and
 - b. An informal map showing the location of each tree (compromised and/or healthy) to be removed, and showing Existing Wetland Resource Areas including the 25’ No Disturb Zone, the 100’ Buffer Zone, 200’ Riverfront Area, house, trees, and other relevant features; and
 - c. The proposed method for each tree’s removal, including the handling of tree debris and any disturbed area; and
 - d. The proposed replacement for each removed tree, including tree and/or shrub species and planting location, unless otherwise exempt from replacement. The applicant/owner must describe the steps that will be taken to maintain the tree for at least 24 months after the date that it is planted.
 - e. The LCC may require the written opinion of a certified arborist in the event the health of, or danger imposed by, the “compromised” tree is unclear or has not been adequately substantiated. It is much more difficult to tell the health of deciduous tree in the winter, so the Commission suggests that trees be evaluated during the growing season. The applicant may choose an Arborist of their choice.
 - f. In any instance where an arborist or tree services company is or has been consulted to determine the status of, and recommendations for, a property’s trees, the property owner shall provide an official copy of the expert’s survey results and recommendations as part of their request to the LCC.

5. File the appropriate Application for relief with the LCC:
 - a. An Application for Administrative Approval is required for removal of no more than four (4) trees located solely within the 25' No Disturb Zone and/or up to six (6) trees outside of the 25' No Disturb Zone; or
 - b. A Request for Determination of Applicability (RDA) or Notice of Intent (NOI) is required for removal of more than six (6) trees located within the 25' No Disturb Zone and/or 100' Buffer Zone, 200' Riverfront, or Priority Habitat for rare species protected under the Massachusetts Endangered Species Act (MESA).
6. In any instance where an arborist or tree services company is or has been consulted to determine the status of, and recommendations for, a property's trees, the property owner shall provide an official copy of the expert's survey results and recommendations as part of their request to the LCC.
7. Conduct the removal of any trees in accordance with any and all conditions imposed by the LCC in granting approval for said removal.

Tree Mitigation Requirements

Policy of No Net Loss of Trees. The removal of any tree shall be mitigated by its replacement with a newly planted **native** tree (minimum of 1.5" caliper), however it is not required to be of same species, nor shall the new planting necessarily be in the same locus as the tree removed. Moreover, where trees may not be the best choice of restoring the resource area, shrubs included on the "Town of Leicester Native Plant List" may be planted with the approval of the LCC. This policy of *No Net Loss of Trees* shall extend to all trees that are still alive at the time of removal. Dead trees and snags shall not be subject to the *No Net Loss of Trees* policy. The applicant/owner must describe the steps that will be taken to maintain the tree and/or shrub for at least 24 months after the date that it is planted.

Waivers. A property owner may request a waiver (in writing) for any required mitigation planting. Mitigation may be waived, for example, in the following cases subject to the discretion of the Commission:

1. The tree(s) was/were significantly damaged in a storm event.
2. The property is heavily wooded and growing new shrubs or trees would be difficult.
3. The tree to be removed is already dead.

Conditions for Tree Removal. Generally, the Commission requires that all tree removal equipment remain on landscaped or paved areas and outside of natural areas. To minimize disturbance, the only tree trunks that may be ground below the surface are those in landscaped areas or at least 50' from the Wetland Resource Area. In certain cases, the Commission and/or authorized Conservation Department staff may exercise enforcement at their discretion in the application of this policy.

Permission by Administrative Approval

Once granted, Administrative Approval will be valid for **no more than thirty (30) calendar days**. Extensions may be approved at the discretion of the Conservation Commission or its agent

if a hardship can be demonstrated.

This Policy is intended to cover only the removal of trees within the Commission's jurisdiction. Landowners must obtain prior permission from the Conservation Commission before work of any kind (e.g., tree or brush removal, vegetation removal or cutting, lawn expansion, soil grading, and construction) is conducted in a Jurisdictional Area. All landowners are encouraged to contact the Conservation Office at (508) 892-7007 to discuss any proposed work.

DEFINITIONS:

25' No Disturb Zone – The minimum strip of continuous undisturbed vegetative cover for any and all resource areas is 25 feet from the outermost edge of the protected resource area in all directions. Please see: LCC Rules and Regulations for Administering the Town of Leicester Wetlands Protection Bylaw on the LCC webpage: <https://www.leicesterma.org/conservation-commission>

Bank - The portion of the land surface which normally abuts and confines a water body. It occurs between a water body and a vegetated bordering wetland and adjacent flood plain, or, in the absence of these, it occurs between a water body and an upland. A Bank may be partially or totally vegetated, or it may be comprised of exposed soil, gravel or stone.

Buffer Zone - That area of land extending 100 feet horizontally outward from the boundary of any area specified in [310 CMR 10.02\(1\)\(a\)](#).

Riverfront Area - The area of land between a perennial river's mean annual high water line and a parallel line located 200 feet away, measured horizontally outward from the river's mean annual high water line.

Priority Habitat - is the geographical extent of habitat for all state-listed rare species, both plants and animals, which are protected under the Massachusetts Endangered Species Act (MESA). Additional permitting requirements are required for work located within Priority Habitat with the Natural Heritage and Endangered Species Program. Habitat alteration within Priority Habitats may result in a "take" of a state-listed species and is subject to regulatory review by the Natural Heritage & Endangered Species Program. Additional information can be found at: [MassWildlife's Natural Heritage & Endangered Species Program](#)

AUTHORITY:

This policy has been adopted by the LCC pursuant to the authority granted by Massachusetts General Laws Chapter 131, § 40 (Wetlands Protection Act) and the regulations adopted thereunder (310 CMR 10.00).

ADDITIONAL RESOURCES:

“Town of Leicester Native Plant List” available on the LCC webpage:

<https://www.leicesterma.org/conservation-commission>

Learn more about utilizing a certified arborist:

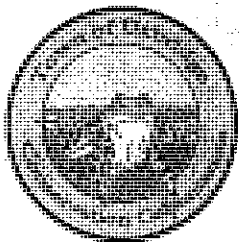
- Massachusetts Arborists Association: <http://www.massarbor.org/>
- International Society of Arboriculture: [Welcome \(isa-arbor.com\)](http://www.isa-arbor.com)

Link for the most current list of prohibited plants in Massachusetts:

<https://www.mass.gov/massachusetts-prohibited-plant-list>

CERTIFICATE OF COMPLIANCE POLICY

- DRAFT-



TOWN OF UXBRIDGE
CONSERVATION COMMISSION

21 SOUTH MAIN STREET
UXBRIDGE, MASSACHUSETTS 01569
508.278.8610

NOTICE

Certificates of Compliance - Policy

It has come to the attention of this Commission that Certificates of Compliance are being requested without completion of the project or with several conditions unmet. Requests are often made in haste by real estate professionals or potential buyers of a parcel.

This Commission will no longer issue partial Certificates of Compliance to assist in clearing title for an incomplete project. Partial Certificates of Compliance will be issued for exceptional situations only, and at the discretion of the Commission. A Request for a Partial Certificate of Compliance must be submitted with a letter identifying the unmet conditions, the reasons for failure to meet said conditions, and detailed timeline including completion date for meeting said conditions.

As a matter of good business practice, no parcel or lot should be offered for sale without first obtaining a Certificate of Compliance for any outstanding Orders. This is especially critical for Orders issued for subdivisions. Failure to obtain a Certificate of Compliance for the subdivision will result in a lien on every subdivided parcel arising from the larger parcel for which the Order was issued.

A Certificate of Compliance will **not** be issued for any project that:

- Has not achieved full stabilization of exposed soils through a minimum of 70% aerial cover of established vegetation (grasses, other rooted vegetation).
- Has not completed any conditions unique to the project (recording of conservation easement, establishment of naturalized buffer, etc.)
- Where required, has not satisfactorily completed wetland restoration and all requirements associated with restoration (submittal of written reports for two successive growing seasons, reports to be submitted by qualified wetland scientist).
- Has deviated from approved plans in any manner that, in the opinion of the Commission, results in impacts or encroachment upon wetland resource areas greater than that originally reviewed and approved by the Commission.

For completed projects, please submit the following:

- Complete WPA Form 8A - Request of Certificate of Compliance
- Signed statement by certified professional (see A.6 of form 8A).
- Signed & Stamped As-Built Plan.

The Request for Certificate of Compliance will not be accepted unless all information is submitted.

Upon receipt of the completed Request for Certificate of Compliance application, the Commission or its duly authorized agent shall contact the applicant to arrange for a site visit, and the Request will be deliberated upon at the next available meeting of the Commission. Please allow 30 days from the date of submittal for review and processing.

**PROPOSED REVISIONS TO
WETLAND BYLAW AND
RULES/REGS ADMINISTERING
WETLAND BYLAW**

Inconsistencies in State Laws, Town Bylaws and Regulations

310 CMR 10.00: WETLANDS PROTECTION ACT	TOWN WETLAND BYLAW Last Amended May 5, 2015	LCC RULES AND REGS FOR ADMINISTERING THE TOWN WETLAND BYLAW Last Revised November 18, 2015
No Disturb Zone – Not Applicable	25' No Disturb Zone not in the bylaw.	25' No Disturb Zone
Recommendation: The bylaw should be amended to include this for clarity.		
RDA: <ul style="list-style-type: none"> • legal ad - public <u>meeting</u> • no filing fee • no abutter notification 	RDA: <ul style="list-style-type: none"> • Legal ad - public hearing • notification to abutters CM/RR including owners of land directly opposite on any public or private street or way, and also to abutters to the abutters within 300 feet of the property line of the applicant, including any in another municipality or across a body of water. • Requires an affidavit of abutter mailing. 	RDA: <ul style="list-style-type: none"> • Legal ad - public hearing • \$50 local filing fee residential • \$100 local filing fee commercial • Sec. A. Application Requirements – RDA Notification to abutters (<i>no distance mentioned</i>) including only direct abutters of property line of the land where the activities is proposed, including abutters across the street. • Sec. VI. Notice and Hearings CM/RR to all abutters including owns of land directly opposite on any public or private street or way, and to abutters to the abutters within 300 feet of the property line of the applicant, including any in another municipality or across a body of water. • No affidavit required
Recommendation: The regs and bylaw should be amended for consistency. Consider removing the notification to abutter requirement for RDAs as it's not required by WPA, it's cost prohibitive esp. at 300' CM/RR, and if the applicant is issued a positive determination and has to file an NOI, the same notification process has to be repeated. The Town makes no money on mailing costs.		

310 CMR 10.00: WETLANDS PROTECTION ACT	TOWN WETLAND BYLAW Last Amended May 5, 2015	LCC RULES AND REGS FOR ADMINISTERING THE TOWN WETLAND BYLAW Last Revised November 18, 2015
<p>NOI:</p> <ul style="list-style-type: none"> • Legal ad - public <u>hearing</u> • State/Town Filing fee • Notification to abutters – by hand, CM/RR or Certificates of Mailing - 100 ft of property line (including abutters over town lines) with foot note that it's project site if it's a parcel of over 50 acres (310 CMR 10.05(4)(a)) and provide proof of mailing • No Affidavit required 	<p>NOI:</p> <ul style="list-style-type: none"> • Legal ad - public hearing • Notification to abutters CM/RR or hand delivered to all abutters including owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line of the applicant, including any in another municipality or across a body of water. • Requires an affidavit of abutter mailing. 	<p>NOI:</p> <ul style="list-style-type: none"> • Legal ad – public hearing • Town filing fee • Local filing fee (varies based on project size) • Sec. A. Application Requirements – NOI: notification to abutters CM/RR including owners of land directly opposite on any public or private street or way, and also to abutters to the abutters within 300 feet of the property line of the applicant, including any in another municipality or across a body of water with foot note that it's project site if it's a parcel of over 50 acres (310 CMR 10.05(4)(a)). • Sec. VI. Notice and Hearings CM/RR to all abutters including owns of land directly opposite on any public or private street or way, and to abutters to the abutters within 300 feet of the property line of the applicant, including any in another municipality or across a body of water. • No Affidavit Required
<p>Recommendation: The regs and bylaws should be amended for consistency. Consider reducing notification to align with WPA requirements of 100' which are "applicant is required to provide notification to an Abutter whose Lot is separated from the Project Locus by a public or private street or body of water only if the Abutter's Lot is within <u>100 feet from the property line</u> of the Project Locus (ie, "the lot")." 300' notification is excessive, and</p>		

cost prohibitive esp. at 300' CM/RR. Consider removing the affidavit requirement and instead requiring application or applicant's rep to send proof of mailing ahead of the hearing (ie, either cert of mailings or Certified Mail receipts. The Town makes no money on mailing costs.

310 CMR 10.00: WETLANDS PROTECTION ACT	TOWN WETLAND BYLAW Last Amended May 5, 2015	LCC RULES AND REGS FOR ADMINISTERING THE TOWN WETLAND BYLAW Last Revised November 18, 2015
<p>ANRAD</p> <ul style="list-style-type: none"> • Legal notice- public hearing • fee based on size with max fees for single family and commercial • no notification to abutters 	<p>ANRAD</p> <ul style="list-style-type: none"> • Legal ad – public hearing • Notification to abutters CM/RR or hand delivered to all abutters including owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line of the applicant, including any in another municipality or across a body of water. • Requires an affidavit of abutter mailing. 	<p>ANRAD</p> <ul style="list-style-type: none"> • Legal ad – public hearing • Fee: \$25% of DEP form total project fee • abutter notification CM/RR 300' including abutters to the abutters within 300' of the property line of the land where the activity is proposed, including any in another municipality or across a body of water with foot note that it's project site if it's a parcel of over 50 acres (310 CMR 10.05(4)(a)). • Sec. VI. Notice and Hearings CM/RR to all abutters including owns of land directly opposite on any public or private street or way, and to abutters to the abutters within 300 feet of the property line of the applicant, including any in another municipality or across a body of water. • No Affidavit Required • Under Applications 1d. and 1e. are same as NOIs and RDAs, but do not align with MassDEP ANRAD information requirements.

Recommendation: The regs and bylaw should be amended for consistency. The Application section of ANRAD in the regs should be revised to align with DEP requirements. Consider removing the notification to abutter requirement for ANRADs as it's not required by WPA, it's cost prohibitive esp. at 300' CM/RR. The Town makes no money on mailing costs.

Extension Permit for Orders of Conditions Per MassDEP Form 7 - Extension Permit for Orders of Conditions: Only <u>unexpired</u> Orders of Conditions or Extension may be extended.	Extension Permit for Orders of Conditions • Not Mentioned	Extension Permits for Orders of Conditions • Fees: Extension of NOI has \$25 if received <u>after expiration</u> .
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Recommendation: This should be removed as once an OOC is expired, it can't be extended, it's invalid and requires refile of NOI.

310 CMR 10.00: WETLANDS PROTECTION ACT	TOWN WETLAND BYLAW Last Amended May 5, 2015	LCC RULES AND REGS FOR ADMINISTERING THE TOWN WETLAND BYLAW Last Revised November 18, 2015
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After the Fact Applications • Fees do not increase	After the Fact Applications • Not Mentioned	After the Fact Applications • Double Normal Filing Fees
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Recommendation: Consider exception to after the fact filings required by MassDEP or ConCom after issuance of an Emergency Certification.

There is no requirement for coordination with other Boards or notifying abutting towns. Per CMR 310 10.05(e) (e) The requirement under M.G.L. c. 131, § 40 to obtain or apply for all obtainable permits, variances and approvals required by local by-law with respect to the proposed activity shall mean only those which are feasible to obtain at the time the Notice of Intent is filed.	VI. Coordination with Other Boards • requires the applicant to send submittals to other boards CM/RR or by hand and a copy to the adjoining municipality if within 300' for RDA, NOI and ANRAD with no exception for e-version. • Requires affidavit. • Copy to adjoining municipality - This is not called out in the Notice & Hearing section.	VII. Coordination with Other Boards • requires applicant to send submittals to other boards if they do not submit e-version or ConCom to send submittals to multiple boards if they do submit e-version. • Requires affidavit. • Copy to adjoining municipality - This is not called out in the Notice & Hearing section.
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Recommendation: Remove requirement for applicants to send to other Boards since e-version is required. Staff can send to appropriate departments. Remove affidavit requirement.

RDA, NOI, ANRAD, and Amendment to OOC <ul style="list-style-type: none"> All require a legal ad at applicant's expense but does not dictate how that is to be handled. 	RDA, NOI, ANRAD, and Amendment to OOC <ul style="list-style-type: none"> Legal ad at applicant's expense but no mention of whether Town has to pay and get reimbursed or applicant can be billed directly. 	RDA, NOI, ANRAD, and Amendment to OOC <ul style="list-style-type: none"> Town places legal ad and applicant reimburses Town (see page 7 footnote 3).
Recommendation: Consider leaving it so the Town places the legal ad, but the applicant is billed directly by the newspaper to reduce staff time in PD and Accounting.		
310 CMR 10.00: WETLANDS PROTECTION ACT	TOWN WETLAND BYLAW Last Amended May 5, 2015	LCC RULES AND REGS FOR ADMINISTERING THE TOWN WETLAND BYLAW Last Revised November 18, 2015
Emergency Certificates <ul style="list-style-type: none"> No requirements to submit an RDA or NOI after issuance of an Emergency Cert <u>unless</u> DEP or ConCom determines a need. 	Emergency Certificates <ul style="list-style-type: none"> Within 21 days of commencement of an emergency project a permit application shall be filed with the Commission for review as provided by these regulations. 	Emergency Certificates <ul style="list-style-type: none"> Within 21 days of commencement of an emergency project a permit application shall be filed with the Commission for review as provided by these regulations.
Recommendation: If ConCom issues Emergency Cert. and determines it needs permitting, this language is not really useful as nothing in the regulations provides for review after Emergency Certificate is issued.		
OTHER INFORMATION		
310 CMR 10.00 - Details on Abutter Notification - the requirement to provide Abutter notification is subject to the following limits. <ul style="list-style-type: none"> An applicant is required to provide notification to an Abutter whose Lot is separated from the Project Locus by a public or private street or body of water only if the Abutter's Lot is within <u>100 feet from the property line</u> of the Project Locus (ie, "the lot"). An applicant who proposes work solely within Land under Water Bodies or Waterways, or solely within a Lot with an area greater than 50 acres, is required to provide notification only to Abutters whose Lot is within one hundred feet from the Project Site (ie, "the area with the Project Locus (aka lot) that comprises the limit of work"). An applicant proposing a Linear- shaped Project greater than 1,000 feet in length is required to provide notification only to Abutters whose Lot is within 1,000 feet from the Project Site. Abutter notification is not required for projects proposed by the Massachusetts Department of Transportation Highway Division pursuant to St. 1993, c. 472 as approved on January 13, 1994. 		

- The applicant shall provide notification at the mailing addresses shown on the most recent applicable tax list from the municipal assessor.
- The applicant shall provide written notification to all Abutters required to be notified by hand delivery or certified mail, return receipt requested, or by certificates of mailing. **Recommendation: This option should be available to applicants as it's far less expensive than CM/RR (\$8.05 plus .68 stamp per piece = \$8.73). Many Certified Mail/Return Receipt envelopes get returned to us unclaimed/unsigned or with wrong address. Certificate of Mailing is \$2.00 plus .68 stamp per piece - \$2.68. There is no green card, but post office stamps each certificate to show proof of mailing on that date.**
- Mailing at least seven days prior to the public hearing shall constitute timely notice.

Definitions:

Project Locus means the lot on which an applicant proposes to perform an activity subject to regulation under M.G.L. c. 131, § 40.

Project Site means the area within the Project Locus that comprises the limit of work for activities, including but not limited to, the dredging, excavating, filling, grading, the erection, reconstruction or expansion of a building or structure, the driving of pilings, the construction or improvement of roads or other ways, and the installation of drainage, stormwater treatment, environmentally sensitive site design practices, sewage and water systems.

Forest Cutting Bylaw	<ul style="list-style-type: none"> • Legal Ad - public hearing. Recommendation: Allow newspaper to bill applicant directly for legal ad to reduce staff time. • No notification to abutters. • Submittal to Town Clerk CM/RR or by hand. Recommendation: Consider allowing certificate of mailing instead of CM/RR to reduce cost to applicant. • Current exemption is approved State cutting plan or a final OOC covering work. Recommendation: Consider allowing filing of application with NOI for work to be conditioned with OOC. Or, if the intent is not for the applicant to already have an OOC, re-word this section.
Stormwater Bylaw – Stormwater Permit	<ul style="list-style-type: none"> • The Planning Board shall administer, implement and enforce this Bylaw and may give “Approval with Conditions” • D. Exemptions. 4. Construction of a single-family dwelling, where “approval is not required” (ANR), as defined in the Subdivision Control Act. Persons constructing a single-family dwelling are encouraged to use stormwater practices and site planning methods to be described in the Town of Leicester Best Development Practices Guidebook. <p>Recommendation: Consider implementing a Land Disturbance Bylaw/Permit which would give Planning or Conservation jurisdiction over single family home lots and incorporate the NPDES Construction General Permit for Small Construction sites. Typically, Planning Board would handle commercial sites only as they have no purview over single family homes, and Conservation would handle single family home sites.</p>

obtained, except that such notice may be sent, at the option of the applicant, after the filing of an application or applications for said permits, variances, and approvals; provided, that such notice shall include any information submitted in connection with such permits, variances, and approvals which is necessary to describe the effect of the proposed activity on the environment. Upon receipt of any notice hereunder the department of environmental protection, hereinafter called the department, shall designate a file number for such notice and shall send a notification of such number to the person giving notice to the conservation commission, selectmen or mayor to whom the notice was given. Said notification shall state the name of the owner of the land upon which the proposed work is to be done and the location of said land.

Any person filing a notice of intention with a conservation commission shall at the same time give written notification thereof, by delivery in hand or certified mail, return receipt requested, to all abutters within one-hundred feet of the property line of the land where the activity is proposed, at the mailing addresses shown on the most recent applicable tax list of the assessors, including, but not limited to, owners of land directly opposite said proposed activity on any public or private street or way, and in another municipality or across a body of water. When a notice of intent proposes activities on land under water bodies and waterways or on a tract of land greater than 50 acres, written notification shall be given to all abutters within 100 feet of the proposed project site. For the purposes of this section, "project site" shall mean lands where the following activities are proposed to take place: dredging, excavating, filling, grading, the erection, reconstruction or expansion of a building or structure, the driving of pilings, the construction or improvement of roads or other ways and the installation of drainage, sewerage and water systems, and "land under water bodies and waterways" shall mean the bottom of, or land under, the surface of the ocean or an estuary, creek, river stream, pond or lake. When a notice of intent proposes activity on a linear shaped project site longer than 1,000 feet in length, notification shall be given to all abutters within 1,000 feet of the proposed project site. If the linear project site takes place wholly within an easement through another person's land, notice shall also be given to the landowner. Said notification shall be at the applicant's expense, and shall state where copies of the notice of intention may be examined and obtained and where information regarding the date, time and place of the public hearing may be obtained. Proof of such notification, with a copy of the notice mailed or delivered, shall be filed with the conservation commission.

Within twenty-one days of the receipt by a conservation commission of a written request made by any person and sent by certified mail, said commission shall make a written determination as to whether this section is applicable to any land or work thereon. When such person is other than the owner, notice of any such determination shall also be sent to the owner.

The term "applicant" as used in this section shall mean the person giving notice of intention to remove, fill, dredge or alter.

Minutes

Leicester Conservation Commission Meeting Minutes March 13, 2024

Location: Leicester Town Hall, Select Board Meeting Room

Member Present: Stephan Parretti, James Cooper, JoAnn Schold, Vanessa Lopez

Members Absent: None

Staff Present: Lisa Westwell, Administrative Assistant to the Planning Department

Member of the Public Present: See Sign In Sheet attached.

Call to Order: Chairman Parretti called the meeting to order at 6:34 PM

1. Public Hearings

Public Hearing (continued from 2/14/24): Notice of Intent – Waite Pond Dam (DEP #197-Pending)

Repairs to Waite Pond Dam described as the vertical extension of the retaining wall on the right side of the spillway. Applicant: Town of Leicester.

Ms. Westwell said that MassDEP has not issued a file number so this hearing should be continued to April 10, 2024.

Motion: Ms. Lopez made a motion to continue the public hearing until April 10, 2024.

Second: Ms. Schold

Discussion: None

Record of Vote:

Stephan Parretti	Aye
James Cooper	Aye
JoAnn Schold	Aye
Vanessa Lopez	Aye
Four (4) in Favor. None (0) Opposed. Approved 4 to 0	

Public Hearing: Notice of Intent – 434 Mulberry Street (DEP File #197-0711)

For the purpose of a septic system repair system within the 100' buffer zone of BVW. Applicant: 434 Mulberry LLC.

Mr. Parretti opened the public hearing at 6:35 p.m.

Ryan Gauvin of New England Environmental Design was present on behalf of the owner. Mr. Gauvin said they are keeping the system as close to the edge of the 100' buffer and all outside of the 50' buffer and using a barrier. Ms. Westwell informed the Commission that DEP had issued a file number with no comments.

Mr. Parretti asked if there was anyone from the public wishing to speak and there were none. Mr. Parretti asked the expected start date and Mr. Gauvin said it was to be determined. Mr. Parretti asked them to inform the Commission when erosion controls were in place.

Motion: Ms. Lopez made a motion to approve the repair of the system and notify the Commission 48 hours prior to start of work.

Second: Ms. Schold

Discussion: None

Record of Vote:

Stephan Parretti	Aye
James Cooper	Aye
JoAnn Schold	Aye
Vanessa Lopez	Aye
Four (4) in Favor. None (0) Opposed. Approved 4 to 0	

Motion: Ms. Schold made a motion to close the public hearing.

Second: Mr. Cooper

Discussion: None

Record of Vote:

Stephan Parretti	Aye
James Cooper	Aye
JoAnn Schold	Aye
Vanessa Lopez	Aye
Four (4) in Favor. None (0) Opposed. Approved 4 to 0	

The public hearing was closed at 6:38 p.m.

Public Hearing: Notice of Intent – Boutilier Rd., Henshaw St., Peter Salem Rd., Pine St., and Stafford St. (DEP File # pending)

For activities associated with exploratory geotechnical soil borings along the E5/E6 Transmission Lines Right-of-Way within Bordering Vegetated Wetlands, the 100' buffer zone to Bordering Vegetated Wetlands, 200' Riverfront Area, and 25' no disturb zone. Applicant: BSC Group, Inc. for New England Power Company

Mr. Parretti opened the public hearing at 6:39 p.m.

Mr. Erasme DaCruz of BSC Group was present to represent the project. Mr. DaCruz said they are conducting 7 soil boring tests. Mr. Parretti asked why they need to conduct the borings. Mr. DaCruz said New England Power Company wanted to make sure the engineers know what is underground before replacing towers. Ms. Schold asked Dr. DaCruz to confirm that there were no

practical alternatives, no impact to the wetland resource areas, and that they were using temporary mats. Mr. DaCruz said yes to all. Ms. Schold asked how much trimming and mowing was needed and Mr. DaCruz said it depends on National Grid as the ROW is 60-70 years old and has a lot of overgrowth. Ms. Schold asked for a timeline. Mr. DaCruz said 1-2 days per boring and they want to start right away. Mr. Parretti asked if there were any comments from the public and there were none.

Motion: Ms. Schold made a motion to continue the public hearing until April 10, 2024 pending the DEP File #.

Second: Mr. Cooper

Discussion: None

Record of Vote:

Stephan Parretti	Aye
James Cooper	Aye
JoAnn Schold	Aye
Vanessa Lopez	Aye
Four (4) in Favor. None (0) Opposed.	
Approved 4 to 0	

2. Request for Extension Permit for Stiles Reservoir (DEP #197-0607)

Applicant: Solitude Lake Management for Stiles Reservoir

Tanner Poole from Solitude Lake Management was present to represent the project. Mr. Poole said they were requesting an extension for aquatic management. Ms. Westwell said that Spencer had issued an extension already. Mr. Don Cherry from 525 Pine St. said he was concerned about the chemicals downstream. Mr. Parretti said this is why he wants to reach out to MassDEP to make sure they are ok with the current plan before issuing the extension. Ms. Westwell said their current Order of Conditions expires April 10 which is the date of the next Commission meeting. She suggested the Commission grant the Extension Permit with the condition that MassDEP is ok with the aquatic management plan.

Motion: Ms. Schold made a motion to conditionally approve the extension request as long as MassDEP approves the plan.

Second: Mr. Cooper

Discussion: None

Record of Vote:

Stephan Parretti	Aye
James Cooper	Aye
JoAnn Schold	Aye
Vanessa Lopez	Aye
Four (4) in Favor. None (0) Opposed.	
Approved 4 to 0	

3. Requests for Certificates of Compliance

- **473 Whittemore Street – Applicant: Petra Broda – DEP File #197-0276**

Petra Broda, owner, was present for this request. Ms. Broda used to reside at 473 Whittemore. She said she has taken a new job out of state, put the house on the market, had a buyer with a scheduled closing date of March 7, and then the closing attorney told her there was an open Order of Conditions (OOC). Ms. Broda said she is the second owner. She said right now she is at a standstill as she has moved out and the new owners have sold their house, and now her lawyer is not responding to her, and she has no idea how this OOC was overlooked before she bought the house.

Mr. Parretti asked to see the OOC and reviewed it. Mr. Parretti asked if her attorney told her about the OOC before she bought the house and she said no, and that she has lived there for years. Ms. Westwell said this goes back to 2002 and there are 6 houses with OOCs. Ms. Westwell said she spoke with Glenn Krevosky and he said he did a site visit and that one this particular property all of the replication area, roughly 7,000-8,000 sq ft, has been filled. Ms. Westwell said she has many conversations with Ms. Broda and spoke with Attorney Michael Meloche but he said there is no money left in the LaFlash's accounts to help pay for anything and that there are no as-builts. Ms. Schold shared the letter the Commission sent to Attorney Meloche in 2016 denying all 6 CoCs for lack of as-built, letters, or wetland replication as-builts. Mr. Parretti asked Ms. Broda when she bought the house and she replied 2018.

Mr. Cooper asked about the replication area being filled in and reviewed the House Plan which showed the wetlands. Ms. Westwell said that Mr. Krevosky said the wetlands shown on those plans are no longer there, but he couldn't attend the meeting tonight due to a conflict. Mr. Parretti told Ms. Broda he was not unsympathetic to her plight, but he didn't know what the Commission would be able to do without the requested information. Mr. Parretti suggested she call her attorney and share the letter as the previous owners knew what was happening and didn't take care of it. Ms. Broda said she sent it to her attorney and Attorney Meloche stopped communicating. Mr. Parretti said that due to the situation and the fact that the wetland is filled, she should hire her own attorney. Ms. Schold said their hands are tied. Mr. Peter Hauge suggested a hold back. Ms. Broda said she doesn't live here and is in a rental. Mr. Parretti said the hold back would be between seller/buyer and the OOC stays with the property. Mr. Parretti said she can sell the house, but the Commission will not be able to issue a Certificate of Compliance without the information requested. He asked Ms. Broda if the buyers knew about it, and she said they are aware of it, and it was their attorney that told her attorney about the OOC. Mr. Parretti reiterated that the Commission could not issue a CoC.

The new owners were present. Mr. Parretti addressed them and said the Commission could provide the names of Art Allen and Glenn Krevosky with EcoTec, Inc. and EBT Environmental (wetland scientists) and the buyers could request quotes.

Ms. Christina Sargent with Foster-Healy was present representing the buyer. She said they were supposed to close last week and then were asked to come to the Conservation meeting. Ms. Sargent said the bank wanted the CoC, and they could do a holdback, but they need to know the scope

because the letter in 2016 said things but it's been a long time. Ms. Schold said you have to get a number from the wetland scientists.

Mr. Ed Manu was present representing the sellers. He said he had contacted Glenn Krevosky and Mr. Krevosky was already involved but he hasn't been able to come up with a number yet. Mr. Parretti asked all parties to work together.

Motion: Ms. Schold made a motion to deny the Request for Certificate of Compliance for 473 Whittemore Street (DEP #197-0276) and await further information from the owner.

Second: Mr. Cooper

Discussion: None

Record of Vote:

Stephan Parretti	Aye
James Cooper	Aye
JoAnn Schold	Aye
Vanessa Lopez	Aye
Four (4) in Favor. None (0) Opposed.	
Approved 4 to 0	

• **53 River Street – Applicant: Melvin Glickman – DEP Files #197-0397 and #197-0508**

Ms. Westwell explained that there are two Orders of Conditions for 43/53 River Street that Glenn Krevosky worked on with Melvin Glickman years ago. The property is located across from the parking area owned by Common Ground Land Trust. Ms. Westwell said she reached out to Mr. Krevosky because there are quite a few open Order of Conditions that don't have CoCs, and this particular Order has a performance bond. She said Mr. Krevosky told her that no work had been done on the project so he filed both CoCs for both OOCs and offered to clean up the trash there. Mr. Parretti asked if the work proposed ever happened and Ms. Westwell said no work was done.

Motion: Ms. Schold made a motion to issue a Certificate of Compliance for DEP #197-0397 for 53 River Street due to no work being done.

Second: Mr. Cooper

Discussion: None

Record of Vote:

Stephan Parretti	Aye
James Cooper	Aye
JoAnn Schold	Aye
Vanessa Lopez	Aye
Four (4) in Favor. None (0) Opposed.	
Approved 4 to 0	

Motion: Ms. Schold made a motion to issue a Certificate of Compliance for DEP #197-0508 for 53 River Street.

Second: Mr. Cooper

Discussion: Janice Parke, Greenville St., said that Common Ground Land Trust is interested in obtaining this property as they own the parking area across the street, and has had conversations with the owner in the past.

Record of Vote:

Stephan Parretti	Aye
James Cooper	Aye
JoAnn Schold	Aye
Vanessa Lopez	Aye
Four (4) in Favor. None (0) Opposed. Approved 4 to 0	

4. Discussion

- **214 Rawson Street**

No one was present for this project. Mr. Parretti said his understanding is that it's been re-flagged and they are ready for inspection. Mr. Parretti asked if they still want to remove trees in the 25' no disturb and Ms. Schold said if they do they haven't come back to the Commission. Ms. Westwell asked if she could let Mr. Harvey know they were good to start. Mr. Parretti said yes, but ask if they want to take down the trees and if they do, they will go out on inspections.

- **122 White Birch Street**

Sharon Missiewicz was present as owner. Ms. Westwell said that she and Ms. Lopez went out to the site. Ms. Missiewicz explained that it is an estate property and that she moved the shed with the contractor and would move it again if need be. Mr. Parretti asked if there was a discrepancy about whose property it was on. Ms. Missiewicz said the land the shed was on had been sold and that's why she moved the shed onto her property. Ms. Lopez said the shed is within the 25' no disturb and Ms. Westwell said it's also within 50' of the wetlands. Ms. Missiewicz said she'll move it anywhere the Commission wants it. Mr. Parretti does not want to issue an enforcement order since the owner is willing to move the shed. Mr. Parretti suggested waiting 2 months to move it until the ground dries out and they can go out there and decide on location. Mr. Parretti asked this to be placed on the June agenda.

- **15 Bond St.**

Jay Giggey was present as owner. Mr. Giggey said he hired EcoSystems solutions to respond to EBT Environmental's report, that the work was done, and his wetland scientist, Mr. Brandon Fanuef said it was good. He said then Mr. Krevosky and Conservation came out and said there were rocks in the wetlands. Mr. Parretti said there were bricks in the wetlands. Mr. Parretti said Mr. Fanuef did an extremely poor job because there were bricks remaining and he didn't remove

any of the material in the wetlands, and that Mr. Fanuef either didn't know what he was doing or never went out there. Mr. Parretti said that what's in Glenn's report is what needs to be done. Mr. Giggey said he will pay another contractor to come in and do more work when the weather gets better. Mr. Parretti wants to revisit this in June when the ground isn't as soft. Mr. Giggey said he thought it was a conflict of interest for him to use Glenn Krevosky since Mr. Krevosky was working for the Town on this project. Mr. Parretti said they contact MassDEP on that it was fine if he wanted to use Glenn and he just wants everything to be restored as per Glenn's plan.

5. Miscellaneous/Board Updates

- **257 Pine St. – Update**

Ms. Westwell said that 257 Pine St. was the project that had a septic repair on a very small lot and that Ms. Westwell and Ms. Schold had gone out there and asked Wilbert Delarosa, owner, to stabilize the area and remove trash. Ms. Westwell said he called to touch base and had filed an as-built septic plan and certificate of compliance with the Board of Health. Ms. Westwell said Mr. Delarosa said he was selling it and Ms. Westwell told him he needed to wait two growing seasons to request a Certificate of Compliance with Conservation.

- **Municipal Waterways Fund**

Ms. Westwell said this fund that allows you to take up to 50% of the boat excise tax and put it in this account and expend via Town meeting vote. Ms. Westwell said Town of Charlton uses this and she got information on what they paid for out of this fund, including a bathymetric survey and Fire Dept. dive equipment. Mr. Parretti asked how much the Town gets in boat excise tax and Ms. Westwell said it's all included in the Commission's meeting packet:

https://www.leicesterma.org/sites/g/files/vyhlf781/f/uploads/3-13-2024_cc_meeting_packet_5.pdf – Page 235). Ms. Westwell is something for the Commission to consider to fund conservation related projects. She said if the commission was interested, she would look into putting it on the warrant. Mr. Parretti asked her to do this.

- **Tree Removal Policy**

Ms. Westwell said this was included as a draft for the Commission to take home and review. She said it was created using Spencer, Sturbridge, and Webster's tree removal policies. Ms. Schold said they already had a tree removal policy. Ms. Westwell said the Forest Cutting Bylaw she was referring to was different as it was for activities that were removal of trees on over an acre where the Tree Removal Policy would give the Commission the ability to administratively approve tree removal in certain instances without applicants filing an RDA or NOI. Ms. Westwell said that it costs more for applicants to obtain permitting than it does for them to remove the tree. Mr. Parretti was in favor of this. Ms. Westwell asked the Commission to read over the policy for discussion at the next meeting. Ms. Westwell said she is also going to be working on bylaw revisions for the Commissions' consideration.

- **Native Plant List**

Ms. Schold told Janice Parke she did a great job getting this list together. Ms. Westwell asked the Commission to consider approving or adopting it so she can put it on the website and then the Planning Board can also refer to it when they condition commercial projects.

Motion: Ms. Schold made a motion to accept the Native Plant List.

Second: Ms. Lopez

Discussion: None

Record of Vote:

Stephan Parretti	Aye
James Cooper	Aye
JoAnn Schold	Aye
Vanessa Lopez	Aye
Four (4) in Favor. None (0) Opposed. Approved 4 to 0	

6. Approval of Minutes

- **1/17/24**

Motion: Ms. Schold made a motion to accept the meeting minutes.

Second: Mr. Cooper

Discussion: None

Record of Vote:

Stephan Parretti	Aye
James Cooper	Aye
JoAnn Schold	Aye
Vanessa Lopez	Aye
Four (4) in Favor. None (0) Opposed. Approved 4 to 0	

- **2/14/24**

Motion: Ms. Schold made a motion to accept the meeting minutes.

Second: Mr. Cooper

Discussion: None

Record of Vote:

Stephan Parretti	Aye
James Cooper	Aye

JoAnn Schold	Aye
Vanessa Lopez	Aye
Four (4) in Favor. None (0) Opposed. Approved 4 to 0	

7. Recommendations to Board of Selectmen for appointments to the Open Space & Recreation Plan Implementation Committee (OSRPIC):

Ms. Westwell explained that the Conservation Commission would be sending recommendations to the Board of Selectmen for appointment to this Committee.

- **Vivian Giles**

Ms. Giles was present, introduced herself to the Commission, and explained why she was interested in serving on the OSRPIC. She said she is a junior at Leicester High School and that she has always been interested in the environment and is a lifelong resident of Leicester. Janice Parke supported Ms. Giles appointment to the OSRPIC.

- **Vanessa Lopez**

Ms. Lopez was present, introduced herself to the Commission, and explained why she was interested in serving on the OSRPIC. She said she really enjoys being involved in the Town and feels this is an important Committee.

Motion: Mr. Cooper made a motion to recommend Vivian Giles and Vanessa Lopez to the Board of Selectmen for appointment to the OSRPIC.

Second: Ms. Schold

Discussion: None

Record of Vote:

Stephan Parretti	Aye
James Cooper	Aye
JoAnn Schold	Aye
Vanessa Lopez	Abstain
Three (3) in Favor. None (0) Opposed. One (1) Abstained Approved 3 to 0	

- **506 & 508 Pine Street - Status**

Kate O'Donnell with EcoTec was present and representing Peter Hauge. She said EcoTec went out to the site on March 5th to observe any evidence of sedimentation into the wetland resources areas. EcoTec did observe there was an unstable slope on the 508 property and it appeared some of the sediment left the site and deposited into the adjacent road side swale. EcoTec continued down the road to the outlet and viewed the outlet at 525 Pine St. and found sediment discharging

into a wetland resource area, including the stream. Ms. O'Donnell also said they saw sediment deposits adjacent to the pipe on the front lawn and found evidence of sediment in 3 specific areas greater than an inch in depth. They were contracted by Mr. Hauge to provide restoration protocols for those areas at 525 Pine St. which amounted to about 270 sq. ft. Mr. Hauge is looking for permission from Mr. Cherry to access his property to begin the restoration. Ms. O'Donnell said they also made recommendations for site stabilization which she believes are all implemented. Ms. O'Donnell said the total disturbance appears to be greater than an acre in size so that requires a Stormwater Pollution Prevent Plan (SWPPP) and a National Pollutant Discharge Elimination System (NPDES) permit. She said that she found out today that Mr. Hauge had hired McClure Engineering to do the NPDES general permit.

Mr. Parretti asked if the area to be cleaned up was three inches thick and 270 sq. ft. Ms. O'Donnell said it's three separate pockets and EcoTec flagged them. Mr. Parretti asked if all three areas resided on Mr. Cherry's property and she said yes. Mr. Parretti asked Mr. Cherry if he would give them permission to go on his property to clean the areas. Mr. Cherry said no he would not. Mr. Cherry said he wants this resolved, but he won't give permission for remediation until 506 and 508 Pine St. are stabilized. Mr. Parretti asked Ms. O'Donnell if the stabilization was complete and she said that they offered suggestions but Mr. Hauge was responsible for installing all stabilization controls. Mr. Hauge said he had S&M Farms install check dams and they have done everything that was asked so far.

Mr. Cherry said there are two things going on: 1. water trespass since December and 2. The outflow of sediment has continued. Mr. Parretti said he thought when they were out there that the Highway Dept. was going to remove that pipe and move it down the road to the second culvert. Mr. Hauge said it wasn't going to be removed, but it was going to be closed off. Mr. Hauge said that hasn't happened yet. Mr. Hauge said the problem they are having with Highway is that the culverts are deep and the swales are too deep and now it's a safety hazard. Mr. Hauge said they will need an engineer to design something but his engineer, Mr. Dubois, does not offer municipal roadway services. Mr. Hauge says he is in favor of fixing it anyway he can. Mr. Parretti said the road issue is between him and the Highway Dept. Ms. Schold said the swales are way too deep. Mr. Parretti said keep working with highway as it's a safety issue and that the stabilization will not be done until he solves the issue with highway and he wants the sediment going into the wetlands to be solved. Mr. Parretti also said that they shouldn't clean up the sediment deposits until the stabilization is complete and the issues with highway are done. Mr. Cherry also wants it done after everything is stabilized. Mr. Parretti asked Ms. O'Donnell if the siltation is in the stream and she said yes. Mr. Parretti and Ms. Schold both felt the silt should be cleaned up out of the stream so it doesn't migrate into the lake.

Mr. Cherry said he wants assurances that they will come back to clean up other sedimentation and he will allow them access to his property. Mr. Parretti said it's in the Cease & Desist so the Commission will make sure it gets done. Mr. Cherry said he would send an email giving permission to access his property for the restoration work.

Ms. Westwell asked if McClure Engineering was providing Mr. Hauge a quote or if Mr. Hauge had retained them. Mr. Hauge said he was waiting on a quote, but he had retained McClure to do the NPDES permit. Ms. Westwell pointed out that the NPDES construction general permit includes

a SWPPP which requires site inspections. Ms. O'Donnell thinks McClure would prepare a narrative and include a plan and an inspection schedule, and that once that's in place it will really help mitigate the runoff issues. Ms. Schold asked Mr. Hauge where he was with highway. Mr. Hauge said he needs to find an engineer to do the highway work. Mr. Hauge said Art Allen with EcoTec said the cleanup would be done by hand and without equipment. Ms. Schold asked Mr. Hauge to do whatever it takes to keep those two sites stable. Mr. Parretti said that until the grass was established, Mr. Hauge would have to keep the erosion controls in place.

Mr. Hauge asked Ms. Westwell to send an email about temporarily lifting the Cease & Desist because the Building Inspector won't do framing inspections while the Cease & Desist is in place. Mr. Parretti and Ms. Schold said that's the Building Inspector's call.

Ms. Westwell asked Ms. O'Donnell if it would make sense to put up erosion controls on Mr. Cherry's side to prevent further deposits. Mr. Parretti asked if they can use silt socks and Ms. O'Donnell said yes they could place them in a horseshoe around the pipe outlet to prevent the sediment from going into the wetland. Mr. Cherry said he would allow that. Ms. Westwell said her last thought was that if the cleanup becomes a continuous thing, the Commission could consider fines or a performance bond. Mr. Parretti and Ms. Schold didn't want to take those steps at this time as everyone was working towards a goal.

Ms. Lopez asked Mr. Hauge if erosion controls were being put back in place at the end of the work days and before the weekends. Mr. Hauge said he would monitor that himself.

Teena Cherry said there are springs up on the hill and Mr. Hauge has hit them and the water will not stop.

Correspondence

- Ms. Westwell said she reached out to MassDEP about National Grid and the vegetative work is through MDAR and regulated through the state level. Ms. Westwell read the correspondence from National Grid and they said that all employees were trained to use the spray chemicals and all abutters were notified.
- Ms. Westwell said a letter was received from National Grid notifying the Town of work within the Right of Way

Earth Day: Ms. Lopez asked if Leicester was doing anything for Earth Day. Ms. Parke said the CARE group is running and sponsoring Earth Day on April 27th. Ms. Schold asked if it was on the website and if it wasn't, it be great to get it added. The Commission and Ms. Parke casually discussed other earth day events in the area.

Motion: Ms. Schold made a motion to adjourn.

Second: Ms. Lopez

Discussion: None

Record of Vote:

Stephan Parretti	Aye
James Cooper	Aye
JoAnn Schold	Aye
Vanessa Lopez	Aye
Four (4) in Favor. None (0) Opposed. Approved 4 to 0	

Meeting adjourned at 8:28 p.m.

Respectfully Submitted by:
Lisa Westwell, Administrative Assistant
to the Planning Department

Date Approved: April 10, 2024

Conservation Commission Board Signatures

Stephan Parretti, Chair

JoAnn Schold, Member

James Cooper, Vice Chair

Vanessa Lopez, Member