



TOWN OF LEICESTER CONSERVATION COMMISSION

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

CONSERVATION COMMISSION AGENDA Wednesday, May 15, 2024 at 6:30 PM Select Board Meeting Room

RECEIVED
2024 MAY -8 AM 11:35
TOWN CLERK'S OFFICE
LEICESTER, MASS.

Call to Order

1. Public Hearings

Public Hearing (Continued from 4/10/24, 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 4/10/24):

Notice of Intent – 50 Peter Salem Road (DEP #197-0716)

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

Public Hearing:

Notice of Intent – 15 Rawson Drive (DEP #197-0714)

For the proposed removal of one (1) tree within the 100 foot buffer zone to Cedar Meadow Pond. Applicant: Thomas and Susan M. Zemaitis Irrevocable Trust

Public Hearing:

Request for Determination of Applicability – 63 Charles Street

For work associated with the repair of a subsurface sewage disposal system within the 100' buffer to Bordering Vegetated Wetlands (BVW) in existing lawn area and accessory to a single-family house. Applicant: Thomas Brian

2. Request for Certificate of Compliance – 33 Burncoat Lane (DEP File #197-0582)

Applicant: Peter Doane

3. Request for Certificate of Compliance – Cedar Meadow Lake (DEP File #197-0579)

Applicant: Tommy Lee, Cedar Meadow Lake Watershed District

4. Discussion

- 102 River Street – Proposed removal of two trees (Valid OOC/DEP #197-0694)
- 456 Pine Street - Complaint
- Certificate of Compliance Policy

5. Approval of Minutes: March 13, 2024 and April 10, 2024

6. Correspondence

- National Grid re: Yearly Operation Plan 2024 dated 4/22/24

7. Miscellaneous/Board Updates

RECEIVED
2024 MAY -8 AM 11:35
TOWN CLERK'S OFFICE
LEICESTER, MASS.

Public Hearing (Cont.)
Waite Pond Dam Repairs – NOI

Public Hearing (Cont.)
50 Peter Salem Road – NOI
#197-0716

Lisa Westwell

From: Rebula, Thomas (DEP) <Thomas.Rebula@mass.gov>
Sent: Tuesday, April 23, 2024 11:44 AM
To: sethlajoie@gmail.com
Cc: Conservation Commission
Subject: 50 Peter Salem Rd, Leicester_ NOI Fee

Seth,

The above project appears to have provided an insufficient fee for the proposed work. Given that the proposed activities are represented by two distinct fee categories, an additional Category 1(a) should also be applied to the project in addition to the 1(e) fee already applied. Since the difference between the state and town fee was accounted for in the submittal of the first check, the remaining \$110 should be divided equally between the two entities. Please let me know if you have any questions.

Thomas Rebula

Environmental Analyst | MassDEP

thomas.rebula@mass.gov

Central Regional Office

8 New Bond Street

Worcester, MA 01606

Cell: 857.248.5027

Lisa Westwell

From: CERO_NOI@MassMail.state.ma.us
Sent: Wednesday, May 1, 2024 2:41 PM
To: sethlajoie@gmail.com; thomas.rebul@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: 05/01/2024

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 PAUL MORRIS		Owner Address
Address	50 PETER SALEM ROAD, LEICESTER MA 01524	
Locus	50 PETER SALEM ROAD , LEICESTER MA 01524	

This project has been assigned the following file # : **CE 197-0716**

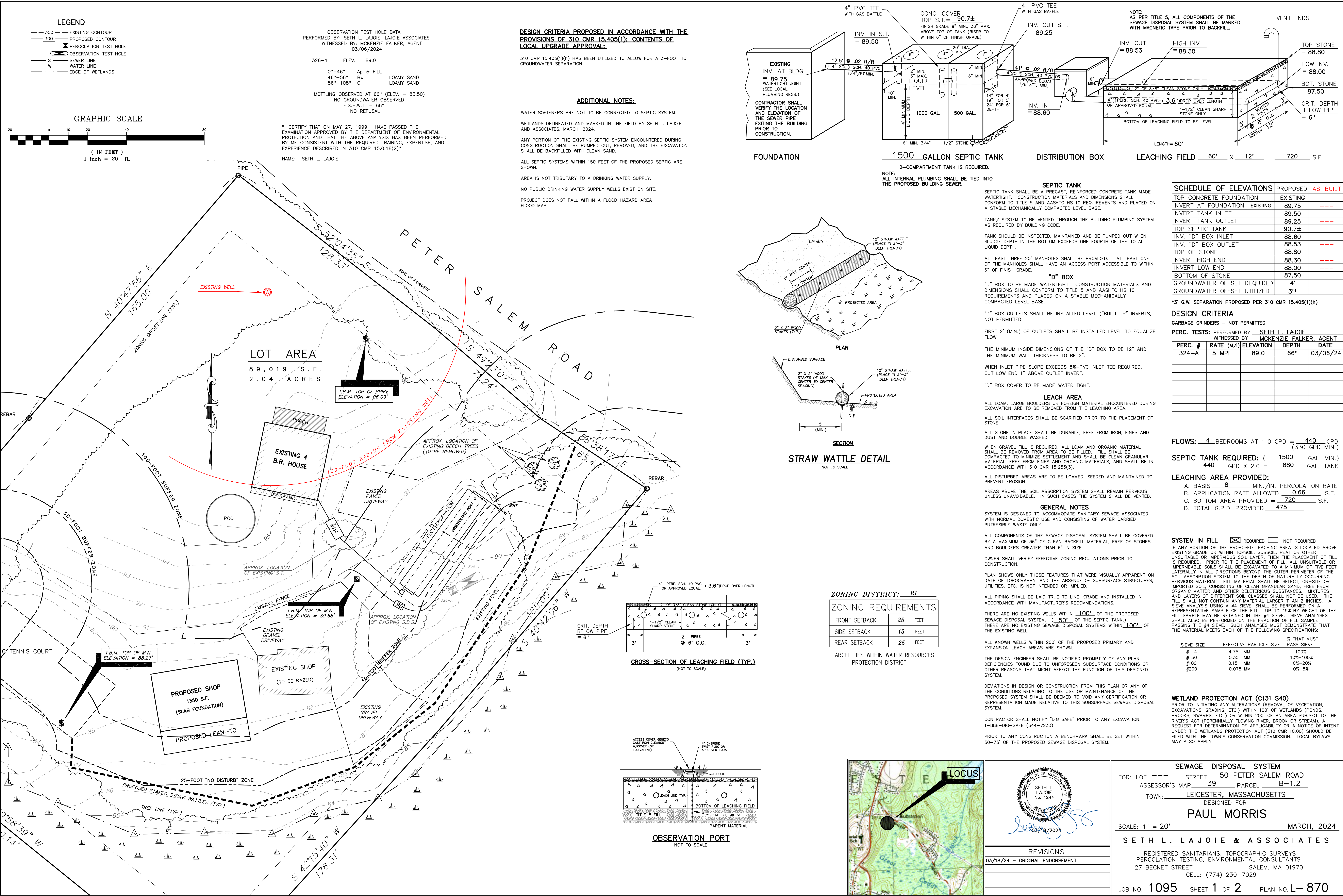
ISSUANCE OF A FILE NUMBER INDICATES ONLY COMPLETENESS OF SUBMITTAL, NOT APPROVAL OF APPLICATION

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

No Comment

Regards,
for MassDEP,

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



Public Hearing
15 Rawson Drive – NOI
#197-0714



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

RECEIVED
2024 APR 29 PM 3:48
TOWN CLERK'S OFFICE
LEICESTER, MASS.

PUBLIC HEARING NOTICE
Leicester Conservation Commission

15 Rawson Drive

The Leicester Conservation Commission will hold a Public Hearing on **Wednesday, May 15, 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 Thomas and Susan M. Zemaitis Irrevocable Trust for the proposed removal of one (1) tree within the 100 foot buffer zone to Cedar Meadow Pond. Site Location: 15 Rawson Drive, Assessors Parcel 28A-D11-0, 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, May 7, 2024

Lisa Westwell

From: CERO_NOI@MassMail.state.ma.us
Sent: Monday, April 29, 2024 1:14 PM
To: jzemaitis@zemaitisbaker.com; sethlajoie@gmail.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: 04/29/2024

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 THOMAS ZEMAITIS		Owner Address
Address	15 RAWSON DRIVE, LEICESTER MA 01524	
Locus	15 RAWSON DRIVE , LEICESTER MA 01524	

This project has been assigned the following file # : **CE 197-0714**

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 comments.

Regards,
for MassDEP,

Bryanna.Weigel@mass.gov

NOTICE OF INTENT

for

Thomas A. and Susan M. Zemaitis Irrevocable Trust

at

15 Rawson Drive

Leicester, MA

Leicester Assessor's Information:

Map# 28A ; Lot# D11 0

APPLICANT

Thomas Zemaitis

15 Rawson Drive

Leicester, MA 01524

Representative

Seth L. Lajoie and Associates, Inc.

27 Becket Street

Salem, MA 01970



TABLE OF CONTENTS

Thomas Zemaitis
15 Rawson Drive
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.....	
TREE LOCATION PLAN.....	
PICTURES OF TREES IMPACTED.....	
GIS LOCUS MAP.....	
NHESP MAP.....	
FIRM MAP.....	

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 27, 2024

Subject Property:

Parcel Number: 28A-D11-0
CAMA Number: 28A-D11-0
Property Address: 15 RAWSON DR

Mailing Address: ZEMAITIS JOSEPH R TRUSTEE T&S
ZEMAITIS IRREVOCABLE TRUST
PO BOX 15
LEICESTER, MA 01524

Abutters:

Parcel Number: 27-B2-0
CAMA Number: 27-B2-0
Property Address: 402 RAWSON ST

Mailing Address: GONZALEZ-GARCIA CARMEN M
402 RAWSON STREET
LEICESTER, MA 01524

Parcel Number: 27-B3-0
CAMA Number: 27-B3-0
Property Address: 400 RAWSON ST

Mailing Address: STILES PHILIP G STILES PAULA J
400 RAWSON ST
LEICESTER, MA 01524

Parcel Number: 28-A12-0
CAMA Number: 28-A12-0
Property Address: CHARLES ST

Mailing Address: CEDAR MEADOW LAKE WATERSHED
DISTRICT
PO BOX 320
LEICESTER, MA 01524

Parcel Number: 28-A3.1-0
CAMA Number: 28-A3.1-0
Property Address: 437 RAWSON ST

Mailing Address: DEBLOIS TASHA
437 RAWSON ST
LEICESTER, MA 01524

Parcel Number: 28-A3.21-0
CAMA Number: 28-A3.21-0
Property Address: 24 RAWSON DR

Mailing Address: RAU STACEY RAU JOSEPH
24 RAWSON DR
LEICESTER, MA 01524

Parcel Number: 28-A3-0
CAMA Number: 28-A3-0
Property Address: 2 RAWSON DR

Mailing Address: BOWES THOMAS W CONTOIS CAROL J
2 RAWSON DR
LEICESTER, MA 01524

Parcel Number: 28-A4-0
CAMA Number: 28-A4-0
Property Address: 18 RAWSON DR

Mailing Address: NICHOLS ROSEMARY
18 RAWSON DR
LEICESTER, MA 01524-0364

Parcel Number: 28A-D10-0
CAMA Number: 28A-D10-0
Property Address: 19 RAWSON DR

Mailing Address: MARKLEY BENJAMIN
19 RAWSON DR
LEICESTER, MA 01524

Parcel Number: 28A-D12-0
CAMA Number: 28A-D12-0
Property Address: 11 RAWSON DR

Mailing Address: GINKUS JOSEPH C GINKUS BEVERLY A
PO BOX 14
LEICESTER, MA 01524

Parcel Number: 28A-D15-0
CAMA Number: 28A-D15-0
Property Address: 5 RAWSON DR

Mailing Address: DUPUIS MICHAEL R DUPUIS THERESA
M
5 RAWSON DRIVE
LEICESTER, MA 01524



www.cai-tech.com

3/27/2024

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.

Page 1 of 2



300 feet Abutters List Report

Leicester, MA

March 27, 2024

Parcel Number: 28A-D8-0
CAMA Number: 28A-D8-0
Property Address: 25 RAWSON DR

Mailing Address: TISCIONE VINCENT J
25 RAWSON DR
LEICESTER, MA 01524

Parcel Number: 28A-D9-0
CAMA Number: 28A-D9-0
Property Address: 23 RAWSON DR

Mailing Address: HOBSON MARK
23 RAWSON DR
LEICESTER, MA 01524

Above is a certified list of abutters an abutters to abutters within 300 feet including across any street or body of water.

Subject Property: 15 Rawson Drive Map 28A Lot D11 Deed book 59200 page 131.

Subject Owner: Thomas A Zemaitis & Susan M Zemaitis Irrevocable Trust

Certified by John W Stencil, Assistant Assessor



www.cai-tech.com

3/27/2024

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.

Page 2 of 2

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 Thomas A. and Susan M. Irrevocable Trust.
- 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: 15 Rawson Drive.

Description of Project: Removal of one tree.

- 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.

THOMAS A ZEMAITIS AND SUSAN M ZEMAITIS
IRREVOCABLE TRUST
JOSEPH R ZEMAITIS TRUSTEE
PO BOX 15
LEICESTER MA 01524

263

53 7054 7113
106

4/1/24
Date

Pay to the
Order of

Tony of Leicester
Sixty-seven & 10/100

\$ 27.12

Dollars



Photo
Safe
Deposit



Bank

America's Most Convenient Bank®

For

0263

THOMAS A ZEMAITIS AND SUSAN M ZEMAITIS
IRREVOCABLE TRUST
JOSEPH R ZEMAITIS TRUSTEE
PO BOX 15
LEICESTER MA 01524

262

53 7054 7113
106

4/1/24
Date

Pay to the
Order of

Tony of Leicester
Sixty-seven & 10/100

\$ 67.50

Dollars



Photo
Safe
Deposit



Bank

America's Most Convenient Bank®

For

0262

THOMAS A ZEMAITIS AND SUSAN M ZEMAITIS
IRREVOCABLE TRUST
JOSEPH R ZEMAITIS TRUSTEE
PO BOX 15
LEICESTER MA 01524

261

53 7054 7113
106

7/1/21
Date

Pay to the
Order of

Comm of Mass
Seventy-two & 10/100

\$ 72.00

Dollars



Photo
Safe
Deposit



Bank

America's Most Convenient Bank®

For

0261



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):

15 Rawson Drive

a. Street Address

Leicester

b. City/Town

01524

c. Zip Code

Latitude and Longitude:

42.231840

d. Latitude

-71.943190

e. Longitude

28A

f. Assessors Map/Plat Number

D11 0

g. Parcel /Lot Number

2. Applicant:

Thomas

a. First Name

Zemaitis

b. Last Name

c. Organization

15 Rawson Drive

d. Street Address

Leicester

e. City/Town

MA

f. State

01524

g. Zip Code

(508) 873-3935

h. Phone Number

i. Fax Number

j. Email Address

3. Property owner (required if different from applicant):

☐ Check if more than one owner

Joseph

a. First Name

Zemaitis

b. Last Name

Thomas A. and Susan M. Zemaitis Irrevocable Trust

c. Organization

20 Tatam Street

d. Street Address

Worcester

e. City/Town

MA

f. State

01607

g. Zip Code

(508) 284-4235

h. Phone Number

i. Fax Number

jzemaitis@zemaitisbaker.com

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:

Removal of one tree within the buffer zone

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

59200

c. Book

b. Certificate # (if registered land)

131

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	2. square feet
	3. cubic yards dredged	

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

2. Width of Riverfront Area (check one):

☐ 25 ft. - Designated Densely Developed Areas only

☐ 100 ft. - New agricultural projects only

☐ 200 ft. - All other projects

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

square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet

b. square feet within 100 ft.

c. square feet between 100 ft. and 200 ft.

5. Has an alternatives analysis been done and is it attached to this NOI?

☐ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996?

☐ Yes ☐ No

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

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number _____

Document Transaction Number _____

Leicester

City/Town

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

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

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

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Leicester

City/Town

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

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

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

- (d) ☐ Vegetation cover type map of site
- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following

1. ☐ Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/ mesa/ mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. ☐ Separate MESA review ongoing.

a. NHESP Tracking #

b. Date submitted to NHESP

3. ☐ Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a. ☒ Not applicable – project is in inland resource area only b. ☐ Yes ☐ No

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

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

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

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

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.

Easement Plan Prepared for Thomas and Susan Zemaitis

a. Plan Title

Jarvis Land Survey, Inc.

b. Prepared By

Kevin Jarvis

c. Signed and Stamped by

NTS

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:

261

2. Municipal Check Number

04/01/24

3. Check date

262

4. State Check Number

04/01/24

5. Check date

Thomas

Zemaitis

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 *Joseph R. Gnat*

2. Date *4/1/24*

3. Signature of Property Owner (if different)

5. Signature of Representative (if any) *Sam J. J.*

4. Date

6. Date *4/1/24*

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:

15 Rawson Drive

a. Street Address

261

c. Check number

Leicester

b. City/Town

\$42.50

d. Fee amount

2. Applicant Mailing Address:

Thomas

a. First Name

Zemaitis

b. Last Name

c. Organization

15 Rawson Drive

d. Mailing Address

Leicester

e. City/Town

(508) 873-3935

h. Phone Number

MA

f. State

01524

g. Zip Code

i. Fax Number

j. Email Address

3. Property Owner (if different):

Joseph

a. First Name

Zemaitis

b. Last Name

Thomas A. Zemaitis and Susan M. Zemaitis Irrevocable Trust

c. Organization

20 Tatum Street

d. Mailing Address

Worcester

e. City/Town

(508) 284-4235

h. Phone Number

MA

f. State

01607

g. Zip Code

i. Fax Number

jzemaitis@zemaitisbaker.com

j. Email Address

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

B. Fees

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

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

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

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

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

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

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



Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
1a	1	\$110.00	\$110.00
Step 5/Total Project Fee:			\$110.00

Total Project Fee:	\$110.00
	a. Total Fee from Step 5
State share of filing Fee:	\$42.50
	b. 1/2 Total Fee less \$12.50
City/Town share of filling Fee:	\$67.50
	c. 1/2 Total Fee plus \$12.50

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.

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.)



CEDAR MEADOW POND

3

2

1

N/D
DAVIS
DEED BK 8134 PG 216
ASSESSORS MAP 28A
PARCEL D10

PROPOSED 16" WIDE
SEWER EASEMENT

S 01°25'00" W
18.20'

SHED

S 88°35'00" E 105' ±

80.00'

N 88°35'00" W 80.00'

HOUSE #19

DECK

GARAGE

N/D
ZEMAITIS
DEED BK 16760 PG 376
ASSESSORS MAP 28A
PARCEL D11

HOUSE #15

(150.00')
134.00'

N 01°25'00" E

15.00'

N 01°25'00" E

RAWSON DRIVE

I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

5-3-02
DATE

James C. Davis
PLS #40044

JARVIS LAND SURVEY, INC.
420 Boston Turnpike
Shrewsbury, MA 01545
Tel. (508) 842-8087 Fax. (508) 842-0861

OWNER OF RECORD:
JAMES C. & PAMELA S. DAVIS
DEED BOOK 8134 PAGE 216
ASSESSORS MAP 28A PARCEL 10



THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF REGISTRATION OF PROFESSIONAL LAND SURVEYORS IN THE COMMONWEALTH OF MASSACHUSETTS, AND IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF REGISTRATION OF PROFESSIONAL LAND SURVEYORS IN THE COMMONWEALTH OF MASSACHUSETTS. THIS CERTIFICATION IS INTENDED TO MEET THE REQUIREMENTS OF THE REGISTRY OF DEEDS AND MAPS OF THE COMMONWEALTH OF MASSACHUSETTS. TITLE OR OWNERSHIP OF THE LAND SHOWN HEREON.

Easement Plan
Prepared for
Thomas & Susan M. Zemaitis
15 Rawson Drive
Leicester, Massachusetts

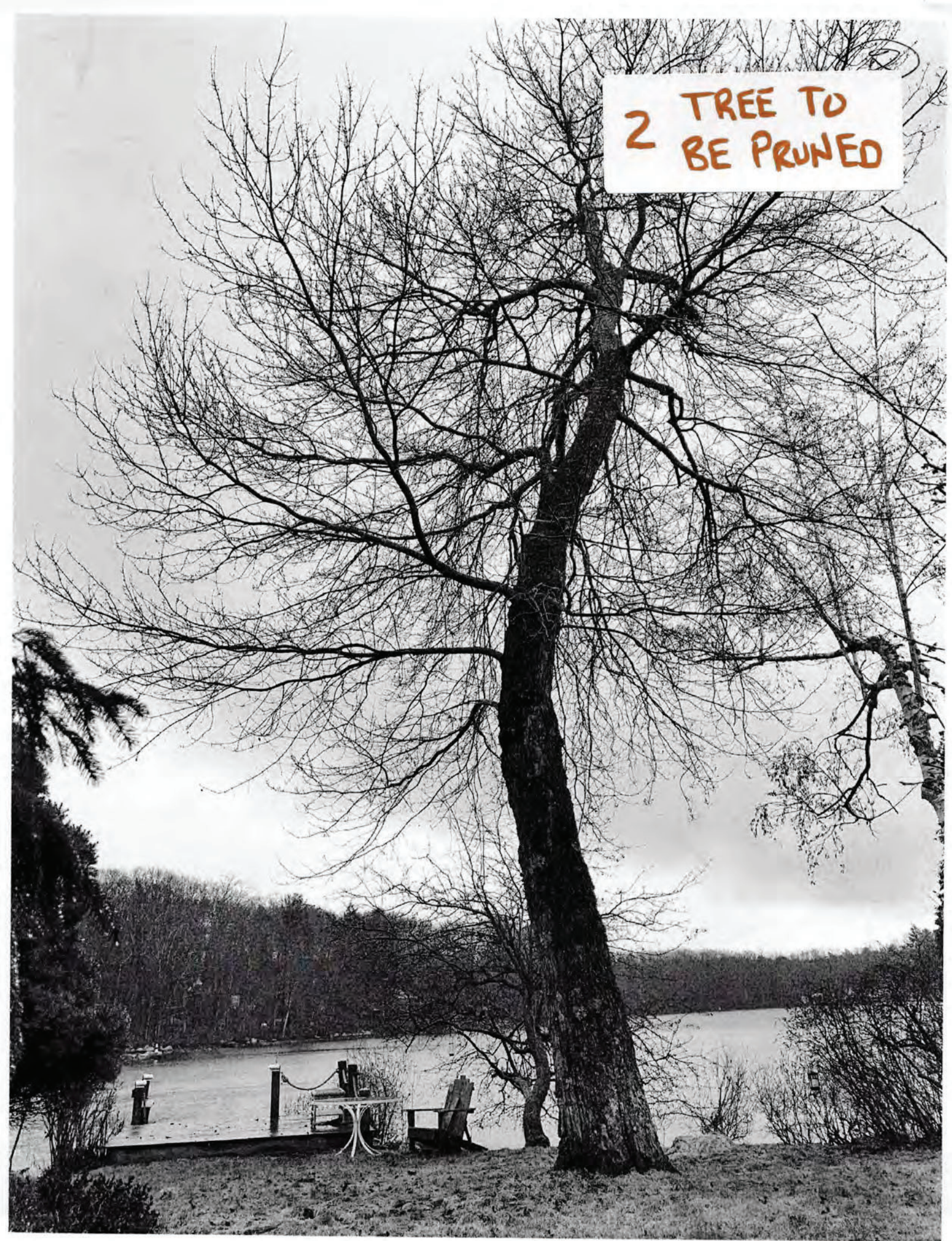
DATE	CHECK	CALC.	FIELD	N.B. #	PLANS
5/01/02	K.J.J.	K.J.J.	R.P.M.	134-97	02-051
0'	20'	40'	60'		

SCALE: 1 INCH = 20 FEET

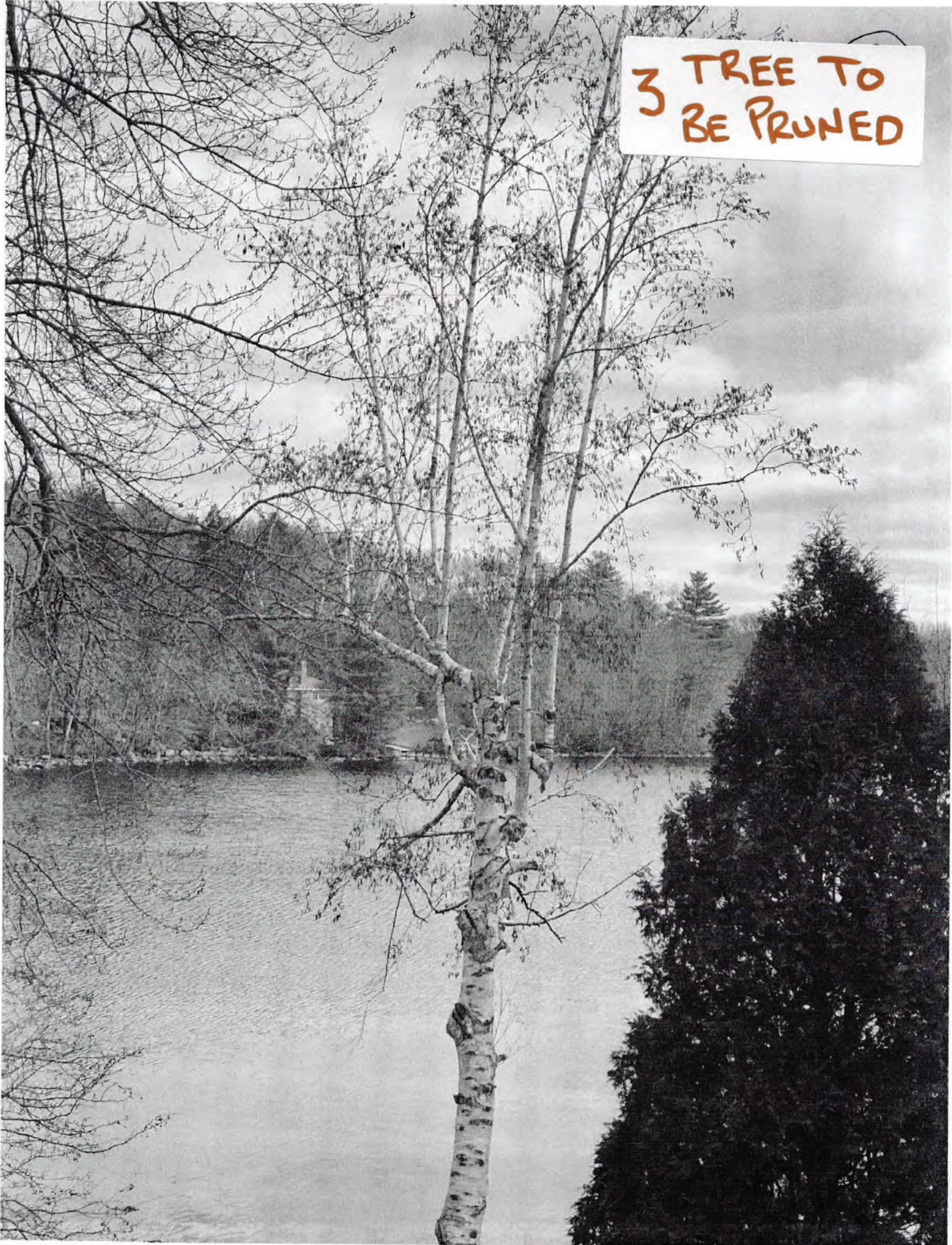
A black and white photograph of a large, leafless tree. The tree's trunk is thick and textured, running vertically through the center of the frame. Its branches are numerous and spread out in all directions, some reaching towards the top of the frame. The background is a bright, overcast sky. In the lower foreground, there are dark, leafy bushes. A white rectangular sign is attached to the upper right side of the tree trunk. The sign has orange text that reads "1 TREE TO BE REMOVED".

1 TREE TO BE
REMOVED

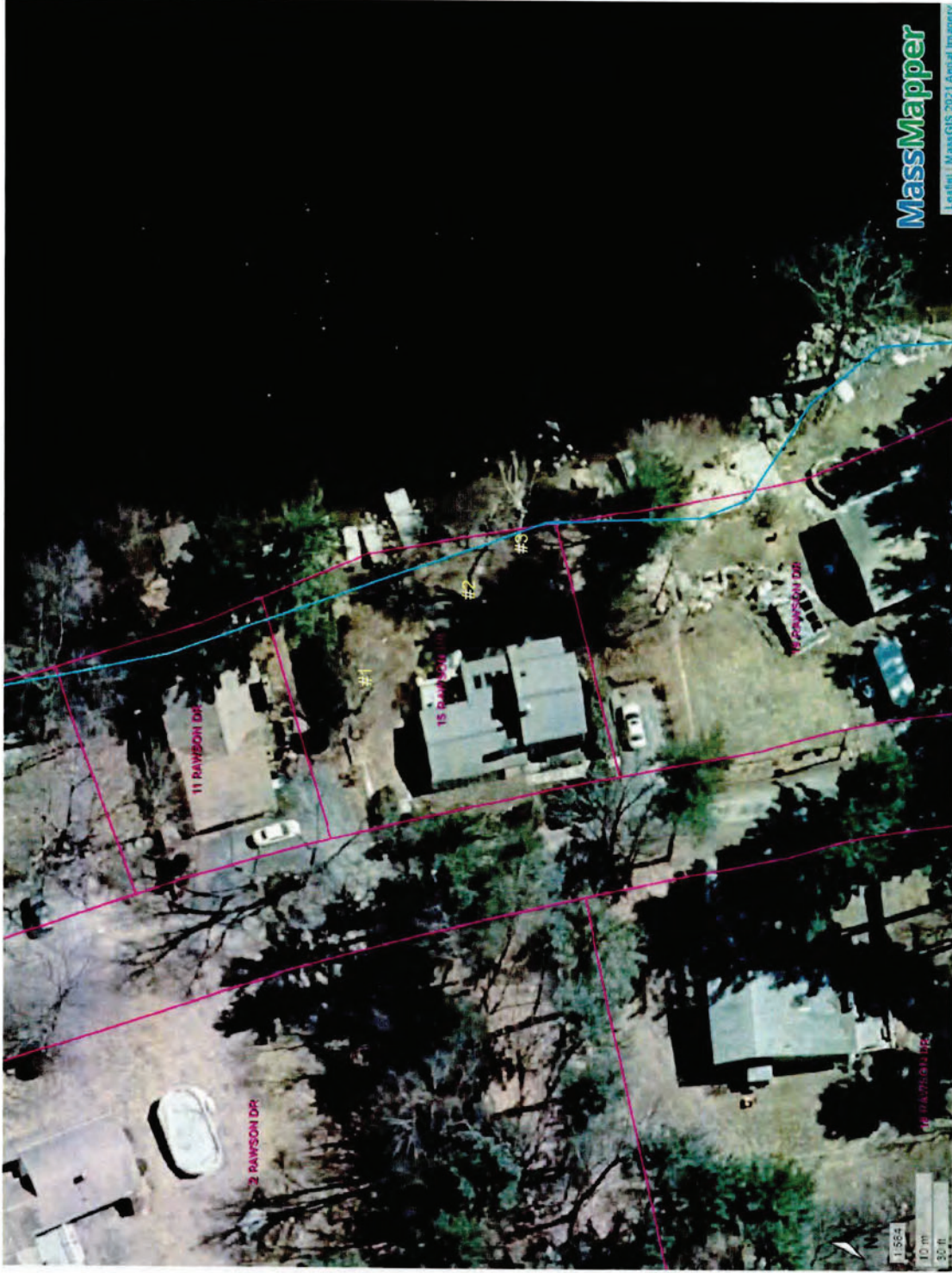
2 TREE TO
BE PRUNED



3 TREE TO
BE PRUNED



MassGIS - Trees

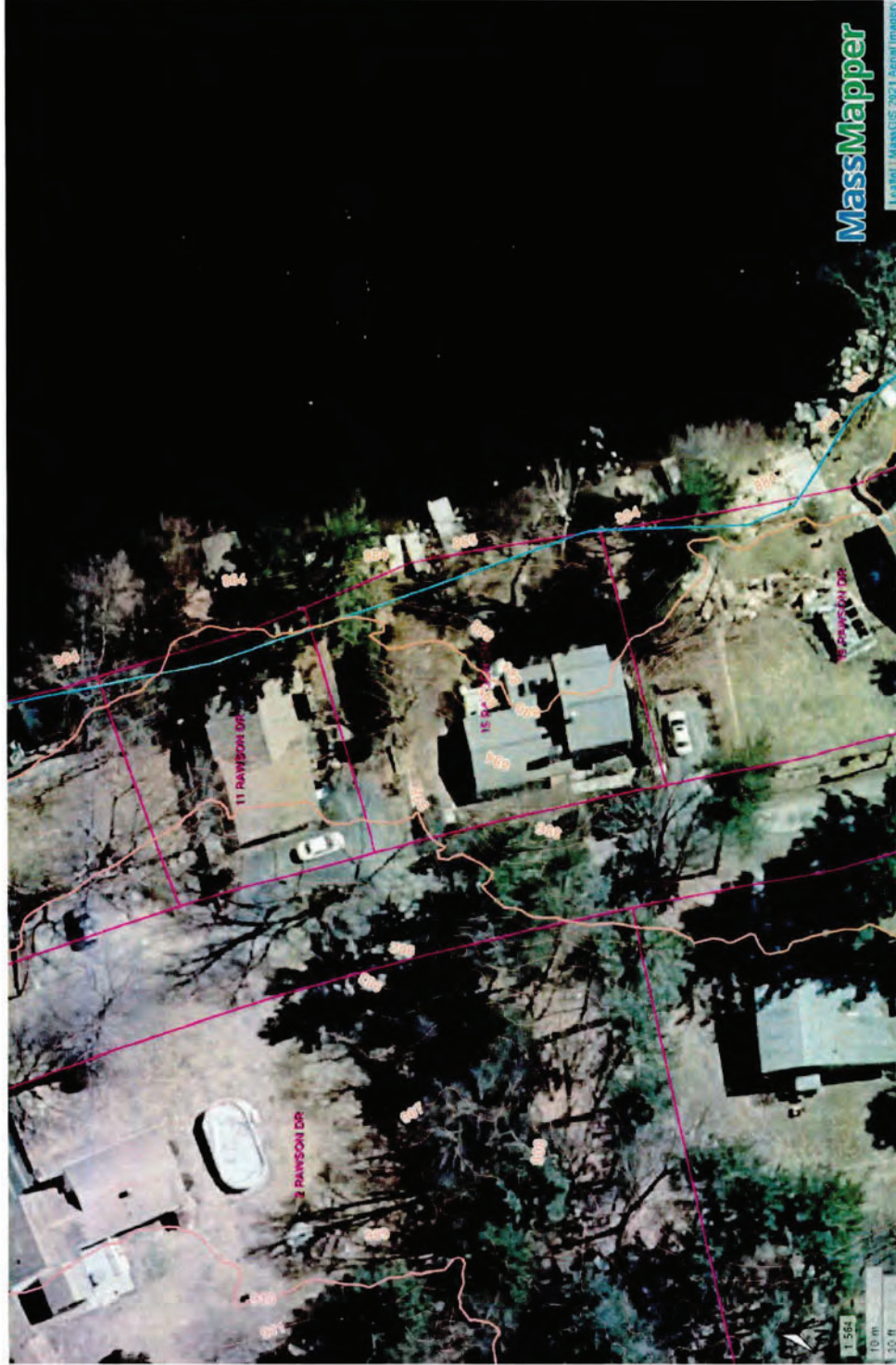


DEP Wetlands Linear Features

- SHORELINE
- HYDROLOGIC CONNECTION
- MEAN WATER LINE
- APPARENT WETLAND LIMIT
- CLOSURE LINE
- EDGE OF INTERPRETED AREA

Property Tax Parcels

15 Rawson Drive, Leicester, MA



National Flood Hazard Layer FIRMette

71°56'54"W 42°14'17"N



Legend

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

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE)
Zone A, V, A99
- With BFE or Depth
Zone AE, AO, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard. Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes. Zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS

- NO SCREEN
- Area of Minimal Flood Hazard Zone X
- Effective LOMRs
- Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

Cross Sections with 1% Annual Chance

- Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped



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

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

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 12/7/2023 at 9:05 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: 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.



Basemap Imagery Source: USGS National Map 2023

15 RAWSON DR., LEICESTER

UNITED STATES
POSTAL SERVICE

Certificate of Mailing

To pay by affixing stamps or meter postage here

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

UNITED STATES
POSTAL SERVICE

Certificate of Mailing

To pay by affixing stamps or meter postage here

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

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

Rosemary Nichols
18 Rawson Drive
Leicester, MA 01524

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



UNITED STATES
POSTAL SERVICE

Certificate of Mailing

To pay by affixing stamps or meter postage here

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

UNITED STATES
POSTAL SERVICE

Certificate of Mailing

To pay by affixing stamps or meter postage here

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

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

Joseph or Beverly Ginkus
P.O. Box 14
Leicester, MA 01524

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



UNITED STATES
POSTAL SERVICE

Certificate of Mailing

To pay by affixing stamps or meter postage here

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

UNITED STATES
POSTAL SERVICE

Certificate of Mailing

To pay by affixing stamps or meter postage here

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

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

Vincent Tiscione
25 Rawson Drive
Leicester, MA 01524

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



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

Benjamin Markley
19 Rawson Drive
Leicester, MA 01524

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



UNITED STATES
POSTAL SERVICE

Certificate of Mailing

To pay by affixing stamps or meter postage here

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

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

Michael or Theresa Dupuis
5 Rawson Drive
Leicester, MA 01524

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



UNITED STATES
POSTAL SERVICE

Certificate of Mailing

To pay by affixing stamps or meter postage here

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

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

Mark Hobson
23 Rawson Drive
Leicester, MA 01524

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



15 RAWSON DR., LEICESTER

POSTAL SERVICE®

Certificate Of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

To pay by affixing stamps or meter postage here

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

To: Carmen Gonzalez-Garcia
402 Rawson Street
Leicester, MA 01524

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



**UNITED STATES
POSTAL SERVICE®**

Certificate Of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

To pay by affixing stamps or meter postage here

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

To: Cedar Meadow Lake Watershed Dist.
P.O. Box 320
Leicester, MA 01524

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



**UNITED STATES
POSTAL SERVICE®**

Certificate Of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

To pay by affixing stamps or meter postage here

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

To: Joseph or Stacey Rau
24 Rawson Drive
Leicester, MA 01524

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



POSTAL SERVICE®

Certificate Of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

To pay by affixing stamps or meter postage here

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

To: Philip or Paula Stiles
400 Rawson Street
Leicester, MA 01524

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



**UNITED STATES
POSTAL SERVICE®**

Certificate Of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

To pay by affixing stamps or meter postage here

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

To: Tasha Deblois
437 Rawson Street
Leicester, MA 01524

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



**UNITED STATES
POSTAL SERVICE®**

Certificate Of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

To pay by affixing stamps or meter postage here

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

To: Thomas Bows or Carol Contois
2 Rawson Drive
Leicester, MA 01524

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



Public Hearing
63 Charles Street – RDA



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

RECEIVED
2024 APR 29 AM 10:25
TOWN CLERK'S OFFICE
LEICESTER, MASS.

PUBLIC HEARING NOTICE
Leicester Conservation Commission

63 Charlton Street

The Leicester Conservation Commission will hold a Public Hearing on **Wednesday, May 15, 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 Thomas Brian for work associated with the repair of a subsurface sewage disposal system within the 100' buffer to Bordering Vegetated Wetlands (BVW) in existing lawn area and accessory to a single-family house. Site Location: 63 Charles St., Assessors Parcel 29-A22-0, 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, May 7, 2024



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Leicester
City/Town

WPA Form 1- Request for Determination of Applicability

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

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:

Thomas Brian

Name

E-Mail Address

63 Charles Street

Mailing Address

Leicester

City/Town

MA

State

01524

Zip Code

Phone Number

Fax Number (if applicable)

2. Representative (if any):

M.A. Elbag Engineering, Inc.

Firm

Mark Elbag

Contact Name

maelbag@gmail.com

E-Mail Address

188 Glenwood Road

Mailing Address

Rutland

City/Town

MA

State

01543

Zip Code

508-726-1199

Phone Number

508-886-6735

Fax Number (if applicable)

B. Determinations

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

- ☐ a. whether the **area** depicted on plan(s) and/or map(s) referenced below 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 below are accurately delineated.
- ☒ c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- ☒ d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance** or **bylaw** of:

Leicester

Name of Municipality

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



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

Leicester

City/Town

WPA Form 1- Request for Determination of Applicability

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

C. Project Description

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

63 Charles Street

Street Address

Leicester

City/Town

29

Assessors Map/Plat Number

A22

Parcel/Lot Number

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

Front yard of existing house, lawn area.

- c. Plan and/or Map Reference(s):

Repair Subsurface Sewage Disposal System

Title

4-8-24

Date

Title

Date

Title

Date

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

Replacement of a title 5 septic system.



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

Leicester

City/Town

WPA Form 1- Request for Determination of Applicability

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

C. Project Description (cont.)

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).

Work is within an existing lawn area and accessory to a single-family house.

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 Resource Protection - Wetlands

Leicester
City/Town

WPA Form 1- Request for Determination of Applicability

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

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.

Name and address of the property owner:

Brian Thomas

Name

63 Charles Street

Mailing Address

Leicester

City/Town

MA

State

01524

Zip Code

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

Mark A. Elbay Jr.

Signature of Representative (if any)

4-11-24

Date



300 feet Abutters List Report

Leicester, MA
April 25, 2024

Town of Leicester Assessor
3 Washburn Square
Leicester, MA 01524

4-25-24
Kelli A. Robbins

Subject Property:

Parcel Number: 29-A22-0
CAMA Number: 29-A22-0
Property Address: 63 CHARLES ST

Mailing Address: THOMAS BRIAN
63 CHARLES ST
LEICESTER, MA 01524

Abutters:

Parcel Number: 27-D12.6-0
CAMA Number: 27-D12.6-0
Property Address: CHARLES ST

Mailing Address: PROVENCHER BRUCE PROVENCHER
DIANNA
PO BOX 255
LEICESTER, MA 01524-0255

Parcel Number: 27-D15-0
CAMA Number: 27-D15-0
Property Address: 20 CHARLES ST

Mailing Address: LACONTO RONALD W LACONTO LINDA
L
20 CHARLES STREET
LEICESTER, MA 01524

Parcel Number: 27-D16-0
CAMA Number: 27-D16-0
Property Address: 26 CHARLES ST

Mailing Address: GRASLIE DIANA PROVENCHER BRUCE
PO BOX 255
LEICESTER, MA 01524-0255

Parcel Number: 29-A22.1-0
CAMA Number: 29-A22.1-0
Property Address: 65 CHARLES ST

Mailing Address: CROTEAU PAUL B CROTEAU LINDA L
P O BOX 174
LEICESTER, MA 01524-0174

Parcel Number: 29-A22.2-0
CAMA Number: 29-A22.2-0
Property Address: 67 CHARLES ST

Mailing Address: PHAM HIEP XUAN
67 CHARLES STREET
LEICESTER, MA 01524

Parcel Number: 29-A23-0
CAMA Number: 29-A23-0
Property Address: 9 CHARLES ST

Mailing Address: FLINT PATRICK A MALONEY SARA V
9 CHARLES ST
LEICESTER, MA 01524

Parcel Number: 29-A3.1-0
CAMA Number: 29-A3.1-0
Property Address: RAWSON ST

Mailing Address: DUMAS FAMILY TRUST DUMAS RUTH A
205 RAWSON ST
LEICESTER, MA 01524

Parcel Number: 29-A3.2-0
CAMA Number: 29-A3.2-0
Property Address: RAWSON ST

Mailing Address: DENHAM MICHAEL
211 RAWSON ST
LEICESTER, MA 01524

Parcel Number: 29-A5-0
CAMA Number: 29-A5-0
Property Address: 195 RAWSON ST

Mailing Address: VH FARM TRUST ALGER EDGAR R 3RD
195 RAWSON 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.

4/25/2024

Page 1 of 1

Notification to Abutters

By Certificate of Mailing:

You are receiving this notification because you have been identified as the owner of land abutting another parcel of land for which certain activities are proposed. Those activities may require a permit under the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40).

- A. A Request for Determination of Applicability was filed with the Leicester Conservation Commission seeking permission to remove, fill, dredge, or alter an area subject to protection under M.G.L. c. 131 §40. The following is a description of the proposed activity/activities:

A Title 5 Septic System is being replaced. The replacement system is within the 100 foot buffer of a bordering vegetated wetland.

- B. The name of the applicant is: Brian Thomas.
- C. The address of the land where the activity is proposed is: 63 Charles Street, Leicester, MA Map 29 Parcel A22.
- D. Copies of the Request for Determination may be examined or obtained at the office of the Leicester Conservation Commission, located at 3 Washburn Square, Leicester.
- E. Copies of the Request for Determination may be obtained from the applicant's representative (Mark Elbag, Jr., P.E., M.A. Elbag Engineering, Inc.) by calling 508-726-1199 or by email at maelbag@gmail.com. An administrative fee may be applied for providing copies of the Request for Determination and plans.
- F. Information regarding the date, time, and location of the public hearing regarding the Request for Determination may be obtained from the Leicester Conservation Commission. Notice of the public hearing will be published at least five business days in advance, in a local newspaper. The the date, time, and location of the public hearing will also be posted by the Town Clerk at least 48 hours prior to the meeting.



300 feet Abutters List Report

Leicester, MA
April 25, 2024

Town of Leicester Assessor
3 Washburn Square
Leicester, MA 01524

4-25-24
Kelli A. Robbins

Subject Property:

Parcel Number: 29-A22-0
CAMA Number: 29-A22-0
Property Address: 63 CHARLES ST

Mailing Address: THOMAS BRIAN
63 CHARLES ST
LEICESTER, MA 01524

Abutters:

Parcel Number: 27-D12.6-0
CAMA Number: 27-D12.6-0
Property Address: CHARLES ST

Mailing Address: PROVENCHER BRUCE PROVENCHER
DIANNA
PO BOX 255
LEICESTER, MA 01524-0255

Parcel Number: 27-D15-0
CAMA Number: 27-D15-0
Property Address: 20 CHARLES ST

Mailing Address: LACONTO RONALD W LACONTO LINDA
L
20 CHARLES STREET
LEICESTER, MA 01524

Parcel Number: 27-D16-0
CAMA Number: 27-D16-0
Property Address: 26 CHARLES ST

Mailing Address: GRASLIE DIANA PROVENCHER BRUCE
PO BOX 255
LEICESTER, MA 01524-0255

Parcel Number: 29-A22.1-0
CAMA Number: 29-A22.1-0
Property Address: 65 CHARLES ST

Mailing Address: CROTEAU PAUL B CROTEAU LINDA L
P O BOX 174
LEICESTER, MA 01524-0174

Parcel Number: 29-A22.2-0
CAMA Number: 29-A22.2-0
Property Address: 67 CHARLES ST

Mailing Address: PHAM HIEP XUAN
67 CHARLES STREET
LEICESTER, MA 01524

Parcel Number: 29-A23-0
CAMA Number: 29-A23-0
Property Address: 9 CHARLES ST

Mailing Address: FLINT PATRICK A MALONEY SARA V
9 CHARLES ST
LEICESTER, MA 01524

Parcel Number: 29-A3.1-0
CAMA Number: 29-A3.1-0
Property Address: RAWSON ST

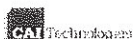
Mailing Address: DUMAS FAMILY TRUST DUMAS RUTH A
205 RAWSON ST
LEICESTER, MA 01524

Parcel Number: 29-A3.2-0
CAMA Number: 29-A3.2-0
Property Address: RAWSON ST

Mailing Address: DENHAM MICHAEL
211 RAWSON ST
LEICESTER, MA 01524

Parcel Number: 29-A5-0
CAMA Number: 29-A5-0
Property Address: 195 RAWSON ST

Mailing Address: VH FARM TRUST ALGER EDGAR R 3RD
195 RAWSON 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.

4/25/2024

Page 1 of 1

7022 0410 0002 6417 1568

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

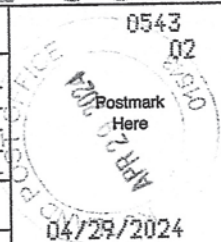
Leicester, MA 01524

Certified Mail Fee	\$4.40
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.68
Total Postage and Fees \$5.08

Sent To LAUNTO
Street and Apt. No., or PO Box No.
City, State, ZIP+4[®]

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7022 0410 0002 6417 1557

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

Leicester, MA 01524

Certified Mail Fee	\$4.40
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.68
Total Postage and Fees \$5.08

Sent To PHAM
Street and Apt. No., or PO Box No.
City, State, ZIP+4[®]

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7022 0410 0002 6417 1571

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

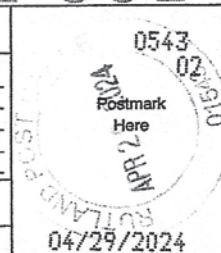
Leicester, MA 01524

Certified Mail Fee	\$4.40
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.68
Total Postage and Fees \$5.08

Sent To CRUTEAU
Street and Apt. No., or PO Box No.
City, State, ZIP+4[®]

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7022 0410 0002 6417 1540

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

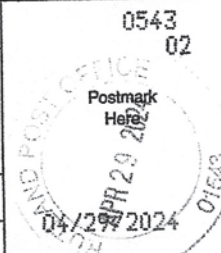
Leicester, MA 01524

Certified Mail Fee	\$4.40
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.68
Total Postage and Fees \$5.08

Sent To PLINT
Street and Apt. No., or PO Box No.
City, State, ZIP+4[®]

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7022 0410 0002 6417 1564

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

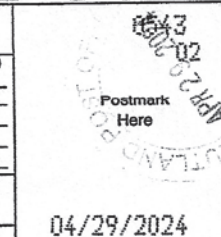
Leicester, MA 01524

Certified Mail Fee	\$4.40
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.68
Total Postage and Fees \$5.08

Sent To GAASLIE
Street and Apt. No., or PO Box No.
City, State, ZIP+4[®]

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7022 0410 0002 6417 1533

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

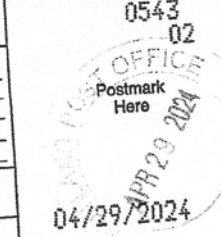
Leicester, MA 01524

Certified Mail Fee	\$4.40
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.68
Total Postage and Fees \$5.08

Sent To DUMAS
Street and Apt. No., or PO Box No.
City, State, ZIP+4[®]

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Leicester, MA 01524

OFFICIAL USE

Certified Mail Fee \$4.40
\$
Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.68

Total Postage and Fees \$5.08

Sent To DENHAM

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

0543
02

Postmark
Here

04/29/2024

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Leicester, MA 01524

OFFICIAL USE

Certified Mail Fee \$4.40
\$
Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.68

Total Postage and Fees \$5.08

Sent To V4 FARM TRUST

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

0543
02

Postmark
Here

04/29/2024

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Leicester, MA 01524

OFFICIAL USE

Certified Mail Fee \$4.40
\$
Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.68

Total Postage and Fees \$5.08

Sent To PROVENCER

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

0543
02

Postmark
Here

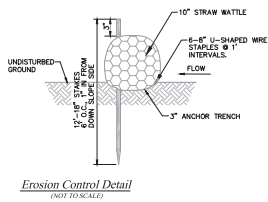
04/29/2024

Subject: USPS eReceipt
From: DoNotReply@ereceipt.usps.gov
Date: 4/29/2024, 10:41 AM
To: MAELBAG@GMAIL.COM

USPSLogo			
RUTLAND			
26 MAPLE AVE			
RUTLAND, MA 01543-9998			
(888)275-8777			
04/29/2024			10:41 AM
Product	Qty	Unit Price	Price
First-Class Mail® Letter	1		\$0.68
Leicester, MA 01524			
Weight: 0 lb 0.30 oz			
Estimated Delivery Date			
Wed 05/01/2024			
Certified Mail®			\$4.40
Tracking #:			
70220410000264176378			
Total			\$5.08
First-Class Mail® Letter	1		\$0.68
Leicester, MA 01524			
Weight: 0 lb 0.30 oz			
Estimated Delivery Date			
Wed 05/01/2024			
Certified Mail®			\$4.40
Tracking #:			
70220410000264171519			
Total			\$5.08
First-Class Mail® Letter	1		\$0.68
Leicester, MA 01524			
Weight: 0 lb 0.30 oz			
Estimated Delivery Date			
Wed 05/01/2024			
Certified Mail®			\$4.40
Tracking #:			
70220410000264171526			
Total			\$5.08
First-Class Mail® Letter	1		\$0.68
Leicester, MA 01524			
Weight: 0 lb 0.30 oz			
Estimated Delivery Date			
Wed 05/01/2024			
Certified Mail®			\$4.40
Tracking #:			
70220410000264171533			
Total			\$5.08
First-Class Mail® Letter	1		\$0.68
Leicester, MA 01524			
Weight: 0 lb 0.30 oz			
Estimated Delivery Date			
Wed 05/01/2024			
Certified Mail®			\$4.40
Tracking #:			
70220410000264171540			
Total			\$5.08
First-Class Mail® Letter	1		\$0.68
Leicester, MA 01524			
Weight: 0 lb 0.30 oz			
Estimated Delivery Date			
Wed 05/01/2024			
Certified Mail®			\$4.40
Tracking #:			
70220410000264171557			
Total			\$5.08
First-Class Mail® Letter	1		\$0.68
Leicester, MA 01524			
Weight: 0 lb 0.30 oz			
Estimated Delivery Date			
Wed 05/01/2024			
Certified Mail®			\$4.40
Tracking #:			
70220410000264171564			
Total			\$5.08
First-Class Mail® Letter	1		\$0.68
Leicester, MA 01524			
Weight: 0 lb 0.30 oz			
Estimated Delivery Date			
Wed 05/01/2024			
Certified Mail®			\$4.40
Tracking #:			
70220410000264171571			
Total			\$5.08
First-Class Mail® Letter	1		\$0.68
Leicester, MA 01524			
Weight: 0 lb 0.30 oz			
Estimated Delivery Date			
Wed 05/01/2024			
Certified Mail®			\$4.40
Tracking #:			
70220410000264171588			
Total			\$5.08
Grand Total:			\$45.72
Credit Card Remit			\$45.72
Card Name: MasterCard			
Account #: XXXXXXXXXX8936			
Approval #: 215075			
Transaction #: 333			
AID: A000000041010	Contactless		
AL: Mastercard			
Mastercard			
Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit www.usps.com USPS Tracking or call 1-800-222-1811.			
Preview your Mail Track your Packages Sign up for FREE @ https://informedelivery.usps.com			
All sales final on stamps and postage. Refunds for guaranteed services only. Thank you for your business.			
Tell us about your experience. Go to: https://postalexperience.com/pos?mt=9 or call 1-800-430-7420.			
UFN: 246613-0543 Receipt #: 840-50180057-1-5253518-2 Clerk: 02			
Privacy Act Statement: Your information will be used to provide you with an electronic receipt for your purchase transaction via email. Collection is authorized by 39 USC 401, 403, and 404. Providing the information is voluntary, but if not provided, we will be unable to process your request to			

receive an electronic receipt. We do not disclose your information to third parties without your consent, except to facilitate the transaction, to act on your behalf or request, or as legally required. This includes the following limited circumstances: to a congressional office on your behalf; to financial entities regarding financial transaction issues; to a U.S. Postal Service auditor; to entities, including law enforcement, as required by law or in legal proceedings; to contractors and other entities aiding us to fulfill the service (service providers); to process servers; to domestic government agencies if needed as part of their duties; and to a foreign government agency for violations and alleged violations of law. For more information on our privacy policies visit www.usps.com/privacypolicy.

This is an automated email. Please do not reply to this message. This message is for the designated recipient only and may contain privileged, proprietary, or otherwise private information. If you have received it in error, please delete. Any other use of this email by you is prohibited.

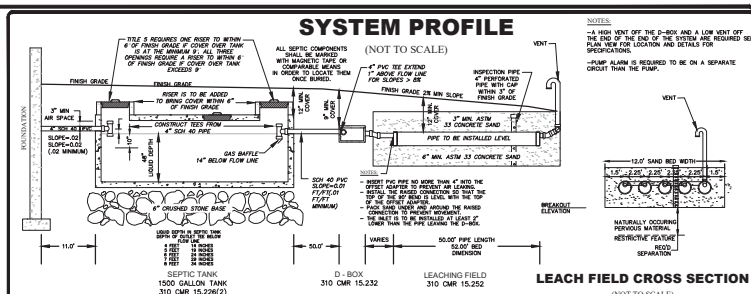


Erosion Control Detail
(NOT TO SCALE)



-LOCAL UPGRADE APPROVAL VARIANCE REQUIRED: 310
CMR 15.405(H) REDUCTION IN SEPARATION TO SEASONAL
HIGH GROUNDWATER ELEVATION FROM 4 FEET TO 2 FEET.

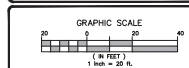
-ANY DELETERIOUS MATERIAL FOUND IN THE AREA OF THE REPAIR SEPTIC SYSTEM SHALL BE REMOVED AND DISPOSED OF IN ACCORDANCE WITH STATE AND LOCAL RULES AND REPLACED WITH C33 SAND.



GENERAL NOTES

- ALL MODIFICATIONS TO THIS PLAN MUST BE APPROVED IN WRITING BY THE DESIGN ENGINEER AND THE LOCAL HEALTH DEPARTMENT.
- ALL CONSTRUCTION METHODS AND MATERIALS SHALL CONFORM WITH THE REQUIREMENTS OF THE LOCAL HEALTH DEPARTMENT AND THE STATE ENVIRONMENTAL CODE TITLE 5.
- THE CONSTRUCTION OF PERMANENT STRUCTURES INCLUDING BUILDINGS, STATIONS OR RESIDENCE ARE TO OBTAIN A CERTIFICATE OF COMPLIANCE, THREE INCHES THICK CONCRETE SLAB SHALL BE INSTALLED (1) BOTTOM INSPECTION FOLLOWING THE CONSTRUCTION OF THE STATION, (2) SUBMITTAL OF THE INSTALLATION OF THE SYSTEM COMPONENTS TO THE LOCAL HEALTH DEPARTMENT.
- MACHINERY THAT MAY CRUSH OR DISTURB THE PUMP SHALL NOT BE ALLOWED ON THE DISPOSAL AREA.
- THIS SYSTEM WAS NOT DESIGNED TO FACILITATE GARBAGE DISPOSAL.
- TOPSOIL, SUBSOIL, PEAT, FILL, AND OTHER MATERIALS SHALL BE REMOVED FROM ALL AREAS WITHIN THE LEACHING FACILITY AND THE DISPOSAL AREA TO A DEPTH OF TWO FEET IN THE DIRECTION THEREOF.
- WHERE A SEWAGE DISPOSAL SYSTEM IS BEING CONSTRUCTED IN AN AREA OF THE REGION AND COMPACTED IN TO GREATER THAN 12 INCH OF SOIL, THE SYSTEM SHALL BE REMOVED WITHIN ONE YEAR. THE FILL MATERIAL MUST CONFORM TO THE REQUIREMENTS OF THE LOCAL HEALTH DEPARTMENT AND STATE ENVIRONMENTAL CODE TITLE 5.
- THE TITLE 5 SAND CERTIFICATE MUST BE SUBMITTED TO THE BOARD OF HEALTH AND THE DESIGN ENGINEER FOR REVIEW.
- THE BASE FOR THE SEPTIC TANK, PUMP CHAMBER AND DIST. BOX MUST BE COMPACTED BY A VIBRATOR.
- INTERIOR PLUMBING SHALL BE CONNECTED TO THE PROPOSED SEPTIC TANK WITH THE EXCEPTION OF THE WATERSHED OR/AND OTHER CONDUITING SYSTEMS.
- WELLS WITHIN 100' OF THE PROPOSED SEPTIC TANK SHALL BE ABANDONED.
- APPLICABLE STATE AND LOCAL PERMITS SHALL BE OBTAINED PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION.
- HYDRAULIC DESIGN IS REQUIRED TO SEAL ALL CONNECTIONS AT THE SEPTIC TANK, PUMP CHAMBER AND DISTRIBUTION BOX.
- CONSERVATION APPROVAL MAY BE REQUIRED.
- ALL SEPTIC COMPONENTS SHALL BE MARKED WITH MAGNETIC TAPE OR COMPARABLE MEANS IN ORDER TO IDENTIFY THE COMPONENTS.

TEST HOLE INFORMATION SHOWN
SOILS AT THAT LOCATION ONLY, A
BE CONSIDERED AN IMPLIED OR
WARRANTY OF THE SOILS BEYOND
OF THE TEST HOLES



SOIL EVALUATOR: MARK ELBAQ, JR P.E. SE#12682 - PERC TEST BY: MARK ELBAQ, JR P.E.

TEST REQUESTED BY: MOENKKE PAKKER BUREAU DATE PERFORMED: 4/22/24										
DEEP OBSERVATION HOLE NUMBER: DH-1										
DEPTH FROM SURFACE (INCHES)	SOL HORIZON LAYER	SOL. MTR. COLOR-MOIST (MUNSELL)	REDUCED-MOISTURE FEATURES (OPTICS)			SOL TEXTURE (USDA)	COARSE FRACTIONS % BY VOLUME		SOL CONSISTENCY (MOIST)	OTH
			DEPTH	COLOR	PERCENT		GRAVEL	CLAY		
18"	FILL									
21"	A	10YR3/2				SL	2	2	FRABLE	
30"	B	7.5YR4/4				SL	5	5	FRABLE	
30"	C	2.5Y5/2	30"	OVERLAY	4	SL	15	15	FRABLE	

DEEP OBSERVATION HOLE NUMBER: DH-2										
DEPTH FROM SURFACE (INCHES)	SOIL HORIZON LAYER	SOIL MATERIAL COLOR OR MOIST (MUNSELL)	RECOMMENDED FEATURES (NOTES)			SOIL TEXTURE (USDA)	SOIL FRAGMENTS % BY VOLUME (ASTM D 1586)		SOIL CONSISTENCY (MOIST)	OTHER
			DEPTH	COLOR	PERCENT		GRAVEL	CLAY		
16"	FILL									
20"	A	10YR5/2				SL	2	2	FRABLE	
30"	B	7.5YR6/3				SL	5	5	FRABLE	
89"	C	2.5Y5/2	36"	5YR6/6	5	SL	15	15	FRABLE	

[illegible][illegible]

TEST RESULTS		
OBSERVATION HOLE #	1	2
DEPTH OF PERC	LAB SAMPLE	
TIME (5'-6")	TOO WET TO PERC	



ZONING REQUIREMENTS	
ZONING DISTRICT:	
AREA	
FRONTAGE	
FRONT YARD	

THIS SEPTIC DESIGN IS NOT GUARANTEE THAT THE SYSTEM WILL FUNCTION AS INTENDED OR THAT IT WILL FUNCTION FOR A DISCLOSED PERIOD OF TIME. NO WARRANTIES ARE IMPLIED BY THIS DESIGN.

TYPICAL LEGEND		SURVEYED FIELD PRIOR TO CONSTRUCTION.	
PROPERTY LINE			
SETBACK			
EASEMENT			

	201 DATE 1 2 3 4 5	COMMENT 	1 2 3 4 5
--	-----------------------------------	---------------------------------	-----------------------

SCHEDULE OF ELEVATIONS

HOUSE OUT	941.39
SEPTIC TANK INLET	941.17
SEPTIC TANK OUTLET	940.92
D-BOX INLET	940.42
D-BOX OUTLET	940.25
TOP OF PRESSBY SAND	940.75
TOP OF PRESSBY PIPE	940.50
4" INVERT INTO PRESSBY PIPE	940.08
BOTTOM OF PRESSBY PIPE	939.50
BOTTOM OF PRESSBY SAND	939.00
ESHOW	937.00

DESIGN DATA.

NO GARBAGE GRINDER (DISPOSAL) ALLOWED	
TYPE OF BUILDING	SINGLE FAMILY HOUSE
NO. OF BEDROOMS	3 BEDROOMS
DESIGN PERCOLATION RATE	30 MPI
LTAR	0.33
DAILY FLOW	3 x 110 = 330
SEPTIC TANK VOLUME	1500 GALLONS

REQUIRED LEACHING AREA
DESIGN FLOW / L/TAR:
330 / 0.33+1,000 S.F.
USE PRESBY / IA SYSTEM
1,000 S.F. x 60% REDUCTION FACTOR = 600 S.F.
PROVIDE 400 S.F. MIN PER DESIGN MANUAL
52.0' X 12.0' = 624 S.F.
3 BEDROOM REQUIRE 210' L.F. ENVIROSEPTIC PIPE MIN
250 L.F. ENVIROSEPTIC PIPE PROVIDED
1.50' MIN O.C. SPACING REQ'D, 225' O.C. PROVIDED
TOTAL DESIGN FLOW = LEACHING AREA x L/TAR
(624 S.F. X 0.33) / 60% = 343.2 G.P.D.
DESIGN FLOW ≥ DAILY FLOW
343.2 ≥ 330

REPAIR SUBSURFACE
SEWAGE DISPOSAL SYSTEM

PREPARED FOR:
BRIAN THOMAS
63 CHARLES STREET
LEICESTER, MA 01524

PROPERTY ADDRESS:
63 CHARLES STREET
LEICESTER, MA 01524
MBL 29/A22



**M.A. ELBAG
ENGINEERING**

P.O. BOX 636
RUTLAND, MA 01543
Phone: (508) 726-1199
maelbag@gmail.com

April 8, 2024 Project No.:

Request for Certificate of
Compliance (DEP File #197-0582)
33 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:

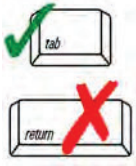
197-0582

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:

Peter Doane
Name
918 Pleasant Street
Mailing Address
Leicester
City/Town
508-735-9437
Phone Number

MA
State

01524
Zip Code

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

Peter Doane
Applicant
May 18, 2015
Dated

197-0582
DEP File Number

3. The project site is located at:

33 Burncoat Lane
Street Address
27A
Assessors Map/Plat Number

Leicester
City/Town
E16
Parcel/Lot Number

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

Peter Doane
Property Owner (if different)
Worcester
County

54010
Book

374
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

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

DEP File Number:

197-0582

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.



508-769-6659
508-341-2127

CHARLTON, MA

April 30, 2024

Leicester Conservation Commission
3 Washburn Square
Leicester, MA 01524

Subject:
33 Burncoat Lane
#197-0582

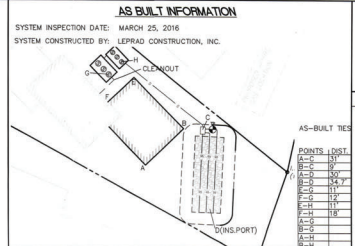
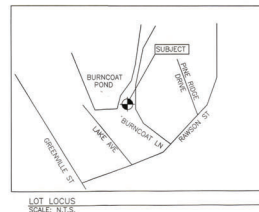
To the Commission:

An inspection of the site was done on April 29, 2024 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, appearing to read 'Jason Dubois', with a long, sweeping horizontal line extending to the right.

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



AS-BUILT NOTE

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO SUBMIT A LETTER CERTIFYING THAT THE SEWER GRAVEL INSTALLED MEETS TITLE V SIEVE ANALYSIS REQUIREMENTS TO BERTIN ENGINEERING PRIOR TO THE SUBMISSION OF THE AS-BUILT. BERTIN ENGINEERING IS NOT RESPONSIBLE FOR THE SIEVE ANALYSIS.

GENERAL NOTES

1. ALL CHANGES TO THE PLAN SHALL BE APPROVED BY THE TOWN OF LEECHESDALE
2. ALL SITE WORK AND MATERIALS SHALL BE IN COMPLIANCE WITH TITLE 5 OF THE STATE ENVIRONMENTAL AND THE TOWN OF LEECHESDALE ZONING REGULATIONS
3. ANY CONDITIONS DURING CONSTRUCTION THAT MAY AFFECT THE TOWN DOCUMENTS SHALL BE REPORTED TO THE TOWN ENGINEERING, INC. AND THE LOCAL BOARD OF HEALTH IMMEDIATELY
4. A BUFFER ZONE OF 5 FEET AROUND SYSTEM
5. THE LAYOUT FOR SYSTEM CONDUITS IN FULL SHALL COMPLY WITH SECTION 10-10.1 OF THE TOWN OF LEECHESDALE ZONING REGULATIONS. ALL CONDUITS SHALL BE FREE FROM ORGANIC WASTE AND DESTRUCTIOUS SUBSTANCES AND LAYERS OF SOIL SHALL BE REMOVED TO A MINIMUM OF 18 INCHES. ALL CONDUITS SHALL BE LARGER THAN 24 INCHES. A SEVE ANALYSIS, USING A #4 SEVE, SHALL BE PERFORMED ON THE CONDUITS. A SAMPLE SHALL BE OBTAINED FROM THE SEVE. FOR FURTHER INFORMATION SEE 3300R
6. THE CONDUITS SHALL BE 18 INCHES IN DIAMETER
7. OFFSETS ARE NOT TO BE USED FOR THE REPRODUCTION OF PROPERTY LINES
8. ALL ELEVATIONS TO BE SHOWN ON THE PLAN SHALL BE TO THE TOP OF THE CURB
9. IF A DRAINAGE CAPACITY HAS BEEN PROVIDED FOR A DRAINAGE DITCH (NOT ALLOWED)
10. NO ADDITIONAL CATCHMENT HAS BEEN PROVIDED FOR A DRAINAGE DITCH (NOT ALLOWED)
11. THE PROPOSED PROJECT SHALL BE IN COMPLIANCE WITH THE FLOOD HAZARD ACT
12. THE PROPOSED PROJECT DOES NOT FALL WITHIN A FLOOD HAZARD ZONE
13. THE PROPOSED PROJECT DOES NOT FALL WITHIN A FLOOD HAZARD ZONE
14. ALL EXISTING OR PROPOSED MILES AND SEPTIC SYSTEMS WITHIN 100 FEET OF THE PROPOSED CONSTRUCTION ARE SHOWN OR NOT SHOWN
15. ALL EXISTING OR PROPOSED ROADS AND FLOOD HAZARD ZONES WITHIN 200 FEET OF THE PROPOSED CONSTRUCTION ARE SHOWN OR NOT SHOWN
16. ALL EXISTING OR PROPOSED FLOOD HAZARD ZONES ARE SHOWN OR NOT SHOWN
17. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
18. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
19. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
20. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
21. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
22. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
23. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
24. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
25. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
26. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
27. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
28. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
29. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
30. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
31. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
32. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
33. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
34. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
35. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
36. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
37. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
38. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
39. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
40. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
41. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
42. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
43. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
44. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
45. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
46. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
47. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
48. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
49. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
50. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
51. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
52. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
53. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
54. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
55. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
56. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
57. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
58. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
59. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
60. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
61. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
62. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
63. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
64. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
65. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
66. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
67. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
68. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
69. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
70. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
71. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
72. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
73. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
74. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
75. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
76. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
77. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
78. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
79. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
80. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
81. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
82. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
83. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
84. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
85. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
86. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
87. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
88. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
89. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
90. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
91. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
92. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
93. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
94. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
95. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
96. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
97. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
98. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
99. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE
100. BOTTOM INSPECTION REQUIRED TO THE INSTALLATION OF SEWER GAGE

PERCOLATION TEST DATA

SOIL EVALUATOR: JASON DUBOIS (BEA)
WITNESSED BY: JILL VAN ARSDALEN (BOH AGENT)
DATE: 9/22/2014

	PERC 1	PERC 2
DEPTH:	36"	
FIELD RATE:	4 MPI	
DESIGN RATE:	10 MPI	
SOIL CLASSIFICATION:	2	
L.T.A.R.	0.60	

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

TOWN OF LEICESTER ZONING
DISTRICT: SA
MIN. LOT AREA: 80,000 SF
FRONTAGE: 200 FT
BUILDING SETBACKS
FRONT: 40 FT
SIDE: 40 FT
REAR: 40 FT
MAX. HEIGHT OF BUILDING: 35 FT
MAX. BUILDING COVERAGE: 30%

DESIGN	CRITERIA
--------	----------

TYPE OF ESTABLISHMENT	2 BEDROOM RESIDENTIAL (DEED RESTRICTION REQUIRED)
DESIGN FLOW	110 GPD PER BEDROOM = 220 GPD
SEPTIC TANK CAPACITY	1500 GALLON SEPTIC TANK
LEACHING CAPACITY REQUIRED	$220 / .60 = 367 \text{ SQ. FT.}$
LEACHING CAPACITY PROVIDED	$32 \text{ FT} \times 12 \text{ FT} = 384 \text{ SQ. FT.}$
BOTTOM AREA CALCULATIONS	$384 \text{ SQ. FT.} \times .60 = 230 \text{ GPD (REQUIRED)}$

JUN 08 2016

Town of Leicester
Development & Inspection Services

NOTES

CALISTO J. BERTIN, P.E. PROFESSIONAL ENGINEER MA. LIC. NO.: 40595	JASON D. DUBOIS, P.E. PROFESSIONAL ENGINEER MA. LIC. NO.: 43774	SIGNATURE	DATE
		NO.	DAY

REPAIR
SUBSURFACE DISPOSAL SYSTEM
AS BUILT

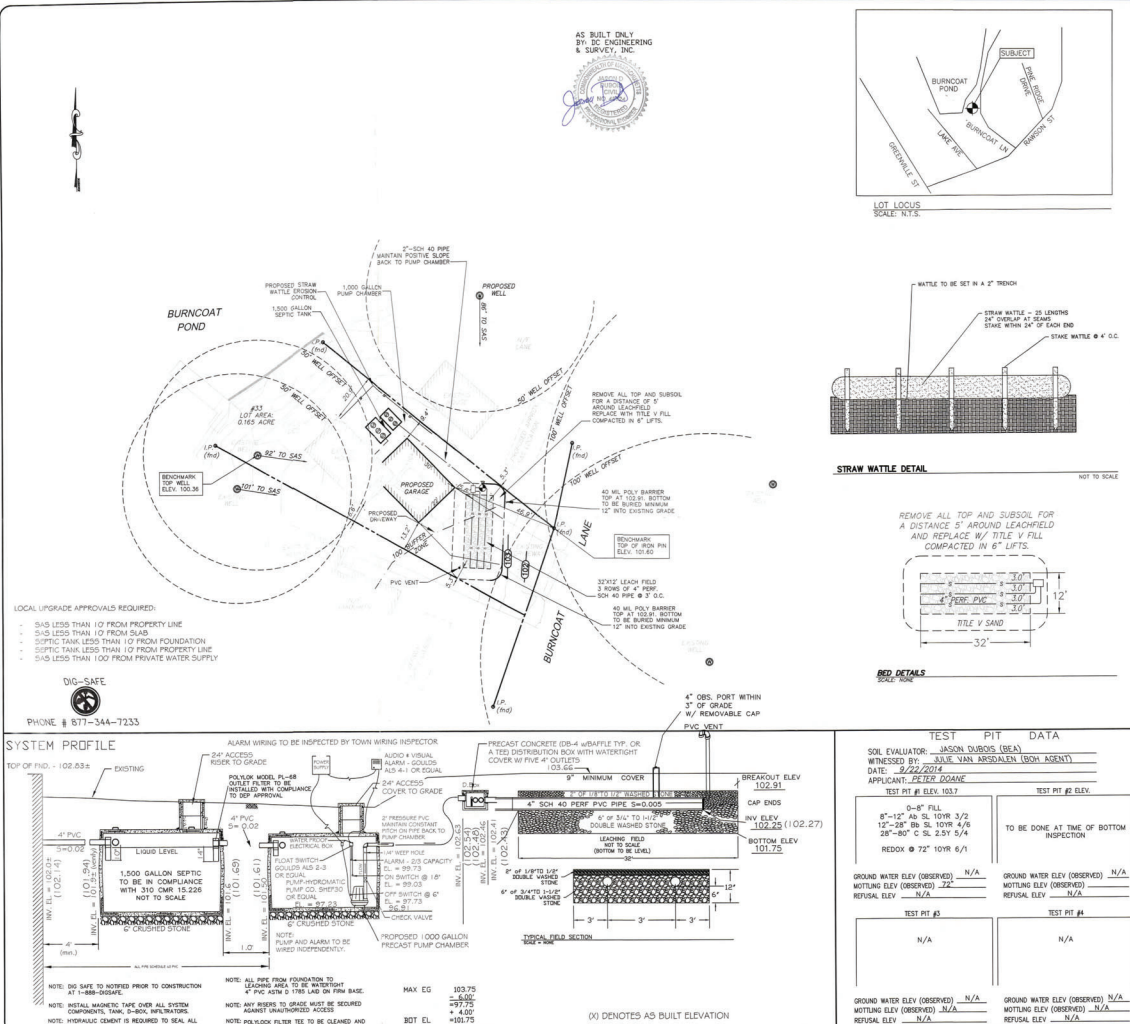
BERTIN ENGINEERING

PETER DOANE
ARCHITECT

915 PLEASANT STREET
ROCHESTER, MA 01542

30 GLEN STREET
SOUTHERBORO, MA 01550
P 508-253-5580
F 508-253-5583
www.bertin-engineering.com

1" = 20'	
11/3/2014	
4-750	S-1



Request for Certificate of
Compliance (DEP File #197-0579)
Cedar Meadow Lake



404 Wyman Street, Ste. 375
Waltham, MA 02451

T 781.419.7696
TRCcompanies.com

May 2, 2024

Stephan Parretti
Leicester Conservation Commission
3 Washburn Square
Leicester, Massachusetts 01524

Re: Cedar Meadow Lake Aquatic Plant Management Program
Leicester, Massachusetts
DEP File No. 197-0579
TRC Project No. 586968.0000.0000

Dear Mr. Parretti,

On behalf of the Cedar Meadow Lake Watershed District (the District), TRC Companies (TRC) respectfully submits this request for a Certificate of Compliance for the Cedar Meadow Lake Aquatic Plant Management Program (DEP File No. 197-0579). The Order of Conditions for the project was originally issued by the Leicester Conservation Commission on March 24, 2015, and was extended in August 2018 and March 2021. The most recent extension expired on March 11, 2024.

This Order of Conditions allowed for management of nuisance aquatic invasive species within Cedar Meadow Lake using herbicides and diver and hand harvesting. The primary invasive species of concern in Cedar Meadow Lake are fanwort (*Cabomba caroliniana*) and variable-leaf milfoil (*Myriophyllum heterophyllum*). The abundance and distribution of these species varies year-to-year, but both invasives are established within the lake. Control of fanwort and variable-leaf milfoil using herbicides was most recently undertaken on June 14, 2022, when the herbicides Clipper (flumioxazin) and Reward (diquat dibromide) were applied to approximately 15 acres of growth. Invasive plant growth was reduced within treated areas, but mapping completed in fall 2022 (the most recent data available) indicated that fanwort growth was present over approximately 55 acres of the waterbody. One small (~0.4 acre) patch of variable-leaf milfoil was also documented during the fall 2022 survey.

Pioneer infestations of two additional invasive plants have also been observed at Cedar Meadow Lake in recent years. In 2020, water chestnut (*Trapa natans*) and brittle naiad (*Najas minor*) were documented for the first time in the lake. All water chestnut were promptly hand harvested after observation, and this species has not been observed since. Brittle naiad was also not documented again after 2020.

The Order of Conditions also allowed for the application of algaecides. Though treatment of algae at Cedar Meadow Lake has not been necessary to date, algae blooms remain a concern (cyanobacteria blooms were documented in May 2018 and July 2020).

Ongoing monitoring and management of invasive plants in Cedar Meadow Lake will be necessary to control established species and combat pioneer infestations of new species. The District plans to conduct a plant survey in late summer of 2024 and submit a Notice of Intent application in the winter of 2024/2025 to continue to manage aquatic plants at Cedar Meadow Lake using herbicides and hand and diver harvesting.

If you have any questions, please do not hesitate to contact me at (781) 419-7716 or achase@trccompanies.com.

Stephan Parretti
May 2, 2024

Sincerely,

TRC



Anna L. Chase
Project Manager

C: Tommy Lee, Cedar Meadow Lake Watershed District
MassDEP Central Regional Office



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:

197-0579

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:

Tommy Lee, Cedar Meadow Lake Watershed District

Name

P.O. Box 320

Mailing Address

Leicester

City/Town

MA

State

01524-0320

Zip Code

Phone Number

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

Tommy Lee, Cedar Meadow Lake Watershed District

Applicant

3/24/2015

Dated

197-0579

DEP File Number

3. The project site is located at:

Rawson Street

Street Address

28

Assessors Map/Plat Number

Leicester

City/Town

A12

Parcel/Lot Number

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

(same)

Property Owner (if different)

Worcester

County

53591

Book

152

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

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

DEP File Number:

197-0579

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.

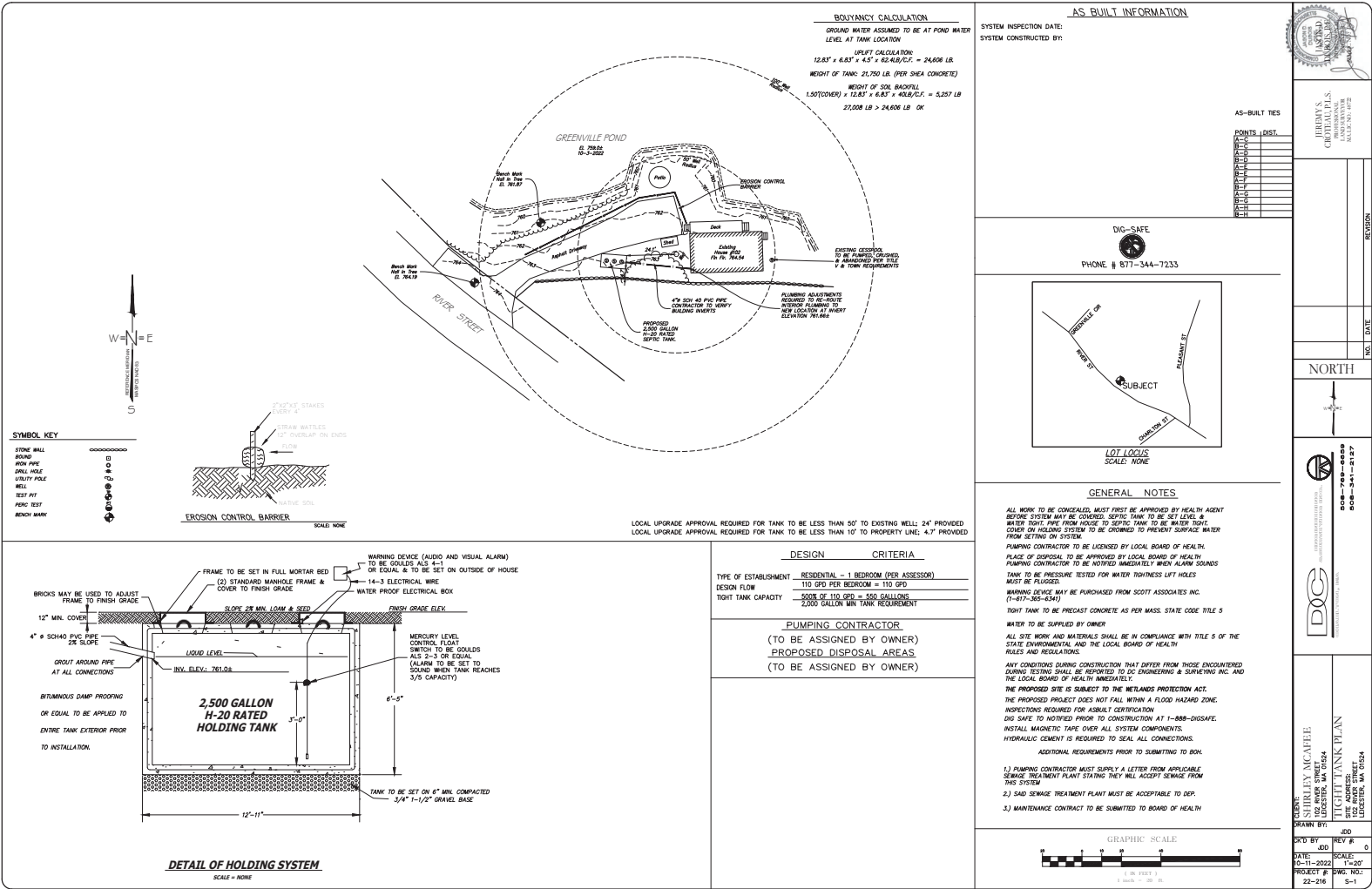
☒ No

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>).

102 River Street
Proposed removal of two trees







Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 197-0694
 MassDEP File #
 eDEP Transaction #
 Leicester
 City/Town

A. General Information

Please note:
 this form has
 been modified
 with added
 space to
 accommodate
 the Registry
 of Deeds
 Requirements

1. From: Leicester
 Conservation Commission
2. This issuance is for
 (check one): a. ☒ Order of Conditions b. ☐ Amended Order of Conditions

3. To: Applicant:

Shirley

a. First Name

Mcafee

b. Last Name

c. Organization

102 River Street

d. Mailing Address

Leicester

e. City/Town

MA

f. State

01524

g. Zip Code

4. Property Owner (if different from applicant):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

5. Project Location:

102 River Street

a. Street Address

Leicester

b. City/Town

43

c. Assessors Map/Plat Number

A13

d. Parcel/Lot Number

Latitude and Longitude, if known:

d
 d. Latitude

m

s

d
 e. Longitude

m

s





Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:
 197-0694
 MassDEP File #

eDEP Transaction #
 Leicester
 City/Town

A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
 Worcester
- | | |
|-----------|--------------------------------------------|
| a. County | b. Certificate Number (if registered land) |
| 67895 | 376 |
| c. Book | d. Page |
7. Dates: 10/27/2022 12/19/2022 11/21/2022
 a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance
8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
 Tight Tank Plan
- | | |
|---------------------------------|--------------------------|
| a. Plan Title | Jason D. Dubois |
| DC Engineering & Surveying Inc. | c. Signed and Stamped by |
| b. Prepared By | 1"=20' |
| 10/11/22 | e. Scale |
| d. Final Revision Date | |
- | | |
|--------------------------------------|---------|
| f. Additional Plan or Document Title | g. Date |
|--------------------------------------|---------|

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- | | | |
|-----------------------------------------------------------|----------------------------------------------------------------|-----------------------------------------------------------------------|
| a. <input type="checkbox"/> Public Water Supply | b. <input type="checkbox"/> Land Containing Shellfish | c. <input checked="" type="checkbox"/> Prevention of Pollution |
| d. <input type="checkbox"/> Private Water Supply | e. <input type="checkbox"/> Fisheries | f. <input checked="" type="checkbox"/> Protection of Wildlife Habitat |
| g. <input checked="" type="checkbox"/> Groundwater Supply | h. <input checked="" type="checkbox"/> Storm Damage Prevention | i. <input checked="" type="checkbox"/> Flood Control |

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- a. ☒ the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:
197-0694
MassDEP File #

eDEP Transaction #
Leicester
City/Town

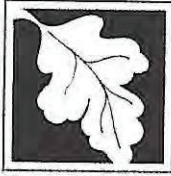
B. Findings (cont.)

Denied because:

- b. ☐ the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. ☐ the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
3. ☒ Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) a. linear feet

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	a. square feet	b. square feet	c. square feet	d. square feet
6. <input type="checkbox"/> Land Under Waterbodies and Waterways	a. square feet	b. square feet	c. square feet	d. square feet
	e. c/y dredged	f. c/y dredged		
7. <input type="checkbox"/> Bordering Land Subject to Flooding	a. square feet	b. square feet	c. square feet	d. square feet
Cubic Feet Flood Storage	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	a. square feet	b. square feet		
Cubic Feet Flood Storage	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. <input type="checkbox"/> Riverfront Area	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	g. square feet	h. square feet	i. square feet	j. square feet



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:
197-0694

MassDEP File #

eDEP Transaction #

Leicester

City/Town

B. Findings (cont.)

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	a. square feet	b. square feet	c. nourishment cu yd	d. nourishment cu yd
14. <input type="checkbox"/> Coastal Dunes	a. square feet	b. square feet	c. nourishment cu yd	d. nourishment cu yd
15. <input type="checkbox"/> Coastal Banks	a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	a. square feet	b. square feet		
17. <input type="checkbox"/> Salt Marshes	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	a. square feet	b. square feet	c. square feet	d. square feet
20. <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			
	a. c/y dredged	b. c/y dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	a. square feet	b. square feet		
22. <input type="checkbox"/> Riverfront Area	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	g. square feet	h. square feet	i. square feet	j. square feet



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
197-0694
MassDEP File #

eDEP Transaction #
Leicester
City/Town

B. Findings (cont.)

* #23. 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.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

23. ☐ Restoration/Enhancement *:

a. square feet of BVW

b. square feet of salt marsh

24. ☐ Stream Crossing(s):

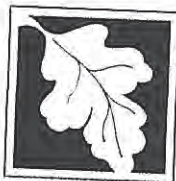
a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. The work is a maintenance dredging project as provided for in the Act; or
 - b. The time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
 - c. If the work is for a Test Project, this Order of Conditions shall be valid for no more than one year.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order. An Order of Conditions for a Test Project may be extended for one additional year only upon written application by the applicant, subject to the provisions of 310 CMR 10.05(11)(f).
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on 12/19/2025 unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:

197-0694

MassDEP File #

eDEP Transaction #

Leicester

City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act

8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]
"File Number 197-0694 "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:
197-0694

MassDEP File #

eDEP Transaction #

Leicester

City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.
19. The work associated with this Order (the "Project")
 - (1) ☐ is subject to the Massachusetts Stormwater Standards
 - (2) ☒ is NOT subject to the Massachusetts Stormwater Standards

If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:

- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:
 - i. all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
 - ii. as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
 - iii. any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;



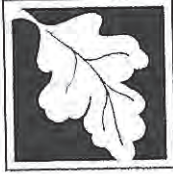
Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 197-0694
 MassDEP File #

eDEP Transaction #
 Leicester
 City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;
- v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.
- c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following:
 - i.) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and
 - ii.) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.
- d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.
- e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.
- f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 197-0694
 MassDEP File #

eDEP Transaction #
 Leicester
 City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.
- Special Conditions (if you need more space for additional conditions, please attach a text document):

See attached Administrative orders #21-52.

20. For Test Projects subject to 310 CMR 10.05(11), the applicant shall also implement the monitoring plan and the restoration plan submitted with the Notice of Intent. If the conservation commission or Department determines that the Test Project threatens the public health, safety or the environment, the applicant shall implement the removal plan submitted with the Notice of Intent or modify the project as directed by the conservation commission or the Department.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 197-0694
 MassDEP File #

eDEP Transaction #
 Leicester
 City/Town

D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? ☒ Yes ☐ No
2. The Leicester Conservation Commission hereby finds (check one that applies):
 - a. ☐ that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

1. Municipal Ordinance or Bylaw	2. Citation
---------------------------------	-------------

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.
 - b. ☒ that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

<u>Leicester Wetlands Bylaw</u>	<u>Chapter 14</u>
1. Municipal Ordinance or Bylaw	2. Citation
3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.
 The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):

See attached Administrative orders #21-52.

Town of Leicester Conservation Commission
ADMINISTRATIVE ORDERS
DEP File #197-0694

(Conditions 1 to 20 are found in the DEP Orders)

PROJECT DESCRIPTION:

The Applicant proposes to install a new septic system tight tank to replace an existing failed cess pool. The proposed work is within the 100-ft buffer zone to a resource area.

PROJECT SPECIFIC CONDITIONS

21. Erosion controls in the form of a silt fence and wattles must be installed correctly between the work area and lake.
22. Applicant shall provide a 72-hour notice to the Conservation Commission when erosion controls are installed and ready for inspection.

PRIOR TO CONSTRUCTION

23. **This document in its entirety shall be recorded at the Registry of Deeds,** immediately following the 10-day appeal period, which commences upon the date of issuance, and before all or **any** part of the site is sold and/or work commenced. **Proof of said recording must be returned to the Leicester Conservation Commission before any work shall commence or sale finalized.** **Failure to comply with this Order of Conditions shall automatically invalidate this permit.**

24. Prior to any work commencing on the site, including any clearing of vegetation or disturbance of soils, the applicant shall comply with the following:

- a. **Display the DEP file number for this Order on a sign installed on-site.**
- b. The applicant shall notify the Conservation Commission at least 48 hours prior to any activity on the site and shall provide the name(s) and telephone number(s) of all person(s) responsible for compliance with this Order.

GENERAL CONDITIONS

25. In the event this land or any part thereof changes ownership before or during construction, the current owner shall notify the new owner, prior to the transfer of ownership, by registered mail, of this Order and shall forward proof of this notification to the LCC. The Commission shall be notified in writing within 30 days of all transfers of title of any portion of property that take place prior to the issuance of the Certificate of Compliance. Any member of the Conservation Commission or its designated agent shall have full powers to act on its behalf in administering and enforcing this Order. This document shall be included by reference in all contracts, plans and specifications dealing with the activity that is the subject of this Order, and that are created or modified after the issuance date of this Order, along with a statement that this Order shall supersede any conflicting contractual arrangements, plans or specifications.

26. In case of emergencies, problems, or the need to discuss site conditions with the Conservation Commission, please contact the Commission or its agent during business hours at (508)892-7007.

27. The applicant shall provide a copy of this Order to the person or persons supervising the activity that is the subject of this Order, and will be responsible for understanding and complying

with the terms and conditions of this Order as well as any others performing work or activity subject to this Order of Conditions. A copy of this Order of Conditions, construction plans, and copies of the documents and reports shall be on the site upon commencement and during any site work for contractors to view and adhere to.

28. If **any** change is made in the approved plan(s) which may or will alter an area subject to protection under the Wetlands Protection Act, 310 CMR 10.00 and the Leicester Wetland Bylaw and Wetland Bylaw Regulations, the applicant shall inquire from this Commission or its agent, prior to implementing the change in the field, whether the change is significant enough to require the filing of a new Notice of Intent. Any errors in the plans or information submitted by the applicant shall be considered changes and the above procedures shall be followed.

a. If the LCC finds said changes to be insignificant to the interests of the Act and/or the Town of Leicester Wetland Bylaws, then the LCC will so notify the Applicant in writing.

b. If the LCC finds said changes to be significant and/or deviate from the original plans, Notice of Intent (NOI), or this OOC the applicant shall file an amended NOI following the same process as a new NOI. No work shall be undertaken until the Amended OOC are issued and recorded at the Registry of Deeds.

29. This Order authorizes only the activity described on the approved plan(s) and approved documents referenced in this Order. Any other or additional activity in areas within the jurisdiction of the Commission will require separate review and approval by the Commission or its agent.

30. The Commission reserves the right, after a public hearing process, to impose additional conditions on portions of this project to mitigate any impacts which result from site erosion, or any noticeable degradation of surface water quality discharging from the site.

31. The applicant and any person involved in the activity that is the subject of this Order shall notify the Commission or its agent immediately upon discovery of any matter related to this Order that may affect any area within the jurisdiction of the Commission. A stockpile of erosion control materials shall be on site at all times for emergency or routine replacement and shall include materials to repair or replace silt fences, hay bales, erosion control blankets, stone riprap, filter berms or any other devices planned for use during construction.

32. The area of construction shall remain in a stable condition at the close of each construction day. Erosion controls should be inspected at this time, and repaired, reinforced or replaced as necessary.

33. Erosion control devices may be temporarily modified based upon experience at the site. Temporary modifications shall not be deemed approved or permanent, until approved by the Commission or Commission's Agent. All such devices shall be inspected, cleaned or replaced during construction and shall remain in place until such time as stabilization of all areas that may impact resource areas is permanent.

34. Within thirty days of completion, all disturbed areas shall be permanently stabilized with vegetative cover, using sufficient top soil to assure long-term vegetative growth. Continued maintenance of this area, in a manner which assures permanent stabilization and precludes any soil erosion, shall be the responsibility of the applicant.

35. If soils are to be left disturbed for longer than 90 days, a temporary cover of rye or other grass should be established to prevent erosion and sedimentation. If the season is not appropriate

for plant growth, exposed surfaces shall be stabilized by other appropriate erosion control measures, firmly anchored, to prevent soils from being washed by rain or flooding.

36. Erosion control devices shall remain in place and properly functioning until all exposed soils have been stabilized with final vegetative cover and the Conservation Commission and/or its Administrator has authorized their removal.

37. The following are prohibited within the wetlands resource areas and associated buffer zones unless expressly permitted by this Order or the plans approved herewith.

a. All construction materials, earth stockpiles, landscaping materials, slurry pits, waste products, refuse, debris, stumps, slash, or excavate. These materials may only be stockpiled or collected in areas shown on the plan or they must be placed or stored under cover and surrounded by a double-staked row of hay bales to prevent contact with rainwater outside of the buffer zone.

b. No material of any kind may be buried, placed or dispersed in areas within the jurisdiction of the Commission by activities that are the subject of this Order.

c. There shall be no pumping of water from or into wetland resource areas.

d. All waste products, grubbed stumps, slash or construction materials. This specifically includes dumpsters.

e. Storage of fuel, oil, or other pollutants or hazardous substances.

f. No vehicle re-fueling or storage overnight.

g. No equipment is to enter or cross wetland resource areas at any time unless the location of disturbance is marked on the plans referenced in this Order and flagged in the field.

h. Cement trucks shall not be washed out in any wetland resource or buffer zone area, or into any drainage system. Any deposit of cement or concrete products into a buffer zone or wetland resource area shall be immediately removed.

i. Any material placed in wetland resource areas by the applicant without express authorization under this Order shall be removed by the applicant upon demand by the Conservation Commission or its agent. Such areas shall be immediately restored to their pre-disturbance condition.

38. Workers shall be informed that no use of machinery, storage of machinery or materials, stockpiling of soil or any other construction activity is to occur beyond the erosion control barriers at any time.

39. All equipment shall be inspected regularly for leaks. Any leaking hydraulic lines, cylinders or any other components shall be fixed immediately.

40. The Conservation Commission shall be notified when any maintenance functions that may impact the wetlands, such as, but not limited to, removing accumulated sediments, are to be performed.

41. Site grading and construction shall be scheduled to avoid periods of high surface water. Debris removal must be conducted during frozen ground conditions.

42. All disturbed areas and slopes shall be loamed and seeded or stabilized through the use of erosion control blankets or other approved means. All disturbed areas will be graded, loamed and seeded prior to November 1 of the year if possible. No disturbed areas or stockpiled material will be left unprotected or without erosion controls during the winter.

43. Loaming and seeding will occur within (5 - 30) days of final grading. Barren areas should

be stabilized by seeding if work on the project is interrupted for more than 90 days. If the 90 days are in the winter, the applicant shall request a determination from the Commission as to whether seeding or an alternative measure should be conducted.

44. Pursuant to the provisions of 310 CMR 10.53.3 the proposed project utilizes the maximum limit of wetlands to be disturbed on one parcel and for one project.

45. The applicants, owners, and their successors and assignees shall maintain all culverts, collection basins, traps, retention and detention ponds, outlet structures, BMP devices and other elements of drainage systems, structural and capacity of all structures unless put into an easement to the Town, in order to avoid blockages and siltation which might cause failure of the system and/or detrimental impacts to on-site or off-site resource areas.

46. The applicants, owners, and their successors and assignees shall maintain all stabilized slopes as designed and constructed, whether “bioengineered” or mechanically stabilized slopes.

47. Subject to approval by the Commission, the applicant shall submit an Operations and Maintenance Plan (O&M) for stormwater management systems, including Best Management Practices. In addition, a Long-Term Pollution Prevention Plan (LTPP) is required (see Condition 19d). No additional filings will be required to conduct maintenance of the above referenced structures.

48. Pesticides, herbicides, fungicides, and fertilizers **shall not be used** within 100 feet of the wetlands. Organic pesticides, herbicides, fungicides and fertilizers may be used subject to the review and approval of the Conservation Commission. Only slow-release organic granular type fertilizers shall be used within the wetland buffer zone. This shall be noted in the Certificate of Compliance and shall be an ongoing condition.

49. De-icing chemicals (e.g. sodium, potassium, and calcium chloride) in excess of residential application standards are prohibited on driveways located in wetland resource areas and buffer zones. This condition shall survive the expiration of this Order and shall be included as a continuing condition in perpetuity on the Certificate of Compliance.

50. Dumping Prohibited: There shall be no dumping of leaves, grass clippings, brush, or other debris into wetlands areas, replication areas, stream threads or other areas subject to jurisdiction by the Leicester Conservation Commission. This condition shall survive the expiration of this Order and shall be included as a continuing condition in perpetuity on the Certificate of Compliance.

51. Prior to the issuance of a Certificate of Compliance and upon the sale of the property to subsequent owners, the new owner shall provide a letter to the Conservation Commission acknowledging that he/she understands the wetland restrictions bound to this property. A copy of this letter and a set of As Built Plans shall accompany the written request for a Certificate of Compliance. This shall be an ongoing condition and shall be recorded in the deed and on subsequent deeds.

52. As soon as the work described in this Order is completed, the applicant must submit to the Conservation Commission a written request for a Certificate of Compliance. The following documents shall accompany the request:

- a. A completed Request for Certificate of Compliance form (WPA Form 8A).
- b. An as-built plan signed and stamped by a professional engineer or land surveyor registered

in Massachusetts. This plan will include all structures, grading (topography), drainage, and landscape features and plantings.

c. A written statement from a Professional Engineer registered in Massachusetts certifying that the work has been completed in substantial compliance with this Order and the approved plans referenced herein (or approved revisions). If the completed work differs from that in the approved plans and conditions, the report must specify how the project differs.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
197-0694
 MassDEP File #

eDEP Transaction #
Leicester
 City/Town

E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

Please indicate the number of members who will sign this form.

This Order must be signed by a majority of the Conservation Commission.

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

12/19/2022

1. Date of Issuance

3

2. Number of Signers

[Signature]
 Signature

STEPHEN R. MONROE
 Printed Name

[Signature]
 Signature

[Signature]
 Printed Name

[Signature]
 Signature

JoAnn Schold
 Printed Name

[Signature]
 Signature

James A Cooper
 Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

☐ by hand delivery on

☒ by certified mail, return receipt requested, on

Date

Date

12/29/2022



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:
197-0694
MassDEP File #

eDEP Transaction #
Leicester
City/Town

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:
 197-0694
 MassDEP File #

eDEP Transaction #
 Leicester
 City/Town

G. Recording Information

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

Leicester
 Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Leicester
 Conservation Commission

Please be advised that the Order of Conditions for the Project at:

Project Location

MassDEP File Number

Has been recorded at the Registry of Deeds of:

County

Book

Page

for: Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Conditions issued on:

Date

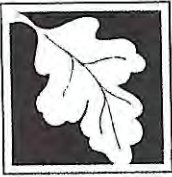
If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number: _____

Request for Departmental Action Fee Transmittal Form

Provided by DEP _____

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

A. Request Information

1. Location of Project

a. Street Address _____

b. City/Town, Zip _____

c. Check number _____

d. Fee amount _____

2. Person or party making request (if appropriate, name the citizen group's representative):

Name _____

Mailing Address _____

City/Town _____

State _____

Zip Code _____

Phone Number _____

Fax Number (if applicable) _____

3. Applicant (as shown on Determination of Applicability (Form 2), Order of Resource Area Delineation (Form 4B), Order of Conditions (Form 5), Restoration Order of Conditions (Form 5A), or Notice of Non-Significance (Form 6)):

Name _____

Mailing Address _____

City/Town _____

State _____

Zip Code _____

Phone Number _____

Fax Number (if applicable) _____

4. DEP File Number: _____

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



B. Instructions

1. When the Departmental action request is for (check one):

- ☐ Superseding Order of Conditions – Fee: \$120.00 (single family house projects) or \$245 (all other projects)
- ☐ Superseding Determination of Applicability – Fee: \$120
- ☐ Superseding Order of Resource Area Delineation – Fee: \$120



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

**Request for Departmental Action Fee
Transmittal Form**

Provided by DEP

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

B. Instructions (cont.)

Send this form and check or money order, payable to the *Commonwealth of Massachusetts*, to:

Department of Environmental Protection
Box 4062
Boston, MA 02211

2. On a separate sheet attached to this form, state clearly and concisely the objections to the Determination or Order which is being appealed. To the extent that the Determination or Order is based on a municipal bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.
3. Send a **copy** of this form and a **copy** of the check or money order with the Request for a Superseding Determination or Order by certified mail or hand delivery to the appropriate DEP Regional Office (see <https://www.mass.gov/service-details/massdep-regional-offices-by-community>).
4. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

456 Pine Street Complaint

Lisa Westwell

From: [REDACTED]
Sent: Sunday, April 14, 2024 9:25 PM
To: Lisa Westwell
Subject: Sediment Discharge from 456 Pine Street into wetlands at 471 Pine Street - Friday, April 12, 2024
Attachments: IMG_20240412_075828101.jpg; IMG_20240412_075810635.jpg
Follow Up Flag: Follow up
Flag Status: Completed

Lisa,

There was significant sediment runoff from 456 Pine Street which crossed Pine Street and infiltrated the wetlands at 471 Pine Street during the rain event on Friday April 12, 2024.

This had happened during another fairly recent rain event, but I was not able to capture pictures at that time. The attached photographs clearly show the flow into the wetlands and the small pond near the barn on my mother's property. I will send a separate e-mail with a picture of the discharge on the north side of Pine Street as this flowed toward the culvert across from the wetlands that were affected.

Controls for sediment discharge installed by PMZ need to be addressed on those properties and remediation work will be needed at 471 Pine Street.

Thank you,
Don Cherry





Lisa Westwell

From: [REDACTED]
Sent: Sunday, April 14, 2024 9:27 PM
To: Lisa Westwell
Subject: Sediment Discharge at the base of 456 Pine Street
Attachments: IMG_20240412_075758473.jpg

Follow Up Flag: Follow up
Flag Status: Completed

Lisa,

The attached photograph was taken on Friday April 12th, 2024, as this discharge was flowing to the culver which discharges into the wetlands at 471 Pine Street.

Please let me know if you have any questions.

Thank you,
Don Cherry



**CERTIFICATE OF COMPLIANCE
POLICY
- DRAFT-**

Leicester Conservation Commission

Certificate of Compliance Policy – **DRAFT 5-7-2024**

Orders of Conditions (OOCs) issued by the Conservation Commission are required to be recorded at the Worcester Registry of Deeds. They are recorded against the project address and encumber the Deed/Title to the property until a Certificate of Compliance (CoC) is issued by the Conservation Commission and recorded at the Registry of Deeds. Therefore, 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 may be issued for completed projects. To request a Certificate of Compliance, 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.

NOTE: If your Notice of Intent/Order of Conditions has a plan associated with it, you must submit the signed statement by a certified professional certifying substantial compliance and an as-built plan.

NOTE: If your Notice of Intent/Order of Conditions does not have a plan associated with it, please provide a narrative about how the project is complete based upon the Order of Conditions and why you are exempt from submitting a signed statement and the as-built plan.

A Certificate of Compliance shall 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 a 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.

Partial Certificates of Compliance do not clear a Deed/Title, therefore, the Leicester Conservation Commission will not issue a Partial CoC 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 a completion date for meeting said conditions.

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.

Minutes

Leicester Conservation Commission Meeting Minutes

March 1 , 0 4

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 14 4 : 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 4 4 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 outilier Rd., enshaw 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	

. Re quest for E tension 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	

. Requests for Certificates of Compliance

• 47 Whittemore Street Applicant: Petra Broda DEP File #197-0 76

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	

• **River Street Applicant: Melvin Glickman DEP Files #197-0 97 and #197-0 0**

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

- **14 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.

- **1 Hite 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.

- **1 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.

. Miscellaneous Board Updates

• 7 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 4**

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	

- **14 4**

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	

- **06 0 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: _____

Conservation Commission Board Signatures

Stephan Parretti, Chair

JoAnn Schold, Member

James Cooper, Vice Chair

Vanessa Lopez, Member

Leicester Conservation Commission Meeting Minutes April 10, 2024

Location: Leicester Town Hall, Select Board Meeting Room

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

Members Absent: Vanessa Lopez

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 6:30 PM

1. Public Hearings

Public Hearing continued from 10:40 : 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.

MassDEP has not issued a file number. The Applicant has requested a continuance to May 15, 2024.

Motion: Mr. Cooper made a motion to continue the public hearing until May 15, 2024.

Second: Ms. Schold

Discussion: None

Record of Vote:

Stephan Parretti	Aye
James Cooper	Aye
JoAnn Schold	Aye
Vanessa Lopez	Absent
Three in Favor. None 0 Opposed. One 1 Absent. Approved to 0	

Public Hearing continued from 10:40 : Notice of Intent Outlier Rd., Enshaw St., Peter Salem Rd., Pine St., and Stafford St. DEP File # 197-071

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

Ms. Carolyn Gorss of BSC Group was present to represent the project. Ms. Westwell informed the Commission that MassDEP issued a file number with no comments. Mr. Parretti asked if there were any comments from the public and there were none.

Motion: Ms. Schold made a motion to issue the Order of Conditions with the condition that Conservation be notified when work is scheduled to start.

Second: Mr. Cooper

Discussion: None

Record of Vote:

Stephan Parretti	Aye
James Cooper	Aye
JoAnn Schold	Aye
Vanessa Lopez	Absent
Three in Favor. None 0 Opposed. One 1 Absent. Approved to 0	

Public Hearing: Notice of Intent 74 King Street DEP #197-071

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

Mr. Parretti opened the public hearing at 6:33 pm and read the public hearing notice into the record.

Mr. Arthur Allen, EcoTec, was present to represent the project. Ms. Westwell informed the Commission that MassDEP had issued a file number with comments. Regarding the comment about Bordering Land Subject to Flooding (BLSF), Mr. Allen said that Jay Finlay, the engineer, has note #16 on the plan that says the project is in Zone A, there is no elevation and does not encroach into the project area. Regarding the comment about EcoTec's report using Mean Annual High Water (MAHW) line from 2018, Mr. Allen said the MAHW was not re-delineated due to heavy rainfall so they used the original line. Mr. Allen also said the Board of Health has approved the septic plan. Ms. Schold asked if the Riverfront Area is within the project area and Mr. Allen replied no. Mr. Parretti asked if it was all within the buffer and Mr. Allen said its 25' away at its closest point.

Mr. Parretti asked if there were any comments from the public. Linda Buckley at 76 King St. asked for information on the new house and septic system location and Mr. Allen showed her on the plan. Tom Buckley at 76 King St. expressed concerns about flooding from the river. Jim Stevens at 86 King St. also expressed concerns about previous flooding in that area. Celeste Stevens at 86 King St. expressed concerned about the construction and the beaver dams impacted the flow of water. Mr. Allen said the work is 25' off the blue wetland flags. Ms. Buckley asked if the entire 8 acre parcel was sold and Mr. Allen said yes.

Ms. Westwell asked for the total area of disturbance and Mr. Allen said less than an acre. Ms. Westwell asked if they would be clearing the entire acre and Mr. Allen replied yes. The Commission determined that this project would not need a Forest Cutting Permit as the area was less than 30% of the 8 acre lot.

Motion: Ms. Schold made a motion to issue the Order of Conditions for 74 King St., DEP File # 197-0713, with the plan presented showing the 25' do not disturb, 200' from the riverfront, and hay bales/silt fencing.

Second: Mr. Cooper

Discussion: None

Record of Vote:

Stephan Parretti	Aye
James Cooper	Aye
JoAnn Schold	Aye
Vanessa Lopez	Absent
Three in Favor. None 0 Opposed. One 1 Absent. Approved to 0	

The public hearing was closed at 6:50 pm.

Public Hearing: Notice of Intent 0 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

Mr. Parretti opened the public hearing at 6:51 pm and read the public hearing notice into the record.

Mr. Seth Lajoie was present to represent the project. Mr. Lajoie said the existing septic is not working well, it will be replaced, and it's outside the 50' buffer zone. He said there is existing lawn within the 25' no disturb zone and about 20' from the wetlands. Mr. Lajoie said they propose removing the existing shop and building a new 1,350 s.f. shop in a new location and it will be outside the buffer zone.

Ms. Schold said she wants to do a site visit. Mr. Parretti asked if there were any comments from the public and there were none. Mr. Parretti said there is no DEP File number so this hearing will be continued.

Motion: Mr. Cooper made a motion to continue the public hearing to May 15, 2024.

Second: Ms. Schold

Discussion: None

Record of Vote:

Stephan Parretti	Aye
James Cooper	Aye
JoAnn Schold	Aye
Vanessa Lopez	Absent

Three in Favor. None 0 Opposed. One 1 Absent. Approved to 0

. 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

Brian MacEwen, P.E., with Graz Engineering was present to represent the project. Mr. MacEwen said he did a site visit with Ms. Schold and that he will re-establish the silt fence right up to the retaining wall which is the limit of work.

Mr. Parretti asked if there were any comments from the public and there were none. Ms. Schold said everything looked great when she was on the site visit. Mr. Parretti asked Mr. MacEwen to confirm that he had submitted an RDA and not an NOI because it was all within the buffer zone and Mr. MacEwen said yes. Mr. MacEwen said they will file an NOI in Spencer and Leicester when they are ready to do work done in the buffer and by Stiles Reservoir and work would be done during drawdown.

Motion: Ms. Schold made a motion to issue a Negative Determination #3: "The work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to jurisdiction under the Act. Therefore, said work does not require the filing of a Notice of Intent, with the condition that the silt fence will be re-established.

Second: Mr. Cooper

Discussion: None

Record of Vote:

Stephan Parretti	Aye
James Cooper	Aye
JoAnn Schold	Aye
Vanessa Lopez	Absent
Three in Favor. None 0 Opposed. One 1 Absent. Approved to 0	

. Request for Certificate of Compliance 9 Turncoat Lane DEP File#197-0666

Applicant: Richard Gorman, Sr.

Mr. Gorman was present to represent the project. Ms. Schold read the letter from the engineering certifying substantial compliance and the Commission has the as-built plan. Mr. Parretti asked if there were any comments from the public and there were none. Ms. Schold said she conducted a site visit and everything is very well established.

Motion: Ms. Schold made a motion to issue the Certificate of Compliance for 59 Burncoat Lane, DEP File # 197-0666.

Second: Mr. Cooper

Discussion: None

Record of Vote:

Stephan Parretti	Aye
James Cooper	Aye
JoAnn Schold	Aye
Vanessa Lopez	Absent
Three in Favor. None 0 Opposed. One 1 Absent. Approved to 0	

4. 06 0 Pine St. Cease Desist

No one was present for this project. Ms. Westwell will schedule a site visit with Peter Hague.

. Salminen Drive - Complaint

Ms. Westwell informed the Commission that this now involves multiple departments. Mr. Parretti asked that she keep the Commission updated.

6. Recommendations to oard of Selectmen for appointments to the Open Space Rec Plan Implementation Committee:

- Steve Dodge – At Large

Janice Parke, Greenville St., introduced Steve Dodge. Mr. Dodge said he has lived in Leicester for 20 years and wants to help. He runs the Maple Hill disco golf course on Marshall St.

- Kurt Parliment – Land Trust liaison
- Sharon Nist – Planning Board member
- Matthew Fournier – Parks and Rec member

Mr. Parliment, Ms. Nist and Mr. Fournier were not present.

Motion: Mr. Cooper made a motion to recommend all four individuals to the Board of Selectmen for appointment to the Open Space & Rec Plan Implementation Committee.

Second: Ms. Schold

Discussion: None

Record of Vote:

Stephan Parretti	Aye
James Cooper	Aye
JoAnn Schold	Aye
Vanessa Lopez	Absent
Three in Favor. None 0 Opposed. One 1 Absent. Approved to 0	

7. Approval of Minutes: March 13, 2024

The March 13, 2024 minutes were tabled to the next meeting on May 15th.

. Miscellaneous Board Updates

There were no updates.

9. Discussion

- Tree Removal Policy (Draft). This is for Commission review and consideration.
- Certificate of Compliance Policy. Ms. Westwell said this would help people know what to submit for their CoC. Mr. Parretti said we already have a policy and Ms. Westwell pointed out some additional requirements the Commission might want to require and the Commission doesn't have an actual written policy. Ms. Westwell said it can be tailored for Leicester. Mr. Parretti said some of the Order of Conditions are very old and he wants to consider the policy. Ms. Schold also wants to review and discuss at another meeting.
- Proposed Revisions to Wetland Bylaw and Rules/Regs Administering Wetland Bylaw. This is for Commission review and consideration.

Mr. Parretti said the Forest Cutting Bylaw should be considered during the NOI review process. Ms. Westwell explained that the applicants don't give us those numbers for the Commission to consider. The Bylaw allows the Order of Conditions to include tree cutting so the Commission should have this information in advance. Mr. Parretti wants it streamlined so people don't have to come back for a Forest Cutting Permit if they know they need one. Mr. Cooper agreed that it should be considered as part of the NOI so it can be conditioned in the Order of Conditions. Ms. Westwell suggested that applicants include this information in the narrative, including total amount of disturbance to see if it's over an acre and needs a NDPES permit, number of trees being removed to see if they need a Forest Cutting Permit, etc. so that the commission doesn't have to back into these things.

Ms. Westwell said the Tree Removal Policy is the one that allows the Commission to give administrative approval to take down a tree in the buffer zone.

Jan Parke updated the Commission on Earth Day. The Selectmen voted to do street cleanup on Saturday, April 17th from 9am – 12pm, sponsored by the CARE group. Mr. Parretti said Burncoat Park is having a cleanup on May 4, 2024 and thinks it's from 9am – 4pm.

Motion: Ms. Schold made a motion to adjourn.

Second: Mr. Cooper

Discussion: None

Record of Vote:

Stephan Parretti	Aye
James Cooper	Aye
JoAnn Schold	Aye
Vanessa Lopez	Absent
Three in Favor. None 0 Opposed. One 1 Absent. Approved to 0	

Meeting adjourned at 7:34 p.m.

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

Date Approved: _____

Conservation Commission Board Signatures

Stephan Parretti, Chair

JoAnn Schold, Member

James Cooper, Vice Chair

Vanessa Lopez, Member

Correspondence

April 22, 2024

nationalgrid
RECEIVED

Leicester Select Board Chair
3 Washburn Square
Leicester, MA 01524

APR 30 2024

Town of Leicester
Planning Department

Dear Select Board Chair:

In a letter sent on December 5, 2023, you received notification that National Grid would carry out late winter-spring mechanical control, cut surface (CST) or basal treatment; a summer selective foliage treatment; and, as necessary, summer and fall CST and basal treatments on rights-of-way, which pass through your municipality. Information on National Grid's approved Yearly Operational Plan (YOP) and a link to maps showing the rights-of-way to be treated were included with that letter.

The current five-year Vegetation Management Plan (VMP), approved 2024 YOP, and 2024 maps are posted on National Grid's website: <https://www.nationalgridus.com/Oasis/Operations-Documentation>

Please let us know if there are any additional *sensitive areas* located on or near the rights-of-way. Please advise us as soon as possible so we can establish permanent GIS records and implement appropriate field protective actions. We particularly rely on this process to collect corrections to the public wells and to record the location of private wells.

National Grid's YOP details specific information pertaining to the intended 2024 program. Please note that the YOP also lists the rights-of-way from the 2023 treatment program in case National Grid needs to request a "touch-up" retreatment of scattered locations from our contractor(s). If upon review of the previous year's treatments, National Grid finds a site(s) within your municipality that need follow-up treatments, this letter serves as notification of that follow-up treatment. The individual landowner(s) will also be notified about this work. *Please note that scheduled rights-of-way are subject to change based on workplan constraints.*

Commonwealth of Massachusetts recommended herbicides for use in *sensitive areas* listed in Section 7 (pages 13-15) of the YOP will be selectively applied to target vegetation by experienced, Massachusetts' licensed/certified applicators that walk along the rights-of-way using backpack equipment. Copies of the manufacturers' herbicide labels and fact sheets are also included in the YOP, Appendices 8 and 9.

Potential Treatment Periods*

February 1, 2024 – May 30, 2024	May 30, 2024 - Oct 15, 2024	Oct 15, 2024 – Dec 31, 2024
CST	Foliar	CST
Basal	CST	Basal
Dormant stem	Basal	Dormant Stem
	Cut stubble	

* The exact treatment dates are dependent upon weather conditions and field crew progress.

In compliance with 333 CMR 11.06-11.07, no herbicide applications will occur before the conclusion of the 45-day YOP review period, the 21-day treatment notice and the 48-hour newspaper notice. At the end of these review periods, which can run concurrently, no application shall commence more than ten days before nor conclude more than ten days after the treatment periods listed above.

The work will be performed by one of the following vegetation management vendors:

Lewis Tree Service, Inc.	Stanley Tree	Vegetation Control Service, Inc.	Davey Tree Expert Co.
300 Lucius Gordon Drive	662 Great Road	2342 Main Street	1500 N Mantua St
West Henrietta, NY 14586	North Smithfield, RI 02896	Athol, MA 01331	Kent, OH 44240
(585) 436-3208	(401) 765-4677	(978) 249-5348	800-445-8733
Lucas Tree Experts	BluRoc	North Eastern Tree Service	Rainbow Treecare
12 Northbrook Drive	15 Atwood Dr, Suite 301	1000 Pontiac Ave	11571 K-Tel Dr.
Falmouth, ME 04105	Northampton, MA 01060	Cranston, RI 02920	Minnetonka, MN 55343
(800) 339-8873	(413) 887-3653	(401) 941-7204	952-922-3810

This informational 21-day notification follows Chapter 132B, section 6B of the Massachusetts General Laws, 333 CMR 11.05-11.07 Rights of Way Management and Chapter 85, Section 10 of the Acts of 2000. National Grid's vegetation management program is subject to federal and state regulations only. By statute, local permits or rulings are not applicable.

For inquiries concerning safety of the herbicides, please contact:

Director of Rights-of-Way Programs
Department of Agricultural Resources
251 Causeway Street, Suite 500
Boston, MA 02114-2151
Telephone: (617) 626-1781

Please contact me if you have any questions about the application and monitoring of the vegetation control program. The best way to contact me is through email at mariclaire.rigby@nationalgrid.com or please leave a message at 781-290-8310.

Sincerely,



Mariclaire Rigby
Lead Vegetation Strategy Specialist

cc: Board of Health
Conservation Commission
Massachusetts Pesticide Bureau
Assigned vegetation management vendor

Municipality: Leicester ROW#(S): 1633