



**New
England
Environmental
Design, LLC**

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

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

ENCLOSED PLEASE FIND THE NOTICE OF INTENT FOR:

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

PROJECT LOCATION: LOT F3 AUBURN STREET
LEICESTER, MA 01524

BELOW IS A LIST OF ALL PLANS & OTHER MATERIALS SUBMITTED
WITH THE FOX HILL BUILDERS, INC./ LOT F3 AUBURN STREET NOTICE OF INTENT:

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

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

Sincerely,

Julian P. Votruba

New England Environmental Design, LLC



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Leicester

City/Town

Important:

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



Note:

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

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

Lot F3 Auburn Street

a. Street Address

Leicester

b. City/Town

01524

c. Zip Code

42.22305°

d. Latitude

-71.87888°

e. Longitude

Latitude and Longitude:

35A

f. Assessors Map/Plat Number

A3.60

g. Parcel /Lot Number

2. Applicant:

Steven

a. First Name

Gallo

b. Last Name

Fox Hill Builders, Inc.

c. Organization

31 Gallair Circle

d. Street Address

Holden

e. City/Town

MA

f. State

01520

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

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

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Julian P.

a. First Name

Votruba

b. Last Name

New England Environmental Design, LLC.

c. Company

P.O. Box 376

d. Street Address

Rutland

e. City/Town

MA

f. State

01543

g. Zip Code

(508) 829-7222

h. Phone Number

i. Fax Number

NEEDLLC@hotmail.com

j. Email address

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

\$500.00

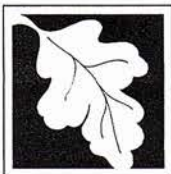
a. Total Fee Paid

\$237.50

b. State Fee Paid

\$262.50

c. City/Town Fee Paid



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:

Construction of a single family home and associated grading.

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

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

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

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

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(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

19444

c. Book

b. Certificate # (if registered land)

19

d. Page Number

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

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

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Leicester

City/Town

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

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. ☐ Bank	1. linear feet	2. linear feet
b. ☐ Bordering Vegetated Wetland	1. square feet	2. square feet
c. ☐ Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

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

2. Width of Riverfront Area (check one):

☐ 25 ft. - Designated Densely Developed Areas only

☐ 100 ft. - New agricultural projects only

☐ 200 ft. - All other projects

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

4. Proposed alteration of the Riverfront Area:

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

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

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

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

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



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WPA Form 3 – Notice of Intent

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

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Leicester

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

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

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

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



WPA Form 3 – Notice of Intent

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

MassDEP File Number

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C. Other Applicable Standards and Requirements

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

- a. ☐ Yes ☒ No **If yes, include proof of mailing or hand delivery of NOI to:**

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

2017

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

2. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

(a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) ☐ Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Leicester

City/Town

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

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

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

North Shore - Hull to New Hampshire border:

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

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



WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Leicester

City/Town

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

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

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

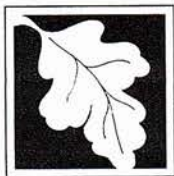
D. Additional Information

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

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

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

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

**Massachusetts Department of Environmental Protection**

Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Leicester

City/Town

D. Additional Information (cont'd)

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

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

Subsurface Sewage Disposal System

a. Plan Title

New England Environmental Design, LLC.John M. Madeiros R.S. 1214

b. Prepared By

12/07/2017

c. Signed and Stamped by

1"=20'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

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

E. Fees

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

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

32255

2. Municipal Check Number

1/24/18

3. Check date

32253

4. State Check Number

1/24/18

5. Check date

R.H. Gallo Builders, Inc.

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

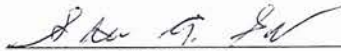
Leicester

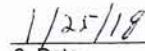
City/Town

F. Signatures and Submittal Requirements

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

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


1. Signature of Applicant


2. Date

3. Signature of Property Owner (if different)


5. Signature of Representative (if any)

4. Date


6. Date

For Conservation Commission:

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

For MassDEP:

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

Other:

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

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



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

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



A. Applicant Information

1. Location of Project:

Lot F3 Auburn Street

a. Street Address

32253 & 32255

c. Check number

Leicester

b. City/Town

\$500.00

d. Fee amount

2. Applicant Mailing Address:

Steven

a. First Name

Gallo

b. Last Name

Fox Hill Builders, Inc.

c. Organization

31 Gallair Circle

d. Mailing Address

Holden

e. City/Town

MA

f. State

01520

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

3. Property Owner (if different):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

B. Fees

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

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

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

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

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

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

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

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



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

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
2 a.) construction of single family house	1	\$500.00	\$500.00

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee:	\$500.00
	a. Total Fee from Step 5
State share of filing Fee:	\$237.50
	b. 1/2 Total Fee less \$12.50
City/Town share of filling Fee:	\$262.50
	c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

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

Department of Environmental Protection
Box 4062
Boston, MA 02211

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

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

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

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

Morgan Stanley

32253

25-80/440

1/24/18

PAY TO THE ORDER OF Commonwealth of Ma \$ **237.50

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

DOLLARS
Security features
included.
Details on back.

Commonwealth of Ma

MEMO NOI

Stanley
AUTHORIZED SIGNATURE

MP

⑈032253⑈ ⑆044000804⑆ 8902012437789⑈

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

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

Morgan Stanley

32255

25-80/440

1/24/18

PAY TO THE ORDER OF Town of Leicester \$ **262.50

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

DOLLARS
Security features
included.
Details on back.

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

MEMO NOI

Stanley
AUTHORIZED SIGNATURE

MP

⑈032255⑈ ⑆044000804⑆ 8902012437789⑈

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

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

Morgan Stanley

32257

25-80/440

1/24/18

PAY TO THE
ORDER OF

Town of Leicester

****125.00**

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

DOLLARS
Social Features
included
Details on back

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

MEMO

R. Gallo
AUTHORIZED SIGNATURE

MP

⑈032257⑈ ⑆044000804⑆ 8902012437789⑈

AFFIDAVIT OF SERVICE

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

I, Julian P. Votruba, hereby certify under the pains and penalties of perjury that on February 7, 2018 I gave notification to abutters in compliance with the second paragraph of the Massachusetts General Laws Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection Act by Fox Hill Builders, Inc. with the Town of Leicester Conservation Commission for Lot F3 Auburn Street located in the Town of Leicester.

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

Julian P. Votruba

Julian P. Votruba
New England Environmental Design, LLC

2/7/18
Date

NOTIFICATION TO ABUTTERS UNDER THE
MASSACHUSETTS WETLANDS PROTECTION ACT

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

- A. The name of the applicant is: Fox Hill Builders, Inc.
- B. The applicant has filed a Notice of Intent with the Conservation Commission for the Town of Leicester seeking permission to remove, fill, dredge or ***alter*** an area subject to protection under the Massachusetts Wetlands Protection Act (General Laws Chapter 131, Section 40).
- C. The address where the activity is proposed is: Lot F3 Auburn Street, Leicester.
- D. Copies of the Notice of Intent may be examined at the Town of Leicester Town Clerks or Conservation Commission Office during regular office hours. For more information, call the Town of Leicester Conservation Commission.
- E. The meeting will be held **on date and time to be determined by the Town of Leicester's Conservation Commission.**

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

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

01/02/2018

6:28:18PM

Town of Leicester

Abutters List

Page 1 of 1

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
35 C1 0	343 AUBURN ST	MCKEON JOHN M	MCKEON TRACY L	343 AUBURN STREET	CHERRY VALLEY	MA	01611
35 C12 0	STAFFORD ST	STAFFORD STREET PROPERTIES		83 KEYSTONE DR	LEOMINSTER	MA	01453
35 C2 0	345 AUBURN ST	PARSLOW INVESTMENT TRUST	PARSLOW JOHN S TRUSTEI	345 AUBURN ST	CHERRY VALLEY	MA	01611
35 C3 0	355 AUBURN ST	PRUNIER JR WILLIAM J	PRUNIER RENEE M	355 AUBURN ST	CHERRY VALLEY	MA	01611
35 C4 0	AUBURN ST	PRUNIER JR WILLIAM J	PRUNIER RENEE M	355 AUBURN ST	CHERRY VALLEY	MA	01611
35 C5.1 0	383 AUBURN ST	PRUNIER WILLIAM J	PRUNIER KATHLEEN M	383 AUBURN ST	CHERRY VALLEY	MA	01611
35A A2 0	HIGHLAND PK	ELLIOTT THOMAS D	C/O GEORGE W GILLIGAN	10 RAY ST	NO GRAFTON	MA	01536
35A A3 0	396 AUBURN ST	LEICESTER ONE MA SOLAR LLC		545 MADISON AVE	NEW YORK	NY	10022
35A A3.5 0	AUBURN ST	FOX HILL BUILDERS INC		31 GALLAIR CIRCLE	HOLDEN	MA	01520
35A A3.7 0	350 AUBURN ST	TOWN OF LEICESTER	TOWN HALL	3 WASHBURN SQUARE	LEICESTER	MA	01524

End of Report

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

Subject property: Auburn Street, Assessors Map 35A-A3.6-0, Deed Ref. N/A

Subject owner(s): Fox Hill Builders Inc.

John Prescott, Principal Assessor

Prepared by: Kathleen Asquith, Assistant



MuniMapper: Leicester, MA

Town of Leicester Web Site

Disclaimer



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MuniMapper: Leicester, MA

Town of Leicester Web Site

Disclaiming



Available Data Layers

- Zone A
- Zone B
- Zone C
- Zone D
- Zone E
- Zone F
- Zone G
- Zone H
- Zone I
- Zone J
- Zone K
- Zone L
- Zone M
- Zone N
- Zone O
- Zone P
- Zone Q
- Zone R
- Zone S
- Zone T
- Zone U
- Zone V
- Zone W
- Zone X
- Zone Y
- Zone Z

Active Data Layers

Check all. Uncheck all.

Remove all

Legend

Zone A

Zone B

Zone C

Zone D

Zone E

Zone F

Zone G

Zone H

Zone I

Zone J

Zone K

Zone L

Zone M

Zone N

Zone O

Zone P

Zone Q

Zone R

Zone S

Zone T

Zone U

Zone V

Zone W

Zone X

Zone Y

Zone Z

Zone A

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Zone E

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Zone G

Zone H

Zone I

Zone J

Zone K

Zone L

Zone M

Zone N

Zone O

Zone P

Zone Q

Zone R

Zone S

Zone T

Zone U

Zone V

Zone W

Zone X

Zone Y

Zone Z



Scale = 1:4,814
100.000 200.000 400.000 600.000 800.000 1000.000
MassGIS "Geographic Features Base"

Lot F3



IN PROCESS APPRAISAL SUMMARY

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

OWNERSHIP

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

Twn/City:	HOLDEN
St/Prov:	MA
Postal:	01520
Own Occ:	Type:

PREVIOUS OWNER

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

NARRATIVE DESCRIPTION

This Parcel contains 1.63 ACRES of land mainly classified as LAND

OTHER ASSESSMENTS

Code	Descrp/No	Amount	Com. Int

PROPERTY FACTORS

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

LAND SECTION (First 7 lines only)

Use Code	Description	LUC	No of Units	Depth / Price/Units
130	LAND		71002	SQUARE FESITE

Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value	Legal Description	User Acct
130			1.630	58,000	58,000		
Total Card			1.630	58,000	58,000	Entered Lot Size	GIS Ref
Total Parcel			1.630	58,000	58,000	Total Land:	GIS Ref
Source:	Market Adj Cost	Total Value per SQ unit /Card:	N/A	/Parcel:	N/A	Land Unit Type:	Insp Date

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2018	130	FV		0	1.63	58,000	58,000	58,000		10/10/2017
2018	130	TB		0	1.63	58,000	58,000	58,000	18 PRELIM	6/13/2017
2017	130	FV		0	1.63	58,000	58,000	58,000		9/20/2016
2017	130	IN		0	1.63	58,000	58,000	58,000		6/27/2016
2017	130	TB		0	1.63	72,200	72,200	72,200	1st 2nd quarter billing	5/16/2016
2016	130	FV		0	1.63	72,200	72,200	72,200	3rd 4th	11/4/2015
2016	130	TB		0	1.63	72,200	72,200	72,200	prelim billing	6/30/2015
2015	130	FV		0	1.63	72,200	72,200	72,200	3rd and 4th	10/14/2014

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	V	Tst	Verif	Assoc PCL Value	Notes

TAX DISTRICT

Parcel ID	35A A3.5.0
-----------	------------

PAT ACCT.

Date	Time
10/10/2017	
6/13/2017	
9/20/2016	
6/27/2016	
5/16/2016	
11/4/2015	
6/30/2015	
10/14/2014	

USER DEFINED

Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
ASR Map:	
Fact Dist:	
Reval Dist:	
Year:	
Land Reason:	
Bld Reason:	

BUILDING PERMITS

Date	Number	Descrp	Amount	C/O	Last Visit	Fed Code	F. Descrp	Comment

ACTIVITY INFORMATION

Date	Result	By	Name

Sign: VERIFICATION OF VISIT NOT DATA

1/1

Total AC/HA:	1.62998	Total SF/SM:	71001.93	Parcel LUC:	130	LAND	Prime NB Desc:	RURAL
--------------	---------	--------------	----------	-------------	-----	------	----------------	-------

Disclaimer: This Information is believed to be correct but is subject to change and is not warranted. Database: AssessPro

Total:	58,000	Spl Credit		Total:	58,000
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apro

2018

QUITCLAIM DEED

We, Albert Kallanian and Celine A. Kallanian a/k/a Celline A. Kallanian of 7 Wentworth Drive, Auburn, Massachusetts, for consideration paid, and in full consideration of \$237,500.00, grant to Fox Hill Builders, Inc., a Massachusetts corporation with a usual place of business at 31 Gallair Circle, Holden, Massachusetts 01520, ** a/k/a Celine Kallanian* *25*
 WITH QUITCLAIM COVENANTS

A certain parcel of land situated on the westerly side of Auburn Street, Leicester, Worcester County, Massachusetts, bounded and described as follows:

Beginning at a point in the westerly line of Auburn Street, said point making the southwesterly corner of the within described premises, and the northeasterly corner of land now or formerly of one J.F. Doescher;

Thence N. 71° 30' W. by said Doescher land, 71 rods, 12 links to a point;

Thence N. 2° 0' W., 70 rods, 15 links to a point;

Thence N. 33° 0' E., 28 rods, 7 links to a point;

Thence S. 85° 0' E., 39 rods, 12 links by land now or formerly of one Charles Hall to a point;

Thence N. 74° 0' E. continuing by said Hall land, 23 rods, 6 links to a point in the westerly line of Auburn Street;

Thence southerly the westerly line of Auburn Street, approximately 1960 feet to the point of beginning.

However the same may be described, meaning and intending to convey, and hereby conveying, all those same premises shown on a plan entitled "Building Sites - Highland Park - Leicester, Massachusetts - 1902 - Scale One Inch = 60 Feet for Chas. H. Alderman, Springfield, Massachusetts" drawn by H.H. Browning, C.E., dated July, 1902, and recorded with the Worcester District Registry of Deeds in Plan Book 8, Plan 6, excepting therefrom the following parcels as shown on said Plan:

(1) Unnumbered middle lot abutting Highland Terrace, Cherryvale Avenue and Spruceland Avenue, as designated on said Plan;

(2) Lots 167 through 171, inclusive; and,

(3) Lots 288 through 291, inclusive.

Conveying also all the grantors' right, title and interest in and to the above-mentioned parcels (1), (2) and (3) and to all streets and ways as shown upon said plan.

Said premises are conveyed subject to rights of ingress and egress as may be reasonably necessary for the benefit of lots 288 through 291 inclusive, lots 167-171 inclusive, and said unnumbered middle lot.

Except 42,194 square feet shown on Plan Book 487, Plan 119, conveyed to Boisvert by deed of Kallanian dated June 21, 1981, recorded in Book 7266, Page 7.

Return to:
 Garry Melia, Esq.
 16 Harvard Street
 Worcester, MA 01609

ADAMS & ASSOCIATES

ORDER NO. TX-175

Locus: Auburn Street, Leicester, Massachusetts

97 DEC 16 PM 2:15

Being the same premises conveyed to us by deed of Alexander Samia, dated December 17, 1980, and recorded in said Registry in Book 7136, Page 307.

See also deed to us from Ruth D. Peterson, dated December 22, 1989, and recorded in said Registry in Book 7187, Page 67, and deed from the Town of Leicester to Albert Kallanian, dated May 4, 1982, recorded in said Registry, Book 7470, Page 214.

Witness our hands and seals this ~~12th~~ day of December, 1997.


Albert Kallanian

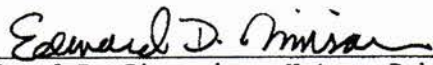

Celine A. Kallanian

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

December 12, 1997

Then personally appeared the above named Albert Kallanian and acknowledged the foregoing instrument to be his free act and deed, before me,


Edward D. Simsarian, Notary Public
My commission expires Sept. 15, 2000

DEEDS REG 20
WORCESTER

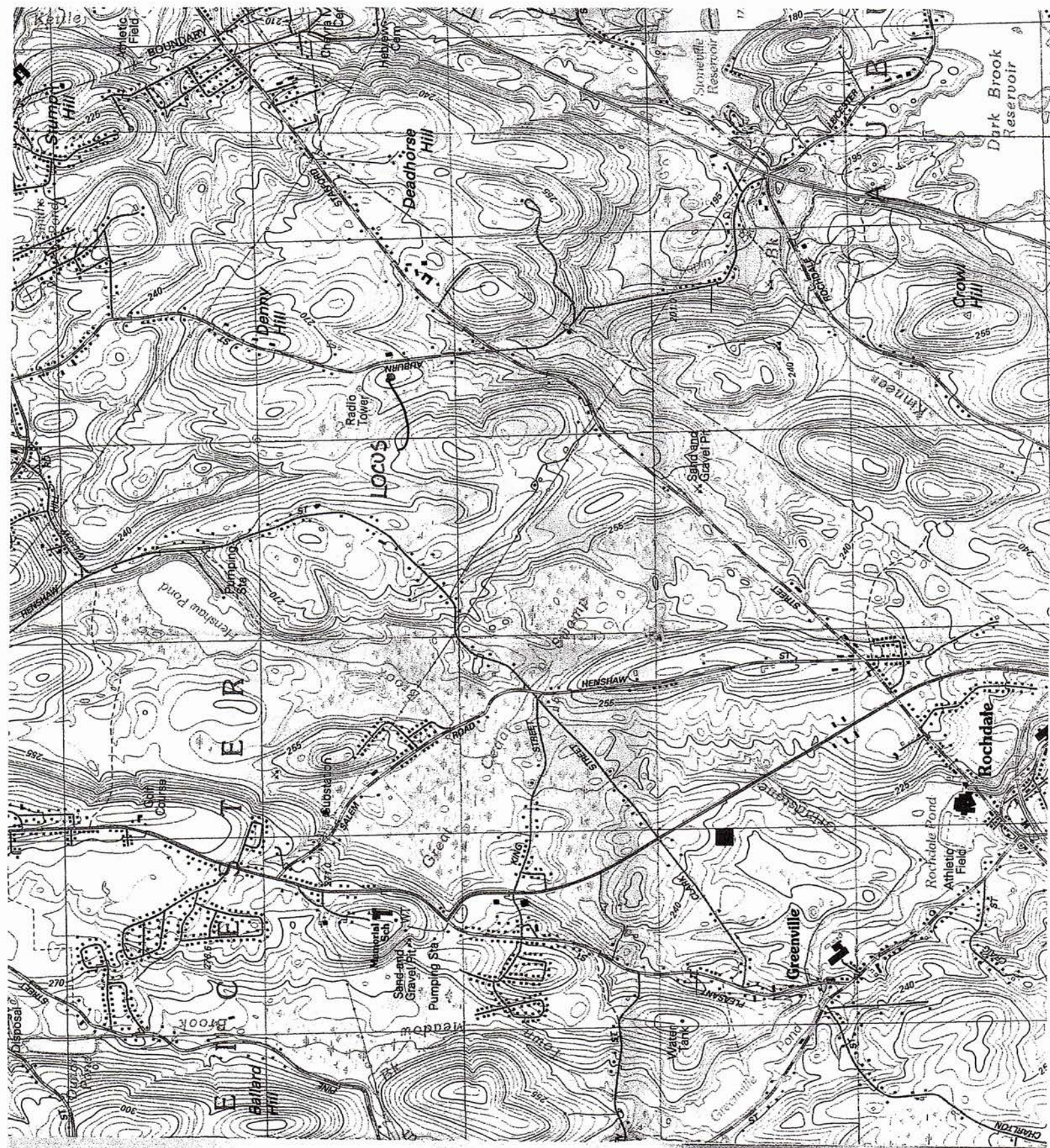
12/16/97

TAX
CASH

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1083.00

5957A140 13:58
EXCISE TAX

ATTEST: WORC. Anthony J. Vigliotti, Register

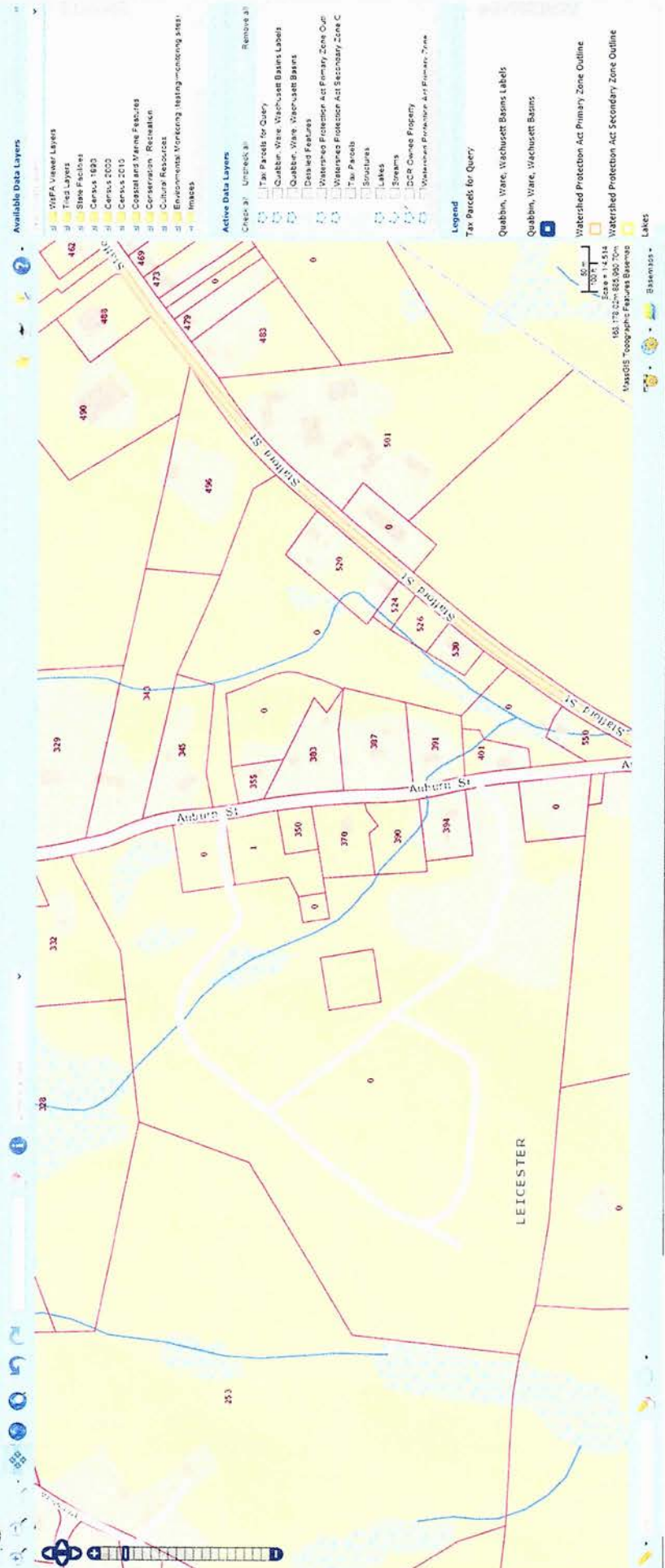


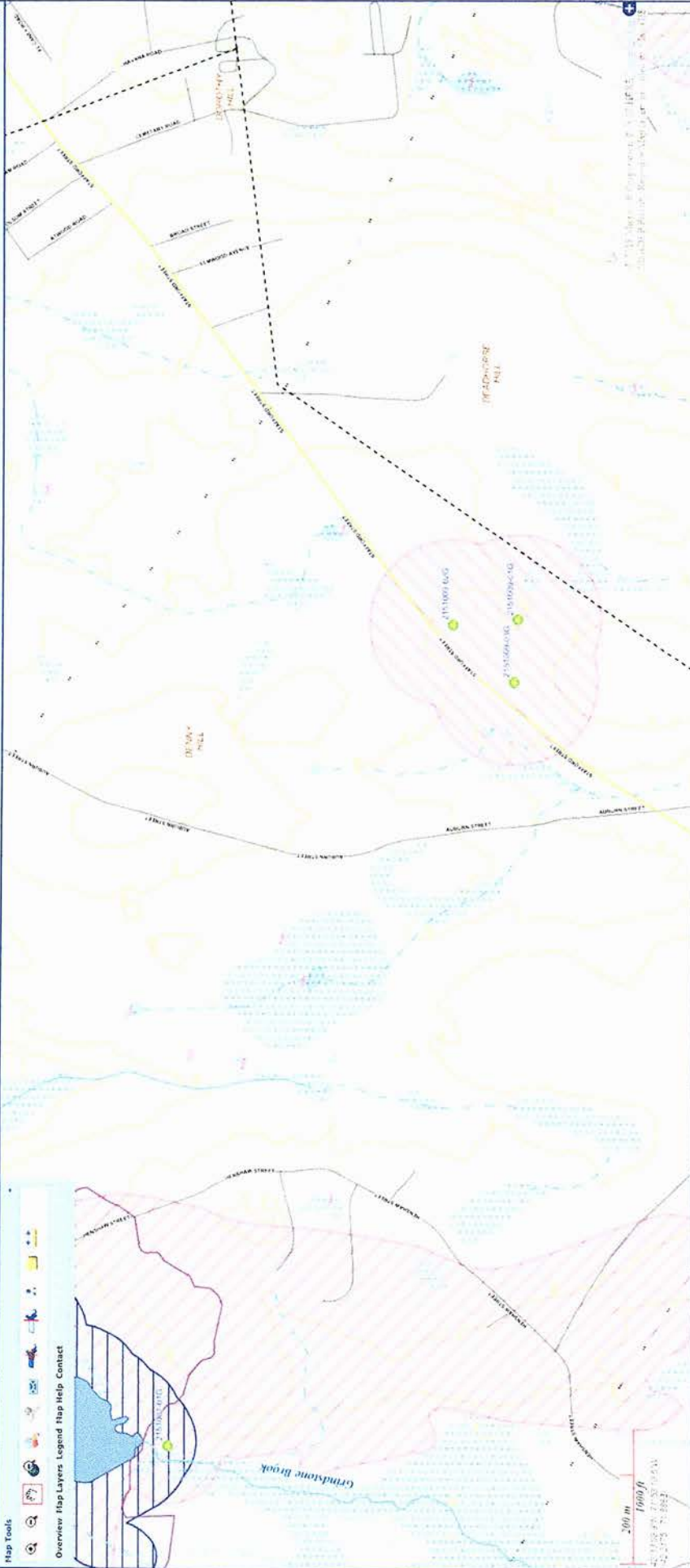
5980



DCR Watershed Protection Act (WSPA) Viewer

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





Title 5 Setback Areas Map

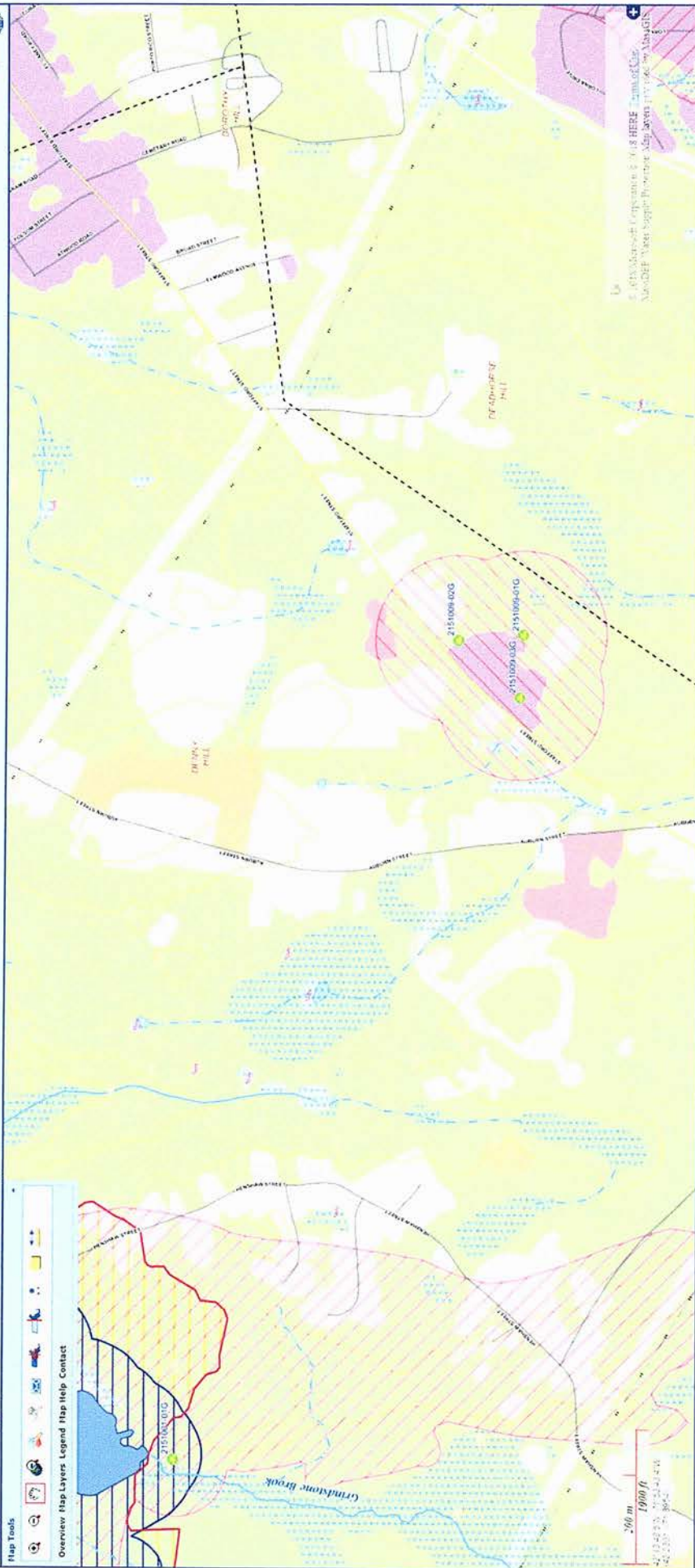
Map Tools

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

Overview Map Layers Legend Map Help Contact



Water Supply Protection Areas Map



Active Data Layers

- Check all Uncheck all Remove all
- ☒ Major MassDOT Routes
 - ☒ Massachusetts Towns
 - ☒ NHESP Estimated Habitats of Rare Wildlife
 - ☒ NHESP Priority Habitats of Rare Species

Legend

- Major MassDOT Routes
- Interstate Highways
- US Roads
- State
- Massachusetts Towns
- NHESP Estimated Habitats of Rare Wildlife
- NHESP Priority Habitats of Rare Species





PANEL 0782E

FIRM

FLOOD INSURANCE RATE MAP
WORCESTER COUNTY,
MASSACHUSETTS
(AT FURNACE HILLS)

PANEL 782 OF 1075

OFFICIAL DATE FOR ENGINEERING PURPOSES
1/1/11
1/1/11
1/1/11

Notes to User: The Map Number should be used to identify the map sheet. The Community Number should be used to identify the community. The Flood Hazard Areas should be used to identify the flood hazard areas. The Hazardous Areas should be used to identify the hazardous areas. The Flood Insurance Rate Map should be used to identify the flood insurance rate map.



MAP NUMBER
25027C0782E
EFFECTIVE DATE
JULY 4, 2011

Federal Emergency Management Agency



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

Fox Hill Builders Inc.
31 Gallair Circle
Holden MA 01543

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

October 19, 2017

Dear Mr. Gallo ,

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

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

Methodology

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



**New
England
Environmental
Design, LLC**

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

Findings

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

Bordering land subject to flooding is an area that floods due to the rise in floodwaters from an adjacent waterway or water body. Where flood studies have been compiled, the boundary of bordering land subject to flooding is based upon the flood profile data prepared by the National Flood Insurance Program. Section 10.57 (2) (a) 3 states that "The boundary of bordering land subject to flooding is the estimated maximum lateral extent of flood water which will theoretically result from the statistical 100 year-frequency storm." The project engineer must evaluate the most recent National Flood Insurance Program data to determine if bordering land subject to flooding occurs on this site. Bordering land subject to flooding occurs in areas where the 100-year flood elevation is located outside of or up gradient of the delineated bordering vegetated wetland boundary. Bordering land subject to flooding does not have a buffer zone under the WPA.

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

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

Sincerely,

Julian P. Votruba
New England Environmental Design, LLC

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

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

Check all that apply:

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

✓ **Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II**

Method other than dominance test used (attach additional information)

Section I.

Vegetation		Observation Plot Number: 4North Wet		Transect Number: 4 North	Date of Delineation: 10/13/17
A. Sample Layer & Plant Species (by common/scientific name)	B. Percent Cover (or basal Area)	C. Percent Dominance	D. Dominant Plant (yes or no)		
Trees:					
Red Maple (Acer rubrum)	10%	100%	Yes	FAC*	
Saplings:					
Red Maple (Acer rubrum)	10%	100%	Yes	FAC*	
Shrubs:					
Highbush Blueberry (Vaccinium Corymboson)	10%	66%	Yes	FACW*	
Spice Bush (Lindera benzoin)	5%	33%	Yes	FAC+*	
Ground:					
Cinnamon Fern (Osmunda cinnamomea)	5%	100%	Yes	FACW+*	

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

Vegetation conclusion:

Number of dominant wetland indicator plants:

5

Number of dominant non-wetland indicator plants:

0

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

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

Section II. Indicators of Hydrology

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

Site Inundated: _____

Depth to free water in observation hole: _____

Depth to soil saturation in observation hole: _____

Water marks: _____

Drift lines: _____

Sediment Deposits: _____

Drainage patterns in BVW: _____

✓ Oxidized rhizospheres: Many _____

✓ Water-stained leaves: Few _____

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

Other: _____

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? **yes** **no** X

title/date:

map number:

soil type mapped:

hydric soil inclusions:

Are field observations consistent with soil survey? **yes** **no**

Remarks:

2. Soil Description

Horizon

O

Cg

Depth

0-6"

6-21"

Matrix Color

10YR1/1

Gley 16/N

Mottles Color

5Y5/2

Remarks:

Mottles @ 7"

Abundant/Distinct

3. Other:

Histic Epipedon

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

Vegetation and Hydrology Conclusion

Yes **No**

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

X

Wetland hydrology present:

Hydric soil present

X

Other indicators of hydrology present

X

Sample location is in a BVW

X

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

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

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

Check all that apply:

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

✓ **Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II**

Method other than dominance test used (attach additional information)

Section I.

Vegetation	Observation Plot Number: 4North Up		Transect Number: 4North	Date of Delineation: 10/3/17
A. Sample Layer & Plant Species (by common/scientific name)	B. Percent Cover (or basal Area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
Trees:				
Red Maple (Acer rubrum)	20%	66%	Yes	FAC*
White Oak (Quercus alba)	10%	33%	Yes	FACU-
Saplings:				
White Oak (Quercus alba)	10%	100%	Yes	FACU-
Shrubs:				
Mountain Laurel (Kalmia latifolia)	30%	100%	Yes	FACU
Ground:				
Teaberry (Gaultheria Procumbens)	10%	100%	Yes	FACU

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

Vegetation conclusion:

Number of dominant wetland indicator plants:

1

Number of dominant non-wetland indicator plants:

4

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

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

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

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

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

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
A	1-4	10YR3/2	N/A
B	5-26	5YR5/2	N/A
C	26-37+	2.5Y5/3	N/A

Remarks:

3. Other:

Conclusion: Is soil hydric? yes no

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

Site Inundated:

Depth to free water in observation hole:

Depth to soil saturation in observation hole:

Water marks:

Drift lines: Few

Sediment Deposits:

Drainage patterns in BVW:

Oxidized rhizospheres:

✓ Water-stained leaves: **Few**

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

Other:

Vegetation and Hydrology Conclusion

Yes No

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

x

Wetland hydrology present:

Hydric soil present

x

Other indicators of hydrology present

x

Sample location is in a BVW

x

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

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

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

Check all that apply:

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

✓ Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II

Method other than dominance test used (attach additional information)

Section I.

Vegetation	Observation Plot Number: 2 North Up		Transect Number: 2	Date of Delineation: 10/3/17
A. Sample Layer & Plant Species (by common/scientific name)	B. Percent Cover (or basal Area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*

Trees:

White Oak (*Quereus alba*)

10%

100%

Yes

FACU

Saplings:

White Oak (*Quereus alba*)

5%

100%

Yes

FACU

Shrubs:

Witch Hazel

5%

100%

Yes

FAC-

(*Haemamelis Virginiana*)

Ground:

Teaberry

10%

66%

Yes

FACU

(*Gaultheria Procumbens*)

Canada Mayflower

5%

33%

Yes

FACU

(*Maianthemum canadense*)

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

Vegetation conclusion:

Number of dominant wetland indicator plants:

0

Number of dominant non-wetland indicator plants:

5

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

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

Section II. Indicators of Hydrology

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

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? yes no **X**

title/date:

map number:

soil type mapped:

hydric soil inclusions:

Are field observations consistent with soil survey? yes no

Remarks:

2. Soil Description

Horizon

A

二、

66

Depth

0-4"

4-18"

4-10
18 13+

Matrix Color

10YR5/2

5YB5/3

3 5VDB/3

Mottles Color

Remarks:

No Mottles @ 43"

3. Other:

Conclusion: Is soil hydric? yes no X

Vegetation and Hydrology Conclusion

Yes

 $\frac{O}{N}$ Number of wetland indicator plants
 $\geq$ # of non-wetland indicator plants

X

Wetland hydrology present:

Hydric soil present

X

Other indicators of hydrology present

1

X

Sample location is in a BWV

X

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

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

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

Check all that apply:

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

✓ Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II

Method other than dominance test used (attach additional information)

Section I.

Vegetation	Observation Plot Number: 2	North Wet	Transect Number: 2N	Date of Delineation: 10/13/17
A. Sample Layer & Plant Species (by common/scientific name)	B. Percent Cover (or basal Area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
Trees:				
Red Maple (Acer rubrum)	10%	100%	Yes	FAC*
Saplings: N/A				
Shrubs:				
Highbush Blueberry	10%	66%	Yes	FACW*
(Vaccinium Corymbosum)				
Spice Bush (Lindera benzoin)	5%	33%	Yes	FAC+*
Ground:				
Cinnamon Fern	5%	100%	Yes	FACW+*
(Osmunda cinnamomea)				

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

Vegetation conclusion:

Number of dominant wetland indicator plants:

4

Number of dominant non-wetland indicator plants:

0

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

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

Section II. Indicators of Hydrology

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

Site Inundated: _____

Depth to free water in observation hole: _____

Depth to soil saturation in observation hole: _____

Water marks: _____

Drift lines: _____

Sediment Deposits: _____

Drainage patterns in BVW: _____

✓ Oxidized rhizospheres: Many _____

✓ Water-stained leaves: Few _____

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

Other: _____

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? yes no **X**

title/date:

map number:

soil type mapped:

hydric soil inclusions:

Are field observations consistent with soil survey? yes no

Remarks:

2. Soil Description

Horizon

O

Cg

Depth

0-6"

6-21"

Matrix Color

10YR1/1

Gley 16/N

Mottles Color

5Y5/2

Remarks:

Mottles @ 7"

Abundant/Distinct

3. Other:

Histic Epipedon

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

Vegetation and Hydrology Conclusion

Yes No

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

X

Wetland hydrology present:

Hydric soil present

X

Other indicators of hydrology present

X

Sample location is in a BVW

X

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



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

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

ENCLOSED PLEASE FIND THE REQUIRED DESCRIPTIONS FOR THE NOTICE OF INTENT FOR:
FOX HILL BUILDERS, INC.
31 GALLAIR CIRCLE
HOLDEN, MA 01520

PROJECT LOCATION: LOT F3 AUBURN STREET
LEICESTER, MA 01524

WORK TO BE PERFORMED:

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

EXISTING CONDITIONS:

The existing conditions currently consist of a cleared parcel of land. The lot was previously used as a landing area for logging and the construction of a solar project.

PROPOSED CONDITIONS:

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

WETLAND DELINEATION INFORMATION:

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

STORMWATER INFORMATION:

The project is exempt from the provisions of the Mass DEP Stormwater Management Standards because it is the construction of a single-family house. The lot is over 1 acre and very flat. The proposed construction will not create any point discharge areas near wetlands.

CONSTRUCTION SEQUENCING:

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

- The well will be drilled.
- The driveway and foundation will be constructed.
- The septic will be built.
- All disturbed areas will be loamed and seeded.

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

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

