

**Alaa Abusalah**

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**From:** CERO\_NOI@MassMail.state.ma.us  
**Sent:** Tuesday, July 12, 2022 2:15 PM  
**To:** jsgabe4@aol.com; glenn.krevosky@charter.net; kimberly.roth@mass.gov  
**Cc:** cero\_noi@state.ma.us; Conservation Commission; Alaa Abusalah; 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: 07/12/2022 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):

<b>Applicant</b> ARMORY STREET LLC		<b>Owner Address</b>
<b>Address</b>	PO BOX 682,NORTHBOROUGH MA	
<b>Locus</b>	31 CHAPEL STREET , LEICESTER MA 01611	

This project has been assigned the following file # : **CE 197-0669**

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

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

As defined in 310 CMR 10.04 Mill Complex exemptions applies only to the footprint of the area that is or was occupied by interrelated buildings (manufacturing buildings, housing, utilities, parking areas and driveways) constructed before and existing after 1946, used for any type of manufacturing or mechanical processing and including associated structures to provide water for processing, to generate waterpower or for water transportation. In recognition of this definition the applicant should demonstrate that the proposed work falls within the footprint of such structures. Cleared areas are not included in this definition. Supplied materials are only sufficient to demonstrate that the lots were under common ownership of the historic mill and that small portions of the proposed structure fall within the footprint of the known historic mill building, treatment pool and discharge swale. The nature of prior use of the remainder of the proposed development footprint is not explored. Historical USGS maps of the site suggest that additional structures may have existed on the subject lots however, how the footprints of these structures overlay with the proposed project and whether the structures meet the date requirement as defined under historic mill complex is not known. Accordingly, the applicant should provide additional information to demonstrate that the proposed work is entirely within areas which meet the definitions of historic mill complex as defined or alternatively demonstrate compliance with the regulations found in 310 CMR 10.58(4) or 310 CMR 10.58(5). Surface basins may be deducted from RFA impact calculations provided there is not a practical alternative. The Applicant should explore practical alternatives including LID methods. MassDEP recommends that restoration work and plans in response to a violation should be addressed through the Enforcement Order.

Regards,

for MassDEP,

(508)-767-2711

Kimberly.Roth@mass.gov