



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:

88 PropertyCo LLC

Name

Abollinger@vgrdn.com

E-Mail Address

655 Thrid Avenue; 18th Floor

Mailing Address

New York

City/Town

NY

State

10017

Zip Code

(959) 232-1134

Phone Number

Fax Number (if applicable)

2. Representative (if any):

EBT Environmental Consultants, Inc.

Firm

Glenn E. Krevosky

Contact Name

glenn.krevosky@charter.net

E-Mail Address

601 Main Street

Mailing Address

North Oxford

City/Town

MA

State

01537

Zip Code

(508) 769-3695

Phone Number

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).



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):

88 Huntoon Memorial Highway

Street Address

Leicester

City/Town

44

Assessors Map/Plat Number

A4

Parcel/Lot Number

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

See attached 'Area & Work Description'

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

See attached 'C.1.c. Plan and/or Map Reference'

Title

Date

Title

Date

Title

Date

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

See attached 'Area & Work Description'

Area & Work Description

C.1.b. Area Description

Generally leveled altered dirt area surrounding the asphalt parking lot.

C.2.a. Work Description

The applicant proposes to install 2,114± linear feet of chain link fence (see attached Exhibit 8A for fence measurements) 1± foot off the existing asphalt drive area (see attached Exhibit 1A). Any augured dirt material coming out of the holes for the fence posts will be gathered and removed and placed in the northeast corner of the site, greater than 100 feet from wetlands, and a straw wattle will be placed around the base to prevent sedimentation.

C.1.c. Plan and/or Map Reference

Project Location: 88 Huntoon Memorial Highway, Leicester

Applicant: 88 PropertyCo LLC

- 1A. Sketch Plan of Fence Location, dated 6/29/2021
- 2A. Leicester USGS Quad, dated 2021
- 3A. Leicester Assessor's Map 44, dated 1/1/2014
- 4A. Copy of Fee Check
- 5A. Town of Leicester Abutters' List, dated
- 6A. Abutters Notification, dated 6/29/2021
- 7A. Affidavit of Service, dated 6/29/2021
- 8A. Estimate from Johnson Fence Co., Inc., dated 4/21/2022



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).

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:

88 PropertyCo LLC

Name

655 Third Avenue; 18th Floor

Mailing Address

New York

City/Town

NY

State

10017

Zip Code

Signatures:

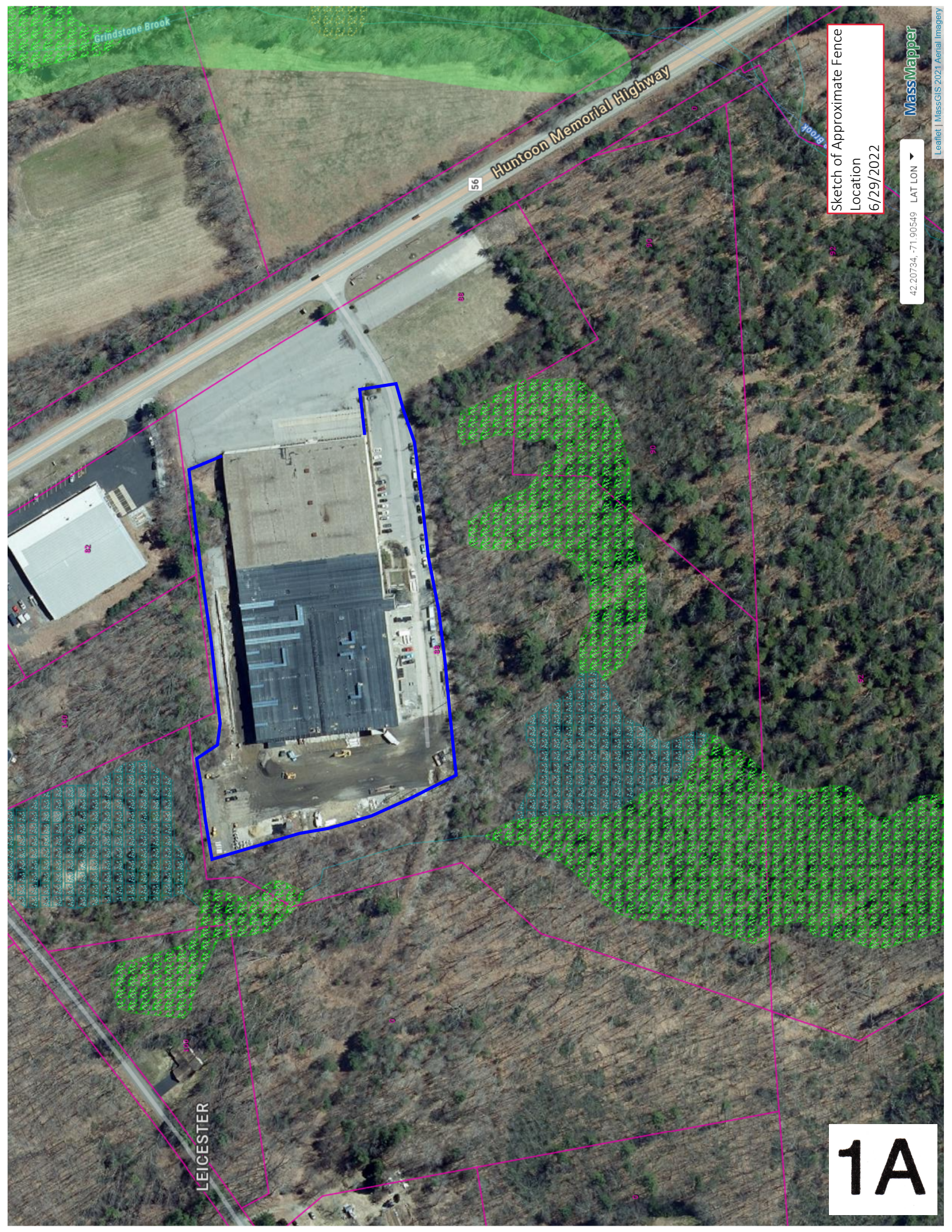
I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.


Signature of Applicant


Date


Signature of Representative (if any)

6/29/2022
Date



Grindstone Brook

Huntoon Memorial Highway

56

82

89

98

90

92

90

92

LEICESTER

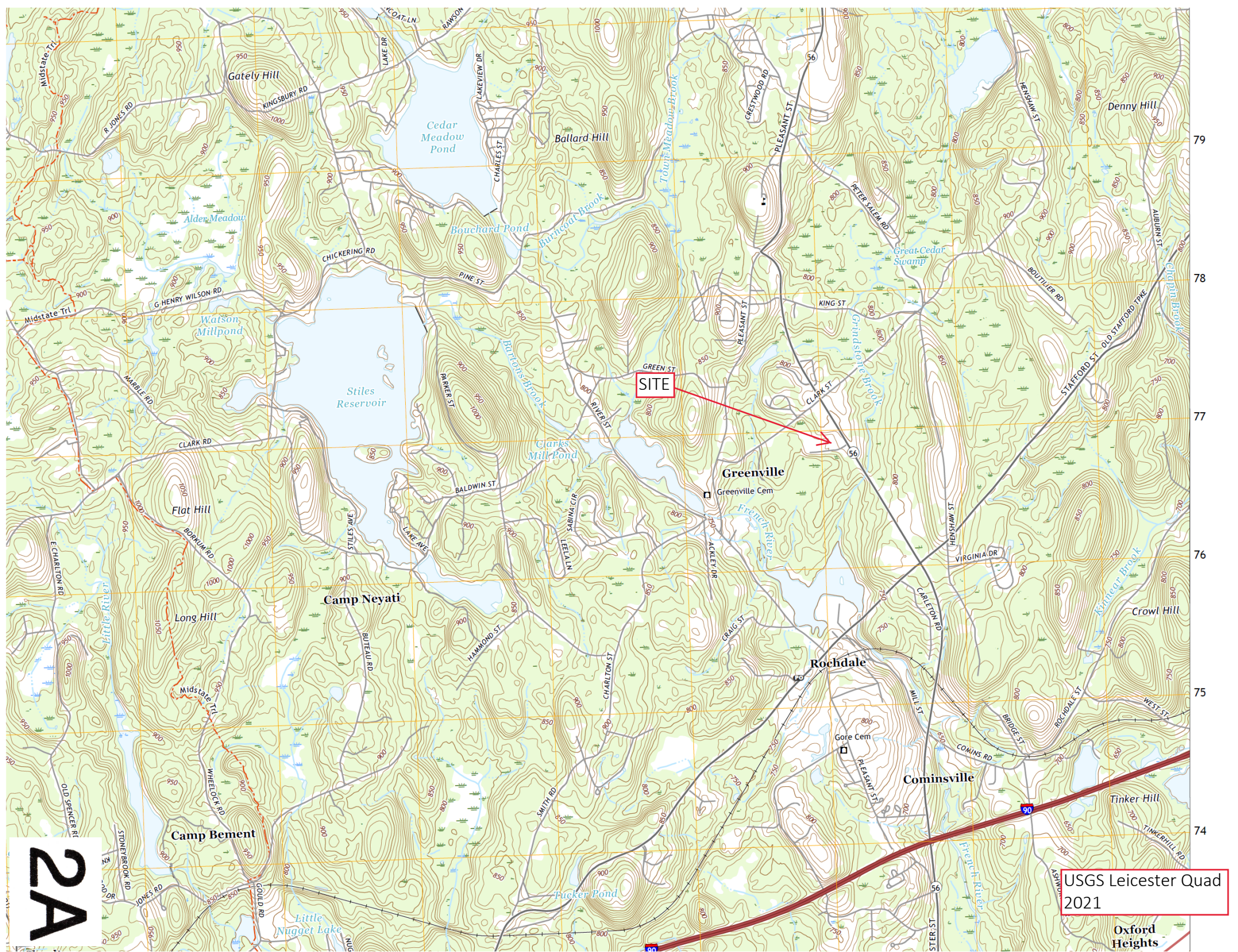
1A

Sketch of Approximate Fence
Location
6/29/2022

42.20734, -71.90549 LAT LON

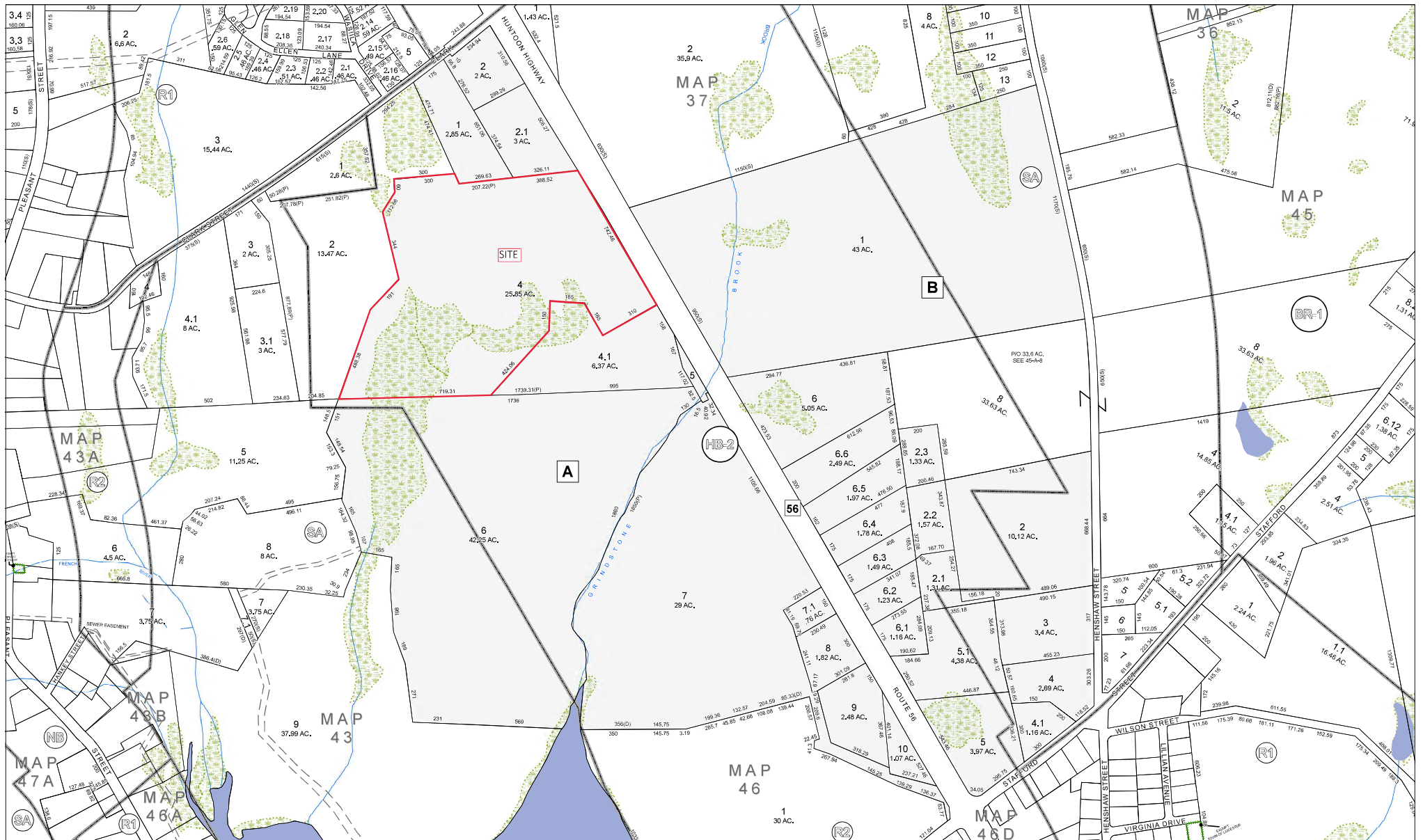
MassMapper

Leaflet | MassGIS 2021 Aerial Imagery



USGS Leicester Quad
2021

Oxford
Heights



<p>FOR TAX PURPOSES ONLY</p> <p>THIS MAP IS FOR ASSESSMENT PURPOSES. IT IS NOT TO BE USED FOR LEGAL DESCRIPTION OR CONVEYANCE.</p> <p>1 IS THE MASSACHUSETTS STATE STEM, NAD 83</p> <p>2 WASHINGTON SQUARE, UNION STATE WORCESTER, MA 01604</p>		<p>PRODUCED IN 2014 BY</p> <p>CMRPC Central Massachusetts Regional Planning Commission</p>		<p>LEGEND</p> <p>PROPERTY LINES MAP FOCUS WATER RAILROAD</p> <p>EASEMENTS BLOCK LETTER STREAMS ZONING DISTRICTS</p> <p>EXEMPT PROPERTY TOWN BOUNDARY WETLANDS</p>		<p>TOWN OF LEICESTER</p> <p>BOARD OF ASSESSORS</p> <p>LEICESTER, MASS.</p>		<p>MAP NO. 044</p> <p>REVISD TO: JANUARY 1, 2014</p> <p>SCALE 1 in = 200 feet</p>	
--	--	--	--	--	--	---	--	--	--

3A

**Notification to Abutters Under the
Massachusetts Wetlands Protection Act**

(This form must be completed and copies sent, by certified mail, certificate of mailing or hand-delivered, to all direct abutters of the location of the project)

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 88 PropertyCo LLC.

B. The Applicant has filed a Request for Determination of Applicability (RDA) with the Leicester Conservation Commission.

C. The address or location of the lot where the activity is proposed is 88 Huntoon Memorial Highway, Leicester.

D. The applicant proposes to install 2,114± linear feet of chain link fence (see attached Exhibit 8A for fence measurements) 1± foot off the existing asphalt drive area (see attached Exhibit 1A). Any augured dirt material coming out of the holes for the fence posts will be gathered and removed and placed in the northeast corner of the site, greater than 100 feet from wetlands, and a straw wattle will be placed around the base to prevent sedimentation.

E. Copies of the RDA may be obtained or examined by calling Glenn E. Krevosky of EBT Environmental Consultants, Inc., 601 Main Street, North Oxford, MA 01537 at (508)987-0979 between the hours of 9:00 am and 3:30 pm, Monday through Friday.

F. Information regarding the date, time and place of the Public Hearing may be obtained by contacting the Leicester Conservation Commission at (508)892-7007 between the hours of 8:00am to 5:00pm Monday, Wednesday and Thursday and 8:00am to 7:00pm Tuesday.

PLEASE NOTE:

1. Notice of the public hearing, including its date, time and place will be published at least five (5) business days in advance in the Telegram & Gazette.
2. Notice of the public hearing including date, time and place will be posted in the Town Hall not less than forty-eight (48) hours in advance.
3. You also may contact the Department of Environmental Protection (DEP) Regional Office for more information about this application or the Wetlands Protection Act. To contact the DEP:

CENTRAL REGION: (508) 792-7650

NORTHEAST REGION: (617) 654-6500

WESTERN REGION: (413) 784-1100

SOUTHEAST REGION: (508) 946-2700

6/29/2022

AFFIDAVIT OF SERVICE

UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT AND TOWN OF LEICESTER WETLAND PROTECTION BYLAW

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

I, Glenn E. Krevosky, hereby certify under the pains and penalties of perjury that on June 29, 2022, I gave notification to direct abutters of the proposed project 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 Request for Determination of Applicability filed under the Massachusetts Wetlands Protection Act and The Town of Leicester Wetland Protection Bylaw by EBT Environmental Consultants, Inc., 601 Main Street, North Oxford, MA 01537, with the Leicester Conservation Commission on June 29, 2022 for a property located at, 8 Huntoon Memorial Highway, Leicester.

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

Glenn E. Krevosky
Signature

6-29-2022
Date

Johnson Fence Co., Inc.

70 Ridge Road
Rutland, MA 01543

WWW.JOHNSONFENCE.COM

PROPOSAL

Ph: 508-886-2050

We Stand Behind Our Products and Workmanship

Name: Vangarden	Date: 4/21/22
Address: 88 Huntoon Memorial Hwy.	Fax No.:
Rochdale MA	Home Ph:
	Work Ph:

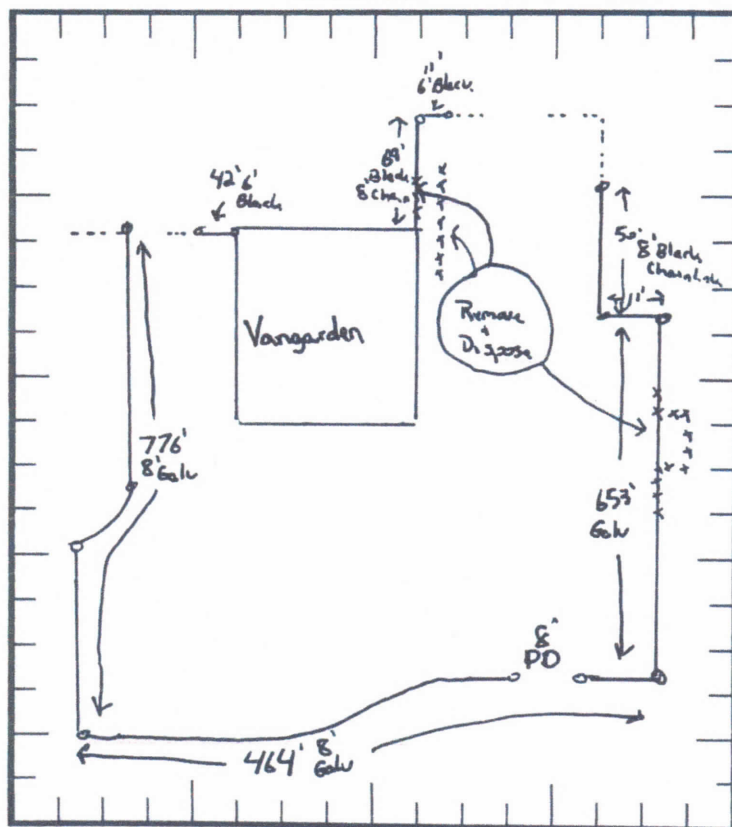
We propose to sell and install on your property fencing in accordance with sketch and quantities listed below
Fence Type:

QUANTITY

Install approx. 1893' of 2x9x96'		
Galvanized chain link with one		
8' wide gate		
Install approx. 168' of 2x8x96"		
Black chain link		
Install approx. 53' of 2x8x72"		
Black chain link		
3" sch 40 terminal posts		
2-1/2 sch 40 line posts		
1-5/8 sch 20 top rail and brace		
Remove & Dispose of old railings		
and 4' chainlink fence with posts		
according to sketch		

Due once posts are set in concrete

SKETCH



Knuckle up ☐ Twist up ☐
Top rail of fence to: Follow ground ☒ Be Level ☐

All quotations subject to conditions beyond our control. Customer agrees to establish property lines. This quotation does not include compressor for digging in underlying rock or foundations, or clearing trees, brush or other obstructions from work area. This contract embodies the entire understanding between the parties, and there are no verbal agreements of representations in connection herewith. We are not responsible for underground lines, such as sprinkler systems, pool lines, electric dog fences, etc. We will use care and pre-mark areas of concern to avoid any problems to the best of our ability.

All equipment and materials delivered to the job site, regardless of whether or not incorporated in the property, remain the property of Johnson Fence Co., Inc. until fully paid for by the Owner. The Owner agrees that Johnson Fence Co., Inc. and its employees and/or agents shall have access to the premises at all reasonable times to remove said equipment and materials in the event the Owner fails to pay for the fence upon the terms and conditions herein contained. Materials for this job will be inventoried and stored on site securely inside Vangarden warehouse.

Order Accepted By (Customer)

♦ NET 15 DAYS

Order Prepared by (Johnson Fence Representative)

♦ TERMS: Service charge on past due balances is 1.5% per month - 18% Annual

♦ No returns on SPECIAL or CUSTOM orders.

8A