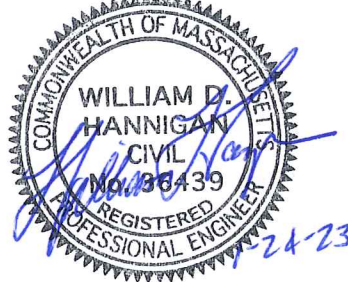


**NOTICE OF INTENT
for
Single Family Home**

*At
0 Baldwinville State Road
Winchendon, Massachusetts*

January 24, 2023



Prepared for: Christopher Amenta
*420 Goodrich Street
Lunenburg, Massachusetts 01462*

Prepared by: Hannigan Engineering, Inc.
*8 Monument Square
Leominster, Massachusetts 01453
(978) 534-1234*

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1.0 NARRATIVE

1.1 Introduction

On behalf of the applicant, Christopher Amenta, Hannigan Engineering, Inc. has prepared this Notice of Intent application package for review by the Winchendon Conservation Commission under the Massachusetts Wetlands Protection Act (WPA) and local regulations, as they may apply. The project is for the construction of a single-family home on Baldwinville State Road in Winchendon, Massachusetts (Map 7A4, Parcel 62).

1.2 Project Description

The Project is situated on an undeveloped parcel of land of approximately 1.59 acres within the Town of Winchendon located along the easterly side of Baldwinville State Road (Route 202). Currently, the property does not contain any standing structures and is comprised of a mixture of brush and grass through the central area of the property. This area has been historically utilized as an agricultural area. The remaining land area is comprised of woodland areas along the easterly and westerly periphery of the property.

The areas subject to protection under the Act were reviewed by Caron Environmental in April of 2022. Areas subject to review consist of three series of Bordering Vegetated Wetlands (BVW) located along the westerly property line and along the opposite side of Baldwinville State Road. The second series also borders perennial stream that flows along the southeasterly property line. Due to the perennial status of this stream, corresponding Riverfront Area is associated with the project and is subject to review.

The Applicant is proposing to construct a new single-family dwelling on the property with associated lawn and landscape areas, driveway, and subsurface sewage disposal system (septic). The proposed house has been situated along the roadway as to minimize the overall impacts of the development to the Riverfront Area, with access provided by single paved driveway that extends off the roadway. The house is proposed to be located within the area of existing brush and is not anticipated to require the clearing or removal of the existing woodland. The proposed septic system is located further into the property near the rear property line as to be located outside of the Riverfront Area and outside the 50-foot Buffer Zone as required per 310 CMR 15.000 (the State Environmental Code – Title 5). The remaining work will include the general regrading and stabilization of the area around the vicinity of the dwelling for permanent stabilization.

As the proposed work is associated with a single-family dwelling, Stormwater Management Regulations do not apply. Siltation and sedimentation will be mitigated by utilizing straw wattles and silt fence barriers along the limit of work. Temporary mitigation measures will remain in place until disturbed areas are stabilized. It is intended that all areas disturbed by the work be loamed and seeded for permanent stabilization.

1.3 Riverfront Area Review

As previously mentioned, there is an existing unnamed perennial stream that flows in a southerly direction along the southeasterly portion of the property. As such, review of the Riverfront Area resource is required for this project. This Riverfront Area extends into the property and encompasses a significant portion of the buildable area predominantly comprised of open brush areas with woodland areas adjacent to the stream itself. The total Riverfront Area associated with the property is approximately 29,125 square feet. Per 310 CMR 10.58(4)(d)3:

“Notwithstanding the provisions of 310 CMR 10.58(4)(d)1. or 2., the issuing authority shall allow the construction of a single-family house, a septic system if no sewer is available, and a driveway, on a lot recorded before August 7, 1996 where the size or shape of the lot within the riverfront area prevents the construction from meeting the requirements of 310 CMR 10.58(4)(d)1. or 2. ...”

This section essentially allows the project by right “*provided that the lot can be developed for such purposes under the applicable provisions of other municipal and state law*” [per 10.58(4)(d)3.a.]. The Zoning Bylaw provides for the use of a single-family house on lot with specific frontage, area, and setback requirements. The proposed house will be constructed within the C2-Neighborhood Commercial district which allows the construction of a single-family house. The frontage, area, and setback requirements are met for the location of the proposed house. The septic system also needs to be constructed to be in compliance with Title 5.

As part of the site design, it is noted that there are jurisdictional areas on both sides of the proposed development. The location of the house and septic system needs to comply with zoning and Title 5 with an effort to balance the impacts on jurisdictional areas associated with BVW and those associated with the Riverfront. Where this lot falls under the Riverfront provisions for lots created prior to August 7, 1996, compliance with the Riverfront provisions to the *maximum extent feasible* [per 10.58(4)(d)3.b.] are the controlling aspect in the review.

As part of providing the review under 310 CMR 10.58(4)(d)3, review of 310 CMR 10.58(4)(d)1 is required to provide compliance to the maximum extent feasible. As the provisions of 310 CMR 10.58(4)(d)3 are being utilized, the provisions of this section relative to Riverfront Area disturbance are not applicable. The site layout has been designed to comply with the applicable Zoning setback requirements of the Town, as well as the requirements of Title V. There is no alteration proposed within the 100-foot Riverfront Area and it is not anticipated that the project would have an adverse impact on wildlife or water quality. Mitigation for construction activities will be provided with silt fencing and straw wattles in the area of construction.

The proposed project is relative to single-family house and, as such, compliance with Stormwater Management is not required. Currently, the central portion of the site is brushland that was formerly utilized as an agricultural field. These activities have left the field with rows and ruts from the farming operations. The applicant is proposing to maintain this area as a grassland field with no further construction within the wooded areas. It is proposed that orange snow fence be placed along the woodline at the edge of the fields during construction to allow the field to be smoothed out and replanted.

The existing topography in the area of construction is generally flat with very little elevation relief. The soils in the area are predominantly sandy in nature which do not lend themselves to high rates of runoff. The site layout and design maintains drainage patterns in the area and are not anticipated to cause adverse impacts to the environment. Relative to the groundwater impacts, the dwelling’s septic system has been designed in full compliance with Title V and the storage of hazardous materials beyond what is typical of a single-family house is not anticipated.

Although compliance with 310 CMR 10.58(4)(d)1. is not required, a review of the anticipated alterations within the Riverfront area is being provided. The alteration required for the construction of the house and the corresponding septic system has been included in the review as permanent alteration whereas the alterations to the field for grading and planting has been included as a temporary alteration. This allows the project to be reviewed for potential impacts while being permitted by right under 310 CMR 10.58(4)(d)3 as noted above.

As depicted on the Site Plans, the area around the house required for construction includes the septic tanks and pump chamber. The area for the septic system includes the leaching field and the construction area around the system. The area for the septic system is technically considered permanent, but it is noted that the surface cover will go from grass to grass. Thus, essentially a temporary alteration. The former agricultural field would be considered temporary as it will be raked, graded, and reseeded to be maintained as a field. Based on this, the anticipated permanent alteration is approximately 6,655 square feet, including the septic system. Typical allowances for alteration under 310 CMR 10.58(4)(d)1. are capped at 5,000 square feet or 10 percent of the total Riverfront Area on the property. Although the alteration on the project will exceed this value, the project is exempt under 310 CMR 10.58(4)(d)3.

A summary of the Riverfront Area impacts and designations is provided below in Table 1.

Table 1: Riverfront Area Review

Total Riverfront Area	0-100 feet	100-200 ft	Total
Existing Condition			
Undisturbed area	6,040 sf	23,085	29,125 sf
Proposed Condition			
Undisturbed area	6,040 sf	16,430 sf	22,470 sf
Disturbed Area	0 sf	6,655 sf	6,655 sf
<i>Total Impervious Area = 1,225 sf</i>			

1.4 Alternative Analysis

Alternative #1: No Build

The “No Build” alternative would have the site operate as it currently does with no improvement to degraded areas.

Alternative#2: Reduce Scope

A reduction in the scope of the project is not likely to be economically feasible provide as the project is limited to the construction of a single family house. Additionally, other uses would not provide an increase in benefit to the Riverfront Area. The proposed house has been situated to balance the impact to the Riverfront versus the BVW and its associated buffer zone. The proposed structure is anticipated to be a four-bed dwelling with a garage which typical of the use within this region. The proposed structure depicted on the Site Plan is presented for conceptual purposes only. The final building construction is anticipated to fall within the area of proposed permanent disturbance described above. The size of the building for a single-family house is not paramount to the provisions of the regulations.

1.5 Requested Waivers from Rules and Regulations

- **Section 29.9(b): 50-Foot of undisturbed Natural Vegetation**

A waiver is requested relative to the requirement of providing a 50-foot setback of undisturbed vegetation from the BVW. The project is also subject within the Riverfront Area and is required to meet certain aspects of the state regulations to achieve compliance. To minimize impacts within the Riverfront Area, the proposed house has been located in close proximity to the Baldwinville State Road. There are wetland areas located north of the proposed construction as well as along the roadway on the opposite side of the street that have local jurisdiction. The ability to comply with the state regulations pertaining to Riverfront has to be balanced with the local regulations and policies. In this particular case, minimizing the impact to Riverfront results in impacts to the local desires to maintain certain offsets to the BVW.

To construct the proposed house in compliance with both the zoning bylaw and the Riverfront regulations, the structure extends into the 50-foot Buffer Zone. It is noted that the 50-foot Buffer Zone in this area is predominantly comprised of tall brush and grass and does not contain any standing woodland vegetation. Upon completion of construction the disturbed areas will be loamed and seeded for permanent stabilization. The remaining field area will be reestablished, and the limits of further work will not extend beyond the current woodland area within this BVW buffer. In the area of the proposed house, a row of trees will be planted at the limits of work to permanently demarcate the limits of work on the property.

- **Section 29.9(c): 75-Foot of no build/structure zone**

A waiver is requested relative to the requirement of providing a 75-foot buffer no build/structure setback from the BVW. As stated above, the project is also subject within the Riverfront Area and is required to meet certain aspects of the state regulations to achieve compliance. To minimize impacts within the Riverfront Area, the proposed house has been located in close proximity to the Baldwinville State Road. There are wetland areas located north of the proposed construction as well as along the roadway on the opposite side of the street that have local jurisdiction. The ability to comply with the state regulations pertaining to Riverfront has to be balanced with the local regulations and policies. In this particular case, minimizing the impact to Riverfront results in impacts to the local desires to maintain certain offsets to the BVW.

To construct the proposed house in compliance with both the zoning bylaw and the Riverfront regulations, the structure extends into the 75-foot Buffer Zone. It is noted that the encroachment into this 75-foot Buffer Zone is limited to the house construction which is located at the front of the site. Upon completion of construction the disturbed areas will be loamed and seeded for permanent stabilization. In the area of the proposed house, a row of trees will be planted at the limits of work to permanently demarcate the limits of work on the property.



Massachusetts Department of Environmental Protection
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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):

0 Baldwinville State Road
a. Street Address

Winchendon
b. City/Town

01475
c. Zip Code

Latitude and Longitude:
42.66556
d. Latitude

72.07865
e. Longitude

7A4
f. Assessors Map/Plat Number

62
g. Parcel /Lot Number

2. Applicant:

CHRISTOPHER
a. First Name

AMENTA
b. Last Name

c. Organization

420 GOODRICH STREET
d. Street Address

LUNENBURG
e. City/Town

MA
f. State

01462
g. Zip Code

978-804-7161
h. Phone Number

i. Fax Number

j. Email Address

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

CHRISTOPHER
a. First Name

AMENTA
b. Last Name

c. Organization

420 GOODRICH STREET
d. Street Address

LUNENBURG
e. City/Town

MA
f. State

01462
g. Zip Code

978-801-7161
h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Christopher
a. First Name

Anderson
b. Last Name

Hannigan Engineering, Inc.
c. Company

8 Monument Square
d. Street Address

Leominster
e. City/Town

MA
f. State

01453
g. Zip Code

978-534-1234
h. Phone Number

i. Fax Number

canderson@hanniganengineering.com
j. Email address

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

750
a. Total Fee Paid

362.50
b. State Fee Paid

387.50
c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

CONSTRUCTION OF NEW SINGLE FAMILY STRUCTURE WITH ASSOCIATED PAVED DRIVEWAY AND SUBSURFACE SEWAGE DISPOSAL SYSTEM (SEPTIC)

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

61453

c. Book

b. Certificate # (if registered land)

345

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.



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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 checked="" type="checkbox"/> Riverfront Area	Inland unnamed	
	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: 29,125 square feet

4. Proposed alteration of the Riverfront Area:

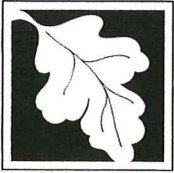
<u>6655</u>	<u>0</u>	<u>6655</u>
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.

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

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

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet _____	
	2. cubic yards dredged _____	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. <input type="checkbox"/> Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____

	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet _____	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet _____	
h. <input type="checkbox"/> Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet _____	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged _____	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet _____	

4. Restoration/Enhancement
If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

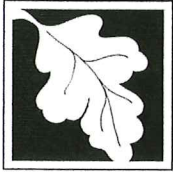
_____ a. square feet of BVW

_____ b. square feet of Salt Marsh

5. Project Involves Stream Crossings

_____ a. number of new stream crossings

_____ b. number of replacement stream crossings



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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**

Map Viewer _____
b. Date of map _____

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

c. Submit Supplemental Information for Endangered Species Review*

- 1. Percentage/acreage of property to be altered:
(a) within wetland Resource Area _____ percentage/acreage
(b) outside Resource Area _____ percentage/acreage

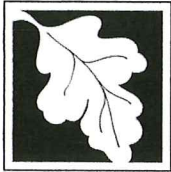
2. Assessor's Map or right-of-way plan of site

- 2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **
(a) Project description (including description of impacts outside of wetland resource area & buffer zone)
(b) Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/endangered-species-act-mesa-regulatory-review>).

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

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



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

(c) MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).
 Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

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

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

- 1. Project is exempt from MESA review.
 Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
- 2. Separate MESA review ongoing. a. NHESP Tracking # _____ b. Date submitted to NHESP _____
- 3. Separate MESA review completed.
 Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
- a. Not applicable – project is in inland resource area only b. Yes No

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

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

North Shore - Hull to New Hampshire border:

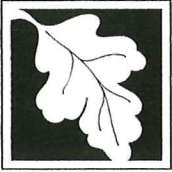
Division of Marine Fisheries -
 Southeast Marine Fisheries Station
 Attn: Environmental Reviewer
 836 South Rodney French Blvd.
 New Bedford, MA 02744
 Email: dmf.envreview-south@mass.gov

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

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

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

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



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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.

Site Development Plan

a. Plan Title

Hannigan Engineering, Inc.

William Hannigan

b. Prepared By

c. Signed and Stamped by

January 24, 2023

1:30

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:

2. Municipal Check Number
2191

3. Check date
1/27/23

4. State Check Number
2189

5. Check date
1/27/23

6. Payor name on check: First Name
CR

7. Payor name on check: Last Name
ANUNTA



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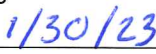
Winchendon

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)	4. Date
	
5. Signature of Representative (if any)	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:

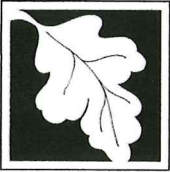
One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

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.

APPENDIX A
WETLAND FEE TRANSMITTAL FORM



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:

0 BALDWINVILLE STATE ROAD

a. Street Address

WINCHENDON

b. City/Town

c. Check number

d. Fee amount

2. Applicant Mailing Address:

CHRISTOPHER

a. First Name

AMENTA

b. Last Name

c. Organization

420 GOODRICH STREET

d. Mailing Address

LUNENBURG

e. City/Town

MA

f. State

01462

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

3. Property Owner (if different):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

B. Fees

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

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

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

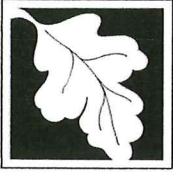
Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

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

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

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

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



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

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
2A) Construction of single family house	1	500	500

Step 5/Total Project Fee: 750 (RA)

Step 6/Fee Payments:

Total Project Fee:	750
State share of filing Fee:	a. Total Fee from Step 5 362.50
City/Town share of filling Fee:	b. 1/2 Total Fee less \$12.50 387.50
	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.)

APPENDIX B
ABUTTER NOTIFICATION

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

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

- A. The name of the applicants: Christopher Amenta
- B. The applicants have filed a Notice of Intent with the Winchendon Conservation Commission seeking the permission to remove, fill, dredge or alter an Area Subject to subject to protection under the Wetlands Protection Act (M.G.L. Chapter 131, Section 40).
- C. The address of the Lot where the activity is proposed is 0 Baldwinville State Road
Map 7A4, Parcel 62
- D. Copies of the Notice of Intent may be examined at the Winchendon Conservation Commission between the hours of 8:00 AM and 10:00 AM Tuesdays.
- E. Copies of the Notice of Intent may be obtained from the applicant's representative, by calling: Hannigan Engineering, Inc. at (978) 534-1234 between the hours of 9:00 AM and 4:00 PM, Monday through Friday.
- F. Information regarding the date, time, and place of the public hearing may be obtained from the Winchendon Conservation Commission between the hours of 8:00 AM and 10:00 AM Tuesdays.

For more information, call the office of the Conservation Commission at 978-297-3537

For more information, call the Office of the Conservation Commission at 978-297-3537

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

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

Central Region: (508) 792-7650
Southeast Region: (508) 946-2800

Northeast Region: (617) 935-2160
Western Region: (413) 784-1100

AFFIDAVIT OF SERVICE

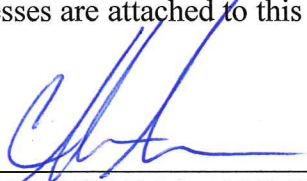
Under the Massachusetts Wetlands Protection Act

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

I, Christopher M. Anderson, hereby certify under the pains and penalties of perjury that on or before JAN 30, 23, I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the **DEP Guide to Abutter Notification** in connection with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection Act by Christopher Amenta with the Winchendon Conservation Commission for the property located at 0 Baldwinville State Road, Map 7A4, parcel 62

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



CHRISTOPHER M. ANDERSON, PE
HANNIGAN ENGINEERING, INC
(on behalf of the applicant)

1/30/23
Date

APPENDIX C
ADDITIONAL INFORMATION



ELEVATION REFERENCE MARKS

REFERENCE ELEVATION	DESCRIPTION OF LOCATION
101.1	Point A in location of Station and Flood
101.2	Point B in location of Station and Flood
101.3	Point C in location of Station and Flood

Natural Grounds Vertical Datum of 1929

KEY TO MAP

100 Year Flood Boundary	Zone B
500 Year Flood Boundary	Zone C
Zone Discontinuity	Zone A
100 Year Flood Boundary	Zone B
500 Year Flood Boundary	Zone C
Zone Discontinuity	Zone A

Map Scale: 1" = 100 Feet

North Arrow

EXPLANATION OF ZONE DESIGNATIONS

Zone A - Areas of 100 Year Flood Boundary and 500 Year Flood Boundary are shown. Areas of 100 Year Flood Boundary and 500 Year Flood Boundary are shown. Areas of 100 Year Flood Boundary and 500 Year Flood Boundary are shown.

Zone B - Areas of 100 Year Flood Boundary and 500 Year Flood Boundary are shown. Areas of 100 Year Flood Boundary and 500 Year Flood Boundary are shown. Areas of 100 Year Flood Boundary and 500 Year Flood Boundary are shown.

Zone C - Areas of 100 Year Flood Boundary and 500 Year Flood Boundary are shown. Areas of 100 Year Flood Boundary and 500 Year Flood Boundary are shown. Areas of 100 Year Flood Boundary and 500 Year Flood Boundary are shown.

COMMUNITY PANEL NUMBER
250348 0014 B
REVISED DATE
JUNE 19, 1982

FIRM FLOOD INSURANCE RATE MAP
TOWN OF BENDON
WORCESTER COUNTY
PANEL 14 OF 30

0 BALDWINVILLE STATE ROAD

Property Tax Parcels
USGS Topographic Maps



APPENDIX D
RESOURCE AREA INFORMATION



Caron Environmental Consulting, LLC

Wetlands • Forestry • Permitting • Habitat Studies

August 16, 2022

Mr. David LeRoy, P.L.S
Hannigan Engineering
8 Monument Square
Leominster, MA 01453

Re: Wetland Delineation
Baldwinville State Road/Winchendon
Map/Parcel: 7A4/62

Dear Mr. LeRoy:

As requested, we have delineated the wetlands on the above-referenced site. The delineation was conducted on April 11, 2022. The delineation was based on observations of the soils, the plant communities and hydrology.

The edges of Bordering Vegetated Wetlands were delineated with blue flagging labeled A1 to A17, B1 to B4 and C1 to C3. The wetlands are wooded. The uplands contain an old field and wooded areas.

Species which were observed to be dominant primarily in the wetlands include Speckled Alder, Cinnamon Fern, Sensitive Fern, Goldthread, Winterberry and Sphagnum Moss. Several species are common in both the wetlands and uplands including Red Maple, Red Spruce, Eastern Hemlock and Highbush Blueberry. Species abundant primarily in the uplands include Black Cherry, Red Oak, Russian Olive, White Pine, Meadowsweet, Checkerberry, Partridgeberry, Little Bluestem, Lowbush Blueberry, Red Fescue and Haircap Moss. The attached Delineation Data Forms provide greater detail on the vegetation, soil conditions and hydrological indicators.

The Estimated Annual Highwater Mark of an unnamed stream was delineated with pink flagging labeled AHW1 to AHW8. The 200-foot Riverfront Area should be measured from these flags.

The MassGIS Online Viewer does not show any Estimated/Priority Habitat Areas or Certified Vernal Pools on the site.

The delineation was based on features visually apparent and the regulations in place at the time. As you are aware the interpretation of the boundaries of wetlands can vary depending on many factors including the time of year, growth phase of vegetation, groundwater levels, soil conditions, weather, and political factors. As a result, no delineation can be considered definitive until it has been reviewed and verified by all of the relevant approving authorities.

If you have any questions in regards to this matter, please feel free to contact us.

Very truly yours,
CARON ENVIRONMENTAL CONSULTING, LLC

By:

Charles E. Caron

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

Applicant: Hannigan Engineering Prepared by: Caron Environmental Consulting Project location: Baldwinville State Rd/Winchendon 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: A8-W	Transect Number: A8	Date of Delineation: 04/11/2022	
A. Sample Layer and 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*	
<u>Herbs & Seedlings</u>				
Sensitive Fern/ <i>Onoclea sensibilis</i>	38.0	70	Yes	FACW*
Cinnamon Fern/ <i>Osmunda cinnamomea</i>	10.5	19	No	FACW*
Highbush Blueberry/ <i>Vaccinium corymbosum</i>	3.0	6	No	FACW*
Checkerberry/ <i>Gaultheria procumbens</i>	3.0	6	No	FACU
<u>Shrubs</u>				
Winterberry/ <i>Ilex verticillata</i>	63.0	91	Yes	FACW*
Beech/ <i>Fagus grandifolia</i>	3.0	4	No	FACU
Speckled Alder/ <i>Alnus incana</i>	3.0	4	No	FACW*
<u>Saplings</u>				
Red Maple/ <i>Acer rubrum</i>	10.5	78	Yes	FAC*
Red Oak/ <i>Quercus rubra</i>	3.0	22	Yes	FACU
<u>Trees</u>				
White Pine/ <i>Pinus strobus</i>	1.969	65	Yes	FACU
Red Maple	1.080	35	Yes	FAC*

* Use an asterisk to mark wetland indicator plants

Vegetation conclusion:

Number of dominant wetland indicator plants: 4 Number of dominant non-wetland indicator plants: 2

Is the number of dominant wetland indicator plants equal to or greater than the number of dominant non-wetland indicator plants? Yes

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 Plot A8-W

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? Yes No

Title/date: Soil Survey of Worcester County, Massachusetts
Northwestern Part

Map number: Online map

Soil type mapped: Searsport Loamy Sand

Hydric soil inclusions:

Are field observations consistent with soil survey? Yes No

Remarks:

2. Soil Description Horizon	Depth (inches)	Matrix Color	Mottles Color
O	0"-6"	10 YR 2/1	
E	6"-9"	10 YR 4/1	10 YR 6/1
Bw	9"-22"+	10 YR 5/3	10 YR 6/2 5 YR 4/6

Remarks: Bw horizon is a sand

Other:

Conclusion: Is soil hydric: Yes No

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

- Site inundated: standing water
- Depth to free water in observation hole:
- Depth to soil saturation in observation hole: to surface
- Water marks:
- Drift lines:
- Sediment deposits:
- Drainage patterns in BVW:
- Oxidized rhizospheres:
- Water-stained leaves:
- Recorded data (stream, lake, or tidal gauge; Aerial photo; other):
- Other:

Vegetation and Hydrology Conclusion	Yes	No
Number of wetland indicator plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>
>/= number of non-wetland indicator plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wetland hydrology present:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hydric soil present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other indicators of hydrology present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sample location is in a BVW	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

Applicant: Hannigan Engineering Prepared by: Caron Environmental Consulting Project location: Baldwinville State Rd/Winchendon 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: A8 U	Transect Number: A8	Date of Delineation: 04/11/2022
A. Sample Layer and 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*
<i>Herbs & Seedlings</i>				
Lowbush Blueberry/ <i>Vaccinium angustifolium</i>	10.5	47	Yes	FACU
Red Spruce/ <i>Picea rubens</i>	3.0	13	Yes	FACU
Checkerberry	3.0	13	Yes	FACU
Canada Yew/ <i>Taxus canadensis</i>	3.0	13	Yes	FACU
Sheep Laurel/ <i>Kalmia angustifolia</i>	3.0	13	Yes	FAC*
<i>Shrubs</i>				
Black Cherry/ <i>Prunus serotina</i>	3.0	33	Yes	FACU
Eastern Hemlock/ <i>Tsuga Canadensis</i>	3.0	33	Yes	FACU*
Highbush Blueberry	3.0	33	Yes	FACW*
<i>Saplings</i>				
Red Oak	10.5	54	Yes	FACU
Red Maple	3.0	15	No	FAC*
Red Spruce	3.0	15	No	FACU
Black Cherry	3.0	15	No	FACU
<i>Trees</i>				
White Pine	8.296	72	Yes	FACU
Eastern Hemlock	1.227	11	No	FACU*
Red Oak	1.052	9	No	FACU
Red Spruce	0.785	7	No	FACU
Red Maple	0.136	1	No	FAC*

* Use an asterisk to mark wetland indicator plants

Vegetation conclusion:

Number of dominant wetland indicator plants: 3 Number of dominant non-wetland indicator plants: 7

Is the number of dominant wetland indicator plants equal to or greater than the number of dominant non-wetland indicator plants? 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 Plot A8-U

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? Yes No

Title/date: Soil Survey of Worcester County, Massachusetts

Northwestern Part

Map number: Online map

Soil type mapped: Searsport Loamy Sand

Hydric soil inclusions:

Are field observations consistent with soil survey? Yes No

Remarks:

2. Soil Description Horizon	Depth (inches)	Matrix Color	Mottles Color
A	0"-4"	10 YR 2/2	None
E	4"-7"	2.5 Y 5/2	None
Bhs	7"-21"	5 YR 3/4	None
Bw	21"-30"+	10 YR 5/3	None

Remarks:

Other:

Conclusion: Is soil hydric: Yes No

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

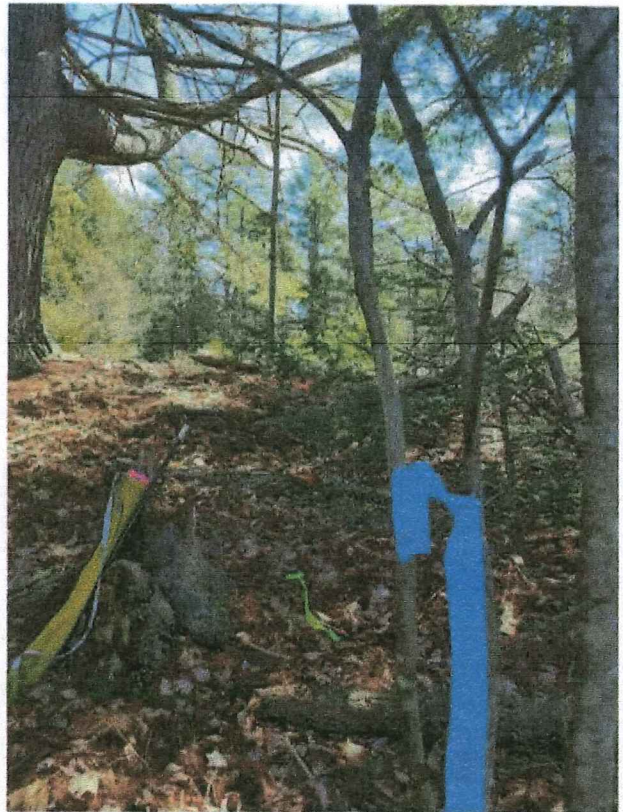
- Site inundated:
- Depth to free water in observation hole:
- Depth to soil saturation in observation hole:
- Water marks:
- Drift lines:
- Sediment deposits:
- Drainage patterns in BVW:
- Oxidized rhizospheres:
- Water-stained leaves:
- Recorded data (stream, lake, or tidal gauge; Aerial photo; other):
- Other:

Vegetation and Hydrology Conclusion	Yes	No
Number of wetland indicator plants	<input type="checkbox"/>	<input checked="" type="checkbox"/>
>/= number of non-wetland indicator plants	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wetland hydrology present:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hydric soil present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other indicators of hydrology present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sample location is in a BVW		

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



Wetland at Plot A8-W



Upland at Plot A8-U



Soil at Plot A8-W



Soil at Plot A8-U

3084-Amenta

- DEP Wetlands Linear Features
 - SHORELINE
 - HYDROLOGIC CONNECTION
 - MEAN WATER LINE
 - APPARENT WETLAND LIMIT
 - CLOSURE LINE
 - EDGE OF INTERPRETED AREA
- Major Streams
- Property Tax Parcels

