



[dan@legacy-ce.com](mailto:dan@legacy-ce.com)  
508-376-8883(o)  
508-868-8353(c)  
730 Main Street  
Suite 2C  
Millis, MA 02054

April 5, 2019

Medway Conservation Commission  
Town of Medway  
155 Village Street  
Medway, MA 02053

Ref: Notice of Intent  
39 Main Street

Dear Members of the Commission:

On behalf of the applicant, Strategic Land Ventures, we are pleased to submit the enclosed Notice of Intent under the Wetlands Protection Act to perform work associated with the construction a 190 unit residential apartment. Please find the following enclosed in support of the application:

- Three copies of a Notice of Intent booklet which contains the fully executed Form 3 Notice of Intent and a variety of supporting information and attachments;
- Two full-size and seven 11x17 copies of the site plan;
- Two copies of the stormwater report; and
- A check in the amount of \$537.40 made payable to the Town of Medway for the Town's portion of the state filing fee.
- A check in the amount of \$0.10 made payable to the Town of Medway for the Town's portion of the state filing fee.

Please do not hesitate to contact me if you have any questions or comments.



Conservation Commission  
April 5, 2019  
Page 2 of 2



[dan@legacy-ce.com](mailto:dan@legacy-ce.com)  
508-376-8883(o)  
508-868-8353(c)  
730 Main Street  
Suite 2C  
Millis, MA 02054

Sincerely,

LEGACY ENGINEERING LLC

Daniel J. Merrikin, P.E.  
President

cc: File

MassDEP Central Region, 8 New Bond Street, Worcester, MA 01606 (by Certified Mail)

# NOTICE OF INTENT

FOR

*39 MAIN STREET*  
*MEDWAY, MA*

*PROPOSED RESIDENTIAL DEVELOPMENT*

APRIL 3, 2019

PREPARED BY:  
LEGACY ENGINEERING LLC  
CONSULTING ENGINEERS  
730 MAIN STREET, SUITE 2C  
MILLIS, MA 02054

PREPARED FOR:  
STRATEGIC LAND VENTURES  
257 HILLSIDE AVENUE  
NEEDHAM, MA 02494

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# WPA FORM 3: NOTICE OF INTENT

Supplemental Information Referenced in the Notice of Intent:

WPA Form 3 – Notice of Intent pursuant to the Massachusetts Wetlands Protection Act. The following identifies additional information pursuant to the various sections within Form 3:

- A.5 See Appendix A for the Wetland Fee Transmittal Form
- A.6 See the Narrative Description for additional description of the proposed redevelopment
- D.1 See Appendix C for locus maps
- D.2 See Appendix E for the site plan
- D.3 See the Narrative Description for a discussion of the resource areas on the site
- D.4 The plans and supporting information submitted within this application are identified in the various Appendices noted herein
- D.8 See Appendix A for the Wetland Fee Transmittal Form



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

Medway

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):

39 Main Street

a. Street Address

Medway

b. City/Town

02053

c. Zip Code

Latitude and Longitude:

42.091530

d. Latitude

71.235128

e. Longitude

Map 41

f. Assessors Map/Plat Number

Parcel 035 & 035-0001

g. Parcel /Lot Number

2. Applicant:

a. First Name

b. Last Name

Strategic Land Ventures

c. Organization

257 Hillside Avenue

d. Street Address

Needham

MA

02494

e. City/Town

f. State

g. Zip Code

617-782-2300

h. Phone Number

n/a

i. Fax Number

gengler@s-e-b.com

j. Email Address

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

a. First Name

b. Last Name

Notwen Realty Trust

c. Organization

33 Fruit Street

d. Street Address

Norfolk

MA

02056

e. City/Town

f. State

g. Zip Code

508-528-0812

h. Phone Number

n/a

i. Fax Number

n/a

j. Email address

4. Representative (if any):

Daniel

a. First Name

Merrikin

b. Last Name

Legacy Engineering LLC

c. Company

730 Main Street

d. Street Address

Millis

MA

02054

e. City/Town

f. State

g. Zip Code

508-376-8883

h. Phone Number

n/a

i. Fax Number

dan@legacy-ce.com

j. Email address

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

\$1,050.00

a. Total Fee Paid

\$512.50

b. State Fee Paid

\$537.50

c. City/Town Fee Paid



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

Medway

City/Town

### A. General Information (continued)

6. General Project Description:

Proposed 190 unit apartment building along with all associated parking areas, driveways, utility systems, and stormwater management systems.

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

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Single Family Home                        | 2. <input type="checkbox"/> Residential Subdivision       |
| 3. <input type="checkbox"/> Commercial/Industrial                     | 4. <input type="checkbox"/> Dock/Pier                     |
| 5. <input type="checkbox"/> Utilities                                 | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation                |
| 9. <input checked="" type="checkbox"/> Other                          |   |

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

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

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Norfolk

a. County

9237

c. Book

b. Certificate # (if registered land)

439

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

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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 type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - <b>specify coastal or inland</b>	

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.





## WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

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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. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	a. square feet of BVW	b. square feet of Salt Marsh
5. <input type="checkbox"/> Project Involves Stream Crossings		
	a. number of new stream crossings	b. number of replacement stream crossings



## WPA Form 3 – Notice of Intent

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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](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.



## WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

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### 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/meda/meda\\_fee\\_schedule.htm](http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/meda/meda_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/meda/meda\\_exemptions.htm](http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/meda/meda_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](mailto: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](mailto:DMF.EnvReview-North@state.ma.us)

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



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

## WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

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Medway

City/Town

**Online Users:**

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

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

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

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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.

"39 Main Street Site Plan of Land in Medway MA"

a. Plan Title

Legacy Engineering LLC

Daniel J. Merrikin, P.E.

b. Prepared By

c. Signed and Stamped by

March 26, 2019

1"=40'

d. Final Revision Date

e. Scale

Stormwater Report for 39 Main Street

March 26, 2019

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:

2292

04/01/2019

2. Municipal Check Number

3. Check date

2291

04/01/2019

4. State Check Number

5. Check date

SEB LLC

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

**WPA Form 3 – Notice of Intent**

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

MassDEP File Number

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Medway  
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	<i>Guffey Engle</i>	2. Date	<i>4-1-2019</i>
3. Signature of Property Owner (if different)	<i>Paul J. Newton</i>	4. Date	<i>4/1/2019</i>
5. Signature of Representative (if any)	<i>Carol Ann</i>	6. Date	<i>4/3/2019</i>

**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: FEE TRANSMITTAL AND FEE CALCULATION WORKSHEET

Under the Wetlands Protection Act





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:

39 Main Street

a. Street Address

2291

c. Check number

Medway

b. City/Town

\$512.50

d. Fee amount

### 2. Applicant Mailing Address:

a. First Name

Strategic Land Ventures

c. Organization

257 Hillside Avenue

d. Mailing Address

Needham

e. City/Town

617-782-2300

h. Phone Number

n/a

i. Fax Number

b. Last Name

MA

f. State

02494

g. Zip Code

gengler@s-e-b.com

j. Email Address

### 3. Property Owner (if different):

a. First Name

Notwen Realty Trust

c. Organization

33 Fruit Street

d. Mailing Address

Norfolk

e. City/Town

508-528-0812

h. Phone Number

n/a

i. Fax Number

b. Last Name

MA

f. State

02056

g. Zip Code

n/a

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).





Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
3.b. Building including site	1	\$1,050	\$1,050
<b>Step 5/Total Project Fee:</b>			\$1,050.00
<b>Step 6/Fee Payments:</b>			
Total Project Fee:			\$1,050.00
State share of filing Fee:			\$512.50
City/Town share of filling Fee:			\$537.50
			a. Total Fee from Step 5
			b. 1/2 Total Fee <b>less</b> \$12.50
			c. 1/2 Total Fee <b>plus</b> \$12.50

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

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

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

SEB LLC

257 HILLSIDE AVE  
NEEDHAM, MA 02494

2291

53-179/113

DATE 4-1-2019

PAY TO THE  
ORDER OF

Commonwealth of Massachusetts

\$ 512.50

Five hundred twelve dollars & <sup>50</sup>/<sub>100</sub>

DOLLARS



Security Features  
Included  
Details on Back

Eastern Bank

Boston, MA 02110  
easternbank.com  
1-800-EASTERN

FOR Medway - NOI

MP

⑆002291⑆ ⑆011301798⑆ 0701051036⑆

SEB LLC

257 HILLSIDE AVE  
NEEDHAM, MA 02494

2292

53-179/113

DATE 4-1-2019

PAY TO THE  
ORDER OF

Town of Medway

\$ 537.40

Five hundred thirty-seven dollars & <sup>40</sup>/<sub>100</sub>

DOLLARS



Security Features  
Included  
Details on Back

Eastern Bank

Boston, MA 02110  
easternbank.com  
1-800-EASTERN

FOR SLV Medway LLC NOI filing

MP

⑆002292⑆ ⑆011301798⑆ 0701051036⑆

## APPENDIX B: AFFIDAVIT OF SERVICE AND ABUTTER NOTIFICATION

## **AFFIDAVIT OF SERVICE**

### **Under the Massachusetts Wetlands Protection Act**

I, Daniel J. Merrikin, hereby certify under the Pains and Penalties of Perjury that on April 5, 2019 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 dated, April 8, 1994 in connection with the following matter:

A Notice of Intent has been filed under the Massachusetts Wetlands Protection Act by Strategic Land Ventures with the Medfield Conservation Commission on or about April 5, 2019 regarding property located at assessors Map-Parcel 41-35 & 41-35-1 on 39 Main Street in Medway, MA.

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

  
Signature

April 5, 2019

### 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: Strategic Land Ventures

B. The name of the owner is: Notwen Realty Trust

C. The applicant has filed a Notice of Intent with the Medway Conservation Commission seeking permission to remove, fill, dredge or alter an Area Subject to Protection under the Wetlands Protection Act (General Laws Chapter 131, Section 40).

D. The address of the lot where the activity is proposed is: 39 Main Street (Assessors Parcel ID 41-35 & 41-35-1)

E. Copies of the Notice of Intent may be examined at the Medway Conservation Commission, 155 Village Street, Medway, MA, during normal office hours or by appointment. For more information, call: (508) 376-8883. This is the applicant's representative, Merrikin Engineering, LLP.

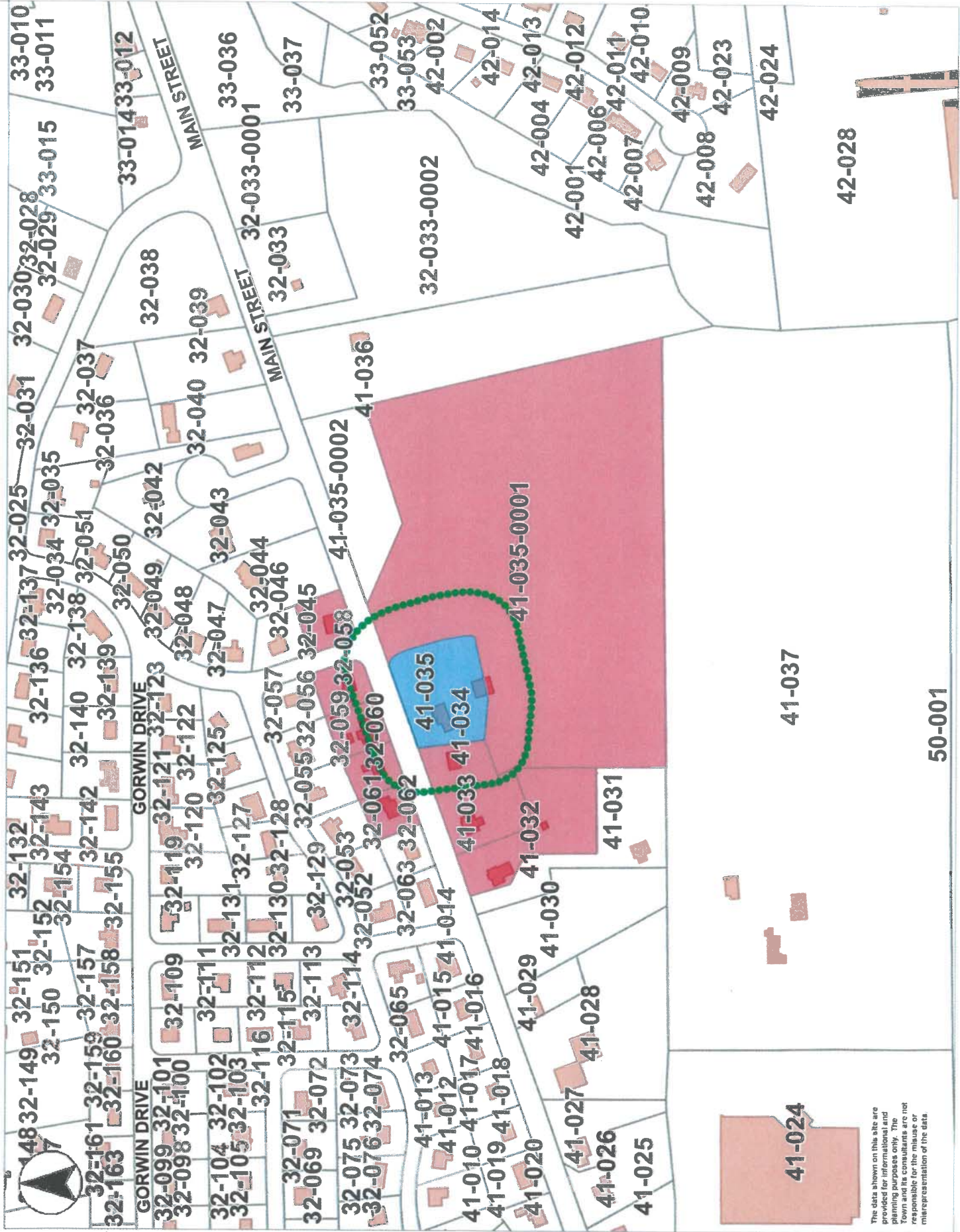
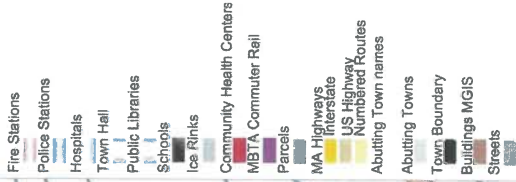
F. Copies of the Notice of Intent and information regarding the date, time and place of the public hearing may be obtained from the applicant's representative, Legacy Engineering LLC, by calling (508) 376-8883 between the hours of 8:00 am thru 12:00 pm and 1:00 pm thru 5:00 pm on the Monday thru Friday (excluding holidays). Pursuant to the DEP guide to abutter notification dated April 8, 1994, Legacy Engineering LLC may charge a reasonable fee for the copy of the Notice of Intent.

NOTE: Notice of the public hearing, including its date, time, and place, will be published at least five (5) days prior to the hearing date in the local newspaper.

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

NOTE: You also may contact your local Conservation Commission or the Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act at 508-792-7650.





400

Parcel ID: 41-035  
NEWTON PAUL TRUSTEE  
NEWTON MARGARET TRUSTEE  
33 FRUIT STREET  
NORFOLK, MA 02056

Parcel ID: 32-045  
SALVATORE MARY E.  
P.O. BOX 69  
MEDWAY, MA 02053

Parcel ID: 32-058  
SHEEDY TIMOTHY M  
SHEEDY LOURDES C  
38 MAIN ST.  
MEDWAY, MA 02053

Parcel ID: 32-059  
PELLEGRINI ROGER  
PELLEGRINI LINDA  
40 MAIN STREET  
MEDWAY, MA 02053

Parcel ID: 32-060  
HANLEY KEVIN P.  
SAWTELLE HOLLY  
42 MAIN ST.  
MEDWAY, MA 02053

Parcel ID: 32-061  
RUND ROBERT B.  
RUND DEBORAH L.  
44 MAIN ST.  
MEDWAY, MA 02053

Parcel ID: 41-032  
RIGGS CRAIG W  
47 MAIN ST.  
MEDWAY, MA 02053

Parcel ID: 41-033  
SOCOBY LAWRENCE DANA  
45 MAIN ST.  
MEDWAY, MA 02053

Parcel ID: 41-034  
CRUZ STEPHEN A  
41 MAIN ST.  
MEDWAY, MA 02053

Parcel ID: 41-035-0001  
NEWTON PAUL TRUSTEE  
NEWTON MARGARET TRUSTEE  
33 FRUIT STREET  
NORFOLK, MA 02056



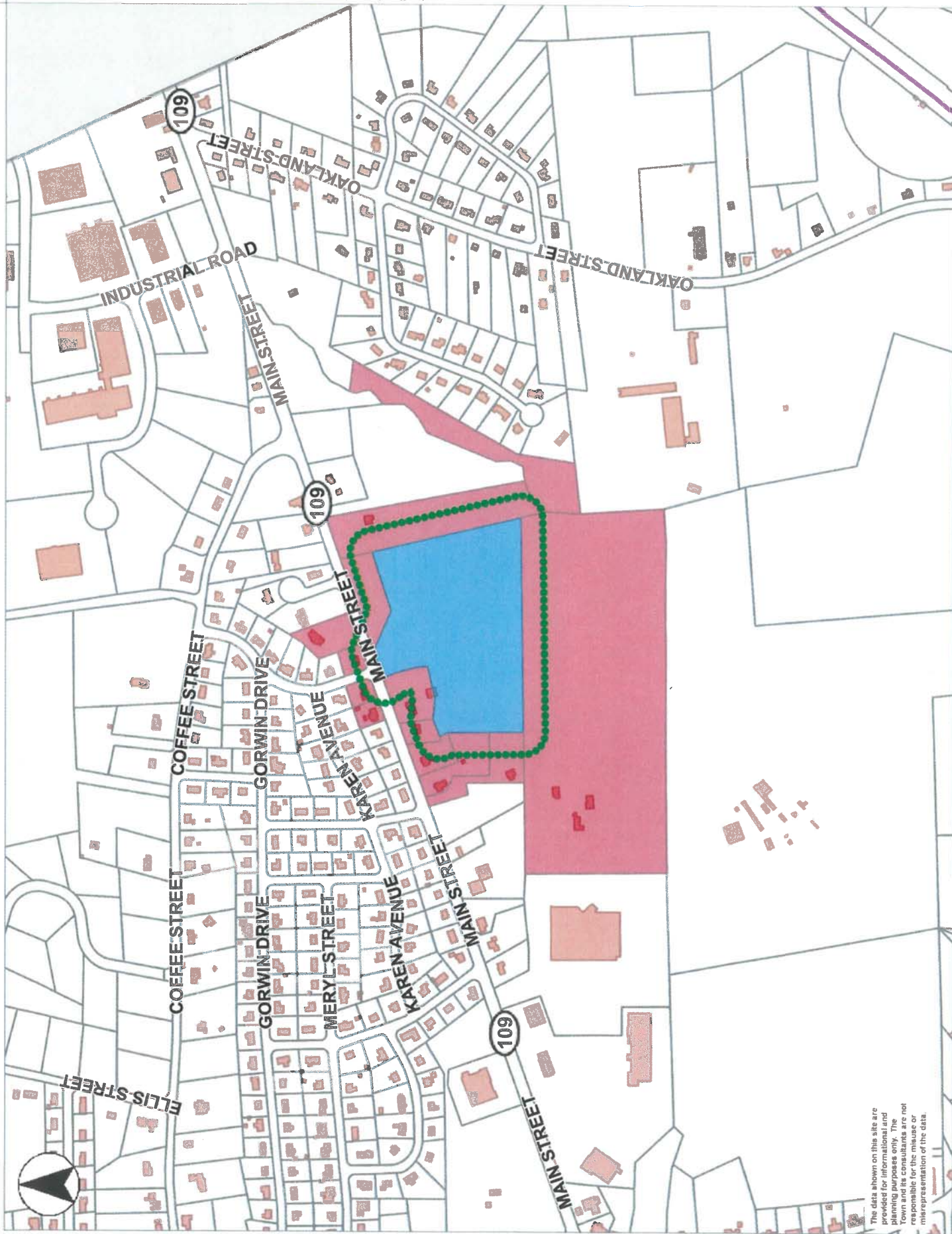
THIS IS A CERTIFIED ABUTTERS LIST FROM THE TOWN OF MEDWAY.  
WE CERTIFY THAT AT TIME OF LAST ASSESSMENT, THE NAMES AND  
ADDRESSES OF ALL PROPERTY OWNERS, ARE ACCURATE.

*L. Gerald Ballantyne*  
Office of the Board of Assessors  
Date 1/27/19





- Fire Stations
- Police Stations
- Hospitals
- Town Hall
- Public Libraries
- Schools
- Ice Rinks
- Community Health Centers
- MBTA Commuter Rail
- Parcels
- MA Highways
- Interstate
- US Highway
- Numbered Routes
- Abutting Town names
- Abutting Towns
- Town Boundary
- Buildings MGIS
- Streets



The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.

0 800 1600 ft

Printed on 02/27/2019 at 11:39 AM

Town of Medway, MA GIS

100' 4-035-0001



Parcel ID: 41-035-0001  
NEWTON PAUL TRUSTEE  
NEWTON MARGARET TRUSTEE  
33 FRUIT STREET  
NORFOLK, MA 02056

Parcel ID: 32-044-C01A  
MORGAN BRENDA C  
1-A THUNDER HILL RD.  
MEDWAY, MA 02053

Parcel ID: 32-044-C01B  
MATTHEWS DAVID W  
RACIN JULIA  
1B THUNDER HILL RD.  
MEDWAY, MA 02053

Parcel ID: 32-045  
SALVATORE MARY E.  
P.O. BOX 69  
MEDWAY, MA 02053

Parcel ID: 32-058  
SHEEDY TIMOTHY M  
SHEEDY LOURDES C  
38 MAIN ST.  
MEDWAY, MA 02053

Parcel ID: 32-059  
PELLEGRINI ROGER  
PELLEGRINI LINDA  
40 MAIN STREET  
MEDWAY, MA 02053

Parcel ID: 41-031  
HENAULT MICHAEL T  
HENAULT TIFFANY M  
49 MAIN STREET  
MEDWAY, MA 02053

Parcel ID: 41-032  
RIGGS CRAIG W  
47 MAIN ST.  
MEDWAY, MA 02053

Parcel ID: 41-033  
SOCOBY LAWRENCE DANA  
45 MAIN ST.  
MEDWAY, MA 02053

Parcel ID: 41-034  
CRUZ STEPHEN A  
41 MAIN ST.  
MEDWAY, MA 02053

Parcel ID: 41-035  
NEWTON PAUL TRUSTEE  
NEWTON MARGARET TRUSTEE  
33 FRUIT STREET  
NORFOLK, MA 02056

Parcel ID: 41-035-0002  
PELLICCIA LAUREN NICOLE  
SANDERS KEIRA A  
31 MAIN ST  
MEDWAY, MA 02053

Parcel ID: 41-036  
RYMANOWSKI MATTHEW  
29 MAIN ST.  
MEDWAY, MA 02053

Parcel ID: 41-037  
BOCZANOWSKI JOANNE  
BOCZANOWSKI DEBORAH  
43 MAIN ST.  
MEDWAY, MA 02053

Parcel ID: 42-001  
SIA SILVIO CHARLES  
P.O. BOX 310  
PINELAND, FL 33945



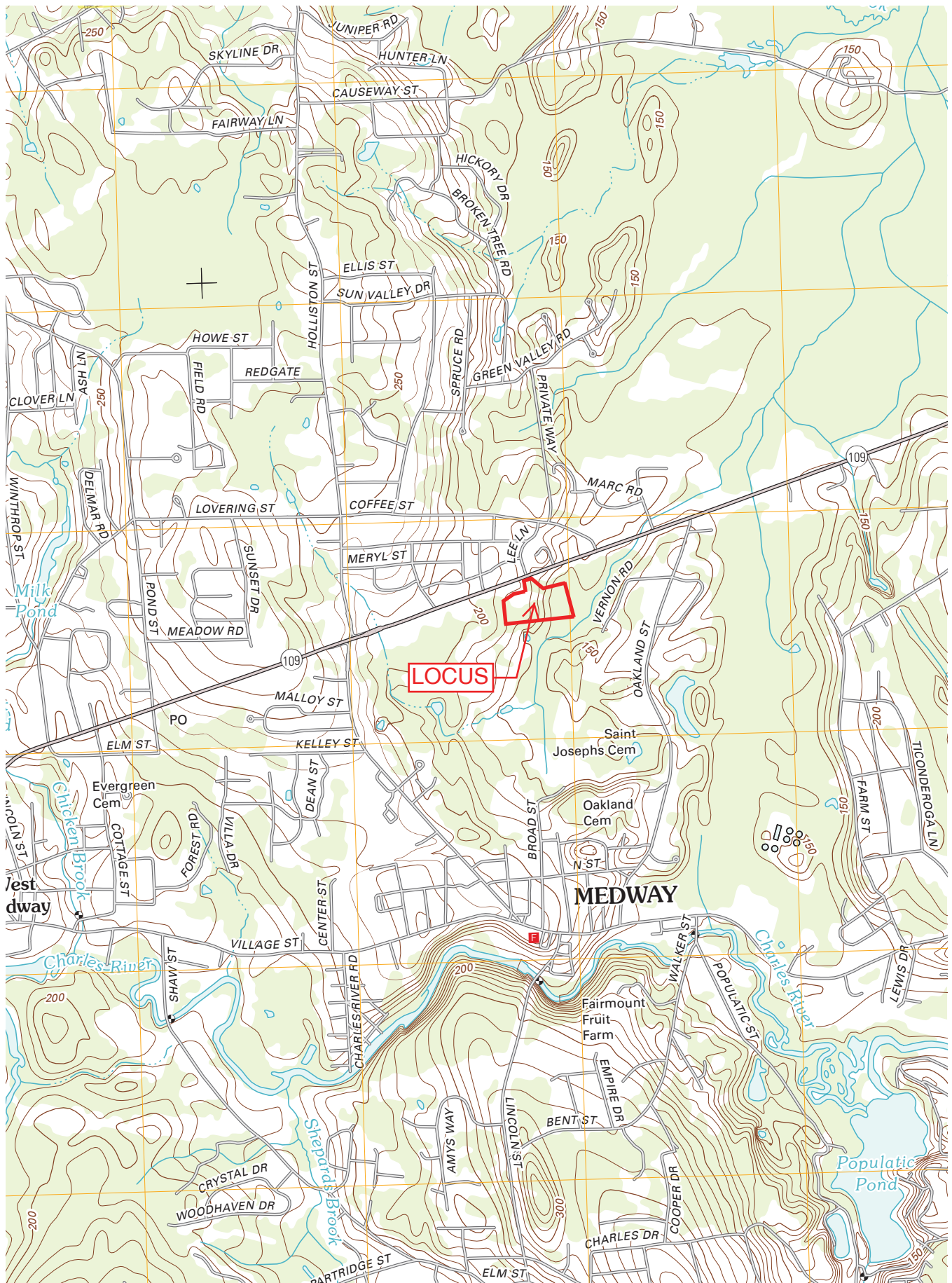
THIS IS A CERTIFIED DUPLICATES LIST FROM THE TOWN OF MEDWAY.  
WE CERTIFY THAT AT TIME OF LAST ASSESSMENT, THE NAMES AND  
ADDRESSES OF ALL PROPERTY OWNERS ARE ACCURATE.

*[Signature]*  
Office of the Board of Assessors

Date

7/19

## APPENDIX C: LOCUS MAPS



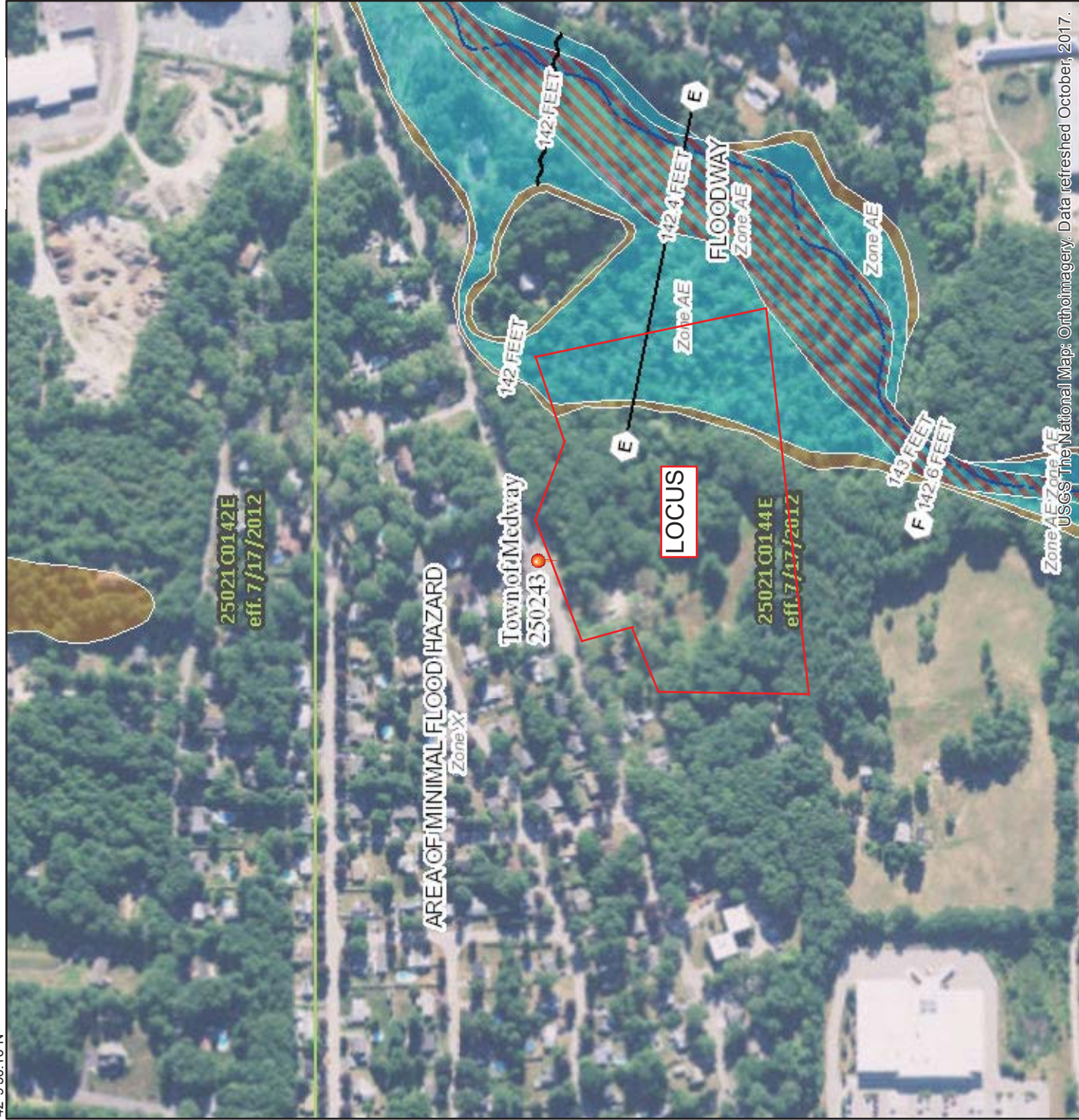


# National Flood Hazard Layer FIRMette



42°9'30.16"N

71°24'14.60"W



## Legend

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

Without Base Flood Elevation (BFE)  
*Zone A, V, A99*

With BFE or Depth  
*Zone AE, AO, AH, VE, AR*

Regulatory Floodway

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile  
*Zone X*

Future Conditions 1% Annual Chance Flood Hazard  
*Zone X*

Area with Reduced Flood Risk due to Levee. See Notes.  
*Zone X*

Area with Flood Risk due to Levee  
*Zone D*

Area of Minimal Flood Hazard  
*Zone X*

Effective LOMR

Area of Undetermined Flood Hazard  
*Zone D*

Channel, Culvert, or Storm Sewer

Levee, Dike, or Floodwall

Cross Sections with 1% Annual Chance Water Surface Elevation

Coastal Transect

Base Flood Elevation Line (BFE)

Limit of Study

Jurisdiction Boundary

Coastal Transect Baseline

Profile Baseline

Hydrographic Feature

Digital Data Available

No Digital Data Available

Unmapped

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

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

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **1/8/2019 at 11:19:34 AM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

# APPENDIX D: NARRATIVE DESCRIPTION

# NARRATIVE DESCRIPTION

## Introduction

This Notice of Intent proposes the construction of a 190-unit residential building at 39 Main Street.

## Existing Conditions

The proposed project site is comprised of two existing parcels totaling 12.3 acres on the south side of Main St. (Route 109). The site contains one existing single-family dwelling and appurtenances. Single family homes directly abut the property with single and multifamily homes abutting to the north across Main St. The site contains a mixture of upland woodlands and open fields. Wetlands bordering a tributary to the Great Black Swamp are located on the east side of the property.

## Resource Areas

Wetlands on the project site were delineated in the fall of 2015 by Applied Ecological Sciences (AES) and include the following:

- Banks – An inland bank associated with an unnamed intermittent stream flowing into the site from a roadway drainage discharge from Main Street. The stream channel continues into the BVW and is mostly comprised of sand, gravel, cobble, and stone. The banks are vegetated. No work is proposed within the bank.
- Bordering Land Subject to flooding – According to the Federal Emergency Management Agency (FEMA) floodplain mapping, Bordering Land Subject to Flooding (BLSF) is present on the site to approximate Elev. 142 (elevation varies across the site). The proposed work lies above this elevation and will not alter BLSF.
- Bordering Vegetated Wetland (BVW) – A tributary to the Great Black Swamp exists to the south and east of the project site, which supports the forested wetlands identified and flagged on the project site. No work is proposed within the BVW.

## Proposed Work

The proposed development includes the construction of a 190-unit apartment building, along with all associated parking areas, driveways, utilities, and stormwater management systems.

During construction, straw bales and compost sock will be used to provide protection to wetland resource areas from siltation or disturbance during construction. These will be implemented in conjunction with a Stormwater Pollution Prevention Plan (SWPPP) to properly manage site construction activities.

## Project Schedule

The applicant intends to begin construction in 2020 and expects to be completed by the end of 2021.

APPENDIX E: “39 MAIN STREET  
SITE PLAN OF LAND IN MEDWAY,  
MA” DATED MARCH 26, 2019 (AS  
MAY BE AMENDED), PREPARED BY  
LEGACY ENGINEERING LLC (BOUND  
SEPARATELY)



APPENDIX F: “STORMWATER  
REPORT FOR 39 MAIN STREET  
MEDWAY, MA” DATED MARCH 26,  
2019, PREPARED BY LEGACY  
ENGINEERING LLC (BOUND  
SEPARATELY)

# APPENDIX G: BOTANIST REPORT



## **Site Evaluation & Wetland Delineation**

December 15, 2015

**39 Main Street  
Medway, Massachusetts 02053**

*Prepared for*

**Merrikin Engineering, LLP  
730 Main St, Suite 2C  
Millis, MA 02054**

*Prepared by*

**Applied Ecological Sciences**

P.O. Box 184  
Norfolk, MA 02056  
(508) 528-2866 phone/fax  
(508) 740-0438 cell  
email: [rwaldron@earthlink.net](mailto:rwaldron@earthlink.net)

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<b>Wetland Resource Description</b>	2.
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NHESP Estimated & Priority Habitat	3.
Water Supply Protection Areas	4.
Buffer Zones to Bank	4.
<b>References</b>	6.
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**Site Evaluation and Wetland Delineation  
39 Main Street  
Medway, Massachusetts**

**Introduction**

A site evaluation was conducted at the above referenced property on December 14, 2015. The upland/wetland boundary to Bordering Vegetated Wetland (BVW) was delineated in the field. Resulting data describing the floristic, edaphic, and topographic characteristics of the property has been utilized in the preparation of this *Site Evaluation Report*. The following narrative provides a general site description, wetland delineation methodology, and wetland resource description.

**General Site Description**

The subject property encompasses a residential and forested lot located southerly of Main Street (Route 109) in Medway, Massachusetts. Topography of the site is generally flat to moderately rolling. A single-family home and associated barn and garage occupies the northwestern portion of the site. Open meadow extends southerly of the developed portion of the site. The remainder of the property is forested. Residential development abuts the site to the east and west. *Great Black Swamp* lies to the south.

**Forested Upland Description**

A moderately dense canopy of northern red oak (*Quercus rubra*), white oak (*Quercus alba*), red maple (*Acer rubrum*), black cherry (*Prunus serotina*), eastern white pine (*Pinus strobus*), shagbark hickory (*Carya ovata*), and American beech (*Fagus grandifolia*) dominates vegetation in the forested upland. The shrub layer is comprised of saplings from the canopy, black huckleberry (*Gaylussacia baccata*), beaked hazelnut (*Corylus cornuta*), late lowbush blueberry (*Vaccinium angustifolium*), highbush blueberry (*Vaccinium corymbosum*), witch-hazel (*Hamamelis virginiana*), oriental bittersweet (*Celastrus orbiculatus*), multiflora rose (*Rosa multiflora*), and fox grape (*Vitis labrusca*). Ground cover species include seedlings from the canopy and shrub layers, Pennsylvania sedge (*Carex pensylvanica*), red berry wintergreen (*Gaultheria procumbens*), early lowbush blueberry (*Vaccinium vacillans*), Japanese knotweed (*Polygonum cuspidatum*), tree clubmoss (*Lycopodium obscurum*), sheep laurel (*Kalmia angustifolia*), partridgeberry (*Mitchella repens*), bracken fern (*Pteridium aquilinum*), and hay-scented fern (*Dennstaedtia punctilobula*).

**Soils**

Soils underlying the uplands consist of well-drained Canton (CaB) fine sandy loam, 3% to 8% slopes and excessively drained Hinckley (HfB) sandy loam, 35 to 8% slopes. The wetlands are

underlain by very poorly drained, nearly level Saco silt loam (Sa) and Swansea muck (Sw) (USDA SCS 1989, Map #27).

## **Wetland Delineation Methodology**

Resource area delineations were performed utilizing definitions and criteria promulgated under the *Massachusetts Wetlands Protection Act* (M.G.L. c. 131, § 40), the implementing *Regulations* (310 CMR 10.55(2)), and the Town of Medway *General Wetlands Protection Bylaw* (Article XXI) and *Rules and Regulations*. The extent of vegetated wetland was determined through observations of the existing plant communities while verifying wetland hydrology through interpretation of soil characteristics and other indications of surface hydrology. Soils were analyzed for texture and color to determine soil morphology in accordance with the most up to date standards including *Field Indicators for Identifying Hydric Soils in New England* (2004). Evidence of surface hydrology was determined through visual inspection of existing site conditions including typical indicators such as water marks, drift-lines, water-stained leaves, sediment deposits, and drainage patterns.

## **Wetland Resource Description**

Wetland resources associated with the site include Bordering Vegetated Wetland (BVW), Inland Bank, and Bordering Land Subject to Flooding (BLSF)

### **Bordering Vegetated Wetland (BVW)**

Bordering Vegetated Wetland (BVW) is defined at 310 CMR 10.55(2)(a) as:

*Freshwater wetlands that border on creeks, rivers, streams, ponds, and lakes. Bordering Vegetated Wetlands are areas where the soils are saturated and/or inundated such that they support a predominance of wetland indicator plants.*

The boundary of Bordering Vegetated Wetland is defined at 310 CMR 10.55(2)(c) as:

*The line within which 50% or more of the vegetation community consists of wetland plants and saturated or inundated conditions exist.*

Seasonally flooded Forested Swamp (PFO1/C) (Cowardin et al, 1979) is located within or adjacent to the eastern and southern portions of the site. Topography within the BVW is generally flat with distinct pit and mound micro-topography, drainage patterns and leaf staining evident throughout. A moderately dense canopy of red maple, slippery elm (*Ulmus rubra*), and black gum (*Nyssa sylvatica*) dominates vegetation within the swamp. The shrub layer is comprised of saplings from the canopy, highbush blueberry, winterberry (*Ilex verticillata*), silky dogwood (*Cornus amomum*), riverbank grape (*Vitis riparia*), swamp azalea (*Rhododendron viscosum*), southern arrowwood (*Viburnum dentatum*), swamp rose (*Rosa palustris*), and spicebush (*Lindera benzoin*). Ground cover species include seedlings from the canopy and shrub layers, cinnamon fern, royal fern (*Osmunda regalis*), skunk cabbage (*Symplocarpus foetidus*),

sphagnum moss (*Sphagnum* sp.), mannagrass (*Glyceria canadensis*), various asters (*Aster* sp.), tussock sedge (*Carex stricta*), spinulose woodfern (*Dryopteris spinulosa*), common plantain (*Plantago major*), goldenrod (*Solidago* spp.), sensitive fern (*Onoclea sensibilis*), and common reed (*Phragmites australis*).

*The upland/wetland boundary to BVW located on or adjacent to the site is delineated in the field with AES flagging stations #1 through #64.*

### **Inland Bank**

The statutory Bank is defined at [10 CMR 10.54(2)(a)] as:

*The portion of land surface that normally abuts and confines a water body. The upper boundary of a Bank is first observable break in the slope or the mean annual flood level, whichever is lower. The lower boundary of a Bank is the mean annual low flow level [10 CMR 10.54(2)(c)].*

Inland Bank located on or adjacent to the site is associated with an unmapped stream. The stream inflows the north-central portion of the site via a reinforced concrete pipe located under Main Street. A well defined, meandering channel, approximately one to three feet wide and six to 24 inches deep, with a sand/gravel/cobble/stone streambed characterizes the stream. The Inland Bank is generally well defined, approximately six to 24 inches high and vegetated with wetland plant species. Approximately one to six inches of slowly flowing surface water was observed within the stream channel at the time of the evaluation.

### **Bordering Land Subject to Flooding (BLSF)**

Bordering Land Subject to Flooding (BLSF) is defined at 310 CMR 10.57(1)(a) 1. as:

*An area that floods from a rise in a bordering waterway or water body.*

Based on the Federal Emergency Management Agency Flood Insurance Rate Map for the town of Medway, Massachusetts (Map No. 25021C0144E), the site is located within Zone X (non-shaded), *Areas determined to be outside the 0.2% annual chance floodplain* and Zone AE; *Special flood areas subject to inundation by the 1% annual chance flood. Base flood elevations determined.* The base flood elevation established for the 100-year flood plain on and adjacent to the site is elevation 144.

### **NHESP Estimated & Priority Habitat**

According to the Massachusetts Natural Heritage and Endangered Species Program (NHESP) habitat map ([http://maps.massgis.state.ma.us/map\\_ol/oliver.php](http://maps.massgis.state.ma.us/map_ol/oliver.php)), the site is not located within an

“Estimated Habitat of Rare Wildlife” or a “Priority Habitat of Rare Species.” There is no certified or potential vernal pool habitat located on the subject property.

### **Water Supply Protection Areas**

According to the Massachusetts Geographic Information Systems (MA GIS) *Water Supply Protection Areas Map*, the site is not located within a Zone II groundwater recharge area or an Interim Wellhead Protection Area (IWPA).

### **Buffer Zones to BVW and Bank**

Buffer Zone, as defined at 310 CMR 10.04, means:

*The area of land extending 100 feet horizontally outward from the boundary of any area specified in 310 CMR 10.02(1)(a).*

Under Section 5.06, Minimum Buffer Zone Performance Standards:

*As set forth more specifically below, it is the intent of the Commission to protect, either by condition or by legal restriction, as much of the 100-foot buffer zone as possible. Regardless, the first 25 feet of the buffer zone closest to the wetland line will be considered by the Commission to be of primary concern within the buffer.*

*(a) No Disturb Setback. Except as permitted by the Commission, no work shall be allowed within 25 feet of wetland resource areas identified in these rules and regulations (exclusive of the 100 foot buffer zone). This provision shall establish a permanent vegetative buffer between wetland resource areas and developed areas. No removal of vegetation will be permitted within this 25-foot setback except as specifically waived by the Commission under Section 7.*

*(b) No Build Setback. No structure shall be built within 25 feet from any Resource Area (exclusive of the 100 foot buffer zone) without a waiver by the Commission under Section 7. Structures are discouraged between 25 and 50 feet from any Resource Area (exclusive of the 100 foot buffer zone).*

*i. A 75-foot minimum No Build Setback shall apply under any of the following circumstances:*

*A. The Commission identifies a critical wildlife, fish or plant habitat;*

*B. The Resource Area is located within a Water Resource Protection Overlay District, Zone II, or an ACEC;*

*C. The Buffer Zone includes a slope that cannot be conditioned to protect the Resource Area;*



*D. The Commission otherwise identifies a sensitive receptor Resource Area.*

*(c) These Rules and Regulations shall not be construed to preclude access paths, vista pruning or construction of water-dependent structures within the buffer zone, any of which may be permitted at the Commission's discretion.*

The eastern and southern portions of the site are contained within the Buffer Zones to BVW and/or Bank.

## **References**

- Cowardin et al, 1979. *A Classification of Wetlands and Deep Water Habitats of the United States*. United States Department of the Interior, Fish and Wildlife Service. FWS/OBS-79/31.
- Federal Emergency Management Agency, FEMA Map Service Center, [www.fema.gov](http://www.fema.gov).
- Massachusetts Geographic Information Systems, [www.massgis.ma.state.us](http://www.massgis.ma.state.us).
- Natural Heritage and Endangered Species Program, 2008. *Natural Heritage Atlas, 13<sup>th</sup> Edition* ([www.mass.gov/mgis](http://www.mass.gov/mgis)).
- New England Hydric Soils Technical Committee, 2004, 3rd ed. *Field Indicators for Identifying Hydric Soils in New England*. New England Interstate Water Pollution Control Commission. Lowell, MA.
- United States Department of Agriculture, Soil Conservation Service, 1989. *Soil Survey of Norfolk and Suffolk Counties, Massachusetts*.

**Appendix A**  
**DEP Bordering Vegetated Wetland (310 CMR 10.55)**  
**Delineation Field Data Forms**

## Section II. Indicators of Hydrology

### Hydric Soil Interpretation

T-1, 2 UPL

#### 1. Soil Survey

Is there a published soil survey for this site? **Yes**

title/date: **Soil Survey of Norfolk & Suffolk Counties, MA, 1989.**

map number: **27**

soil type mapped: **Canton (CaB), WD, fsl, 3% to 8% slopes.**

hydric soil inclusions: **None**

Are field observations consistent with soil survey? **No**

Remarks: **Roots: common, fine-medium to 14"**

**Consistence: vfr throughout**

**Structure: A = 1/f/sbk; AB, Bw1 = 1/m/sbk**

**Coarse frag.:**

2. Soil Description		Redoximorphic features	
Horizon	Depth	Matrix color	
<b>A</b>	<b>0" - 2"</b>	<b>10YR 2/1 fsl</b>	
<b>AB</b>	<b>2" - 5"</b>	<b>10YR 4/3 fsl</b>	
<b>Bw1</b>	<b>5" - 20"+</b>	<b>10YR 4/6 sl</b>	

Remarks: **Landscape position: back slope, 8% - 30%**

3. Other: **Cloudy, dry**

**Conclusion: Is soil hydric? No**

**Field Indicators for Identifying Hydric Soils in New England, VCR 3, April 2004.**

Other indicators of Hydrology: (check all that apply)

☐ 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:

Number of wetland indicator plants greater than or equal to non-wetland indicator plants?

yes	no
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Wetland hydrology present?

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**

<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	-------------------------------------

**Section II. Indicators of Hydrology**  
**Hydric Soil Interpretation**  
**T-1, 2 UPL**

**1. Soil Survey**

Is there a published soil survey for this site?      **Yes**

title/date:    **Soil Survey of Norfolk & Suffolk Counties, MA, 1989.**

map number:   **27**

soil type mapped: **Canton (CaB), WD, fsl, 3% to 8% slopes.**

hydric soil inclusions:    **None**

Are field observations consistent with soil survey?    **No**

Remarks:    **Roots: common, fine-medium to 14"**

**Consistence: vfr throughout**

**Structure: A = 1/f/sbk; AB, Bw1 = 1/m/sbk**

**Coarse frag.:**

2. Soil Description		Redoximorphic features	
Horizon	Depth	Matrix color	
<b>A</b>	<b>0" - 2"</b>	<b>10YR 2/1</b>	<b>fsl</b>
<b>AB</b>	<b>2" - 5"</b>	<b>10YR 4/3</b>	<b>fsl</b>
<b>Bw1</b>	<b>5" - 20"+</b>	<b>10YR 4/6</b>	<b>sl</b>

Remarks:    **Landscape position: back slope, 8% - 30%**

3. Other:      **Cloudy, dry**

**Conclusion: Is soil hydric?    No**  
**Field Indicators for Identifying Hydric Soils in New England, VCR 3,**  
**April 2004.**

Other indicators of Hydrology: (check all that apply)

☐ 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:**

Number of wetland indicator plants  
greater than or equal to non-wetland  
indicator plants?

yes	no
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Wetland hydrology present?

hydric soil present?

☐

other indicators of hydrology present?

☐

**Sample location is in a BVW**

☐

☒

## Section II. Indicators of Hydrology

### Hydric Soil Interpretation

T-1, 1 WET

#### 1. Soil Survey

Is there a published soil survey for this site? **Yes**

title/date: **Soil Survey of Norfolk & Suffolk Counties, MA, 1989.**

map number: **27**

soil type mapped: **Saco (Sa), VPD, sil, nearly level.**

hydric soil inclusions: **Freetown, Ripowam, Scarboro, Swansea**

Are field observations consistent with soil survey? **No**

Remarks: **Roots: common, fine-medium to 5"**

**Consistence: Sapric**

**Structure: Sapric**

**Coarse frag.:**

2. Soil Description

Horizon **Oa** Depth **>16"** Matrix color **2.5Y 2.5/1** Redoximorphic features

Remarks: **Landscape position: toe slope, 0% - 3%**

3. Other: **Cloudy, dry**

**Conclusion: Is soil hydric? Yes**

**Field Indicators for Identifying Hydric Soils in New England, VCR 3,**

**April 2004. Hydric soil criteria III.**

Other indicators of Hydrology: (check all that apply)

☐ Site inundated:

☒ Depth to free water in observation hole: **6"**

☒ Depth to soil saturation in observation hole: **Surface**

☐ Water marks:

☐ Drift lines:

☐ Sediment deposits:

☒ Drainage patterns in BVW: **Distinct**

☐ Oxidized rhizospheres:

☒ Water-stained leaves: **Distinct**

☐ Recorded data (stream, lake, or tidal gauge; aerial photo; other)

☐ Other:

#### Vegetation and Hydrology Conclusion:

Number of wetland indicator plants greater than or equal to non-wetland indicator plants?

yes no

☒ ☐

Wetland hydrology present?

hydric soil present?

☒ ☐

other indicators of hydrology present?

☒ ☐

**Sample location is in a BVW**

☒ ☐

## Section II. Indicators of Hydrology

### Hydric Soil Interpretation

T-1, 1 WET

#### 1. Soil Survey

Is there a published soil survey for this site? **Yes**

title/date: **Soil Survey of Norfolk & Suffolk Counties, MA, 1989.**

map number: **27**

soil type mapped: **Saco (Sa), VPD, sil, nearly level.**

hydric soil inclusions: **Freetown, Ripowam, Scarboro, Swansea**

Are field observations consistent with soil survey? **No**

Remarks: **Roots: common, fine-medium to 5"**

**Consistence: Sapric**

**Structure: Sapric**

**Coarse frag.:**

2. Soil Description

Horizon **Oa** Depth **>16"** Matrix color **2.5Y 2.5/1** Redoximorphic features

Remarks: **Landscape position: toe slope, 0% - 3%**

3. Other: **Cloudy, dry**

**Conclusion: Is soil hydric? Yes**

**Field Indicators for Identifying Hydric Soils in New England, VCR 3,**

**April 2004. Hydric soil criteria III.**

Other indicators of Hydrology: (check all that apply)

☐ Site inundated:

☒ Depth to free water in observation hole: **6"**

☒ Depth to soil saturation in observation hole: **Surface**

☐ Water marks:

☐ Drift lines:

☐ Sediment deposits:

☒ Drainage patterns in BVW: **Distinct**

☐ Oxidized rhizospheres:

☒ Water-stained leaves: **Distinct**

☐ Recorded data (stream, lake, or tidal gauge; aerial photo; other)

☐ Other:

#### Vegetation and Hydrology Conclusion:

Number of wetland indicator plants greater than or equal to non-wetland indicator plants?

yes no

☒ ☐

Wetland hydrology present?

hydric soil present?

other indicators of hydrology present?

☒ ☐

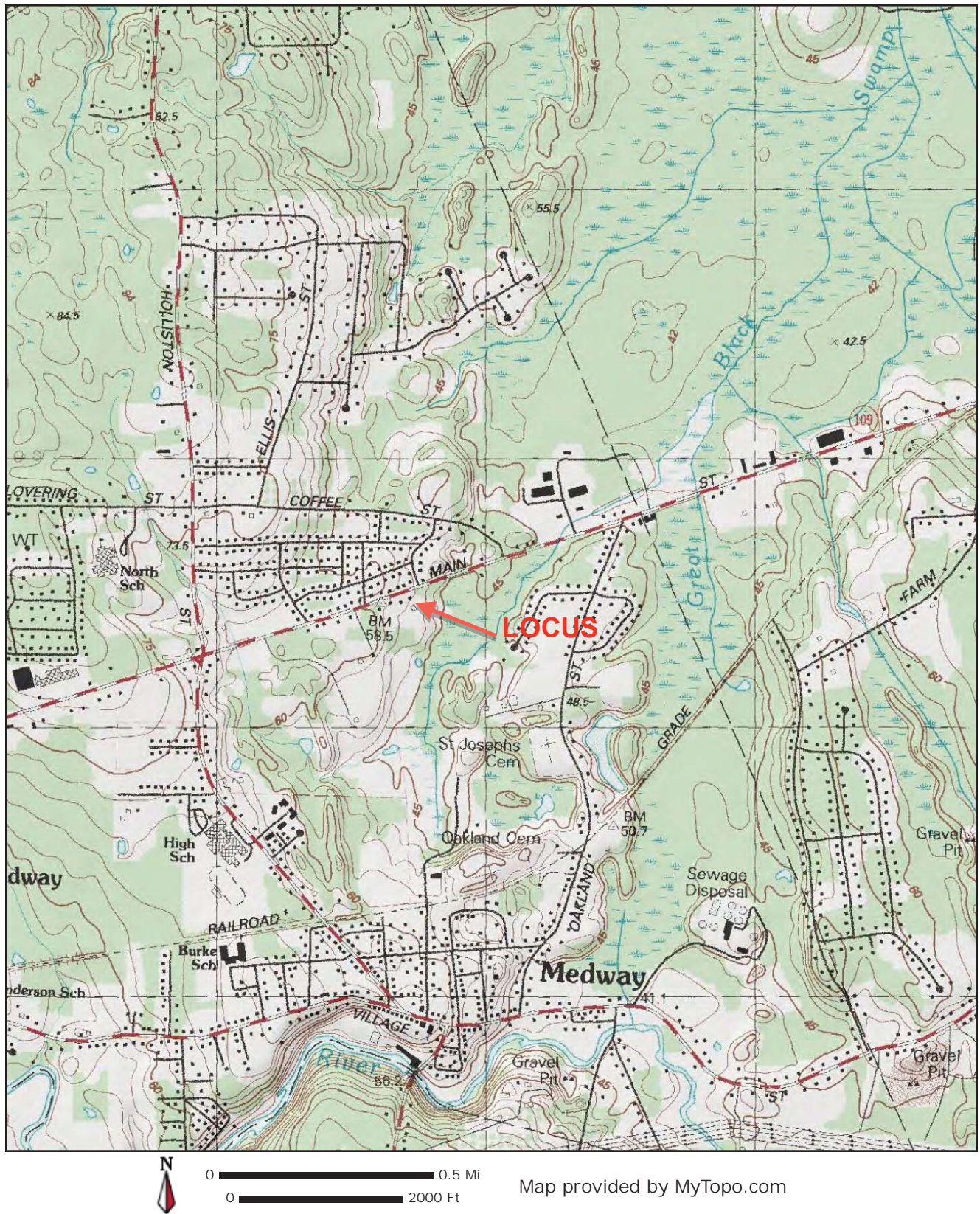
☒ ☐

**Sample location is in a BVW**

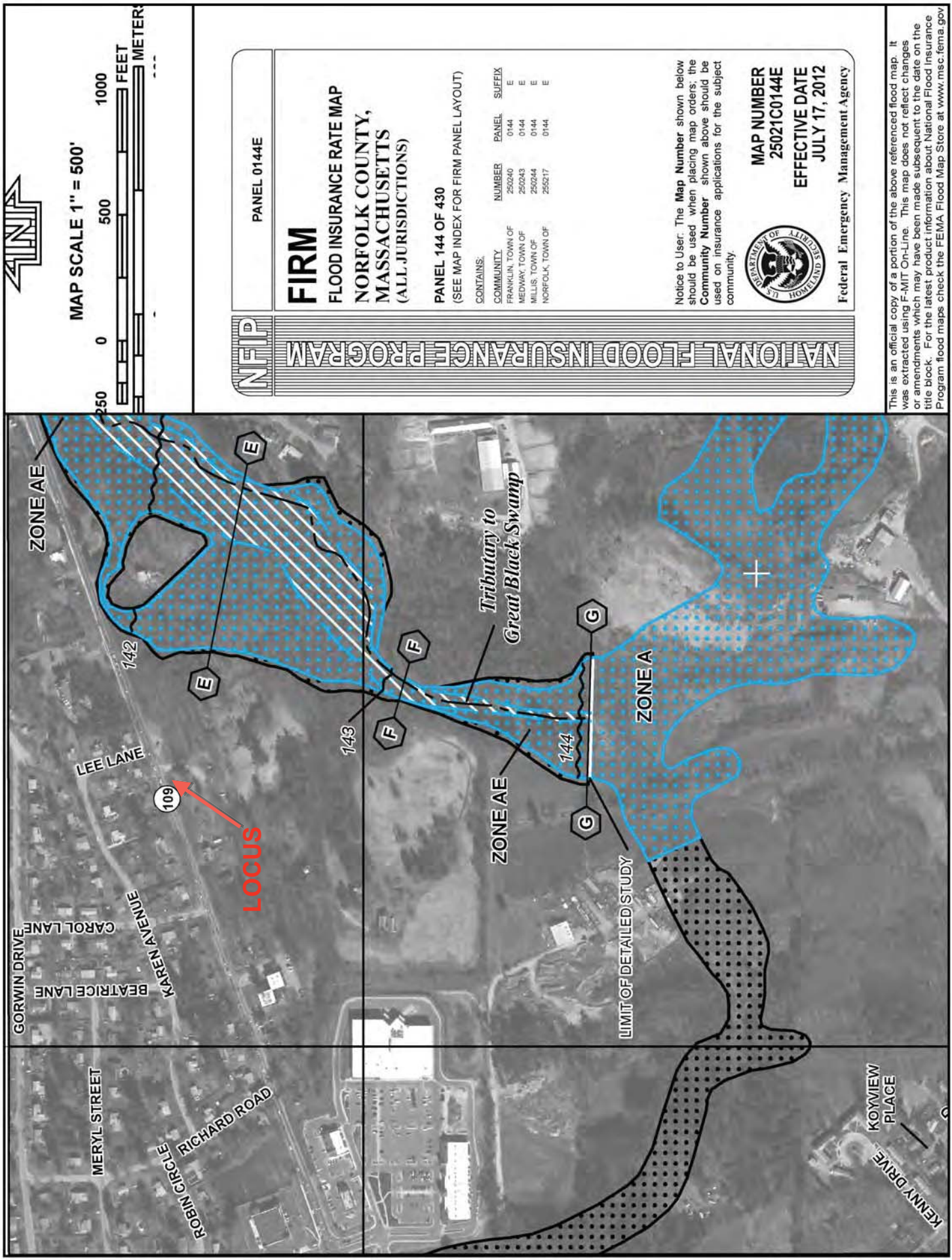
☒ ☐

**Appendix B**  
**U.S.G.S. Topographic Map**  
**FEMA Map**  
**N.H.E.S.P. Priority & Estimated Habitat Map**

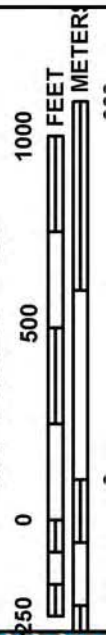








MAP SCALE 1" = 500'



NFIP

PANEL 0144E

# NATIONAL FLOOD INSURANCE PROGRAM

## FIRM FLOOD INSURANCE RATE MAP NORFOLK COUNTY, MASSACHUSETTS (ALL JURISDICTIONS)

PANEL 144 OF 430  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:			
COMMUNITY	NUMBER	PANEL	SUFFIX
FRANKLIN, TOWN OF	250240	0144	E
MEDWAY, TOWN OF	250243	0144	E
MILLIS, TOWN OF	250244	0144	E
NORFOLK, TOWN OF	250217	0144	E


Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.




MAP NUMBER  
25021C0144E  
EFFECTIVE DATE  
JULY 17, 2012

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)

 OLIVER: MassGIS's Online Mapping Tool

[OLIVER Updates](#) [Please use](#)



Zoom to a town

