



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

Lancaster

City/Town

WPA Form 1- Request for Determination of Applicability

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

A. General Information

Important:

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



1. Applicant:

M.B. REALTY CORP.

info@jcmadigan.com

Name

E-Mail Address

450 OLD UNION TURNPIKE

Mailing Address

LANCASTER

MA

01523

City/Town

State

Zip Code

978-847-2900

978-847-0066

Phone Number

Fax Number (if applicable)

2. Representative (if any):

S. J. MULLANEY ENGINEERING INC.

Firm

MIKAEL A. LASSILA

mlassila@sjmullaney.com

Contact Name

E-Mail Address

P.O. BOX 752

Mailing Address

LEOMINSTER

MA

01453-0752

City/Town

State

Zip Code

978-534-3131

978-534-3197

Phone Number

Fax Number (if applicable)

B. Determinations

1. I request the LANCASTER make the following determination(s). Check any that apply:
Conservation Commission



a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.



b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.



c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.



d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance** or **bylaw** of:

LANCASTER

Name of Municipality



e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



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C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

WHITE POND RD (access via 450 Old Union Turnpike)

Lancaster

Street Address

City/Town

MAP 8 PARCEL 41

N/A

Assessors Map/Plat Number

Parcel/Lot Number

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

See attached.

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

Plan 24-D-14, Site plan of Land in Lanc. MA located on M/P 8/41 (by SJ MULLANEY ENG.)

04/14/2020

Title

Date

Plan 24-A-18, Quad locus of Assessor's Map 8 Parcel 41 (BY SJ MULLANEY ENG)

10/17/2019

Title

Date

Madigan Wetland Report (BY CARON ENVIRONMENTAL CONSULTING

10/10/2019

Title

Date

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

See attached



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C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

See Attached

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- ☐ Single family house on a lot recorded on or before 8/1/96
- ☐ Single family house on a lot recorded after 8/1/96
- ☐ Expansion of an existing structure on a lot recorded after 8/1/96
- ☐ Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- ☐ New agriculture or aquaculture project
- ☐ Public project where funds were appropriated prior to 8/7/96
- ☐ Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- ☐ Residential subdivision; institutional, industrial, or commercial project
- ☐ Municipal project
- ☐ District, county, state, or federal government project
- ☐ Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



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D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

M. B. Realty Corp.; Attn: Timothy Madigan

Name

450 Old Union Turnpike

Mailing Address

Lancaster

City/Town

MA

State

01523

Zip Code

Signatures:

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

Signature of Applicant

04/15/2020

Date

Signature of Representative (if any)

04/15/2020

Date

Filing Fees

[Printer-Friendly Version](#)

Lancaster Wetlands Protection Bylaw Filing Fees

Mail Lancaster Filing Fees, along with a copy of this form, the DEP form and copy of DEP check plus Local portion of DEP fees (see opposite side) to:

Lancaster Office of Community Development and Planning
695 Main Street, Suite 4, Lancaster, MA 01523

Notice of Intent:

Applicant should file unless a property preexisted to this bylaw (All applicants will still be required to file with State DEP)

Category 1 **\$150:** _____

- a) work on single family lot of the scope of an addition, pool, etc.,
- b) site work without a house in BVW or buffer
- c) control vegetation of bordering vegetative wetland, including removal of trees
- d) resource improvement including bank improvement on riverfront or improvements to BVW buffers
- e) work on septic system separate from house
- f) monitoring well activities minus roadway

Category 2 **\$300.00** _____

- a) construction of single family house
- b) parking lot
- c) beach nourishment
- d) electric generating facility activities
- e) inland limited projects minus road crossings and agriculture
- f) each crossing for driveway to single family house
- g) each project source (storm drain) discharge
- h) control vegetation in development
- i) water level variations
- j) any other activity not in Category 1, 3, 4, 5 or 6
- k) water supply exploration

Category 3 **\$700.00** _____

- a) site preparation (for development) beyond Notice of Intent scope
- b) each building (for development) including site
- c) road construction not crossing or driveway
- d) hazardous cleanup
- e) water supply development

Category 4 **\$1500.00** _____

- a) each crossing for development or commercial road
- b) dam, sluiceway, tidegate (safety) work
- c) landfills operation/closures
- d) sand and gravel operations
- e) railroad line construction
- f) bridge
- g) hazardous waste alterations to resource areas
- h) dredging
- i) package treatment plant and discharge
- j) airport tree clearing
- k) oil and/or hazardous material release response actions

Category 5 \$1050.00 _____

a)work on docks, piers, revetments, dikes, etc. (inland)

Request for Determination of Applicability:

RDA for Single Family Homeowner \$100.00 _____

RDA for developer or other \$50.00/per acre _____? (David Koonce please confirm if acreage is the size of the lot, wetland or alteration.)

Abbreviated Notice of Resource Area Delineation:

The ANRAD fee is calculated as follows:

Single family house project X number of feet of BVW X \$3.00 = Total fee not to exceed \$300.

All other projects X number of feet of BVW X \$3.00 = Total fee not to exceed \$3,000 _____

Request for Certificate of Compliance:

Initial requests for Certificates of Compliance \$60.00 _____

If a site fails to be approved for a Certificate of Compliance, a fee of \$60.00 will be assessed for each subsequent site visits needed to issue the Certificate of Compliance.

Others:

Request for a *duplicate* original of Order of Conditions, Amended Order of Conditions, or Certificate of Compliance: \$60.00 _____

Extensions \$200.00 _____

Amendment to Order of Conditions \$200.00 _____

ADD \$50.00 for Legal Notice \$50.00 \$50 _____

Total Lancaster Wetland Bylaw Fees _____ RDA acreage? + \$50

Mail Lancaster Filing Fees, along with a copy of this form, the DEP form and copy of DEP check plus Local portion of DEP fees (see opposite side) to:

Lancaster Office of Community Development and Planning

695 Main Street, Suite 4

Lancaster, MA 01523

Applicant should file unless a property preexisted to this bylaw (All applicants will still be required to file with State DEP)

Massachusetts Wetlands Protection Act and River Protection Act Filing Fees:

Instructions for Calculating Wetland Filing Fees for NOI Fee Transmittal Form:

The wetland filing fee should be calculated using the following steps based on a hypothetical project involving two driveway crossings through a Riverfront Area and Bordering Vegetated Wetland and six single family houses in Riverfront Area only.

Category Activities and Fees:

Category 1: \$110 _____

- a.) work on single family lot; addition, pool, etc.
- b.) site work without a house
- c.) control vegetation
- d.) resource improvement
- e.) work on septic system separate from house
- f.) monitoring well activities minus roadway
- g.) new agricultural or aquaculture projects

Category 2: \$500 _____

- a.) construction of single family house
- b.) parking lot
- c.) beach nourishment
- d.) electric generating facility activities
- e.) inland limited projects minus road crossings and agriculture
- f.) each crossing for driveway to single family house
- g.) each project source (storm drain) discharge
- h.) control vegetation in development
- i.) water level variations
- j.) any other activity not in Category 1, 3, 4, 5 or 6
- k.) water supply exploration

Category 3: \$1,050 _____

- a.) site preparation (for development) beyond Notice of Intent scope
- b.) each building (for development) including site
- c.) road construction not crossing or driveway
- d.) hazardous cleanup
- e.) water supply development

Category 4: \$1,450 _____

- a.) each crossing for development or commercial road
- b.) dam, sluiceway, tidegate (safety) work
- c.) landfills operation/closures
- d.) sand and gravel operations
- e.) railroad line construction
- f.) bridge
- g.) hazardous waste alterations to resource areas
- h.) dredging
- i.) package treatment plant and discharge
- j.) airport tree clearing
- k.) oil and/or hazardous material release response actions

Category 5 (Fee is \$4 per linear foot; total fee not less than \$100 or more than \$2,000):

- a.) work on docks, piers, revetments, dikes, etc. (coastal or inland) _____

Category 6 (Fee is \$2 per linear foot for each resource area):

For each resource area delineation, the fee shall not exceed \$200 for activities associated with a single family house or \$2,000 for all other activities).

Examples of How to Calculate Wetland Filing Fees

Example 1: New single family house with associated work located within Riverfront Area (RA) only: There is one Category 2 activity (2.a., single family home construction and associated work).

Fee for home and associated work (RA): = \$500

Total Fee: \$500

Fee due City/Town: \$262.50 (\$500/2 + \$12.50)

Fee due State: \$237.50 (\$500/2 - \$12.50)

Example 2 : Construction of 10 single family homes within a subdivision, eight of the homes are within a Riverfront Area (RA), and a portion of each of the two re-maining homes are within Bordering Vegetated Wetland (BVW) and RA. There will be 4 stormwater discharges located within BVW's Buffer Zone. There also is one lim-ited project access roadway reviewable under 310 CMR

10.53(3)(e) located in BVW and RA. There are ten Category 2 projects (2(a.), 10 homes each involving work in a wetland resource area) and one Category 4 project 4(a.), limited project for access to resi-

dential subdivision). The fee for review of the stormwater discharges is included in Category 2(a.).

Fee for single family homes:

8 in RA (\$500 for each of the 8 homes) = \$4,000

2 in BVW: \$1,000 x 1.5 (RA) = \$1,500

Fee for limited project access: \$1,450 (BVW) x 1.5 (RA) = \$2,175

Total Fee: = \$7,675

Fee due City/Town: \$3,850 (\$7,675/2 + 12.50)

Fee due State: \$3,825 (\$7,675/2 - \$12.50)

Mail transmlal forms and DEP payments, payable to:Commonwealth of Massachusetts

Department of Environmental Protection

Box 4062

Boston, MA 02211

Add:

Lancaster Wetlands Protection Bylaw Filing Fees Calculated from above

S. J. MULLANEY ENGINEERING, INC.

CIVIL SITE DESIGN & PERMITTING

April 14, 2020
M.B. Realty Corp
White Pond Road
Lancaster, Mass.
Map 8 Parcel 11

Request for Determination of Applicability Attachments List

1. Plan No. 24-A-18, 1 sheet, dated 10/17/2019, entitled, "U.S.G.S. 2018 Shirley Quadrangle Plan."
2. Plan No. 24-D-14, 1 sheet, dated 4/14/2020, entitled, "Site Plan of Land Assessor Map 8 Parcel 41."
3. Wetland Delineation Report, 11 pages, dated 10/10/2019, by Caron Environmental Consulting.
4. WPA Form 1 Descriptions (see below)

C.1.b. Area Description:

The locus property is a parcel of land which contains approximately 11.69 acres with a narrow strip of frontage off White Pond Road in Lancaster. The M.B. Realty Corp (owner/applicant) also owns the abutting property at 450 Old Union Turnpike (Map 4 Parcel 11A) which provides the practical access to the parcel due to the location of areas subject to the Wetlands Protection Act. Jurisdictional areas were identified during the permitting and construction of the abutting facility (2008-2011) at 450 Old Union Turnpike property that extend onto the locus parcel. The jurisdictional areas are visible on the westerly side of Plan 24-D-14 namely, wetland flags 04-82B to 04-91B and the 100 Flood Plain which runs parallel with the wetlands. The delineation of this wetland line was reflagged and extended to the southerly property line in the fall of 2019 (flags B1 to B26).

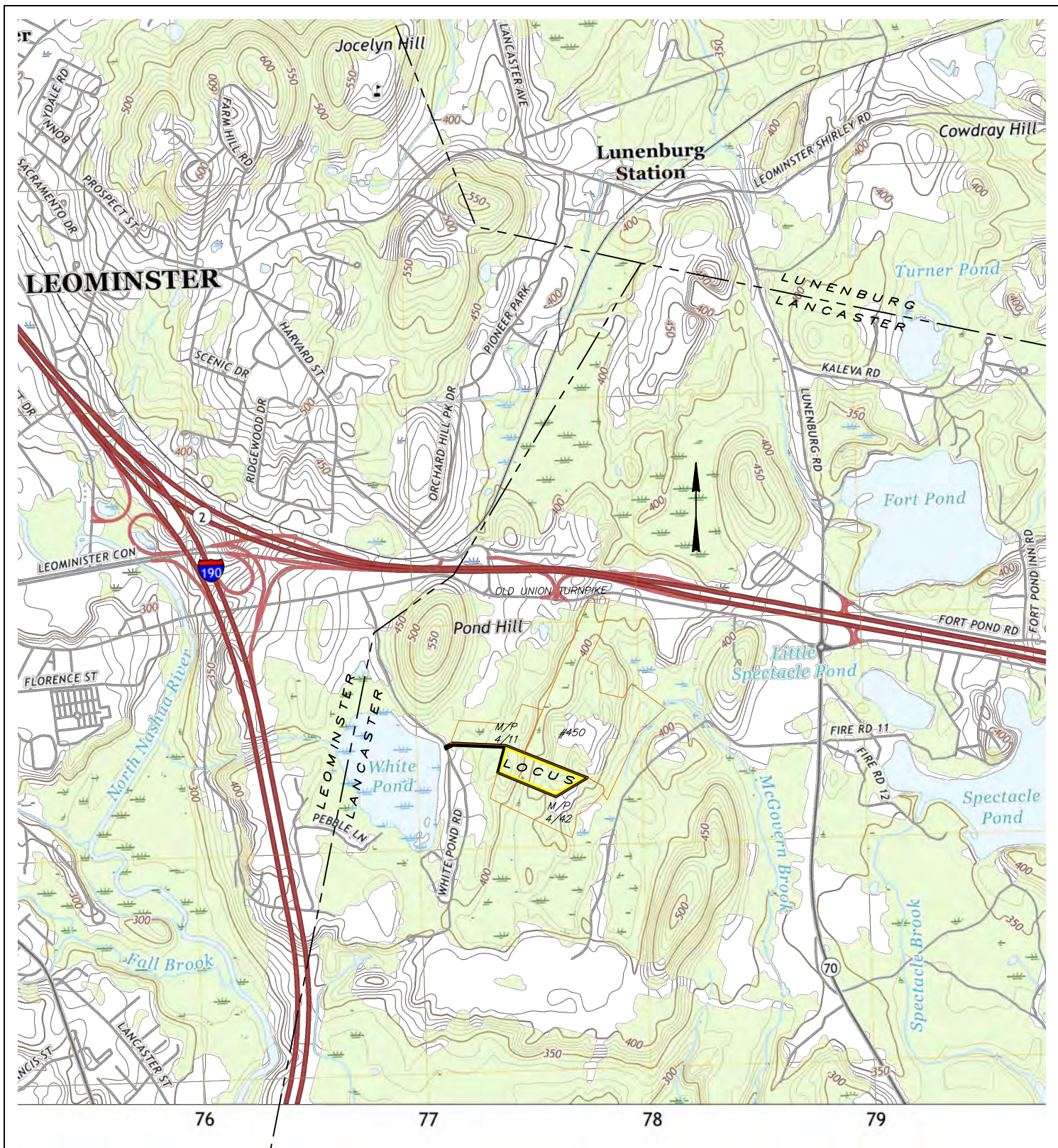
Along the southern property line there is a small area of vegetated wetland located on the abutting property (Map 8 Parcel 41). Map 8 Parcel 45 was logged to the property line of locus property (Map 8 Parcel 41) between 2007 and 2008. The logging of Map 8 Parcel 45 was concurrent with the construction of the owner/applicants property located at 450 Old Union Turnpike. In 2013 M. B. Realty Corp purchased Map 8 Parcel 41. Between 2017 and 2018 M.B. Realty had a portion of the parcel logged beginning where the owners of the abutting Map 8 Parcel 45 had ended, which was at the property line. After the logging, M.B. Realty obtained a blast permit from the Town to level areas of ledge at the southern end of their property to obtain more storage and usable area for their facility. The blasted ledge was leveled to the extent shown on Plan 24-D-14. Known jurisdictional areas were not disturbed or altered with the intent of respecting the buffer zones.

C.2.a. Work Description:

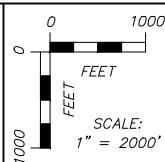
No new work is proposed. At the 9/23/2019 Lancaster Conservation Commission requested the extent of the logging and fill be identified and shown on a plan along with the filing of a Request for Determination of Applicability. The RDA filing would establish a record / base line of the sites alteration.

C.2.B. Exemptions:

During the wetland delineation of the area by Caron Environmental Consulting (CEC), CEC observed that the area was stable and no visible erosion or impact had occurred to the resource areas. The nearest site alteration that had occurred was approximately 75 feet from the vegetated wetland. CEC noted that the clearing and fill had occurred on the northern side of the wetlands and did not alter the amount of sunlight to the wetlands. David Koonce, Lancaster Conservation Agent also visited the site in the fall of 2019 and concurred with CEC that the site was stable and no visible impacts were evident given the density of the current vegetation.



U.S.G.S. 2018 SHIRLEY QUADRANGLE PLAN OF LAND IN
LANCASTER, MASSACHUSETTS
 LOCATED OFF
OLD UNION TURNPIKE



ORIGINAL ISSUE	---	---	10/17/2019	ENGINEER
REVISION	NO.	BY	DATE	

PREPARED FOR
M.B. REALTY CORP.

450 OLD UNION TURNPIKE
 LANCASTER, MA 01453
 TEL: 978-847-2900 FAX: 978-847-0066

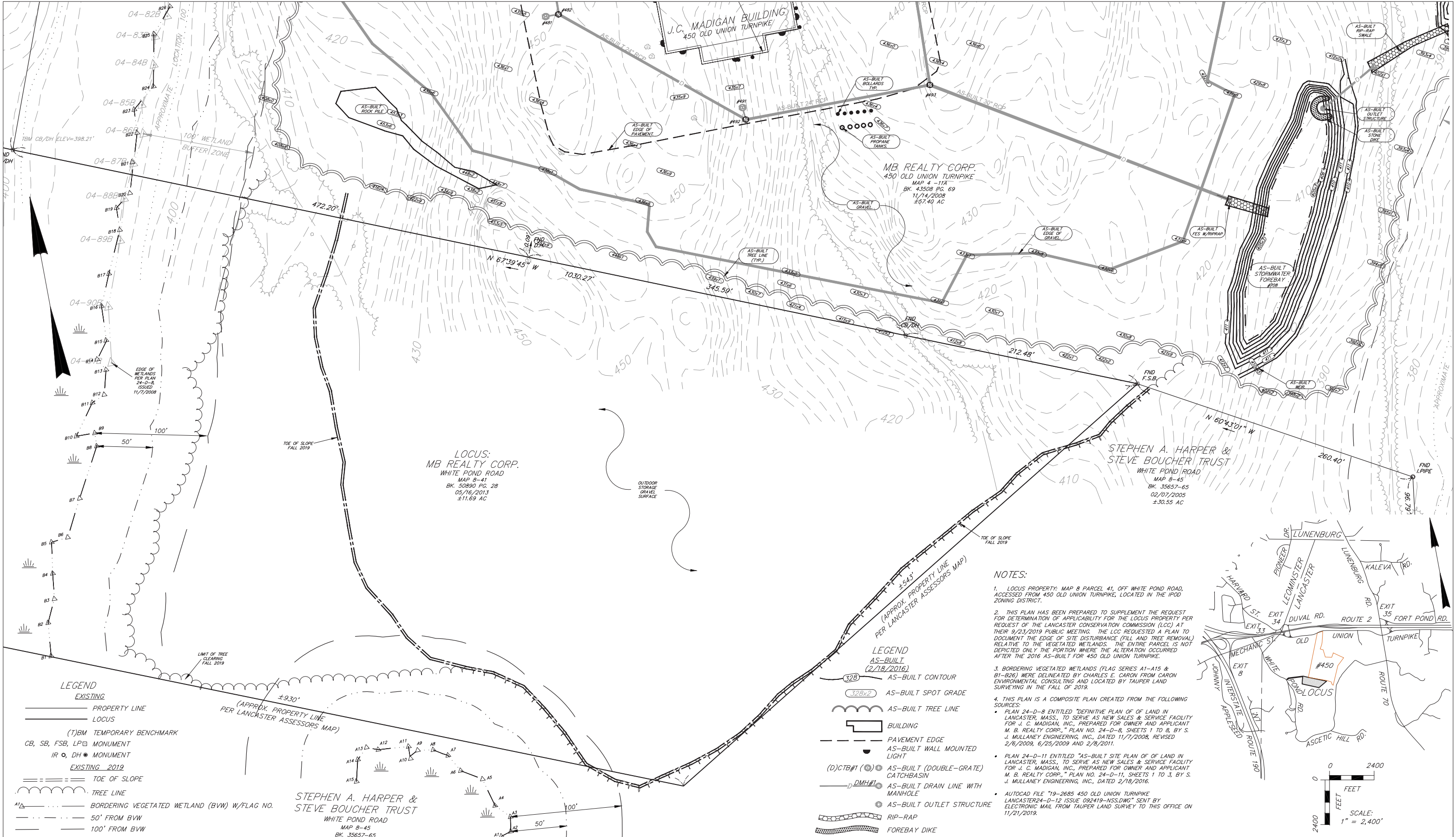
DESIGN:	MAL
DRAWN:	MAL
CHECK:	MAL
REF:	

S. J. MULLANEY ENGINEERING, INC.
 CIVIL SITE DESIGN & PERMITTING

305 WHITNEY ST. - SUITE G3 - P.O. BOX 752 - LEOMINSTER, MA 01453-0752
 TEL: 978 534-3131 - FAX: 978 534-3197 - EMAIL: info@sjmullaney.com

SHEET
1 OF
1

PLAN NO.
24-A-18

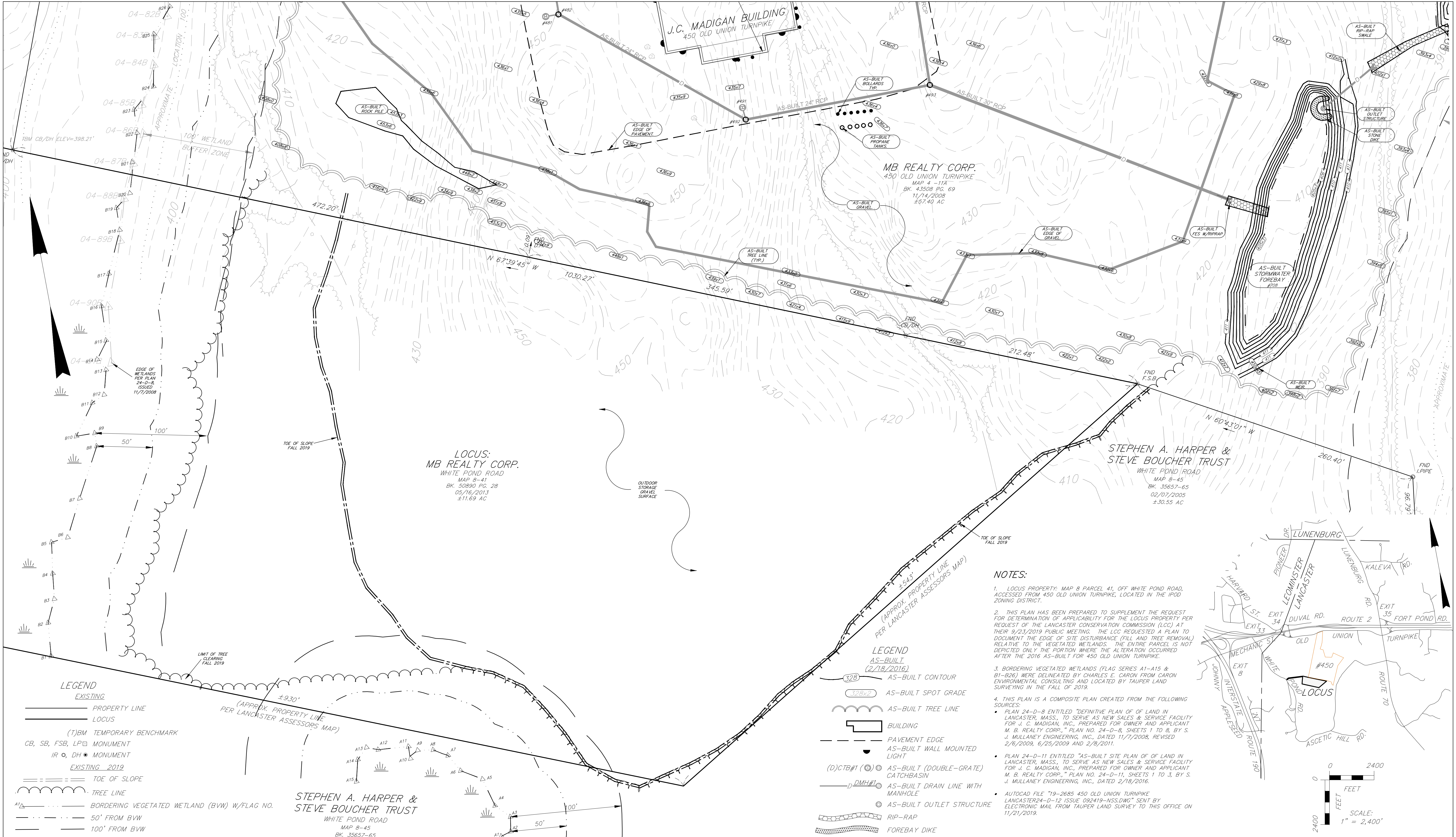


- NOTES:**
- LOCUS PROPERTY; MAP 8 PARCEL 41, OFF WHITE POND ROAD, ACCESSED FROM 450 OLD UNION TURNPIKE, LOCATED IN THE IPOD ZONING DISTRICT.
 - THIS PLAN HAS BEEN PREPARED TO SUPPLEMENT THE REQUEST FOR DETERMINATION OF APPLICABILITY FOR THE LOCUS PROPERTY PER REQUEST OF THE LANCASTER CONSERVATION COMMISSION (LCC) AT THEIR 9/23/2019 PUBLIC MEETING. THE LCC REQUESTED A PLAN TO DOCUMENT THE EDGE OF SITE DISTURBANCE (FILL AND TREE REMOVAL) RELATIVE TO THE VEGETATED WETLANDS. THE ENTIRE PARCEL IS NOT DEPICTED ONLY THE PORTION WHERE THE ALTERATION OCCURRED AFTER THE 2016 AS-BUILT FOR 450 OLD UNION TURNPIKE.
 - BORDERING VEGETATED WETLANDS (FLAG SERIES A1-A15 & B1-B26) WERE DELINEATED BY CHARLES E. CARON FROM CARON ENVIRONMENTAL CONSULTING AND LOCATED BY TAUPER LAND SURVEYING IN THE FALL OF 2019.
 - THIS PLAN IS A COMPOSITE PLAN CREATED FROM THE FOLLOWING SOURCES:
 - PLAN 24-D-8 ENTITLED "DEFINITIVE PLAN OF LAND IN LANCASTER, MASS., TO SERVE AS NEW SALES & SERVICE FACILITY FOR J. C. MADIGAN, INC., PREPARED FOR OWNER AND APPLICANT M. B. REALTY CORP.," PLAN NO. 24-D-8, SHEETS 1 TO 8, BY S. J. MULLANEY ENGINEERING, INC., DATED 11/7/2008, REVISED 2/6/2009, 6/25/2009 AND 2/8/2011.
 - PLAN 24-D-11 ENTITLED "AS-BUILT SITE PLAN OF LAND IN LANCASTER, MASS., TO SERVE AS NEW SALES & SERVICE FACILITY FOR J. C. MADIGAN, INC., PREPARED FOR OWNER AND APPLICANT M. B. REALTY CORP.," PLAN NO. 24-D-11, SHEETS 1 TO 3, BY S. J. MULLANEY ENGINEERING, INC., DATED 2/18/2016.
 - AUTOCAD FILE "19-2685 450 OLD UNION TURNPIKE LANCASTER24-D-12 ISSUE 092419-NSS.DWG" SENT BY ELECTRONIC MAIL FROM TAUPER LAND SURVEY TO THIS OFFICE ON 11/21/2019.

- LEGEND**
AS-BUILT (2/18/2016)
- 328 AS-BUILT CONTOUR
 - 328x2 AS-BUILT SPOT GRADE
 - AS-BUILT TREE LINE
 - BUILDING
 - PAVEMENT EDGE
 - AS-BUILT WALL MOUNTED LIGHT
 - (D)CTB#1 (2) AS-BUILT (DOUBLE-GRATE) CATCHBASIN
 - DMH#1 AS-BUILT DRAIN LINE WITH MANHOLE
 - AS-BUILT OUTLET STRUCTURE
 - RIP-RAP
 - FOREBAY DIKE

- LEGEND**
EXISTING
- PROPERTY LINE
 - LOCUS
 - (T)BM TEMPORARY BENCHMARK
 - CB, SB, FSB, LP MONUMENT
 - IR, OH, DH MONUMENT
 - EXISTING 2019
 - TOE OF SLOPE
 - TREE LINE
 - BORDERING VEGETATED WETLAND (BVW) W/FLAG NO.
 - 50' FROM BVW
 - 100' FROM BVW

				<p>SITE PLAN OF LAND IN LANCASTER, MASSACHUSETTS LOCATED AT ASSESSOR'S MAP 8 PARCEL 41</p>		<p>PREPARED FOR OWNER AND APPLICANT M. B. REALTY CORP. 450 OLD UNION TURNPIKE LANCASTER, MA 01523 TEL: 978 847-2900 FAX: 978-847-0066</p>		<p>DESIGN: MAL DRAWN: MAL CHECK: SJM REF: 24-D-8, 11</p>		<p>S. J. MULLANEY ENGINEERING, INC. CIVIL SITE DESIGN & PERMITTING 305 WHITNEY ST. - SUITE G3 - P.O. BOX 752 - LEOMINSTER, MA 01453-0752 TEL: 978 534-3131 - FAX: 978 534-3197 - EMAIL: info@sjmullaney.com</p>		<p>SHEET 1 OF 1 PLAN NO. 24-D-14</p>	
<p>ORIGINAL ISSUE</p>		<p>04/14/2020</p>		<p>Stephen J. Mullaney</p>		<p>ENGINEER</p>							
<p>REVISION</p>		<p>NO. BY DATE</p>		<p>ENGINEER</p>									



NOTES:

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- LEGEND**
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 - AS-BUILT WALL MOUNTED LIGHT
 - (D)CTB#1 (C) AS-BUILT (DOUBLE-GRATE) CATCHBASIN
 - DMH#10 AS-BUILT DRAIN LINE WITH MANHOLE
 - AS-BUILT OUTLET STRUCTURE
 - RIP-RAP
 - FOREBAY DIKE

- LEGEND**
- EXISTING
- PROPERTY LINE
 - LOCUS
 - (T)BM TEMPORARY BENCHMARK
 - CB, SB, FSB, LP MONUMENT
 - IR O, DH MONUMENT
 - EXISTING 2019
 - TOE OF SLOPE
 - TREE LINE
 - BORDERING VEGETATED WETLAND (BVW) W/FLAG NO.
 - 50' FROM BVW
 - 100' FROM BVW



Caron Environmental Consulting

978-874-5469

Wetlands • Forestry • Permitting • Habitat Studies

October 10, 2019

Mr. Timothy Madigan
J.C Madigan, Inc.
450 Old Union Turnpike
Lancaster, MA 01523

Re: Wetland Delineation
450 Old Union Turnpike/Lancaster

Dear Mr. Madigan:

As requested, we have delineated the wetlands on the above-referenced site. The delineation was conducted on October 3, 2019. 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 A15 and B1 to B26. The wetlands are wooded. The immediately adjacent uplands are also wooded. Contrary to the on-line mapping the A-series wetland has an outlet along its southern end that connects to the main wetland system, making it a Bordering Vegetated Wetland.

Species which were observed to be dominant primarily in the wetlands include Black Tupelo, Red Maple, Highbush Blueberry, Swamp Dewberry, Winterberry, Cinnamon Fern, Sensitive Fern, Royal Fern, Hornbeam and Sphagnum Moss. Species abundant primarily in the uplands include Black Oak, Red Oak, White Oak, Chestnut, Red Maple, White Pine, Highbush Blueberry, Mountain Laurel, Black Huckleberry, Sheep Laurel, Sassafras, Sarsaparilla, Checkerberry, Indian Cucumber, Witch-hazel, Pennsylvania Sedge and Princess Pine. The attached Delineation Data Forms provide greater detail on the vegetation, soil conditions and hydrological indicators.

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

There is a 100-year flood zone mapped along the B-series wetland. If any work were to be proposed in close proximity to it your surveyor would need to determine its extent.

The delineation was based on features visually apparent at the time. 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
By;

Charles E. Caron

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

Applicant: J.C. Madigan, Inc. Prepared by: Caron Environmental Consulting Project location: Old Union Turnpike/Lancaster 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: A7-W	Transect Number: A7	Date of Delineation: 10/03/2019	
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*	
Herbs & Seedlings					
Swamp Dewberry/ <i>Rubus hispidus</i>	10.5	25	Yes		FACW*
Mountain Laurel/ <i>Kalmia latifolia</i>	10.5	25	Yes		FACU
Sphagnum Moss/ <i>Sphagnum spp.</i>	3.0	7	No		OBL*
Red Maple/ <i>Acer rubrum</i>	3.0	7	No		FAC*
Sheep Laurel/ <i>Kalmia angustifolia</i>	3.0	7	No		FAC*
Highbush Blueberry/ <i>Vaccinium corymbosum</i>	3.0	7	No		FACW*
Checkerberry/ <i>Gaultheria procumbens</i>	3.0	7	No		FACU
Swamp Dogwood/ <i>Cornus amomum</i>	3.0	7	No		FACW*
White Pine/ <i>Pinus strobus</i>	3.0	7	No		FACU
Shrubs					
Highbush Blueberry	38.0	66	Yes		FACW*
Witch-hazel/ <i>Hamamelis virginiana</i>	10.5	18	No		FACU
Mountain Laurel	3.0	5	No		FACU
European Buckthorn/ <i>Rhamnus cathartica</i>	3.0	5	No		FAC*
White Pine	3.0	5	No		FACU
Saplings					
Red Maple	20.5	87	Yes		FAC*
White Pine	3.0	13	No		FACU
Trees					
Red Maple	1.881	64	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: 1
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 A7-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

Map number: Online map

Soil type mapped: Chatfield-Hollis-Rock Outcrop Complex

Hydric soil inclusions:

Are field observations consistent with soil survey? ☐ Yes ☒ No

Remarks:

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:

2. Soil Description	Depth (inches)	Matrix Color	Mottles Color
Horizon			
O	0"-3"	5 YR 3/3	N/A
A	3"-6"	10 YR 2/1	10 YR 6/1
B	6"-18"+	10 YR 5/2	10 YR 6/1 2.5 Y 6/4

Remarks:

Other:

Conclusion: Is soil hydric: ☒ Yes ☐ No

Vegetation and Hydrology Conclusion

Yes No

Number of wetland indicator plants

>/= number of non-wetland indicator plants ☒

Wetland hydrology present: ☒

Hydric soil present

Other indicators of hydrology

present

Sample location is in a BVW ☒

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: J.C. Madigan, Inc. Prepared by: Caron Environmental Consulting Project location: Old Union Turnpike/Lancaster 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: A7-U	Transect Number: A7	Date of Delineation: 10/03/2019	
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*	
Herbs & Seedlings					
Chokeberry	38.0	42	Yes	FACU	
Sheep Laurel	20.5	23	Yes	FAC*	
Witch-hazel	10.5	12	No	FACU	
Sassafras/ <i>Sassafras albidum</i>	3.0	3	No	FACU	
White Pine	3.0	3	No	FACU	
Indian Cucumber/ <i>Medola virginiana</i>	3.0	3	No	FACU	
Lowbush Blueberry/ <i>Vaccinium angustifolium</i>	3.0	3	No	FACU	
Black Huckleberry/ <i>Gaylussacia baccata</i>	3.0	3	No	FACU	
Highbush Blueberry	3.0	3	No	FACW*	
Red Oak/ <i>Quercus rubra</i>	3.0	3	No	FACU	
Shrubs					
Mountain Laurel	10.5	64	Yes	FACU	
White Pine	3.0	18	No	FACU	
American Chestnut/ <i>Castanea dentata</i>	3.0	18	No	UPL	
Saplings					
White Pine	63.0	95	Yes	FACU	
American Chestnut	3.0	5	No	UPL	
Trees					
Red Oak	4.220	65	Yes	FACU	
White Oak/ <i>Quercus alba</i>	2.039	32	Yes	FACU	
Black Oak/ <i>Quercus serotina</i>	0.196	3	No	UPL	

* Use an asterisk to mark wetland indicator plants

Vegetation conclusion:

Number of dominant wetland indicator plants: 1 Number of dominant non-wetland indicator plants: 5

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 A7-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

Northeastern Part

Map number: Online map

Soil type mapped: Chatfield-Hollis-Rock Outcrop Complex

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"-2"	10 YR 3/3	None
Bw	2"-18"+	10 YR 5/6	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

>/= number of non-wetland indicator plants

Wetland hydrology present:

Hydric soil present

Other indicators of hydrology

present

Sample location is in a BVW

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



Wetland at Plot A7-W



Upland at Plot A7-U



Soil at Plot A7-W



Soil at Plot A7-U

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

Applicant: J. C. Madigan Prepared by: Caron Environmental Consulting Project location: Old Union Turnpike/Lancaster 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: B13-W		Transect Number: B13		Date of Delineation: 10/03/2019			
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>									
Cinnamon Fern/ <i>Osmunda cinnamomea</i>		38.0		37		Yes		FACW*	
Mountain Laurel/ <i>Kalmia latifolia</i>		20.5		20		Yes		FACU	
Checkerberry/ <i>Gaultheria procumbens</i>		10.5		10		No		FACU	
Swamp Dewberry/ <i>Rubus hispidus</i>		10.5		10		No		FACW*	
Royal Fern/ <i>Osmunda regalis</i>		3.0		3		No		OBL*	
Sensitive Fern/ <i>Onoclea sensibilis</i>		3.0		3		No		FACW*	
Aster spp.		3.0		3		No		----	
Highbush Blueberry/ <i>Vaccinium corymbosum</i>		3.0		3		No		FACW*	
Canada Mayflower/ <i>Maianthemum canadense</i>		3.0		3		No		FACU	
Sheep Laurel/ <i>Kalmia angustifolia</i>		3.0		3		No		FAC*	
Princess Pine/ <i>Lycopodium obscurum</i>		3.0		3		No		FACU	
Virginia Creeper/ <i>Parthenocissus quinquefolia</i>		3.0		3		No		FACU	
<u>Shrubs</u>									
Winterberry/ <i>Ilex verticillata</i>		63.0		76		Yes		FACW*	
Mountain Laurel		10.5		13		No		FACU	
Maleberry/ <i>Lyonia ligustrina</i>		3.0		4		No		FACW*	
Swamp Dogwood/ <i>Cornus amomum</i>		3.0		4		No		FACW*	
White Pine/ <i>Pinus strobus</i>		3.0		4		No		FACU	
<u>Saplings</u>									
Green Ash/ <i>Fraxinus pennsylvanica</i>		20.5		66		Yes		FACW*	
Red Maple/ <i>Acer rubrum</i>		10.5		34		Yes		FAC*	
<u>Trees</u>									
Red Maple		2.772		69		Yes		FAC*	
Swamp White Oak/ <i>Quercus bicolor</i>		1.227		31		Yes		FACW*	

* Use an asterisk to mark wetland indicator plants

Vegetation conclusion:

Number of dominant wetland indicator plants: 6 Number of dominant non-wetland indicator plants: 1
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 B13-W

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

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

Northeastern Part

Map number: Online map

Soil type mapped: Hincley Sandy Loam

Hydric soil inclusions:

Are field observations consistent with soil survey? ☐ Yes ☒ No

Remarks:

☐ Other:

2. Soil Description

Horizon	Depth (inches)	Matrix Color	Mottles Color
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O	0"-3"	10 YR 2/1	
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Bg	8"-25"+	10 YR 7/1	10 YR 5/1
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Remarks:

Other:

Conclusion: Is soil hydric: ☒ Yes ☐ No

- ☐ 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

>/= number of non-wetland indicator plants ☒

Wetland hydrology present:

Hydric soil present ☒

Other indicators of hydrology

present ☒

Sample location is in a BVW ☒

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: J. C. Madigan Prepared by: Caron Environmental Consulting Project location: Old Union Turnpike/Lancaster 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: B13-U		Transect Number: B13		Date of Delineation: 10/03/2019	
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>							
Checkerberry		38.0		40	Yes		FACU
Cinnamon Fern		20.5		21	Yes		FACW*
Mountain Laurel		20.5		21	Yes		FACU
Highbush Blueberry		10.5		11	No		FACW*
Sheep Laurel		3.0		3	No		FAC*
Witch-hazel/ <i>Hamamelis virginiana</i>		3.0		3	No		FACU
<u>Shrubs</u>							
Witch-hazel		85.5		90	Yes		FACU
Hornbeam/ <i>Carpinus caroliniana</i>		3.0		3	No		FAC*
Highbush Blueberry		3.0		3	No		FACW*
White Pine		3.0		3	No		FACU
<u>Saplings</u>							
Red Maple		10.5		78	Yes		FAC*
White Pine		3.0		22	No		FACU
<u>Trees</u>							
Red Oak/ <i>Quercus rubra</i>		4.172		62	Yes		FACU
White Oak/ <i>Quercus alba</i>		1.849		28	Yes		FACU
Red Maple		0.681		10	No		FAC*

* Use an asterisk to mark wetland indicator plants

Vegetation conclusion:

Number of dominant wetland indicator plants: 2 Number of dominant non-wetland indicator plants: 5
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 B13-U

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

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

Northeastern Part

Map number: Online map

Soil type mapped: Hinckley Sandy Loam

Hydric soil inclusions:

Are field observations consistent with soil survey? ☒ Yes ☐ No

Remarks:

☐ Other:

2. Soil Description

Horizon	Depth (inches)	Matrix Color	Mottles Color
A	0"-1"	10 YR 2/1	None
E	1"-6"	7.5 YR 6/1	None
Bh	6"-12"	5 YR 4/4	None
Bs	12"-24"	5 YR 5/6	None
Bw	24"+	10 YR 6/4	None

Remarks:

Other:

Conclusion: Is soil hydric: ☐ Yes ☒ No

Vegetation and Hydrology Conclusion

Yes No

Number of wetland indicator plants

>/= number of non-wetland indicator plants ☐ ☒

Wetland hydrology present:

Hydric soil present ☐ ☒

Other indicators of hydrology

present

☐ ☒

Sample location is in a BVW ☐ ☒

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



Wetland at Plot B13-W



Upland at Plot B13-U



Soil at Plot B13-W



Soil at Plot B13-U