

NOTICE OF INTENT
08/18/2020

1 KIDDIE DRIVE
AVON, MA



PREPARED FOR:

KRUPA/LZK PROPERTIES LLC
455 DORCHESTER AVE
BOSTON, MA 02127

PREPARED BY:



KELLY ENGINEERING GROUP
civil engineering consultants
0 Campanelli Drive, Braintree, MA 02184
Phone: 781-843-4333 www.kellyengineeringgroup.com

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KELLY ENGINEERING GROUP, INC.
0 Campanelli Drive-Braintree-MA 02184 Phone 781-843-4333

Attachment #1

Letter to the Conservation Commission
Notice of Intent (WPA Form3)
Wetland Transmittal Form
Copy of the Checks



August 18, 2020

Town of Avon
Conservation Commission
65 East Main Street
Avon, MA 02322

Copy: Joey Karas, Karas & Karas Glass
Department of Environmental Protection, Southeast Region

RE: ***Notice of Intent***
1 Kiddie Drive (Map B6, Block 1 Lot 1)
Avon, MA 02322

Dear Members of the Commission;

Attached herewith are the following documents:

1. Seven (7) copies of the “Site Development Plans”, dated August 10, 2020 by Kelly Engineering Group, Inc.
2. Two (2) copies of the Stormwater Management Report, dated June 25, 2020 by Kelly Engineering Group, Inc.
3. Seven (7) copies of the “Notice of Intent”, dated August 18, 2020 by Kelly Engineering Group, Inc.
 - Seven (7) copies of the Letter to Conservation Commission dated August 18, 2020
 - Seven (7) copies of the Notice Of Intent (WPA Form 3)
 - Seven (7) copies of the Wetland Fee Transmittal Form
 - Seven (7) copies of the checks
 - Seven (7) copies of the Abutter’s Notification, Affidavit of Service, and Abutters List.
 - Seven (7) copies of the Wetland Resource Evaluation Report by Ecotec Inc.
 - Seven (7) copies of the DEP field date forms
 - Seven (7) copies of the Flood Insurance Rate Maps
 - Seven (7) copies of the USGS Topographic Map
 - Seven (7) copies of the NHESP Habitat Map
4. One check in the amount of \$537.50 made payable to the Town Of Avon (Local portion of State Fee)
5. One check in the amount of \$50.00 made payable to the Town of Avon (Local Fee)
*Check in the amount of \$512.50 made payable to the Commonwealth of Massachusetts (State portion of State Fee) submitted to MassDEP.

The purpose of these documents is to respectfully request that the Commission issue an order of conditions under the State Wetlands Protection Act (and regulations 310 CMR 10) and Town of Avon Wetlands By-Law, for the above referenced project, as described in the enclosed documents.

Existing Site

The existing site is located at 1 Kiddie Drive Map B6, Block 1, Lot 1. The existing fully developed site

consists of a 7.1 acre parcel and currently occupied by an industrial building with associated parking, drainage, utilities and other site development features. The site is bordered by Kiddie Drive, Bodwell Street and abutting properties.

Resource Areas

Resource Area A is a Bordering Vegetated Wetland, in the eastern, western and southwestern portions of the site associated with intermittent streams. This resource area receives runoff from the site and off site runoff through several outfalls as shown on the existing conditions plan.

Resource Area B is a Bordering Vegetated Wetland, located across Kiddie Drive to the south of the site near Bodwell Street that is associated with a blind intermittent stream. Runoff from the site does not reach this resource area.

Resource Area C is a Bordering Vegetated Wetland located across Bodwell Street to the east of the site that is associated with an intermittent stream. Runoff from the site does not reach this resource area.

The respective 100' buffer zone for each resource area is shown on the Site Development Plans.

The resource areas were flagged by John Rockwood of Ecotec, Inc. in May of 2020 and field located by Kelly Engineering Group, Inc.

The site is located within a mapped Zone AE FEMA floodplain with the 100 year floodplain at elevation 211. Although the FEMA maps show the flood plain line as extending into the area of work, a LOAM-F has been filed to clarify based on actual field elevations. All of the proposed work is outside of elevation 211.

There are no streams located within 200 feet of the site and Riverfront Area does not occur on the site.

Project Description

The proposed project will entail constructing a 18,000 s.f. addition to the existing building with associated parking, utilities, and a stormwater management system.

Work is proposed in uplands and in the buffer zone to bordering vegetated wetland A. No work is proposed within the buffer zone to Wetland B and C. Additionally no work is proposed with the 100 year floodplain. No work is proposed within any wetland resource area.

Portions of the building expansion and parking lot redevelopment are located within the 100' buffer zone to Wetland A. There is a proposed recharge system which is designed for a dedicated recharge volume of 1" of runoff over the proposed roof area. This recharge system is outside of the 50' buffer zone to Wetland A. A section of pavement to the southwest of the proposed building within the 100' buffer zone is proposed to be removed and will be replaced by green area which will enhance the buffer zone to the resource area.

As shown in the Stormwater Management Report, the proposed project will result in a reduction of impervious area on site of approximately 5,700 s.f. Additionally paved area is being reduced on site by approximately 24,600 s.f. Water quality, peak runoff rates and recharge on site will all be enhanced as a result of this project.

An extensive stormwater management system will incorporate best management practices and an operations and maintenance program designed to treat, recharge, and detain runoff generated from the proposed development of the site. The stormwater management system has been designed to comply with Massachusetts Department of Environmental Protection Standards for stormwater management relative to redevelopment.

During construction, an erosion control plan will be instituted to ensure that no sediment leaves the site, no resource areas will be negatively impacted and surrounding properties will be protected. Additionally a Stormwater Pollution Prevention Plan will be developed for the project and will be adhered to during construction. In summary the proposed project will have no adverse effects on the adjacent resource area.

We look forward to meeting with you at your next scheduled meeting. If you have any questions or desire additional information please feel free to call the office at 781-843-4333.

Sincerely,

KELLY ENGINEERING GROUP, INC.



Garrett Horsfall, Design Engineer



WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

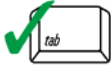
Document Transaction Number

Avon

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):

<u>1 Kiddie Drive</u>	<u>Avon</u>	<u>02322</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:		
<u>42.1296</u>	<u>71.0576</u>	
d. Latitude	e. Longitude	
<u>101035</u>	<u></u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>Jospeh</u>	<u>Karas</u>	
a. First Name	b. Last Name	
<u>KRUPA/LZK Properties, Inc.</u>		
c. Organization		
<u>455 Dorchester Avenue</u>		
d. Street Address		
<u>Boston</u>	<u>MA</u>	<u>02127</u>
e. City/Town	f. State	g. Zip Code
<u>617-464-1806</u>	<u></u>	<u>jkaras@karasglass.com</u>
h. Phone Number	i. Fax Number	j. Email Address

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

<u></u>	<u></u>	
a. First Name	b. Last Name	
<u></u>		
c. Organization		
<u></u>		
d. Street Address		
<u></u>	<u></u>	<u></u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>Garrett</u>	<u>Horsfall</u>	
a. First Name	b. Last Name	
<u>Kelly Engineering Group, Inc.</u>		
c. Company		
<u>0 Campanelli Drive</u>		
d. Street Address		
<u>Braintree</u>	<u>MA</u>	<u>02184</u>
e. City/Town	f. State	g. Zip Code
<u>781-843-4333</u>	<u>781-843-0028</u>	<u>ghorsfall@kellyengineeringgroup.com</u>
h. Phone Number	i. Fax Number	j. Email address

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

<u>\$1,050.00</u>	<u>\$512.50</u>	<u>\$537.50</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

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A. General Information (continued)

6. General Project Description:

The proposed project entails the expansion of 18,000 s.f. to an existing warehouse/manufacturing building with associated parking, loading, drainage, and other site development features.

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

- 1. Single Family Home
- 2. Residential Subdivision
- 3. Commercial/Industrial
- 4. Dock/Pier
- 5. Utilities
- 6. Coastal engineering Structure
- 7. Agriculture (e.g., cranberries, forestry)
- 8. Transportation
- 9. Other

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

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

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Norfolk

a. County

202284

b. Certificate # (if registered land)

c. Book

d. Page Number

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

- 1. Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- 2. Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

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



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

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Table with 3 columns: Resource Area, Size of Proposed Alteration, Proposed Replacement (if any). Rows include Bank, Bordering Vegetated Wetland, and Land Under Waterbodies and Waterways.

Table with 3 columns: Resource Area, Size of Proposed Alteration, Proposed Replacement (if any). Rows include Bordering Land Subject to Flooding and Isolated Land Subject to Flooding.

- f. Riverfront Area
1. Name of Waterway (if available) - specify coastal or inland
2. Width of Riverfront Area (check one):
- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: 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.



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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



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C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

- a. Yes No **If yes, include proof of mailing or hand delivery of NOI to:**

**Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581**

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.



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

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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/nhesp/regulatory_review/ mesa/ mesa_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/nhesp/regulatory_review/ mesa/ mesa_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:

North Shore - Hull to New Hampshire border:

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

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: 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.



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

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

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

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.



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D. Additional Information (cont'd)

3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. List the titles and dates for all plans and other materials submitted with this NOI.

Site Development Plans

a. Plan Title

Kelly Engineering Group, Inc.

David N. Kelly

b. Prepared By

c. Signed and Stamped by

08/10/20

1"=40'

d. Final Revision Date

e. Scale

Stormwater Management Report

06/25/20

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:

2953

08/22/20

2. Municipal Check Number

3. Check date

2952

08/22/20

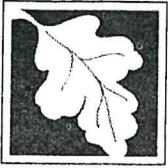
4. State Check Number

5. Check date

Krupa Properties, 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

WPA Form 3 – Notice of Intent

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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

[Handwritten signature]

3. Signature of Property Owner (if different)

[Handwritten signature]

5. Signature of Representative (if any)

2. Date

8/22/20

4. Date

8/22/20

6. Date

9/8/20

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:

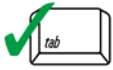
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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.



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:

1 Kiddie Drive	Avon
a. Street Address	b. City/Town
2952	\$512.50
c. Check number	d. Fee amount

2. Applicant Mailing Address:

Joseph	Karas	
a. First Name	b. Last Name	
KRUPA/LZK Properties, Inc		
c. Organization		
455 Dorchester Ave.		
d. Mailing Address		
Boston	MA	02127
e. City/Town	f. State	g. Zip Code
6174641806	jkaras@karasglass.com	
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

_____	_____	
a. First Name	b. Last Name	

c. Organization		

d. Mailing Address		
_____	_____	_____
e. City/Town	f. State	g. Zip Code
_____	_____	_____
h. Phone Number	i. Fax Number	j. Email Address

B. Fees

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

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

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

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

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

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

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

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



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

B. Fees (continued)

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

C. Submittal Requirements

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

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

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

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

2952

KRUPA PROPERTIES, LLC
500 ATLANTIC AVE., UNIT 21B
BOSTON, MA 02210

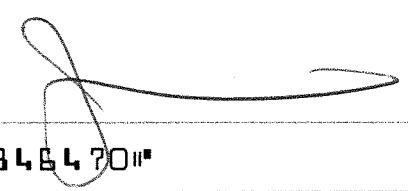
DATE 8/22/20 5-7017/2110

PAY TO THE ORDER OF Town of Mass \$ 512.50

Five hundred Twelve dollars and 50/100 DOLLARS

Citizens Bank®

FOR WPA - form 3



⑈002952⑈ ⑆211070175⑆ 1136346470⑈

2953

KRUPA PROPERTIES, LLC
500 ATLANTIC AVE., UNIT 21B
BOSTON, MA 02210

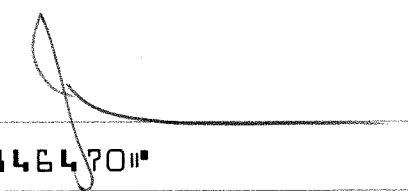
DATE 8/22/20 5-7017/2110

PAY TO THE ORDER OF Town of Avon \$ 537.50

Five hundred Twelve dollars and 50/100 cents DOLLARS

Citizens Bank®

FOR WPA - Form 3



⑈002953⑈ ⑆211070175⑆ 1136346470⑈

2954

KRUPA PROPERTIES, LLC
500 ATLANTIC AVE., UNIT 21B
BOSTON, MA 02210


DATE 8/22/20 5-7017/2110

PAY TO THE ORDER OF Town of Avon \$ 500.00

Five hundred dollars DOLLARS

Citizens Bank®

FOR WPA - 3



⑈002954⑈ ⑆211070175⑆ 1136346470⑈

KELLY ENGINEERING GROUP, INC.
0 Campanelli Drive-Braintree-MA 02184 Phone 781-843-4333

Attachment #2
Abutter Notification Form
Affidavit of Service
Abutters List

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

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

1. The name of the applicant is **KRUPA/LZK Properties, Inc.**
2. The applicant has filed a **Notice of Intent** with the Conservation Commission for the municipality of **Avon, MA**
3. The address of the lot where the activity is proposed is. **Map B6 Lot 1 1 Kiddie Drive, Avon, MA**
4. Copies of the **NOI** may be examined at **Town of Avon Town Hall 65 East Main Street, Avon, MA** between the hours of **8:30 AM** and **4:30 PM Monday through Wednesday.** **8:30 AM** and **7:30 PM Thursday.** **8:30 AM** and **1:00 PM Friday.**

For more information, call: **(781) 871-1874**

This is the **Town of Rockland Town Hall**

5. Copies of the **NOI** may be obtained from the applicant's representative **Kelly Engineering Group, Inc., Zero Campanelli Dr., Braintree, MA,** by calling this telephone number **(781) 843 - 4333** between the hours of **8 AM** and **5 PM** on the following days of the week: **Monday through Friday**

NOTE: Notice of the public hearing will be published at least five (7) days in advance in The Brockton Enterprise. The public hearing will be held October 8. Due to Covid 19 concerns please confirm public hearing location & time with the Town of Avon Conservation Commission to verify if hearing will be held remotely.

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

Southeast Region: 508-946-2700

AFFIDAVIT OF SERVICE

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

I, Garrett Horsfall, of Kelly Engineering Group, Inc. hereby certify under the pains and penalties of perjury that I will give notification to abutters in compliance with the second paragraph of Massachusetts General Laws, Chapter 131, Section 40, and the DEP Guide to Abutter Notification, September 9, 2020 and/or the Avon Wetlands Protection Bylaw in connection with the following matter:

A Notice of Intent, filed under Massachusetts Protection Act and the Avon Wetlands Protection Bylaw by KRUPA/LZK Properties, inc. with the Avon Conservation Commission on September 9, 2020 for the properties located at Assessor's Map B6 Lot 1, 1 Kiddie Drive in Avon, MA.

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



Garrett Horsfall

9/8/20

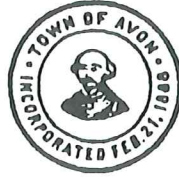
Date

BOARD OF ASSESSORS
Warren B. Lane, Chairman
Cynthia A. Bernasconi, Clerk
Kristin J. Kopke, Associate

Assistant Assessor
Paul J. Sullivan, MAA #978

Town of Avon Massachusetts

Town Offices
Buckley Center
65 East Main Street
Avon, MA 02322
(508) 588-0414 ext 1023
FAX (508) 559-0209
www.avon-ma.gov



BOARD OF ASSESSORS

REQUEST FOR ABUTTERS LIST

APPLICANT INFORMATION NAME: Krupa / L.Z.K. Properties Inc
ADDRESS: c/o Atty Frank Marinelli
439 Washington St Braintree MA
PHONE #: 781-849-0460 02184

REQUEST FOR ABUTTERS LIST OF PARCELS WITHIN 300 FEET OF PROPERTY
LOCATED AT 1 KIDDIE DRIVE (abutters & abutters of abutters w/in 300 feet)

MAP B6 BLOCK 1 LOT 1

REASON FOR REQUEST: Zoning Board of Appeals application
Planning Board application

DATE OF REQUEST: 7 / 27 / 2020

APPLICANT SIGNATURE: Frank W Marinelli, Atty for applicant

AMOUNT DUE WITH APPLICATION: \$25.00

ELECTRONIC COPY (EXCEL SPREADSHEET): To **YOUR** Flash Drive or EMAILED to you: An additional \$5.00 charge.

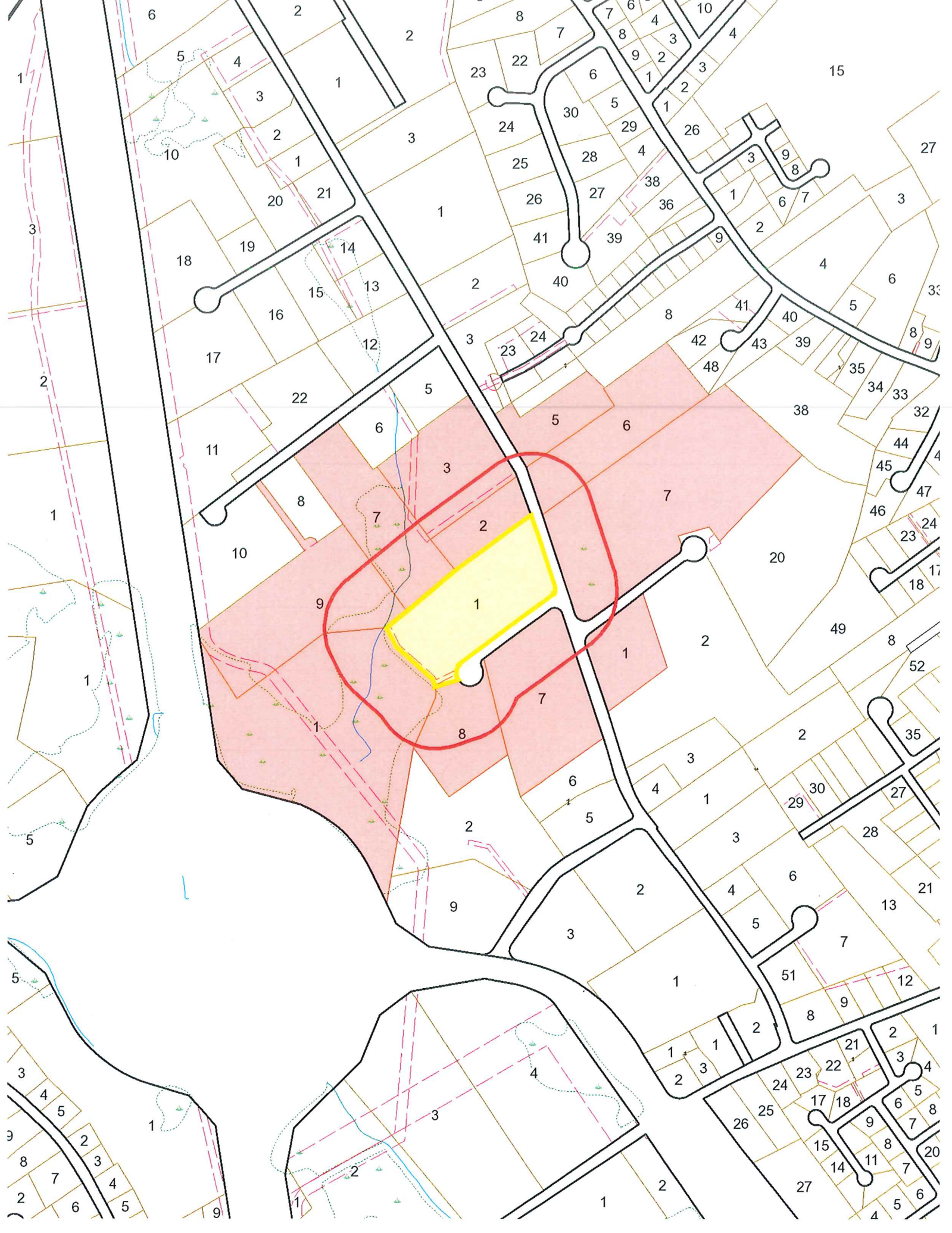
EMAIL ADDRESS: Frank @ Fmarinellilaw.com

300' CERTIFIED ABUTTERS LIST
 1 KIDDIE DR.
 AVON, MA
 FOR:
 KRUPA/LZK PROPERTIES INC.
 B6/1/1

Board of Assessors
 Certified Copy

Paul J. Sullivan
 As of 6/30/20

Map	Block	Lot	Location	Owners Name	Mailing Address	City	St Zip
B6	2	5	155 Bodwell St.	155 Bodwell Street LLC	155 Bodwell St.	Avon	MA 02322
B5	1	8	30 Kiddie Dr.	Con-Avon Limited Partnership	27 Hearthstone Way	Hanover	MA 02339
B6	2	6	145 Bodwell St.	Davis Realty Trust, Howard Davis, Trustee	145 Bodwell St.	Avon	MA 02322
B5	1	7	108 Bodwell St.	EPRO LLC	108 Bodwell St.	Avon	MA 02322
B5	3	1	105 Bodwell St.	G&R Realty Trust, Ralph Delano, Trustee	105 Bodwell St.	Avon	MA 02322
B6	2	7	40 Murphy Dr.	Neponset Circle LLC	430 East First St.	Boston	MA 02127
B6	1	9	40 Robbie Rd.	40 Robbie Road R. T., Jumbo Capital Management LLC - Tr.	1900 Crown Colony Dr., St 405	Quincy	MA 02169
B6	1	3	154 Bodwell St.	Vanguard Realty Trust, Elizabeth Wrobel, Trustee	154 Bodwell St.	Avon	MA 02322
B5	1	1	Route 24	Town of Avon	65 E. Main St.	Avon	MA 02322
B6	1	2	150 Bodwell St.	S&L Avon Realty Trust II, Lawrence & Arlene Siegel, Trustees	16 Island Rd.	Stuart	FL 34999
B6	1	7	40 Strafello Dr.	Avon Realty LJS LLC	60 Leo Birmingham Pkwy	Brighton	MA 02135



KELLY ENGINEERING GROUP, INC.
0 Campanelli Drive-Braintree-MA 02184 Phone 781-843-4333

Attachment #3

Wetlands Resource Evaluation

Field Data Forms

Flood Insurance Rate Maps

USGS Location Plan

NHESP Priority Habitats and Estimated Habitats Map

EcoTec, Inc.
ENVIRONMENTAL CONSULTING SERVICES
102 Grove Street
Worcester, MA 01605-2629
508-752-9666 – Fax: 508-752-9494

May 31, 2020

Mr. David Kelly, P.E.
Kelly Engineering Group, Inc.
0 Campanelli Drive
Braintree, MA 02184

RE: Wetland Resource Evaluation, 1 Kiddie Drive, Avon, Massachusetts

Dear Mr. Kelly:

On May 6, 2020, EcoTec, Inc. inspected the above-referenced property for the presence of wetland resources as defined by: (1) the Massachusetts Wetlands Protection Act (M.G.L. Ch. 131, § 40; the “Act”) and its implementing regulations (310 CMR 10.00 *et seq.*; the “Regulations”); (2) the Town of Avon Wetlands Protection Bylaw (Chapter 239; the “Bylaw”); and (3) the U.S. Clean Water Act. John P. Rockwood, Ph.D., SPWS conducted the inspection.

The subject site consists of a 7.08±-acre parcel located west of Bodwell Street and north of Kiddie Drive in Avon, Massachusetts. The site is largely developed with a commercial building, paved parking and access, and associated lawn and landscaping. A small constructed stormwater basin and outlet channel were observed to the east and north of the northern corner of the building. The northern and western portions of the site are not developed and consist of upland forest and wetland resource areas. Plant species observed in these upland areas include northern red oak (*Quercus rubra*), eastern white pine (*Pinus strobus*), black cherry (*Prunus serotina*), red maple (*Acer rubrum*), shag-bark hickory (*Carya ovata*), white ash (*Fraxinus americana*), and big-tooth aspen (*Populus grandidentata*) trees, saplings, and/or shrubs; poison ivy (*Toxicodendron radicans*), oriental bitter-sweet (*Celastrus orbiculata*), and grape (*Vitis sp.*) climbing woody vines; American witch-hazel (*Hamamelis virginiana*), eastern red cedar (*Juniperus virginiana*), sweet pepper-bush (*Clethra alnifolia*), multiflora rose (*Rosa multiflora*), and winged euonymus (*Euonymus alata*) shrubs; and cinnamon fern (*Osmunda cinnamomea*) and wild-lily-of-the-valley (*Maianthemum canadense*) ground cover. The wetland resources observed on and near the site are described below.

Methodology

The site was inspected, and areas suspected to qualify as wetland resources were identified. The boundary of Bordering Vegetated Wetlands or, in the absence of Bordering Vegetated Wetlands, Bank was delineated in the field in accordance with the definitions set forth in the regulations at 310 CMR 10.55(2)(c) and 310 CMR 10.54(2). Section 10.55(2)(c) states that “The boundary of Bordering Vegetated Wetlands is the line within which 50% or more of the vegetational

community consists of wetland indicator plants and saturated or inundated conditions exist.” Section 10.54(2)(c) states that “The upper boundary of Bank is the first observable break in the slope or the mean annual flood level, whichever is lower.” The methodology used to delineate Bordering Vegetated Wetlands is further described in: (1) the BVW Policy “*BVW: Bordering Vegetated Wetlands Delineation Criteria and Methodology*,” issued March 1, 1995; and (2) “*Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act: A Handbook*,” produced by the Massachusetts Department of Environmental Protection, dated March 1995. The plant taxonomy used in this report is based on the *National List of Plant Species that Occur in Wetlands: Massachusetts* (Fish and Wildlife Service, U.S. Department of the Interior, 1988). Federal wetlands were presumed to have boundaries conterminous with the delineated Bordering Vegetated Wetlands and Bank. One set of DEP Bordering Vegetated Wetland Delineation Field Data Forms completed for observation plots located in the wetlands and uplands near flag A54 is attached. The table below provides the Flag Numbers, Flag Type, and Wetland Types and Locations for the delineated wetland resources.

Flag Numbers	Flag Type	Wetland Types and Locations
Start A1 to A85 Stop Culvert Culvert Start A86 to A92 Stop	Blue Flags	Boundary of Bordering Vegetated Wetlands or Bank located in the northern, western, and southwestern portions of the site and off-site to the north, west, and south that is associated with intermittent streams.
Start B1 to B8 Stop	Blue Flags	Boundary of Bordering Vegetated Wetlands located across Kiddie Drive to south of the site near Bodwell Street that is associated with a blind internal stream.
Start C1 to C18 Stop	Blue Flags	Boundary of Bordering Vegetated Wetlands located across Bodwell Street to the east of the site that is associated with an intermittent stream.

Findings

Wetland A (i.e., A-series flags) consists of a forested swamp located in the northern, western, and southern portions of the site and off-site to the north, west, and south that is associated with intermittent streams. Plant species observed include red maple (*Acer rubrum*), yellow birch (*Betula alleghaniensis*), swamp tupelo (*Nyssa sylvatica*), and willow (*Salix sp.*) trees, saplings, and/or shrubs; poison ivy (*Toxicodendron radicans*) and common greenbrier (*Smilax rotundifolia*) climbing woody vines and/or ground cover; highbush blueberry (*Vaccinium corymbosum*), common winterberry (*Ilex verticillata*), arrow-wood (*Viburnum dentatum*), silky dogwood (*Cornus amomum*), glossy buckthorn (*Rhamnus frangula*), and sweet pepper-bush (*Clethra alnifolia*) shrubs; and cinnamon fern (*Osmunda cinnamomea*), sensitive fern (*Onoclea sensibilis*), and spotted touch-me-not (*Impatiens capensis*) ground cover. Evidence of wetland hydrology, including hydric soils, high groundwater, saturated soils, pore linings, evidence of flooding, and drainage patterns, was observed within the delineated wetland. This vegetated wetland borders intermittent streams; accordingly, the vegetated wetlands would be regulated as Bordering Vegetated Wetlands and the intermittent streams would be regulated as Bank and Land Under Water Bodies and Waterways under the Regulations and Bylaw. A 100-foot Buffer Zone extends

Mr. David Kelly, P.E.

May 31, 2020

Page 3.

horizontally outward from the edge of Bordering Vegetated Wetlands and Bank under the Regulations and Bylaw.

Wetlands B and C are located off-site across Kiddie Drive near Bodwell Street and across Bodwell Street from the site, respectively. Wetland B consists of a small pocket of forested swamp associated with a blind internal channel and Wetland C consists of a marsh fringed by swamp associated with an intermittent stream. Plant species observed in these swamps include red maple (*Acer rubrum*), yellow birch (*Betula alleghaniensis*), and/or willow (*Salix sp.*) trees, saplings, and/or shrubs; poison ivy (*Toxicodendron radicans*) and/or common greenbrier (*Smilax rotundifolia*) climbing woody vines and/or ground cover; highbush blueberry (*Vaccinium corymbosum*), glossy buckthorn (*Rhamnus frangula*), American elder (*Sambucus canadensis*), and/or sweet pepper-bush (*Clethra alnifolia*) shrubs; and cinnamon fern (*Osmunda cinnamomea*) and/or sensitive fern (*Onoclea sensibilis*) ground cover with broad-leaf cattail (*Typha latifolia*), grasses (Gramineae sp.), sedges (Cyperaceae sp.), and rushes (Juncaceae sp.) ground cover in the central marsh in Wetland C. Evidence of wetland hydrology, including hydric soils, high groundwater, saturated soils, pore linings, evidence of flooding, and drainage patterns, was observed within the delineated wetlands. These vegetated wetlands border intermittent streams; accordingly, the vegetated wetlands would be regulated as Bordering Vegetated Wetlands and the intermittent streams would be regulated as Bank and Land Under Water Bodies and Waterways under the Regulations and Bylaw. A 100-foot Buffer Zone extends horizontally outward from the edge of Bordering Vegetated Wetlands and Bank under the Regulations and Bylaw. The 100-foot Buffer Zone from these wetlands projects onto the subject site.

Bordering Land Subject to Flooding is an area that floods due to a rise in floodwaters from a bordering waterway or water body. Where flood studies have been completed, the boundary of Bordering Land Subject to Flooding is based upon flood profile data prepared by the National Flood Insurance Program. Section 10.57(2)(a)3. states that "The boundary of Bordering Land Subject to Flooding is the estimated maximum lateral extent of flood water which will theoretically result from the statistical 100-year frequency storm." Based upon a review of the Flood Insurance Rate Map, Map Number 25021C0218E, Effective Date July 17, 2012 (attached), there is a mapped Zone AE (i.e., 100-year floodplain) associated with a larger off-site stream near Route 24 with a 100-year flood elevation of 211 feet (NAVD 1988) located in the western and northern portions of the site. There is a thin band mapped as Other Flood Areas: Zone X, which is defined as areas located within the 0.2% annual chance flood (i.e., 500-year floodplain) located to the east and south of the mapped Zone AE. The 500-year floodplain does not have regulatory significance. The balance of the site is mapped as Zone X, which is defined as areas located outside of the 0.2% annual chance flood (i.e., outside of 500-year floodplain). The project engineer should determine the presence and extent or absence of Bordering Land Subject to Flooding on the site. When present, Bordering Land Subject to Flooding would occur in areas where the 100-year flood elevation is located outside of or upgradient of the delineated Bordering Vegetated Wetlands (or in the absence of Bordering Vegetated Wetlands, Bank) boundary. Bordering Land Subject to Flooding does not have a 100-foot Buffer Zone under the Regulations but appears to have a 100-foot Buffer Zone under the Bylaw.

Mr. David Kelly, P.E.

May 31, 2020

Page 4.

The Massachusetts Rivers Protection Act amended the Act to establish an additional wetland resource area: Riverfront Area. Based upon a review of the current USGS Map, Norwood Quadrangle, dated 1985 (attached), there are no mapped streams located on or within 200 feet of the site. Based upon observations made during the site inspection, there are three streams that were observed on or proximate to the site. The largest stream originates to the north of the site and flows to the southeast, southwest, and southeast around the site before flowing away from the site to the southwest. A small stream that originates downgradient of a small on-site stormwater basin is tributary to this larger stream. The combined watershed area for these two streams to a point well downstream of the site is 0.48 square miles (see attached StreamStats Report). A third stream (and an outfall from a presumed drain line from Wetland C) is located south of the site and flows to the east to its well off-site confluence with the above stream. The watershed area for this last stream (and the outfall) is 0.1 square miles (see attached StreamStats Report). Based upon the stream mapping and watershed areas, the three streams would all be designated intermittent at the site and Riverfront Area under the Act/Regulations would not occur on the site. Riverfront Area is not a resource area specifically regulated under the Bylaw. Riverfront Area does not have 100-foot Buffer Zone under the Act and Regulations.

The Regulations require that no project may be permitted that will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures set forth at 310 CMR 10.59. Based upon a review of the *Massachusetts Natural Heritage Atlas*, 14th edition, Priority Habitats and Estimated Habitats from the NHESP Interactive Viewer, valid from August 1, 2017, and Certified Vernal Pools from MassGIS (attached), there are no Estimated Habitats [for use with the Act and Regulations (310 CMR 10.00 *et seq.*)], Priority Habitats [for use with Massachusetts Endangered Species Act (M.G.L. Ch. 131A; "MESA") and MESA Regulations (321 CMR 10.00 *et seq.*)], or Certified Vernal Pools on or in the immediate vicinity of the site.

The reader should be aware that the regulatory authority for determining wetland jurisdiction rests with local, state, and federal authorities. A brief description of my experience and qualifications is attached. If you have any questions, please feel free to contact me at any time.

Cordially,
ECOTEC, INC.



John P. Rockwood, Ph.D., SPWS
Chief Environmental Scientist

Attachments (6, 10 pages)

18/wr/AVON1KIDDIEWRE2020

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

Applicant:

Prepared by: EcoTec, Inc.

Project location: 1 Kiddie Drive, Avon

DEP File # :

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- Vegetation and other indications 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: A54	Transect Number: Up	Date of Delineation: 5/6/2020		
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 * #
Tree	Northern Red Oak	<i>Quercus rubra</i>	40	42	Yes	FACU-
	White Oak	<i>Quercus alba</i>	35	37	Yes	FACU-
	Eastern White Pine	<i>Pinus strobus</i>	20	21	Yes	FACU
Sapling	Northern Red Oak	<i>Quercus rubra</i>	10	100	Yes	FACU-
Shrub	American Witch-hazel	<i>Hamamelis virginiana</i>	30	60	Yes	FAC-
	Sweet Pepper-bush	<i>Clethra alnifolia</i>	20	40	Yes	FAC+*
Ground Cover	Wild-lily-of-the-valley	<i>Maianthemum canadense</i>	5	100	Yes	FAC-

Plant Taxonomy and Wetland Indicator Category from "National List of Plant Species that Occur in Wetlands: Massachusetts" (Fish & Wildlife Service, U.S. Department of the Interior, 1988) as required by 310 CMR 10.55(2)(c).

*Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c. 131, s. 40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusions:
 Number of dominant wetland indicator plants: **1** Number of dominant non-wetland indicator plants: **6**
 Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland 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.

MA DEP; 3/95

TRANSECT A54 UP (CONT.)

Section II. Indicators of Hydrology

1. Soil Survey

Is there a published soil survey for this site? -

title/date: -
 map number: -
 soil type mapped: -
 hydric soil inclusions: -

Are field observations consistent with soil survey? -

Remarks: -

2. Soil Description

Horizon	Depth (inches)	Matrix Color	Mottle Color
A	0-4	10 YR 3/3 Loam	-
B	4-5	10 YR 5/4 Sandy Loam	-
B	5-16	10 YR 5/6 Sandy Loam	-

Remarks: Terminated at 16 inches; groundwater not encountered.

3. Other: -

Conclusion: Is soil Hydric? No

Other Indications 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	<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"/>

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:

Prepared by: EcoTec, Inc.

Project location: 1 Kiddie Drive, Avon

DEP File # :

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- Vegetation and other indications 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: A54	Transect Number: Wet	Date of Delineation: 5/6/2020		
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 * #
Tree	Northern Red Oak	<i>Quercus rubra</i>	15	19	No	FACU-
	Red Maple	<i>Acer rubrum</i>	40	50	Yes	FAC*
	Swamp Tupelo	<i>Nyssa sylvatica</i>	25	31	Yes	FACW+*
Climbing Woody Vine	Common Greenbrier	<i>Smilax rotundifolia</i>	5	100	Yes	FAC*
Sapling	Eastern White Pine	<i>Pinus strobus</i>	10	50	Yes	FACU
	Red Maple	<i>Acer rubrum</i>	10	50	Yes	FAC*
Shrub	Highbush Blueberry	<i>Vaccinium corymbosum</i>	20	44	Yes	FACW-*
	Sweet Pepper-bush	<i>Clethra alnifolia</i>	20	44	Yes	FAC+*
	Northern Red Oak	<i>Quercus rubra</i>	5	11	No	FACU-
Ground Cover	Cinnamon Fern	<i>Osmunda cinnamomea</i>	10	67	Yes	FACW*
	Wild-lily-of-the-valley	<i>Mianthemum canadense</i>	5	33	Yes	FAC-

Plant Taxonomy and Wetland Indicator Category from "National List of Plant Species that Occur in Wetlands: Massachusetts" (Fish & Wildlife Service, U.S. Department of the Interior, 1988) as required by 310 CMR 10.55(2)(c).

*Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c. 131, s. 40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusions:
 Number of dominant wetland indicator plants: 7 Number of dominant non-wetland indicator plants: 2
 Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland 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.

MA DEP; 3/95

TRANSECT A54 WET (CONT.)

Section II. Indicators of Hydrology

1. Soil Survey

Is there a published soil survey for this site? -

title/date: -
 map number: -
 soil type mapped: -
 hydric soil inclusions: -

Are field observations consistent with soil survey? -

Remarks: -

2. Soil Description

Horizon	Depth (inches)	Matrix Color	Mottle Color
A	0-8	10 YR 2/1 Mucky Loam	-
B	8-16	10 YR 5/2 Sandy Loam	7.5 YR 5/6

Remarks: Terminated at 16 inches.

3. Other: -

Conclusion: Is soil Hydric? Yes

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

- Site inundated: _____
- Depth to free water in observation hole: 4 inches
- Depth to soil saturation in observation hole: Surface
- Water marks: _____
- Drift lines: _____
- Sediment deposits: _____
- Drainage patterns in BVW: _____
- Oxidized rhizospheres: _____
- Water-stained leaves: _____
- Recorded data (stream, lake, or tidal gauge; aerial photo; other): _____

- Other: _____

Vegetation and Hydrology Conclusion		
	yes	no
Number of wetland indicator plants ≥ number of non-wetland indicator plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wetland hydrology present:		
hydric soil present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
other indicators of hydrology present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sample location is in a BVW	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

National Flood Hazard Layer FIRMette



Legend

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

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) <i>Zone A, V, A99</i>
		With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i>
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		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 <i>Zone X</i>
		Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i>
		Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i>
		Area with Flood Risk due to Levee <i>Zone D</i>
OTHER AREAS		Area of Minimal Flood Hazard <i>Zone X</i>
		Effective LOMRs
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Coastal Transect
		513 Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
MAP PANELS		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 5/5/2020 at 10:24:47 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.

42°8'0.84"N

71°3'44.30"W

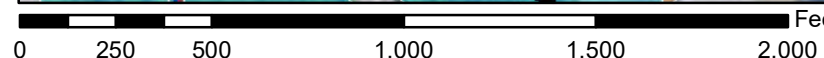


USGS The National Map: Orthoimagery. Data refreshed April, 2019.

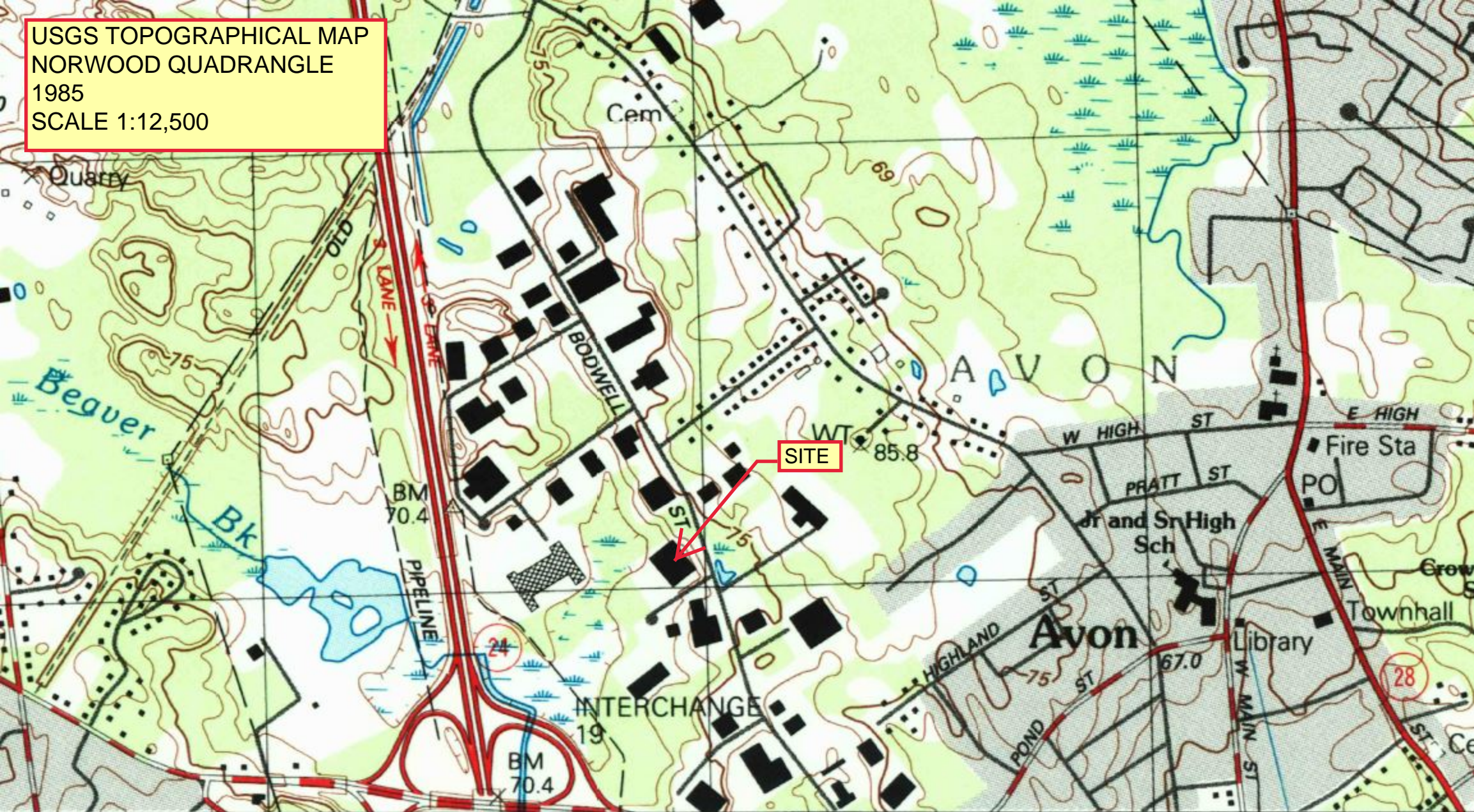
1:6,000

42°7'34.16"N

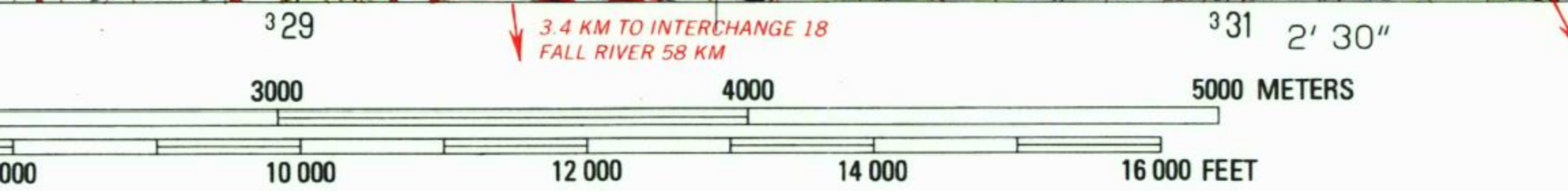
71°3'6.84"W



USGS TOPOGRAPHICAL MAP
NORWOOD QUADRANGLE
1985
SCALE 1:12,500



3.4 KM TO INTERCHANGE 18
FALL RIVER 58 KM



StreamStats Report

NORTHERN STREAM

Region ID:

MA

Workspace ID:

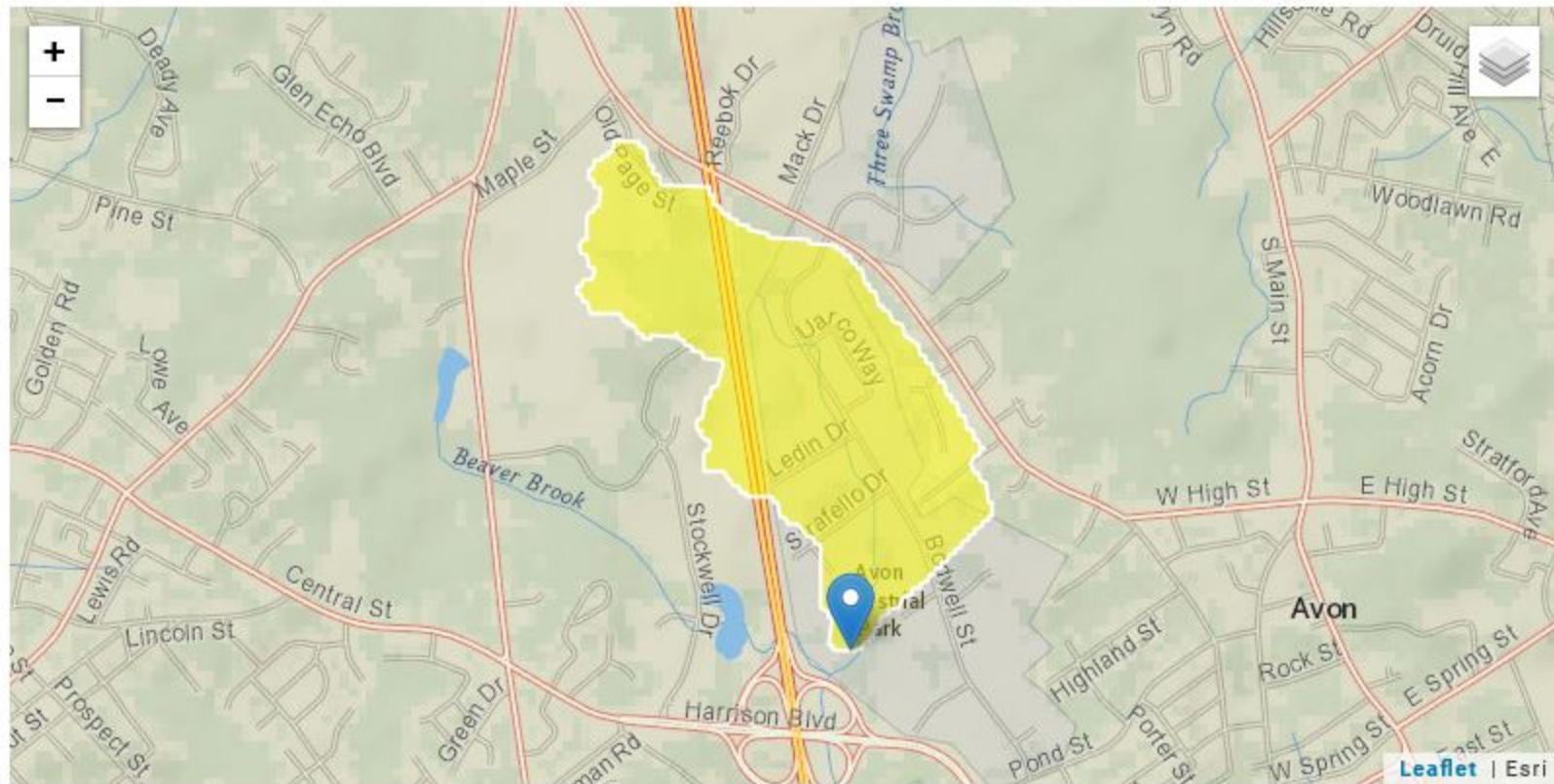
MA20200511203417013000

Clicked Point (Latitude, Longitude):

42.12800, -71.05994

Time:

2020-05-11 16:34:32 -0400



Basin Characteristics

Parameter Code	Parameter Description	Value	Unit
DRNAREA	Area that drains to a point on a stream	0.48	square miles

StreamStats Report

Region ID:

MA

Workspace ID:

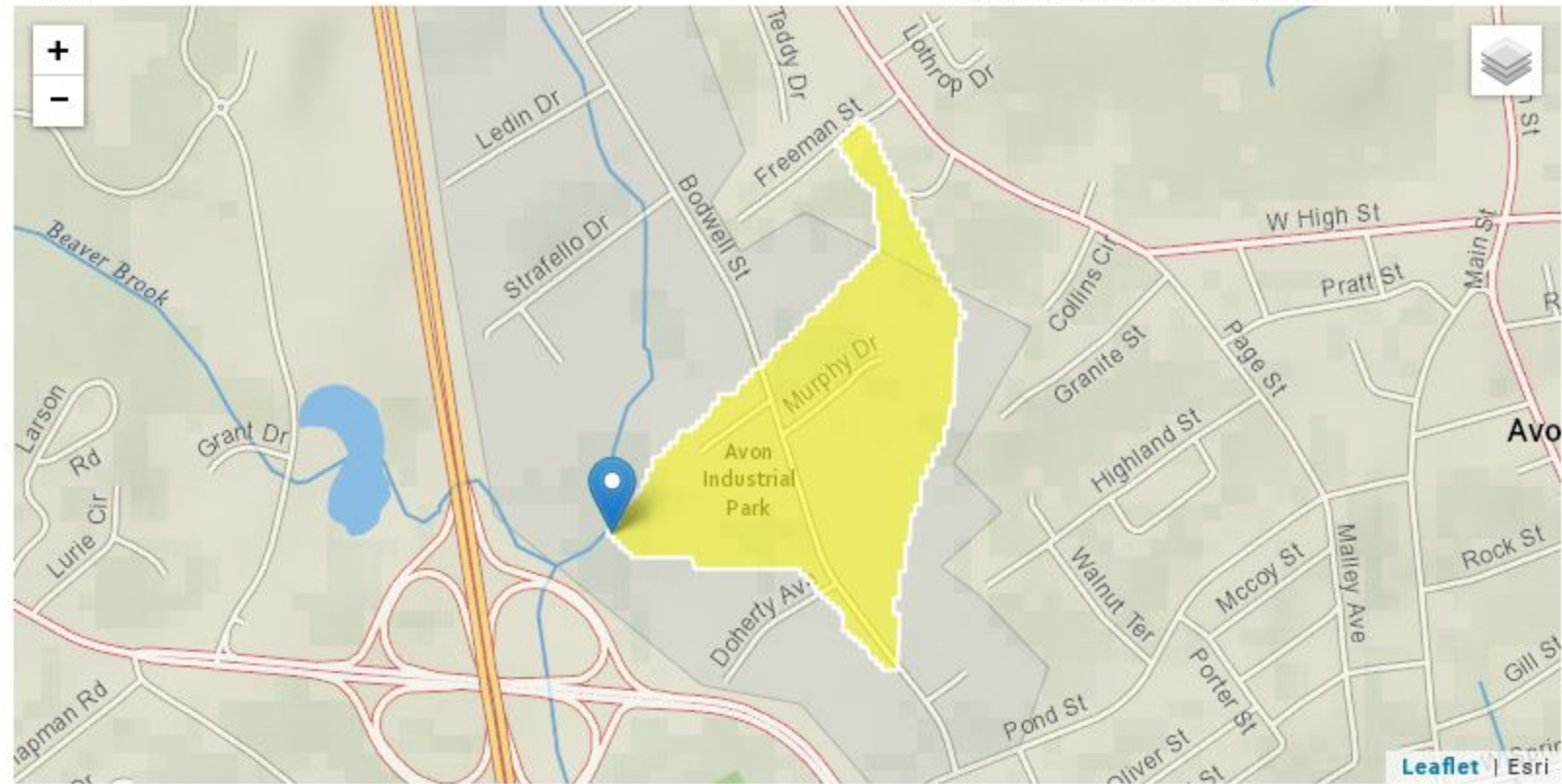
MA20200511203631882000

Clicked Point (Latitude, Longitude):

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Time:

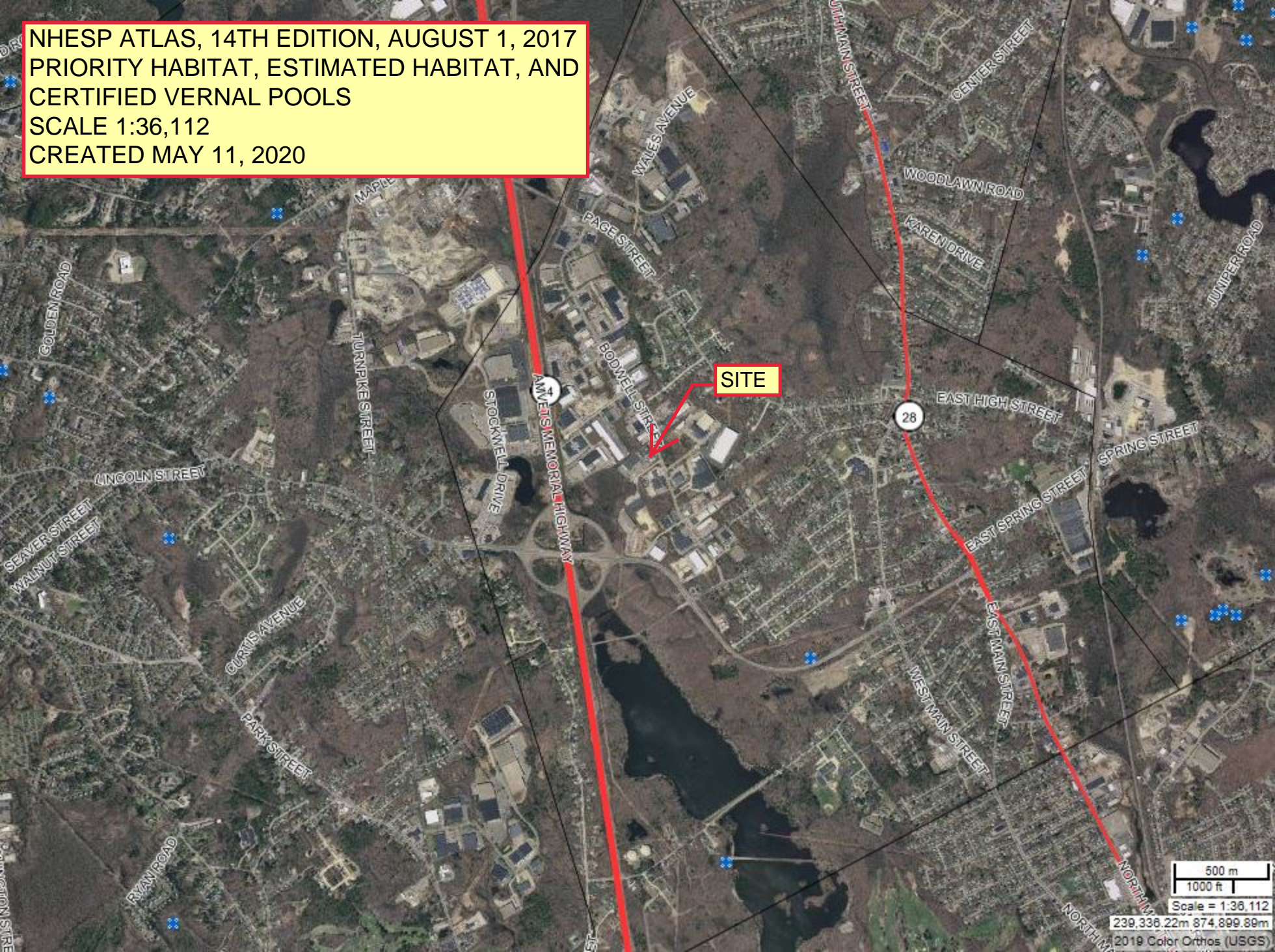
2020-05-11 16:36:48 -0400



Basin Characteristics

Parameter Code	Parameter Description	Value	Unit
DRNAREA	Area that drains to a point on a stream	0.1	square miles

NHESP ATLAS, 14TH EDITION, AUGUST 1, 2017
PRIORITY HABITAT, ESTIMATED HABITAT, AND
CERTIFIED VERNAL POOLS
SCALE 1:36,112
CREATED MAY 11, 2020



SITE

500 m
1000 ft

Scale = 1:36,112

239,336.22m 874,899.89m

2019 Color Orthos (USGS)

EcoTec, Inc.
ENVIRONMENTAL CONSULTING SERVICES
102 Grove Street
Worcester, MA 01605-2629
508-752-9666 – Fax: 508-752-9494

John P. Rockwood, Ph.D., SPWS
Chief Environmental Scientist

Dr. John P. Rockwood has been a Staff Scientist with EcoTec, Inc. since October 1999. He was previously a Chief Environmental Scientist at Sanford Ecological Services, Inc. of Southborough, Massachusetts from September 1990 to October 1999. Dr. Rockwood was certified in August 2002 and recertified in March 2008, January 2013, and June 2018 as a Professional Wetland Scientist (PWS) by the Society of Wetland Scientists Professional Certification Program (SWSPCP), and in April 2020, he was made a Senior Professional Wetland Scientist (SPWS) by the SWSPCP. His project experience includes wetland resource evaluation, delineation, and permitting at the local, state, and federal levels; wildlife habitat evaluation; pond and stream evaluation; vernal pool evaluation, certification, construction/replication, and monitoring; rare species habitat and impact assessment; wetland replacement, replication, and restoration area design, construction, and monitoring; invasive species removal and treatment protocols and monitoring; and expert testimony preparation. He has served as a consultant to municipalities, conservation commissions, the development community, engineering and survey firms, industry, and citizen's groups. He has managed and participated in a wide variety of wetlands-related projects ranging in scope from single-family house lots to subdivisions, commercial developments, mixed use developments, golf courses, a water park, MBTA commuter train station, and a regional mall. He has assessed the potential impacts of stormwater runoff, landfill leachate, and/or hazardous waste disposal sites on rare vertebrate and/or invertebrate species, and has conducted and/or directed surveys, delineated actual habitat, conducted habitat evaluations, and/or developed mitigation strategies necessary to protect rare vertebrate, invertebrate, and plant species and their habitats from proposed development-related impacts. He has designed and conducted drift fence studies for rare vertebrates. He has conducted and led preconstruction sweeps for the spotted turtle, wood turtle, and eastern box turtle. He has filed MESA Project Review Checklists and has prepared applications for Conservation and Management Permits and Amendments under MESA. He has submitted rare animal and plant observation forms to NHESP for several vertebrate, invertebrate, and plant species. He has conducted environmental impact assessments and has prepared MEPA documentation related to an office park, an MBTA commuter train station, water park, residential subdivisions, skating rink facility, landfill, and regional mall. Dr. Rockwood also has extensive experience in environmental site assessment related to possible oil and/or hazardous material contamination. He has conducted numerous environmental assessments, several including subsurface investigations, for sites located in Massachusetts, and has conducted preliminary environmental assessments for properties located in New York, New Hampshire, and Rhode Island. He has conducted ecological risk assessments (i.e., Stage I Environmental Screenings and Stage II Environmental Risk Characterizations) for a number of disposal sites in Massachusetts, including several disposal sites that had the potential to affect state-listed vertebrate and invertebrate species, and has utilized the EPA Rapid Bioassessment Protocol for macroinvertebrates to assess potential impacts of disposal sites and hazardous material releases on streams and rivers in Massachusetts and New York. He has served as the environmental contractor to the Franklin Consolidated Office of the Federal Deposit Insurance Corporation (FDIC-FCO) for 16 months, where he reviewed environmental reports, prepared scopes-of-work for site assessments, and provided technical advice to FDIC employees related to environmentally compromised assets. Dr. Rockwood has designed, conducted, and evaluated numerous surface water and groundwater monitoring programs. His prior research includes laboratory studies of the effects of low pH and aluminum on dragonfly nymphs and a field survey of the impact of chlorinated sewerage effluent on algal periphyton community dynamics. Dr. Rockwood is the co-author of a textbook on aquatic biology and is the principal author of three peer-reviewed research publications in the field of aquatic toxicology that address the effect of low pH and aluminum on nymphs of the dragonfly *Libellula julia*. Dr. Rockwood served as the as the Editor of the AMWS Newsletter from November 2004 to October 2010 and as Assistant Editor from May 2003 to November 2004 and October 2010 to January 2012. He served as President of the Association of Massachusetts Wetland Scientists from November 2013 to December 2015 and as Immediate Past President from December 2015 to December 2017. He was twice awarded by AMWS with their President's Award.

Education: Doctor of Philosophy (Ph.D.): Aquatic Pollution Biology – Plant and Soil Sciences
University of Massachusetts at Amherst, 1989
Bachelor of Science (B.S.): Environmental Sciences, *Summa Cum Laude*
University of Massachusetts at Amherst, 1984

Professional Affiliations: Society for Freshwater Science
Sigma Xi, Full Member
Association of Massachusetts Wetland Scientists, Voting Member
Society of Wetland Scientists
Massachusetts Association of Conservation Commissions

Certifications: Society of Wetlands Scientists Senior Professional Wetland Scientist, Certification Number 1349
OSHA Health and Safety Training, 40-Hour Training, 29 CFR 1910.120
OSHA Health and Safety Training, 8-Hour Supervisor Training
OSHA Health and Safety Training, 8-Hour Refresher Training