

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Foxborough Wetlands Protection Bylaw, Ch. 267

(To be provided by MassDEP)

MassDEP File Number

Foxborough
Town

RECEIVED
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CONSERVATION
COMMISSION

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:

68 Neponset Heights Avenue
a. Street Address
Foxborough
b. Town
02035
c. Zip Code
Latitude and Longitude:
42° 4' 47" N
71° 15' 54" E
d. Latitude
e. Longitude
Map 44
f. Assessors Map/Plat Number
026
g. Parcel /Lot Number

2. Applicant:

Henry
a. First Name
Heaton
b. Last Name
Homeowner
c. Organization
68 Neponset Heights Avenue
d. Street Address
Foxborough
e. City/Town
MA
f. State
02035
g. Zip Code
508-178-1147
h. Phone Number
i. Fax Number
j. Email Address

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

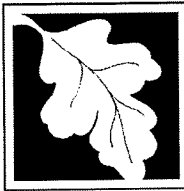
a. First Name
b. Last Name
c. Organization
d. Street Address
e. City/Town
f. State
g. Zip Code
h. Phone Number
i. Fax Number
j. Email address

4. Representative (if any):

Richard
a. First Name
Wozmak
b. Last Name
EndPoint, LLC
c. Company
25 Buttrick Road
d. Street Address
Londonderry
e. City/Town
NH
f. State
03053
g. Zip Code
(603)965-3810
h. Phone Number
i. Fax Number
rwozmak@endpointllc.com
j. Email address

5. Wetland Filing Fees Paid (to calculate fees, refer to attached NOI Wetland Fee Transmittal Form):

1,450
a. State WPA Fee/Total
712.50
b. WPA Fee/State's Share
737.50
c. WPA Fee/Town's Share
\$250
d. Town Bylaw (Ch. 267) Fee



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

Foxborough
Town

A. General Information *(continued)*

6. General Project Description:

Remediation work for a No.2 heating oil release to the subsurface from former ASTs. Work activities include soil excavation, dewatering and LNAPL recovery. Subsurface impacts are below concrete and contained behind a concrete retaining wall along the Neponset Reservoir. No wetlands are nor disturbed as part of work activities. All remediation waste will be disposed off-Site.

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. N/A - 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 10.53 (inland)?

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

2. Limited Project Type

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

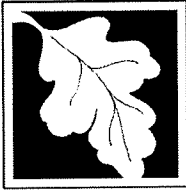
8. Property recorded at the Registry of Deeds for:

Norfolk	6093	612
a. County	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, or Inland Bank.
- 2. Inland Resource Areas (see 310 CMR 10.54-10.58).

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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Foxborough Wetlands Protection Bylaw, Ch. 267

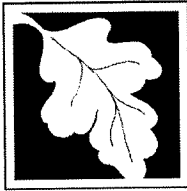
MassDEP File Number

Foxborough
Town

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

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement</u> (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet	2. square feet
	3. cubic yards dredged	
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area (if checked, complete #1-6)	1. Name of Waterway (if available)	
2. Width of Riverfront Area (check one):		
<input type="checkbox"/> 25 ft. - Designated Densely Developed Areas only		
<input type="checkbox"/> 100 ft. - New agricultural projects only		
<input type="checkbox"/> 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 feet
_____		_____
c. square feet between 100 feet and 200 feet		_____
5. Has an alternatives analysis been done and is it attached to this NOI?		<input type="checkbox"/> Yes <input type="checkbox"/> No
6. Was the lot where the activity is proposed created prior to August 1, 1996?		<input type="checkbox"/> Yes <input type="checkbox"/> No
3. <input type="checkbox"/> Bylaw Resource Areas (Foxborough Wetlands Protection Bylaw, Ch. 267; No Activity Zones)		
a. <input type="checkbox"/> 100 Foot Vernal Pool Adjacent Upland Resource Area		
b. <input type="checkbox"/> 25 Foot No Activity Zone		
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 above, please enter the additional amount here.		
a. square feet of BVW		_____
5. <input type="checkbox"/> Project Involves Stream Crossings		
a. number of new stream crossings		b. number of replacement stream crossings
_____		_____



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Foxborough
Town

C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. If checked, skip Section C and complete Appendix A: Ecological Restoration Notice of Intent - 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 - Phone: (508) 389-6360

- 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.1.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 (include description of impacts outside of wetland resource area & buffer zone)

(b) Photographs representative of the site

(c) MESA filing fee - Make check payable to "Commonwealth of Massachusetts - NHESP" and mail to NHESP at above address (fee information available at https://www.mass.gov/regulatory-review)

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

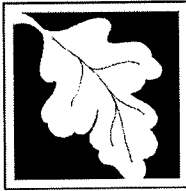
(d) Vegetation cover type map of site

(e) Project plans showing Priority & Estimated Habitat boundaries

(f) OR - see next page

* Some projects not in Estimated Habitat may be located in Priority Habitat (see http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/) and require NHESP 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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MassDEP File Number

Foxborough
Town

C. Other Applicable Standards and Requirements (continued)

(f) OR Check One of the Following

- 1. *Project is exempt from MESA review.*
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.59.)
- 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 and Management Permit with approved plan.

3. For coastal projects only: Not applicable in Foxborough

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.

Canoe River Aquifer

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)?

a. Yes No

7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?

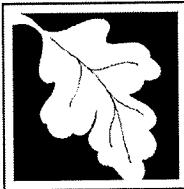
a. **Yes.** Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:

- 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.

8. **This is a proposed Ecological Restoration Limited Project.** [If checked, skip Section D and complete Appendix A: Ecological Restoration NOI; Minimum Required Documents (310 CMR 10.12).]



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D. Additional Information

Applicants must include the following with this Notice of Intent (NOI). *See instructions for details.*

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.
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.
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.

Proposed IRA Excavation Area (Book 6093 Page 612)

a. Plan Title

EndPoint, LLC

Richard Wozmak, #7973

b. Prepared By

c. Signed and Stamped by

6/8/2021

1:30

d. Final Revision Date

e. Scale

Site Plan (Book 6093 Page 612)

6/8/2021

f. Additional Plan or Document Title

g. Date

Site Locus(Book 6093 Page 612)

3/26/21

h. Additional Plan or Document Title

i. Date

5. If more than one property owner, attach a list of property owners not listed on this form.
6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. Notice of Intent Application checklist
8. Abutter Notification Form
9. Affidavit of Service Form
10. Attach Stormwater Report with signed, stamped Stormwater Checklist (unless exempt).

E. Fees

1. a. Fee Exempt: No filing fee shall be assessed for projects of any town, county, or district of the Commonwealth, municipal housing authority, or the Massachusetts Bay Transportation Authority.
- b. Applicants must submit the following information to confirm fee payment (*in addition to pages 1 and 2 of the attached NOI Wetland Fee Transmittal Form*):

11491

5/27/21

2. Check Number (town share of state fee [see A.5.c., page 1])

3. Check date (town share of state fee)

11496

6/3/2021

4. Check Number (Bylaw filing fee [see A.5.d, page 1])

5. Check date (Bylaw filing fee)

11490

5/27/21

6. State Check Number (state share of state fee [see A.5.b.])

7. Check date (state share of state filing fee)

EndPoint, LLC

8. First Name of Payor on checks

9. Last Name of Payor on checks



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F. Signatures and Submittal Requirements

Submittal Requirements (please refer to NOI Filing Instructions, downloadable at http://www.foxboroughma.gov/Pages/FoxboroughMA_Conservation/Forms)

For Foxborough Conservation Commission:

One original and seven (7) copies of this completed Notice of Intent (form 3), including supporting plans and documents (listed at section D. "Additional Information"), NOI Filing Check List, Abutter Notification, one copy of the NOI Wetland Fee Transmittal Form (see following page; attached), and the two town fee payments (Bylaw filing fee and town share of State filing fee), by certified mail or hand delivery to:

Foxborough Conservation Commission
Town Hall, 40 South Street, Foxborough, MA 02035

For MassDEP:

One copy of this completed Notice of Intent (form 3), including supporting plans and documents (listed at Section D), one copy of the NOI Wetland Fee Transmittal Form (attached), and a **copy** of the state fee payment (for State share, see below) by certified mail or hand delivery to:

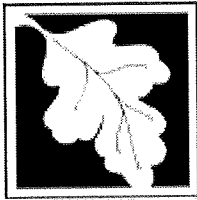
MassDEP Southeast Regional Office
20 Riverside Drive, Lakeville, MA 02347

State share of the filing fee (check or money order, payable to the *Commonwealth of Massachusetts*) and the NOI Wetland Fee Transmittal Form by certified mail or hand delivery to:

Department of Environmental Protection
Box 4062, Boston, MA 02211

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.

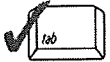


Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
 Foxborough Wetlands Protection Bylaw, Chapter 267



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:

68 Neponset Heights Avenue

a. Street Address

Foxborough

b. City/Town

2. Applicant Mailing Address:

Henry

a. First Name

Heaton

b. Last Name

Homeowner

c. Organization

68 Neponset Heights Avenue

508-178-1147

h. Phone Number

Foxborough

e. City/Town

MA

f. State

02035

g. Zip Code

i. Fax Number

j. Email Address

3. Property Owner (if different from Applicant):

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

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

B. Fees - Please see NOI Instructions before filling out worksheet.

Fees should be calculated using the following process and the worksheet on the next page.

Refer to Conservation Commission's website to download the Town and State Filing Fee Schedules:
http://www.foxboroughma.gov/Pages/FoxboroughMA_Conservation/Forms

State Wetlands Protection Act (WPA) Filing Fee Instructions

Step 1/ Type of Activity: Describe each type of activity that will occur in a wetland resource area and/or buffer zone (the area within 100 feet of a wetland, or 200 feet of a river).

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.

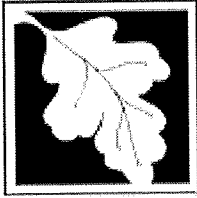
Step 5/ Total State Project Fee:

Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6a-c/ Fee Payments (State):

To calculate the state share of the fee, divide the total fee in half and subtract \$12.50.

To calculate the town share of the fee, divide the total fee in half and add \$12.50.



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Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
 Foxborough Wetlands Protection Bylaw, Chapter 267



B. Fees (continued)

Town Bylaw Filing Fee Instructions

Step 1a/ Type of Activity:

Describe each type of activity that will occur in wetland resource area and buffer zone.

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

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

Step 4a/ Subtotal Activity Fee: Multiply the number of activities (identified in Step 2a) times the fee per category (identified in Step 3a) 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.

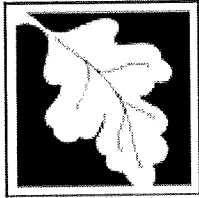
Step 5a/ Total Bylaw Project Fees:

Determine the total project fee by adding the subtotal amounts from Step 4a.

Step 6d/ Fee Payment (Bylaw): *Insert Step 5a fee payment amount.*

Type of Activity	Number of Activities	Individual Activity Fee	Subtotal Activity Fee
State Filing Fees: (Step 1)	(Step 2)	(Step 3)	(Step 4)
Category 4-K	1	\$1,450	\$1,450
Total State Filing Fee: (Step 5)			\$1,450
Bylaw Filing Fees: (Step 1a)	(Step 2a)	(Step 3a)	(Step 4a)
Category 1-F	1	\$250	\$250
Total Bylaw Filing Fee: (Step 5a)			\$250
Filing Fee Payments: (Step 6)			
Total State Filing Fee:	(insert the following amount on this NOI form page 1, Section A.5.a)		\$1,450 a. Total State Fee from Step 5
State's share of filing fee: (Paid to State [Boston address])	(insert following amount on this NOI form page 1, Section A.5.b.)		\$712.50 b. 1/2 of (a), above, less \$12.50
Town's share of filing fee: (Paid to Town of Foxborough)	(insert following amount on this NOI form page 1, Section A.5.c.)		\$737.50 c. 1/2 of (a) above, plus \$12.50
Bylaw Filing Fee: (Paid to Town of Foxborough)	(insert following amount on this NOI form page 1, Section A.5.d.)		\$250 d. Total Bylaw Fee from Step 5a

See Submittal Requirements and Instructions on the next page.



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NOI Wetland Fee Transmittal Form

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C. Submittal Requirements

a. **To Department of Environmental Protection:**

For additional instructions, please refer to the Submittal Instructions on the last page (page 7) of the attached NOI Form (above).

Complete pages 1 and 2 of this NOI Wetland Fee Transmittal Form and send with a check or money order for the **State share of the filing fee**, payable to the *Commonwealth of Massachusetts*.

Department of Environmental Protection
Box 4062
Boston, MA 02211

b. **To the Foxborough Conservation Commission:**

Send the Notice of Intent or Abbreviated Notice of Intent; one **copy** of this form and the Town fee payments (**Bylaw fee and town share of State fee**), payable to the *Town of Foxborough*.

Foxborough Conservation Commission
40 South Street
Foxborough, MA 02035

c. **To MassDEP Regional Office:**

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.

MassDEP, Southeast Regional Office
20 Riverside Drive
Lakeville, MA 02347

NOTICE OF INTENT APPLICATION CHECKLIST

This checklist, which is referred to in the Conservation Commission's *Filing Instructions for Notices of Intent Under the Foxborough Wetlands Protection Bylaw, Chapter 267*, has been designed to efficiently assist the applicant and the Commission through the review process. It applies to all filings under the Foxborough Wetlands Protection Bylaw, Chapter 267 (unless otherwise specifically stated). Close adherence to this checklist and the referenced *Filing Instructions* is recommended.

All of the following information will be required, unless exempted in writing by the Commission. After completing each item below, please check the box next to the item and, when finished, **include a copy of the completed checklist in your NOI application package.**

INFORMATION TO BE INCLUDED IN NOTICE OF INTENT NARRATIVE

EXISTING CONDITIONS

- Description of topography, soils, and geology
- Description of vegetation types (upland or wetlands community types and plant species)
- USGS quadrangle map (most recent version), with site location circled (locus map)
- National Flood Insurance Program (NFIP) Flood Insurance Rate Map (FIRM), and associated Flood Profile Study if available, with site location circled

PROPOSED CONDITIONS

- Description of activities, construction sequencing and estimated timetable, including future phases
- Description of indirect and direct impacts, both temporary and permanent, on wetland resource areas
- Calculations of lot's impervious areas, comparing pre-construction to post construction conditions
- Volume of fill required, if applicable, and source of fill
- Description of soil erosion and sediment control plan, including monitoring and measures to be taken to prevent negative impacts to resource areas
- Detailed mitigation plan for activities in the buffer zone to prevent long term, indirect impacts to adjacent resource areas
- Description of storm water management plan, including existing and proposed drainage areas
- Description of wastewater management plan, if applicable
- Description of wetlands restoration plan, if proposed, including area to be restored with existing and proposed topography contours (at one-foot intervals), description of soils, stockpile areas, plantings (including Latin names of plants/seeds and source of materials [both plants and soils]), invasive species eradication and monitoring plan and a timetable of proposed work.

SITE VISIT REQUIREMENTS FOR REVIEW OF NOTICE OF INTENT

The following markings and flagging must be in place before the field inspection, where applicable. Failure to properly stake and mark the site may result in delays, non-review, or denial of a proposed project.

- Edges of wetlands must be flagged with numbered flags, as reflected on submitted project plans
- House number must be visible from the street, if work is proposed at a pre-existing house; if no house is on the property, the lot number must be posted and visible.
- Property boundaries must be staked with numbered stakes at all corners
- All proposed structures or additions, including decks, must be staked for identification purposes at all corners; stakes must be numbered and labeled, as reflected on submitted project plans
- Locations of septic tank, leaching field and wells (if in the buffer zone) must be staked and labeled

INFORMATION TO BE INCLUDED ON SITE PLANS

ALL PLANS

- Title Box: Include the date, name and address of proposed project; owner and/or applicant name; preparer's name; scale (1 inch = 30 feet or less); north arrow; assessor's map/parcel number
- Stamp/Signature: Plan to be prepared and stamped by a registered professional engineer (PE) or land surveyor, as appropriate. At least one original signed copy of each plan must be submitted
(Note: The professional who stamps the original plans must also stamp, sign and date revisions.)
- Locus Map: Include on a corner of plan's first page, at least 3" x 3" in size
- Topography: Contours at two-foot intervals or less; NAVD88 elevations (if available), or assumed datum and location of benchmark elevation
- Project Site: Include lot size(s) and property boundaries.
- Abutting Properties: Property owner names and property lines of abutting land parcels
- Watershed Areas: For projects that alter the stormwater runoff from the site, identify total watershed area in which site is located, all sub-watersheds on site, and on- and off-site discharge points
- Test Pits: Location, date and soil summaries of all soil borings and test pits on site; location, date and readings of groundwater level measurements on site
- Stone walls or other barriers located between the area of work and the area(s) subject to protection
- Easements: Location and type of easements, both on site and within 50 feet of property line

Resource Areas and Buffer Zones

- Wetland Resource Areas: Boundaries of wetland resource areas on or within 100 feet of the proposed project area (200 feet for perennial streams and rivers), with flow directions, if applicable
- Wetland Flags: Numbered flags/stakes; note date of flagging and name/firm of delineator/botanist
- Bank: Delineate the banks of streams, rivers, ponds and/or lakes
- 25 Foot No Activity Zone (Chapter 267)
- Bordering Land Subject to Flooding, including 100-year storm elevation (FEMA floodplain or highest observed or recorded elevation)
- Isolated Land Subject to Flooding, including highest observed or recorded water level
- Vernal Pools, (all) including highest observed or recorded water level
- Certified Vernal Pools: Boundary of 100 foot No Activity Zone (Chapter 267)
- High Water Level for all water bodies, from best available data (data source must be cited)
- Riverfront Area: Boundaries of 100 Foot Inner Riparian Area and 200 Foot Outer Riparian Area
- Mean Annual High Water Line (MAHWL) of any river
- 100 Foot Buffer Zone (100-foot radius from all wetland resources areas)

EXISTING CONDITIONS PLANS

- Existing Topography: Contours at two-foot intervals or less
- Above-Ground: All on-site above-ground structures, roadways, access ways, stone walls, fences
- Below-Ground: All on-site below-ground structures, including but not limited to utility lines, drainage structures, septic systems, cesspools, wells, storage tanks

PROPOSED CONDITIONS PLANS

- Proposed Topography: Contours at two-foot intervals or less; NAVD88 elevations or assumed datum
- Limit of Work: delineate all areas where vegetation or soil will be altered
- Erosion Controls: locations and type of temporary erosion controls, including installation details
- Stockpiles: locations of stockpiles
- Fill: Note the amount of fill required to be added or removed (in cubic yards and maximum thickness); pre- and post- development grades on all slopes

PROPOSED CONDITIONS PLANS (continued)

- Construction Equipment** access routes and storage/parking areas during proposed work
- Construction Details**, including cross-sections and elevations of drainage structures (including but not limited to catch basins, leaching basins, dry wells, swales, retention areas, ditches, etc.) and road crossings in wetland resource areas
- Above-Ground Alterations**: All on-site structures, roadways, access ways, stone walls, fences, and all other physical alterations proposed in the buffer zone; location and elevation of lowest floor of all structures; identify roadway or surface material proposed
- Below-ground Alterations**: All on-site below-ground alterations and structures in the buffer zone, including but not limited to utility lines, drainage structures, septic systems, cesspools, wells, tanks
- Drainage Patterns**: Existing natural drainage patterns and proposed alterations
- Distance** of proposed on-site leaching facility to wetlands or other resource areas
- Distance** of proposed alteration to wetlands or other resource areas
- Wells**: Location of all existing and proposed wells on property and within 200 feet of project on abutting properties, and minimum distance to all septic systems

DOCUMENT SUBMISSION DEADLINES

NOI Application:

All documentation (including plans, maps, tables, charts, reports, etc.) to be considered as part of an applicant's permit filing must be submitted to the Commission by the application deadline, as posted in the Conservation Office in Town Hall and on the Commission's website. Application forms, instructions and deadlines can all be downloaded on the Commission's website:

http://www.foxboroughma.gov/Pages/FoxboroughMA_Conservation/index

Continued Hearing Submissions:

All document and plan revisions must be received by the Conservation Department at least four business days before a scheduled (continued) hearing date.


Four days is the minimum time needed to allow the Conservation Commission and Conservation Manager to properly review and analyze new submissions. Documents that are not submitted at least four business days before the date of a continued hearing may be excluded from consideration during that hearing and held for discussion during a future Conservation Commission meeting.

AFFIDAVIT OF SERVICE

I, EndPoint, LLC, hereby certify under the pains and penalties of perjury that, on June 3, 2021, I gave Notification to Abutters in compliance with the second paragraph of the Massachusetts General Laws, Chapter 131, Section 40 and the DEP Guide to Abutter Notification in connection with the following matter:

A Notice of Intent application was filed under the Massachusetts Wetlands Protection Act and the Foxborough Wetlands Protection Bylaw, Chapter 267 (*formerly Article IX*) with the Foxborough Conservation Commission by Henry Heaton on May 28, 2021 for the property located at 68 Neponset Heights Avenue (address), Foxborough, Massachusetts (Assessor's map 44, parcel(s) 026).

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



Signature

June 7, 2021

Date

NOTIFICATION TO ABUTTERS

Under the Massachusetts Wetlands Protection Act & Chapter 267, Wetland Protection Code of Foxborough

*(This form must be completed and mailed, certified mail return receipt requested,
to all abutters within 100 feet of the proposed project's activity.)*

In accordance with the second paragraph of Massachusetts Wetlands Protection Act (G.L. Ch. 131, §40), and §10.05 of 310 CMR 10.00, and Chapter 267, the Wetland Protection Code of Foxborough (*formerly Article IX*) and regulations, you are hereby notified of a public hearing on the matter described below:

- A. The applicant has filed a Notice of Intent with the Foxborough Conservation Commission for proposed work within areas subject to protection under the Wetlands Protection Act and the Wetland Protection Code of Foxborough.
- B. The name of the applicant is Henry Heaton
- C. The address of the land where the activity is proposed is 68 Neponset Heights Avenue, Foxborough.
- D. Copies of the Notice of Intent may be examined at the Conservation Commission's office, 40 South Street, Foxborough Town Hall, between 9 am and 4 pm, Monday through Thursday.
- E. Copies of the Notice of Intent may be obtained from either (*check one*) the applicant or the applicant's representative Matthew Simmons at EndPoint by calling 603-965-3810 from [*times*] 8:00 – 5:00 on [*days*] Monday through Friday.
- F. Information regarding the date, time and place of the public hearing may be obtained from either (*check one*) the applicant or the applicant's representative Matthew Simmons at EndPoint by calling 603-965-3810 from [*times*] 8:00 – 5:00 on [*days*] Monday through Friday.

Please Note: Notice of the public hearing, including date, time and place, will be published at least five business days in advance in The Foxboro Reporter and will be posted in the Town Hall and on the Town's website at least 48 hours in advance.

Conservation Commission meeting agendas may be viewed online at:
http://www.foxboroughma.gov/Pages/FoxboroughMA_ConsAgendas/

For additional information about this application or the Wetland Protection Code of Foxborough, please contact the Foxborough Conservation Commission at 508-543-1251 or visit: www.foxboroughma.gov/conservation

For more information about this application or the Wetlands Protection Act, please contact the Department of Environmental Protection (DEP) Southeast Regional Office (Lakeville) at 508-946-2836.



ENGINEERS & ENVIRONMENTAL PROFESSIONALS

List of Abutter Notifications associated with Notice of Intent filing for;
68 Neponset Heights Avenue Foxborough, MA

Abutters within 100'

Mr. Donald Timmons
70 Neponset Heights Ave
Foxborough, MA 02035

Mr. Geoffrey Fahey
64 Neponset Heights Ave
Foxborough, MA 02035

Mr. Stephen Smith
62 Neponset Heights Ave
Foxborough, MA 02035

Mr. Joseph Manti
60 Neponset Heights Ave
Foxborough, MA 02035

Mr. Arthur Balduf Jr.
61 Neponset Heights Ave
Foxborough, MA 02035

Mr. David Cavanaugh
63 Neponset Heights Ave
Foxborough, MA 02035

Ms. Dorene Foren
65 Neponset Heights Ave
Foxborough, MA 02035

New Hampshire Office
25 Buttrick Road, Unit D-2
Londonderry, NH 03053
P:603-965-3810
F:603-965-3827

Boston Office
75 Arlington Street, Suite 500
Boston, MA 02116
P:857-241-3654
F:857-241-3601

Northborough Office
44 Bearfoot Road, Suite 380
Northborough, MA 01532
P: 973-206-3144
F: 603-965-3827



ENGINEERS & ENVIRONMENTAL PROFESSIONALS

List of Abutter Notifications associated with Notice of Intent filing for;
68 Neponset Heights Avenue Foxborough, MA

**Abutters Beyond 100' Along Neponset Heights Ave (Waters Edge)
As Requested by Foxborough Con Com**

Mr. Hugh Kerrigan
58 Neponset Heights Ave
Foxborough, MA 02035

Mr. Horace Jones
56 Neponset Heights Ave
Foxborough, MA 02035

Property Owner
54 Neponset Heights Ave
Foxborough, MA 02035

Mr. Yuanfang Deng
52 Neponset Heights Ave
Foxborough, MA 02035

Mr. George Lincoln
50 Neponset Heights Ave
Foxborough, MA 02035

Ms. Maryann Currie
48 Neponset Heights Ave
Foxborough, MA 02035

Mr. Warren Goodwin
46 Neponset Heights Ave
Foxborough, MA 02035

Mr. Michael Stewart
44 Neponset Heights Ave
Foxborough, MA 02035

Mr. William Ivatts
40 Neponset Heights Ave
Foxborough, MA 02035

Mr. James Robblee
36 Neponset Heights Ave
Foxborough, MA 02035

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ENGINEERS & ENVIRONMENTAL PROFESSIONALS

**NOTICE OF INTENT
68 NEPONSET HEIGHTS AVENUE
FOXBOROUGH, MASSACHUSETTS
MASSDEP RTN: 4-28601**

Prepared For:
Warren Heaton
68 Neponset Heights Ave
Foxborough, MA 02035

Prepared By:
EndPoint, LLC

EndPoint Project 3052-001
June 8, 2021

**25 Buttrick Road
Unit D-2
Londonderry, NH 03053
P: 603-965-3810**

**75 Arlington Street
Suite 500
Boston, MA 02116
P: 857-241-3654**

**44 Bearfoot Road
Suite 380 - Third Floor
Northborough, MA 01532
P: 978-206-6144**

www.endpointllc.com

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
1.0 INTRODUCTION.....	1
2.0 SITE DESCRIPTION AND EMERGENCY RESPONSE ACTIONS.....	1
2.1 SITE DESCRIPTION.....	1
2.2 EMERGENCY RESPONSE ACTIONS.....	2
3.0 EXISTING CONDITIONS	3
4.0 PROPOSED IRA AND SURFACE WATER PROTECTION PLAN	4
5.0 PRE-SITE VISIT REQUIREMENTS.....	6
6.0 SITE PLANS.....	6
6.1 GENERAL PLANS.....	6
6.2 RESOURCE AREAS AND BUFFER ZONES	6
6.3 EXISTING CONDITIONS PLANS	7
6.4 PROPOSED CONDITIONS PLANS	7
7.0 CONCLUSIONS.....	8

FIGURES

Figure 1	Site Locus Map
Figure 2	Site Plan
Figure 3	Proposed IRA Excavation Area

APPENDICES

Appendix A.....	Limitations
Appendix B	Soil Boring Logs
Appendix C	MassDEP IRA Approval Letter
Appendix D.....	OLIVER Map
Appendix E	MassDEP GIS Map

**NOTICE OF INTENT
68 NEPONSET HEIGHTS AVENUE
FOXBOROUGH, MASSACHUSETTS
RTN 4-28601**

1.0 INTRODUCTION

EndPoint, LLC (EndPoint) prepared this Notice of Intent (NOI) on behalf of Mr. Warren Heaton (client) for a heating oil release located at 68 Neponset Heights Avenue in Foxborough, Massachusetts (the Site). The general Site location is shown on **Figure 1** and Site features are shown on the Site Plan presented as **Figure 2**. This Notice of Intent (NOI) is being submitted to the Foxborough Conservation Commission (Con Com) as part of a proposed Immediate Response Action (IRA) presented in an IRA Plan submitted to MassDEP on April 8, 2021. This report is subject to the limitations presented in **Appendix A**.

2.0 SITE DESCRIPTION AND EMERGENCY RESPONSE ACTIONS

2.1 SITE DESCRIPTION

The subject property consists of approximately 0.34 acres and contains two residential dwellings. The property also contains a small marina operated out of the partially raised basement/garage area of one of the main residences. The subject property is considered a Disposal Site as part of the Massachusetts Department of Environmental (MassDEP) regulations due to the release of No. 2 fuel oil from the former above ground storage tanks (ASTs) previously located in the basement/garage area of the main building. The basement floor is covered with concrete. There is also a concrete pad that extends from the garage floor to a retaining wall that spans the entire length of the property boundary along the reservoir. The release occurred from the AST system in the garage, migrated through the floor through breaches in the concrete. The oil then migrated under both the concrete basement floor and the outside concrete pad. At this time, it is believed that the impacted area is entirely under the concrete pad and basement floor. Note that the remainder of the subject property is entirely covered with either concrete or asphalt paving.

2.2 EMERGENCY RESPONSE ACTIONS

On November 27, 2020, an oil sheen on surface water (Neponset Reservoir) was first identified at the Site by a nearby residence that contacted the Foxborough Fire Department. Subsequently, the Foxborough Fire Department arrived at the Site and confirmed the presence of the sheen on the reservoir. The fire department conducted an inspection and identified the presence of three ASTs connected in series within the walkout basement/garage area at the Site, with one of the ASTs leaking resulting in the presence of fuel oil on the concrete floor within the basement/garage. Additional observations noted that fuel oil was seeping through cracks and expansion joints in the exterior concrete slab between the release area and the reservoir indicating that subsurface impacts including fuel oil light non-aqueous liquid (LNAPL) were present. The discovery of the Site conditions resulted in notification made to the MassDEP by the fire department. The MassDEP subsequently assigned Release Tracking Number 4-28601 to this release. A MassDEP representative responded to the Site on this date and instructed Mr. Heaton to contact a remedial company to assist with the cleanup. Mr. Heaton subsequently contacted Moran Environmental (Moran) who proceeded to deploy absorbent sweeps and a containment boom in the reservoir as part of initial Immediate Response Action (IRA) activities verbally approved by MassDEP. The MassDEP also required that the three subject ASTs be pumped of the contents and removed from the Site. Moran also utilized absorbent materials to contain/remove heating oil within the area of the subject ASTs on the concrete.

On November 30, 2020, the MassDEP conducted a Site inspection and noted that heavily saturated absorbent pads were observed where the fuel oil was seeping out of the concrete pad, and a sheen was observed in the reservoir within the containment booms. At this point the three ASTs had been removed by the oil company.

The MassDEP returned to the Site, as well as the United State Environmental Protection Agency (USEPA) on December 11, 2021. Observations on this date noted a sheen within the containment boom area and oil staining along the expansion joints of the concrete pad.

EndPoint subsequently corresponded with the Foxborough Conservation Commission (Con Com) regarding the subject release due to the impacts in the Neponset Reservoir. It was collectively decided

between EndPoint, MassDEP and the Con Com that shallow soil borings and subsequent soil sampling below the basement floor and concrete pad be performed to evaluate the magnitude and extent of soil impacts under basement floor and concrete pad

3.0 EXISTING CONDITIONS

Soil information as part of the Site was derived from soil boring and sampling activities completed between the ASTs and reservoir under an Emergency Certification issued by the Con Com dated January 11, 2021. A total of 12 soil borings were advanced either by hand or with a direct push drilling apparatus through the concrete slab to evaluate for the potential presence of No. 2 fuel oil impacts associated with the release. A variety of soil conditions were observed, as detailed on the soil boring logs, included as **Appendix B**. Soil is predominantly comprised of fine to medium sand with some silt and gravel. Soil boring locations are shown on **Figure 2**. Soil samples were collected, and the headspace screened in the field with a photo-ionization detector (PID) for the presence of total organic volatiles (TOVs), which are summarized on the soil boring logs included as **Appendix B**. Additionally, select soil samples were submitted to a laboratory for analysis of Extractable Petroleum Hydrocarbons (EPH) fractions and target analytes to evaluate the magnitude and extent of soil impacts. Additional details pertaining to the soil sample results are included in the IRA Plan submitted to the MassDEP on April 8, 2021. Based on the assessment activities, subsurface impacts including soil, groundwater and the presence of LNAPL were observed within the garage area and beneath the concrete slab leading to the concrete retaining wall. It has been determined that soil, groundwater, and residual LNAPL removal activities are required at the Site, with the proposed area of remediation activities identified on **Figure 3**. It is anticipated that approximately 100 cubic yards (yds³) (i.e. 150 tons) of impacted soil will be removed as part of the excavation activities and impacted groundwater/LNAPL will be removed on an as needed basis during the excavation activities. The sequence of events, including waste management and protection measures for the reservoir are included in **Section 4.0** below.

4.0 PROPOSED IRA AND SURFACE WATER PROTECTION PLAN

Details pertaining to the proposed IRA activities were included in the IRA Plan submitted to MassDEP on April 8, 2021, and subsequently approved by the MassDEP on April 26, 2021. The approval letter issued by the MassDEP is included in **Appendix C**. In summary, the IRA Plan included remediation activities to remove light non-aqueous phase liquids (LNAPL) and impacted soil to eliminate the any continued migration to the reservoir and to achieve a level of No Significant Risk as defined in the MCP. Soil excavation and dewatering (including contaminated groundwater and residual LNAPL) activities will occur under the garage floor and beneath the concrete pad between the garage and the reservoir (see **Figure 3**). The proposed soil excavation/dewatering scope, including surface water protection measures will proceed in the following manner.

- Prior to soil excavation and dewatering, straw wattles and silt fence will be installed as shown on **Figure 3** as part of erosion/sediment control measures. Additionally, absorbent boom along the concrete wall within the reservoir are currently in place and will continue to be present throughout the work activities to mitigate/contain any potential oil migration or sheen to the reservoir.
- Initially the concrete slab will be saw cut and or jack hammered within the basement/garage area where the former ASTs were located, followed by the concrete pad area outside of the building leading towards the reservoir (see on **Figure 3**).
- Concrete and underlying impacted soil and groundwater (including any residual LNAPL) will be removed in three different sections: 1) below the basement floor, 2) below the eastern section of the exterior concrete pad; and 3) below the western section of the concrete pad (if necessary). These sections are shown on **Figure 3**. This will allow for backfilling and compaction of each section prior to advancing to the next area to limit structural concerns for the building's foundation and nearby earthen retaining wall, the concrete retaining wall at the shoreline. This approach will also limit the amount of exposed soil that could potentially migrate to the nearby reservoir during work activities. Concrete will be placed into roll-off containers for proper off-Site disposal.

- It is estimated that impacted soil will be removed to an approximate depth of 2 feet below grade surface (bgs). The soil removal activities will be directed by EndPoint personnel in the field utilizing visual observations along with PID soil headspace readings to identify areas and depths of impacts to be removed as the excavations are advanced.
- Impacted soil will be placed into rolloff containers staged on Site for future disposal under a Bill of Lading (BOL). It is possible that up to 100 yds³ or approximately 150 tons of impacted soil will be removed and disposed of off-Site at an approved facility. The excavation limits shown on **Figure 3** are based on the known subsurface conditions at this time. However note that PID headspace screening and visual observations will be used to determine the depth and extent of the excavation. Fill material will include 2.5 - inch stone from an off-Site source. Rolloff containers will be lined to prevent any potential water runoff pending off-Site disposal.
- It is anticipated that groundwater dewatering and possible LNAPL recovery will be required to facilitate the excavation work on an as needed basis. Liquids that are generated will be stored in an on-Site fractionation tank (see **Figure 3** for staging location). Liquids will be disposed of on an as needed basis at an appropriate facility under waste manifest documentation. Note that a vacuum truck may also be utilized to remove impacted groundwater and LNAPL should Site conditions deem necessary.
- Post excavation confirmatory sidewall soil samples will be collected for EPH fraction and target compound analyses at intervals of approximately one soil sample per every 20 to 25 linear feet or as needed to define soil quality conditions at the extent of excavations. Additionally it is anticipated that up to five soil samples will be collected from the bottom of the excavations that are spatially adequate to characterize potential remaining soil impacts. Anticipated locations of the proposed confirmatory soil samples are included on **Figure 3**. Note that these locations may change based on conditions observed at the time of excavation.
- During backfilling and concrete replacement, it is anticipated that up to five groundwater monitoring wells constructed with pre-packed sand filters around the well screen will be installed such that the screens intersect the water table observed during excavation for subsequent use in groundwater gauging and sampling. The locations of the proposed monitoring wells are included on **Figure 3**.

- Upon completion of the backfilling and compaction activities, a new concrete pad will be poured to match the pre-existing grade and basement floor at the Site.
- Continuous visual inspections of the reservoir will be conducted throughout the entire IRA excavation and restoration activities to confirm that no sheen, oil, or sediment is escaping the containment barriers. If any of these conditions are observed, mitigation measures of these impacts using absorbent materials will be conducted along with any necessary adjustment to containment measures to prevent any oil or sediment migration into the reservoir.

The proposed IRA excavation activities as part of this subject NOI are anticipated to be implemented as soon as possible from the date of the necessary approvals from the Con Com. It is anticipated that the excavation/dewatering activities will require approximately 8 to 10 business days to complete.

The remediation activities will be limited to the soil and groundwater beneath the concrete area and the basement within the subject property boundaries; therefore, there will be no indirect or direct impacts on wetland areas requiring a wetland restoration plan at this time.

5.0 PRE-SITE VISIT REQUIREMENTS

Due to the absence of wetlands present within the subject property or the proposed work areas, wetland flagging will not be required in the field prior to work activities. The subject property is already developed and future work activities do not include the addition of any proposed structures.

6.0 SITE PLANS

6.1 GENERAL PLANS

The Site locus map is depicted as **Figure 1**, and includes topography and regional surface feature in and near the Site. The general Site features are depicted on **Figure 2**, which include the lot size, property boundaries, Site buildings, retaining walls, and historical soil boring locations.

6.2 RESOURCE AREAS AND BUFFER ZONES

Wetland resource areas are shown on the OLIVER map, included as **Appendix D**, which does not indicate any resource areas identified within the proposed excavation area subject to this NOI. Wetlands

are identified approximately 100 feet east of the area where remediation activities will occur which are again confined to the area behind the concrete retaining wall. No wetlands will be altered during remediation work activities. Wetland flagging and bank delineation were not required due to the location of the work area contained to the concrete pad and basement floor where wetlands are not present. Pursuant to the 25-Foot No-Activity Zone rules; no new alterations will be completed. Bordering lands subject to flooding (100 year storm elevations) and vernal pool data (no vernal pools present in the immediate vicinity) are shown on the MassDEP Phase I Site Assessment Map, included as **Appendix E**. Since the remediation area is contained to within the concrete area and basement, neither a 100-Foot Inner Riparian Area nor a 200-Foot Outer Riparian Area mark-out is required. Additionally, a 100-Foot Buffer Zone map is not required as wetland resource areas will not be impacted by remediation.

6.3 EXISTING CONDITIONS PLANS

The Site locus map presented as **Figure 1** includes topography for the Site. Topographic maps at 2-foot contour intervals or less were not available for the Site. Generally the Site steeply slopes from the south to the north towards the Neponset Reservoir. The above grade Site features are shown on **Figure 2**, which include building structures, fences, retaining walls, and paved or concrete surfaces. Note that the entire subject property is either covered by structures or paved asphalt and concrete surfaces. The proposed IRA excavation area does not contain subsurface utilities. The subject property does contain a closed bottom catch basin that is currently filled with sediment (see **Figure 2** for location) and is not part of the proposed excavation area. The Foxborough Building Department provided information indicating the presence of a “flowage” easement along the property boundary (concrete retaining wall) abutting the Neponset Reservoir. However, since proposed work activities are limited to the concrete pad and basement areas; do not include the disturbance of the concrete retaining wall along the water’s edge; and include replacement of the existing concrete pad; there will be on alterations that will affect this subject easement.

6.4 PROPOSED CONDITIONS PLANS

There are no proposed topographic modifications planned as part of the work activities. The existing concrete will be removed and replaced in the same manner as originally installed to match the grade to

the areas outside of the proposed excavation limits. The limits of work area are identified on **Figure 3**. Erosion control features will include straw wattles and silt fences installed between the limits of the work area and the surface water (See **Figure 3**). Additionally, absorbent booms currently in place along the concrete retaining wall will remain during work activities, and continuous inspections for the presence of a sheens, oil and/or sediment into to the surface water will be conducted during work activities. If any observations are made for the presence of impacts to the surface water, work activities will cease and control measures will be immediately modified. If the presence of a sheen outside of the absorbent booms is observed, work activities will cease, any heavy sheen will be removed with sorbent materials, and containment measure may be modified as necessary. Soil removed during excavation activities will be loaded directly into roll-off containers staged on-Site pending off-Site disposal. Groundwater and any residual LNAPL removed during excavation work will be pumped into an on-Site fractionation tank and the contents will be disposed of off-Site on an as needed basis. The volume of soil removed is anticipated to be approximately 100 yds³ (i.e.150 tons), however the total volume will based on the magnitude and extent of impacts identified during the excavation work activities. The volume of fill material will be based on the limits of the excavation, and will include 2.5-inch stone covered with concrete to match the pre-existing grades.

Construction equipment will include an excavator, bobcat, rolloff containers, fractionation tank and a vacuum truck. The excavator and bobcat will be in the vicinity of the area of impacts to remove the concrete and impacted soil. Material will be loaded into the rolloff containers in the paved staging area (see **Figure 3**). The vacuum truck and fractionation tank will be parked/stored in the paved parking lot near the loading area. There will be no above ground alterations during remediation activities. Below ground alterations will include the recovery of impacted soil/groundwater/LNAPL and its replacement with clean fill. There are no private drinking water supply wells within 200 feet of the remediation area. Prior to backfilling and concrete replacement, it is anticipated that up to five groundwater monitoring wells will be constructed as discussed previously.

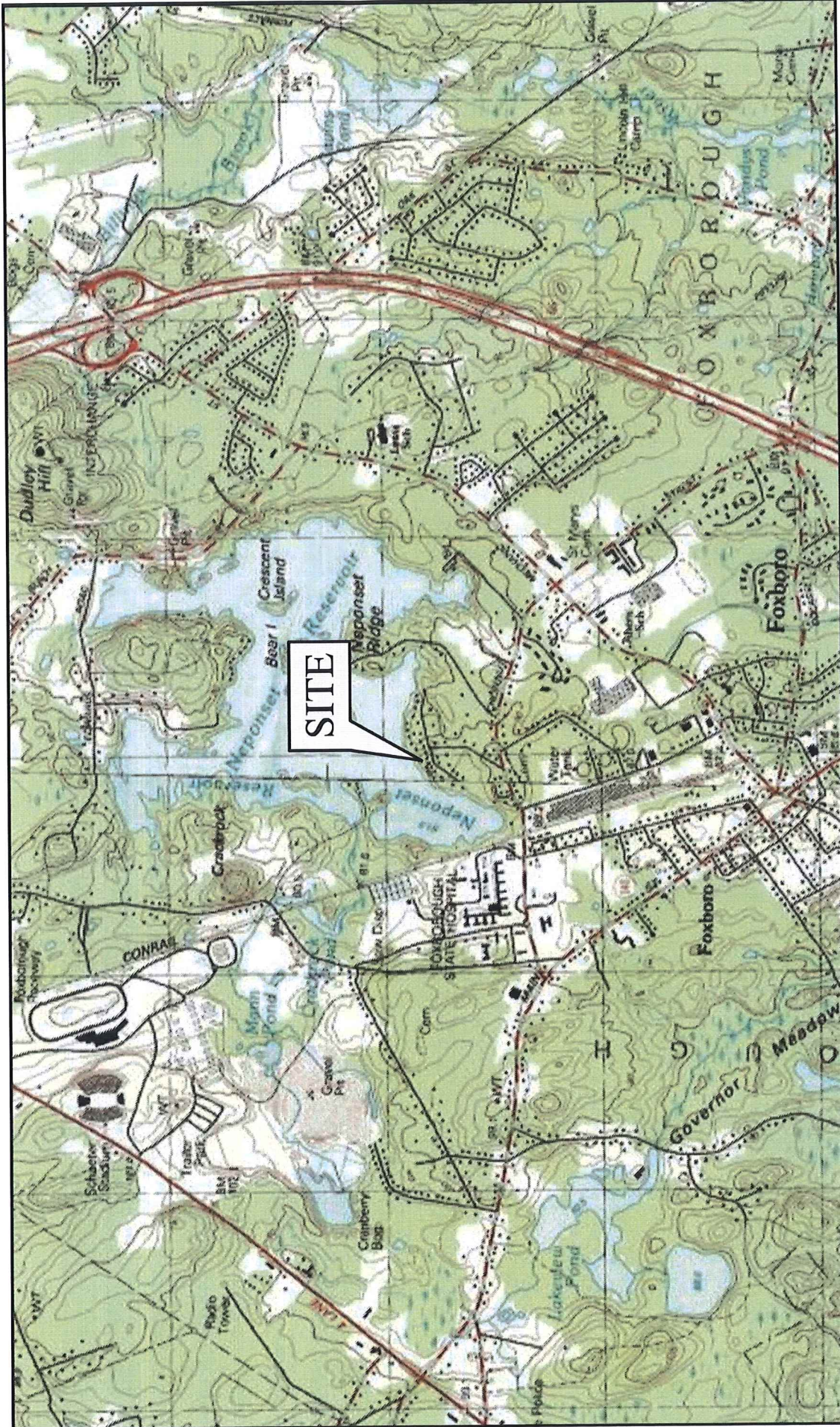
7.0 CONCLUSIONS

The proposed work activities associated with this subject NOI are deemed necessary to expedite the cleanup efforts to comply with the MCP. Upon completion of the proposed IRA excavation activities,

EndPoint Project 3052-001
68 Neponset Heights Avenue; Foxborough, MA
Notice of Intent
June 8, 2021
Page 9 of 9

EndPoint will continue with site assessment, including potential ecological assessment activities to ultimately achieve a condition of No Significant Risk (NSR, as defined in the MCP) to both human health and the environment.

FIGURES



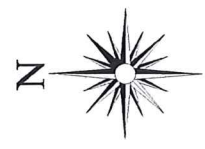
EndPoint

ENGINEERS & ENVIRONMENTAL PROFESSIONALS

25 Buttrick Rd., Unit D2 75 Arlington St., Suite 500 44 Bearfoot Road, Suite 380
 Londonderry, NH 03053 Boston, MA 02116 Northborough, MA 01532

TITLE: Site Locus (Book 6093 Page 612)

CLIENT: Warren Heaton/Heaton's Marina	PROJECT: James Heights Avenue, Foxborough, MA	FIGURE NO.:	1
SCALE: As Shown	DATE: 03/26/21	DRAWN: SSH	CHECKED: MAS
		APPROVED: RJW	PROJECT 3052-001



Note: Figure based on USGS.gov USGS Topographic Map.



Legend

- Catch Basin (Filled with Soil)
- Retaining Wall
- Shoreline Concrete Retaining Wall
- Area of Impact/ Limits of Remediation
- Property Boundary
- Property Fence
- FEMA Flood Plain Elevation Line
- B-1/SS-1 337
- Boom
- Contour Elevation Line

Notes:
 1) Aerial Base Map obtained from OLIVER MassGIS.
 2) 2' Contours obtained from Elevation Survey of the Town of Foxborough conducted in 1997.
 3) FEMA Flood Plain Elevation obtained from "LOMA No 14 - 01 -2985A" 2014.



25 Buttrick Rd., Unit D2 Londonderry, NH 03053 | 75 Arlington St., Suite 500 Boston, MA 02116 | 44 Bearfoot Road, Suite 380 Northborough, MA 01532

TITLE: **Site Plan (Book 6093 Page 612)**

CLIENT: **Warren Heaton/ Heaton's Marina** | PROJECT: **68 Neponset Heights Ave, Foxborough, MA** | FIGURE NO.: **2**

SCALE: 1"=30'	DATE: 06/08/21	DRAWN: SSH	CHECKED: MAS	APPROVED: RJW	PROJECT: 3052-001
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Legend

- Catch Basin (Filled with Soil)
- Area of Impact/ Limits of Remediation
- Boom
- Property Boundary
- FEMA Flood Plain Elevation Line
- Contour Elevation Line
- Retaining Wall
- Shoreline Concrete Retaining Wall
- Property Fence
- Silt Fence and Straw Wattle

Notes:
 1) Aerial Base Map obtained from OLIVER MassGIS.
 2) 2' Contours obtained from Elevation Survey of the Town of Foxborough conducted in 1997.
 3) FEMA Flood Plain Elevation obtained from "LOMA No 14 - 01 -2985A" 2014.



EndPoints
 ENGINEERS & ENVIRONMENTAL PROFESSIONALS

25 Buttrick Rd., Unit D2 Londonderry, NH 03053 | 75 Arlington St., Suite 500 Boston, MA 02116 | 44 Bearfoot Road, Suite 380 Northborough, MA 01532

TITLE: **Proposed IRA Excavation Area (Book 6093 Page 612)**

CLIENT: Warren Heaton/ Heaton's Marina	PROJECT: 68 Neponset Heights Ave, Foxborough, MA	FIGURE NO.:
SCALE: 1"=30'	DATE: 06/08/21	3
DRAWN: SSH	CHECKED: MAS	
APPROVED: RJW	PROJECT 3052-001	

**APPENDIX A
LIMITATIONS**

LIMITATIONS

1. The conclusions and observations described in this response action document and associated with the Licensed Site Professional (LSP) opinion as part of the attached Bureau of Waste Site Cleanup form (LSP opinion) are based solely upon the services provided to the Client and under the conditions stated herein and in EndPoint's agreement with the Client. Neither EndPoint nor the LSP who signed the LSP opinion shall be liable for the presence of any condition, the discovery of which would have required the performance of services not undertaken by EndPoint or authorized by the Client.
2. In preparing this report, EndPoint may have relied upon certain information obtained by or from state, federal and local agencies; previous consultants or contractors; or the Client. EndPoint did not verify the completeness or accuracy of all information reviewed or received during the course of response actions and cannot itself guarantee or warrant the information provided by non-EndPoint sources.
3. The conclusions and LSP opinion in this report may have been based upon data obtained from a limited number of samples and/or subsurface explorations agreed upon by the Client. Sampling and/or explorations may have been widely spaced in distance and/or time. The adequacy of sample and/or exploration spacing may not become evident until further exploration is conducted. If inadequate sample and/or exploration spacing becomes evident, it will be necessary to re-evaluate the conclusions and LSP opinion of this report.
4. Visual inspections or observations may have been made of the site and site structures as indicated in the report. Where EndPoint was unable to observe or inspect portions of the site or structures, or access was limited or obstructed, EndPoint cannot render a conclusion or LSP opinion regarding the presence of oil and hazardous materials in that portion of the site or structure.
5. Surface and/or ground water levels may have been gauged and used to evaluate distribution, discharge and flow rate. It should be noted that fluctuations in the level or location of water may occur seasonally due to variations in precipitation or other factors different from those present at the time measurements were made. These changes may also cause seasonal variations in water quality measurements as well as variations in the movement and distribution of contaminants in the environment.

6. The conclusions and LSP opinion may be based in part upon various types of field screening and laboratory data, and are contingent upon its validity, accuracy and representativeness. The validity, accuracy and representativeness of these data may have been evaluated in accordance with the Massachusetts Department of Environmental Protection's policy. EndPoint or the LSP who signed the LSP opinion shall not be liable for equipment or laboratory errors that are typically not discovered during this evaluation. Also, it should be noted that variations in environmental conditions such as moisture can affect concentrations or levels of contaminants in the environment.
7. Chemical analyses have been performed for specific chemicals or parameters during the course of response actions as described in the report. EndPoint or the LSP is not liable for the presence of contaminants in environmental media not tested or searched for during the course of response actions.
8. The passage of time may result in changes in technology, regulatory standards, manifestation of latent conditions, or the occurrence of future events which could render the report conclusions or LSP opinion inaccurate, incomplete or inapplicable. Neither EndPoint nor the LSP shall be liable or responsible for the consequences of any changed circumstances or conditions on the accuracy of this report or LSP opinion.
9. Except as required under the Massachusetts Contingency Plan, this response document shall not be used or relied upon by any third-party without the written approval of EndPoint.
10. Should EndPoint or the LSP be required or requested to review additional information or defend a MassDEP audit, or authorize others to use this report after its submission date, EndPoint shall be entitled to additional compensation at then existing rates and terms as may be agreed upon between EndPoint and the Client. Nothing contained herein shall be deemed to require EndPoint or the LSP to undertake any such review or authorize others to use this report.
11. This report and opinion is rendered for the purpose of meeting Massachusetts Contingency Plan response action requirements for the Client, and should not be deemed to be an opinion concerning compliance of any past or present owner or operator of the site with any federal, state and local laws or regulations. Without limiting the generality of the foregoing, no warranty or guarantee is made that all contamination at the site or sources of contamination have been detected or identified, that any action or

recommended action will achieve all of its objectives, or that the report conclusions and LSP opinion, or any action as to which this LSP opinion relates will be upheld by any audit conducted by MassDEP or any other party.

**APPENDIX B
SOIL BORING LOGS**



SOIL BORING/MONITORING WELL INSTALLATION LOG

Project Information		Drilling Utility	
Boring / Well ID: B-1		Drilling Co.:	EndPoint
Project Name: Neponset Heights		Foreman:	Stephanie Kangas
Project Number: 3052-001		Vehicle:	Geoprobe
Location: 68 Neponset Heights Ave, Foxborough, MA		Method:	Hand Tool
Client: Warren Heaton		Sampler:	Slide Hammer
		Hammer(lb):	Geoprobe
		Fall(in):	N/A
		Fall(in):	N/A

DEPTH (ft)	PEN/REC (in)	Stratigraphic Interval (ft)	FIELD SCREENING (ppm Benzene)	Boring Location: See Figure		NOTE	MONITORING WELL / STRATIGRAPHY DIAGRAM
				WTC Coordinates: N/A			
				Ground Surface Elevation: N/A			
				Date Started: 1/21/2021			
				Date Completed: 1/21/2021			
				GW depth at time of installation (ft): Not confirmed			
SAMPLE DESCRIPTION							

0	17/17	0-17"	337	0-3.5" Concrete 3.5"-17" light brown fine SAND and Gravel. Dry. Odorous. Free phase oil observed pooling at max depth.			
5							
10							
15							
Boring terminated at 17"							

GRANULAR SOILS		COHESIVE SOILS		WELL SPECIFICATIONS			
BLOWS/ft	DENSITY	BLOWS/ft	CONSISTENCY	Stand or flush:	Well Construction Key		
0-4	V. LOOSE	<2	V. SOFT	Standpipe height:		RISER	
4-10	LOOSE	2-4	SOFT	Riser Above Grade:		SCREEN	
10-30	M. DENSE	4-8	M. STIFF	Well Diameter:		WELL SAND	
30-50	DENSE	8-15	STIFF	Well Material:		BENTONITE	
>50	V.DENSE	15-30	V.STIFF	Screen Interval:		DRILL CUTTINGS	
		>30	HARD	Screen Slot Size:		CEMENT	

NOTES:

- Boring Logged by EndPoint personnel.



ENGINEERS & ENVIRONMENTAL PROFESSIONALS

SOIL BORING/MONITORING WELL INSTALLATION LOG

Project Information

Boring / Well ID: **B-2**

Project Name: Neponset Heights

Project Number: 3052-001

Location: 68 Neponset Heights Ave,
Foxborough, MA

Client: Warren Heaton

Drilling Utility

Drilling Co.: EndPoint
Foreman: Stephanie Kangas
Vehicle: Geoprobe
Model: Hand Tool
Method: Slide Hammer
Sampler: Geoprobe
Hammer(lb): N/A
Fall(in): N/A

Boring Location: See Figure

WTC Coordinates: N/A

Ground Surface Elevation: N/A

Date Started: 1/21/2021

Date Completed: 1/21/2021

GW depth at time of installation (ft): Not confirmed

SAMPLE DESCRIPTION

NOTE

MONITORING WELL /
STRATIGRAPHY DIAGRAM

DEPTH (ft)	PEN/REC (in)	Stratigraphic Interval (ft)	FIELD SCREENING (ppm Benzene)	SAMPLE DESCRIPTION
0	12/12	0-1	339	0-3.5" Concrete 3.5"-12" light brown fine SAND and Gravel. Dry. Odorous.
5				
10				
15				Boring terminated at 1'

GRANULAR SOILS		COHESIVE SOILS		WELL SPECIFICATIONS	
BLOWS/ft	DENSITY	BLOWS/ft	CONSISTENCY	Stand or flush:	Well Construction Key
0-4	V. LOOSE	<2	V. SOFT	Standpipe height:	RISER
4-10	LOOSE	2-4	SOFT	Riser Above Grade:	SCREEN
10-30	M. DENSE	4-8	M. STIFF	Well Diameter:	WELL SAND
30-50	DENSE	8-15	STIFF	Well Material:	BENTONITE
>50	V.DENSE	15-30	V.STIFF	Screen Interval:	DRILL CUTTINGS
		>30	HARD	Screen Slot Size:	CEMENT

NOTES:

1. Boring Logged by EndPoint personnel.



SOIL BORING/MONITORING WELL INSTALLATION LOG

Project Information		Drilling Utility	
Boring / Well ID:	B-3	Drilling Co.:	Bronson Drilling
Project Name:	Neponset Heights	Foreman:	Dan Bronson
Project Number:	3052-001	Vehicle:	Paver Probe
Location:	68 Neponset Heights Ave, Foxborough, MA	Model:	9100-SK
Client:	Warren Heaton	Method:	Direct Push
		Sampler:	PVC Sleeve
		Hammer(lb):	N/A
		Fall(in):	N/A

DEPTH (ft)	PEN/REC (in)	Stratigraphic Interval (ft)	FIELD SCREENING (ppm Benzene)	Boring Location: See Figure	NOTE	MONITORING WELL / STRATIGRAPHY DIAGRAM
				WTC Coordinates: N/A		
				Ground Surface Elevation: N/A		
				Date Started: 1/22/2021		
				Date Completed: 1/22/2021		
				GW depth at time of installation (ft): 1'		
SAMPLE DESCRIPTION						

0						
	28/24	0-4	89.2	0-4 light brown fine-coarse SAND. Wet. Mild Odor.		
5						
10						
15				Boring terminated at 4'		

GRANULAR SOILS		COHESIVE SOILS		WELL SPECIFICATIONS		
BLOWS/ft	DENSITY	BLOWS/ft	CONSISTENCY	Stand or flush:		Well Construction Key
0-4	V. LOOSE	<2	V. SOFT	Standpipe height:		RISER
4-10	LOOSE	2-4	SOFT	Riser Above Grade:		SCREEN
10-30	M. DENSE	4-8	M. STIFF	Well Diameter:		WELL SAND
30-50	DENSE	8-15	STIFF	Well Material:		BENTONITE
>50	V.DENSE	15-30	V.STIFF	Screen Interval:		DRILL CUTTINGS
		>30	HARD	Screen Slot Size:		CEMENT

NOTES:
1. Boring Logged by EndPoint personnel.



ENGINEERS & ENVIRONMENTAL PROFESSIONALS

SOIL BORING/MONITORING WELL INSTALLATION LOG

Project Information

Boring / Well ID: **B-4**

Project Name: Neponset Heights

Project Number: 3052-001

Location: 68 Neponset Heights Ave,
Foxborough, MA

Client: Warren Heaton

Drilling Utility

Drilling Co.: Bronson Drilling

Foreman: Dan Bronson

Vehicle: Paver Probe

Model: 9100-SK

Method: Direct Push

Sampler: PVC Sleeve

Hammer(lb): N/A

Fall(in): N/A

DEPTH (ft)	PEN/REC (in)	Stratigraphic Interval (ft)	FIELD SCREENING (ppm Benzene)	Boring Location: See Figure	NOTE	MONITORING WELL / STRATIGRAPHY DIAGRAM
				WTC Coordinates: N/A		
				Ground Surface Elevation: N/A		
				Date Started: 1/22/2021		
				Date Completed: 1/22/2021		
				GW depth at time of installation (ft): 1'		
				SAMPLE DESCRIPTION		

0			0-1.5 dark brown CLAY, some Gravel. Wet. Odors.		
	48/24	0-4	12.1	1.5-3 light brown fine SAND, trace Gravel. Oily luster (suspected free phase). Wet. Odors.	
				3-4 light brown fine to medium SAND. Wet. No Odors.	
5					
10					
15					
Boring terminated at 4'					

GRANULAR SOILS		COHESIVE SOILS		WELL SPECIFICATIONS	
BLOWS/ft	DENSITY	BLOWS/ft	CONSISTENCY	Stand or flush:	Well Construction Key
0-4	V. LOOSE	<2	V. SOFT	Standpipe height:	RISER
4-10	LOOSE	2-4	SOFT	Riser Above Grade:	SCREEN
10-30	M. DENSE	4-8	M. STIFF	Well Diameter:	WELL SAND
30-50	DENSE	8-15	STIFF	Well Material:	BENTONITE
>50	V.DENSE	15-30	V.STIFF	Screen Interval:	DRILL CUTTINGS
		>30	HARD	Screen Slot Size:	CEMENT

NOTES:
1. Boring Logged by EndPoint personnel.



ENGINEERS & ENVIRONMENTAL PROFESSIONALS

SOIL BORING/MONITORING WELL INSTALLATION LOG

Project Information

Boring / Well ID: **B-5**

Project Name: Neponset Heights

Project Number: 3052-001

Location: 68 Neponset Heights Ave,
Foxborough, MA

Client: Warren Heaton

Drilling Utility

Drilling Co.: Bronson Drilling

Foreman: Dan Bronson

Vehicle: Paver Probe

Model: 9100-SK

Method: Direct Push

Sampler: PVC Sleeve

Hammer(lb): N/A

Fall(in): N/A

DEPTH (ft)	PEN/REC (in)	Stratigraphic Interval (ft)	FIELD SCREENING (ppm Benzene)	Boring Location: See Figure	NOTE	MONITORING WELL / STRATIGRAPHY DIAGRAM
				WTC Coordinates: N/A		
				Ground Surface Elevation: N/A		
				Date Started: 1/22/2021		
				Date Completed: 1/22/2021		
				GW depth at time of installation (ft): 1'		
SAMPLE DESCRIPTION						

0						
4.2	48/23	0-4	0.2	0-4 light brown fine to coarse SAND. Wet. No Odors.		
5						
10						
15						
Boring terminated at 4'						

GRANULAR SOILS		COHESIVE SOILS		WELL SPECIFICATIONS		
BLOWS/ft	DENSITY	BLOWS/ft	CONSISTENCY	Stand or flush:	Well Construction Key	
0-4	V. LOOSE	<2	V. SOFT	Standpipe height:		RISER
4-10	LOOSE	2-4	SOFT	Riser Above Grade:		SCREEN
10-30	M. DENSE	4-8	M. STIFF	Well Diameter:		WELL SAND
30-50	DENSE	8-15	STIFF	Well Material:		BENTONITE
>50	V.DENSE	15-30	V.STIFF	Screen Interval:		DRILL CUTTINGS
		>30	HARD	Screen Slot Size:		CEMENT

NOTES:
1. Boring Logged by EndPoint personnel.



SOIL BORING/MONITORING WELL INSTALLATION LOG

Project Information		Drilling Utility	
Boring / Well ID: B-6		Drilling Co.:	Bronson Drilling
Project Name: Neponset Heights		Foreman:	Dan Bronson
Project Number: 3052-001		Vehicle:	Paver Probe
Location: 68 Neponset Heights Ave, Foxborough, MA		Model:	9100-SK
Client: Warren Heaton		Method:	Direct Push
		Sampler:	PVC Sleeve
		Hammer(lb):	N/A
		Fall(in):	N/A

DEPTH (ft)	PEN/REC (in)	Stratigraphic Interval (ft)	FIELD SCREENING (ppm Benzene)	Boring Location: See Figure		NOTE	MONITORING WELL / STRATIGRAPHY DIAGRAM
				WTC Coordinates: N/A			
				Ground Surface Elevation: N/A			
				Date Started: 1/22/2021			
				Date Completed: 1/22/2021			
				GW depth at time of installation (ft): 1'			
				SAMPLE DESCRIPTION			

0							
4	48/14	0-4	1.2	0-4 light brown fine to coarse SAND and Silt, little Gravel. Wet. No Odors.			
5							
10							
15	Boring terminated at 4'						

GRANULAR SOILS		COHESIVE SOILS		WELL SPECIFICATIONS			
BLOWS/ft	DENSITY	BLOWS/ft	CONSISTENCY	Stand or flush:	Well Construction Key		
0-4	V. LOOSE	<2	V. SOFT	Standpipe height:	RISER		
4-10	LOOSE	2-4	SOFT	Riser Above Grade:	SCREEN		
10-30	M. DENSE	4-8	M. STIFF	Well Diameter:	WELL SAND		
30-50	DENSE	8-15	STIFF	Well Material:	BENTONITE		
>50	V.DENSE	15-30	V.STIFF	Screen Interval:	DRILL CUTTINGS		
		>30	HARD	Screen Slot Size:	CEMENT		

NOTES:

1. Boring Logged by EndPoint personnel.



ENGINEERS & ENVIRONMENTAL PROFESSIONALS

SOIL BORING/MONITORING WELL INSTALLATION LOG

Project Information

Boring / Well ID: **B-7**
 Project Name: Neponset Heights
 Project Number: 3052-001
 Location: 68 Neponset Heights Ave,
 Foxborough, MA
 Client: Warren Heaton

Drilling Utility

Drilling Co.: Bronson Drilling
 Foreman: Dan Bronson
 Vehicle: Paver Probe
 Model: 9100-SK
 Method: Direct Push
 Sampler: PVC Sleeve
 Hammer(lb): N/A
 Fall(in): N/A

DEPTH (ft)	PEN/REC (in)	Stratigraphic Interval (ft)	FIELD SCREENING (ppm Benzene)	Boring Location: See Figure		NOTE	MONITORING WELL / STRATIGRAPHY DIAGRAM
				WTC Coordinates: N/A	Ground Surface Elevation: N/A		
				Date Started: 1/22/2021	Date Completed: 1/22/2021		
				GW depth at time of installation (ft): 1'			
SAMPLE DESCRIPTION							
0							
4.8	48/17	0-4	5.4	0-4 light brown fine to coarse SAND, little Clay. Wet. No Odors.			
5							
10							
15				Boring terminated at 4'			

GRANULAR SOILS		COHESIVE SOILS		WELL SPECIFICATIONS			
BLOWS/ft	DENSITY	BLOWS/ft	CONSISTENCY	Stand or flush:		Well Construction Key	
0-4	V. LOOSE	<2	V. SOFT	Standpipe height:		RISER	
4-10	LOOSE	2-4	SOFT	Riser Above Grade:		SCREEN	
10-30	M. DENSE	4-8	M. STIFF	Well Diameter:		WELL SAND	
30-50	DENSE	8-15	STIFF	Well Material:		BENTONITE	
>50	V.DENSE	15-30	V.STIFF	Screen Interval:		DRILL CUTTINGS	
		>30	HARD	Screen Slot Size:		CEMENT	

NOTES:
 1. Boring Logged by EndPoint personnel.



SOIL BORING/MONITORING WELL INSTALLATION LOG

Project Information		Drilling Utility	
Boring / Well ID:	B-8	Drilling Co.:	Bronson Drilling
Project Name:	Neponset Heights	Foreman:	Dan Bronson
Project Number:	3052-001	Vehicle:	Paver Probe
Location:	68 Neponset Heights Ave, Foxborough, MA	Model:	9100-SK
Client:	Warren Heaton	Method:	Direct Push
		Sampler:	PVC Sleeve
		Hammer(lb):	N/A
		Fall(in):	N/A

DEPTH (ft)	PEN/REC (in)	Stratigraphic Interval (ft)	FIELD SCREENING (ppm Benzene)	Boring Location: See Figure	NOTE	MONITORING WELL / STRATIGRAPHY DIAGRAM
				WTC Coordinates: N/A		
				Ground Surface Elevation: N/A		
				Date Started: 1/22/2021		
				Date Completed: 1/22/2021		
				GW depth at time of installation (ft): 1'		
SAMPLE DESCRIPTION						

0						
48/32	0-4	30.2	0-4 light brown fine to coarse SAND, little Silt. Wet. Odors.			
5						
10						
15	Boring terminated at 4'					

GRANULAR SOILS		COHESIVE SOILS		WELL SPECIFICATIONS		
BLOWS/ft	DENSITY	BLOWS/ft	CONSISTENCY	Stand or flush:	Well Construction Key	
0-4	V. LOOSE	<2	V. SOFT	Standpipe height:		RISER
4-10	LOOSE	2-4	SOFT	Riser Above Grade:		SCREEN
10-30	M. DENSE	4-8	M. STIFF	Well Diameter:		WELL SAND
30-50	DENSE	8-15	STIFF	Well Material:		BENTONITE
>50	V.DENSE	15-30	V.STIFF	Screen Interval:		DRILL CUTTINGS
		>30	HARD	Screen Slot Size:		CEMENT

NOTES:
 1. Boring Logged by EndPoint personnel.



ENGINEERS & ENVIRONMENTAL PROFESSIONALS

SOIL BORING/MONITORING WELL INSTALLATION LOG

Project Information

Boring / Well ID: **B-9**
 Project Name: Neponset Heights
 Project Number: 3052-001
 Location: 68 Neponset Heights Ave, Foxborough, MA
 Client: Warren Heaton

Drilling Utility

Drilling Co.: Bronson Drilling
 Foreman: Dan Bronson
 Vehicle: Paver Probe
 Model: 9100-SK
 Method: Direct Push
 Sampler: PVC Sleeve
 Hammer(lb): N/A
 Fall(in): N/A

Boring Location: See Figure

WTC Coordinates: N/A

Ground Surface Elevation: N/A

Date Started: 1/22/2021

Date Completed: 1/22/2021

GW depth at time of installation (ft): 1'

SAMPLE DESCRIPTION

NOTE

MONITORING WELL / STRATIGRAPHY DIAGRAM

DEPTH (ft)	PEN/REC (in)	Stratigraphic Interval (ft)	FIELD SCREENING (ppm Benzene)	
0				0-1 red brown fine to coarse SAND, little Silt. Wet. No Odors
	48/36	0-4	7.1	1-2 dark brown CLAY, trace fine Sand, trace roots. Wet. Odors
				2-4 light brown CLAY, some Gravel. Wet. No Odors.
5				
10				
15				Boring terminated at 4'

GRANULAR SOILS		COHESIVE SOILS		WELL SPECIFICATIONS	
BLOWS/ft	DENSITY	BLOWS/ft	CONSISTENCY	Stand or flush:	Well Construction Key
0-4	V. LOOSE	<2	V. SOFT	Standpipe height:	RISER
4-10	LOOSE	2-4	SOFT	Riser Above Grade:	SCREEN
10-30	M. DENSE	4-8	M. STIFF	Well Diameter:	WELL SAND
30-50	DENSE	8-15	STIFF	Well Material:	BENTONITE
>50	V.DENSE	15-30	V.STIFF	Screen Interval:	DRILL CUTTINGS
		>30	HARD	Screen Slot Size:	CEMENT

NOTES:
 1. Boring Logged by EndPoint personnel.



SOIL BORING/MONITORING WELL INSTALLATION LOG

Project Information

Boring / Well ID: **B-10**

Project Name: Neponset Heights

Project Number: 3052-001

Location: 68 Neponset Heights Ave,
Foxborough, MA

Client: Warren Heaton

Drilling Utility

Drilling Co.: Bronson Drilling

Foreman: Dan Bronson

Vehicle: Paver Probe

Model: 9100-SK

Method: Direct Push

Sampler: PVC Sleeve

Hammer(lb): N/A

Fall(in): N/A

Boring Location: See Figure

WTC Coordinates: N/A

Ground Surface Elevation: N/A

Date Started: 1/22/2021

Date Completed: 1/22/2021

GW depth at time of installation (ft): 1'

SAMPLE DESCRIPTION

NOTE

MONITORING WELL /
STRATIGRAPHY DIAGRAM

DEPTH (ft)	PEN/REC (in)	Stratigraphic Interval (ft)	FIELD SCREENING (ppm Benzene)	SAMPLE DESCRIPTION
0				0-1 SILT, some fine Sand. Wet. No Odors.
				1-1.5 very dark CLAY. Wet. No Odors.
	48/30	0-4	29.3	1.5-4 light brown fine to coarse SAND, little Silt. Wet. No Odors.
5				
10				
15				Boring terminated at 4'

GRANULAR SOILS		COHESIVE SOILS		WELL SPECIFICATIONS		
BLOWS/ft	DENSITY	BLOWS/ft	CONSISTENCY	Stand or flush:	Well Construction Key	
0-4	V. LOOSE	<2	V. SOFT	Standpipe height:		RISER
4-10	LOOSE	2-4	SOFT	Riser Above Grade:		SCREEN
10-30	M. DENSE	4-8	M. STIFF	Well Diameter:		WELL SAND
30-50	DENSE	8-15	STIFF	Well Material:		BENTONITE
>50	V.DENSE	15-30	V.STIFF	Screen Interval:		DRILL CUTTINGS
		>30	HARD	Screen Slot Size:		CEMENT

NOTES:

1. Boring Logged by EndPoint personnel.



ENGINEERS & ENVIRONMENTAL PROFESSIONALS

SOIL BORING/MONITORING WELL INSTALLATION LOG

Project Information

Boring / Well ID: **B-11**

Project Name: Neponset Heights

Project Number: 3052-001

Location: 68 Neponset Heights Ave,
Foxborough, MA

Client: Warren Heaton

Drilling Utility

Drilling Co.: Bronson Drilling

Foreman: Dan Bronson

Vehicle: Paver Probe

Model: 9100-SK

Method: Direct Push

Sampler: PVC Sleeve

Hammer(lb): N/A

Fall(in): N/A

DEPTH (ft)	PEN/REC (in)	Stratigraphic Interval (ft)	FIELD SCREENING (ppm Benzene)	Boring Location: See Figure		NOTE	MONITORING WELL / STRATIGRAPHY DIAGRAM
				WTC Coordinates: N/A			
				Ground Surface Elevation: N/A			
				Date Started: 1/22/2021			
				Date Completed: 1/22/2021			
				GW depth at time of installation (ft): 1'			
SAMPLE DESCRIPTION							

0							
	48/10	0-4	130	0-4 light brown fine to medium SAND and Silt. Wet. No Odors.			
5							
10							
15	Boring terminated at 4'						

GRANULAR SOILS		COHESIVE SOILS		WELL SPECIFICATIONS		
BLOWS/ft	DENSITY	BLOWS/ft	CONSISTENCY	Stand or flush:	Well Construction Key	
0-4	V. LOOSE	<2	V. SOFT	Standpipe height:	RISER	
4-10	LOOSE	2-4	SOFT	Riser Above Grade:	SCREEN	
10-30	M. DENSE	4-8	M. STIFF	Well Diameter:	WELL SAND	
30-50	DENSE	8-15	STIFF	Well Material:	BENTONITE	
>50	V.DENSE	15-30	V.STIFF	Screen Interval:	DRILL CUTTINGS	
		>30	HARD	Screen Slot Size:	CEMENT	

NOTES:
1. Boring Logged by EndPoint personnel.



ENGINEERS & ENVIRONMENTAL PROFESSIONALS

SOIL BORING/MONITORING WELL INSTALLATION LOG

Project Information

Boring / Well ID: **B-12**

Project Name: Neponset Heights

Project Number: 3052-001

Location: 68 Neponset Heights Ave,
Foxborough, MA

Client: Warren Heaton

Drilling Utility

Drilling Co.: Bronson Drilling

Foreman: Dan Bronson

Vehicle: Paver Probe

Model: 9100-SK

Method: Direct Push

Sampler: PVC Sleeve

Hammer(lb): N/A

Fall(in): N/A

Boring Location: See Figure

WTC Coordinates: N/A

Ground Surface Elevation: N/A

Date Started: 1/22/2021

Date Completed: 1/22/2021

GW depth at time of installation (ft): 1'

SAMPLE DESCRIPTION

NOTE

MONITORING WELL /
STRATIGRAPHY DIAGRAM

DEPTH (ft)	PEN/REC (in)	Stratigraphic Interval (ft)	FIELD SCREENING (ppm Benzene)	
0				0-1 medium brown CALY, some fine Sand. Wet. No Odors
	48/12	0-4	8.2	1-4 dark brown CLAY, little fine Sand, trace pieces of wood. Wet. Mild Odors.
5				
10				
15				Boring terminated at 4'

GRANULAR SOILS		COHESIVE SOILS		WELL SPECIFICATIONS	
BLOWS/ft	DENSITY	BLOWS/ft	CONSISTENCY		Well Construction Key
0-4	V. LOOSE	<2	V. SOFT	Stand or flush:	RISER
4-10	LOOSE	2-4	SOFT	Standpipe height:	SCREEN
10-30	M. DENSE	4-8	M. STIFF	Riser Above Grade:	WELL SAND
30-50	DENSE	8-15	STIFF	Well Diameter:	BENTONITE
>50	V.DENSE	15-30	V.STIFF	Well Material:	DRILL CUTTINGS
		>30	HARD	Screen Interval:	CEMENT
				Screen Slot Size:	

NOTES:

1. Boring Logged by EndPoint personnel.

APPENDIX C
MassDEP IRA APPROVAL LETTER



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

April 26, 2021

Henry Warren Heaton
68 Neponset Heights Avenue
Foxborough, MA 02035

RE: FOXBOROUGH - BWSC
Release Tracking Number: **4-0028601**
Heating Oil Release
68 Neponset Heights Avenue
**IMMEDIATE RESPONSE ACTION
PLAN APPROVAL**

Dear Mr. Heaton:

The Massachusetts Department of Environmental Protection, Bureau of Waste Site Cleanup ("MassDEP"), is tasked with ensuring the permanent cleanup of oil and hazardous material releases pursuant to Massachusetts General Law Chapter 21E ("Chapter 21E"). The law is implemented through regulations known as the Massachusetts Contingency Plan, 310 CMR 40.0000 et seq. (the "MCP").

Through the MCP, MassDEP is currently regulating a release of oil and/or hazardous materials that has occurred at 68 Neponset Heights Avenue, Massachusetts. On November 27, 2020, MassDEP was notified of a release of an unknown quantity of #2 Fuel Oil which impacted paved surfaces, soil, groundwater, and surface water. On April 8, 2021, MassDEP received a written Immediate Response Action (IRA) Plan, along with associated transmittal forms, to address petroleum contaminated soil and groundwater resulting from the release. The IRA Plan, prepared and submitted on your behalf by Endpoint LLC, proposes the following response actions:

1. Weekly inspections to manage absorbent boom and to check for potential surface water impacts.
2. Contract with an emergency response contractor to deliver and deploy containment boom should the need arise.
3. Excavation, storage, and disposal of up 100 cubic yards of contaminated soil.
4. Recovery and disposal of impacted groundwater utilizing frac tanks or vacuum trucks.

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

IRA PLAN APPROVAL

The provisions described in section 310 CMR 40.0420 of the MCP, allow MassDEP to provide written approval, conditional approval or denial to all IRA Plans submitted. Following review of the IRA Plan MassDEP is providing approval for the above-referenced response actions.

If you have any questions relative to this Notice, please contact Andrew L. Jones at the letterhead address or at (508) 946-2785. All future communications regarding this release must reference the following Release Tracking Number: **4-0028601**.

Sincerely,



Dan Crafton, Chief
Emergency Response / Release
Notification Section
Bureau of Waste Site Cleanup

C/ALJ/lg

CERTIFIED MAIL # 7019 2280 0002 2137 0826

ec: Board of Selectmen
Board of Health
Fire Department
Conservation Commission

Richard J. Wozmak, LSP
Endpoint, LLC
rwozmak@endpointllc.com

**APPENDIX D
OLIVER MAP**



	BioMap2 Critical Natural Landscape		Potential Vernal Pools
	BioMap2 General Natural Landscape		ROAD/RAIL BASED
	BioMap2 Regional Natural Landscape		RIVER BASED
	BioMap2 Global Natural Landscape		WETLAND BASED
	BioMap2 Core Natural Landscape		FLOODPLAIN BASED
	BioMap2 Core Natural Landscape		TIDAL BASED
	BioMap2 Core Natural Landscape		CONTOUR BASED
	BioMap2 Core Natural Landscape		POLITICAL BOUNDARY
	BioMap2 Core Natural Landscape		PROPERTY LINE BASED
	BioMap2 Core Natural Landscape		OTHER
	BioMap2 Core Natural Landscape		NOT DEFINED
	BioMap2 Core Natural Landscape		Environmental
	BioMap2 Core Natural Landscape		Tax Parcels for Query
	BioMap2 Core Natural Landscape		Detailed Features
	BioMap2 Core Natural Landscape		Tax Parcels for Display
	BioMap2 Core Natural Landscape		Structures
	BioMap2 Core Natural Landscape		MassGIS Support/Feedback/Map Baucmap

APPENDIX E
MassDEP GIS MAP

MassDEP - Bureau of Waste Site Cleanup

Phase 1 Site Assessment Map: 500 feet & 0.5 Mile Radii

Site Information:

HEATONS MARINA
68 NEPONSET HEIGHTS AVENUE FOXBOROUGH, MA
4-000028601

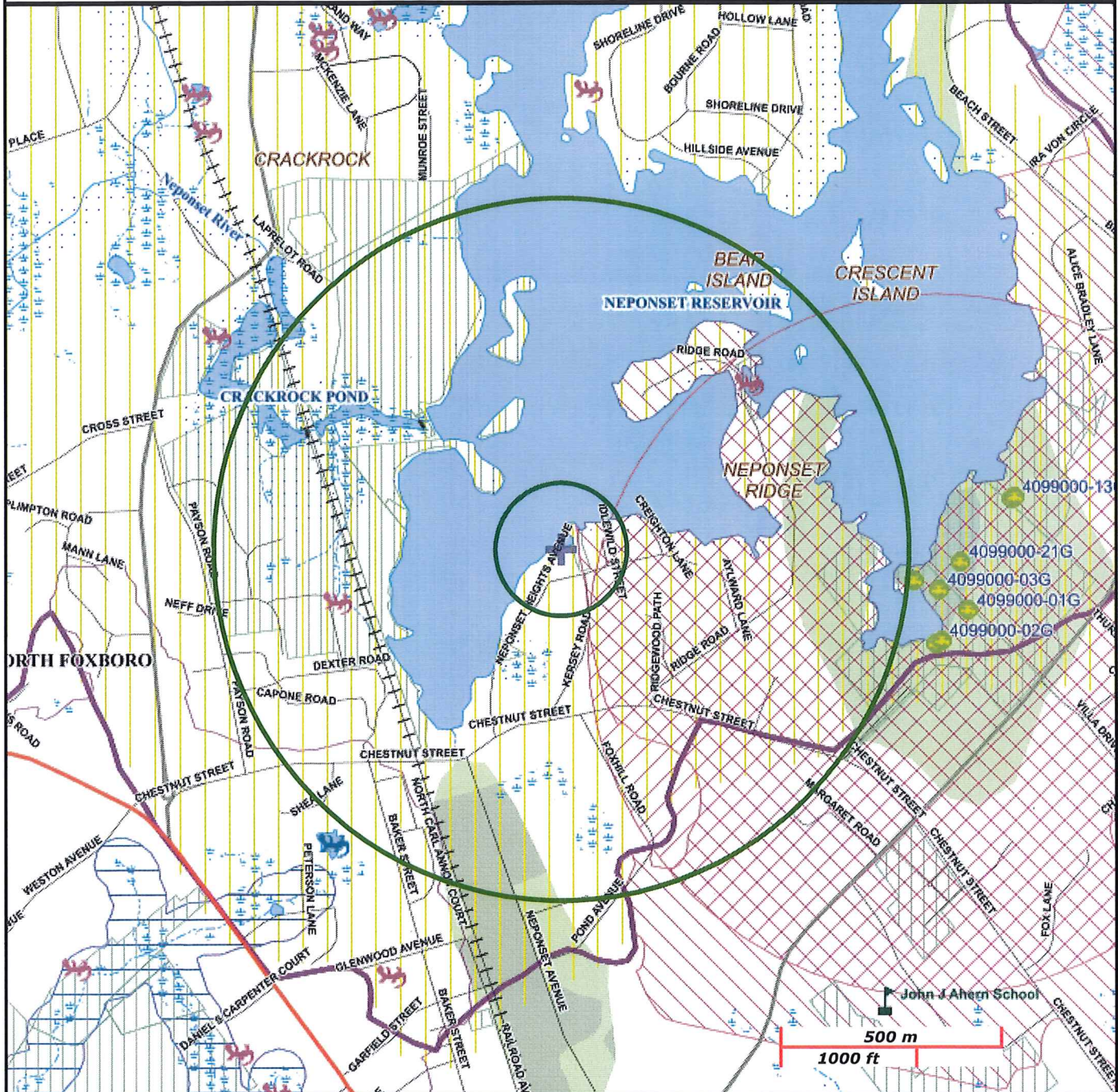
NAD83 UTM Meters:
4661060mN , 314025mE (Zone: 19)
January 29, 2021

The information shown is the best available at the date of printing. However, it may be incomplete. The responsible party and LSP are ultimately responsible for ascertaining the true conditions surrounding the site. Metadata for data layers shown on this map can be found at:
<https://www.mass.gov/orgs/massgis-bureau-of-geographic-information>.



MassDEP

Commonwealth of Massachusetts
Department of Environmental Protection



Roads: Limited Access, Divided, Other Hwy, Major Road, Minor Road, Track, Trail

Boundaries: Town, County, DEP Region; Train; Powerline; Pipeline; Aqueduct

Basins: Major, PWS; Streams: Perennial, Intermittent, Man Made Shore, Dam

Aquifers: Medium Yield, High Yield, EPA Sole Source

Non Potential Drinking Water Source Area: Medium, High (Yield)

PWS Protection Areas: Zone II, IWPA, Zone A

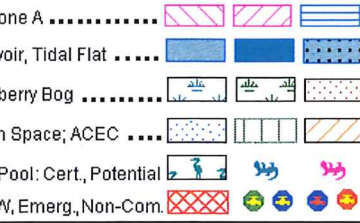
Hydrography: Open Water, PWS Reservoir, Tidal Flat

Wetlands: Freshwater, Saltwater, Cranberry Bog

FEMA 100yr Floodplain; Protected Open Space; ACEC

Est. Rare Wetland Wildlife Hab; Vernal Pool: Cert., Potential

Solid Waste Landfill; PWS: Com. GW, SW, Emerg., Non-Com.



June 8, 2021

EndPoint Project No. 3052-001

Foxborough Conservation Commission
40 South Street
Foxborough, MA 02035

RECEIVED

JUN 09 2021

CONSERVATION
COMMISSION

RE: Notice of Intent
68 Neponset Heights Avenue
Foxborough, MA

Dear Sir or Madam:

EndPoint, LLC (EndPoint) presents the enclosed Notice of Intent (NOI), on behalf of Mr. Henry Heaton (the Homeowner), for proposed work at 68 Neponset Heights Avenue in Foxborough, Massachusetts. The enclosed documents include 8 copies (1 with original stamped plans) of the NOI Form 3, NOI narrative and accompanying plans. Please also find the enclosed two checks for the Town of Foxborough filing fees. Payment has also been concurrently submitted to the Massachusetts Department of Environmental Protection (MassDEP) in Boston, Massachusetts. Should you have questions related to the enclosed submittal, please contact me via telephone at (603) 965-3810.

Sincerely,
EndPoint, LLC



Matthew Simmons
Senior Hydrogeologist

Enclosures: NOI Submittal

\\\\SERVER\\Business\\EndPoint Projects\\3052-001 Neponset Heights Foxboro Heating Oil Release\\NOI\\Payment Cover Letters\\cover ltr for Foxborough-5.27.21.docx

New Hampshire Office
25 Buttrick Road, Unit D-2
Londonderry, NH 03053
P: 603-965-3810
F: 603-965-3827

Boston Office
75 Arlington Street, Suite 500
Boston, MA 02116
P: 857-241-3654
F: 857-241-3601

Northborough Office
44 Bearfoot Road, Suite 380
Northborough, MA 01532
P: 973-206-3144
F: 603-965-3827