

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)
SE 157-0609
MassDEP File Number

Foxborough
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 with your local Conservation Commission regarding the Town's wetlands protection bylaw.

A. General Information

1. Project Location:

| | | |
|------------------------------|-----------------------|-------------|
| 28 Camp Road | Foxborough | 02035 |
| a. Street Address | b. Town | c. Zip Code |
| Latitude and Longitude: | 42.092 | 71.251 |
| | d. Latitude | |
| 18 | 54 | |
| f. Assessors Map/Plat Number | g. Parcel /Lot Number | |

2. Applicant:

| | | |
|----------------------|-------------------------------|------------------|
| Donald | Treannie | |
| a. First Name | b. Last Name | |
| Jake Development LLC | | |
| c. Organization | | |
| 19A North Street | | |
| d. Street Address | | |
| Foxborough | Ma. | 02035 |
| e. City/Town | f. State | g. Zip Code |
| 508-922-2401 | treanniecompanies@hotmail.com | |
| 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):

| | | |
|--------------------------|---------------|----------------------------|
| Craig | Cygawnoski | |
| a. First Name | b. Last Name | |
| RIM Engineering Co.,Inc. | | |
| c. Company | | |
| 12 Pratt Street 105B | | |
| d. Street Address | | |
| Mansfield | Ma | 02048 |
| e. City/Town | f. State | g. Zip Code |
| 508-339-3731 | 508-339-3733 | rimengineering@verizon.net |
| h. Phone Number | i. Fax Number | j. Email address |

5. Total Wetland Filing Fees Paid (from Wetland Fee Transmittal Form; last page of NOI):

| | | | |
|------------------------|--------------------------|-------------------------|-----------------------------|
| 110.00 | 42.50 | 67.50 | 250.00 |
| a. State WPA Fee/Total | b. WPA Fee/State's Share | c. WPA Fee/Town's Share | d. Town Bylaw (Ch. 267) Fee |



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A. General Information *(continued)*

6. General Project Description:

A house addition is proposed at the existing Hse.28 Camp Rd. An in-ground pool is also proposed at the rear of the existing house in an existing lawn area

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 | | 38502 | 69 |
| 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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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.

| Resource Area | Size of Proposed Alteration | (if any) Proposed Replacement |
|--|---|---|
| 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 Inland 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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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

2017

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); **OR** complete Section C.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/how-to/how-to-file-for-a-mesa-project-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 <https://www.mass.gov/ma-endangered-species-act-mesa-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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D. Additional Information

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).]

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 Addition Plan at No.28 Camp Road | |
| a. Plan Title | |
| RIM Engineering Co.,Inc. | Craig Cygawnoski, #40406 |
| b. Prepared By | c. Signed and Stamped by |
| 08/20/21 | 40 |
| d. Final Revision Date | e. Scale |
| f. Additional Plan or Document Title | g. 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. Attach NOI Wetland Fee Transmittal Form
8. Notice of Intent Application checklist
9. Abutter Notification Form
10. Affidavit of Service Form
11. Attach Stormwater Report with signed, stamped Stormwater Checklist (unless exempt).

E. Fees

1. Fee Exempt: No filing fee shall be assessed for projects of any town, county, or district of the Commonwealth, municipal housing authority, or the Mass Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the attached NOI Wetland Fee Transmittal Form) to confirm fee payment:

| | |
|--|---|
| 1339 | 08/13/21 |
| 2. Check Number (town share of state fee [see A.5.c., page 1]) | 3. Check date (town share of state fee) |
| 1337 | 08/13/21 |
| 4. Check Number (Bylaw filing fee [see A.5.d, page 1]) | 5. Check date (Bylaw filing fee) |
| 1338 | 08/13/21 |
| 6. State Check Number (state share of state fee [see A.5.b.]) | 7. Check date (state share of state filing fee) |
| Jake Development LLC | |
| 8. First Name of Payor on checks | 9. Last Name of Payor on checks |



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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 hereby grant permission, to the Agent or member of the Conservation Commission and the Department of Environmental Protection, to enter and inspect the area subject to this Notice at reasonable hours to evaluate the wetland resource boundaries, if included with this application, subject to this Notice, and to require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.

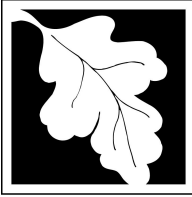
I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

| | |
|---|----------|
| _____ | 08/30/21 |
| 1. Signature of Applicant | 2. Date |
| _____ | _____ |
| 3. Signature of Property Owner (if different) | 4. Date |
| _____ | 08/30/21 |
| 5. Signature of Representative (if any) | 6. Date |

Tax Collector's Release

The above referenced applicant is applying for a permit from the Conservation Commission and is in good standing with respect to any taxes, fees, assessments, betterments or other municipal charges as recorded with the Foxborough Treasurer's Office.

| | |
|--|---------|
| _____ | _____ |
| 1. Signature of Tax Collector or Agent | 2. Date |



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F. Signatures and Submittal Requirements

Submittal Requirements (please refer to *NOI Filing Instructions*, downloadable at https://www.foxboroughma.gov/departments/conservation/wetland_applications_guides)

For Foxborough Conservation Commission:

One original and seven (7) copies of the completed Notice of Intent (form 3), including supporting plans and documents (*listed in Section D. "Additional Information"*), NOI Filing Check List, Abutter Notification, one copy of the NOI Wetland Fee Transmittal Form (*on the following page*), 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 the completed Notice of Intent (form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form (*attached*), and a **copy** of the state fee payment (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.



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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:
 28 Camp Road _____ Foxborough _____
 a. Street Address b. City/Town

2. Applicant Mailing Address:
 Donald _____ Treannie _____
 a. First Name b. Last Name
 Jake Development LLC _____
 c. Organization
 19A North St _____ Foxborough _____ Ma _____ 02035
 d. Mailing Address e. City/Town f. State g. Zip Code
 508-922-2401 _____ treanniecompanies@hotmail.com _____
 h. Phone Number 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:
https://www.foxboroughma.gov/departments/conservation/wetland_applications_guides

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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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) |
| 1a | 1 | 110.00 | 110.00 |
| | | | |
| Total State Filing Fee: (Step 5) | | | |
| Bylaw Filing Fees: (Step 1a) | (Step 2a) | (Step 3a) | (Step 4a) |
| 1a | 1 | 250.00 | 250.00 |
| | | | |
| Total Bylaw Filing Fee: (Step 5a) | | | |
| Filing Fee Payments: (Step 6) | | | |
| Total State Filing Fee: | (insert amount at right onto page 1, Section A.5.a of this NOI form) | 110.00 | a. Total State Fee from Step 5 |
| State's share of filing fee: (Paid to State [Boston address]) | (insert amount at right onto page 1, Section A.5.b. of this NOI form) | 42.50 | b. 1/2 of (a), above, less \$12.50 |
| Town's share of filing fee: (Paid to Town of Foxborough) | (insert amount at right onto page 1, Section A.5.c. of this NOI form) | 67.50 | c. 1/2 of (a) above, plus \$12.50 |
| Bylaw Filing Fee: (Paid to Town of Foxborough) | (insert amount at right onto page 1, Section A.5.d. of this NOI form) | 250.00 | d. Total Bylaw Fee from Step 5a |

See Submittal Requirements and Instructions on the next page.



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C. Submittal Requirements

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

- a. **To Department of Environmental Protection:**
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 Foxborough Conservation Commission:**
Send the Notice of Intent or Abbreviated Notice of Intent; **one copy** of this form and the Town fee payments (one for **Bylaw fee and one for town's 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