

Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Worcester
 City/Town

Important:

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



Note: Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

1256 West Boylston Street
 a. Street Address
 Worcester
 b. City/Town
 01606
 c. Zip Code
 Latitude and Longitude:
 42.340231
 d. Latitude
 -71.786107
 e. Longitude
 32
 f. Assessors Map/Plat Number
 039-00114
 g. Parcel /Lot Number

2. Applicant:

Sharon
 a. First Name
 Buccheri
 b. Last Name
 c. Organization
 356 Water Street
 d. Street Address
 Clinton
 e. City/Town
 MA
 f. State
 01510
 g. Zip Code
 (508) 615-0777
 h. Phone Number
 i. Fax Number
 j. Email Address

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

Leonard & James
 a. First Name
 Chirchigno
 b. Last Name
 c. Organization
 37 Pointe Pleasant Road
 d. Street Address
 Webster
 e. City/Town
 MA
 f. State
 01570-1530
 g. Zip Code
 (508) 314-4263
 h. Phone Number
 i. Fax Number
 j. Email address

4. Representative (if any):

Glenn
 a. First Name
 Krevosky
 b. Last Name
 EBT Environmental Consultants, Inc.
 c. Company
 601 Main Street
 d. Street Address
 North Oxford
 e. City/Town
 MA
 f. State
 01537
 g. Zip Code
 (508) 769-3659
 h. Phone Number
 i. Fax Number
 glenn.krevosky@charter.net
 j. Email address

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

\$1,000.00 (+\$400.00 ordinance)
 a. Total Fee Paid
 \$487.50
 b. State Fee Paid
 \$512.50 (+\$400.00 ordinance)
 c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

See attached A.6. General Project Description

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

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

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

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

310 CMR 10.53(3)(e)

2. Limited Project Type

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

8. Property recorded at the Registry of Deeds for:

Worcester

a. County

21780

c. Book

b. Certificate # (if registered land)

4

d. Page Number

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

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

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

A.6. General Project Description

Site: 1256 West Boylston Street, Worcester

Applicant: Sharon Buccheri

The owner of the lot had received a permit (DEP File #349-0923 & WCC File #07-03) to cross the perennial stream and construct a house in 2007. The present applicant proposed to construct a single-family house within the 100-foot buffer zone to a BVW. The driveway is proposed to cross a perennial stream with associated BVW (343 square feet of BVW loss). The crossing of the stream is proposed under 310 CMR 10.53(3)(e) (see Exhibit 8A – 1951 deed). The lot will be serviced by municipal sewer and water.

The engineers, Thompson-Liston Associates, Inc., added an alternative plan within the plan set, sheet C4. The alternative shows greater alteration of the resource area (538 square feet of BVW), it is not a viable alternative, as the crossing is to minimize resource area alteration.

A 742 square foot replication area is proposed. The replication sequence is shown on sheet C6 of the plan set. The creation of the replication area will be overseen by Glenn Krevosky of EBT, Inc. The replication area will be monitored for 2 growing seasons and a report shall be submitted to the Commission in the fall.

Glenn E. Krevosky of EBT Environmental Consultants, Inc. confirmed the flags replaced by Thompson-Liston Associates, Inc. - 18 “B” flags and 28 “A” flags by others. EBT also confirmed the 19 “RA” and 15 “RB” riverfront area flags by others.

The lot is located within an Outstanding Resource Water and had previously received an exemption from the Division of Water Supply Protection (DCR File Number WA2007-004). A Request for Watershed Determination of Applicability to DWSP will accompany this application.

The erosion control measures of staked 9” straw wattles backed by entrenched silt fence, shown on the site plan, shall be placed prior to site work. The professionals who install erosion controls, S&M Farms, Inc., will be installing the erosion controls on the site. These measures shall be maintained in good working order throughout the project until all exposed soils are final graded, loamed, seeded and stabilized with well-established soil stabilizing vegetation.

Replication Planting Schedule (7 foot spacing):

(3) Red Maple (<i>Acer rubrum</i>)	(4) Silky Dogwood (<i>Cornus amomum</i>)
(4) Northern Arrowwood (<i>Viburnum recognitum</i>)	(4) Common Winterberry (<i>Ilex verticillate</i>)
(2) Cinnamon Fern (<i>Osmundastrum cinnamomeum</i>)	(2) Royal Fern (<i>Osmunda regalis</i>)

This a modification to the planting schedule shown on the plan in order for the contractor to know the amount of plants to install.



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

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input checked="" type="checkbox"/> Bank	39.8 (temporary) 1. linear feet	39.8 (temporary) 2. linear feet
b. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	343 (+449 temporary) 1. square feet	742 (+449 temporary) 2. square feet
c. <input checked="" type="checkbox"/> Land Under Waterbodies and Waterways	165 (temporary) 1. square feet 3. cubic yards dredged	165 (temporary) 2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 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 checked="" type="checkbox"/> Riverfront Area	UNT to Gates Brook 1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

25 ft. - Designated Densely Developed Areas only

100 ft. - New agricultural projects only

200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: 6,874
square feet

4. Proposed alteration of the Riverfront Area:

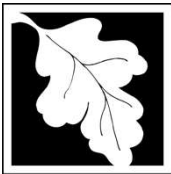
2,281 (+336 temporary) n/a n/a
a. total square feet b. square feet within 100 ft. c. square feet between 100 ft. and 200 ft.

5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

3. Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



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

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

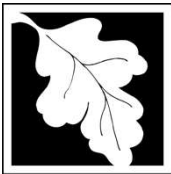
Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	_____	
	1. square feet	

	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	_____	_____
	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	_____	_____
	1. square feet	2. cubic yards dune nourishment
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____	
	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____	
	1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____	_____
	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	_____	
	1. square feet	

	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____	
	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	

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



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C. Other Applicable Standards and Requirements

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

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

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

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

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

Current
MassMapper _____

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:
 - (a) within wetland Resource Area _____ percentage/acreage
 - (b) outside Resource Area _____ percentage/acreage

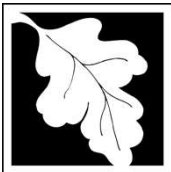
2. Assessor's Map or right-of-way plan of site

2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **
 - (a) Project description (including description of impacts outside of wetland resource area & buffer zone)
 - (b) Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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

- (c) MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

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

- (d) Vegetation cover type map of site

- (e) Project plans showing Priority & Estimated Habitat boundaries

- (f) OR Check One of the Following

1. Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <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 10.37 and 10.59.)

2. Separate MESA review ongoing. a. NHESP Tracking # _____ b. Date submitted to NHESP _____

3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a. Not applicable – project is in inland resource area only b. Yes No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and
the Cape & Islands:

North Shore - Hull to New Hampshire border:

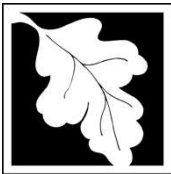
Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

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

- c. Is this an aquaculture project? d. Yes No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



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

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

- 4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
 a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
 b. ACEC

- 5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
 a. Yes No
- 6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
 a. Yes No
- 7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
 a. Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
 - 1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 - 2. A portion of the site constitutes redevelopment
 - 3. Proprietary BMPs are included in the Stormwater Management System.
 b. No. Check why the project is exempt:
 - 1. Single-family house
 - 2. Emergency road repair
 - 3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

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

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

- 1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
- 2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



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D. Additional Information (cont'd)

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

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

Definitive Site Plan Set (11 Sheets)

a. Plan Title

Thompson-Liston Associates, Inc.

Patrick J Healy & Robert Nunnemacher

b. Prepared By

c. Signed and Stamped by

10/4/2023

1"=20'

d. Final Revision Date

e. Scale

See attached D.4. Additional Information

f. Additional Plan or Document Title

g. Date

5. If there is more than one property owner, please attach a list of these property owners not listed on this form.

6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8. Attach NOI Wetland Fee Transmittal Form

9. Attach Stormwater Report, if needed.

E. Fees

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

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

1289 (1290 ordinance)

10/4/2023

2. Municipal Check Number

3. Check date

1288

10/4/2023

4. State Check Number

5. Check date

Sharon

Buccheri

6. Payor name on check: First Name

7. Payor name on check: Last Name

D.4. Additional Information

Project Location: 1256 West Boylston Street, Worcester

Applicant: Sharon Buccheri

- 1A. Definitive Site Plan (11 Sheets): prepared for Leonard & James Chirchigno by Thompson-Liston Associates, Inc., dated 10/4/2023
- 2A. Worcester North USGS Quad, dated 2021
- 3A. Worcester GIS Mapping, dated 10/18/2023
- 4A. Fee Transmittal Form & Check Copies
- 5A. City of Worcester Abutters' List, dated 10/18/2023
Town of West Boylston Abutters' List, dated 10/19/2023
- 6A. Abutters Notification, dated 10/24/2023
- 7A. Affidavit of Service, dated 10/25/2023
- 8A. Deed, dated 6/8/1951
- 9A. WsPA Applicability Decision, dated 2/27/2007
- 10A. Request for Watershed Determination of Applicability



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F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

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

<i>Sharon Bucceri</i> Signature of Applicant	dotloop verified 09/29/23 8:31 PM CEST IH1W-IRKO-8829-BQJR	09/27/2023
<i>James Chirchigno</i> 5. Signature of Representative (if any)	dotloop verified 09/29/23 8:12 AM EDT WVP6-GG4F-7UJI-GHX6	<i>Leonard Chirchigno</i> 6. Date 10/25/2023

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

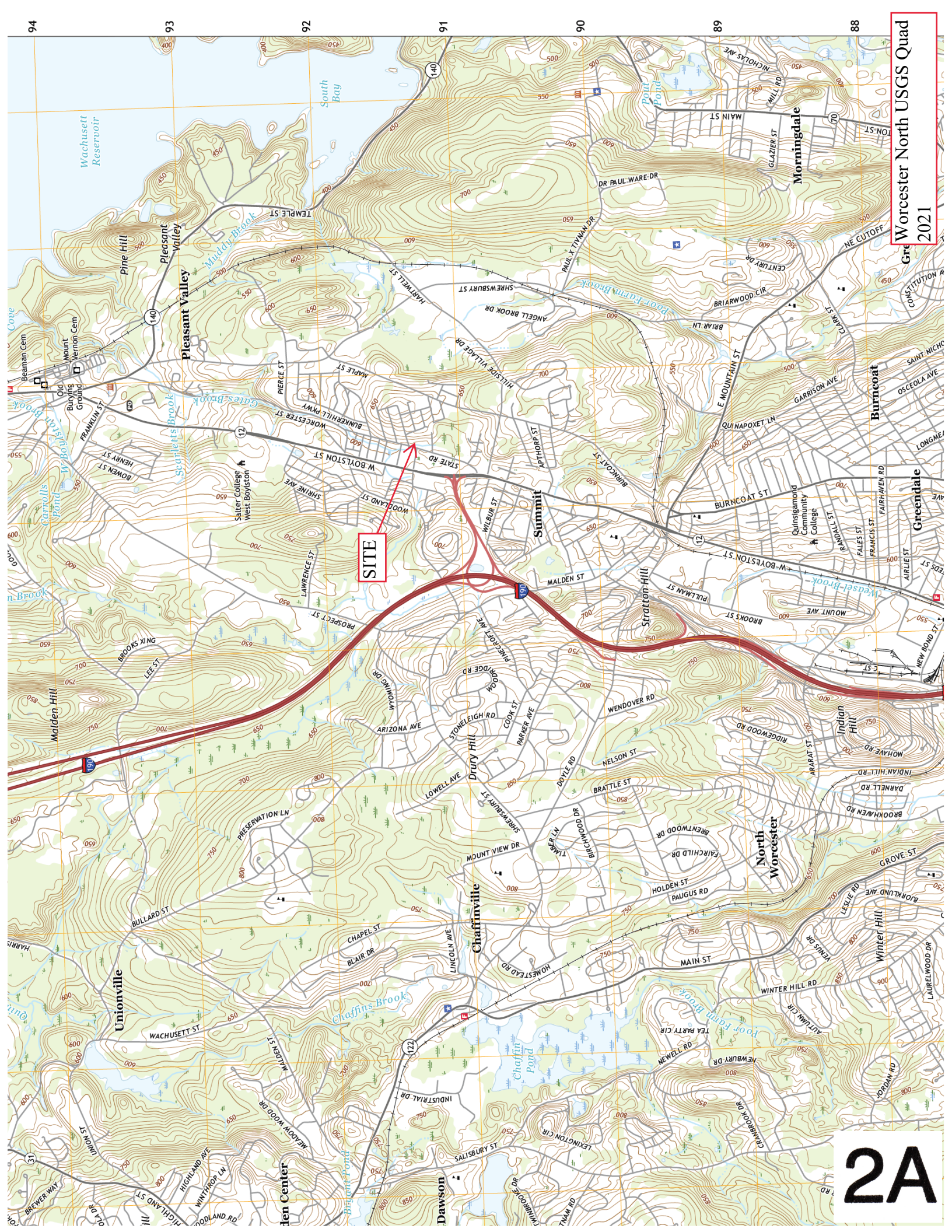
For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

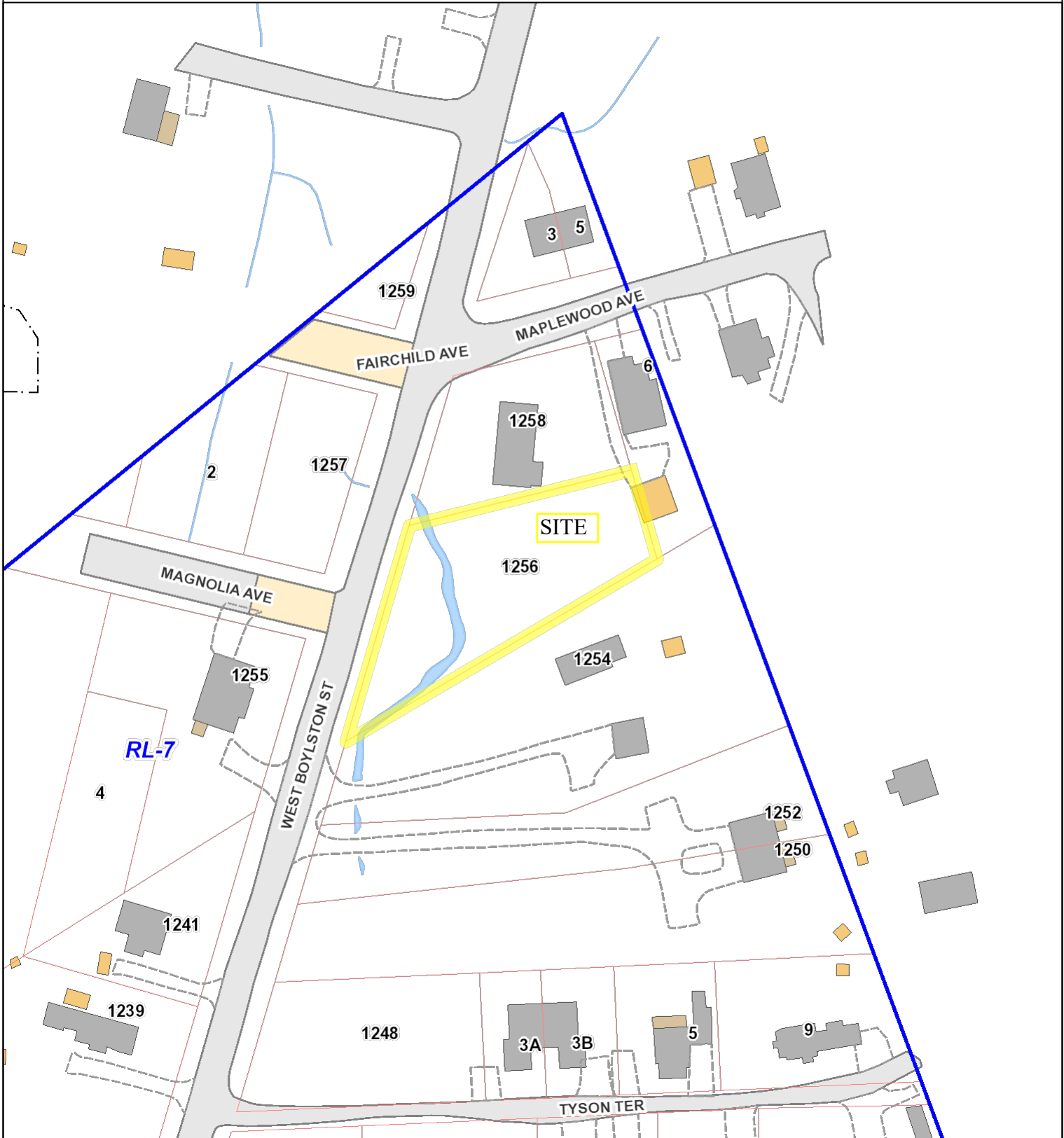
Other:

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

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



1256 West Boylston Street



DATA SOURCES:
 Basemap data: City of Worcester, MA Geographic Information System
 Original Data - Digitized at 1:480 scale (Data true resolution: 1 inch = 40 feet).
 Updated Using Spring 2003 Photography at 1 inch = 100 feet
 Further Updates Using City of Worcester Information
 Property Details: City of Worcester, MA Assessing Division

COORDINATE SYSTEM:
 All map data is in the Massachusetts State Plane Coordinate system,
 North American Datum of 1983, Massachusetts Mainland Zone (4151).
 Units are measured in Feet. Vertical Datum NAVD88.

DISCLAIMER:
 Considerable effort has been made to ensure the accuracy, correctness
 and timeliness of data presented; however, this information is only as
 accurate as its sources and may not reflect the most current information.
 This map is a graphical representation of information for tax administration
 purposes only and does not represent a professional survey. The City of
 Worcester assumes no liability for any errors, omissions or inaccuracies
 and makes no warranty, representation or guaranty of any kind as to the
 content or for any decisions made or actions taken or not taken by the
 user based upon any information provided on this map.

- | | |
|---|---|
| <ul style="list-style-type: none"> Highways — Interstate — U.S. — State — Zoning □ Driveways □ Parking Lots □ Parcels □ Edge of Pavement Road Surface — Paved — Unpaved | <ul style="list-style-type: none"> — Railroad — Streams — Ponds Buildings ■ Building ■ Deck/Patio ■ Garage/Outbuilding Open Space ■ City of Worcester Parks ■ Commonwealth of Massachusetts |
|---|---|

1" = 100 ft

October 18, 2023



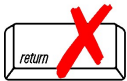
www.worcester

3A



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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:

1256 West Boylston Street	Worcester
a. Street Address	b. City/Town
1288 (1289 municipal & 1290 ordinance)	\$487.59 (\$512.50 municipal & \$400 ordinance)
c. Check number	d. Fee amount

2. Applicant Mailing Address:

Sharon	Buccheri	
a. First Name	b. Last Name	
c. Organization		
356 Water Street		
d. Mailing Address		
Clinton	MA	01510
e. City/Town	f. State	g. Zip Code
(508) 615-0777	j. Email Address	
h. Phone Number	i. Fax Number	

3. Property Owner (if different):

Leonard & James	Chirchigno	
a. First Name	b. Last Name	
c. Organization		
37 Pointe Pleasant Road		
d. Mailing Address		
Webster	MA	01570-1530
e. City/Town	f. State	g. Zip Code
(508) 314-4263	j. Email Address	
h. Phone Number	i. Fax Number	

B. Fees

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

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

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

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

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

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

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

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



Certified Abutters List

A list of 'parties in interest' shall be attached to the application form and shall include the names and addresses. All such names and addresses shall be obtained from the most recent applicable tax list maintained by the City's Assessing Department. The Assessing Department certifies the list of names and addresses.

Total Count: 8

Parcel Address: 1256 WEST BOYLSTON ST

Assessor's Map-Block-Lot(s): 32-039-00114

Owner: CHIRCHIGNO, LEONARD W + JAMES L

Owner Mailing: 37 POINTE PLEASANT RD
WEBSTER, MA 01570

Petitioner (if other than owner): GLENN KREVOSKY

Petitioner Mailing Address: 601 MAIN ST
NORTH OXFORD

Petitioner Phone: 5087693659

Planning: _____ Zoning: _____ License Commission: _____ Conservation Commission: X

Historical: _____ Cannabis: _____ Other: _____

32-039-00111	LAMARCHE DANIEL M + ANNE V	6 MAPLEWOOD AVE	WEST BOYLSTON MA 01583
32-039-00112	JAVIER DIEGO R	1258 WEST BOYLSTON ST	WORCESTER MA 01605
32-019-00271	DIPASQUALE VICTOR A + LOUIS A	26 MONTGOMERY AVE	WORCESTER MA 01604
32-039-00114	CHIRCHIGNO LEONARD W + JAMES L	37 POINTE PLEASANT RD	WEBSTER MA 01570

32-039-0010A	CAPPELLUCCI MARK L + PATRICIA	1254 WEST BOYLSTON ST	WORCESTER MA 01606
32-039-0010B	SCANSAROLI GARY C + CHRISTINE	1252 WEST BOYLSTON ST	WORCESTER MA 01606
32-019-00349	WILDT SAMUEL L + JILL J MURRAY	1241 WEST BOYLSTON ST	WORCESTER MA 01606
32-019-00290	MEOLA GARY P + MORAG E	203 BULLARD STREET	HOLDEN MA 01520

This is to certify that the above is a list of abutters to Assessor's Map-Block-Lot`s 32-039-00114 as cited above.

Certified by:

Samuel E. Konecny

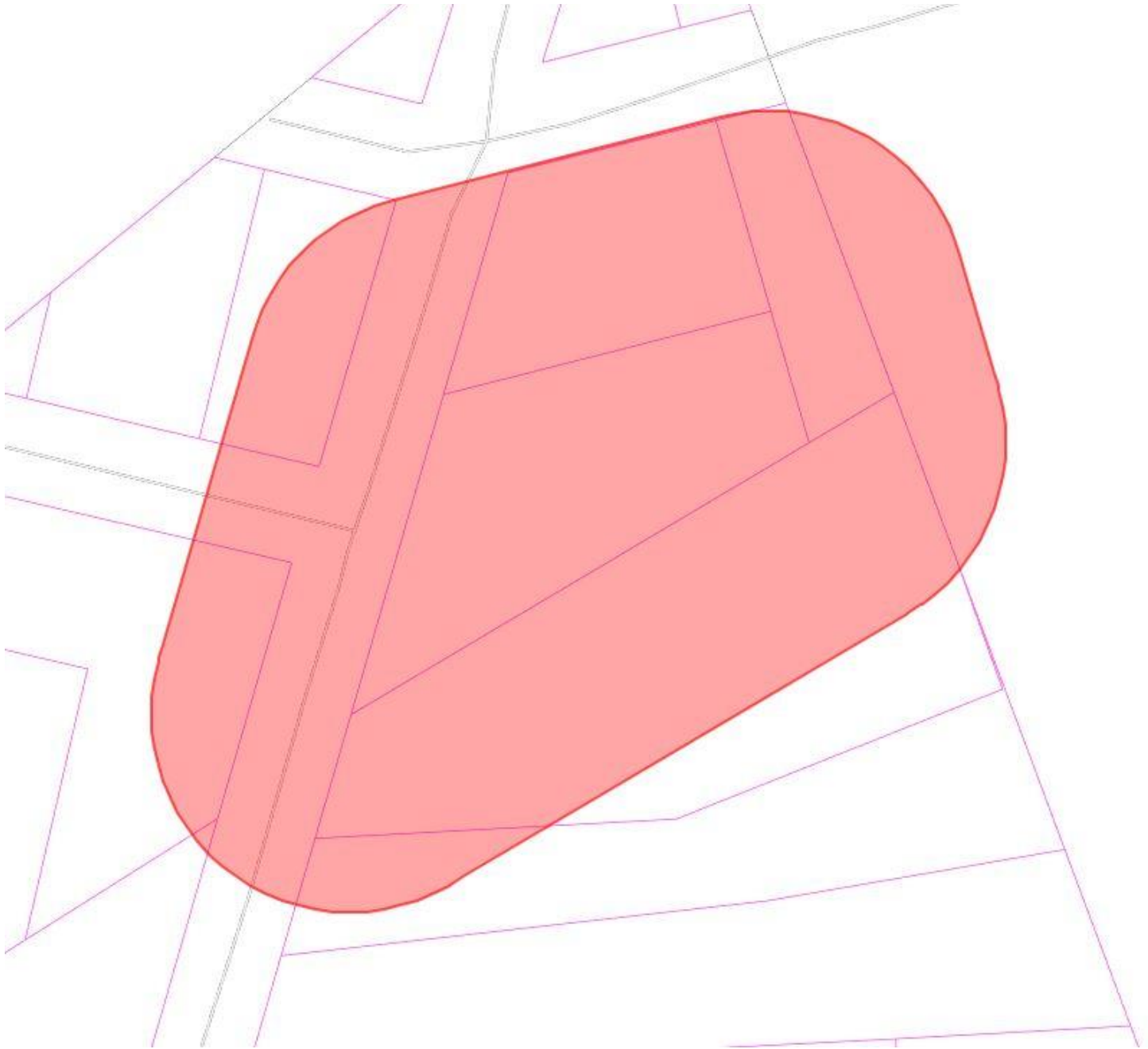
Signature

10/18/2023

Date



Abutters Map





Abutters List Report

West Boylston, MA
October 19, 2023

Subject Property:

Parcel Number: 168/205/000
CAMA Number: 168/205/000/000
Property Address: 8 MAPLEWOOD AVENUE

Mailing Address: TUCKER, REED CARLTON, JANE
8 MAPLEWOOD AVENUE
WEST BOYLSTON, MA 01583

Abutters:

Parcel Number: 168/203/000
CAMA Number: 168/203/000/000
Property Address: 16 OXFORD STREET

Mailing Address: SARDAGNOLA, TRICIA NICOLE LYNCH
JR, WILLIAM THOMAS
16 OXFORD STREET
WEST BOYLSTON, MA 01583

Parcel Number: 168/204/000
CAMA Number: 168/204/000/000
Property Address: OXFORD STREET

Mailing Address: CARLTON, JANE TUCKER, REED
8 MAPLEWOOD AVENUE
WEST BOYLSTON, MA 01583

Parcel Number: 168/206/000
CAMA Number: 168/206/000/000
Property Address: MAPLEWOOD AVENUE

Mailing Address: CAPPELUCCI MARK
1254 WEST BOYLSTON ST
WORCESTER, MA 01606

Parcel Number: 168/207/000
CAMA Number: 168/207/000/000
Property Address: MAPLEWOOD AVENUE

Mailing Address: SCANSAROLI GARY
1252 WEST BOYLSTON ST
WORCESTER, MA 01606



www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

10/19/2023

Page 1 of 1



TOWN OF WEST BOYLSTON
ASSESSORS OFFICE
140 Worcester Street
West Boylston, MA 01583
774-261-4040

RECEIVED

OCT 18 2023

**ASSESSORS OFFICE
WEST BOYLSTON**

REQUEST FOR CERTIFIED ABUTTERS LIST

PROPERTY LOCATION: 1256 West Boylston Street, Worcester

MAP/BLOCK/LOT: 32-039-00114 (Worcester)

PROPERTY OWNERS: Leonard & James Chirchingo

BOARD OF HEALTH – DIRECT ABUTTERS

BUILDING DEPARTMENT – ZBA – 300 FEET

CONSERVATION – 100 FEET

PLANNING BOARD – 300 FEET

SELECTMEN'S OFFICE SPECIFIC

******PLEASE ALLOW UP TO 10 DAYS PER REQUEST******

CONTACT INFORMATION: Glenn Krevosky; EBT Environmental Consultants, Inc.

PHONE NUMBER: 508-769-3659

FEE: \$10.00 TO BE PAID UPON REQUEST

DATE PAID:

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

(This form must be completed and copies sent, by certified mail, certificate of mailing or hand-delivered, to all abutters within 100 feet of the location of the project)

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

- A. The name of the Applicant is Sharon Buccheri.
- B. The Applicant has filed a Notice of Intent (NOI) with the Worcester Conservation Commission.
- C. The address or location of the lot where the activity is proposed is 1256 West Boylston Street, Worcester.
- D. The Applicant proposes to utilize 310 CMR 10.53(3)(e) to construct a driveway across a perennial stream and associated bordering vegetated wetland (BVW) and construct a house within the 100' buffer zone to a BVW. This project was permitted in 2007 and the permit had expired.
- E. Copies of the NOI may be obtained or examined by calling Glenn E. Krevosky of EBT Environmental Consultants, Inc., 601 Main Street, North Oxford, MA 01537 at (508)769-3659 between the hours of 9:00 am and 3:30 pm, Monday through Friday.
- F. Information regarding the date, time and place of the Public Hearing may be obtained by contacting the Worcester Conservation Commission at (508)799-1400 between the hours of 8:30am to 5:00pm, Monday through Friday.

PLEASE NOTE:

- 1. Notice of the public hearing, including its date, time and place will be published at least five (5) business days in advance in the Telegram & Gazette.
- 2. Notice of the public hearing including date, time and place will be posted in the Town Hall not less than forty-eight (48) hours in advance.
- 3. You also may contact the Department of Environmental Protection (DEP) Regional Office for more information about this application or the Wetlands Protection Act. To contact the DEP:

CENTRAL REGION: (508) 792-7650

NORTHEAST REGION: (617) 654-6500

WESTERN REGION: (413) 784-1100

SOUTHEAST REGION: (508) 946-2700

10/24/2023

AFFIDAVIT OF SERVICE

**UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT
AND CITY OF WORCESTER WETLAND PROTECTION ORDINANCE**

(To be submitted to the Massachusetts Department of Environmental Protection & the Conservation Commission when filing a Notice of Intent)

I, Glenn E. Krevosky, hereby certify under the pains and penalties of perjury that on October 24, 2023, I gave notification to abutters within 100 feet of the proposed project in compliance with the second paragraph of the Massachusetts General Laws, Chapter 131, Section 40 and the DEP Guide to Abutter Notification, dated April 8, 1994, in connection with the following matter:

A Notice of Intent (NOI) application filed under the Massachusetts Wetlands Protection Act and The City of Worcester Wetland Protection Ordinance by EBT Environmental Consultants, Inc., 601 Main Street, North Oxford, MA 01537, with the Worcester Conservation Commission on October 25, 2023 for a property located at, 1256 West Boylston Street, Worcester.

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

Signature

10-25-2023
Date

City of Worcester, a municipal corporation,

of Worcester, Worcester County, Massachusetts,
~~being hundred~~, for consideration ~~paid, grant to~~ in the sum of One Hundred and Fifty
 Five Dollars (\$155.00) paid, grants to Leonardo J. Chirchigno and
 Mary M. Chirchigno, husband and wife, as tenants by the entirety,
 of Worcester, Massachusetts
 with quitclaim covenants

the land in said Worcester, bounded and described as follows:
 [Description and encumbrances, if any]

Beginning at the southwesterly corner of Lot 115, located on the
 southeasterly side of West Boylston Street;

Thence northeasterly, by West Boylston Street, about one hundred
 and sixty-eight and five hundredths feet (168.05 feet) to a point;

Thence easterly, by land now or formerly of Rosario Mercurio, about
 one hundred and sixty-nine and seventy-five hundredths feet (169.75 feet)
 to a point;

Thence southerly, by land now or formerly of Rosario Mercurio, about
 sixty-nine and fifty hundredths feet (69.50 feet) to a point;

Thence westerly, by land now or formerly of Milton H. Carrier and
 Lillian G. Carrier, about two hundred and sixty-eight and twelve hun-
 dredths feet (268.12 feet) to the point of beginning.

This tract contains about 19,260 square feet and is designated on
 the Assessors' Plan Book 32, Page 29, as Lots 114 and 115.

Being the same premises set forth in a decree of the Land Court
 Case No. 25453 and said decree being dated May 26, 1950, foreclosing
 the tax lien of the City of Worcester and forever foreclosing and barring
 all rights of redemption on the property described in a deed of the
 Collector of Taxes, dated October 6, 1938 and recorded in Book 2734,
 on Page 390.

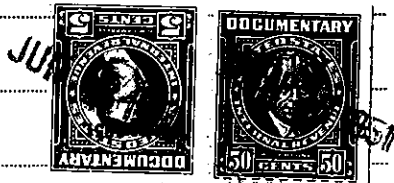
Meaning and intending to convey the interest acquired by the
 grantor by virtue of a decree of the Land Court dated May 26, 1950,
 and recorded in the Worcester District Registry of Deeds Book 3263,
 Page 222. Reserving to the Grantor, however, any easements acquired
 for sewer and water purposes in the street abutting said property.

IN WITNESS WHEREOF, I, H.J.TUNISON, TREASURER of the City of Worcester hereunto duly authorized have signed this instrument and caused the seal of said City to be hereto affixed in behalf of the City of Worcester this eighth day of June 1951.

~~husband/ of said grantor/ wife~~

~~release to said grantee all rights of tenancy by the curtesy and other interests therein/ dower and homestead~~

~~Witness/ hand/ and seal/ this/ day/ of/ 19/~~



CITY OF WORCESTER
By-
Treasurer

The Commonwealth of Massachusetts

Worcester ss. June 8, 1951

Then personally appeared the above named H. J. Tunison

and acknowledged the foregoing instrument to be his free act and deed, before me/ and the free act and deed of the City of Worcester, before me- George J. Fox Notary Public - Justice of the Peace

My Commission expires March 30 1956

City of Worcester

In City Council April 3, 1951

Ordered: That the Custodian of Tax Title Property be and he is hereby authorized and directed, under the direction of the City Manager, to sell by auction pursuant to Section 77B of Chapter 60 of the Massachusetts General Laws (Ter. Ed.) as amended, and for a sum not less than \$150.00 a parcel of property situated on West Boylston Street designated on the Assessors' Plan Book 32, Page 39, Lots 114 and 115, formerly owned by Jacob Kaufman, Philip Kaufman, and Jacob Weiss, the title to which became vested in the City by an Instrument of Taking for non-payment of Taxes issued under Section 53 and 54 of said Chapter 60 and dated October 6, 1938 and which title was thereafter made absolute in the City by a decree of the Massachusetts Land Court pursuant to Sections 64 through 77

of said Chapter 60, said decree being dated May 26, 1950.

ORDERED: FURTHER, that the City Treasurer be and he is hereby authorized to execute and deliver a deed of such property to the purchaser thereof in accordance with the provisions of said Section 77B.

A Copy. Attest:

Russell T. Ober Asst. City Clerk



A F F I D A V I T

I, George J. Fox, Custodian of Tax Title Property of the City of Worcester, upon oath depose and say that, pursuant to an Order of the City Council dated April 3, 1951, authorizing me as Custodian to sell by auction for a sum not less than \$150.00 property on West Boylston Street designated on the Assessors' Plan Book 32, Page 39, as Lots 114 and 115, I duly advertised said premises to be sold at auction sale; that at the time and place appointed by said advertisements I sold said premises to Leonardo J. Chirchigno and Mary M. Chirchigno for \$155.00, the highest bid made therefor at said auction sale; and that said advertisement and said sale were in every way in accordance with General Laws, Chapter 60, Section 77 and 77B, and all other laws pertaining.

George J. Fox

COMMONWEALTH OF MASSACHUSETTS

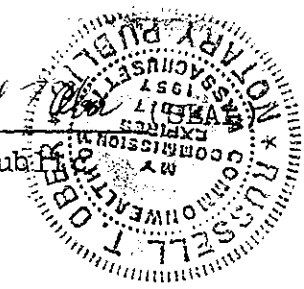
Worcester ss. June 8, 1951

Subscribed and sworn to before me,

Russell T. Ober

Notary Public


Russell T. Ober



Recorded June 8, 1951 at 12h. 15m. P. M.



Bk: 40989 Pg: 237 Doc: DECN
Page: 1 of 10 04/13/2007 03:59 PM

	Massachusetts Watershed Protection Act Applicability Decision-WA2007-004
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Pursuant to the:
Massachusetts Watershed Protection Act
M.G.L. ch. 92, § 107A

DCR File Number: WA2007-004 Initial Intake Date: Jan. 9, 2007 Submission Date (complete): Feb. 27, 2007 Lot Identifier: 348/39/114

Watershed Protection Regulations
350 CMR 11.00

TO:	<u>Leomard & James Chirchigno</u> <i>Name of Owner</i>	<u>Thompson – Liston Associates, Inc.</u> <i>Name of Applicant</i>
OF:	<u>37 Point Pleasant Road</u>	<u>Attn: Andrew B. Liston, P.E.</u>
	<u>Webster, Massachusetts 01570</u> <i>Address</i>	<u>P. O. Box 570</u>
		<u>Boylston, Massachusetts 01505</u> <i>Address</i>
FROM:	<u>Department of Conservation and Recreation, Division of Water Supply Protection, Wachusett/Sudbury Section</u>	
DATE:	<u>March 22, 2007</u>	
REGARDING:	<u>1256 West Boylston Street, Worcester, Massachusetts 01605</u> <i>Property Address/Location</i>	

10

9A



Massachusetts Watershed Protection Act
Applicability Decision-WA2007-004

Town Assessor's Sheet Number: 39 Parcel Number: 114

Recorded at the Worcester County Registry of Deeds

Book Number: 21780 Page Number: 4 or Certificate of Title Number: _____

Construct a single family dwelling.

Description of Proposed Structure, Use and/or Activity, if applicable

PLANS/INFORMATION FILED:

1. Definitive Site Plan Title Sheet, C1 – C10	Jan. 8, 2007, Last Revision: Feb. 16, 2007
<i>Plan Title</i>	<i>Date of Plan</i>

Robert Nunnemacher and Andrew B. Liston
Signed and Stamped by

- DETERMINATION -

The request was made for a Determination of Applicability with respect to (check one):

Location

Exemption (asserting that proposal falls within the Act's exemptions)

Not Prohibited (asserting proposed Structure/Use/Activity is not specifically prohibited)

The Department of Conservation and Recreation, Division of Water Supply Protection, (the Division) has reviewed the Request for Determination of Applicability referenced by the DCR file number above. Based on the information available to the Division at this time, the Division makes the following Decision:



Massachusetts Watershed Protection Act

Applicability Decision-WA2007-004

Statement of Jurisdiction

Division staff has reviewed the location of the above referenced parcel relative to areas subject to the Act by reference to the most recent USGS topographic quadrangle and the Watershed Protection Act map. Based on this review and on the information provided by the applicant, this office has determined the entire lot lies within 200 feet of a tributary or surface water subject to jurisdiction under the Act (350 CMR 11.04(1)(b)), within which area no alteration is permitted unless eligible for an exemption or subject to a variance issued by the Division. This area is shown in red on the enclosed map and is referred to as the Primary Protection Zone. In addition, a portion of the lot overlays an aquifer with a potential well yield of one or more but less than 100 gallons per minute subject to jurisdiction under the Act (350 CMR 11.04 (1)(g)) and there exists bordering vegetated wetlands subject to the Act (350 CMR 11.04(1)(e)), the exact location of which should be determined by the Worcester Conservation Commission. These wetlands are not shown on the enclosed map.


Location

_____ The Division has determined that the lot identified on page one is within the area of jurisdiction as identified in Section 11.04(1) of the Watershed Protection Act. However, the activity as proposed is located outside an area under the jurisdiction of the Act.

XX _____ The Division has determined that the lot identified on page one was properly included on the List of Affected Parcels. It is within the areas regulated by the Watershed Protection Act and any activities on this site must be in conformance with the restrictions outlined in it. If you do not wish to comply with the restrictions, you may apply for a finding of exemption, a variance, or exemption of a tributary. You also have the right to appeal this Decision in a formal administrative hearing, according to the procedures set forth in 801 CMR 1.00 *et seq.* See the following "Appeals Procedure". **See additional information below.**

_____ The Division has determined that the lot identified on page one was improperly included on the List of Affected Parcels. Therefore, the lot is not within the areas regulated by the Watershed Protection Act.

_____ The Division has determined that the lot identified on page one is in the watershed, but is not an area subject to jurisdiction as identified in 350 CMR 11.04 of the Watershed Protection Act.

	<p>Massachusetts Watershed Protection Act</p> <p>Applicability Decision-WA2007-004</p>
---	--

Location (Continued):

_____ The Division has determined that the lot identified on page one is located outside the watershed. Therefore, the Watershed Protection Act¹ does not apply to this lot.

_____ Other:

Exemption

XX The Division has determined that the proposed structure, use, or activity is exempt as: **Lot in Existence** under 350 CMR 11.05 (3) of the Watershed Protection Act.

*Statement of Reasons: On the basis of the Request for Watershed Determination of Applicability, supporting documents, and the following Conditions, the Division finds the proposed activity **EXEMPT**. This is because the proposal is to construct a single family dwelling and the lot existed as such prior to July 1, 1992; thereby meeting the exemption for "Lot in Existence".*

_____ The Division has determined that the proposed structure, use, or activity is **not exempt**. Any activities on this site must be in conformance with the restrictions set forth in the Watershed Protection Act. If you are unable to comply with these restrictions, you may apply for a variance or exemption of a tributary. You also have the right to appeal this decision in a formal administrative hearing, according to the procedures set forth in 801 CMR 1.00 *et seq.*

GENERAL CONDITIONS:

1. This Decision and the following conditions are based on the Request for Determination Application received complete on February 27, 2007 and the accompanying plans, as noted on page 1, on file with DCR-DWSP Wachusett/Sudbury Section, Environmental Quality Office, 180 Beaman Street, West Boylston, MA 01583 (herein referred to as "this office").



Massachusetts Watershed Protection Act
Applicability Decision-WA2007-004

GENERAL CONDITIONS (Continued):

2. Any changes, revisions or alterations to approved plans must be submitted to this office prior to the commencement of any work on this site. The Division shall review those changes and make a finding whether an amendment to this Decision or a new filing for a Variance would be required.
3. The Division shall have the right to enter and inspect the property, (per 350 CMR 11.11(4)) at reasonable times, for compliance with this Decision, the Act and the Watershed Protection Regulations (350 CMR 11.00).
4. This Decision shall apply to any successor in interest or successor in control of the property.
5. In case of emergencies, problems or the need to discuss site conditions with the Division, the contact telephone number is 508/792-7806.
6. The activity proposed in the application was for a single family dwelling. Therefore, this Decision is issued for a single family dwelling only. A duplex dwelling would not be exempt and would require a Variance Decision be issued approving such a proposal. This condition will remain in perpetuity.
7. This Decision must be recorded so that all future buyers of the property are made aware of condition number six (6) as stated above.
8. This Decision does not approve the alternative design shown on Sheet C4.

BEFORE THE START OF ANY ACTIVITY:

9. The property owner shall notify this office, by telephone or in writing at least forty eight hours prior to commencement of work on the site.
10. The property owner shall provide this office with the name, address, and telephone numbers of the project supervisor or contractor who shall be responsible for ensuring compliance with the conditions in this Decision.

**Massachusetts Watershed Protection Act****Applicability Decision-WA2007-004****BEFORE THE START OF ANY ACTIVITY (Continued):**

11. The property owner shall request a preconstruction meeting on the site involving the contractor conducting the work, the site engineer, the applicant, and a representative of the Division to ensure that the requirements of this Determination are understood by all parties. A member of the Conservation Commission shall also be invited.
12. The boundaries of the bordering vegetated wetland shall be identified through the installation of orange construction fencing so that it is easily visible to equipment operators.
13. All sedimentation and erosion control measures shall be installed prior to the preconstruction meeting and shall be inspected by the site supervisor and the Division.
14. There should be erosion controls placed continuously along the west side of the wetland, then the work should occur as noted with all work associated with this side of the wetland. Once the replication area is prepared as noted in the "Replication Sequence" on Sheet C6, the work on the crossing should begin with appropriate erosion controls added for the diversion work that is proposed. The piping and culvert should then be completed as quickly as possible and the road bed across the wetland completed before clearing and grubbing of the area to the east of the wetland occurs.
15. Erosion controls shown on plans (starting with C3) appear to direct contaminated runoff directly to the wetland crossing. These should be revised to isolate the work areas, and will need to be different during the initial phase, the crossing phase, and then the remaining construction phase.
16. There are differences with the remaining descriptions in item #7 of the Replication Sequence (C6). This reference notes that the organic material will be purchased as opposed to using the material from the wetland crossing. The material at the wetland crossing would most likely be needed to reestablish the bed and banks within and around the box culvert, but that should also be clarified on sheet C8 and sheet C7.
17. The Wetland Construction Sequence (C8) item #15 refers to relocating the organic material to the Replication Area. This should be reviewed to change to stockpile and use for box culvert embedment treatment.

**Massachusetts Watershed Protection Act****Applicability Decision-WA2007-004****BEFORE THE START OF ANY ACTIVITY (Continued):**

18. The overflow barrel and stilling basin shown on C9 does not indicate any erosion control sizing information. Please provide information on the depth and size of riprap and information that shows the riprap can handle expected flows without scour.

DURING CONSTRUCTION:

19. Wetland delineation flags shall remain legible and in place for the duration of the project.
20. The entire wetland replication process shall be supervised by a wetland specialist who shall be a professional with experience in wetland replication, wetland hydrology and a working knowledge of botany.
21. Wetlands shall not be disturbed until the replication area is constructed and is ready for transplanting of the wetland plants and soils.
22. During and after construction there shall be no sedimentation to wetlands or water bodies from discharge pipes or surface water runoff leaving the site.
23. Erosion and sedimentation controls shall be placed down-gradient of the work area between the work area and any streams, wetlands or drainage structures such as drop inlets and catch basins.
24. Earth stockpiles shall be located as far away from any streams, wetlands and stormdrains as possible and, when necessary, a sedimentation control barrier shall be erected and/or a cover placed over the material.
25. Erosion and sedimentation controls and catch basin protection shall be inspected regularly and cleaned or replaced as necessary to retain functions and shall remain in place until the work area is stabilized.

AFTER CONSTRUCTION:

26. Following construction of the replication area, the wetland specialist shall certify to the Division that the area has been constructed according to the approved plan(s). Such certification shall be accompanied by a plan delineating the replication area, wetland soil depths and final grades as surveyed by a licensed land surveyor and a narrative describing established vegetation.

**Massachusetts Watershed Protection Act****Applicability Decision-WA2007-004****AFTER CONSTRUCTION (Continued):**

27. Status reports on the replication area(s) shall be prepared by a wetland specialist who shall be a professional with experience in wetland replication, wetland hydrology and a working knowledge of botany and submitted to the Division upon completion of the replication area, one year after the replication area is construction and two years after the replication area is constructed. Reports shall describe the physical characteristics of the wetland replication areas with respect to stability, soil characteristics, survival of vegetation and plant mortality, aerial extent and distribution, species diversity and vertical stratification (i.e. herb, shrub and tree layers).
28. The Division reserves the right to impose additional conditions on this project to mitigate any impacts resulting from erosion, or any degradation of surface water quality discharging from the site.
29. Erosion control devices shall remain in place until all disturbed surfaces have been stabilized with final vegetative cover or the Division has authorized their removal.
30. The owner shall certify to the Division that the subsequent owner has been notified of the presence and that the entire lot is located within 200 foot "No Alteration Zone; also known as the Primary Protection Zone.
31. Within two months from completion of the work covered by the Decision, the applicant shall request a post – construction conference at the site to review as built plans signed and stamped by a registered professional engineer or land surveyor. The plans and written request shall include, at a minimum, and as applicable to the project: elevations of all basins and components, elevations of all pipe inverts and outlets, pipe sizes, materials and slopes; all other drainage structures; limits of clearing, grading and fill; all structures, pavement and contours within areas of jurisdiction of the Act; all alterations of resource areas; and all dates of fieldwork.
32. Once the project has been completed the property owner shall request a Notice of Completion from the Division.
33. This Decision will expire within 3 years from the date of issuance. No activity may be conducted after that time period without written approval by the Division.



Massachusetts Watershed Protection Act

Applicability Decision-WA2007-004

This Decision applies to the structure, use, or activity only as it has been represented in the Request for Determination of Applicability. If the structure, use, or activity changes notice should be made to the Division so that the revised information can be reviewed.

This Decision does not relieve the Applicant of the responsibility of complying with all other applicable Federal, State or local laws and regulations including the General Rules and Regulations for the Protection of Watersheds and the Watershed System (350 CMR 11.09).

APPEALS PROCEDURE

Request for a formal hearing must be made within 21 days of the issuance of this Decision by filing a Notice of Claim for an Adjudicatory Proceeding with the Commission and the Division. A Notice of Claim for appeal must comply with 801 CMR 1.00 *et seq.* and must include the following information: DCR File number; name and address of applicant and attorney, if any; and a statement of grounds for the appeal. The Notice should be filed with both:

Commissioner
Department of Conservation and Recreation
Protection
251 Causeway Street
Boston, MA 02114

Director
Division of Water Supply

and DCR, 8th Floor
251 Causeway Street
Boston, MA 02114



Massachusetts Watershed Protection Act
Applicability Decision-WA2007-004

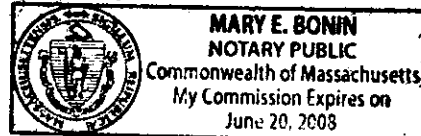
Issued by the Division of Water Supply Protection, Department of Conservation and Recreation,
on the 22nd day of March 2007.

John M. Scannell

Worcester County
County

On this 22nd day of March 2007 before me personally appeared John M. Scannell, Acting Division Director to me known to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed.

Mary E. Bonin, Notary Public





Commonwealth of Massachusetts
Department of Conservation and Recreation

Massachusetts Watershed Protection Act
M.G.L. ch. 92A ½

Watershed Protection Regulations
313 CMR 11.00

WsPA Form 1
Request For Watershed Determination of Applicability

I. OWNER/APPLICANT/LOT IDENTIFICATION

A. Property Owner

Name: **Leonard & James Chirchigno**

Mailing Address: **37 Pointe Pleasant Road**

Town: **Webster**

State: **MA**

Zip: **01570-1530**

Telephone Number: **(508) 314-4263**

Fax Number:

B. Applicant/Representative

Name: **Sharon Buccheri**

Mailing Address: **356 Water Street**

Town: **Clinton**

State: **MA**

Zip: **01510**

Telephone Number: **(508) 615-0777**

Fax Number:

C. Lot Identification

Address: **1256 West Boylston Street**

Town: **Worcester**

County: **Worcester**

Town Assessor's Sheet Number: **32**

Town Assessor's Lot Number: **039-00114**

Registry of Deeds Book Number: **21780**

Deed Book Page Number: **4**

II. DESCRIPTION OF PROPOSED STRUCTURE, USE AND/OR ACTIVITY

Describe the existing lot and all proposed activities and, if applicable, any change in use, extent of expansion (e.g., number of bedrooms and square footage), land alteration, or increase in impervious area. If you are constructing a storage building or warehouse, please specify the type of material(s) and quantities that will be stored.

- Check here if you only want to know whether there is WsPA jurisdiction on the property and are NOT proposing any activity.*



WsPA Form 1 Request For Watershed Determination of Applicability

III. SUPPORTING MATERIALS

You may also wish to include the following (please check those provided):

- | | |
|---|---|
| <input type="checkbox"/> Land Surveyor's Determination or Plot Plan | <input type="checkbox"/> Septic System Plan |
| <input checked="" type="checkbox"/> Town Assessor's Map | <input checked="" type="checkbox"/> Topographic Map |
| <input checked="" type="checkbox"/> Site Plan | <input type="checkbox"/> Soil Conditions Map |

Additional materials may be necessary in order for the Division to make a decision. The Division will contact you if additional information is required.

IV. CERTIFICATION

Please read the following statement and sign below.

I certify that the information provided on this form and in all attachments is correct and accurate to the best of my knowledge. I understand that the Division of Water Supply Protection, Office of Watershed Management staff may, at reasonable times, inspect my property for the purposes of confirming information given here and for determining the impact of this proposal on water quality.

In compliance with 313 CMR 11.06(1)(a), an **Applicability Decision may only be issued to a person Owning an Interest in Real Property.**

Name (printed): Leonard Chirchingno

Signature: *Leonard Chirchingno* dotloop verified
10/24/23 12:03 PM EDT
J8TR-JAFX-UP8L-FETW Date: 10/24/2023
(Property Owner)

If you are not the property owner, please attach a statement and signature from the owner granting the applicant permission to seek this Decision on his or her behalf and sign below.

Name (printed): Sharon Buccheri

Signature: *Sharon Buccheri* dotloop verified
10/24/23 12:40 PM EDT
CPOI-VCYY-ZELC-TWMD Date: 10/24/2023
(Applicant)

Please note that this Applicability Decision is only related to the provisions of the Watershed Protection Act regulations (313 CMR 11.00) and does not relieve the applicant of the duty to obtain any other required state, federal, or local permits or variances. Where applicable it will still be necessary to obtain wetlands permits, Title 5 approvals, 401 water quality certifications, storm water permits (including the development of a Storm Water Pollution Prevention Plan), and any local zoning acceptances.