



October 29, 2024

City of Worcester Conservation Commission  
City Hall Room 404  
455 main Street  
Worcester, Massachusetts 01608

Re: Notice of Intent  
9-13 Elton Street  
Worcester, Massachusetts 01608

Dear Members of the Commission:

On behalf of Tony Bianco (Applicant), Land Design Collaborative (LDC) is submitting herewith a Notice of Intent application for the work associated with the construction of a two-story single family attached triplex structure with associated improvements including driveways, stormwater, utilities and landscaping within the buffer-zone to a bordering vegetated wetland. The three-unit structure will have a footprint of approximately 2,500 square feet. The record lots are identified on the City of Worcester Assessor's GIS as Parcel ID Map 17-038-23+24 & 17-038-25+26. This filing has been prepared in accordance with the Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Ordinance.

We have enclosed the following through email via a Dropbox link:

1. WPA Form 3- Notice of Intent application;
2. WPA Form 3A –Wetland Fee Transmittal Form;
3. Certified Lists of Abutters within 100’;
4. Notification to abutters;
5. Wetland Resource Area Analysis Report prepared by Matthew S. Marro Environmental Consulting dated June 3, 2024, including NHESP Map, USGS Locus Map, MassGIS Orthophoto, FEMA FIRMette Flood Map, National Wetlands Inventory Map, and Wetland Transect Forms;
6. Stormwater Management Report prepared by Land Design Collaborative, dated September 2024;
7. Plans entitled “Notice of Intent Plans for Single-Family Attached Triplex for 9 & 13 Elton Street” prepared by Land Design Collaborative, dated October 29, 2024;
8. Filing fee of \$917.50 for the local share of the State NOI filing fee;
9. Filing fee for City of Worcester Notice of Intent in the amount of \$917.50;
10. Advertising Fee in the amount of \$25.00;

## Existing Conditions

The subject Property contains two parcels and is identified on the City of Worcester Assessor's GIS as Parcel ID Map 17-038-23+24 & 17-038-25+26 (9 & 13 Elton Street). The Property contains 18,739 square feet (0.42 acres) located on the south side of Elton Street where it obtains its legal frontage and access. The Property is undeveloped, primarily wooded and is located in the RL-7 Zoning District.

The Property abuts other residential properties and the CSX / MBTA railroad right-of-way (ROW) to the east which is coincident with a NHESP priority habitat corridor (PH 1145). A bordering vegetated wetland that extends along the northeast corner of the Property starting at a headwall within the unimproved portion of Elton Street and running easterly before continuing southerly and extending onto the locus Property at the northeastern corner and continuing to the southeast within the railroad ROW. The 100' wetland buffer zone associated with the bordering vegetated wetland projects over a large portion of the Property. The limits of the wetland resource area (BVW; WF #1 - #22) were delineated in the field by Matthew S. Marro Environmental Consulting in June 2024 and field located by New England Land Survey in June and July 2024. Additional information regarding the wetland resource area is provided in the enclosed report prepared by Matthew S. Marro Environmental Consulting.

The Property generally slopes from east to the wetland to the west. The eastern portion of the Property is generally flat, whereas the western portion of the Property contains slopes greater than 15%. There is a catch basin at the front of the Property in Elton Street, which collects street runoff and discharges to the north of the Property within the unimproved portion of Elton Street.

Soils are mapped as Chatfield-Hollis Rock outcrop (HSG B), Woodridge fine sandy loam (HSG C/D), and Paxton-Urban land complex (HSG C). Site specific soils testing confirmed the USDA/NRCS mapping in the area of the proposed development. There are no FEMA flood zones (FIRM 25027C0620E, eff. 7/4/2011) on or immediately adjacent to the Property.

## Proposed Conditions

The Applicant is proposing to construct a two-story three single-family attached dwelling with driveways, stormwater management system and other associated site improvements.

Stormwater quality and quantity calculations have been performed for 9 & 13 Elton Street to demonstrate compliance with MassDEP Stormwater Standards. The design complies to the extent practicable as the Project is a multi-family housing development with four or fewer units. The Project complies with other design criteria as enumerated in the Wetland Protection Regulations (310 CMR 10) and City of Worcester Wetlands Protection Ordinance. A full Stormwater Management Report has been provided as part of this submission. Prior to completion of this report, we attended an IRT meeting with City staff and have incorporated the comments received into the site design.

No impacts to the wetland resource areas are proposed. All proposed work will be performed upgradient of erosion and sedimentation control barriers and the necessary erosion mitigation measures such as diversion swales, sedimentation basins, check dams and anti-tracking pads will be employed during construction and modified as site conditions dictate.

Relationship of the proposed Project to the eight interests of the Wetlands Protection Act:

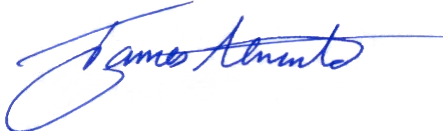
- *Public and Private Water Supply:* The property is served by municipal water and no new withdrawals are required for this project.
- *Groundwater Supply:* The project is designed with stormwater infiltration on-site wastewater systems.

- *Flood Control:* There is no proposed work within the 100 or 500-year flood plain as confirmed by the FEMA Flood Insurance Rate Map (FIRM). No filling or dredging will occur within any special flood hazard area.
- *Storm Damage Prevention:* During construction, erosion control barriers will be employed to prevent storm damage. Erosion control measures on-site will be maintained and remain in place until all disturbed areas are stabilized. Exposed surfaces will be stabilized once loamed and ready for seeding.
- *Prevention of Pollution:* Pollution during construction will be prevented by the implementation of erosion control measures.
- *Protection of Land Containing Shellfish:* The property does not contain shellfish.
- *Protect Fisheries:* No work is proposed which would impact a brook or a potential fishery within a brook or other waterbody.
- *Protection of Wildlife Habitat:* The Property does not contain any areas of priority habitat, rare species, or vernal pools according to the latest Natural Heritage Atlas and Mass GIS.

We trust that you will find the enclosed information acceptable, and we thank you in advance for your attention to this Notice of Intent application filing. We look forward to meeting with the Commission at your next available public meeting. Please feel free to contact me should you have any questions or wish to discuss.

Sincerely,

LAND DESIGN COLLABORATIVE



James T. Almonte, RLA  
Principal

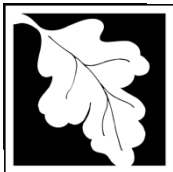


Michael J. Scott, PE  
Principal

Encl.

cc: Mr. Tony Bianco

[https://ldcollaborative.sharepoint.com/sites/LandDesignCollaborative/Shared Documents/\\_PROJECTS/21-0085 - Commercial Street, Medford/Permits/NOI/20-0085 NOI Itr01.docx](https://ldcollaborative.sharepoint.com/sites/LandDesignCollaborative/Shared Documents/_PROJECTS/21-0085 - Commercial Street, Medford/Permits/NOI/20-0085 NOI Itr01.docx)



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):

<u>9 &amp; 13 Elton Street</u>	<u>Worcester</u>	<u>01604</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:		
<u>42.258058</u>	<u>-71.760842</u>	
d. Latitude	e. Longitude	
<u>17/038/25+26 &amp; 17/038/23+24</u>	<u>15213 &amp; 15214</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>Tony</u>	<u>Bianco</u>	
a. First Name	b. Last Name	
c. Organization		
<u>96 Middlesex Ave</u>		
d. Street Address		
<u>Worcester</u>	<u>MA</u>	<u>01604</u>
e. City/Town	f. State	g. Zip Code
<u>(774) 696-1622</u>	<u>tony.bianco@aol.com</u>	
h. Phone Number	i. Fax Number	j. Email Address

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

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

4. Representative (if any):

<u>Michael</u>	<u>Scott</u>	
a. First Name	b. Last Name	
<u>Land Design Collaborative (LDC)</u>		
c. Company		
<u>45 Lyman Street, Suite 1</u>		
d. Street Address		
<u>Westborough</u>	<u>MA</u>	<u>01581</u>
e. City/Town	f. State	g. Zip Code
<u>508-952-6300</u>	<u>msscott@ldcollaborative.com</u>	
h. Phone Number	i. Fax Number	j. Email address

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

<u>\$1,050</u>	<u>\$512.50</u>	<u>\$537.50</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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**A. General Information (continued)**

6. General Project Description:

The Applicant is seeking to develop a two-story, three unit residential structure with associated improvements including driveways, utility connections, stormwater improvements and landscaping.

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

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

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

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

2. Limited Project Type

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

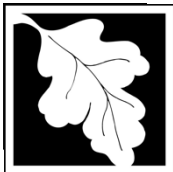
8. Property recorded at the Registry of Deeds for:

Worcester	
a. County	b. Certificate # (if registered land)
70267	380
c. Book	d. Page Number

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

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

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



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

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (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	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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	1. Name of Waterway (if available) - <b>specify coastal or inland</b>	

2. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: \_\_\_\_\_ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet \_\_\_\_\_ b. square feet within 100 ft. \_\_\_\_\_ c. square feet between 100 ft. and 200 ft. \_\_\_\_\_

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

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

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

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



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

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

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	_____	
	1. square feet	
	_____	
	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	_____	_____
	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	_____	_____
	1. square feet	2. cubic yards dune nourishment

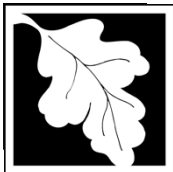
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____	
	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____	
	1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____	_____
	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	_____	
	1. square feet	
	_____	
	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____	
	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	_____	
	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	
	1. square feet	

4.  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.  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

- 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](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**

8/1/2021  
b. Date of map

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

- c. Submit Supplemental Information for Endangered Species Review\*

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

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

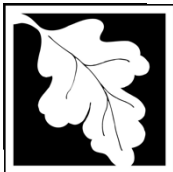
- Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*
  - (a)  Project description (including description 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 - Bourne to Rhode Island border, and the Cape & Islands:

North Shore - Plymouth 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](mailto: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](mailto: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)**

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.

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



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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.

Notice of Intent for Single-Family Attached Triplex 9&13 Elton Street, Worcester, MA

a. Plan Title

Land Design Collaborative

Michael Scott, PE & James Almonte, RLA

b. Prepared By

c. Signed and Stamped by

October 29, 2024

1" = 10'

d. Final Revision Date

e. Scale

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:

1349

11/01/2024

2. Municipal Check Number

3. Check date

1892

11/04/2024

4. State Check Number

5. Check date

Land Design Collaborative, LLC

6. Payor name on check: First Name

7. Payor name on check: Last Name



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## F. Signatures and Submittal Requirements

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

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



1. Signature of Applicant



2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

### For Conservation Commission:

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

### For MassDEP:

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

### Other:

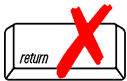
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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



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

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



**A. Applicant Information**

1. Location of Project:

9 & 13 Elton Street Worcester  
 a. Street Address b. City/Town  
 c. Check number d. Fee amount

2. Applicant Mailing Address:

Tony Bianco  
 a. First Name b. Last Name  
 c. Organization  
 96 Middlesex Ave  
 d. Mailing Address  
 Worcester MA 01604  
 e. City/Town f. State g. Zip Code  
 (774) 696-1622 tony.bianco@aol.com  
 h. Phone Number i. Fax Number j. Email Address

3. Property Owner (if different):

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

**B. Fees**

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

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

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

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

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

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

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

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



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

**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 3(b)	1	\$1,050	\$1,050
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
<b>Step 5/Total Project Fee:</b>			<b>\$1,810</b>
<b>Step 6/Fee Payments:</b>			
Total Project Fee:			<b>\$1,050</b>
			a. Total Fee from Step 5
State share of filing Fee:			<b>\$512.50</b>
			b. 1/2 Total Fee <b>less</b> \$12.50
City/Town share of filing Fee:			<b>\$537.50</b>
			c. 1/2 Total Fee <b>plus</b> \$12.50

**C. Submittal Requirements**

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

Department of Environmental Protection  
 Box 4062  
 Boston, MA 02211

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

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



# A Report of Resource Area Delineation for Bianco Masonry

9-13 ELTON ST WORCESTER, MA

Matthew Marro | June 3, 2024



# MATTHEW S. MARRO ENVIRONMENTAL CONSULTING

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45 Lisa Drive  
Leominster, Ma  
Phone (978) 314-7858  
Fax (888) 435-5999  
www.marro-consulting.com

## Delineation Introduction:

Matthew S. Marro Environmental Consulting performed a delineation as defined by 310 CMR 10.55 (2)(c) in DEP regulation and DEP policy 95-1. Wetland delineations outlined in this report, consist of vegetation and hydrology as outlined in the cited regulation. According to DEP policy, the dominance test should be used to determine whether the vegetative community consists of 50% or greater wetland indicator plants. The dominance test is a sampling technique that identifies which plant species are the most abundant within an observation plot. The dominance test uses the most abundant plants in an observation plot since the dominant plants often provide a good representation of site characteristics.

The dominance test determines plant species dominance by evaluating percent cover (basal area can be used for trees). Information on percent cover is recorded for all plant species in each plant layer (ground cover, shrub, sapling, climbing woody vines, tree) present in the observation plot. Plant species with a percent cover equal to or less than 1% in a layer should not be included. In addition, any layer with a total percent cover of less than 5% should not be included. Dominant plants within each layer are recorded and classified as being either wetland indicator plant species or non-wetland indicator plants. The wetland plant criterion is met if the number of wetland indicator plant species is equal to or greater than the number of non-wetland indicator plants.<sup>1</sup>

## Hydrology:

Within both DEP regulation and policy, where mild sloping transitional areas are encountered, indications of hydrology should be used in order to better characterize the true border of wetland. As cited in DEP 95-1, the wetland hydrology criteria can be met if hydric soils are present within the observation plot. The presence of hydric soils can be determined by recording information on the soil profile. Information on soil color, soil horizons, and indicators of soil saturation (such as oxidized rhizospheres, mottles, and concretions or nodules) are helpful in identifying hydric soils. Direct observations of the presence of water should also be noted.<sup>2</sup>

Portions of this site had very abrupt changes in topography that did not require soils evaluation, however areas were still spot checked, while other portions of this site required soils evaluation to establish hydrology. A sampling of those areas along with data sheets are enclosed in the closing section of this report in order to elaborate and illustrate those areas where hydrology under current policy is required.

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<sup>1</sup> MA DEP policy 95-1 and Massachusetts Handbook for Delineation of Bordering Vegetated Wetlands, Second Edition, September 2022

<sup>2</sup> MA DEP policy 95-1 and Massachusetts Handbook for Delineation of Bordering Vegetated Wetlands, Second Edition, September 2022



## Description of Property:

The subject property is two lots totaling 0.42 acres listed as 9-13 Elton Street, residential zoned parcels. The location of the subject property has frontage off Elton Street. A Palustrine forested wetland bisects the subject lot. For the purposes of this report, Palustrine is a wetland system of inland, nontidal wetlands characterized by the presence of trees & shrubs ranging from permanently saturated or flooded land to land that is wet only seasonally. In all sections of the delineation, the wetland borders an intermittent stream. The flagging material used to identify the wetland border was a bright pink tape with the words "wetland delineation" imprinted on it.

## Delineation Description: Flagging series are Series 1 – 22

The wetland resource areas commenced at the southeasterly section of the site from an abutting property at 25 Crawford Street. This series of flagging commenced at number 1 (known as the series -22 flagging), which went northerly to an adjacent railroad right - of - way. The remainder of the delineation returned to the front side of the lots terminating at flag 22 at the edge of a culvert outlet on Elton Street. In this portion of the delineation, the dominant vegetation consisted of an herbaceous layer of Cinnamon and Sensitive Fern, Poison Ivy, Skunk Cabbage and Royal Fern. The shrub layer at the border consisted of a thin layer of Mountain Laurel and High Bush Blueberry. The overstory was dominated by a mix of Quaking Aspen, Red Maple ,White Pine and Northern Red Oak.

The FEMA FIRMette attached in this delineation report reveals there is no flood plain present on this property and as a result, is not under consideration in this delineation report. The USGS map also enclosed does not show any perennial stream systems on the property or any abutting properties that may cast riverfront onto the property. Therefore, riverfront resource area is not a consideration of this delineation.

### Mass GIS Overlay Evaluation:

Matthew S. Marro Environmental Consulting has reviewed the Commonwealth's Mass GIS database for potentially applicable environmental overlays and found the following as of June 2024:

1. There is no priority habitat on site or on adjacent properties.
2. There is no estimated habitat of rare species on the site however PH 1145 is on the adjacent rail road easement.
3. The site is not part of Critical Environmental Concern.
4. The site does not have an outstanding resource water (ORW) overlay as part of the delineated.
5. While the parcel borders an intermittent stream, there is no 100-year flood plain present on the subject property nor adjacent properties.
6. There are no certified or potential vernal pools on this parcel.
7. As noted on the previous page, there is no riverfront on this property.

There were no other resource areas found on the subject property.

In summary, Matthew S. Marro Environmental Consulting delineated a typical New England Palustrine forested wetland, bisecting the 2 lots totaling 0.42 Acres. This property was also evaluated for any other relevant environmental attributes as listed both within state database or noted in the field, revealing no other attributes. It is a pleasure to be a part of the protection of this beautiful resource area. Please be sure to call on me if I can be of any further service in any continued efforts toward the protection of this resource area.

Sincerely,



Matthew S. Marro PWTPO, CSI

Principle Consultant

Cc: Irene M. Marro, CAFO, Marro Environmental Consulting.

FILE

# Attachments

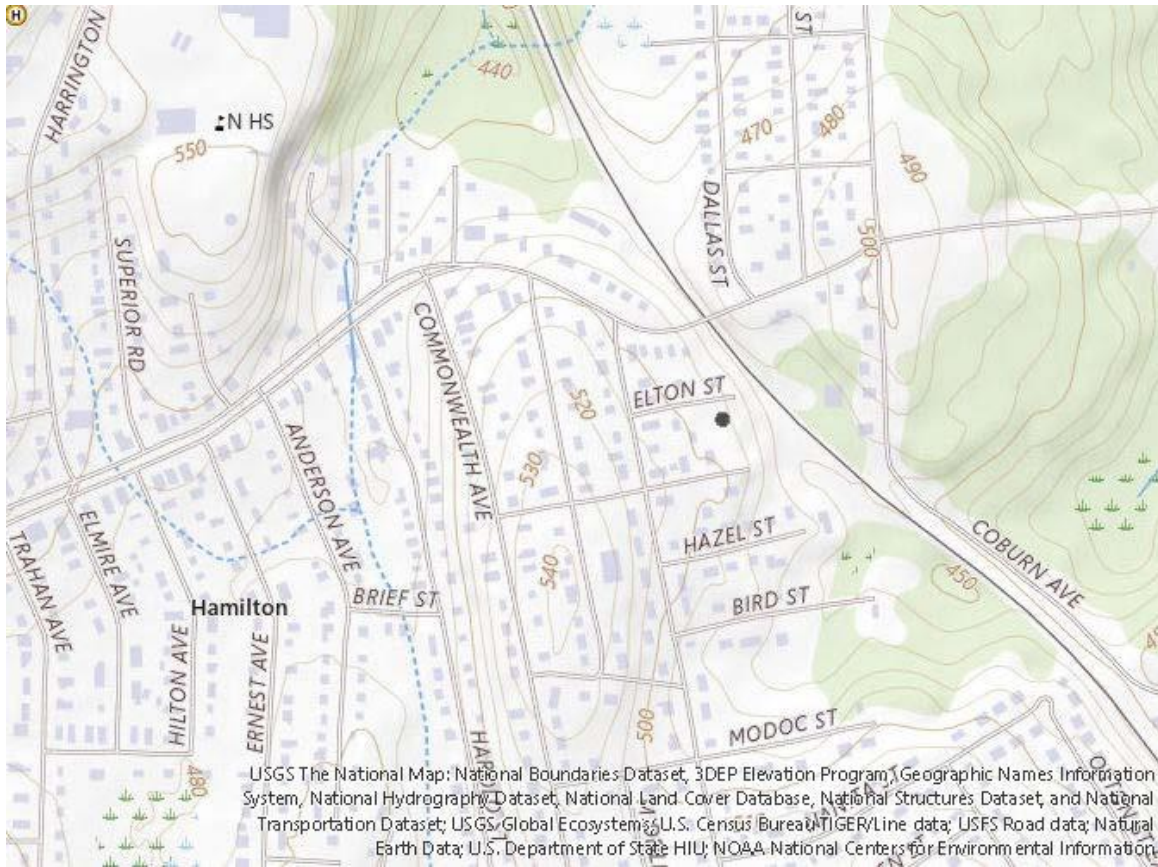
# MASS GIS OVERLAY

9-13 Elton



- Areas of Critical Environmental Concern ACECs
- 
- Potential Vernal Pools
- 
- NHESP Certified Vernal Pools
- ★
- NHESP Priority Habitats of Rare Species
- 
- NHESP Estimated Habitats of Rare Wildlife
- 
- Q3 Flood Zones (from Paper FIRMs, where NFHL Unavailable)
- A
- AE
- AE Floodway
- AH
- AO
- D
- VE
- Area Not Included
- X500
- FEMA National Flood Hazard Layer Polygons
- 1% Annual Chance Flood Hazard
- Regulatory Floodway
- Area of Undetermined Flood Hazard
- 0.2% Annual Chance Flood Hazard
- Area with Reduced Risk Due to Levee
- Area Not Included
- Property Tax Parcels

# USGS LOCUS



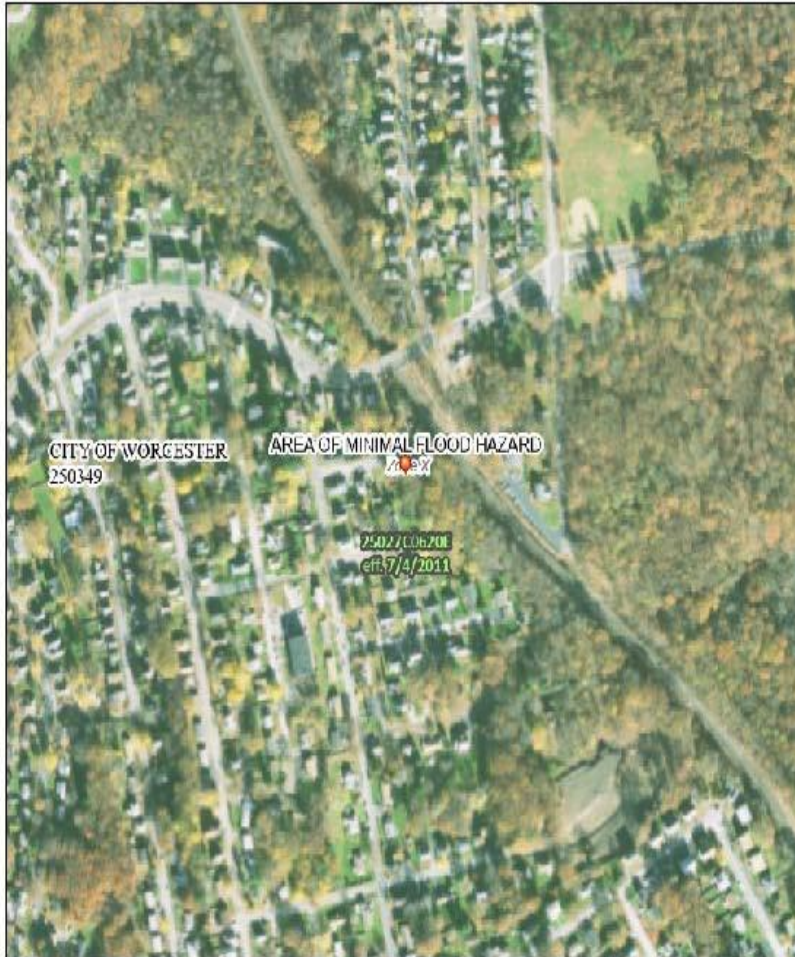


# FIRMETTE

## National Flood Hazard Layer FIRMette



71°40'21"W 42°13'16"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

Basemap Imagery Source: USGS National Map 2023

### Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PARALLELAYOUT

<b>SPECIAL FLOOD HAZARD AREAS</b>	<ul style="list-style-type: none"> <li>White: Base Flood Elevation (BFE) Zone A, V, X, ZD</li> <li>Light Blue: High BFE or Depth Zone A, C, O, M, X, ZF</li> <li>Red: Regulatory Floodway</li> </ul>
<b>OTHER AREAS OF FLOOD HAZARD</b>	<ul style="list-style-type: none"> <li>Orange: 0.2% Annual Chance Flood Hazard, Areas of 1% Annual Chance Flood with average depth less than one foot, or with average areas of less than one square mile. Zone F</li> <li>Grey: Future Conditions 1% Annual Chance Flood Hazard. Zone F</li> <li>Yellow: Area with Reduced Flood Risk due to Levee. See Note. Zone F</li> <li>Light Green: Area with Flood Risk due to Levee. Zone D</li> </ul>
<b>OTHER AREAS</b>	<ul style="list-style-type: none"> <li>Blue: Area of Minimal Road Hazard. Zone E</li> <li>Dark Blue: Effective ID WAs</li> <li>Light Blue: Area of Uncemented Road Hazard. Zone D</li> </ul>
<b>GENERAL STRUCTURES</b>	<ul style="list-style-type: none"> <li>Red: Channel, Culvert, or Storm Sewer</li> <li>Blue: Levee, Dike, or Retention Wall</li> </ul>
<b>OTHER FEATURES</b>	<ul style="list-style-type: none"> <li>Green: Cross Sections with 1% Annual Chance</li> <li>Blue: Water Surface Elevation</li> <li>Black: Coastal Traversal</li> <li>Red: Base Flood Elevation Line (BFE)</li> <li>Blue: Link of Study</li> <li>Green: Jurisdiction Boundary</li> <li>Black: Coastal Traversal, Baseline</li> <li>Blue: Profile Baseline</li> <li>Blue: Hydrographic Feature</li> </ul>
<b>MAP PANELS</b>	<ul style="list-style-type: none"> <li>Green: Digital Data Available</li> <li>Light Green: No Digital Data Available</li> <li>Yellow: Unmapped</li> </ul> <p>The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.</p>

This map complies with FEMA's standards for the use of digital flood maps if it is in violation as described below. The basemap shown complies with FEMA's basemap accuracy standards.

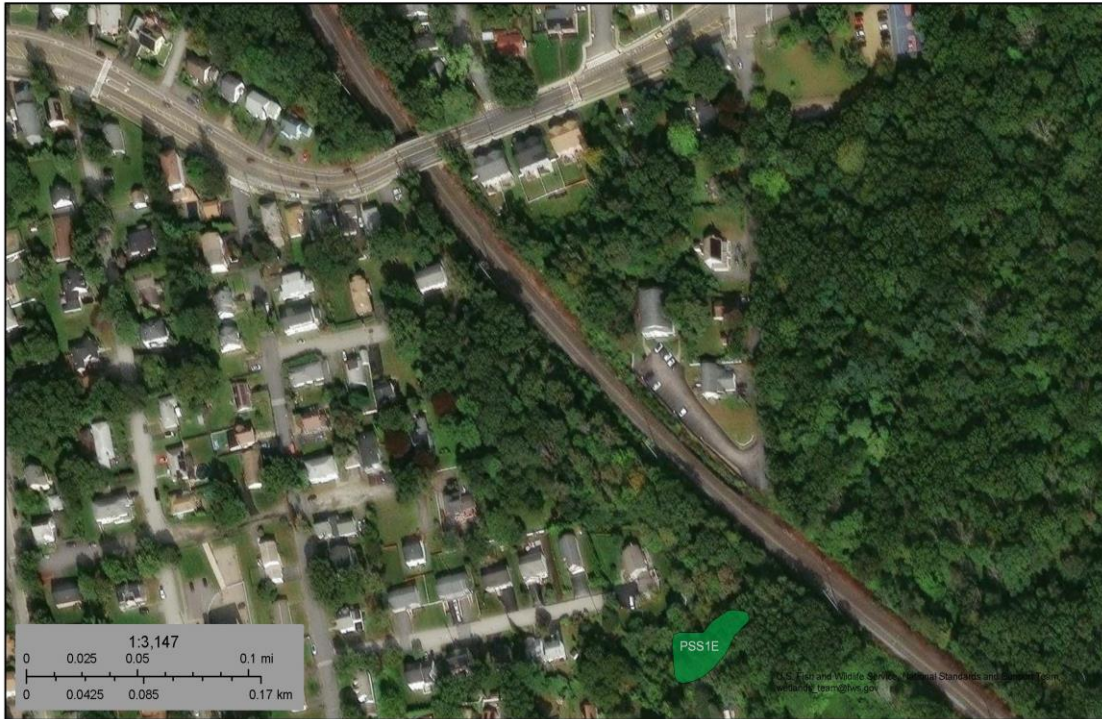
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was updated on 6/3/2024 at 6:11 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map control icons, community identification, FIRM panel number, and FIRM effective date. Map images for unimaged and uninterfered areas are not provided for regulatory purposes.

# NATIONAL WETLANDS INVENTORY










9-13 Elton St



June 3, 2024

**Wetlands**

- |   |                                |   |                                   |   |          |
|---|--------------------------------|---|-----------------------------------|---|----------|
|  | Estuarine and Marine Deepwater |  | Freshwater Emergent Wetland       |  | Lake     |
|  | Estuarine and Marine Wetland   |  | Freshwater Forested/Shrub Wetland |  | Other    |
|   |                                |  | Freshwater Pond                   |  | Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)  
This page was produced by the NW mapper

## TRANSECT FORMS

Note: Transect forms are representative of the typical makeup of the wetland system. Some areas may have very slight differences in vegetation makeup.



**WETLAND DETERMINATION FIELD DATA FORM**

Project/Site: 13 Elton Street City/County: Worcester/Worcester Sampling Date: May 21 2024  
 Applicant/Owner: Bianco Masonry State: Ma Sampling Point: 4 Wet  
 Investigator(s): Matthew Marro Section, Township, Range: Worcester  
 Landform (hillslope, terrace, etc.): Mild Slope to wetland Local relief (concave, convex, none): concave Slope (%): 2  
 Subregion (LRR or MLRA): \_\_\_\_\_ Lat: 42.25807 Long: -71.76060 Datum: \_\_\_\_\_  
 Soil Map Unit Name: Woodbridge NWI classification: PFO1E  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No \_\_\_\_\_ (If no, explain in Remarks.)  
 Are Vegetation \_\_\_\_\_, Soil \_\_\_\_\_, or Hydrology \_\_\_\_\_ significantly disturbed? Are "Normal Circumstances" present? Yes  No \_\_\_\_\_  
 Are Vegetation \_\_\_\_\_, Soil \_\_\_\_\_, or Hydrology \_\_\_\_\_ naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present? Yes <input checked="" type="checkbox"/> No _____ Hydric Soil Present? Yes <input checked="" type="checkbox"/> No _____ Wetland Hydrology Present? Yes <input checked="" type="checkbox"/> No _____	Is the Sampled Area within a Wetland? Yes <input checked="" type="checkbox"/> No _____
Remarks: <b>Between flags 9-12</b>	

**HYDROLOGY**

<b>Wetland Hydrology Indicators:</b> <u>Primary Indicators (minimum of one is required; check all that apply)</u> ___ Surface Water (A1)                      ___ Aquatic Fauna (B13) <input checked="" type="checkbox"/> High Water Table (A2)                      ___ Marl Deposits (B15) (LRR U) <input checked="" type="checkbox"/> Saturation (A3) <input checked="" type="checkbox"/> Hydrogen Sulfide Odor (C1) ___ Water Marks (B1)                         ___ Oxidized Rhizospheres along Living Roots (C3) ___ Sediment Deposits (B2)                 ___ Presence of Reduced Iron (C4) ___ Drift Deposits (B3)                        ___ Recent Iron Reduction in Tilled Soils (C6) ___ Algal Mat or Crust (B4)                    ___ Thin Muck Surface (C7) ___ Iron Deposits (B5)                         ___ Other (Explain in Remarks) ___ Inundation Visible on Aerial Imagery (B7) ___ Water-Stained Leaves (B9)	<u>Secondary Indicators (minimum of two required)</u> ___ Surface Soil Cracks (B6) ___ Sparsely Vegetated Concave Surface (B8) ___ Drainage Patterns (B10) ___ Moss Trim Lines (B16) ___ Dry-Season Water Table (C2) ___ Crayfish Burrows (C8) ___ Saturation Visible on Aerial Imagery (C9) ___ Geomorphic Position (D2) ___ Shallow Aquitard (D3) ___ FAC-Neutral Test (D5) ___ Sphagnum moss (D8) (LRR T, U)
<b>Field Observations:</b> Surface Water Present? Yes _____ No _____ Depth (inches): _____ Water Table Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ Saturation Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? Yes <input checked="" type="checkbox"/> No _____
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:	
Remarks: <b>Edge of wetland adjacent to road end and railroad easement</b>	

**VEGETATION (Five Strata) – Use scientific names of plants.**

Sampling Point: 4 Wet

<u>Tree Stratum</u> (Plot size: <u>30 foot radii 75 foot rect</u> )	Absolute % Cover	Dominant Species?	Indicator Status	
1. <u>acer rubrum</u>	<u>20.5</u>	Yes	FAC	
2. <u>pinus strobus</u>	<u>10.5</u>	Yes	FACU	
3. <u>Populus tremuloides</u>	<u>10.5</u>	Yes	FACU	
4. <u>Quercus rubra</u>	<u>10.5</u>	Yes	FACU	
5. _____				
6. _____				
<u>52</u> = Total Cover				
50% of total cover: <u>26</u>		20% of total cover: <u>10.4</u>		
<u>Sapling Stratum</u> (Plot size: <u>30 foot radii</u> )	Absolute % Cover	Dominant Species?	Indicator Status	
1. <u>Acer Rubrum</u>	<u>20.5</u>	Yes	FAC	
2. <u>pinus strobus</u>	<u>10.5</u>	Yes	FACU	
3. <u>Populus tremuloides</u>	<u>10.5</u>	Yes	FACU	
4. <u>Quercus rubra</u>	<u>10.5</u>	Yes	FACU	
5. _____				
6. _____				
<u>52</u> = Total Cover				
50% of total cover: <u>26</u>		20% of total cover: <u>10.4</u>		
<u>Shrub Stratum</u> (Plot size: <u>30 foot radii</u> )	Absolute % Cover	Dominant Species?	Indicator Status	
1. <u>Kalmia latifolia</u>	<u>10.5</u>	Yes	FACU	
2. <u>Vaccinium corymbosum</u>	<u>38.5</u>	Yes	FACW	
3. _____				
4. _____				
5. _____				
6. _____				
<u>49</u> = Total Cover				
50% of total cover: <u>24.5</u>		20% of total cover: <u>9.8</u>		
<u>Herb Stratum</u> (Plot size: <u>30 foot radii</u> )	Absolute % Cover	Dominant Species?	Indicator Status	
1. <u>Osmundastrum cinnamomeum</u>	<u>38.5</u>	Yes	FACW	
2. <u>Impatiens Capensis</u>	<u>10.5</u>	Yes	FACW	
3. <u>Symplocarpus foetidus</u>	<u>10.5</u>	Yes	FACW	
4. <u>Onoclea sensibilis</u>	<u>10.5</u>	Yes	FACW	
5. <u>Osmunda regalis</u>	<u>10</u>	Yes	OBL	
6. <u>Toxicodendron radicans.</u>	<u>20</u>	Yes	FAC	
7. _____				
8. _____				
9. _____				
10. _____				
11. _____				
<u>100</u> = Total Cover				
50% of total cover: <u>50</u>		20% of total cover: <u>20</u>		
<u>Woody Vine Stratum</u> (Plot size: <u>not inventoried</u> )	Absolute % Cover	Dominant Species?	Indicator Status	
1. _____				
2. _____				
3. _____				
4. _____				
5. _____				
<u>0</u> = Total Cover				
50% of total cover: _____		20% of total cover: _____		

Remarks: (If observed, list morphological adaptations below).

**Dominance Test worksheet:**

Number of Dominant Species That Are OBL, FACW, or FAC: 9 (A)

Total Number of Dominant Species Across All Strata: 16 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0.56 (A/B)

**Prevalence Index worksheet:**

Total % Cover of: \_\_\_\_\_ Multiply by: \_\_\_\_\_

OBL species 1 x 1 = 1

FACW species 5 x 2 = 10

FAC species 3 x 3 = 9

FACU species 7 x 4 = 28

UPL species \_\_\_\_\_ x 5 = \_\_\_\_\_

Column Totals: 16 (A) 48 (B)

Prevalence Index = B/A = 3.0

**Hydrophytic Vegetation Indicators:**

1 - Rapid Test for Hydrophytic Vegetation

2 - Dominance Test is >50%

3 - Prevalence Index is ≤3.0<sup>1</sup>

Problematic Hydrophytic Vegetation<sup>1</sup> (Explain)

<sup>1</sup>Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

**Definitions of Five Vegetation Strata:**

**Tree** – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

**Sapling** – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

**Shrub** – Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

**Herb** – All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

**Woody vine** – All woody vines, regardless of height.

**Hydrophytic Vegetation Present?** Yes  No

