

Date: October, 2018

Project: Definitive Subdivision Land Off of Highland Avenue - Notice of Intent

**Definitive Subdivision Land Off of
Highland Avenue
Five Points Development, LLC**

NOTICE OF INTENT

October, 2018

Prepared by:

WDG | Waterfield Design Group

50 Cross Street | Winchester, Massachusetts | 01890 | t 781.756.0001 f 781.756.0007

WDG Project No.: P-0294-58

Date: October, 2018

Project: Definitive Subdivision Land Off of Highland Avenue - Notice of Intent

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Introduction

On behalf of Five Points Development, LLC, (the "Applicant"), Waterfield Design Group, Inc. is pleased to submit this Notice of Intent (NOI) application to the Winchester Conservation Commission (WCC) for an Order of Conditions authorizing the construction of a road, driveways, and residential dwelling (the "Project"). This NOI has been prepared in accordance with the Massachusetts Wetlands Protection Act (MGL C.131 §40) and Regulations (310 CMR 10.00) (the "Act") and the Winchester Conservation Commission Wetland By-Law.

The project consists of the construction of a road to provide access to five new single family houses, driveway for two of these houses, part of one of the houses, stormwater management structures and associated appurtenances within the 100-foot buffer zone to a Bordering Vegetated Wetlands and the 200 foot Riverfront Area of a perennial stream.

1.0 Site Description

The proposed project site is located along Highland Avenue in the Town of Winchester approximately 80 linear feet south of the intersection of Dana Avenue and Highland Avenue. The proposed project is located on land which is presently wooded with some areas of lawn and with an abandoned foundation and pavement. The site is owned by S & R Realty Trust and the Town of Winchester and is located on the Town of Winchester's Assessor's parcel ID# 2 178, #2 179, #2 180. The land on which the project is proposed is located in the Residential Zoning District (RDB-10) and Conservancy-Institutional District (SCI). A portion of the site is located within the 200 foot Riverfront Area of perennial stream located on the abutting town property. A portion of the site is located within the 100 foot buffer zone of bordering vegetated wetlands located on the abutting town property.

See Attachment A - Stormwater Report for a description of site soils

2.0 Wetland Resource Areas

Wetland resource areas were delineated in accordance with the March 1995 DEP "Handbook for Delineating Bordering Vegetated Wetlands" under the Massachusetts Wetland Protection Act. The delineation was conducted through the investigation of plans, soils and hydrology. The line used was flagged by Seekamp Environmental on July 30, 2015 and reflagged by Seekamp on August 21, 2018. No significant changes occurred to the wetland line in the intermediate three year period.

2.1 *Bordering Vegetated Wetlands*

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According to the Wetlands Act at 310 CMR 10.55, Bordering Vegetated Wetlands ("BVWs") are freshwater wetlands that border on creeks, rivers, streams ponds and lakes. The types of freshwater wetlands are wet meadows, marshes, swamps and bogs. They are areas where the topography is low and flat, and where the soils are annually saturated. The boundary of BVW is the line within which 50 percent or more of the vegetation community consists of wetland plant species identified in the Act and soils are determined to be hydric.

BVWs were flagged according to the MA DEP Wetland Handbook as described above.

2.2 Bank

According to 310 CMR 10.54, an inland bank is the portion of the land surface which normally abuts and confines a water body. It occurs between a water body and a bordering vegetated wetland and adjacent floodplain, or in the absence of these, it occurs between a water body and upland. The upper boundary of bank is the first observable break in slope or the mean annual flood level, whichever is lower. The lower boundary of bank is the mean annual low flow level.

Bank identified with the perennial stream on Town property was located as the first observable break in slope. There are no areas of impact proposed under this development.

3.3 Riverfront Area

According to 310 CMR 10.58, a Riverfront Area (RFA) is the area of land between a river's mean annual high water line and a parallel line measured 200 feet horizontally outward. A river means any natural flowing body of water that empties to any ocean, lake, pond or other river and which flows throughout the year. Perennial streams are rivers; intermittent streams are not rivers. RFA may include or overlap other resource areas or their buffer zones. RFA does not have a buffer zone.

The applicable USGS quadrangle for the project locus identifies the unnamed stream as a perennial stream. In accordance with the Act, it is presumed that this stream has a 200 foot wide RFA associated with it.

In accordance with 310 CMR 10.58 (2)(a)3, which states "where a river runs through a culvert more than 200 feet in length, the riverfront area stops at a perpendicular line at the upstream end of the culvert and resumes at the downstream end" the Riverfront Area for the perennial stream ends at a perpendicular line at the upstream end of the 27" RCP culvert.

4.0 Proposed Work

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The proposed project is for the creation of a road, five single family homes, and associated drainage structures. Only a portion of the road, two driveways, and part of one of the houses will be within the 100 foot buffer of Bordering Vegetated Wetlands. A small portion of the road, part of one of the driveways, and construction grading will be within the 200 Riverfront Area.

In addition, at the request of the Town a swale with wetland overflow pipe has been included in the project to protect existing and proposed dwellings near the Town owned perennial stream. This swale will disturb up to and expand the wetland in the area where there is currently an existing abandoned dwelling.

Access to the site will be provided by the creation of a new road off of Highland Avenue

Domestic water service for the proposed buildings will be provided by the existing water main along Highland Avenue.

Sanitary sewer service for the proposed houses will connect to the existing sewer main in Highland Avenue.

Telephone, fire alarm, cable TV and electric utility services for the proposed expansion will be provided by through the existing overhead utility lines along Highland Avenue.

4.1 Stormwater Management Structures

Land off of Highland Avenue will be redeveloped into a new road with five single family houses. Stormwater drainage for the proposed buildings will be handled by underground storage chambers. Stormwater drainage from the new road and driveways will be handled by a series of catch basins and stormwater treatment units, which will flow underground storage chambers. Underground storage chambers do not have overflow pipes as they are designed to handle the 100 year storm event. In case of flows in excess of the 100 year storm the catch basins or downspout overflows will act as overflow release points.

Stormwater from the 52 feet of the new road before it runs onto Highland Avenue will collect in one catch basins and flow to a stormwater treatment unit before discharging to the existing stormwater system. This portion cannot be infiltrated due to the high groundwater level at the base of the hill.

The on-site storage is designed to not increase the flows and volumes from the site for up to the 100 year storm event.

See Stormwater Report.

5.0 Regulatory Compliance

Project activities will be located within Riverfront Area and the 100 foot buffer of Bordering Vegetated Wetlands.

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5.1 Riverfront Area

The proposed project will be conducted within RFA. In accordance with the provisions of 310 CMR 10.58 (3) (d), the issuing authority may allow work the alteration of up to 5000 square feet within the 200 foot RFA. Provided that the following criteria are met:

At a minimum, a 100 foot wide area of undisturbed vegetation is provided.

No work is proposed within 100 feet of the perennial stream. The existing vegetation will therefore be maintained.

Stormwater management is provided according to the standards established by the Department.

The project has been designed to comply with the DEP Stormwater Management Policy (Attachment A - Stormwater Report).

Proposed work does not impair the capacity of the riverfront area to provide important wildlife habitat functions.

The proposed work is about 25 feet higher than the bank of the perennial stream and is separated from the bank by a steam slope at approximately 2:1. In addition the proposed work is 168 feet from the perennial stream. Therefore, the proposed work will not impair the capacity of the riverfront area to provide important wildlife habitat functions.

Proposed work shall not impair groundwater or surface water quality.

Erosion and sedimentation controls and other measures will be incorporated according to the Stormwater Report and plans to attenuate nonpoint source pollution.

5.2 Alternative Analysis

Part of the proposed project involves work within the Riverfront Area. The proposed alterations within the Riverfront Area involves the development of approximately 2,407 square feet within the 200 foot Riverfront Area

Below is an analysis of the alternative development options for the existing site.

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Alternative #1 Leave the Site in its Existing Condition

Leaving the site in its existing conditions is not an economically viable option for the proposed development.

Alternative #2 Move the Road to the North of the Property

Moving the road to the north of the property would create more disturbance to the site next to the abutters. This would also include a wall that would be necessary to support the road, which would run right along the abutter's back yard.

Have the road on the north of the property is not an economically viable option nor would it allow the subdivision to fit the character of the neighborhood.

Alternative #3 40B Development

Creating a 40B development with 20+ units could reduce the disturbance to the RFA by keeping the development on the lot on Map #2 Lot 178.

The Town has not wanted that applicant to pursue this option.

Conclusion

The proposed location of the development of the site within the Riverfront Area is the most viable location that is allowed by the current zoning regulations for the owner, the Town, and the resource areas.

6.0 Sedimentation Controls

An erosion and sediment control program will minimize the risk of impacts to the resource areas during construction of the project. The program incorporates Best Management Practices (BMPs) specified in the guidelines developed by the DEP and complies with the requirements of the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges from construction activities. These measures include the installation of temporary erosion and sediment controls and construction sequencing. Areas of exposed soil will be kept to a minimum and a permanent vegetative cover will be established as soon as practicable after final grading. Details of the erosion and sediment control measures proposed for site preparation and development phases will be included in the attached Stormwater Report (Attachment A – Stormwater Report).

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7.0 Planting Plan

A Planting Plan has been developed according to meet the Town of Winchester Subdivision and Stormwater standards for subdivisions. No new plantings other than seeded lawn areas are proposed within the Buffer and Resource areas as these areas will mostly be paved as part of the new road. Proposed planting species and locations are identified on Sheet C-5 of the site plans.

8.0 Construction Sequence

See Attachment A – Stormwater Report for construction sequencing.

9.0 Tree Replacement Policy

One tree approximately 18” in diameter and 40 feet in height within the Buffer Zone and Riverfront Area will be removed as part of the road construction. Although it is not possible to replace the tree within the Buffer Zone and Riverfront Area due to the road’s construction, this tree will be replaced with 16 street trees located on the other side of the road outside of the Buffer Zone, which will more than replicate the height of the tree removed within the Buffer Zone.

10.0 Conclusion

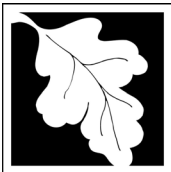
The proposed project has been designed to provide single family housing to the community of Winchester. The proposed project has been designed to locate structures as far from the Riverfront Area as possible. The project has been designed to comply with the performance standards of the Massachusetts Wetland Protection Act and the Winchester Conservation Commission Wetland By-law.

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Appendix A

DEP NOI Form 3



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

Winchester

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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.



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>Land Off of Highland Avenue</u>	<u>Winchester</u>	<u>01890</u>
a. Street Address	b. City/Town	c. Zip Code
<u>Latitude and Longitude:</u>		
<u>Map 2</u>	<u>42°28'02"</u>	<u>71°07'12"</u>
f. Assessors Map/Plat Number	d. Latitude	e. Longitude
	<u>Lot 178, Lot 179, Lot 180</u>	
	g. Parcel /Lot Number	

2. Applicant:

<u>Five Points Development, LLC</u>	<u>MA</u>	<u>01890</u>
a. First Name	b. Last Name	
<u>50 Cross Street</u>		
c. Organization		
d. Street Address		
<u>Winchester</u>	<u>MA</u>	<u>01890</u>
e. City/Town	f. State	g. Zip Code
<u>781-756-0001</u>	<u>cmiller@wdgrp.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>S & R Realty Trust</u>	<u>MA</u>	<u>02180</u>
a. First Name	b. Last Name	
c. Organization		
<u>140 Franklin Street</u>		
d. Street Address		
<u>Stoneham</u>	<u>MA</u>	<u>02180</u>
e. City/Town	f. State	g. Zip Code
	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>Waterfield Design Group, Inc.</u>	<u>MA</u>	<u>01890</u>
a. First Name	b. Last Name	
c. Company		
<u>50 Cross Street</u>		
d. Street Address		
<u>Winchester</u>	<u>MA</u>	<u>01890</u>
e. City/Town	f. State	g. Zip Code
<u>781-756-0001</u>	<u>jmurray@wdgrp.com</u>	
h. Phone Number	i. Fax Number	j. Email address

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

<u>\$2,075</u>	<u>\$1,025</u>	<u>\$1,050</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:

Construction of subdivision road for five single family dwellings, two driveways, and part of one dwelling.

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:

Southern Middlesex

a. County

15212

c. Book

b. Certificate # (if registered land)

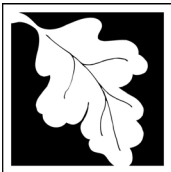
495

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.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
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	

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
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. Riverfront Area
1. Name of Waterway (if available) - **specify coastal or inland** _____
2. Width of Riverfront Area (check one):
- 25 ft. - Designated Densely Developed Areas only
 - 100 ft. - New agricultural projects only
 - 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: 2,407 square feet

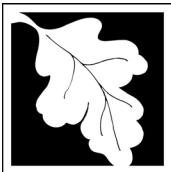
4. Proposed alteration of the Riverfront Area:

<u>2,407</u>	<u>0</u>	<u>2,407</u>
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**

Online June 2018

b. Date of map

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

- c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:

(a) within wetland Resource Area

_____ percentage/acreage

(b) outside Resource Area

_____ percentage/acreage

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

2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

(a) Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

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



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

- (c) MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_fee_schedule.htm). Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

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

- (d) Vegetation cover type map of site
- (e) Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following
1. Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
 2. Separate MESA review ongoing. _____ a. NHESP Tracking # _____ b. Date submitted to NHESP
 3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
- a. Not applicable – project is in inland resource area only b. Yes No

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

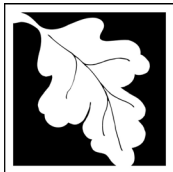
South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694
Email: DMF.EnvReview-South@state.ma.us

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

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



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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.



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

Winchester

City/Town

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 Subdivision of Land Off of Highland Avenue

a. Plan Title

Waterfield Design Group, Inc.

Craig Miller, PE

b. Prepared By

c. Signed and Stamped by

June 28, 2018

1"=20'

d. Final Revision Date

e. Scale

June 28, 2018

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:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Winchester

City/Town

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

Charles Panno

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:

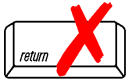
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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:

Land Off of Highland Avenue
a. Street Address
Winchester
b. City/Town
c. Check number
d. Fee amount

2. Applicant Mailing Address:

a. First Name
Five Points Development, LLC
b. Last Name
c. Organization
50 Cross Street
d. Mailing Address
Winchester
e. City/Town
MA
f. State
01890
g. Zip Code
781-756-0001
h. Phone Number
i. Fax Number
cmiller@wdgrp.com
j. Email Address

3. Property Owner (if different):

a. First Name
S & R Realty Trust
b. Last Name
c. Organization
140 Franklin Street
d. Mailing Address
Stoneham
e. City/Town
MA
f. State
02180
g. Zip Code
h. Phone Number
i. Fax Number
j. Email Address

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

B. Fees

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.

Date: October, 2018

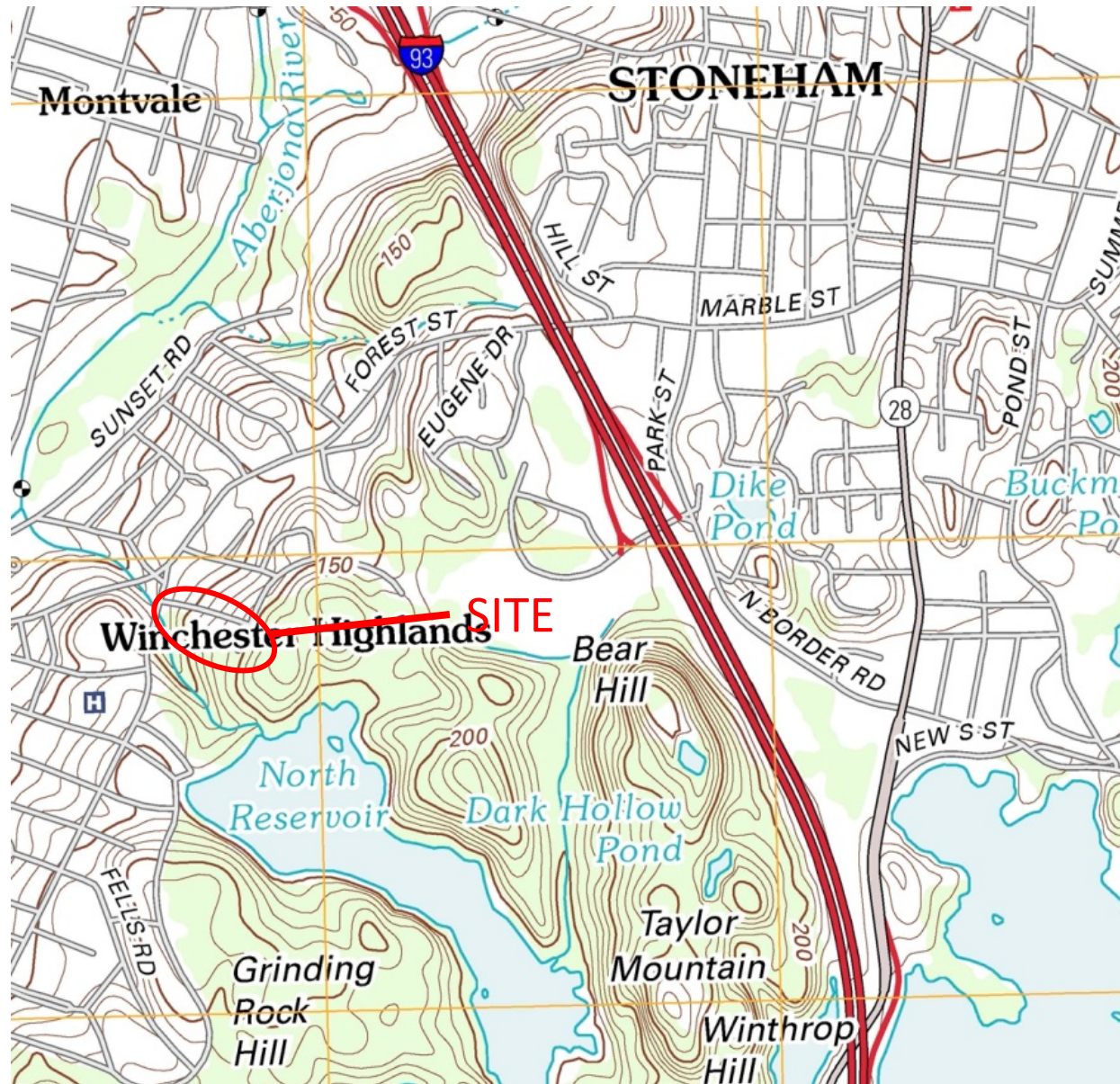
Project: Definitive Subdivision Land Off of Highland Avenue - Notice of Intent

Appendix B

USGS Site Locus Map

Regional Locus

Land Off of Highland Avenue, Winchester, MA



Date: October, 2018

Project: Definitive Subdivision Land Off of Highland Avenue - Notice of Intent

Appendix C

Abutter Notification

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

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 Five Points Development, LLC.
- B. The applicant has filed a Notice of Intent with the Conservation Commission for the municipality of Winchester seeking permission to remove, fill, dredge, or alter an Area Subject to Protection Under the Wetlands Protection Act (General Laws Chapter 131, Section 40). The proposed activity consists of: Road construction for a Subdivision. Road, lot, and dwelling construction for subdivision.
- C. The address of the lot where the activity is proposed is _____
Land Off of Highland Avenue, Winchester, MA
- D. Copies of the Notice of Intent may be examined at the Winchester Conservation Commission Office between the hours of 9:00 a.m. and 2:00 p.m. on the following days of the week: Monday-Friday
- For more information, call (781) 721-7152. (Copies are on display in the basket on the office door.)
- E. Copies of the Notice Intent may be obtained from at the Winchester Conservation Office between the hours of 9:00 a.m. and 1:00 p.m. from Monday through Friday. For more information, call (781) 721-7152.
- F. A public hearing will be held at 7:30PM on Tuesday 11/13/18 at the Winchester Town Hall Mystic Valley Room.

NOTE: Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in the Woburn Daily Times.

NOTE: Notice of the public hearing, including its date, time, and place, will be posted in the Town Hall not less than forty eight (48) hours in advance.

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

Central Region: 508-792-7650

Southeast Region: 508-946-2700

XX Northeast Region: 978-694-3200

Western Region: 413-784-1100

Date: October, 2018

Project: Definitive Subdivision Land Off of Highland Avenue - Notice of Intent

Attachment A

Stormwater Report