

Bay Colony Group, Inc.  
Professional Civil Engineers & Land Surveyors

4 School Street, PO Box 9136  
Foxborough, Massachusetts 02035  
Telephone (508) 543-3939 • Fax (508) 543-8866  
E-mail: mailbox@baycolonygroup.com

RECEIVED  
SEP 02 2020  
CONSERVATION  
COMMISSION

**NOTICE OF INTENT  
WETLANDS PROTECTION ACT  
MASS G.L.C. 131, SECTION 40**

**5 Spring Brook Road  
Foxborough, MA**

**August, 2020**

PREPARED FOR: G. Greene Properties, LLC  
240 Lincoln Street  
Boston, MA 02134



# Bay Colony Group, Inc.

Professional Civil Engineers & Land Surveyors

4 School Street, PO Box 9136  
Foxborough, Massachusetts 02035  
Telephone (508) 543-3939 • Fax (508) 543-8866  
E-mail: mailbox@baycolonygroup.com

August 26, 2020

Mr. Robert W. Boette, Chairman  
Foxborough Conservation Commission  
40 South Street  
Foxboro, MA 02035

**RE: 5 SPRING BROOK ROAD  
FOXBOROUGH, MA**

Dear Mr. Boette,

On behalf of our client, G. Greene Properties, LLC, we are submitting herewith a Notice of Intent pursuant to Chapter 131, S.40, Wetlands Protection Act (WPA) and Article 267 of the General Bylaws of the Town of Foxborough for the modification of landscaping/grading, additional parking and additional outside storage for the existing facility that lies partially within the buffer zone of a bordering vegetated wetland.

Enclosed please find 8 copies of the Notice of Intent, which includes the site plans prepared by this office. All abutting owners within 100' of the property have been notified about the proposed work by certified mail. A check in the amount of \$537.50 based on the WPA fee of \$1,050 and a check in the amount of \$1,500 based on the local bylaw are enclosed.

The existing site consists of a 2.63 acres parcel of land that lies on the south side of Spring Brook Road adjacent to Spring Brook (**Appendix A**). The site was constructed in 1994 under an Order of Conditions (SE 157-244) issued by the Commission on July 11, 1994. In March, 2020 the current owner filed a RFDA and the Commission issued a positive determination to require the filing of a Notice of Intent (NOI) for the work done and proposed. The bordering vegetated wetlands shown under the original permit are on this plan. Our investigation determined that Spring Brook is not shown on the latest USGS map and we have determined through Streamstats that the drainage basin is 0.14 square miles. Therefore, under 314 CMR 10.58(2)1(c) the stream does not meet the definition of a perennial stream.

The Owner has undertaken work on the site in areas within the jurisdiction of the Commission. Specifically, he has increased the paved parking area on the east side of the building and created gravel storage areas on the south side of the building. He has also cleared land to the south of the building. An erosion control barrier consisting of a silt sock and silt fencing has been installed around the site to the south and west of the building. Most of the fence is located outside of the Commission's 25' No-Disturb Zone (NDZ), though it should be noted that the site was built prior to the adoption of that local bylaw.

The purpose of this NOI is to present mitigation measures in the area of storm water management, to ensure that no further work is done in the NDZ, and to restore the buffer zone. There is a natural low area to the

southwest and south of the building where we are proposing a storm water basin that will capture runoff from a portion of the parking areas and building. The existing grades will not be changed but a 1'-3' high stone wall will be constructed generally along the NDZ from on-site materials that will create a berm of the basin and will also act to prevent future movement into the NDZ. The remainder the disturbed area south and west of the building will be seeded with a New England Erosion Control/Restoration Mix for Detention Basins & Moist Sites.

The general sequence of activities would be as follows:

- Construct walls
- Seed disturbed areas

No materials will be imported to the site. We expect to use the existing boulders on the property. Erosion control will be handled through the use of the existing silt fence and siltation socks that will be maintained until the project has been completed and ground cover has been reestablished. No work is proposed within BVW or within the NDZ except for seeding of disturbed areas in the NDZ . Further, no work is proposed outside of areas that are already disturbed.

Thank you for your consideration and please feel free to contact me should you have any questions or concerns that you would like us to address prior to the public hearing.

Very truly yours,

**BAY COLONY GROUP, INC.**

William R. Buckley, Jr., P.E.  
Project Manager

encl.

## **List of Documents**

Previous Page – Letter to Conservation Commission

WPA Form 3 – Notice of Intent  
Wetland Fee Transmittal Form  
Copies of Checks  
Town of Foxborough Checklist

Form of Notification to Abutters

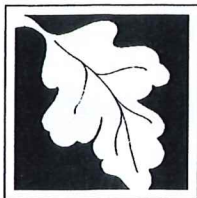
List of Abutters

Appendix A  
USGS Quadrangle Map Extract  
FEMA Flood Insurance Rate Map  
MassGIS Extract

Appendix B  
Checklist for Stormwater Report  
Storm Water Report (not in all books)

Attachments  
Site Plan of 5 Spring Brook Road Foxborough, MA dated August 25, 2020





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

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

(To be provided by MassDEP)

MassDEP File Number

Foxborough  
Town

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



**A. General Information**

**1. Project Location:**

5 Spring Brook Road  
a. Street Address  
Foxborough  
b. Town  
02035  
c. Zip Code  
42°-03'-35.25N  
d. Latitude  
71°-13'-48.37"W  
e. Longitude  
Map 094  
f. Assessors Map/Plat Number  
Parcel 018  
g. Parcel /Lot Number

**2. Applicant:**

Robert  
a. First Name  
Greene  
b. Last Name  
G. Greene Properties, LLC  
c. Organization  
240 Lincoln Street  
d. Street Address  
Allston  
e. City/Town  
MA  
f. State  
02134  
g. Zip Code  
617.782.1100  
h. Phone Number  
i. Fax Number  
rlgreene@ggreene.com  
j. Email Address

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

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

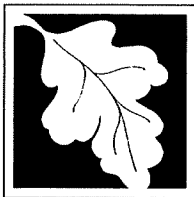
same  
a. First Name  
b. Last Name  
c. Organization  
d. Street Address  
e. City/Town  
f. State  
g. Zip Code  
h. Phone Number  
i. Fax Number  
j. Email address

**4. Representative (if any):**

William  
a. First Name  
Buckley, Jr.  
b. Last Name  
Bay Colony Group, Inc.  
c. Company  
4 School Street  
d. Street Address  
Foxborough  
e. City/Town  
MA  
f. State  
02035  
g. Zip Code  
508.543.3939  
h. Phone Number  
508.543.8866  
i. Fax Number  
billbuckley@baycolonygroup.com  
j. Email address

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

\$1,050.00  
a. State WPA Fee/Total  
\$512.50  
b. WPA Fee/State's Share  
\$537.50  
c. WPA Fee/Town's Share  
\$1,500.00  
d. Town Bylaw (Ch. 267) Fee



# WPA Form 3 – Notice of Intent

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

(To be provided by MassDEP)

MassDEP File Number

Foxborough  
Town

## A. General Information *(continued)*

6. General Project Description:

Landscape modification and additional parking and storage, both paved and gravel

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

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

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

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

2. Limited Project Type

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

8. Property recorded at the Registry of Deeds for:

Norfolk		37523	461
a. County	b. Certificate # (if registered land)	c. Book	d. Page Number

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

- 1.  Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, or Inland Bank.
- 2.  Inland Resource Areas (see 310 CMR 10.54-10.58).

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





# WPA Form 3 – Notice of Intent

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

(To be provided by MassDEP)

MassDEP File Number

Foxborough  
Town

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

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

Resource Area	Size of Proposed Alteration	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	
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area (if checked, complete #1-6)	1. Name of Waterway (if available)	
	2. Width of Riverfront Area (check one):	
	<input type="checkbox"/> 25 ft. - Designated Densely Developed Areas only	
	<input type="checkbox"/> 100 ft. - New agricultural projects only	
	<input type="checkbox"/> 200 ft. - All other projects	
3. Total area of Riverfront Area on the site of the proposed project:	_____ square feet	
4. Proposed alteration of the Riverfront Area:		
	a. total square feet	b. square feet within 100 feet
		c. square feet between 100 feet and 200 feet
5. Has an alternatives analysis been done and is it attached to this NOI?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
6. Was the lot where the activity is proposed created prior to August 1, 1996?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
3. <input checked="" type="checkbox"/> Bylaw Resource Areas (Foxborough Wetlands Protection Bylaw, Ch. 267; No Activity Zones)		
a. <input type="checkbox"/> 100 Foot Vernal Pool Adjacent Upland Resource Area		
b. <input checked="" type="checkbox"/> 25 Foot No Activity Zone		
4. <input type="checkbox"/> Restoration/Enhancement - If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b above, please enter the additional amount here.		
	a. square feet of BVW _____	
5. <input type="checkbox"/> Project Involves Stream Crossings		
	a. number of new stream crossings _____	b. number of replacement stream crossings _____



# WPA Form 3 – Notice of Intent

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

MassDEP File Number

Foxborough  
Town

## C. Other Applicable Standards and Requirements

This is a proposal for an Ecological Restoration Limited Project. If checked, skip Section C and complete Appendix A: Ecological Restoration Notice of Intent – Required Actions (310 CMR 10.11).

### Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

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

a.  Yes  No

If yes, include proof of mailing or hand delivery of NOI to:  
Natural Heritage and Endangered Species Program  
Division of Fisheries and Wildlife, 1 Rabbit Hill Road  
Westborough, MA 01581 - Phone: (508) 389-6360

2020 MassGIS

b. Date of map

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

c. Submit Supplemental Information for Endangered Species Review\*

1.  Percentage/acreage of property to be altered:

(a) within wetland Resource Area \_\_\_\_\_  
percentage/acreage

(b) outside Resource Area \_\_\_\_\_  
percentage/acreage

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

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

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

(b)  Photographs representative of the site

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

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

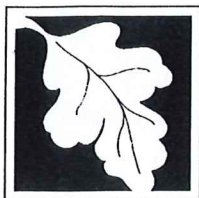
(d)  Vegetation cover type map of site

(e)  Project plans showing Priority & Estimated Habitat boundaries

(f) OR - see next page

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

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



# WPA Form 3 – Notice of Intent

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

(To be provided by MassDEP)

MassDEP File Number

Foxborough

Town

## C. Other Applicable Standards and Requirements (continued)

(f) OR Check One of the Following

1.  *Project is exempt from MESA review.*

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

2.  *Separate MESA review ongoing.*

a. NHESP Tracking # \_\_\_\_\_

b. Date submitted to NHESP \_\_\_\_\_

3.  *Separate MESA review completed.*

Include copy of NHESP "no Take" determination or valid Conservation and Management Permit with approved plan.

3. For coastal projects only:  Not applicable in Foxborough

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

a.  Yes  No If yes, provide name of ACEC.

Canoe River Aquifer

b. ACEC \_\_\_\_\_

5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?

a.  Yes  No

6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A)?

a.  Yes  No

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

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

1.  Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)

2.  A portion of the site constitutes redevelopment

3.  Proprietary BMPs are included in the Stormwater Management System.

b.  **No.** Check why the project is exempt:

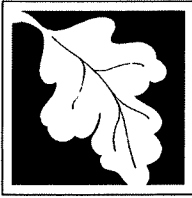
1.  Single-family house

2.  Emergency road repair

3.  Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

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





# WPA Form 3 – Notice of Intent

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

MassDEP File Number

Foxborough  
Town

## D. Additional Information

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

1.  USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site.
2.  Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.
3.  Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

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

Site Plan of 5 Spring Brook Road Foxborough, MA

a. Plan Title

Bay Colony Group, Inc.

b. Prepared By

William Buckley Jr, #35813

c. Signed and Stamped by

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

h. Additional Plan or Document Title

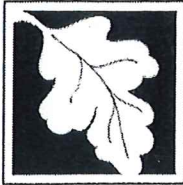
i. Date

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

## E. Fees

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

100074	8/27/2020
2. Check Number (town share of state fee [see A.5.c., page 1])	3. Check date (town share of state fee)
100073	8/27/2020
4. Check Number (Bylaw filing fee [see A.5.d, page 1])	5. Check date (Bylaw filing fee)
100075	8/27/2020
6. State Check Number (state share of state fee [see A.5.b.])	7. Check date (state share of state filing fee)
G. Greene Properties, LLC	
8. First Name of Payor on checks	9. Last Name of Payor on checks



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

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

(To be provided by MassDEP)

MassDEP File Number

Foxborough

Town

**F. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

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

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

Robert L. Greene 08/27/20  
1. Signature of Applicant 2. Date

3. Signature of Property Owner (if different) 4. Date

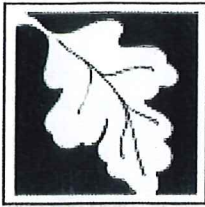
[Signature] 28 AUG 2020  
5. Signature of Representative (if any) 6. Date

**Tax Collector's Release**

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

Paula Maloney 8/31/20  
1. Signature of Tax Collector or Agent 2. Date





**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
 Foxborough Wetlands Protection Bylaw, Chapter 267



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



**A. Applicant Information**

1. Location of Project:  
 45 Lakeview Road  
 a. Street Address  
 Foxborough  
 b. City/Town

2. Applicant Mailing Address:  
 a. First Name  
 45 Lakeview Road LLC  
 c. Organization  
 45 Lakeview Road  
 d. Mailing Address  
 508.543.9099  
 h. Phone Number  
 Foxborough  
 e. City/Town  
 MA  
 f. State  
 02035  
 g. Zip Code  
 patty@lakeviewpavilion.com  
 j. Email Address

3. Property Owner (if different from Applicant):  
 same  
 a. First Name  
 b. Last Name  
 c. Organization  
 d. Mailing Address  
 e. City/Town  
 f. State  
 g. Zip Code  
 h. Phone Number  
 i. Fax Number  
 j. Email Address

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

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

Fees should be calculated using the following process and the worksheet on the next page.  
 Refer to Conservation Commission's website to download the Town and State Filing Fee Schedules:  
[http://www.foxboroughma.gov/Pages/FoxboroughMA\\_Conservation/Forms](http://www.foxboroughma.gov/Pages/FoxboroughMA_Conservation/Forms)

**State Wetlands Protection Act (WPA) Filing Fee Instructions**

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

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

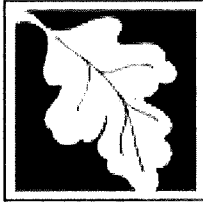
**Step 3/ Individual Activity Fee:**  
 Identify each activity fee from the six project categories listed in the instructions.

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

*Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.*

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

**Step 6a-c/ Fee Payments (State):**  
 To calculate the state share of the fee, divide the total fee in half and subtract \$12.50.  
 To calculate the town share of the fee, divide the total fee in half and add \$12.50.



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

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



**B. Fees** (continued)

**Town Bylaw Filing Fee Instructions**

**Step 1a/ Type of Activity:**

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

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

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

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

**Step 5a/ Total Bylaw Project Fees:**

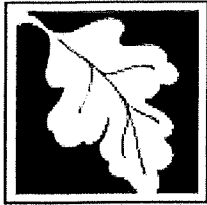
Determine the total project fee by adding the subtotal amounts from Step 4a.

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

Type of Activity	Number of Activities	Individual Activity Fee	Subtotal Activity Fee
<b>State Filing Fees:</b> (Step 1)	(Step 2)	(Step 3)	(Step 4)
3.a. - Site Preparation	1	\$1,050	\$1,050
<b>Total State Filing Fee: (Step 5)</b>			\$1,050
<b>Bylaw Filing Fees:</b> (Step 1a)	(Step 2a)	(Step 3a)	(Step 4a)
3.a. - Site Preparation	1	\$1,500	\$1,500
<b>Total Bylaw Filing Fee: (Step 5a)</b>			\$1,500
<b>Filing Fee Payments:</b> (Step 6)			
Total State Filing Fee:	(insert the following amount on this NOI form page 1, Section A.5.a)	\$512.50	a. Total State Fee from Step 5
<b>State's share of filing fee:</b> (Paid to State [Boston address])	(insert following amount on this NOI form page 1, Section A.5.b.)	\$512.50	b. 1/2 of (a), above, less \$12.50
<b>Town's share of filing fee:</b> (Paid to Town of Foxborough)	(insert following amount on this NOI form page 1, Section A.5.c.)	\$537.50	c. 1/2 of (a) above, plus \$12.50
<b>Bylaw Filing Fee:</b> (Paid to Town of Foxborough)	(insert following amount on this NOI form page 1, Section A.5.d.)	\$1,500	d. Total Bylaw Fee from Step 5a

**See Submittal Requirements and Instructions on the next page.**





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
Foxborough Wetlands Protection Bylaw, Chapter 267



### C. Submittal Requirements

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

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

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

Department of Environmental Protection  
Box 4062  
Boston, MA 02211

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

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

Foxborough Conservation Commission  
40 South Street  
Foxborough, MA 02035

c. **To MassDEP Regional Office:**

Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment.

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



## NOTICE OF INTENT APPLICATION CHECKLIST

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

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

### INFORMATION TO BE INCLUDED IN NOTICE OF INTENT NARRATIVE

#### EXISTING CONDITIONS

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

#### PROPOSED CONDITIONS

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

### SITE VISIT REQUIREMENTS FOR REVIEW OF NOTICE OF INTENT

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

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

## INFORMATION TO BE INCLUDED ON SITE PLANS

### ALL PLANS

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

### Resource Areas and Buffer Zones

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

### EXISTING CONDITIONS PLANS

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

### PROPOSED CONDITIONS PLANS

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

**PROPOSED CONDITIONS PLANS** (continued)

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

**DOCUMENT SUBMISSION DEADLINES**

**NOI Application:**

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

[http://www.foxboroughma.gov/Pages/FoxboroughMA\\_Conservation/index](http://www.foxboroughma.gov/Pages/FoxboroughMA_Conservation/index)

**Continued Hearing Submissions:**

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

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



## NOTIFICATION TO ABUTTERS

### Under the Massachusetts Wetlands Protection Act & Foxborough Wetlands and Groundwater Protection Bylaw (Article IX)

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

In accordance with the second paragraph of Massachusetts Wetlands Protection Act (G.L. Ch. 131, §40), and §10.05(4)(a) of 310 CMR 10.00, and the Foxborough Wetlands and Groundwater Protection Bylaw (Article IX) and regulations, you are hereby notified of a public hearing on the matter described below:

- A. The applicant has filed a Notice of Intent with the Foxborough Conservation Commission seeking permission to alter an area subject to protection under the Wetlands Protection Act and the Foxborough Wetlands and Groundwater Protection Bylaw.
- B. The name of the applicant is G. Greene Properties, LLC
- C. The address of the land where the activity is proposed is 5 Spring Brook Road Foxborough.
- D. The work proposed is expansion of paved parking and gravel storage areas.
- E. Copies of the Notice of Intent may be examined at the Conservation Commission's office, 40 South Street, Foxborough Town Hall, between 9 am and 4 pm, Monday through Thursday (please call first, to ensure that the Conservation Manager is in the office and not out on site visits).

For more information, please call: Bay Colony Group, Inc.

Check One: This is the  applicant,  applicant's representative, or  other \_\_\_\_\_

- F. Copies of the Notice of Intent may be obtained from either (check one) the  applicant or the  applicant's representative by calling 508.543.3939 from 8:00-5:00 on Monday through Friday.
- G. Information regarding the date, time and place of the public hearing may be obtained from either (check one) the  applicant or the  applicant's representative by calling 508.543.3939 from 8:00-5:00 on Monday through Friday.

Conservation Commission meeting agendas may be viewed online at  
[http://www.foxboroughma.gov/Pages/FoxboroughMA\\_ConsAgendas/](http://www.foxboroughma.gov/Pages/FoxboroughMA_ConsAgendas/)

Notice of the public hearing, including date, time and place, will be published at least five business days in advance in The Sun Chronicle and will be posted in the Town Hall and online at least 48 hours in advance.

Contact the Foxborough Conservation Commission for information about this application or the Foxborough Wetlands and Groundwater Protection Bylaw or the Department of Environmental Protection (DEP) Southeast Regional Office for more information about this application or the Wetlands Protection Act.

Conservation Commission:

508-543-1251

[http://www.foxboroughma.gov/Pages/FoxboroughMA\\_Conservation/index](http://www.foxboroughma.gov/Pages/FoxboroughMA_Conservation/index)

DEP, Southeast Regional Office (Lakeville):

508-946-2836





Abutting Properties for  
5 SPRING BROOK ROAD FOXBOROUGH,  
MA  
094/ / 018/000 000/000  
(100 feet)

---

Location:  
108/ / 002/000 000/000  
24 BELCHER ROAD  
Owner:  
J COOK REALTY LLC  
79 SPRING STREET  
FOXBOROUGH, MA 02035

Location:  
094/ / 017/000 000/000  
9 SPRING BROOK ROAD  
Owner:  
BRESSE RONALD P TRUSTEE  
28 NORTH HIGH ST  
FOXBORO, MA 02035-0000

Location:  
094/ / 019/000 000/000  
1 SPRING BROOK ROAD  
Owner:  
ROUNDS ARTHUR E & CAROLE A  
141 COCASSET STREET  
FOXBOROUGH, MA 02035-0000

Location:  
094/ / 013/000 000/000  
4 SPRING BROOK ROAD  
Owner:  
F S C REALTY LLC  
10 EAST BELCHER RD  
FOXBORO, MA 02035

Location:  
094/ / 018/000 000/000  
5 SPRING BROOK ROAD  
Owner:  
GRAINGER JEFFREY B  
THERESA M OBRIEN GRAINGER TR  
PO BOX 103  
FOXBORO, MA 02035

Location:  
108/ / 004/000 000/000  
BELCHER ROAD  
Owner:  
TOWN OF FOXBOROUGH  
40 SOUTH STREET  
FOXBOROUGH, MA 02035-0000



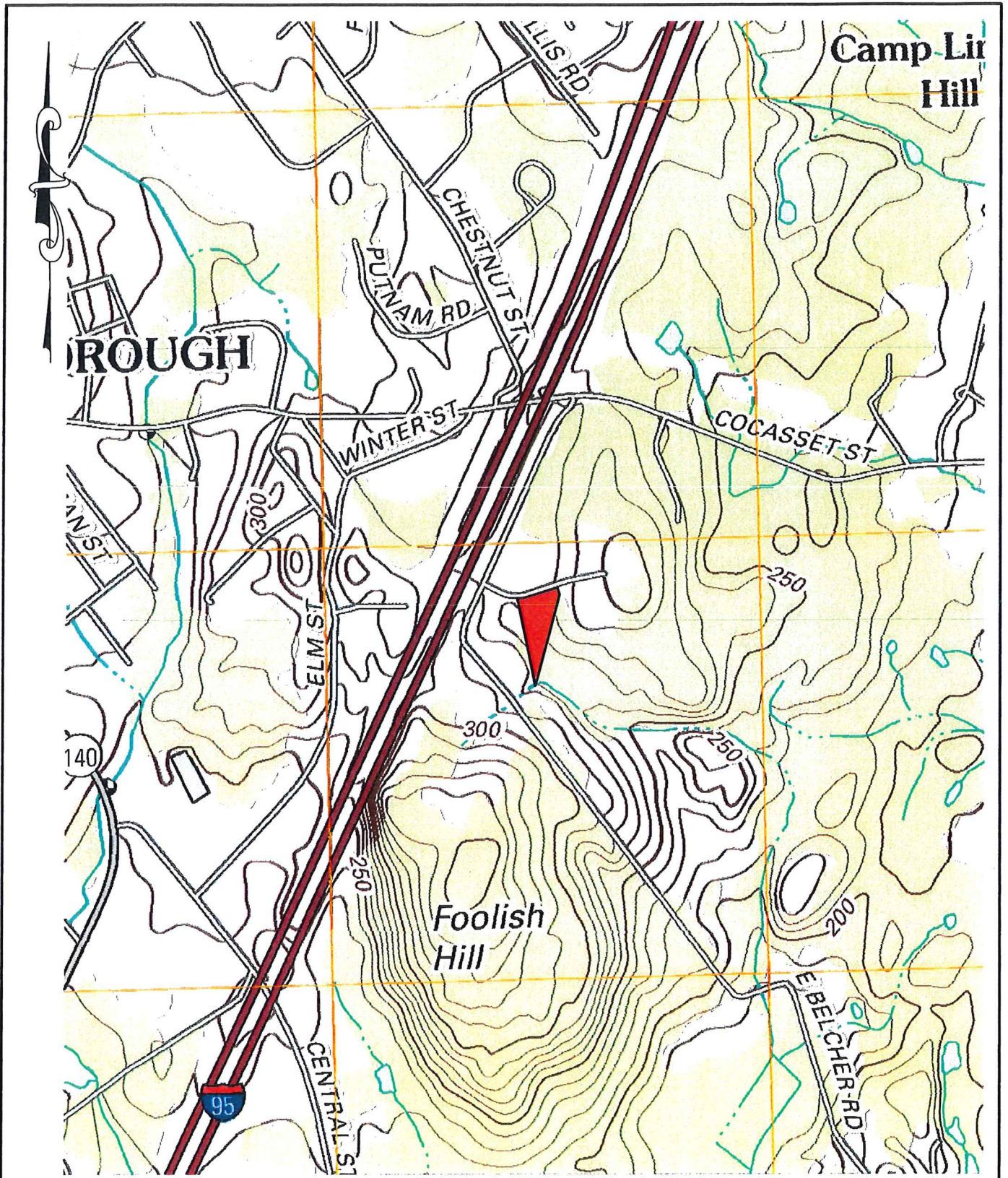
**APPENDIX A**

\*USGS Quadrangle Map

\*FEMA Flood Insurance Rate Map

\* Rare Wetlands/Habitats/Wildlife Map





BAY COLONY GROUP, INC.  
 FOUR SCHOOL STREET  
 FOXBOROUGH, MA 02035  
 (508) 543-3939

USGS EXTRACT  
 5 SPRING BROOK ROAD  
 FOXBOROUGH, MA 02035  
 MANSFIELD QUADRANGLE  
 SCALE: 1" = 1000'





# National Flood Hazard Layer FIRMette

71°14'7"W 42°3'49"N



## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

**SPECIAL FLOOD HAZARD AREAS**

- Without Base Flood Elevation (BFE) Zone A, V, A99
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

**OTHER AREAS OF FLOOD HAZARD**

- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levees. See Notes. Zone X
- Area with Flood Risk due to Levee Zone D

**OTHER AREAS**

- NO SCREEN
- Area of Minimal Flood Hazard Zone X
- Effective LOMIRS
- Area of Undetermined Flood Hazard Zone X

**GENERAL STRUCTURES**

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

**Cross Sections with 1% Annual Chance Water Surface Elevation**

- 20.2
- 17.5
- 5.0

**OTHER FEATURES**

- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

**MAP PANELS**

- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void 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 exported on 8/27/2020 at 4:46 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 creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



USGS The National Map: Orthoimagery. Data refreshed April 2020



1:6,000

71°13'30"W 42°3'22"N





5 Spring Brook Road Foxborough

- Zone IIS
- Zone A
- Potential Vernal
- NHESP Priority Species
- NHESP Estimate Wildlife
- NHESP Certified
- Areas of Critical Concern ACECs
- Tax Parcels for C
- Detailed Feature
- Tax Parcels for D
- Structures
- MassGIS Statewide
- MassGIS Topogr



PH 771

