

# 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

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

**Walnut Street  
Foxborough, MA**

**February, 2023**

**PREPARED FOR: Walnut Street Joint Venture Developer LLC  
536 Granite Street  
Braintree, MA 02184**

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February 15, 2023

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

**RE: Walnut Street  
FOXBOROUGH, MA**

Dear Mr. Boette,

On behalf of our client, Walnut Street Joint Venture Developer LLC, we are submitting herewith a Notice of Intent pursuant to MGL Chapter 131, S.40, Wetlands Protection Act (WPA) for the construction of a proposed housing development that will consist of three residential buildings along with the associated parking, grading and utilities that lies partially within the buffer zone (BZ) to a bordering vegetated wetland (BVW).

Enclosed please find 8 copies of the WPA Form 3 - Notice of Intent (NOI), which includes the Civil Drawing Set prepared by Weston and Sampson. 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 \$1,050.00 is enclosed.

The property consists of a 15.57-acre parcel of land (Map 133, Parcel 023) that is currently undeveloped and consists of a wooded area. The land is bounded by Walnut Street to the north, Route 140/ Commercial Street to the east, Interstate 95 ramps to the southeast and residential properties to the southwest, west and northwest (**Appendix A**). Bordering Vegetated Wetland (BVW) are located offsite to the north across Walnut Street and to the east across Route 140. An Isolated Land Subject to Flooding (ILSF) is located in the northwest portion of the property. There are no buffer zones associated with ILSF under the WPA Regulations. The wetlands were flagged by the Pare Corporation in May 2022 and located by this firm in an on the ground survey in May 2022. A copy of Order of Resource Area Delineation issued by the Commission (SE157-618) is enclosed in **Appendix B**.

The proposed work consists of constructing a senior housing development on a majority of the existing lot. Work will include the construction of three residential buildings with a total of 200 units, outdoor amenity spaces, parking areas, grading, utilities and landscaping. A small portion of this work will take place within the 100' Buffer Zone to a BVW in the northeast portion of the site along Walnut Street. A portion of a 20' wide gravel emergency access driveway and associated grading will lie within the BZ. The gravel drive will sit about

65'+/- from the wetlands at its closet point and the grading will take place about 68'+/- from the wetland at its closet point. In all about 4,535 sf +/- of alterations will take place with the BZ. No work is proposed within the 25' No-Disturbance Zone around the BVW or within the ILSF.

The buildings will be serviced by municipal water and a low-pressure sewer system that will tie into the force main extension on Walnut Street. The storm water system will include roof drains, deep sump catch basins and storm water infiltration basins. The storm water runoff from the buildings and parking area will be treated by the proposed catch basins before being conveyed to the storm water infiltration basins. The system has been designed to comply with the DEP Stormwater Standards and the stormwater standards outlined in the Town of Foxborough Stormwater Management Bylaws. A copy of the Preliminary Utility and Stormwater Report prepared by Weston and Sampson can be found in **Appendix C**.

Access to the site will be off of Walnut Street and erosion control for this project will consist of silt socks, silt fences and silt sacks that will be installed prior to the start of construction and will be maintained until the project has been completed and ground cover has been reestablished. A stabilized construction entrance will also be installed to prevent the tracking of sediment by construction vehicles that exit the site.

The sequence of construction for the project has yet to be determined. Once the plans have been finalized and a contractor is chosen a construction sequence will be provided.

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.**



Cameron Gray  
Project Engineer



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

## **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

Extract from MassMapper

Appendix B

Order of Resource Area Delineation (SE157-618)

Appendix C

Weston & Sampson Preliminary Utility and Stormwater Report dated December 16, 2022

Attachments

Walnut Street Affordable Housing Comprehensive Permit Set by Utile dated December 15, 2022



# 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

**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:

Walnut Street	Foxborough	02035
a. Street Address	b. Town	c. Zip Code
Latitude and Longitude:	42°-02'-48.10"	-71°-14'-48.10"
	d. Latitude	e. Longitude
133	023/000	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

### 2. Applicant:

Michael	Mattos	
a. First Name	b. Last Name	
Walnut Street Joint Venture Developer LLC		
c. Organization		
536 Granite Street		
d. Street Address		
Braintree	MA	02184
e. City/Town	f. State	g. Zip Code
781.794.1095	781.794.1001	
h. Phone Number	i. Fax Number	j. Email Address

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

a. First Name	b. Last Name	
Foxborough Housing Authority		
c. Organization		
90 North Carl Annon Court		
d. Street Address		
Foxborough	MA	02035
e. City/Town	f. State	g. Zip Code
508.543.5960		
h. Phone Number	i. Fax Number	j. Email address

### 4. Representative (if any):

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

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

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



# WPA Form 3 – Notice of Intent

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

## A. General Information *(continued)*

### 6. General Project Description:

The construction of a proposed housing development that will consist of three residential buildings along with the associated parking, grading and utilities that lie partially within the buffer zone

### 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.

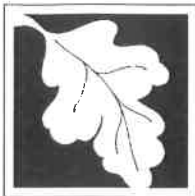
### 8. Property recorded at the Registry of Deeds for:

Norfolk	35424	378
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

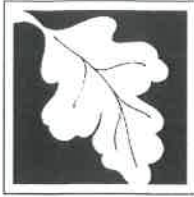
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
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Foxborough  
Town

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



# WPA Form 3 – Notice of Intent

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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  
2023 Mass Mapper \_\_\_\_\_  
b. Date of map \_\_\_\_\_

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

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

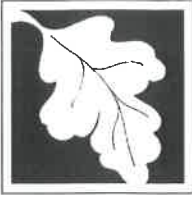
(e)  Project plans showing Priority & Estimated Habitat boundaries

(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

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## 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?

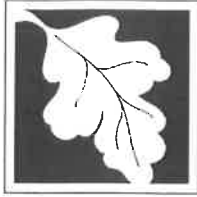
a.  **Yes.** Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:

- 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  
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(To be provided by MassDEP)

MassDEP File Number

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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.

Walnut Street Affordable Housing Comprehensive Permit Set

a. Plan Title

Utile

Jesse M. Johnson, #45050

b. Prepared By

c. Signed and Stamped by

January 13, 2023

1"=30'

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):

13240

02/14/2023

2. Check Number (town share of state fee [see A.5.c., page 1])

3. Check date (town share of state fee)

n/a

4. Check Number (Bylaw filing fee [see A.5.d, page 1])

5. Check date (Bylaw filing fee)

13234

02/14/2023

6. State Check Number (state share of state fee [see A.5.b.])

7. Check date (state share of state filing fee)

Affordable Housing & Service Collaborative, Inc.

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.

1. Signature of Applicant	<u>[Signature]</u>	2. Date	<u>2/27/2023</u>
3. Signature of Property Owner (if different)	<u>[Signature] Chairman Foxboro Housing</u>	4. Date	<u>3/1/2023</u>
5. Signature of Representative (if any)	<u>[Signature]</u>	6. Date	<u>3/1/2023</u>

**Tax Collector's Release**

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

1. Signature of Tax Collector or Agent	<u>[Signature] Paula Maloney</u>	2. Date	<u>3/2/23</u>
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## WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
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### F. Signatures and Submittal Requirements

**Submittal Requirements** *(please refer to NOI Filing Instructions, downloadable at [http://www.foxboroughma.gov/Pages/FoxboroughMA\\_Conservation/Forms](http://www.foxboroughma.gov/Pages/FoxboroughMA_Conservation/Forms))*

**For Foxborough Conservation Commission:**

One original and seven (7) copies of this completed Notice of Intent (form 3), including supporting plans and documents (*listed at section D. "Additional Information"*), NOI Filing Check List, Abutter Notification, one copy of the NOI Wetland Fee Transmittal Form (*see following page; attached*), and the two town fee payments (Bylaw filing fee and town share of State filing fee), by certified mail or hand delivery to:

Foxborough Conservation Commission  
Town Hall, 40 South Street, Foxborough, MA 02035

**For MassDEP:**

One copy of this completed Notice of Intent (form 3), including supporting plans and documents (*listed at Section D*), one copy of the NOI Wetland Fee Transmittal Form (*attached*), and a **copy** of the state fee payment (for State share, see below) by certified mail or hand delivery to:

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

**State share of the filing fee** (check or money order, payable to the *Commonwealth of Massachusetts*) and the NOI Wetland Fee Transmittal Form by certified mail or hand delivery to:

Department of Environmental Protection  
Box 4062, Boston, MA 02211

**Other:**

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements. The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



**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:  
 Walnut Street \_\_\_\_\_ Foxborough \_\_\_\_\_  
 a. Street Address \_\_\_\_\_ b. City/Town \_\_\_\_\_

2. Applicant Mailing Address:  
 Michael \_\_\_\_\_ Mattos \_\_\_\_\_  
 a. First Name \_\_\_\_\_ b. Last Name \_\_\_\_\_  
 Walnut Street Joint Venture Developer LLC \_\_\_\_\_  
 c. Organization \_\_\_\_\_  
 536 Granite St \_\_\_\_\_ Braintree \_\_\_\_\_ MA \_\_\_\_\_ 02184 \_\_\_\_\_  
 d. Mailing Address \_\_\_\_\_ e. City/Town \_\_\_\_\_ f. State \_\_\_\_\_ g. Zip Code \_\_\_\_\_  
 781.794.1095 \_\_\_\_\_ 781.794.1001 \_\_\_\_\_  
 h. Phone Number \_\_\_\_\_ i. Fax Number \_\_\_\_\_ j. Email Address \_\_\_\_\_

3. Property Owner (if different from Applicant):  
 \_\_\_\_\_  
 a. First Name \_\_\_\_\_ b. Last Name \_\_\_\_\_  
 Foxborough Housing Authority \_\_\_\_\_  
 c. Organization \_\_\_\_\_  
 90 North Carl Annon Court \_\_\_\_\_ Foxborough \_\_\_\_\_ MA \_\_\_\_\_ 02035 \_\_\_\_\_  
 d. Mailing Address \_\_\_\_\_ e. City/Town \_\_\_\_\_ f. State \_\_\_\_\_ g. Zip Code \_\_\_\_\_  
 508.543.5960 \_\_\_\_\_  
 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>			
<b>Bylaw Filing Fees:</b> (Step 1a)	(Step 2a)	(Step 3a)	(Step 4a)
n/a			
<b>Total Bylaw Filing Fee: (Step 5a)</b>			
<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)		\$1,050
			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.)		n/a
			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**

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

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

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



TO VERIFY AUTHENTICITY, SEE REVERSE SIDE FOR DESCRIPTION OF THE 13 SECURITY FEATURES

**AFFORDABLE HOUSING & SERVICES  
COLLABORATIVE, INC.**

C/O PEABODY PROPERTIES, INC.  
536 GRANITE ST  
BRAintree, MA 02184  
781-794-1000

Pay To  
The Order Of

COMMONWEALTH OF MASSACHUSETTS

\*\*\*Five Hundred Twelve Dollars and 50 Cents\*\*\*

COMMONWEALTH OF MASSACHUSETTS



*Steph A. Connolly*

VOID AFTER 180 DAYS

13234

Date: 02/14/2023

\$\*\*512.50\*\*

CITIZENS BANK  
6-70172110

TO VERIFY AUTHENTICITY, SEE REVERSE SIDE FOR DESCRIPTION OF THE 13 SECURITY FEATURES

**AFFORDABLE HOUSING & SERVICES  
COLLABORATIVE, INC.**

C/O PEABODY PROPERTIES, INC.  
536 GRANITE ST  
BRAintree, MA 02184  
781-794-1000

Pay To  
The Order Of

TOWN OF FOXBOROUGH

\*\*\*Five Hundred Thirty Seven Dollars and 50 Cents\*\*\*

TOWN OF FOXBOROUGH



*Steph A. Connolly*

VOID AFTER 180 DAYS

13240

Date: 02/14/2023

\$\*\*537.50\*\*

CITIZENS BANK  
6-70172110



## 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 &  
Chapter 267, Wetland Protection Code of Foxborough**

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

In accordance with the second paragraph of Massachusetts Wetlands Protection Act (G.L. Ch. 131, §40), and §10.05 of 310 CMR 10.00, and Chapter 267, the Wetland Protection Code of Foxborough (*formerly 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 for proposed work within areas subject to protection under the Wetlands Protection Act and the Wetland Protection Code of Foxborough.
- B. The name of the applicant is Walnut Street Joint Venture Developer LLC
- C. The address of the land where the activity is proposed is Walnut Street, Foxborough.
- D. 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.
- E. Copies of the Notice of Intent may be obtained from either (*check one*) the  applicant or the  applicant's representative Bay Colony Group, Inc by calling 508.543.3939 from [*times*] 8:00 – 5:00 on [*days*] Monday through Friday.
- F. 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 Bay Colony Group, Inc. by calling 508.543.3939 from [*times*] 8:00 – 5:00 on [*day*] Monday through Friday.

Please Note: Notice of the public hearing, including date, time and place, will be published at least five business days in advance in The Foxboro Reporter and will be posted in the Town Hall and on the Town's website at least 48 hours in advance.

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

For additional information about this application or the Wetland Protection Code of Foxborough, please contact the Foxborough Conservation Commission at 508-543-1251 or visit: [www.foxboroughma.gov/conservation](http://www.foxboroughma.gov/conservation)

For more information about this application or the Wetlands Protection Act, please contact the Department of Environmental Protection (DEP) Southeast Regional Office (Lakeville) at 508-946-2836.



BOARD OF ASSESSORS  
TOWN OF FOXBOROUGH  
40 SOUTH STREET  
FOXBOROUGH MASSACHUSETTS 02035

(508) 543-1215

Fax: (508) 543-6278

**CERTIFICATION OF ABUTTERS**

PROPERTY OWNER: Foxborough Housing Authority

MAILING ADDRESS: 90 N Carl Annon Court, Foxborough, MA 02035

PROPERTY LOCATION: Walnut Street

ASSESSORS MAP/PARCEL: 133//023/000/000

APPLICANT: Bay Colony Group PHONE: 508-543-3939

AUTHORITY REQUESTING LIST: Conservation Commission

DATE SUBMITTED: 02/13/2023

LIST REQUESTED: \_\_\_ 500 FT \_\_\_ 300 FT X 100FT \_\_\_ ABUTTER TO ABUTTER



I, Kellie Richard, acting as a custodian of assessment records, do hereby certify that the attached documents contain true and complete information from the most recent tax list of the Town of Foxborough, Massachusetts.

I further state that these documents include the names and addresses of abutters to the abutters MAP 133 PARCEL 023 100 FEET

Date: 2/14/2023

BOARD OF ASSESSORS  
FOXBOROUGH MASSACHUSETTS

Massachusetts General Law c. 40A, s.11, "The assessors maintaining any applicable tax list shall certify to the permit granting authority or special permit granting authority the names and addresses of parties in interest and such certification shall be conclusive for all purposes."

The Assessors Office will complete the abutters list within 7-10 business days. There is a \$25.00 fee for an abutters list.

"The applicant is solely responsible for requesting the appropriate abutters list required by the applicable Mass General Law."

Abutting Properties for  
 WALNUT STREET  
 FOXBOROUGH, MA 02035  
 133-023-000-000-0000  
 (100 Feet)  
 2/14/2023

Parcel Number	Property Address	Owner Name	Owner Address	Owner City	Owner State	Owner Zip
120-008-000	WALNUT STREET	COMMONWEALTH OF MA	1 ASHBURTON PLACE	BOSTON	MA	02408
133-020-000	44 WALNUT STREET	BETTES STACEY	44 WALNUT STREET	FOXBOROUGH	MA	02035
133-021-000	46 WALNUT STREET	OLEARY JAMES M, TIMOTHY F &	16 MEADE STREET	WAREHAM	MA	02571
133-024-000	45 WALNUT STREET	DWYER MATTHEW	45 WALNUT STREET	FOXBOROUGH	MA	02035
133-025-000	41 WALNUT STREET	JOHNSON SCOTT E	41 WALNUT STREET	FOXBOROUGH	MA	02035
145-002-000	44 NORTH HIGH STREET	REED BARRY C JR	44 NORTH HIGH STREET	FOXBOROUGH	MA	02035
145-003-000	50 NORTH HIGH STREET	PAPPAS GEORGE M	50 NORTH HIGH STREET	FOXBOROUGH	MA	02035
145-004-000	52 NORTH HIGH STREET	GRAY JOHN R & KATHLEEN TRS	52 NORTH HIGH STREET	FOXBOROUGH	MA	02035
145-005-000	54 NORTH HIGH STREET	BODLE MIKALA & ALEXANDER SUMMERHAYES JT	54 NORTH HIGH STREET	FOXBOROUGH	MA	02035
145-006-000	56 NORTH HIGH STREET	GALLEY EDWARD J JR	56 NORTH HIGH STREET	FOXBOROUGH	MA	02035
145-007-000	58 NORTH HIGH STREET	PROSSER NATALIE R	58 NORTH HIGH STREET	FOXBOROUGH	MA	02035
145-008-000	60 NORTH HIGH STREET	COSSETTE SHAYNE T	60 NORTH HIGH STREET	FOXBOROUGH	MA	02035
145-009-000	62 NORTH HIGH STREET	OLLIS CHARLES E JR	62 NORTH HIGH STREET	FOXBOROUGH	MA	02035
145-010-000	64 NORTH HIGH STREET	WESCHE CHRISTOPHER & COURTNEY TE	64 NORTH HIGH STREET	FOXBOROUGH	MA	02035
145-011-000	NORTH HIGH STREET	TOWN OF FOXBOROUGH	40 SOUTH STREET	FOXBOROUGH	MA	02035

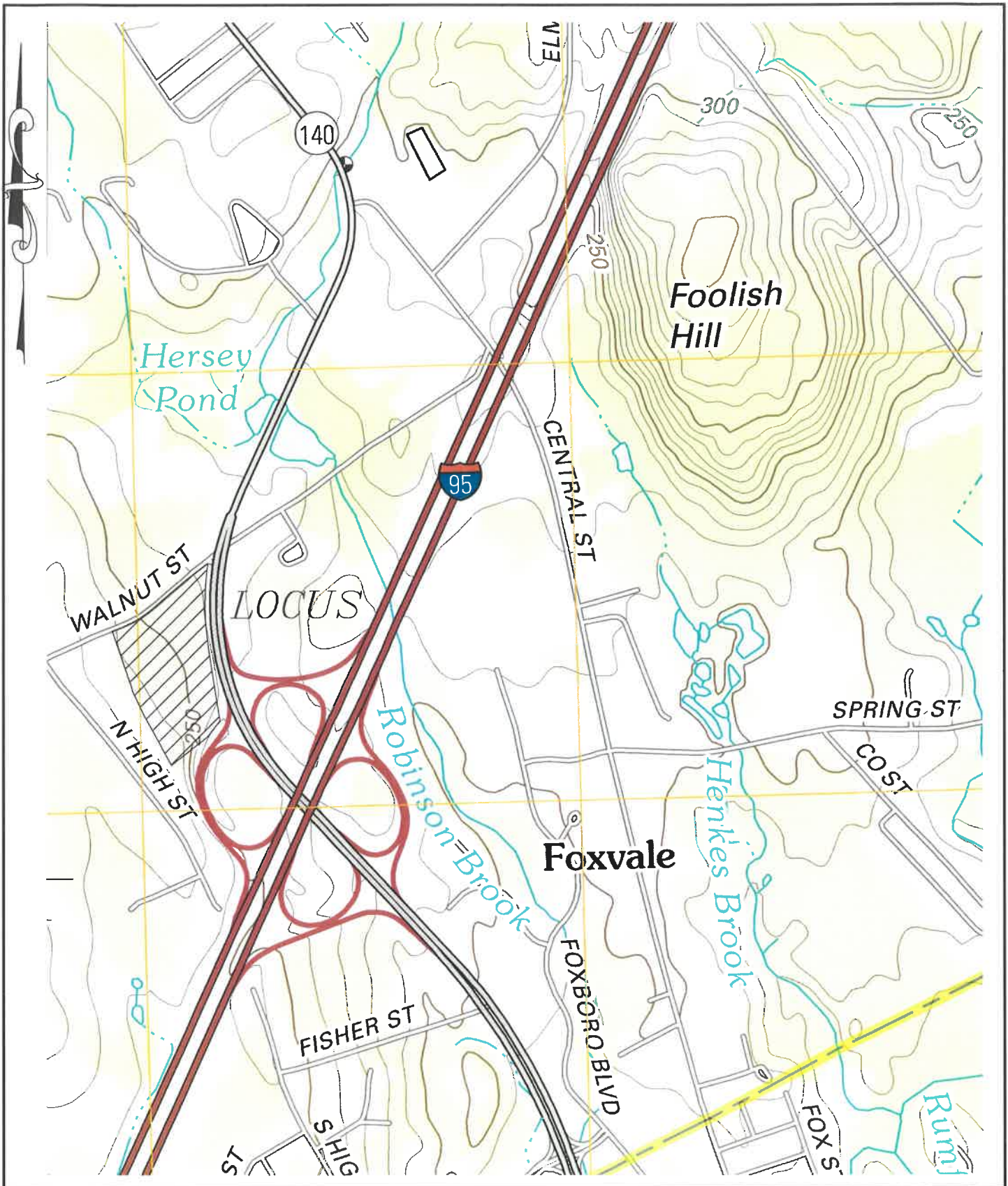
**APPENDIX A**

\*USGS Quadrangle Map

\*FEMA Flood Insurance Rate Map

\* Priority Habitat Map





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

USGS QUADRANGLE EXTRACT  
 WALNUT STREET  
 FOXBOROUGH, MA  
 MANSFIELD QUADRANGLE  
 SCALE: 1" = 1000'



# National Flood Hazard Layer FIRMette



71°15'5"W 42°31'1"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, V, VE, X
  - Regulatory Floodway
- OTHER AREAS OF FLOOD HAZARD**
  - 1-2% Annual Chance Flood Hazard. Areas 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 Levee. See Notes. Zone X
  - Area with Flood Risk due to Levee Zone D
- OTHER AREAS**
  - NO SCREEN Area of Minimal Flood Hazard Zone A
  - Effective LOMRS
  - Area of Undetermined Flood Hazard Zone B
- GENERAL STRUCTURES**
  - Channel, Culvert, or Storm Sewer
  - Levee, Dike, or Floodwall
- OTHER FEATURES**
  - Cross Sections with 1% Annual Chance Water Surface Elevation
  - 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

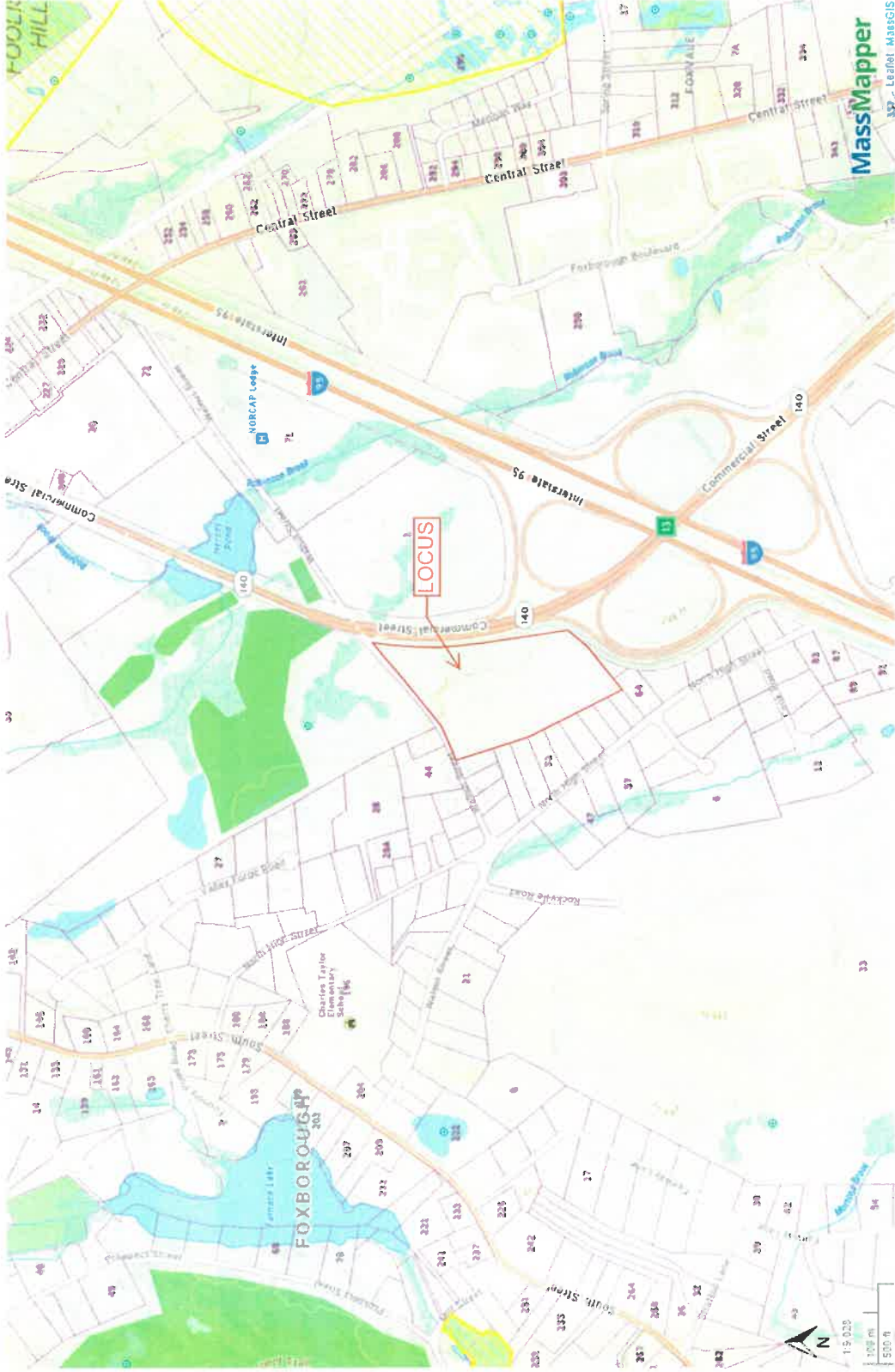
The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

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 2/3/2023 at 9:22 AM 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.

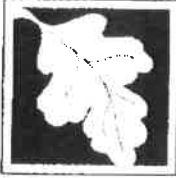
# WALNUT STREET



**APPENDIX B**

Order of Resource Area Delineation (SE157-618)





**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**WPA Form 4B – Order of Resource Area Delineation**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

**157-618**

MassDEP File Number

**Foxborough**

City/Town

**A. General Information**

**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.

From: Foxborough  
 1. Conservation Commission

2. This Issuance is for (check one):  
 a.  Order of Resource Area Delineation  
 b.  Amended Order of Resource Area Delineation

3. Applicant:  
Michael Mattos  
 a. First Name b. Last Name  
Walnut Street Joint Venture Developer LLC  
 c. Organization  
536 Granite Street  
 d. Mailing Address  
Braintree MA 02184  
 e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):  
Foxborough Housing Authority  
 a. First Name b. Last Name  
90 Carl Annon Court  
 c. Organization d. Mailing Address  
Foxborough MA 02035  
 e. City/Town f. State g. Zip Code

5. Project Location:  
Walnut Street Foxborough 02035  
 a. Street Address b. City/Town c. Zip Code  
133 023  
 d. Assessors Map/Plat Number e. Parcel/Lot Number  
 Latitude and Longitude (in degrees, minutes, seconds): 42° 02' 48.10" 71° 14' 48.10"  
 f. Latitude g. Longitude

6. Dates: 06/21/2022 07/11/2022 7/13/2022  
 a. Date ANRAD filed b. Date Public Hearing Closed c. Date of Issuance



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Provided by MassDEP:  
**157-618**

**WPA Form 4B – Order of Resource Area Delineation**

MassDEP File Number

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

Foxborough  
City/Town

**A. General Information (cont.)**

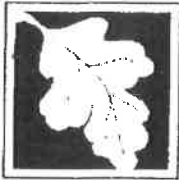
7. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

<u>Walnut Street Foxborough MA</u>		<u>05/25/2022</u>
a. Plan Title		b. Final Revision Date
<u>Bay Colony Group Inc.</u>	<u>Richard J. Leslie, #38384</u>	
c. Prepared By	d. Signed and Stamped by	
<u>ANRAD filing dated May, 2022, with cover letter from Bay Colony Group</u>		<u>06/16/2022</u>
e. Additional Plan or Document Title		f. Date of letter
<u>Wetlands Delineation Report, Appendix A, by Lauren Gluck, Pare Corp.</u>		<u>05/26/2022</u>
g. Additional Plan or Document Title		h. Date

**B. Order of Delineation**

1. The Conservation Commission has determined the following (check whichever is applicable):

- a.  **Accurate:** The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):
  - 1.  **Bordering Vegetated Wetlands** (flag series B-1 to B-9, C-1 to C-17, C-100 to C-105)
  - 2.  **Other resource area(s), specifically:**
    - Isolated Land Subject to Flooding, flag series A-1 to A-32  
a. Resource Area
    - Non-Jurisdictional Drainage Swale, flag series CH-1 to CH-16, CH-100 to CH-115  
b. Resource Area
- b.  **Modified:** The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):
  - 1.  **Bordering Vegetated Wetlands**
  - 2.  **Other resource area(s), specifically:**  
a. \_\_\_\_\_
- c.  **Inaccurate:** The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):
  - 1.  **Bordering Vegetated Wetlands**
  - 2.  **Other resource area(s), specifically:**  
\_\_\_\_\_



Massachusetts Department of Environmental Protection  
 Bureau of Resource Protection - Wetlands  
**WPA Form 4B – Order of Resource Area Delineation**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

**157-618**

MassDEP File Number

Foxborough

City/Town

### C. Findings

This Order of Resource Area Delineation determines that the boundaries of those resource areas noted above, have been delineated and approved by the Commission and are binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, § 40) and its regulations (310 CMR 10.00). This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation.

This Order must be signed by a majority of the Conservation Commission. The Order must be sent by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the following DEP Regional Office:

**MassDEP Southeast Region Main Office**  
 20 Riverside Drive  
 Lakeville, MA 02347

### D. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office to issue a Superseding Order of Resource Area Delineation. When requested to issue a Superseding Order of Resource Area Delineation, the Department's review is limited to the objections to the resource area delineation(s) stated in the appeal request. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order of Resource Area Delineation will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order or Determination, or providing written information to the Department prior to issuance of a Superseding Order or Determination.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, § 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

**157-618**

MassDEP File Number

**WPA Form 4B – Order of Resource Area Delineation**

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

Foxborough

City/Town

7/12/2022

Date of Issuance

**E. Signatures**

Please indicate the number of members who will sign this form.

1. Number of Signers

Signatures

*Robert Boette*  
Signature of Conservation Commission Member

Robert Boette, Chair

Printed Name

*James Marsh*  
Signature of Conservation Commission Member

James Marsh, Vice Chair

Printed Name

Signature of Conservation Commission Member

David Opatka, Clerk

Printed Name

Signature of Conservation Commission Member

Jeffrey Ambs

Printed Name

Signature of Conservation Commission Member

Rich Golemme

Printed Name

Signature of Conservation Commission Member

Peter Atanasoff

Printed Name

Signature of Conservation Commission Member

Rebecca Kelly

Printed Name

**This Order is valid for three years from the date of issuance.**

If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, which expires on 7/12/2025 unless extended in writing by the issuing authority.

This Order is issued to the applicant and the property owner (if different) as follows:

2.  By hand delivery on

3.  By certified mail, return receipt requested on

7/13/22  
a. Date

\_\_\_\_\_  
a. Date

**APPENDIX C**

\*Weston & Sampson Preliminary Utility and Stormwater Report  
(not included in all books)