

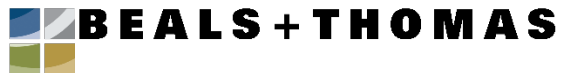
# Notice of Intent

## Wet Well and Pump House Replacement

**Foxborough Country Club  
33 Walnut Street  
Foxborough, Massachusetts**

*Prepared for:*  
**Foxborough Country Club  
33 Walnut Street  
Foxborough, MA 02035**

*Prepared by:*



***Submitted in Compliance with the  
Massachusetts Wetlands Protection Act and  
Chapter 267, Foxborough Wetlands Protection  
Bylaw and Regulations***

**May 8, 2023**



May 8, 2023

Robert W. Boette, Chair  
c/o Jane Sears Pierce, Conservation Agent  
Foxborough Conservation Commission  
40 South Street  
Foxborough, Massachusetts 02035

Via: Certified Mail and Email to [jpierce@foxboroughma.gov](mailto:jpierce@foxboroughma.gov)

Reference: Notice of Intent  
Wet Well and Pump House Replacement  
Foxborough Country Club  
Foxborough, Massachusetts  
B+T Project No. 3180.02

Dear Commissioners:

On behalf of the Applicant, the Foxborough Country Club (the Club), Beals and Thomas, Inc. (B+T) respectfully submits this Notice of Intent (NOI) for work within Bank and Land Under Water Bodies and Waterways (LUWW/LUWBW), as well as the local 25-Foot No Activity Zone, at the Club on Walnut Street in Foxborough, Massachusetts. The proposed work includes the relocation and installation of an irrigation pump house and wet well at the existing human-made irrigation pond in the southwest corner of the property near the seventh hole. This work is part of a course-wide irrigation system upgrade.

This filing is submitted in accordance with the Massachusetts Wetlands Protection Act, MGL, Chapter 131, Section 40 and associated Regulations at 310 CMR 10.00 (collectively referred to as the Act) and Chapter 267, the Town of Foxborough Wetlands Protection Bylaw and implementing Regulations dated 2016 (collectively referred to as the Bylaw). The Applicant is seeking relief from Chapter 267 with respect to the 25-foot No Activity Zone and for work within the above-described resource areas.

As required, enclosed are eight copies of the NOI submission package. The following information is included for your review:

- Section 1.0: Notice of Intent Forms
- Section 2.0: Project Narrative
- Section 3.0: Wetland Boundary Documentation
- Section 4.0: Plans

Robert W. Boette, Chair  
Foxborough Conservation Commission  
May 8, 2023  
Page 2

As required, a copy of this filing has been provided to the Southeast Regional Office of the Department of Environmental Protection (MassDEP). Enclosed is a check payable to the Town of Foxborough in the amount of \$262.50 for the appropriate filing fee as required by the Act, as well as an additional check in the amount of \$1,500.00 for filing under the Bylaw. A separate check in the amount of \$237.50 has been forwarded to the MassDEP Lock Box to cover the state portion of the filing fee.

Pursuant to 310 CMR 10.05(4)(a), *“An applicant who proposes work solely within Land under Water Bodies or Waterways, or solely within a Lot with an area greater than 50 acres, is required to provide notification only to Abutters whose Lot is within one hundred feet from the Project Site.”* The parcel is over fifty (50) acres and no other properties are within 100 feet of the proposed work. As confirmed by the Conservation Agent, there are no abutters to notify for the proposed pond management project at the Club. We understand from our coordination with the Town that the Conservation Department will place a legal advertisement in a newspaper of local circulation, for which the Applicant will be billed directly.

Should you have any questions regarding this matter or require additional information, please contact us at (508) 366-0560. We thank you for your consideration of this NOI and look forward to meeting with the Commission at the next available public hearing.

Very truly yours,

BEALS AND THOMAS, INC.



Sarah W. Stearns, PWS  
Associate

Enclosures

cc: MassDEP Southeast Regional Office (1 copy via Email and Certified Mail)  
Foxborough Country Club (via Email)

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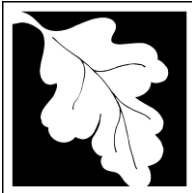
**Section 1.0**  
**Notice of Intent Forms**

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Notice of Intent (WPA Form 3)

Wetland Fee Transmittal Form

Foxborough Notice of Intent Filing Checklist



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.



Note:  
Before completing this form, consult with your local Conservation Commission regarding the Town's wetlands protection bylaw.

**A. General Information**

**1. Project Location:**

33 Walnut Street  
a. Street Address  
Foxborough  
b. Town  
02035  
c. Zip Code  
42.037958  
d. Latitude  
-71.256340  
e. Longitude  
145  
f. Assessors Map/Plat Number  
27  
g. Parcel /Lot Number

**2. Applicant:**

Michael  
a. First Name  
Poch  
b. Last Name  
Foxborough Country Club, Inc  
c. Organization  
P.O. Box 397  
d. Street Address  
Foxborough  
e. City/Town  
MA  
f. State  
02035  
g. Zip Code  
(508) 543-4661  
h. Phone Number  
i. Fax Number  
mpoch@foxboroughcc.com  
j. Email Address

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

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):

Sarah  
a. First Name  
Stearns  
b. Last Name  
Beals and Thomas, Inc.  
c. Company  
144 Turnpike Road  
d. Street Address  
Southborough  
e. City/Town  
MA  
f. State  
01772  
g. Zip Code  
(508) 366-0560  
h. Phone Number  
i. Fax Number  
sstearns@bealsandthomas.com  
j. Email address

**5. Total Wetland Filing Fees Paid** (from Wetland Fee Transmittal Form; last page of NOI):

\$500.00  
a. State WPA Fee/**Total**  
\$237.50  
b. WPA Fee/**State's Share**  
\$262.50  
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:

Relocation and installation of an irrigation pump house and wet well at the existing human-made irrigation pond in the southwest corner of the property near the seventh hole. This work is part of a course-wide irrigation system upgrade

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	3445	0004
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	(if any) Proposed Replacement
a. <input checked="" type="checkbox"/> Bank	10± lf 1. linear feet	10± lf (temporary impact only)
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet 850± sf	2. square feet 850± sf (temporary impact)
c. <input checked="" type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 0 cy 3. cubic yards dredged	
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area (if checked, complete #1-6)	1. Name of Inland 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

(To be provided by MassDEP)

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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

MassMapper 4/7/2023

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/how-to/how-to-file-for-a-mesa-project-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 <https://www.mass.gov/ma-endangered-species-act-mesa-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 – project is in inland resource area only

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 (*in Foxborough*)

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: **N/A Project is replacement of irrigation infrastructure within and adjacent to pond**

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.



# 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

**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).]

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.

<u>Foxborough Country Club Wet Well &amp; Pump House Replacement</u>	
a. Plan Title	
<u>Beals and Thomas, Inc.</u>	<u>Eric J. Las, #46622</u>
b. Prepared By	c. Signed and Stamped by
<u>April 19, 2023</u>	<u>As noted</u>
d. Final Revision Date	e. Scale
<u>Notice of Intent Narrative</u>	<u>May 8, 2023</u>
f. Additional Plan or Document Title	g. Date

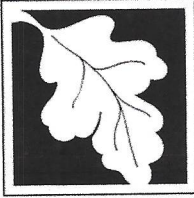
5.  If more than one property owner, attach a list of property owners not listed on this form.
6.  Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7.  Attach NOI Wetland Fee Transmittal Form
8.  Notice of Intent Application checklist **N/A No abutters within 100 feet of Limit of Work**
9.  Abutter Notification Form **N/A No abutters within 100 feet of Limit of Work**
10.  Affidavit of Service Form **N/A No abutters within 100 feet of Limit of Work**
11.  Attach Stormwater Report with signed, stamped Stormwater Checklist (unless exempt).

## E. Fees

1.  **Fee Exempt:** No filing fee shall be assessed for projects of any town, county, or district of the Commonwealth, municipal housing authority, or the Mass Bay Transportation Authority.

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

<u>007761</u>	<u>4/25/2023</u>
2. Check Number (town share of state fee [see A.5.c., page 1])	3. Check date (town share of state fee)
<u>007762</u>	<u>4/26/2023</u>
4. Check Number (Bylaw filing fee [see A.5.d, page 1])	5. Check date (Bylaw filing fee)
<u>007759</u>	<u>4/25/2023</u>
6. State Check Number (state share of state fee [see A.5.b.])	7. Check date (state share of state filing fee)
<u>Foxborough Country Club, Inc.</u>	<u>Foxborough Country Club, Inc.</u>
8. First Name of Payor on checks	9. Last Name of Payor on checks



# 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

5/7/2023  
2. Date

3. Signature of Property Owner (if different)

4. Date

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.

1. Signature of Tax Collector or Agent

2. Date



**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**

**Submittal Requirements** (please refer to *NOI Filing Instructions*, downloadable at [https://www.foxboroughma.gov/departments/conservation/wetland\\_applications\\_guides](https://www.foxboroughma.gov/departments/conservation/wetland_applications_guides))

**For Foxborough Conservation Commission:**

One original and seven (7) copies of the completed Notice of Intent (form 3), including supporting plans and documents (*listed in Section D. "Additional Information"*), NOI Filing Check List, Abutter Notification, one copy of the NOI Wetland Fee Transmittal Form (*on the following page*), 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 the completed Notice of Intent (form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form (*attached*), and a **copy** of the state fee payment (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:  
 33 Walnut Street \_\_\_\_\_ Foxborough \_\_\_\_\_  
 a. Street Address b. City/Town

2. Applicant Mailing Address:  
 Michael \_\_\_\_\_ Poch \_\_\_\_\_  
 a. First Name b. Last Name  
 Foxborough Country Club, Inc \_\_\_\_\_  
 c. Organization  
 P.O. Box 397 \_\_\_\_\_ Foxborough \_\_\_\_\_ MA \_\_\_\_\_ 02035  
 d. Mailing Address e. City/Town f. State g. Zip Code  
 (508) 543-4661 \_\_\_\_\_ mpoch@foxboroughhcc.com \_\_\_\_\_  
 h. Phone Number i. Fax Number j. Email Address

3. Property Owner (if different from Applicant):  
 \_\_\_\_\_  
 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:  
[https://www.foxboroughma.gov/departments/conservation/wetland\\_applications\\_guides](https://www.foxboroughma.gov/departments/conservation/wetland_applications_guides)

**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)
Category 2 j.) any other activity not in Category 1, 3, 4, 5 or 6	1	\$500.00	\$500.00
<b>Total State Filing Fee:</b> (Step 5)			\$500.00
<b>Bylaw Filing Fees:</b> (Step 1a)	(Step 2a)	(Step 3a)	(Step 4a)
Category 2 l.) any other activity not in Category 1, 3, 4, 5 or 6	1	\$500.00	\$500.00
Category 8 i. Work Requiring a Waiver under Section 10	1	\$1,000.00	\$1,000
<b>Total Bylaw Filing Fee:</b> (Step 5a)			\$1,500.00
<b>Filing Fee Payments:</b> (Step 6)			
Total State Filing Fee:	(insert amount at right onto page 1, Section A.5.a of this NOI form)	\$500.00	a. Total <b>State</b> Fee from Step 5
<b>State's share of filing fee:</b> (Paid to State [Boston address])	(insert amount at right onto page 1, Section A.5.b. of this NOI form)	\$237.50	b. 1/2 of (a), above, <b>less</b> \$12.50
<b>Town's share of filing fee:</b> (Paid to Town of Foxborough)	(insert amount at right onto page 1, Section A.5.c. of this NOI form)	\$262.50	c. 1/2 of (a) above, <b>plus</b> \$12.50
<b>Bylaw Filing Fee:</b> (Paid to Town of Foxborough)	(insert amount at right onto page 1, Section A.5.d. of this NOI form)	\$1,500.00	d. Total <b>Bylaw</b> 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*.
- b. **To Foxborough Conservation Commission:**  
Send the Notice of Intent or Abbreviated Notice of Intent; **one copy** of this form and the Town fee payments (one for **Bylaw fee and one for town's share of State fee**), payable to the *Town of Foxborough*.
- 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.

Department of Environmental Protection  
Box 4062  
Boston, MA 02211

Foxborough Conservation Commission  
40 South Street  
Foxborough, MA 02035

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.

**Section 2.0**  
**Project Narrative**

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## 2.0 **PROJECT NARRATIVE**

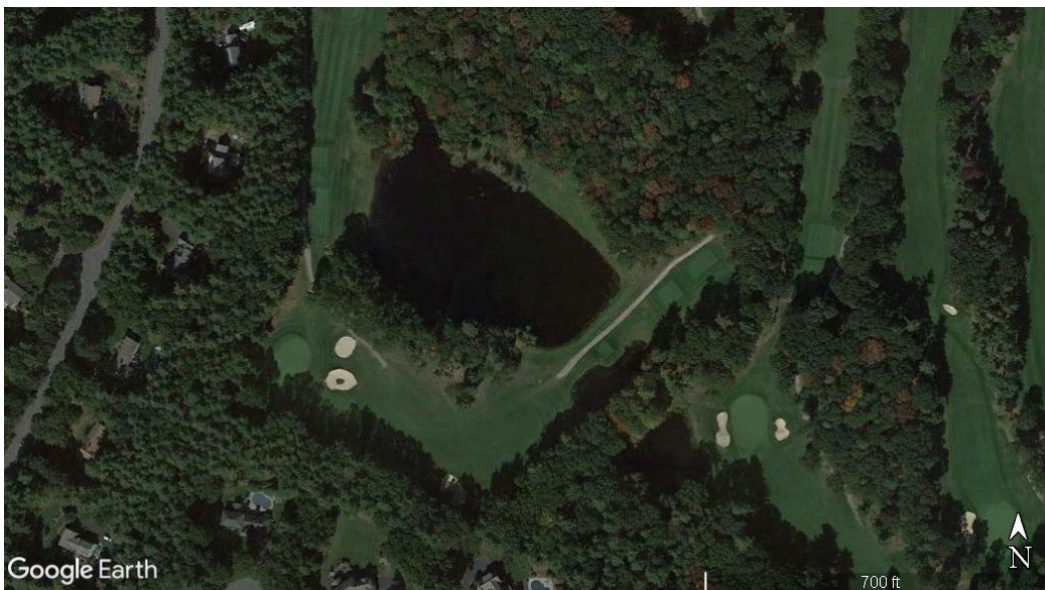
### 2.1 **Introduction**

Foxborough Country Club (the Club) is an 18-hole golf facility located on approximately 200 acres at 33 Walnut Street in Foxborough, Massachusetts. The Property is located in a primarily residential area to the east of Route 95 and is identified by the Foxborough Assessor's Office as Map 145 Lot 27. The Property has been in operation as a golf course since 1955.

The proposed project includes the installation of a new wet well and associated pump station near the 7<sup>th</sup> hole human-made irrigation storage pond on the opposite side of the pond from where the current pump now sits. As part of a course-wide irrigation replacement project, the upgrade will result in a more efficient system.

### 2.2 **Existing Conditions**

The Project locus is in the vicinity of the 7<sup>th</sup> hole, in the southwest corner of the golf course within and adjacent to the approximately 3.3 acre main irrigation storage pond. This main pond was excavated out of apparent wooded wetland areas circa the 1980s and is separated from the two smaller ponds by an existing cart path. The ponds are generally bounded by wooded areas where they are not bounded by maintained turf. Topography surrounding the ponds is relatively flat.



*2021 aerial Image of pond*

An existing pump house is located on the southeastern side of the main pond. This pump house draws water from the pond via a floatation intake pipe.

According to the Natural Heritage and Endangered Species Program (NHESP) 15<sup>th</sup> Edition Atlas, 2021, the Property is not mapped within estimated habitats of rare wildlife or priority habitats of rare species.

### 2.2.1 Wetland Resource Area

Multiple wetland resource areas defined by the Act are located within or bounding the Project Site. These resource areas are described below.

Resource Area Type	State/Local Jurisdiction	Flag Series	Flag Color	Location
Bank	State	N/A	N/A	Associated with ponds and intermittent streams
Bordering Vegetated Wetland		WF-B1 - WF-B28		North of the larger pond adjacent to Hole 7
Land Under Waterbodies and Waterways		N/A	N/A	Underlies ponds and intermittent streams
Buffer Zone	Local	N/A	N/A	

#### Defined by 310 CMR 10.00

##### ***Bank (310 CMR 10.54)***

Bank is associated with the ponds adjacent to Hole 7, as well as the inlet and outlet intermittent streams, and was located based on the first observable break in slope.

##### ***Bordering Vegetated Wetland (310 CMR 10.55)***

###### *WF B-series BVW*

The B-series BVW is primarily forested and is comprised of highbush blueberry (*Vaccinium corymbosum*), red oak (*Quercus rubra*), red maple (*Acer rubrum*), cinnamon fern (*Osmundastrum cinnamomeum*), witch hazel (*Hamamelis virginiana*), yellow birch (*Betula alleghaniensis*), and sedges (*Carex* sp.), among other species. Hydrology within this BVW includes pockets of standing water, water-stained leaves, and surface saturation. Hydric soil conditions were evidenced through depleted matrices with redoximorphic features (Bg horizon) and a dark layer (10YR 2/1) of topsoil.



*View of WF-B Series BVW  
March 28, 2022*

***Land Under Water Bodies and Waterways (310 CMR 10.56)***

LUWW/LUWBW is present within the intermittent stream and pond within the Project site. The level of water and inundation within the on-site LUWW/LUWBW varies based on irrigation use and seasonal conditions.

***Buffer Zone***

The Act applies a 100-foot Buffer Zone to BVW and Bank. This 100-foot Buffer Zone is largely comprised of turf associated with the recreational use of the fairway.

**Wetland Resource Areas Defined by the Bylaw**

In addition to the previously described resource areas, the Foxborough Wetlands Protection Bylaw also maintains a 25-foot No Activity Zone to the above-described BVW and Bank (Section 267-8).

## 2.3 Proposed Conditions

### 2.3.1 Description of Work

The existing pump house and intake pipe are proposed to be removed, with a new pump house to be constructed on the northeastern side the pond. The footprint of the new pump house will remain the same as the existing building. Within the proposed pump house, a new approximately 17-foot deep wet well will be installed. This well will be fed primarily by surface water via a 30-inch intake pipe located at the bottom elevation of the pond at approximately 211 feet.

The proposed pump house and wet well is proposed to be accessed via an existing cart path, to be reinforced and widened as necessary during construction. A permanent spur road off is proposed at the terminus of the existing gravel cart path to provide vehicular access to the pump house should it require maintenance in the future. This spur is located partially within the 25-foot No Activity Zone and 100-foot buffer zone.

The Applicant proposes to complete the wet well work in the fall of 2023 so that the pump house will be operational for the spring 2024 golf season. A temporary construction laydown area is proposed on the southeastern side of the existing cart path. This laydown area is located outside of the 25-foot No Activity Zone. Upon completion of construction, the laydown area and temporary construction road will be loamed and seeded.

### **2.3.2 Work within Jurisdictional Areas**

The proposed project will not permanently alter the general character of the existing aquatic areas, given their maintained nature. Installation of the wet well and pump house replacement will temporarily impact Bank and LUWW/LUWBW. More specifically, the Project results in temporary impacts to approximately  $\pm 850 \pm$  sf of LUWW/LUWB and  $10 \pm$  lf of Bank associated with the removal of the existing intake pipe and installation of the new pipe. Furthermore, approximately  $2,200 \pm$  sf of temporary and permanent work is proposed in the 25-foot No Activity Zone will occur as a result of expansion of the cart path and relocation of the pump house.

#### **State Jurisdictional Resource Areas and Buffer Zone**

##### ***Bank (310 CMR 10.54)***

The Project will result in the temporary alteration of  $10 \pm$  lf of Bank, which will be restored to pre-project conditions upon completion of the Project. The proposed intake pipe removal and installation will not impact the physical stability of the pond Bank, nor will it alter defined channels. The Bank is located within an Outstanding Resource Water (ORW) associated with public water supply, as well as a Zone II Wellhead Protection Area and Zone A Surface Water Protection Area. As described herein, the pond in which work is proposed is human-made. The proposed improvements to the existing irrigation system requires access to resource areas. The proposed wet well and pump house replacement will be located within the footprint of the existing human-made ponds and other managed areas associated with golf course operation. Accordingly, impacts to groundwater and surface water quality are not anticipated.



Upon completion of work, the Project is not anticipated to result in alteration to the general habitat characteristics of the existing aquatic areas, given their existing human-made and maintained nature. Potential impacts to habitat functions associated with the construction phase will be minimized to the maximum extent practicable by conducting the work when water in the pond is drawn down, as well as minimizing siltation, turbidity, and dispersal of contaminants.

***Land Under Water Bodies and Waterways (310 CMR 10.56)***

The Project will result in the temporary alteration of 850± sf of LUWW within the pond. No permanent loss of LUWW will occur. The proposed intake pipe removal and installation will not alter defined channels, nor will it require a stream crossing. The LUWW is located within an ORW associated with public water supply, as well as a Zone II Wellhead Protection Area and Zone A Surface Water Protection Area. As described herein, the pond in which work is proposed is human-made. The proposed improvements to the existing irrigation system requires access to resource areas. The proposed wet well and pump house replacement will be located within the footprint of the existing human-made ponds and other managed areas associated with golf course operation. Accordingly, impacts to groundwater and surface water quality are not anticipated.

Upon completion of work, the Project is not anticipated to result in alteration to the general habitat characteristics of the existing aquatic areas, given their existing human-made and maintained nature. Potential impacts to habitat functions associated with the construction phase will be minimized to the maximum extent practicable by conducting the work when water in the pond is drawn down, as well as minimizing siltation, turbidity, and dispersal of contaminants.

The Project is not anticipated to alter the capacity of these aquatic areas to provide important wildlife habitat functions, given their existing maintained nature. The proposed wet well and pump house replacement will not have an adverse effect on rare or endangered vertebrate or invertebrate species, as none are mapped according to NHESP data.

## Locally Jurisdictional Wetland Resource Area and Buffer Zone

### **Section 8(G) – Bank**

Section 8(G) of the Regulations establishes performance standards for Bank. These standards establish that “[p]roposed activities that may alter a bank shall not adversely affect the following:”

*e. The function of the bank to recharge or discharge ground water.*

No net increase impervious area is proposed on the Bank to inhibit its ability to recharge or discharge groundwater.

Remaining performance standards established by the Regulations are substantially similar to those outlined in the Act; please refer to the table above for additional discussion.

### **Section 8(I) - Land Under Water Bodies and Waterways**

Section 8(I) of the Regulations establishes performance standards for LUWBW. These performance standards are substantially similar to those outlined in the Act; please refer to the section above for additional discussion.

### **Section 8 (N) – Buffer Zones**

Section 8(N) of the Regulations provides performance standards for work within the 100-foot Buffer Zone, stating that “...the Commission will carefully examine any proposals for work in the buffer zone to determine potential impact on the resource areas and, the values of the Bylaw, and how the applicant has designed the project to avoid adverse impacts. Work permitted in the buffer zone shall be in accordance with the following standards:

*a. No activity is permitted within twenty-five (25) feet of the edge of any bordering vegetated wetland or bank of any creek, river, stream, brook, pond or lake (25-Foot No Activity Zone).*

The Project goals require direct access to Bank and LUWBW. Due to the location-dependent nature of Project, the Applicant respectfully requests a waiver to the 25-foot No Activity Zone to enable the proposed wet well and pump house replacement. Once the Project has concluded, the 25-foot No Activity Zone will resemble its pre-project conditions, with the only visible change being the relocation of the pump house as outlined herein.

*b. No activity within one hundred (100) feet of a vernal pool or isolated wetland that is listed as habitat for a state listed species (Vernal Pool No Activity Zone and State Listed Species No Activity Zone).*

The Project does not require work within 100 feet of a vernal pool or isolated wetland that is listed as habitat for a state listed species.

*c. To ensure that there will be no encroachments into the buffer zones by the applicant or future owners of the property, the Commission may require the boundary of the buffer zones to be marked on the ground with permanent markers at the applicant's expense. Markers may be stone or concrete bounds, metal pipes or rods, trees, shrubs or other structures, the material, size and location of which shall be approved by the Commission.*

The Buffer Zone will generally resemble its pre-project conditions as managed turf once the Project concludes. Changes in grading within the Buffer Zone are those which are necessary to accommodate the relocation of the pump station, which requires access to the pond bank. As such, the Applicant maintains that the addition of Buffer Zone monumentation is not necessary for this Project.

### **2.3.3 Alternatives Analysis**

In accordance with Section 8(C) of the Bylaw's implementing regulations, the Applicant evaluated alternative project scenarios consistent with the project goals.

The Project supports the continuation of the existing use on the Property; accordingly, alternative site uses and alternative site locations were not considered as part of the alternatives analysis.

As described herein, the Project goals require direct access to Bank, LUWBW, and the 25-foot No-Activity Zone. Accordingly, alternatives that fully avoid impacts to resource while accomplishing project goals are not practicable.

The proposed wet well and pump house replacement will result in temporary impacts to resource areas generally consistent with the existing managed nature of these resource areas. Accordingly, this alternative is preferred

### **2.3.4 No Net Loss Policy**

#### *Avoidance*

As described herein, the proposed irrigation goals of the require direct access to resource areas. Accordingly, avoidance is not practicable.

#### *Minimization*

As outlined in Section 2.3.3, the preferred alternative accomplishes the Applicant's goals of improving the existing irrigation system on the site while having minimal permanent impacts to resource areas.

#### *Mitigation*

The Project results in temporary impacts to approximately 850± sf of LUWW and 10 lf of Bank. These temporary impacts will be restored to pre-project conditions upon completion of construction. The Project also includes minor temporary and permanent work in the 25-foot No-Activity Zone. Accordingly, impacts to wetlands and waterways will be mitigated.

## **2.4 Interests of the Act and the Bylaw**

The following is a discussion of the relationship of the project site to the interests of the Massachusetts Wetlands Protection Act (Act) as defined by 310 CMR 10.01(2) and the Bylaw, as defined by Chapter 267. Wetlands Protection.

### **2.4.1 Protection of Public and Private Water Supply and Ground Water Supply**

The Project is located within an Outstanding Resource Water (ORW) associated with public water supply, as well as a Zone II Wellhead Protection Area and Zone A Surface Water Protection Area. As described herein, the pond in which work is proposed is human-made and has been used as an irrigation storage pond for decades. The proposed improvements to the existing irrigation system requires access to resource areas. The proposed wet well and pump house replacement will be located within the footprint of the existing human-made ponds and other managed areas associated with golf course operation.

Therefore the public and private water supply and groundwater supply protection interests of the Act and Bylaw will be upheld.

### **2.4.2 Flood Control and Storm Damage Prevention**

The Project will not result in any disturbance to mapped flood zones nor it is anticipated to alter the flood-storage capacity of the pond or adjacent BVW.

As such, the flood control and storm damage prevention interest of the act and Bylaw will be maintained.

### **2.4.3 Prevention of Pollution**

Erosion control measures will be implemented as depicted on the enclosed plans. Work will be conducted when water in the pond is drawn down, and erosion control measures, including turbidity curtains if necessary, will be employed to avoid sedimentation to the ponds.

Therefore, the pollution prevention and erosion control interests of the Act and Bylaw will be upheld.

### **2.4.4 Protection of Fisheries, Shellfisheries and Wildlife Habitat**

No land containing shellfish is associated with the Project. Protection of fisheries will be achieved by performing work in accordance with approved standards and methodologies for dredging. The Massachusetts Division of Fisheries and Wildlife has indicated that no time-of-year restrictions are necessary, as the project is proposed in private, human-made ponds with no connection to a coldwater fishery. No portion of the Project Site is mapped within Priority Habitat of Rare Species or Estimated Habitats of Rare Wildlife based on the most recent NHESP Atlas (effective August 1, 2021).

Therefore, the fisheries, shellfisheries, and wildlife habitat interests of the Act and Bylaw will be protected.

### **2.4.5 Preservation of Open Space and Recreational Values**

In addition to the statutory interest of the Act, Section 1.9 of the Bylaw's implementing regulations include the preservation of open space and recreational values as resource area values protected by the Bylaw. The proposed project supports the existing recreational use of the property by improving the irrigation system.

## **2.5 Summary**

The Foxborough Country Club respectfully requests an Order of Conditions and waiver of the 25-Foot No Activity Zone for the proposed wet well and pump house replacement project within and proximate to resource areas. The proposed project will improve the existing irrigation system on the property, and will result in minimal permanent impacts to resource areas upon completion of construction.

**Section 3.0**  
**Wetland Boundary Documentation**

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MassDEP Transect Forms

## MassDEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Foxborough Country Club Prepared by: Andrew Gorman, Beals and Thomas, Inc. Project location: 33 Walnut Street, Foxborough, MA DEP File #: \_\_\_\_\_

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
- Method other than dominance test used (attach additional information)

### Section I.

Layer	Vegetation	Observation Plot Number: UPL		Transect Number: WF-B5	Date of Delineation: 3/28/2022
	A. Sample Layer & Plant Species (by common/scientific name)	B. Percent Cover (or basal Area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
Herbaceous/ Groundcover	Cinnamon fern/ <i>Osmundastrum cinnamomeum</i> Winter conditions	10.5%	100%	Yes	FACW*
Shrub	Witch hazel/ <i>Hamamelis virginiana</i> Highbush blueberry/ <i>Vaccinium corymbosum</i>	10.5% 10.5%	50% 50%	Yes Yes	FACU FACW-*
Climbing Vines					
Tree	White pine/ <i>Pinus strobus</i> Red maple/ <i>Acer rubrum</i> Red oak/ <i>Quercus rubra</i>	20.5% 20.5% 20.5%	33% 33% 33%	Yes Yes Yes	FACU FAC* FACU

\* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

### Vegetation conclusion:

Number of dominant wetland indicator plants:           3

Number of dominant non-wetland indicator plants: 3

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? Yes

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent

**Section II. Indicators of Hydrology**

**Hydric Soil Interpretation**

**1. Soil Survey**

Is there a published soil survey for this site? Yes  
 title/date: Web Soil Survey Referenced  
 map number: Web Soil Survey Referenced  
 soil type mapped: Ridgebury fine sandy loam, 3 to 8 percent  
 slopes, extremely stony (791790)  
 hydric soil inclusions: Yes

Are field observations consistent with soil survey? N/A - Restrictions

**2. Soil Description**

Horizon	Depth	Matrix Color	Mottles Color
A	0-4"	10YR 2/1	
R	4"		

Remarks: Shallow rock restrictions along east side.

**3. Other:**

Conclusion: Is soil hydric? Start of dark A horizon, but shallow rock Restrictions. Recommending soil pit remain inconclusive but evidence of plants and hydrology strong enough to confirm data point is within the wetland.

**Other Indicators of Hydrology: (check all that apply & describe)**

- Site Inundated: \_\_\_\_\_
- Depth to free water in observation hole: \_\_\_\_\_
- Depth to soil saturation in observation hole: \_\_\_\_\_
- Water marks: \_\_\_\_\_
- Drift lines: \_\_\_\_\_
- Sediment Deposits: \_\_\_\_\_
- Drainage patterns in BVW: \_\_\_\_\_
- Oxidized rhizospheres: \_\_\_\_\_
- Water-stained leaves: \_\_\_\_\_
- Recorded Data (streams, lake, or tidal gauge; aerial photo; other): \_\_\_\_\_
- Other:** \_\_\_\_\_

**Vegetation and Hydrology Conclusion**

	Yes	No
Number of wetland indicator plants ≥ # of non-wetland indicator plants	<u>X</u>	_____
<b>Wetland hydrology present:</b>		
Hydric soil present	<u>See note</u>	_____
Other indicators of hydrology present	<u>X</u>	_____
<b>Sample location is in a BVW</b>	<u>X</u>	_____

*Submit this form with the Request for Determination of Applicability or Notice of Intent.*





**Section II. Indicators of Hydrology**

**Hydric Soil Interpretation**

**1. Soil Survey**

Is there a published soil survey for this site? Yes  
 title/date: Web Soil Survey Referenced  
 map number: Web Soil Survey Referenced  
 soil type mapped: Ridgebury fine sandy loam, 3 to 8 percent  
 slopes, extremely stony (791790)  
 hydric soil inclusions: Yes

Are field observations consistent with soil survey? N/A - Restrictions

**2. Soil Description**

Horizon	Depth	Matrix Color	Mottles Color
Ap	0-8"	10YR 3/2	
Bw	8-16"+	10YR 4/4	

Remarks: Shallow rock restrictions along east side.

**3. Other:**

Conclusion: Is soil hydric? No

**Other Indicators of Hydrology: (check all that apply & describe)**

- Site Inundated: \_\_\_\_\_
- Depth to free water in observation hole: \_\_\_\_\_
- Depth to soil saturation in observation hole: \_\_\_\_\_
- Water marks: \_\_\_\_\_
- Drift lines: \_\_\_\_\_
- Sediment Deposits: \_\_\_\_\_
- Drainage patterns in BVW: \_\_\_\_\_
- Oxidized rhizospheres: \_\_\_\_\_
- Water-stained leaves: \_\_\_\_\_
- Recorded Data (streams, lake, or tidal gauge; aerial photo; other): \_\_\_\_\_
- Other:** \_\_\_\_\_

**Vegetation and Hydrology Conclusion**

	Yes	No
Number of wetland indicator plants ≥ # of non-wetland indicator plants	_____	<u>  X  </u>
<b>Wetland hydrology present:</b>		
Hydric soil present	_____	<u>  X  </u>
Other indicators of hydrology present	_____	<u>  X  </u>
<b>Sample location is in a BVW</b>	_____	<u>  X  </u>

*Submit this form with the Request for Determination of Applicability or Notice of Intent.*

**Section 4.0  
Plans**

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Locus Map

Aerial Map

National Flood Hazard Layer FIRMette

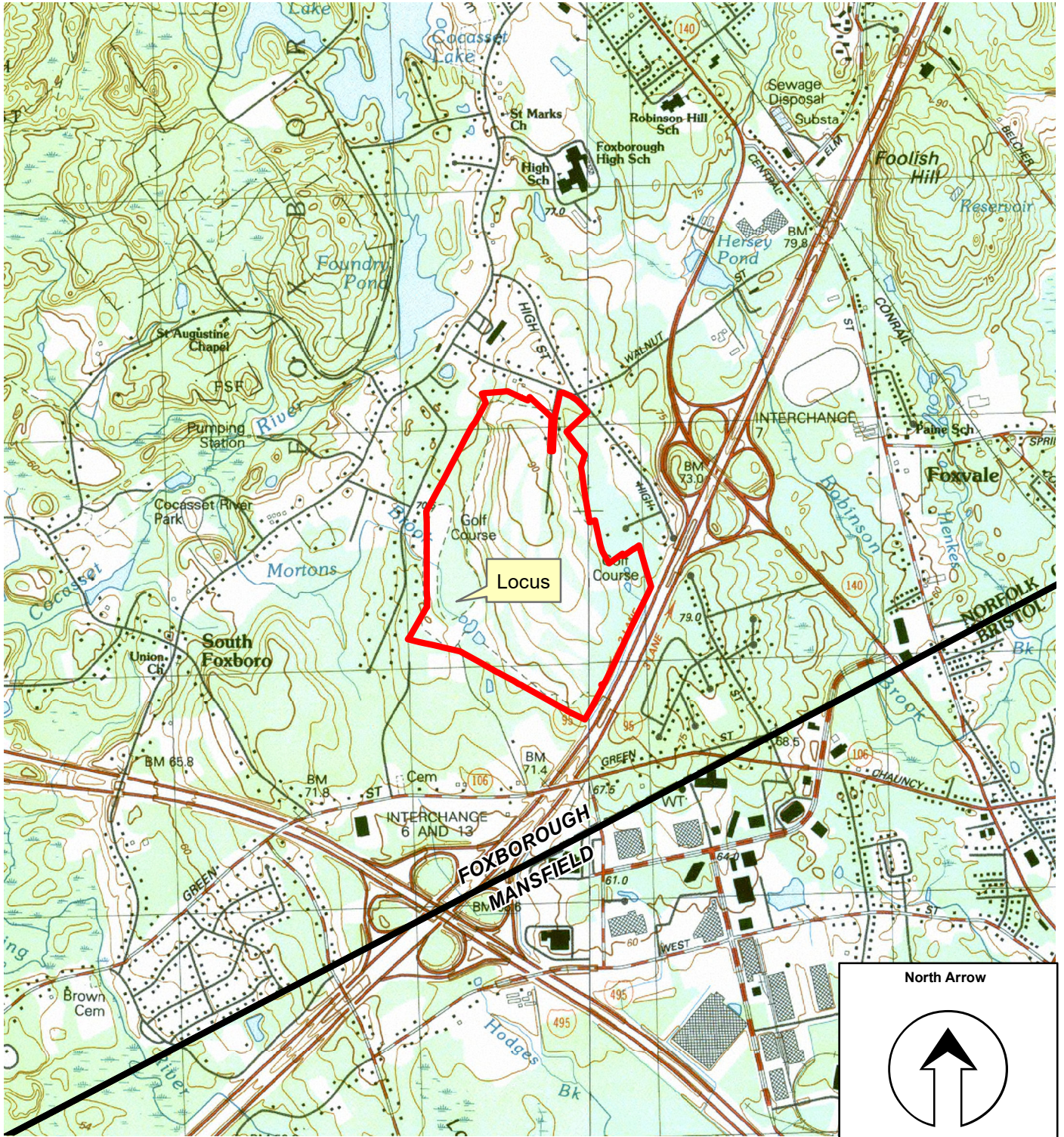
*UNDER SEPARATE COVER*

Entitled "Wet Well & Pump House Replacement, Foxborough Country Club, in  
Foxborough, Massachusetts (Norfolk County)"

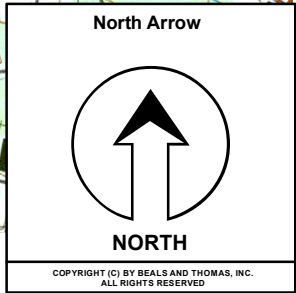
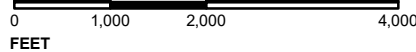
Prepared by Beals and Thomas, Inc.

In 4 Sheets

Dated April 19, 2023



Digital USGS Map of Wrentham, MA, dated 1987, provided by the Bureau of Geographic Information (MassGIS), Commonwealth of Massachusetts, Executive Office of Technology and Security Services.



**PROJECT:**  
**Wet Well and Pump House Replacement**  
 Foxborough, Massachusetts

---

**PREPARED FOR:**  
**Foxborough Country Club**  
 33 Walnut Street  
 Foxborough, Massachusetts

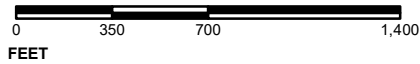
**Locus Map**  
 Figure 1

Scale: 1" = 2,000' Date: 04/07/2023

Source File 318002P005B.mxd  
 B+T Project No. 3180.02



Digital orthophotograph, dated 2019, provided by the Bureau of Geographic Information (MassGIS), Commonwealth of Massachusetts, Executive Office of Technology and Security Services.



**PROJECT:**  
**Wet Well and Pump House Replacement**  
Foxborough, Massachusetts

**PREPARED FOR:**  
**Foxborough Country Club**  
33 Walnut Street  
Foxborough, Massachusetts

## Aerial Map

Figure 2

Scale: 1" = 700'

Date: 04/07/2023

Source File 318002P006B.mxd

B+T Project No. 3180.00

# National Flood Hazard Layer FIRMMette



71°15'40"W 42°2'29"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000  
 Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

## Legend

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

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) <i>Zone A, V, A99</i>
		With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i>
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% 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 <i>Zone X</i>
		Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i>
		Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i>
		Area with Flood Risk due to Levee <i>Zone D</i>
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i>
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard <i>Zone D</i>
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
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 **4/7/2023 at 12:53 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.

# FOXBOROUGH COUNTRY CLUB WET WELL & PUMP HOUSE REPLACEMENT IN FOXBOROUGH, MASSACHUSETTS (Norfolk County)

## OWNER/APPLICANT

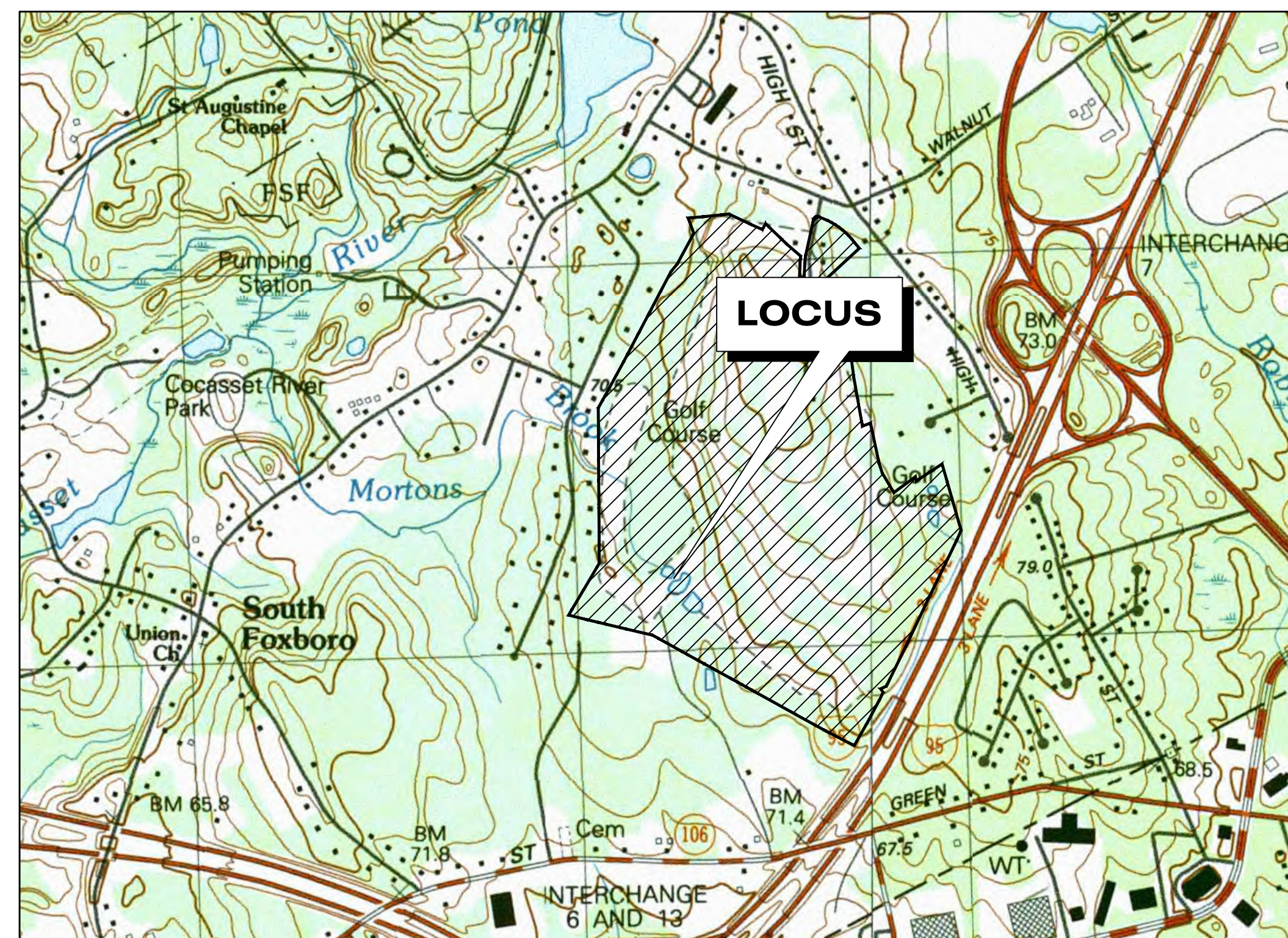
Members of the Foxborough Country Club  
33 Walnut Street  
Foxborough, Massachusetts 02035

## CIVIL ENGINEER

Beals and Thomas, Inc.  
144 Turnpike Road  
Southborough, Massachusetts 01772

## LAND SURVEYOR

Bay Colony Group, Inc.  
4 School Street  
P.O. Box 9136  
Foxborough, Massachusetts 02035



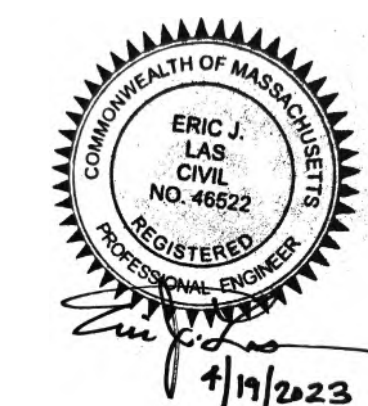
**Locus Map**  
Scale: 1" = 1000'



## SHEET INDEX

- Cover Sheet
- 1 Existing Conditions Plan (Provided by Bay Colony Group, Inc.)
- C2.1 Site Preparation and Sedimentation Control Plan
- C3.1 Site Plan

Issued For Permitting - APRIL 19, 2023



FOR PERMITTING  
ONLY

Job No.: 3180.02  
Plan No.: 318002P011A-001  
Sheet 1 of 4





**GENERAL NOTES**

1. THE CONTRACTOR SHALL MAKE NECESSARY CONSTRUCTION NOTIFICATIONS AND OBTAIN NECESSARY CONSTRUCTION PERMITS. THE CONTRACTOR SHALL PAY FEES AND POST BONDS ASSOCIATED WITH THE SAME, AND COORDINATE WITH THE ENGINEER AS REQUIRED.
2. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR JOB SITE SAFETY AND CONSTRUCTION MEANS AND METHODS.
3. LIMIT OF WORK SHALL BE THE SEDIMENT CONTROL BARRIERS, LIMIT OF GRADING, SITE PROPERTY LINES, AND/OR AS INDICATED ON DRAWINGS.
4. CONTRACTOR SHALL VERIFY UTILITY STUB LOCATIONS AND ELEVATIONS IN THE FIELD PRIOR TO COMMENCING WORK.
5. ANY ALTERATION TO THESE DRAWINGS MADE IN THE FIELD DURING CONSTRUCTION SHALL BE RECORDED BY THE CONTRACTOR ON RECORD DRAWINGS.
6. CONTRACTORS AND SUBCONTRACTORS SHALL OBTAIN A TRENCH PERMIT PRIOR TO ANY TRENCHING ON SITE IN ACCORDANCE WITH 520 CMR 14.00.

**EROSION CONTROL AND SEDIMENTATION NOTES**

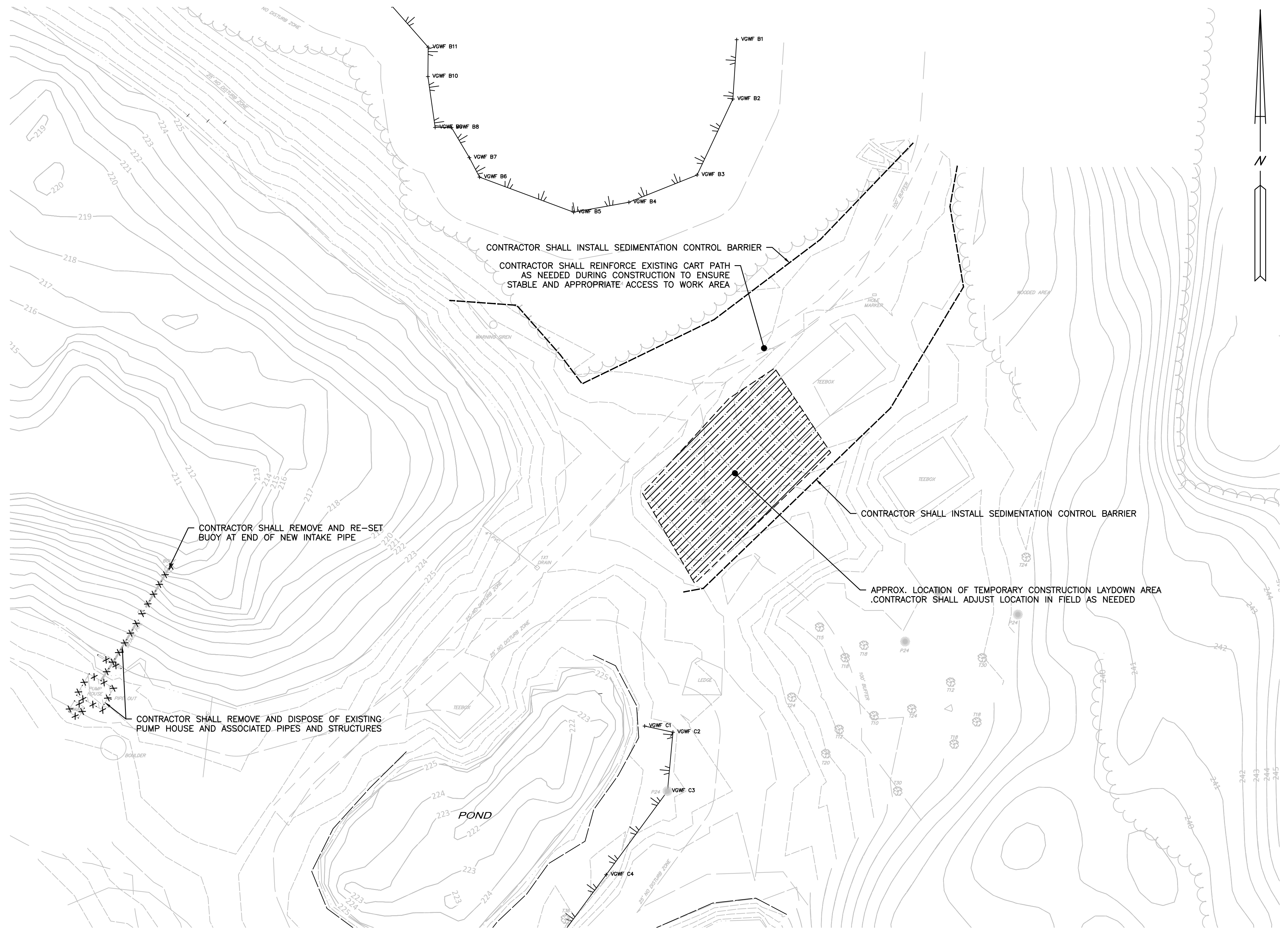
1. A SEDIMENT CONTROL BARRIER SHALL BE INSTALLED ALONG THE EDGE OF PROPOSED WORK AS INDICATED ON THE PLANS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
2. CONTRACTOR SHALL CLEAN AND MAINTAIN ALL SEDIMENT AND EROSION CONTROL MEASURES FOR THE DURATION OF CONSTRUCTION TO ENSURE THEIR CONTINUED FUNCTIONALITY.
3. ADDITIONAL EROSION CONTROL MEASURES AND/OR SEDIMENT CONTROL BARRIERS SHALL BE IMPLEMENTED AS CONDITIONS WARRANT OR AS DIRECTED BY THE OWNER OR OWNER'S REPRESENTATIVE.
4. EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE INSPECTED AND MAINTAINED ON A DAILY BASIS DURING CONSTRUCTION TO ENSURE THAT CHANNELS, DITCHES, AND PIPES REMAIN CLEAR OF DEBRIS AND THAT THE EROSION AND SEDIMENTATION CONTROL MEASURES ARE INTACT.
5. ALL STOCKPILE AREAS SHALL BE LOCATED WITHIN LIMIT OF WORK LINE AND STABILIZED TO PREVENT EROSION.
6. ALL DEBRIS GENERATED DURING SITE PREPARATION ACTIVITIES SHALL BE LEGALLY DISPOSED OF OFF SITE.
7. CONTRACTOR SHALL PROVIDE CRIBBING AS NECESSARY TO PROTECT EXISTING UTILITY LINES DURING CONSTRUCTION.
8. CONTRACTOR SHALL PREVENT ANY SOIL AND MATERIALS FROM ENTERING WETLANDS, STREAMS, AND OTHER RESOURCE AREAS.

**LAYOUT AND MATERIALS NOTES**

1. ALL LINES AND DIMENSIONS ARE PARALLEL OR PERPENDICULAR TO THE LINES FROM WHICH THEY ARE MEASURED UNLESS OTHERWISE INDICATED.
2. CONTRACTOR SHALL VERIFY ALL CONDITIONS IN THE FIELD AND REPORT ANY DISCREPANCIES TO THE OWNER AND OWNER'S REPRESENTATIVE FOR RESOLUTION.
3. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES BETWEEN SITE PLAN DIMENSIONS AND BUILDING PLANS BEFORE PROCEEDING WITH ANY PORTION OF SITE WORK WHICH MAY BE AFFECTED SO THAT PROPER ADJUSTMENTS TO THE SITE LAYOUT CAN BE MADE IF NECESSARY.

**GRADING, DRAINAGE AND UTILITY NOTES**

1. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THAT THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS DO NOT CONFLICT WITH ANY KNOWN EXISTING OR OTHER PROPOSED IMPROVEMENTS. IF ANY CONFLICTS ARE DISCOVERED, THE CONTRACTOR SHALL NOTIFY THE OWNER AND THE ENGINEER PRIOR TO INSTALLATION OF ANY PORTION OF THE SITE WORK WHICH COULD BE AFFECTED.
2. CONTRACTOR SHALL VERIFY EXISTING GRADES IN THE FIELD AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE ENGINEER.
3. GRADES SHALL PITCH EVENLY BETWEEN SPOT ELEVATIONS. PAVED AREAS MUST PITCH TO DRAIN AT A MINIMUM OF 1/8" PER FOOT UNLESS SPECIFIED OTHERWISE. ANY DISCREPANCIES NOT ALLOWING THIS MINIMUM PITCH SHALL BE REPORTED TO THE ENGINEER PRIOR TO CONTINUING WORK.
4. WHERE AN EXISTING UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, THE LOCATION, ELEVATION AND SIZE OF THE UTILITY SHALL BE ACCURATELY DETERMINED WITHOUT DELAY BY THE CONTRACTOR, AND THE INFORMATION FURNISHED TO THE OWNER AND ENGINEER FOR RESOLUTION.
5. EXCAVATION WITHIN THE PROXIMITY OF EXISTING UTILITY LINES SHALL BE PERFORMED BY HAND. CONTRACTOR SHALL REPAIR ANY DAMAGE TO EXISTING UTILITY LINES OR STRUCTURES INCURRED DURING CONSTRUCTION OPERATIONS AT NO COST TO THE OWNER.
6. CONTRACTOR SHALL REMOVE ALL EROSION AND SEDIMENT CONTROL BARRIERS AFTER RE-VEGETATION AND STABILIZATION OF DISTURBED AREAS, FOLLOWING APPROVAL OF THE CONSERVATION COMMISSION AND WETLAND SPECIALIST.
7. WETLANDS SHALL REMAIN UNDISTURBED; NO ENCROACHMENT PERMITTED.



PREPARED FOR:

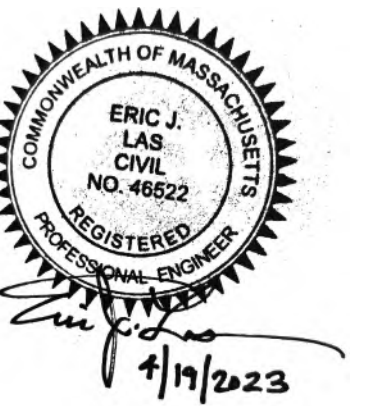
**FOXBOROUGH COUNTRY CLUB**

33 WALNUT STREET  
FOXBOROUGH, MA 02035

RECORD OWNER:

**MEMBERS OF  
FOXBOROUGH COUNTRY CLUB**

33 WALNUT STREET  
FOXBOROUGH, MA 02035



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PREPARED BY:



BEALS AND THOMAS, INC.  
144 Turnpike Road  
Southborough, Massachusetts 01772-2104  
T 508.366.0560 | www.bealsandthomas.com

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	ISSUE DATE DESCRIPTION
	NPS NPS EJL EJL
	DES DWN CHK'D APP'D

PROJECT:  
**FOXBORO COUNTRY CLUB  
WET WELL & PUMP  
HOUSE REPLACEMENT**  
FOXBOROUGH, MASSACHUSETTS  
(NORFOLK COUNTY)

SCALE: 1" = 30' DATE: APRIL 19, 2023  
METERS  
0 5 10 25  
FEET  
0 15 30 60 90

**SITE PREPARATION +  
SEDIMENTATION  
CONTROL PLAN**

B+T JOB NO.3180.02

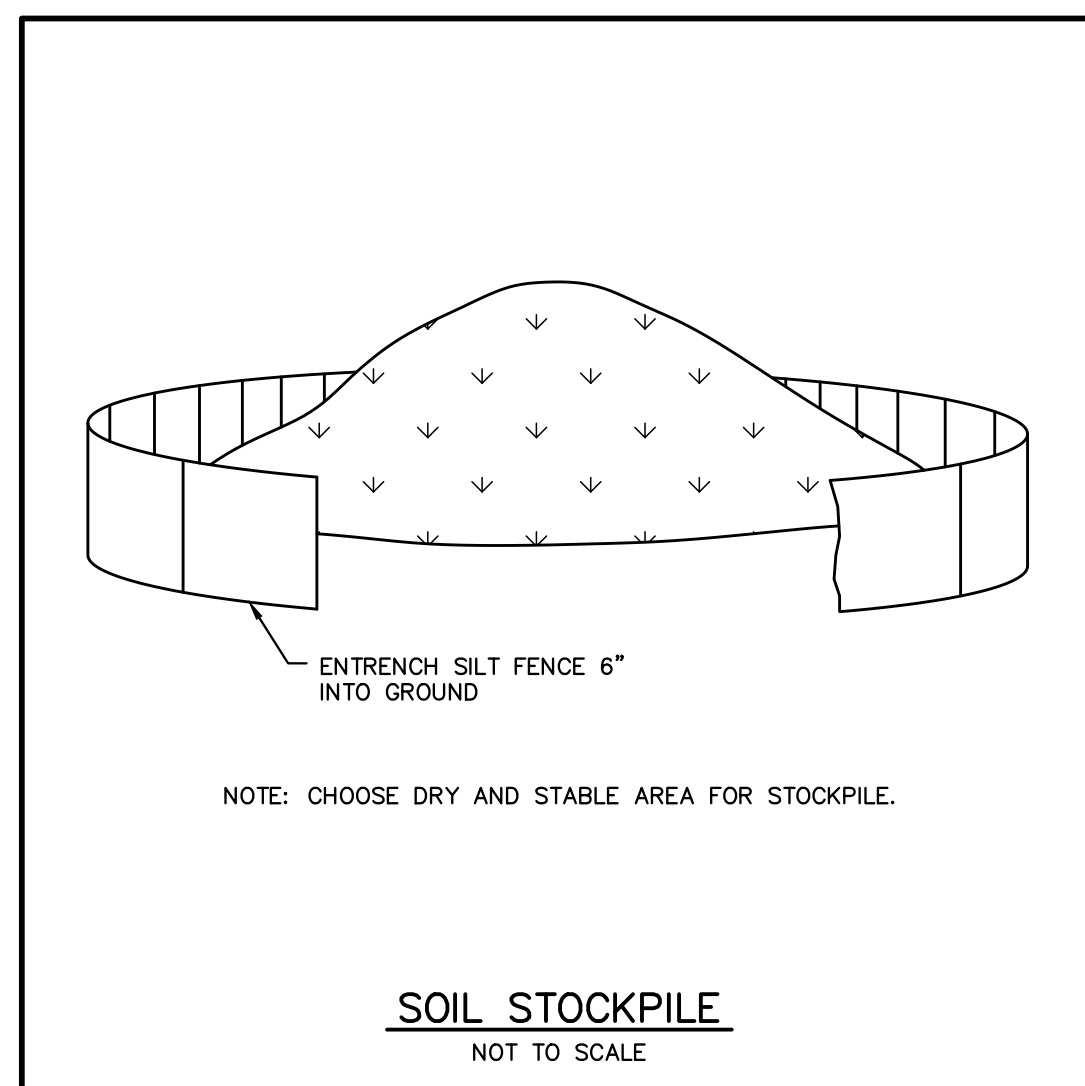
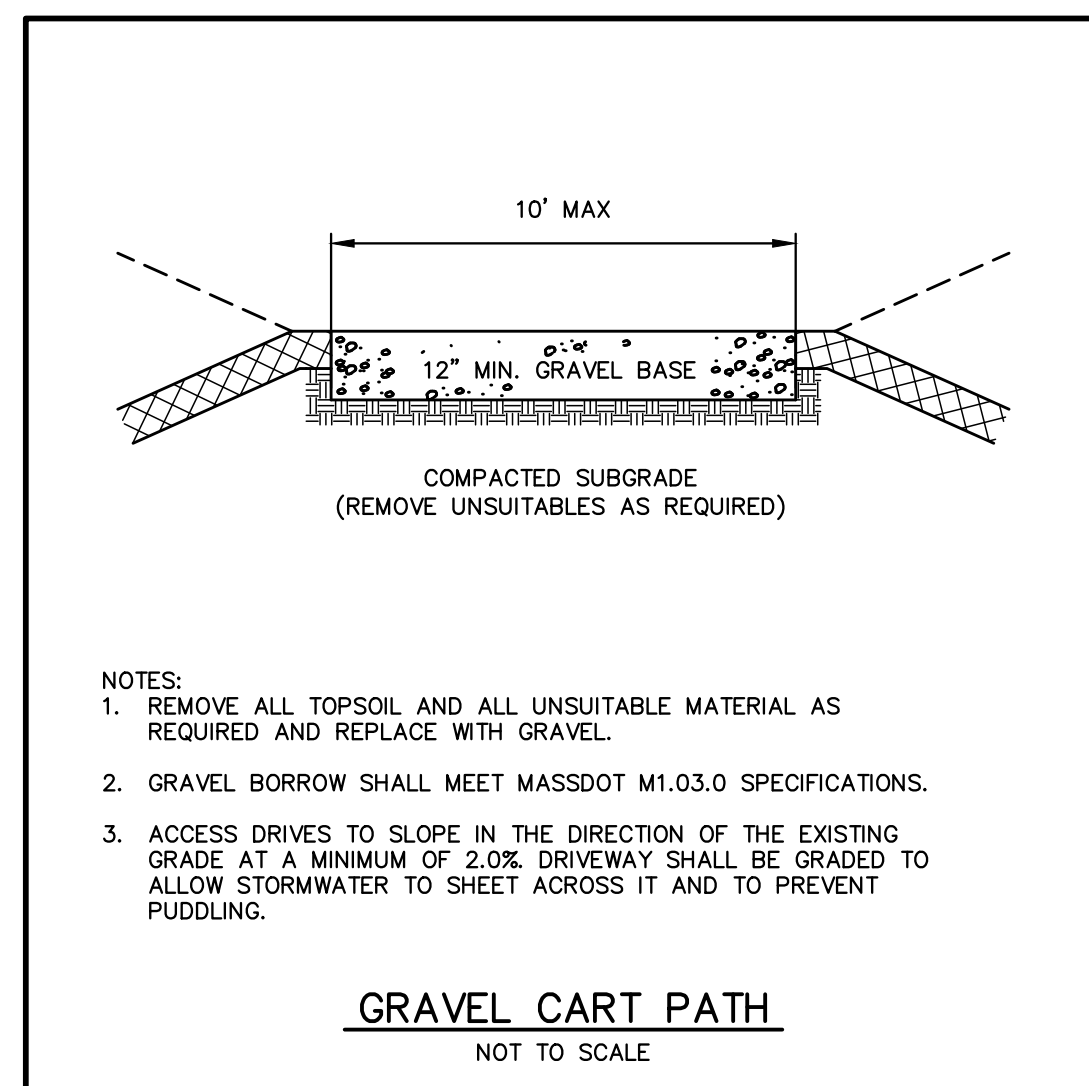
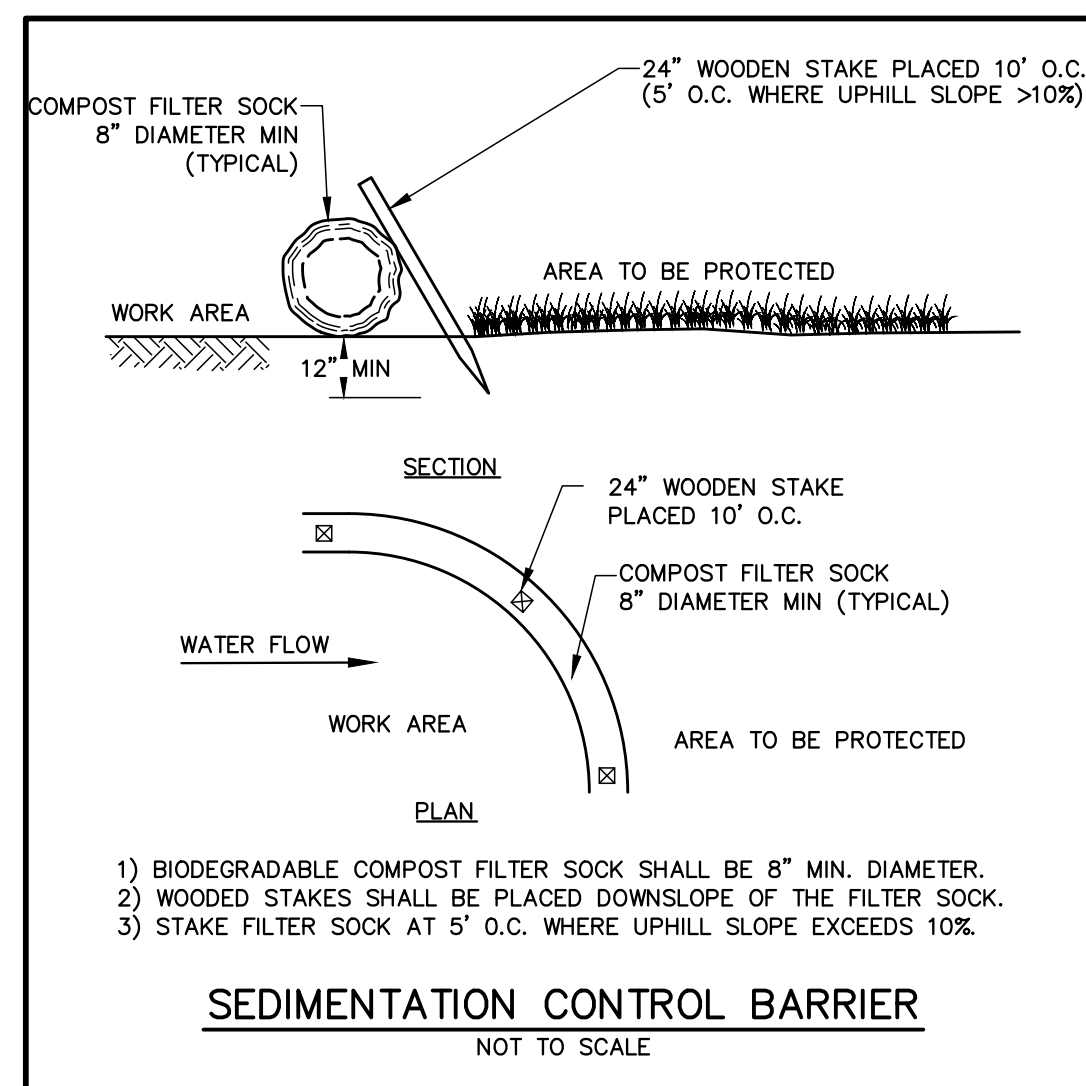
B+T PLAN NO.  
318002P011A-002

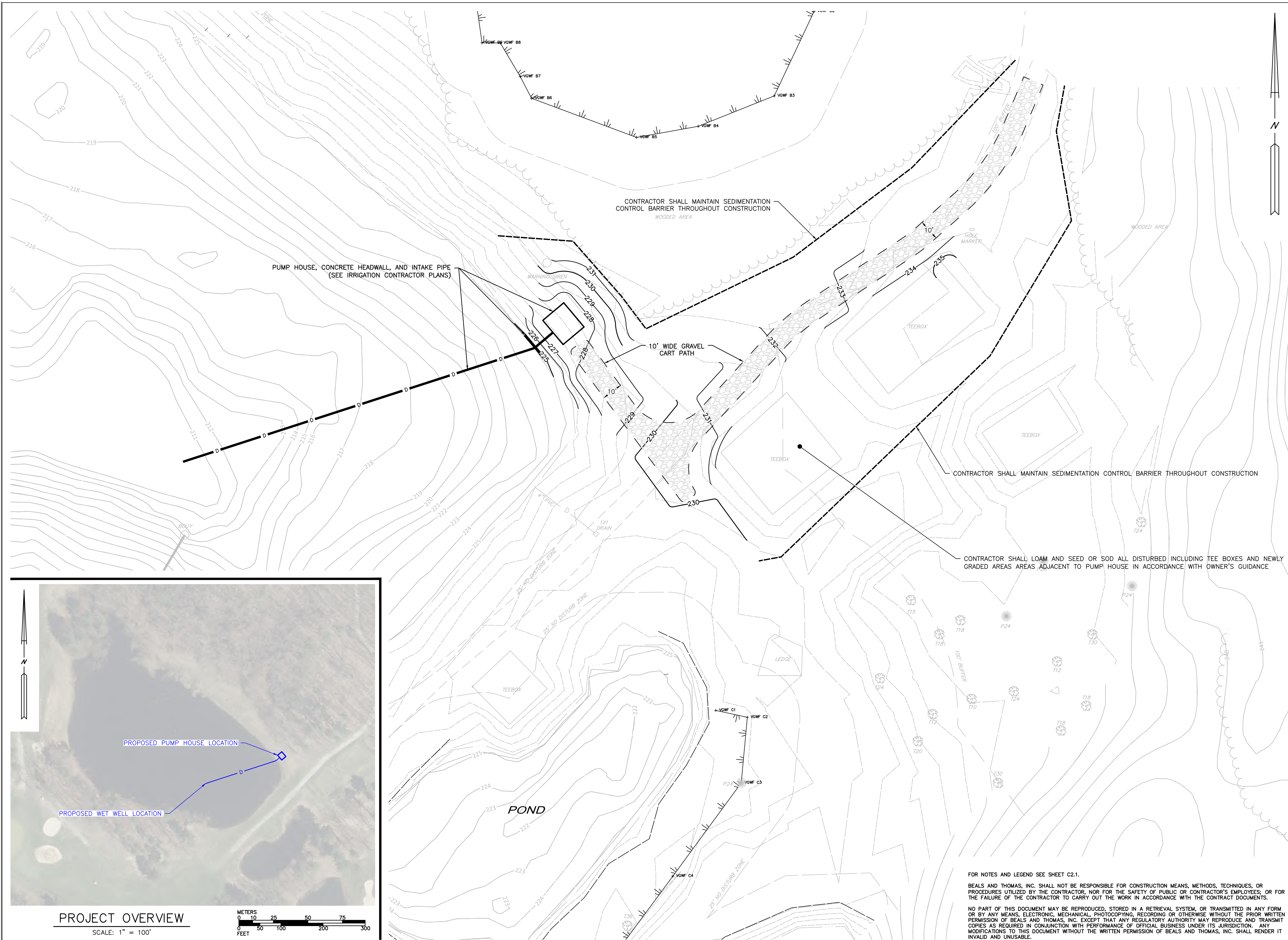
**C2.1**

**LEGEND AND ABBREVIATIONS**

EXISTING	PROPOSED	
		TREE LINE RIPRAP
		BOUNDARY OF BORDERING VEGETATED WETLAND BANK/ BANK FLAG
		EDGE OF WATER WETLAND BUFFER ZONE RIVERFRONT AREA
		SEDIMENTATION CONTROL BARRIER MINOR CONTOUR
		MAJOR CONTOUR SPOT ELEVATION

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PREPARED FOR:  
**FOXBOROUGH COUNTRY CLUB**  
 33 WALNUT STREET  
 FOXBOROUGH, MA 02035

RECORD OWNER:  
**MEMBERS OF FOXBOROUGH COUNTRY CLUB**  
 33 WALNUT STREET  
 FOXBOROUGH, MA 02035

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ISSUE DATE	DESCRIPTION
NPS	NPS EJL EJL
DES	DWN CHK'D APP'D

PROJECT:  
**FOXBORO COUNTRY CLUB WET WELL & PUMP HOUSE REPLACEMENT**  
 FOXBOROUGH, MASSACHUSETTS (NORFOLK COUNTY)

SCALE: 1" = 20' DATE: APRIL 19, 2023

METERS  
 0 10 20 30 40 50

FEET  
 0 10 20 40 60

**SITE PLAN**

B+T JOB NO. 3180.02

B+T PLAN NO. 31802P011A-003

**C3.1**

PROPOSED PUMP HOUSE LOCATION

PROPOSED WET WELL LOCATION

**PROJECT OVERVIEW**  
 SCALE: 1" = 100'

METERS  
 0 10 25 50 75 300

FEET  
 0 50 100 200 300

FOR NOTES AND LEGEND SEE SHEET C2.1.

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