



## **EcoTec, Inc.**

ENVIRONMENTAL CONSULTING SERVICES

102 Grove Street

Worcester, MA 01605-2629

508-752-9666 / Fax: 508-752-9494

### **NOTICE OF INTENT**

**228, 234 & 236 Haynes Street (Route 15) & 10 Mashapaug Road**

**Sturbridge, Massachusetts**

**March 14, 2018**

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ENVIRONMENTAL CONSULTING SERVICES

102 Grove Street

Worcester, MA 01605-2629

508-752-9666 / Fax: 508-752-9494

March 14, 2018

Sturbridge Conservation Commission  
Town Hall  
308 Main Street  
Sturbridge, MA 01566

Re: 228, 234 & 236 Haynes St. (Route 15) & 10 Mashapaug Rd., Sturbridge, MA

Subject: Notice of Intent Cover Letter & Project Narrative

Dear Commission Members:

Enclosed please find two (2) copies of a Notice of Intent ("NOI"), site plans and related documents submitted on behalf of the Applicant: Trevor Moore of Petrogas Group New England, Inc.; and Owners: 10 Mashapaug Road Sturbridge LLC, a subsidiary of Dunne Manning Realty LP; and Perry Holdings, LLC. In accordance with the attached authorization letter, Audry Martinez of Perry Holdings, LLC has authorized Dunne Manning Realty LP to execute and sign on behalf of Perry Holdings, LLC.

This NOI is filed under the Massachusetts Wetlands Protection Act and the Sturbridge Wetland Bylaw for the above-referenced property. Copies of this filing have been submitted by certified mail, return receipt requested, to the Central Regional Office of the Department of Environmental Protection. One copy of this filing has also been provided to the property owners/applicant. Abutters within 200 feet, have been notified, an affidavit or service is attached, and Certificates of Mailing will be provided.

The following narrative describes the project site and work proposed as well as wetland and buffer impacts and mitigation.

### Project Description:

Petrogas Group New England, Inc. is proposing to redevelop an existing gas station and restaurant site. The redevelopment includes remodeling the existing restaurant and conversion to a retail motor fuel outlet. Site work will also include reconfigured parking facilities, site grading, erosion control measures, utility connections, septic system improvements, a new well, and upgrading of the stormwater management system. The attached site plans depict existing and proposed conditions, as well as the sequence of construction and erosion control/stabilization measures. This project, which is considered a redevelopment project under the DEP Stormwater Policy Standards, provides significant on-site stormwater management improvements in comparison to the existing site conditions while meeting the DEP stormwater standards to the maximum extent practicable.

The attached Stormwater Management Report and DEP Stormwater Checklist provides additional information.

#### Wetland & Buffer Impacts & Mitigation:

A mapped perennial stream flows under the site in an existing, 36-inch diameter corrugated metal culvert. The perennial stream flows into an eroded sinkhole on Mass DOT property. The sinkhole is associated with a state-owned drainage manhole which has failed. We have confirmation from Mass DOT, District 2 that they will be repairing the manhole and sinkhole. A mapped intermittent stream flows around the east and north sides of the site. Bordering vegetated wetlands on the northeast and south sides of the site are associated with the streams. No work is proposed within wetland resource areas although work within the 100 and 200-foot buffer zones is proposed in order to bring the site up to current standards and code requirements. The buffer work includes the following (along with justifications for the work):

#### **0-25 foot Buffer**

- Southerly Corner of 236 Haynes Street: Minor re-grading to facilitate positive site drainage.
- Existing Septic System on 228 Haynes Street: Clear access road leading to leach field and replace existing force mains.

#### **25-50 foot Buffer**

- Existing Septic System on 228 Haynes Street: Replace existing force mains and pump, clear woody vegetation from leaching chambers and add soil cover with loam and seed.
- Easterly Portion of 234 Haynes Street: Proposed Infiltration Basin to provide stormwater control and treatment.
- Access Piping for drinking water well on 10 Mashapaug Road: As part of the redevelopment of both parcels, the proposed retail fuel dispenser canopy will be located within the IWPA Zone I protective well radius of the two existing wells on parcel 234. As a result, a new public water supply well is proposed in a location that would be outside of the required Zone I protective well radius from the proposed retail fuel canopy, diesel fuel canopy and underground diesel storage tank.
- Redevelopment of existing impervious areas.
- Restoration of two disturbed areas (with soils and native vegetation) totaling 17,500 square feet within 25 to 200 foot buffers.

#### **50-100 foot Buffer**

- Existing Septic System on 228 Haynes Street: Clear woody vegetation from leaching chambers and add soil cover with loam and seed.
- Easterly Portion of 234 Haynes Street: Proposed Infiltration Basin to provide stormwater control and treatment.
- Drinking Water Well and Access Piping for Drinking Water Well on 10 Mashapaug Road and 236 Haynes Street: As part of the redevelopment of both parcels the proposed retail fuel dispenser canopy will be located within the IWPA Zone I protective well radius of the two existing wells on parcel 234. As a result, a new public water supply well is proposed

in a location that would be outside of the required Zone I protective well radius from the proposed retail fuel canopy, diesel fuel canopy and underground diesel storage tank.

- Redevelopment of existing impervious areas including, but not limited to, replacement of the perennial stream culvert and stormwater management improvements.
- Restoration of two disturbed areas (with soils and native vegetation) totaling 17,500 square feet within 25 to 200 foot buffers.

#### **100-200 foot Buffer**

- Existing Septic System on 228 Haynes Street: Clear woody vegetation from leaching chambers and add soil cover with loam and seed.
- Access Piping for Drinking Water Well on 234 & 236 Haynes Street: As part of the redevelopment of both parcels the proposed retail fuel dispenser canopy will be located within the IWPA Zone I protective well radius of the two existing wells on parcel 234. As a result, a new public water supply well is proposed in a location that would be outside of the required Zone I protective well radius from the proposed retail fuel canopy, diesel fuel canopy and underground diesel storage tank.
- Redevelopment of existing impervious areas including, but not limited to, replacement of the perennial stream culvert and stormwater management improvements.
- Restoration of two disturbed areas (with soils and native vegetation) totaling 17,500 square feet within 25 to 200 foot buffers.

It is my opinion that the proposed redevelopment work will result in a significant improvement over existing conditions relative to wetland resource area protection. We look forward to meeting with the Commission regarding this project. If you have any questions, please feel free to contact me at any time.

Sincerely,

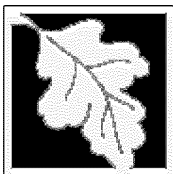


Arthur Allen, CWS, CPSS, CESSWI  
Vice President

cc: DEP-CERO Wetlands & Waterways

AA/NOI/Sturbridge Haynes Mashapaug NOI.Cover.doc





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

# WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Sturbridge

City/Town

## Important:

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



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

## A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

228, 234 & 236 Route 15 & 10 Mashapaug Road

a. Street Address

Sturbridge

b. City/Town

01566

c. Zip Code

Latitude and Longitude:

42.169612

d. Latitude

-72.068883

e. Longitude

552 & Map 423 Parcel 4136-010

f. Assessors Map/Plat Number

4126-228, 4136-234, 4135-236

g. Parcel /Lot Number

2. Applicant:

Trevor

a. First Name

Moore

b. Last Name

Petrogas Group New England Inc.

c. Organization

168 North Main Street

d. Street Address

Andover

MA

01810

e. City/Town

f. State

g. Zip Code

347-909-0738

h. Phone Number

i. Fax Number

Trevor.Moore@applegreen.ie

j. Email Address

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

Eric

a. First Name

Quisenberry

b. Last Name

10 Mashapaug Road Sturbridge LLC, a subsidiary of Dunne Manning Realty LP

c. Organization

645 Hamilton Street, Suite 500

d. Street Address

Allentown

e. City/Town

PA

18101

f. State

g. Zip Code

610-625-8100

h. Phone Number

i. Fax Number

equisenberry@dunne Manning.com

j. Email address

4. Representative (if any):

Arthur

a. First Name

Allen

b. Last Name

EcoTec, Inc.

c. Company

102 Grove Street

d. Street Address

Worcester

e. City/Town

MA

01605

f. State

g. Zip Code

508-752-9666

h. Phone Number

508-752-9494

i. Fax Number

aallen@ecotecinc.com

j. Email address

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

\$1,050

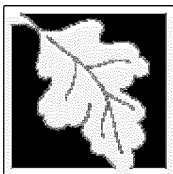
a. Total Fee Paid

\$512.50

b. State Fee Paid

\$537.50

c. City/Town Fee Paid



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**A. General Information** (continued)

6. General Project Description:

Redevelopment of an existing motor fuel and restaurant outlet to include demolition, remodeling, a new well, septic system repairs, relocation of a stream culvert and stormwater management.

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

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Single Family Home                        | 2. <input type="checkbox"/> Residential Subdivision       |
| 3. <input checked="" type="checkbox"/> Commercial/Industrial          | 4. <input type="checkbox"/> Dock/Pier                     |
| 5. <input type="checkbox"/> Utilities                                 | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation                |
| 9. <input type="checkbox"/> Other                                     |   |

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

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

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Worcester

a. County

52792 page 95 & 53799 Page 237

c. Book

b. Certificate # (if registered land)

d. Page Number

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

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

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





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

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

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input checked="" type="checkbox"/> Bank	490 (within culvert) 1. linear feet	490 (within culvert) 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 3. cubic yards dredged	2. square feet

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

2. Width of Riverfront Area (check one):

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

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

4. Proposed alteration of the Riverfront Area:

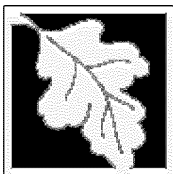
a. total square feet \_\_\_\_\_ b. square feet within 100 ft. \_\_\_\_\_ c. square feet between 100 ft. and 200 ft. \_\_\_\_\_

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

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

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

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



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

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

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet 2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	1. square feet	2. cubic yards dune nourishment
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet	
h. <input type="checkbox"/> Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet 2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above 1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet	

4. ☐ Restoration/Enhancement

If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

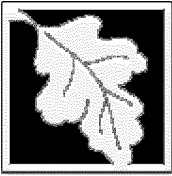
a. square feet of BVW

b. square feet of Salt Marsh

5. ☐ Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings



Massachusetts Department of Environmental Protection  
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### C. Other Applicable Standards and Requirements

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

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

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

2017

b. Date of map

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

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

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

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

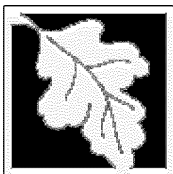
2. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*

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

(b) ☐ Photographs representative of the site

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

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



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

- (c) ☐ MESA filing fee (fee information available at [http://www.mass.gov/dfwele/dfw/nhosp/regulatory\\_review/ mesa/ mesa\\_fee\\_schedule.htm](http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/ mesa/ mesa_fee_schedule.htm)).  
Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

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

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

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

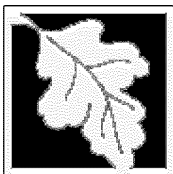
South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

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

North Shore - Hull to New Hampshire border:

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

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



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

**Online Users:**

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

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

a. ☐ Yes ☒ No

If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.

b. ACEC

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

a. ☐ Yes ☒ No

6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?

a. ☐ Yes ☒ No

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

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

1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
2. ☒ A portion of the site constitutes redevelopment
3. ☐ Proprietary BMPs are included in the Stormwater Management System.

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

1. ☐ Single-family house
2. ☐ Emergency road repair
3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

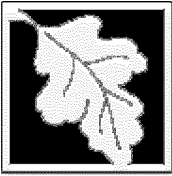
### D. Additional Information

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

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

**Online Users:** Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☒ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

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**D. Additional Information (cont'd)**

3. ☒ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

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

Proposed Retail Motor Fuel Outlet Site Re-Development Plans

a. Plan Title

MHF Design Consultants, Inc.

David R. Jordan, PE

b. Prepared By

c. Signed and Stamped by

March 12, 2018

as noted

d. Final Revision Date

e. Scale

EcoTec Wetland Evaluation Report

December 15, 2017

f. Additional Plan or Document Title

g. Date

5. ☒ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☒ Attach NOI Wetland Fee Transmittal Form
9. ☒ Attach Stormwater Report, if needed.

**E. Fees**

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

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

18426

3/15/2018

2. Municipal Check Number

3. Check date

18248

3/15/2018

4. State Check Number

5. Check date

EcoTec, Inc.

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

## WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Sturbridge

City/Town

### F. Signatures and Submittal Requirements

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

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

1. Signature of Applicant

3. Signature of Property Owner (if different)

5. Signature of Representative (if any)

2. Date

4. Date

6. Date

#### For Conservation Commission:

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

#### For MassDEP:

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

#### Other:

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

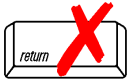
The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.





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

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



## A. Applicant Information

### 1. Location of Project:

228, 234 & 236 Route 15 & 10 Mashapaug

a. Street Address

18248

c. Check number

Sturbridge

b. City/Town

\$512.50

d. Fee amount

### 2. Applicant Mailing Address:

Trevor

a. First Name

Moore

b. Last Name

Petrogas Group New England Inc.

c. Organization

168 North Main Street

d. Mailing Address

Andover

e. City/Town

MA

f. State

01810

g. Zip Code

347-909-0738

h. Phone Number

i. Fax Number

Trevor.Moore@applegreen.ie

j. Email Address

### 3. Property Owner (if different):

a. First Name

b. Last Name

10 Mashapaug Road Sturbridge LLC, a subsidiary of Dunne Manning Realty LP

c. Organization

645 Hamilton Street, Suite 500

d. Mailing Address

Allentown

e. City/Town

PA

f. State

18101

g. Zip Code

610-625-8100

h. Phone Number

i. Fax Number

equisenberry@dunne Manning.com

j. Email Address

## B. Fees

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

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

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

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

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

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

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

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





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

**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Cat. 3.b.(building including site)	1	1	\$1,050
Step 5/Total Project Fee:			1,050

**Step 6/Fee Payments:**

Total Project Fee:	1,050
	a. Total Fee from Step 5
	512.50
State share of filing Fee:	b. 1/2 Total Fee <b>less</b> \$12.50
	537.50
City/Town share of filing Fee:	c. 1/2 Total Fee <b>plus</b> \$12.50

**C. Submittal Requirements**

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

Department of Environmental Protection  
Box 4062  
Boston, MA 02211

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

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



## AUTHORIZATION

I, Audrey Martinez, as Co-Manager for Perry Holdings, LLC (the "Owner"), the owner of property located at 236 Haynes Street (Route 15), Sturbridge, Massachusetts (the "Property"), hereby authorize Dunne Manning Realty LP, its officers, directors, partners, managers, engineers, attorneys, consultants, representatives and agents, to execute and sign on behalf of the Owner as owner of the Property, all applications, petitions, forms, documents and papers that may be required by the town of Sturbridge or any boards, commissions or authorities thereof, in order to facilitate the submission of applications, petitions, notices of intent, certificates (including tax collection compliance certificates) and forms for any and all permits, approvals or orders, including, but not limited to, special permits, variances, site plan review approval, orders of conditions, licenses, waivers and other related government approvals, in connection with the development and permitting of the Property.

PERRY HOLDINGS, LLC

By: \_\_\_\_\_ ✓

Name: Audrey Martinez

Title: Co-Manager

STATE OF MASSACHUSETTS

)

SS: WORCESTER

COUNTY OF WORCESTER

)

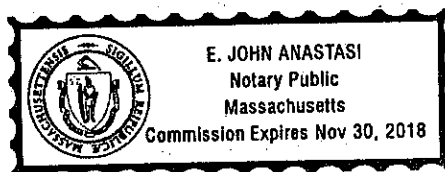
)

On this 21st day of February, 2018, personally appeared before me, AUDREY MARTINEZ, who proved to me through satisfactory evidence of identification, to wit, MASSACHUSETTS DRIVER'S LICENSE, to be the signer of the foregoing document, and who swore or affirmed to me that the contents of said document are truthful and accurate to the best of affiant's knowledge and belief.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

My Commission Expires: 11/30/2018







# Town of Sturbridge

## Conservation Commission

### Notice of Intent Application Checklist – Form B

Applicant / Property Owner Petrogas Group New England, Inc.

Representative Arthur Allen, EcoTec, Inc.

Project Location 10 Mashapaug Road, 228, 234 & 236 Route 15

Assessor's Information Map 552 - 4126-228, 4126-234, 4135-236; 423 - 4136-010

Date NOI filed with Conservation March 15, 2018

Date NOI filed with MA DEP Central Region March 15, 2018

- ☒ Complete most recent WPA Form 3 (Notice of Intent Application) and necessary attachments (2 copies)
- ☒ Plans and calculations clearly describing the location and nature of the work including all necessary Stormwater documents if applicable (2 copies)
- ☒ An 8.5 x 11 color section of the USGS Quadrangle (topo) identifying the locus and with a scale
- ☒ An 8.5 x 11 copy of the most recent Natural Heritage Map with WH, PH and VP data identifying the locus and with a scale
- ☒ An 8.5 x 11 copy of the FIRM Map identifying the locus and with a scale
- ☐ Confirmation that a copy of the NOI was sent to NHESP (if applicable)
- ☒ Copy of the Certified Abutters List (to include all abutters within 200-feet of the subject property) and a copy of the completed Abutter Certification Form
- ☒ Signed Affidavit of Service for Abutter Notification
- ☒ Completed Local Filing Fee Worksheet and NOI Wetland Transmittal Form
- ☒ Filing fee checks, one of the town's portion of the state fee and one for the local fee – both made out to the Town of Sturbridge (See Local Filing Fee Worksheet)
- ☒ Copy of State filing fee check made out to the Commonwealth of MA (1 copy)
- ☒ Tax Form signed by the Sturbridge Tax Collector, notifying the Conservation Commission that the property taxes are paid-to-date (1 copy) (to be provided by EcoTec)

This Check list is to be filled out and submitted to the Sturbridge Conservation Commission at the time of filing the Notice of Intent Application.

Please contact me if you have any questions (508)-347-2506 or via email at [gcolburn@town.sturbridge.ma.us](mailto:gcolburn@town.sturbridge.ma.us).

Conservation Agent





# Town of Sturbridge

## Conservation Commission

### STURBRIDGE CONSERVATION COMMISSION AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act and the Town of Sturbridge Wetland Bylaws

I, Arthur Allen of EcoTec, Inc., hereby certify under the pains and penalties of perjury that on (date) March 15, 2018, I gave notification to abutters in compliance with the second paragraph of the Massachusetts General Laws Chapter 131, § 40, and the DEP Guide to Abutter Notification as well as the Town of Sturbridge Wetland Bylaws, in connection with the following matter:

XX A Notice of Intent OR  
 \_\_\_\_\_ A Request for Determination OR  
 \_\_\_\_\_ An Abbreviated Notice of Resource Area Delineation

was filed under the Massachusetts Wetlands Protection Act and the Town of Sturbridge Bylaws, by Petrogas Group New England with the Sturbridge Conservation Commission on (date) March 15, 2018 for the property located at  
10 Mashapaug Road, 228, 234 & 236 Route 15.

The form of the Notification and a list of abutters to whom it was given and their addresses are included in the application file.

\_\_\_\_\_  
 (signature of applicant) (date)

Arthur Allen  
 (name of applicant-printed or typed)

*F:\Home\CONSERVATION\Forms\Affidavit of Service.doc*





**NOTIFICATION TO ABUTTERS**  
**UNDER THE**  
**MA WETLANDS PROTECTION ACT**  
**AND**  
**TOWN OF STURBRIDGE WETLAND BYLAW REGULATIONS**

In accordance with the second paragraph of Massachusetts General Laws, Chapter 131, § 40, as well as the Town of Sturbridge Wetland Bylaws, you are hereby notified of the following permit application for work within a wetland resource area and/or within the 200-foot buffer zone to a resource area:

A. The name of the applicant is:

Petrogas Group New England, Inc.

B. The address of the lot(s) where the activity is proposed is:

10 Mashapaug Road; 228, 234 & 236 Route 15 (Haynes Street)

C. The nature of the activity proposed includes:

Renovation of an existing fueling station and restaurant.

D. The applicant has filed a XX Notice of Intent or a \_\_\_\_\_ Request for Determination seeking permission to conduct work within a wetland, water body or resource area or a buffer zone to a wetland, waterbody or resource area subject to protection under the Wetlands Protection Act (MGL c. 131, § 40), and/or the Town of Sturbridge Wetland Bylaws.

**OR**

The applicant has filed an \_\_\_\_\_ Abbreviated Notice of Resource Area Delineation with the Sturbridge Conservation Commission seeking to confirm the wetland resource area boundaries.

**OR**

The applicant has filed a \_\_\_\_ request to amend an existing Order of Conditions for DEP File #300-\_\_\_\_

E. Copies of the application may be examined at the office of the Sturbridge Conservation Department, 301 Main Street, Center Office Building, Sturbridge, MA between the hours of 9:00 a.m. - 4:00 p.m. on Monday through Friday. Telephone: (508) 347-2506. Additional times are available by appointment. Please call ahead to check for availability.

F. Copies of the application may be obtained from either (check one) the \_\_\_\_ applicant, or XX the applicant's representative, by calling this telephone number (508-752-9666x24) on the following days of the week: M-F between the hours of: 8 and 4.

G. Information regarding the date, time and place of the public hearing may be obtained from the Sturbridge Conservation Department. Telephone: (508) 347-2506. If available from the applicant, check here \_\_\_\_ and see the information available in # E.

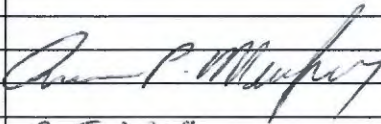
NOTE: At least five days in advance, notice of the Public hearing will be published in The Southbridge News. The notice will include the hearing date, time and place.

NOTE: The Notice of the Public Hearing will be posted in the Town Hall not less than forty-eight (48) hours in advance at the Town Clerks office and at the Conservation Commission Office. Additionally, the public hearing agenda is posted on the Town's website Meeting Calendar ([www.town.sturbridge.ma.us](http://www.town.sturbridge.ma.us)) not less than forty-eight hours in advance of the hearing.

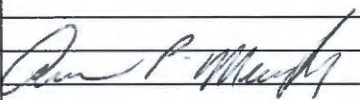
NOTE: You may contact the Sturbridge Conservation Commission Office or the Department of Environmental Protection Central Regional Office at 508-792-7650 with questions in regards to the Notice of Intent application process or the Wetlands Protection Act.

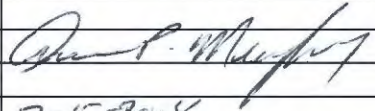


Parcel ID	Owner	Owner Address	Owner City	Owner State	Owner Zip	Property Address
552-04126-228	10 MASHAPAUG ROAD STURBRIDGE LLC	645 HAMILTON STREET	ALLENTOWN	PA	18101	228 ROUTE 15
552-04136-234	10 MASHAPAUG ROAD STURBRIDGE LLC	645 HAMILTON STREET	ALLENTOWN	PA	18101	234 ROUTE 15
170-04145-001	JANSON PAUL R	1 BREAKNECK ROAD	STURBRIDGE	MA	01566	1 BREAKNECK ROAD
423-04136-012	NICHOLSON RICHARD P	34 SILICON DRIVE	WOODLAND PARK	NJ	07424	12 MASHAPAUG ROAD
552-04135-236	PERRY HOLDINGS LLC	236 ROUTE 15	STURBRIDGE	MA	01566	236 ROUTE 15
423-04137-014	SANTOS FERNANDO	14 MASHAPAUG ROAD	STURBRIDGE	MA	01566	14 MASHAPAUG ROAD
423-04153-003	SCHMIDA DAVID JAMES	3 MASHAPAUG ROAD	STURBRIDGE	MA	01566	3 MASHAPAUG ROAD
552-04145-242	SMS REALTY LLC	51 DEPOT STREET	SOUTH GRAFTON	MA	01560	242 ROUTE 15
423-04146-007	STURBRIDGE WORSHIP CENTER	9 MASHAPAUG ROAD	STURBRIDGE	MA	01566	7 MASHAPAUG ROAD
423-04146-005	STURBRIDGE WORSHIP CENTER	9 MASHAPAUG ROAD	STURBRIDGE	MA	01566	5 MASHAPAUG ROAD
423-04147-009	STURBRIDGE WORSHIP CENTER	9 MASHAPAUG ROAD	STURBRIDGE	MA	01566	9 MASHAPAUG ROAD
423-04146-011	SYMCAZAK GARY B	11 MASHAPAUG ROAD	STURBRIDGE	MA	01566	11 MASHAPAUG ROAD
	BOARD OF ASSESSORS					
Above persons listed are record owners as they appear on the most recent applicable tax list.						
Assessors are not responsible for errors or omissions. RE: M.G.L. - Chapter 40A, Section 11						
Abutters List - Conservation Commission - 200'						
RE: 10 MASHAPAUG ROAD						
Certified Copy						
Assessor:	<i>Russ P. Murphy</i>					
Date:	<i>2-5-2018</i>					

Parcel ID	Owner	Owner Address	Owner City	Owner State	Owner Zip	Property Address
423-04136-010	10 MASHAPAUG ROAD STURBRIDGE LLC	645 HAMILTON STREET	ALLENTOWN	PA	18101	10 MASHAPAUG ROAD
423-04138-030	BROGDEN ANDREW	NARNIA PINEWOOD ROAD	HP12 4DD ENGLAND	UK	00000	30 MASHAPAUG ROAD
423-04137-020	NICHOLSON JOAN	34 SILICON DRIVE	WOODLAND PARK	NJ	07424	20 MASHAPAUG ROAD
423-04137-018	NICHOLSON PAUL	2165 BAYBERRY LANE	WESTFIELD	NJ	07090	18 MASHAPAUG ROAD
423-04136-012	NICHOLSON RICHARD P	34 SILICON DRIVE	WOODLAND PARK	NJ	07424	12 MASHAPAUG ROAD
423-04137-022	RICE STEPHAN D	22 MASHAPAUG ROAD	STURBRIDGE	MA	01566	22 MASHAPAUG ROAD
423-04137-014	SANTOS FERNANDO	14 MASHAPAUG ROAD	STURBRIDGE	MA	01566	14 MASHAPAUG ROAD
423-04137-016	SAVOIE VALERIE J	16 MASHAPAUG ROAD	STURBRIDGE	MA	01566-1116	16 MASHAPAUG ROAD
423-04137-024	TOULOUMTZIS DAVID A	24 MASHAPAUG ROAD	STURBRIDGE	MA	01566	24 MASHAPAUG ROAD
423-04138-028	MERCURE WILLIAM	28 MASHAPAUG ROAD	STURBRIDGE	MA	01566	28 MASHAPAUG ROAD
	STURBRIDGE CROSSING CONDO TRUST	PO BOX 572	STURBRIDGE	MA	01566	BENTWOOD DRIVE
	BOARD OF ASSESSORS					
Above persons listed are record owners as they appear on the most recent applicable tax list.						
Assessors are not responsible for errors or omissions. RE: M.G.L. - Chapter 40A, Section 11						
Abutters List -	Conservation Commission - 200'					
RE: 228 ROUTE 15						
Certified Copy						
Assessor:						
Date:	2-5-2018					



Parcel ID	Owner	Owner Address	Owner City	Owner State	Owner Zip	Property Address
423-04136-010	10 MASHAPAUG ROAD STURBRIDGE LLC	645 HAMILTON STREET	ALLENTOWN	PA	18101	10 MASHAPAUG ROAD
423-04138-030	BROGDEN ANDREW	NARNIA PINEWOOD ROAD	HP12 4DD ENGLAND	UK	00000	30 MASHAPAUG ROAD
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423-04137-014	SANTOS FERNANDO	14 MASHAPAUG ROAD	STURBRIDGE	MA	01566	14 MASHAPAUG ROAD
423-04137-016	SAVOIE VALERIE J	16 MASHAPAUG ROAD	STURBRIDGE	MA	01566-1116	16 MASHAPAUG ROAD
423-04137-024	TOULUMTZIS DAVID A	24 MASHAPAUG ROAD	STURBRIDGE	MA	01566	24 MASHAPAUG ROAD
423-04138-028	MERCURE WILLIAM	28 MASHAPAUG ROAD	STURBRIDGE	MA	01566	28 MASHAPAUG ROAD
	STURBRIDGE CROSSING CONDO TRUST	PO BOX 572	STURBRIDGE	MA	01566	BENTWOOD DRIVE
	BOARD OF ASSESSORS					
Above persons listed are record owners as they appear on the most recent applicable tax list.						
Assessors are not responsible for errors or omissions. RE: M.G.L. - Chapter 40A, Section 11						
Abutters List -	Conservation Commission - 200'					
RE: 234 ROUTE 15						
Certified Copy						
Assessor:						
Date:	2-5-2018					

Parcel ID	Owner	Owner Address	Owner City	Owner State	Owner Zip	Property Address
423-04136-010	10 MASHAPAUG ROAD STURBRIDGE LLC	645 HAMILTON STREET	ALLENTOWN	PA	18101	10 MASHAPAUG ROAD
423-04138-030	BROGDEN ANDREW	NARNIA PINEWOOD ROAD	HP12 4DD ENGLAND	UK	00000	30 MASHAPAUG ROAD
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423-04137-016	SAVOIE VALERIE J	16 MASHAPAUG ROAD	STURBRIDGE	MA	01566-1116	16 MASHAPAUG ROAD
423-04137-024	TOULOUMTZIS DAVID A	24 MASHAPAUG ROAD	STURBRIDGE	MA	01566	24 MASHAPAUG ROAD
423-04138-028	MERCURE WILLIAM	28 MASHAPAUG ROAD	STURBRIDGE	MA	01566	28 MASHAPAUG ROAD
	STURBRIDGE CROSSING CONDO TRUST	PO BOX 572	STURBRIDGE	MA	01566	BENTWOOD DRIVE
	BOARD OF ASSESSORS					
Above persons listed are record owners as they appear on the most recent applicable tax list.						
Assessors are not responsible for errors or omissions. RE: M.G.L. - Chapter 40A, Section 11						
Abutters List -	Conservation Commission - 200'					
RE: 236 ROUTE 15						
Certified Copy						
Assessor:						
Date:	2-5-2018					

# TOWN OF STURBRIDGE CONSERVATION COMMISSION

## Filing Fee Worksheet

Under M.G.L. c 131, § 40 and the Town of Sturbridge Wetland Bylaw

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**Applicant** Petrogas Group New England Inc.

**Applicant Representative** EcoTec, Inc.

**Project location** 228, 234 & 236 Route 15 & 10 Mashapaug Road

### TOTAL STATE FEE REQUIRED FOR PROJECT

(Only subject to NOI and ANRAD filings—See Wetland Fee Transmittal Form):

State Fee Category(s) 3.b. (Building & site)

Total State Fee for project (include Riverfront Area adjustment if applicable) 1,050

State share of State Fee 512.50

Local Share of State Fee 537.50

### TOTAL ADDITIONAL LOCAL FEE REQUIRED FOR PROJECT\*:

(See Sturbridge Wetland Bylaw Regulations Section 4.17)

Standard NOI Fee = \$50.00 XX (check if applicable)

Standard RDA Fee = \$25.00 \_\_\_\_\_ (check if applicable)

Standard ANRAD Fee = \$00.10 per foot for resource area delineation \_\_\_\_\_ (check if applicable).

# feet \_\_\_\_\_ x \$00.10 = \$ \_\_\_\_\_

Standard DELINEATION Fee = \$00.10 per foot for resource area delineation XX (for all projects).

# feet 1,500 x \$00.10 = \$ 150

(for all projects that do not include an approved wetland delineation boundary by the Commission within 3 years prior to application submittal)

REPLICATION Monitoring Fee = \$200.00 \_\_\_\_\_ (check if applicable)

(for all projects that include wetland alteration and wetland replication)

### CUMULATIVE TOTAL FEES:

Total State fee: 512.50

Total Town share of State Fee: 537.50

Total Local fee: 200

#### \*Notes:

For each NOI and ANRAD filing, please submit two (2) checks to the Town of Sturbridge, one for the town's portion of the state fee and one for the local fee(s). RDA filings only have a Local fee at this time.

The advertising fee is not included in the calculation. The Applicant will pay the Southbridge News directly.

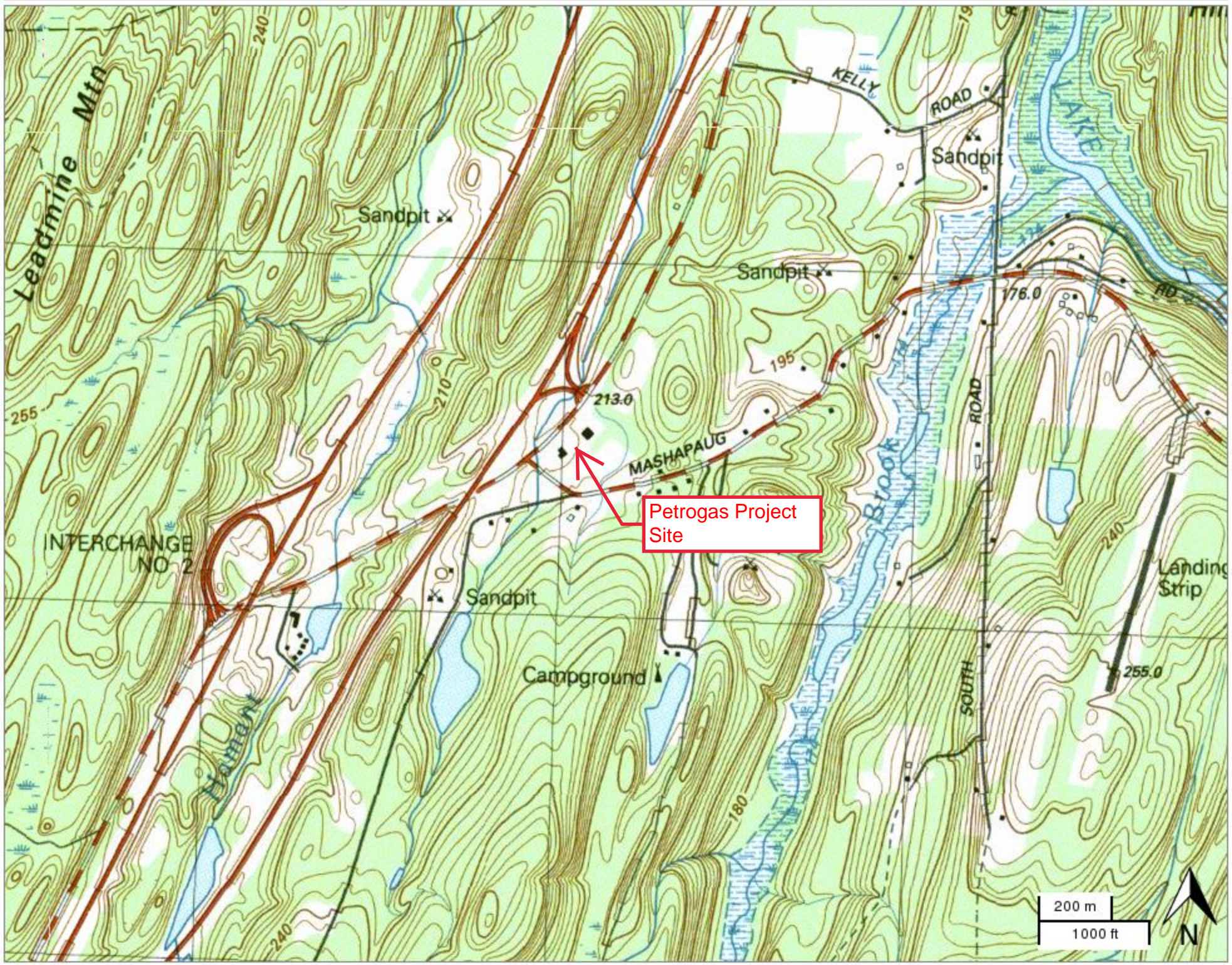




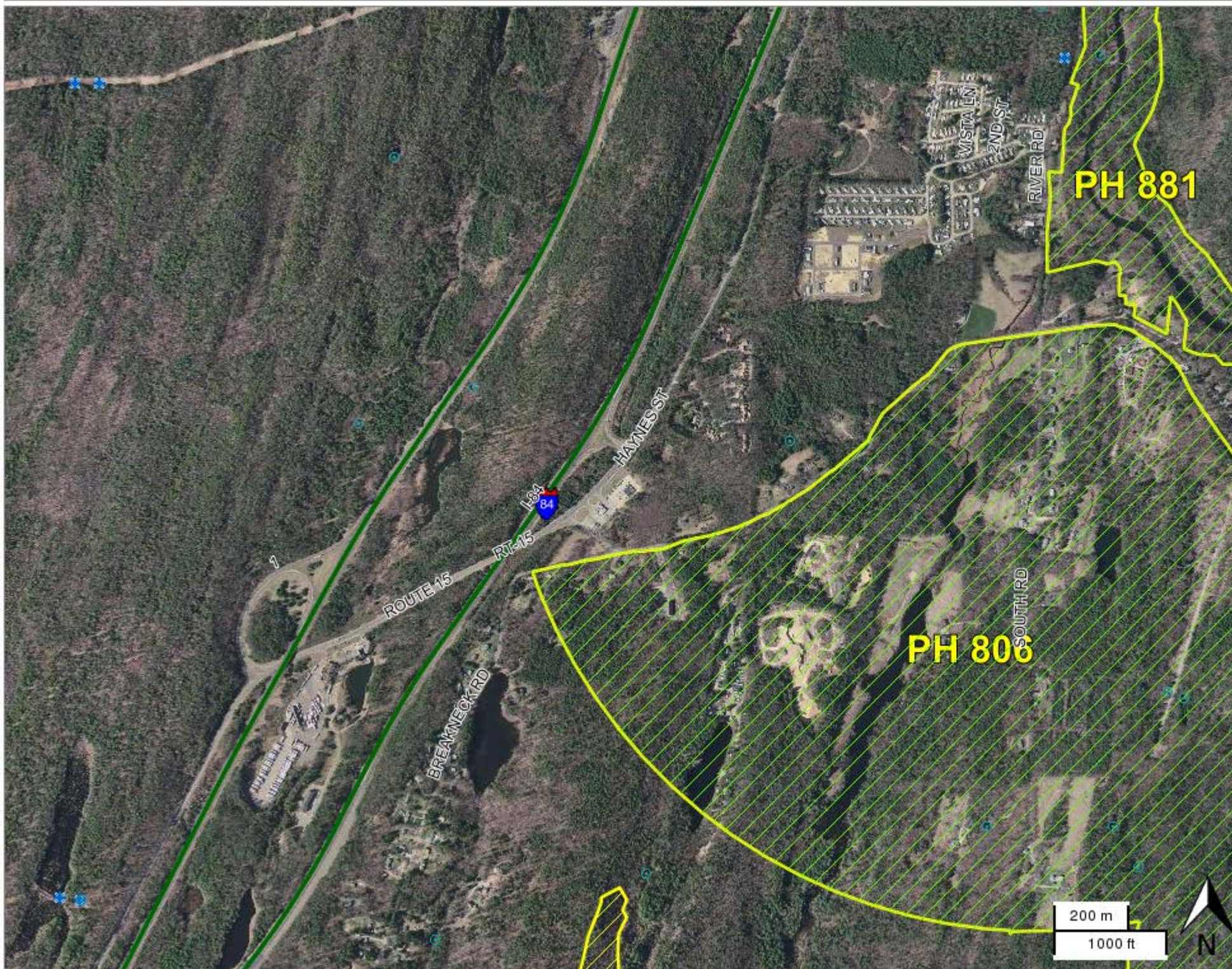
AUTHORIZED SIGNATURE \_\_\_\_\_











Potential Vernal Pools



NHESP Certified Vernal Pools



NavTeq MA Other Streets Names

Major MassDOT Routes

Interstate Highways

US Roads

State

Massachusetts Towns



NHESP Estimated Habitats of Rare Wildlife



NHESP Priority Habitats of Rare Species



Orthos 2013-2014

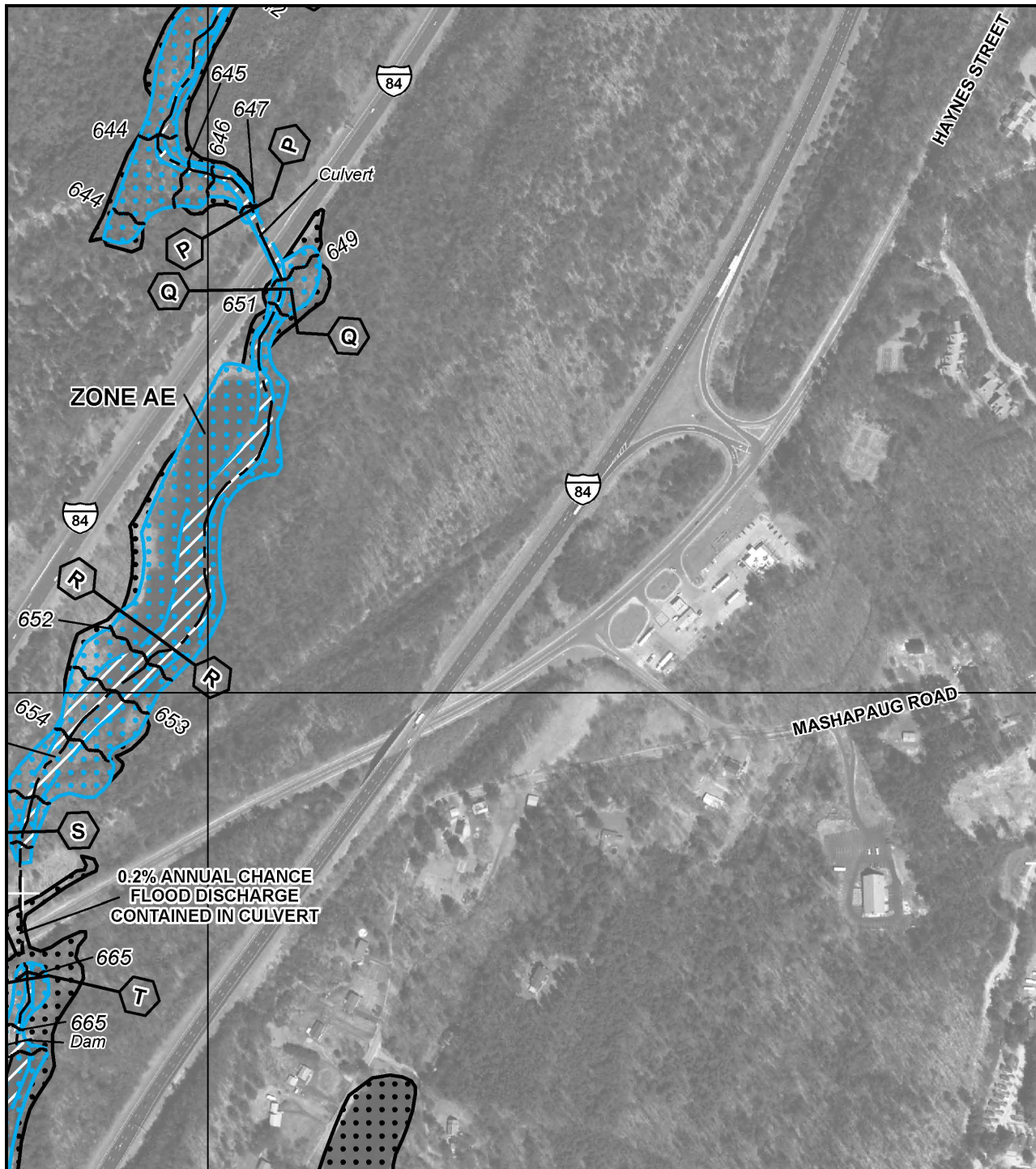
2013-2014 Color Orthos (USGS)

200 m

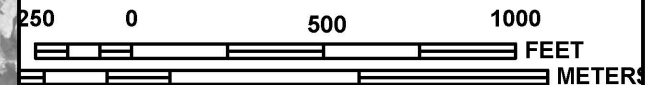
1000 ft







MAP SCALE 1" = 500'



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0928E

## FIRM

FLOOD INSURANCE RATE MAP  
WORCESTER COUNTY,  
MASSACHUSETTS  
(ALL JURISDICTIONS)

PANEL 928 OF 1075

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
STURBRIDGE, TOWN OF	250337	0928	E

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.



**MAP NUMBER**  
25027C0928E  
**EFFECTIVE DATE**  
JULY 4, 2011

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)



## Petrogas

3/15/2018 11:56:27 AM

Scale: 1"=200'

Scale is approximate

The information depicted on this map is for planning purposes only.  
It is not adequate for legal boundary definition, regulatory  
interpretation, or parcel-level analyses.





## EcoTec, Inc.

ENVIRONMENTAL CONSULTING SERVICES

102 Grove Street

Worcester, MA 01605-2629

508-752-9666 / Fax: 508-752-9494

December 15, 2017

Trevor Moore  
Petrogas Group New England, Inc.  
168 North Main Street  
Andover, MA 01810

RE: Wetland Resource Evaluation, 228, 234 & 236 Haynes Rd., Sturbridge, MA

Dear Trevor:

On September 5 & December 15, 2017, EcoTec, Inc. inspected the above-referenced property to confirm the boundaries of wetland resources as defined by: (1) the Massachusetts Wetlands Protection Act (M.G.L. Ch. 131, § 40; the “Act”) and its implementing regulations (310 CMR 10.00 *et seq.*; the “Regulations”); and (2) the U.S. Clean Water Act (i.e., Section 404 and 401 wetlands). Arthur Allen, CPSS, CWS conducted the inspection.

The subject site consists of three parcels totaling  $\pm 13$ -acres located at the easterly corner of Haynes and Mashapaug Roads. The upland portions of the site are largely developed with a fueling station, former restaurant, septic system and associated paved areas. The wetland resources observed on the site are described below.

### Methodology

The site was inspected, and areas suspected to qualify as wetland resources were identified. The boundary of Bordering Vegetated Wetlands or, in the absence of Bordering Vegetated Wetlands, Bank was delineated in the field in accordance with the definitions set forth in the regulations at 310 CMR 10.55(2)(c) and 310 CMR 10.54(2). Section 10.55(2)(c) states that “The boundary of Bordering Vegetated Wetlands is the line within which 50% or more of the vegetational community consists of wetland indicator plants and saturated or inundated conditions exist.” Section 10.54(2)(c) states that “The upper boundary of Bank is the first observable break in the slope or the mean annual flood level, whichever is lower.” The methodology used to delineate Bordering Vegetated Wetlands is further described in: (1) the BVW Policy “*BVW: Bordering Vegetated Wetlands Delineation Criteria and Methodology*,” issued March 1, 1995; and (2) “*Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act: A Handbook*,” produced by the Massachusetts Department of Environmental Protection, dated March 1995. The plant taxonomy used in this report is based on the *National Wetland Plant List (Massachusetts 2012 Final State Wetland Plant List)*, ERDC/CRREL TR-12-11 (Lichvar, 2012). Federal wetlands were presumed to have boundaries conterminous with the delineated Bordering Vegetated Wetlands and Bank. One set of DEP Bordering Vegetated Wetland Delineation Field Data Forms completed for observation plots located in the wetlands and uplands near flag A-36 is attached. The table below provides the Flag Numbers, Flag Type, and Wetland Types and Locations for the delineated wetland resources.

Flag Numbers	Flag Type	Wetland Types and Locations
A-16 to A-47	Blue Flags	Boundary of Bordering Vegetated Wetlands located in the easterly portions of the site that is associated with mapped intermittent streams that flow into a culvert at A-26.
C-1 to C-18	Blue Flags	Boundary of Bordering Vegetated Wetlands located in the southwesterly portion of the site that is associated with groundwater breakout and an unmapped, intermittent stream flowing to a drop inlet at flag C-1.
D-1 to D-14	Blue Flags	Top of stream Bank wetland located in the northerly portion of the site that is associated with a mapped intermittent stream that flows out of the culvert draining the A-series wetland and into culvert at flag D-9.

## Findings

Wetlands A and C consist of a wooded swamps and wet meadows located in the easterly and southerly portions of the site that are associated with a mapped (Wetland A) and unmapped (Wetland C), intermittent streams. Wetland D consists of a stream Bank associated with the mapped, intermittent stream draining out of Wetland A.

Plant species observed include red maple (*Acer rubrum*), black tupelo (*Nyssa sylvatica*), green ash (*Fraxinus pensylvanica*), eastern hemlock (*Tsuga canadensis*), willow (*Salix sp.*), and American elm (*Ulmus americana*) trees, saplings, and/or shrubs; eastern poison-ivy (*Toxicodendron radicans*) climbing woody vines; highbush blueberry (*Vaccinium corymbosum*), common winterberry (*Ilex verticillata*), southern arrow-wood (*Viburnum dentatum*), silky dogwood (*Cornus amomum*), gray dogwood (*Cornus racemosa*), European buckthorn (*Rhamnus cathartica*), glossy false buckthorn (*Frangula alnus*), coastal sweet pepperbush (*Clethra alnifolia*), Canadian service-berry (*Amelanchier canadensis*), and black elderberry (*Sambucus nigra*) shrubs; and sheep-laurel (*Kalmia angustifolia*), bristly dewberry (*Rubus hispidus*), cinnamon fern (*Osmunda cinnamomea*), royal fern (*Osmunda spectabilis*), interrupted fern (*Osmunda claytoniana*), sensitive fern (*Onoclea sensibilis*), subarctic lady fern (*Athyrium filix-femina*), eastern marsh fern (*Thelypteris palustris*), New York fern (*Parathelypteris noveboracensis*), Massachusetts/bog fern (*Parathelypteris simulata*), spinulose wood fern (*Dryopteris carthusiana*), skunk-cabbage (*Symplocarpus foetidus*), American False Hellebore (*Veratrum viride*), Jack-in-the-pulpit (*Arisaema triphyllum*), three-leaf goldthread (*Coptis trifolia*), maystar (*Trientalis borealis*), spotted touch-me-not (*Impatiens capensis*), Cardinal-flower (*Lobelia cardinalis*), yellow marsh-marigold (*Caltha palustris*), and sphagnum moss (*Sphagnum sp.*) ground cover. Evidence of wetland hydrology, including hydric soils, high groundwater, saturated soils, pore linings, evidence of flooding, and drainage patterns, was observed within the delineated wetland.



These vegetated wetlands border intermittent streams; accordingly, the vegetated wetlands would be regulated as Bordering Vegetated Wetlands and the intermittent streams would be regulated as Bank under the Act. A 100-foot Buffer Zone extends horizontally outward from the edge of Bordering Vegetated Wetlands and Bank under the Act.

Bordering Land Subject to Flooding is an area that floods due to a rise in floodwaters from a bordering waterway or water body. Where flood studies have been completed, the boundary of Bordering Land Subject to Flooding is based upon flood profile data prepared by the National Flood Insurance Program. Section 10.57(2)(a)3. states that “The boundary of Bordering Land Subject to Flooding is the estimated maximum lateral extent of flood water which will theoretically result from the statistical 100-year frequency storm.” The project engineer should evaluate the most recent National Flood Insurance Program flood profile data to confirm that Bordering Land Subject to Flooding does not occur on the site. Bordering Land Subject to Flooding would occur in areas where the 100-year flood elevation is located outside of or upgradient of the delineated Bordering Vegetated Wetlands or Bank boundary. Bordering Land Subject to Flooding does not have a Buffer Zone under the Act. A copy of the most recent MA GIS flood zone map is attached to this report.

The Massachusetts Rivers Protection Act amended the Act to establish an additional wetland resource area: Riverfront Area. Based upon a review of the current USGS Map (attached), an unnamed stream that is shown as perennial is located in the westerly corner of the site. Streams that are shown as perennial on the current USGS map are designated perennial under the Massachusetts Wetlands Protection Act regulations. This being said, there is no evidence of the mapped stream on the site. The site is almost fully developed and it was noted that there was flow within the sub-surface drainage system on two different, dry days. It appears that the mapped stream was placed in an underground culvert that is more than 200 feet in length. Therefore it is presumed that Riverfront Area is not associated with the stream. The mapped intermittent stream was evaluated using the USGS StreamStats program and the stream was found to have a watershed area, at the site, of 0.097 square miles (see attached StreamStats report). This area is less than the 0.5 square miles required for mapped intermittent streams to be presumed perennial. Accordingly, except as noted above, Riverfront Area would not occur on the site. Riverfront Area does not have a Buffer Zone under the Act, but may overlap other wetland resources and their Buffer Zones.

The Regulations require that no project may be permitted that will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures set forth at 310 CMR 10.59. Based upon a review of the *Massachusetts Natural Heritage Atlas*, 14<sup>th</sup> edition, Priority Habitats and Estimated Habitats, valid from August 1, 2017, there are no Estimated Habitats [for use with the Act and Regulations (310 CMR 10.00 *et seq.*)], Priority Habitats [for use with Massachusetts Endangered Species Act (M.G.L. Ch. 131A; “MESA”) and MESA Regulations (321 CMR 10.00 *et seq.*)], or Certified Vernal Pools on or in the immediate vicinity of the site. A copy of this map is attached.

The reader should be aware that the regulatory authority for determining wetland jurisdiction rests with local, state, and federal authorities. A brief description of my experience and qualifications is attached. If you have any questions, please feel free to contact me at any time.

Cordially,  
ECOTEC, INC.



Arthur Allen, CPSS, CWS, CESSWI, ASE  
Vice President

Attachments (6, 10 pages)

AA/Wetland/SturbridgeMashapaugHaynesWetReport

## QUALIFICATIONS

**Arthur Allen, CPSS, CWS, CESSWI**  
**Vice President**  
**Soil & Wetland Scientist**

Arthur Allen is the Vice President of EcoTec, Inc. and has been a senior environmental scientist there since 1995. His work with EcoTec has involved wetland delineation, wildlife habitat evaluation, environmental permitting (federal, state and local), environmental monitoring, expert testimony, peer reviews, contaminated site assessment and the description, mapping and interpretation of soils. His clients have included private landowners, developers, major corporations and regulatory agencies. Prior to joining EcoTec, Mr. Allen mapped and interpreted soils in Franklin County, MA for the U.S.D.A. Natural Resources Conservation Service (formerly Soil Conservation Service) and was a research soil scientist at Harvard University's Harvard Forest. Since 1994, Mr. Allen has assisted the Massachusetts Department of Environmental Protection and the Massachusetts Association of Conservation Commissions as an instructor in the interpretation of soils for wetland delineation and for the Title V Soil Evaluator program.

Mr. Allen has a civil service rating as a soil scientist, an undergraduate degree in Natural Resource Studies and a graduate certificate in Soil Studies. His work on the Franklin County soil survey involved interpretation of landscape-soil-water relationships, classifying soils and drainage, and determining use and limitation of the soil units that he delineated. As a soil scientist at the Harvard Forest, Mr. Allen was involved in identifying the legacies of historical land-use in modern soil and vegetation at a number of study sites across southern New England. He has a working knowledge of the chemical and physical properties of soil and water and how these properties interact with the plants that grow on a given site. While at Harvard Forest he authored and presented several papers describing his research results which were later published. In addition to his aforementioned experience, Mr. Allen was previously employed by the Trustees of Reservations as a land manager and by the Town of North Andover, MA as a conservation commission intern.

### **Education:**

1993-Graduate Certificate in Soil Studies, University of New Hampshire  
1982-Bachelor of Science in Natural Resource Studies, University of Massachusetts

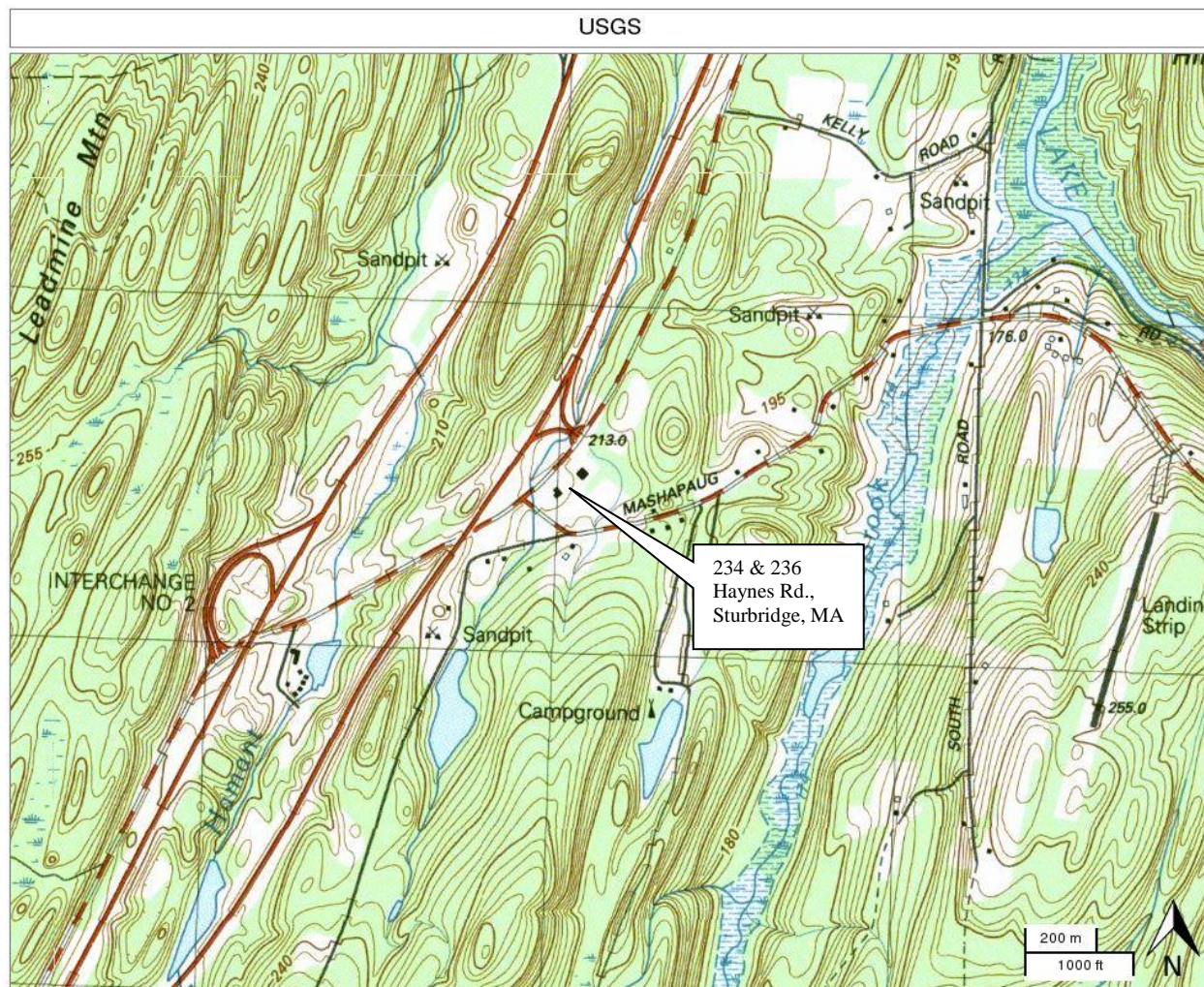
### **Professional Affiliations:**

Certified Professional Soil Scientist (ARCPACS CPSS #22529)  
New Hampshire Certified Wetland Scientist (#19)  
Registered Professional Soil Scientist – Society of Soil Scientists of SNE [Board Member (2000-2006)]  
Certified Erosion, Sediment & Stormwater Inspector (#965)  
Approved Soil Evaluator (#13764)  
Massachusetts Arborists Association-Certified Arborist (1982 – 1998)  
New England Hydric Soils Technical Committee member  
Massachusetts Association of Conservation Commissions member  
Society of Wetland Scientists member

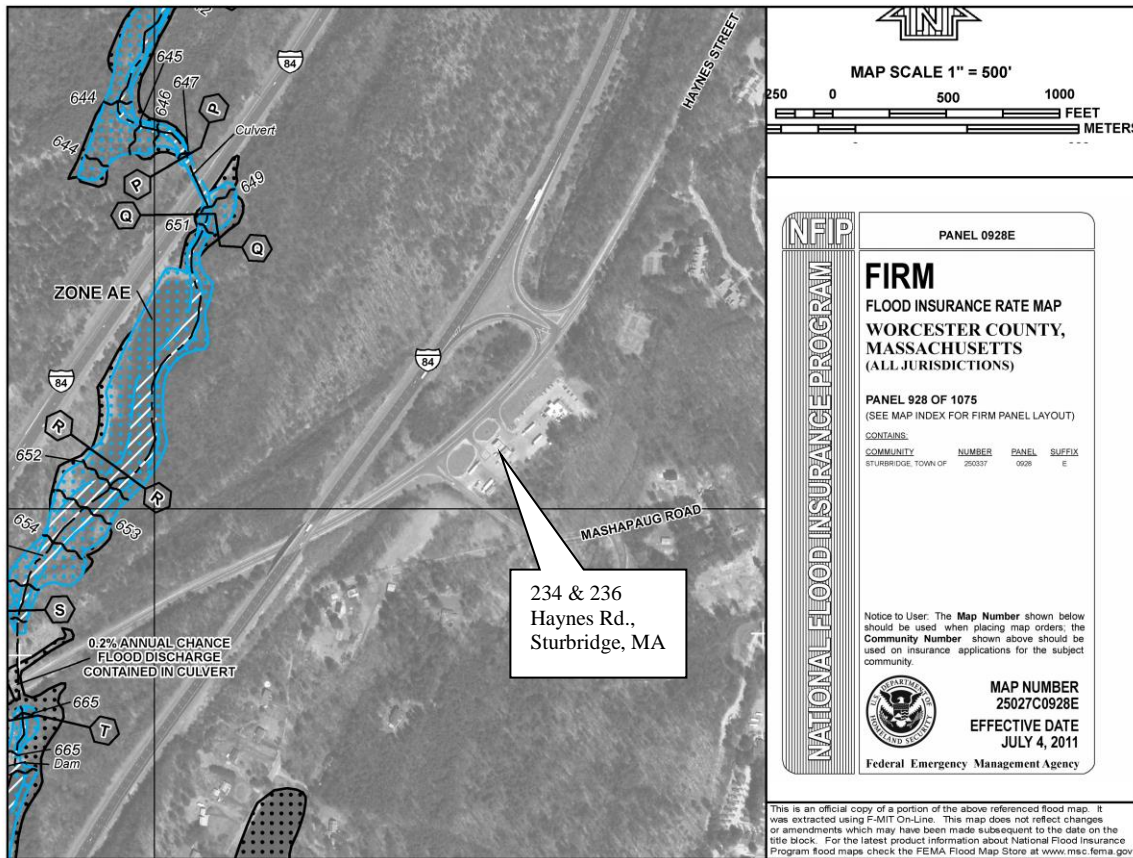
### **Refereed Publications:**

*Soil Science and Survey at Harvard Forest.* A.Allen. In: Soil Survey Horizons. Vol. 36, No. 4, 1995, pp. 133-142.  
*Controlling Site to Evaluate History: Vegetation Patterns of a New England Sand Plain.* G.Motzkin, D.Foster, A.Allen, J.Harrold, & R.Boone. In: Ecological Monographs 66(3), 1996, pp. 345-365.  
*Vegetation Patterns in Heterogeneous Landscapes: The Importance of History and Environment.* G.Motzkin, P.Wilson, D.R.Foster & A.Allen. In: Journal of Vegetation Science 10, 1999, pp. 903-920.





**USGS PROJECT LOCUS – STURBRIDGE, MA**



**FIRM/FEMA FLOOD MAP**





# StreamStats Version 3.0

## Basin Characteristics Ungaged Site Report

Date: Wed Sept 20, 2017 4:00:58 PM GMT-4

Study Area: Massachusetts

NAD 1983 Latitude: 42.0719 ( 42 04 19)

NAD 1983 Longitude: -72.0976 (-72 05 52)

Label	Value	Units	Definition
DRNAREA	0.097	square miles	Area that drains to a point on a stream

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U.S. Department of the Interior | U.S. Geological Survey

URL: [http://streamstatsags.cr.usgs.gov/v3\\_beta/BCreport.htm](http://streamstatsags.cr.usgs.gov/v3_beta/BCreport.htm)

Page Contact Information: [StreamStats Help](#)

Page Last Modified: 12/06/2016 23:50:12 (Web1)

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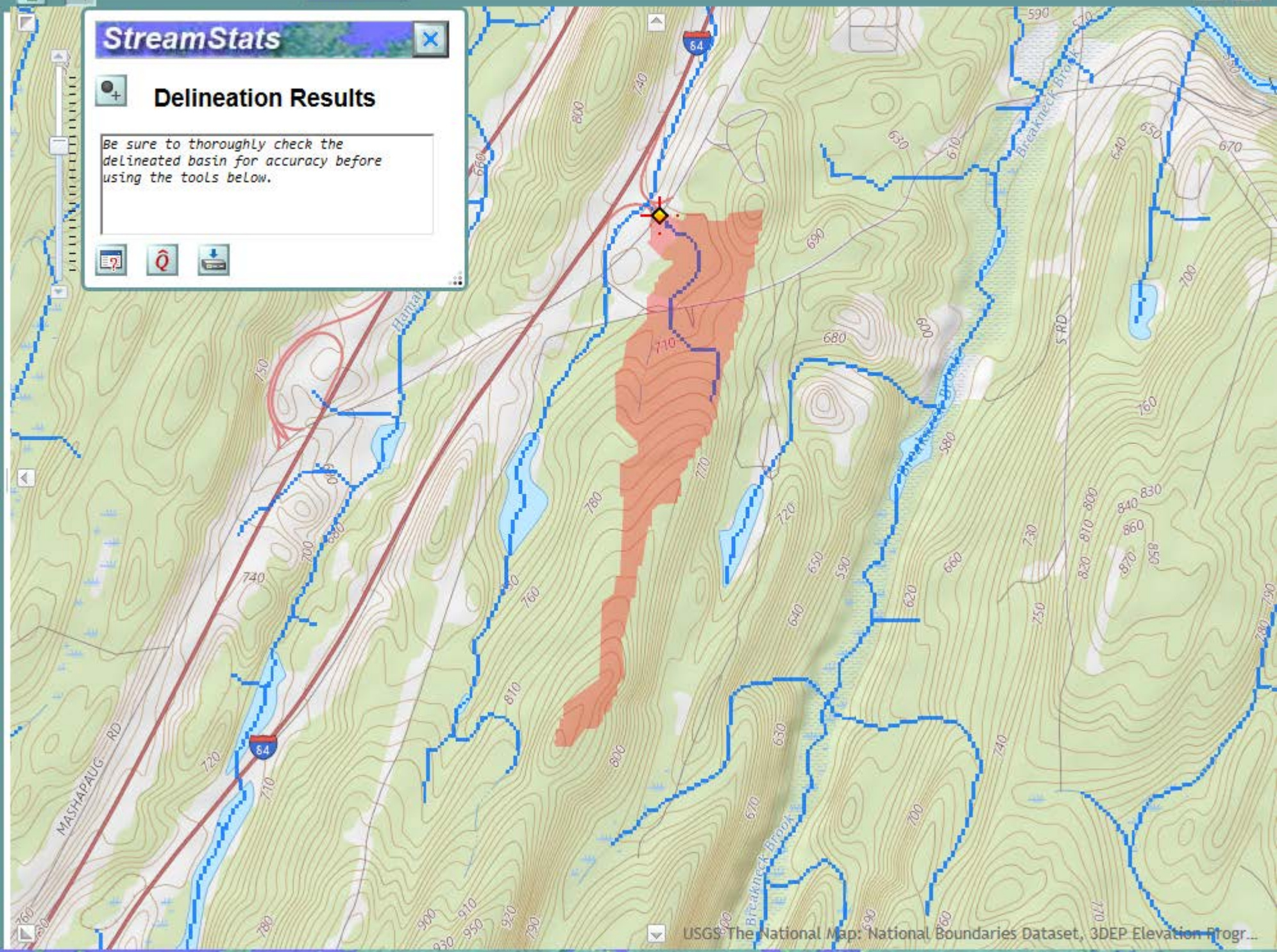


Zoom To: ▼

## StreamStats

### Delineation Results

Be sure to thoroughly check the delineated basin for accuracy before using the tools below.





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

Applicant:

Prepared by: EcoTec, Inc.

Project location: Haynes & Mashapaug, Sturbridge

DEP File # :

Check all that apply:

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

Section I. Vegetation			Observation Plot Number: UPLAND	Transect Number: TPU@A-36	Date of Delineation: 9/5/2017	
A. Sample Layer and 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 *
Trees	Red Maple	<i>Acer rubrum</i>	70	70	Yes	FAC*
	Black Cherry	<i>Prunus serotina</i>	20	20	Yes	FACU
	White Pine	<i>Pinus strobus</i>	10	10	No	FACU
Sapling	none					
Shrub	Highbush Blueberry	<i>Vaccinium corymbosum</i>	5	25	Yes	FACW*
	White Ash	<i>Fraxinus americana</i>	10	50	Yes	FACU
	White Pine	<i>Pinus strobus</i>	5	25	Yes	FACU
Herb	Bracken Fern	<i>Pteridium aquilinum</i>	15	42.9	Yes	FACU
	New York Fern	<i>Thelypteris novaboracensis</i>	20	57.1	Yes	FAC*
Vine	Asiatic Bittersweet	<i>Celastrus orbiculata</i>	10	100	Yes	NL

\*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 conclusions:

Number of dominant wetland indicator plants: 3      Number of dominant non-wetland indicator plants: 5  
 Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? No

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.

MA DEP; 3/95

## Section II. Indicators of Hydrology

### 1. Soil Survey

Is there a published soil survey for this site? -

title/date: -  
map number: -  
soil type mapped: -  
hydric soil inclusions: -

Are field observations consistent with soil survey? -

Remarks: -

### 2. Soil Description

Horizon	Depth (inches)	Matrix Color	Mottle Color
Litter	2		
Oa	1-0		
A	0-10	10YR 3/2	
Bw	10-18	10YR 5/4	10% 7.5YR 4/4

Remarks: Fine sandy loams

### 3. Other:

Conclusion: Is soil Hydric? No

## Other Indications of Hydrology: (check all that apply and 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 (stream, lake, or tidal gauge; aerial photo; other): \_\_\_\_\_
- ☐ Other: \_\_\_\_\_

## Vegetation and Hydrology Conclusion

	yes	no
Number of wetland indicator plants ≥ number of non-wetland indicator plants	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wetland hydrology present:		
hydric soil present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
other indicators of hydrology present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sample location is in a BVW	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

Applicant:

Prepared by: EcoTec, Inc.

Project location: Haynes & Mashapaug, Sturbridge

DEP File # :

Check all that apply:

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

Section I. Vegetation		Observation Plot Number: WETLAND	Transect Number: TPW@A-36	Date of Delineation: 9/5/2017		
A. Sample Layer and 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 *
Trees	Red Maple	<i>Acer rubrum</i>	100	100	Yes	FAC*
Sapling	Red Maple	<i>Acer rubrum</i>	20	100	Yes	FAC*
Shrub	Black Cherry	<i>Prunus serotina</i>	15	37.5	Yes	FACU
	Field Juniper	<i>Juniperus virginiana</i>	10	25	Yes	FACU
	White Pine	<i>Pinus strobus</i>	5	12.5	No	FACU
	Glossy Buckthorn	<i>Rhamnus frangula</i>	10	25	Yes	FAC*
Herb	Cinnamon Fern	<i>Osmunda cinnamomea</i>	20	66.7	Yes	FACW*
	Red Maple	<i>Acer rubrum</i>	10	33.3	Yes	FAC*

\*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 conclusions:

Number of dominant wetland indicator plants: 5      Number of dominant non-wetland indicator plants: 2  
 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.

MA DEP; 3/95

## Section II. Indicators of Hydrology

### 1. Soil Survey

Is there a published soil survey for this site? -

title/date: -  
map number: -  
soil type mapped: -  
hydric soil inclusions: -

Are field observations consistent with soil survey? -

Remarks: -

### 2. Soil Description

Horizon	Depth (inches)	Matrix Color	Mottle Color
Litter	1		
Oa	1-0		
A	0-10	10YR 2/2	
Bg	10-16	2.5Y 6/1	10% 10YR 4/6

Remarks: Fine sandy loams

### 3. Other:

Conclusion: Is soil Hydric? Yes

## Other Indications of Hydrology: (check all that apply and 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 (stream, lake, or tidal gauge; aerial photo; other): \_\_\_\_\_
- ☐ Other: \_\_\_\_\_

## Vegetation and Hydrology Conclusion

	yes	no
Number of wetland indicator plants ≥ number of non-wetland indicator plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wetland hydrology present:		
hydric soil present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
other indicators of hydrology present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sample location is in a BVW	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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