June 27, 2020

Worcester Conservation Commission
Worcester Division of Planning & Regulatory Services
City Hall
455 Main Street, Room 404
Worcester, MA 01608

Re: Request for Determination of Applicability
Lot 117 Sarah Drive, Worcester
Applicant: Arboretum Village, LLC

Dear Commission Members:

Enclosed please find one original and two (2) copies of a Request for Determination of Applicability (RDA), submitted on behalf of Arboretum Village, LLC. filed under the Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance for the above referenced property. This filing comprises:

1. This cover letter;
2. The Request for Determination of Applicability form with required attachments;
3. Checks to cover filing fees and legal ad;
4. Wetland Resource Letter by EcoTec, Inc. dated October 29, 2020; and

One (1) copy of this filing has been submitted by email and certified mail, return receipt requested to the Department of Environmental Protection and a copy has been provided to the property owner and applicant.

The proposed project consists of the construction of a duplex home, driveways, grading, and associated site work with portions of the project located within the 100 foot Buffer Zone to Bordering Vegated Wetland. The duplex is located 90-feet from the wetland boundary and the limit of work is approximately 60-feet from the wetland. All jurisdictional wetland resource areas will be protected during construction by installing and maintaining properly entrenched silt fence and double staked haybales or straw wattles.

The MassDEP Buffer Zone Policy 99-1 provides standards, which if met would qualify for a negative Determination of Applicability. The requirements are as follows:

1. Project must be less than 5,000 square feet: Proposed project approximately 2,000 s.f within the Buffer Zone;
2. Maintain a minimum of 50’of Buffer Zone: Proposed project maintains a 60’ Buffer;
3. Stormwater Managed in accordance with MassDEP Policy: The proposed project consists of a duplex unit and is not subject to the Stormwater Management Policy;
4. No Outstanding Resource Waters (ORW): The site is not located within an ORW;
5. No Estimated Habitat: The project is not located within Estimated or Priority Habitat.
6. **Prevention of Erosion and Sedimentation**: The proposed project includes properly installed erosion control barriers to prevent erosion into the wetland located to the rear of the lot. Stone construction entrances will be utilized to prevent tracking of soils onto the roadway. It is also worth noting that the portion of the site where work will occur is contains a gentle slope with appropriate erosion controls as noted above.

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,

Scott M. Morrison, PWS
Senior Environmental Scientist
Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 1- Request for Determination of Applicability
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. General Information

1. Applicant:
   - Name: Arboretum Village, LLC
   - Address: 31 Gallair Circle, Holden, MA 01520
   - Phone Number: 508-752-9666, Fax Number: 508-752-9494

2. Representative (if any):
   - Firm: EcoTec, Inc.
   - Contact Name: Scott Morrison
   - Address: 102 Grove Street, Worcester, MA 01605

B. Determinations

1. I request the Worcester Conservation Commission make the following determination(s). Check any that apply:

   ☐ a. whether the area depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
   ☐ b. whether the boundaries of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
   ☒ c. whether the work depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
   ☒ d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any municipal wetlands ordinance or bylaw of:

      - Worcester

   ☐ e. whether the following scope of alternatives is adequate for work in the Riverfront Area as depicted on referenced plan(s).
C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):
   Lot 117 Sarah Drive (Assessors-86 Upland)                     Worcester  
   Street Address                        City/Town  
   29                                      045-00001  
   Assessors Map/Plat Number              Parcel/Lot Number

   b. Area Description (use additional paper, if necessary):
   The proposed site is defined as Lot 117 Sarah Drive, which contains an intermittent stream and gas easement to the east of the proposed work area.

   c. Plan and/or Map Reference(s):
   Site Plan - Lot 117 6/6/2020
   Title  
   Date
   Title  
   Date
   Title  
   Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):
   The proposed project consist of the construction of a duplex-home, driveways, grading, and associated site work. The building is proposed at 90-feet from the wetland and the limit of work/erosion control barrier is located over 60-feet from the edge of the wetland. Erosion controls are proposed to be installed prior to construction at the site.
C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).


3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)
D. Signatures and Submittal Requirements

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

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Arboretum Village, LLC

Name

31 Gallair Circle

Mailing Address

Holden

City/Town

MA 01520

State Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Signature of Applicant 6/25/2020

Signature of Representative (if any) 6/26/2020
October 29, 2019

Steven Gallo
Arboretum Village, LLC
30 Gallair Circle
Holden, MA 01520

Re: Wetland Delineation

Dear Mr. Gallo:

On October 24, 2019, EcoTec, Inc. inspected the above-referenced property to evaluate and re-establish the wetland boundary 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”); (2) the U.S. Clean Water Act (i.e., Section 404 and 401 wetlands); and (3) the City of Worcester Wetlands Protection Ordinance. Scott Morrison, PWS conducted the inspection.

EcoTec was able to find flagging and/or remnants of the previous delineation and using the plans and existing flag numbers, were able to re-establish the flags. Wetland flags H10 through H32 were replaced in the field. These flags delineate and intermittent stream and associated Bordering Vegetated Wetland located to the east of the existing cul-de-sac at the terminus of Sarah Drive in Worcester. The wetland boundary was evaluated, and it is EcoTec’s opinion that the wetland boundary remains accurate. Updated Bordering Vegetated Field forms are appended to this letter.

Please let me know if the Commission has any questions or concerns.

Sincerely,

Scott M. Morrison, PWS
Senior Environmental Scientist
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 11/19/2019 at 1:46:13 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.
### DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Form

**Applicant**

**Prepared by:** EcoTec, Inc

**Project Location:** Arboretum, Worcester

**DEP File #**

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**Section I. Vegetation**

**Number:** Upland  
**Transect #** H-28  
**Date of Delin:** 10/24/2019

<table>
<thead>
<tr>
<th>A. Sample layer and plant species</th>
<th>Percent Cover (or basal area)</th>
<th>Percent Dominance</th>
<th>Dominant Plant?</th>
<th>Wetland Indicator Category</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Tree</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>trembling aspen</td>
<td>60</td>
<td>75.0</td>
<td>YES</td>
<td>FACU</td>
</tr>
<tr>
<td>gray birch</td>
<td>20</td>
<td>25.0</td>
<td>YES</td>
<td>FAC *</td>
</tr>
<tr>
<td><strong>Sapling</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>black cherry</td>
<td>20</td>
<td>100.0</td>
<td>YES</td>
<td>FACU</td>
</tr>
<tr>
<td><strong>Shrub</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Autumn olive</td>
<td>20</td>
<td>50.0</td>
<td>YES</td>
<td>NL</td>
</tr>
<tr>
<td>multi-flora rose</td>
<td>20</td>
<td>50.0</td>
<td>YES</td>
<td>FACU</td>
</tr>
<tr>
<td><strong>Ground</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>jewelweed</td>
<td>10</td>
<td>16.7</td>
<td>YES</td>
<td>FACW *</td>
</tr>
<tr>
<td>Garlic mustard</td>
<td>20</td>
<td>33.3</td>
<td>YES</td>
<td>FACU</td>
</tr>
<tr>
<td>giant golden-rod</td>
<td>30</td>
<td>50.0</td>
<td>YES</td>
<td>FACW *</td>
</tr>
<tr>
<td><strong>Vine</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Asiatic bittersweet</td>
<td>20</td>
<td>100.0</td>
<td>YES</td>
<td>NL</td>
</tr>
</tbody>
</table>

### Vegetation Conclusions

- **Number of dominant wetland indicator plants:** 3
- **Number of dominant non-wetland indicator plants:** 6

**Is the number of dominant wetland plants equal or greater than the number of dominant non-wetland plants?** NO
### Section II. Indicators of Hydrology

#### Observation Plot Number:
- **Upland**

#### Date of Delin:
- **10/24/19**

##### 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

<table>
<thead>
<tr>
<th>Horizon</th>
<th>Depth (inches)</th>
<th>Matrix Color</th>
<th>Mottle Color</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>0-16+</td>
<td>10YR 3/2</td>
<td></td>
</tr>
</tbody>
</table>

- **Remarks:**
  - loamy sand

##### Other Indicators of Hydrology (check all that apply):

- [ ] 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 BVWs
- [ ] Oxidized rhizospheres
- [ ] Water stained leaves
- [ ] Recorded data (stream, lake, or tidal gauge; aerial photo; other):
  - [ ] Other:

##### Vegetation and Hydrology Conclusion

- **Number of wetland indicator plants ≥**
  - [ ] Yes
  - [ ] No

- **Wetland hydrology present:**
  - [ ] Hydric soil present
  - [ ] Other indicators of hydrology present

- **Sample Location is in a BVW**
  - [ ] Yes
  - [ ] No

- **Remarks:**

- **Conclusion: Is the soil hydric?**
  - [ ] Yes
  - [ ] No
### DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Form

#### Section I. Vegetation

<table>
<thead>
<tr>
<th>Layer</th>
<th>Plant Species</th>
<th>Common Name</th>
<th>Percent Cover (%)</th>
<th>Percent Dominance</th>
<th>Wetland Indicator Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tree</td>
<td>none</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sapling</td>
<td>red maple</td>
<td>Acer rubrum</td>
<td>40</td>
<td>100.0</td>
<td>FAC</td>
</tr>
<tr>
<td>Shrub</td>
<td>none</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ground</td>
<td>giant golden-rod</td>
<td>Solidago gigantea</td>
<td>40</td>
<td>100.0</td>
<td>FACW</td>
</tr>
</tbody>
</table>

### Vegetation Conclusions

- **Number of dominant wetland indicator plants**: 2
- **Number of dominant non-wetland indicator plants**: 0
- Is the number of dominant wetland plants equal or greater than the number of dominant non-wetland plants? **YES**
### 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

<table>
<thead>
<tr>
<th>Horizon</th>
<th>Depth (inches)</th>
<th>Matrix Color</th>
<th>Mottle Color</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>0-14+</td>
<td>10YR 3/2</td>
<td></td>
</tr>
</tbody>
</table>

#### Other Indicators of Hydrology (check all that apply):

- Site Inundated □
- Depth to free water in observation hole □
- Depth to soil saturation in observation hole □
- Water marks □
- Drift lines □
- Sediment Deposits □
- Oxidized rhizospheres □
- Water stained leaves □
- Recorded data (stream, lake, or tidal gauge; aerial photo; other): □

Remarks: Other:

#### Vegetation and Hydrology Conclusion

Number of wetland indicator plants ≥ number of non-wetland indicator plants □

Wetland hydrology present:
- Hydric soil present □
- Other indicators of hydrology present □

Sample Location is in a BVW □

Conclusion: Is the soil hydric? No

Remarks: fine sandy loam