

**NOTICE OF INTENT SUBMISSION**

Proposed Industrial Building | 43 Taunton Street | Plainville, MA

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**Project Address:** 43 Taunton Street  
Plainville, MA 02762

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**Date Prepared:** March 24, 2022

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**Project Number:** 21018

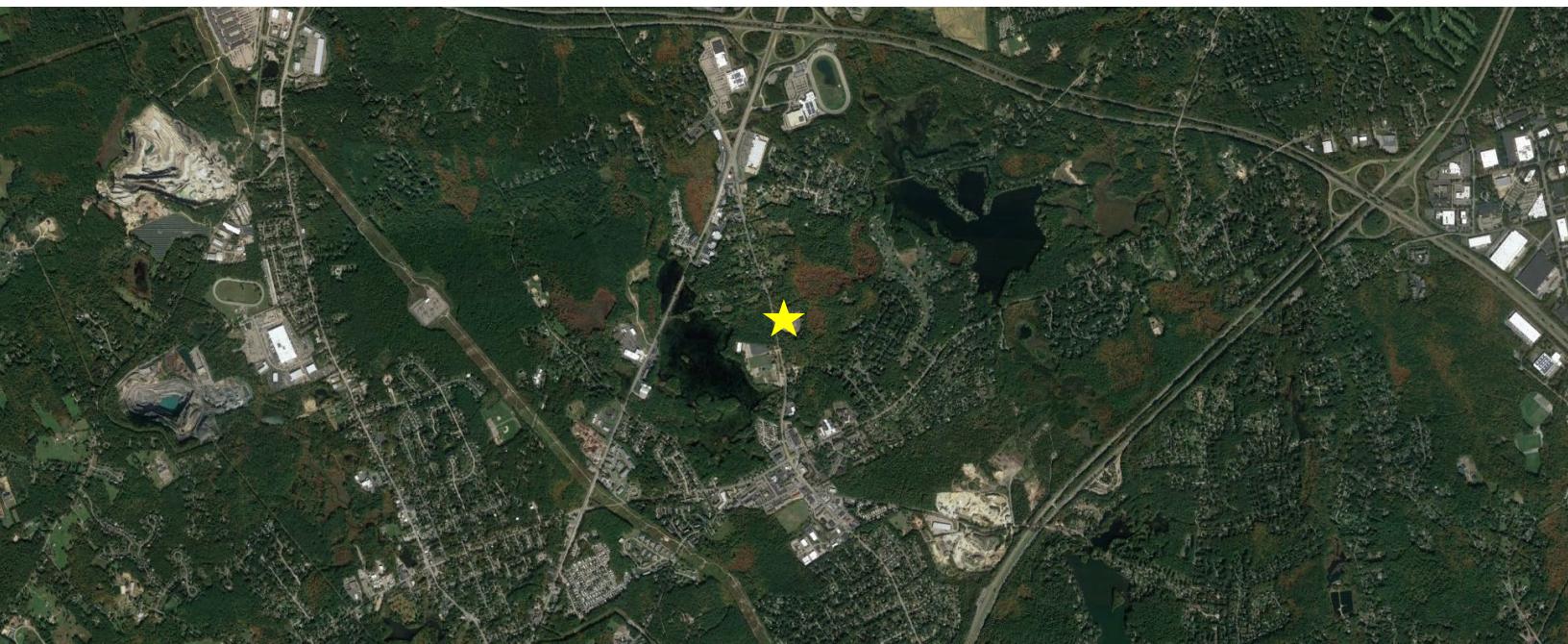
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**Prepared for:** TSC Taunton Street 43 LLC  
175 Paramount Drive  
Raynham, MA 02767

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**Prepared by:** **Highpoint Engineering Inc.**  
Dedham Executive Center  
980 Washington Street, Suite 216  
Dedham, MA 02026  
[www.highpointeng.com](http://www.highpointeng.com)

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March 24, 2022

Mr. Chris Yarworth, Conservation Agent  
Plainville Conservation Commission  
Plainville Town Hall  
190 South Street  
Plainville, MA 02762

Re: Application for Notice of Intent  
Proposed Industrial Building | 43 Taunton Street  
Plainville, Massachusetts

Dear Mr. Yarworth:

On behalf of our Client, TSC Taunton Street 43 LLC c/o The Shearwater Companies (Owner/Applicant), Highpoint Engineering Inc. (Highpoint, Agent) is submitting the enclosed Notice of Intent (NOI) Submission for a proposed industrial building project located at 43 Taunton Street in Plainville (the Site), Assessors Map 6, Parcel 23.

#### **REQUESTED ACTION**

The Submission requests review by the Plainville Conservation Commission of the Notice of Intent Application for work within the 100-Foot Buffer Zone, 200-Foot Riverfront Area, and Bordering Land Subject to Flooding associated with delineated perennial streams and bordering vegetated wetlands on and adjacent to the Site, as indicated in the attached project Site Development Plans prepared by Highpoint Engineering Inc. dated March 14, 2022.

The Submission includes the following documentation:

- One (1) original and three (3) hard copies of Notice of Intent Submission booklet containing:
  - Cover Letter
  - Executive Summary
  - WPA Form 3 – Notice of Intent
  - Notice of Intent Supplemental Form for Riverfront Area
  - USGS Map
  - Soils Map
  - FEMA Map
  - Surface Water Supply Protection Map
  - WPA NOI Wetland Fee Transmittal Form
  - Local Bylaw Fee Calculation
  - Fee checks (scanned copies)
  - Certified List of Abutters
  - Notification to Abutters
  - Affidavit of Service
- Four (4) hard copies of full-size Site Development Plans
- Four (4) hard copies of Stormwater Management Analysis report
- One (1) transmittal form date-stamped by the Plainville Town Clerk, certifying submission of the NOI Submission booklet and Site Development Plans to same, pursuant to §900-4.A.(1)
- One (1) check for \$775.00 to Commonwealth of Massachusetts (WPA Fee – State share)
- One (1) check for \$882.50 to Town of Plainville (WPA Fee – Town share)
- One (1) check for \$420.00 to Town of Plainville (Local Bylaw Fee)



## NOTICE OF INTENT SUBMISSION

Proposed Industrial Building | 43 Taunton Street | Plainville, MA

We respectfully request that this project be placed on the next available Conservation Commission agenda. If in the meantime, you should have any questions please contact my office at 781-770-0968.

Sincerely,

**HIGHPOINT ENGINEERING, INC.**

A handwritten signature in black ink, appearing to read 'Jesse Aguilar'.

Jesse Aguilar  
Associate | Senior Project Engineer

cc: Commonwealth of Massachusetts, DEP, Southeast Regional Office, Lakeville, MA  
Ellen M. Robertson, Plainville Town Clerk  
Jamie Ciffolillo, TSC Taunton Street 43 LLC  
File

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## EXECUTIVE SUMMARY

TSC Taunton Street 43 LLC, an affiliate of The Shearwater Companies (the Applicant), proposes to construct a new industrial building and related site and stormwater management improvements (the Project) within an area subject to a License Agreement granted to the Applicant from the Massachusetts Bay Transportation Authority (the MBTA) at 43 Taunton Street in Plainville, Massachusetts (the Subject Property). The proposed work occurs within inland wetland resource and associated buffers as follows:

- Construction of a new industrial building with associated parking, loading, drainage, utility, landscape, and hardscape improvements partially located within Bordering Land Subject to Flooding (BLSF) associated with Turtle Brook, the 200' Riverfront Area of Turtle Brook to the north and Sawmill Brook to the east, and the 100' Buffer Zone of on-site Bordering Vegetated Wetlands (BVW).

The Applicant is petitioning the Plainville Conservation Commission to issue an Order of Conditions approving the Project work within the regulated inland wetland resource areas and the 100' Buffer Zone through the submission of a Notice of Intent pursuant to the Massachusetts Wetlands Protection Act (WPA; M.G.L. Ch. 131, Section 40) and implementing regulations (WPA Regulations; 310 CMR 10.00 et seq.; the Act), as well as the Plainville Wetlands Protection Bylaw (Bylaw; Chapter 472) and Wetlands Protection Regulations (Regulations; Chapter 900).

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### Purpose for Proposed Activity

Concurrently with this Submission, the Applicant is submitting applications for Development Permit for Site Plan Review and Floodplain Review, Special Permit, and Board of Health Review to the Town of Plainville to construct a new industrial building at 43 Taunton Street.

The Applicant and the Engineer have had preliminary meetings with Town of Plainville staff to discuss the Project with respect to building use.

The Subject Property is subject to an Activities and Use Limitation (AUL; RTN Tracking No.: 4-0000877) as a portion of the Subject Property comprises part of a disposal site as the result of release(s) of oil and/or hazardous material. In accordance with the AUL, the Project is subject to a Health and Safety Plan and Soils Management Plan (HASP/SMP) to be prepared by Inland Professional Corp., the Licensed Site Professional (LSP) assigned to the project on behalf of the property owner. All sitework and earthmoving activities shall be conducted in conformance with the HASP/SMP and in direct coordination with the LSP.

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### Site Description and Development History

The land area of the Subject Property is approximately 18 acres and is owned and managed by TSC Taunton Street 43 LLC c/o The Shearwater Companies. The Subject Property is located within the Shopping Center Commercial (CA) District and Partially within the Floodplain District. The Subject Property is bounded by Taunton Street to the west and vacant, undeveloped woodland marsh areas to the north, east, and south. A perennial stream network exists on the north and east sides of the Subject Property, including Turtle Brook to the north. The Subject Property is accessed via paved driveway entrance near the northwest corner of the Subject Property.

The Subject Property is the former site of Plainville Drive-In movie theater (the Theater). The Theater opened in Spring 1954 and closed in Summer 1993. The Subject Property has remained vacant since the closing of the Theater. Portions of paved and gravel parking and vehicular access areas remain from the

former Theater operations. Construction associated with the first phase of a previous multi-phase business park development at the southwest portion of the Subject Property was started in early 2020 and subsequently left incomplete prior to the Owner/Applicant's acquisition of the Subject Property. Construction activities from the previous plan of development included installation of perimeter sedimentation controls, tree clearing, pavement removal, and rough grading of pad site and stormwater management facilities.

Work associated with the proposed Project includes:

- Construction of a new industrial building within the developed portion of the Subject Property, comprising a single-story, 112,500± ft<sup>2</sup> high-bay industrial building; twenty-one (21) loading docks and two (2) drive-up rigging doors; and a two-story, 14,000± ft<sup>2</sup> office component.
- Construction of parking improvements, including one hundred fifty-nine (159) vehicular and seventeen (17) trailer parking spaces.
- Construction of landscape and hardscape improvements, including construction of a landscaped berm for visual screening of the Subject Property from Taunton Street, retaining walls located outside the 100-year floodplain and 35-foot no-disturb wetland buffer zones, and a chain link fence north of the proposed development site to prevent migration of wind-blown trash and debris into Turtle Brook and onto the north abutting property.
- Construction of stormwater management improvements, including an underground detention/infiltration system comprising an underground detention system, a surface vegetated stormwater detention/infiltration basin, a vegetated sand filter basin, three (3) sediment forebays, two (2) Contech CDS proprietary water quality units, and deep-sump catch basins with hoods.
- Construction of utility infrastructure improvements, including site lighting improvements, a looped water main, utility connections, and on-site gravity sanitary sewer and force main improvements.

All proposed site improvements, including those not occurring within the 100' Buffer Zone, BLSF, or Riverfront Area, are shown on plans (the Site Plans) entitled, "Proposed Industrial Building, 43 Taunton Street, Plainville, Massachusetts," dated March 14, 2022, and prepared by Highpoint Engineering, Inc. All proposed stormwater management improvements are summarized and analyzed in a document entitled "Stormwater Management Analysis – 43 Taunton Street, Plainville, Massachusetts," prepared by Highpoint Engineering, Inc.

**Proposed Scope of Work**

The following is a summary of proposed resource area activities and improvements within the BLSF, Riverfront Area, and 100' Buffer Zone associated with the on-site perennial stream BVW system. See the Site Plans for specific details on the proposed work.

**Site Improvements**

The Project proposes site improvements which will disturb a portion of BLSF associated with Turtle Brook and disturb a portion of the existing 200' Riverfront Area and 100' Buffer Zone, including the following:

- Construction of a portion of the proposed industrial building, including a small portion of the loading area to support building operations.
- Construction of a portion of the proposed vehicular and trailer parking areas north and northwest of the proposed building.
- Construction of paved driveway areas to provide truck and emergency response vehicle circulation around the proposed building.
- Construction of a segmental block retaining wall on the east side of the proposed building to provide elevation separation between the developed site and resource areas to the east and minimize resource area impacts associated with the Project.
- Construction of a driveway curb cut at the northwest corner of the Project site to enable two-way vehicular access to and from the site and pedestrian access along Taunton Street.
- Construction of stormwater management improvements, including a surface detention/infiltration basin and two (2) upstream sediment forebays.
- Construction of landscape improvements, including planting of trees in areas adjacent to the BVW tributary to Turtle Brook.

The Project will not result in displacement of storage volume within the BLSF, therefore no compensatory flood storage provisions are proposed. Additionally, a portion of the Project includes removal of existing deteriorated pavement areas within the Riverfront Area and replacement with vegetated ground covers and landscape plantings to enhance the vegetative buffer between the development site and Turtle Brook.

<b>TABLE 1</b> <b>RESOURCE AREA IMPACTS: BORDERING LAND SUBJECT TO FLOODING</b>			
<b>Elevation Increment</b>	<b>Temporary (SF)</b>	<b>Permanent (SF)</b>	<b>Volume (CY)</b>
Up to 174.0 FT	0 CY	240 CY	0 CY
Total	0 CY	240 CY	0 CY

<b>TABLE 2</b> <b>RESOURCE AREA IMPACTS: RIVERFRONT AREA</b>			
	<b>Temporary (SF)</b>	<b>Permanent (SF)</b>	<b>Volume (CY)</b>
Riverfront (0-100')	0 sf	10,598 sf	N/A
Riverfront (100-200')	0 sf	115,969 sf	N/A
Total	0 sf	126,567 sf	N/A

<b>TABLE 3</b> <b>100' BUFFER ZONE IMPACTS: OVERALL PROJECT SITE</b>			
	<b>Temporary (SF)</b>	<b>Permanent (SF)</b>	<b>Volume (CY)</b>
Buffer Zone (0'-35')	0 sf	2,801 sf	N/A
Buffer Zone (35'-100')	0 sf	121,639 sf	N/A
Total	0 sf	124,440 sf	N/A

**Regulatory Compliance**

The project will result in alteration to BLSF and Riverfront Area resource areas, as well as the 100' Buffer Zone. The following sections outline how the project is designed to comply with the performance standards for each resource area within which work is proposed and the 100' Buffer Zone.

**BORDERING LAND SUBJECT TO FLOODING**

There is approximately 285,832 square feet of total BLSF existing on site, which is hydraulically contiguous to Turtle Brook and unnamed streams tributary thereto. Of the existing 325,118 square feet of BLSF, 126,501 square feet will be altered and mitigated by the Project. None of the proposed alterations will affect on-site flood storage capacity as they do not entail modifications to existing topography. The activities proposed within the BLSF include the following:

- Construction of two (2) stabilized riprap drainage outfall aprons to provide scour protection for stormwater discharges from proposed surface infiltration basin and subsurface detention basin overflows.
- Limited tree clearing to enable construction of riprap aprons for stormwater discharges.

The performance standards for Bordering Land Subject to Flooding under Section 310 CMR 10.57(4)(a) of the Wetlands Protection Act require that the proposed project conform to the following criteria (standard presented in *italics*, response in **bold**):

*1. Compensatory storage shall be provided for all flood storage volume that will be lost as the result of a proposed project within Bordering Land Subject to Flooding, when in the judgment of the issuing authority said loss will cause an increase or will contribute incrementally to an increase in the horizontal extent and level of flood waters during peak flows.*

*Compensatory storage shall mean a volume not previously used for flood storage and shall be incrementally equal to the theoretical volume of flood water at each elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Further, with respect to waterways, such compensatory volume shall be provided within the same reach of the river, stream, or creek.*

**The 100-year flood elevation based on FEMA-FIRM meanders throughout the northern, eastern, and southern portions of the Subject Property. The flood elevation at the proposed BLSF disturbance area is 174 feet. The design intent of the proposed drainage outfall aprons is such that they will not require alteration of existing topography within the flood zone, therefore compensatory flood storage provisions are not required for the Project.**

*2. Work within Bordering Land Subject to Flooding, including that work required to provide the above-specified compensatory storage, shall not restrict flows so as to cause an increase in flood stage or velocity.*

**The Project will be designed to maintain the existing flow characteristics within the BLSF. With the exception of the tree clearing and stabilized outfall construction, all other construction activities for the Project are proposed at elevations above the 100-year flood elevation and outside the BLSF. The Project will maintain the contiguity of all areas within the BLSF.**

*3. Work in those portions of bordering land subject to flooding found to be significant to the protection of wildlife habitat shall not impair its capacity to provide important wildlife habitat functions. Except for work which would adversely affect vernal pool habitat, a project or projects on a single lot, for which Notice(s) of Intent is filed on or after November 1, 1987, that (cumulatively) alter(s) up to 10% or 5,000 square feet (whichever is less) of land in this resource area found to be significant to the protection of wildlife habitat, shall not be deemed to impair its capacity to provide important wildlife habitat functions. Additional alterations beyond the above threshold, or altering vernal pool habitat, may be permitted if they have no adverse effects on wildlife habitat, as determined by procedures contained in 310 CMR 10.60.*

**The proposed project impacts are below the 10% or 5,000 square foot threshold for the preparation of a wildlife habitat evaluation. In any event, the Project has been designed to minimize impacts to wildlife habitat by minimizing the number of existing trees removed to accommodate the Project.**

## **200' RIVERFRONT AREA**

There is approximately 325,250 square feet of total Riverfront Area existing on site, of which 79,407 square feet are currently degraded (i.e., absent of topsoil and vegetation). Approximately 126,567 square feet of permanent impacts to the Riverfront Area, including 47,094 square feet of impacts within existing degraded Riverfront Area, are proposed for the Project. The activities within the Riverfront Area include the following:

- Construction of a portion of the proposed industrial building, including a small portion of the loading area to support building operations.
- Construction of a portion of the proposed vehicular and trailer parking areas north and northwest of the proposed building.
- Construction of paved driveway areas to provide truck and emergency response vehicle circulation around the proposed building.
- Construction of a segmental block retaining wall on the east side of the proposed building to provide elevation separation between the developed site and resource areas to the east and minimize resource area impacts associated with the Project.
- Construction of a driveway curb cut at the northwest corner of the Project site to enable two-way vehicular access to and from the site and pedestrian access along Taunton Street.
- Construction of stormwater management improvements, including a surface detention/infiltration basin and two (2) upstream sediment forebays.
- Construction of landscape improvements, including planting of trees in areas adjacent to the BVW tributary to Turtle Brook.

The performance standards for Riverfront Area under Section 310 CMR 10.58(4) of the Wetlands Protection Act require that the proposed project conform to the following criteria (standard presented in *italics*, response in **bold**):

*(4) General Performance Standard. Where the presumption set forth in 310 CMR 10.58(3) is not overcome, the applicant shall prove by a preponderance of the evidence that there are no practicable and substantially equivalent economic alternatives to the proposed project with less adverse effects on the interests identified in M.G.L. c.131 § 40 and that the work, including proposed mitigation, will have no significant adverse impact on the riverfront area to protect the interests identified in M.G.L. c. 131 § 40.*

*(a.) Protection of Other Resource Areas. The work shall meet the performance standards for all other resource areas within the riverfront area, as identified in 310 CMR 10.30 (coastal bank), 10.32 (salt marsh), 10.55 (Bordering Vegetated Wetland), and 10.57 (Land Subject to Flooding). When work in the riverfront area is also within the buffer zone to another resource area, the performance standards for the riverfront area shall contribute to the protection of the interests of M.G.L. c. 131, § 40 in lieu of any additional requirements that might otherwise be imposed on work in the buffer zone within the riverfront area.*

**As shown above, the project has been designed to meet the performance standards for BLSF.**

*(b) Protection of Rare Species. No project may be permitted within the riverfront area which will have any adverse effect on specified habitat sites of rare wetland or upland, vertebrate or invertebrate species, as identified by the procedures established under 310 CMR 10.59 or 10.37, or which will have any adverse effect on vernal pool habitat certified prior to the filing of the Notice of Intent.*

**The Project does not fall within NHESP-mapped Estimated Habitat of Rare Wildlife or Priority Habitat of Rare Species based upon the NHESP On-line Atlas. Likewise, there are no mapped Certified Vernal Pools located on or proximate to the Subject Property.**

*(c) Practicable and Substantially Equivalent Economic Alternatives. There must be no practicable and substantially equivalent economic alternative to the proposed project with less adverse effects on the interests identified in M.G.L. c. 131 § 40.*

Given the purpose and need identified above, there are three potential alternatives for this project:

1. **No Work;**
2. **Construct portions of paved driveway and loading areas as porous asphalt or permeable pavers; and**
3. **Preferred Alternative.**

Under Alternative 1, no work would be completed. The existing paved areas from the former Theater use, including those located within the riverfront area associated with Turtle Brook along the northern edge of the developed site, would remain and continue to deteriorate, and site hydrology would function as it does under existing site conditions. This alternative would contribute to long-term deterioration in surface water and groundwater quality due to continued uncontrolled surface runoff from paved areas in advanced states of disrepair.

Under Alternative 2, the driveway area east of the proposed building and along the northwesternmost edge of the Project site would be constructed with porous asphalt or permeable pavers. This will result in long-term maintenance issues associated with plow damage and sediment clogging in porous pavement surfaces, which will disrupt truck delivery operations and emergency response access. It will also result in a reduction in water quality of groundwater recharge due to lack of pre-treatment measures prior to entering porous pavement surfaces.

Under Alternative 3, the Preferred Alternative, work would be completed as proposed in its entirety, including removal of existing deteriorated pavement areas along the northern edge of the former Theater site. This work will allow for improvement of hydrologic conditions of overland runoff toward Turtle Brook and improvement of aesthetic benefits along the northern edge of the

**developed site, and mitigation of habitat loss due to tree removal along the multimodal path corridor. Additionally, stormwater mitigation will improve groundwater recharge within the Site.**

*(d) No Significant Adverse Impact. The work, including proposed mitigation measures, must have no significant adverse impact on the riverfront area to protect the interests identified in M.G.L c. 131, § 40.*

**The Project is designed to have no significant adverse impact on the 200' Riverfront Area. The Project will remove existing untreated discharges from existing deteriorated pavement areas, implement stormwater management and water quality controls, and restore vegetative buffer areas within the 200' Riverfront Area associated with Turtle Brook.**

#### **100' BUFFER ZONE**

There are no performance standards for work within the 100' Buffer Zone under the WPA; it is merely a trigger for preconstruction review under the WPA. The local Bylaw and Regulations, however, do provide additional protections within the 100' Buffer Zone. Section 900.8.C. (Buffer Zones and No-Disturbance Zone Protection – Performance Standards) is applicable to the proposed Project. This section stipulates the following (standards presented in *italics*, response in **bold**):

*(1) The portion of a buffer zone extending 35 feet from the wetland, bank, or water body defining the buffer zone's inner edge is designated a "no-disturbance zone." The remainder of the buffer zone is designated a limited-disturbance zone."*

**Proposed work within the no-disturbance zone is limited to removal of existing pavement and restoration of vegetative cover. All other Project-related construction activities are proposed outside the no-disturbance zone.**

*(2) Alterations, including but not limited to grading, landscaping, removing of vegetation, filling, excavating, operation of vehicles or machinery, and paving, shall not be permitted in a no-disturbance zone.*

**No grading, vegetation removal, filling, excavating, or paving is proposed within the no-disturbance zone. Landscaping activities within the no-disturbance zone are limited to restoration of vegetative cover in areas that are currently paved due to the former Theater use. Operation of vehicles and machinery will be limited to operations required to restore vegetative cover in currently paved areas within the no-disturbance zone.**

*(3) Structures, including but not limited to porches, decks, pools, and sheds, shall not be constructed or placed within a no-disturbance zone.*

**No structures are proposed within the no-disturbance zone as part of the Project.**

*(4) The no-disturbance zone shall not be construed to preclude access paths, vista pruning, construction of water-dependent structures, or restoration within the buffer zone, any of which may be permitted at the Commission's discretion.*

**Work within the no-disturbance zone is limited to vegetative buffer restoration in existing paved areas**

**Proposed site work related to the Project will disturb 124,440 square feet of land within the 100' Buffer Zone. The site improvements within the 100' Buffer Zone will be mitigated by implementation of stormwater management BMP areas where appropriate and feasible, as well as restoration of vegetative cover in existing paved areas within the 35-foot no-disturb buffer and location of all paved areas outside the no-disturb buffer. While the net effect will be a 10,715 square foot overall increase in impervious area within the 100' Buffer Zone, the Project has been designed to minimize adverse impacts to the Site while providing the additional benefit of a fence up gradient of Turtle Brook to prevent transport of wind-blown trash and debris into Turtle Brook and onto the abutting property to the north.**

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**Project Summary**

The Project proposes to provide flood storage improvements, involving compensatory flood storage volume to mitigate displaced BLSF; Riverfront Area improvements, involving landscape plantings, invasive species treatment and removal, and placement of log sections flush to ground surface to mitigate existing tree removal required to construct the multimodal path; and 100' Buffer Zone impacts associated with drainage, landscape, building, parking, and loading improvements within the Site. Proposed work will result in approximately 173,660 square feet of impacts to the BLSF, 200' Riverfront Area, and 100' Buffer Zone. The proposed Project conforms to the General Performance Standards for BLSF and 200' Riverfront Area under the WPA.



## 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

Plainville

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):

43 Taunton St

a. Street Address

Latitude and Longitude:

6

f. Assessors Map/Plat Number

Plainville

02762

b. City/Town

c. Zip Code

42°01'18.69"N

71°18'18.69"W

d. Latitude

e. Longitude

23

g. Parcel /Lot Number

2. Applicant:

Jamie

a. First Name

TSC Taunton Street 43 LLC

c. Organization

175 Paramount Drive, Suite 100A

d. Street Address

Raynham

e. City/Town

508-269-5426

h. Phone Number

i. Fax Number

Ciffolillo

b. Last Name

02767

g. Zip Code

jamie@shearwatercompanies.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):

Jesse

a. First Name

Aguilar

b. Last Name

Highpoint Engineering Inc.

c. Company

980 Washington Street, Suite 216 - Dedham Executive Center

d. Street Address

Dedham

e. City/Town

MA

02026

781-734-6132

f. State

g. Zip Code

h. Phone Number

i. Fax Number

jaguilar@highpointeng.com

j. Email address

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

\$1,575

a. Total Fee Paid

\$775

b. State Fee Paid

\$800

c. City/Town Fee Paid



## 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:

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Plainville

City/Town

### A. General Information (continued)

6. General Project Description:

Warehouse and Office development with associated parking, utility and drainage improvements

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:

LCC # 206173

a. County

b. Certificate # (if registered land)

c. Book

d. Page Number

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

- 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.
- 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

### 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

Plainville

City/Town

### 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.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet
 <u>Resource Area</u>	 <u>Size of Proposed Alteration</u>	 <u>Proposed Replacement (if any)</u>
d. <input checked="" type="checkbox"/> Bordering Land Subject to Flooding	240 1. square feet 0 3. cubic feet of flood storage lost	240 2. square feet 0 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 checked="" type="checkbox"/> Riverfront Area	Turtle Book & Sawmill Brook 1. Name of Waterway (if available) - <b>specify coastal or inland</b>	
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 checked="" type="checkbox"/> 200 ft. - All other projects		
3. Total area of Riverfront Area on the site of the proposed project:	325,250 square feet	
4. Proposed alteration of the Riverfront Area:		
126,567 a. total square feet	10,598 b. square feet within 100 ft.	115,969 c. square feet between 100 ft. and 200 ft.
5. Has an alternatives analysis been done and is it attached to this NOI?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
6. Was the lot where the activity is proposed created prior to August 1, 1996?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
3. <input type="checkbox"/> Coastal Resource Areas: (See 310 CMR 10.25-10.35)		

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



## 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

Plainville

City/Town

### 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.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
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>		
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	
j. <input type="checkbox"/> Land Containing Shellfish	2. cubic yards dredged	
k. <input type="checkbox"/> Fish Runs	1. square feet	
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. <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 or B.3.h above, please enter the additional amount here.	
a. square feet of BVW		
b. square feet of Salt Marsh		
5. <input type="checkbox"/> 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

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 <https://www.mass.gov/massachusetts-endangered-species-act-mesa-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.



## Massachusetts Department of Environmental Protection

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

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

- (c)  MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

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, <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 10.37 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:      North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
836 South Rodney French Blvd.  
New Bedford, MA 02744  
Email: [dmf.envreview-south@mass.gov](mailto:dmf.envreview-south@mass.gov)

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [dmf.envreview-north@mass.gov](mailto:dmf.envreview-north@mass.gov)

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.

- c.  Is this an aquaculture project?      d.  Yes  No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



## Massachusetts Department of Environmental Protection

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

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

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

Provided by MassDEP:

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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 Industrial Development - 43 Taunton Street, Plainville Massachusetts

a. Plan Title

Highpoint Engineering, Inc

b. Prepared By

March 14, 2022

d. Final Revision Date

Stormwater Management Analysis

f. Additional Plan or Document Title

Douglas Hartnett, P.E.

c. Signed and Stamped by

May Vary; Refer to Plan Set

e. Scale

March 14, 2022

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:

1015

2. Municipal Check Number

1014

4. State Check Number

Jamie

6. Payor name on check: First Name

3/7/2022

3. Check date

3/7/2022

5. Check date

Ciffolillo

7. Payor name on check: Last Name



## Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

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Provided by MassDEP:

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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)	6. Date

2. Date	3/1/2022
4. Date	3/1/2022
6. Date	3/1/2022

#### 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.

# Notice of Intent Supplemental Form for Riverfront Area

The Notice of Intent Supplemental Form for Riverfront Area is recommended for use with the Notice of Intent (Form 3) in the wetland regulations (310 CMR 10.99). This form should be used for activities that are located in the Riverfront Area. See instructions for information about completing this form. Applicants also may refer to the "Checklist for Review of Activities in the Riverfront Area" issued by the Department of Environmental Protection in November 1996. The checklist should not be submitted with the form; it is included to indicate how a conservation commission may evaluate application information. Attach the completed supplemental form to the Notice of Intent, including any appropriate documentation as needed. Use additional pages if necessary.

---

## 1. Mean annual high-water line determined by:

- Changes in soil, vegetation; water marks; scouring
- Top of bank (inland rivers)
  - First observable break in slope
  - Mean annual flood level
- Mean high water (for coastal rivers only)

(Identify the mean annual high-water line on the Notice of Intent plans.)

## 2. Width of Riverfront Area:

- 200 feet
- 25 feet

(Identify the Inner and Outer Riparian Zones on the Notice of Intent plans.)

## 3. Activity is not subject to Rivers Protection Act because:

- Expansion of publicly owned structures, airports, marine cargo terminals begun before November 1, 1996
- Draft EIR filed on project before November 1, 1996
- Building permit filed before October 1, 1996 and granted before April 1, 1997
- Roads, utilities, drainage structures under a definitive plan approved or endorsed on or before August 1, 1996 pursuant to the subdivision control law (MGL c. 41 §81U)
- Subject to Chapter 91 waterways license or permit
- Other - describe: \_\_\_\_\_

## 4. Project type:

- Single family home
- Residential subdivision
- Commercial development
- Industrial development
- Transportation
- Other - describe: \_\_\_\_\_

## 5. Amount of alteration in Riverfront Area:

- a. If Riverfront Area is 200 feet wide, identify amount of alteration:  
10,598 square feet of Inner Riparian Zone (0-100 feet from river)

115,969 square feet of Outer Riparian Zone (100-200 feet from river)

- b. If Riverfront Area is 25 feet wide, identify amount of alteration:  
\_\_\_\_\_ square feet of Inner Riparian Zone (0-15 feet from river)

**6. Describe why the proposed project needs to be located in the Riverfront Area.**

*Address the following questions in your answer:*

- ◆ Can the project be moved out of the Riverfront Area? Can the project be located further away from the river or stream? If not, why?
- ◆ How do costs and logistical constraints (e.g., physical site conditions, local zoning requirements) limit the alternatives?
- ◆ What alternatives were considered?

The work within the Riverfront Area includes construction of a portion of the proposed industrial building, including loading operations; construction of paved driveway areas to support building operations; construction of a retaining wall on the east side of the proposed building; construction of a curb cut at the northwest corner of the Project site; construction of stormwater management improvements; construction of landscape improvements.

The Project is designed to provide one-way truck circulation around the building to minimize the extent of paved driveway area required while allowing for four-sided emergency response access to the building. The east retaining wall minimizes the amount of riverfront disturbance required to meet existing grades adjacent to the east wetland system. The stormwater improvements are necessary to provide water quality and peak flow attenuation for surface runoff.

An alternatives analysis is included in the Executive Summary of the Notice of Intent filing booklet.

*(Use additional pages if necessary.)*

**7. Does the proposed project meet the criteria for no significant adverse impacts?**

**a.** Check criteria that apply:

- meets performance standards for all other wetland resource areas  
 undisturbed vegetation in the 100-foot Inner Riparian Zone (15 feet in 25-foot Riverfront Area)  
 alteration in the 100-foot Outer Riparian Zone limited to 5,000 square feet or 20% of zone, whichever is greater\*  
 meets performance standards for stormwater management\*\*

\* This performance standard is waived for the 10-foot Outer Riparian Zone when the Riverfront Area is 25 feet.

\*\* Stormwater management is not required for single family houses and small subdivision projects as described in the Department's Stormwater Management Policy.

**b.** Is the project site located in estimated rare species habitat or in a certified vernal pool as noted on the Massachusetts Natural Heritage Atlas?  yes  no

If yes, has a copy of the Notice of Intent and this form been sent to the Natural Heritage and Endangered Species Program according to Notice instructions?  yes  no

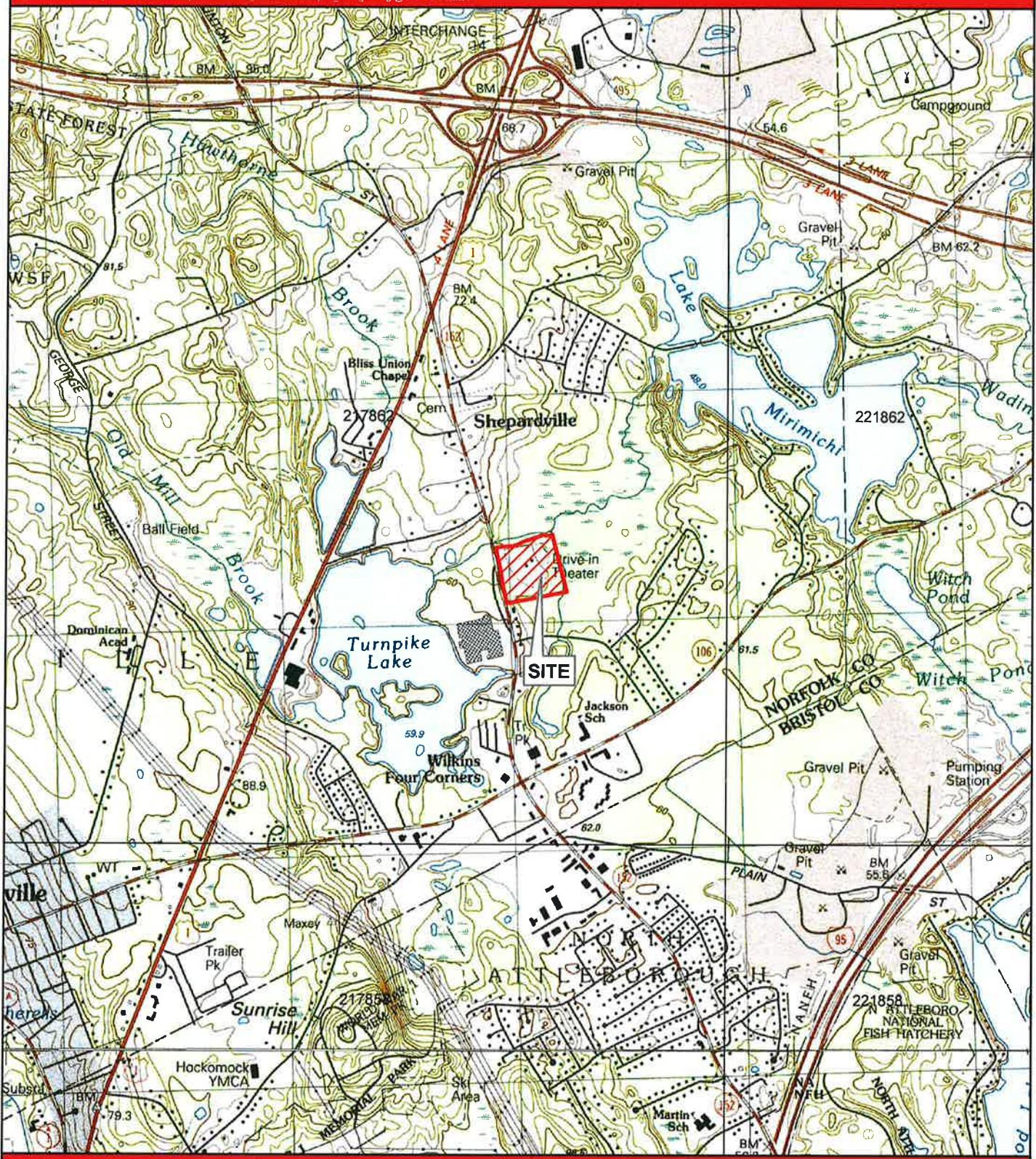
**If any of the criteria listed in (a.) above are not met, describe why the project will have no significant adverse impacts on the Riverfront Area. (Note: for single family house projects on lots recorded as of August 1, 1996 which cannot meet the performance standards, describe how the project minimizes all impacts.)**

The project will reduce area of existing pavement area in the Inner Riparian Zone by 2,039 square feet. The project constitutes an improvement over existing stormwater management provisions by the addition of a vegetated detention/infiltration basin with two (2) upstream sediment forebays to be located between the north loading area and Turtle Brook; no stormwater improvements currently exist anywhere on site.

*(Use additional pages if necessary.)*

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**FIGURES**



Source: Office of Geographic and Environmental Information (MassGIS), Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs, NearMap Ltd./NearMap US, Inc.



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PERMIT EXPEDITING  
CIVIL ENGINEERING  
CONSULTING

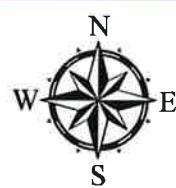
DEDHAM EXECUTIVE CENTER  
980 WASHINGTON ST., SUITE 216  
DEDHAM, MA 02026

[www.HighpointEng.com](http://www.HighpointEng.com)

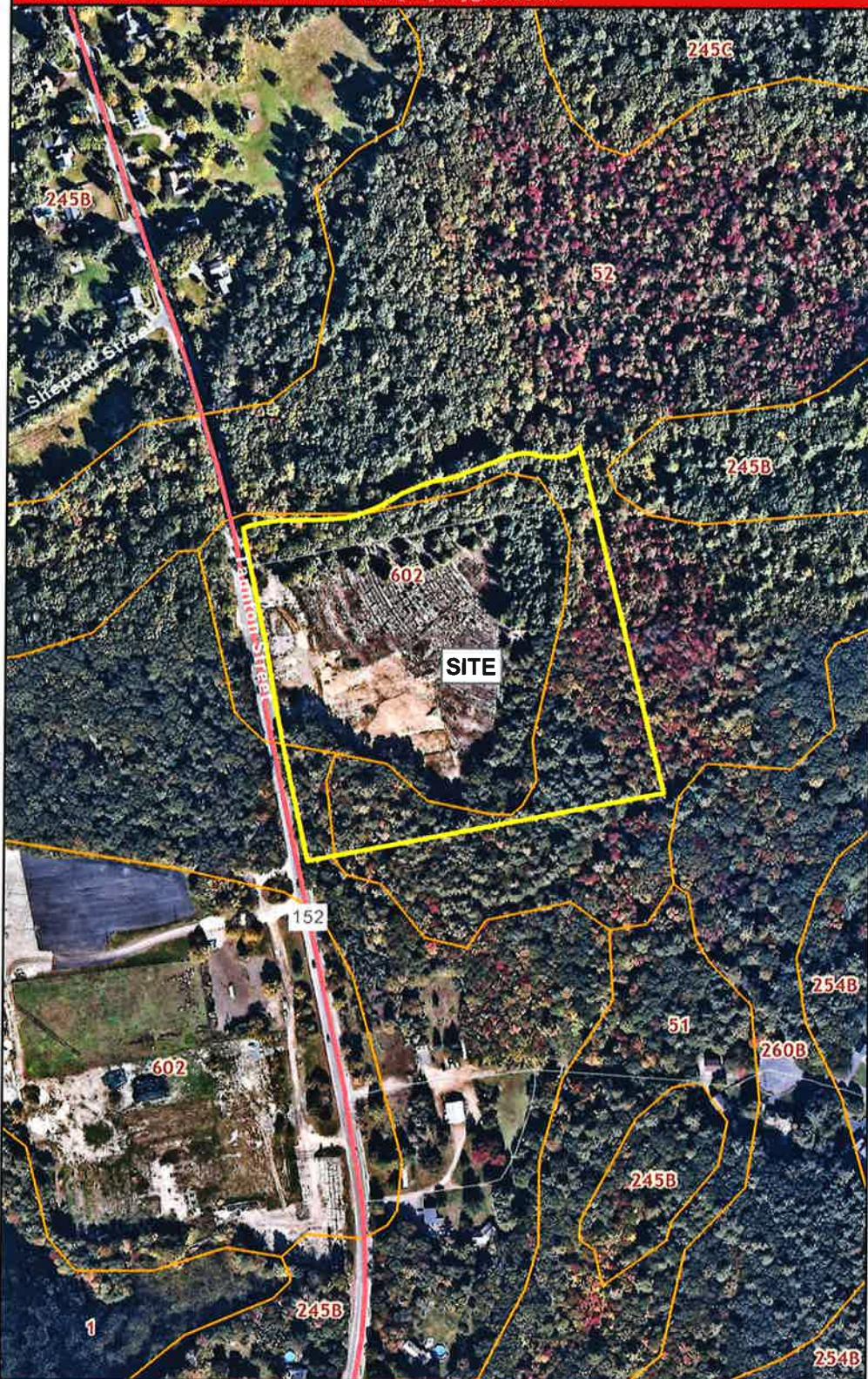
## USGS MAP

43 Taunton Street  
Plainville, MA 02762

2/23/2022



0 1,000 2,000 4,000 Feet  
1 in = 2,000 ft

**LEGEND**

- Subject Property**
- MassDOT Roads**
- Road Type**
- Limited Access Highway
- Other Numbered Highway
- Major Road, Collector
- Minor Road, Arterial
- Soils

**SOIL SUMMARY:**

- 52 Freetown muck, 0-1% slopes (HSG B/D)
- 245B Hinckley loamy sand, 3-8% slopes (HSG A)
- 602 Urban land, 0-15% slopes (No HSG)

Source: "Soil Survey of Norfolk and Suffolk Counties, Massachusetts," USDA SCS, September 1989.

Source: Office of Geographic and Environmental Information (MassGIS); Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs; NearMap Ltd./NearMap US, Inc.



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[www.HighpointEng.com](http://www.HighpointEng.com)

## SOILS MAP

**43 Taunton Street  
Plainville, MA 02762**

**2/23/2022**



0 200 400 800 Feet  
1 in = 400 ft



#### LEGEND

#### MassDOT Roads

#### Road Type

- Limited Access Highway
- Other Numbered Highway
- Major Road, Collector
- Minor Road, Arterial
- FEMA Zone A
- FEMA Zone AE
- Level III Assessors Parcels

Source: Office of Geographic and Environmental Information (MassGIS); Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs; NearMap Ltd./NearMap US, Inc.



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#### FEMA MAP

**43 Taunton Street  
Plainville, MA 02762**

**2/23/2022**



0 200 400 800 Feet  
1 in = 400 ft

National Flood Hazard Layer FIRMette

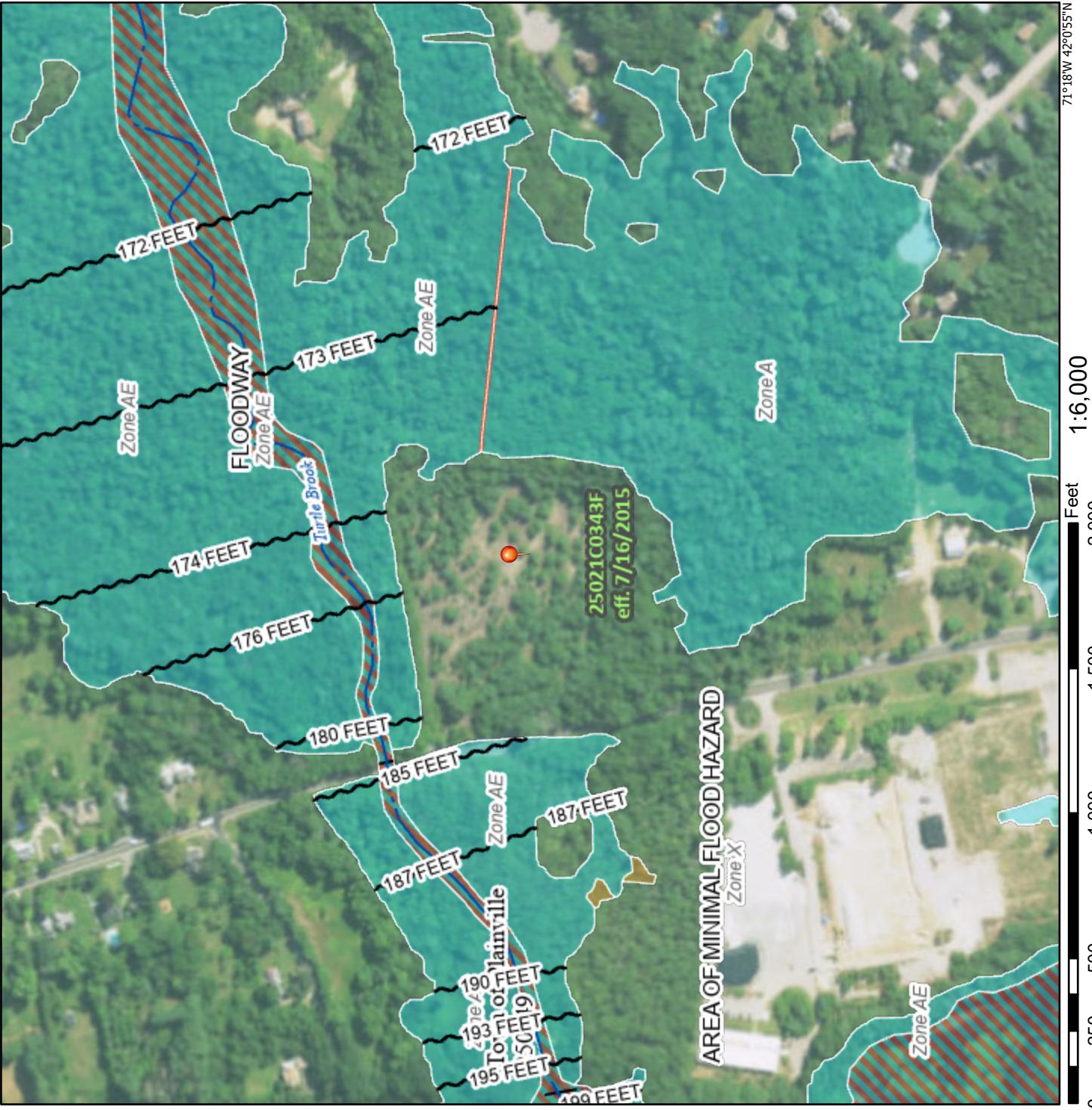


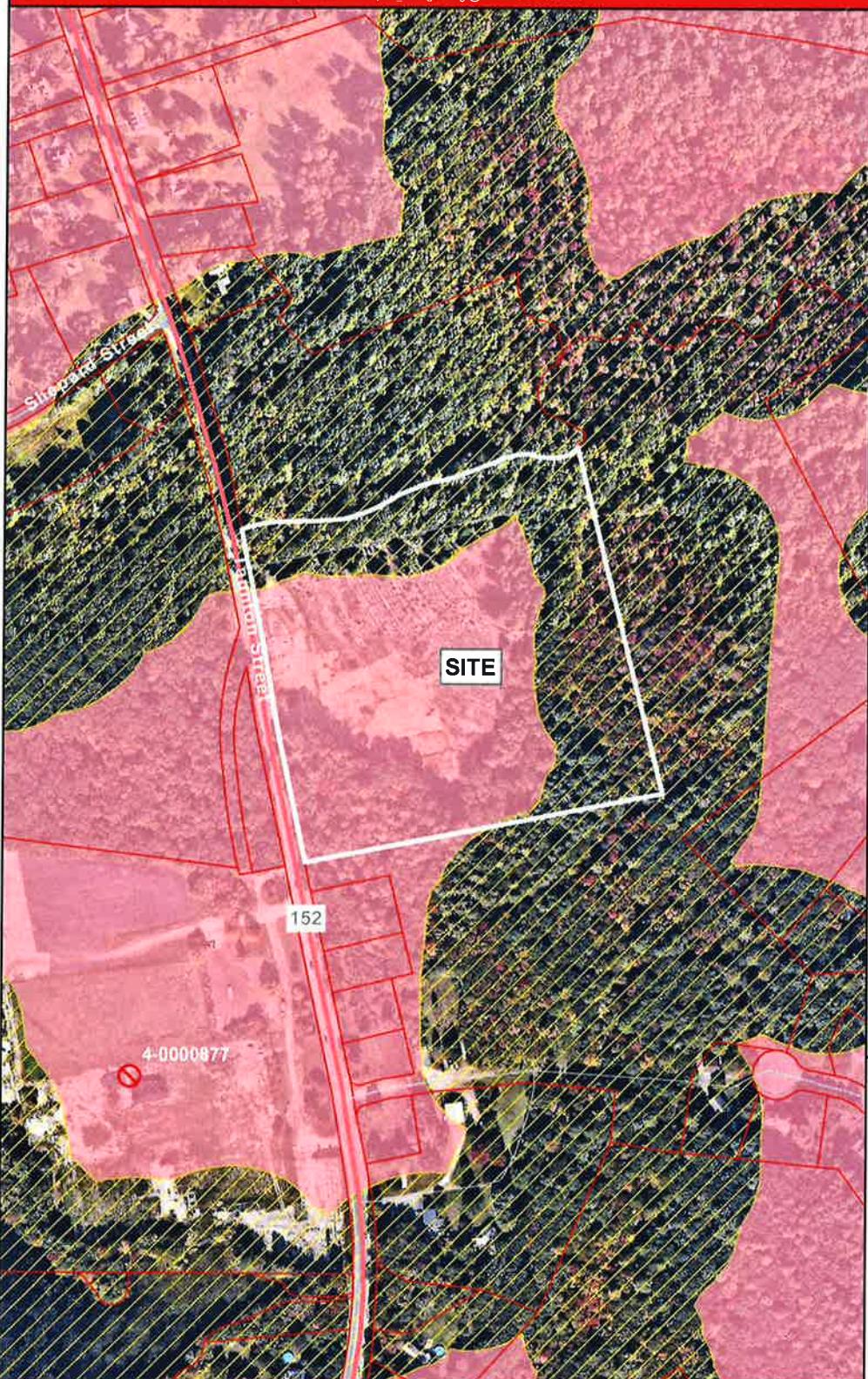
FEMA

## Legend

71°18'37" W 42°1'22" N

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





**LEGEND**

## LEGEND

### Road Type

- Limited Access Highway
  - Other Numbered Highway
  - Major Road, Collector
  - Minor Road, Arterial
  - ZONE A
  - ZONE B
  - ZONE C
  - AUL Sites
  - Level III Assessors Parcels

## NOTE

Entire site is located within an Outstanding Resource Water (ORW): Wading River (Blakes Pond) Watershed (surface water supply watershed)

Source: Office of Geographic and Environmental Information (MassGIS), Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs; NearMap Ltd /NearMap US, Inc.



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# **SURFACE WATER SUPPLY PROTECTION MAP**

**43 Taunton Street  
Plainville, MA 02762**

2/23/2022



1 in = 400 ft



## NOTICE OF INTENT SUBMISSION

Proposed Industrial Building | 43 Taunton Street | Plainville, MA

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### APPENDIX A: FILING FEES



## 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:

43 Taunton St

a. Street Address

1014

c. Check number

Plainville

b. City/Town

\$775

d. Fee amount

2. Applicant Mailing Address:

Jamie

a. First Name

TSC Taunton Street 43 LLC

c. Organization

175 Paramount Drive, Suite 100A

d. Mailing Address

Raynham

e. City/Town

508-269-5426

h. Phone Number

i. Fax Number

MA

f. State

02767

g. Zip Code

jamie@shearwatercompanies.com

j. Email Address

3. Property Owner (if different):

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

### 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

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**B. Fees (continued)**

## **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.)

Pursuant to Plainville Code Section 472-4., the Plainville Wetlands Protection Bylaw, the fees below are Town of Plainville bylaw fees and are required in addition to state fees.

<b><u>TYPE OF FILING</u></b>	<b><u>FEE</u></b>
Notice of Intent (nonresidential projects) \$300 plus \$2 per linear foot of roadway sideline within resource areas or buffer zone	\$300 <sup>1</sup>
Resource area alterations (BVW, LUWW, BLSF) \$0.50 per square foot of alteration	\$120 <sup>2</sup>
	<b>TOTAL</b> <b>\$420</b>

<sup>1</sup> No proposed roadway sideline within resource areas or buffer zone under proposed project.

<sup>2</sup> Proposed total of 240 square feet of BLSF disturbance under proposed project.

**THE SHEARWATER HOLDING COMPANIES, LLC**6 PRINCE SNOW CIR  
MATTAPoisETT MA 02739-1672

1016

53-13/110 MA  
84633

DATE

3/7/2022

PAY  
TO THE  
ORDER OF Town of Plainville] \$ 420.-Security  
Features  
Details on  
Back.Four Hundred Twenty and 00/100

DOLLARS

**Bank of America**

ACH R/T 011000138

FOR WPA Bylaw Fee - 43 Taunton St

10010161011000138100466614257311

MP

**THE SHEARWATER HOLDING COMPANIES, LLC**6 PRINCE SNOW CIR  
MATTAPoisETT MA 02739-1672

1015

53-13/110 MA  
84633

DATE

3/7/2022

PAY  
TO THE  
ORDER OF Town of Plainville] \$ 800.-Security  
Features  
Details on  
Back.Eight Hundred and 00/100

DOLLARS

**Bank of America**

ACH R/T 011000138

FOR WPA Filing Fee - 43 Taunton St.

10010151011000138100466614257311

MP

**THE SHEARWATER HOLDING COMPANIES, LLC**6 PRINCE SNOW CIR  
MATTAPoisETT MA 02739-1672

1014

53-13/110 MA  
84633

DATE

3/7/2022

PAY  
TO THE  
ORDER OF Commonwealth of MA] \$ 775.00Seven Hundred and Seventy Five and 00/100

DOLLARS

**Bank of America**

ACH R/T 011000138

FOR WPA - Form 3 Filing Fee - 43 Taunton St

10010141011000138100466614257311

MP



## NOTICE OF INTENT SUBMISSION

Proposed Industrial Building | 43 Taunton Street | Plainville, MA

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### APPENDIX B: ABUTTER INFORMATION



## TOWN OF PLAINVILLE

## Board of Assessors

190 South Street - P. O. Box 1717

Plainville, Massachusetts 02762

Telephone: 508-695-3142x430

Fax: 508-695-1319

Email: [boa@plainville.ma.us](mailto:boa@plainville.ma.us)

## REQUEST FOR ABUTTERS LIST

(Allow 10 days for Final List)

Date of Request: 9 February 2022Email: [abulson@highpointeng.com](mailto:abulson@highpointeng.com)Requested by: Highpoint Engineering c/o Andrew BulsonPhone: (781) 734-6124Signature: Andrew BulsonFee: \$20 + \$1.00/abutter > 25Owner of Property: TSC Taunton Street 43 LLCStreet Address of Property: 43 Taunton Street, Plainville MA 02762Assessors' Map: 6 Assessors' Parcel(s): 23

## Check Type of List required

Board/Permit	✓	# of Labels	Required Abutter notification	Regulation
Planning Board – Subdivision		3	Direct Abutters incl. across streets or watercourses	PGC 540-53(3) & MGL Ch. 41 §81-T
Planning Board – Special Permit Zoning Board – Variance/Special Permit/Exceptions	✓	4	Direct Abutters incl. across streets or watercourses, plus abutters to abutters within 300 ft. of site boundaries.	MGL Ch. 40A §11
Conservation Commission	✓	3	Direct Abutters incl. across streets and water bodies and all property owners within 300' of the property lines.	See 310 CMR 10.05(4) & PGC 900-5 (A & B)
Board of Health	✓	3	Direct Abutters incl. across streets or watercourses	PGC §759-04
Board of Selectmen			See Selectman's Office for more details	
Other				

## Notes:

1. The "most recent" abutters list is the one generated on Jan. 1 of each year. If a list is submitted from a prior year it will not be considered correct.
2. If abutters exist in an abutting town, a certified list & the correct number of labels must be submitted from that town also.
3. A separate list will be created for each box checked above, with a fee charged for each list. If you are submitting a list for multiple boards and want only one list, please just check the most expansive list and request the additional labels only. A fee may be charged for the additional labels.



# 300 foot Abutters List Report

Plainville, MA  
February 09, 2022

WE HEREBY CERTIFY THAT THIS IS A  
TRUE COPY OF THE ABUTTERS LIST FOR  
ASSESSORS MAP 6 LOT 03  
DATE 2-10-22

## Subject Property:

Parcel Number: 6-23  
CAMA Number: 6-23  
Property Address: 43 TAUNTON ST

Mailing Address: TSC TAUNTON STREET 43, LLC  
175 PARAMOUNT DRIVE SUITE 100A  
PLAINVILLE, RAYNHAM, MA 02767

ASSESSORS

*John S. Sturz*

## Abutters:

Parcel Number: 3-44A  
CAMA Number: 3-44A  
Property Address: TAUNTON ST

Mailing Address: PATTON CHARLES S & JACQUELINE J  
53 TAUNTON ST  
PLAINVILLE, MA 02762

Parcel Number: 6-21  
CAMA Number: 6-21  
Property Address: 39 TAUNTON ST

Mailing Address: BASF CATALYSTS LLC  
100 PARK AVENUE  
FLORHAM PARK, NJ 07932

Parcel Number: 6-22  
CAMA Number: 6-22  
Property Address: 41 TAUNTON ST

Mailing Address: BASF CATALYSTS LLC  
100 PARK AVENUE  
FLORHAM PARK, NJ 07932

Parcel Number: 6-24  
CAMA Number: 6-24  
Property Address: TAUNTON ST

Mailing Address: NATURAL RESOURCES TRUST  
56 TAUNTON ST  
PLAINVILLE, MA 02762

Parcel Number: 6-27  
CAMA Number: 6-27  
Property Address: TAUNTON ST

Mailing Address: CACCIAPAGLIA, MICHAEL & TERI  
TRUSTEES  
31 TAUNTON ST  
PLAINVILLE, MA 02762

Parcel Number: 6-293  
CAMA Number: 6-293  
Property Address: 6 PATRIOT WAY

Mailing Address: PARKER, MATTHEW D  
6 PATRIOT WAY  
PLAINVILLE, MA 02762

Parcel Number: 6-6  
CAMA Number: 6-6  
Property Address: 36 TAUNTON ST

Mailing Address: BASF CATALYSTS LLC  
100 PARK AVENUE  
FLORHAM PARK, NJ 07932

Parcel Number: 6-8  
CAMA Number: 6-8  
Property Address: TAUNTON ST

Mailing Address: NATURAL RESOURCES  
56 TAUNTON  
PLAINVILLE, MA 02762

Parcel Number: 6-9  
CAMA Number: 6-9  
Property Address: TAUNTON ST

Mailing Address: NATURAL RESOURCES TRUST  
56 TAUNTON ST  
PLAINVILLE, MA 02762



www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies  
are not responsible for any use for other purposes or misuse or misrepresentation of this report.

WE HEREBY CERTIFY THAT THIS IS A  
TRUE COPY OF THE ADUTTERS LIST FOR  
ASSESSORS MAP 48A 6 LOT 23  
DATE 2-10-73

PLAINVILLE BOARD OF ASSESSORS

## Notification to Abutters

### By Hand Delivery, Certified Mail (return receipt requested), or Certificates of Mailing

*This is a notification required by law. You are receiving this notification because you have been identified as the owner of land abutting another parcel of land for which certain activities are proposed. Those activities require a permit under the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40).*

In accordance with the second paragraph of the Massachusetts Wetlands Protection Act, and 310 CMR 10.05(4)(a) of the Wetlands Regulations, you are hereby notified that:

- A. A Notice of Intent was filed with the Plainville Conservation Commission on March 28, 2022 seeking permission to remove, fill, dredge, or alter an area subject to protection under M.G.L. c. 131 §40. The following is a description of the proposed activity/activities:

Construction of a new industrial building with associated parking, loading, drainage, utility, landscape, and hardscape improvements partially located within Bordering Land Subject to Flooding (BLSF) associated with Turtle Brook, the 200' Riverfront Area of Turtle Brook to the north and Sawmill Brook to the east, and the 100' Buffer Zone of on-site Bordering Vegetated Wetlands (BVW).

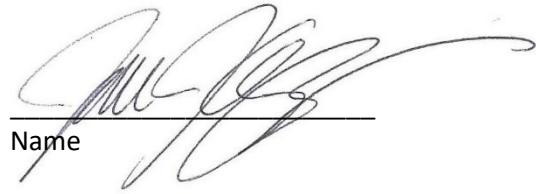
- B. The name of the applicant is: Jamie Ciffolillo (TSC Taunton Street 43 LLC).
- C. The address of the land where the activity is proposed is: 43 Taunton Street, Plainville, MA 02762, Assessors Map 6, Parcel 23.
- D. Copies of the Notice of Intent may be examined or obtained at the office of the Plainville Conservation Commission, located at 190 South Street in Plainville, MA. The regular business hours of the Commission are Monday 8:00am-7:30pm and Tuesday through Thursday 8:00am-4:30pm (closed Friday), and the Commission may be reached at (508) 695-3010, ext. 494.
- E. Copies of the Notice of Intent may be obtained from the applicant or their representative by calling Jesse Aguilar of Highpoint Engineering, the applicant's representative) at (781) 770-0968. An administrative fee may be applied for providing copies of the NOI and plans.
- F. Information regarding the date, time, and location of the public hearing regarding the Notice of Intent may be obtained from the Plainville Conservation Commission. Notice of the public hearing will be published at least five business days in advance, in the Sun Chronicle.

**Notification provided pursuant to the above requirement does not automatically confer standing to the recipient to request Departmental Action for the underlying matter. See 310 CMR 10.05(7)(a)4.**

Under the Massachusetts Wetlands Protection Act, I, Jesse Aguilar, hereby certify under the pains and penalties of perjury that on March 28, 2022, I mailed a "Notification to Abutters" in compliance with the second paragraph of Massachusetts General Laws, Chapter 131, s.40, the DEP Guide to Abutter Notification dated April 8, 1994, as well as in compliance with Section 900-5.B. of Plainville Code Chapter 900 (Wetlands Protection Regulations), in connection with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection Act by TSC Taunton Street 43 LLC with the Plainville Conservation Commission on March 28, 2022, for property located at 43 Taunton Street, Plainville, MA 02762.

This form of notification and a list of the abutters and their addresses to whom it was given are included in the Notice of Intent application booklet.

  
NameMarch 28, 2022

Date