



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 _____

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):

Crosswinds Drive
a. Street Address _____

Groton
b. City/Town _____

01450
c. Zip Code _____

Latitude and Longitude:
d. Latitude _____ e. Longitude _____

f. Assessors Map/Plat Number _____

Map: 203 / Parcel: 19 / Lot: 0
g. Parcel /Lot Number _____

2. Applicant:

Peter
a. First Name _____

Cunningham
b. Last Name _____

Squannacook Greenways, Inc.
c. Organization _____

44 Smith Street
d. Street Address _____

Groton
e. City/Town _____

MA
f. State _____

01450
g. Zip Code _____

(978) 448-3497
h. Phone Number _____

i. Fax Number _____

brecca@charter.net
j. Email Address _____

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

MBTA
a. First Name _____

b. Last Name _____

e. Organization _____

10 Park Plaza
d. Street Address _____

Boston
e. City/Town _____

MA
f. State _____

02116
g. Zip Code _____

h. Phone Number _____

i. Fax Number _____

j. Email address _____



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4. Representative (if any):

a. First Name _____ b. Last Name _____

c. Company _____

d. Street Address _____

e. City/Town _____ f. State _____ g. Zip Code _____

h. Phone Number _____ i. Fax Number _____ j. Email address _____

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

a. Total Fee Paid _____ b. State Fee Paid _____ c. City/Town Fee Paid _____

A. General Information (continued)

6. General Project Description:

Construction of a stone dust rail trail along a portion of the old Greenville branch of the Boston & Maine Railroad. Refer to ENF certificate dated August 10, 2018 (EEA # 15876) for full description. The area in Groton subject to jurisdiction is an existing culvert between the Town of Groton's Milton Starr Conservation Conservation Land and the Squannacook River Wildlife MManagement Area.

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

- | | |
|--------------------------|----------------------------------|
| 1. Single Family Home | 2. Residential Subdivision |
| 3. Commercial/Industrial | 4. Dock/Pier |
| 5. Utilities | 6. Coastal engineering Structure |



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- 7. Agriculture (e.g., cranberries, forestry)
- 8. Transportation
- 9. Other

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

South Middlesex Registry of Deeds

a. County _____

b. Certificate # (if registered land) _____

20765

412

c. Book _____

d. Page Number _____

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

- 1. Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, 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.

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
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For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

- a. Bank
 - 1. linear feet _____
 - 2. linear feet _____
- b. Bordering Vegetated Wetland
 - 1. square feet _____
 - 2. square feet _____
- c. Land Under Waterbodies and Waterways
 - 1. square feet _____
 - 2. square feet _____
 - 3. cubic yards dredged _____

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
----------------------	------------------------------------	--------------------------------------

- d. Bordering Land Subject to Flooding
 - 1. square feet _____
 - 2. square feet _____
 - 3. cubic feet of flood storage lost _____
 - 4. cubic feet replaced _____
- e. Isolated Land Subject to Flooding
 - 1. square feet _____
 - 2. cubic feet of flood storage lost _____
 - 3. cubic feet replaced _____

f. Riverfront Area 1. Name of Waterway (if available) – **specify coastal or inland** _____

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



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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.

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. Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. Land Under the Ocean	1. square feet _____	
	2. cubic yards dredged _____	
c. Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. Coastal Banks	1. linear feet _____	
g. Rocky Intertidal Shores	1. square feet _____	



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- h. Salt Marshes
 - 1. square feet _____
 - 2. sq ft restoration, rehab., _____
creation
- i. Land Under Salt Ponds
 - 1. square feet _____
 - 2. cubic yards dredged _____
- j. Land Containing Shellfish
 - 1. square feet _____
- k. 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. 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 _____

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.mass.gov/DEP/EST_HAB/



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Massachusetts Natural Heritage Atlas or go to <http://maps.mass.gov/state/ma/sof/nt/ECF/PAE/viewer.htm>.

a. Yes No **If yes, include proof of mailing or hand delivery of NOI to:**

**Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581**

Phone: (508) 389-6360

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

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

(c) MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/esa_fee_schedule.htm).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address



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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/nhesp/regulatory_review/ 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. b. Date submitted to _____
NHESP
a. NHESP Tracking #

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

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

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. Other Applicable Standards and Requirements (cont'd)



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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.

Squannassit
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.



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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.

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.

Please refer to attachments schedule

a. Plan Title _____

b. Prepared By _____

c. Signed and Stamped by _____

d. Final Revision Date _____

e. Scale _____

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



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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:

2. Municipal Check Number _____ 3. Check date _____

4. State Check Number _____ 5. Check date _____

6. Payor name on check: First Name _____ 7. Payor name on check: Last Name _____

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 _____ 2. Date _____

3. Signature of Property Owner (if different) _____ 4. Date _____

5. Signature of Representative (if any) _____ 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.



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Number

City/Town _____

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.

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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:

Crosswinds Drive
 a. Street Address _____ Groton
 b. City/Town _____

\$110.00
 d. Fee amount _____

c. Check number _____

2. Applicant Mailing Address:

Peter
 a. First Name _____ Cunningham
 b. Last Name _____

Squannacook Greenways, Inc.
 c. Organization _____

44 Smith Street
 d. Mailing Address _____

Groton MA 01450
 e. City/Town _____ f. State _____ g. Zip Code _____

(978) 448-3497 brecca@charter.net
 h. Phone Number _____ i. Fax Number _____ 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.

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

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Total Project Fee:	\$110.00
	a. Total Fee from Step 5
State share of filing Fee:	\$42.50
	b. 1/2 Total Fee less \$12.50
City/Town share of filling Fee:	\$67.50
	c. 1/2 Total Fee plus \$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.)