

1. 7:00 P.M. Conservation Commission

Documents:

[2026.01.08 CONCOM AGENDA.PDF](#)

1.I. 7:00 PM Conservation Commission 12.31

Documents:

[2026.01.08 CONCOM MEETING PACKET.PDF](#)

**TOWN OF SOUTHBOROUGH
CONSERVATION COMMISSION
THURSDAY, JANUARY 8, 2026 7:00 PM**
Virtual Meeting

Pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency, signed into law on June 16, 2021, this meeting will be conducted via remote participation. No in person attendance by members of the public will be permitted. May be watched or may participate in the meeting remotely with the meeting link at:
<https://www.southboroughma.gov/674/Virtual-Meetings>

MEETING AGENDA

Approval of Minutes:

1.12/04/2025

Public Hearings:

7:00 PM

1. Request for Amended Order of Conditions – 8 Schipper Farm Lane (Map 81, Lot 22), DEP #290-1088 – installation of bowling ball pyramid

7:00 PM

1. Notice of Intent – 11 Brook Lane (Map 39, Lot 48) – replacement of septic system

7:00 PM

1. Notice of Intent – Willow Street North ROW – culvert replacement
2. Notice of Intent – Willow Street South ROW – culvert replacement

New and/or Continued Business:

1. Request for Certificate of Compliance – 65C School Street, DEP #290-1105
2. Request for Certificate of Compliance – 170 Woodland Road, DEP #290-1123
3. Violation – 5 MacNeill Drive clearing of vegetation on DCR property

Other Business properly before the Commission:

1. Conservation Agent Report
 - a. Update on open and active sites
 - b. Breakneck Hill – Farm Dump progress
 - i. Restoration
2. Other Business as may arise

SOUTHBOROUGH CONSERVATION COMMISSION
THURSDAY, DECEMBER 4, 2025
VIRTUAL ZOOM MEETING
DRAFT MEETING MINUTES

The Conservation Commission of the Town of Southborough held a meeting on Thursday, December 4, 2025 at 7:00pm via an online Zoom meeting.

Members Present: Mark Possemato (Chair), Benjamin Smith (Vice Chair), Kevin Farrington, Melinda Upton, Jenna Barbary-Glovsky

Members Absent: Elizabeth Zulick

Others Present: Melissa Danza (Conservation Agent)

The meeting being duly posted, the chair opened the meeting at 7:00pm.

APPROVAL OF MINUTES

10/23/25

MOTION: Mr. Farrington made a motion to approve the minutes as . Seconded by Ms. Upton, the motion carried 5-0-0 by roll call vote: Farrington - aye; Upton - aye; Barbary-Glovsky – aye; Smith-aye; Possemato - aye.

PUBLIC HEARINGS

NOTICES OF INTENT – WILLOW STREET NORTH ROW & WILLOW STREET SOUTH ROW – CULVERT REPLACEMENTS (PUBLIC HEARINGS TO BE HEARD TOGETHER)

Gregory LaCroix (Pare Corporation), Eric Silva (Pare Corporation) and William Cundiff (DPW Director) were present.

Mr. Silva started with the North culvert, stating the town has been having significant issues with flooding in this location and DPW has had to fill in the embankment several times due to washout after storms. He noted they aren't entirely sure what type of culvert exists, as it is buried, but it is now almost entirely clogged. Mr. Silva reviewed the plans. He stated the new culvert will be able to pass up to a 500-year storm, versus the 2-year storm current capacity. Mr. Silva explained the design has been in collaboration with the Department of Ecological Restoration who provided the Town with a grant to design and permit both culverts. He stated they are designing it to stream crossing standards to the maximum extent practicable, and in this case they meet the requirements for openness ratio. Mr. Silva stated they are finalizing the design with DER.

Mr. LaCroix reviewed the resource area impacts and mitigation, noting an intermittent stream that flows through the culvert, noting it is currently flooded out due to the culvert collapse. He stated

they are seeking to renaturalize it to stream conditions. Mr. LaCroix noted there is BVW on either side of the stream, noting the impacts to the wetland are primarily around the culvert itself. He noted permanent impacts to the bank and some permanent impacts to BVW for stabilization. Mr. LaCroix stated they are providing 105 sq ft of replacement to counteract the 24 sq ft of permanent impact to the BVW. He stated that because the area is tight with the retaining wall, they are not proposing any trees. Mr. LaCroix reviewed the replication area, noting a proposed retaining wall, native shrubs, and a native seed mix. He stated they are proposing native seed mix along the embankments of the roadway. Mr. LaCroix noted they submitted revised materials close to the meeting, so he understands that the Commission and their consultant may not have had time to review. He reviewed some of the comments from Lucas Environmental.

Mr. Possemato stated they have not had an opportunity to review the responses and asked if the Commission had any questions. Ms. Upton asked how long the project would take. Mr. Silva stated the north culvert would need phased construction because it is so close to the intersection but should take approximately 9 months from beginning to restoration. Mr. Farrington asked about the crossing openness ratio calculation, noting the narrative indicated a different length. Mr. Silva stated the culvert is 37 ft and that they can revise the calculation. Mr. LaCroix noted Lucas Environmental pointed this out as well and they provided a revised calculation. Mr. Possemato asked to confirm there would be 431 sq ft of permanent stream bed area impact. Mr. Silva confirmed, noting it is due to stream bed restoration. Mr. LaCroix stated they would be restoring it to stream bed conditions.

Mr. LaCroix noted they do have a DEP number and are addressing DEP's comments.

Mr. Possemato opened the hearing to the public. There were no comments or questions.

MOTION: Mr. Smith made a motion to continue the public hearing to January 8, 2026. Seconded by Mr. Farrington, the motion carried 5-0-0 by roll call vote: Farrington- aye; Upton- aye; Barbary-Glovsky – aye; Smith- aye; Possemato- aye.

Mr. Silva reviewed the south culvert project, noting it is currently 2 18-inch pipes. He stated they are undersized and overtops at a 5-year storm. Mr. Silva stated they are perched so that fish cannot cross through without having to jump, so they are looking to create a more natural bottom. He stated they are looking to place an approximately 9 ft, three-sided, pre-cast culvert. He stated the proposed culvert will be able to pass up to a 500-year storm, and that they are proposing some roadway improvements to include a guardrail and using the headwalls to support the roadway. Mr. Silva stated the roadway is starting to fail due to the overtopping. He stated they are planning to close the roadway and use a detour, so this project will take approximately 4-6 months with only a 1-month road closure.

Mr. LaCroix stated there is intermittent stream present for this project as well, along with a BVW on the south side. He stated there are impacts to the BVW for design purposes. Mr. LaCroix noted Lucas Environmental indicated that area is more upland, so as part of their reflagging they agreed with Lucas Environmental and pulled back the wetland line. He stated as a result of that, there are no longer permanent BVW impacts so they have removed the replication area. Mr. LaCroix stated there are permanent impacts to the intermittent stream and bank. He noted they have a DEP number for this project, and those comments have also been addressed.

Mr. Possemato asked if the Commission had any questions. Mr. Farrington asked if the trees are

no longer impacted. Mr. LaCroix confirmed.

Mr. Possemato opened the hearing to the public. There were no comments or questions.

MOTION: Mr. Smith made a motion to continue the public hearing to January 8, 2026. Seconded by Mr. Farrington, the motion carried 5-0-0 by roll call vote: Farrington- aye; Barbary-Glovsky – aye; Smith- aye; Upton- aye; Possemato- aye.

NEW AND/OR CONTINUED BUSINESS

REQUEST FOR CERTIFICATE OF COMPLIANCE – 65C SCHOOL STREET, DEP #290-1105

The applicant's representative requested to be heard at a later meeting. Ms. Danza noted there are several issues of noncompliance that she is working with them on.

REQUEST FOR CERTIFICATE OF COMPLIANCE – 185-191 MILL ST, 0 MARLBORO JUNCTION, DEP #290-968 & SMP FY15-02

Ms. Danza stated these permits were for artificial turf fields that were never constructed and need an invalid CoC.

MOTION: Mr. Farrington made a motion to issue an Invalid Certificate of Compliance for DEP #290-968 and SMP FY15-02. Seconded by Ms. Upton, the motion carried 4-0-1 by roll call vote: Farrington- aye; Upton- aye; Barbary-Glovsky – abstain; Smith- aye; Possemato- aye.

48 MAIN STREET, SMP FY09-3

Ms. Danza noted this is part of the primary school project, and the Order of Conditions was closed out but the SMP was not voted on. She noted it was not recorded.

MOTION: Mr. Farrington made a motion to issue a Certificate of Compliance for SMP FY09-03. Seconded by Ms. Upton, the motion carried 4-0-1 by roll call vote: Farrington- aye; Upton- aye; Barbary-Glovsky – abstain; Smith- aye; Possemato- aye.

DISCUSSION WITH FERRIS DEVELOPMENT – REPLACEMENT OF EXISTING SEPTIC AT 250 TURNPIKE & PEDESTRIAN BRIDGE

George Bahnau (FD 250 Turnpike) and James Tetreault (Expedited Engineering) were present. Ms. Danza stated they are requesting a preference letter to the Board of Health.

Mr. Tetreault reviewed the existing site plan, noting the footbridge was pedestrian access and allowed for the septic tank to be connected to the distribution box under the footbridge. He stated the footbridge is in a state of disrepair. Mr. Tetreault noted the self-storage building has such a small parking need and they are seeking to construct a contractor's yard building in the parking lot, so they are looking to separate the septic from the building area. He explained their attempts to find appropriate soils via perc testing, but they either failed or found ledge. Mr. Tetreault stated they were left with no way to separate the septic for the self-storage building. He stated they would like to install a tight tank due to the small flow and noted that the property owner has an interest in separating lots in the future. Mr. Tetreault stated the Board of Health told them they are

not allowed to install a tight tank unless there is no other option. He reviewed the three options: disconnecting from the footbridge and sending a new gravity line through the wetland to a new pump chamber; running the septic under the wetland; or installing a tight tank. Mr. Tetreault requested a letter from the Commission to the Board of Health that the Commission would be inclined to deny the first two options as the third would have no wetland impacts. He noted they tested for a regular septic system first and it did not work.

Mr. Possemato asked if the first two options would include disturbance to the wetland. Mr. Tetreault confirmed. Mr. Possemato stated there is a fourth option that they have entertained before: directional drilling underneath the wetland and coming up where the leach field is. Mr. Tetreault stated there is a chance of encountering ledge in that case. Mr. Possemato stated he doesn't think they have approved digging a trench through a wetland to get from a septic tank to a leach field. Mr. Smith agreed but noted there is nothing in the WPA or bylaw that prohibits it or makes it unpermissible and that with the appropriate conditions it could be permissible. He stated that a tight tank is generally a method of last resort, and he would not feel comfortable submitting a letter saying it's not possible to do anything other than a tight tank, noting it is possible with the right conditions. Mr. Farrington asked about the plan for the pedestrian bridge. Mr. Tetreault stated that at some point in the future it will likely be taken down. Mr. Farrington noted that it would also require permitting.

Ms. Danza asked about the 10 ft wide area of disturbance to install a 2" force main pipe. Mr. Tetreault stated he was thinking about the machines that would be doing the work. Mr. Smith asked if the current waste line is insulated. Mr. Tetreault confirmed. He stated they weren't asking that the Commission would say any of the options are impossible, but rather that they would not approve one that has impacts to the wetlands. Mr. Possemato stated he feels uncomfortable with that, noting directional drilling and the force main option would be preferable to a tight tank. He stated they could couple it with demolishing the bridge as the impact for both projects would overlap. Mr. Farrington asked if there was an option to repair the bridge and leave the pipe in place. Mr. Tetreault stated the amount of work necessary to repair it would be the same as building a new one.

Mr. Tetreault stated it seems like the Commission would prefer if the applicant would be interested in pursuing options other than the tight tank. Mr. Possemato and Mr. Smith agreed, noting either directional drilling or option 2 coupled with the removal of the footbridge.

VIOLATION – 5 MACNEILL DRIVE – CLEARING OF VEGETATION ON DCR PROPERTY

Ms. Danza stated she had noticed some clearing behind the property, so she did a visit with DCR. She noted the homeowner has put together a plan for restoration including a native seed mix and shrubs. Ms. Danza stated she thinks it would be beneficial to have a variety of shrubs. She noted that she was debating having the homeowner place shrubs in a different area, but since DCR wants the area to be a naturalized area, she doesn't want to create a situation where the homeowner would need to maintain areas within DCR property. Ms. Danza stated the homeowner is fine with a variety of shrubs and the area has a good seed bank. Ms. Upton stated Ms. Danza's recommendation to have the berm replanted seems appropriate and asked if there would be a better outcome with a variety of shrubs versus one species. Ms. Danza stated in this circumstance the variety is more for a benefit of what could possibly spread in the future. Versus what would thrive better immediately. Mr. Smith agreed and stated they could get input from

Lucas Environmental on species. Ms. Danza stated the homeowner was going to put the native seed mix down on the open areas.

2026 MEETING CALENDAR & DEADLINES

Ms. Danza reviewed the meeting dates and deadlines. The Commission discussed the dates and generally agreed upon meeting dates.

FY2027 BUDGET

Mr. Possemato stated that Ms. Danza needs to include mileage. Ms. Danza reviewed the budget line items. Ms. Upton asked what is included in the Stewardship budget, and Ms. Danza explained what the money goes towards. Ms. Danza stated the recommendation was to submit a budget that aligned with FY25 actual, but she highly recommends approving this version. Mr. Possemato asked why they were requesting FY25 actual numbers versus the FY26 budget.

Mr. Possemato stated he has no issue with Ms. Danza's proposed budget, but he would have a problem if they submitted the FY25 budget. Mr. Possemato stated that the state has the WPA, which the Commission needs to oversee, and that comes with a cost. Ms. Upton stated the budget as proposed is a responsible budget.

MOTION: Mr. Farrington made a motion to support the proposed FY27 budget. Seconded by Mr. Smith, the motion carried 5-0-0 by roll call vote: Farrington- aye; Upton- aye; Barbary-Glovsky – aye; Smith- aye; Possemato- aye.

OTHER BUSINESS

CONSERVATION SCIENTIST/AGENT REPORT

UPDATE ON OPEN AND ACTIVE SITES

21 Southville – Ms. Danza stated the deck is being completed.

12 Wood Street – Ms. Danza noted they requested a slight change for the front steps, and she worked with them on plantings.

150 Cordaville Road – Ms. Danza stated they are in front of the ZBA for multiple uses on one lot that includes a Battery Energy Storage System. She noted they called out a stormwater management system, but it is a jurisdictional wetland. Ms. Danza stated they are in the 20 ft buffer, so she sent a memo the ZBA.

National Grid Pole Replacement – Ms. Danza stated they began vegetation clearing and access prep, and next week the foundation crew will come in.

BREAKNECK HILL – FARM DUMP PROGRESS

Ms. Danza stated they are still working on the RFP for the meadow restoration.

OTHER BUSINESS AS MAY ARISE

Ms. Upton asked about the Richards Road and Woodland Road sidewalks. Mr. Possemato asked about potential sidewalks on Parkerville Road.

Mr. Possemato asked about the demolition of the Andrea restaurant. Ms. Danza stated she called them to talk about the erosion controls and they said they would install them, noting they installed them everywhere except the back. She stated if they ripped up the pavement, they needed to put in the stabilized construction entrance. Ms. Danza noted they removed the pavement but didn't put the stabilized construction entrance. She stated she is still following up on it. Mr. Possemato stated there is some puddling happening on the site.

Ms. Danza stated she has been speaking with the homeowner at 259 Cordaville, noting the areas he has disturbed are non-jurisdictional.

MOTION: Mr. Smith made a motion to adjourn the meeting. Seconded by Ms. Upton, the motion carried 5-0-0 by roll call vote: Farrington- aye; Upton- aye; Barbary-Glovsky – aye; Smith- aye; Possemato- aye.

Respectfully Submitted,

Lara Davis

Administrative Assistant

Documents Used:

1. Willow Street North Culvert Plans
2. Willow Street South Culvert Plans
3. 2026 Meeting Dates and Deadlines
4. FY2027 Budget



December 22, 2025

Mr. Mark S. Possemato, Chairman
Southborough Conservation Commission
Southborough Town House
17 Common Street
Southborough, Massachusetts 01772

Via: Hand Delivery and email, attn.: Melissa Danza, Agent

Reference: Request to Amend Order of Conditions (DEP #290-1088)
8 Schipper Farm Lane
Southborough, Massachusetts
WDA JN-1439.00

Dear Chairman Possemato and Members of the Commission:

On behalf of Bruce Hall (Applicant), we are submitting herewith a Request for an Amendment to the Order of Conditions (DEP #290-1088, WCRD Bk. 67283, pg. 309) for 8 Schipper Farm Lane. Thus request for amendment is to replace a previously approved gazebo (not constructed) with a similar size bowling ball pyramid. The Commission issued the Order of Conditions on March 11, 2022 (extended to 3/11/2027 by Permit Extension Act) for the construction of an accessory building, pool/spa, patio, gazebo, grass pavers/lawn, landscaping, retaining wall, wastewater pump and force-main, and supporting infrastructure within a portion of the 100' buffer zone at 8 Schipper Farm Lane. Additionally, as part of the NOI filing was the removal and restoration of an area of invasive species, most notably Japanese knotweed (*Polygonum cuspidatum*) within a portion of the buffer zone (including the Southborough 20' setback). The areas described above are located on a portion of the Applicant's 3.9 ± acre parcel, identified as Assessor's Map 81, Parcel 22. This request has been prepared in accordance with the Massachusetts Wetlands Protection Act (The Act) and the Town of Southborough Wetlands Protection Bylaw and Regulations.

We have enclosed the following for your reference:

1. Certified Lists of Abutters
2. Notification to Abutters
3. Filing fee of \$761.25 for the local bylaw fees for Request to Amend the Order
4. Copy of page 1 recorded OOC issued March 11, 2022 (DEP File #290-10804)
5. As-built plan by WDA Design Group, dated September 11, 2024
6. Pyramid Exhibit Plan prepared by WDA Design Group, December 22, 2025.

Project History

The 3.9± acre Property subject to this request is located along the southwesterly side of Schipper Farm Lane. The Property has the single-family home (circa 2001) and attached garage with paved driveway, stone retaining walls, lawn and landscaped areas. The home is serviced by municipal water and an on-site septic system. The aforementioned scope of work that included construction of the accessory building next to the existing single-family

home contains a 3-lane bowling alley and game areas with an exposed artificial turf roof, as well as other features around the buildings such as a patio, spa and pool, landscaped and lawn areas. Runoff from the new roof area is sent to underground infiltration systems (Cultec chambers). An area of new lawn along the easterly side of the accessory building allows for emergency or maintenance vehicle access is comprised of reinforced subgrade with the use of grass pavers (also allowing for additional infiltrative capacity). The only item that was proposed that was never installed was the gazebo. The gazebo was proposed and approved to be placed onto Sono tube footings, with the closest part of the gazebo located 5' from the edge of the wetland. No work was proposed within any wetland resource area and the closest corner of the accessory building is approximately 29.8' from the edge of the wetland.

A part of the previously permitted work was the control/removal of an area of invasive species, most notably a dense stand of Japanese knotweed (*Polygonum cuspidatum*) of approximately 3,000 sf, as well as an area comprised of mainly knotweed intermixed with oriental bittersweet (*Celastrus orbiculatus*) and multiflora rose (*Rosa multiflora*) of approximately 2,800 sf. This work was located within the 100' buffer zone and directly adjacent to a section of the bordering vegetated wetland, generally between wetland flags WF-8 to WF-17. The knotweed in this area was located at the closest points to within a couple of feet to the wetland and spreading out to approximately 30'-50' into the upland lawn areas of the buffer zone. Control of the invasives began in July 2022 and continued through mid-June of 2024. New topsoil and plantings began in late June of 2024 and restoration plantings in this area was completed in 2024 by SumCo with on-going maintenance through the Fall of 2025 (one small stand of knotweed that had re-emerged was cut and removed in October 2025). This work has restored this section of the Conservation Commissions' 20' wetland setback within the 100' buffer zone directly adjacent to the wetland. As required by the Order of Conditions, and notably Special Condition #51, WDA has performed monitoring of and submitted reports on the restoration area to the Commission. Additional reports will be submitted in the growing season of 2026 as part of the Special Conditions, and we are requesting that if approved, to include monitoring of the additional restoration area around the proposed pyramid structure prior to issuance of a Final Certificate of Compliance.

Proposed Amendment to Order of Conditions

The Applicant is proposing to construct a poured in place 15.9' square concrete base foundation (14.2' x14.2' inner dimensions) with a 4" inner reveal (see structural engineer detail on sheet 2) in the area of the formerly permitted, but not constructed, gazebo. The concrete structure would hold a new "bowling ball pyramid" (see example photo on sheet 2) consisting of a total of 2,870 bowling balls within the concrete base, with a 20x20 balls forming the base of the pyramid, with an overall height of approximately 14.3'. The closest corner of the concrete base would be 6'-8' from the wetland (1' or greater further away than previously permitted gazebo) in an area historically maintained as lawn or in an area of prior buffer restoration. Approximately $219 \pm$ SF of the previous restoration area would be impacted by the concrete structure (of which approximately $130 \pm$ SF would be temporary impact). To offset this alteration approximately 240' of buffer restoration is proposed (including the 130 SF temporary impact) in and around the concrete base. Placement of the concrete pad would also require 4' frost wall footings, which may impact approximately 5.5' of two of the southerly end of one of the rooftop subsurface infiltrators. This impacted section would be replaced by adding the same linear feet of chambers to the north end of the system. Any temporary disturbance to lawn, landscape or buffer areas will be restored back to existing conditions, or expanded as outlined below. Additionally, a 4" PVC overflow pipe from a rear yard area drain would be re-routed around the concrete pad to a relocated small stone splash pad, approximately three feet (3') south of the current outfall location.

The applicant is also requesting to install an 8'x10' shed placed on concrete blocks on the property, placed to the west of the proposed pyramid and just south of the existing accessory building/HVAC units. The rear of the shed will be placed at a minimum of 1' off of, and parallel to the existing open space easement within existing lawn area.

Part of the proposed project would be the expansion and restoration of an additional 240± square feet of buffer area between and around the concrete base adjacent to the wetland, consisting of a row of sweet fern, chokeberry and maple leaf viburnum as well as overseeding with a conservation/wildlife seed mix (see plan). The applicant is also proposing to add wetland protection signs along the wetland in the area of the buffer restoration and proposed pyramid.

Closing

As noted, the proposed concrete base to support the pyramid is located in the same area as the previously permitted gazebo, but slightly further from the wetland than the gazebo was approved. The temporary impact to the existing infiltrator can easily be addressed by adding the same Cultec chambers to the north end of the system, and the 4" drain overflow for the area drain can easily be rerouted and the outfall will be within 3' of the existing one. Additionally, any temporary disturbance to the area near the concrete pad, or infiltrators will be rapidly regraded, loamed and seeded as needed to restore the area to existing conditions. An additional 240± sf of buffer restoration/stabilization will occur as part of the project. An erosion control barrier between the proposed work and adjacent wetland will be installed and maintained until the project is complete and all areas fully stabilized.

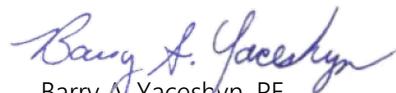
We trust the information presented above and enclosed herewith is sufficient to allow the Commission to process the Applicant's request to amend their current OOC. We look forward to meeting with the Commission on behalf of the Applicant to discuss this request and enclosed plans.

Sincerely,

WDA DESIGN GROUP, INC.



Brian P. Waterman
Senior Project Manager



Barry A. Yaceshyn, PE
Senior Project Engineer

cc: Mr. Bruce Hall
MassDEP CERO

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December 16, 2025

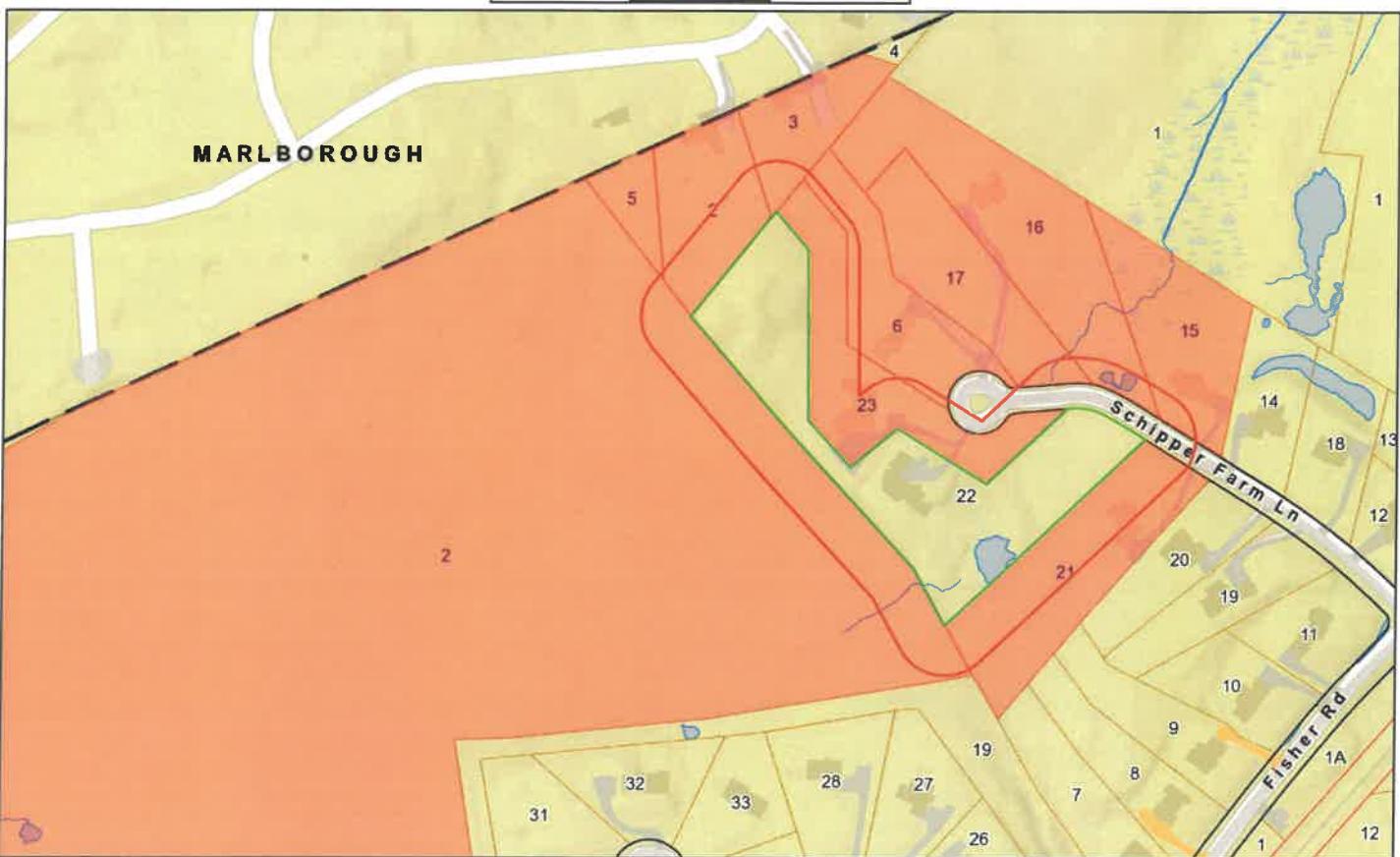
Southborough, MA

1 inch = 279 Feet

0 279 558 837

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100 feet Abutters List Report - Conservation Commission

Board of Assessors

17 Common Street Southborough, MA 01772

December 16, 2025

Subject Property:

Parcel Number: 81-0000-022-0
Property Address: 8 SCHIPPER FARM LANE
Mailing Address: HALL BRUCE AND KIMBERLY TRS BHH
(50%) AND KKH(50%) REV TRST
8 SCHIPPER FARM LANE
SOUTHBOROUGH, MA 01772

Abutters:

Parcel Number: 80-0000-002-0
Property Address: 25 JERICHO HILL ROAD
Mailing Address: GAY, GEORGE H JR
P O BOX 405 25 JERICHO HILL ROAD
SOUTHBOROUGH, MA 01772

Parcel Number: 81-0000-002-0
Property Address: 246 STEARNS ROAD
Mailing Address: SHROFF MANISH AGARWAL KHUSHBU
246 STEARNS RD
SOUTHBOROUGH, MA 01772-1026

Parcel Number: 81-0000-003-0
Property Address: 234 STEARNS ROAD
Mailing Address: BROWN, STEPHEN J AND KIMBERLY A
234 STEARNS ROAD
MARLBORO, MA 01752

Parcel Number: 81-0000-005-0
Property Address: FISHER ROAD OFF
Mailing Address: CHIAVOLI ADAM P AND LAURA M
256 STEARNS ROAD
MARLBORO, MA 01752

Parcel Number: 81-0000-006-0
Property Address: 13 SCHIPPER FARM LANE
Mailing Address: PHERWANI VIRENDRA (50%) TRS
PHERWANI SHILPA (50%) TRS
13 SCHIPPER FARM LN
SOUTHBOROUGH, MA 01772-1036

Parcel Number: 81-0000-015-0
Property Address: 7 SCHIPPER FARM LANE
Mailing Address: ELJANOUDI SAHAR TRS 7 SCHIPPER
FARM LANE RT
7 SCHIPPER FARM LANE
SOUTHBOROUGH, MA 01772

Parcel Number: 81-0000-016-0
Property Address: 9 SCHIPPER FARM LANE
Mailing Address: KIM, DANIEL S AND JENNIE H
9 SCHIPPER FARM LANE
SOUTHBOROUGH, MA 01772

Parcel Number: 81-0000-017-0
Property Address: 11 SCHIPPER FARM LANE
Mailing Address: HOVHANNESIAN MARKS S AND
SUZANNE D
11 SCHIPPER FARM LANE
SOUTHBOROUGH, MA 01772

Parcel Number: 81-0000-021-0
Property Address: 6 SCHIPPER FARM LANE
Mailing Address: SONG YANG AND XIAOYAN HUANG
6 SCHIPPER FARM LANE
SOUTHBOROUGH, MA 01772

Parcel Number: 81-0000-023-0
Property Address: 10 SCHIPPER FARM LANE
Mailing Address: ELKINSON, DAVID S AND SHERRI A
10 SCHIPPER FARM LANE
SOUTHBOROUGH, MA 01772



100 feet Abutters List Report - Conservation Commission

Board of Assessors
17 Common Street Southborough, MA 01772

December 16, 2025

This list contains the certified list of owners on record with the Town of Southborough.
The mailing address is for the property owner as of July 1st.


Authorized Signature

PLEASE NOTE: The abutters list contains property in Marlborough; you must contact their Assessor's office to request an abutters list in addition to this certified list.

CERTIFIED COPY

Notification to Abutters Under the Massachusetts Wetlands Protection Act and the Town of Southborough Wetlands Bylaw

In accordance with the second paragraph of Mass. General Laws Chapter 131 Section 40 and Southborough Code Chapter 170, you are hereby notified of the following:

- A. The name of the applicant is Bruce and Kim Hall.
- B. The applicant has filed a **Request to Amend an Order of Conditions** with the Conservation Commission for the municipality of Southborough.
- C. The address of the lot where the activity is proposed is 8 Schipper Farm Lane.
- D. The work proposed is construct a 15'x15' concrete base for a bowling ball pyramid and install an 8'x10' shed on concrete blocks.
- E. Copies of the NOI may be examined at Cordaville Hall - 9 Cordaville Road, Conservation office, between the hours of 8:00am – 4:00 pm, Mon –Thurs.
For more information, call: Melissa Danza.
Check One: This is the applicant , applicant's representative or other X (specify): Conservation Agent.
- F. Copies of the NOI may be obtained from either (check one) the applicant , or the applicant's representative X or other by calling 508-366-6552.

G. Information regarding the date, time, and place of the public hearing may be obtained from either (check one) the applicant , the applicant's representative, or other X by calling 508-281-8984.

Note: Notice of the public hearing, including date, time and place, will be published at least five business days in advance in the Metrowest Daily News.

Note: Contact your local Conservation Commission or the nearest Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act.

To contact the Conservation Commission, please call **508-281-8984 or email: mdanza@southboroughma.com**

To contact DEP, call:
Central Region: 508-792-7650

TOWN OF SOUTHBOROUGH



CONSERVATION COMMISSION

CORDAVILLE HALL · 9 CORDAVILLE ROAD, LOWER LEVEL · SOUTHBOROUGH, MASSACHUSETTS 01772-1662
(508) 281-8984 · FAX (508) 480-0161 · mdanza@southboroughma.com

Legal Ad Authorization

Per the Southborough Wetlands Bylaw Chapter 170, Section 6.B(1), Wetlands Protection Act Chapter 131, Section 40, and Southborough Stormwater & Erosion Control Bylaw Chapter 174, Section 13.5, notice of the time and place of said hearing shall be given by the hearing authority at the expense of the applicant, not less than five business days prior to such hearing in a publication in a newspaper of general circulation.

By submitting this authorization, you hereby agree to the terms of payment and understand that direct payment (either in the form of pre-payment or invoice sent directly by the newspaper of choice) is required to receive a valid permit. Failure to submit this form shall automatically deem an application incomplete until such time that it has been submitted as the Commission cannot place a legal ad otherwise.

If a company or business will be responsible for payment, then the newspaper will bill you directly in the form of an invoice. If an individual such as a homeowner will be responsible for payment then they will be required to call in and pre-pay (this information will be provided to them once received by Conservation staff). Please note that this process is subject to change without notice as billing procedures are handled directly by the newspapers.

Party Responsible for Legal Ad Payment: WDA Design Group

Address: 31 East Main Street

City/Town: Westborough, MA

Zipcode: 01581

Email: bwaterman@wda-dg.com

Phone Number: 508-366-6552

Newspaper: MetroWest Daily News (or other if no availability)



2022 00030157

Bk: 67283 Pg: 309

Page: 1 of 24 03/17/2022 02:31 PM WD

Massachusetts Department of Environmental**Protection**

Bureau of Resource Protection - Wetlands

WPA Form 5 - Order of Conditions

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

Provided by MassDEP:

MassDEP File #:290-1088

eDEP Transaction #:1353627

City/Town:SOUTHBOROUGH

A. General Information

1. Conservation Commission SOUTHBOROUGH

2. Issuance a. OOCb. Amended OOC**3. Applicant Details**

a. First Name BRUCE

b. Last Name HALL

c. Organization

d. Mailing Address 8 SCHIPPER FARM LANE

e. City/Town SOUTHBOROUGH

f. State MA

g. Zip Code

01772

4. Property Owner

a. First Name BRUCE

b. Last Name HALL

c. Organization

d. Mailing Address 8 SCHIPPER FARM LANE

e. City/Town SOUTHBOROUGH

f. State MA

g. Zip Code

01772

5. Project Location

a. Street Address 8 SCHIPPER FARM LANE

c. Zip Code 01772

b. City/Town SOUTHBOROUGH

d. Assessors

e. Parcel/Lot# 22

Map/Plat# 81

f. Latitude 42.32220N

g. Longitude 71.55546W

6. Property recorded at the Registry of Deed for:a. County b. Certificate c. Book d. Page
WORCESTER 65823 397**7. Dates**

a. Date NOI Filed : 2/22/2022 b. Date Public Hearing Closed: 3/10/2022 c. Date Of Issuance: 3/11/2022

8. Final Approved Plans and Other Documents

a. Plan Title: b. Plan Prepared by: c. Plan Signed/Stamped by: d. Revised Final Date: e. Scale:

3 SHEETS 1.

EXISTING

CONDITIONS

PLAN 2. SITE

WDA DESIGN
GROUPBARRY YACESHYN CIVIL
NO. 51080

February 18, 2022

1"=20'

PLAN 3. BUFFER

PLANTING PLANS

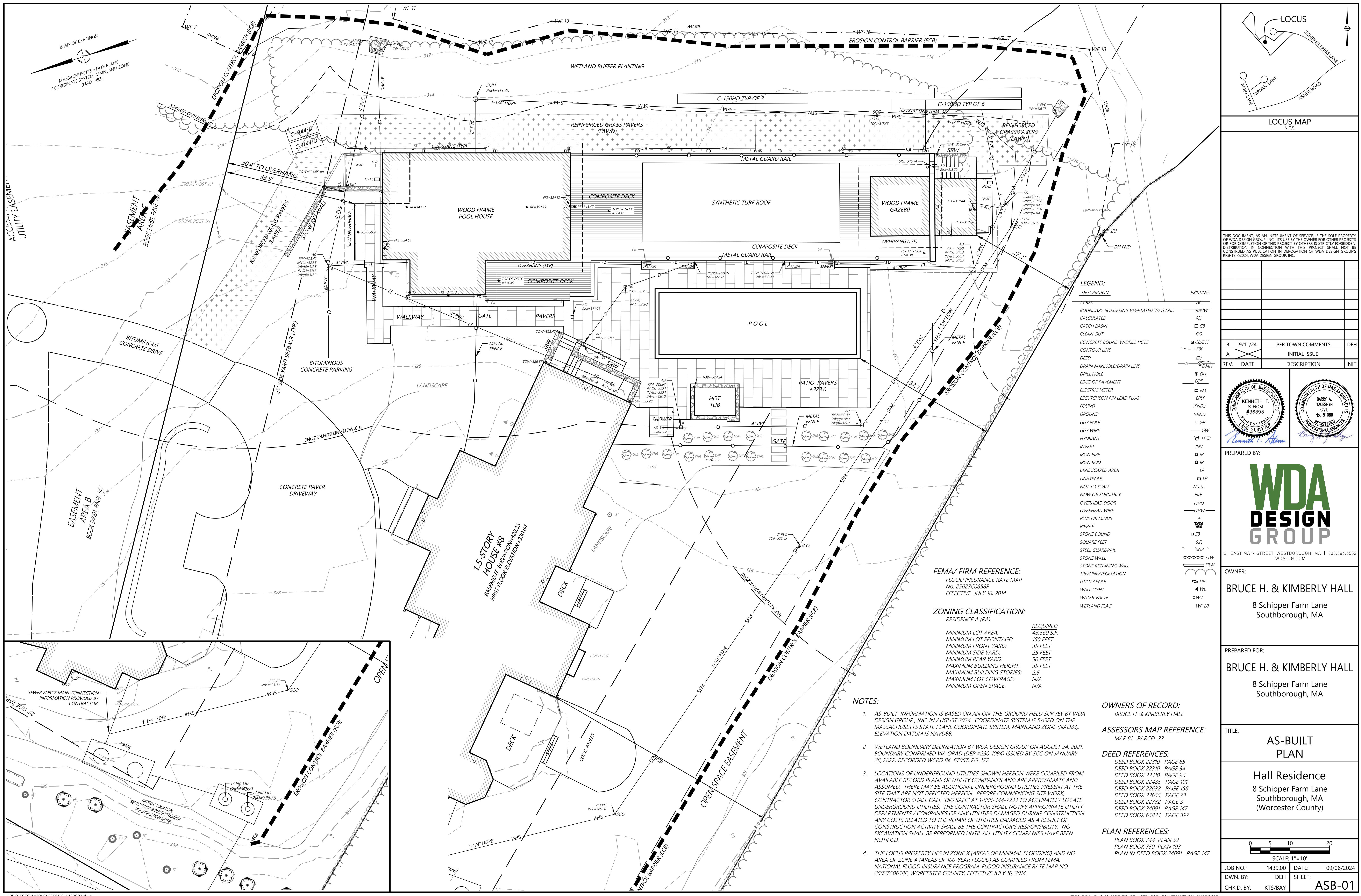
B. Findings**1. Findings pursuant to the Massachusetts Wetlands Protection Act**

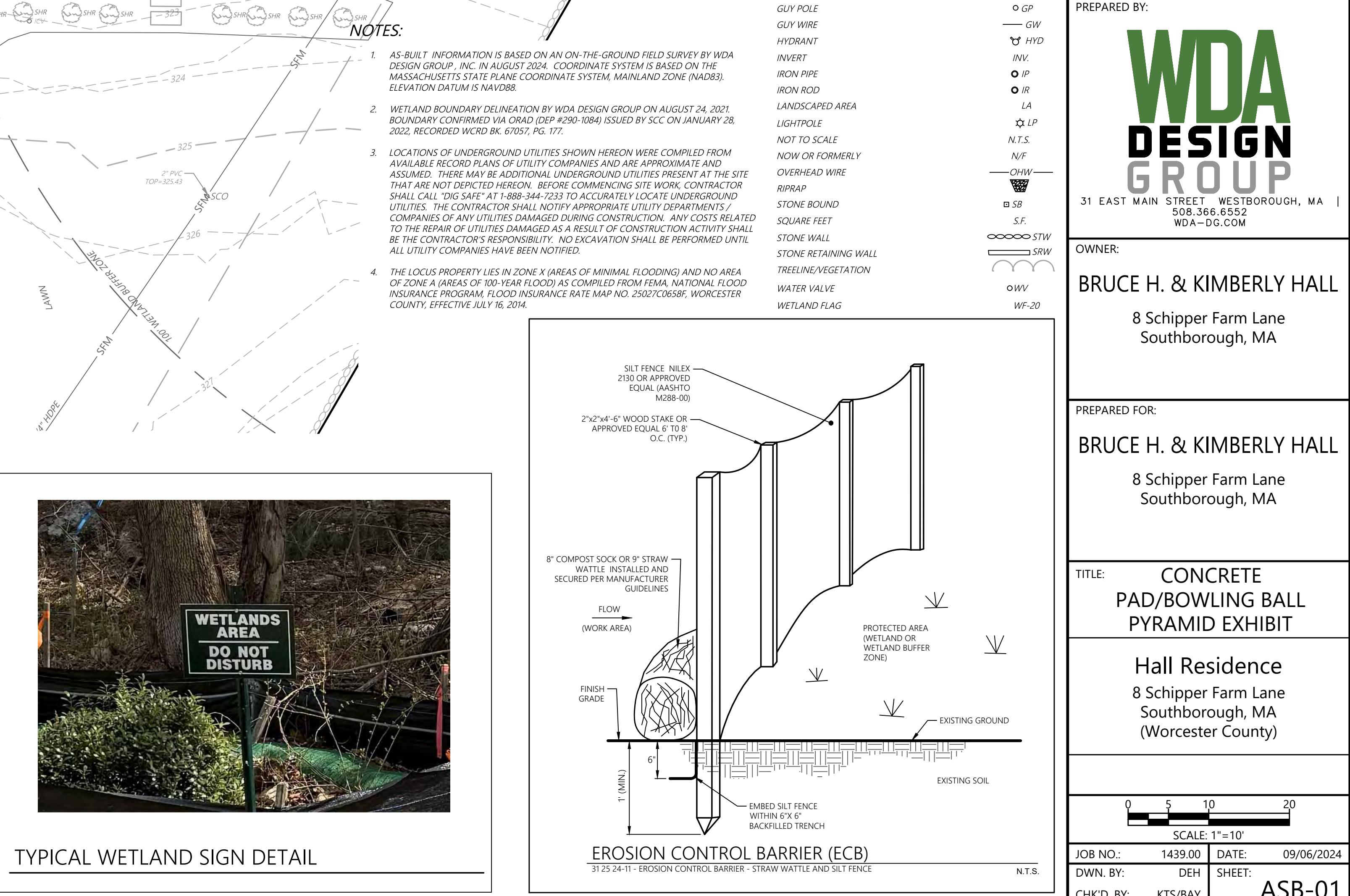
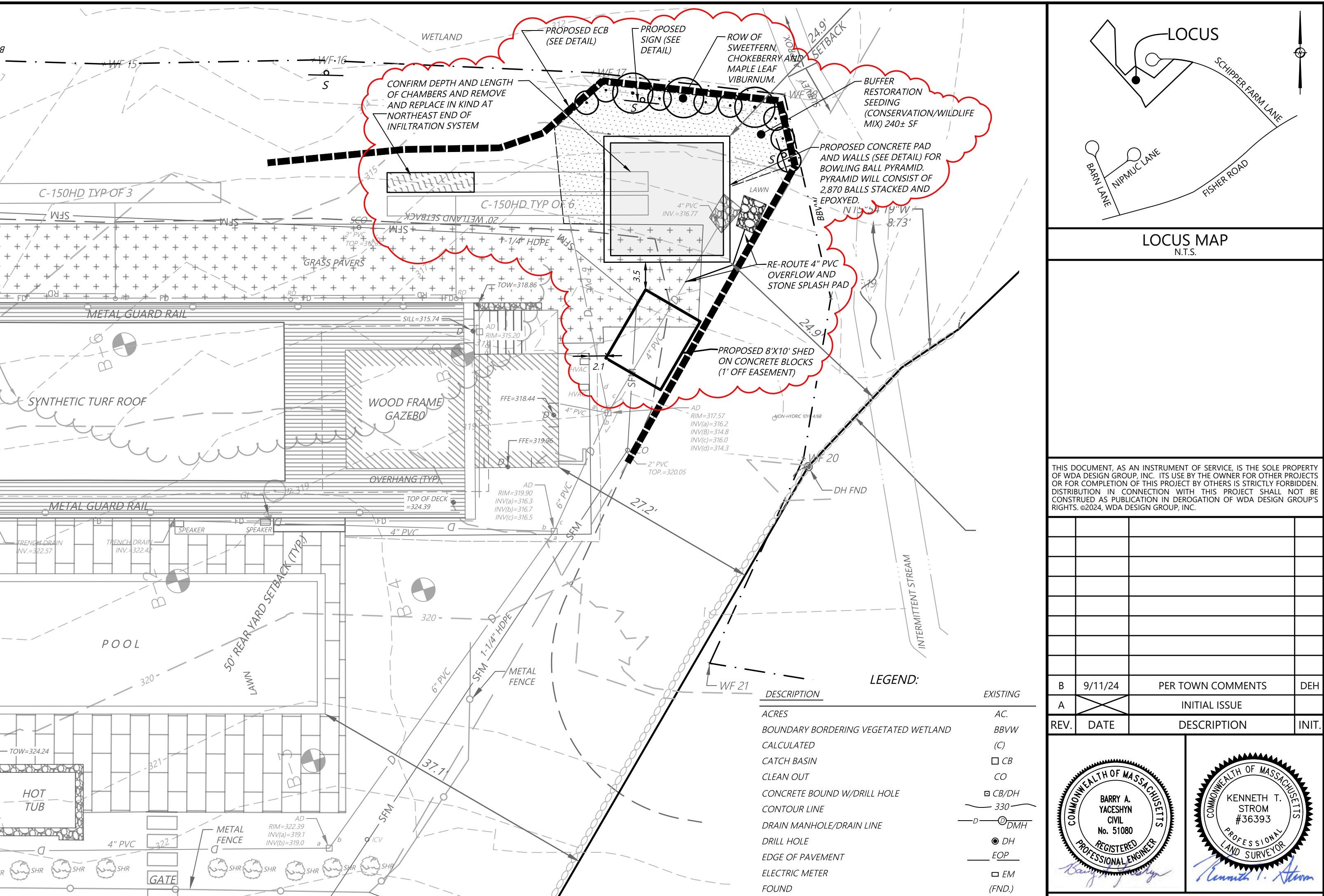
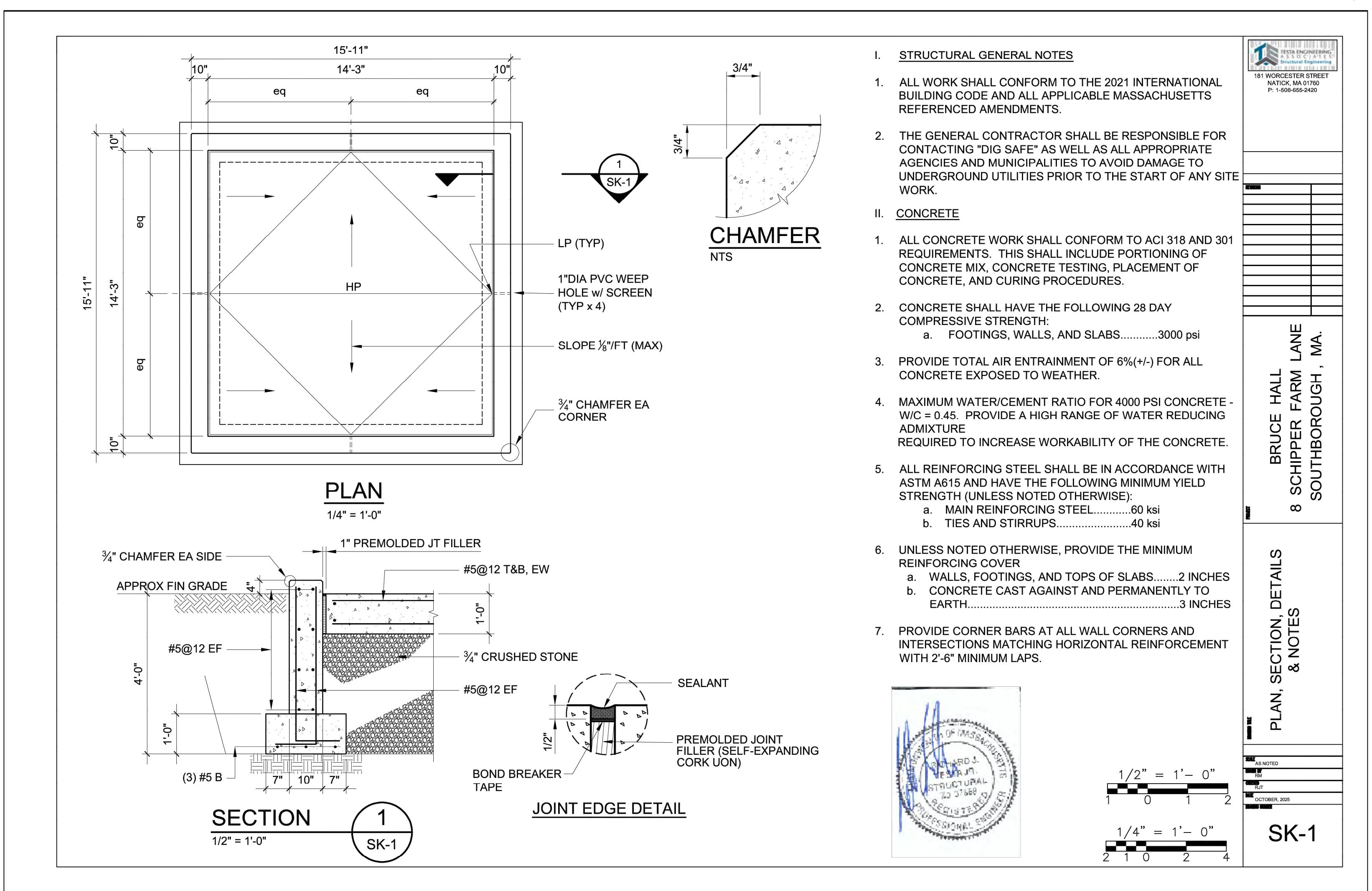
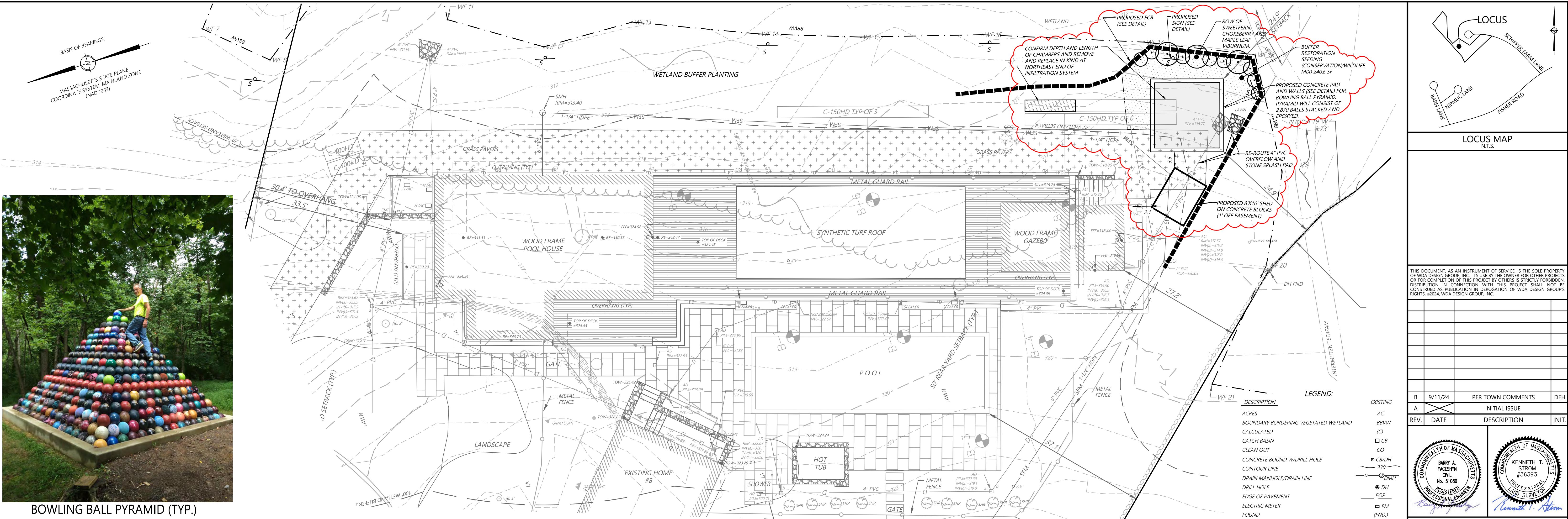
Following the review of the the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act.

Check all that apply:

a. Public Water Supplyb. Land Containing Shellfishc. Prevention of Pollution

(24)





MATTHEW S. MARRO ENVIRONMENTAL CONSULTING

45 Lisa Drive
Leominster, Ma
Phone (978) 314-7858
Fax (888) 435-5999
www.marro-consulting.com

A Notice of Intent 11 Brook Lane Southborough, MA 01772

Environmental Analysis Submitted on Behalf of Kalbinder Real

Matthew S. Marro
Environmental
Consulting (**MEC**)
45 Lisa Drive
Leominster, MA
01453
matt@marro-consulting.com
irene@marro-consulting.com
www.marro-consulting.com

December 2025



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Introduction

Summary

11 Brook Lane in Southborough, MA is a residential lot 0.37 acres in size. The project proposal is for the replacement of a septic system within the 100-foot buffer zone. Analysis of the lot reveals some excavation within the limits of the yard area will be necessary to accommodate the construction. No work is proposed within the limits of bordering vegetated wetland or 100 year flood plain. There will be no trees removed in the buffer zone. This proposed scope of work within the buffer zone necessitates the filing of a Notice of Intent.

Specifics of the lot

The lot is a 0.37 -acre lot with approximately 45% of the lot developed. The lot does not contain flood plain within its limits, nor riverfront and does not contain certified vernal pools, potential vernal pools, or an area of Critical Environmental Concern nor rare species habitat. The lot contains a bordering vegetated wetland on the north side of the site delineated by Marro Environmental Consulting. The limits of the work within the outer buffer zone are for the leach field, tanks and force main. There will be no soil stockpiled on the site. There were no other resource areas on this property.

Bordering Vegetated Wetland

Summary

A delineation of the wetland boundary on this property is being established on the basis of vegetation only, consistent with DEP Delineation Policy 95-1 and the Massachusetts Handbook for Delineating Bordering Vegetated Wetlands (Revised September 2022). The rear slope of the property ranges from approximately 8 to 12 percent (based on my estimation using state LIDAR data). Under these conditions the manual and policy allow the use of vegetation alone because soil profiles on sloped terrain are often unreliable for determining hydric status. However, the vegetation pattern clearly reflects the influence from an off-site wetland located westerly on the abutting property at 60 Turnpike Road. That wetland system could not be accessed due to trespass restrictions, however, I was able to verify its presence by MassGIS mapping.

Site Conditions

The property descends down an 8–12 percent wooded slope toward the east. In accordance with DEP Policy 95-1 and the 2022 BVW Handbook, soils on slopes of this nature are not required for delineation in this case due to slope-driven drainage through an intermittent stream channel. For this reason, vegetation is the primary and most reliable indicator on this site.

The lower slope supports a consistent hydrophytic plant assemblage dominated by cinnamon fern, sensitive fern, royal fern, jewelweed, and multiflora rose. The upper slope contains a clear upland community including oak, white pine, mountain laurel, partridgeberry, bracken fern.

Off-Site Wetland Source

MassGIS mapping shows a Bordering Vegetated Wetland westerly of the site on 60 Turnpike Road. The mapped wetland sits upslope relative to the wet vegetated area on 11 Brook Lane, and the 8–12 percent grade directs shallow intermittent drainage toward the subject parcel. Although direct access was not possible due to trespass limitations, the mapped BVW, noticeable change in wetness, and the slope-driven drainage pattern confirm that the hydrology influencing vegetation on this site originates from that off-site wetland.

Hydrology

Hydrology is diffuse and slope-driven. Water from the off site wetland migrates through the intermittent channel along the mid-to-lower portion of the slope. This results in hydrology that is adequate to support hydrophytic vegetation.

Boundary Determination

The boundary on this parcel was established solely through vegetation. The line represents the point where FACW species such as cinnamon and sensitive fern diminish and are replaced by upland hardwoods and upland understory. This outline in the attached transect sheets

Commencement of Construction Activities and Timelines:

All proposed construction is estimated to be completed through stabilization in a two-week maximum construction schedule. This schedule of course, may be adjusted due to weather related conditions.

Proposed Construction Mitigation and Sequencing

The site plan submitted with this Notice of Intent is a plan by Innovative Septic Design dated 9.12.2025 entitled “ Sewage Disposal System Plan . It has a scale of 1 inch equals 20 feet.

The plan details outline a sequence of work as follows:

- Placement of erosion controls proposed in a manner to maximize protection to the resource area. Erosion Protection will be placed at the limit of work on to ensure both erosion protection and demarcation of work limit.
- Replacement of the system components.
- **No work will occur within the 20 foot no touch zone.**
- Re- establishment of vegetation.
- Stabilized all disturbed areas.
- Remove erosion controls once areas are stabilized with the consent of the Conservation Commission.

Mitigation Measures:

The following mitigation measures are proposed and noted on the accompanying plans:

- Minimize newly disturbed areas to the limit of work area demarcated by erosion controls.
- Maintain all structures and permanent work to ensure no further encroachment to the resource areas.
- Erosion control installed prior to ground disturbance.
Minimize construction duration to within two weeks as a maximum

Conclusion.

With the considerations of a limited and minimized work area, optimally located and proposed mitigation for the protection of the resource areas, it is the opinion of MEC, the proposal protects the resource areas from further alteration. A standard Order of Conditions, adopting the construction sequence and mitigation noted on the accompanying plans is, in our opinion, sufficient to protect the interests of the resource areas and we hope the commission will agree with this assertion and, respectfully on behalf of Kalbinder Real approve a standard Order of Conditions.

Thank you for your consideration of this Notice of Intent.

Respectfully Submitted,



Matthew S. Marro PWS, PWTPO, CSI

Consulting Agent/Principal

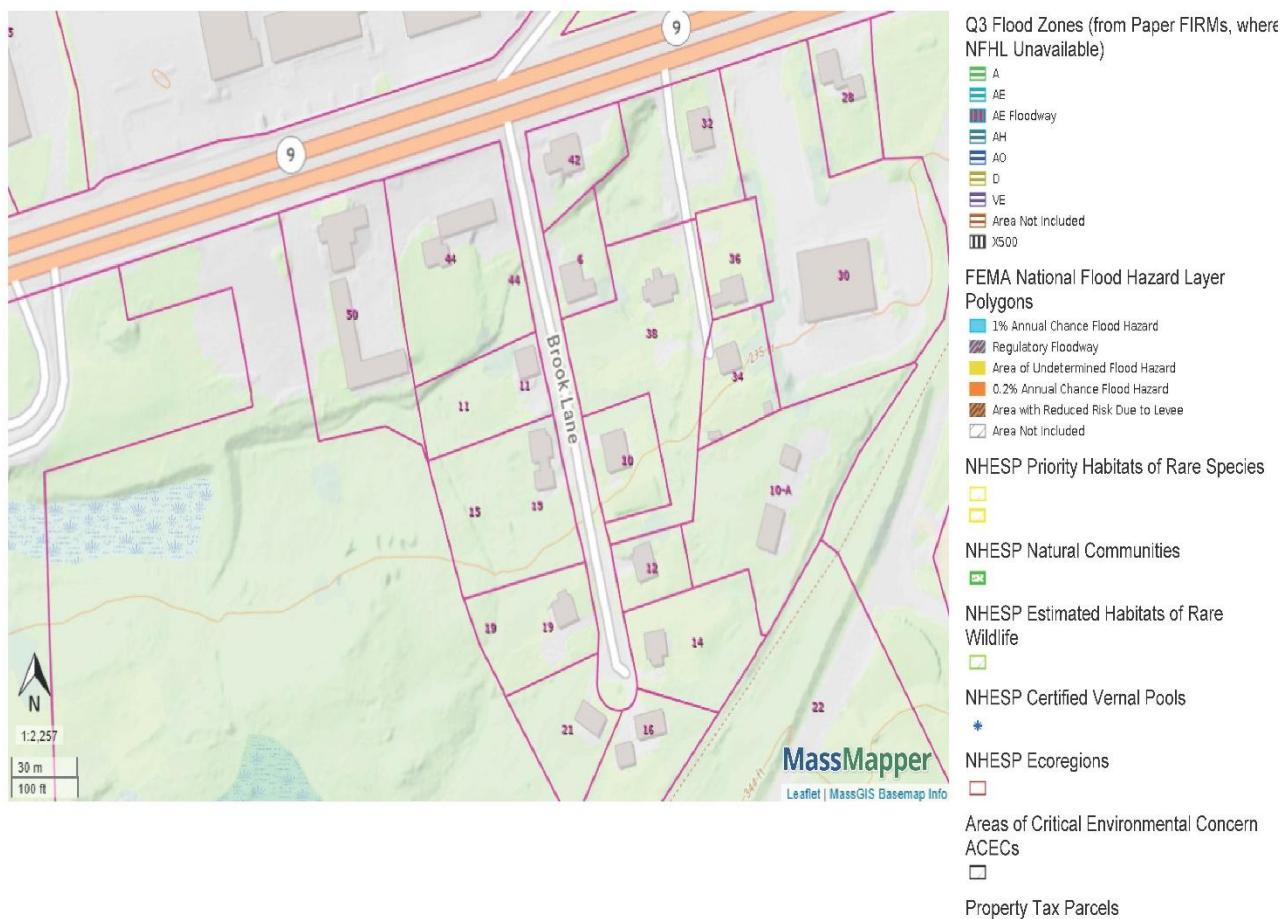
Cc: File

Client file

Mass DEP

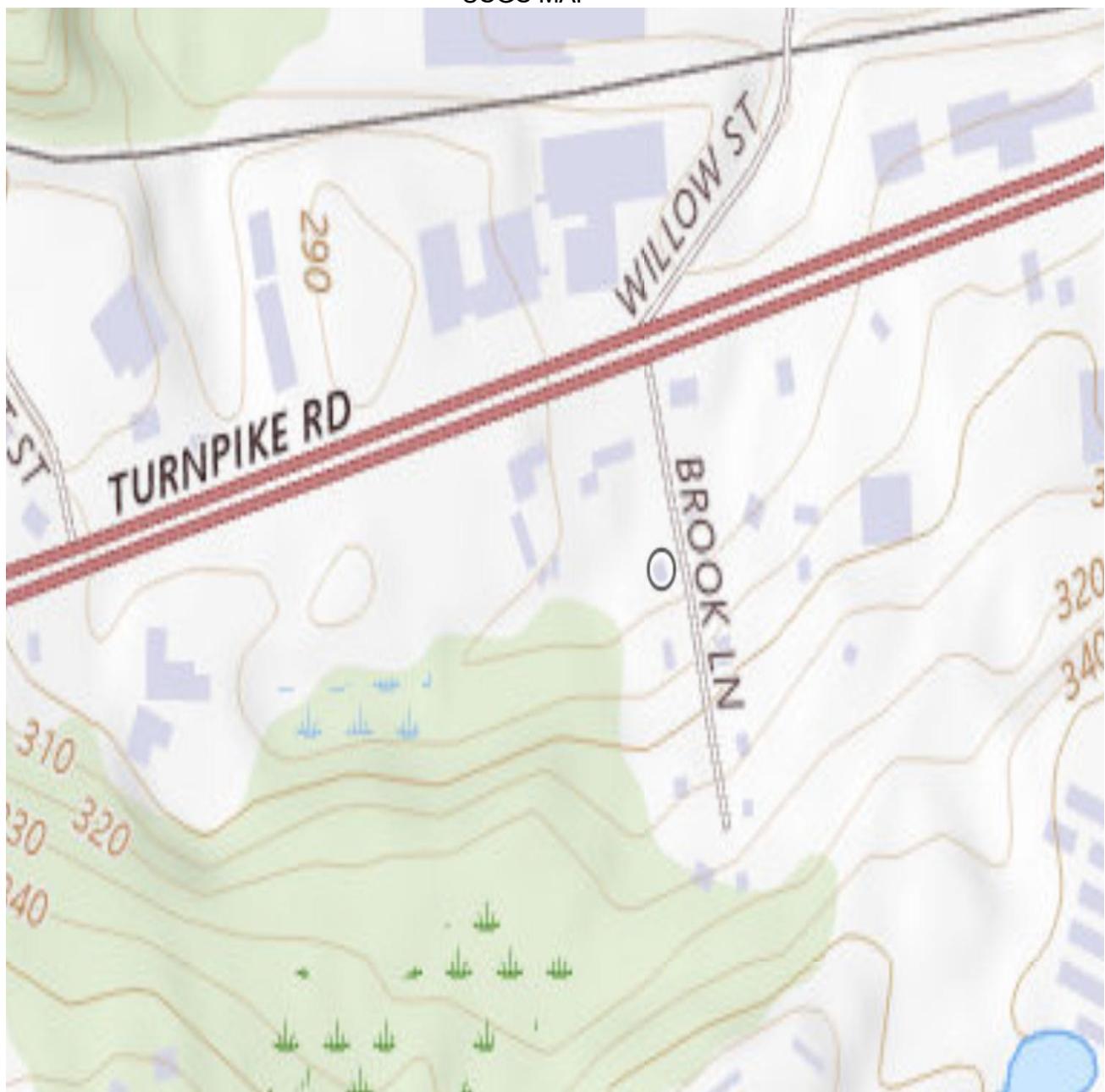
EXHIBITS AND WPA FORM 3

11 Brook Lane Southborough



Printed Dec 3, 2025

USGS MAP



National Flood Hazard Layer FIRMette



71°30'15"W 42°17'55"N



Legend

SEE THIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRMETTE PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) Zones A, V, A90
- With BFE or Depth Zones AE, AO, A1, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or of drainage areas of less than one square mile. Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee, See Notes. Zone R
- Area with Flood Risk due to Levee Zone D

OTHER AREAS

- NO FLOOD HAZARD Area of Minimal Flood Hazard Zone X
- Effective LOMR Area of Undetermined Flood Hazard Zone D
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

GENERAL STRUCTURES

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

OTHER FEATURES

- Digital Data Available
- No Digital Data Available
- Unmapped



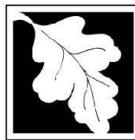
The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFH web services provided by FEMA. This map was exported on 12/3/2025 at 8:52 PM and does not reflect changes or amendments subsequent to this date and time. The NFH and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRMS panel number, and FIRMS effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

WPA FORM 3



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

Southborough

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):

11 Brook Lane	Southborough	01772
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	42.295062	-71.498956
39	d. Latitude	e. Longitude
f. Assessors Map/Plat Number	48	g. Parcel /Lot Number

2. Applicant:

Kalbinder	Real
a. First Name	b. Last Name
c. Organization	
11 Brook Lane	
d. Street Address	
Southborough	MA
e. City/Town	f. State
(508) 250-6694	01772
h. Phone Number	i. Fax Number
	j. Email Address

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

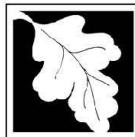
a. First Name	b. Last Name
c. Organization	
d. Street Address	
e. City/Town	f. State
g. Zip Code	
h. Phone Number	i. Fax Number
j. Email address	

4. Representative (if any):

Matthew S.	Marro
a. First Name	b. Last Name
Matthew S. Marro Environmental Consulting	
c. Company	
45 Lisa Drive	
d. Street Address	
Leominster	MA
e. City/Town	f. State
978-314-7858	01453
h. Phone Number	i. Fax Number
matt@marro-consulting.com/irene@marro-consulting.com	

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

110	42.50	67.50 +50 Local+ 150 review fee
a. Total Fee Paid	b. State 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:

MassDEP File Number

Document Transaction Number

Southborough

City/Town

A. General Information (continued)

6. General Project Description:

See Narrative

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

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

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

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

2. Limited Project Type

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

8. Property recorded at the Registry of Deeds for:

Worcester

a. County

45672

c. Book

b. Certificate # (if registered land)

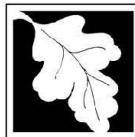
76

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Southborough

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 type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
e. <input type="checkbox"/> Isolated Land Subject to Flooding	3. cubic feet of flood storage lost 1. square feet	4. cubic feet replaced 2. cubic feet of flood storage lost 3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland	
2. Width of Riverfront Area (check one):		
<input type="checkbox"/> 25 ft. - Designated Densely Developed Areas only <input type="checkbox"/> 100 ft. - New agricultural projects only <input type="checkbox"/> 200 ft. - All other projects		
3. Total area of Riverfront Area on the site of the proposed project:	square feet	
4. Proposed alteration of the Riverfront Area:		
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.
5. Has an alternatives analysis been done and is it attached to this NOI? <input type="checkbox"/> Yes <input type="checkbox"/> No		
6. Was the lot where the activity is proposed created prior to August 1, 1996? <input type="checkbox"/> Yes <input type="checkbox"/> No		
3. <input 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
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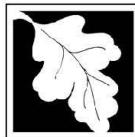
Provided by MassDEP:
 MassDEP File Number
 Document Transaction Number
 Southborough
 City/Town

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>		<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet	
h. <input type="checkbox"/> Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet	
j. <input type="checkbox"/> Land Containing Shellfish	2. cubic yards dredged	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. cubic yards dredged	
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

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 _____

Southborough _____

City/Town _____

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.

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

December 2025
 MassMapper GIS

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 **

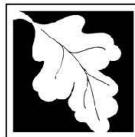
(a) Project description (including description of impacts outside of wetland resource area & buffer zone)

(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/ma-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
 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

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Southborough

City/Town

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 - Bourne to Rhode Island border, and
 the Cape & Islands:

North Shore - Plymouth 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

Division of Marine Fisheries -
 North Shore Office
 Attn: Environmental Reviewer
 30 Emerson Avenue
 Gloucester, MA 01930
 Email: 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

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

Southborough

City/Town

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

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

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

a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.

b. ACEC

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

a. Yes No

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

a. Yes No

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

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

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

b. No. Check why the project is exempt:

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

D. Additional Information

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

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

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

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



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 3 – Notice of Intent
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Southborough

City/Town

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.

Sewage Disposal System Plan

a. Plan Title

Innovative Septic Design

b. Prepared By

9.12.2025

d. Final Revision Date

Evan Carloni

c. Signed and Stamped by

20

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

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

Matthew

Marro

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 3 – Notice of Intent
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
Southborough

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.

Kalbinder S Real

1. Signature of Applicant

12.4.25

2. Date

3. Signature of Property Owner (if different)

M. S. Marro

4. Date

12.4.2025

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.

For MassDEP:

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

Other:

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

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



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

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



A. Applicant Information

1. Location of Project:

11 Brook Lane	Southborough
a. Street Address	b. City/Town
	42.50
c. Check number	d. Fee amount

2. Applicant Mailing Address:

Kalbinder	Real
a. First Name	b. Last Name
c. Organization	
11 Brook Lane	
d. Mailing Address	
Southborough	MA
e. City/Town	01772
(508) 250-6694	g. Zip Code
h. Phone Number	i. Fax Number
	realkal@gmail.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.**

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

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.



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

NOI Wetland Fee Transmittal Form

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

B. Fees (continued)

C. Submittal Requirements

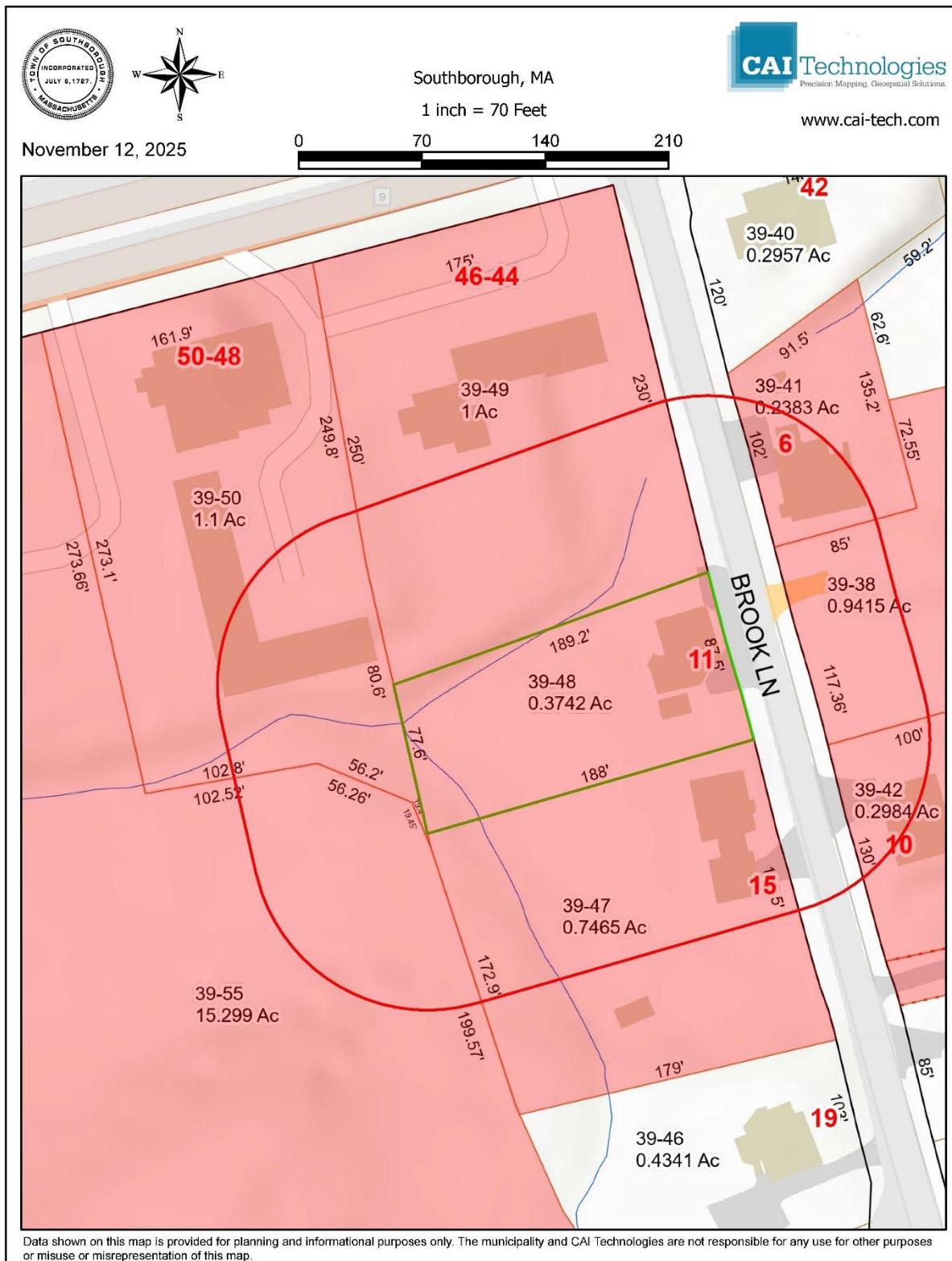
a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

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.)

ASSESSOR RECORD





100 feet Abutters List Report - Conservation Commission

Board of Assessors
17 Common Street Southborough, MA 01772

November 12, 2025

Subject Property:

Parcel Number: 39-0000-048-0
Property Address: 11 BROOK LANE

Mailing Address: REAL, KALBINDER AND BALJIT KAUR
11 BROOK LANE
SOUTHBOROUGH, MA 01772

Abutters:

Parcel Number: 39-0000-038-0
Property Address: 38 TURNPIKE ROAD

Mailing Address: TSEPOTA ALEXEY
38 TURNPIKE ROAD
SOUTHBOROUGH, MA 01772

Parcel Number: 39-0000-041-0
Property Address: 6 BROOK LANE

Mailing Address: ATCHUE FRANK W AND BARBARA L
ATCHUE
6 BROOK LANE
SOUTHBOROUGH, MA 01772

Parcel Number: 39-0000-042-0
Property Address: 10 BROOK LANE

Mailing Address: ROSE JASON AND ELISABETH BREEN-ROSE
10 BROOK LANE
SOUTHBOROUGH, MA 01772

Parcel Number: 39-0000-047-0
Property Address: 15 BROOK LANE

Mailing Address: GOMEZ HAROLD TRS BROOK LANE
REALTY TRUST
416 GRAFTON ST, Unit Apt 3
WORCESTER, MA 01604-3892

Parcel Number: 39-0000-048-0
Property Address: 11 BROOK LANE

Mailing Address: REAL, KALBINDER AND BALJIT KAUR
11 BROOK LANE
SOUTHBOROUGH, MA 01772

Parcel Number: 39-0000-049-0
Property Address: 44 TURNPIKE ROAD

Mailing Address: CORKS LLC
P O BOX 3324 48-50 TURNPIKE ROAD
SOUTHBOROUGH, MA 01772

Parcel Number: 39-0000-050-0
Property Address: 50 TURNPIKE ROAD

Mailing Address: CORKS LLC
P O BOX 3324 50 TURNPIKE ROAD
SOUTHBOROUGH, MA 01772

Parcel Number: 39-0000-055-0
Property Address: TURNPIKE ROAD

Mailing Address: CHINESE GOSPEL CHURCH OF
MASSACHUSETTS
60 TURNPIKE ROAD
SOUTHBOROUGH, MA 01772

CERTIFIED COPY



100 feet Abutters List Report - Conservation Commission
Board of Assessors
17 Common Street Southborough, MA 01772

November 12, 2025

This list contains the certified list of owners on record with the Town of Southborough.
The mailing address is for the property owner as of July 1st.


Authorized Signature

CERTIFIED COPY

Notification to Abutters
Under the Massachusetts Wetlands Protection Act and Southborough Protective
Wetlands By Law.

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40 and Southborough Protective Wetlands By Law, you are hereby notified of the following:

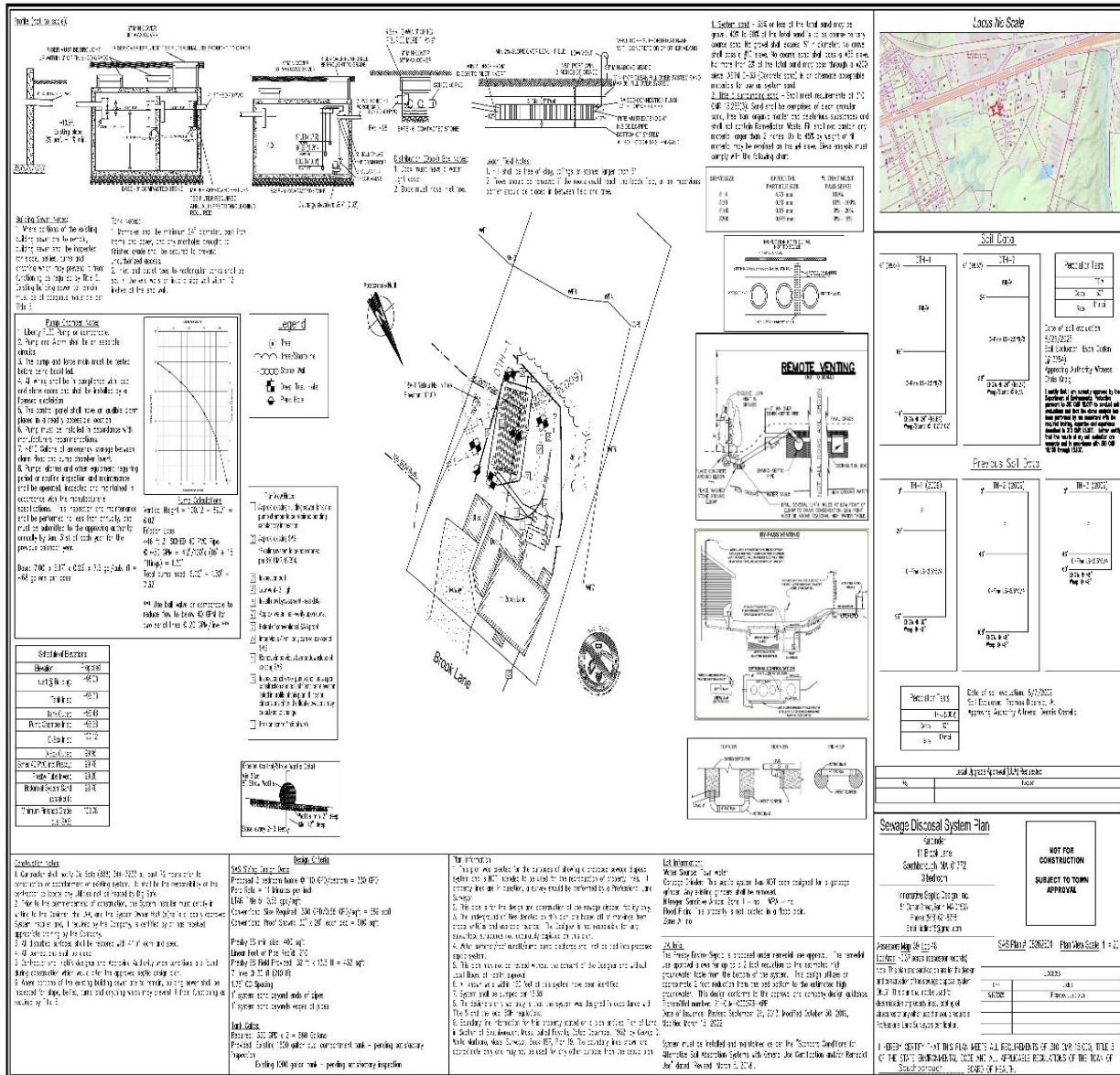
- A. The name of the **Applicant** is Kalbinder Real
- B. The Applicant has filed a **Notice of Intent** with the Southborough Conservation Commission seeking permission to remove, fill, dredge or alter an Area Subject to Protection (Wetland Resource Area and/or Buffer Zone) Under the Massachusetts Wetlands Protection Act (General Laws Chapter 131, Sec.40) and local protective wetlands by-law.
- C. The **address** of the lot where the activity is proposed: 11 Brook Lane
- D. The **proposed activity** is the replacement of a septic system _____

- E. A **Public Hearing** regarding this **Notice of Intent** will be held on: **TBD**
- F. **Public Participation will be by zoom remote**
- G. The meeting time and date and link will be provided on the Conservation Commission's Agenda posted on the Town's website at least 48 hours prior to the meeting, or you may email (mdanza@southboroughma.gov) for the agenda to be emailed to you.
- H. The **Notice of Intent** may be examined by contacting the commission or by emailing a request for a pdf copy to irene@marro-consulting.com
- I. Copies of the **Notice of Intent** may be obtained from either The Applicant, or the Applicant's representative Matthew S. Marro, by calling this telephone number: 978-314-7858 between the hours of 9 AM to 3 PM Weekdays

Note: Public Hearing Notice, including its date, time, and place, will be published at least 5 days in advance in The Worcester Telegram

For more information about projects in Southborough, please contact the Southborough Conservation Commission at 508-281-8984. You also may contact the Department of Environmental Protection at 978-792-7650

SITE PLAN



WETLAND DETERMINATION FIELD DATA FORM

Project/Site: 11 Brook Lane City/County: Southborough/Worcester Sampling Date: 9.3.2025
 Applicant/Owner: Kalbinder Real State: MA Sampling Point: 3 wet
 Investigator(s): Matthew Marro Section, Township, Range: Southborough
 Landform (hillslope, terrace, etc.): steep Local relief (concave, convex, none): concave Slope (%): 8
 Subregion (LRR or MLRA): Lat: 42.295062 Long: -71.498956 Datum: _____
 Soil Map Unit Name: Woodbridge NWI classification: PFO1E
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes No (If no, explain in Remarks.)
 Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes No
 Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Is the Sampled Area within a Wetland?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Hydric Soil Present?	Yes <input type="checkbox"/> No <input type="checkbox"/>		
Wetland Hydrology Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Remarks: Between flags 5 to 8- flash drought on record-			

HYDROLOGY

Wetland Hydrology Indicators:		Secondary Indicators (minimum of two required)
Primary Indicators (minimum of one is required; check all that apply)		
<input checked="" type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Aquatic Fauna (B13)	<input type="checkbox"/> Surface Soil Cracks (B6)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Marl Deposits (B15) (LRR U)	<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)	<input type="checkbox"/> Moss Trim Lines (B16)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Dry-Season Water Table (C2)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)	<input type="checkbox"/> Crayfish Burrows (C8)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Thin Muck Surface (C7)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> Geomorphic Position (D2)
Inundation Visible on Aerial Imagery (B7)		<input type="checkbox"/> Shallow Aquitard (D3)
<input checked="" type="checkbox"/> Water-Stained Leaves (B9)		<input type="checkbox"/> FAC-Neutral Test (D5)
		<input checked="" type="checkbox"/> Sphagnum moss (D8) (LRR T, U)
Field Observations:		
Surface Water Present?	Yes <input type="checkbox"/> No <input type="checkbox"/> Depth (inches): _____	
Water Table Present?	Yes <input type="checkbox"/> No <input type="checkbox"/> Depth (inches): _____	
Saturation Present? (includes capillary fringe)	Yes <input type="checkbox"/> No <input type="checkbox"/> Depth (inches): _____	Wetland Hydrology Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:		
Remarks:		

VEGETATION (Five Strata) – Use scientific names of plants.

Sampling Point: 3 wet

<u>Tree Stratum</u> (Plot size: 30 foot radii 75 foot rect.) 1. <u>acer rubrum</u> 45 Yes FAC 2. <u>pinus strobus</u> 25 Yes FACU 3. _____ 4. _____ 5. _____ 6. _____ 70 = Total Cover 50% of total cover: 34.5 20% of total cover: 14				Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: 7 (A) Total Number of Dominant Species Across All Strata: 12 (B) Percent of Dominant Species That Are OBL, FACW, or FAC: 58 (A/B)	
<u>Sapling Stratum</u> (Plot size: 30 foot radii) 1. <u>Acer Rubrum</u> 25 Yes FAC 2. <u>Pinus Strobus</u> 25 Yes FACU 3. _____ 4. _____ 5. _____ 6. _____ 50 = Total Cover 50% of total cover: 25 20% of total cover: 10				Prevalence Index worksheet: Total % Cover of: _____ Multiply by: _____ OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: 0 (A) 0 (B) Prevalence Index = B/A = _____	
<u>Shrub Stratum</u> (Plot size: 30 foot radii) 1. <u>Rosa Multiflora</u> 25 Yes FAC 2. <u>Lonicera morrowii</u> 25 Yes FAC 3. _____ 4. _____ 5. _____ 6. _____ 50 = Total Cover 50% of total cover: 25 20% of total cover: 10				Hydrophytic Vegetation Indicators: <input type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation <input checked="" type="checkbox"/> 2 - Dominance Test is >50% <input type="checkbox"/> 3 - Prevalence Index is ≤3.0 ¹ <input type="checkbox"/> Problematic Hydrophytic Vegetation ¹ (Explain)	
<small>¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.</small>					
Definitions of Five Vegetation Strata: Tree – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH). Sapling – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH. Shrub – Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height. Herb – All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height. Woody vine – All woody vines, regardless of height.					
<u>Herb Stratum</u> (Plot size: 30 foot radii) 1. <u>Toxicodendron radicans</u> 10 Yes FACU 2. <u>Impatiens Capensis</u> 20 Yes FACU 3. <u>Osmundastrum cinnamomeum</u> 20 Yes FACW 4. <u>Dennstaedtia punctilobula</u> 10 Yes FACU 5. <u>Osmunda regalis</u> 25 Yes FACW 6. <u>Mitchella repens</u> 15 Yes FAC 7. _____ 8. _____ 9. _____ 10. _____ 11. _____ 100 = Total Cover 50% of total cover: 50 20% of total cover: 20				<u>Hydrophytic Vegetation Present?</u> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
<u>Woody Vine Stratum</u> (Plot size: not inventoried) 1. _____ 2. _____ 3. _____ 4. _____ 5. _____ 0 = Total Cover 50% of total cover: _____ 20% of total cover: _____					
Remarks: (If observed, list morphological adaptations below).					

SOIL

Sampling Point: 3 wet

Matthew S Marro Environmental Consulting

Modified ACOE form

WETLAND DETERMINATION FIELD DATA FORM

Project/Site: 11 Brook Lane City/County: Southborough/Worcester Sampling Date: 9.3.2025
 Applicant/Owner: Kalbinder Real State: Ma Sampling Point: 3 up
 Investigator(s): Matthew Marro Section, Township, Range: Southborough
 Landform (hillslope, terrace, etc.): Steep Local relief (concave, convex, none): concave Slope (%): 8
 Subregion (LRR or MLRA): Lat: 42.295062 Long: -71.498956 Datum: _____
 Soil Map Unit Name: Woodbridge NWI classification: _____
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes _____ No
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____ No <input checked="" type="checkbox"/>	Is the Sampled Area within a Wetland?	Yes _____ No <input checked="" type="checkbox"/>
Hydric Soil Present?	Yes _____ No _____		
Wetland Hydrology Present?	Yes _____ No <input checked="" type="checkbox"/>		
Remarks: Between flags 5 through flags 8 Flash drought conditions			

HYDROLOGY

Wetland Hydrology Indicators:		Secondary Indicators (minimum of two required)
Primary Indicators (minimum of one is required; check all that apply)		
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Aquatic Fauna (B13)	<input type="checkbox"/> Surface Soil Cracks (B6)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Marl Deposits (B15) (LRR U)	<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)	<input type="checkbox"/> Moss Trim Lines (B16)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Dry-Season Water Table (C2)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)	<input type="checkbox"/> Crayfish Burrows (C8)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Thin Muck Surface (C7)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> Geomorphic Position (D2)
Inundation Visible on Aerial Imagery (B7)		<input type="checkbox"/> Shallow Aquitard (D3)
<input type="checkbox"/> Water-Stained Leaves (B9)		<input type="checkbox"/> FAC-Neutral Test (D5)
		<input type="checkbox"/> Sphagnum moss (D8) (LRR T, U)
Field Observations:		
Surface Water Present?	Yes _____ No _____	Depth (inches): _____
Water Table Present?	Yes _____ No <input checked="" type="checkbox"/>	Depth (inches): _____
Saturation Present? (includes capillary fringe)	Yes _____ No <input checked="" type="checkbox"/>	Depth (inches): _____
Wetland Hydrology Present? Yes _____ No <input checked="" type="checkbox"/>		
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:		
Remarks: Some knotweed present through the entire site		

VEGETATION (Five Strata) – Use scientific names of plants.

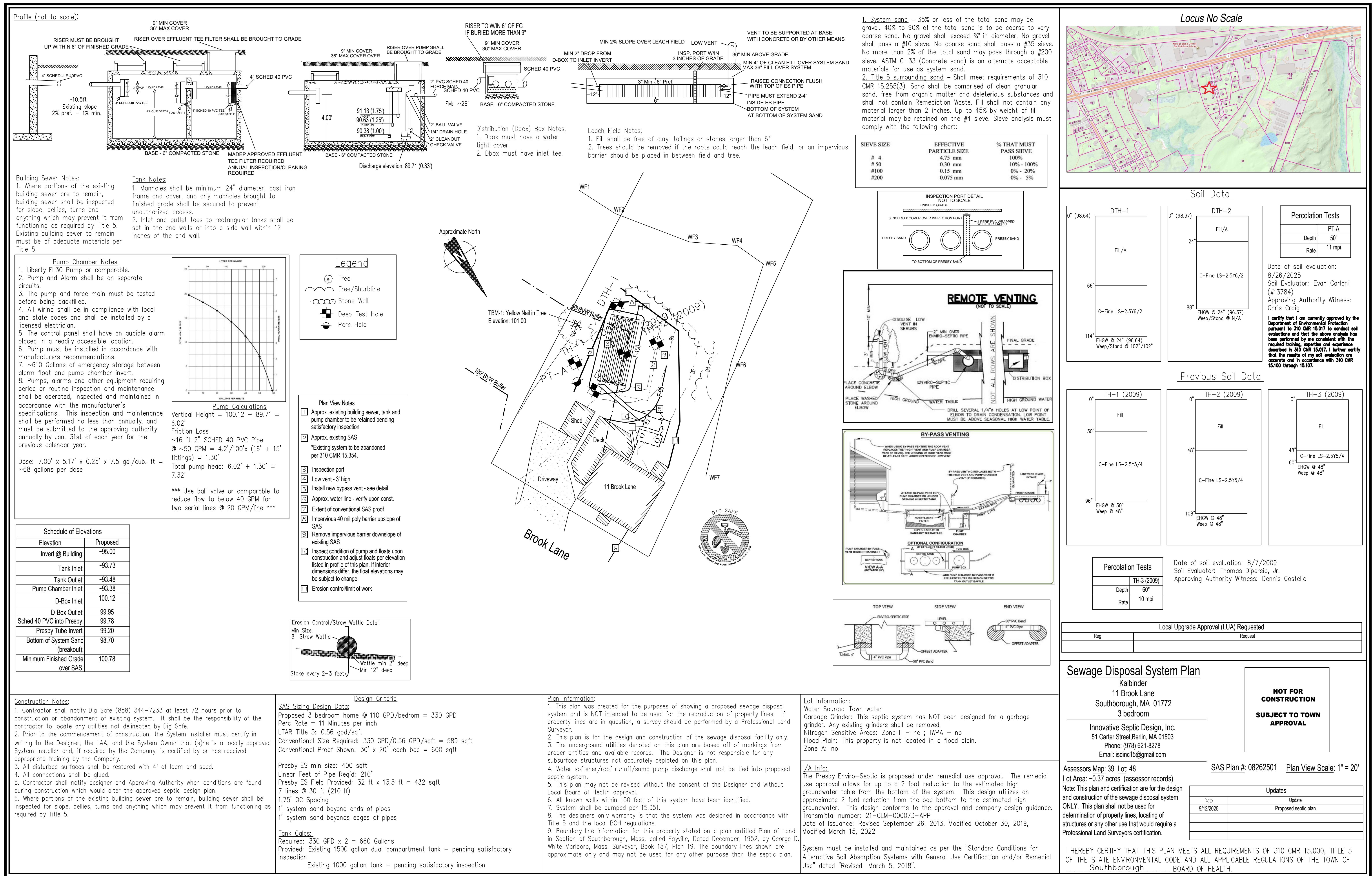
Sampling Point: 3 up

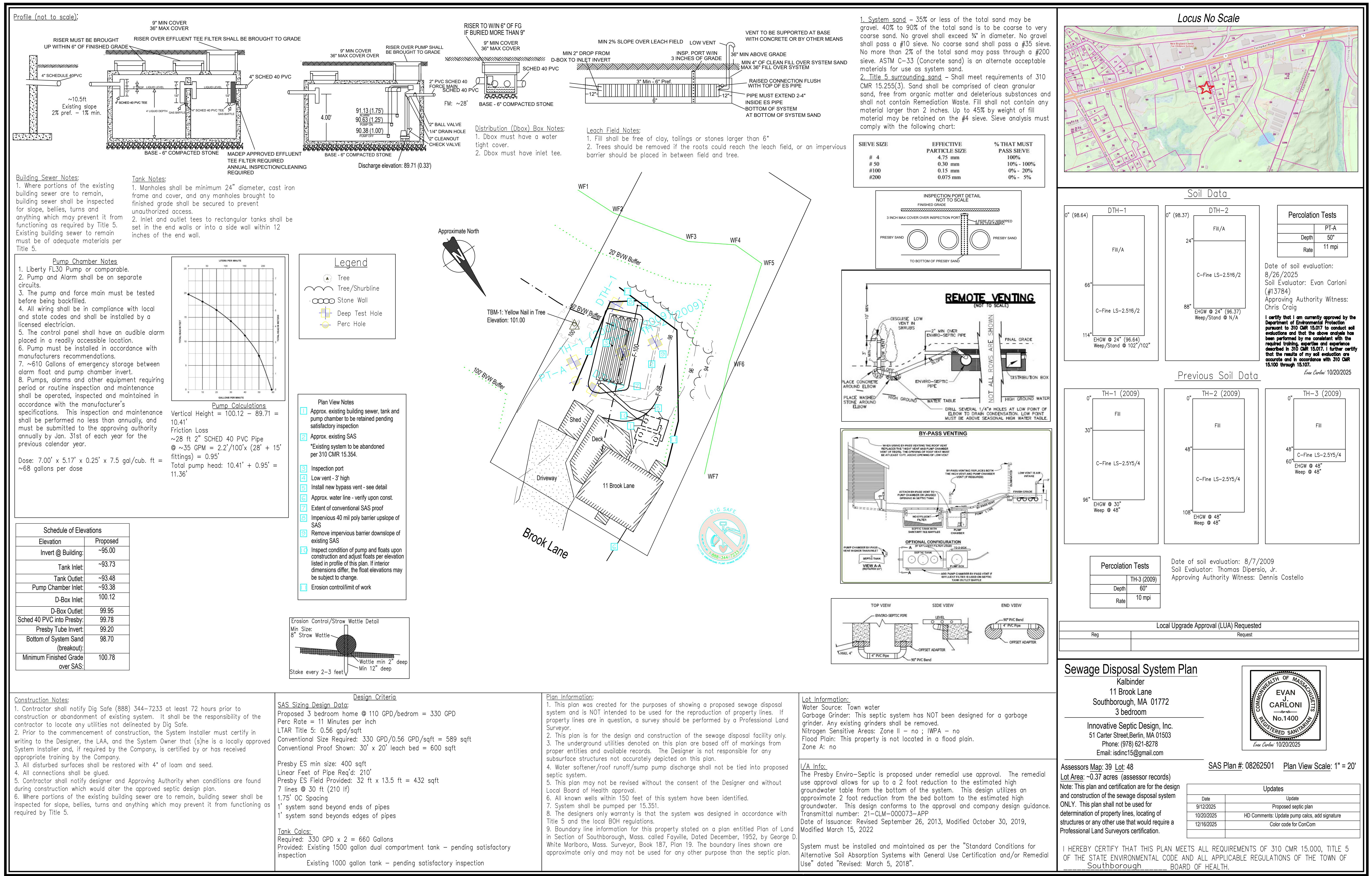
<u>Tree Stratum</u> (Plot size: 30 foot radii 75 foot rect.) 1. <u>Acer Rubrum</u> 10 Yes FAC 2. <u>pinus strobus</u> 10 Yes FACU 3. <u>Quercus Rubra</u> 10 Yes FACU 4. <u>Acer saccharum</u> 10 Yes FACU 5. _____ 6. _____ 40 = Total Cover 50% of total cover: 25 20% of total cover: 10				Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: 5 (A) Total Number of Dominant Species Across All Strata: 13 (B) Percent of Dominant Species That Are OBL, FACW, or FAC: .38 (A/B)	
<u>Sapling Stratum</u> (Plot size: 30 foot radii) 1. <u>Acer Rubrum</u> 10 Yes FAC 2. <u>Quercus Rubra</u> 10 Yes FAC 3. <u>pinus strobus</u> 20 Yes FACU 4. <u>Acer saccharum</u> 10 Yes FACU 5. _____ 6. _____ 50 = Total Cover 50% of total cover: 30 20% of total cover: 12				Prevalence Index worksheet: Total % Cover of: _____ Multiply by: _____ OBL species 0 x 1 = 0 FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: 0 (A) 0 (B) Prevalence Index = B/A = _____	
<u>Shrub Stratum</u> (Plot size: 30 foot radii) 1. <u>Lonicera Morrowii</u> 20 Yes FACU 2. <u>Kalmia latifolia</u> 10 Yes FAC 3. _____ 4. _____ 5. _____ 6. _____ 30 = Total Cover 50% of total cover: 15 20% of total cover: 6				Hydrophytic Vegetation Indicators: <input type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation <input type="checkbox"/> 2 - Dominance Test is >50% <input type="checkbox"/> 3 - Prevalence Index is ≤3.0 ¹ <input type="checkbox"/> Problematic Hydrophytic Vegetation ¹ (Explain)	
<small>¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.</small>					
Definitions of Five Vegetation Strata: Tree – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH). Sapling – Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH. Shrub – Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height. Herb – All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height. Woody vine – All woody vines, regardless of height.					
<u>Herb Stratum</u> (Plot size: 30 foot radii) 1. <u>Lycopodium dendroideum</u> 15 Yes FACU 2. <u>Maianthemum canadense</u> 20 Yes FACU 3. <u>Osmundastrum cinnamomeum</u> 15 Yes FACW 4. _____ 5. _____ 6. _____ 7. _____ 8. _____ 9. _____ 10. _____ 11. _____ 50 = Total Cover 50% of total cover: 25 20% of total cover: 10				Hydrophytic Vegetation Present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<u>Woody Vine Stratum</u> (Plot size: not inventoried) 1. _____ 2. _____ 3. _____ 4. _____ 5. _____ 0 = Total Cover 50% of total cover: _____ 20% of total cover: _____					
Remarks: (If observed, list morphological adaptations below).					

SOIL

Sampling Point: 3 up

Notes for the reader:





December 19, 2025

Southborough Conservation Commission
Cordaville Hall
9 Cordaville Road, Lower Level
Southborough, MA 01772-1662

RE: Request for Certificate of Compliance (DEP File #290-1123)
170 Woodland Rd, Southborough, MA
(Property ID: 9-0-110)

Dear Southborough Conservation Commission:

Goddard Consulting LLC (Goddard) is pleased to submit this request for a partial Certificate of Compliance (COC) on behalf of Sarah Schmitt (the applicant).

The original copy of the COC application is enclosed, and a digital copy has been submitted. The titles of all the documents enclosed are as follows:

- Southborough Request for CoC Checklist
- WPA Form 8A Request for Certificate of Compliance, DEP #290-1123
- Southborough Bylaw Fee Calculation Worksheet
- OOC, DEP #290-1123, Southborough Conservation Commission, 8/23/2024
- Admin. Approval - Tree Removal & Replacement, Southborough Conservation Commission, 2/18/2025
- *As-Built Site Plan*, RealMapInfo LLC, 11/20/2025

Introduction

A Notice of Intent (DEP #290-1123) was filed for construction of a pool and associated amenities and infrastructure including an expanded patio, walkway, pavilion, and revising layout of fence and retaining wall. An Order of Conditions (OOC) for the project was issued by the Southborough Conservation Commission on 8/23/2024.

OOC Compliance

All proposed work has been completed with final stabilization over all areas. All proposed structures, including the pool, patio, walkway and pavilion were built according to plan as confirmed by the attached as built survey. The old fence and retaining wall were relocated and now exist outside of the 20-Foot No Disturb Zone (NDZ). Erosion controls remain in place and will be removed and disposed of appropriately upon approval from the commission.

During construction, administrative approval for the removal of 4 trees was granted by the commission. The four trees were successfully removed, leaving snags in place as required. To mitigate for the removals, 4 native trees (2 Red Maple, 1 White Pine, 1 Black Oak) and 4 native shrubs (2 Sweet Pepperbush, 1 Gray Dogwood, 1 Witch Hazel) were planted within the 20-ft No Disturb Zone in the vicinity of the removed trees.

Site Photos



Photo 1: A view of the pool, patio, and pavilion (facing west) 08/18/2025



Photo 2: A view of the new pool, patio, pavilion, retaining wall and fence (facing northeast) 08/18/2025



Photo 3: A view of the back yard (facing south) 8/18/2025



Photo 4: A view of the retaining wall and four replacement plantings in the 20-ft NDZ (facing east)
Circled in red, from left to right: Red Maple, Sweet Pepperbush, Sweet Pepperbush, Red Maple 8/18/2025



Photo 5: A view of four replacement plantings in the 20-ft NDZ (facing east)
Circled in red, from front to back: Gray Dogwood, Black Oak, White Pine, Witch Hazel 8/18/2025

Conclusion

All work associated with DEP #290-1123 has been completed without impact to the resource area or major deviations from the proposed plan. Erosion controls will be removed once permission is granted by the commission. On behalf of the applicant, we respectfully request the Commission issue a Certificate of Compliance for the completed work.

If you have any questions, please feel free to contact us at (508) 393-3784.

Sincerely,

Goddard Consulting, LLC

Michael A. Schmidt

Michael Schmidt
Wetland Scientist

Mitch Maslanka

Mitch Maslanka
Wetland Scientist

CC: Sarah Schmitt, hammy_711@yahoo.com

TOWN OF SOUTHBOROUGH



CONSERVATION COMMISSION

CORDAVILLE HALL • 9 CORDAVILLE ROAD, LOWER LEVEL • SOUTHBOROUGH, MASSACHUSETTS 01772-1662
(508) 281-8984 • FAX (508) 480-0161 • mdanza@southboroughma.com

Request for Certificate of Compliance SUBMISSION CHECKLIST

This checklist is considered to be part of the application and must be provided as evidence that the Application is substantially complete in accordance with Section 4 of the Southborough Wetlands Regulations. If the Application is deemed incomplete by the Conservation Agent, Conservation Commission, or their representative, a hearing will not be scheduled.

For Orders of Conditions issued after 1/1/2024, please upload your request to ViewPoint under the original permit application. For Orders of Conditions issued prior to 2024 email the electronic copy to ldavis@southboroughma.com or for additional questions

1. FORMS & DOCUMENTS

Please check off the following to certify their inclusion and/or acknowledgment that:

- Copies as noted “()” and one electronic copy
- (2) Completed Request for Certificate of Compliance (WPA Form 8A)
- (1) Local Bylaw Fee Calculation Worksheet
- (2) Written statement certifying substantial compliance or detailing deviations, signed & stamped by a licensed professional

2. AS-BUILT PLANS

Please check off the following to certify their inclusion and/or acknowledgment that (select NA if not applicable):

- (2) Folded, full sized (24"x36") copies of the complete plan set
- (2) Folded, reduced size (11"x17") copies of the complete plan set

As-built Plans shall contain the following:

- Title
- Date
- Applicant's Name & Address
- Owner's Name & Address
- Assessor's Map & Lot Number, Street Number, and Subdivision, where applicable, of subject property

Existing & Proposed Conditions:

- Buildings & Structures
- Pavement
- Edge of Lawn/Landscaping
- Stormwater Structures, including inspection ports
- 2-foot contours or smaller
- "Screened" approved Order of Conditions Plan
- "Red Line" As-Built contour elevations with spot spots
- "Red Line" identification of any discrepancies from the Order of Conditions plan
- Certificate by a professional engineer or land surveyor
- Wetlands on and within 200' of property
- Location of consecutively numbered flags delineating wetland resource areas
- 100' Buffer Zone, 20' No Disturbance Area, Inner & Outer Riparian Zones, Flood Zones



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 8A – Request for Certificate of Compliance

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

DEP File Number:

290-1123

Provided by DEP

A. Project Information

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



Upon completion
of the work
authorized in
an Order of
Conditions, the
property owner
must request a
Certificate of
Compliance
from the issuing
authority stating
that the work or
portion of the
work has been
satisfactorily
completed.

1. This request is being made by:

Sarah Schmitt

Name

170 Woodland Rd

Mailing Address

Southborough

City/Town

617-417-0721

Phone Number

MA

State

01772

Zip Code

2. This request is in reference to work regulated by a final Order of Conditions issued to:

Sarah Schmitt

Applicant

8/23/2024

Dated

291-1123

DEP File Number

3. The project site is located at:

170 Woodland Rd

Street Address

9

Assessors Map/Plat Number

Southborough

City/Town

110

Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

Property Owner (if different)

Worcester

County

70995

Book

74

Page

Certificate (if registered land)

5. This request is for certification that (check one):

the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.

the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 8A – Request for Certificate of Compliance
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:
290-1123
Provided by DEP

A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

Yes If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

SOUTHBOROUGH WETLANDS PROTECTION BY-LAW AND REGULATIONS

WETLANDS FILING FEE CALCULATION WORKSHEET (Rev. 11/19/15)

Application Type	Qty	Consultant Review Fee	Town Filing Fee	TOTAL
Notice of Intent (NOI):				
Residential – Single Family:				
Accessory (Deck, Shed, Pool Septic)	_____	\$150 *	\$50	_____
Addition	_____	\$300 *	\$50	_____
New Construction	_____	\$500 *	Equal to full WPA fee	_____
Residential – Other:				
Subdivision/Multi-Unit	_____	\$2,500 *	Equal to full WPA fee	_____
Commercial/Industrial:				
New	_____	\$2,500 *	Equal to full WPA fee	_____
Redevelopment	_____	\$1,500 *	Equal to full WPA fee	_____
Utilities – New/Expansion:				
	_____	\$5 per linear ft Not to exceed \$2,500	Exempt under WPA	_____
Limited Project (other than 10.53 (3)(e)				
Roadway or driveway crossing where alternative means of access to uplands is unavailable	_____	Fee Varies: as per the Consultant's proposal	Equal to full WPA fee	_____
Alterations – located within Riverfront Area	_____	Additional 50% of Fee		_____
Application filed after Enforcement Order			Double the Municipal fee	_____
Request for Amended Order of Conditions	_____	\$500	50% of initial fee	_____
Request for Determination of Applicability (RDA):				
No Wetland Boundary Confirmation				
Residential:	_____	\$150	\$25	_____
No Wetland Boundary Confirmation				
All Other:	_____	\$400	\$100	_____
For Wetland Boundary Confirmation				
File ANRAD or NOI				
Abbreviated Notice of Resource Area Delineation (ANRAD):				
Residential – Single Family:	_____	\$300 *	\$100	_____
All Other:				
Base Review	_____	\$2,500 *	\$300 plus:	_____
Resource Area Boundary				
			\$4 per linear ft Not to exceed \$2,000	_____

Certificate of Compliance (COC):**Residential:**

Single Family	1	\$150	\$25	\$175.00
---------------	---	-------	------	----------

Subdivision or Multi-Unit		\$300	\$150	
---------------------------	--	-------	-------	--

Commercial or Industrial		\$400	\$150	
--------------------------	--	-------	-------	--

If Order of Conditions has Expired			Add an additional \$150	
------------------------------------	--	--	-------------------------	--

Partial Certificate of Compliance

Single Family		\$150	\$25	
---------------	--	-------	------	--

Subdivision or Multi-Unit		\$300	\$150	
---------------------------	--	-------	-------	--

Commercial or Industrial		\$400	\$150	
--------------------------	--	-------	-------	--

OOC Extension Request		No Charge	No Charge	
------------------------------	--	-----------	-----------	--

Emergency Certification		No Charge	\$25	
--------------------------------	--	-----------	------	--

(NOI is required to be filed following issuance of Emergency Cert)

Local Bylaw Fee (includes Consultant and Town Filing Fee)	\$ 175.00
--	-----------

State Filing Fee (from DEP Wetland Transmittal Form)	\$ _____
---	----------

Total Payable to "Town of Southborough"	\$ 175.00
--	-----------

ALL Fees include compliance monitoring during construction.

*Additional Consultant Fee will be required for reasons which may include:

- Significant amount of wetland impact;
- Extensive resource areas on a site;
- Lack of information supplied;
- Incomplete plans, reports, forms submitted;
- Supplemental information submitted.

Paid with Check #1091, dated 12/11/2025



2024 00072629

Bk: 70995 Pg: 74

Page: 1 of 20 09/06/2024 01:53 PM WD :

**Massachusetts Department of Environmental****Protection****Bureau of Resource Protection - Wetlands****WPA Form 5 - Order of Conditions**

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

Provided by MassDEP:
 MassDEP File #:290-1123
 eDEP Transaction #:1781054
 City/Town:SOUTHBOROUGH

A. General Information

1. Conservation Commission
 2. Issuance

SOUTHBOROUGH
 a. OOC

b. Amended OOC**3. Applicant Details**

a. First Name SARAH
 c. Organization
 d. Mailing Address 170 WOODLAND ROAD

b. Last Name SCHMITT

c. City/Town SOUTHBOROUGH

f. State MA

g. Zip Code 01772

4. Property Owner

a. First Name SARAH
 c. Organization
 d. Mailing Address 170 WOODLAND ROAD

b. Last Name SCHMITT

c. City/Town SOUTHBOROUGH

f. State MA

g. Zip Code 01772

5. Project Location

a. Street Address 170 WOODLAND ROAD
 b. City/Town SOUTHBOROUGH
 d. Assessors Map/Plat# 9
 f. Latitude 42.27451N

c. Zip Code 01772

e. Parcel/Lot# 110

g. Longitude 71.51960W

6. Property recorded at the Registry of Deed for:

a. County WORCESTER

b. Certificate

c. Book

d. Page

67053

255

7. Dates

a. Date NOI Filed : 6/21/2024 b. Date Public Hearing Closed: 8/22/2024 c. Date Of Issuance: 8/23/2024

8. Final Approved Plans and Other Documents

a. Plan Title: b. Plan Prepared by: c. Plan Signed/Stamped by: d. Revised Final Date: e. Scale:

PROPOSED OF

LAND IN REALMAPINFO LLC TODD CHAPIN PLS NO.
 SOUTHBOROUGH, MA 37558 8/2/2024 1"=20'

B. Findings**1. Findings pursuant to the Massachusetts Wetlands Protection Act**

Following the review of the the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act.

Check all that apply:

a. Public Water Supply
 d. Private Water Supply
 g. Ground Water Supply

b. Land Containing Shellfish
 e. Fisheries
 h. Storm Damage Prevention

c. Prevention of Pollution
 f. Protection of Wildlife Habitat
 i. Flood Control

Conservation Commission
 Town of Southborough
 9 Cordaville Road, Lower Level
 Southborough, MA 01772

Please return
 to
 O

**Massachusetts Department of Environmental****Protection**

Bureau of Resource Protection - Wetlands

WPA Form 5 - Order of Conditions

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

Provided by MassDEP:
 MassDEP File #:290-1123
 eDEP Transaction #:1781054
 City/Town:SOUTHBOROUGH

2. Commission hereby finds the project, as proposed, is:

Approved subject to:

a. The following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

Denied because:

b. The proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**

c. The information submitted by the applicant is not sufficient to describe the site, the work or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(e).**

3. Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310CMR10.02(1)(a).

18
a. linear feet

Inland Resource Area Impacts:(For Approvals Only):

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	a. square feet	b. square feet	c. square feet	d. square feet
6. <input type="checkbox"/> Land under Waterbodies and Waterways	a. square feet	b. square feet	c. square feet	d. square feet
	e. c/y dredged	f. c/y dredged		
7. <input type="checkbox"/> Bordering Land Subject to Flooding	a. square feet	b. square feet	c. square feet	d. square feet
Cubic Feet Flood Storage	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	a. square feet	b. square feet		
Cubic Feet Flood Storage				

**Massachusetts Department of Environmental****Protection****Bureau of Resource Protection - Wetlands****WPA Form 5 - Order of Conditions**

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

Provided by MassDEP:
 MassDEP File #:290-1123
 eDEP Transaction #:1781054
 City/Town:SOUTHBOROUGH

	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. <input type="checkbox"/> Riverfront Area	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	g. square feet	h. square feet	i. square feet	j. square feet

Coastal Resource Area Impacts:

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	a. square feet b. square feet c. c/y dredged d. c/y dredged			
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
14. <input type="checkbox"/> Coastal Dunes	a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
15. <input type="checkbox"/> Coastal Banks	a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	a. square feet	b. square feet		
17. <input type="checkbox"/> Salt Marshes	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	a. square feet	b. square feet		
19. <input type="checkbox"/> Land Containing Shellfish	a. square feet	b. square feet	c. square feet	d. square feet
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	c. c/y dredged d. c/y dredged a. square feet b. square feet			



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 MassDEP File #:290-1123
 eDEP Transaction #:1781054
 City/Town: SOUTHBOROUGH

22.

Restoration/Enhancement (For Approvals Only)

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.5.c & d or B.17.c & d above, please enter the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

23.

Streams Crossing(s)

If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. the work is a maintenance dredging project as provided for in the Act; or
 - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not exceed the issuance date of the original Final Order of Conditions.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work..
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File #:290-1123
eDEP Transaction #:1781054
City/Town: SOUTHBOROUGH

the words,

" Massachusetts Department of Environmental Protection"
[or "MassDEP"]
File Number :"290-1123"

11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before Mass DEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS

19. The work associated with this Order (the "Project") is (1) is not (2) subject to the Massachusetts Stormwater Standards. If the work is subject to Stormwater Standards, then the project is subject to the following conditions:
 - a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Construction General Permit as required by Stormwater Standard 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
 - b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that: *i.* all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures; *ii.* as-built final construction


Massachusetts Department of Environmental
Protection

Bureau of Resource Protection - Wetlands

WPA Form 5 - Order of Conditions

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

Provided by MassDEP:

MassDEP File #:290-1123

eDEP Transaction #:1781054

City/Town: SOUTH BOROUGH

BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized; *iii.* any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10; *iv.* all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition; *v.* any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

- c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 19(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following: i.) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and ii.) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.
- d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Multi-Sector General Permit.
- e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 19(f) through 19(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 19(f) through 19(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.
- f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.
- g) The responsible party shall:
 - 1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 - 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 - 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File #:290-1123
eDEP Transaction #:1781054
City/Town: SOUTH BOROUGH

- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions:

PLEASE SEE ATTACHED.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
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D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? Yes No

2. The Conservation Commission hereby (check one that applies):

a. DENIES the proposed work which cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw specifically:

1. Municipal Ordinance or Bylaw _____

2. Citation _____

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order or Conditions is issued. Which are necessary to comply with a municipal ordinance or bylaw:

b. APPROVES the proposed work, subject to the following additional conditions.

1. Municipal Ordinance or Bylaw _____

2. Citation GENERAL PERFORMANCE
STANDARDS 3.2.3

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows:
PLEASE SEE ATTACHED.



Massachusetts Department of Environmental Protection
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Provided by MassDEP:
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E. Signatures

This Order is valid for three years from the date of issuance, unless otherwise specified pursuant to General Condition #4. If this is an Amended Order of Conditions, the Amended Order expires on the same date as the original Order of Conditions.

Please indicate the number of members who will sign this form. This Order must be signed by a majority of the Conservation Commission.

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signatures:	Sheri Widdiss
Elizabeth Zulick	
Kevin Farrington	
Melinda Upton <input checked="" type="checkbox"/> by hand delivery on	<input type="checkbox"/> by certified mail, return receipt requested, on
Date	Date

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.

G. Recording Information

This Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land.



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Provided by MassDEP:
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1781054
 eDEP Transaction #
 Southborough
 City/Town

E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

8/23/2024
 1. Date of Issuance

Please indicate the number of members who will sign this form.

4
 2. Number of Signers

This Order must be signed by a majority of the Conservation Commission.

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Mark Possemito

Signature

Printed Name

Benjamin Smith

Signature

Printed Name

Melinda Upton

Signature

Melinda Upton

Printed Name

Kevin Farrington

Signature

Kevin Farrington

Printed Name

Elizabeth Zulick

Signature

Elizabeth Zulick

Printed Name

Sheri Widdiss

Signature

Sheri Widdiss

Printed Name

Signature

Printed Name

Signature

Printed Name

— by hand delivery on

8/23/24

— by certified mail, return receipt

requested, on

Date

Date

Pursuant to the vote taken by the Southborough Conservation Commission on January 7, 2021, the following signatures are made in accordance with M.G.L. c.110G and pursuant to said Commission's

wpafom5.doc - rev 5/18/2020 electronic signature authorization vote recorded on January 25, 2021 with Page 1 of 1 the Worcester Registry of Deeds Book 64305, Page 83.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP
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subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

SOUTHBOROUGH

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

SOUTHBOROUGH

Conservation Commission

Please be advised that the Order of Conditions for the Project at:

170 WOODLAND ROAD

Project Location

290-1123

MassDEP File Number

Has been recorded at the Registry of Deeds of:

County	Book	Page
for:		
Property Owner SARAH SCHMITT		

and has been noted in the chain of title of the affected property in:

Book	Page
------	------

In accordance with the Order of Conditions issued on:

Date	
------	--

If recorded land, the instrument number identifying this transaction is:

Instrument Number	
-------------------	--

If registered land, the document number identifying this transaction is:

Document Number	
-----------------	--

Signature of Applicant	Rev. 10/2010
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MassDEP File #290-1123

Southborough Conservation Commission

Additional Special Conditions

Sarah Schmitt
170 Woodland Road
Map 9, Lot 110

FINDINGS OF FACT:

1. The project description is construction of a pool and associated amenities and infrastructure including an expanded patio, walkway, pavilion, and revising layout of fence and retaining wall.
2. The revised wetland line, as shown on the approved plan, was deemed accurate for the purposes of this project.
3. Temporary work is proposed within the 20' No Disturb to relocate an existing retaining wall outside of the 20' No Disturb.
4. The pool is proposed to be a saltwater pool. Filter backwash and pool dewatering shall be done to a dry well area drain. Discharge or backwash shall not be directed towards jurisdictional resource areas.
5. The presence of the constructed shall marsh stormwater treatment system was confirmed with plans and documents associated with DEP #290-819 in which it was completed under and appears to be functioning correctly.
6. Proposed erosion controls are a staked silt fence and straw wattle. The proposed erosion controls appear sufficient given the proper installation and maintenance throughout construction and until the site has been stabilized.
7. The final approved plans and materials are:
 - a. Site Plan titled "Proposed of Land in Southborough, MA;" prepared by REALMAPINFO LLC.; stamped by Todd Chapin PLS No. 37558; last revised 8/2/2024; scale: 1"=20'

FINDINGS OF FACT UNDER THE SOUTHBOROUGH WETLANDS BYLAW AND REGULATIONS:

1. Temporary disturbance within the 20' No Disturb has been granted for the relocation of existing fence and retaining wall to outside of the 20'. The area shall be appropriately stabilized after the completion of said work as indicated on the approved plan.
2. Same as above.

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Southborough Conservation Commission

Additional Special Conditions
Sarah Schmitt
170 Woodland Road
Map 9, Lot 110

GENERAL & PRE-CONSTRUCTION CONDITIONS:

SC#1. The findings of fact are incorporated as a special condition and given equal status as a special condition of this Order.

SC#2. All work shall be done in accordance with the final approved plan as stated in the Findings of Fact.

SC#3. Except where modified by the following special conditions, all work shall be performed in accordance with the plans and the Notice of Intent referenced above. Where a conflict exists between the referenced plans and these conditions, the conditions shall govern.

SC#4. Written notification of the construction start date is required to be submitted a minimum of 72 hours in advance.

SC#5. The Site Contractor shall be required to complete a **Contractor Affidavit of Service** and submit it to the Southborough Conservation Commission (SCC) office at least 72 hours prior to the pre-construction meeting.

SC#6. A pre-construction on-site meeting with SCC staff and/or representative, project supervisor, Site Contractor responsible for the work, or other relevant parties identified by the Applicant or the SCC is required prior to any work commencing on the site other than the installation of erosion controls. Erosion and sedimentation controls, and DEP File # signage will be inspected at this time. All required additional documentation (if any) shall be submitted in advance of this meeting being scheduled.

Please contact the SCC office at 508-281-8984 to arrange for the pre-construction meeting at least seventy-two (72) hours prior in advance. The meeting shall:

- a) Ensure that the requirements of the Order of Conditions are understood.
- b) Check administrative requirements (DEP file number sign, contact info. etc.).
- c) Inspect, adjust and expand, if necessary, the erosion control devices, installation and line.

SC#7. Only certified "weed-free and invasive-free" erosion control devices shall be installed to control erosion and sedimentation on the site as shown on the plans. In addition, a sign showing the DEP File # shall be posted in a visible location on the site as specified in the standard conditions.

SC#8. The Applicant shall provide the Conservation Agent with the name and telephone number in writing of the person designated as the emergency contact for all construction activities who will be immediately responsible for supervision of all work on the project site, and compliance with this Order of Conditions. The Applicant shall provide notification to the Conservation

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Sarah Schmitt
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Map 9, Lot 110

Administrator within 48 hours in the event that the contractor, emergency contact, or site supervisor has changed.

SC#9. The SCC reserves the right to require additional conditions if deemed necessary to protect resource areas and interests as defined in MGL Chapter 131 section 40 (310 CMR 10.00) or regulations promulgated thereunder after written notice to the Applicant and a legally advertised public hearing, conducted in accordance with applicable law.

SC#10. If unforeseen problems occur during construction which may affect the statutory interests of the Wetlands Protection Act, the bylaw or regulations promulgated thereunder, the SCC shall immediately be notified, and an immediate meeting shall be held between the SCC or its agent, the applicant, and other concerned parties to determine the correct measures to be employed. The Applicant shall then act to correct the problems using the corrective measures agreed upon. Subsequent to resolution, the activity and resulting actions shall be documented in writing. Absent good faith efforts by the Applicant to implement any such corrective measures, failure to comply with this Order of Conditions may constitute sufficient ground for the SCC to order all work to cease until compliance is achieved.

SC#11. It is the responsibility of the Applicant to complete any review required by all agencies with jurisdiction over the activity that is the subject of this Order of Conditions, and to procure all required permits or approvals before any work commenced to the extent such permits or approvals are required to execute the work in question.

SC#12. Members and agents of the SCC shall have the right to enter and inspect the premises to evaluate and ensure compliance with the conditions and performance standards stated in this Order, the Act, and 310 CMR 10.00, and may acquire any information, measurements, photographs, observations, and/or materials or may require the submittal of any data or information deemed necessary by the SCC for that evaluation.

SC#13. Any change made or intended to be made in the plans, shall require the Applicant to file a new Notice of Intent or to inquire of the SCC in writing whether the change is substantial enough to require a new filing or request an Amendment to the Order of Conditions.

SC#14. This Order shall apply to every successor in control or successor in interest of the property described in the Notice of Intent and accompanying plans, or part thereof. In the event of this land or any part thereof changing ownership before or during construction, the current owner shall notify the new owner prior to the transfer of ownership by registered mail of this Order and shall forward proof of this notification to the SCC.

SC#15. This Order and a copy of approved drawings and plans referenced in this Order shall be available at the project site at all times for easy reference.

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Southborough Conservation Commission

Additional Special Conditions
Sarah Schmitt
170 Woodland Road
Map 9, Lot 110

SC#16. This Order of Conditions shall be included in all construction contracts and subcontracts dealing with the work proposed and shall supersede other contract requirements.

DURING CONSTRUCTION:

SC#17. Erosion controls shall be inspected daily (by the project engineer, landscape architect, site contractor, or other professional deemed qualified by the Conservation Administrator) and maintained or reinforced if necessary, during construction. After any storm event, any accumulated silt adjacent to the barriers shall be removed. The erosion control barrier shall remain in proper functioning condition until all disturbed areas have been stabilized with an adequate vegetative cover, after which the stakes shall be removed by permission of the SCC, and the silt fencing shall be completely removed and disposed of lawfully.

SC#18. The limit of work shall be strictly adhered to, and no activity shall occur within the 20-foot No Disturb Area, unless prior approval was granted by the SCC.

SC#19. If dewatering is necessary during construction, notification shall be made to the SCC to allow for the inspection and approval of the setup. Any water from the project work areas shall be effectively filtered or settled to remove silt and turbidity by employing Best Management Practices (BMPs) prior to discharging to any resource area. All areas where dewatering hoses are discharged shall be protected so as not to cause erosion.

SC#20. No plants listed on the latest Massachusetts Department of Agricultural Resources Prohibited Plant List may be brought onto or planted anywhere on the property.

SC#21. Erosion control matting or other methods of erosion control shall be installed on disturbed areas if necessary, as may be authorized by Agents or Members of the SCC.

SC#22. Notification to the SCC shall be required when site work ceases for any length of time greater than 14 days.

SC#23. Stabilization measures are required to be initiated immediately in portions of the site where earth-disturbing activities have permanently or temporarily ceased. Earth-disturbing activities have permanently ceased when clearing and excavation within any area of the construction site that will not include permanent structures has been completed. Earth-disturbing activities have temporarily ceased when clearing, grading, and excavation within any area of the site that will not include permanent structures will not resume (i.e. the land will be idle) for a period of fourteen (14) or more calendar days, but such activities will resume in the future.

SC#24. In no case, shall more than one (1) day pass without initiating stabilization measures in portions of the site where construction activities have temporarily or permanently ceased. Any

Additional Special Conditions
Sarah Schmitt
170 Woodland Road
Map 9, Lot 110

of the following activities constitute the initiation of stabilization: Prepping the soil for vegetative or non-vegetative stabilization; Applying mulch or other non-vegetative product to the exposed area; Seeding or planting the exposed area; Starting any of the preceding stabilization activities on a portion of the area to be stabilized, but not on the entire area; and Finalizing arrangements to have stabilization product fully installed in compliance with the applicable deadline for completing stabilization as described below.

SC#25. Any stockpiles of materials, soils, or other erodible material that are expected to remain inactive for more than fourteen (14) days must also be stabilized by one of the aforementioned methods. All stockpiles shall also be surrounded by silt fence or other temporary perimeter sediment barrier and checked daily for evidence of migration of materials.

SC#26. As soon as is practicable, but no later than fourteen (14) calendar days after the initiation of soil stabilization measures, stabilization activities shall be completed as follows: For vegetative stabilization, all activities necessary to initially seed or plant the area to be stabilized, including, but not limited to, soil conditioning, application of seed or sod, planting of seedlings or other vegetation, application of fertilizer, and watering as needed; For non-vegetative stabilization, the installation or application of all such non-vegetative measures.

SC#27. Exceptions to the deadlines for initiating and completing stabilization activities may be granted by the SCC in cases of drought or when circumstances beyond the control of the Contractor cause delays.

SC#28. All debris, fill, and excavated material shall be stockpiled far enough away from designated wetlands, and at a location to prevent sediment from surface runoff entering wetlands. At no time, shall any debris or other material be buried or disposed of within that line marked on the plan as wetland.

SC#29. Stockpiles of soils, aggregate, or any other unconsolidated construction materials permitted by this order within 100-foot buffer zones shall be covered with tarpaulins when not being worked with. Stockpiles in place for greater than twenty-four (24) hours shall be ringed with erosion control devices and covered by properly secured tarpaulins at the close of each workday. The areas of construction shall remain in a stable condition at the close of each construction day.

SC#30. Measures to prevent and control erosion of soil at the site shall be implemented and maintained until the site is permanently stabilized. Erosion and siltation of soils must be prevented at all times by an effective control device.

SC#31. Should any erosion or sedimentation control measures fail; immediate attention will be given by the Applicant or representative to correcting the failure and to rectify any adverse

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Sarah Schmitt
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impact from the failure, for example, by the removal of any silt or debris that any have bypassed the control measure. The SCC must be notified within 24 hours of the failure.

SC#32. Any damage caused as a result of this project to any wetland resource areas, shall be the responsibility of the Applicant to promptly repair, restore, and/or replace. Sedimentation or erosion into these areas shall be considered damage to wetland resource areas. If sediment reaches these areas, the SCC shall be contacted and a plan for abatement of the problem and proposed restoration and/or mitigation measures shall be submitted for approval and implementation.

SC#33. The SCC reserves the right to impose additional conditions on portions of this project to mitigate any impacts which are the result of the failure of the applicant to undertake the work in accordance with this Order and which, without the imposition of such additional conditions, are likely to result in site erosion or a noticeable degradation of surface water quality discharging from the site.

SC#34. Material of construction and equipment shall be stored in a manner and location that will minimize the compaction of soils and the concentration of runoff.

SC#35. All waste products, grubbed stumps, slash, construction materials, etc. which result from the project shall be properly disposed of in accordance with applicable regulations and shall not be incorporated into the project site construction with the exceptions of the reduction of stumps and slash to mulch, and the use of inert materials such as pulverized or broken asphalt, brick or concrete as fill or subbase below pavement.

SC#36. Used petroleum products resulting from the maintenance of construction equipment and construction debris shall be collected and disposed of off-site in accordance with applicable regulations. No on-site disposal of these items is allowed.

SC#37. Servicing of equipment, (fueling, changing, adding or applying lubricants or hydraulic fluids) must be done outside the 100-Foot Buffer Zone (BZ). Equipment must be maintained to prevent leakage or discharge of pollutants. Cement trucks shall not be washed out within the BZ or into any drainage system. Overnight storage of equipment must be a minimum of fifty (50) feet from the wetland boundary.

POST CONSTRUCTION AND ONGOING CONDITIONS:

SC#38. Erosion controls shall not be removed without prior consent from the SCC to ensure the site is stable.

SC#39. Stabilized slopes shall be maintained as designed and constructed by the property owner of record.

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SC#40. If an Extension to the Order of Conditions ("OOC") is being sought, a written request must be received at the SCC office at least thirty (30) days in advance of the expiration date of the OOC. The written request shall include an explanation as to why an extension is needed, and the length of time the extension is being sought for (no more than 3 years). Failure to submit an Extension request in accordance with the requirements of this Special Condition shall be grounds for denial of the request.

SC#41. In order for a project to be released from an Order of Conditions, a request for a Certificate of Compliance is required in writing.

SC#42. Prior to requesting a Certificate of Compliance, the engineer of record shall certify that all cut materials used on site or disposed of off-site, was disposed of in accordance with MassDEP and/or all federal and local regulations.

SC#43. Upon completion of construction, all work regulated by this Order, and final stabilization, the Applicant/owner shall submit the following to request a Certificate of Compliance from the SCC:

- a) Two (2) copies of a completed request for Certificate of Compliance form (WPA Form 8A) and a check in the appropriate amount made out to the "Town of Southborough".
- b) Two (2) copies of a stamped "As-Built" plan depicting post construction conditions on the work site, prepared by a professional engineer or land surveyor certifying that the site has been developed in accordance with the conditions of this Order, and showing in detail the exact location of all structures and the topography of the finished grades of the site, along with a letter from a registered professional engineer certifying compliance of the property with this Order of Conditions and detailing any deviations from the approved plans and their potential effect on the project. A statement that the work is in "substantial compliance" with no detailing of the deviations shall not be accepted.
- c) A PDF file sent electronically to the Conservation Agent of all items detailed above.

SC#44. Any siltation barrier (silt fence) shall be removed and disposed of lawfully before a Certificate of Compliance will be issued, once the site has been completely stabilized and the SCC has given permission to do so. All other erosion control devices, such as straw bales, straw wattles, compost filter socks, silt sacks, etc. may be removed once permission is sought from and given by the SCC.

SC#45. Dumping Prohibited: There shall be no dumping of leaves, grass clippings, brush or other debris into any wetland resource area (including the 100-Foot Buffer Zone). Landscaping

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Sarah Schmitt
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debris shall be removed from the site and disposed of in a legal fashion. This condition shall survive the expiration of this Order and shall be included as a continuing condition on the Certificate of Compliance.

SC#46. No synthetic pesticides or herbicides may be applied within wetland buffer zones on the site. This condition shall survive the expiration of this Order and shall be included as a continuing condition on the Certificate of Compliance.

SC#47. Landscape Plantings: No plants listed on the latest Massachusetts Department of Agricultural Resources Prohibited Plant List may be brought onto or planted anywhere on the property. This condition shall survive the expiration of the Order and shall be included as a continuing condition on the Certificate of Compliance.

SC#48. Additional Alteration Prohibited: There shall be no additional alterations of areas under SCC jurisdiction without the required review and permit(s). This condition shall survive the expiration of the Order and shall be included as a continuing condition on the Certificate of Compliance.

#

ATTEST: WORC. Kathryn A. Toomey, Register

TOWN OF SOUTHBOROUGH



CONSERVATION COMMISSION

CORDAVILLE HALL • 9 CORDAVILLE ROAD, LOWER LEVEL • SOUTHBOROUGH, MASSACHUSETTS 01772-1662
(508) 281-8984 • FAX (508) 480-0161 • mdanza@southboroughma.com

February 18, 2025

Sarah Schmitt
170 Woodland Road
Southborough, MA

Subject: Administrative Approval, DEP #290-1123; tree removal & replacement

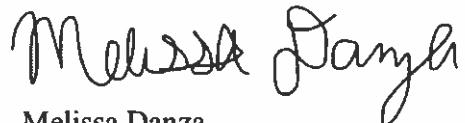
Ms. Schmitt,

At a regularly scheduled meeting of the Conservation Commission on February 13, 2025 the Commission voted to issue an administrative amendment for tree removal as proposed on the attached site plan. Conditions of approval are as follows:

- Snags of the 14" & 9" Red Maple and 12" American Elm shall be left in place. Snags shall be approximately 6-8' in height.
- The 20" Black Oak may be cut flush to the ground to inhibit regrowth.
- In no instance is grinding of the stump or stump removal allowed.
- Replacement of trees shall be at a 2:1 replication rate. The American Elm may be replaced with White Pine. A minimum of 4 trees shall be planted to meet this requirement. The remaining required amount may contain appropriate native shrubs.
- Replacement trees and shrubs shall be located within the 20' Buffer Zone and shall be hand dug only.
- Trees shall be larger than 3' in height, but manageable enough to install with a shovel. No equipment besides hand equipment shall enter the area outside of the original limit of work for the construction of the pool and associated infrastructure.
- Please submit documentation showing final proposed location and type of trees and shrubs to be planted.

Please reach out at your earliest convenience with any questions. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Melissa Danza".

Melissa Danza
Conservation Agent

