



Grafton Conservation Commission

September 4, 2014

Patrick Healy
Thompson-Liston Associates, Inc.
P. O. Box 570
Boylston, MA 01505

**Subject: Order of Resource Area Delineation - DEP # 164-886 &
Determination of Applicability – 88 Adams Road (Assessor's Map
32, Lot 10)**

Dear Mr. Healy:

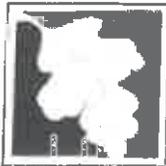
Enclosed please find your approved Order of Resource Area Delineation and
Determination of Applicability for property located at 88 Adams Road.

If you have any questions or concerns, please call the office at 508-839-5335, extension
1138 or via e-mail at: zwickerj@graffon-ma.gov

Sincerely,

Jayne Zwicker
Conservation Commission Secretary

Cc: Steven Venincasa, Casa Builders & Development Corp.



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

**WPA Form 4B – Order of Resource Area
Delineation**

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

Provided by MassDEP:

164-886

MassDEP File Number

Document Transaction Number

Grafton

City/Town

A. General Information

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.

From: Grafton
1. Conservation Commission

2. This Issuance is for (check one):

- a. Order of Resource Area Delineation
- b. Amended Order of Resource Area Delineation

3. Applicant:

Steven Venincasa
a. First Name b. Last Name
Casa Builders & Development Corp.
c. Organization
P. O. Box 1205
d. Mailing Address
Westborough MA 01581
e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

a. First Name b. Last Name
c. Organization
d. Mailing Address
e. City/Town f. State g. Zip Code

5. Project Location:

88 Adams Road Grafton 01519
a. Street Address b. City/Town c. Zip Code
32 10
c. Assessors Map/Plot Number d. Parcel/Lot Number

Latitude and Longitude:

e. Latitude f. Longitude

6. Dates: 07/18/2014 09/02/2014 09/04/2014
a. Date ANRAD filed b. Date Public Hearing Closed c. Date of Issuance

7. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

Plan of Bordering Vegetated Wetland to Accompany Abbreviated Notice of Resource Area Delineation 08/18/2014
b. Date
c. Title d. Date



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 4B – Order of Resource Area
Delineation

Provided by MassDEP:
164-886

MassDEP File Number

Document Transaction Number

Grafton

City/Town

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

B. Order of Delineation

1. The Conservation Commission has determined the following (check whichever is applicable):

a. **Accurate:** The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

1. **Bordering Vegetated Wetlands**

2. **Other resource area(s), specifically:**

a. No others delineated or confirmed.

b. **Modified:** The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):

1. **Bordering Vegetated Wetlands**

2. **Other resource area(s), specifically:**

c. **Inaccurate:** The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

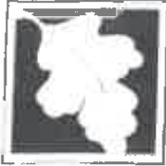
1. **Bordering Vegetated Wetlands**

2. **Other resource area(s), specifically:**

a. Determinations as to existence and boundaries of vernal pool(s) must be made during spring breeding season. If vernal pools are documented on site, they will be certified.

3. **The boundaries were determined to be inaccurate because:**

a. Unable to verify at this time.



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

**WPA Form 4B – Order of Resource Area
Delineation**

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

Provided by MassDEP:

164-886

MassDEP File Number

Document Transaction Number

Grafton

City/Town

C. Findings

This Order of Resource Area Delineation determines that the boundaries of those resource areas noted above, have been delineated and approved by the Commission and are binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, § 40) and its regulations (310 CMR 10.00). This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation.

This Order must be signed by a majority of the Conservation Commission. The Order must be sent 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 DEP Regional Office (see <http://www.mass.gov/dep/about/region/findyour.htm>).

D. 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 DEP Regional Office to issue a Superseding Order of Resource Area Delineation. When requested to issue a Superseding Order of Resource Area Delineation, the Department's review is limited to the objections to the resource area delineation(s) stated in the appeal request. 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 bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.



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

**WPA Form 4B – Order of Resource Area
Delineation**

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

Provided by MassDEP:

164-886

MassDEP File Number

Document Transaction Number

Grafton

City/Town

E. Signatures

09-04-2014

Date of Issuance

5

1. Number of Signers

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

[Signature]
Signature of Conservation Commission Member

[Signature]
Signature of Conservation Commission Member

[Signature]
Signature of Conservation Commission Member

Signature of Conservation Commission Member

[Signature]
Signature of Conservation Commission Member

Signature of Conservation Commission Member

[Signature]
Signature of Conservation Commission Member

This Order is valid for three years from the date of issuance.

If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, which expires on _____ unless extended in writing by the issuing authority.

This Order is issued to the applicant and the property owner (if different) as follows:

2. By hand delivery on _____

3. By certified mail, return receipt requested on _____

a. Date

a. Date

09/04/2014

7010 0780 0000 0716 2942



**Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
Request for Departmental Action Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40**

A. Request Information

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



1. Person or party making request (if appropriate, name the citizen group's representative):

Name _____

Mailing Address _____

City/Town _____ State _____ Zip Code _____

Phone Number _____ Fax Number (if applicable) _____

Project Location

Mailing Address _____

City/Town _____ State _____ Zip Code _____

2. Applicant (as shown on Notice of Intent (Form 3), Abbreviated Notice of Resource Area Delineation (Form 4A); or Request for Determination of Applicability (Form 1)):

Name _____

Mailing Address _____

City/Town _____ State _____ Zip Code _____

Phone Number _____ Fax Number (if applicable) _____

3. DEP File Number:
- _____

B. Instructions

1. When the Departmental action request is for (check one):

- Superseding Order of Conditions
- Superseding Determination of Applicability
- Superseding Order of Resource Area Delineation

Send this form and check or money order for \$100.00 (single family house projects) or \$200 (all other projects), payable to the *Commonwealth of Massachusetts* to:

Department of Environmental Protection
Box 4062
Boston, MA 02211



**Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
Request for Departmental Action Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40**

B. Instructions (cont.)

2. On a separate sheet attached to this form, state clearly and concisely the objections to the Determination or Order which is being appealed. To the extent that the Determination or Order is based on a municipal bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.
3. Send a copy of this form and a copy of the check or money order with the Request for a Superseding Determination or Order by certified mail or hand delivery to the appropriate DEP Regional Office (see <http://www.mass.gov/dep/about/region/findyour.htm>).
4. 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.



Grafton Conservation Commission

Determination of Applicability Grafton Wetlands Protection Bylaw

General Information:

From: Grafton Conservation Commission
Steven Venincasa

To: Casa Builders & Development Corp. Same as applicant
(Applicant) (Property Owner)
P. O. Box 1205 _____

Westborough, MA 01581 _____
(Address) (Address)

Re: Date Request Filed: 07/18/2014

Title and Date of Final Plans and Other Documents:

Title	Date
Plan of Bordering Vegetated Wetland to accompany An Abbreviated Notice of Resource Area Delineation	08-18-2014

Project Location: 88 Adams Road

as shown on Town of Grafton Assessors Map # 32 Parcel # 10

Project Description: (if applicable)

Resource Area Delineation

30 Providence Road, Grafton, MA 01519 • Tel: 508-839-5335 ext. 1138 • Fax: 508-839-4602
e-mail: concom@grafton-ma.gov

Form D (page 1 of 3)

Determination:

Pursuant to the authority of the Grafton Wetlands Protection Bylaw, the Grafton Conservation Commission has reviewed your request for a Determination of Applicability and its supporting documentation, and has made the determination checked below:

This determination was voted on 09-02-2014 (date)

Positive Determination(s):

The following Determination(s) is/are applicable to the proposed site and/or project relative to the Grafton Wetlands Protection Bylaw:

The area described in your request is an area subject to the Bylaw. Therefore, any removing, filling, altering or dredging of that area requires the filing of an Application for a Permit.

The work described above, which includes all or part of the work described in your request, is within an area subject to the Bylaw and will remove, fill, dredge or alter that area. Therefore, said work requires the filing of an Application for a Permit.

The boundary delineations of resource areas subject to the Wetlands Protection Act are determined to be accurate or *not* accurate in accordance with the Order of Resource Area Delineation Form 4B issued concurrently with this determination.

The boundary delineations of the following resource areas subject to the Grafton Wetlands Protection Bylaw, *but not subject to the Wetlands Protection Act* are confirmed as accurate:

The boundary delineations of the following resource areas subject to the Grafton Wetlands Protection Bylaw, *but not subject to the Wetlands Protection Act* are not confirmed by this Determination whether or not such boundaries are contained on the plans attached to the Request for Determination:

Negative Determination(s):

_____ The area described in your request is not subject to the Bylaw.

_____ The work described in your request is in an area subject to the Bylaw, but as proposed, the work will not remove, fill, dredge, or alter that area. Therefore, the work does not require a permit under the Bylaw. Should the nature or extent of work change, you should contact the Commission as a permit may be required.

_____ This Determination is subject to the conditions as set out in the attached Exhibit "A".

_____ Other _____

This determination is issued and delivered as follows:

_____ By hand delivery to applicant on _____ (date)

By certified mail, return receipt requested on 09/04/14 (# 7010 0780 0000 0716 2942)

This determination is issued by the Grafton Conservation Commission and is valid for 3 years from date of issuance.

Signature of Members

[Signature]

[Signature]

[Signature]

K. Thomas

09-04-2014
Date

This determination must be signed by a majority of the Commissioners.