

# **NOTICE OF INTENT FILING**

123 Mendon Street  
Bellingham, MA

Applicant: D & C Pavone Enterprises  
45 Comstock Drive  
Wrentham, MA

Representative: Land Planning, Inc.  
167 Hartford Avenue  
Bellingham, MA 02019

## Documents Included:

Notice of Intent

Site Plan

USGS Quad Section

Bordering Vegetated Wetland Delineation Field Data Form

Notification to Abutters

Affidavit of Service

List of Abutters

Bellingham Application and Fee Calculations Worksheet

Project Narrative and Alternatives Analysis



**Massachusetts Department of Environmental Protection & Bellingham Wetlands Protection Bylaw**  
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

Bellingham

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):

123 Mendon Street

a. Street Address

Bellingham

b. City/Town

02019

c. Zip Code

Latitude and Longitude:

43

f. Assessors Map/Plat Number

42.0873

d. Latitude

-714902

e. Longitude

18-0000

g. Parcel /Lot Number

2. Applicant:

Mark

a. First Name

Pavone

b. Last Name

D & C Pavone Enterprises LLC

c. Organization

45 Comstock Drive

d. Street Address

Wrentham

e. City/Town

MA

f. State

02093

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

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

same as applicant

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):

William

a. First Name

Halsing

b. Last Name

Land Planning Inc

c. Company

167 Hartford Avenue

d. Street Address

Bellingham

e. City/Town

MA

f. State

02019

g. Zip Code

508-966-4130

h. Phone Number

i. Fax Number

bellingham@landplanninginc.com

j. Email address

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

\$1,500.00

a. Total Fee Paid

\$737.50

b. State Fee Paid

\$762.50

c. City/Town Fee Paid



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**A. General Information (continued)**

6. General Project Description:

Redevelop the existing site for commercial use.

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

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

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

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

2. Limited Project Type

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

8. Property recorded at the Registry of Deeds for:

Norfolk

a. County

41338

c. Book

b. Certificate # (if registered land)

384

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.





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**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.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input checked="" type="checkbox"/> Riverfront Area	Not named - inland 1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

- ☐ 25 ft. - Designated Densely Developed Areas only
- ☐ 100 ft. - New agricultural projects only
- ☒ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project:

56,909  
square feet

4. Proposed alteration of the Riverfront Area:

28,597	28,597	56,909
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.

5. Has an alternatives analysis been done and is it attached to this NOI? ☒ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☒ Yes ☐ No

3. ☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

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





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**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 _____	
	2. cubic yards dredged _____	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet _____	
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	
	1. cubic yards dredged _____	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet _____	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	a. square feet of BVW _____	b. square feet of Salt Marsh _____
5. <input type="checkbox"/> Project Involves Stream Crossings		
	a. number of new stream crossings _____	b. number of replacement stream crossings _____



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### C. Other Applicable Standards and Requirements

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

#### Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to [http://maps.massgis.state.ma.us/PRI\\_EST\\_HAB/viewer.htm](http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm).

a. ☐ Yes ☒ No

If yes, include proof of mailing or hand delivery of NOI to:

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

August 1, 2021

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); OR complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

#### c. Submit Supplemental Information for Endangered Species Review\*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

2. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*

- (a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)
- (b) ☐ Photographs representative of the site

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/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.





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

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

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

*Projects altering 10 or more acres of land, also submit:*

- (d) ☐ Vegetation cover type map of site

- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries

- (f) OR Check One of the Following

1. ☐ Project is exempt from MESA review.  
 Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. ☐ Separate MESA review ongoing.

a. NHESP Tracking #

b. Date submitted to NHESP

3. ☐ Separate MESA review completed.

Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a. ☒ Not applicable – project is in inland resource area only      b. ☐ Yes    ☐ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

North Shore - Hull to New Hampshire border:

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

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

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

- c. ☐ Is this an aquaculture project?

- d. ☐ Yes    ☒ No

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





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**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.



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**D. Additional Information (cont'd)**

3. ☐ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☒ List the titles and dates for all plans and other materials submitted with this NOI.

Site Development Plan

a. Plan Title

Land Planning Inc

Norman Hill

b. Prepared By

November 12, 2024

c. Signed and Stamped by

1" = 20'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☒ Attach NOI Wetland Fee Transmittal Form
9. ☒ Attach Stormwater Report, if needed.

**E. Fees**

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

1069

3. Check date

11/27/24

4. State Check Number

1068

5. Check date

11/27/24

6. Payor name on check: First Name

D+C Pavone

7. Payor name on check: Last Name

Enterprises LLC





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### **F. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant

2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

#### **For Conservation Commission:**

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

#### **For MassDEP:**

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

#### **Other:**

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

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





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Bureau of Resource Protection - Wetlands  
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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:

123 Mendon Street

a. Street Address

Bellingham

b. City/Town

\$737.50

d. Fee amount

c. Check number

2. Applicant Mailing Address:

Mark

a. First Name

Pavone

b. Last Name

D & C Pavone Enterprises LLC

c. Organization

45 Comstock Drive

d. Mailing Address

Wrentham

e. City/Town

MA

f. State

02093

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

3. Property Owner (if different):

same as applicant

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

## B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

**Step 1/Type of Activity:** Describe each type of activity that will occur in wetland resource area and buffer zone.

**Step 2/Number of Activities:** Identify the number of each type of activity.

**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

**Step 4/Subtotal Activity Fee:** Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

**Step 5/Total Project Fee:** Determine the total project fee by adding the subtotal amounts from Step 4.

**Step 6/Fee Payments:** To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

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



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**NOI Wetland Fee Transmittal Form**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 2 j.) Commercial building	1	\$500.00	\$500.00
Category 2 b.) Parking lot	1	\$500.00	\$500.00
Riverfront multiplier	1	\$500.00	\$500.00
Step 5/Total Project Fee:			\$1,500.00

**Step 6/Fee Payments:**

Total Project Fee:	\$1,500.00
State share of filing Fee:	a. Total Fee from Step 5 \$737.50
City/Town share of filing Fee:	b. 1/2 Total Fee less \$12.50 \$762.50
	c. 1/2 Total Fee plus \$12.50

**C. Submittal Requirements**

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

Department of Environmental Protection  
Box 4062  
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)





**USGS QUAD**  
 Located at  
**123 Mendon Street**  
**Bellingham, MA**



**Land Planning, Inc.**

167 Hartford Avenue  
 Bellingham, MA 02019  
 508-966-4130

[bellingham@landplanninginc.com](mailto:bellingham@landplanninginc.com)

Date 11/25/24

Scale 1:24000

Job B2850



# BORDERING VEGETATED WETLAND DETERMINATION FORM

Project/Site: 123 Mendon Street City/Town: Bellingham Sampling Date: 7-1723  
 Applicant/Owner: Land Planning, Inc. - Representative Sampling Point or Zone: Upland  
 Investigator(s): Northeast Ecological Services (S. Heim) Latitude / Longitude: 42.08731N/71.48999W  
 Soil Map Unit Name: Scarboro and Birdsall NWI or DEP Classification: NA

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? (If yes, explain in Remarks)

Are Vegetation ☐, Soil ☐, or Hydrology ☐ naturally problematic? (If yes, explain in Remarks)

## SUMMARY OF FINDINGS – Attach site map and photograph log showing sampling locations, transects, etc.

Wetland vegetation criterion met?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Is the Sampled Area within a Wetland?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Hydric Soils criterion met?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Wetlands hydrology present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Remarks, Photo Details, Flagging, etc.: Wetland flags BVW-1 to BVW-12 and BANK-1 to BANK-10 Historic fill present			

## HYDROLOGY

<b>Field Observations:</b>		
Surface Water Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches) _____
Water Table Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches) _____
Saturation Present (including capillary fringe)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches) _____
<b>Wetland Hydrology Indicators</b>		
Reliable Indicators of Wetlands Hydrology	Indicators that can be Reliable with Proper Interpretation	Indicators of the Influence of Water
<input type="checkbox"/> Water-stained leaves <input type="checkbox"/> Evidence of aquatic fauna <input type="checkbox"/> Iron deposits <input type="checkbox"/> Algal mats or crusts <input type="checkbox"/> Oxidized rhizospheres/pore linings <input type="checkbox"/> Thin muck surfaces <input type="checkbox"/> Plants with air-filled tissue (aerenchyma) <input type="checkbox"/> Plants with polymorphic leaves <input type="checkbox"/> Plants with floating leaves <input type="checkbox"/> Hydrogen sulfide odor	<input type="checkbox"/> Hydrological records <input type="checkbox"/> Free water in a soil test hole <input type="checkbox"/> Saturated soil <input type="checkbox"/> Water marks <input type="checkbox"/> Moss trim lines <input type="checkbox"/> Presence of reduced iron <input type="checkbox"/> Woody plants with adventitious roots <input type="checkbox"/> Trees with shallow root systems <input type="checkbox"/> Woody plants with enlarged lenticels	<input type="checkbox"/> Direct observation of inundation <input type="checkbox"/> Drainage patterns <input type="checkbox"/> Drift lines <input type="checkbox"/> Scoured areas <input type="checkbox"/> Sediment deposits <input type="checkbox"/> Surface soil cracks <input type="checkbox"/> Sparsely vegetated concave surface <input type="checkbox"/> Microtopographic relief <input type="checkbox"/> Geographic position (depression, toe of slope, fringing lowland)
Remarks (describe recorded data from stream gauge, monitoring well, aerial photos, previous inspections, if available):		

This form is only for BVW delineations. Other wetland resource areas may be present and should be delineated according to the applicable regulatory provisions.

## VEGETATION – Use both common and scientific names of plants.

Tree Stratum		Plot size <u>30 feet</u>		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name	Scientific name						
1. Red Maple	Acer rubrum	FAC	1.4	Yes	Yes		
2. American Elm	Ulmus americana	FACW	0.9	Yes	Yes		
3. E. White Pine	Pinus strobus	FACU	0.1	No	No		
4.							
5.							
6.							
7.							
8.							
9.							
				<u>2.4</u> = Total Cover			
Shrub/Sapling Stratum		Plot size <u>15 feet</u>		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name	Scientific name						
1. Red Maple	Acer rubrum	FAC	10.5	Yes <input checked="" type="checkbox"/>	Yes		
2. E. White Pine	Pinus strobus	FACU	38.0	Yes <input checked="" type="checkbox"/>	No		
3.							
4.							
5.							
6.							
7.							
8.							
9.							
				<u>48.5</u> = Total Cover			
Herb Stratum		Plot size <u>5 feet</u>		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name	Scientific name						
1. Hayscented Fern	Dennstaedtia punctilobula	UPL	63.0	Yes <input checked="" type="checkbox"/>	No		
2. Poison Ivy	Toxicodendron radicans	FAC	10.5	No	No		
3. Asiatic Bittersweet	Celastrus orbiculatus	FACU	20.5	Yes	No		
4.							
5.							
6.							
7.							
8.							
9.							
10.							
11.							
12.							
				<u>94.0</u> = Total Cover			



## VEGETATION – continued.

<u>Woody Vine Stratum</u>		Plot size <u>30 feet</u>		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name	Scientific name						
1. NA							
2.							
3.							
4.							
				<u>0.0</u> = Total Cover			

<b>Rapid Test:</b> Do all dominant species have an indicator status of OBL or FACW? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
<b>Dominance Test:</b>	Number of dominant species	Number of dominant species that are wetland indicator plants		Do wetland indicator plants make up $\geq 50\%$ of dominant plant species? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	6	3		
<b>Prevalence Index:</b>		Total % Cover (all strata)	Multiply by:	Result
	OBL species	0	X 1	= 0.00
	FACW species	1	X 2	= 2.00
	FAC species	2	X 3	= 6.00
	FACU species	2	X 4	= 8.00
	UPL species	1	X 5	= 5.00
	Column Totals	(A) 6		(B) 21
Prevalence Index		B/A = <b>3.50</b>		Is the Prevalence Index $\leq 3.0$ ? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Wetland vegetation criterion met?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>				

## Definitions of Vegetation Strata

- Tree - Woody plants 3 in. (7.62 cm) or more in diameter at breast height (DBH), regardless of height
- Shrub / Sapling - Woody plants less than 3 in. (7.62 cm) DBH and greater than or equal to 3.3 ft. (1 m) tall
- Herb - All herbaceous (non-woody plants, regardless of size, and woody plants less than 3.3 ft. (1 m) tall
- Woody vines - All woody vines greater than 3.3 ft. (1 m) in height

Cover Ranges	
Range	Midpoint
1-5 %	3.0 %
6-15 %	10.5 %
15-25 %	20.5 %
26-50 %	38.0 %
51-75 %	63.0 %
76-95 %	85.5 %
96-100 %	98.0 %



## SOIL

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Location <sup>2</sup>		
3.00	10YR 2/2	100.0%		0.0%			fsl	
6.00	10YR 4/4	100.0%		0.0%	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	sandy loam	historic fill
18.00	10YR 4/4	100.0%		0.0%			sandy loam	historic fill
		0.0%		0.0%				
		0.0%		0.0%				
		0.0%		0.0%				
		0.0%		0.0%				
		0.0%		0.0%				
		0.0%		0.0%				
		0.0%		0.0%				
		0.0%		0.0%				

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains<sup>2</sup>Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators (Check all that apply)

Indicators for Problematic Hydric Soils

<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Polyvalue Below Surface (S8)	<input type="checkbox"/> 2 cm Muck (A10)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Thin Dark Surface (S9)	<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Loamy Mucky Mineral (F1)	<input type="checkbox"/> Dark Surface (S7)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> Polyvalue Below Surface (S8)
<input type="checkbox"/> Stratified Layers (A5)	<input type="checkbox"/> Depleted Matrix (F3)	<input type="checkbox"/> Thin Dark Surface (S9)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Redox Dark Surface (F7)	<input type="checkbox"/> Iron-Manganese Masses (F12)
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Depleted Dark Surface (F8)	<input type="checkbox"/> Mesic Spodic (A17)
<input type="checkbox"/> Sandy Mucky Mineral (S1)		<input type="checkbox"/> Red Parent Material (F21)
<input type="checkbox"/> Sandy Gleyed Matrix (S4)		<input type="checkbox"/> Very Shallow Dark Surface (TF12)
<input type="checkbox"/> Sandy Redox (S5)		<input type="checkbox"/> Other (Include Explanation in Remarks)
<input type="checkbox"/> Stripped Matrix (S6)		
<input type="checkbox"/> Dark Surface (S7)		

Restrictive Layer (if observed) Type: \_\_\_\_\_ Depth (inches): \_\_\_\_\_

Remarks:

Hydric Soils criterion met?

Yes ☐ No ☒

# BORDERING VEGETATED WETLAND DETERMINATION FORM

Project/Site: 123 Mendon Street City/Town: Bellingham Sampling Date: 07-17-23  
 Applicant/Owner: Land Planning, Inc. - Representative Sampling Point or Zone: Wetland  
 Investigator(s): Northeast Ecological Services (S. Heim) Latitude / Longitude: 42.08731N/71.48999W  
 Soil Map Unit Name: Scarboro and Birdsall NWI or DEP Classification: PFO

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? (If yes, explain in Remarks)

Are Vegetation ☐, Soil ☐, or Hydrology ☐ naturally problematic? (If yes, explain in Remarks)

## SUMMARY OF FINDINGS – Attach site map and photograph log showing sampling locations, transects, etc.

Wetland vegetation criterion met?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Is the Sampled Area	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Hydric Soils criterion met?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	within a Wetland?	
Wetlands hydrology present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Remarks, Photo Details, Flagging, etc.: Wetland flags BVW-1 to BVW-12 and BANK-1 to BANK-10 Historic fill present			

## HYDROLOGY

<b>Field Observations:</b>		
Surface Water Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches) _____
Water Table Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches) _____
Saturation Present (including capillary fringe)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Depth (inches) <u>6.00</u>
<b>Wetland Hydrology Indicators</b>		
Reliable Indicators of Wetlands Hydrology	Indicators that can be Reliable with Proper Interpretation	Indicators of the Influence of Water
<input type="checkbox"/> Water-stained leaves <input type="checkbox"/> Evidence of aquatic fauna <input type="checkbox"/> Iron deposits <input type="checkbox"/> Algal mats or crusts <input type="checkbox"/> Oxidized rhizospheres/pore linings <input type="checkbox"/> Thin muck surfaces <input type="checkbox"/> Plants with air-filled tissue (aerenchyma) <input type="checkbox"/> Plants with polymorphic leaves <input type="checkbox"/> Plants with floating leaves <input type="checkbox"/> Hydrogen sulfide odor	<input type="checkbox"/> Hydrological records <input type="checkbox"/> Free water in a soil test hole <input checked="" type="checkbox"/> Saturated soil <input type="checkbox"/> Water marks <input type="checkbox"/> Moss trim lines <input type="checkbox"/> Presence of reduced iron <input type="checkbox"/> Woody plants with adventitious roots <input type="checkbox"/> Trees with shallow root systems <input type="checkbox"/> Woody plants with enlarged lenticels	<input type="checkbox"/> Direct observation of inundation <input type="checkbox"/> Drainage patterns <input type="checkbox"/> Drift lines <input type="checkbox"/> Scoured areas <input type="checkbox"/> Sediment deposits <input type="checkbox"/> Surface soil cracks <input type="checkbox"/> Sparsely vegetated concave surface <input type="checkbox"/> Microtopographic relief <input checked="" type="checkbox"/> Geographic position (depression, toe of slope, fringing lowland)
Remarks (describe recorded data from stream gauge, monitoring well, aerial photos, previous inspections, if available):		

This form is only for BVW delineations. Other wetland resource areas may be present and should be delineated according to the applicable regulatory provisions.



## VEGETATION – Use both common and scientific names of plants.

<u>Tree Stratum</u> Plot size <u>30 feet</u>		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name	Scientific name				
1. Red Maple	Acer rubrum	FAC <input checked="" type="checkbox"/>	0.8	Yes <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>
2. E. White Pine	Pinus strobus	FACU	1.1	Yes	No
3. N. Red Oak	Quercus rubra	FACU	0.8	Yes	No
4.					
5.					
6.					
7.					
8.					
9.					
			<u>2.7</u>	= Total Cover	
<u>Shrub/Sapling Stratum</u> Plot size <u>15 feet</u>		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name	Scientific name				
1. Winterberry Holly	Ilex verticillata	FACW	20.5	Yes	Yes
2. Silky Dogwood	Cornus amomum	FACW	10.5	Yes	Yes
3.					
4.					
5.					
6.					
7.					
8.					
9.					
			<u>31.0</u>	= Total Cover	
<u>Herb Stratum</u> Plot size <u>5 feet</u>		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name	Scientific name				
1. Skunk Cabbage	Symplocarpus foetidus	OBL	20.5	Yes <input checked="" type="checkbox"/>	Yes
2. Spinulose Wood-fern	Dryopteris spinulosa	FACW <input checked="" type="checkbox"/>	10.5	Yes	Yes
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
			<u>31.0</u>	= Total Cover	



## VEGETATION – continued.

<u>Woody Vine Stratum</u>		Plot size <u>30 feet</u>		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name	Scientific name						
1. NA							
2.							
3.							
4.							
				0.0 = Total Cover			

<b>Rapid Test:</b> Do all dominant species have an indicator status of OBL or FACW? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
<b>Dominance Test:</b>	Number of dominant species	Number of dominant species that are wetland indicator plants		Do wetland indicator plants make up $\geq 50\%$ of dominant plant species? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	7	5		
<b>Prevalence Index:</b>		Total % Cover (all strata)	Multiply by:	Result
	OBL species	1	X 1	= 1.00
	FACW species	2	X 2	= 4.00
	FAC species	1	X 3	= 3.00
	FACU species	2	X 4	= 8.00
	UPL species		X 5	= 0.00
	Column Totals	(A) 6		(B) 16
Prevalence Index		B/A = <b>2.67</b>		Is the Prevalence Index $\leq 3.0$ ? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Wetland vegetation criterion met?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>				

## Definitions of Vegetation Strata

- Tree - Woody plants 3 in. (7.62 cm) or more in diameter at breast height (DBH), regardless of height
- Shrub / Sapling - Woody plants less than 3 in. (7.62 cm) DBH and greater than or equal to 3.3 ft. (1 m) tall
- Herb - All herbaceous (non-woody plants, regardless of size, and woody plants less than 3.3 ft. (1 m) tall
- Woody vines - All woody vines greater than 3.3 ft. (1 m) in height

Cover Ranges	
Range	Midpoint
1-5 %	3.0 %
6-15 %	10.5 %
15-25 %	20.5 %
26-50 %	38.0 %
51-75 %	63.0 %
76-95 %	85.5 %
96-100 %	98.0 %

## SOIL

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Location <sup>2</sup>		
2.00	10YR 2/1	100.0%		0.0%			mucky fsl	
8.00	10YR 4/2	95.0%	7.5YR 4/4	5.0%	C	M	sand	
		0.0%		0.0%				
		0.0%		0.0%				
		0.0%		0.0%				
		0.0%		0.0%				
		0.0%		0.0%				
		0.0%		0.0%				
		0.0%		0.0%				
		0.0%		0.0%				
		0.0%		0.0%				

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains    <sup>2</sup>Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators (Check all that apply)	Indicators for Problematic Hydric Soils
<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Polyvalue Below Surface (S8)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Thin Dark Surface (S9)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Loamy Mucky Mineral (F1)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)
<input type="checkbox"/> Stratified Layers (A5)	<input type="checkbox"/> Depleted Matrix (F3)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Redox Dark Surface (F7)
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Depleted Dark Surface (F8)
<input checked="" type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> 2 cm Muck (A10)
<input checked="" type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)
<input type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> Dark Surface (S7)
<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> Polyvalue Below Surface (S8)
<input type="checkbox"/> Dark Surface (S7)	<input type="checkbox"/> Thin Dark Surface (S9)
	<input type="checkbox"/> Iron-Manganese Masses (F12)
	<input type="checkbox"/> Mesic Spodic (A17)
	<input type="checkbox"/> Red Parent Material (F21)
	<input type="checkbox"/> Very Shallow Dark Surface (TF12)
	<input type="checkbox"/> Other (Include Explanation in Remarks)

Restrictive Layer (if observed)    Type: \_\_\_\_\_    Depth (inches): \_\_\_\_\_

Remarks:

Hydric Soils criterion met?    Yes ☒    No ☐



**NOTIFICATION TO ABUTTERS UNDER THE  
MASSACHUSETTS WETLANDS PROTECTION ACT  
CHAPTER 131, SECTION 40  
AND  
THE TOWN OF BELLINGHAM WETLANDS PROTECTION BY LAW**

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the Bellingham Wetlands Protection Bylaw, you are hereby notified of the following:

D & C Pavone Enterprises LLC has filed a Notice of Intent/Abbreviated Notice of  
(Applicant)  
Intent/ Abbreviated Notice of Resource Area Delineation/Request for Amendment;  
with the Bellingham Conservation Commission for review of the following activity:

Description of Project:

Redevelop the existing site for commercial use  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The location of the proposed activity is  
Assessors Map 43 Lot 18-0000  
Street address: 123 Mendon Street  
\_\_\_\_\_

Copies of the filing may be examined at the Bellingham Conservation Commission office  
during their normal business hours (please call 508-657-2858) OR at the following  
Applicant or representative name D & C Pavone Enterprises LLC  
Address: 45 Comstock Drive, Wrentham MA 02093  
Phone number: \_\_\_\_\_

Questions regarding the filing may be directed to the Conservation Commission at  
508-657-2858 OR the Applicant's representative (Please see above)

The public hearing will be held at the Bellingham Municipal Center, 10  
Mechanic Street, Bellingham. Information on the date and time of the hearing may be  
directed to the Conservation Commission or the applicant's representative at the above  
numbers.

NOTE: Notice of the public hearing, including date, time and place:

1. Will be published at least five (5) days in advance in the Woonsocket Call
2. Will be posted at the Town Clerk's Office and on the town web site no less than  
forty-eight (48) hours in advance of the public hearing.

NOTE: You may also contact the nearest Department of Environmental Protection  
Regional Office for more information about this application or the Wetlands  
Protection Act. To contact DEP, call Central Regional (508)-792-7650

11/27/24  
Date





## ***TOWN OF BELLINGHAM***

*Assessment Administration Office*  
Municipal Center - 10 Mechanic Street  
Bellingham, Massachusetts 02019  
508-657-2862 \* FAX 508-657-2894  
Email: [Assessors@bellinghamma.org](mailto:Assessors@bellinghamma.org)  
[www.bellinghamma.org](http://www.bellinghamma.org)

November 18, 2024

**THE PROPERTY OWNERS LISTED HEREIN ARE THE KNOWN ABUTTERS TO  
THE PROPERTY OWNERS:**

**300 feet Abutters – Planning Board – Map 43 Parcel 18**

Property Address(es): 123 Mendon St  
Bellingham, MA 02019

Owner(s) of Record: D & C Pavone Enterprises LLC  
45 Comstock Dr  
Wrentham, MA 02093

Requested by Land Planning, Inc (Betty)  
167 Hartford Ave  
Bellingham, MA 02019

**ABUTTERS ATTACHED**

Certified: Michelle Nowlan  
*Michelle Nowlan, Principal Clerk*









# 300 feet Abutters List Report

Bellingham, MA  
November 18, 2024

## Subject Property:

Parcel Number: 0043-0018-0000  
CAMA Number: 0043-0018-0000  
Property Address: 123 MENDON ST

Mailing Address: D & C PAVONE ENTERPRISES LLC  
45 COMSTOCK DR  
WRENTHAM, MA 02093

---

## Abutters:

Parcel Number: 0043-0010-0000  
CAMA Number: 0043-0010-0000  
Property Address: 165 MENDON ST

Mailing Address: RICHARD, KATHLEEN CASEY,  
DANIELLE N  
30 RUSSEN RD  
BELLINGHAM, MA 02019

Parcel Number: 0043-0019-0000  
CAMA Number: 0043-0019-0000  
Property Address: MENDON ST

Mailing Address: NORTHEAST ENERGY ASSOC-IEC  
ATTN: PROPERTY TAX - PSX/JB  
700 UNIVERSE BV  
JUNO BEACH, FL 33408

Parcel Number: 0043-0020-0000  
CAMA Number: 0043-0020-0000  
Property Address: 115 MENDON ST

Mailing Address: VICTORY, LLC  
30 TALBOTT FARM DR  
MENDON, MA 01756

Parcel Number: 0048-0001-0001  
CAMA Number: 0048-0001-0001  
Property Address: MENDON ST

Mailing Address: SHEA HIGH POINT TRUST II KENNETH J  
A & JOHANN M SHEA-TR  
627 HIGH POINT DR  
MOUNT DORA, FL 32757

Parcel Number: 0048-0002-0000  
CAMA Number: 0048-0002-0000  
Property Address: 112 MENDON ST

Mailing Address: SHEA HIGH POINT TRUST II KENNETH J  
A & JOHANN M SHEA-TR  
627 HIGH POINT DR  
MOUNT DORA, FL 32757

Parcel Number: 0048-004B-0000  
CAMA Number: 0048-004B-0000  
Property Address: 128 MENDON ST

Mailing Address: T.A.A. REALTY LCC  
134-140 MENDON ST  
BELLINGHAM, MA 02019



[www.cai-tech.com](http://www.cai-tech.com)

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

11/18/2024

Page 1 of 1



## Application for Permit Bellingham Wetlands Protection Bylaw & Regulations

**1. Applicant:** Name: Mark Pavone Phone: 508-530-8681  
Address: 45 Comstock Drive, Wrentham  
E-mail:  
**2. Project Location:** Street: 123 Mendon Street  
Assessor's Map 43 Parcel\Lot 18

**3. This application is filed simultaneously with and consistent with the Project Filing Guidelines found on the town web site for:**

- ☐ Request for Determination of Applicability  
☐ Abbreviated Notice of Resource Area Delineation  
☒ Notice of Intent  
☐ Abbreviated Notice of Intent  
☐ Amendment Request

**Resource Area(s) Delineation to be confirmed:** (Please complete number of linear feet)

# Linear Feet

850' Bordering Vegetated Wetlands (BVW)  
Bordering Land Subject to Flooding (BLSF)  
Isolated Land Subject to Flooding (ILSF)  
Isolated Vegetated Wetland (IVW)  
Land Under Water Bodies (LUWB)  
Bank  
700' Perennial Stream: (MHAW) Stream Name: none  
Intermittent Stream:

Is Estimated or Priority Habitat present on the site? Yes No ☒

Species:

Number of Vernal Pools present on the site: Certified Potential

**4. Work is proposed in the following Resource Areas:**

<input type="checkbox"/> Bank	Total # of square feet of impacts:	
<input type="checkbox"/> Beach or Flat	Total # of square feet of impacts:	
<input type="checkbox"/> Land Subject to Flooding(bordering or isolated)	Total # of square feet of impacts	
<input type="checkbox"/> Bordering Vegetated Wetlands	Total # of square feet of impacts	
<input checked="" type="checkbox"/> Buffer Zone	Total # of square feet of impacts	10,360
<input type="checkbox"/> Isolated Wetland	Total # of square feet of impacts	
<input type="checkbox"/> Lakes or Ponds	Total # of square feet of impacts	
<input type="checkbox"/> Land under Water Bodies	Total # of square feet of impacts	
<input checked="" type="checkbox"/> Riverfront Area	Total # of square feet of impacts	
<input type="checkbox"/> Vernal Pool	Total # of square feet of impacts	4,000
	<b>Total # of above</b>	<b>14,360</b>



**5. Work is proposed in the following No Alteration Zones:**

<input type="checkbox"/> Areas of Critical Environmental Concern	Total# of square feet of impacts	_____
<input type="checkbox"/> Buffer Zone 0 -25 feet	Total# of square feet of impacts	_____
<input type="checkbox"/> Estimated Habitat	Total# of square feet of impacts	_____
<input type="checkbox"/> Priority Habitat	Total# of square feet of impacts	_____
<input type="checkbox"/> 0 – 50 feet No Disturb Zone to Vernal Pool	Total# of square feet of impacts	_____
	<b>Total of above</b>	_____

**6. Work in buffer zone only:**

<input type="checkbox"/> 0-25 feet	Total# of square feet of impacts	_____
<input type="checkbox"/> 25-50 feet	Total# of square feet of impacts	_____
<input type="checkbox"/> 50-100 feet	Total# of square feet of impacts	_____
	<b>Total of above</b>	_____

**7. Project Description:**

**a. Existing Conditions where work is proposed**

- |  |  |
|--|--|
| <input type="checkbox"/> Impervious  | <input type="checkbox"/> Lawn or landscaped area |
| <input type="checkbox"/> Regulated Resource Area                             | <input type="checkbox"/> Wooded or natural area  |
| <input checked="" type="checkbox"/> Other previously disturbed/degraded area |  |

**b. Description of proposed work:** Construction of an office building and associated utilities

**c. Type of equipment required for project:** Construction

**d. Type of erosion control proposed:** wattles

**8. Plans must adhere to the criteria in Section 29 “Plan Requirements” of the Regulations.**

**9. Project Impacts (Use separate page if necessary referring to corresponding item)**

**Buffer Zone Setback:**

If the project involves work in the buffer zone only, what is the shortest distance between project disturbance and the regulated resource area? 60 feet

**Tree Cutting:**

List the number of trees and approximate diameter of tree(s) in jurisdictional areas proposed for removal: (Use separate sheet if necessary.) 0

**Fill & grading:**

Amount of fill proposed for removal from site	<u>0</u>	cu yds.
Amount of fill proposed for use on site	+/- <u>3,600</u>	cu yds.

Explain the difference between the proposed final grade and the existing conditions. \_\_\_\_\_

finish grade will be higher than pre-construction

Explain proposed site stabilization methodology during and post construction. \_\_\_\_\_

during construction exposed soils will be covered with mulch as necessary  
post construction the site will be grassed, mulched, and paved

10. If an exemption or waiver from the WPA or the Bellingham Wetland Bylaw will be required to complete the proposed project, the applicant shall, at the time of filing, provide information consistent with six requirements listed in Section 10 of the Bellingham Wetland Regulations.

11. The following completed items are included in each set of the filing:

☒ Abutters list, ☒ Abutter Notification Form, ☒ Affidavit of Service, ☒ Bylaw Fee Calculation, ☒ Worksheet & remittance ☒ Plans (see #8 above), ☒ Narrative for projects **Please include:** THUMB DRIVE with pdf copy of entire filing

12. **Statement of applicant:** I hereby certify under penalties of perjury that this application and all supporting plans and documents are true and complete to the best of my knowledge and that these have been prepared in conformance with the requirement of the Bellingham Wetlands Protection Bylaw and its attendant Regulations I further certify that all abutters and other parties have been notified of this application as required by the Bellingham Wetlands Protection Regulations. I understand that I may be asked to pay for a consultant to review my application for the Commission.

**Initialed sign off by Treasurer's Office:**

**CERTIFICATION OF MUNICIPAL TAXES AND CHARGES PAID  
TOWN OF BELLINGHAM**

Property Information	
Parcel ID	43-18
Map	43
Lot	18
Street Number	123
Street Name	Mendon Street
First Name	Mark
Last Name	Pavone

As the  
Collector

Taxes / Charges	Paid
Tax Title	<input checked="" type="checkbox"/> MA
Motor Excise Tax	<input checked="" type="checkbox"/> MA
Real Estate Tax	<input checked="" type="checkbox"/> MA
Personal Property Tax	<input checked="" type="checkbox"/> MA
Water	<input checked="" type="checkbox"/>
Sewer	<input checked="" type="checkbox"/>
Trash	<input checked="" type="checkbox"/>

As the Collector/Treasurer for the Town of Bellingham, MA I certify that the municipal taxes are paid in full for the above property.

Mary Stone  
(Print name)

Mary Stone  
(Signature)

11/27/24  
(Date)



**Town of Bellingham Wetlands Protection Bylaw  
Fee Calculations Worksheet**  
(Bylaw Fees are in addition to WPA Fees)  
**Fees must be submitted with application**  
(Check to be made payable to "Town of Bellingham")

1. A flat fee of \$50.00 each for the following requests: (check off appropriate item)

\_\_\_\_\_ Request for Determination of Applicability (RDA)..... \$ \_\_\_\_\_  
(For RDA also see item 4 or 5 below as appropriate)  
\_\_\_\_\_ Request for an Extension to Orders of Conditions (Ext)----- \$ \_\_\_\_\_

2. The following schedule applies for Notice of Intent (NOI) categories at 310CMR 10.03(7) (c), as follows:

\*(Also complete Item #4 below for all filings including RDA, NOI and ANRAD and Item #5 for Riverfront Area if applicable.)

	No.	Total
Category 1	\$ 50.00 per activity x _____	= \$ _____
Category 2	\$125.00 per activity x <u>2</u>	= \$ <u>250.00</u>
Category 3	\$250.00 per activity x _____	= \$ _____
Category 4	\$500.00 per activity x _____	= \$ _____
Category 5	\$ 2.00 per linear ft. x _____	= \$ _____

3. A flat fee of \$50.00 for Request for an Amendment to each existing Order of Conditions permit:

\$ 50.00 per activity x \_\_\_\_\_ = \$ \_\_\_\_\_

4. Application for review of Resource Area Delineation: .20 per linear foot (not less than \$25.00 or more than \$200.00 for single family house projects; not less than \$50.00 or more than \$2,000.00 for any other activity).

- *This fee will be in addition to the fee for a Request for Determination of Applicability (RDA) or Notice of Intent (NOI) listed in items #1 for RDA and #2 NOI or Abbreviated Notice of Resource Area Delineation (ANRAD).*

Type of activity: construction of office building

Total linear feet 1,550 x .20/linear foot = \$ 310.00  
((\$25/ min. or \$2000/ max.)

5. Fees for projects within the Riverfront Area and another resource area shall be 150% of the above fees:

(Check off appropriate item below)

\_\_\_\_\_ Request for Determination of Applicability (RDA) \$ 50.00 x 150% = \$ \_\_\_\_\_  
\_\_\_\_\_ Notice of Intent (NOI) (total from item 2 above) \$ \_\_\_\_\_ x 150% = \$ \_\_\_\_\_

Total Bylaw Fee Submitted \$ 560.00

DEP & BWP File No. \_\_\_\_\_

Name & Address of Applicant: Mark Pavone, 45 Comstock Drive, Wrentham

Project name (if applicable): \_\_\_\_\_

Project location: Assessors Map: 43 Lot or Parcel: 18 Street Address: 123 Mendon Street



**Land  
Planning  
Inc.**

**Date: November 26, 2024**

**Site Address: 123 Mendon Street  
Bellingham, MA**

**Parcel ID: 0043-0018-0000**

This project narrative and alternative analysis is submitted on behalf of the property owner D & C Pavone Enterprises LLC and in support of the Notice of Intent filed with the Bellingham Conservation Commission.

## **1.0 Project Narrative**

### **Existing Conditions**

The project site is 73,933 ft<sup>2</sup> and is located at 123 Mendon Street. Currently, the property is vacant; however, aerial images as well as municipal records indicate that two structures existed on the property. Records indicate that the property was previously utilized as a storage area, used car lot, and auto salvage yard.

At the time of this proposal both structures had been removed. The existing land coverage consists of pavement, gravel, woodland, and grass. The property also contains a gas easement as shown on the submitted plan sets.

The property is within the buffer zone of two Bordering Vegetated Wetlands (BVW) and the Riverfront Area (RFA) adjacent to a perennial river. The RFA located on-site is 56,909 ft<sup>2</sup> which is 77% of the entire lot area.

### **Proposed Site Redevelopment**

The proposal includes the construction of a commercial building, parking facility, stormwater management system, on-site sewage disposal system, and two truegrid system fire access turning areas. The proposed site redevelopment takes place within the limits of the existing paved and gravel parking areas located on-site. All construction activities occur within the upland area and a 25-foot undisturbed area, to the BVW, is maintained.

In summary, the proposal will reduce the imperviousness of the site by 25,579 ft<sup>2</sup>. The following tables document the land use coverage of the entire site as well as the areas within the RFA as compared to the existing conditions.



<b>Site Land Use Coverages</b>		
<u>Coverage Type</u>	<u>Existing (ft<sup>2</sup>)</u>	<u>Proposed (ft<sup>2</sup>)</u>
Pavement & Gravel	38,153	12,574
Grass	22,296	42,000
Woodland	13,544	13,544
Truegrid System	-	5,875
Total Lot Area	73,993	73,993

<b>Riverfront Land Use Coverages</b>		
<u>Coverage Type</u>	<u>Existing (ft<sup>2</sup>)</u>	<u>Proposed (ft<sup>2</sup>)</u>
Degraded/ Impervious	21,321	11,000
Grass	22,043	29,318
Woodland	13,545	13,545
Truegrid System	-	3,046
Total RFA	56,909	56,909

## **2.0 Regulatory Framework**

### **Massachusetts Rivers Protection Act**

The Riverfront Area ("RFA") Regulations at 310 CMR 10.58(4) require that work in the RFA have no significant adverse impact on the ability of the Riverfront Area to protect the interests of the Act, and that there be no practicable and substantially equivalent economic alternatives to the proposed project with less adverse effects on the interests of the Act. Supporting design plans prepared by Land Planning, Inc., demonstrate compliance with the "no adverse impact" provisions of the Regulations.

### **Performance Standards**

#### **(a) Protection of Other Resource Areas:**

This standard is satisfied by the proposed Project, which proposes no direct impacts to any other State Wetland Resource Areas, proposes erosion and sediment controls for all work in the Buffer Zone and upgradient areas, and includes a proposed stormwater management system that complies with the current Stormwater Standards of the Regulations.

#### **(b) Protection of Rare Species:**

The project is not located within any Estimated Habitat of Rare Wetlands Wildlife and therefore is presumed to have no adverse effect on specified habitat sites of rare wetland or upland, vertebrate, or invertebrate species, as identified by the procedures established under 310 CMR 10.59. Similarly, the Project is not located in proximity to any vernal pool habitat certified prior to the filing of the Notice of Intent and will have no adverse impact on vernal pool habitat.

#### **(c) Practicable and Substantially Equivalent Economic Alternatives:**

There must be no practicable and substantially equivalent economic alternative to the proposed project with less adverse effects on the interests identified in M.G.L. c. 131 § 40.

Definition of Practicable: The Regulations at 310 CMR 10.58(4)(c)1 require that a project in RFA must have no practicable and substantially equivalent economic alternative to the proposed project with less adverse effects on the interests identified in M.G.L. c. 131 § 40. The Regulations state that in determining what alternatives are "practicable" the four factors to be considered are:

- Costs, and whether such costs are reasonable or prohibitive to the owner, which is defined to be general, and not specific to an individual person or entity.
- Existing technology, which includes best available measures (i.e., the most up-to-date technology or the best designs, measures, or engineering practices that have been developed and are commercially available)
- The Proposed Use. The Regulations state that "in the context of projects where the purpose implies a business component, such as residential subdivision, commercial, and industrial projects, the proposed use typically requires economic viability.;" The purpose of the proposed project is to expand a Commercial Parking and Retail Facility. All proposed activity occurs in the upland and provides a 25-foot undisturbed area to a BVW. A further reduction of vessel parking spaces would render the project "un-economic" and would not meet the project purpose.
- Logistics.



## **3.0 Regulatory Compliance**

### **Protection of Other Resources**

The proposal provides protection of additional resources by reducing the overall imperviousness of the property, implementing construction period sediment & erosion control best management practices, and providing a long-term operation and maintenance plan for the proposed stormwater management facility.

The reduction of site imperviousness will improve the sites impact on additional resources by two means. The first will reduce the contaminant loading of the property on nearby resource areas improving stormwater runoff water quality. The second will be an improvement of stormwater recharge capabilities of the property.

### **Protection of Rare Species**

The project site is not located within the limits of the mapped Natural Heritage and Endangered Species area. This standard does not apply to this project.

### **Practicable and Sustainable Equivalent Economic Alternatives**

As documented in Section 4, there are no other practicable or sustainable economically equivalent alternatives.

## **4.0 Alternatives**

### **Alternatives #1: Utilize the site's current use**

Prior to the existing property owner, the site was a used car lot and auto salvage yard. Currently the property is used for the storage of telecommunication equipment. This alternative does not meet the needs of the applicants' intended use of the property. The applicant's intent is to provide an office for their telecommunication construction company and to provide office rental space for other community businesses.

### **Alternatives #2: Other uses**

The property can be utilized for any additional "by right" uses as documented within the current Zoning Bylaw. This alternative needs to meet the intended need of the property owner/applicant but also would need to be less impactful and demanding on the property when designing the redevelopment site.

### **Alternatives #3: Optimize existing degraded area to the max. extent**

The majority of the site consists of impervious/ degraded surface. This area can be utilized to its maximum extent when proposing the site to be developed for the applicants intended use. This alternative does not meet the requirements as documented within Section 2 of this report or the redevelopment requirement to improve the overall site. See redevelopment criteria and compliance documented below.

### **Alternative #4: Other available properties**

The current property owner acquired the property less than 2 years ago. The owner/ applicant chose this property because it suited their needs including but not limited to zoning, allowable uses, cost, etc.

### **Alternative #5: Reduction in project scope**

The further reduction in building size and by effect parking facility size would render the project "un-economic". This alternative does not meet the proposed used component of practicable and substantially equivalent economic alternative as documented above by extension of 310 CMR 10.58.



## 5.0 Redevelopment Standards

### (a) Overall site improvement

The current proposal improves the overall site conditions by reducing site imperviousness, improving stormwater recharge capabilities, and stormwater runoff water quality.

### (b) Stormwater Management

Stormwater management is provided according to standards established by the Mass Stormwater Handbook Standards and the Local Stormwater Management prescriptive requirements.

### (c) Riverfront Alteration Location

The proposed site alterations are located on a previously developed site. Alterations take place no closer than the existing alteration area. Additionally, the previously developed area within the 100-ft inner riparian area will not be altered.

### (d) Riverfront Alteration Location

The proposed work takes place at the extent of the riverfront area as feasibly possible.

### (e) Degraded Area

The RFA on-site consists of 21,321 ft<sup>2</sup> of impervious/ degraded area. The project proposes to reduce the degraded area on-site to 11,000 ft<sup>2</sup>.

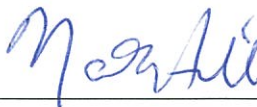
### (f) Degraded Area Restoration

The project proposes to reduce/ restore 10,321 ft<sup>2</sup> of degraded area on-site. Restoration includes improvements to site grading to decrease stormwater runoff and increase stormwater infiltration. The existing degraded area will be converted to lawn and planting areas were indicated on the plan set.

### (g) Alteration Restoration

The total proposed alterations within the riverfront not associated with degraded area restoration and stormwater management comply with the requirements of 310 CMR 10.

Land Planning, Inc.



Norman G. Hill, P.E. #31887

11-27-24

Date