



DIVISION OF  
**FISHERIES & WILDLIFE**

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**MASS.GOV/MASSWILDLIFE**

Louis Petrozzi  
Wall Street Development Corp.  
2 Warthin Circle  
Norwood, MA 02062

Bellingham Conservation Commission  
Municipal Center  
10 Mechanic Street  
Bellingham, MA 02019

RE:      Applicant:                    Louis Petrozzi, Wall Street Development Corp.  
            Project Location:            Blackstone Street  
            Project Description:        Improvements to Blackstone Street  
            DEP Wetlands File No.:        Unavailable  
**NHESP Tracking No.:    23-5205**

Dear Commissioners & Applicant:

The Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife (the “Division”) received a Notice of Intent in compliance with the rare wetland wildlife species provisions of the Massachusetts Wetlands Protection Act Regulation (WPA; 310 CMR 10.59).

The Division has determined that this Project, as currently proposed, will occur within the designated Priority Habitat of the following species:

<u>Scientific name</u>	<u>Common Name</u>	<u>Taxonomic Group</u>	<u>State Status</u>
<i>Terrapene carolina</i>	Eastern Box Turtle	Turtle	Special Concern

This species and its habitats are protected in accordance with the rare species provisions of the WPA and the MA Endangered Species Act Regulations (321 CMR 10.18).

The purpose of the Division's review of the proposed project under the WPA Regulations is to determine whether the project will adversely affect the Resource Areas Habitats of state-listed rare wetland wildlife species. The purpose of the Division's review under the MESA Regulations is to determine whether a Take of state-listed species will result from the proposed project.

## MA WETLANDS PROTECTION ACT (WPA)

Based on the information provided and the information currently contained in our database, the Division has determined that this project, as currently proposed, **will not adversely affect** the actual Resource Area Habitat of state-protected rare wetland wildlife species. Therefore, this project appears to meet the state-listed species performance standard for the issuance of an Order of Conditions.

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Please note that this determination addresses only the matter of rare wildlife habitat and does not pertain to other wildlife habitat issues that may be pertinent to the proposed project.

**MA ENDANGERED SPECIES ACT (MESA)**

The project occurs within designated Priority Habitat of Rare Species and therefore requires review through a direct filing with the Division for compliance with the MESA. The MESA is administered by the Division, and prohibits the Take of state-protected species, which includes actions that "in reference to animals...harm...kill...disrupt the nesting, breeding, feeding or migratory activity...and in reference to plants...collect, pick, kill, transplant, cut or process...Disruption of nesting, breeding, feeding, or migratory activity may result from, but is not limited to, the modification, degradation, or destruction of Habitat" of state-listed species (321 CMR 10.02).

For a MESA Project Review Checklist and additional information about the MESA review process, please visit our website: [www.mass.gov/dfw/nhesp/regulatory-review](http://www.mass.gov/dfw/nhesp/regulatory-review). Please note that all proposed and anticipated development must be disclosed, as MESA does not allow project segmentation (321 CMR 10.16).

No soil or vegetation disturbance, work, clearing, grading or other activities related to the subject filing may be conducted anywhere on this project site until the Division has completed its MESA review. If you have any questions about this letter, please contact Melany Cheeseman, Endangered Species Review Assistant, at [melany.cheeseman@mass.gov](mailto:melany.cheeseman@mass.gov).

Sincerely,



Jesse Leddick  
Assistant Director

cc: Varney Bros. Sand & Gravel, Inc.  
MA DEP, Central Region