



D-659

A. General Information

COPY

From:

Holliston
Conservation Commission

To: Applicant

Property Owner (if different from applicant):

CRG Real Estate Development

Name

Name _____

200 Barr Harbor Drive

Mailing Address**Mailing Address**

PA

19248

City/Town

State

Zip Code

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

Existing Conditions & Tree Clearing, 555 Hopping Brook Road (3 pages)

11/17/19

Title

Date _____

Title

Date _____

2. Date Request Filed:

November 27, 2019

B. Determinations

Pursuant to the authority of M.G.L. c. 131, § 40 and Article XXX of the Bylaws of the Town of Holliston, the Conservation Commission considered your Request for Determination of Applicability, with its supporting documentation, and made the following Determinations.

Project Description (if applicable):

The applicant is seeking confirmation of the wetland delineation at 555 Hopping Brook Road prior to site clearing and development for a proposed distribution facility. The applicant does not believe that the proposed project falls within the jurisdiction of MGL c. 131 s. 40 or Article XXX, but is requesting such confirmation from the Conservation Commission prior to commencing any activity onsite.

No work within the jurisdiction of the Conservation Commission is proposed under this Request. Any and all future work within any buffer zones or other areas subject to protection shall require an additional filing with the Conservation Commission.

Project Location:

555 Hopping Brook Road

Street Address

Map 4, Block 6

Assessors Map/Plat Number

Holliston

City/Town

Lot 15.A

Parcel/Lot Number



Massachusetts Department of Environmental Protection, BRP - Wetlands
and Town of Holliston Conservation Commission
Form 2 - Determinations of Applicability
MA Wetlands Protection Act M.G.L. c. 131, §40
and Holliston Administration Bylaw, Article XXX

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B. Determinations (cont.)

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

Positive Determination

Note: No work within the jurisdiction of either/both the Act and/or the Bylaw may proceed until a final Order of Conditions (issued following submittal of a Notice of Intent or Abbreviated Notice of Intent) or Order of Resource Area Delineation (issued following submittal of Simplified Review ANRAD) has been received from the issuing authority (i.e., Conservation Commission or the Department of Environmental Protection).

☐ 1. The area described on the referenced plan(s) is an area subject to protection under the Act and/or the Bylaw. Removing, filling, dredging, or altering of the area requires the filing of a Notice of Intent.

☒ 2a. The boundary delineations of the following resource areas described on the referenced plan(s) are confirmed as accurate. Therefore, the resource area boundaries confirmed in this Determination are binding as to all decisions rendered pursuant to the Act and/or the Bylaw, as applicable, and applicable regulations regarding such boundaries for as long as this Determination is valid.

Bordering Vegetated Wetlands

☐ 2b. The boundaries of resource areas listed below are not confirmed by this Determination, regardless of whether such boundaries are contained on the plans attached to this Determination or to the Request for Determination.

☐ 3. The work described on referenced plan(s) and document(s) is within an area subject to protection under the Act and/or the Bylaw and will remove, fill, dredge, or alter that area. Therefore, said work requires the filing of a Notice of Intent.

☐ 4. The work described on referenced plan(s) and document(s) is within the Buffer Zone and will alter an Area subject to protection under the Act and/or the Bylaw. Therefore, said work requires the filing of a Notice of Intent or ANRAD Simplified Review (if work is limited to the Buffer Zone).

☐ 5. The area and/or work described on referenced plan(s) and document(s) is subject to review and approval by:

Holliston

Name of Municipality

Pursuant to the following municipal wetland ordinance or bylaw:

Holliston Wetlands Administration Bylaw

Name

Article XXX

Ordinance or Bylaw Citation



Massachusetts Department of Environmental Protection, BRP - Wetlands
and Town of Holliston Conservation Commission

Form 2 - Determinations of Applicability

MA Wetlands Protection Act M.G.L. c. 131, §40
and Holliston Administration Bylaw, Article XXX

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B. Determination (cont.)

- ☐ 6. The following area and/or work, if any, is subject to the Holliston Wetlands Administration Bylaw but not subject to the Massachusetts Wetlands Protection Act:
- ☐ 7. If a Notice of Intent is filed for the work in the Riverfront Area described on referenced plan(s) and document(s), which includes all or part of the work described in the Request, the applicant must consider the following alternatives. (Refer to the MA Wetlands Protection Act regulations at 10.58(4)c. for more information about the scope of alternatives requirements):
- ☐ Alternatives limited to the lot on which the project is located.
 - ☐ Alternatives limited to the lot on which the project is located, the subdivided lots, and any adjacent lots formerly or presently owned by the same owner.
 - ☐ Alternatives limited to the original parcel on which the project is located, the subdivided parcels, any adjacent parcels, and any other land which can reasonably be obtained within the municipality.
 - ☐ Alternatives extend to any sites which can reasonably be obtained within the appropriate region of the state.

Negative Determination

Note: No further action under the Wetlands Protection Act is required by the applicant. However, if the Department is requested to issue a Superseding Determination of Applicability, work may not proceed on this project unless the Department fails to act on such request within 35 days of the date the request is post-marked for certified mail or hand delivered to the Department. Work may then proceed at the owner's risk only upon notice to the Department and to the Conservation Commission. Requirements for requests for Superseding Determinations and Bylaw appeals are listed at the end of this document.

- ☒ 1. The area described in the Request is not an area subject to protection under the Act or the Bylaw or the Buffer Zone.
- ☐ 2. The work described in the Request is within an area subject to protection under the Act or Bylaw, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent.
- ☐ 3. The work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act or the Bylaw. Therefore, said work does not require the filing of a Notice of Intent, subject to the following conditions (if any).
- ☒ 4. The work described in the Request is not within an Area subject to protection under the Act or the Bylaw (including the Buffer Zone). Therefore, said work does not require the filing of a Notice of Intent, unless and until said work alters an Area subject to protection under the Act or the Bylaw.



Massachusetts Department of Environmental Protection, BRP - Wetlands
and Town of Holliston Conservation Commission
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MA Wetlands Protection Act M.G.L. c. 131, §40
and Holliston Administration Bylaw, Article XXX

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B. Determinations (cont.)

- ☐ 5. The area described in the Request is subject to protection under the Act. Since the work described therein meets the requirements for the following exemption, as specified in the Act and the regulations, no Notice of Intent is required:

Exempt Activity (site applicable statutory/regulatory provisions)

- ☒ 6. The area and/or work described in the Request is not subject to review and approval by:

Holliston
Name of Municipality

Pursuant to a municipal wetlands ordinance or bylaw.

Holliston Wetlands Administration Bylaw
Name

Article XXX
Ordinance or Bylaw Citation

C. Authorization

These Determinations are issued to the applicant and delivered as follows:

☐ by hand delivery on

☒ by certified mail, return receipt requested on

Date

1/8/2020
Date

7018 0680 0001 2949 5327

These Determinations are valid for **three years** from the date of issuance (except Determinations for Vegetation Management Plans which are valid for the duration of the Plan). These Determinations do not relieve the applicant from complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.

These Determinations must be signed by a majority of the Conservation Commission. A copy must be sent to the appropriate DEP Regional Office (see <http://www.mass.gov/dep/about/region.findyour.htm>) and the property owner (if different from the applicant).

Signatures:

Christopher Bajdek, Chair

Rebecca Weissman, Vice Chair

Jennifer Butta

Shaw Lively

Ann Marie Plich

Allen Rutberg, Ph.D.

Utah Nickel

1/7/2020
Date



**Massachusetts Department of Environmental Protection, BRP - Wetlands
and Town of Holliston Conservation Commission**

Form 2 - Determinations of Applicability

MA Wetlands Protection Act M.G.L. c. 131, §40
and Holliston Administration Bylaw, Article XXX

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D. Appeals

Under the MA Wetlands Protection Act, the applicant, owner, any person aggrieved by this Determination, any owner of land abutting the land upon which the proposed work is to be done, 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 Department of Environmental Protection Regional Office (see <http://www.mass.gov/dep/about/region.findyour.htm>) to issue a Superseding Determination of Applicability. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and Fee Transmittal Form (see 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 Determination. 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. The request shall state clearly and concisely the objections to the Determination which is being appealed.

To the extent that the Determination is based on the Holliston Wetlands Administration Bylaw and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.

Determinations issued under the Holliston Wetlands Administrative Bylaw, Article XXX of the Bylaws of the Town of Holliston, may be appealed to the MA Superior Court, or in certain limited circumstances the MA Land Court, under the provisions of M.G.L. Ch. 249, s.4, within 60 days of the date of issuance. Appeals taken to the MA Department of Environmental Protection under the MA Wetlands Protection Act only have no impact or effect on Determinations issued pursuant to the Holliston Wetlands Administration Bylaw, Article XXX.

**Special Conditions Appended to
Determination of Applicability #D-659**

555 Hopping Brook Road – Resource Area Confirmation

- 1) **AUTHORIZED WORK.** This Determination of Applicability **DOES NOT** authorize **ANY** work (i) within 100 feet of any mapped wetland as shown on the plans; (ii) within any area subject to the 100 year flood elevation; or (iii) within 200 feet of a perennial stream or river as shown on the project plan referenced in part A.1. Any activity proposed within said areas subject to jurisdiction of the Commission shall require coordination with the Conservation Commission (508-429-0607) and may require the filing of an additional Request for Determination of Applicability or a Notice of Intent prior to the commencement of said activity. Any impacts on wetland resource areas associated with such additional activities will take into consideration the cumulative impacts of such activities as well as those associated with this filing.
- 2) **STOCKPILING.** There will be no stockpiling on site (i) within 100 feet of any mapped wetland as shown on the plans; (ii) within any area subject to the 100 year flood elevation; or (iii) within 200 feet of a perennial stream or river as shown on the project plan referenced in part A.1.
- 3) **EQUIPMENT STORAGE.** No equipment will be stored (i) within 100 feet of any mapped wetland as shown on the plans; (ii) within any area subject to the 100 year flood elevation; or (iii) within 200 feet of a perennial stream or river as shown on the project plan referenced in part A.1.
- 4) **STORMWATER.** Stormwater for the building proposed at 555 Hopping Brook Road shall be directed to either existing stormwater management systems or proposed structures that will pre-treat and mitigate peak stormwater events. Any such proposed structure shall not be constructed (i) within 100 feet of any mapped wetland as shown on the plans; (ii) within any area subject to the 100 year flood elevation; or (iii) within 200 feet of a perennial stream or river as shown on the project plan referenced in part A.1 without prior coordination with the Conservation Commission via a Request for Determination of Applicability of Notice of Intent.
- 5) **FERTILIZERS/PESTICIDES/HERBICIDES.** Fertilizers utilized for landscaping and lawn care shall be low phosphate content, slow-release variety, and shall be used in moderation. Pesticides and herbicides shall not be used within 100 feet of the wetland resource area. This condition is intended to apply in perpetuity and will survive the expiration of this Determination of Applicability.



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

Mail transmittal forms and DEP payments, payable to:
Commonwealth of Massachusetts
Department of Environmental Protection
Box 4062
Boston, MA 02211

DEP Western Region
436 Dwight Street
Suite 402
Springfield, MA 01103
Phone: 413-784-1100
Fax: 413-784-1149

Adams	Colrain	Hampden	Monroe	Pittsfield	Tyringham
Agawam	Conway	Hancock	Montague	Plainfield	Wales
Alford	Cummington	Hatfield	Monterey	Richmond	Ware
Amherst	Dalton	Hawley	Montgomery	Rowe	Warwick
Ashfield	Deerfield	Heath	Monson	Russell	Washington
Becket	Easthampton	Hinsdale	Mount Washington	Sandisfield	Wendell
Belchertown	East Longmeadow	Holland	New Ashford	Savoy	Westfield
Barnardston	Egremont	Holyoke	New Marlborough	Sheffield	Westhampton
Blandford	Erving	Huntington	New Salem	Shelburne	West Springfield
Brimfield	Florida	Lanesborough	North Adams	Shutesbury	West Stockbridge
Buckland	Gill	Lee	Northampton	Southampton	Whately
Charlemont	Goshen	Lenox	Northfield	South Hadley	Wilbraham
Cheshire	Leverett	Layden	Orange	Southwick	Williamsburg
Chester	Granville	Longmeadow	Otis	Springfield	Williamstown
Chesterfield	Great Barrington	Ludlow	Palmer	Stockbridge	Windsor
Chicopee	Greenfield	Middlefield	Pelham	Sunderland	Worthington
Clarksburg	Hadley		Peru	Tolland	

DEP Central Region
627 Main Street
Worcester, MA 01608
Phone: 508-792-7650
Fax: 508-792-7621
TDD: 508-767-2788

Acton	Charlton	Hopkinton	Millbury	Rutland	Uxbridge
Ashburnham	Clinton	Hubbardston	Millville	Shirley	Warren
Ashby	Douglas	Hudson	New Braintree	Shrewsbury	Webster
Athol	Dudley	Holliston	Northborough	Southborough	Westborough
Auburn	Dunstable	Lancaster	Northbridge	Southbridge	West Boylston
Ayer	East Brookfield	Leicester	North Brookfield	Spencer	West Brookfield
Barre	Fitchburg	Leominster	Oakham	Sterling	Westford
Bellingham	Gardner	Littleton	Oxford	Stow	Westminster
Berlin	Granton	Lunenburg	Paxton	Sturbridge	Winchendon
Blackstone	Groton	Marlborough	Pepperell	Sutton	Worcester
Bolton	Harvard	Maynard	Petersham	Templeton	
Boxborough	Hardwick	Medway	Phillipston	Townsend	
Boylston	Holden	Mendon	Princeton	Tyngsborough	
Brookfield	Hopedale	Milford	Royalston	Upton	

DEP Southeast Region
20 Riverside Drive
Lakeville, MA 02347
Phone: 508-946-2700
Fax: 508-947-6557
TDD: 508-946-2795

Abington	Dartmouth	Freetown	Mattapoisett	Provincetown	Tisbury
Acushnet	Dennis	Gay Head	Middleborough	Raynham	Truro
Attleboro	Dighton	Gosnold	Nantucket	Rehoboth	Wareham
Avon	Duxbury	Hallifax	New Bedford	Rockchester	Wellfleet
Barnstable	Eastham	Hanover	North Attleborough	Rockland	West Bridgewater
Berkley	East Bridgewater	Hanson	Norton	Sandwich	Westport
Bourne	Easton	Harwich	Norwell	Scituate	West Tisbury
Brewster	Edgartown	Kingslton	Oak Bluffs	Saakonk	Whitman
Bridgewater	Fairhaven	Lakeville	Orleans	Sharon	Wrentham
Brockton	Fall River	Mansfield	Pembroke	Somerset	Yarmouth
Carver	Falmouth	Marion	Plainville	Stoughton	
Chatham	Foxborough	Marshfield	Plymouth	Swansea	
Chilmark	Franklin	Mashpee	Plympton	Taunton	

DEP Northeast Region
1 Winter Street
Boston, MA 02108
Phone: 617-654-6500
Fax: 617-556-1049
TDD: 617-574-6868

Amesbury	Chelmsford	Hingham	Methuen	Quincy	Wakefield
Andover	Chelsea	Holbrook	Middleton	Randolph	Walpole
Arlington	Cohasset	Hull	Mills	Reading	Waltham
Ashland	Concord	Ipswich	Milton	Revere	Watertown
Bedford	Danvers	Lawrence	Nahant	Rockport	Wayland
Belmont	Dedham	Lexington	Natick	Rowley	Wellesley
Beverly	Dover	Lincoln	Needham	Salem	Wenham
Billerica	Dracut	Lowell	Newbury	Salisbury	West Newbury
Boston	Essex	Lynn	Newburyport	Saugus	Weston
Boxford	Everett	Lynnfield	Newton	Sherborn	Westwood
Braintree	Framingham	Malden	Norfolk	Somerville	Weymouth
Brookline	Georgetown	Manchester-By-The-Sea	North Andover	Stoneham	Wilmington
Burlington	Gloucester	Marblehead	North Reading	Sudbury	Winchester
Cambridge	Groveland	Medfield	Norwood	Swampscott	Winthrop
Canton	Hamilton	Medford	Peabody	Tewksbury	Woburn
Carleton	Haverhill	Melrose		Topsfield	



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 (\$100 for individual single family homes with associated structures; \$200 for all other projects)
 - ☐ Superseding Determination of Applicability (\$100)
 - ☐ Superseding Order of Resource Area Delineation (\$100)

Send this form and check or money order for the appropriate amount, 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.

ALL RIGHTS RESERVED
NO PART OF THIS DOCUMENT MAY BE REPRODUCED, STORED IN A RETRIEVAL SYSTEM, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ENGINEERING DESIGN CONSULTANTS, INC. SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE CONTRACT DOCUMENTS.

ENGINEERING DESIGN CONSULTANTS, INC. SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, OR PROCEDURES UTILIZED BY THE CONTRACTOR, NOR FOR THE SAFETY OF PUBLIC OR CONTRACTOR'S EMPLOYEES; OR FOR THE FAILURE OF THE CONTRACTOR TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
ENGINEERING DESIGN CONSULTANTS, INC.'S LIABILITY FOR THIS PLAN IS LIMITED TO THE EXTENT OF ITS FEE LESS THIRD PARTY COSTS.

DATE BY: HIL
DATE BY: PSE
DATE BY: PSE

REVISED
0
11/27/19
DATE

ISSUED FOR REVIEW
DESCRIPTION



Engineering Design Consultants, Inc.
32 Turnpike Road
Southborough, Massachusetts
ph: (508) 480-0225 fax: (800) 892-5781

555 HOPPING BROOK ROAD
HOLLISTON, MASSACHUSETTS
(MIDDLESEX COUNTY)

TITLE: EXISTING CONDITIONS & TREE CLEARING
555 HOPPING BROOK ROAD
HOLLISTON, MASSACHUSETTS
OWNER/APPLICANT: CRG INTEGRATED REAL ESTATE SOLUTIONS
200 Barr Harbor Drive
Conshohocken, PA 19248

FILE NO.: 3663 TREECLEARING
TREE CLEARING
DATE: NOVEMBER 27, 2019
SHEET NO.: 1 OF 3
1



ENGINEERING DESIGN CONSULTANTS, INC. SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, MATERIALS, OR PROGRAMS (UNLESS BY THE CONTRACTOR) FOR THE SAFETY OF PUBLIC OR CONTRACTOR TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.

DATE	11/22/19
REV	0
ISSUED FOR REVIEW	
DESIGNED BY	
CHECKED BY	
DATE	11-22-19



Engineered by:
Engineering Design Consultants, Inc.
32 Turnpike Road
Southborough, Massachusetts
ph: (508) 480-0225 fax: (508) 532-5781

PROJECT:
**555 HOPPING BROOK ROAD
HOLLISTON, MASSACHUSETTS
(MIDDLESEX COUNTY)**

DRAWN BY:
**EXISTING CONDITIONS & TREE CLEARING
555 HOPPING BROOK ROAD
HOLLISTON, MASSACHUSETTS**
CHECKED/REVISED:
**ORG INTEGRATED REAL ESTATE SOLUTIONS
200 Barr Harbor Drive
Conshohocken, PA 19248**

DATE: NOVEMBER 27, 2019
SHEET: 2 OF 3
PROJECT: TREE CLEARING (2)



ALL RIGHTS RESERVED

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ENGINEERING DESIGN CONSULTANTS, INC. SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, OR PROCEDURES UTILIZED BY THE CONTRACTOR, NOR FOR THE SAFETY OF PUBLIC OR CONTRACTOR'S EMPLOYEES, OR FOR THE FAILURE OF THE CONTRACTOR TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.

ENGINEERING DESIGN CONSULTANTS, INC.'S LIABILITY FOR THIS PLAN IS LIMITED TO THE EXTENT OF ITS FEE LESS THIRD PARTY COSTS.

DRAWN BY: WHL
CHECKED BY: PSB
DATE: 11/27/19

REVISIONS:
0 11/27/19 ISSUED FOR REVIEW

DATE DESCRIPTION



PREPARED BY:



Engineering Design Consultants, Inc.
32 Turnpike Road
Southborough, Massachusetts
ph: (508) 489-0225 fax: (508) 838-5781

PROJECT:

555 HOPPING BROOK ROAD
HOLLISTON, MASSACHUSETTS
(MIDDLESEX COUNTY)

DATE:

EXISTING CONDITIONS & TREE CLEARING
555 HOPPING BROOK ROAD
HOLLISTON, MASSACHUSETTS

OWNER/APPLICANT:

CRG INTEGRATED REAL ESTATE SOLUTIONS
200 Barr Harbor Drive
Conshohocken, PA 19248

FILE NO: 3063 TREECLEARING

TREE CLEARING (3)

DATE: NOVEMBER 27, 2019

DESIGNER PLAN NO:

3 3
3



