



CONNORSTONE ENGINEERING, INC.

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Conservation Commission
703 Washington Street, Room 009
Holliston, MA 01746

August 28, 2023

**Subject: Request for Determination of Applicability
157-165 Lowland Street**

Dear Members of the Commission:

The attached Request for Determination of Applicability (RDA) for 157-165 Lowland Street is/was an active ABC recycling facility that has changed ownership. The new owners are modernizing the operation, and would be proposing to remove/clean the ABC remnant stockpiles on-site. The following materials have been provided for your review:

1. Two copies of the RDA application package:
 - Project Narrative (below);
 - Signed WPA Form 1 (RDA);
 - Soils Map, GIS Mapping; & FEMA Map
2. Two copies of the plans "Proposed Screening Plan" of 157-165 Lowland Street, Holliston, MA, prepared by Connorstone Engineering, Inc., dated 8/28/2023.

Project Narrative

Existing Conditions: The existing conditions of the site are a working materials pit floor on remnants of a long ago gravel removal operation and various iterations of paving product manufacturing. This parcel was cut from two other adjacent parcels which have similar history to the project site. The asphalt batch plant was removed from the site, but the recycling operation attendant to that facility remained and has continued under various permitting classifications of the DEP.

Resource Areas: The portion of the project site being looked at in this RDA is the southwest corner of the site specifically the 'concrete stockpile' which is proposed to be removed from the site. A portion of this work area and the pile itself are within the 200-foot Riverfront Area (RFA) to the resource area. This pile is currently a disturbed area and the areas around it are heavily disturbed roadways for heavy machinery to operate. There is currently no vegetation growing in the existing area of work and the majority of the stockpile is outside of the RFA.

Three 'resource areas,' currently exist on site including riverfront area, buffer area to a bordering vegetated wetland (BVW), and Land Subject to Flooding (FEMA 100 year). None of these resources are being directly affected. The Riverfront area scheduled for work is an open gravel pit area devoid of vegetation and is the only resource area which will be covered. There is no work proposed in the Buffer to the BVW or the Land Subject to Flooding. The riverfront area on site is nearly all disturbed and void of vegetation and the entirety of the work covered in this RDA is disturbed and contains no vegetation.

There is a berm separating the work area of the site from the more natural area along the edge of the water.

The jurisdictional areas on site include the 200-foot Riverfront Area which extends fully onto the site and makes up about 115,000 sf. The noise berm, some 20+ feet high separates the brook from the gravel pit floor/clean up area. The 100-foot river zone generally runs along the berm and work will be kept well out of this 100-foot buffer and the Land Subject to Flooding is located on the other side of the berm and work will remain approximately 100' from it.

Proposed Work: All proposed work on site is within existing disturbed areas such as the pit floor, the concrete stockpile, and the compacted ramp all of which contain no vegetation. No undisturbed areas will be altered for the proposed work in this RDA and no tree clearing is proposed. Additionally the entirety of the work area is on the other side of a berm from the resource area creating a natural barrier between the work and rest of the buffer zone. The work will be kept approximately 150+ feet away from the riverfront area and 130+ feet away from the Land Subject to Flooding.

The proposed work will disturb approximately 5,750 sf of existing disturbed area which makes up about 5% of the overall riverfront buffer area on the site. The area being disturbed is currently being used as a stockpile for gravel/sand fill and concrete construction debris. The proposed work will be removing the construction debris from the buffer zone completely and the soil will be reused elsewhere. In total the work will remove over 18,000 cubic yards of material with a significant portion of that coming out of the buffer zone. This will better the buffer cleaning debris out of it and bringing it closer to its original grade and lowering the chances of any material ever getting over the berm to the resource areas.

Proposed work under this RDA includes but is not limited to the following:

- Removal of concrete debris
- Grading of soil to more closely match natural grade

All disturbed surface areas within the limit of work will be stabilized with loam and seed, and temporary erosion controls consisting silt fencing has been placed along the perimeter of work to protect downgradient resource areas.

Should you have any questions or require any additional information please contact our office.

Sincerely,

Connorstone Engineering, Inc.

George Connors 

cc. MassDEP Central Regional Office



WPA Form 1- Request for Determination of Applicability

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

A. General Information

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



1. Applicant:

Master Paving Corporation and Middlesex Asphalt Services Inc.
Name

info@maspaving.com
E-Mail Address

18 Hayes Street
Mailing Address

Framingham
City/Town

MA
State

01702
Zip Code

508-816-9098
Phone Number

Fax Number (if applicable)

2. Representative (if any):

Connorstone Engineering, Inc.
Firm

George Connors
Contact Name

george@gfconnorslaw.com
E-Mail Address

10 Southwest Cutoff
Mailing Address

Northborough
City/Town

MA
State

01532
Zip Code

508-393-9727
Phone Number

Fax Number (if applicable)

B. Determinations

1. I request the Holliston Conservation Commission make the following determination(s). Check any that apply:

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance or bylaw** of:

Holliston
Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



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C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

157-165 Lowland Street

Street Address

Holliston

City/Town

34

Assessors Map/Plat Number

12

Parcel/Lot Number

- b. Area Description (use additional paper, if necessary):

Existing site includes a 7.1+/- acre parcel that is developed and used for contractor operations including material processing. Regulated wetlands are located to the west of the site associated with a perennial stream (Bogastow Brook). The associated 100 year flood plain is contained along the westerly property line up to elevation 157.

- c. Plan and/or Map Reference(s):

Proposed Screening Plan of 157-165 Lowland Street, Holliston, MA

Title

8/28/2023

Date

Title

Date

Title

Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

The proposed conditions covered under this RDA would include the cleanup of a stockpile that will disturb approximately 5,750 sf of existing disturbed area which makes up about 5% of the overall riverfront buffer area on the site. The area being disturbed is currently being used as a stockpile for gravel/sand fill and concrete construction debris. The proposed work will be removing the construction debris from the buffer zone completely and the soil will be reused elsewhere.



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C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)

The lot(s) is shown on a recorded Plan of Land dated July 30, 1971. Plan is recorded at the South Middlesex Registry of Deeds as plan 1029 of 1971.



WPA Form 1- Request for Determination of Applicability

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

D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

M&M Estates, LLC

Name

6 Oregon Road

Mailing Address

Southborough

City/Town

MA

State

01772

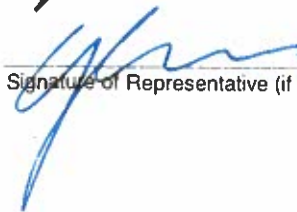
Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

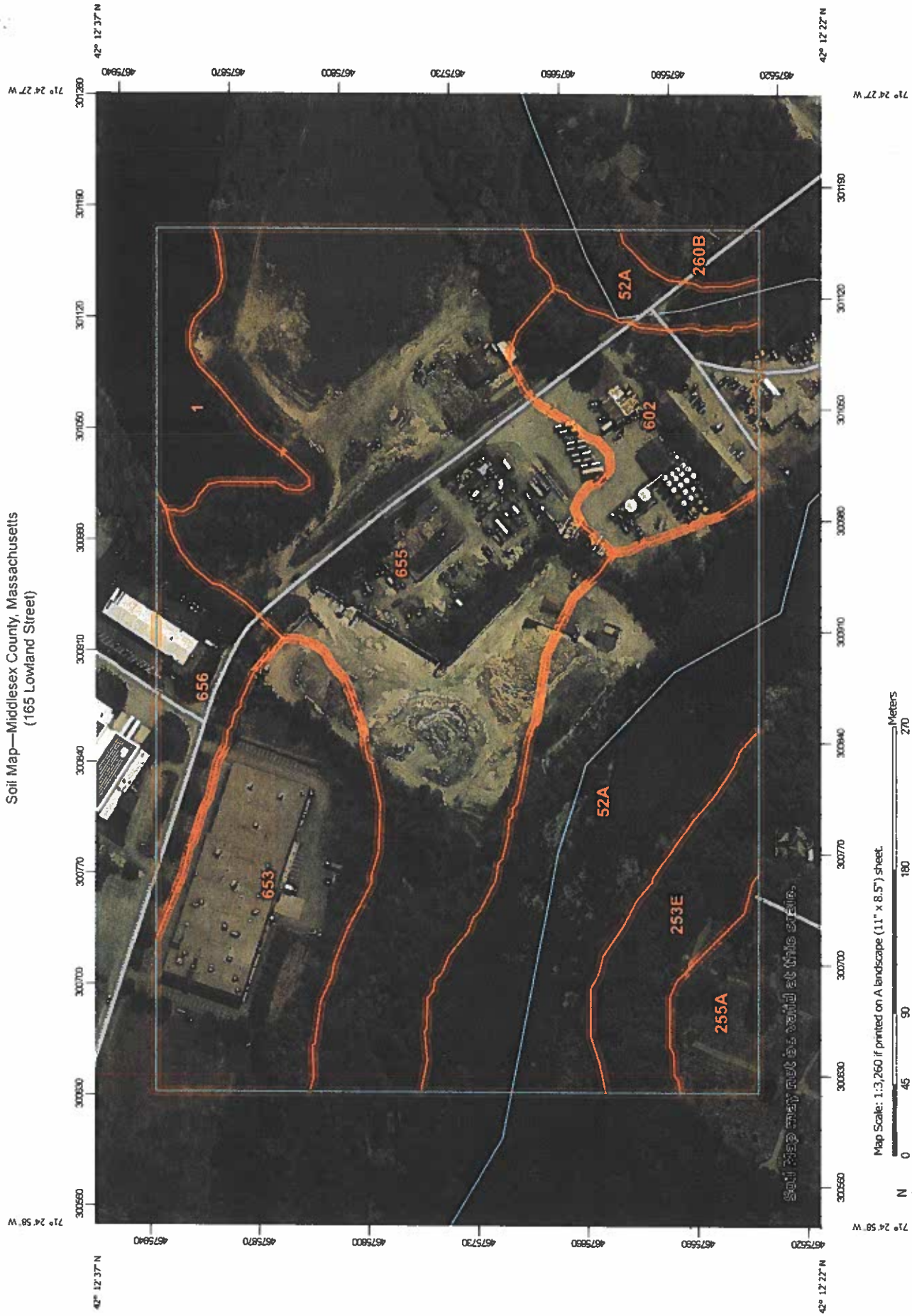
 **Agent for Applicant**

10-19-23
Date

 **Agent for M+M**

8/11/23
Date

Soil Map—Middlesex County, Massachusetts
(165 Lowland Street)



MAP LEGEND

	Area of Interest (AOI)		Spoil Area
	Soils		Stony Spot
	Soil Map Unit Polygons		Very Stony Spot
	Soil Map Unit Lines		Wet Spot
	Soil Map Unit Points		Other
	Special Point Features		Special Line Features
	Blowout		
	Borrow Pit		Streams and Canals
	Clay Spot		Transportation
	Closed Depression		Rails
	Gravel Pit		Interstate Highways
	Gravelly Spot		US Routes
	Landfill		Major Roads
	Lava Flow		Local Roads
	Marsh or swamp		Background
	Mine or Quarry		Aerial Photography
	Miscellaneous Water		
	Perennial Water		
	Rock Outcrop		
	Saline Spot		
	Sandy Spot		
	Severely Eroded Spot		
	Sinkhole		
	Slide or Slip		
	Sodic Spot		

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:25,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Middlesex County, Massachusetts
Survey Area Data: Version 22, Sep 9, 2022

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: May 22, 2022—Jun 5, 2022

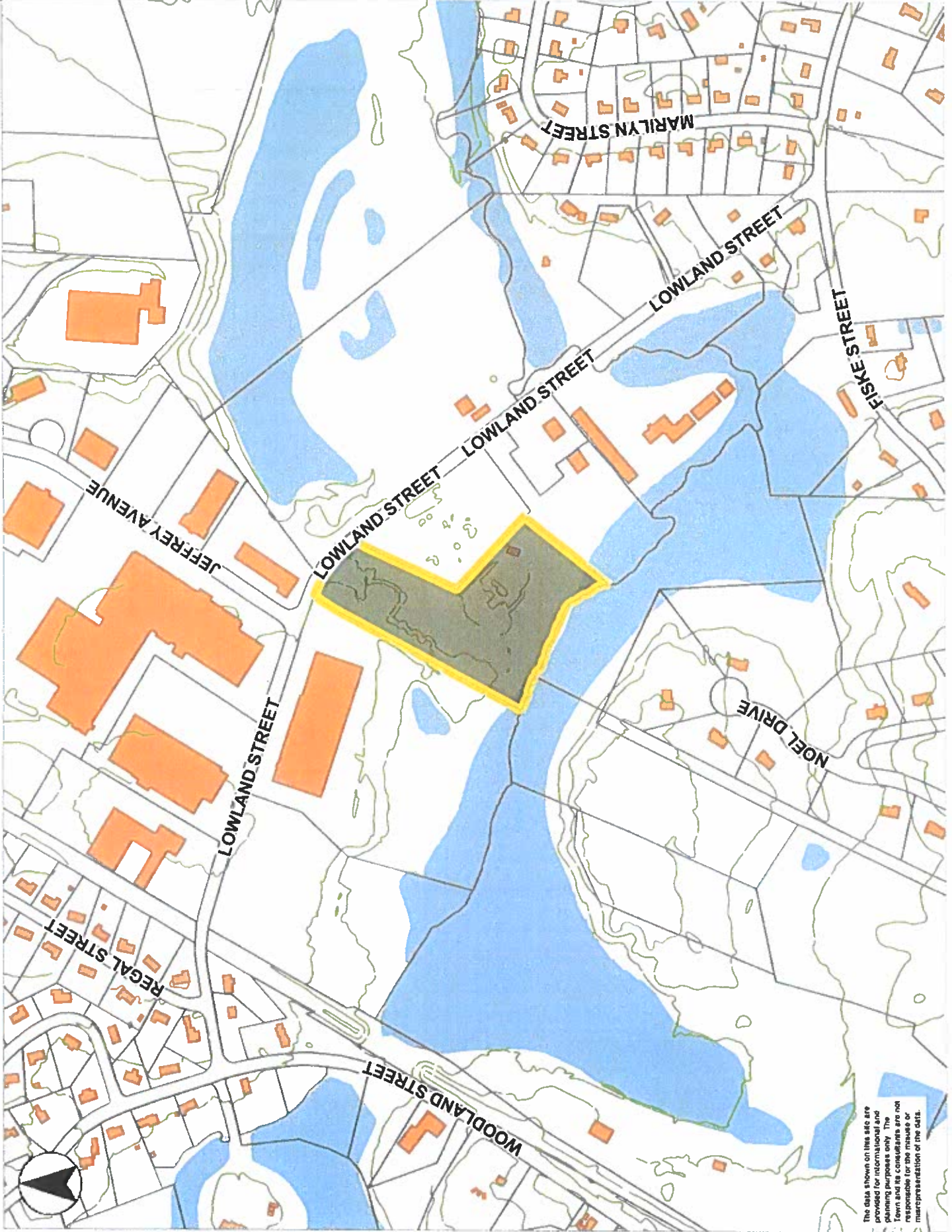
The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
1	Water	2.0	3.8%
52A	Freetown muck, 0 to 1 percent slopes	11.5	22.1%
253E	Hinckley loamy sand, 25 to 35 percent slopes	2.7	5.2%
255A	Windsor loamy sand, 0 to 3 percent slopes	1.3	2.6%
260B	Sudbury fine sandy loam, 3 to 8 percent slopes	0.6	1.2%
602	Urban land	4.2	8.1%
653	Udorthents, sandy	7.0	13.5%
655	Udorthents, wet substratum	20.2	38.9%
656	Udorthents-Urban land complex	2.4	4.6%
Totals for Area of Interest		51.9	100.0%



- Places
 - Fire Station
 - Park Station
 - Town Hall
 - Public Library
 - School
 - 10 Foot Contours
- Parcels
- Buildings 2018
- Town Boundary
- MA Highways
- Interstate
- US Highways
- Numbered Routes
- Abutting Town Labels
- Streets



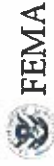
The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.



Printed on 07/25/2023 at 11:15 AM

National Flood Hazard Layer FIRMette

71°25'3"W 42°12'44"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) Zone A, V, ASS
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

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

OTHER AREAS

- NO SCREEN
- Area of Minimal Flood Hazard Zone X
- Effective LOMRS
- Area of Undetermined Flood Hazard Zone

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

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

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

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

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

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 7/10/2023 at 1:22 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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

