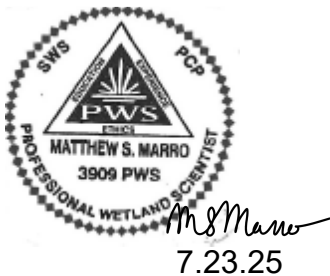


MATTHEW S. MARRO ENVIRONMENTAL CONSULTING

45 Lisa Drive
Leominster, Ma
Phone (978) 314-7858
Fax (888) 435-5999
www.marro-consulting.com

A Notice of Intent Lot E Orchard Hill Leominster, MA 01453

Environmental Analysis Submitted on Behalf of WP East Acquisitions, L.L.C



Matthew S. Marro
Environmental
Consulting (**MEC**)
45 Lisa Drive
Leominster, MA
01453
matt@marro-consulting.com
irene@marro-consulting.com
www.marro-consulting.com

July 2025

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Introduction

Summary

The project site is located to the west of the existing Orchard Hill Park retail development and is denoted as Block 4, Lot 1C on Assessor's Map 386. The property has a total lot area of 17.95± acres of land and is currently undeveloped. The property is bordered by the existing Orchard Hill Park retail development to the east, Harvard Street to the south, existing residential properties fronting on Harvard Street and Sky Lane to the west, and the cul-de-sac associated with the recently constructed extension of Orchard Hill Park Drive to the north. There are two proposed areas of wetland crossing. The first is an 800 square foot crossing on the southerly section of the lot. The second area is on the Northerly side of the lot originating from a newly constructed cul-de-sac that will require 2,460 square feet of Bordering Vegetated wetland to be crossed. Both areas will be replicated as a 1:1 ratio in accordance to the replication narrative outline in this application.

Specifics of the lot

The lot is a 17.95-acre lot undeveloped. The lot does not contain flood plain, and does not contain certified vernal pools, an area of Critical Environmental Concern nor rare species habitat. It does not contain river front within the area of proposed work. This project proposes the construction of nine (9) multi-family residential buildings and associated site improvements. The residential structures will have split elevations with three (3) stories on the high side and four (4) stories on the low side. The multi-family residential buildings contain between 28-units and 42-units, with a variety of 1-bedroom, 2-bedroom, and 3-bedroom units. The project also proposes a mailroom building and a clubhouse building for residents. The clubhouse will contain various amenities for residents including, but not limited to, a pool, common gathering areas, fitness center, and outdoor activity areas. The project also proposes eight (8) 1-story, 6-car garages located throughout the development, which will be available for rent by residents.

Wetland Resources Areas

The wetland resource areas shown in this Notice of Intent and the enclosed plans were certified pursuant to an OORAD issued October 26, 2022, DEP 199-1166 and is in effect and final until October 26, 2027. This OORAD certified the bordering vegetated wetland boundary and confirmed the stream status on the parcel as intermittent. There is an area that is outlined on Mass Mapper as potential vernal pools as shown in the Mass GIS exhibit in this Notice of Intent. Those areas will not be altered, however, in the southerly potential vernal pool, vernal activity has been observed. The area will be monitored during construction by a wetland scientist to ensure the continued protection of this area. This will be monitored concurrent to wetland replication monitoring.

Commencement of Construction Activities and Timelines:

All proposed construction will commence post approval, once the erosion protection and stabilization measures have been placed and will be monitored in accordance with an Order of Conditions and a storm water protection plan.

Stomwater Controls

The formal plan submitted with this Notice of Intent is entitled "Site Development Plan. "by Bohler Engineering dated 7.11.2025, 1 inch = 40 feet scale. There is also a stormwater report by Bohler Engineering dated 7.11.2025.

A stormwater management system has been designed in accordance with the applicable standards described in the Massachusetts Department of Environmental Protection (MassDEP) Stormwater Handbook. The stormwater system is calculated to detain or infiltrate stormwater runoff from the project site for all storms analyzed such that peak flows from the subject site are below the pre-development condition. Stormwater runoff generated as a result of the project is designed to be collected, treated, and attenuated through a combination of Best Management Practices, including deep sump hooded catch basins, pre-treatment hydrodynamic separators, subsurface detention basins, sediment forebays, surface infiltration basin, and bioretention areas. Please refer to the enclosed Drainage Report for more information.

Erosion and sediment control measures will be implemented throughout construction until the site is stabilized. Prior to construction, a Stormwater Pollution Prevention Plan will be prepared further outlined construction period erosion and sediment control measures, and a Construction General Permit will be filed with the Environmental Protection Agency relative to same. Additionally, the project proposes to provide permanent stabilization of disturbed areas with landscape plantings and lawn planted over a minimum depth of 6" of topsoil

Replication Narrative

Orchard Hill Park Drive NOI

The following is a narrative plan for the replication of two areas of Bordering Vegetated Wetland located at Lot E Orchard Hill Park Drive in Leominster Massachusetts. The construction activity proposed is in the form of two crossings for access across a Bordering Vegetated Wetland area as defined by 310 CMR 10. The current condition of the site is a mixed deciduous/evergreen forested area. This replication narrative is based on a plan by Bohler Engineering entitled "Wetland Replication Area 1 and Wetland Replication Area 2". Please refer to the plan for detail concerning this narrative.

Replication of Bordering Vegetated Wetland

As the result of construction activities proposed, area one consisting of 800 square feet of Bordering Vegetated wetland is proposed to be replicated between wetland flags 117-120 (see figure 1). The proposed replication is 800 square feet. Wetland area two has 2,460 square feet of fill and replication. The replication areas consist of two areas with the area 2B consisting of 1,330 square feet between flags 105 to 1A and area 2 A consisting of 1130 square feet wetland flags 4A and 5 A. (see figure 2) The shrub layer and over story in the area surrounding the proposed replication are in excellent condition and will unlikely be degraded as a result of the replication activity.

The hydric soil in the areas of fill is proposed to be excavated for the crossing and if necessary extra volumes also purchased and stockpiled for future spreading in the replication area. The area to be replicated will be excavated in elevation just below the adjacent wetland resource area. Prior to the spread of hydric soils into the replication area, I recommend the area be viewed by a wetland scientist and the conservation commission designee to ensure satisfaction with elevation excavated and area shape for conformity with approved plan. After inspection, hydric soils obtained will be spread with loam added, if necessary, to the soils to allow for the sufficient establishment of a hydric/organic soils base. There shall be no heavy equipment to enter the remaining wetland resource area not permitted to be filled. The replication area will require planting and will be seeded with a standard conservation mix, similar to the vegetation, which is pre-existing, as noted in a subsequent section of this plan in order to blend in with the existing resource area. The area will then be allowed to stabilize. It is estimated that the majority of any re-seeding and the re-growth of the herbaceous layer should be within the first growing season if the vegetation is not well established. A second growing season may be needed to re-seed any areas that did not take from the first seeding. Tree planting is not currently proposed as the abutting over story population consisting of red maple, red oak and white pine in dominance should provide adequate shading of the replicated wetland.

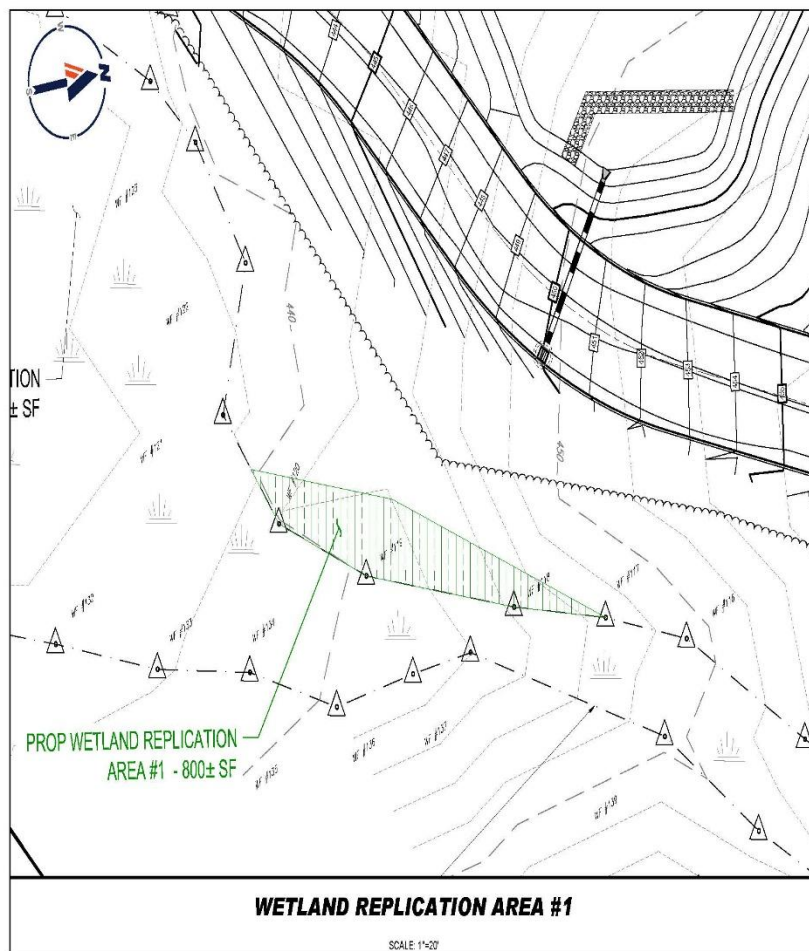


FIGURE 1.

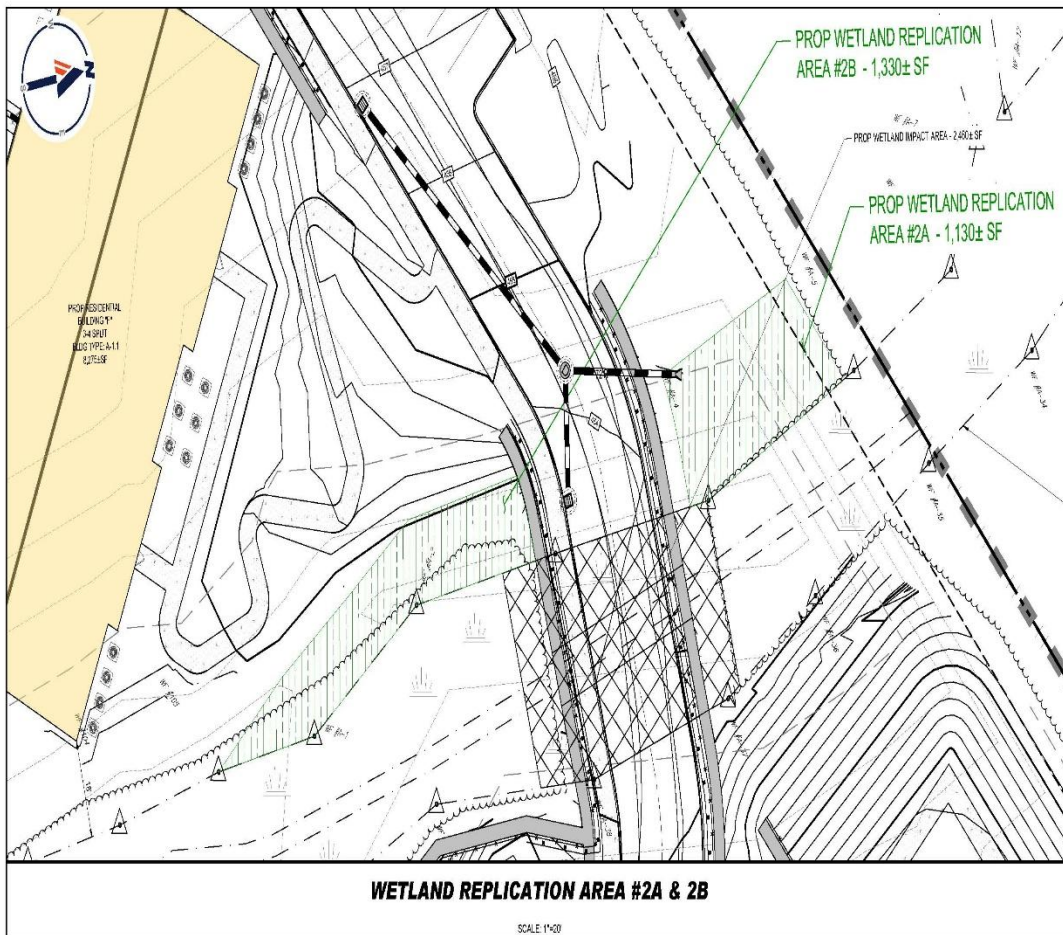


Figure 2

WETLAND REPLICATION DETAIL

Proposed seed mixture

The following seed mix is proposed as the species in the mix are in similar nature to the wetland resource and native to the area:

NOTE: The following seed mixture listed was obtained from New England Wetland Plants of Amherst, MA.

Fox Sedge, (*Carex vulpinoidea*), Lurid Sedge, (*Carex lurida*), Blunt Broom Sedge, (*Carex scoparia*), Sensitive Fern, (*Onoclea sensibilis*), Blue Vervain, (*Verbena hastata*), Hop Sedge, (*Carex lupulina*), Green Bulrush, (*Scirpus atrovirens*), Nodding Bur Marigold, (*Bidens cernua*), Bristly Sedge, (*Carex comosa*), Fringed Sedge, (*Carex crinita*), American Mannagrass, (*Glyceria grandis*), Wool Grass, (*Scirpus cyperinus*), Soft Rush, (*Juncus effusus*), Spotted Joe Pye Weed, (*Eupatorium maculatum*), Boneset, (*Eupatorium perfoliatum*), Mud Plantain, (*Alisma subcordatum*), New England Aster, (*Aster novae-angliae*), Rattlesnake Grass, (*Glyceria canadensis*), Purplestem aster (*Aster puniceus*), Soft Stem Bulrush, (*Scirpus validus*), Blueflag (*Iris versicolor*), Swamp Milkweed, (*Asclepias incarnata*), Monkey Flower, (*Mimulus ringens*). The functionality of each mix will remain unchanged, although mix composition may vary during the year.

This mixture can be spread either by mechanical means or by hand. It must be lightly raked into the soil. If planted in the fall, germination will commence however it will not likely be in full germination until the following spring. Certain species will produce seeds in the first growing season while the remaining seeds shall produce seeds in the second growing season, allowing for a fuller growth that can handle most weather conditions. The greatest advantage to this mix is it is a progressive mix made to germinate in different seasons of the year to allow for continuous regeneration. This seed mix is commonly commercially available and is suited for replication/restoration and is mixed to produce a minimum of 75% growth as required in the wetland protection act regulation performance standards. (310 CMR 10.55(4)).

PROPOSED SHRUB PLANTINGS

The proposed plantings will be placed within the seeded herbaceous layer proposed on the following page. The work proposed for restoration is planned to allow for a reasonable timeline for the herbaceous layer to establish and to allow for re-establishment of prior hydraulic flow. Shrubs, in 5-gallon buckets, consisting of Winterberry, High Bush Blueberry and Meadowsweet (50 in total) will be planted within the replication area of area 2 (10 of each variety) and 16 in area 1 (4 of each variety). The previously demarcated wetlands noted on the referenced plan are subject to a current OORAD as obtained by Marro Environmental Consulting prior. The commission evaluation should confirm the presence of the flagging of the prior delineation of the wetland as the basis for the restoration plan. The overall mix of planting of shrubs (7.5 feet offset from each other) was calculated based on the planting offsets that assume as a square landscaped planting pattern for an approximate total 66 shrubs that are of a minimum 5-gallon stock pail as commercially available.

The proposed planting plan also takes into account natural regeneration of the shrub and overstory layer that will reestablish naturally over time. The proposed plantings are planned in such a manner to allow for the replanting and the natural regeneration to blend in together. This will help to prevent the natural regeneration, from creating a situation where the plantings become so dense, they either start to outcompete each other or will grow in a manner where the total population will be dense and not exhibit a healthy regrowth.

Wildflower Mix

The following wildflower mix chart will also be utilized in the adjacent upland resource area altered as a result of the creation of the replicated wetland. This may be planted in commercial loamy soils and no soils transplantation such as in standard replication needs to be utilized.

Botanical Name	Common Name	Indicator
<i>Elymus virginicus</i>	Virginia Wild Rye	FACW-
<i>Desmodium paniculatum</i>	Panicleleaf Tick Trefoil	
<i>Schizachyrium scoparium</i>	Little Bluestem	FACU
<i>Andropogon gerardii</i>	Big Bluestem	FAC
<i>Festuca rubra</i>	Red Fescue	FACU
<i>Sorghastrum nutans</i>	Indian Grass	UPL
<i>Panicum virgatum</i>	Switch Grass	FAC
<i>Rhus typhina</i>	Staghorn Sumac	
<i>Cornus racemosa</i>	Grey Dogwood	FAC
<i>Cornus amomum</i>	Silky Dogwood	FACW
<i>Oenothera biennis</i>	Evening Primrose	FACU-
<i>Asclepias tuberosa</i>	Butterfly Milkweed	NI
<i>Rudbeckia hirta</i>	Black Eyed Susan	FACU-
<i>Chamaecrista fasciculata</i>	Partridge Pea	FACU
<i>Eupatorium fistulosum (Eutrochium fistulosum)</i>	Hollow-Stem Joe Pye Weed	FACW

During the monitoring period of the regrowth of this area, any invasive species encountered will be removed by hand and properly disposed. It is assumed that the blending of all natural layers will allow for a healthy and diverse restoration of all affected areas.

TABLE OF PROPOSED EVENTS

EVENT	Proposed Wetland Replication		PROPOSED MONITORING
	START	END	
	<i>Bordering wetland and Buffer zone</i>		
Area to be excavated For filling	Fall 2025	Fall 2025	Once per week during
Soils spreading Vegetation planting	Fall 2025	Fall 2025	Once per day during
Allow for growth	Spring 2026	Fall 2026	Once per month May - October
Re-seeding	Spring 2026	Fall 2026	May 30 and October 30

Note: Monitoring reports to be submitted at the end of each growing cycle. Schedule is subject to change for reasons including, but not limited to, items such as the time required for permits approval or construction mobilization. Any change in schedule shall be submitted to the Conservation Agent for review and approval.

Conclusion.

With the consideration of a tightly controlled work area, optimally located with proposed mitigation designed for the protection of the resource areas, it is the opinion of MEC, the proposal protects the resource areas from permanent alteration. A standard Order of Conditions, adopting the construction sequence and mitigation noted on the accompanying plans is, in our opinion, sufficient to protect the interests of the resource areas and we hope the commission will agree with this assertion and, respectfully on behalf of WP East Acquisitions, will approve a standard Order of Conditions.

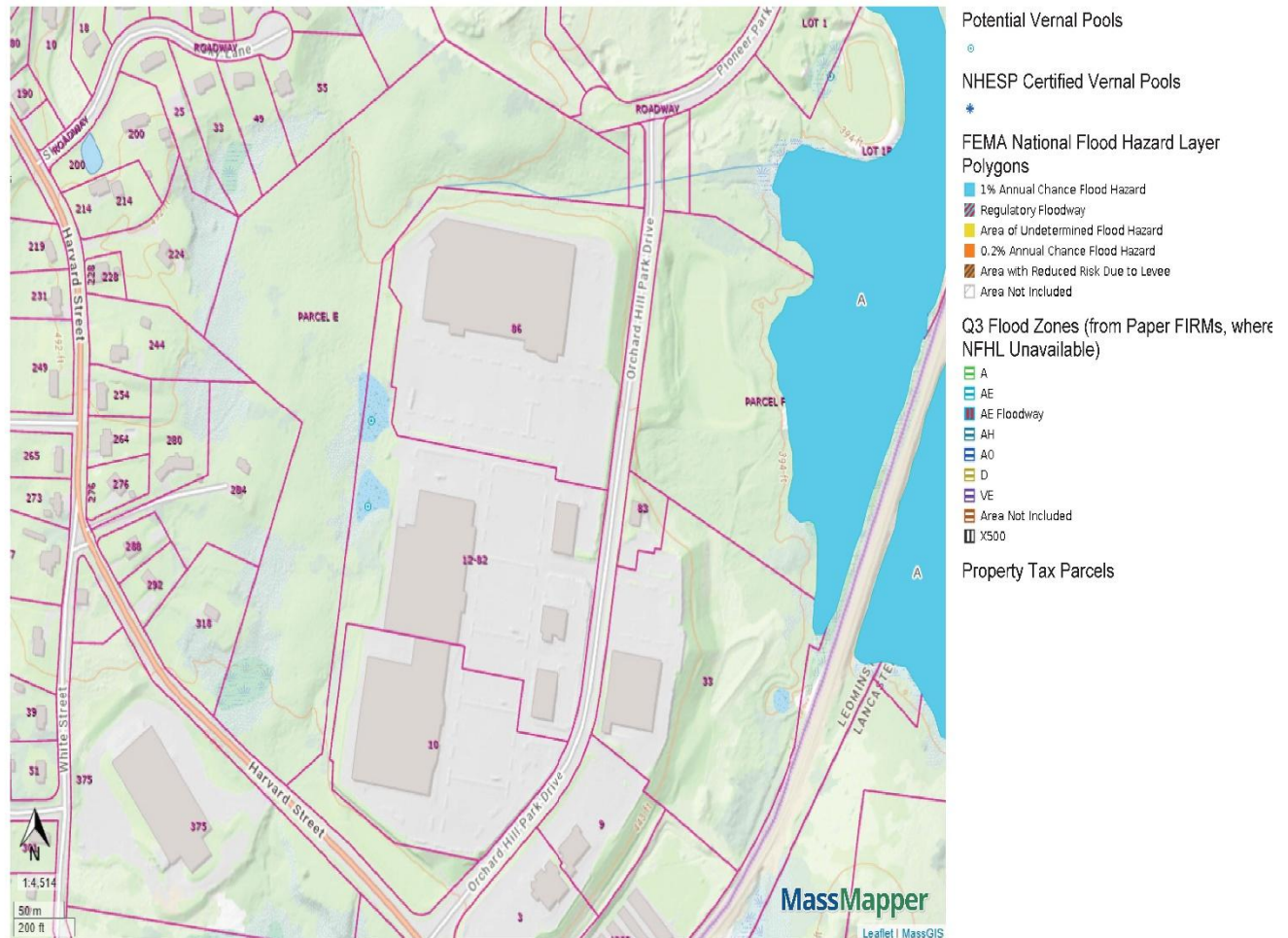
Thank you for your consideration of this Notice of Intent.



Respectfully Submitted,

Matthew S. Marro PWS, PWTPPO, CSI
Consulting Agent/Principal
Cc: File
Client file
Mass DEP

GIS flood and PVP overlay





83 Orchard Hill Park Drive



May 22, 2025

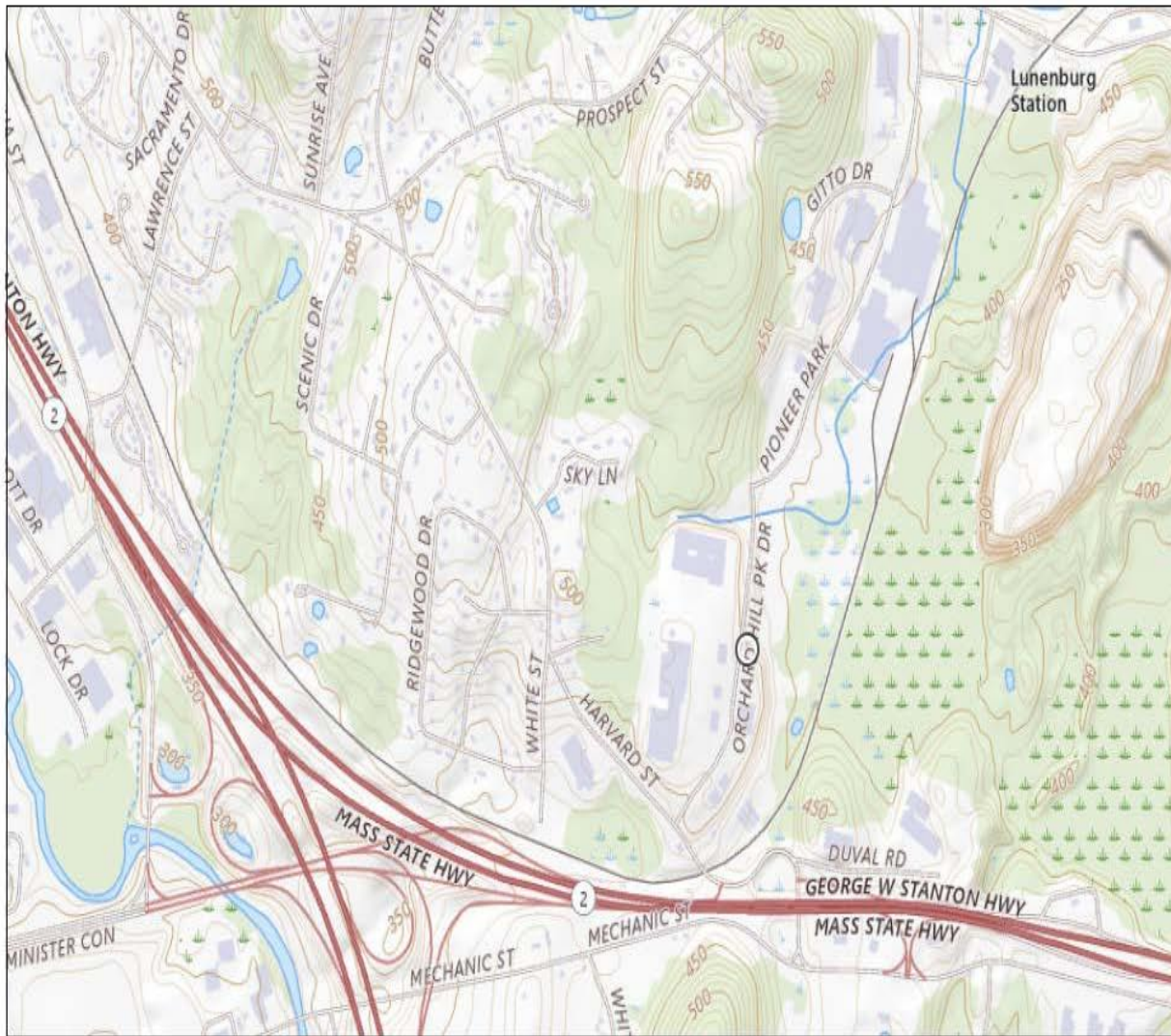
Wetlands

	Estuarine and Marine Deepwater		Freshwater Emergent Wetland		Lake
	Estuarine and Marine Wetland		Freshwater Forested/Shrub Wetland		Other
	Freshwater Pond		Riverine		

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

Lot E



5/22/2025

Layers

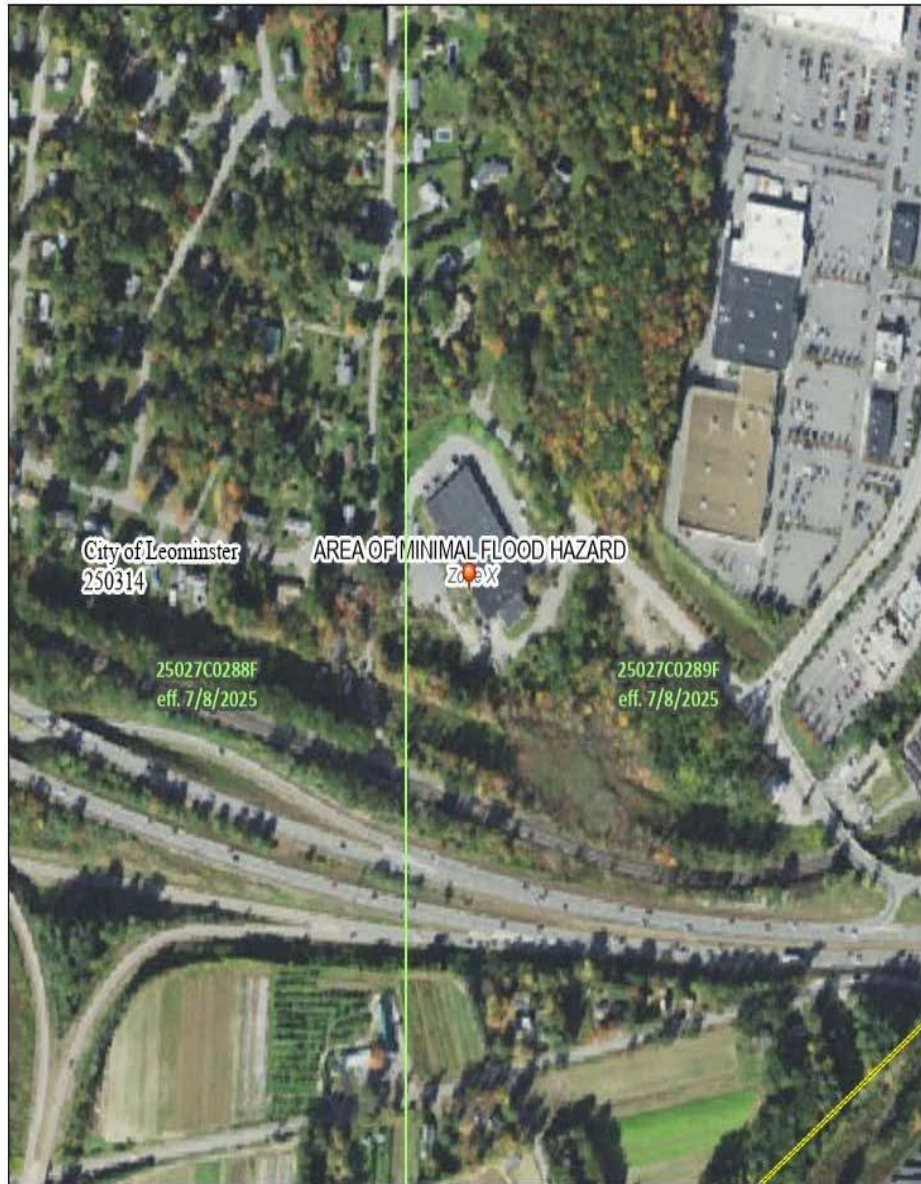
- Red: Band_1
- Green: Band_2
- Blue: Band_3

USGS The National Map: National Boundaries Dataset, 30EP Elevation Program, Geographic Names Information System, National Hydrography

National Flood Hazard Layer FIRMette



71°43'24"W 42°31'39"N



Legend

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

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) <i>Zone A, V, A50</i>
	With BFE or Depth <i>Zone AE, A2, A3, V2, A9</i>
	Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile. <i>Zone X</i>
	Future Conditions: 1% Annual Chance Flood Hazard <i>Zone X</i>
	Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i>
	Area with Flood Risk due to Levee <i>Zone D</i>
OTHER AREAS	Area of Minimal Flood Hazard <i>Zone X</i>
	Effective LOMRs
GENERAL STRUCTURES	Area of Undetermined Flood Hazard <i>Zone D</i>
	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
MAP PANELS	Profile Baseline
	Hydrographic Feature
	Digital Data Available
	No Digital Data Available
	Unmapped

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 7/24/2025 at 12:27 AM 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.

FORM AND PLAN EXHIBITS

WPA FORM 3



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

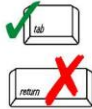
MassDEP File Number

Document Transaction Number

Leominster

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):

Parcel E Leominster 01453
a. Street Address b. City/Town c. Zip Code
Latitude and Longitude: 42.3137 -71.7192
d. Latitude e. Longitude
386 4-1C
f. Assessors Map/Plat Number g. Parcel /Lot Number

2. Applicant:

James Lambert
a. First Name b. Last Name
WP East Acquisitions, L.L.C.
c. Organization
1 Hartwell Place, Third Floor Suite 300
d. Street Address
Lexington MA 20421
e. City/Town f. State g. Zip Code
(781) 541-5822 jim.lambert@woodpartners.com
h. Phone Number i. Fax Number j. Email Address

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

John Scribner
a. First Name b. Last Name
Two One Nintey Trust
c. Organization
83 Orchard Hill Dr
d. Street Address
Leominster MA 01453
e. City/Town f. State g. Zip Code
978-466-6661 john.scribner@lisciotti.com
h. Phone Number i. Fax Number j. Email address

4. Representative (if any):

Matthew S. Marro
a. First Name b. Last Name
Matthew S. Marro Environmental Consulting
c. Company
45 Lisa Drive
d. Street Address
Leominster MA 01453
e. City/Town f. State g. Zip Code
978-314-7858 775-521-7083 matt@marro-consulting.com/irene@marro-consulting.com
h. Phone Number i. Fax Number j. Email address

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

7350 3662.50 3687.50
a. Total Fee Paid b. State Fee Paid c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
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

Leominster

City/Town

A. General Information (continued)

6. General Project Description:

Refer to Narrative

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 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 checked="" 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 CMR10.24(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:

Worcester North

a. County

6428

c. Book

b. Certificate # (if registered land)

315

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.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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

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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 checked="" type="checkbox"/> Bordering Vegetated Wetland	3260 1. square feet	3260 2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet
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 type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland	
2. Width of Riverfront Area (check one):		
<input type="checkbox"/> 25 ft. - Designated Densely Developed Areas only		
<input type="checkbox"/> 100 ft. - New agricultural projects only		
<input type="checkbox"/> 200 ft. - All other projects		
3. Total area of Riverfront Area on the site of the proposed project:		square feet
4. Proposed alteration of the Riverfront Area:		
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? <input type="checkbox"/> Yes <input type="checkbox"/> No		
6. Was the lot where the activity is proposed created prior to August 1, 1996? <input type="checkbox"/> Yes <input type="checkbox"/> No		
3. <input type="checkbox"/> Coastal Resource Areas: (See 310 CMR 10.25-10.35)		

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



Massachusetts Department of Environmental Protection
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

Leominster

City/Town

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.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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 _____
f. <input type="checkbox"/> Coastal Banks	Size of Proposed Alteration _____ 1. linear feet _____	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet _____ 2. sq ft restoration, rehab., creation _____	
h. <input type="checkbox"/> Salt Marshes	1. square feet _____ 2. cubic yards dredged _____	
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet _____ 1. square feet _____	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet _____ 1. cubic yards dredged _____	
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. square feet _____	
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 _____	



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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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.

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

July 2025 GIS
MassMapper

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/mas-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.



Massachusetts Department of Environmental Protection
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

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Leominster

City/Town

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:

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

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: 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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Provided by MassDEP:

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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 Plans | |
| a. Plan Title | |
| Bohler Engineering | J. A. Kucich |
| b. Prepared By | c. Signed and Stamped by |
| 7.11.2025 | 40 |
| d. Final Revision Date | e. Scale |
| Stormwater Report by Bohler Engineering | 7.11.2025 |
| 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:

50580	7.17.2025
2. Municipal Check Number	3. Check date
50581	7.17.25
4. State Check Number	5. Check date
Wood Real Estate	Investors LLC
6. Payor name on check: First Name	7. Payor name on check: Last Name

Lot E Orchard Hill

July 2025

4



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Leominster

City/Town

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 Signed by:

2. Signature of Property Owner (if different)

3. Signature of Representative (if different)

2. Date

4. Date

6. Date

7/24/25

7/24/2025

7.23.25

7.23.25

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.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 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:

Lot E Orchard Hill Park Dr
 a. Street Address
50581
 c. Check number
 Leominster
 b. City/Town
 3662.50
 d. Fee amount

2. Applicant Mailing Address:

James
 a. First Name
 WP East Acquisitions, L.L.C.
 c. Organization
 1 Hartwell Place, Third Floor Suite 300
 d. Mailing Address
 Lexington
 e. City/Town
 (781) 541-5822
 h. Phone Number
 MA
 f. State
 01
 g. Zip Code
 jim.lambert@woodpartners.com
 j. Email Address
 Lambert
 b. Last Name

3. Property Owner (if different):

John
 a. First Name
 Two One Ninety Trust
 c. Organization
 83 Orchard Hill Dr
 d. Mailing Address
 Leominster
 e. City/Town
 978-466-6661
 h. Phone Number
 MA
 f. State
 01453
 g. Zip Code
 john.scribner@lisciotti.com
 j. Email Address
 Scribner
 b. Last Name

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

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.



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NOI Wetland Fee Transmittal Form
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B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Ct 3 Multifamily	7	1050	7350

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee:	7350
a. Total Fee from Step 5	3662.50
State share of filing Fee:	b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:	3687.50
	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.)

Assessor Record

Parcel ID	Owner	Owner Address	Owner City	Owner State	Owner Zip	Address
370-19	375 HARVARD REALTY LLC	6 MERRIAM AV	LEOMINSTER	MA	01453	375 HARVARD ST
370-17	BYRNE CONOR BARRETT	284 HARVARD ST	LEOMINSTER	MA	01453	284 HARVARD ST
370-16	BELMONTE PAUL LOUIS	280 HARVARD ST	LEOMINSTER	MA	01453	280 HARVARD ST
386-4-3	CITY OF LEOMINSTER	25 WEST ST	LEOMINSTER	MA	01453	ORCHARD HILL PARK DR
369-14-8	COAKLEY WILLIAM J III ETUX	55 SKY LN	LEOMINSTER	MA	01453	55 SKY LN
369-14-10	GELINAS KRISTIN	33 SKY LN	LEOMINSTER	MA	01453	33 SKY LN
370-11	HARPER DAVID M	1539 NORTH MAIN ST	LANCASTER	MA	01523	318 HARVARD ST
369-12	HEIKKINEN GARY V & BONNIE TR	224 HARVARD ST	LEOMINSTER	MA	01453	224 HARVARD ST
386-4-1G	KOLES LLC	83 ORCHARD HILL PARK DR	LEOMINSTER	MA	01453	10 ORCHARD HILL PARK DR
369-14C	LEOMINSTER LAND TRUST INC	14 MANNING AV SUITE 500	LEOMINSTER	MA	01453	PARCEL A SKY LN
370-7	MALATOS LINDA A	244 HARVARD ST	LEOMINSTER	MA	01453	244 HARVARD ST
369-14-11	MCMAHON CHRISTINE ETUX	25 SKY LN	LEOMINSTER	MA	01453	25 SKY LN
386-4-1H	ORCHARD HILL PARK LLC	83 ORCHARD HILL PARK DR	LEOMINSTER	MA	01453	12-82 ORCHARD HILL PARK DR
369-14-9	PANN SERGE W ET UX	49 SKY LN	LEOMINSTER	MA	01453	49 SKY LN
369-1-3	PIONEER PARK LLC	83 ORCHARD HILL PARK DR	LEOMINSTER	MA	01453	LOT 3 PIONEER DR EXT
386-4-1B	TARGET CORPORATION	C/O PROPERTY TAX DEPT T-1965 PO BOX 9456	MINNEAPOLIS	MN	55440	86 ORCHARD HILL PARK DR


 MEMBER BOARD OF ASSESSORS
 DATED: 7/21/25

ABUTTER NOTIFICATION

Notification to Abutters Under the Mass Wetlands Protection Act

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

A. The name of the applicant is _ WP East Acquisitions, L.L.C

B. The applicant has filed a Notice of Intent with the Conservation Commission of Leominster seeking permission to work within 100 feet of an area subject to protection under the wetland protection act (General Laws Chapter 131, Section 40). This Notice of Intent includes propose alteration of 3,260 sq.ft. of bordering vegetated wetland for two wetland access crossings.

C. The address where the activity is proposed is _Lot E Orchard Hill Park Drive

D. The activity consists of construction of a Residential Development. Meeting is scheduled for August 12, 2025 at 6:00 PM

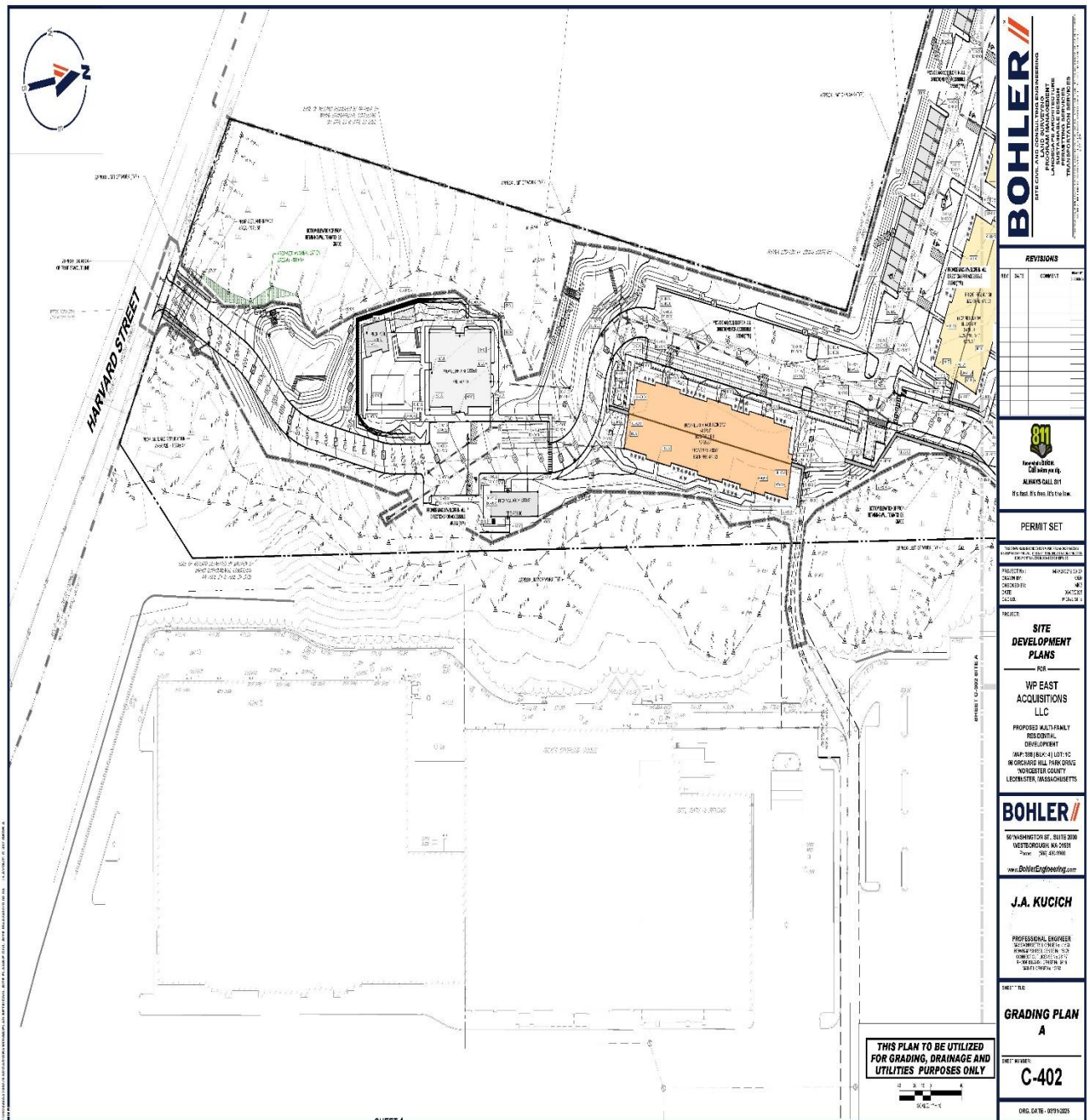
E. Copies of the filing may be examined at the Conservation Commission Office, by appointment. For more information, email: javerka@leominster-am.gov

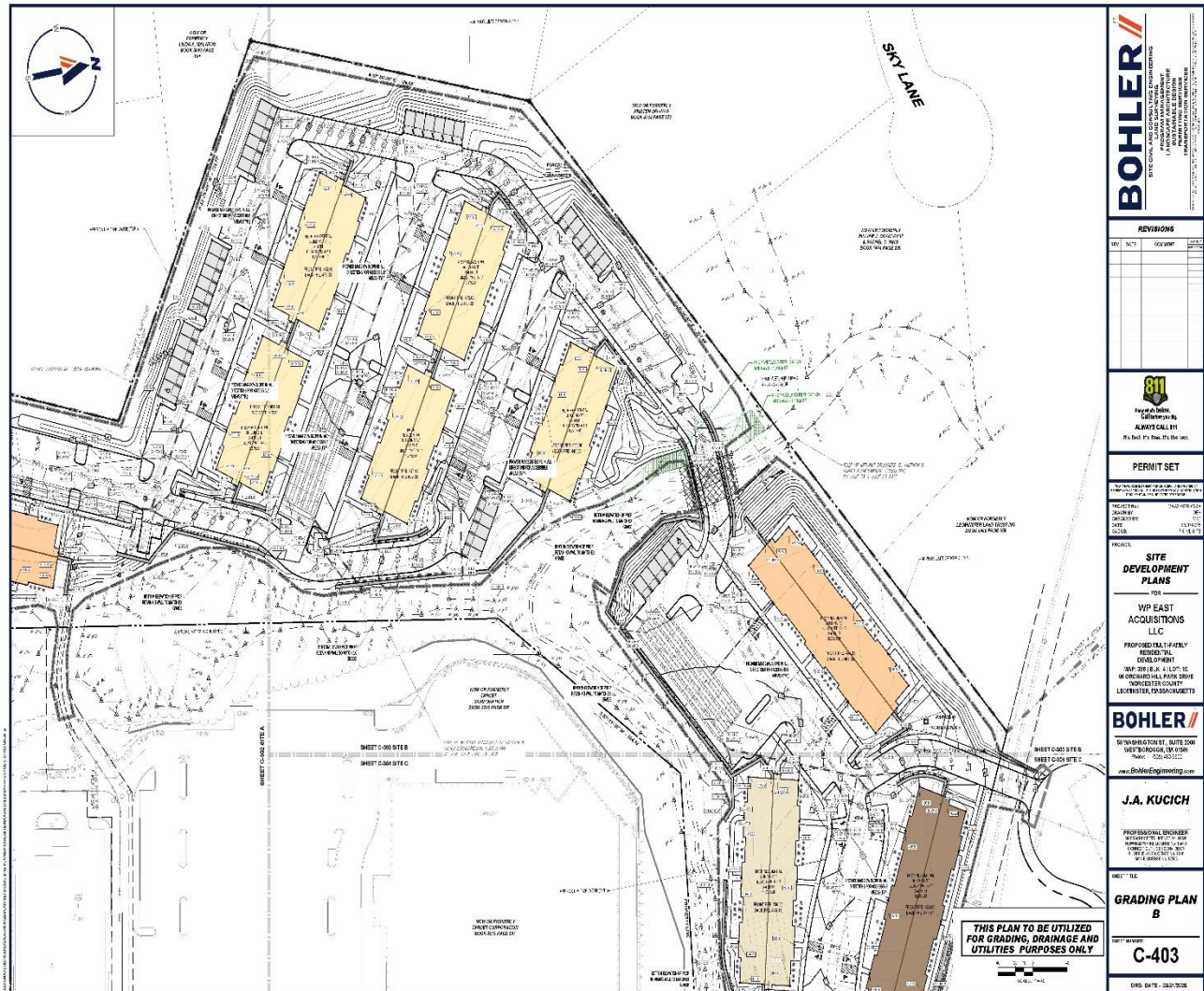
F. Copies of the Notice of Intent may be obtained from Marro Environmental Consulting by emailing them at irene@marro-consulting.com for a PDF copy.

G. Information regarding the date, time and place of the public hearing may be obtained from the Conservation Commission Office by calling 978-534-7500 during normal business hours. NOTE: Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in The Sentinel and Enterprise.

NOTE: Notice of the public hearing, including its date, time and place will be posted in Town Hall not less than forty-eight (48) hours in advance.

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





¹ OBL= Obligate. Fac= Facultative. UP = Upland
 Notation: FACW = Facultative wetland species

Notes for the reader: