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Form 3



Commonwealth  
of Massachusetts



DEQE File No.

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(To be provided by DEQE)

APR 23 9 03 AM '84

City/Town \_\_\_\_\_

Applicant \_\_\_\_\_

**Notice of Intent  
Under the  
Massachusetts Wetlands Protection Act, G.L. c. 131, §40  
and  
Application for a Department of the Army Permit**

**Part I: General Information**

1. Location: Street Address Highland Avenue  
Lot Number 138
  
2. Project: Type Fill Description Place fill within 100 feet  
of a wetland.
  
3. Registry: County Bristol Co. N. Current Book 2256 & Page 292  
Certificate (If Registered Land) ----
  
4. Applicant Bess Eaton Donuts Tel. 401-596-0171  
Address Industrial Park, Westerly, R.I. 02891
  
5. Property Owner Victoria Shore Co., Ltd. Tel. \_\_\_\_\_  
Address 1479 West Gene Street, Winter Park, Florida 32789
  
6. Representative Anthony A. Caputo Tel. 434-8880  
Address 1150 Pawtucket Avenue, Rumford, R.I. 02916
  
7. Have the Conservation Commission and the DEQE Regional Office each been sent, by certified mail or hand delivery, 2 copies of completed Notice of Intent, with supporting plans and documents?  
Yes  No

8. Have all obtainable permits, variances and approvals required by local by-law been obtained?

Yes  No

Obtained:

Applied For:

Not Applied For:

None

None

Sewage disposal

Parking Lot Plan

(State) Access

9. Is any portion of the site subject to a Wetlands Restriction Order pursuant to G.L. c. 131, §40A or G.L. c. 130, §105? Yes  No

10. List all plans and supporting documents submitted with this Notice of Intent.

Identifying

Number/Letter

Title, Date

Exhibit A

Site Plan, Seekonk, MA for Bess Eaton

Donuts by Caputo and Wick Ltd.

April, 1984

Exhibit B

Drainage Comps.

11. Check those resource areas within which work is proposed:

(a)  Buffer Zone

(b) Inland:

Bank\*

Land Subject to Flooding,

Bordering Vegetated Wetland\*

Bordering

Land Under Water Body & Waterway\*

Isolated

(c) Coastal:

Land Under the Ocean\*

Designated Port Area\*

Coastal Beach\*

Coastal Dune

Barrier Beach

Coastal Bank

Rocky Intertidal Shore\*

Salt Marsh\*

Land Under Salt Pond\*

Land Containing Shellfish\*

Fish Run\*

\*Likely to involve U.S. Army Corps of Engineers concurrent jurisdiction. See General Instructions for Completing Notice of Intent.

**Part II: Site Description**

Indicate which of the following information has been provided (on a plan, in narrative description or calculations) to clearly, completely and accurately describe existing site conditions.

Identifying  
Number/Letter  
(of plan, narrative  
or calculations)

Natural Features:

- Exhibit A Soils
- - - - Vegetation
- - - - Topography
- - - - Open water bodies (including ponds and lakes)
- - - - Flowing water bodies (including streams and rivers)
- None Public and private surface water and ground water supplies on or within 100 feet of site
- Exhibit A Maximum annual ground water elevations with dates and location of test
- - - - Boundaries of resource areas checked under Part I, Item 11 above
- - - - Other

Man-made Features:

- Exhibit A Structures (such as buildings, piers, towers and headwalls)
- - - - Drainage and flood control facilities at the site and immediately off the site, including culverts and open channels (with inverts), dams and dikes
- - - - Subsurface sewage disposal systems
- - - - Underground utilities
- - - - Roadways and parking areas
- - - - Property boundaries, easements and rights-of-way
- - - - Other

**Part III: Work Description**

Indicate which of the following information has been provided (on a plan, in narrative description or calculations) to clearly, completely and accurately describe work proposed within each of the resource areas checked in Part I, item 11 above.

Identifying  
Number/Letter  
(of plan, narrative  
or calculations)

Planview and Cross Section of:

- Exhibit A Structures (such as buildings, piers, towers and headwalls)
- - - - Drainage and flood control facilities, including culverts and open channels (with inverts), dams and dikes
- - - - Subsurface sewage disposal systems & underground utilities
- Exhibit B Filling, dredging and excavating, indicating volume and composition of material
- Exhibit A Compensatory storage areas, where required in accordance with Part III, Section 10:57 (4) of the regulations
- - - - Other

Point Source Discharge

- Exhibit B Description of characteristics of discharge from point source (both closed and open channel), when point of discharge falls within resource area checked under Part I, item 11 above, as supported by standard engineering calculations, data and plans, including but not limited to the following:

1. Delineation of the drainage area contributing to the point of discharge;
2. Pre- and post-development peak run-off from the drainage area, at the point of discharge, for at least the 10-year and 100-year frequency storm;
3. Pre- and post-development rate of infiltration contributing to the resource area checked under Part I, item 11 above;
4. Estimated water quality characteristics of pre- and post-development run-off at the point of discharge.

**Part IV: Mitigating Measures**

1. Clearly, completely and accurately describe, with reference to supporting plans and calculations where necessary:
  - (a) All measures and designs proposed to meet the performance standards set forth under each resource area specified in Part II or Part III of the regulations; or
  - (b) why the presumptions set forth under each resource area specified in Part II or Part III of the regulations do not apply.

<input type="checkbox"/> Coastal      Resource Area Type: <input type="checkbox"/> Inland	Identifying number or letter of support documents
N/A	

<input type="checkbox"/> Coastal      Resource Area Type: <input type="checkbox"/> Inland	Identifying number or letter of support documents
N/A	

<input type="checkbox"/> Coastal <input type="checkbox"/> Inland	<b>Resource Area Type:</b>	<b>Identifying number or letter of support documents</b>
<p style="text-align: center;">N/A</p>		

2. Clearly, completely and accurately describe, with reference to supporting plans and calculations where necessary:
- (a) all measures and designs to regulate work within the Buffer Zone so as to insure that said work does not alter an area specified in Part I, Section 10.02(1)(a) of these regulations; or
  - (b) if work in the Buffer Zone will alter such an area, all measures and designs proposed to meet the performance standards established for the adjacent resource area specified in Part II or Part III of these regulations.

<input type="checkbox"/> Coastal <input checked="" type="checkbox"/> Inland	<b>Resource Area Type Bordered By 100-Foot Discretionary Zone:</b> Runnins River (shallow freshwater marsh)	<b>Identifying number or letter of support documents</b>
<p>Approximately 1500 C.Y. of fill will be placed within 100' of an area subject to flooding. No fill will be placed in the floodplain, and there will be no loss of flood plain. Runoff from the area will be filtered through two small detention basins prior to entering the flood plain. Existing and proposed runoff contains no chemical waste and the sewage disposal system is in accordance with Title 5.</p>		

**Part V: Additional Information for a Department of the Army Permit**

1. COE Application No. \_\_\_\_\_ 2. \_\_\_\_\_  
(to be provided by COE) (Name of waterway)

3. Names and addresses of property owners adjoining your property:

4. Document other project alternatives (i.e., other locations and/or construction methods, particularly those that would eliminate the discharge of dredged or fill material into waters or wetlands).
5. 8 1/2" x 11" drawings in planview and cross-section, showing the resource area and the proposed activity within the resource area. Drawings must be to scale and should be clear enough for photocopying.

Certification is required from the Division of Water Pollution Control before the Federal permit can be issued. Certification may be obtained by contacting the Division of Water Pollution Control, 1 Winter Street, Boston, Massachusetts 02108.

Where the activity will take place within the area under the Massachusetts approved Coastal Zone Management Program, the applicant certifies that his proposed activity complies with and will be conducted in a manner that is consistent with the approved program.

Information provided will be used in evaluating the application for a permit and is made a matter of public record through issuance of a public notice. Disclosure of this information is voluntary; however if necessary information is not provided, the application cannot be processed nor can a permit be issued.

I hereby certify under the pains and 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.

Louis A. Abunelli, Jr.  
Signature of Applicant

April 19, 1984  
Date

Anthony A. Roberts  
Signature of Applicant's Representative

April 12, 1984  
Date

FORM 100 (TEST)  
1 MAY 82

"Exception to ENG Form 4346 approved by HQUSACE, 6 May 1982".

"This document contains a joint Department of the Army and State of Massachusetts application for a permit to obtain permission to perform activities in United States waters. The Office of Management and Budget (OMB) has approved those questions required by the US Army Corps of Engineers. OMB Number 0702-0036 and expiration date of 30 September 1983 apply". This statement will be set in 6 point type.