Form 3

Commonwealth of Massachusetts

DEQE File No. _____ (To be provided by DEQE)

City/Town Seekonk

Applicant Marshall

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 S. E. end of Industrial Way
   Lot Number A.P. 1, Lot 142

2. Project: Type _____ Description Relocate retention pond, fill and grade lot for construction of warehouse building with adjacent parking facilities (paved) for employee vehicles and semi-trailer storage.

3. Registry: County Bristol Current Book 2048 & Page 149
   Certificate (If Registered Land) _____

4. Applicant John L., III and Joananne Marshall Tel. 434-6443
   Address 71 Don Avenue, Rumford, RI 02916

5. Property Owner same Tel. _____
   Address _____

6. Representative * Robert H. Hawley, P.E. Tel. 379-9873
   Address 69 Stoney Hill Road, Swansea, MA 02777

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 ☐

*Legal Representative: James M. Sloan, Esq. 421-5927
1309 Turks Head Bldg.
Providence, RI

8. Have all obtainable permits, variances and approvals required by local by-law been obtained?
Yes ☐ No ☒

Obtained:	Applied For:	Not Applied For:
		Sewage disposal constr. permit
		Building permit

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 ☐ (P2101 8-11-72)

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

Identifying Number/Letter	Title, Date
P-1	Proposed Grading and Topographical Survey in Seekonk, Mass. for Joanne & John L. Marshall III Scale 1" = 50' July, 1987 Revision A 10-10-87
N-1	John L. & Joananne Marshall Notice of Intent Narrative Description
G-1	Section of USGS quad (East Providence) 1979

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

(a) ☒ Buffer Zone

(b) Inland:

- ☒ Bank*
- ☒ Bordering Vegetated Wetland*
- ☒ Land Under Water Body & Waterway*

Land Subject to Flooding,

- ☐ Bordering
- ☐ Isolated

(c) Coastal:

- ☐ Land Under the Ocean*
- ☐ Coastal Beach*
- ☐ Barrier Beach
- ☐ Rocky Intertidal Shore*
- ☐ Land Under Salt Pond*
- ☐ Fish Run*
- ☐ Designated Port Area*
- ☐ Coastal Dune
- ☐ Coastal Bank
- ☐ Salt Marsh*
- ☐ Land Containing Shellfish*

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

12. Is the wetland resource area to be altered by the proposed work located on the most recent Estimated Habitat Map (if any) of rare, "state-listed" vertebrate and invertebrate animal species occurrences provided to the conservation commission by the Natural Heritage and Endangered Species Program?

YES [ ] NO [x] Date printed on the Estimated Habitat Map issued
NO MAP AVAILABLE [ ] (if any) October, 1987

If yes, have you completed an Appendix A and a Notice of Intent and filed them, along with supporting documentation with the Natural Heritage and Endangered Species Program by certified mail or hand delivery, so that the Program shall have received Appendix A prior to the filing of this Notice of Intent?

YES [ ] NO [ ]

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:
_____	Soils
_____	Vegetation
P-1	Topography
P-1	Open water bodies (including ponds and lakes)
_____	Flowing water bodies (including streams and rivers)
_____	Public and private surface water and ground water supplies on or within 100 feet of site
_____	Maximum annual ground water elevations with dates and location of test
P-1	Boundaries of resource areas checked under Part I, item 11 above
_____	Other
	Man-made Features:
P-1	Structures (such as buildings, piers, towers and headwalls)
P-1	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
P-1	Roadways and parking areas
P-1	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:
_____	Structures (such as buildings, piers, towers and headwalls)
P-1	Drainage and flood control facilities, including culverts and open channels (with inverts), dams and dikes
_____	Subsurface sewage disposal systems & underground utilities
P-1	Filling, dredging and excavating, indicating volume and composition of material
P-1	Compensatory storage areas, where required in accordance with Part III, Section 10:57 (4) of the regulations
_____	Wildlife habitat restoration or replication areas
_____	Other
	Point Source Discharge
_____	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.

☐ Coastal ☑ Inland Resource Area Type: Bank	Identifying number or letter of support documents
It is proposed that the westerly bank of the existing retention pond and that surrounding a small isolated water hole be moved to a new allignment which, though changing the shape of the existing retention pond, results in a retention with storage 35 percent greater than the present configuration. The new embankment will be loammed and seeded with grass as soon as practicable to stabilize the bank and control erosion and siltation. Silk siltation screens or staked hay bales will be maintained along the toe of the bank during construction and until grass has become established. A temporary siltation control dam with a controlled spillway is proposed at the south end of the retention pond to control siltation of the remaining retention pond during construction. This dam will be removed at the conclusion of construction.	P-1

☐ Coastal ☒ Inland Resource Area Type: Bordering Vegetative Wetland/ Buffer zone	Identifying number or letter of support documents
It is proposed that the lot be filled and graded as shown in detail on P-1. While most of the upland portion of the lot is proposed to be impervious either because of roofs or paving, no additinnal run-off is expected because the lot presently drains into the existing retention pond. See above for details of siltation control during construction	P-1

☐ Coastal ☒ Inland Resource Area Type: Land Under Water Body	Identifying number or letter of support documents
It is proposed that the land under a portion of the existing retention pond be filled and that a nearby area be excavated to provide for a reallignment and partial relocation of the retention pond. The replacement area is contiguous to the existing retention pond and there are no known fish in the retention pond. It is expected that within one year of the conclusion of construction the new section of the retention pond will be indistinguishable from the remaining original section of the retention pond.	P-1

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 ensure 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.

☐ Coastal ☒ Inland Resource Area Type Bordered By 100-Foot Discretionary Zone: Buffer Zone	Identifying number or letter of support documents
Proposed work in the buffer zone consists of filling and grading as shown on P-1, construction of a warehouse building with on-site sewage disposal outside of the buffer zone. Much of the remaining area is to be paved. A 6-inch high curb along the easterly edge of the paved area will prevent run-off directly into the retention pond. Instead, run-off will be directed into catch basins designed to intercept oil and grease as well as silt and sand before discharging into the retention pond. A similar curb along the southerly edge of the paved area will direct run-off water to the oil and grease separators before ultimate discharge into the retention pond. Roof drains will be directed into dry-wells to minimize the direct run-off into the retention pond.	P-1 N-1

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

1. COE Application No. _____ 2. N/A
   (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. 8½" 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.

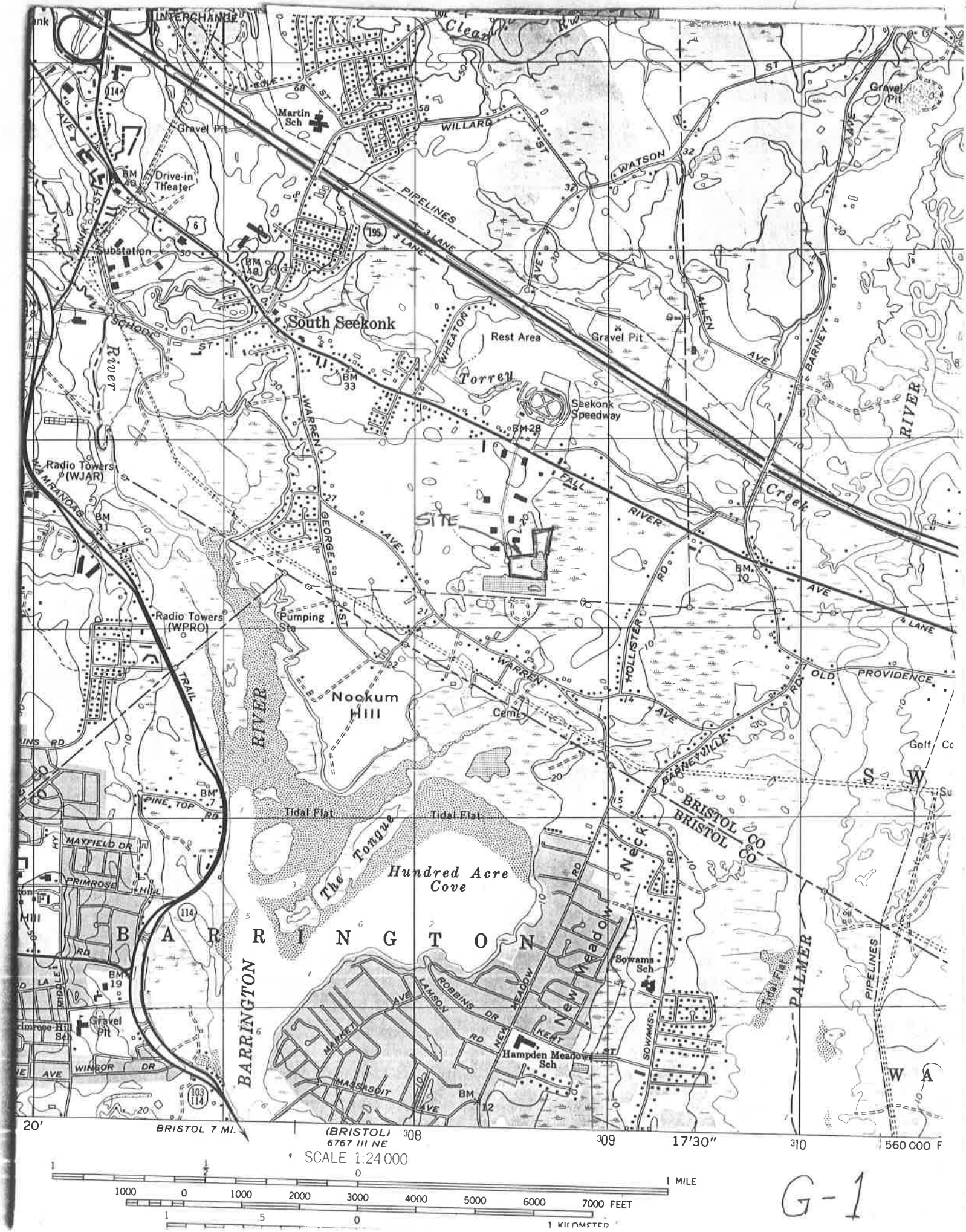
John L. Marshall III — November 24, 1987
Signature of Applicant — Date

Robert W. Hawley — November 23, 1987
Signature of Applicant's Representative — Date

NED FORM 100 (TEST)
1 MAY 82

"Exception to ENG Form 4345 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 applies". This statement will be set in 6 point type.


INTERCHANGE
Clear R
Martin Sch
Gravel Pit
WILLARD ST
WATSON AVE
PIPELINES
3 LANE
Drive-in Theater
Substation
South Seekonk
Rest Area
Gravel Pit
WHEATON
Torrey
Seekonk Speedway
BARNEY
ALLEN AVE
RIVER
Creek
FALL RIVER AVE
4 LANE
Radio Towers (WJAR)
Radio Towers (WPRO)
Pumping Sta
GEORGE AVE
WARREN ST
SITE
HOLLISTER RD
OLD PROVIDENCE
Nookum Hill
Cem
Golf Co
BARNEYVILLE RD
BRISTOL CO
PINE TOP RD
Tidal Flat
The Tongue
Hundred Acre Cove
MAYFIELD DR
PRIMROSE HILL
B A R R I N G T O N
BARRINGTON RIVER
NEW MEADOW RD
Sowams Sch
PALMER
PIPELINES
ROBBINS DR
LAMSON AVE
MARKET
NEW KENT ST
SOWAMS RD
Hampden Meadows Sch
MASSASOIT AVE
WINSOR DR
Gravel Pit
BM 19
BM 12
BM 33
BM 31
BM 10
BM 7
BM 28
BM 40
BM 48
BRISTOL 7 MI.
(BRISTOL)
6767 III NE
308
309
17'30"
310
560 000 F
SCALE 1:24 000
1 MILE
7000 FEET
1 KILOMETER

G-1

JOHN L. & JOANANNE MARSHALL

NOTICE OF INTENT

NARRATIVE DESCRIPTION

In order to develop the subject site for maximum utilization of the land while preserving and enhancing the environment, it is proposed that a portion of an existing retention pond be filled along with a small isolated water hole. To compensate for the loss of storage capacity in the retention pond as a result of the filling operation, it is proposed that the retention pond be extended along the easterly boundary of the site resulting in a 35 percent expansion in pond area and storage volume within the subject lot boundary.

To control siltation in the retention area both within and outside the site boundary during construction, it is proposed that a temporary dam of stone tailings with an impervious upstream face and a 36" diameter culvert for a spillway be constructed first across the narrow connecting waterway between the portion of the retention pond on the subject site and the portion that is off-site. The culvert is to be preceded by two silk siltation screens which will be maintained throughout the construction process to control downstream siltation. In addition, silk screens or staked hay bales will be maintained at the toe of the new embankment to control siltation of the on-site portion of the retention pond during construction. As soon as possible after the retention pond has been re-formed, the embankment will be loamed and seeded with grass to stabilize the slopes and control siltation of the retention pond.

The remainder of the lot is to be filled and graded as the site for a proposed building to be used for warehousing or light industry along with associated paved parking and storage areas. Sewage disposal will be on-site in the northwest section of the site over 100 feet from the retention ponds where a percolation rate of two minutes per inch was determined by Mr. Gordon W. Wolfe, R.S. in the underlying stratum of clean gray medium sand on May 15, 1987. Domestic water requirements will be met through the municipal water service. The run-off water from the parking lot will be directed by curbing along the south and east boundaries of the paved portion of the lot to catch basins designed to serve as oil and grease separators discharging their waste water into the retention pond. Roof drains will be directed into on-site dry-wells to reduce the direct run-off into the retention pond.

Because the site in its present condition drains entirely into the present retention pond, and it is proposed that the roof drains discharge into dry-wells, the proposed development is expected to result in zero increase in run-off.