

Notice of Intent Application Pine Banks Park Foundation Pond Aquatic Management Program

Melrose, MA

May 2023

Prepared for:

**Pine Banks Park Foundation, Inc.
c/o Henry Kezer
1087 Main Street
Malden MA 02148**

Prepared by:

**SOLitude Lake Management
590 Lake Street
Shrewsbury, MA 01545**



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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

Melrose
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):

The Pine Banks Park Melrose 02176
a. Street Address b. City/Town c. Zip Code

Latitude and Longitude: 42.441761 -71.066689
d. Latitude e. Longitude

C3 00
f. Assessors Map/Plat Number g. Parcel /Lot Number

2. Applicant:

C. Henry Kezer
a. First Name b. Last Name

Pine Banks Park
c. Organization

350 Main Street, Suite 30
d. Street Address

Malden MA 02148
e. City/Town: f. State g. Zip Code

781-324-1231 kezer@kezer.com
h. Phone Number i. Fax Number j. Email Address

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

a. First Name b. Last Name

c. Organization

d. Street Address

e. City/Town f. State g. Zip Code

h. Phone Number i. Fax Number j. Email address

4. Representative (if any):

Shawn McCarthy
a. First Name b. Last Name

SOLitude Lake Management
c. Company

590 Lake Street
d. Street Address

Shrewsbury MA 01545
e. City/Town f. State g. Zip Code

508-865-1000 shawn.mccarthy@solitudelake.com
h. Phone Number i. Fax Number j. Email address

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

\$500.00 \$237.50 \$262.50
a. Total Fee Paid b. State Fee Paid c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

The applicant is seeking an Order of Conditions for an Aquatic Management Program at Pine Banks Park Pond, in Melrose MA, to control nuisance and invasive plant growth, utilizing regular monitoring and treatments with USEPA/MA State registered aquatic herbicides, algaecides, and other BMP's (see attached Project Description)

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- 1. Single Family Home
- 2. Residential Subdivision
- 3. Commercial/Industrial
- 4. Dock/Pier
- 5. Utilities
- 6. Coastal engineering Structure
- 7. Agriculture (e.g., cranberries, forestry)
- 8. Transportation
- 9. 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)

- _____
310 CMR 10.53 (4)
- 2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(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:

Middlesex _____
 a. County b. Certificate # (if registered land)

28551/33420 _____
 c. Book d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 1. 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.
- 2. 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.



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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 type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input checked="" type="checkbox"/> Land Under Waterbodies and Waterways	38,333	0
	1. square feet	2. square feet
	0	
	3. cubic yards dredged	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	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):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 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? Yes No

6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

3. Coastal Resource Areas: (See 310 CMR 10.25-10.35)

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



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

	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____	
	1. square feet	
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. cubic yards dredged	
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



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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**

b. Date of map _____

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.



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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:

North Shore - Hull to New Hampshire border:

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

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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Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

C. Other Applicable Standards and Requirements (cont'd)

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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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.

a. Plan Title _____

b. Prepared By _____ c. Signed and Stamped by _____

d. Final Revision Date _____ e. Scale _____

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:

2. Municipal Check Number _____ 3. Check date _____

4. State Check Number _____ 5. Check date _____

SOLitude Lake Management _____
6. Payor name on check: First Name _____ 7. Payor name on check: Last Name _____



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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.

C. Henry Kezer
C. Henry Kezer (Apr 24, 2023 13:12 EDT)

04/24/23

1. Signature of Applicant

2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

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.



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Appendix A: Ecological Restoration Limited Project Checklists

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Eligibility Checklist

This Ecological Restoration Limited Project Eligibility Checklist guides the applicant in determining if their project is eligible to file as an Inland or Coastal Ecological Restoration Limited Project (310 CMR 10.53(4) or 310 CMR 10.24(8) respectively). These criteria must be met when submitting the Ecological Restoration Limited Project Notice of Intent to ensure that the restoration and improvement of the natural capacity of a Resource Area(s) to protect and sustain the interests identified in the WPA is **necessary** to achieve the project's ecological restoration goals.

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.

Regulatory Features of All Coastal and Inland Ecological Restoration Limited Projects

- (a) May result in the temporary or permanent loss of/or conversion of Resource Area: An Ecological Restoration Limited Project that meets the requirements of 310 CMR 10.24(8) may result in the temporary or permanent loss of Resource Areas and/or the conversion of one Resource Area to another when such loss is necessary to the achievement of the project's ecological restoration goals.
- (b) Exemption from wildlife habitat evaluation: A NOI for an Ecological Restoration Limited Project that meets the minimum requirements for Ecological Restoration Projects and for a MassDEP Combined Application outlined in 310 CMR 10.12(1) and (2) is exempt from providing a wildlife habitat evaluation (310 CMR 10.60).
- (c) The following are considerations for applicants filing an Ecological Restoration Limited Project NOI and for the issuing authority approving a project as an Ecological Restoration Limited Project:
 - The condition of existing and historic Resource Areas proposed for restoration.
 - Evidence of the extent and severity of the impairment(s) that reduce the capacity of the Resource Areas to protect and sustain the interests identified in M.G.L. c. 131, § 40.
 - The magnitude and significance of the benefits of the Ecological Restoration Project in improving the capacity of the affected Resource Areas to protect and sustain the other interests identified in M.G.L. c. 131, § 40.
 - The magnitude and significance of the impacts of the Ecological Restoration Project on existing Resource Areas that may be modified, converted and/or lost and the interests for which said Resource Areas are presumed significant in 310 CMR 10.00, and the extent to which the project will:
 - a. avoid adverse impacts to Resource Areas and the interests identified in M.G.L. c. 131, § 40, that can be avoided without impeding the achievement of the project's ecological restoration goals.
 - b. minimize adverse impacts to Resource Areas and the interests identified in M.G.L. c. 131, § 40, that are necessary to the achievement of the project's ecological restoration goals.
 - c. utilize best management practices such as erosion and siltation controls and proper construction sequencing to avoid and minimize adverse construction impacts to resource areas and the interests identified in M.G.L. c. 131, § 40.



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Appendix A: Ecological Restoration Limited Project Checklists

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

Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8))

Complete this Eligibility Criteria Checklist **before** filling out a Notice of Intent Application to determine if your project qualifies as a Coastal Ecological Restoration Limited Project. (310 CMR 10.24(8)) Sign the Eligibility Certification at the end of Appendix A, and attach the checklist with supporting documentation and the Eligibility Certification to your Notice of Intent Application.

General Eligibility Criteria for All Coastal Ecological Restoration Limited Projects

Notwithstanding the requirements of 310 CMR 10.25 through 10.35, 310 CMR 10.54 through 10.58, and the Wildlife Habitat evaluations in 310 CMR 10.60, the Issuing Authority may issue an Order of Conditions permitting an Ecological Restoration Project listed in 310 CMR 10.24(8)(e) as an Ecological Restoration Limited Project and impose such conditions as will contribute to the interests identified in the WPA M.G.L. provided that the project meets all the requirements in 310 CMR 10.24 (8).

- The project is an Ecological Restoration Project as defined in 310 CMR 10.04 and is a project type listed below [310 CMR 10.24(8)(e)].
- Tidal Restoration.
- Shellfish Habitat Restoration.
- Other Ecological Restoration Limited Project Type.
- The project will further at least one of the WPA (M.G.L. c. 131, § 40) interests identified below.
 - Protection of public or private water supply.
 - Protection of ground water supply.
 - Flood control.
 - Storm damage prevention.
 - Prevention of pollution.
 - Protection of land containing shellfish.
 - Protection of fisheries.
 - Protection of wildlife habitat.
- If the project will impact an area located within estimated habitat which is indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands, a NHESP preliminary written determination is attached to the NOI submittal that the project will not have any adverse long-term and short-term effects on specified habitat sites of Rare Species or the project will be carried out in accordance with an approved NHESP habitat management plan.



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Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8)) (Cont.)

General Eligibility Criteria for All Coastal Ecological Restoration Limited Projects (cont.)

- If the project is located in a Coastal Dune or Barrier Beach, the project avoids and minimizes armoring of the Coastal Dune or Barrier Beach to the maximum extent practicable.
- The project complies with all applicable provisions of 310 CMR 10.24(1) through (6) and 310 CMR 10.24(9) and (10).

Additional Eligibility Criteria for Specific Coastal Ecological Restoration Limited Project Types

These additional criteria must be met to qualify as an Ecological Restoration Limited Project to ensure that the restoration and improvement of the natural capacity of a Resource Area to protect and sustain the interests identified in the WPA is **necessary** to achieve the project's ecological restoration goals.

- This Ecological Restoration Limited Project application meets the eligibility criteria for Ecological Restoration Limited Project [310 CMR 10.24(8)(a) through (d) and as proposed, furthers at least one of the WPA interests is for the project type identified below.
 - Tidal Restoration Projects**
 - A project to restore tidal flow that will not significantly increase flooding or storm damage impacts to the built environment, including without limitation, buildings, wells, septic systems, roads or other man-made structures or infrastructure.
 - Shellfish Habitat Restoration Projects**
 - The project has received a Special Projects Permit from the Division of Marine Fisheries or, if a municipality, has received a shellfish propagation permit.
 - The project is made of cultch (e.g., shellfish shells from oyster, surf or ocean clam) or is a structure manufactured specifically for shellfish enhancement (e.g., reef blocks, reef balls, racks, floats, rafts, suspended gear).
 - Other Ecological Restoration Projects** that meet the criteria set forth in 310 CMR 10.24(8)(a) through (d).
 - Restoration, enhancement, or management of Rare Species habitat.
 - Restoration of hydrologic and habitat connectivity.
 - Removal of aquatic nuisance vegetation to impede eutrophication.
 - Thinning or planting of vegetation to improve habitat value.
 - Fill removal and re-grading.
 - Riparian corridor re-naturalization.



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- River floodplain re-connection.

Eligibility Criteria - Coastal Ecological Restoration Limited Projects
(310 CMR 10.24(8)) (Cont.)

Additional Eligibility Criteria for Specific Coastal Ecological Restoration Limited Project Types

- In-stream habitat enhancement.
- Remediation of historic tidal wetland ditching.
- Eelgrass restoration.
- Invasive species management.
- Installation of fish passage structures.
- Other. _____

Describe:

- This project involves the construction, repair, replacement or expansion of public or private infrastructure (310 CMR 10.24(9)).
- The NOI attachment labeled _____ is an operation and maintenance plan to ensure that the infrastructure will continue to function as designed.
 - The operation and maintenance plan will be implemented as a continuing condition in the Order of Conditions and the Certificate of Compliance.
- This project proposes to replace an existing stream crossing (310 CMR 10.24(10)). The crossing complies with the Massachusetts Stream Crossing Standards to the maximum extent practicable with details provided in the NOI. The crossing type:
- Replaces an existing non-tidal crossing that is part of an Anadromous/Catadromous Fish Run (310 CMR 10.35)
 - Replaces an existing tidal crossing that restricts tidal flow. The tidal restriction will be eliminated to the maximum extent practicable.
- At a minimum, in evaluating the potential to comply with the standards to the maximum extent practicable the following criteria have been considered: site constraints in meeting the standard, undesirable effects or risk in meeting the standard, and the environmental benefit of meeting the standard compared to the cost, by evaluating the following:
- The potential for downstream flooding;
 - Upstream and downstream habitat (in-stream habitat, wetlands);
 - Potential for erosion and head-cutting;
 - Stream stability;
 - Habitat fragmentation caused by the crossing;
 - The amount of stream mileage made accessible by the improvements;



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Appendix A: Ecological Restoration Limited Project Checklists

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

- Storm flow conveyance;

Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8)) (Cont.)

Additional Eligibility Criteria for Specific Coastal Ecological Restoration Limited Project Types

- Engineering design constraints specific to the crossing;
- Hydrologic constraints specific to the crossing;
- Impacts to wetlands that would occur by improving the crossing;
- Potential to affect property and infrastructure; and
- Cost of replacement.

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4))

Complete this Eligibility Criteria Checklist **before** filling out a Notice of Intent Application to determine if your project qualifies as an Inland Ecological Restoration Limited Project. (310 CMR 10.53(4)) Sign the Eligibility Certification at the end of Appendix A, and attach the checklist with supporting documentation and the Eligibility Certification to your Notice of Intent Application.

General Eligibility Criteria for All Inland Ecological Restoration Limited Projects

Notwithstanding the requirements of any other provision of 310 CMR 10.25 through 10.35, 310 CMR 10.54 through 10.58, and 310 CMR 10.60, the Issuing Authority may issue an Order of Conditions permitting an Ecological Restoration Project listed in 310 CMR 10.53(4)(e) as an Ecological Restoration Limited Project and impose such conditions as will contribute to the interests identified in M.G.L. c. 131, § 40, provided that:

- The project is an Ecological Restoration Project as defined in 310 CMR 10.04 and is a project type listed below [310 CMR 10.53(4)(e)].
 - Dam Removal
 - Freshwater Stream Crossing Repair and Replacement
 - Stream Daylighting
 - Tidal Restoration
 - Rare Species Habitat Restoration
 - Restoring Fish Passageways
 - Other (describe project type): Aquatic and Emergent Plant Management



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Appendix A: Ecological Restoration Limited
Project Checklists

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

Eligibility Criteria - Inland Ecological Restoration Limited Project (310
CMR 10.53(4)) (cont.)

General Eligibility Criteria for All Inland Ecological Restoration Limited Projects

- The project will further at least one of the WPA (M.G.L. c. 131, § 40) interests identified below.
 - Protection of public or private water supply
 - Protection of ground water supply
 - Flood control
 - Storm damage prevention
 - Prevention of pollution
 - Protection of land containing shellfish
 - Protection of fisheries
 - Protection of wildlife habitat
- If the project will impact an area located within estimated habitat which is indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands, a NHESP preliminary written determination is attached to the NOI submittal that the project will have no adverse long-term and short-term effects on specified habitat sites of Rare Species or the project will be carried out in accordance with an approved NHESP habitat management plan.
- The project will be carried out in accordance with any time of year restrictions or other conditions recommended by the Division of Marine Fisheries for coastal waters and the Division of Fisheries and Wildlife in accordance with 310 CMR 10.11(3).
- If the project involves the dredging of 100 cubic yards of sediment or more or dredging of any amount in an Outstanding Resource Water, a Water Quality Certification has been applied for or obtained.
- The project complies with all applicable provisions of 310 CMR 10.53(1), (2), (7), and (8).



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Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

Additional Eligibility Criteria for Specific Inland Ecological Restoration Limited Project Types

These additional criteria must be met to qualify as an Ecological Restoration Limited Project to ensure that the restoration and improvement of the natural capacity of a Resource Area to protect and sustain the interests identified in the WPA is **necessary** to achieve the project's ecological restoration goals.

- This project application meets the eligibility criteria for Ecological Restoration Limited Project in accordance with [310 CMR 10.53(4)(a) through (d) and as proposed, furthers at least one of the WPA interests is for the project type identified below:
 - Dam Removal**
 - Project is consistent with MassDEP's 2007 Dam Removal Guidance.
 - Freshwater Stream Crossing Repair and Replacement.** The project as proposed and the NOI describes how:
 - Meeting the eligibility criteria set forth in 310 CMR 10.13 would result in significant stream instability or flooding hazard that cannot otherwise be mitigated, and site constraints make it impossible to meet said criteria.
 - The project design ensures that the stability of the bank is NOT impaired.
 - To the maximum extent practicable, the project provides for the restoration of the stream upstream and downstream of the structure as needed to restore stream continuity and eliminate barriers to aquatic organism movement.
 - The project complies with the requirements of 310 CMR 10.53(7) and (8).
 - Stream Daylighting Projects**
 - The project meets the eligibility criteria for Ecological Restoration Limited Project [310 CMR 10.53(4)(a) through (d)] and as proposed the NOI describes how the proposed project meets to the maximum extent practicable, consistent with the project's ecological restoration goals, all the performance standards for Bank and Land Under Water Bodies and Waterways.
 - The project meets the requirements of 310 CMR 10.12(1) and (2) and a wildlife habitat evaluation is not included in the NOI.
 - Tidal Restoration Project**
 - Restores tidal flow.



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

- the project, including any proposed flood mitigation measures, will not significantly increase flooding or storm damage to the built environment, including without limitation, buildings, wells, septic systems, roads or other man-made structures or infrastructure.

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

- Other Ecological Restoration Projects** that meet the criteria set forth in 310 CMR 10.53 (4) (a) through (d).
 - Restoration, enhancement, or management of Rare Species habitat.
 - Restoration of hydrologic and habitat connectivity.
 - Removal of aquatic nuisance vegetation to impede eutrophication.
 - Thinning or planting of vegetation to improve habitat value.
 - Riparian corridor re-naturalization.
 - River floodplain re-connection.
 - In-stream habitat enhancement.
 - Fill removal and re-grading.
 - Flow restoration.
 - Installation of fish passage structures.
 - Invasive species management.
 - Other. _____

Describe:

- This project involves the construction, repair, replacement or expansion of public or private infrastructure. (310 CMR 10.53(7))
 - The NOI attachment labeled _____ is an operation and maintenance plan to ensure that the infrastructure will continue to function as designed.
 - The operation and maintenance plan will be implemented as a continuing condition in the Order of Conditions and the Certificate of Compliance.
- This project replaces an existing stream crossing (310 CMR 10.53(8)). The crossing type:
 - Replaces an existing non-tidal crossing designed to comply with the Massachusetts Stream Crossing Standards to the maximum extent practicable with details provided in the NOI.
 - Replaces an existing tidal crossing that restricts tidal flow. The tidal restriction will be eliminated to the maximum extent practicable.



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Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

- At a minimum, in evaluating the potential to comply with the standards to the maximum extent practicable the following criteria have been consider site constraints in meeting the standard, undesirable effects or risk in meeting the standard, and the environmental benefit of meeting the standard compared to the cost, by evaluating the following:
 - The potential for downstream flooding;
 - Upstream and downstream habitat (in-stream habitat, wetlands);
 - Potential for erosion and head-cutting;
 - Stream stability;
 - Habitat fragmentation caused by the crossing;
 - The amount of stream mileage made accessible by the improvements;
 - Storm flow conveyance;
 - Engineering design constraints specific to the crossing;
 - Hydrologic constraints specific to the crossing;
 - Impacts to wetlands that would occur by improving the crossing;
 - Potential to affect property and infrastructure; and
 - Cost of replacement.



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

Required Actions (310 CMR 10.11)

Complete the Required Actions before submitting a Notice of Intent Application for an Ecological Restoration Project and submit a completed copy of this Checklist with the Notice of Intent.

- Massachusetts Environmental Policy Act (MEPA) / Environmental Monitor**
<https://www.mass.gov/service-details/the-environmental-monitor>

For Ecological Restoration Limited Projects, there are no changes to MEPA requirements.

- Submit written notification at least 14 days prior to the filing of a Notice of Intent (NOI) to the Environmental Monitor for publication. A copy of the written notification is attached and provides at minimum:

- A brief description of the proposed project.
- The anticipated NOI submission date to the conservation commission.
- The name and address of the conservation commission that will review the NOI.
- Specific details as to where copies of the NOI may be examined or acquired and where to obtain the date, time, and location of the public hearing.

- Massachusetts Endangered Species Act (MESA) /Wetlands Protection Act Review**

- Preliminary Massachusetts Endangered Species Act Review from the Natural Heritage and Endangered Species Program (NHESP) has been met and the written determination is attached.

- Supplemental Information for Endangered Species Review has been submitted.

1. Percentage/acreage of property to be altered:

Area	a. Within Wetland Resource	Percentage/acreage
Area	b. Outside Wetland Resource	Percentage/acreage

2. Assessor's Map or right-of-way plan of site

3. 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.

4. Project description (including description of impacts outside of wetland resource area & buffer zone)

5. Photographs representative of the site



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6. MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>)

Required Actions (310 CMR 10.11) (cont.)

NHESP: Make check payable to "Commonwealth of Massachusetts - NHESP" and mail to

Natural Heritage & Endangered Species Program

MA Division of Fisheries & Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

7. Projects altering 10 or more acres of land, also submit:

- a. Vegetation cover type map of site
- b. Project plans showing Priority & Estimated Habitat boundaries

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/ma-endangered-species-act-mesa-overview>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59 – see C4 below)

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.

Estimated Habitat Map of State-Listed Rare Wetlands Wildlife

If a portion of the proposed project is 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), complete the portion below. To view habitat maps, see the **Massachusetts Natural Heritage Atlas** or view the maps electronically at:

[https://www.mass.gov/guides/masswildlife-publications#-massachusetts-natural-heritage-atlas-](https://www.mass.gov/guides/masswildlife-publications#-massachusetts-natural-heritage-atlas)

A preliminary written determination from Natural Heritage and Endangered Species Program (NHESP) must be obtained indicating that:

Project will NOT have long- or short-term adverse effect on the actual Resource Area located within estimated habitat indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands Wildlife published by NHESP.

Project will have long- or short-term adverse effect on the actual Resource Area located within estimated habitat indicated on the most recent Estimated Habitat Map of



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State-Listed Rare Wetlands Wildlife published by NHESP. A copy of NHESP's written preliminary determination in accordance with 310 CMR 10.11(2) is attached. This specifies:

Date _____

of the map:

Required Actions (310 CMR 10.11) (cont.)

- If the Rare Species identified is/are likely to continue to be located on or near the project, and if so, whether the Resource Area to be altered is in fact part of the habitat of the Rare Species.
 - That if the project alters Resource Area(s) within the habitat of a Rare Species:
 - The Rare Species is identified;
- NHESP's recommended changes or conditions necessary to ensure that the project will have no short or long term adverse effect on the habitat of the local population of the Rare Species is provided; or
- An approved NHESP habitat management plan is attached with this Notice of

Intent.

Send the request for a preliminary determination to:
Natural Heritage & Endangered Species Program
MA Division of Fisheries & Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

Division of Marine Fisheries

- If the project will occur within a coastal waterbody with a restricted Time of Year, [see Appendix B of the Division of Marine Fisheries (DMF) Technical Report TR 47 "Marine Fisheries Time of Year Restrictions (TOYs) for Coastal Alteration Projects" dated April 2011. <https://www.nae.usace.army.mil/Portals/74/docs/regulatory/StateGeneralPermits/MA/TR-47.pdf>].
- Obtain a DMF written determination stating:
 - The proposed work does NOT require a TOY restriction.
 - The proposed work requires a TOY restriction. Specific recommended TOY restriction and recommended conditions on the proposed work is attached.
- If the project may affect a diadromous fish run [re: Division of Marine Fisheries (DMF) Technical Reports TR 15 through 18, dated 2004: <https://www.mass.gov/service-details/marine-fisheries-technical-reports>].
 - Obtain a DMF written determination stating:
 - The design specifications and operational plan for the project are compatible with the passage requirements of the fish run.



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- The design specifications and operational plan for the project are not compatible with the passage requirements of the fish run.

Required Actions (310 CMR 10.11) (cont.)

Send the request for a written or electronic determination to:

South Shore – Cohasset to Rhode Island border,
and the Cape & Islands:
Division of Marine Fisheries –
South Coast Field Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: DMF.EnvReview-South@state.ma.us

North Shore – Hull to New Hampshire border:
Division of Marine Fisheries –
North Shore Field Station
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

- Division of Fisheries and Wildlife** – <https://www.mass.gov/orgs/division-of-fisheries-and-wildlife>
 - Projects that involve silt-generating, in-water work that will impact a non-tidal perennial river or stream and the in-water work will not occur between May 1 and August 30.
 - Obtain a written determination from the Division of Fisheries and Wildlife (DFW) as to whether the proposed work requires a TOY restriction.
 - The proposed work does NOT require a TOY restriction.
 - The proposed work requires a TOY restriction. The DFW determination with TOY restriction and other conditions is attached.
- MassDEP Water Quality Certification**
 - Project involves dredging of 100 cubic yards or more in a Resource Area or dredging of any amount in an Outstanding Resource Water (ORW). A copy and proof of the MassDEP Water Quality Certification pursuant to 314 CMR 9.00 is attached to the NOI.
 - This project is a Combined Permit Application for 401 Dredging and Restoration (BRP WW 26).
- MassDEP Wetlands Restriction Order**

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)?

Yes No
- Department of Conservation and Recreation**

Office of Dam Safety

 - For Dam Removal Projects, obtain a written determination from the Department of Conservation and Recreation Office of Dam Safety that the dam is not subject to the jurisdiction of the Office under 302 CMR 10.00, a written determination that the dam removal does not require a permit



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under 302 CMR 10.00 or a permit authorizing the dam removal in accordance with 302 CMR 10.00 has been issued.

Required Actions (310 CMR 10.11) (cont.)

Areas of Critical Environmental Concern (ACECs)

Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

- Yes If yes, provide name of ACEC (see instructions to WPA Form 3 or
No MassDEP Website for ACEC locations).

Name of ACEC

Minimum Required Documents (310 CMR 10.12)

Complete the Required Documents Checklist below and provide supporting materials before submitting a Notice of Intent Application for an Ecological Restoration Project.

- This Notice of Intent meets all applicable requirements outlined in for Ecological Restoration Projects in 310 CMR 10.12. Use the checklist below to ensure that all documentation is included with the NOI.

At a minimum, a Notice of Intent for an Ecological Restoration Project shall include the following:

- Description of the project's ecological restoration goals;
- The location of the Ecological Restoration Project;
- Description of the construction sequence for completing the project;
- A map of the Areas Subject to Protection Under M.G.L. c. 131, § 40, that will be temporarily or permanently altered by the project or include habitat for Rare Species, Habitat of Potential Regional and Statewide Importance, eel grass beds, or Shellfish Suitability Areas.
- 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.) is attached with documentation methodology.
- List the titles and dates for all plans and other materials submitted with this NOI.

Project Description and Figures

a. Plan Title

SOLitude Lake Management

b. Prepared by

c. Signed and Stamped by

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date



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- If there is more than one property owner, attach a list of these property owners not listed on this form.
- Attach NOI Wetland Fee Transmittal Form.

Minimum Required Documents (310 CMR 10.12)

- An evaluation of any flood impacts that may affect the built environment, including without limitation, buildings, wells, septic systems, roads or other man-made structures or infrastructure as well as any proposed flood impact mitigation measures;
- A plan for invasive species prevention and control;
- The Natural Heritage and Endangered Species Program written determination in accordance with 310 CMR 10.11(2), if needed;
- Any Time of Year restrictions and/or other conditions recommended by the Division of Marine Fisheries or the Division of Fisheries and Wildlife in accordance with 310 CMR 10.11(3), (4), (5), if needed;
- Proof that notice was published in the Environmental Monitor as required by 310 CMR 10.11(1);
- A certification by the applicant under the penalties of perjury that the project meets the eligibility criteria set forth in 310 CMR 10.13;
- If the Ecological Restoration Project involves the construction, repair, replacement or expansion of infrastructure, an operation and maintenance plan to ensure that the infrastructure will continue to function as designed;
- If the project involves dredging of 100 cubic yards or more or dredging of any amount in an Outstanding Resource Water, a Water Quality Certification issued by the Department pursuant to 314 CMR 9.00;
- If the Ecological Restoration Project involves work on a stream crossing, information sufficient to make the showing required by 310 CMR 10.24(10) for work in a coastal resource area and 310 CMR 10.53(8) for work in an inland resource area; and
- If the Ecological Restoration Project involves work on a stream crossing, baseline photo-points that capture longitudinal views of the crossing inlet, the crossing outlet and the upstream and downstream channel beds during low flow conditions. The latitude and longitude coordinates of the photo-points shall be included in the baseline data.
- This project is subject to provisions of the MassDEP Stormwater Management Standards. A copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) is attached.
- Provide information as to whether the project has the potential to impact private water supply wells including agricultural or aquacultural wells or surface water withdrawal points.



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Certification that the Ecological Restoration Project Meets the Eligibility Criteria

I hereby certify under penalties of perjury that the Ecological Restoration Project Notice of Intent application does not meet the Eligibility criteria for an Ecological Restoration Order of Conditions set forth in 310 CMR 10.13, but does meet the Eligibility Criteria for a Ecological Restoration Limited Project set forth in 10.24(8) or 10.53(4) whichever is applicable. I certify that I am familiar with the information contained in the application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities.

C. Henry Kezer

C. Henry Kezer (Apr 24, 2023 13:12 EDT)

Signature of Applicant or Authorized Agent

C. Henry Kezer

04/24/23

Printed Name of Applicant or Authorized Agent

Date

The certification must be signed by the applicant; however, it may be signed by a duly authorized agent (named in Item 2) if this form is accompanied by a statement by the applicant designating the agent and agreeing to furnish upon request, supplemental information in support of the application.



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:

 a. Street Address

 b. City/Town

 c. Check number

 d. Fee amount

2. Applicant Mailing Address:

 a. First Name

 b. Last Name

 c. Organization

 d. Mailing Address

 e. City/Town

 f. State

 g. Zip Code

 h. Phone Number

 i. Fax Number

 j. Email Address

3. Property Owner (if different):

 a. First Name

 b. Last Name

 c. Organization

 d. Mailing Address

 e. City/Town

 f. State

 g. Zip Code

 h. Phone Number

 i. Fax Number

 j. Email Address

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.

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

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 2E	1	\$500	\$500
Step 5/Total Project Fee:			\$500
Step 6/Fee Payments:			
Total Project Fee:			\$500 a. Total Fee from Step 5
State share of filing Fee:			\$237.50 b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:			\$262.50 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.)



ATTACHMENT A

To: The Environmental Monitor

From: SŌlitude Lake Management

Date: April 24th, 2023

Re: Notification of filing an NOI for Pine Banks Park Pond

Anticipated date of submission: May 1st, 2023

The proposed project is seeking approval to initiate an Aquatic Management Program at Pine Banks Park Pond in Melrose, MA. USEPA/State registered herbicides and/or algaecides will be applied to manage nuisance aquatic vegetation and algae to protect the interests of the Wetlands Protection Act by impeding eutrophication and improving habitat value.

Reviewing Conservation Commission(s):

Melrose Conservation Commission
562 Main Street
Melrose, MA 02176

Copies of the NOI may be examined or acquired from the Conservation Commission, or by contacting the applicant's representative, SŌlitude Lake Management, at DMeringolo@solitudelake.com, or 508-865-1000, Monday to Friday between 9AM and 4PM.

See Conservation Commission website for the meeting schedule for exact dates and agendas.



AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act I, Mary Nickerson, hereby certify under the pains and penalty of perjury that on April 25th, 2023, I mailed a Notification to Abutters in compliance with the second paragraph of the Massachusetts General Laws, Chapter 131, s.40, and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:

A Notice of Intent was filed under the Massachusetts Wetlands Protection Act by SOLitude Lake Management with the Melrose Conservation Commission on April 26th, 2023, for an Aquatic Management Program at Pine Banks Park Pond in Melrose, MA.

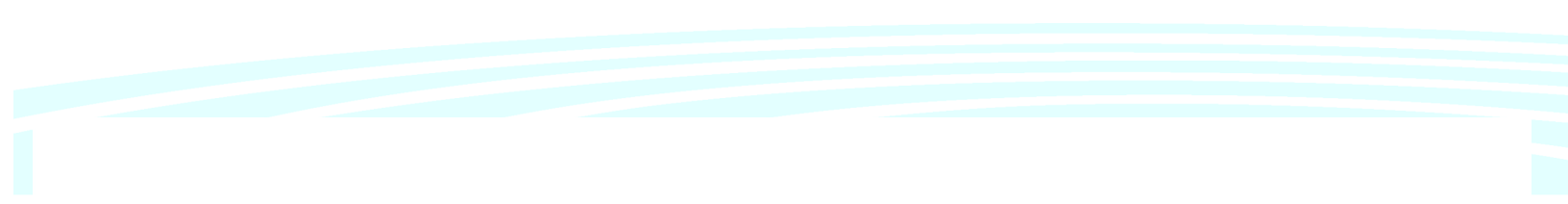
This form of the notification, and a list of the abutters to whom it was given and their addresses, are attached to this Affidavit of Service.

Mary Nickerson

Name

4/26/2023

Date



SOLitude Lake Management
590 Lake Street
Shrewsbury, MA 01545

**NOTIFICATION TO ABUTTERS UNDER THE
MASSACHUSETTS WETLANDS PROTECTION ACT
CHAPTER 131, SECTION 40**

In accordance with the 2nd paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following:

- A. The name of the applicant is: Pine Banks Park Foundation, Inc. c/o Henry Kezer
- B. The Applicant has filed a Notice of Intent with the Melrose Conservation Commission, seeking to work within an Area Subject to Protection under the Massachusetts Wetlands Protection Act (General Laws Chapter 131, Section 40).

Description of Project: An integrated Aquatic Management Program at Pine Banks Park Foundation Pond to monitor, assess and implement measures for control of nuisance algae and aquatic vegetation, specifically with the use of USEPA/State registered aquatic herbicides/algaecides.

- C. The location where the activity is proposed is Pine Banks Park.
- D. Copies of the Notice of Intent may be examined at the Melrose Conservation Commission office during their normal business hours. For more information, call the Conservation Commission at 781-979-4312. Copies of the Notice of Intent are available (for a fee) from the applicant's representative (SOLitude Lake Management, Shrewsbury, MA) by calling (508) 865-1000 between the hours of 9 am and 4 pm (Monday through Friday).
- E. Questions regarding this Notice of Intent may be directed to the applicant's representative (SOLitude Lake Management, Shrewsbury, MA) by calling (508) 865-1000 between the hours of 9 am and 4 pm (Monday through Friday)
- F. The Melrose Conservation Commission will hold a public hearing on May 18th, 2023 at or after 7:30 pm in the Cassidy Conference Room 2nd floor, City Hall.

NOTE: Notice of this public hearing, including date, time and place:

- 1) Will be published at least five (5) days in advance in the Melrose Free Press
- 2) Will be posted in the Town Hall not less than forty-eight (48) hours in advance of the public hearing.

NOTE: You may also contact your local Conservation Commission or the nearest Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act. To contact DEP, call the Northeast Regional Office at 978-694-3200.

abutters_id_field	abutters_owner1	abutters_owner2	abutters_address
C3 0 100	PINE BANKS,PARK	78 ACRES+PT IN MALDEN	350 MAIN STREET, SUITE 30
B3 0 60	COMM OF MASS,ARMORY		MAIN ST
B3 0 68	KAWAKAMI, TAKUYA	SAYAKA KAWAKAMI, HWTE	55 DERBY ROAD
C2 0 1	W/M OAK GROVE VILLAGE LLC	C/O GID	125 HIGH STREET 28TH FLOOR
C3 0 10	MOYLON,ROBERT G	LAURA L MOYLON HWTE	144 MAIN ST
C3 0 11	YOU, ZERONG	JINSHENG YANG, HWTE	10 LEDGEWOOD AVE.
C3 0 12	GHATTAS, PETER, IND.		16 LEDGEWOOD AVE.
C3 0 13	COVIELLO,JOSEPH	LEANNA COVIELLO HWTE	149 MAIN ST
C3 0 14	SP MEL LLC		145 MAIN ST
C3 0 15	FAZIO,DENNIS P	DIANNE M FAZIO HWTE	10 SYLVAN ST
C3 0 16	HARVEY,ANNA R	C/O GAIL CASSESE	759 WOODBERRY RD
C3 0 16A	HARVEY,ANNA R	C/O GAIL CASSESE	14 SYLVAN ST
C3 0 17	LANDRY, SCOTT	LISA A LANDRY HWTE	24 SYLVAN STREET
C3 0 18	SMITH,BRIAN F		45 CANDLEBERRY LANE
C3 0 19	YIP, YAT-CHEONG	WINKIE YING XIA, TE	38-40 SYLVAN ST
C3 0 3	MELROSE YOUNG MENS CHRISTIAN		106 MAIN ST
C3 0 3A	METRO CREDIT UNION		200 REVERE BEACH PKWY
C3 0 2+3B	HUNT REALTY, LLC		100 MAIN STREET
C3 0 6-7	HIGGINS,EDWARD F	JANET A HIGGINS JT	4 SYLVAN ST
C3 0 8-9	TRIN EXT PROPERTIES LLC		662 FRANKLIN ST.
C4 0 3	WRIGHT JOHN	WILSON-WRIGHT LISA	9 LEDGEWOOD AVENUE
C4 0 4	ENGBER,ABRAHAM+IRENE LF EST	MICHELE J. ENGBER	152 MAIN ST
C4 0 52	SOUTO,GILCELIO F	BIRGIT F SOUTO HWTE	18 PRESIDENTIAL DR
C4 0 53	SILVA, SYLVIA		153 MAIN ST
C4 0 54-55	CAGGIANO,KAREN S		12 MOUNT VERNON AVE
C4 0 56	SOUTO,GILCELIO F	BIRGIT M P SOUTO	18 PRESIDENTIAL DR
C4 0 57	CITY OF,MELROSE	CONSERVATION	MT VERNON AVE.
C4 0 86-87	NUNN, PHILIP J+NANCY A TRSTEEES	23 MT VERNON AVE RLTY TRUST	23 MT VERNON AVE.
C4 0 88	WU, YUELI	YUDAN TAN, HWTE	17 MT VERNON AVE.
C4 0 89	BATES 2018 TRUST	BATES, FRANCIS L+ROSEMARIE A.	11 MT VERNON AVE
C4 0 91	STEAD, DONALD AND LYNN	SYLVAN REALTY TRUST	145 MAIN STREET
C4 0 92	STEAD, DONALD AND LYNN	SYLVAN REALTY TRUST	145 MAIN STREET
C4 0 96	CHEVALIER, BRETT	CARA CHEVALIER, HWTE	91 BOSTON ROCK RD

C4 0 97	SHCHERBINA ANTON		87 BOSTON ROCK RD
C4 0 98	FERRANTE, NATHANIEL V.	NICOLE FERRANTE, HWTE	77 BOSTON ROCK ROAD
D3 0 0	WYOMING CEMETERY	CITY OF MELROSE	SYLVAN ST
E2 0 1B	ELLIOTT BOUSQUET EVE		4 FOREST ST.
E3 0 1	CITY OF MELROSE	MELROSE SCHOOL DEPT.	94 LEBANON ST
E3 0 3	NORGAY, TENZIN	TENZIN LHAZE, JTRS	115 LEBANON ST
E3 0 5	BARNES REV TRUST	BARNES NEIL	133 LEBANON ST
D4 0 6B100	IRZYKOWSKI WANDA		100 SYLVAN ST.
D4 0 6B102	MARCHETTI, PAUL R, TRUSTEE	P.R.M. LIVING TRUST	102 SYLVAN ST
D4 0 6B104	LONG WILLIE	DAI JOANNE	104 SYLVAN ST.
D4 0 6B106	NELSON JULIE		106 SYLVAN ST
D4 0 6B108	BURKE, SUSAN C		108 SYLVAN ST
E3 0 4-1	EGGIMAN, DEREK	JULIA EGGIMAN, HWTE	125 LEBANON ST UNIT 1
E3 0 4-2	BRENT, MICHAEL R.		125 LEBANON ST UNIT 2
E3 0 4-3	NAZAIRE, ANTHONY		125 LEBANON ST. #3
C4 0 91A	SARMA, SANDIPAN	ARCHANA UPADHYAY, HWTE	60 SYLVAN ST
C4 0 91B	DIEL, DAVID	KHOZHAMBERDIYEVA, KAMILA HWTE	62 SYLVAN ST
C4 0 91C	PATERNO, SUZANNE, TRUSTEE	SUZANNE PATERNO REV. TRUST	64 SYLVAN ST
C4 0 91D	BLIGH CASSANDRA	POUNDS BRYAN	66 SYLVAN STREET UNIT 66
C4 0 91E	STRONG, JENNIFER A		68 SYLVAN ST
C4 0 91F	SHEFFIELD II JOHN	BASS DEBORAH	70 SYLVAN ST
C3 0 4-5-2	DEMSIE, SAMSON	NEGEST TESSEMA, HWTE	2 SYLVAN ST
C3 0 4-5-4	HIGGINS, EDWARD	JANET HIGGINS	4 SYLVAN ST
C3 0 20-1	BUNAYAT TALVINDER SINGH	MATHARU MANINDER KAUR	42 SYLVAN ST. UNIT 1
C3 0 20-2	HOWARD FAMILY TRUST	WILLIAM C+MARTHA J HOWARD, TRS	42 SYLVAN ST. UNIT 2
C3 0 20-3	FOTH, THOMAS J.	REBECCA A. FOTH, HWTE	42 SYLVAN ST. UNIT 3
C3 0 20-4	GUPTA, RASHI	MANISH GUPTA, HWTE	42 SYLVAN ST.#4
E2 0 44-1	SANDLIN TIMOTHY	SANDLIN REBECCA	1 BLUEBERRY HILL LN
E2 0 44-2			51 POND STREET
E2 0 44-3	KHLGHATYAN JIVAN	BOZOYAN LUSINE	3 BLUEBERRY HILL LN
E2 0 44-4	BEAR LAURA		4 BLUEBERRY HILL LN.
E2 0 44-5	CHUN LUNG TINA		5 BLUEBERRY HILL LN
E2 0 44-15	SHAH SPANDAN	SHAH TISHI	15 BLUEBERRY HILL LANE
E2 0 44-16	MEHTA MITESH	MEHTA SHIVANGI	16 BLUEBERRY HILL LANE

E2 0 44-17	ZHAO XIANGYI		17 BLUEBERRY HILL LANE
E2 0 44-18	SACCARDO DANIEL	KAY REBECCA	18 BLUEBERRY HILL LANE
E2 0 44-19	XU TIANY	HUANGFU QIYANG	19 BLUEBERRY HILL LANE
E2 0 44-6	KEVIN MARK TYLOCK	BRIANNE ALESIA TYLOCK	6 BLUEBERRY HILL LN.
E2 0 44-7	FOREST STREET REALTY LLC		51 POND STREET
E2 0 44-8	JIN ZHUODAN	XUE XIAO	8 BLUEBERRY HILL LN
E2 0 44-9	HU YIJIA	DENG ZI	9 BLUEBERRY HILL LANE
E2 0 44-10	SCHREINER MICHELLE	SCHREINER MELANIE	10 BLUEBERRY HILL LANE

City Of Melrose Board Of Assessor's Certified Abutter's List

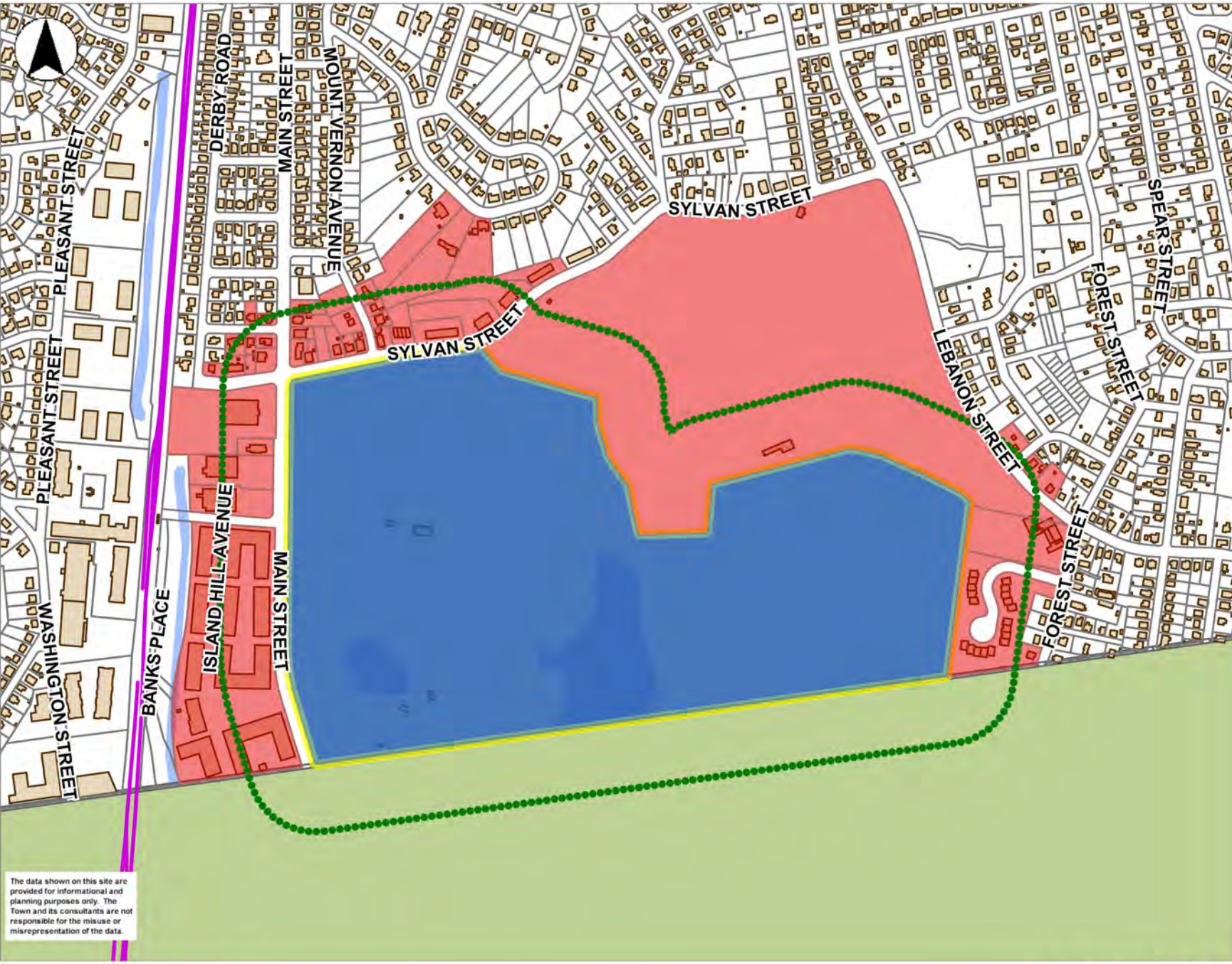


4/19/2023

abutters_address2	abutters_town	abutters_state	abutters_zip	abutters_bookpage	abutters_location
	MALDEN	MA	02148	N/A	1 MAIN ST
	MELROSE	MA	02176	8179-507	120 MAIN ST
	MELROSE	MA	02176	1455-14	55 DERBY RD
	BOSTON	MA	02110	59774-131	1 OAK GROVE AVE
	MELROSE	MA	02176	1105-65	144 MAIN ST
	MELROSE	MA	02176	1413-34	10 LEDGEWOOD AVE.
	MELROSE	MA	02176	1531-19	16 LEDGEWOOD AVE.
	MELROSE	MA	02176	25944-75	149 MAIN ST
	MELROSE	MA	02176	75523-246	145 MAIN ST
	MELROSE	MA	02176	33468-493	10 SYLVAN ST
	LEXINGTON	SC	29073	25730-238	14 SYLVAN ST
	MELROSE	MA	02176		SYLVAN ST
	MELROSE	MA	02176	25316-319	24 SYLVAN ST
	HARVARD	MA	01451	30531-232	28 SYLVAN ST
	MELROSE	MA	02176	55758-60	38 SYLVAN ST
	MELROSE	MA	02176	38651-295	106 MAIN ST
	CHELSEA	MA	02150	79252-387	108 MAIN ST
	MELROSE	MA	02176	29112-225	100 MAIN ST
	MELROSE	MA	02176	25989-276	SYLVAN ST
	MELROSE	MA	02176	80513-68	138 MAIN ST
	MELROSE	MA	02176	1587-27	9 LEDGEWOOD AVE.
	MELROSE	MA	02176	1362-15	152 MAIN ST
	WILMINGTON	MA	01887	28659-394	155 MAIN ST
	MELROSE	MA	02176	54650-106	153 MAIN ST
	MELROSE	MA	02176	21895-547	12 MT VERNON AVE.
	WILMINGTON	MA	01887	29642-262	MT VERNON AVE
	MELROSE	MA	02176	0-0	MT VERNON AVE
	MELROSE	MA	02176	56671-48	23 MT VERNON AVE.
	MELROSE	MA	02176	69775-162	17 MT VERNON AVE.
	MELROSE	MA	02176	71576-483	11 MT VERNON AVE.
	MELROSE	MA	02176	1297-45	80 SYLVAN ST
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	MELROSE	MA	02176	1405-126	91 BOSTON ROCK RD

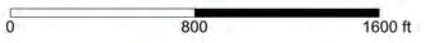
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	MELROSE	MA	02176	81124-378	4 FOREST ST
	MELROSE	MA	02176	4683-435	94 LEBANON ST
	MELROSE	MA	02176	64431-589	115 LEBANON ST
	MELROSE	MA	02176	1571-185	133 LEBANON ST
	MELROSE	MA	02176	166-177	100 SYLVAN ST
	MELROSE	MA	02176	152-33	102 SYLVAN ST
	MELROSE	MA	02176	167-134	104 SYLVAN ST
	MELROSE	MA	02176	158-103	106 SYLVAN ST
	MELROSE	MA	02176	80-199	108 SYLVAN ST
	MELROSE	MA	02176	71291-460	125 LEBANON ST UNIT 1
	MELROSE	MA	02176	74097-283	125 LEBANON ST UNIT 2
	MELROSE	MA	02176	66663-340	125 LEBANON ST UNIT 3
	MELROSE	MA	02176	148-73	60 SYLVAN ST
	MELROSE	MA	02176	139-9	62 SYLVAN ST
	MELROSE	MA	02176	137-59	64 SYLVAN ST
	MELROSE	MA	02176	165-49	66 SYLVAN ST
	MELROSE	MA	02176	U18232	68 SYLVAN ST
	MELROSE	MA	02176	157-175	70 SYLVAN ST
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	MELROSE	MA	02176	15401-393	4 SYLVAN ST
	MELROSE	MA	02176	59718-167	42 SYLVAN ST UNIT 1
	MELROSE	MA	02176	65747-418	42 SYLVAN ST UNIT 2
	MELROSE	MA	02176	66501-105	42 SYLVAN ST UNIT 3
	MELROSE	MA	02176	63663-286	42 SYLVAN ST UNIT 4
	MELROSE	MA	02176	77008-327	1 BLUEBERRY HILL LN
	ESSEX	MA	01929		2 BLUEBERRY HILL LN
	MELROSE	MA	02176	77813-442	3 BLUEBERRY HILL LN
	MELROSE	MA	02176	77822-227	4 BLUEBERRY HILL LN
	MELROSE	MA	02176	77012-357	5 BLUEBERRY HILL LN
	MELROSE	MA	02176	75908-462	15 BLUEBERRY HILL LN
	MELROSE	MA	02176	76046-477	16 BLUEBERRY HILL LN

	MELROSE	MA	02176	76067-264	17 BLUEBERRY HILL LN
	MELROSE	MA	02176	75598-485	18 BLUEBERRY HILL LN
	MELROSE	MA	02176	75614-111	19 BLUEBERRY HILL LN
	MELROSE	MA	02176	81335-201	6 BLUEBERRY HILL LN
	ESSEX	MA	01929	77012-357	7 BLUEBERRY HILL LN
	MELROSE	MA	02176	8118-140	8 BLUEBERRY HILL LN
	MELROSE	MA	02176	80606-370	9 BLUEBERRY HILL LN
	MELROSE	MA	01929	80536-572	10 BLUEBERRY HILL LN



- MBTA Commuter Rail Station
- MBTA Commuter Rail
- Easements
- Parcels
- Buildings
- Pools
- MA Highways
 - Interstate
 - US Highway
 - Numbered Routes
- Abutting Town Labels
- Bathymetry
 - 0-5 ft
 - 5-10 ft
 - 10-15 ft
 - 15-20 ft
 - 20-30 ft
 - 30-40 ft
 - 40-50 ft
 - 50-60 ft
 - 60-70 ft
 - 70+ ft
- Town Boundary
- Abutting Towns
- Streets
- Mask

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 04/19/2023 at 01:02 PM

C3 0 100 Map

7020 1290 0002 3008 1184

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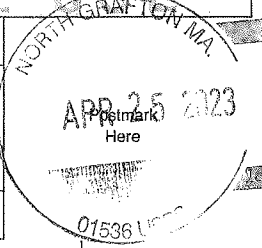
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Certified Mail Fee \$

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- Return Receipt (hardcopy) \$
- Return Receipt (electronic) \$
- Certified Mail Restricted Delivery \$
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postage \$

STRONG, JENNIFER A
68 SYLVAN ST
MELROSE, MA 02176
ID: C4 0 91E



for Instructions

7020 1290 0002 3008 1214

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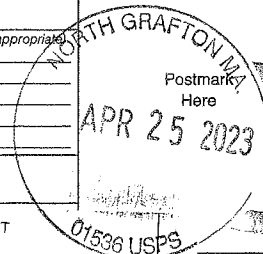
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- Return Receipt (hardcopy) \$
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- Certified Mail Restricted Delivery \$
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postage \$

RESIDENCE OF 51 POND ST
51 POND STREET
ESSEX, MA 01929
ID: E2 0 44-2



for Instructions

7020 1290 0002 3008 1191

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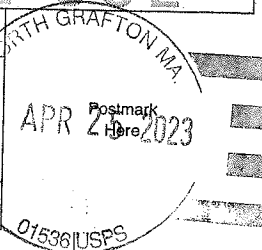
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Certified Mail Fee \$

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- Return Receipt (hardcopy) \$
- Return Receipt (electronic) \$
- Certified Mail Restricted Delivery \$
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postage \$

HIGGINS, EDWARD
HIGGINS, JANET
4 SYLVAN, ST
MELROSE, MA 02176
ID: C3 0 4 5-4



for Instructions

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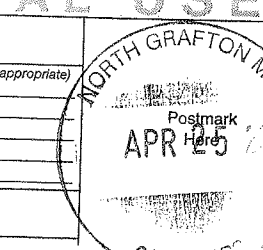
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Certified Mail Fee \$

- Extra Services & Fees (check box, add fee as appropriate)
- Return Receipt (hardcopy) \$
- Return Receipt (electronic) \$
- Certified Mail Restricted Delivery \$
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postage \$

CHUN LUNG, TINA
5 BLUEBERRY HILL LN
MELROSE, MA 02176
ID: E2 0 44-5



for Instructions

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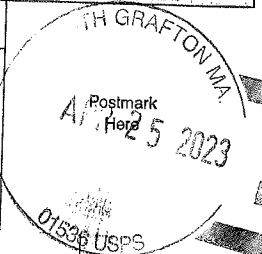
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Certified Mail Fee \$

- Extra Services & Fees (check box, add fee as appropriate)
- Return Receipt (hardcopy) \$
- Return Receipt (electronic) \$
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- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postage \$

FOTH, THOMAS & REBECCA
42 SYLVAN ST, UNIT 3
MELROSE, MA 02176
ID: C3 0 20-3



for Instructions

7020 1290 0002 3008 0880

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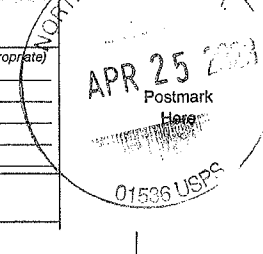
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- Return Receipt (hardcopy) \$
- Return Receipt (electronic) \$
- Certified Mail Restricted Delivery \$
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postage \$

WRIGHT, JOHN
WILSON-WRIGHT, LISA
9 LEDGEWOOD AVENUE
MELROSE, MA 02176
ID: C4 0 3



for Instructions

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<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage
 \$ _____

NUNN, PHILIP & NAVY TRSTEE
 23 MT VERNON AVE RLTY TRUST
 23 MT VERNON AVE
 MELROSE, MA 02176
 ID: C4 0 86-87

Postmark Here
 APR 25 2023
 NORTH GRAFTON MA
 01536 USPS

See reverse for Instructions

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<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
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<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage
 \$ _____

SILVA, SYLVIA
 153 MAIN STREET
 MELROSE, MA 02176
 ID: C4 0 53

Postmark Here
 APR 25 2023
 NORTH GRAFTON MA
 01536 USPS

for Instructions

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 \$ _____

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage
 \$ _____

KEVIN MARK TYLOCK
 BIANNE ALESIA TYLOCK
 6 BLUEBERRY HILL LN
 MELROSE, MA 02176
 ID: E2 0 44-6

Postmark Here
 APR 25 2023
 NORTH GRAFTON MA
 01536 USPS

for Instructions

7020 1290 0002 3008 0859

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Certified Mail Fee
 \$ _____

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage
 \$ _____

STEAD, DONALD AND LYNN
 145 MAIN STREET
 MELROSE, MA 02176
 ID: C4 0 91
 ID: C4 0 92

Postmark Here
 APR 25 2023
 NORTH GRAFTON MA
 01536 USPS

for Instructions

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 \$ _____

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage
 \$ _____

ZHAO, XIANGYI
 17 BLUEBERRY HILL LN
 MELROSE, MA 02176
 ID: E2 0 44-17

Postmark Here
 APR 25 2023
 NORTH GRAFTON MA
 01536 USPS

for Instructions

7022 3330 0001 9418 1738

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Certified Mail Fee
 \$ _____

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
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<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage
 \$ _____

KHLGATYAN, JIVAN
 BOZOYAN, LUSINE
 3 BLUEBERRY HILL LN
 MELROSE, MA 02176
 ID: E2 0 44-3

Postmark Here
 APR 25 2023
 NORTH GRAFTON MA
 01536 USPS

for Instructions

ET90 900E 2000 062T 020L

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Return Receipt (electronic) \$

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage
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CITY OF MELROSE
 CONSERVATION
 56 MAIN STREET
 MELROSE, MA 02176
 ID: C4 0 57

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Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage
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HARVEY, ANNA
 C/O GAIL CASSESE
 14 SYLVAN ST
 MELROSE, MA 02176
 ID C3 0 16A

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Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage
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YIP, YAT-CHEONG
 WINKIE YING XIA, TE
 38-40 SYLVAN STREET
 MELROSE, MA 02176
 ID: C3 0 19

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Return Receipt (electronic) \$

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Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage
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SOUTO, GICELIO
 BIRGIT F SOUTO
 18 PRESIDENTIAL DR
 WILMINGTON, MA 01887
 ID: C4 0 52
 ID: C4 0 56

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Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$

Return Receipt (electronic) \$

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage
\$

KAWAKAMI, TAKUYA
 SAYAKA KAWAKAMI
 55 DERBY ROAD
 MELROSE, MA 02176
 ID: B3 0 68

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Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$

Return Receipt (electronic) \$

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage
\$

BATES 2018 TRUST
 BATES, FRANCIS & ROSEMARIE
 11 MT VERNON AVE
 MELROSE, MA 02176
 ID: C4 0 89

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7260 900E 300E 2000 062T 020L

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Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage
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SP MEL LLC
 145 MAIN STREET
 MELROSE, MA 02176
 ID: C3 0 14

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Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage
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MARCHETTI, PAUL R, TRUSTEE
 P.R.M. LIVING TRUST
 102 SYLVAN ST
 MELROSE, MA 02176
 ID: D4 0 6B102

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Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage
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YOU, ZERONG
 JIMSHEG YANG
 10 LEDGEWOOD AVE
 MELROSE, MA 02176
 ID: C3 0 11

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Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage
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WYOMING CEMETERY
 CITY OF MELROSE
 205 SYLVAN ST
 MELROSE, MA 02176
 ID: D3 0 0

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Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage
 \$ _____

CHEVALIER, BRETT & CARA
 91 BOSTON ROCK ROAD
 MELROSE, MA 02176

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Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage
 \$ _____

HUNT REALTY, LLC
 100 MAIN STREET
 MELROSE, MA 02176
 ID: C3 0 2 + 3B

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Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage
 \$ _____

DEMISIE, SAMSON
 NEGEST, TESSEMA
 2 SYLVAN ST
 MELROSE, MA 02176
 ID: C3 0 4-5-2

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Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage
 \$ _____

BUNAYAT TALVINDER SINGH
 MATHARU MANINDER KAUR
 42 SYLVAN ST, UNIT 1
 MELROSE, MA 02176
 ID: C3 0 20-1

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820T 800E 2000 062T 0202

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Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage
 \$ _____

SARMA, SANDIPAN
 ARCHANA UPADHYAY
 60 SYLVAN ST
 MELROSE, MA 02176
 ID: C4 0 91A

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Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage
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BLIGH, CASSANDRA
 POUNDS, BRYAN
 66 SYLVAN ST, UNIT 66
 MELROSE, MA 02176
 ID: C4 0 91D

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Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage
 \$ _____

LONG, WILLIE
 DAI, JOANNE
 104 SYLVAN ST
 MELROSE, MA 02176
 ID: D4 0 6B104

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<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage
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EGGIMAN, DEREK & JULIE
 125 LEBANON ST, UNIT 1
 MELROSE, MA 02176
 ID: E3 0 4-1

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Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage \$ _____

GUPTA, RASHI
 MANISH, GUPTA
 42 SYLVAN ST, # 4
 MELROSE, MA 02176
 ID: C3 0 20-4

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<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage \$ _____

SHCHERBINA, ANTON
 87 BOSTON ROCK ROAD
 MELROSE, MA 02176
 ID: C4 0 97

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<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage \$ _____

ELLIOTT BOUSQUEST EVE
 4 FOREST ST
 MELROSE, MA 02176
 ID: E2 0 1B

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<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage \$ _____

BARNES REV TREUST
 BARNES, NEIL
 133 LEBANON ST
 MELROSE, MA 02176
 ID: E3 0 5

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<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage \$ _____

BURKE, SUSAN C
 108 SYLVAN ST
 MELROSE, MA 02176
 ID: D4 0 6B108

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<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage \$ _____

NORGAY, TENZIN & LHAZE
 115 LEBANON ST
 MELROSE, MA 02176
 ID E3 0 3

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Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage \$

NAZAIRE, ANTHONY
 125 LEBANON ST, UNIT 3
 MELROSE, MA 02176
 ID: E3 0 4-3

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Certified Mail Fee \$

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage \$

HOWARD FAMILY TRUST
 WILLIAM & MARTHA HOWARD
 42 SYLVAN ST, UNIT 2
 MELROSE, MA 02176

Postmark Here
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 01536 USPS

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<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage \$

PATERNO, SUZANNE TRUSTEE
 SUZANNE PATERNO REV. TRUST
 64 SYLVAN ST
 MELROSE, MA 02176
 ID: C4 0 91C

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Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage \$

FOREST STREET REALTY LLC
 51 POND STREET
 ESSEX, MA 01929
 ID: E2 0 44-7

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 01536 USPS

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<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage \$

SHEFFIELD, JOHN II
 BASS, DEBORAH
 70 SYLVAN ST
 MELROSE, MA 02176
 ID: C4 0 91F

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Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage \$

SCHREINER, MICHELLE
 SCHREINER, MELANIE
 10 BLUEBERRY HILL LN
 MELROSE, MA 02176
 ID: E2 0 44-10

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 01536 USPS

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6950 1290 0000 3008 0583

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Certified Mail Fee
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Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage
 \$ _____

METRO CREDIT UNION
 200 REVERE BEACH PARKWAY
 CHELSEA, MA 02150
 ID: C3 0 3A

Postmark Here
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for Instructions

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Certified Mail Fee
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Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage
 \$ _____

Total
 \$ _____

Sent
 PINE BANKS PARK
 78 ACRES+PT IN MALDEN
 350 MAIN STREET, SUITE 30
 MALDEN, MA 02148
 ID: C3 0 100

Postmark Here
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Certified Mail Fee
 \$ _____

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage
 \$ _____

TRIN EXT PROPERTIES LLC
 652 FRANKLIN ST
 MELROSE, MA 02176
 ID: C3 0 8-9

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Certified Mail Fee
 \$ _____

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage
 \$ _____

W/M OAK GROVE VILLAGE LLC
 C/O GID
 125 HIGH STREET, 28TH FLOOR
 BOSTON, MA 02110
 ID: C2 0 1

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 49 CANDLEBERRY LANE
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GHTTAS, PETER
 16 LEDGEWOOD AVE
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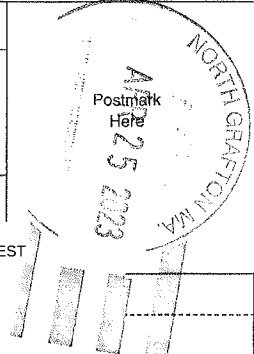
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ENGBER, ABRAHAM + IRENE LF EST
ENGBRE MICHELE J
152 MAIN STREET
MELROSE, MA 02716
C4 0 04



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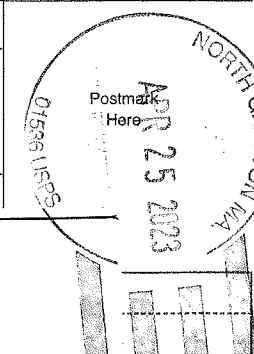
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FAZIO, DENNIS P & DIANNE
10 SYLVAN ST
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ID: C3 0 15



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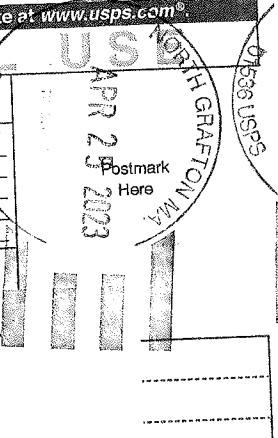
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HIGGINS, EDWARD F & JANET A
4 SYLVAN STREET
MELROSE, MA 02176
ID C3 0 6-7



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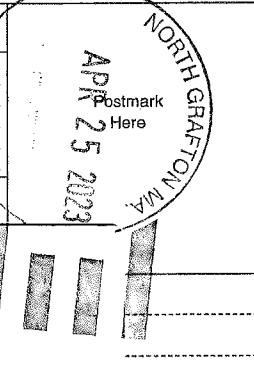
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LANDRY, SCOTT & LISA
24 SYLVAN STREET
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ID: C3 0 17



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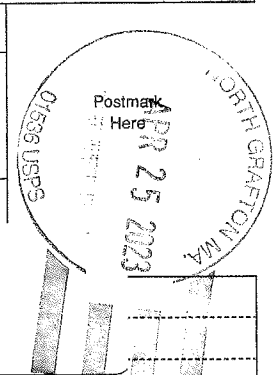
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CAGGIANO, KAREN S
12 MOUNT VERNON AVE
MELROSE, MA 02176
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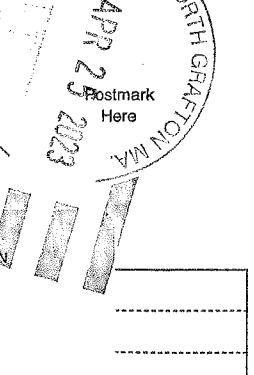
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MELROSE YOUNG MENS CHRISTIAN
106 MAIN STREET
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WU, YUELI
 YUDAN TAN,
 17 MT VERNON AVE
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HU, YIJIA
 DENG, ZI
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MOYLON, ROBERT G & LAURA L
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HARVEY, ANNA
 C/O GAIL CASSESE
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COVIELLO, JOSEPH & LEANNA
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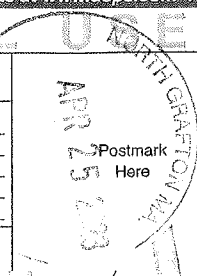
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JIN, ZHUODAN
XUE, XIAO
8 BLUEBERRY HILL LN
MELROSE, MA 02176
ID E2 0 44-8

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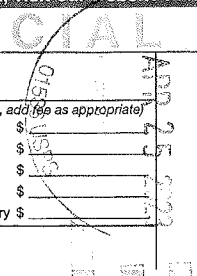
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BEAR, LAURA
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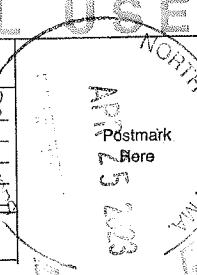
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SHAH, TISHI
15 BLUEBERRY HILL LN
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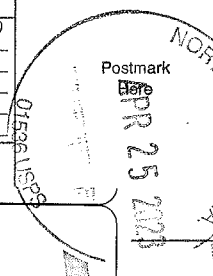
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XU, TIANY
HUANGFU, QIYANG
19 BLUEBERRY HILL LN
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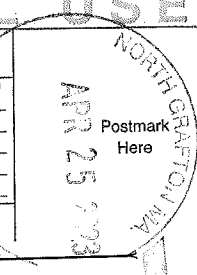
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SACCARDO, DANIEL
KAY, REBECCA
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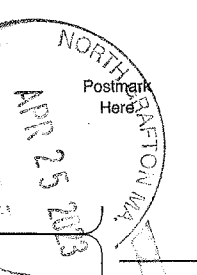
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MEHTA, MITESH & SHIVANGI
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 MELROSE SCHOOL DEPT
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FERRANTE, NATHANIEL & NICOLE
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 ID: C4 0 98

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IRZYKOWSKI, WANDA
 100 SYLVAN ST
 MELROSE, MA 02176
 ID: D4 0 68100

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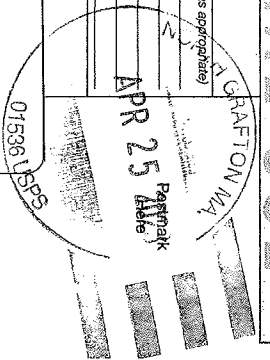
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BRENT, MICHAEL R
125 LEBANON ST. UNIT 2
MELROSE, MA 02176
ID: E3 0 4-2



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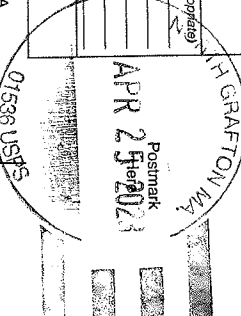
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SANDLIN, TIMOTHY & REBECCA
1 BLUEBERRY HILL LN
MELROSE, MA 02176
ID: C0 44-1



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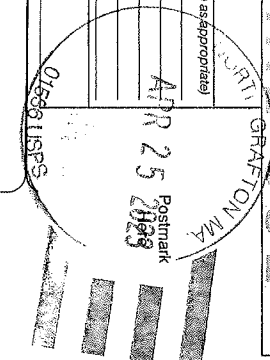
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NEILSON, JULIE
106 SYLVAN ST
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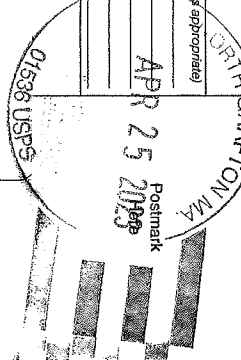
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DIEL, DAVID
KHOZHAMBARDIYEVA, KAMILA
63 SYLVAN ST
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ATTACHMENT B

1.0 INTRODUCTION

The “Applicant”, Pine Banks Park Foundation, Inc., requests approval to continue an Aquatic Plant Management Program at the small pond located within the park. This document will refer to the water body as Pine Banks Pond.

Our surveys have noted growth of nuisance aquatic floating-leaf vegetation and submersed species. Purple loosestrife, cattails, and algae have reached problematic levels in recent years and are eliminating and obstructing open-water habitat. Such dense growth of aquatic vegetation in and around the waterbody degrades aquatic and terrestrial wildlife habitat, diminishes the pond's aesthetic/recreation value, and contributes to water quality conditions that perpetuate unbalanced, unhealthy growth. As a result, some level of management is required to improve conditions at Pine Banks Pond.

1.1 Site Description

The pond is adjacent to the park playground and walking trails, and located entirely in the Melrose portion of the park. Pine Banks Pond is slightly less than one acre with a maximum depth of six feet and average depth of 3.5-feet. Precipitation and groundwater discharge are the only source of inflow for the pond, and according to StreamStats, there is no regular or defined outflow. It is pinned as a potential vernal pool by OLIVER – Mass GIS, but as of April, 2023, it is not certified by Natural Heritage & Endangered Species Program (NHESP).

1.2 Current Conditions

Unbalanced growth of both shoreline and aquatic vegetation annually overtake Pine Banks Pond. Watershield (*Brasenia schreberi*), waterlilies (*Nymphaea odorata* and *Nuphar variegata*), and a thin-leaf pondweed (*Potamogeton sp.* likely *P. pusillus*) make up the aquatic species present within the pond. The photo at right was taken a few years ago, shows watershield and waterlilies on the pond surface, and shoreline vegetation growth on the bank. This is a good example of what happens then the pond is left in an untreated state.



The floating leaf species quickly create a dense canopy blocking out sunlight and hindering necessary nutrient cycling for a healthy ecosystem. Cattails (*Typha latifolia*), Bulrush (*Schoenoplectus sp.*), and Buttonbush (*Cephalanthus occidentalis*) comprise the emergent species dominating the shoreline. Purple loosestrife (*Lythum salicaria*) is an invasive emergent plant that is present along the shoreline in trace quantities.

Excessive vegetation growth can have many adverse impacts on an aquatic ecosystem, such as the depletion of dissolved oxygen levels, loss of predator/prey interaction as a result of decreased open water habitat, and an acceleration of the filling in of the waterbody. Due to the shallow nature of the pond, it has the ability to support dense aquatic vegetation. The pond has problematic levels of aquatic vegetation and accumulated organic debris (i.e. leaf litter and decaying aquatic vegetation) that requires an active pond management program to restore open-water habitat, control nuisance conditions, and retard eutrophication.

1.3 Project History

Between 2006-2013, monitoring and management of Pine Banks Pond was conducted by Solitude Lake Management (formerly Aquatic Control Technology, Inc.), and concluded that Hydro-Raking and chemical treatment program was the most effective and least disruptive method of restoring and

maintaining open-water conditions at Pine Banks Pond. This current proposal does not include hydroraking, since that was done previously.

2.0 PROPOSED AQUATIC MANAGEMENT PROGRAM

2.1 Program Overview

The applicant is seeking approval to continue a multi-year Aquatic Management Program at Pine Banks Pond. The overall objective of the management program focuses on the reduction and control of the nuisance aquatic vegetation involving treatment with USEPA/State registered herbicide and algaecides. This management will restore and maintain open water habitat, suitable water quality, and a balanced, desirable native vegetation assemblage.

The proposed project has been filed as an Ecological Restoration Limited Project under 310 CMR 10.53 (4) and will protect the interest of the Wetland Protection Act by controlling nuisance species, improving wildlife habitat and water quality, and slowing pond eutrophication. No significant alteration to wetland resource areas or species richness will occur as a result of the proposed pond management program; the resource areas will be enhanced by controlling nuisance aquatic plant species and improving water quality.

2.2 Herbicide/Algaecide Treatment

A selective treatment program utilizing USEPA/MA registered herbicides and algaecides will be performed to manage nuisance submersed, floating and emergent vegetation and algae.

Chemical treatment is often the most effective and least disruptive means of controlling problematic vegetation. The nuisance vegetation assemblages within the pond would best be managed using Tribune (chemical name - diquat), Sonar (fluridone), and AquaPro (glyphosate) herbicides and copper-based algaecides such as Captain XTR. The proposed products specifically target plant species and have negligible effect on the non-target species and wildlife when applied in accordance with the label directions; all chemicals are applied at or below suggested doses according to the product label.

In addition, doses are based on plant types and densities, so that a minimum amount of the chemicals are introduced into the pond. Tribune and Sonar treatments are proposed primarily for the target floating- and submersed-leaf aquatic plants species. AquaPro treatments are proposed primarily for target cattail growth around the pond perimeter, in addition to reducing excessive growth of waterlilies and other target aquatic species. Initial effort for nuisance species are likely to entail whole-pond treatments followed by spot treatments in subsequent years to manage regrowth and maintain desirable open water habitat.

Diquat (Tribune – EPA #100-1390 or equivalent)

Diquat is an effective herbicide for partial- and whole-pond treatments due to its rapid mode of action and short herbicide concentration exposure-time requirements. Even though Tribune is considered to be a contact-herbicide, longer term control may be seen as plants' root crowns will not be allowed to develop due to the herbicide target-effect.

The USEPA/MA registered herbicide diquat dibromide will be applied to the area at or below the permissible label dose. Tribune is a widely-used herbicide, applied to hundreds of lakes annually, throughout the northeast. It is used to control nuisance submersed aquatic plants. Tribune would be applied to control species that have been found in the pond in past years, including variable milfoil and

bladderwort, at the application rate of 1.5-2.0 gal/acre, if necessary. Temporary water-use restrictions for Tribune are now:

1. No drinking or cooking with treated water for 3 days
2. No irrigation of turf for 3 days and of food crops for 5 days
3. No livestock watering for 1 day

There are no restrictions on swimming, boating or fishing, but prudent herbicide/algaecide management suggests that we close the pond on the day of treatment. The shoreline of the pond will be posted with signs warning of these temporary water-use restrictions prior to treatment.

Tribune is translocated to some extent within the plant. Its rapid action tends to disrupt the leaf cuticle of plants and acts by interfering with photosynthesis. Upon contact with the soil, it is adsorbed immediately and thereby biologically inactivated. Residual levels of Tribune in treated water decline rapidly, and their reduction is due to the uptake by the targeted vegetation and adsorption to suspended soil particles in the water or on the bottom mud. Photochemical degradation accounts for some loss under conditions of high sunlight and clear waters.

Impacts Specific to the Wetlands Protection Act using Diquat¹

- Protection of public and private water supply – Benefit (water quality improvement)
- Protection of groundwater supply – Neutral no interaction as diquat is absorbed to soil particles
- Flood control - Neutral (no significant interaction)
- Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution – Generally neutral (no significant interaction), but could be a detriment if plant die-off causes low oxygen at the bottom of the lake
- Protection of land containing shellfish - Generally neutral (no significant interaction), but reduced algae might reduce food resources for shellfish, and direct toxicity is possible under unusual circumstances
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)
- Protection of wildlife habitat – Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)

Fluridone (Sonar – EPA #67690-4 or equivalent)

Fluridone is a systemic herbicide that offers long-term control on invasive and nuisance aquatic vegetation. This herbicide hinders the ability of susceptible plants to produce carotene which protects chlorophyll from photodegradation, which results in mortality and subsequent long-term control of the targeted species (i.e. directly impacts the standing population and prevents future spread). This process is known as chlorosis and may be observed visually as the plant begins to lose its green color and take on a white or pink shade. Fluridone requires an extended contact time (45-60 days), historically used for low-dose, whole-pond treatments where dilution and contact time are more predictable, however, new granular formulations do allow for more effective spot-treatment.

Fluridone, when applied at recommended dosages is generally viewed as having one of the most environmentally friendly toxicology profiles of all products currently on the market. In fact, the US EPA has approved a limit of 150 ppb to be allowed in water used for drinking. Ideally, fluridone

¹ Commonwealth of Massachusetts Executive Office of Environmental Affairs. *Practical Guide to Lake Management*. 2004. 124 p.

treatments are initiated early in the growing season when target vegetation is low or starting emergence. Presently, liquid and granular formations of this herbicide are available and included under this management plan. For aqueous applications, this chemical will be placed into an onboard mixing tank, mixed with pond water and evenly distributed throughout the surface of the treatment area via boat. This herbicide will be injected under the water surface through trailing hoses, minimizing the chance of chemical drift and assuring accurate placement of over the target species. For granular applications, the herbicide will be placed into a Heard spreader mounted to the bow of the treatment vessel and evenly distributed over the surface of the treatment area.

Fluridone water-use restrictions include no application within one-quarter mile of a potable water intake and no use of treated water for irrigation purposes within 30 days of application. Although there are no restrictions on swimming, boating, or fishing, prudent use suggests that we close the pond on the day of treatment. The shoreline of the pond will be posted with signs warning of these temporary water-use restrictions prior to treatment.

Impacts Specific to the Wetlands Protection Act using Fluridone²

- Protection of public and private water supply – Generally neutral, but may have detriment at high doses (prohibition within 0.25-mi. of drinking water intakes at doses >20ppb)
- Protection of groundwater supply – Generally neutral (no significant interaction)
- Flood control - Neutral (no significant interaction)
- Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution – Generally neutral (no significant interaction)
- Protection of land containing shellfish – Generally neutral (no significant interaction)
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)
- Protection of wildlife habitat – Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)

Glyphosate (AquaPro – EPA #62719-324-67690, Rodeo - EPA #62719-312 or equivalent)

Glyphosate is used to control waterlilies, watershield, and emergent plants such as purple loosestrife or common reed. It is typically applied in July or early August after the plant leaves have broken the water surface. The area and species selective control of Glyphosate allows treatments to "thin" present populations and prevent future expansion. Glyphosate would be applied at the recommended Federal/State concentration of 0.75 gal/acre. There are no water use restrictions associated with the use of Glyphosate other than within a half-mile of a potable water intake, but prudent practice calls for restriction of water usage on the day of treatment as an additional safeguard. These restrictions are consistent with good pesticide practice and Massachusetts's guidelines for aquatic treatments.

Glyphosate is a systemic herbicide and is foliar active, which means its chemical ingredient is active only on contact with the plant. It has no activity in surrounding soil or water. The chemical is applied to the floating leaves and is translocated down into the rhizomes of the plant. Glyphosate is absorbed by plant foliage and moves throughout plant tissues. Once inside the plant, Glyphosate interrupts the plant's ability to produce a protein it needs to live. The protein that Glyphosate targets is found only in plants; it does not exist in humans, wildlife or fish. Glyphosate binds tightly to most types of soil particles and is unavailable for root uptake. There is low potential for leaching or contamination of groundwater with Glyphosate herbicide. Microorganisms in the soil and water break down into its natural components.

² Commonwealth of Massachusetts Executive Office of Environmental Affairs. *Practical Guide to Lake Management*. 2004.

Impacts Specific to the Wetlands Protection Act using Glyphosate³

- Protection of public and private water supply – Detriment (prohibition within one quarter mile of surface drinking water supplies due to toxicity), but generally neutral where allowed
- Protection of groundwater supply – Neutral (no interaction)
- Flood control - Neutral (no significant interaction)
- Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution – Generally neutral (no significant interaction), but could be a detriment if plant die-off causes low oxygen at the bottom of the lake
- Protection of land containing shellfish - Neutral (no significant interaction)
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)
- Protection of wildlife habitat – Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)

Copper-based Algaecides (Captain – EPA #67690-9, SeClear – EPA #67690-55, GreenGlean PRO – EPA #70299-15, or equivalent)

Approval for the use of a copper-based algaecide is requested in the event that nuisance algae conditions develop, warranting treatment. Some types of algae, and their toxins, can cause health issues in humans and animals.

Copper based algaecides (i.e. CuSO₄, Captain, SeClear) are widely used and are applied to lakes and ponds throughout North America to control nuisance filamentous and microscopic algae. There are no water use restrictions associated with copper-based algaecides and SŌLitude Lake Management treats several direct, potable (drinking) water reservoirs and a number of recreation waterbodies in the Commonwealth with these algaecides, on a yearly basis. The concentrated liquid algaecides are first diluted with pond water and are then sprayed throughout the pond area. The application rate is generally 0.2 ppm or less for algae control. If applied, treatment will not exceed 50% of the pond surface and water column..

Impacts Specific to the Wetlands Protection Act using Copper algaecides⁴

- Protection of public and private water supply – Benefit (used to control algae)
- Protection of groundwater supply – Neutral (no significant interaction)
- Flood control - Neutral (no significant interaction)
- Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution - Generally neutral (no significant interaction), but could be a detriment if algae/plant die-off causes low oxygen at the bottom of the lake or causes release of taste and odor compounds or toxins
- Protection of land containing shellfish - Generally neutral (no significant interaction), but reduced algae might reduce food resources for shellfish, and direct toxicity is possible under unusual circumstances.
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, direct toxicity)
- Protection of wildlife habitat – Possible benefit (habitat enhancement) and possible detriment (food source alteration, direct toxicity)

³ Commonwealth of Massachusetts Executive Office of Environmental Affairs. *Practical Guide to Lake Management*. 2004. 128 p.

⁴ Commonwealth of Massachusetts Executive Office of Environmental Affairs. *Practical Guide to Lake Management*. 2004. 122 p.

All chemical applications will be performed by MA DAR Certified Applicators. The USEPA/MA registered aquatic herbicides will be applied at recommended label rates, in accordance with the ‘Order of Conditions’ and DEP ‘License to Apply Chemicals’ permits. Prior to treatment, the shoreline will be posted with signs, warning of all temporary water-use restrictions prior to treatments. A site specific ‘License to Apply Chemicals’ for the proposed treatments will be filed with MA DEP, Office of Watershed Management.

Proper herbicide application allows for target plant control without posing an unreasonable adverse risk to non-target species and wildlife. Written approval from the Commission will be sought should alternative projects be considered in future years. All products for use will be registered for aquatic use in Massachusetts.

Chemical Descriptions

Detailed information on all the products proposed in this NOI can be found at the **Massachusetts Department of Conservation and Recreation, Lakes and Ponds Program website**. There are links under the Publications tab to the “Generic Environmental Impact Report for Eutrophication and Lake Management in Massachusetts” and the “Practical Guide to Lake Management in Massachusetts”.

<http://www.mass.gov/eea/agencies/dcr/water-res-protection/lakes-and-ponds/lakes-ponds-more-pubs-generic.html>

Additional information on these herbicides can be found at the Massachusetts Department of Agricultural Resources website:

<http://www.mass.gov/eea/agencies/agr/pesticides/aquatic-vegetation-management.html>

2.3 Monitoring

Pre-management inspections will be conducted in order to finalize the treatment areas and assess the growth phase of the target plant species. Post-management inspections will be conducted in order to assess the efficacy of the management efforts and any impacts on non-target species so future applications can be properly adjusted to minimize non-target impacts. Present plant species will be observed and identified during the season to assess the need for treatment and to assure overall program efficacy.

3.0 ALTERNATIVES TO THE PROPOSED INTEGRATED MANAGEMENT PROGRAM

Alternatives to the proposed Aquatic Plant Management Program were considered. SŌlitude Lake Management evaluated all available strategies for control of the nuisance aquatic species in Pine Banks Pond, keeping in mind species richness. Findings and recommendations were based on direct experience and discussions found in the *Eutrophication and Aquatic Plant Management in Massachusetts Final Generic Environmental Impact Review* (FGEIR, EOEA 2004).

Mechanical Harvesting: Not Recommended.

Harvesting of plant material is beneficial in some situations. However, given the shallow nature of the pond and the plant assemblage present in the pond, harvesting would not be an appropriate technique. The dense floating-leaf plant growth will likely regrow within weeks of being cut.

Physical: Not Recommended

Physical controls, such as the use of bottom weed barriers (i.e. Palco and Aquascreen) are effective for small dense patches of nuisance vegetation in much larger water bodies, most commonly, in swim areas, around docks and piers. Costs for material/ installation are in the range of \$1.00-1.50/sq.-ft. Barriers used over large contiguous tracts would prevent use of the bottom sediments by fish, amphibians, insects and other aquatic organisms and would be cost prohibitive.

Biological: Not Recommended.

There are no effective biological controls available or approved by the State for the control of the aquatic plants presently found in the pond.

Winter Drawdown: Not Recommended

A water level drawdown in the fall and winter can be an effective control strategy for some aquatic vegetation. Drawdown of the Pine Banks Pond is not feasible due to the lack of a low-level outlet structure necessary to gravity-drain the pond. Furthermore, it would be necessary to completely drain the pond to achieve any level of vegetation reduction; thereby, jeopardizing obligate wildlife populations. For these reasons, this is not a feasible management alternative.

Sediment Excavation: Not Feasible at this Time

Dredging of the nutrient-rich bottom sediment is sometimes used as a strategy to control excessive weed and algae growth. Conventional (dry) or hydraulic dredging would likely require the expenditure of \$20,000 or more in design and permitting fees alone. Dredging would also be a very expensive undertaking. Dredging may also have severe impacts to aquatic organisms (i.e. fish, macro invertebrates) in the pond and there is no guarantee that dredging alone will control nuisance weed and algae growth.

Do Nothing: Not recommended

If the nuisance aquatic vegetation is allowed to continue to grow unabated, the pond will become further infested with these invasive species. The increased vegetation, algae and organic sediment will degrade fishery and wildlife habitat, accelerate the eutrophication (filling in) of the waterbody and severely impact the aesthetic and recreational value that the pond provides. It is not the goal of this project to rid the pond of all vegetation or organic sediment, but to manage the plants and pond-bottom in order to preserve the valued "open-water" habitat of the pond.

4.0 COMPLIANCE

Massachusetts Wetlands Protection Act

Controlling densities of nuisance species will typically not adversely affect wildlife habitat and will not negatively impact other interests of the Massachusetts Wetlands Protection Act. No significant alteration to wetland resource areas will occur as a result of the proposed management program; the resource areas will be enhanced by controlling the nuisance plant growth. The proposed management activities are consistent with the guidelines in the following documents:

- Final Generic Environmental Impact Report: Eutrophication and Aquatic Plant Management in Massachusetts (June 2004)
- Guidance for Aquatic Plant Management in Lakes and Ponds: As it Relates to the Wetlands Protection Act (April 2004 – DEP Policy/SOP/Guidelines #BRP/DWM/WW/G04-1)
- The Practical Guide to Lake Management in Massachusetts (2004)

DEP License to Apply Chemicals

All chemical applications will be performed by Certified Applicators. The USEPA/MA registered aquatic herbicides will be applied at recommended label rates, in accordance with the "Order of Conditions: and DEP "License to Apply Chemicals" permits (BRP WM04). Prior to treatment the shoreline will be posted with signs, warning of all temporary water-use restrictions. A site specific "License to Apply Chemicals" for the proposed treatment will be filed with MA DEP, Office of Watershed Management.

Massachusetts Environmental Policy Act

The strategies proposed in this Notice of Intent are options approved under the Massachusetts Environmental Protection Act (MEPA) process that was approved in 2004 with the issuance of the FGEIR and the Practical Guide to Lake and Pond Management in Massachusetts. These approaches do not require individual MEPA review.

Massachusetts Endangered Species Act

According to the most recent Natural Heritage maps provided by MA GIS, Pine Banks Pond is not located within an area designated as Priority and Estimated Habitat of Rare Species.

5.0 IMPACTS OF THE PROPOSED MANAGEMENT PLAN SPECIFIC TO THE WETLANDS PROTECTION ACT

Public and Private Water Supply

To the best of our knowledge there are no direct water supply intakes from the ponds or any “dug” wells used for drawing water within 50 ft. of the water’s edge or within 1,300 ft. of the pond outlet. Aquatic herbicide treatment at the pond will not have any adverse impacts on relative public or private water supply, when used in accordance with the product label and conditions of the MA DEP License to Apply Chemicals.

Protection of Groundwater Supply

According to available studies, there is no reason to believe that the groundwater supply will be adversely impacted by the application of chemicals to the ponds. Contamination of groundwater by aquatic herbicides is limited by the low rate of application, rapid rate of degradation, and uptake by target plants. SÖLitude Lake Management’s State licensed applicators take all necessary precautions when mixing and disposing of all chemical containers.

Flood Control and Storm Damage Prevention

No construction, dredging, or alterations of the existing floodplain and storm prevention characteristics of the ponds are proposed. However, in some instances, abundant and excessive aquatic plant growth can contribute to high water and flooding. Most commonly this occurs in the vicinity of waterbody outlets or water conveyance channels or structures. The unmanaged annual growth and decomposition of aquatic vegetation is also known to increase sediment deposition. Therefore, the application of aquatic herbicides may increase the ability of the resource area, over the long-term, to provide flood protection.

Prevention of Pollution

No degradation of water quality or increased pollution is expected by the application of the proposed herbicides. The proposed herbicides are relatively slow acting in controlling the nuisance and non-native vegetation. This results in a slow release of nutrients from the decaying plants, reducing the potential for increases in nutrients that can cause algae blooms. Removal of the excessive growth of aquatic vegetation will contribute to improved water circulation and a reduction in the potential for anoxic conditions. The post-treatment decrease in plant biomass will help to decrease the rate of eutrophication currently caused by the decomposing of excessive plant material.

Protection of Fisheries and Shellfisheries

The contiguous, dense beds of aquatic vegetation provide poor habitat to fish and other aquatic organisms. The dense plant cover frequently results in significant diurnal fluctuations in dissolved oxygen as well as oxygen depletion during certain times of the year. Dense vegetation growth also may inhibit predator/prey relationships and potentially yield an altered fish population. While temporary effects on some desirable submersed and floating-leaved species may occur following the application of an aquatic herbicide, non-target plants typically rebound quickly.

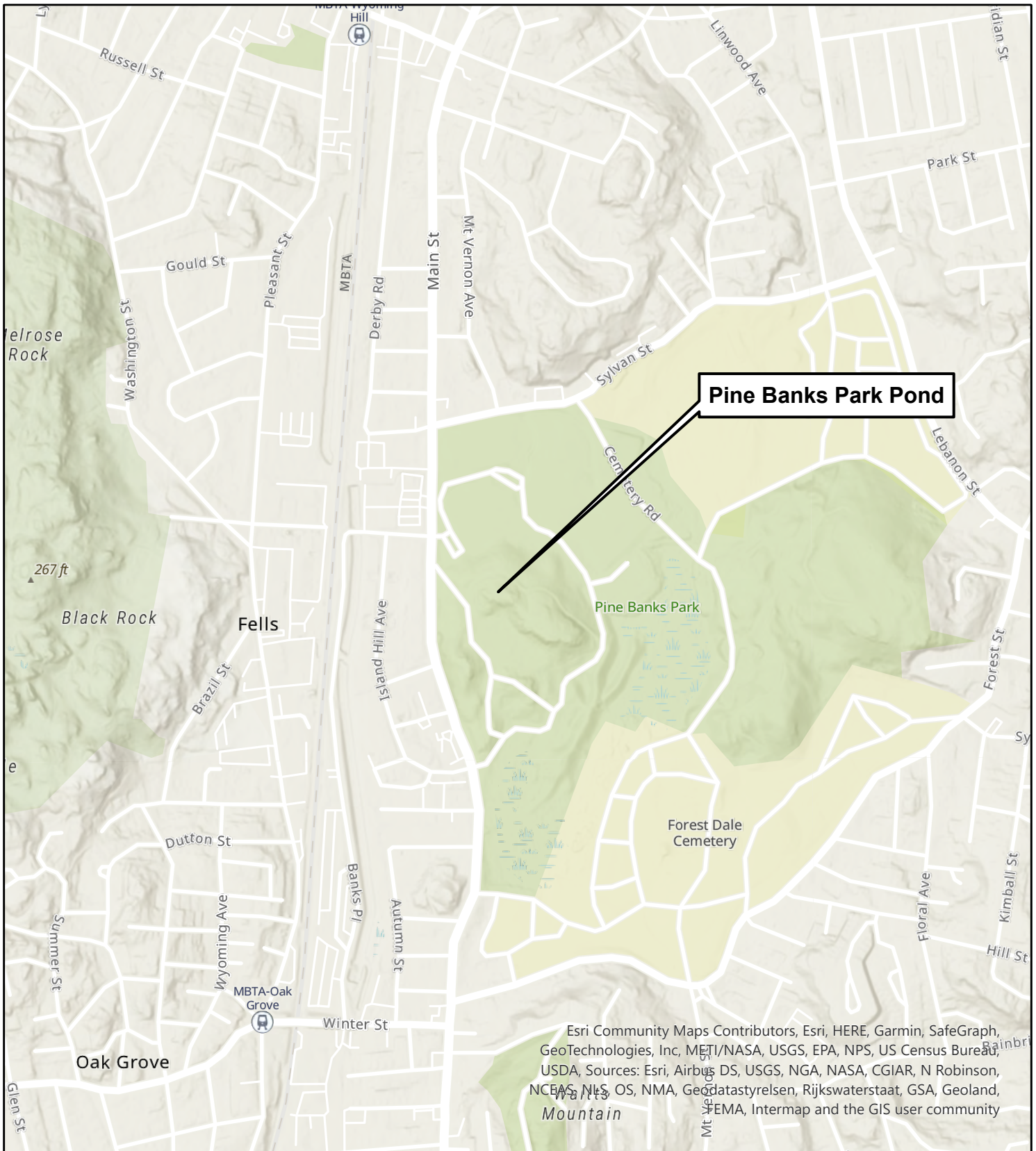
Protection of Wildlife and Wildlife Habitat

In general, excessive and abundant vegetation provides poor wildlife habitat. The proposed management plan is expected to help prevent further degradation of the waterbody through excessive weed growth and improve the wildlife habitat value of the pond in the long-term. Maintaining a balance of open water and vegetated areas is intended.

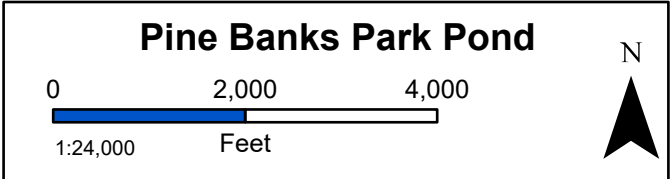


ATTACHMENT C

FIGURE 1: Site Locus



Pine Banks Park Pond
Malden, MA



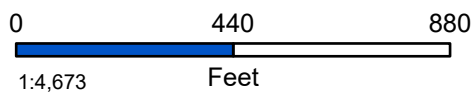
Map Date: 04/04/2023
Prepared by: KV
Office: SHREWSBURY, MA

FIGURE 2: Site Map



Pine Banks Park Pond
Malden, MA

Pine Banks Park Pond




Map Date: 04/04/2023
Prepared by: KV
Office: SHREWSBURY, MA

FIGURE 3: Natural Heritage Areas




Legend

 Natural Heritage Areas

Pine Banks Park Pond
Malden, MA

Pine Banks Park Pond

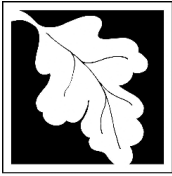
0 440 880

1:4,673 Feet



Map Date: 04/04/2023
Prepared by: KV
Office: SHREWSBURY, MA



ATTACHMENT D

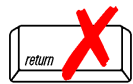


Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 8A – Request for Certificate of Compliance
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:
 217-0198
 Provided by DEP

A. Project Information

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



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:
 SOLitude Lake Mangement
 Name
 590 Lake Street
 Mailing Address
 Shrewsbury MA 01545
 City/Town State Zip Code
 508-865-1000
 Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:
 Henry Kezer, VP - Pine Banks Park Foundation
 Applicant
 4/24/2023 Dated 217-0198 DEP File Number

3. The project site is located at:
 Pond in Pine Banks Park Melrose
 Street Address City/Town
 C3 00
 Assessors Map/Plat Number Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:
 Property Owner (if different)
 County Book Page
 Certificate (if registered land)

5. This request is for certification that (check one):
 the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.
 the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

 the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



WPA Form 8A – Request for Certificate of Compliance

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

A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

Yes If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

ATTACHMENT E

Herbicide/Algaecide Information

Detailed information herbicides proposed in this NOI can be found at the **Massachusetts Department of Conservation and Recreation, Lakes and Ponds Program website**. There are links under the Publications tab to the "Generic Environmental Impact Report for Eutrophication and Lake Management in Massachusetts" and the "Practical Guide to Lake Management in Massachusetts."

<<http://www.mass.gov/eea/agencies/dcr/water-res-protection/lakes-and-ponds/>>

Additional information on these herbicides can be found at the **Massachusetts Department of Agricultural Resources website**

<http://www.mass.gov/eea/agencies/agr/pesticides/aquatic-vegetation-management.html>