



Massachusetts Department of Environmental Protection

## **eDEP Transaction Copy**

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**Username: JULIANOS**

**Transaction ID: 1260967**

**Document: WPA Form 3 - NOI**

**Size of File: 247.28K**

**Status of Transaction: In Process**

**Date and Time Created: 3/1/2021:8:48:36 AM**

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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 #:

eDEP Transaction #:1260967

City/Town:CHARLTON

**A.General Information**

1. Project Location:

a. Street Address	11 DOWNEY LN	c. Zip Code	01507
b. City/Town	CHARLTON	e. Longitude	71.92824W
d. Latitude	42.15224N	g.Parcel/Lot #	5.26
f. Map/Plat #	37		

2. Applicant:

Individual  Organization

a. First Name	TIM	b.Last Name	GOODALE
c. Organization	JULIANOS POOLS		
d. Mailing Address	321 TALCOTTVILLE ROAD		
e. City/Town	VERNON	f. State	CT
g. Zip Code	06066	j. Email	tim@julianospools.com
h. Phone Number	413-531-9626	i. Fax	

3. Property Owner:

more than one owner

a. First Name	ALLEN	b. Last Name	BERCUME
c. Organization			
d. Mailing Address	11 DOWNEY LN		
e. City/Town	CHARLTON	f.State	MA
g. Zip Code	01507	j.Email	amb01562@yahoo.com
h. Phone Number	508-989-7959	i. Fax	

4. Representative:

a. First Name		b. Last Name	
c. Organization			
d. Mailing Address			
e. City/Town		f. State	
g. Zip Code		j.Email	
h. Phone Number		i.Fax	

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

a.Total Fee Paid	110.00	b.State Fee Paid	42.50	c.City/Town Fee Paid	67.50
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6.General Project Description:

CONSTRUCTION OF INGROUND POOL 26X37 WITH 4' SAFETY FENCE WITH SELF CLOSING SELF LATCHING GATES

7a.Project Type:

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Single Family Home     | 2. <input type="checkbox"/> Residential Subdivision                  |
| 3. <input type="checkbox"/> Limited Project Driveway Crossing | 4. <input type="checkbox"/> Commercial/Industrial                    |
| 5. <input type="checkbox"/> Dock/Pier                         | 6. <input type="checkbox"/> Utilities                                |
| 7. <input type="checkbox"/> Coastal Engineering Structure     | 8. <input type="checkbox"/> Agriculture (eg., cranberries, forestry) |
| 9. <input type="checkbox"/> Transportation                    | 10. <input type="checkbox"/> Other                                   |

7b.Is any portion of the proposed activity eligible to be treated as a limited project subject to 310 CMR 10.24 (coastal) or 310

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CMR 10.53 (inland)?

1.  Yes  No If yes, describe which limited project applies to this project:

2. Limited Project

8. Property recorded at the Registry of Deeds for:

<b>a. County:</b>	<b>b. Certificate:</b>	<b>c. Book:</b>	<b>d. Page:</b>
WORCESTER		54940	253

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

1. Buffer Zone & Resource Area Impacts (temporary & permanent):

This is a Buffer Zone only project - 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)

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 type="checkbox"/> Land under Waterbodies and Waterways	1. Square feet	2. square feet
	3. cubic yards dredged	
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 any)	
2. Width of Riverfront Area (check one)	<input type="checkbox"/> 25 ft. - Designated Densely Developed Areas only	
	<input type="checkbox"/> 100 ft. - New agricultural projects only	
	<input type="checkbox"/> 200 ft. - All other projects	
3. Total area of Riverfront Area on the site of the proposed project		square feet
4. Proposed Alteration of the Riverfront Area:		
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.

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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)

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 Beaches                       | Indicate size under Coastal Beaches and/or Coastal Dunes, below   |                                    |
| d. <input type="checkbox"/> Coastal Beaches                       | 1. square feet  | 2. cubic yards beach nourishment   |
| e. <input type="checkbox"/> Coastal Dunes                         | 1. square feet  | 2. cubic yards dune nourishment    |
| f. <input type="checkbox"/> Coastal Banks                         | 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, crea. |
| 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.Restoration/Enhancement

Restoration/Replacement

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 entered the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

5.Projects Involves Stream Crossings

Project Involves Streams Crossings

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If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

a. number of new stream crossings

b. number of replacement stream crossings

**C. Other Applicable Standards and Requirements**

**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 of Endangered Species program (NHESP)?

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:FROM MAP VIEWER

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18)....

c. Submit Supplemental Information for Endangered Species Review \* (Check boxes as they apply)

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

3.  Project plans for entire project site, including wetland resource areas and areas outside of wetland 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

c.  MESA filing fee (fee information available at: <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html>)

Make check payable to "Natural Heritage & Endangered Species Fund" 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

d. 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, <http://www.mass.gov/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14>; 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 Number

b. Date submitted to NHESP

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3.  Separate MESA review completed.

Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review...

2. For coastal projects only, is any portion of the proposed project located below the mean high waterline or in a fish run?

a.  Not applicable - project is in inland resource area only

b.  Yes  No

If yes, include proof of mailing or hand delivery of NOI to either:

South Shore - Cohasset to Rhode Island, and the Cape & Islands:

North Shore - Hull to New Hampshire:

Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
836 S. Rodney French Blvd  
New Bedford, MA 02744

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

If yes, it 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.

3. 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 DEP Website for ACEC locations). **Note:** electronic filers click on Website.

b. ACEC Name

4. 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

5. 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

6. 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, Explain why the project is exempt:

1.  Single Family Home

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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 #:  
eDEP Transaction #:1260967  
City/Town:CHARLTON

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**

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 by regular mail delivery.

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.
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:** BERCUME      **b. Plan Prepared By:** LS JALBERT      **c. Plan Signed/Stamped By:**      **c. Revised Final Date:** 11/12/2020      **e. Scale:**

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.

**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 #:  
 eDEP Transaction #1260967  
 City/Town: CHARLTON

**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:

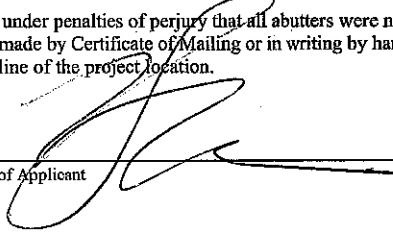
<p>28047 / 128046          2. Municipal Check Number</p> <p>Trans # 1260967 /          4. State Check Number</p> <p>Jlhanos Pools          6. Payer name on check: First Name</p>	<p>3/1/21          3. Check date</p> <p>3/1/21 (electronic)          5. Check date</p> <p>Jlhanos Pools          7. Payer name on check: Last Name</p>
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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.

Tim Goodale

1. Signature of Applicant 

3. Signature of Property Owner (if different)

5. Signature of Representative (if any)

3/1/2021 3/1/21

2. Date

4. Date

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 Section C, Items 1-3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**WPA Form 3 - Notice of Wetland Fee Transmittal**  
**Form**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
 MassDEP File #:  
 eDEP Transaction #:1260967  
 City/Town:CHARLTON

**A. Applicant Information**

1. Applicant:

a. First Name TIM b. Last Name GOODALE  
 c. Organization JULIANOS POOLS  
 d. Mailing Address 321 TALCOTTVILLE ROAD  
 e. City/Town VERNON f. State CT g. Zip Code 06066  
 h. Phone Number 4135319626 i. Fax j. Email tim@julianospools.com

2. Property Owner:(if different)

a. First Name ALLEN b. Last Name BERCUME  
 c. Organization  
 d. Mailing Address 11 DOWNEY LN  
 e. City/Town CHARLTON f. State MA g. Zip Code 01507  
 h. Phone Number 5089897959 i. Fax j. Email amb01562@yahoo.com

3. Project Location:

a. Street Address 11 DOWNEY LN b. City/Town CHARLTON

Are you exempted from Fee?  (YOU HAVE SELECTED 'NO')

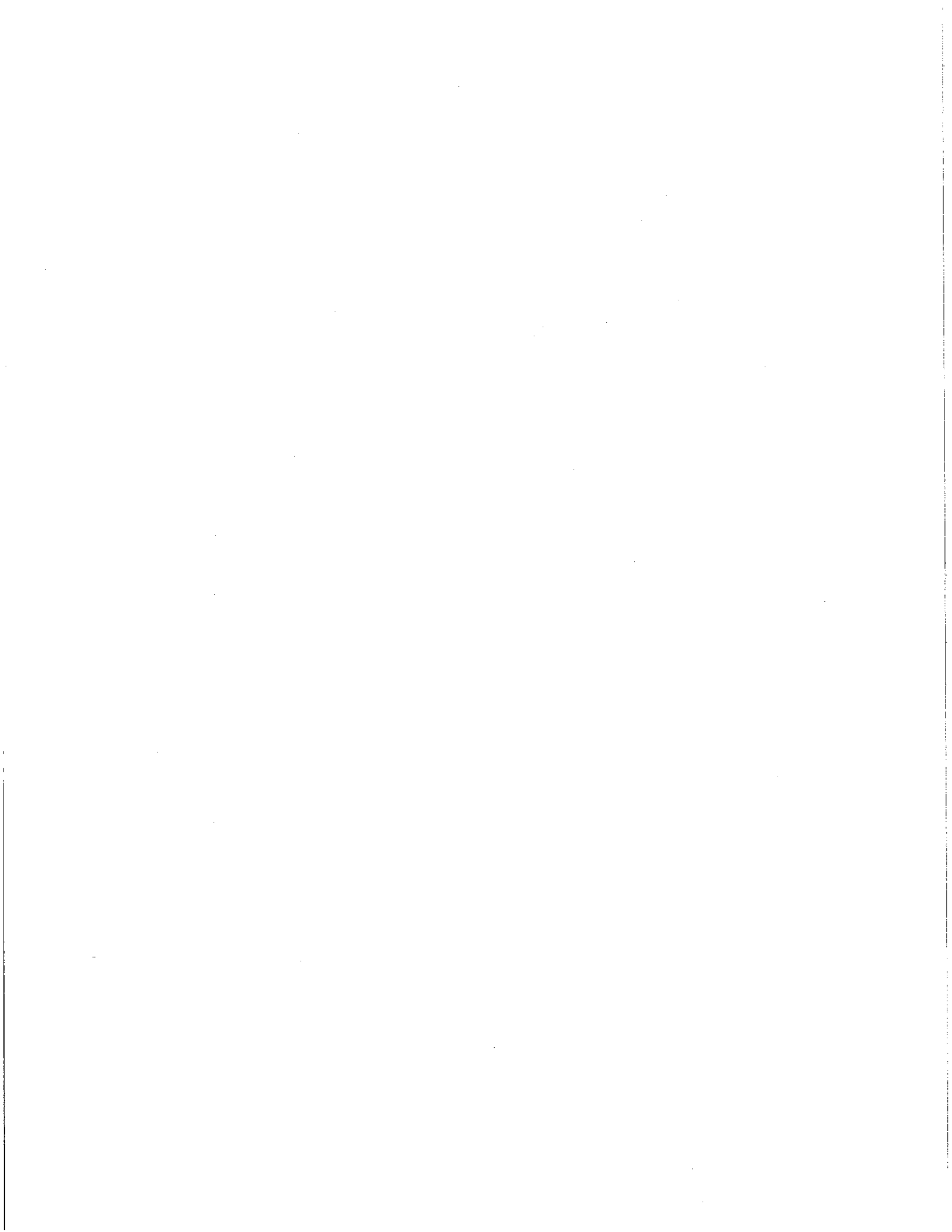
Note: Fee will be exempted if you are one of the following:

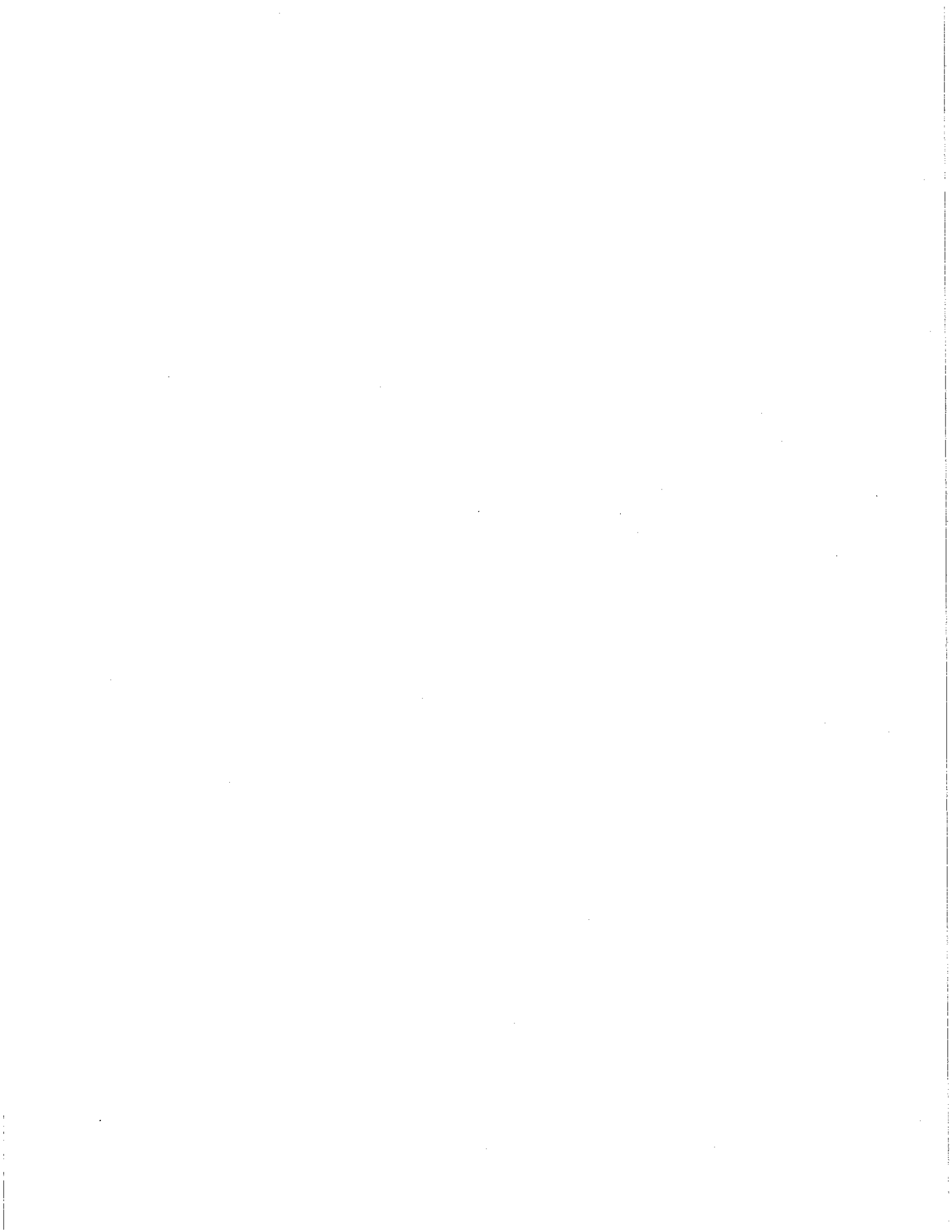
- City/Town/County/District
- Municipal Housing Authority
- Indian Tribe Housing Authority
- MBTA

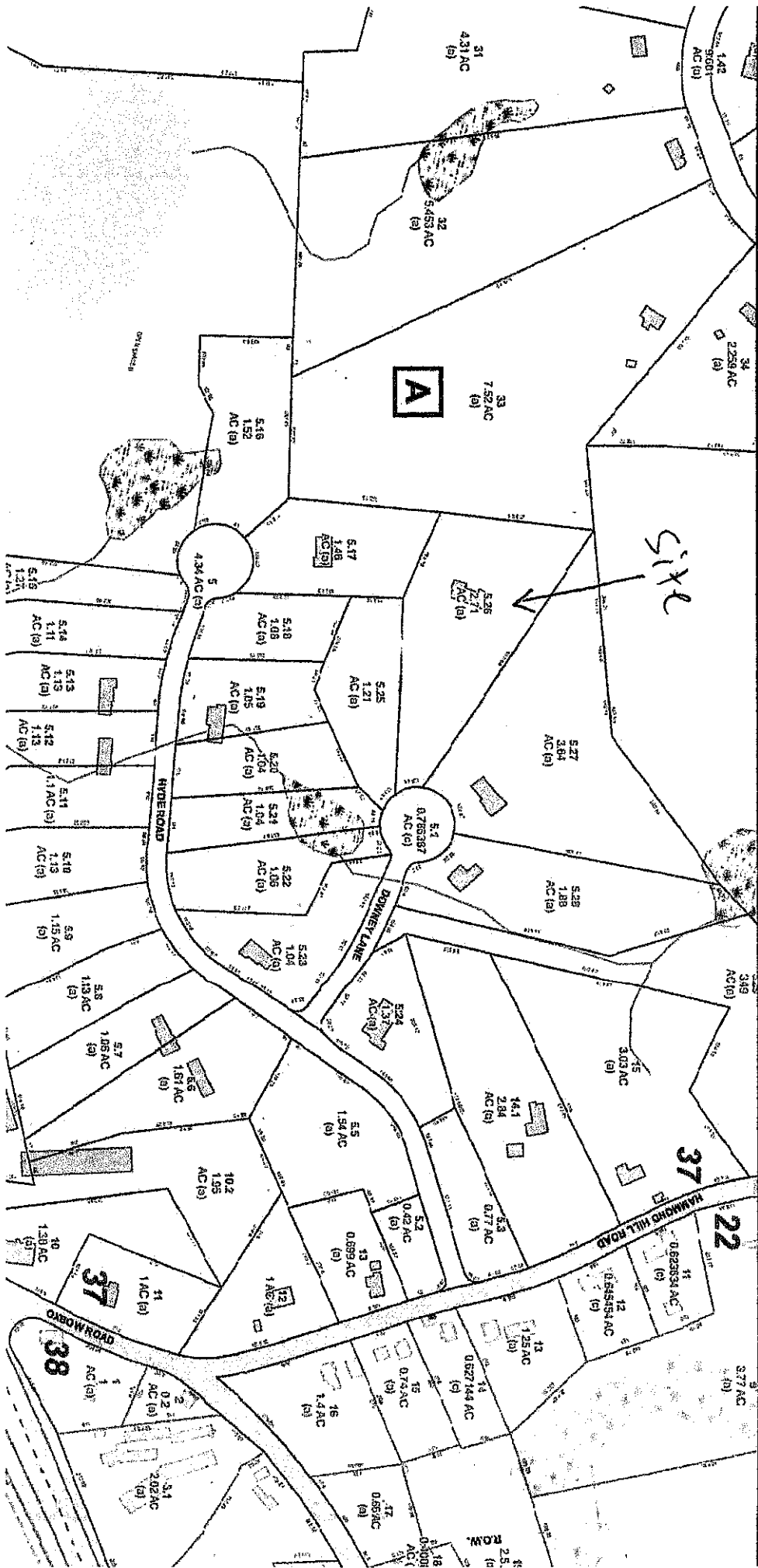
State agencies are only exempt if the fee is less than \$100

**B. Fees**

Activity Type	Activity Number	Activity Fee	RF Multiplier	Sub Total
A.) WORK ON SINGLE FAMILY LOT; ADDITION, POOL, ETC.;	1	110.00		110.00
		City/Town share of filing fee	State share of filing fee	Total Project Fee
		\$67.50	\$42.50	\$110.00







**A**

SITE

37

22

37

38

ROW

25

18

10

10

10

10

10

10

10

10

10

10

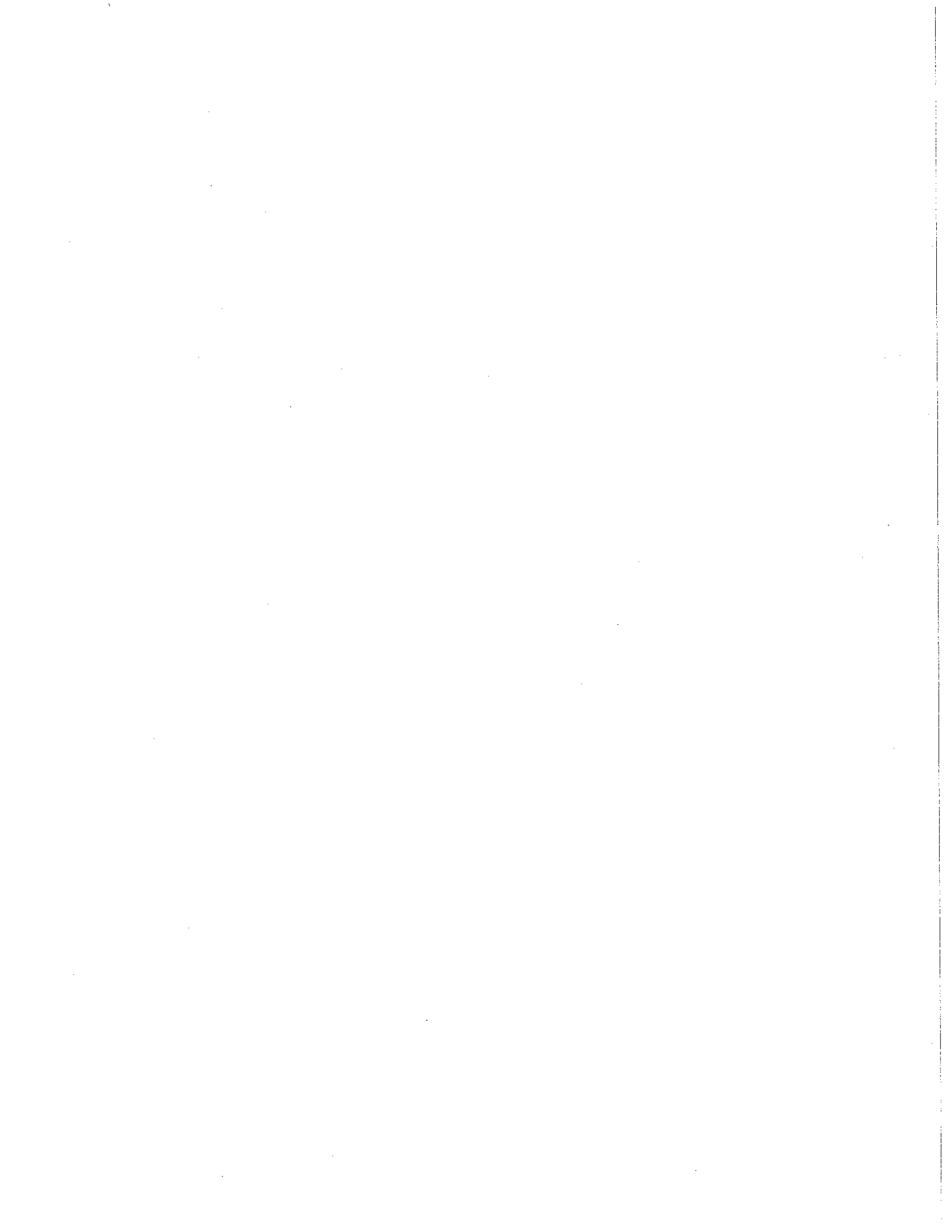
10

10

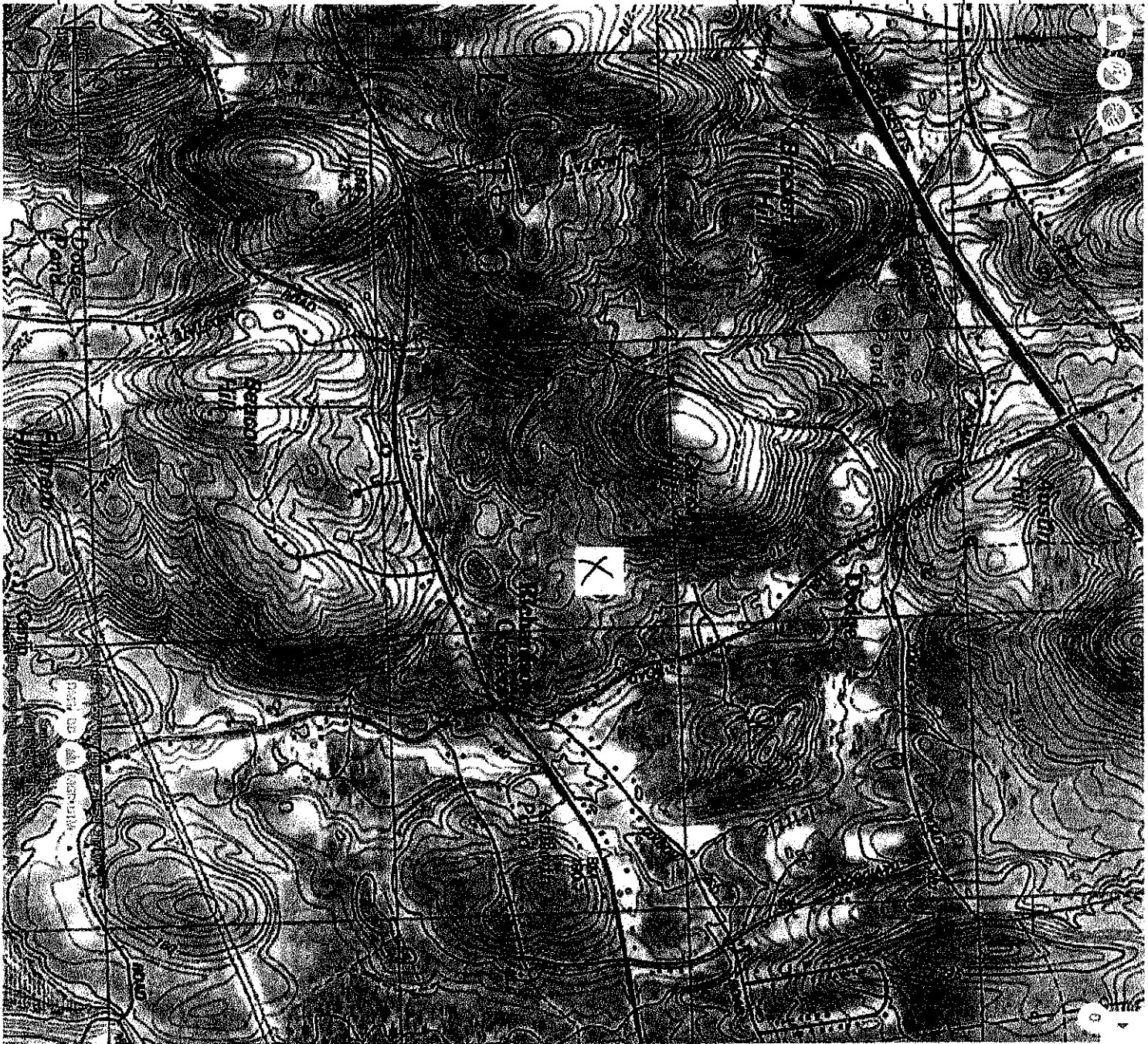
10

10

10



topoView



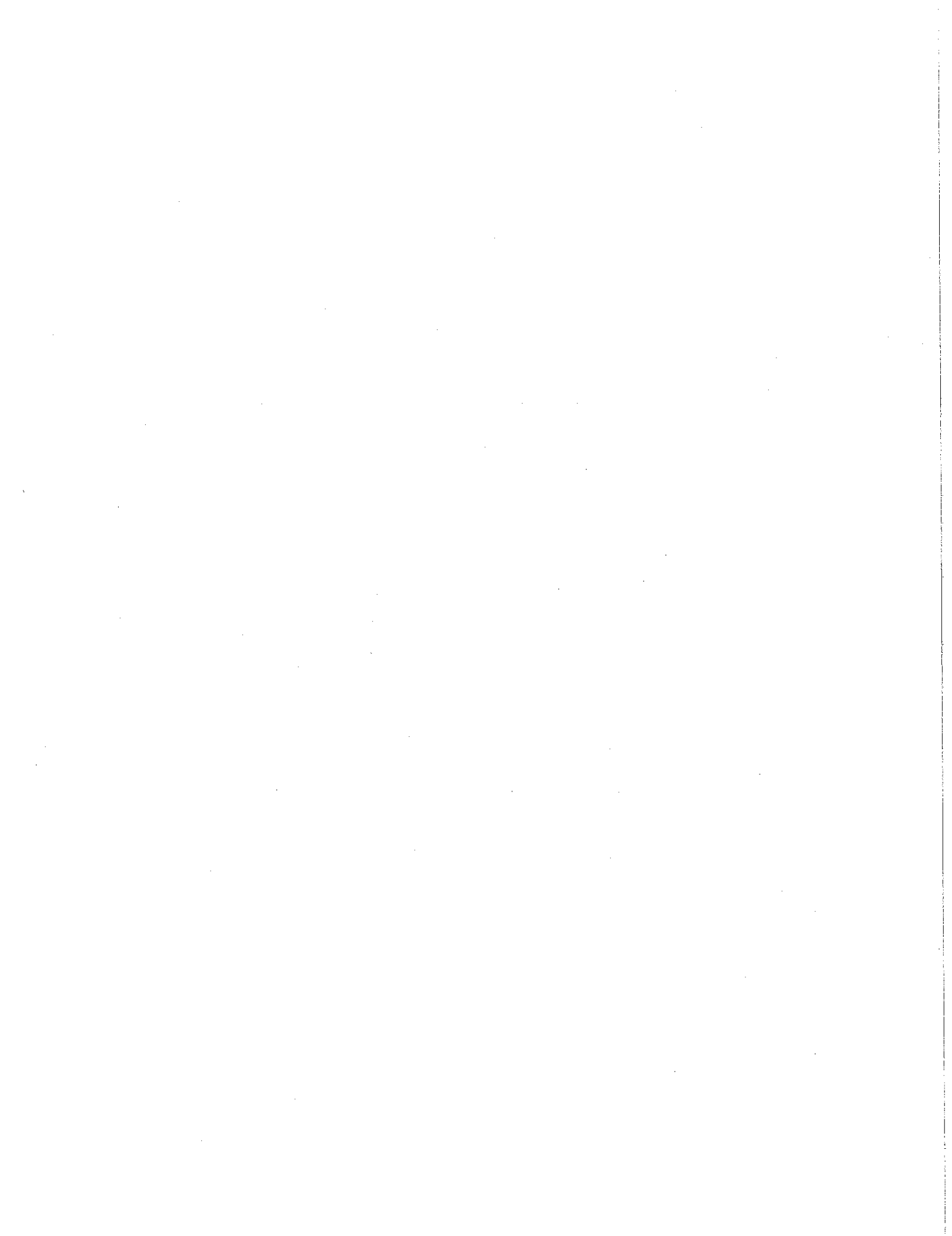
Location | Map Name  
 Search by location



11 Downey Ln, Oxnard, MN 5507 | Elec 02811

Scale: 1:40000  
 0 100 200 300 400 500 600 700 800 900 1000  
 Feet





## Notification to Abutters

*In accordance with the second paragraph of Massachusetts Wetlands Protection Act (G.L. Ch. 131, § 40), and §10.05 (4) (a) of 310 CMR 10.00, you are hereby notified of a Public Hearing on the matter described below.*

A. A **Notice of Intent** has been filed with the Charlton Conservation Commission seeking permission to remove, fill, dredge, or alter an area subject to protection under G.L. CH. 131 §40.

B. The name of the applicant is Allen Bercume

C. The address of the land where the activity is proposed is 11 Downey Ln.

D. Describe the work proposed (example: build wall deck, landscape, etc.)

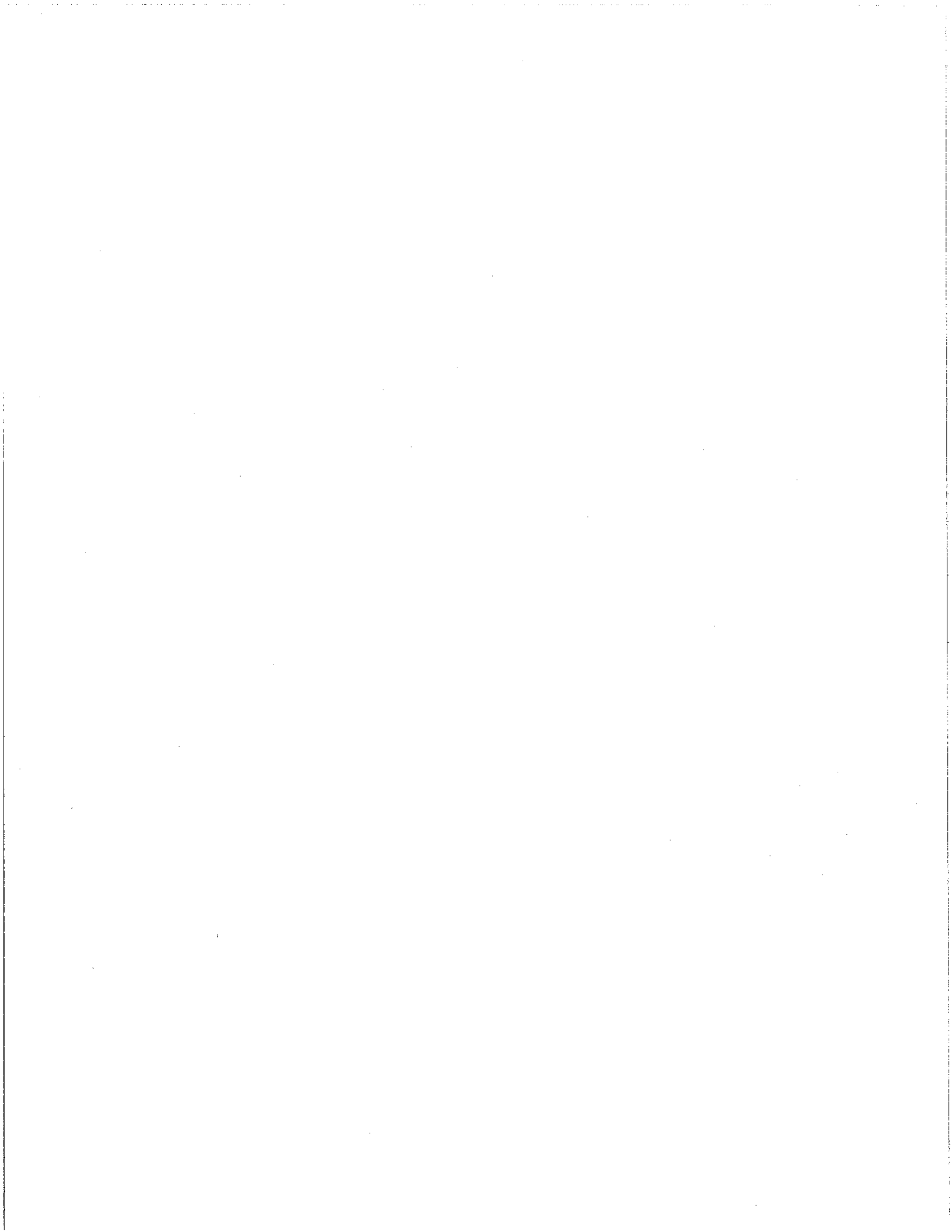
Install a prebuilt 14' X 28' shed on washed stone 50' from wetlands

E. Information regarding the date, time, and place of the public hearing may be obtained by calling Charlton Conservation Commission 508-248-2247

F. Notice of the Public Hearing, including date, time, and place, will be published by the Conservation Commission at least five (5) business days in advance in the **Southbridge News**.

Contact the Charlton Conservation Commission or the Department of Environmental Protection (DEP) Regional Office for more information about this application or the Wetlands Protection Act





Town of Charlton  
Abutters List

Subject Parcel ID: 37-A-5.26

Subject Property Location: 11 DOWNEY LN - 100 FT

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
37-A-20	39 HAMMOND HILL RD	BERTRAND MICHAEL S (12/17)		39 HAMMOND HILL RD	CHARLTON	MA	01507
37-A-33	58 HANSON RD	DONNELLY KEVIN D. (7/11)		58 HANSON RD	CHARLTON	MA	01507
37-A-5.1	DOWNEY LN	T REARDON BUILDERS INC (7/13)		70 PARADISE LANE	FISKDALE	MA	01518
37-A-5.17	26 HYDE RD	GRAVES EDWARD W (7/16)	GRAVES JENNIFER L T/E	13 HYDE RD	CHARLTON	MA	01507
37-A-5.20	18 HYDE RD	LUKSHA IAN (10/18)	LUKSHA DANA T/E	18 HYDE RD	CHARLTON	MA	01507
37-A-5.21	16 HYDE RD	CORMIER JEFFREY (8/16)	CORMIER MEAGHAN T/E	16 HYDE RD	CHARLTON	MA	01507
37-A-5.22	14 HYDE RD	BARTON JUSTIN C (12/16)	BARTON ERIN L T/E	14 HYDE RD	CHARLTON	MA	01507
37-A-5.25	9 DOWNEY LN	OSEPOWICZ NICHOLAS E (11/18)	OSEPOWICA MARI C T/E	9 DOWNEY LN	CHARLTON	MA	01507
37-A-5.26	11 DOWNEY LN	BERCUME ALLEN M (2/16)	BERCUME MEGAN T/E	11 DOWNEY LANE	CHARLTON	MA	01507
37-A-5.27	10 DOWNEY LN	JHA VISHWAJIT (5/17)		10 DOWNEY LN	CHARLTON	MA	01507

Parcel Count: 10

End of Report

**CERTIFIED**

JAN 11 2021

Charlton Board of Assessors

