Wendell Wetland Services

105 Montague Road Wendell, MA 01379 (978) 544-5607 ward.ves@gmail.com

April 4, 2023

Whately Conservation Commission Town Offices 4 Sandy Lane Whately, MA 01093

RE: Construction of a storage building, Quonquont Farm

Dear Commission Members:

On behalf of Quonquont Farm LLC, enclosed please find two copies of a *Notice of Intent* for the above referenced project, along with a check for \$ \$ 387.50 for the Town's portion of the filing fee. This filing is for the construction of a storage shed, a portion of which will be with the outer Riparian Zone of the 200 foot "Riverfront Area." Some of this work will be within an existing "degraded" gravel parking area. However, 524 square feet of the project will be within landscaped or other non-degraded areas.

This work is being filed under the "redevelopment" provisions of the Riverfront Area Regulations (310 CMR 10.58). In order to mitigate for this impact, a total of 1,068.5 square feet of open field within the Riverfront Area is proposed to be planted with native shrubs in order to provide greater than 2:1 mitigation. In addition, two infiltration trenches will be constructed at the edge of the site in order to improve the quality of runoff from the site, which presently has no treatment.

We respectfully request that the Commission issue an *Order of Conditions* for this work, along with any special conditions that you deem necessary to protect the Interests Identified in the Act.

Sincerely, Wendell Wetland Services

Ward W. Smith, SPWS Senior Professional Wetland Scientist

cc: DEP (online filing)



WPA Form 3 - Notice of Intent

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

1	Provided by MassDEP:
	MassDEP File Number
	Document Transaction Number
	Whately

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.

3.

4.

A. General Information		
1. Project Location (Note: electronic f	filers will click on button to locate proj	ect site):
9 North Street	Whately	01093
a. Street Address	b. City/Town	c. Zip Code
Latter to an illian effect.	42 26' 40"	72 38' 14"
Latitude and Longitude:	d. Latitude	e. Longitude
19	02	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	
2. Applicant:		
Ann	Barker	
a First Name	h Last Namo	

T. Assessors Map/Plat No		g. Parcei /Lot N	
Applicant:			
Ann		Barker	
a. First Name		b. Last Nam	e
Quonquont Farm LL	_C		
c. Organization			
PO Box 63			
d. Street Address			
Whately		MA	01093
e. City/Town		f. State	g. Zip Code
	_	ae.barker@yaho	oo.com
h. Phone Number	i. Fax Number	j. Email Address	
Property owner (rec	uired if different from	applicant):	ck if more than one owner
a. First Name		b. Last Nam	e
c. Organization			
c. Organization d. Street Address			
		f. State	g. Zip Code
d. Street Address	i. Fax Number	f. State j. Email address	g. Zip Code
d. Street Address e. City/Town			g. Zip Code
d. Street Address e. City/Town h. Phone Number			g. Zip Code
d. Street Address e. City/Town h. Phone Number Representative (if a		j. Email address	
d. Street Address e. City/Town h. Phone Number Representative (if a	ny):	j. Email address Smith	
d. Street Address e. City/Town h. Phone Number Representative (if a Ward a. First Name	ny):	j. Email address Smith	
d. Street Address e. City/Town h. Phone Number Representative (if a Ward a. First Name Wendell Wetland Sec. Company 105 Montague Road	ny): ervices	j. Email address Smith	
d. Street Address e. City/Town h. Phone Number Representative (if a Ward a. First Name Wendell Wetland Sec. Company	ny): ervices	j. Email address Smith	
d. Street Address e. City/Town h. Phone Number Representative (if a Ward a. First Name Wendell Wetland Sec. Company 105 Montague Road	ny): ervices	j. Email address Smith b. Last Nam	
d. Street Address e. City/Town h. Phone Number Representative (if a Ward a. First Name Wendell Wetland Sec. Company 105 Montague Road d. Street Address	ny): ervices	j. Email address Smith b. Last Nam	ne
d. Street Address e. City/Town h. Phone Number Representative (if a Ward a. First Name Wendell Wetland Sc. Company 105 Montague Road d. Street Address Wendell	ny): ervices	j. Email address Smith b. Last Nam	01379 g. Zip Code

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

\$ 750.00	\$ 362.50	\$ 387.50
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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Α.	General Information (continued)		
6.	General Project Description:		
	It is proposed to construct a new storage building, a Area."	a porti	on of which will be within the "Riverfront
7a.	Project Type Checklist: (Limited Project Types see	Sect	ion 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.	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		
	2. Limited Project Type		
	If the proposed activity is eligible to be treated as a CMR10.24(8), 310 CMR 10.53(4)), complete and a Project Checklist and Signed Certification.		
8.	Property recorded at the Registry of Deeds for:		
	Franklin		
	a. County 7829	b. Ce 336	ertificate # (if registered land)
	c. Book		age Number
B.	Buffer Zone & Resource Area Impa	acts	(temporary & permanent)
1. 2.	Vegetated Wetland, Inland Bank, or Coastal Resource Area.		ly in the Buffer Zone of a Bordering ce Area.
	Check all that apply below. Attach narrative and an project will meet all performance standards for each		

standards requiring consideration of alternative project design or location.



For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Massachusetts Department of Environmental ProtectionBureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

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

Resou	urce Area	Size of Proposed Alteration	Proposed Replacement (if any)		
a. 🗌	Bank	1. linear feet	2. linear feet		
b	Bordering Vegetated Wetland	1. square feet	2. square feet		
с. 🗌	Land Under Waterbodies and	1. square feet	2. square feet		
	Waterways	3. cubic yards dredged			
Resou	urce Area	Size of Proposed Alteration	Proposed Replacement (if any)		
d. 🗌	Bordering Land Subject to Flooding	1. square feet	2. square feet		
		3. cubic feet of flood storage lost	4. cubic feet replaced		
e. 🗌	Isolated Land Subject to Flooding	1. square feet			
		2. cubic feet of flood storage lost	3. cubic feet replaced		
f. 🛚	Riverfront Area	1. Name of Waterway (if available) - spe	cify coastal or inland		
2	Width of Riverfront Area (check one):			
	☐ 25 ft Designated De	ensely Developed Areas only			
	☐ 100 ft New agricultu	ural projects only			
3	3. Total area of Riverfront Area on the site of the proposed project:				
			square feet		
4	Proposed alteration of the F	Riverfront Area:			
	total aguara fact	0 b. square feet within 100 ft.	524		
	total square feet	·	c. square feet between 100 ft. and 200 ft.		
5	. Has an alternatives analysis	s been done and is it attached to th	nis NOI? ⊠ Yes ∐ No		
6	. Was the lot where the activi	ity is proposed created prior to Aug	gust 1, 1996? Xes No		
3. 🗌 C	oastal 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.

4.

5.

		, ,	
Resource Area		Size of Proposed Alteration	Proposed Replacement (if any)
а. 🗌	Designated Port Areas	Indicate size under Land Und	ler the Ocean, below
b. 🗌	Land Under the Ocean	1. square feet	_
		2. cubic yards dredged	
с. 🗌	Barrier Beach	Indicate size under Coastal Be	aches and/or Coastal Dunes below
d. 🗌	Coastal Beaches	1. square feet	2. cubic yards beach nourishment
е. 🗌	Coastal Dunes	1. square feet	2. cubic yards dune nourishment
		Size of Proposed Alteration	Proposed Replacement (if any)
f g	Coastal Banks Rocky Intertidal	1. linear feet	_
9. 🗀	Shores	1. square feet	_
h. 🗌	Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. 🗌	Land Under Salt Ponds	1. square feet	_
		2. cubic yards dredged	_
j. 🗌	Land Containing Shellfish	1. square feet	_
k. 🗌	Fish Runs		nks, inland Bank, Land Under the der Waterbodies and Waterways,
		1. cubic yards dredged	_
I. 🗌	Land Subject to Coastal Storm Flowage	1. square feet	_
If the p	estoration/Enhancement project is for the purpose o	f restoring or enhancing a wetland tered in Section B.2.b or B.3.h ab	
a. squar	a. square feet of BVW		f Salt Marsh
☐ Pr	oject Involves Stream Cro	ssings	
a. number of new stream crossings		b. number of re	placement stream crossings



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		1 404 040	Document Transaction Number			
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	City/Town					
Ĵ.	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).					
Str	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 of 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 <i>Massachusetts Natural Heritage Atlas</i> or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm .					
	a. Yes No If yes, include proof of n	nailing or hand deliv	very of NOI to:			
	online mapping b. Date of map Natural Heritage and E Division of Fisheries at 1 Rabbit Hill Road Westborough, MA 015	nd Wildlife	rogram			
	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*					
	Percentage/acreage of property to be a	altered:				
	(a) within wetland Resource Area	percentage/acreage				
	(b) outside Resource Area	percentage/acreage				
	2. Assessor's Map or right-of-way plan of	f site				
2.	Project plans for entire project site, including wetlands jurisdiction, showing existing and propos tree/vegetation clearing line, and clearly demarcate	ed conditions, existin				
	(a) Project description (including descripti buffer zone)	ion of impacts outside	e of wetland resource area &			
	(b) Photographs representative of the site)				

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^{*} Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see https://www.mass.gov/ma- 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.



3.

Massachusetts Department of Environmental ProtectionBureau of Resource Protection - Wetlands

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

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

Make c	(c) MESA filing fee (fee information available at https://www.mass.gov/how-to/how-to-file-foea-mesa-project-review). Make check payable to "Commonwealth of Massachusetts - NHESP" and <i>mail to NHESP</i> at above address				
Projects	Projects altering 10 or more acres of land, also submit:				
(d)	(d) Vegetation cover type map of site				
(e)	(e) Project plans showing Priority & Estimated Habitat boundaries				
(f) OR	(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 https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivitie priority-habitat; the NOI must still be sent to NHESP if the project is within estimat habitat pursuant to 310 CMR 10.37 and 10.59.)					
2. 🗌	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.					
	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 a	pplicable – project is in inland resource a	rea 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 North Shore - Hull to New Hampshire border: the Cape & Islands:					
Division of Marine Fisheries - Southeast Marine Fisheries Station Attn: Environmental Reviewer 836 South Rodney French Blvd. New Bedford, MA 02744 Email: dmf.envreview-south@mass.gov Division of Marine Fisheries - North Shore Office Attn: Environmental Reviewer 30 Emerson Avenue Gloucester, MA 01930 Email: dmf.envreview-north@mass.gov					
please con	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 t	his an aquaculture project?	d. ☐ Yes ☐ No			
If yes, inclu	de a copy of the Division of Marine Fishe	ries Certification Letter (M.G.L. c. 130, § 57).			

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

	4.	Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
Online Users: Include your document		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.
transaction number		b. ACEC
(provided on your receipt page) with all	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?
supplementary information you		a. 🗌 Yes 🔀 No
submit to the Department.	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?
		 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: 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. Substituting 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.)

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.

2.



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Prov	ided by MassDEP:
	MassDEP File Number
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	Whately
	City/Town

D. Additional Information (cont

3.

E.

	Field Data Form(s), Determination of Application and attach documentation of the method	ability, Order of Resource Area Delineation, etc.), lology.	
4.	List the titles and dates for all plans and other	er materials submitted with this NOI.	
	lan Title		
Wil	liam A. Canon, LA		
	repared By	c. Signed and Stamped by	
3/1	3/2023		
d. Fi	inal Revision Date	e. Scale	
fΔc	dditional Plan or Document Title	g. Date	
5.		ease attach a list of these property owners not	
6.	Attach proof of mailing for Natural Heritage	and Endangered Species Program, if needed.	
7.	Attach proof of mailing for Massachusetts D	ivision of Marine Fisheries, if needed.	
8. 🗵	Attach NOI Wetland Fee Transmittal Form		
9. 🗌	Attach Stormwater Report, if needed.		
Fees			
1.		for projects of any city, town, county, or district Indian tribe housing authority, municipal housing ortation Authority.	
	nts must submit the following information (in	addition to pages 1 and 2 of the NOI Wetland	
976	•	4/4/2023	
	pal Check Number	3. Check date	
Paid Or	nline		
4. State C	Check Number	5. Check date	
Ward		Smith	
6. Payor	5. Payor name on check: First Name 7. Payor name on check: Last Name		

Identify the method for BVW and other resource area boundary delineations (MassDEP BVW

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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.

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.



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

A. Applicant Information

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





1.	Location of Project:		
٠.	9 North Street	Ashfield	
	a. Street Address	b. City/Town	
	Paid Online	- 2	
	c. Check number	d. Fee amount	
2.	Applicant Mailing Address:		
	Ann	Barker	
	a. First Name	b. Last Name	
	Quonquont Farm LLC		
	c. Organization		
	PO Box 63		
	d. Mailing Address		
	Whately	MA	01093
	e. City/Town	f. State	g. Zip Code
		ae.barker@yahoo.com	
	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	

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

B. Fees

Fee should be calculated using the following process & worksheet. *Please see Instructions before filling out worksheet.*

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.



Massachusetts Department of Environmental Protection

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NOI Wetland Fee Transmittal Form

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3. Fees (continued)			
Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
J. Any other activity not in category 1,2,4,5,0r 6 + 50% Riverfront Area		\$ 500.00 \$ 250.00	
	Step 5/T	otal Project Fee:	\$ 750.00
	Step 6	Fee Payments:	
	Total	Project Fee:	\$ 750.00 a. Total Fee from Step 5
	State share	of filing Fee:	\$ 387.50 b. 1/2 Total Fee less \$12.50
	City/Town shar	e of filling Fee:	\$ 362.50 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.)



20 March 2023

Quonquont Farm 9 North Street Whatley, MA 01093

Proposed Storage Building Building Location Site Analysis Diagram Notes

Building Concept and Purpose

- Provide additional storage for events
- Receive deliveries at existing delivery area
- Provide walk-in cooler storage space, no walk-in cooler in existing building
- Relieve some space pressure on existing event support spaces like prep, layout space, etc.

Location Considerations

- Out of sight of front entry or outside event spaces
- Close to existing kitchen and catering prep area
- Close to indoor event space and outdoor event space
- Outside the 50-foot wetland buffer
- Outside the 10-foot septic tanks buffer

Conclusion

Additional storage and receiving area is needed adjacent to the existing delivery area. This existing delivery area is located behind the building and out of sight of the event space. All the existing support spaces are behind the existing event space and therefore this is the only feasible place to locate the proposed storage and support building.

We've reviewed the building location with the Whatley Board of Health and they have required we locate it outside the 10-foot septic tank buffers which pushes the proposed building to the south, closer to the 50-foot Wetland buffer and into the 200-foot Riverfront area.



