



**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

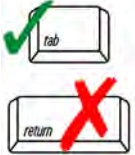
Document Transaction Number

Montague

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):

Rod Shop Road, Map 12 Parcel 52

a. Street Address

Montague

b. City/Town

01351

c. Zip Code

Latitude and Longitude:

42o 35' 10.95" N

d. Latitude

72o 34' 28.19" E

e. Longitude

12

f. Assessors Map/Plat Number

52

g. Parcel /Lot Number

2. Applicant:

Jeff

a. First Name

Burniske

b. Last Name

Skyjac Realty, Inc.

c. Organization

P.O. Box 27

d. Street Address

South Deerfield

e. City/Town

MA

f. State

01373

g. Zip Code

(413) 387-8868

h. Phone Number

i. Fax Number

Jeff@jrbDisposal.com

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):

Lyons

a. First Name

Witten

b. Last Name

OHI Engineering, Inc.

c. Company

110 Pulpit Hill Road

d. Street Address

Amherst

e. City/Town

MA

f. State

01002

g. Zip Code

413-835-0870

h. Phone Number

i. Fax Number

lwitten@ohiengineering.com

j. Email address

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

\$ 165

a. Total Fee Paid

70.00

b. State Fee Paid

95.00

c. City/Town Fee Paid



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**A. General Information (continued)**

6. General Project Description:

Removal of concrete piles and brush, stump & woody debris piles from 100' Buffer Zone and 200' Riverfront resource area. Permanent restoration of a portion of disturbed Riverfront Area.

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

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Single Family Home                        | 2. <input type="checkbox"/> Residential Subdivision       |
| 3. <input checked="" type="checkbox"/> Commercial/Industrial          | 4. <input type="checkbox"/> Dock/Pier                     |
| 5. <input type="checkbox"/> Utilities                                 | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation                |
| 9. <input type="checkbox"/> 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)

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:

Franklin

n/a

a. County

b. Certificate # (if registered land)

8287

217

c. Book

d. Page Number

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

- ☐ 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.
- ☒ 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 checked="" type="checkbox"/> Bordering Vegetated Wetland	1,200 (restoration) 1. square feet	1,200 (in situ) 2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 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 checked="" type="checkbox"/> Riverfront Area	1,068 SF (restoration) unnamed stream 1. Name of Waterway (if available) - <b>specify coastal or inland</b>	

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: 122,604  
square feet

4. Proposed alteration of the Riverfront Area:

<u>12,260</u>	<u>0</u>	<u>12,260</u>
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.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
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 _____
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
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. ☐ 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. ☐ 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](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**

online mapping

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](mailto: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](mailto: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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**C. Other Applicable Standards and Requirements (cont'd)**

**Online Users:**

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

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.

Site Restoration Plan

a. Plan Title

OHI Engineering, Inc.

James R. Borrebach, PE

b. Prepared By

c. Signed and Stamped by

12/15/25

1" = 40'

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

paid online

4. State Check Number

6. Payor name on check: First Name

12/ /25

3. Check date

12/ /25

5. Check date

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.

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:**

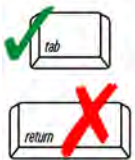
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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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**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:

Rod Shop Road

a. Street Address

paid online

c. Check number

Montague

b. City/Town

\$ 70.00

d. Fee amount

### 2. Applicant Mailing Address:

Jeff

a. First Name

Skyjac Realty, Inc.

c. Organization

PO Bos 42

d. Mailing Address

South Deerfield

e. City/Town

(413) 387-8868

h. Phone Number

i. Fax Number

Burniske

b. Last Name

MA

f. State

01373

g. Zip Code

jeff@jrbDisposal.com

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).



Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
category 1b- site work w/o a house	1	\$ 110.00	165.00
<b>Step 5/Total Project Fee:</b>			<b>\$ 165.00</b>
<b>Step 6/Fee Payments:</b>			
Total Project Fee:			\$ 165.00
State share of filing Fee:			\$ 70.00
City/Town share of filling Fee:			\$ 95.00
			a. Total Fee from Step 5
			b. 1/2 Total Fee <b>less</b> \$12.50
			c. 1/2 Total Fee <b>plus</b> \$12.50

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.

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.

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# *Project Narrative*

## Skyjac Realty Project Narrative

JRB Disposal operates the property which is a relatively new acquisition in 2024. In 2025, they cleared a portion of the land adjacent to Rod Shop Road believing they were far enough from wetland resource areas for that activity to not be an issue.

After it was brought to the owner's attention that some of the above activities were contrary to the Wetlands Protection Act, the boundaries of the wetland resource areas were flagged by Ward Smith, PWS with Wendell Wetland Services. A copy of the wetland report and sketch of wetland flag locations is attached. The wetland flags and limit of cleared/disturbed area were surveyed by Harold Eaton & Associates, Inc. A copy of the survey plan is attached. The survey plan is the base map for the attached *Site Restoration Plan* by OHI Engineering dated 12/15/25.

- Some of the cleared trees, woody debris and stumps were piled in the woods west of the cleared area at a location just outside the 50-foot buffer zone (approximately 400 SF).
- Some were piled straddling the western edge of the cleared area (approximately 2,600 SF within the Riverfront Area of which approximately 300 SF is also within the 100-foot buffer zone).
- Three other piles of trees, woody debris and stumps were created within the cleared area.
- Two piles of concrete debris were created straddling the western edge of the cleared area (approximately 2,600 SF within the Riverfront Area of which approximately 500 SF is also within the 100-foot buffer zone).

These are shown on the attached *Site Restoration Plan* by OHI.

Using the survey data, OHI calculated:

- Lot area within Riverfront = 122,604 SF
- Disturbed/cleared Area within Riverfront = 13,328 SF
- Maximum Allowable disturbed area in Riverfront (10%) = 12,260 SF
- Disturbed Riverfront Area to be permanently restored = 1,068 SF

JRB Disposal currently utilizes the cleared area for storage of equipment, vehicle parking, and materials storage. This is more than allowed within the Riverfront Area. Skyjac Realty proposes the following restoration activities to come back into compliance with the Wetland Protection Act:

- Remove the six piles of trees, stumps, and woody debris from Resource Areas. This material will be chipped and either used on-site outside of Resource Areas, or removed from the property for beneficial use elsewhere. Access the piles from the upland side, rake tracks marks from equipment, and place New England Conservation seed mix on disturbed areas.

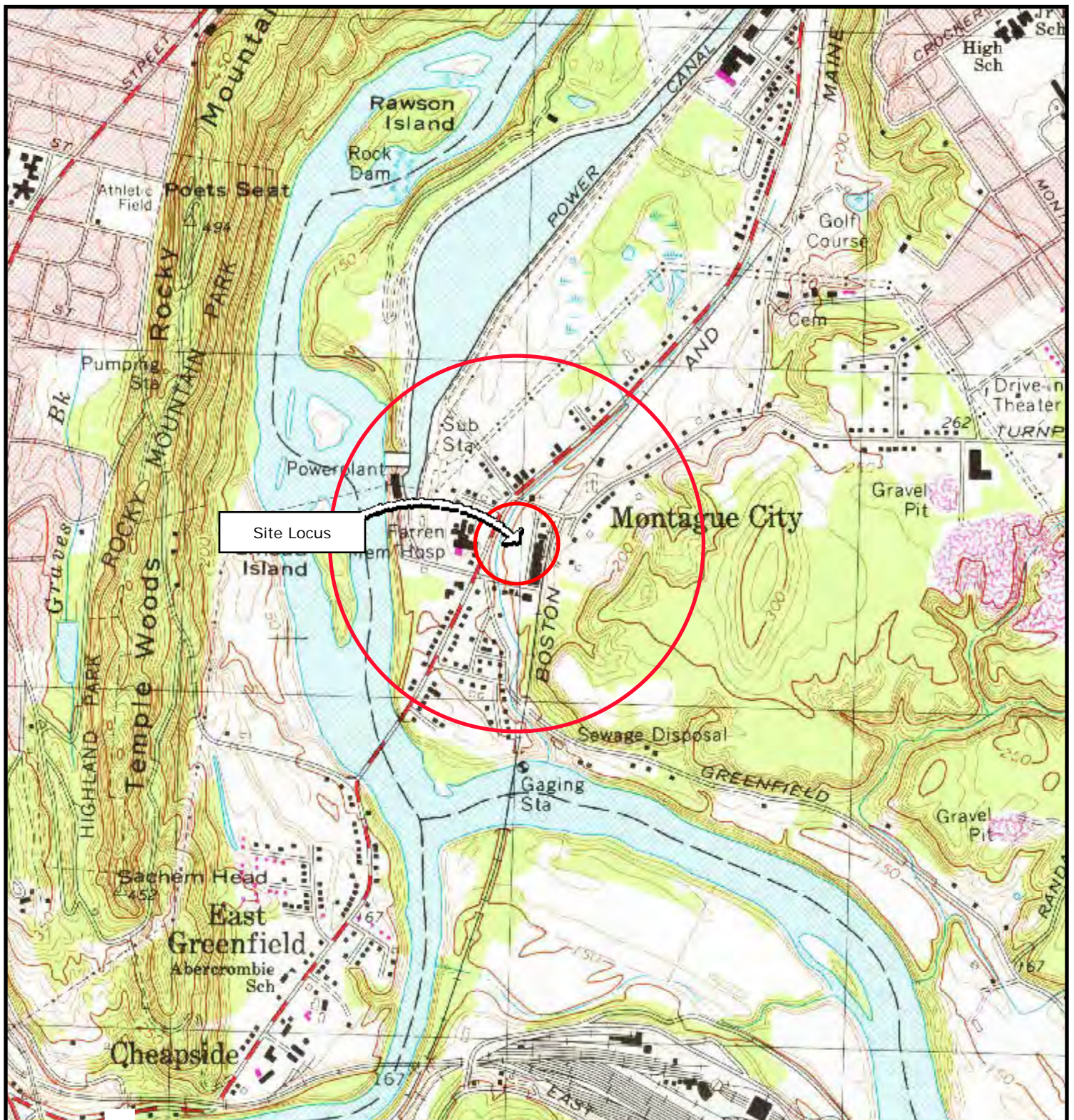
- Remove the two piles of concrete debris from the property, to be recycled. Place New England Conservation seed mix on disturbed areas.
- Restore 1,068 SF of Riverfront Area as shown on the *Site Restoration Plan* after material removals. Place New England Conservation seed mix on disturbed areas.
- Remove any equipment that is parked/stored outside the cleared area. Said equipment to be relocated to within the cleared area or moved off-site.
- Install permanent markers, bollards or similar, every 50-feet along disturbed limit of Riverfront Area as shown on *Site Restoration Plan*. Instruct all Site personnel that no activities are allowed beyond the markers, including tree removal.

It is understood that any future use and/or development of the property will occur outside the Riverfront Area except for the disturbed Riverfront Area marked by the permanent markers (the 10% allowed). These areas are currently used by JRB Disposal for storage of equipment, vehicle parking, and materials storage. A dirt drive exists roughly around the perimeter of the cleared area. Photographs of current conditions are attached.

Future proposed development plans will be brought before the Commission for evaluation of compliance with the Wetlands Protection Act in the form of a new Notice of Intent. Future development will be limited to the area outside the 200-foot Riverfront Area and within the disturbed Riverfront Area marked by the permanent markers (the 10% allowed).

# *FIGURES*





Source: USGS



Latitude 42° 35' 10.95" N  
Longitude 72° 34' 28.19" E

Map 12 Parcel 52  
Rod Shop Road  
Montague, MA

OHI Job # 25-2579  
MassDEP RTN #

Revision Date: 12/23/25

Figure 1  
Locus Map

**OHI**

*OHI Engineering, Inc.*  
Engineers and Environmental Scientists

44 Wood Ave  
Mansfield, MA

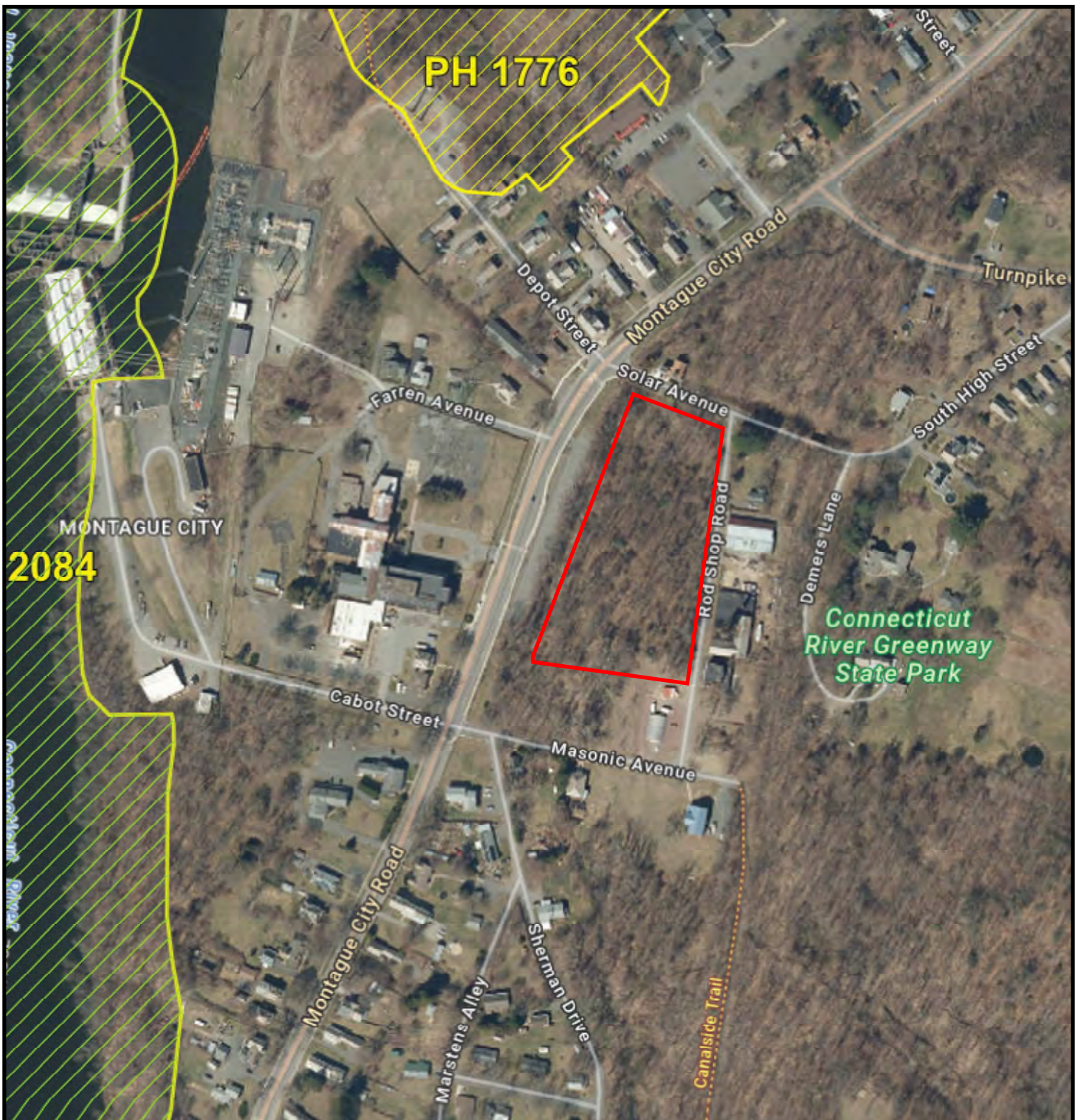
Phone (508) 339-3929  
Fax (508) 339-3140

110 Pulpit Hill Rd  
Amherst, MA

Phone (413) 835-0780  
Fax (413) 549-7918

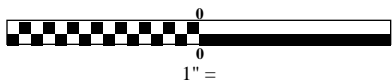
www.ohiengineering.com





	<p>Latitude 42° 35' 10.95" N Longitude 72° 34' 28.19" E</p>	<p>Source: MassGIS - NHESP</p> <p>OHI Job # 25-2579 MassDEP RTN #</p>	<div data-bbox="1437 1627 1534 1732"> </div> <p>Map 12 Parcel 52 Rod Shop Road Montague, MA</p>
	<p>44 Wood Ave Mansfield, MA</p> <p>Phone (508) 339-3929 Fax (508) 339-3140</p> <p>110 Pulpit Hill Rd Amherst, MA</p> <p>Phone (413) 835-0780 Fax (413) 549-7918</p> <p>www.ohiengineering.com</p>	<p>Revision Date: 12/23/25</p>	<p>Figure 2 Habitat Map</p>





Latitude 42° 35' 10.95" N  
Longitude 72° 34' 28.19" E

Source: MassGIS, 2023



Map 12 Parcel 52  
Rod Shop Road  
Montague, MA

OHI Job # 25-2579  
MassDEP RTN #

Revision Date: 12/23/25

Figure 3  
Air Photo

**OHI**  
*OHI Engineering, Inc.*  
Engineers and Environmental Scientists

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Fax (508) 339-3140

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Phone (413) 835-0780  
Fax (413) 549-7918

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# MassDEP - Bureau of Waste Site Cleanup

## Phase 1 Site Assessment Map: 500 feet & 0.5 Mile Radii

### Site Information:

JRB DISPOSAL  
ROD SHOP ROAD MONTAGUE, MA

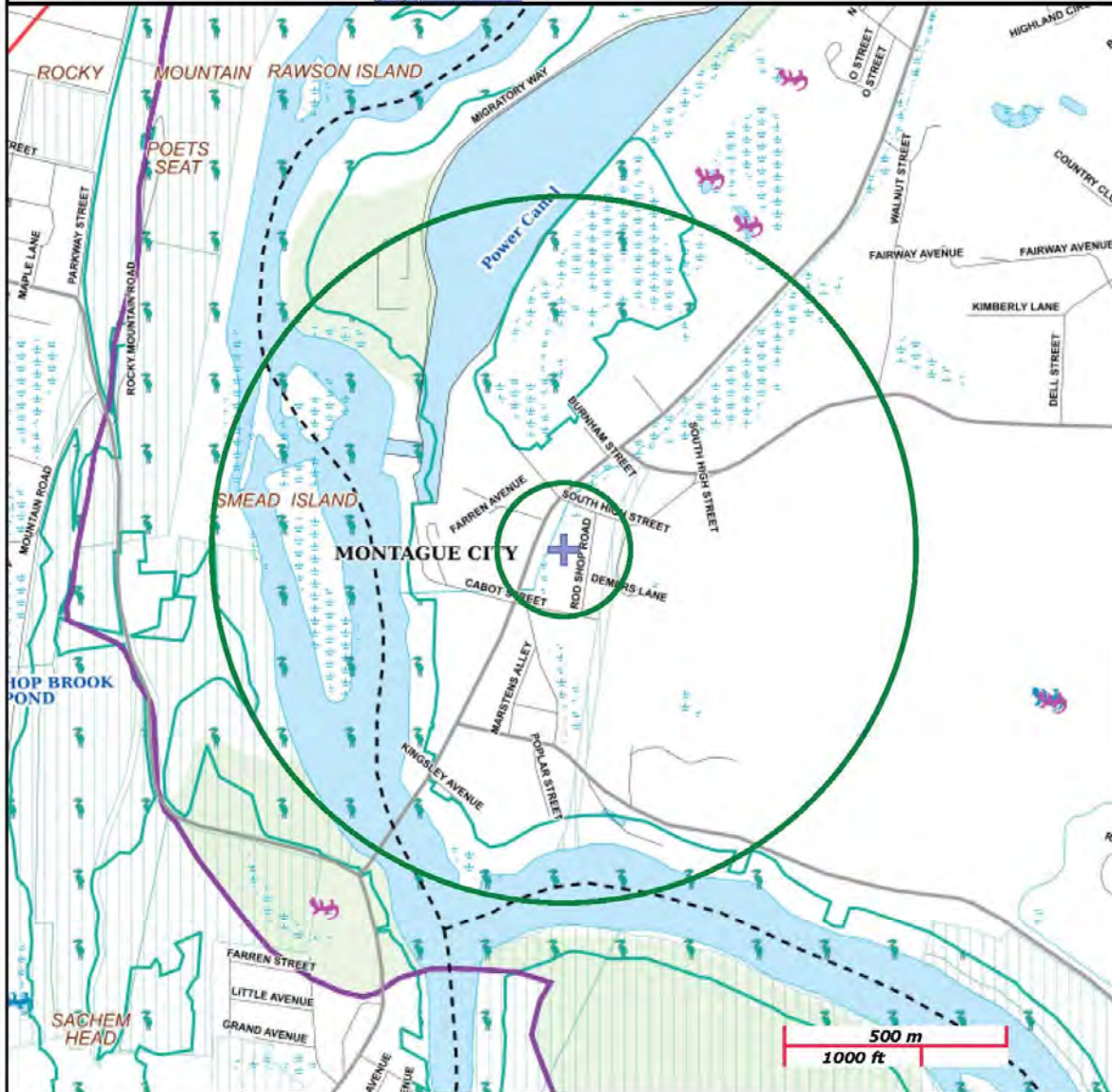
NAD83 UTM Meters:  
47 17726mN, 699000mE (Zone: 18)  
December 8, 2025

The information shown is the best available at the date of printing. However, it may be incomplete. The responsible party and LSP are ultimately responsible for ascertaining the true conditions surrounding the site. Metadata for data layers shown on this map can be found at:  
<https://www.mass.gov/orgs/massgis-bureau-of-geographic-information>



**MassDEP**

Commonwealth of Massachusetts  
Department of Environmental Protection



Roads: Limited Access, Divided, Other Hwy, Major Road, Minor Road, Track, Trail	PWS Protection Areas: Zone II, IWPA, Zone A
Boundaries: Town, County, DEP Region; Train, Powerline, Pipeline, Aqueduct	Hydrography: Open Water, PWS Reservoir, Tidal Flat
Basins: Major, PWS; Streams: Perennial, Intermittent, Man Made Shore, Dam	Wetlands: Freshwater, Saltwater, Cranberry Bog
Aquifers: Medium Yield, High Yield, EPA Sole Source	FEMA 100yr Floodplain; Protected Open Space; ACEC
Non Potential Drinking Water Source Area: Medium, High (Yield)	NHESP Pri-Hab of Rare Species; Vernal Pool: Cert., Potential
	Solid Waste Landfill; PWS: Com. GW, SW, Emerg., Non-Com.

Source: MassGIS, Commonwealth of Massachusetts Executive Office of Environmental Affairs IUSGS



Latitude 42° 35' 10.95" N  
Longitude 72° 34' 28.19" E

Map 12 Parcel 52  
Rod Shop Road  
Montague, MA

OHI Job # 25-2579  
MassDEP RTN #

Revision Date: 12/23/25

Figure 4  
Priority Resource Map

**OHI**

*OHI Engineering, Inc.*  
Engineers and Environmental Scientists

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Fax (508) 339-3140

110 Pulpit Hill Rd  
Amherst, MA  
Phone (413) 835-0780  
Fax (413) 549-7918

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NERIDIAN OF PLAN BOOK 92, PAGE 49

SHERMAN DRIVE

MASONIC AVENUE

MONTAGUE CITY ROAD

SOLAR AVENUE

ROD SHOP ROAD

THE INHABITANTS OF THE TOWN OF MONTAGUE  
PORTION OF BOOK 1024, PAGE 481

THE TOWN OF MONTAGUE  
BOOK 8333, PAGE 169  
SEE: PLAN BOOK 79, PAGE 4 - LOT C

JOSEPH P. GEORGE, JR.  
BOOK 7940, PAGE 62  
SEE: PLAN BOOK 89, PAGE 17  
LOT 1A

ASSESSORS MAP 12 - PARCEL 52  
ZONING DISTRICT - CENTRAL BUSINESS  
SKYJAC REALTY, LLC  
BOOK 8287, PAGE 217  
SEE: PLAN BOOK 92, PAGE 49

TOTAL LOT AREA  
167,609± SQ. FT.  
3.8478± ACRES

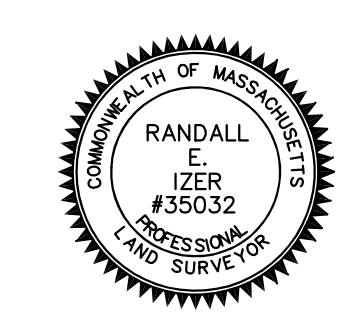
SKYJAC REALTY, LLC  
BOOK 8257, PAGE 271  
SEE: PLAN BOOK 69, PAGE 68  
PARCEL 1

(edge of pavement)

(edge of pavement)

LEGEND

- FOUND IRON PIN
- IRON PIN TO BE SET
- FOUND CONCRETE BOUND
- FOUND GRANITE HIGHWAY BOUND
- △ UNMARKED POINT



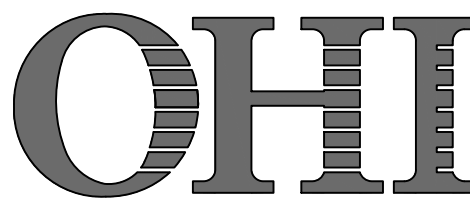
"WETLAND FLAG LOCATION"  
PLAN OF LAND IN  
MONTAGUE, MASSACHUSETTS  
PREPARED FOR  
SKYJAC REALTY, LLC

SCALE: 1"=40'  
HAROLD L. EATON AND ASSOCIATES, INC.  
REGISTERED PROFESSIONAL LAND SURVEYORS  
235 RUSSELL STREET - HADLEY - MASSACHUSETTS  
413-584-7599 413-585-5976 (fax)  
email - info@eatonsurvey.com



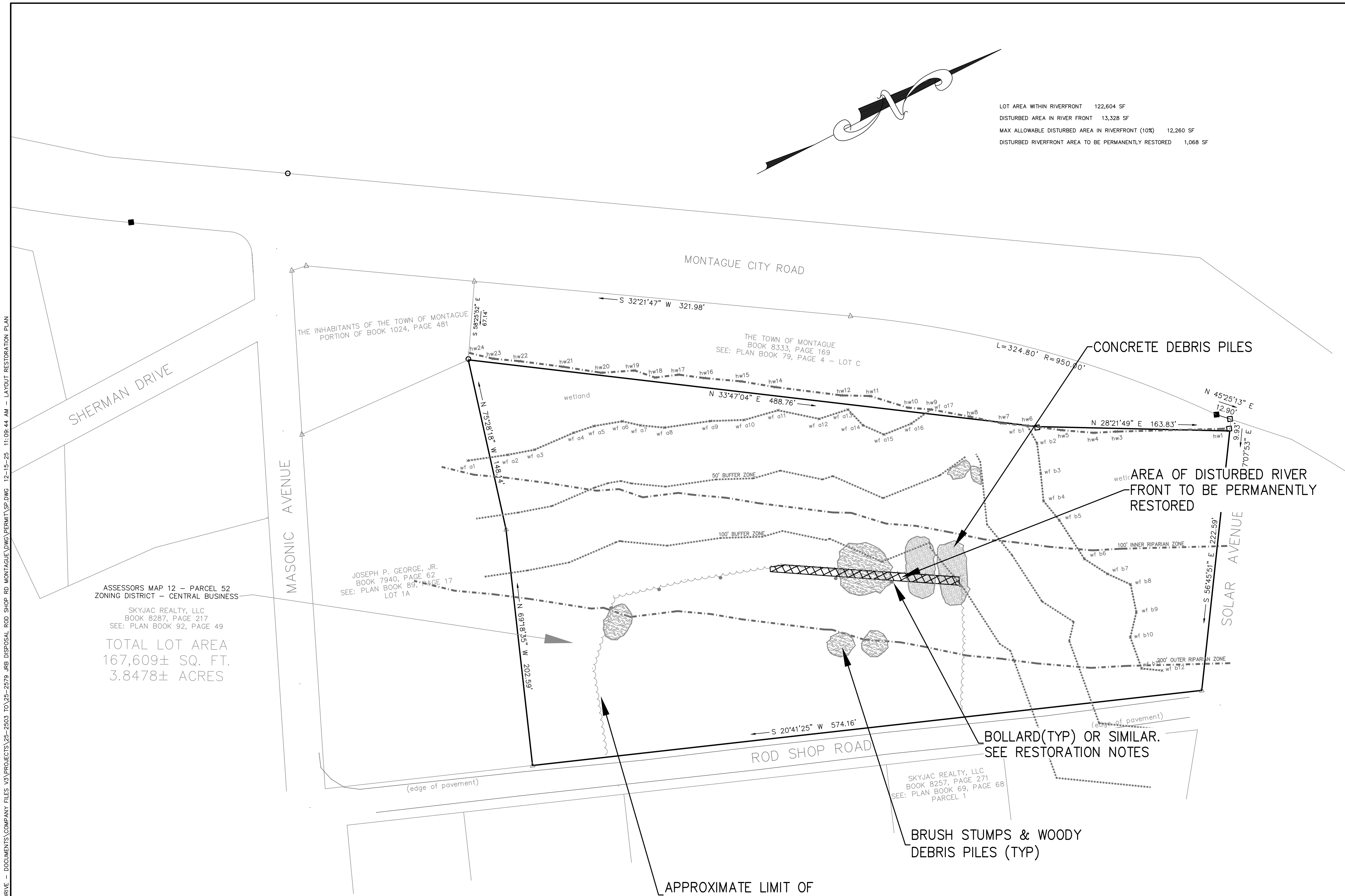


C:\USERS\TZTADAB\OHI ENGINEERING\OHI SHARED DRIVE - DOCUMENTS\COMPANY FILES\3\PROJECTS\25-2503 TO\25-2579 JRB DISPOSAL ROD SHOP RD MONTAGUE\DWG\PERMIT\SF.DWG 12-15-25 11:09:44 AM - LAYOUT RESTORATION PLAN



**OHI ENGINEERING, INC.**  
ENGINEERS & ENVIRONMENTAL SCIENTISTS  
44 WOOD AVENUE, MANSFIELD, MA 02048  
VOICE: 508-339-3929 FAX: 508-339-3140  
www.ohiengineering.com

LOT AREA WITHIN RIVERFRONT 122,604 SF  
DISTURBED AREA IN RIVER FRONT 13,328 SF  
MAX ALLOWABLE DISTURBED AREA IN RIVERFRONT (10%) 12,260 SF  
DISTURBED RIVERFRONT AREA TO BE PERMANENTLY RESTORED 1,068 SF

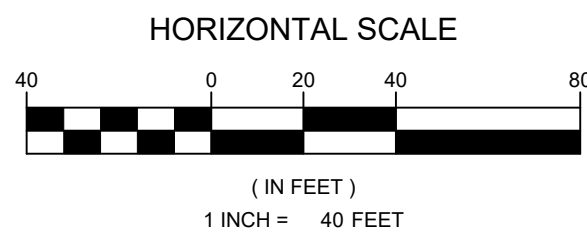


ASSESSORS MAP 12 - PARCEL 52  
ZONING DISTRICT - CENTRAL BUSINESS  
SKYJAC REALTY, LLC  
BOOK 8287, PAGE 217  
SEE: PLAN BOOK 92, PAGE 49

TOTAL LOT AREA  
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SEE: PLAN BOOK 89, PAGE 17  
LOT 1A

SKYJAC REALTY, LLC  
BOOK 8257, PAGE 271  
SEE: PLAN BOOK 69, PAGE 68  
PARCEL 1



### NOTES

- WETLAND BOUNDARY FIELD DELINEATED BY WENDELL WETLAND SERVICES ON JUNE 3, 2025.
- EXISTING CONDITION FROM PLAN ENTITLED "WETLAND FLAG LOCATION" BY HAROLD LEATON AND ASSOCIATES, INC; PLAN DATED NOVEMBER 19, 2025.

### RESTORATION NOTES

- CONCRETE DEBRIS PILES SHALL BE REMOVED AND CONTENTS DISPOSED OFF SITE. PLACE NEW ENGLAND CONSERVATION SEED MIX ON DISTURBED AREAS.
- BRUSH, STUMPS AND WOODY DEBRIS PILES SHALL BE CHIPPED/SHREDDED AND CHIPS PLACED ON SITE OUTSIDE OF THE 200 FOOT OUTER RIPARIAN ZONE. PLACE NEW ENGLAND CONSERVATION SEED MIX ON DISTURBED AREAS.
- ACCESS DEBRIS PILES FROM UPLAND DIRECTION ONLY. RAKE TREE/TRACK MARKS OF EQUIPMENT AND SEED WITH NEW ENGLAND CONSERVATION SEED MIX.
- PLACE PHYSICAL BARRIER, BOLLARDS OR SIMILAR EVERY 50' ALONG DISTURBED LIMIT OF RIVER FRONT.

### DRAWING ISSUED FOR:

- ☐ CONCEPT ☐ CONSTRUCTION  
☒ PERMIT ☐ CONSTRUCTION RECORD

THIS PLAN IS INTENDED TO SHOW CONSTRUCTABILITY AND MAY NOT SHOW ALL CONSTRUCTION DETAILS AND SPECIFICATIONS FOR THE PROPOSED IMPROVEMENTS, AND MAY NOT IDENTIFY ALL CONSTRUCTION ITEMS/AREAS OF CONTRACTOR JURISDICTION

### REVISIONS

NO.	DATE	DESCRIPTION

## SITE RESTORATION PLAN

320 ROD SHOP ROAD  
MAP 12 PARCEL 52  
MONTAGUE, MA

PREPARED FOR:

SKYJAC REALTY, INC  
PO BOX 42  
S.DEERFIELD, MA 01376

DRWN BY: TND DATE: DEC 15, 2025  
CHK BY: JRB PROJECT NO. 25-2579

C

# *APPENDIX A:*

## Photographs





**Photo 1:** View of the Subject Property to the NW from Rod Shop Rd. Left side is the southern limit of clearing.



**Photo 2:** View of the Subject Property to the NW from Rod Shop Rd. Property is used for vehicle parking and materials storage.



**Photo 3:** View of debris pile within the cleared area and the dirt drive around the perimeter of the cleared area.



**Photo 4:** Right of photo is western limit of cleared area and the far right would include the Riverfront Area to be permanently restored.



**Photo 5:** Pile of trees, stumps & woody debris to be chipped and removed from the Riverfront Area. Equipment storage on left will be relocated to within the cleared area or off-site.



**Photo 6:** Pile of concrete debris to be removed from the property for recycling. Dark pile of trees in rear center of photo is just outside the 50-foot BVW flags.

***APPENDIX B:***  
Wetland Delineation Report & Sketch



## Wendell Wetland Services

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

June 4, 2025

Mr. Jeff Burniske  
JRB Disposal & Excavation  
Via electronic mail

Re: Wetland Delineation, Rod Shop Road, Map 12 Parcel 52, Montague

Dear Mr. Burniske:

As requested, Wendell Wetland Services (WWS) visited the above referenced yesterday in order to identify and delineate wetlands on the property. All wetlands that are protectable under the Massachusetts Wetlands Protection Act (M.G.L. chapter 131, section 40) and Regulations (310 CMR 10.00) have been marked in the field with consecutively numbered pink "wetland delineation" flagging tape. While the wetland boundaries have been accurately delineated, only the Montague Conservation Commission, or the Massachusetts Department of Environmental Protection (DEP) on appeal, can make the final determination of the extent of the wetland resource areas on the site

### Delineation Methodology

The methodology employed in delineating the "bordering vegetated wetland" boundary utilizes both vegetation and hydrology as outlined in the Regulations at 310 CMR 10.55 and in the DEP handbook *Massachusetts Handbook for the Delineation of Bordering Vegetated Wetlands, Second Edition* (2022). Hydrophytic Vegetation was based upon the US Fish and Wildlife Service's *National List of Plant Species that Occur in Wetlands* (2020), as well as all plant species listed in the Act. Wetland hydrology includes a high water table, water-stained leaves, and hydric soils. Hydric soils were determined based upon the interagency document *Field Indicators for Identifying Hydric Soils in New England, Version 4* (2019).

The Mean Annual High Water Line (MAHWL) of the perennial stream was delineated in accordance with the Regulations. On this site, since the stream flows within steep, well-defined banks, the MAHWL was coincident with the top of the "bank" resource area.

### Site Description

The property is located to the west of Rod Shop Road. There is a perennial stream near the western property line that runs from north to south across the site, draining into a large concrete culvert. Bordering on this stream are wooded swamp wetlands that are vegetated by red maple (*Acer rubrum*), privet (*Ligustrum* spp.), honeysuckle (*Lonicera tartarica*), cinnamon fern (*Osmundastrum cinnamomea*), sensitive fern (*Onoclea sensibilis*), jewel weed (*Impatiens* spp.), and skunk cabbage (*Symplocarpus foetidus*). Flags A-1 to A-17 and B-1 to B-12 mark the wetland boundaries, while flags HW-1 to

HW-24 mark the MAHWL of the perennial stream.

### **Wetland Resource Areas**

Under the state Regulations (310 CMR 10.00), wetlands are broken up into different "resource areas," each of which is regulated in a slightly different manner. The delineated wetland contains the following resource areas, to which there is a 100 foot buffer zone:

- \* Bank (10.54) – the banks of the perennial stream;
- \* Bordering Vegetated Wetland (10.55) – the A and B lines;
- \* Land Under a Waterway (10.56) - the perennial stream.

The following resource area is not normally delineated in the field, and does not have any additional buffer zone:

- \* Riverfront Area (10.58) – the area within 200 feet of the HW flags.

### **Project Planning**

I have sent you a sketch of the approximate location of my wetland flags. These flags should be surveyed and plotted onto a Site Plan, along with all proposed work. Limited work in the buffer zone may be approved by the Commission through the filing of a *Request for Determination of Applicability* (WPA form 1). More extensive buffer zone work, or any work within the 200-foot Riverfront Area, will require filing the more complicated *Notice of Intent* (WPA form 3).

The Regulations to the Riverfront Area are complex, and cannot be adequately summarized in this report. In brief, the Conservation Commission may allow site work to alter up to 5,000 square feet or 10% of the Riverfront Area on the site, whichever is greater, if an Alternatives Analysis can demonstrate that there will be no "practicable and substantially equivalent economic alternative" and no work is proposed within 100 feet of the stream.

The site is not shown within the *Estimated Habitats of Rare Wildlife or Priority Habitats of Rare Species* according to the most recent online mapping. Therefore, unless new information becomes available, no filing with the Natural Heritage and Endangered Species Program should be required.

Please feel free to contact me if you have any questions regarding my delineation.

Sincerely,  
Wendell Wetland Services

Ward W. Smith, SPWS  
Senior Professional Wetland Scientist





44 Wood Avenue  
Mansfield, MA 02048  
*Tel (508) 339-3929*  
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110 Pulpit Hill Road  
Amherst, MA 01002  
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[www.ohiengineering.com](http://www.ohiengineering.com)