



October 2, 2018

Town of Webster Planning Board
350 Main Street
Webster, MA 01570

Re: Ground Mounted Solar Photovoltaic Project, Batten Street
Site Plan & Special Permit Application – Request for Determination of Minor Modification

To Whom It May Concern:

On behalf of the Applicant, Batten Street Solar, LLC, Woodard & Curran is submitting a *Request for Determination of Minor Modification* for the proposed solar development located near Batten Street and Malden Drive in the Town of Webster, MA. As requested by the Town, the proposed project includes work to re-construct and stabilize the existing man-made ditch located on property owned by the Town (parcel 10-A-33) to mitigate flooding of the site's wetlands and abutting properties. The proposed minor modification consists of constructing a stabilized ditch in-lieu of the pipe previously proposed to replace the existing man-made ditch; this modification is based on recommendations provided by the Army Corps of Engineers (ACOE) and is shown on the enclosed revised drawings. Also enclosed for your reference is a letter stating that the proposed modification will not require a permit from the ACOE.

If you have any questions or require additional information, please feel free to contact us.

Sincerely,

WOODARD & CURRAN INC.

Denise Cameron, P.E.
Project Manager

Enclosures: ACOE Letter & Revised Drawings (1 electronic & 1 hard copy)

cc: Joe Fiori, Nexamp



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

August 30, 2018

Regulatory Division
File Number: NAE-2018-01553

Batten Street Solar LLC
c/o Joe Fiori
4 Liberty Square
Boston, Massachusetts 02109

Dear Mr. Fiori,

Based on the information you have provided, a drawing (one sheet) titled "Drainage Channel Plan, Profile and Section" dated "October 2017", the U.S. Army Corps of Engineers (Corps) has determined that a Department of the Army permit is not required for the work as depicted in your submittal. Corps regulatory jurisdiction encompasses all work in or affecting navigable waters of the United States under Section 10 of the Rivers and Harbors Act of 1899 and the discharge of dredged or fill material into all waters of the United States, including adjacent wetlands, under Section 404 of the Clean Water Act. A Department of the Army permit is not required as the proposed work only involves excavation, no fill will impact or be placed in waters or wetlands.

If you have any questions, please contact Sarah Wilkinson of my staff at 978-318-8513 or sarah.a.wilkinson@usace.army.mil.

Sincerely,

Barbara Newman
Chief, Permits & Enforcement Branch
Regulatory Division

Enclosure:

1. Project drawing sheet (1)

Copies Furnished:

Joe Fiori, jfiori@nexamp.com
Joe McCue, jmccue@mason-associates.com
Ashley Auger, aauger@woodardcurran.com
Judith Schmitz, judith.schmitz@state.ma.us
Mary Overholt, moverholt@webster-ma.gov