



WPA Form 1- Request for Determination of Applicability

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

A. General Information

1. Applicant:

TOWN OF ACTON – NATURAL RESOURCES DEPT.

Name

TTIDMAN@ACTON-MA.GOV

E-Mail Address

472 MAIN STRET

Mailing Address

ACTON

City/Town

MA

State

01720

Zip Code

978 929 6634

Phone Number

Fax Number (if applicable)

2. Representative (if any):

N/A

Firm

Contact Name

E-Mail Address

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

B. Determinations

1. I request the ACTON Conservation Commission make the following determination(s). Check any that apply:

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance** or **bylaw** of:

TOWN OF ACTON – WETLAND PROTECTION BYLAW – CHAPTER F

Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



WPA Form 1- Request for Determination of Applicability

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

C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

Nashoba Brook Conservation Area – 18 Wheeler Lane	ACTON
Street Address	City/Town
D-5	6
Assessors Map/Plat Number	Parcel/Lot Number

- b. Area Description (use additional paper, if necessary):

TREED HEADWALL FOR DAM LOCATED ON ROBBINS MILL POND – NASHOBA BROOK
CONSERVATION AREA (SEE ATTACHED AERIAL PHOTOGRAPH)

- c. Plan and/or Map Reference(s):

TOWN OF ACTON - ATLAS PLATE D-5 & C-5	2009
Title	Date
TIGHE & BOND – SITE SKETCH	NOV. 2009
Title	Date
USGS – WESTFORD QUAD	1987
Title	Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

PHASE 1 EVALUATION REPORT PREPARED BY TIGHE & BOND FOR THE BELLOWS FARM
MILL DAM RECOMMENDS THAT THE TOWN REMOVE ALL TREES AND SHRUBS FROM THE
EMBANKMENT AND WITHIN 20' OF THE DAM AND ABUTMENTS, AS REQUIRED BY THE
MASSACHUSETTS DEPARTMENT OF CONSERVATION AND RECREATION (DCR) POLICY
ON TREES AND DAMS. (SEE ATTACHED PLAN OF DAM)



WPA Form 1- Request for Determination of Applicability

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

C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

N/A

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)

N/A



WPA Form 1- Request for Determination of Applicability

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

D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

STEVE LEDOUX, TOWN MANAGER, TOWN OF ACTON

Name

472 MAIN STREET

Mailing Address

ACTON

City/Town

MA

State

01720

Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

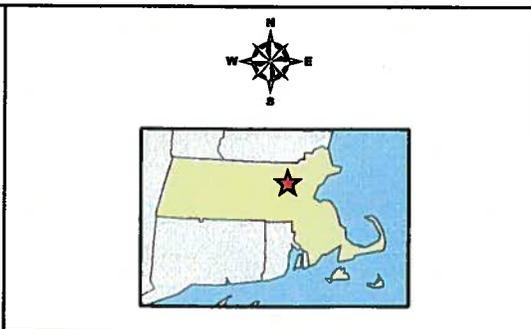
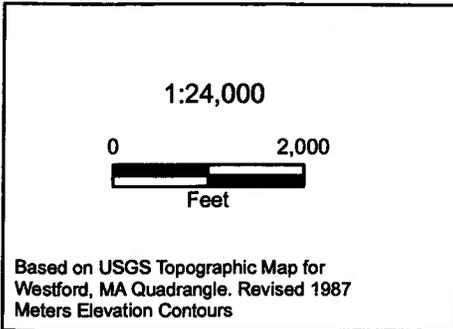
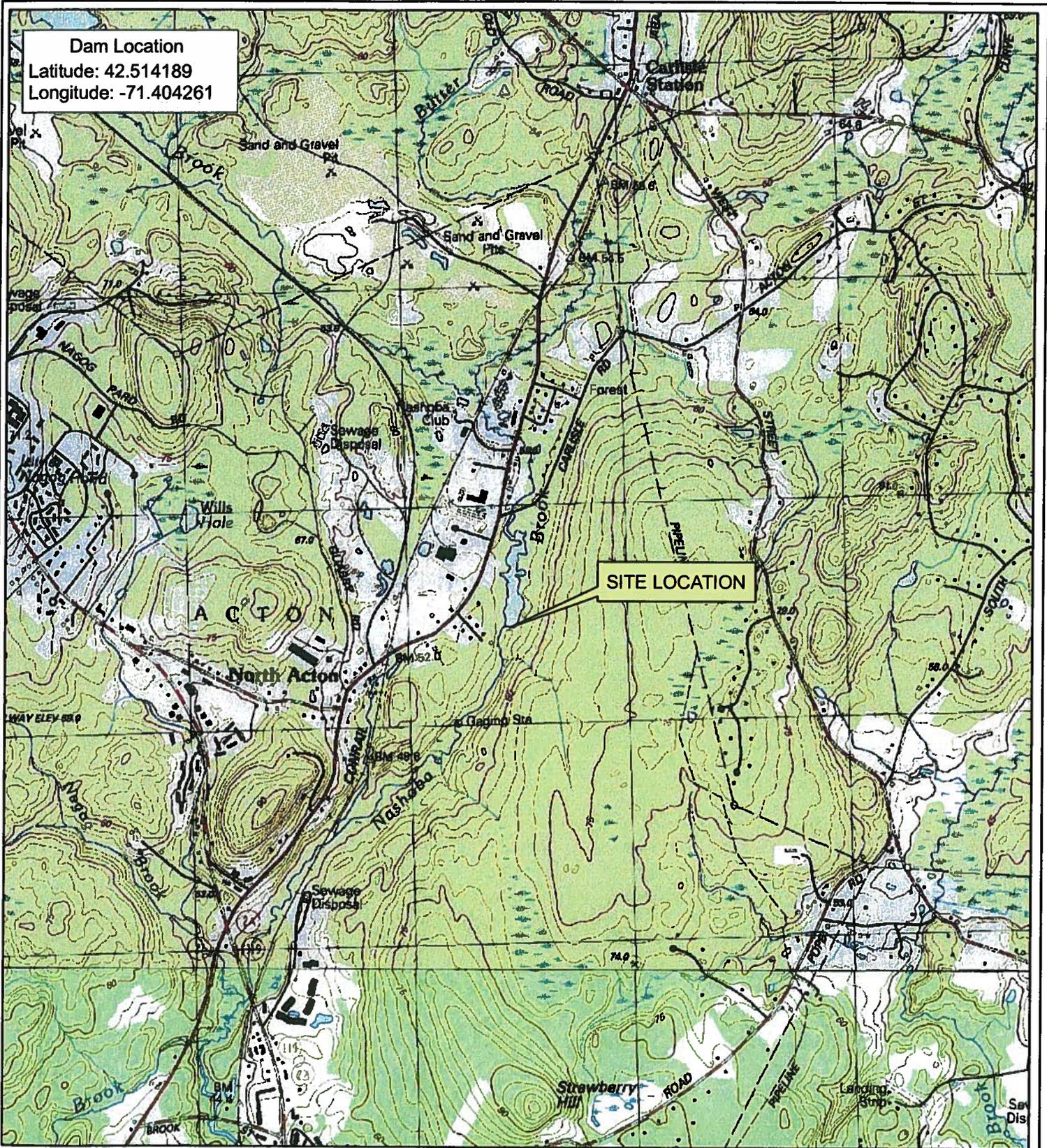
Signature of Applicant

Date

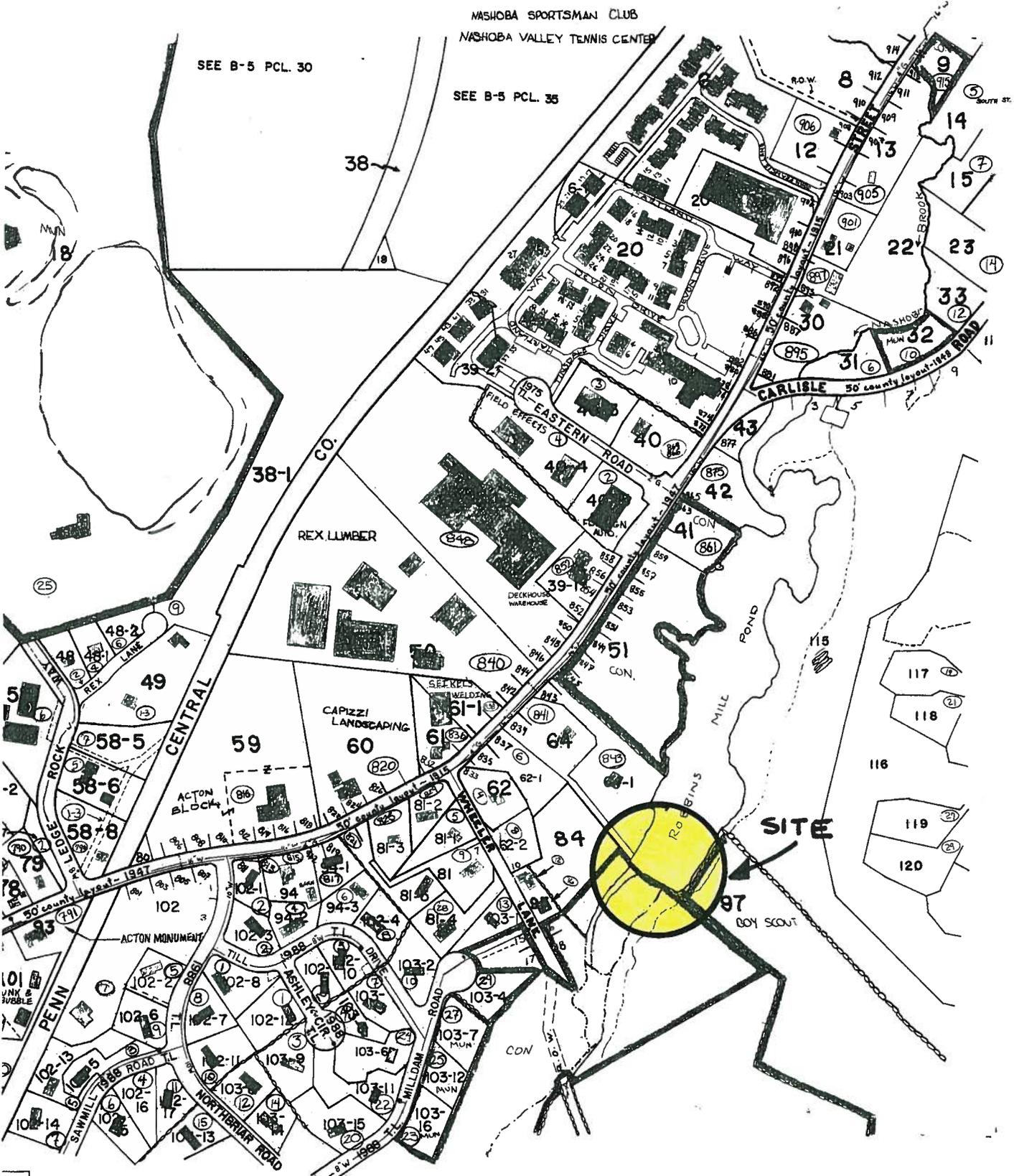
Signature of Representative (if any)

Date

Dam Location
 Latitude: 42.514189
 Longitude: -71.404261



SITE LOCUS AND MAP OF DOWNSTREAM AREA
 Bellows Farm Mill Dam
 Acton, Massachusetts
 November 2009



SEE B-5 PCL. 30

SEE B-5 PCL. 35

38-1

REX LUMBER

59

CAPIZZI LANDSCAPING

102-8

102-7

102-6

102-5

102-4

102-3

102-2

102-1

103-2

103-1

103-7

103-6

103-5

103-4

103-3

103-2

103-1

103-12

103-11

103-10

103-9

103-8

103-7

103-6

103-5

103-4

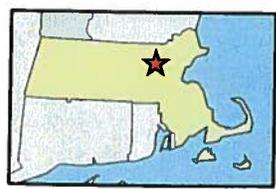
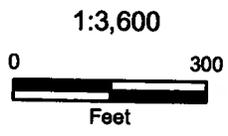
103-3

6
6
6
1-63

Dam Location
Latitude: 42.514189
Longitude: -71.404261



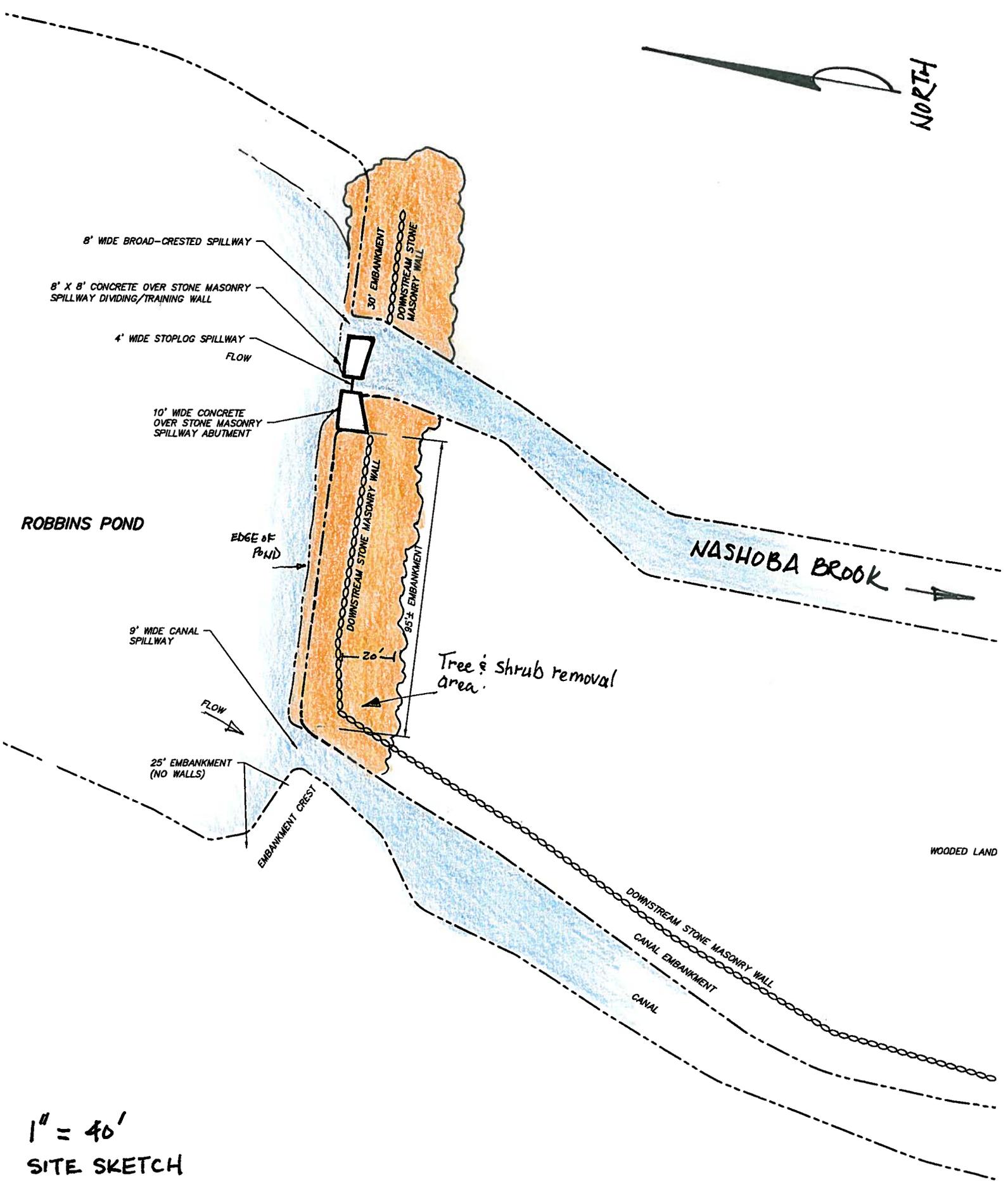
Bellows Farm Mill Dam



AERIAL PHOTO
Bellows Farm Mill Dam
Acton, Massachusetts

November 2009

Based on MassGIS Color Orthophotography (April 2005)
Orthophoto Sheet ID # 20729185 & 20879185



1" = 40'
SITE SKETCH