



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands

Acton  
 City/Town

**WPA Form 1- Request for Determination of Applicability**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**A. General Information**

**Important:**  
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.

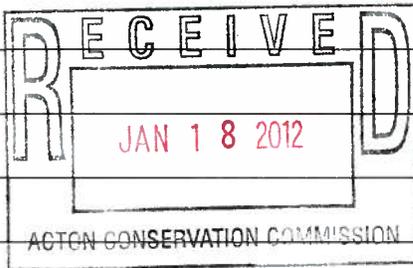


1. Applicant:

Steve Marsh, Westchester Homes, Inc. kingst435@comcast.net  
 Name E-Mail Address  
 30 Nagog Park Drive, Suite 225  
 Mailing Address  
 Acton MA 01720  
 City/Town State Zip Code  
 978-771-8935  
 Phone Number  
 Fax Number (if applicable)

2. Representative (if any):

Goddard Consulting, LLC goddardconsulting@yahoo.com  
 Firm E-Mail Address  
 Scott Goddard  
 Contact Name  
 14 Wilson Road  
 Mailing Address  
 Northborough MA 01532  
 City/Town State Zip Code  
 508-525-0726  
 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:

Acton  
 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):

<u>2 Tuttle Drive</u>	<u>Acton</u>
Street Address	City/Town
<u>Map G2</u>	<u>Parcel 58</u>
Assessors Map/Plat Number	Parcel/Lot Number

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

The applicant is requesting tha the Acton Conservation Commission confirm that there are no wetland resource areas on site of within 100 feet of the site which are subject to jurisdiction under the Act or Bylaw. In this case, surficial drainage leaves the site through a culvert underneath Tuttle Drive in the Northeast corner of the site. Vegetation includes slippery elm, Japanese barberry, red maple, winged euonymus, multiflora rose, Norway maple, crabapple, and Oriental bittersweet. Soils are topsoil over shallow refusal in boulder pile.

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

<u>Plan of Land in Acton, MA, Colonial Surveying Cp, Inc.</u>	<u>12/28/11</u>
Title	Date
<u> </u>	<u> </u>
Title	Date
<u> </u>	<u> </u>
Title	Date

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

No work proposed at this time  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## 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).

---

---

---

---

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.)

---

---

---



**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:

Marlboro College  
Name  
PO Box A  
Mailing Address  
Marlboro  
City/Town  
VT  
State  
05344  
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.

*[Handwritten Signature]*  
Signature of Applicant

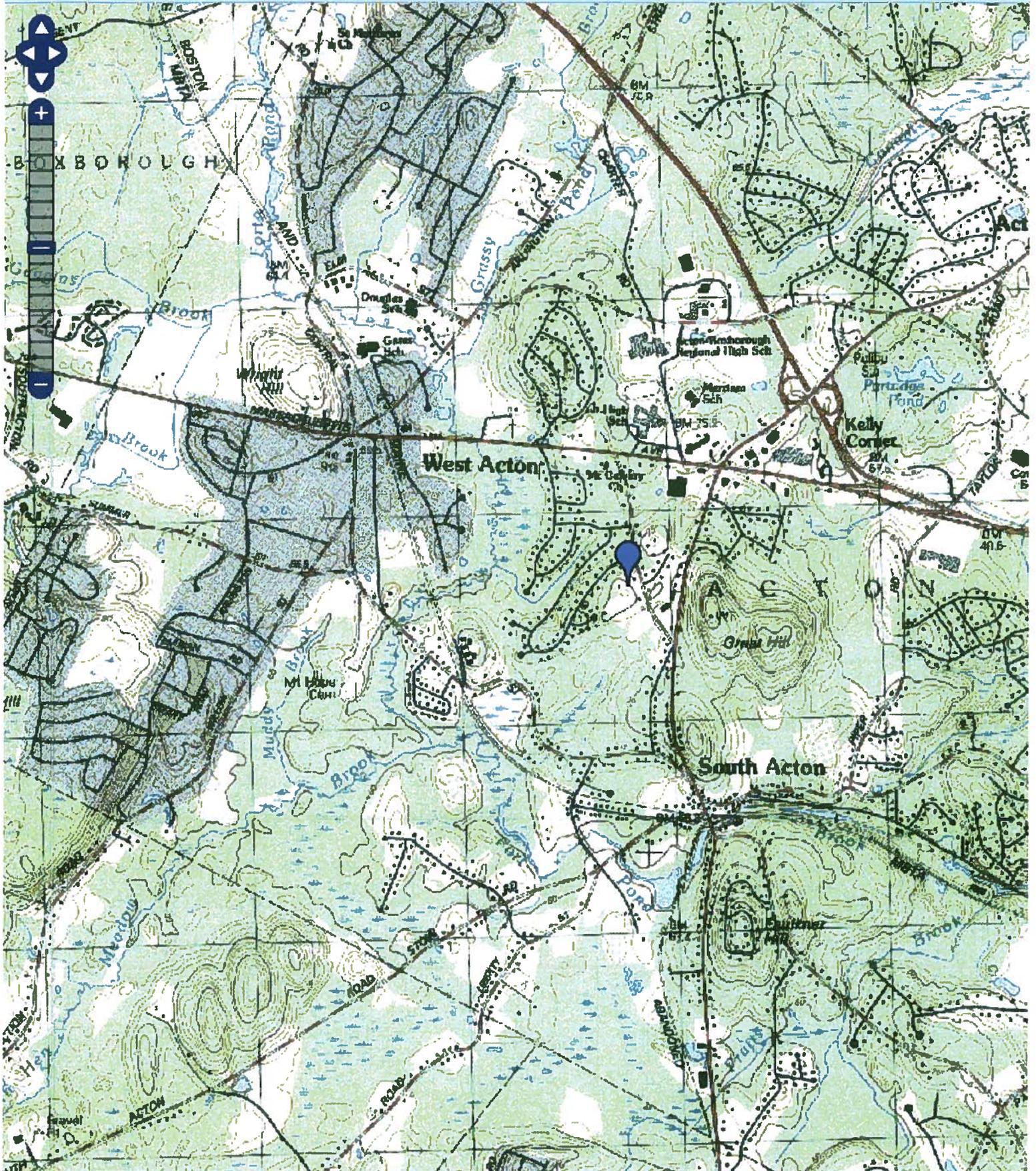
1/9/12  
Date

*[Handwritten Signature]*  
Signature of Representative (if any)

1/14/12  
Date

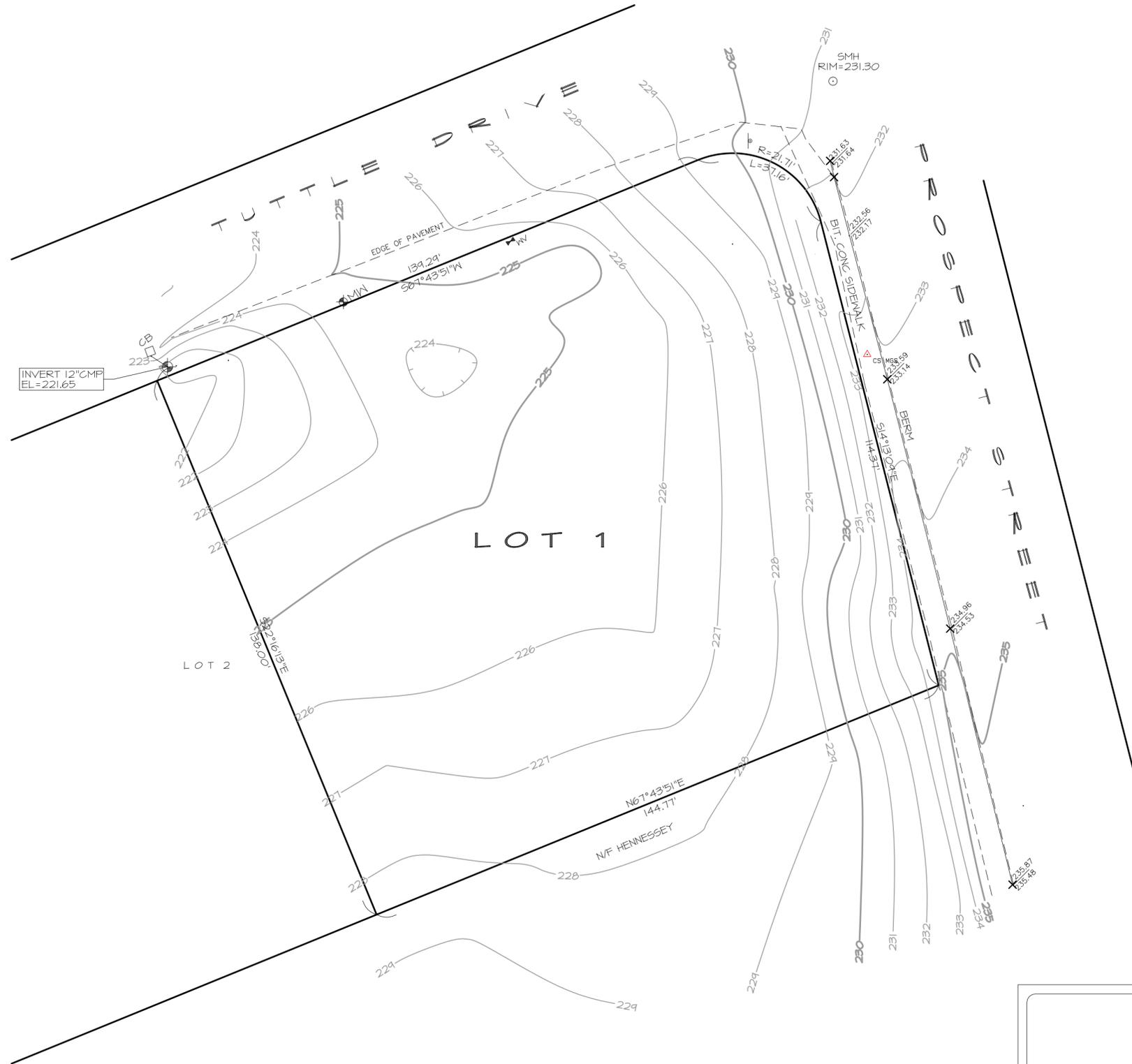






VICINITY MAP NOT TO SCALE



ELEVATIONS ARE BASED ON NAVD 88. ELEVATIONS DERIVED FROM GPS, UTILIZING DUAL FREQUENCY GPS RECEIVERS AND THE NATIONAL GEODETIC SURVEYS' "OPUS" SOLUTION. RMS ACCURACY IS 0.017 (M)

PLAN OF LAND  
IN  
**ACTON, MASS**  
SCALE: 1"=20'  
Dec 28, 2011  
COLONIAL SURVEYING CO., INC.  
28 WOODLAND WAY  
STOW, MASSACHUSETTS 01775  
978.897.1700