



**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:

Edward & Susan Bennett  
Name  
145 Hayward Road  
Mailing Address  
Acton  
City/Town  
(978) 263-3520  
Phone Number

edsuebee@verizon.net  
E-Mail Address

MA  
State

01720  
Zip Code

Fax Number (if applicable)

2. Representative (if any):

Civil Solutions, Inc.  
Firm  
Kevin Ritchie  
Contact Name  
P.O. Box 107  
Mailing Address  
Westford  
City/Town  
(978) 692-5000  
Phone Number

civilsolutions@verizon.net  
E-Mail Address

MA  
State

01886  
Zip Code

(978) 692-0386  
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  
Name of Municipality

e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).  
Replacement of existing failed sewage disposal system.



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**C. Project Description**

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

134 Arlington Street  
Street Address  
Map E2  
Assessors Map/Plat Number

Acton  
City/Town  
Parcel 265  
Parcel/Lot Number

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

The area is composed primarily of single family dwellings with grassed yards and some light woods. The property to the Southwest contains a pond with an associated bordering vegetated wetland and a stream.

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

Sewage Disposal System Plan - 134 Arlington Street, Acton, MA  
Title  
Title  
Title

9/26/2014  
Date  
Date  
Date

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

The proposed work would include the installation of a replacement subsurface sewage disposal system. The proposed leaching area is to be constructed outside of the 100-foot wetland buffer, but within the 200-foot riverfront. Required grading will occur to within 82 feet of the adjacent wetland. Straw wattles and siltation fencing are proposed to be placed along the limit of work, 80 feet from the edge of the wetland.



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### 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).

The proposed construction will be to replace a failed subsurface sewage disposal system. The new system has been designed to be compliant with 310 CMR 15.000 and the Acton Board of Health Regulations. A proposed sedimentation barrier composed of straw wattles with siltation fencing is proposed along the limit of work within the buffer zone.

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.)



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Acton  
City/Town

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**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:

Edward & Susan Bennett

Name

145 Hayward Road

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.

Edward M Bennett

Signature of Applicant

3/16/15

Date

King R. [Signature]

Signature of Representative (if any)

3-16-2015

Date