



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:

Name Rachel + Steven Kelley E-Mail Address _____

Mailing Address 70 Newtown Rd.

City/Town Acton State MA Zip Code 01720

Phone Number 978-263-2646 Fax Number (if applicable) _____

2. Representative (if any):

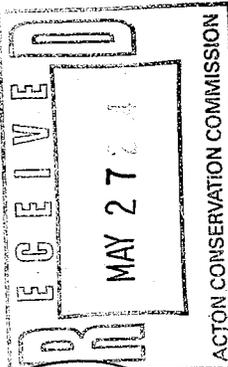
Firm _____

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 Conserv. Comm. / 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).

6/16/04
20:28
Handwritten notes in a circle



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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):

70 Newtown Rd Acton, MA
Street Address City/Town
E-3 82
Assessors Map/Plat Number Parcel/Lot Number

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

existing front lawn

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

USGS
Title Date
Design Plan
Title Date
Site plan
Title Date

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

- replacing front steps
- creating front walkway
- adding 4 flower beds
- extending front steps into a patio
- Making the entrance to our house more usable and appealing



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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).

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

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 (see Appendix A) 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:

Rachel Kelley + Steven Kelley
Name
70 Newtown Rd.
Mailing Address
Acton
City/Town
MA 01720
State 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.

Rachel Kelley 5/25/04
Signature of Applicant Date

Signature of Representative (if any) Date

MIDDLESEX COUNTY

WOMINSTER 26 KM.
3 KM. TO INTERSTATE 495

27° 30'

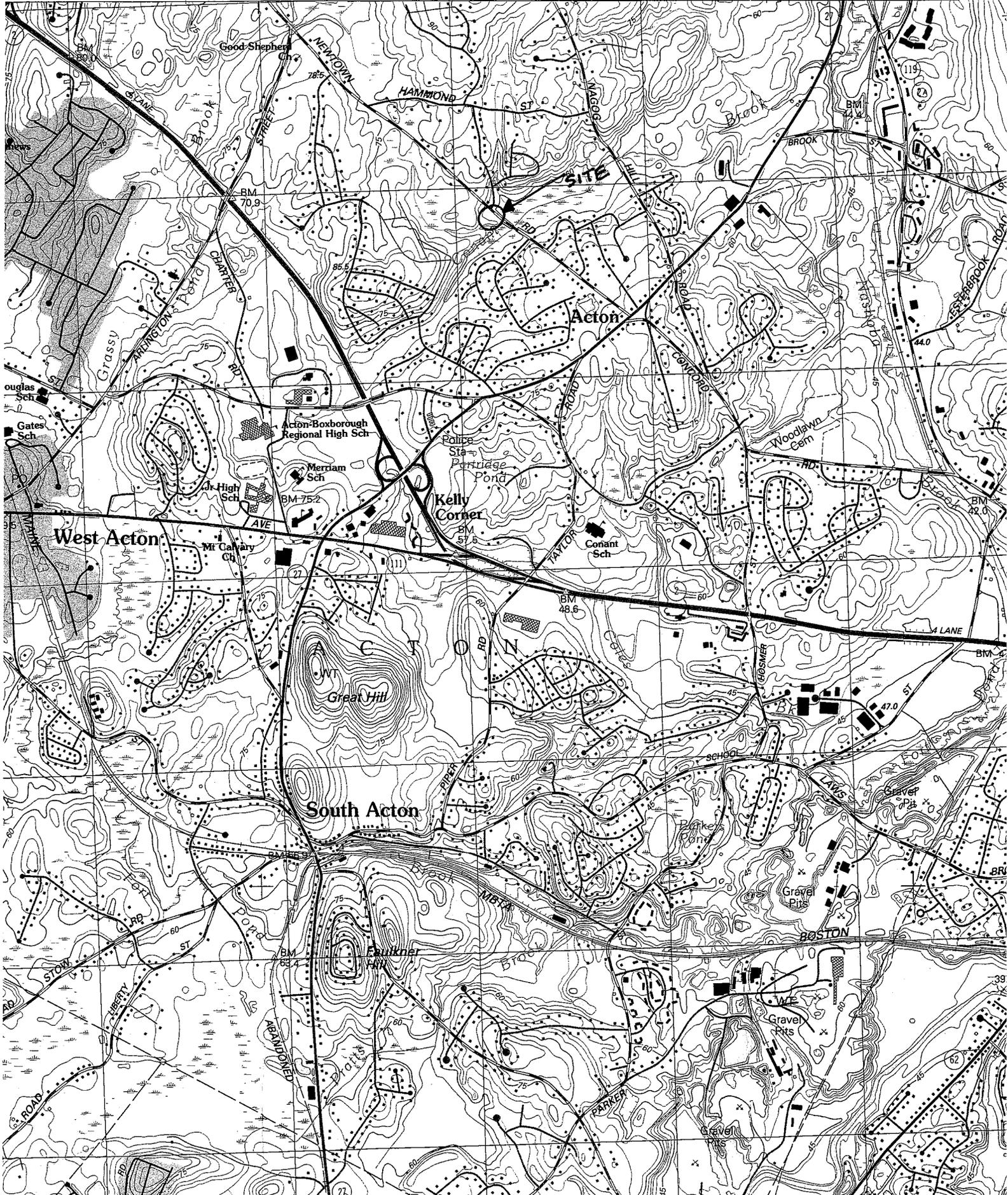
299

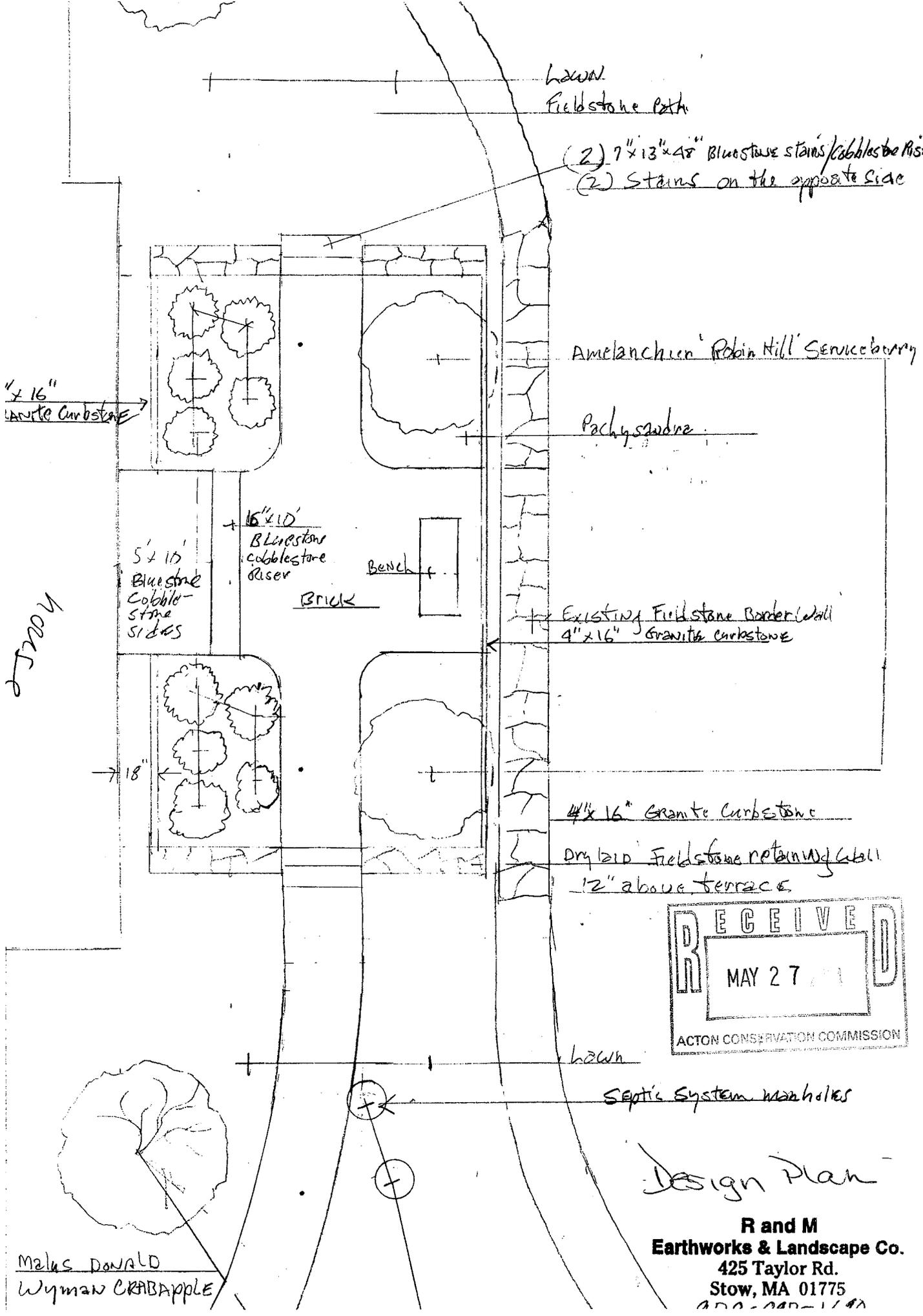
300

LOWELL 21 KM.
CHELMSFORD 13 KM.

7.1 KM. TO INTERSTATE 49

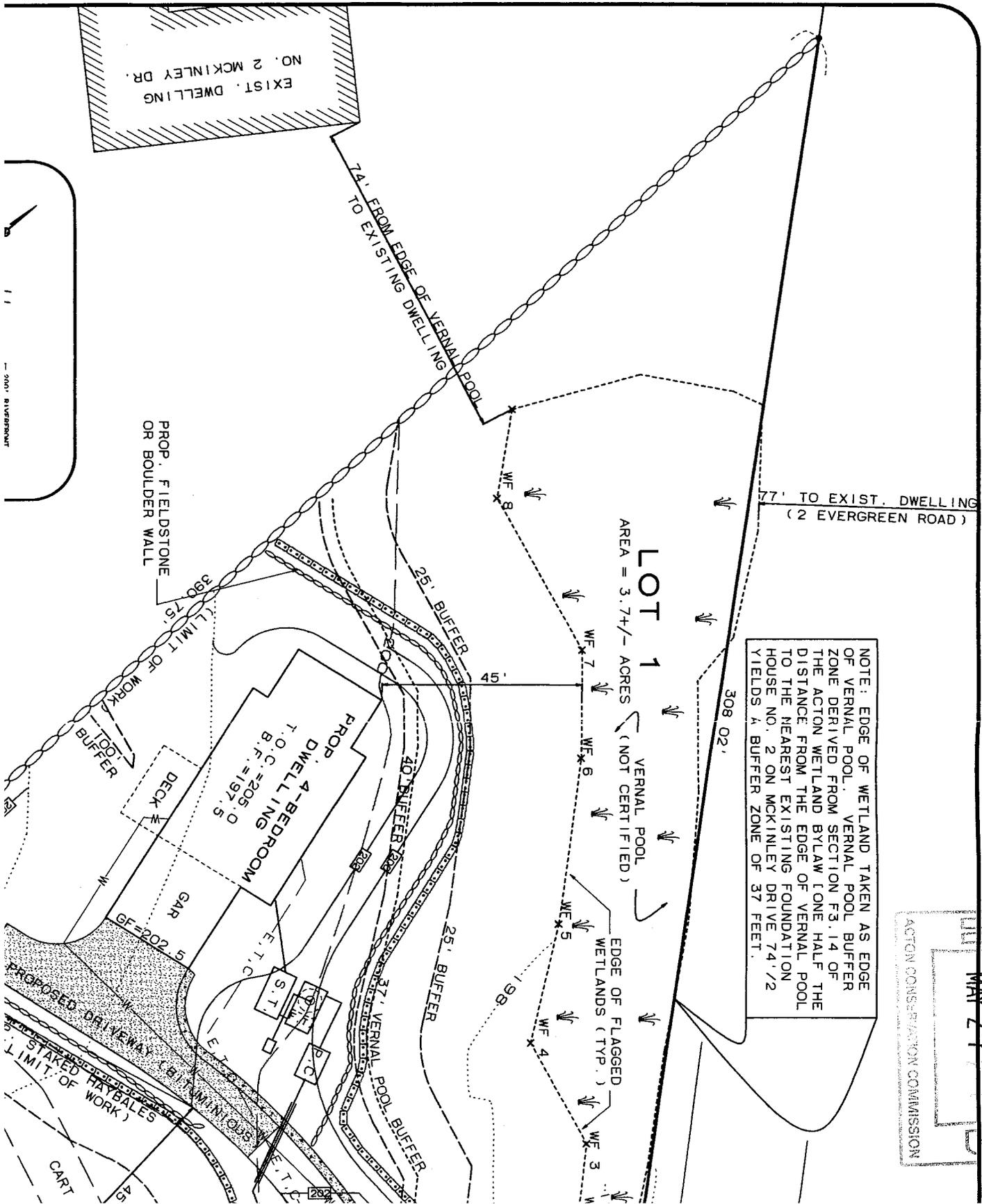
25'





RECEIVED
MAY 27 2011
ACTON CONSERVATION COMMISSION

R and M
Earthworks & Landscape Co.
425 Taylor Rd.
Stow, MA 01775
781-229-1100



NOTE: EDGE OF WETLAND TAKEN AS EDGE OF VERNAL POOL. VERNAL POOL BUFFER ZONE DERIVED FROM SECTION F3.14 OF THE ACTION WETLAND BYLAW (ONE HALF THE DISTANCE FROM THE EDGE OF VERNAL POOL TO THE NEAREST EXISTING FOUNDATION HOUSE NO. 2 ON MCKINLEY DRIVE 74' / 2 YIELDS A BUFFER ZONE OF 37 FEET.)

RECEIVED
MAY 27
ACTION CONSERVATION COMMISSION

