

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:

Montague Selectboard		selectscty@montague-ma.gov	
Name		E-Mail Address	
One Avenue A			
Mailing Address			
Turners Falls		MA	01376
City/Town		State	Zip Code
413 863 3200x 108			
Phone Number		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 Montague make the following determination(s). Check any that apply:
Conservation Commission

- 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:

Name of Municipality

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



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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):

<u>Newton Street near East Main Street</u>	<u>Millers Falls</u>
Street Address	City/Town
<u>31</u>	<u>3</u>
Assessors Map/Plat Number	Parcel/Lot Number

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

All work will occur on Town Property. The 0.78 acre parcel is located on intersection of Newton Street and East Main Street. Roughly 4,000 square feet of the parcel is within 200 feet of riverfront area associated with the Millers River. Less than 500 square feet of trail work area will be within the riverfront area. There are no mapped BVW on the parcel, per DEP wetlands maps. However, portions of the site might be considered jurisdictional. The trail has been designed to stay at higher elevations and avoid impacts to any potential wetlands or runoff areas. This trail acts as an extension of the walking path installed on the opposite side of Newton Street in 2020. Newton Street (a paved way) is located between the proposed path and the Millers River.

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

<u>Newton Street Trail Extention</u>	<u>5/03/2021</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):

The work will be done by volunteers from the Millers Falls Community Improvement Association under the guidance of trail building expert Bob Hatch. The 200 foot long by 6 feet wide trail will be constructed of a geo-synthetic material layed directly on the ground. The trail becomes hardened with the addition of 2" layer of gravel. An associated sign will be part of the project. There will be no new paved areas. Vegetation removal will be limited what is essential for the trail. There will be no excavation associated with this project. Most work will be done by hand. The stone materials will be stockpiled in the shoulder of the roadway. BMPs and erosion control will be employed to minimize ground disturbance and protect the resource area. No fences are proposed. See DEP File 229-0256



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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).

310 CMR 10.02(2)(b)2 "unpaved pedestrian walkways less than 3 feet wide for public access on conservation property". Note: This trail is proposed to be 6 feet wide for ADA accessibility and thus does not meet the exemption..

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.)



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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:

Montague Selectboard

Name

One Avenue A

Mailing Address

Turners Falls

City/Town

MA

State

01376

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

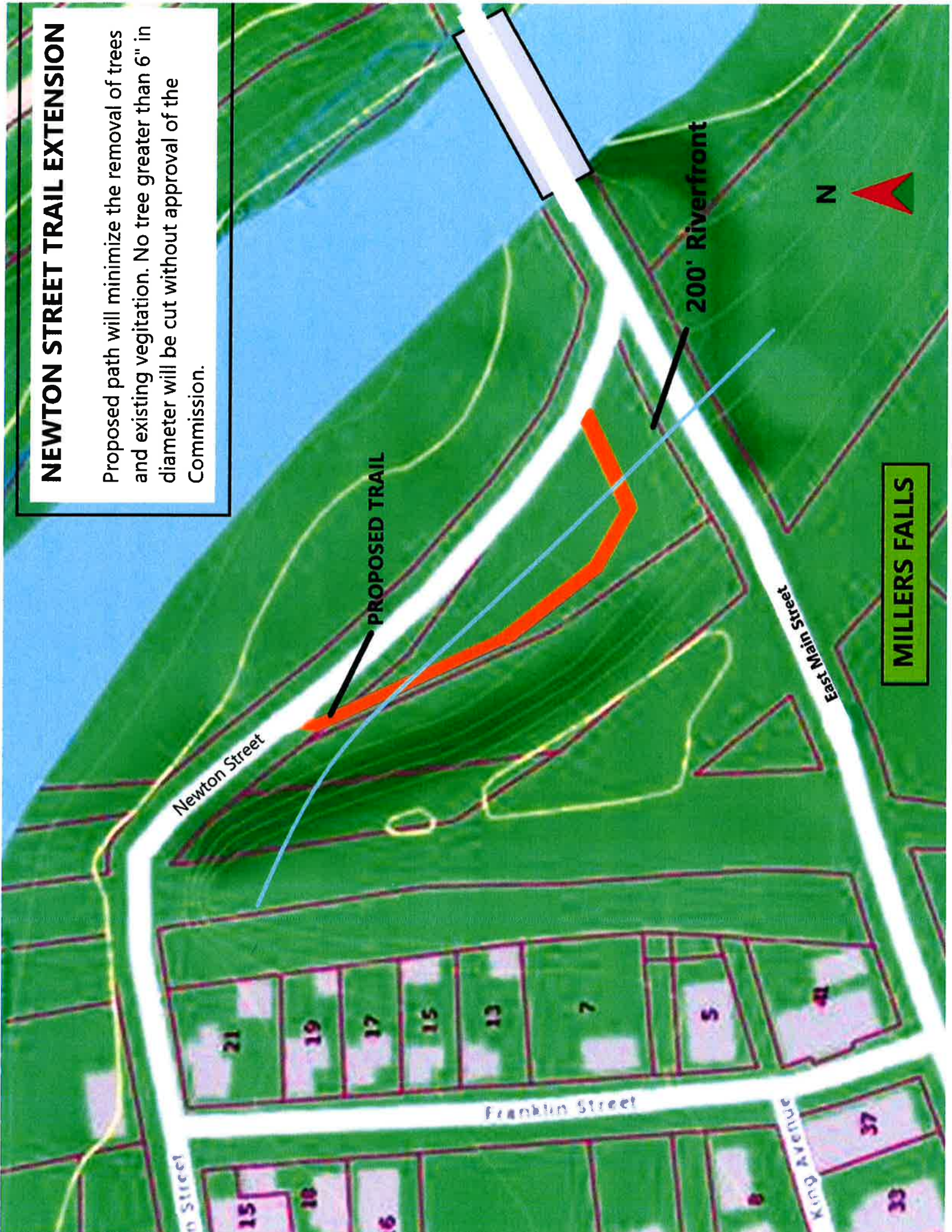
May 5, 2021
Date

Signature of Representative (if any)

Date

NEWTON STREET TRAIL EXTENSION

Proposed path will minimize the removal of trees and existing vegetation. No tree greater than 6" in diameter will be cut without approval of the Commission.



PROPOSED TRAIL

200' Riverfront



MILLERS FALLS

Newton Street

East Main Street

Franklin Street

on Street

King Avenue

21

19

17

15

13

7

5

41

15

18

16

8

37

33