



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Shutesbury
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:

David Bernard

Name

bernardconcrete@yahoo.com

E-Mail Address

10 Randall Wood Dr

Mailing Address

Montague

City/Town

MA

01351

State

Zip Code

(413) 834-0085

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

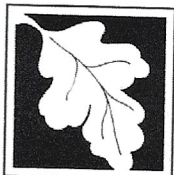
1. I request the Conservation Commission make the following determination(s). Check any that apply:
Conservation Commission

- ☐ 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:

Shutesbury

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):

375 Locks Pond Rd

Street Address

Shutesbury

City/Town

ZB

Assessors Map/Plat Number

Parcel 1/Lot 194, Parcel 2/Lot 138, Parcel
3/Lot 137

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

There are 3 parcel's of land located at 375 Locks Pond Rd. The main residence is located on parcel two(Lot 138) and faces Lake Drive. Parcel three(lot 137) is located on the left side of the house, facing Lake Drive, and parcel (lot 194) is located behind the house, closest to Locks Pond Rd. There's an intermittent stream that runs on the property line of lot 137 and lot 194 and is within 100 feet of the proposed 2 car garage. Also, there's a 12' x 16' existing shed located on lot 194. Please see attached "Plan of Land" prepared by Daniel Werner, Surveyor, Colrain, MA on 3/24/22

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

Plan of Land- prepared by Daniel Werner, Surveyor, Colrain, MA

Title

3/24/22

Date

Site Plan for 375 Locks Pond Rd RDA

Title

11/3/22

Date

Title

Date

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

Request to build a 28' x 32', height of 18 to 20 feet, two car garage on lot 194 and partially on lot 139, more than 10 feet from the back of exisitng residence, with 4' to 6' foundation walls. There's a 12' x 16' exisiting shed on lot 194 that would be removed, prior to building the garage. The garage will be 30' from Locks Pond Rd and 15' or more from abutting properties. This project is only in the buffer zone and all precautions will be made to protect the intermittent stream by installing a staked, silt fence around the project, and insuring all building materials and equipent are stored within the contained area. After completion of the project, the area will be reseeded with a conservation mix grass seed(neseed). Please see attached "Site Plan for 375 Locks Pond Rd RDA", dated 11/3/22.



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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).

This project is only in the buffer zone, so we don't believe a notice of intent is required.

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:

David Bernard

Name

10 Randall Wood Dr

Mailing Address

Montague

City/Town

MA

State

01351

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.

David Bernard

Signature of Applicant

11/10/22

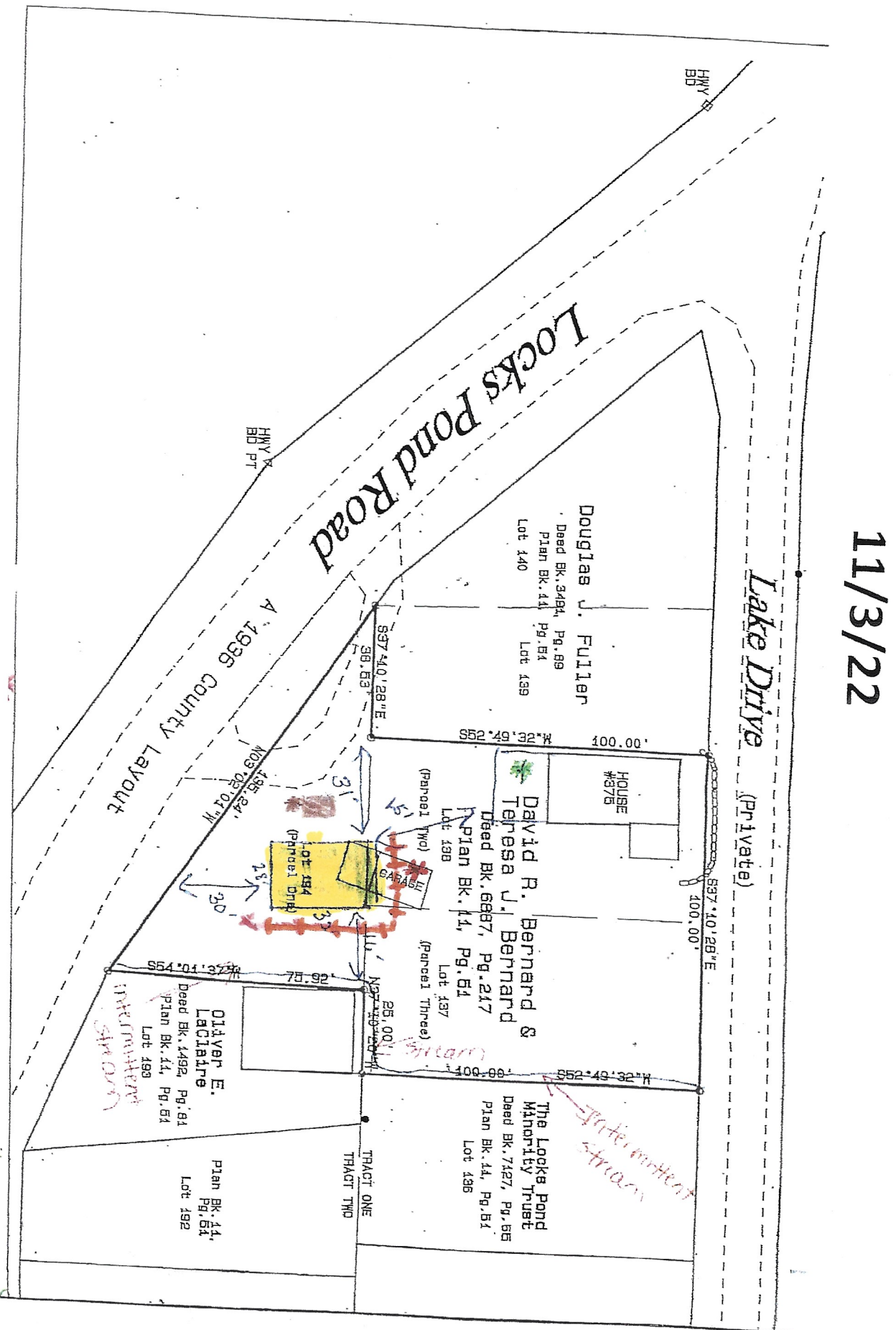
Date

Signature of Representative (if any)

Date

Site Plan for 375 Locks Pond RD RDA

11/3/22



* Staked Silk Fence

* Dumpster for project

* Existing shed on property

* New addition-kitchen (Completed in September 2022)



10/10/2024

