



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:

Paul _____ Lipman _____
 First Name Last Name

206 Shutesbury Road _____
 Address

Amherst _____ MA _____ 01002 _____
 City/Town State Zip Code

413-320-1765 _____ lipmanp1@gmail.com _____
 Phone Number Email Address

2. Property Owner (if different from Applicant):

Sylvia Hankin Nominee Trust _____
 First Name Last Name

 Address

 City/Town State Zip Code

 Phone Number Email Address (if known)

3. Representative (if any)

 First Name Last Name

 Company Name

 Address

 City/Town State Zip Code

 Phone Number Email Address (if known)

B. Project Description

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

27 Weatherwood Road _____ Shutesbury _____
 Street Address City/Town

42.4192231 _____ -72.4856226 _____
 Latitude (Decimal Degrees Format with 5 digits after decimal Longitude (Decimal Degrees Format with 5 digits after decimal e.g. XX.XXXXX) e.g. -XX.XXXXX)

V-28 _____ F_389985_2979403 _____
 Assessors' Map Number Assessors' Lot/Parcel Number

[How to find Latitude and Longitude](#)

[and how to convert to decimal degrees](#)

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

2.4 acre house lot _____

c. Plan and/or Map Reference(s): (use additional paper if necessary)

27 Weatherwood Road Septic Design _____ 8/31/23 _____
 Title Date

 Title Date



B. Project Description (cont.)

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

New Title V septic system needs to be installed for house sale. The new system is within 100 feet of wetlands. Erosion control with include a staked erosion sock filled with straw mulch and not hay. Please see the following attachment: 27 Weatherwood Road Septic RDA Site Plan", created by William Scieruta, PE, (date), revised by Ward Smith (Date).

- 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.)
-



C. Determinations

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

- a. whether the **area** depicted on plan(s) and/or map(s) referenced above 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 above are accurately delineated.
- c. whether the **Activities** depicted on plan(s) referenced above is subject to the Wetlands Protection Act and its regulations.
- d. whether the area and/or Activities depicted on plan(s) referenced above is subject to the jurisdiction of any **municipal wetlands' ordinance** or **bylaw** of:

Shutesbury, MA

Name of Municipality

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

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.

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.

Paul S. Ripman
Signature of Applicant

9-2-23
Date

Signature of Representative (if any)

Date

Wendell Wetland Services

105 Montague Road
Wendell, MA 01379
(978) 544-5607
ward.ves@gmail.com

August 31, 2022

Mr. Paul Lipman
206 Shutesbury Road
Amherst, MA 01002
Via electronic mail

Re: Wetland Delineation, 27 Weatherwood Road, Shutesbury

Dear Mr. Lipman:

As requested, I met with you at the above referenced site today. The purpose of my visit was to delineate the outer boundary of all wetlands that are protectable under the Massachusetts Wetlands Protection Act (M.G.L. chapter 131, section 40) and Regulations (310 CMR 10.00), as well as the Shutesbury Wetlands Bylaw, in the vicinity of a proposed septic system repair. The wetland boundary in this vicinity has been marked in the field with consecutively numbered pink “wetland delineation” flagging tape. While the wetland boundary has been accurately identified, only the Shutesbury Conservation Commission, or the Massachusetts Department of Environmental Protection (DEP) on appeal, can make the final determination of the extent of the wetland resource areas on the site. The Shutesbury Conservation Commission alone makes the determination of the extent of wetlands under their Bylaw.

Delineation Methodology

The methodology employed in delineating the “bordering vegetated wetland” boundary utilized both vegetation and hydrology as outlined in the Regulations at 310 CMR 10.55 and in the DEP handbook *Massachusetts Handbook for the Delineation of Bordering Vegetated Wetlands, Second Edition* (2022). Hydrophytic Vegetation was based upon the US Fish and Wildlife Service’s *National List of Plant Species that Occur in Wetlands* (2020), as well as all plant species listed in the Act. Wetland hydrology includes a high water table, water-stained leaves, and hydric soils. Hydric soils were determined based upon the interagency document *Field Indicators for Identifying Hydric Soils in New England, Version 4* (2019).

Site Description

The site is located to the west of Weatherwood Road, and contains a single family home. To the south of the home, just off the edge of the lawn, there is an isolated wetland that is dominated by red maple (*Acer rubrum*) and cinnamon fern (*Osmundastrum cinnamomea*), with scattered, small depressions containing water-stained leaves. The wetland ends in upland forest, and does not connect to any other wetland. There is no outlet to the wetland, nor channel within it. Flags B-1 to B-7 mark the wetland edge closest to the proposed work.

Wetland Resource Areas

Under the Massachusetts Regulations (310 CMR 10.00), wetlands are broken up into different “resource areas,” each of which is regulated in a slightly different manner. The wetland does not border on any water body or waterway, and would therefore only be protectable under State law if it qualifies as “Isolated Land Subject to Flooding” (ILSF). In order to qualify as ILSF, an area must contain, at least once per year, a quarter-acre foot of water to an average depth of six inches. While this can be determined definitively only by survey, it is my opinion that this wetland is far too small to qualify as ILSF.

Therefore, it is my professional opinion that the site does not contain any resource areas under state jurisdiction. However, the wetland is subject to the Shutesbury Wetlands Bylaw (see below).

Shutesbury Wetlands Bylaw

Shutesbury is one of the many town and cities throughout Massachusetts that has adopted a home-rule wetland Bylaw or Ordinance. While decisions made by the Conservation Commission under the State Act and Regulations may be appealed to the DEP, decisions made under the Bylaw are appealed to Superior Court.

The delineated wetland is subject to the Bylaw, and has a 100 foot buffer zone. With a very few exceptions, any work in this buffer zone is subject to the review and approval of the Conservation Commission.

Project Planning

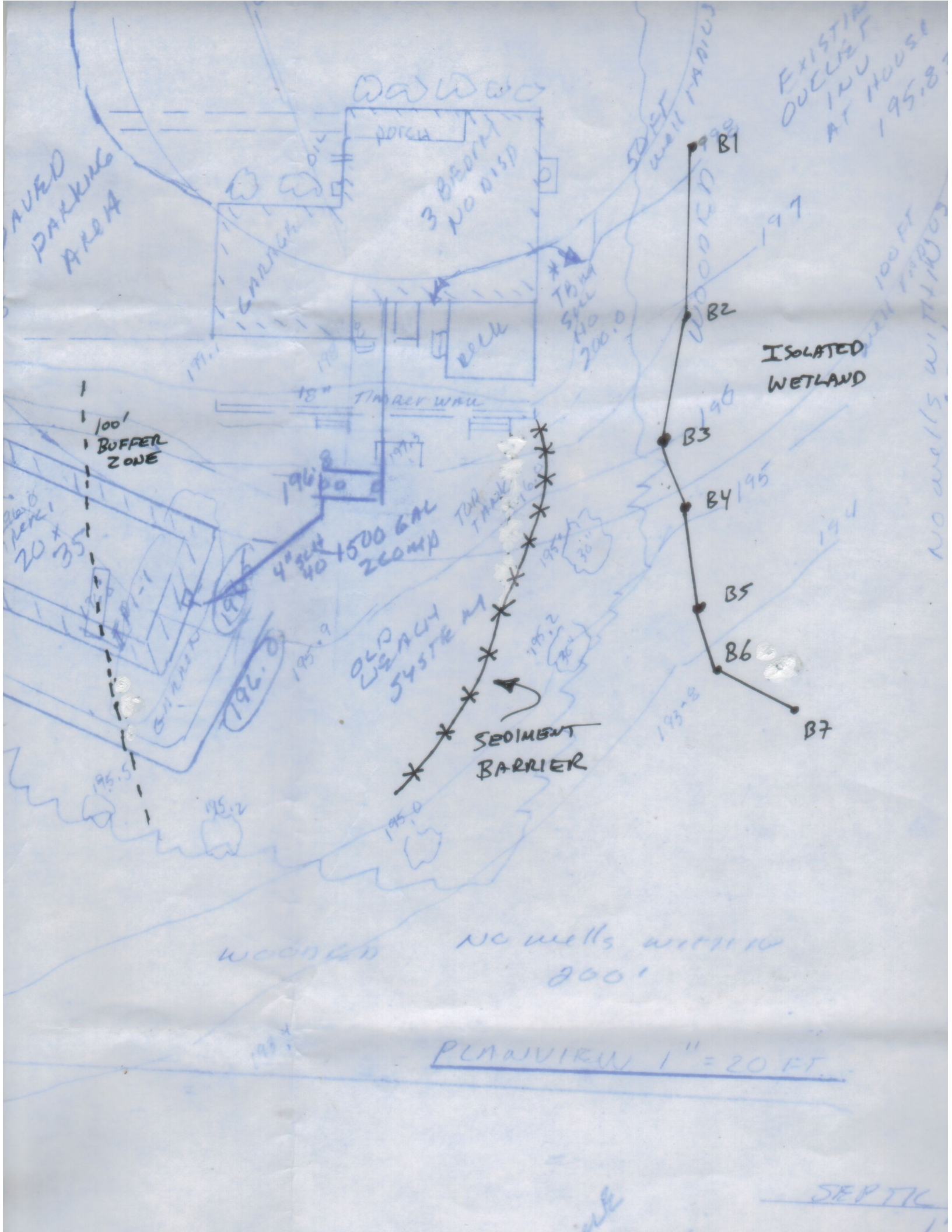
As measured by tape, the “perc” test location falls within 100-feet of the closest part of the wetland, flag B-3. Therefore, the septic system repair falls under the Commission’s jurisdiction.

It is my recommendation that you file a *Request for Determination of Applicability* (WPA form 1) with the Shutesbury Conservation Commission. The Commission may approve the project through the issuance of a “negative” *Determination of Applicability* provided that you can demonstrate that the work will not “alter” the wetlands. Since the work is within an existing lawn and is relatively level, there is little chance that sediment will be able to enter the wetland during construction. However, an erosion control barrier should be installed within the existing lawn in order to provide a “limit of work” line for machinery and in the event that we have an unusually heavy rainstorm. I have marked the wetland boundary, the 100-foot “buffer zone,” and the proposed sediment and erosion control on the Site Plan (attached).

Please feel free to contact me if you have any questions regarding my delineation.

Sincerely,
Wendell Wetland Services

Ward Smith, SPWS
Senior Professional Wetland Scientist



PAVED PARKING AREA

WOODED

EXISTING OUELLET IN HOUSE AT HOUSE 195.8

100' BUFFER ZONE

ISOLATED WETLAND

SEDIMENT BARRIER

PLAN VIEW 1" = 20 FT.

SEPTIC

NO WELLS WITHIN 100'

WOODED 100 FT

B1

B2

B3

B4

B5

B6

B7

3 BEDRM NO DISP

GARAGE

18" TIMBER WALL

4" PIPE 40' 1500 GAL TANK

OLD LEACH SYSTEM

* TBM SHEL 40' 200.0

TOP TANK

20' x 35'

BURNER

195.2

195.0

193.8

194.4

195.2

195.9

196.0

196.0

197

179.1

190

199.0

WOODED

WOODED

WOODED

WOODED

WOODED



LOCATOR MAP CERTIFIED 100 FT ABUTTERS FOR V28 LIPMAN 27 WEATHERWOOD RD

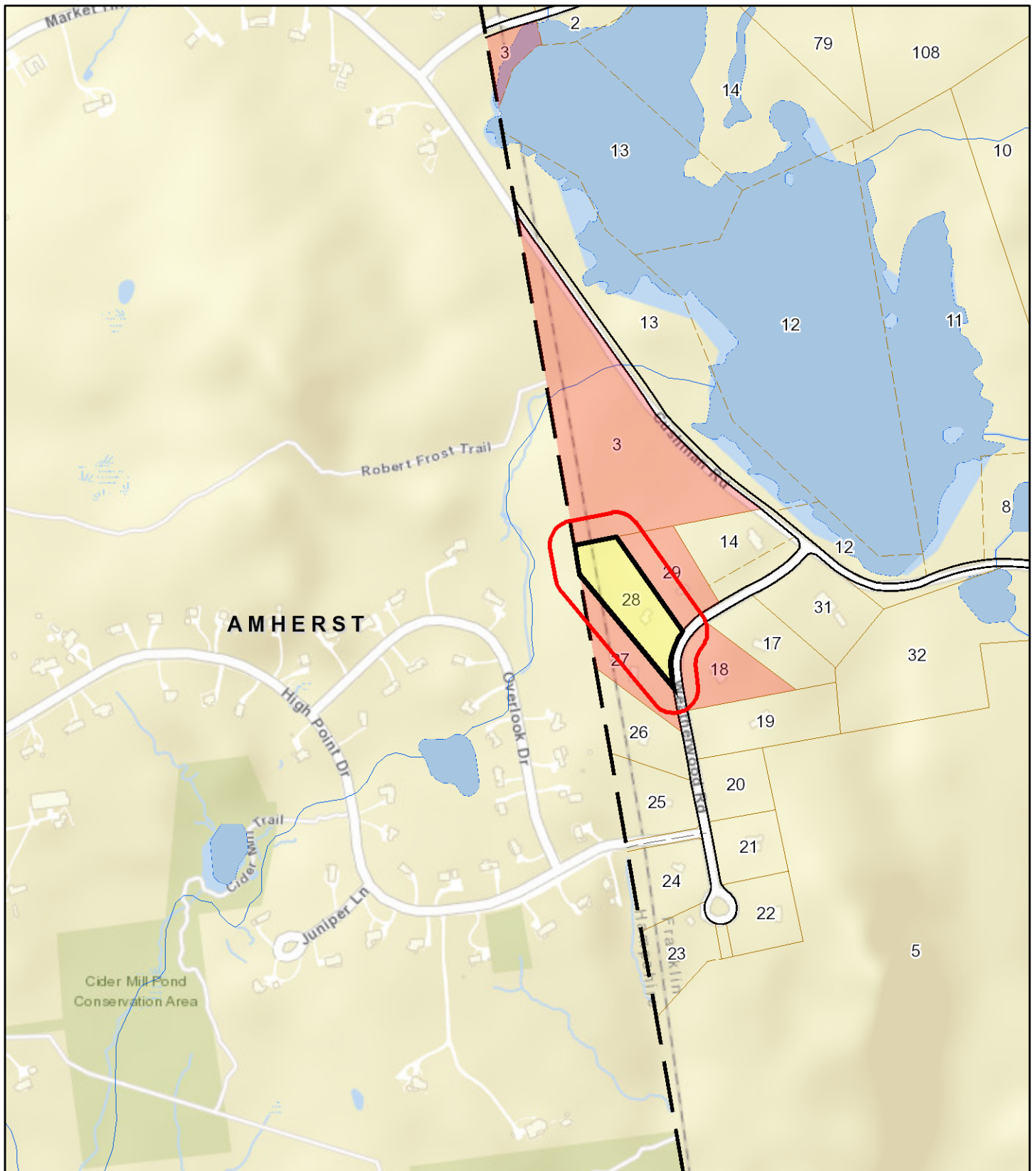


Shutesbury, MA

1 inch = 556 Feet

September 5, 2023

www.cai-tech.com



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CERTIFIED 100 FT ABUTTERS FOR V28 LIPMAN 27 WEATHERWOOD RD

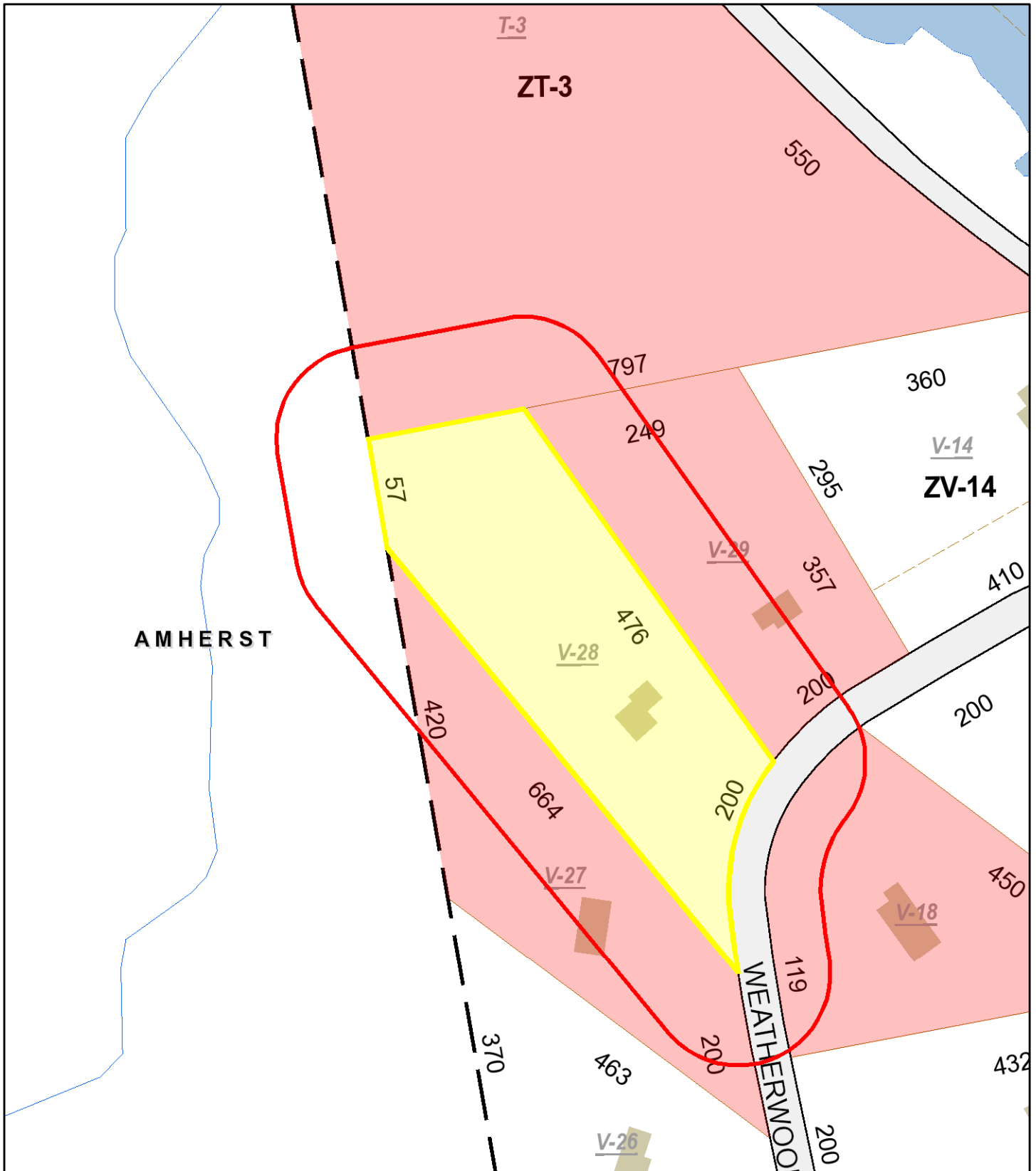
Shutesbury, MA

1 inch = 149 Feet



September 5, 2023

www.cai-tech.com



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TOWN OF SHUTESBURY CERTIFIED 100' ABUTTERS LIST FOR LIPMAN PAUL, 27 WEATHERWOOD RD, MAP V PARCEL 28

MAP	LOT	OWNER	CO-OWNER	MAILING ADDRESS	TOWN	ST	ZIP	LOCATION
V	28	LIPMAN D TRSTE PAUL S LIPMAN TRUST	LIPMAN M&COHEN H TRSTS LIPMAN&COHEN JOINT LI	206 SHUTESBURY RD	AMHERST	MA	01002	27 WEATHERWOOD RD
V	18	ROONEY THOMAS L	CONRAD RACHEL M	38 WEATHERWOOD R	AMHERST	MA	01002	38 WEATHERWOOD RD
V	27	HUANG WEIZHAO		154 ROCKY HILL RD	HADLEY	MA	01035	35 WEATHERWOOD RD
V	29	ANOLIK SHANA	RICKER JOSEPH MARK	19 WEATHERWOOD R	AMHERST	MA	01002	19 WEATHERWOOD RD
ZT	3	TOWN OF AMHERST	ATKINS RESERVOIR	4 BOLTWOOD AVENUE	AMHERST	MA	01002	SAND HILL RD

FOR: PAUL LIPMAN
206 SHUTESBURY RD
AMHERST MA 01002
413.320.1765
LIPMANP1@GMAIL.COM

[Respectfully submitted,](#)

Leslie Bracebridge, Assessors Clerk for
David W. Burgess, Administrative Assessor
Shutesbury Board of Assessors
9/5/2023

Fwd: eDEP Submittal Confirmation for DEP Transaction ID: 1605423

paul lipman <lipmanp1@gmail.com>

Mon, Sep 4, 2023 at 6:53 PM

To: Miriam DeFant <mdefant.shutesbury@gmail.com>, Mark Lipman <mark@openstudioproductions.com>, Janice Kynard <jkynard@jonesrealtors.com>

----- Forwarded message -----

From: <edep.confirmation@mass.gov>

Date: Mon, Sep 4, 2023 at 6:52 PM

Subject: eDEP Submittal Confirmation for DEP Transaction ID: 1605423

To: <lipmanp1@gmail.com>Cc: <mdefant.shutesbury@gmail.com>

Thank you for using eDEP Online Filing from the Massachusetts Department of Environmental Protection. Your transaction is complete and has been submitted to MassDEP.

This email is your receipt for the eDEP Online Filing transaction described below. Please review it and keep a copy for your records.

Please do NOT reply to this message, this email address will not receive messages. For assistance with eDEP Online Filing, please email the eDEP-Support at <mailto:edep-support@mass.gov> or call 617-626-1111.

MassDEP is interested in how we can serve you better. To help us make improvements to eDEP, please take a minute to complete our eDEP Online Filing Survey at <http://www.mass.gov/eea/agencies/massdep/service/online/edep-contacts-and-feedback.html>.

To contact MassDEP Programs, please see <http://mass.gov/dep/about/contacts.htm>.

DEP Transaction ID: 1605423Date and Time Submitted: 09/04/2023 06:52:07

Form Name: Submittal Platform for WPA Form 1 - RDA

Project Location

City/Town Name: SHUTESBURY

Location: [27 WEATHERWOOD ROAD](#)

Project Description: REPLACE OLD SEPTIC SYSTEM WITH NEW TITLE V SYSTEM

Applicant Information

Name: PAUL

LIPMAN

Company

Address: [206 SHUTESBURY ROAD](#)

AMHERST

MA

01002

Ancillary Document Uploaded/Mailed :

Backup of Shutesbury [27 Weatherwood Road](#) report

Shutesbury Site Plan
WPA application

EMAIL ID OF THE USER: lipmanp1@gmail.com

EMAIL ID OF THE OTHER USERS: mdefant.shutesbury@gmail.com
