

Request for Determination of Applicability
74 Pratt Corner Road
Miriam DeFant and Robert Kibler
8/23/23

Driveway Project Narrative

Description of Project: We propose to resurface our gravel driveway and add a stormwater management structure. The driveway will be resurfaced with a mix of ¾" traprock and trap rock gravel (TRG) atop the gravel surface, which will not be removed. The driveway will be pitched to direct stormwater water to the eastern side of the driveway and a downgradient rain garden. We also propose to install a rain garden stormwater structure near the northern side of the driveway turnaround. These changes will improve stormwater management on the driveway and better protect the downgradient wetland Resource Area that traverses the driveway via a culvert.

The size of the rain garden will be approximately 7' x 12' (84 square feet) and be 12" deep. It will be located on the downhill side of the existing turnaround, between the turnaround and a row of existing native shrubs. The rain garden base will be excavated with hand tools to a depth of 12-16 inches to improve drainage. A 4" gravel infiltration reservoir base will be topped with 8 inches of soil/compost mix.

The area will be planted with native perennial herbaceous plants. No outlet or subsurface drainpipe is proposed. The rain garden will collect excess stormwater and allow it to be infiltrated naturally. Plantings will include a mix of Blue Flag Iris (*Iris versicolor*), Cardinal Flower (*Lobelia cardinalis*), Purple Coneflower (*Echinacea purpurea*), and Bottle Gentian (*Gentiana andrewsii*). The rain garden will be mulched following construction. No grass seeding is proposed.

Before construction begins, erosion socks filled with straw will be placed along the culvert and along the downgradient side of the rain garden area. All stockpiles of soils and other materials will be stored under double tarps.

Purpose: The driveway has a significant slope and becomes icy during winter. The driveway parking area near the house is frequently glazed with ice in winter and becomes dangerous. During storms, stormwater runoff and sediments are eroding downgradient into the Bordering Vegetated Wetland/Intermittent Stream that crosses under the driveway. We have armored the culvert with traprock, but this has not been adequate. The angular rock surface is needed to dissipate flow velocity and create a safer parking area near the top of the driveway in winter.

Alternatives Analysis: There is no other practicable alternative with less impacts on Resource Areas. The existing driveway and turnaround already are in the AURA and include a wetland crossing. There is no practicable way to relocate the driveway and turnaround due to the proximity to Resource Areas. Resurfacing with hardpack or gravel will not address the erosion and sedimentation problems. Paving the driveway with an impervious surface would reduce

sedimentation but would decrease infiltration. The proposed project will result in overall net improvements over existing conditions. Although the driveway crosses the Bordering Vegetated Wetland, no work is proposed on the culvert which constitutes the Bank of the BVW. As such, we do not believe this project constitutes an alteration of the BVW or its Bank. Therefore, we believe a Notice of Intent is not necessary for this work.

Resource Areas: The entire project is within the 100-foot Adjacent Upland Resource Area (AURA). A portion of the existing driveway crosses an Intermittent Stream/Bordering Vegetated Wetland via a culvert. There is an associated Vernal Pool in the northwest corner of the property, downgradient of the BVW. The wetland boundaries were delineated in 2021 by Ward Smith for a septic system project. The attached site plan, which was surveyed by Christopher Stoddard, PE, shows the driveway in relation to the delineated wetland boundaries.

Resource Area Benefits: The proposed project will improve conditions for the Resource Areas. A pervious driveway surface will allow for better infiltration and reduce erosion and siltation into the BVW. The rain garden will also improve stormwater infiltration and will widen the existing native vegetated buffer strip between the turnaround and the BVW by about 7'. In recent years, we have planted a native shrub border along the northern side of the proposed rain garden. The addition of a bed of herbaceous plantings will enhance the habitat characteristics of the area.



Massachusetts Department of Environmental Protection
 Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability Shutesbury

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Municipality

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:

<u>Miriam</u> First Name	<u>DeFant</u> Last Name
<u>74 Pratt Corner Road</u> Address	
<u>Shutesbury</u> City/Town	<u>MA</u> State
<u>413-374-1568</u> Phone Number	<u>01072</u> Zip Code
<u>miriam.defant@gmail.com</u> Email Address	

2. Property Owner (if different from Applicant):

<u>Miriam DeFant and Robert Kibler</u> First Name	<u></u> Last Name
<u>same</u> Address	
<u></u> City/Town	<u></u> State
<u></u> Phone Number	<u></u> Zip Code
<u></u> Email Address (if known)	

3. Representative (if any)

<u></u> First Name	<u></u> Last Name
<u></u> Company Name	
<u></u> Address	
<u></u> City/Town	<u></u> State
<u></u> Phone Number	<u></u> Zip Code
<u></u> 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):

<u>74 Pratt Corner Road</u> Street Address	<u>Shutesbury</u> City/Town
<u>42.44560</u> Latitude (Decimal Degrees Format with 5 digits after decimal e.g. XX.XXXXX)	<u>-72.44299</u> Longitude (Decimal Degrees Format with 5 digits after decimal e.g. -XX.XXXXX)
<u>T</u> Assessors' Map Number	<u>62</u> 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):
Bordering Vegetated Wetland and 100-foot Buffer Zone

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

<u>RDA Site Plan for 74 Pratt Corner Road</u> Title	<u>8/23/23</u> Date
<u></u> Title	<u></u> Date



B. Project Description (cont.)

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

Driveway to be resurfaced with traprock gravel. Existing gravel base will not be removed. Driveway crosses BVW via a culvert. No work or alterations proposed on culvert. Driveway is located in 100-foot Buffer Zone and crosses the Bank of the BVW via the culvert. A 7' x 12' rain garden will be constructed in the existing driveway turnaround. Erosion socks will be installed prior to work to protect the edges of the culvert and downgradient of the rain garden. Rain garden will be planted with native plants and mulched.

- 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 Shutesbury 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
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.

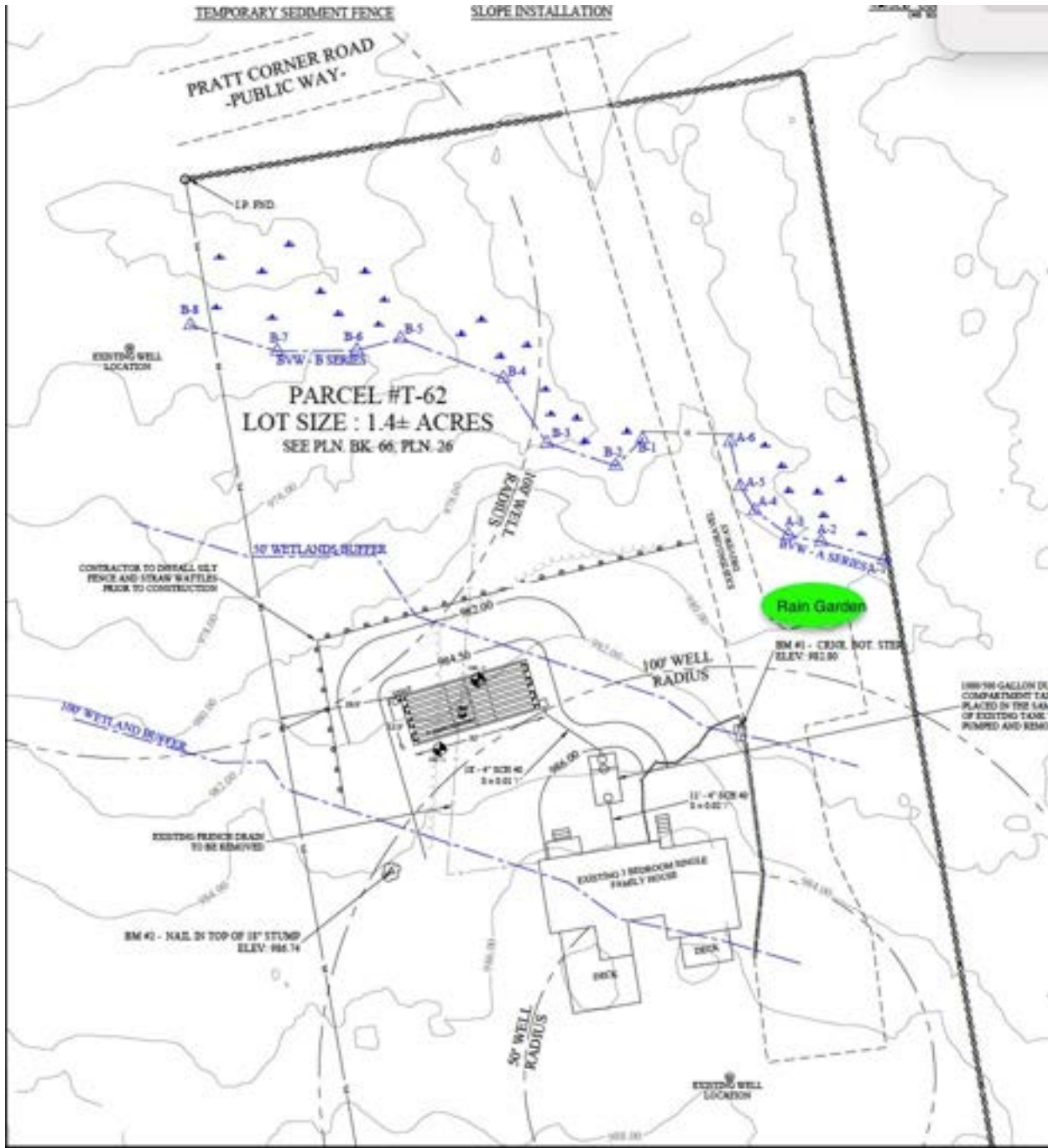
[Signature]
Signature of Applicant

8/23/23
Date

Signature of Representative (if any)

Date

RDA SITE PLAN FOR 74 PRATT CORNER ROAD-8/23/23

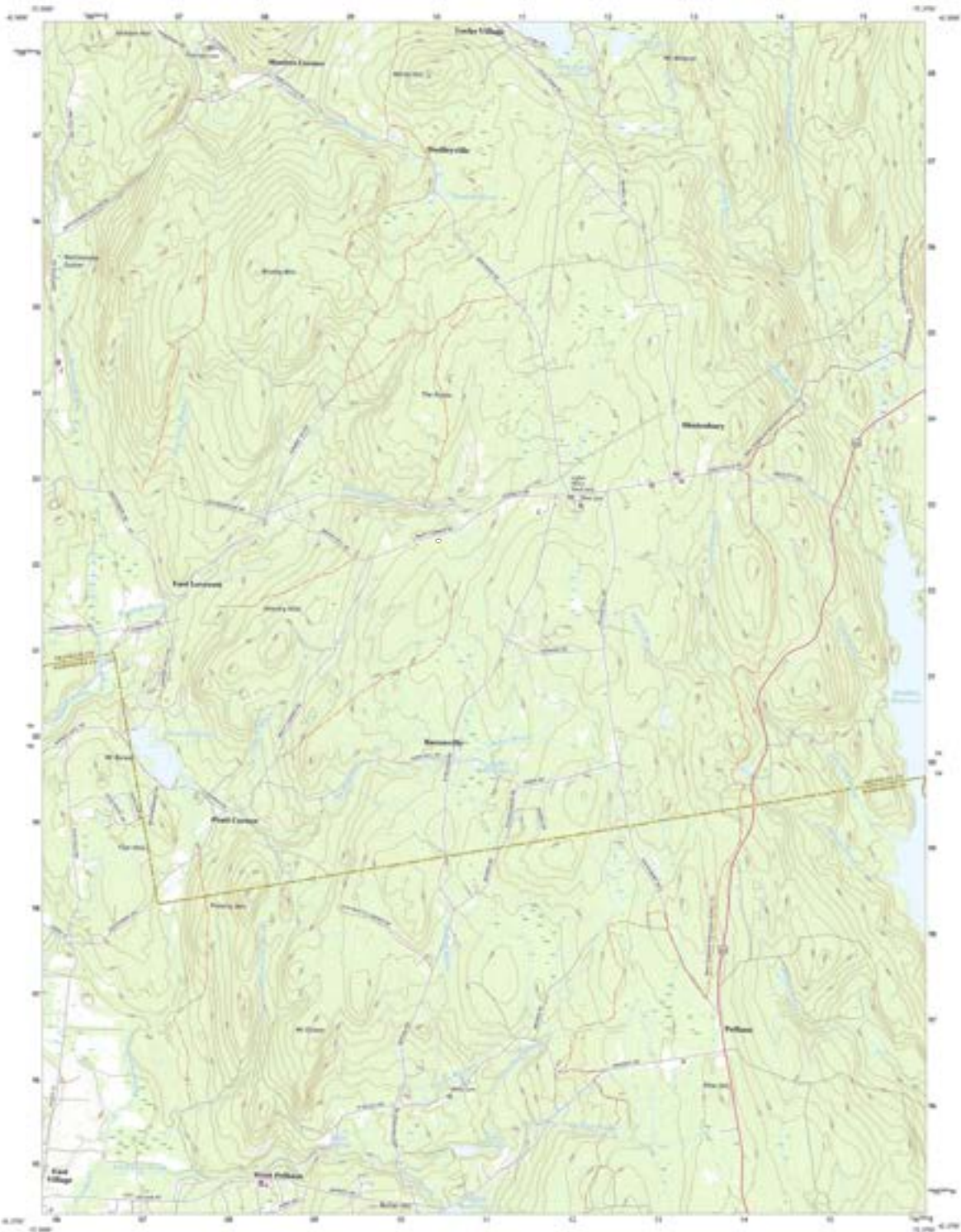




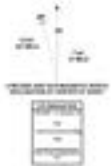
U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY



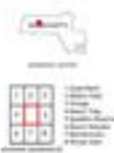
SHUTEBURY QUADRANGLE
MASSACHUSETTS
7.5-MINUTE SERIES



Produced by the United States Geological Survey
Data provided by the U.S. Geological Survey, Massachusetts Office
Map Accuracy: Scale of 1:24,000
This map is a derivative product of the original data provided by the U.S. Geological Survey, Massachusetts Office. It is not a substitute for the original data. The U.S. Geological Survey is not responsible for any errors or omissions in this map.



SCALE 1:24,000
VERTICAL DATUM: NAD 83
HORIZONTAL DATUM: NAD 83
PROJECTION: UTM
UNIT: METERS



Map Symbols

Blue line	Stream	Blue area	Water
Red line	Major Road	Red area	Urban
Orange line	Minor Road	Green area	Forest
Black line	Boundary	White area	Open
Black circle	Well	Black circle	Spot Elevation
Black square	Structure	Black square	Spot Elevation

SHUTEBURY, MA
2011





220608 T62 OVERVIEW MAP 100 FT ABUTTERS DEFANT

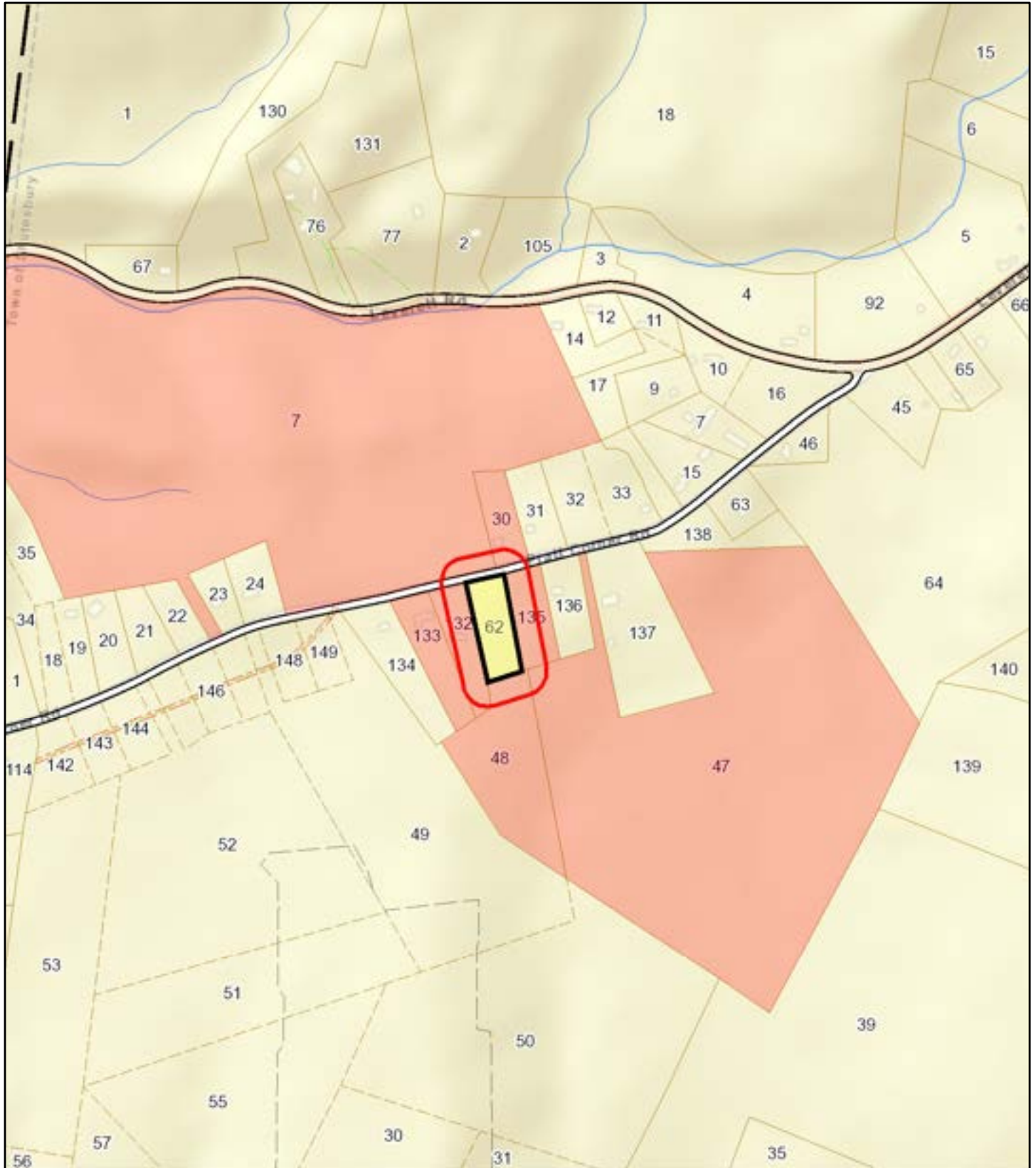


Shutesbury, MA

1 inch = 555 Feet

June 8, 2022

www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

TOWN OF SHUTESBURY CERTIFIED 100' ABUTTERS LIST FOR T-62 74 PRATT CORNER RD

MAP	LOT	OWNER	CO-OWNER	MAILING ADDRESS	TOWN	ST	ZIP	LOCATION
T	62	DEFANT MIRIAM A	KIBLER ROBERT W	74 PRATT CORNER RD	SHUTESBURY	MA	01072	74 PRATT CORNER RD
G	30	HAYES ROBERT		69 PRATT CORNER RD	SHUTESBURY	MA	01072	69 PRATT CORNER RD
T	132	TINCKNELL ROGER L	SILNUTZER RANDI	78 PRATT CORNER RD	SHUTESBURY	MA	01072	78 PRATT CORNER RD
T	133	DIDONNA, GIOVAN B.		86 PRATT CORNER RD	SHUTESBURY	MA	01072	86 PRATT CORNER RD
T	135	MOSS ROBERT	MOSS CATHERINE	64 PRATT CORNER RD	SHUTESBURY	MA	01072	PRATT CORNER RD
T	47	COTE NORMAN R	COTE PHYLLIS J	338 LEVERETT ROAD	SHUTESBURY	MA	01072	PRATT CORNER RD
T	48	COTE NORMAN R	COTE PHYLLIS J	338 LEVERETT ROAD	SHUTESBURY	MA	01072	PRATT CORNER RD
ZG-2	INCLUDES T-7	W D COWLS INC		P O BOX 9677	NORTH AMHERST	MA	01059	PRATT CORNER RD

FOR: MIRIAM DEFANT
74 PRATT CORNER RD
SHUTESBURY MA 01072
413.374.1568
MIRIAM.DEFANT@GMAIL.COM

[Respectfully submitted,](#)

Leslie Bracebridge, Assessors Clerk for
 Kevin Rudden, Administrative Assessor
 6/8/2022

NOTIFICATION TO ABUTTERS

In accordance the Wetlands Protection Act and Shutesbury General Wetlands Protection Bylaw and regulations, you are hereby notified of a public meeting on the matter described below.

- A. A Request for Determination of Applicability has been filed with the Shutesbury Conservation Commission seeking permission to remove, fill, dredge or alter an area subject to protection under M.G.L. Ch. 131 §40 and the Shutesbury Wetlands Protection Bylaw.
- B. The name of the applicant is: Miriam DeFant and Robert Kibler
- C. The address of the land where the activity is proposed: 74 Pratt Corner Road, Shutesbury
- D. The work proposed is: driveway resurfacing and rain garden construction
- E. Copies of the Request for Determination may be examined at the Shutesbury Town Hall, 1 Cooleyville Road, on Tuesdays and Thursdays from 10am – 1pm and online at www.shutesbury.org/other-concom-projects.
- F. The Public Meeting for this Request for Determination of Applicability will be held **Thursday, September 14, 2023 at 7:00 pm** via Zoom.
- G. **Public Participation will be via Virtual Means Only:** This meeting of the Shutesbury Conservation Commission will be conducted via remote participation. Instructions for participating in the virtual Public Meeting will be listed on the meeting agenda posted on the Town calendar at least 48 hours in advance of the meeting. The Public Meeting may be rescheduled due to unforeseen circumstances. Remote access information will be published on the Shutesbury meeting calendar: <https://www.shutesbury.org/calendars>. Click on the agenda for the meeting you wish to attend.
- H. Notice of the public meeting, including date, time, and place will be published at least five business days in advance in the Daily Hampshire Gazette.

For more information, contact the Shutesbury Conservation Commission (concom@shutesbury.org or 413-259-3792) or the Massachusetts Department of Environmental Protection (MassDEP) Western Region Office at (413-784-1100).