



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

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:

First Name _____ Last Name _____

Address _____

City/Town _____ State _____ Zip Code _____

Phone Number _____ Email Address _____

2. Property Owner (if different from Applicant):

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):

Street Address _____ City/Town _____

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

Assessors' Map Number _____ Assessors' Lot/Parcel Number _____

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

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

Title _____ Date _____

Title _____ Date _____

[How to find Latitude and Longitude](#)

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



Massachusetts Department of Environmental Protection

Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

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

Municipality

B. Project Description (cont.)

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

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).



WPA Form 1- Request for Determination of Applicability

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

Municipality _____

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 of Applicant

8/21/23
Date

Signature of Representative (if any)

Date

Request for Determination of Applicability for exploratory borings and soils test pits at Lot O-32
66 Leverett Road
Shutesbury MA

PROJECT NARRATIVE

The Town of Shutesbury submits this Request for Determination of Applicability (RDA) under the Massachusetts Wetlands Protection Act (MAWPA: M.G.L. c 131 § 40) and the Town of Shutesbury General Wetlands Protection Bylaw (Wetlands Bylaw) and associated regulations for site investigations associated with the design of the new Shutesbury Library. The project includes Geoprobe borings that will provide information needed to design the building foundation and test pits that will inform the design of the stormwater management system.

This RDA is being filed since portions of the proposed work will occur within the 100-foot Buffer Zone to Bordering Vegetated Wetlands BVW 1 and BVW 2, as regulated under the MAWPA and Wetlands Bylaw. No work will take place in the Wetland Resource Areas.

The Town is respectfully requesting a waiver of the Request for Determination of Applicability fee for this RDA.

Work within the 100-foot Buffer Zone to BVW is limited to soil test pits and borings which are considered exempt under the MAWPA in accordance with 310 CMR 10.02(2)(b)(2)(g) as they consist of *“Activities that are temporary in nature, have negligible impacts, and are necessary for planning and design purposes (e.g., installation of monitoring wells, exploratory borings, sediment sampling and surveying and percolation tests for septic provided that resource areas are not crossed for the site access.”*

Based on the minimal disturbance necessary to conduct the environmental investigation, we respectfully request that the Shutesbury Conservation Commission make a Negative 3 Determination, finding that *“the work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent.”*

THE SITE

The 21.2-acre subject parcel, Parcel ID #O-32, is located at 66 Leverett Road, Shutesbury. The site is owned by the Town of Shutesbury and will be the location of the new Shutesbury Library. The Shutesbury Conservation Commission knows the site well from the ANRAD process, the earlier RDA for investigative work and the NOI for two small wetland restorations. All work proposed in this RDA will be done within the NE corner of the property, near the former garage and house sites and in an area which has been maintained as a field since well before the Town purchased the parcel.

PROPOSED ACTIVITIES

Two types of subsurface environmental investigation are proposed as described below.

- Four test pits are proposed. Two are in the proposed parking area immediately to east of the Library Building Site. Two are located closer to Leverett Road.
- Two Geoprobe borings, both within the footprint of the proposed Library building site.

SOIL TEST PIT INVESTIGATION

Soil test pits locations are shown in red dots on Figure 2. They will provide information for the design of the storm water system associated with the Library Project.

Four exploratory test pits will be temporarily dug, each disturbing approximately 12 sq ft. Each will be 6 feet deep. Two are located just to the east of the proposed Library Building site and two are closer to the road. Two of the pits are within the 100-foot buffer zone of BVW-1 and two are within the 100-foot buffer zone of BVW2. All are close to the 50-foot buffer zone.

The process and sequence of work are described below:

- Straw wattles will be installed around the limits of work.
- A backhoe or excavator will access the site from the driveway.
- Four test pits (approximately 12 square feet each) will be excavated to a depth of approximately up to 6 feet.
- Soil conditions will be logged and soil samples may be taken.
- The excavated material will be placed immediately adjacent to each test pit and used to backfill upon completion of sample collection. No additional material will be brought onsite to backfill the test pits.
- Upon completion of work, soil test pits will be backfilled to grade, seeded with a native seed mix, and mulched with straw.
- Straw wattles will be removed upon vegetative stabilization.

SOIL BORINGS

Soil boring locations shown as blue dots on Figure 2. The borings will provide information for the design of the proposed Library foundation.

The two borings are within the 100-foot buffer zone and close to the 50-foot buffer zone of BVW 1. Approximately 4 sq ft will be temporarily altered. The soil borings will consist of the following:

- Two borings will be advanced via Geoprobe® direct-push methods to a maximum depth of up to 15 feet below grade or refusal.
- Soil conditions will be logged.
- Upon completion of work, soil borings will be backfilled to grade.

- Any resulting disturbed area will be seeded with native seed mix and mulched with straw.

SEPTIC SYSTEM PERCOLATION TEST

The septic system will be located outside any 100-foot buffer zone and thus the percolation test is not part of this RDA.

TEMPORARY BUFFER ZONE AND ISOLATED VEGETATED WETLAND IMPACTS

The proposed project will result in approximately 48 sq ft of temporary impact to the 100-foot Buffer Zone resulting from the excavation of the soil test pits. The borings will temporarily alter approximately 4 sq ft. All soil will be replaced and the areas will be seeded upon completion.

BEST MANAGEMENT PRACTICES AND PROTECTIVE MEASURES

The following practices and measures will be implemented to protect wetland resource areas:

- Work will be scheduled for days not forecasted for greater than 20% chance of rain
- Straw wattles will be installed around the limits of work for the soil test pits prior to the start of the project.
- Upon completion of test pits, each will be backfilled to grade with the excavated material. All disturbed areas will be seeded with a native seed mix and mulched with straw.
- Sedimentation of excavated materials will be minimized by limiting transport and temporarily stockpiling materials immediately adjacent to the test pits.

Summary

I look forward to discussing the project with the Shutesbury Conservation Commission and anticipate being included in the Commission's public meeting on September 14, 2023. Abutters will be notified in accordance with the MAWPA and Wetlands Bylaw and notice of the public meeting for this RDA will be published in the Greenfield Recorder.

I trust the materials are sufficient for the Commission to issue a Negative Determination.

Should you have any questions regarding this application, please contact me at library.director@shutesbury.org or 259-1213.

Mary Anne Antonellis

Library Director

FIGURE 1



 Subject Parcel

0 1,000 2,000 Feet



Topographic Map
66 Leverett Road
Shutesbury, Massachusetts

September 2022

 **FUSS & O'NEILL**
1550 Main Street, Suite 400
Springfield, MA 01103
413.452.0445 | www.fando.com

Figure 1

Site Plan - Figure 2



LEGEND & ABBREVIATIONS

- PROPERTY LINE
- PROPOSED EXISTING WETLAND 100' WETLAND BUFFER
- 100' WETLAND BUFFER
- FLOOD OUTLINE
- WET POND
- PROPOSED STRUCTURE WITH INTERDEPENDENT UTILITIES
- SURFACE DRAINS
- DRAINAGE PIPE
- DRAINAGE STRUCTURE (BOX)
- STORMWATER TREATMENT STRUCTURE
- CONCRETE SLABS AND STONE FILLING
- 18" DIA. (18")
- 24" DIA. (24")
- 18" DIA. (18")

LEGEND

- GEOTECHNICAL SOIL BORING
- TEST PIT - INFILTRATION TEST FOR DRAINAGE
- TEST PIT - PERC TEST FOR SEPTIC

GARY L. AND NANCY L. DIHLMANN
BOOK 2480, PAGE 43
SEE: PLAN BOOK 27, PAGE 24

NOT FOR CONSTRUCTION

GRAPHIC SCALE

ce
JUS & O'NEILL
INCORPORATED
100 WEST MAIN STREET
SHELTON, MA 01475
TEL: 978.888.1111
WWW.JUSANDONEILL.COM

SHUTESBURY PUBLIC LIBRARY
66 Leverett Road
Shutesbury, MA 01462
Owner: Shutesbury, LLC
Project: Shutesbury Public Library
Scale: As Shown
Date: 08/12/2021
Drawn: JUS & O'NEILL
Checked: JUS & O'NEILL
Title: GEOTECHNICAL INVESTIGATION PLAN
Sheet No: C4.1