

Contents of Packet  
Alfred M. Gurka and Barbara Gurka  
16 Lovewell Street  
Ware, MA 01082

- 1) Letter
- 2) WPA Form 1 Request for Determination of Applicability
- 3) Legal Ad information
- 4) Board of Assessors Letter re: Abutters List
- 5) Abutters List
- 6) Notification to Abutters under Massachusetts Wetland Protection Act and Ware Wetlands Bylaw Regulations
- 7) Abutters notification signatures
- 8) Plot map of Abutters
- 9) Map of our property 16 Lovewell Street, Ware, MA
- 10) Pictures of trees to be removed near our house
- 11) Pictures of August 4, 2020 storm damage to our property





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Ware  
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:

Canadian Tree Expert Co., Inc.

bernie@canadiantreeexpert.com

Name

E-Mail Address

417 Belchertown Rd

Mailing Address

Ware

MA

01082

City/Town

State

Zip Code

413-967-6553

413-967-8373

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:

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

### C. Project Description

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

16 Lovewell St  
Street Address

Ware  
City/Town

Assessors Map/Plat Number

Parcel/Lot Number

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

House is a Ranch style on .78 Acres

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

Title

Date

Title

Date

Title

Date

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

We intend to remove all marked trees adjacent to his small stream with a crane stationed in the backyard. We will chip all brush into the back of a truck, remove logs from premises and leave stumps cut flush to the ground.



## WPA Form 1- Request for Determination of Applicability

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

### 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).

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:

Alfred M Gurka

Name

16 Lovewell St.

Mailing Address

Ware

City/Town

MA

State

01082

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.

*Bernard M. Bergeron*

Signature of Applicant

04/16/21

Date

Signature of Representative (if any)

Date



# TOWN OF WARE

## BOARD OF ASSESSORS

126 MAIN STREET, TOWN HALL, SUITE G

WARE, MASSACHUSETTS 01082-1336

TEL: (413) 967-9648X179 FAX: (413) 967-4227

**April 21, 2021**

**Conservation Commission  
126 Main Street  
Ware, MA 01082**

**RE- 16 LOVEWELL ST  
Map 62 Lot 0-19**

**Dear Board Members:**

**Listed on the attached sheet are the record owners of Real Property within 300' of the above-captioned property requested by Canadian Tree Experts for a request for Determination RDA.**

**I certify the attached Abutters List to be true and complete to the best of my knowledge.**

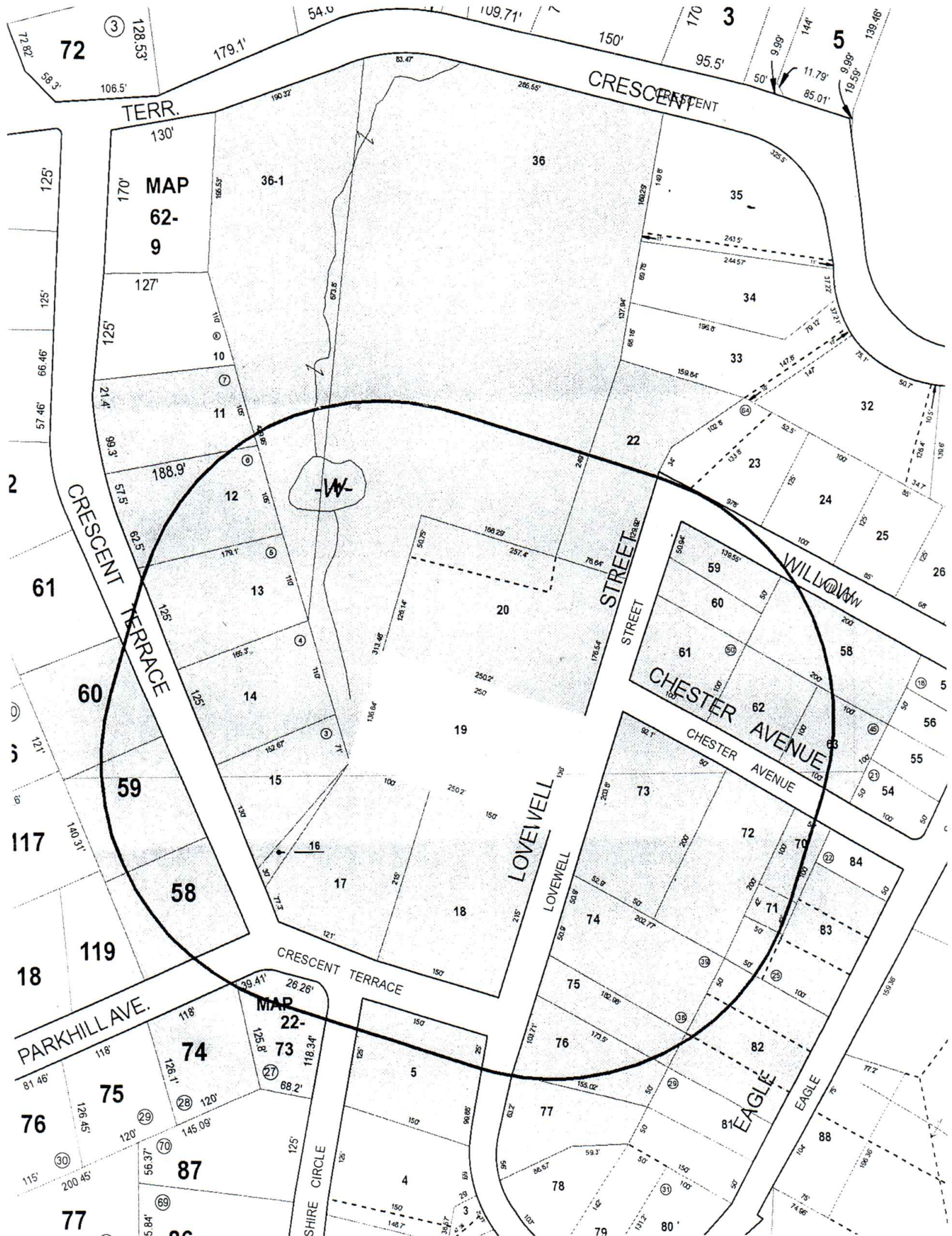
**Respectfully,**

A handwritten signature in cursive script that reads "Joan E. Navarro".

**Joan E. Navarro  
Principal Assessor**

**Enclosure**







✓ Parcel Number: 62-0-70  
APPS MILDRED V  
2 CHESTER AVE  
WARE, MA. 01082

Parcel Number: 62-0-71  
APPS MILDRED V  
2 CHESTER AVE  
WARE, MA. 01082

✓ Parcel Number: 62-0-58  
ATWOOD CHARLES R  
5683 ROUNDTREE DR  
WOODBIDGE, VA. 2293-3712

✓ Parcel Number: 62-0-74  
BAILEY CHARLES  
11 LOVEWELL ST  
WARE, MA. 01082

✓ Parcel Number: 22-0-59  
BIGDA FRANK S  
BIGDA ELIZABETH A  
P O BOX 222 (11 Crescent Terr)  
WARE, MA. 01082

✓ Parcel Number: 62-0-72  
CLOUGH ALAN R  
CLOUGH DEBORAH A  
4 CHESTER AV  
WARE, MA. 01082

✓ Parcel Number: 62-0-16  
COTE CAMILLE S  
COTE DEBRA M  
14 CRESCENT TERRACE  
WARE, MA. 01082

Parcel Number: 62-0-17  
COTE CAMILLE S  
COTE DEBRA M  
14 CRESCENT TERRACE  
WARE, MA. 01082

✓ Parcel Number: 62-0-60  
DESANTIS AARON J  
359 HOWE ST  
E BROOKFIELD, MA. 01515

✓ Parcel Number: 22-0-73  
FELICIANO DAVID  
FELICIANO CARRIE  
1 BERKSHIRE CR  
WARE, MA. 01082

✓ Parcel Number: 62-0-61  
FOSS KENNETH W  
FOSS ERIN A  
5 CHESTER AVE  
WARE, MA. 01082

✓ Parcel Number: 62-0-12  
GRAVEL JASON R  
NEWMARK CHANDRA  
6 CRESCENT TR  
WARE, MA. 01082

✓ Parcel Number: 62-0-76  
GRZYWACZ FREDERICK W  
GRZYWACZ MARGARETTE  
7 LOVEWELL ST  
WARE, MA. 01082

✓ Parcel Number: 62-0-82  
HUGHES KAREN A  
PELLETIER KEVIN G  
76 EAGLE ST  
WARE, MA. 01082-1310

✓ Parcel Number: 62-0-73  
HUYNH LILY  
6 CHESTER AV  
WARE, MA. 01082

✓ Parcel Number: 62-0-15  
JAWORSKI STEPHEN W JR  
JAWORSKI DENISE M  
12 CRESCENT TERR  
WARE, MA. 01082

✓ Parcel Number: 62-0-20  
KOPEC JANET A  
18 LOVEWELL ST  
WARE, MA. 01082

✓ Parcel Number: 62-0-77  
LAPPIN JOHN DOUGLAS LIFE  
BROWN GARETH JAMES  
PO BOX 473 (5 Lovewell St)  
WARE, MA. 01082

✓ Parcel Number: 22-0-74  
MARSHALL JANET M TRUSTEE  
THE MARSHALL FAMILY TRUST  
1 PARKHILL AV  
WARE, MA. 01082

✓ Parcel Number: 62-0-63  
MARTEL DUANE W  
MARTEL DONNA K  
1 CHESTER AV  
WARE, MA. 01082

✓ Parcel Number: 62-0-11  
MESHLOVITZ JACOB  
MESHLOVITZ MARY LOU  
4 CRESCENT TERR  
WARE, MA. 01082

✓ Parcel Number: 62-0-18  
MORROW MARYAM  
12 LOVEWELL ST  
WARE, MA. 01082

✓ Parcel Number: 62-0-36  
PELSKI RONALD E  
16 WILLISTON DR  
WARE, MA. 01082

✓ Parcel Number: 62-0-62  
PERKINS LORI A  
FOX TIMOTHY  
3 CHESTER AVE  
WARE, MA. 01082

✓ Parcel Number: 62-0-83  
PODKOWKA STEPHEN E  
PODKOWKA MARILYN  
PO BOX 313 (124 Eagle St)  
WARE, MA. 01082

✓ Parcel Number: 22-0-60  
PRIMAVERA RICHARD G  
PRIMAVERA CYNTHIA J  
9 CRESCENT TERRACE  
WARE, MA. 01082

✓ Parcel Number: 62-0-75  
PROSSER ALISON M  
9 LOVEWELL ST  
WARE, MA. 01082

✓ Parcel Number: 62-0-22  
RATCLIFFE STEPHEN D  
RATCLIFFE DEBORAH R  
24 LOVEWELL ST  
WARE, MA. 01082

✓ Parcel Number: 62-36-1  
RIM CHANTHIEN  
243 GULL'S NEST COURT  
ROYAL PALM BEACH, FL. 33411

✓ Parcel Number: 62-0-13  
SEYMOUR BARBARA ANN  
KRASNECKY CYNTHIA C  
8 CRESCENT TERRACE  
WARE, MA. 01082



✓ Parcel Number: 62-0-5  
SINGER WAYNE A  
SINGER BARBARA A  
8 LOVEWELL ST  
WARE, MA. 01082

✓ Parcel Number: 62-0-59  
SQUIRES ROBERT A  
SQUIRES MAURA J  
23 LOVEWELL ST  
WARE, MA. 01082

✓ Parcel Number: 22-0-58.  
TERRY D FRED  
TERRY MELINDA  
13 CRESCENT ST  
WARE, MA. 01082

✓ Parcel Number: 62-0-14  
WDOWIAK WALTER F  
WDOWIAK MARY D  
10 CRESCENT TERRACE  
WARE, MA. 01082

## NOTIFICATION TO ABUTTERS UNDER THE MASSACHUSETTS WETLAND PROTECTION ACT AND OF WARE WETLAND BYLAW REGULATIONS

In accordance with the second paragraph of Massachusetts General Laws, Chapter 131, § 40, as well as the Town of Ware Wetland Bylaws, you are hereby notified of the following permit application for work within a wetland resource area and/or with the 200-foot buffer zone to a resource area:

- A. The name of the applicant is: ALFRED "FREDDIE" GURKA
- B. The address of the lot(s) where the activity is proposed is: 16 LOUWELL ST.  
WARE, MA 01082
- C. The applicant has filed a ☐ Notice of Intent or a ☒ Request for Determination seeking permission to remove, fill, dredge, or alter an Area Subject to Protection under the Wetlands Protection Act (MGL c. 131, § 40), and/or the Town of Ware Wetland Bylaws.
- D. Copies of the application may be examined at the office of the Ware Conservation Commission, located within the Building Department, Town Hall, 126 Main Street, Ware, MA between the hours of 8:00 am to 4:00 pm on Monday through Friday or by calling telephone number (413) 967-9648.
- E. Copies of the application may be obtained from either ☒ the Applicant, or ☐ the Applicant's representative, by calling telephone number 413-967-3109 between the hours of \_\_\_\_\_ to \_\_\_\_\_ on the following days of the week \_\_\_\_\_.
- F. Information regarding the date, time and place of the public hearing may be obtained from the Conservation Commission, telephone number (413) 967-9648. If available from the Applicant, check here ☒ and see information available in E.

**NOTE:** The notice of the public hearing, including the date, time and place will be posted in the Town Hall not less than forty-eight (48) hours in advance and Town of Ware website [www.townofware.com](http://www.townofware.com).

**NOTE:** You may contact the Ware Conservation Commission Office or the Department of Environmental Protection Western Regional Office at (413) 784-1100 with questions in regards to the Notice of Intent application process or the Wetland Protection Act.

## **\$85.88 / 16 Lovewell / Ware Rover News 5.13**

### **LEGAL NOTICE**

The Ware Conservation Commission will hold a public hearing on **Wednesday, June 9, 2021 at 6:30 PM** pursuant to the Wetlands Protection Act, M.G.L 131 c40. The hearing will include consideration of a Request for Determination of Applicability (RDA) by Alfred M. Gurka to have trees removed from his property at 16 Lovewell Street. Said hearing will be held in the Selectmen's Meeting Room, Town Hall, 126 Main Street, Ware, MA 01082. To view application and related plans, contact the Conservation office at 413-967-9648.

Pursuant to MGL Chapter 4, Section 13, a copy of this legal notice can be found on the Massachusetts Newspaper Publishers Association's (MNPA) website: <http://masspublicnotices.org>.  
05/27/2021



0000 00000  
trees to be removed

trees to  
be removed

very  
large  
tree

trees to be  
removed

large  
tree

pond

Brook

Storage  
shed

Porch

Garage

Our house

#16 Lovewell St

Lovewell Street





trees to  
be Removed





Trees to

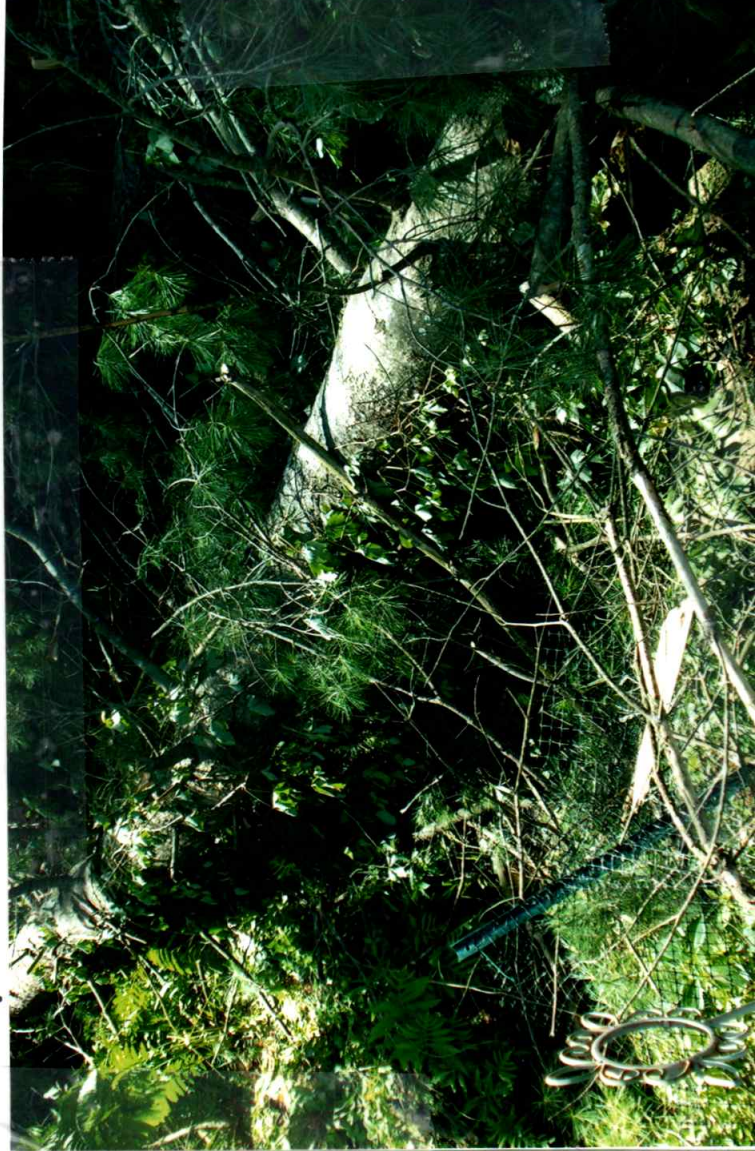
be removed







Damage from August 4, 2020 storm





MA 70512



boards