



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:

Name Daniel Kelley E-Mail Address _____

Mailing Address 135 Robert Treat Paine Dr.

City/Town Taunton State MA Zip Code 02780

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 Wetlands 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:

Ware, MA
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):

36 Berkshire Drive

Street Address

Ware

City/Town

22-0-108

Assessors Map/Plat Number

Parcel/Lot Number

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

The area we will be installing solar panels at is 101'-1" from the nearest wetland creek. It will be located in an open area of homeowners backyard. Panels are 112'-10" from the street (Berkshire Drive). There will be a 20' trench installed @ 18" min below grade. Panels will be 32'-5" from tree line at back of property.

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):

ground mounted pv solar panels- 13.110Kw system size- 46 total panels- 200A. 1-1/4" PVC Conduit @ 18" MIN. below grade in a 20' trench



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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).

Section 40: We will not be removing, filling, dredging, or altering any bank, riverfront area, fresh water wetland, coastal wetland, beach, dune, flat, marsh, meadow, or swamp.

We will be installing ground mounted pv solar panels. No waste will be produced during this project either

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:

Harold Weatherwax

Name

36 Berkshire Drive

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.

Signature of Applicant

01/08/2021

Date

Signature of Representative (if any)

Date

LEGAL NOTICE

The Ware Conservation Commission will hold a public hearing on Wednesday, February 10, 2021, at 7:00 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) submitted by Daniel Kelley regarding PV Solar Panel Installation for Harold Weatherwax of 36 Berkshire Drive, Ware, MA 01082.

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>.

RDA-2021-02