



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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:

Marie Lauderdale & Lew Burton

marielauderdale@mac.com

Name

E-Mail Address

9 Horseshoe Circle

Mailing Address

Ware

MA

01082

City/Town

State

Zip Code

(413) 230 1121 or (413) 230 1476

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

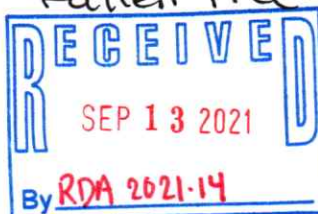
1. I request the Ware Conservation Commission make the following determination(s). Check any that apply:

- ☐ 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).

Removal of fallen tree part in lake, part on land.





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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):

13 Horseshoe Circle

Street Address

Ware

City/Town

48-0-50

Assessors Map/Plat Number

Parcel/Lot Number

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

see attached

- 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):

See attached



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:

Lew Burton

Name

9 Horseshoe Circle

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.

Lew Burton

Signature of Applicant

September 8, 2021

Date

Signature of Representative (if any)

Date

RDA 9/9/21

13 Horseshoe Circle, Ware

Project: Removal of fallen tree on the land and in the water at Beaver Lake.

Submitted by Marie Lauderale and Lew Burton

**** Area description: ****

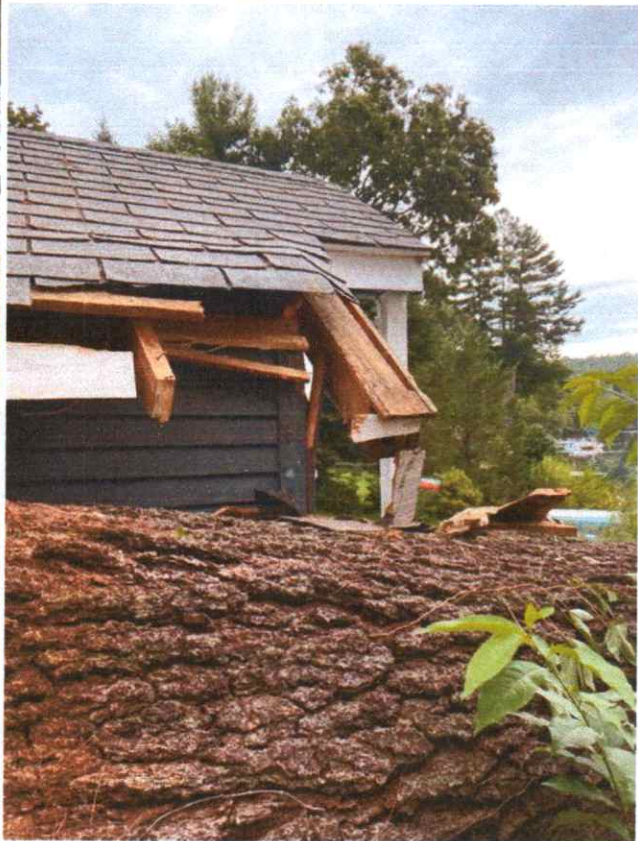
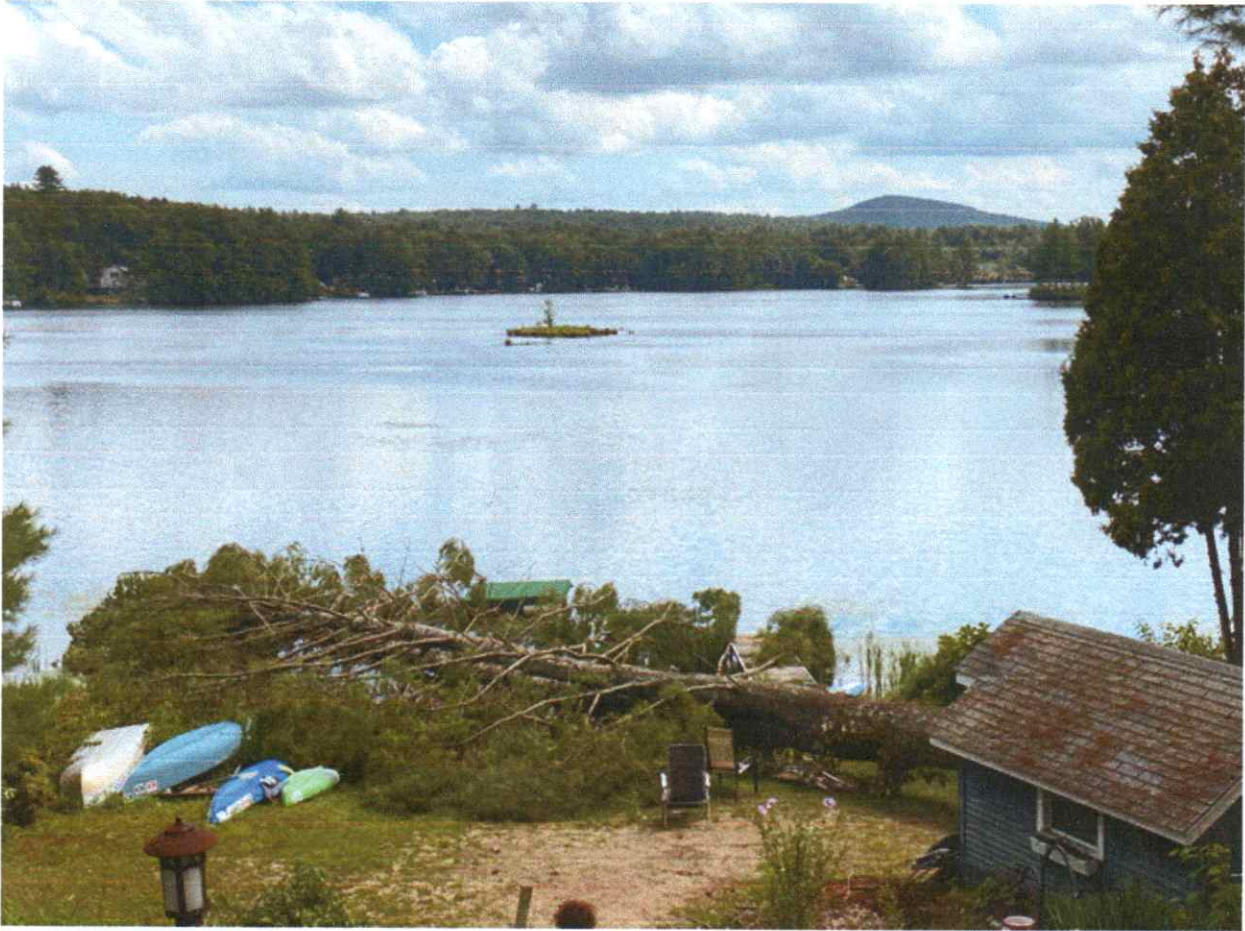
The property 13 Horseshoe Circle and the project is on the land on Beaver Lake side of the main dwelling. A large tree has fallen across approx 30 feet of the property and adjoining Beaver Lake and over the water edge with an additional 30 feet resting in the water. This fallen tree rests on a one story structure, a dock, boats, and in the water in front of the residence. The structure which was pushed off of its foundation by the falling tree is in need of immediate repair and stabilization: the roof and some supports are damaged and the structure is tipping off of its foundation.

**** Work description: ****

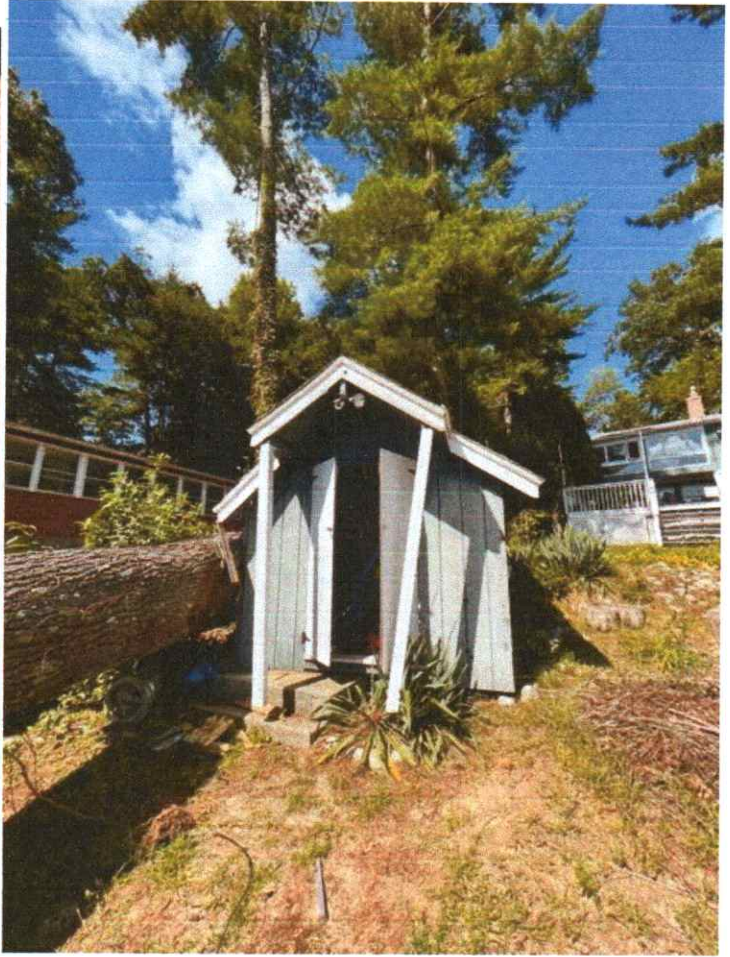
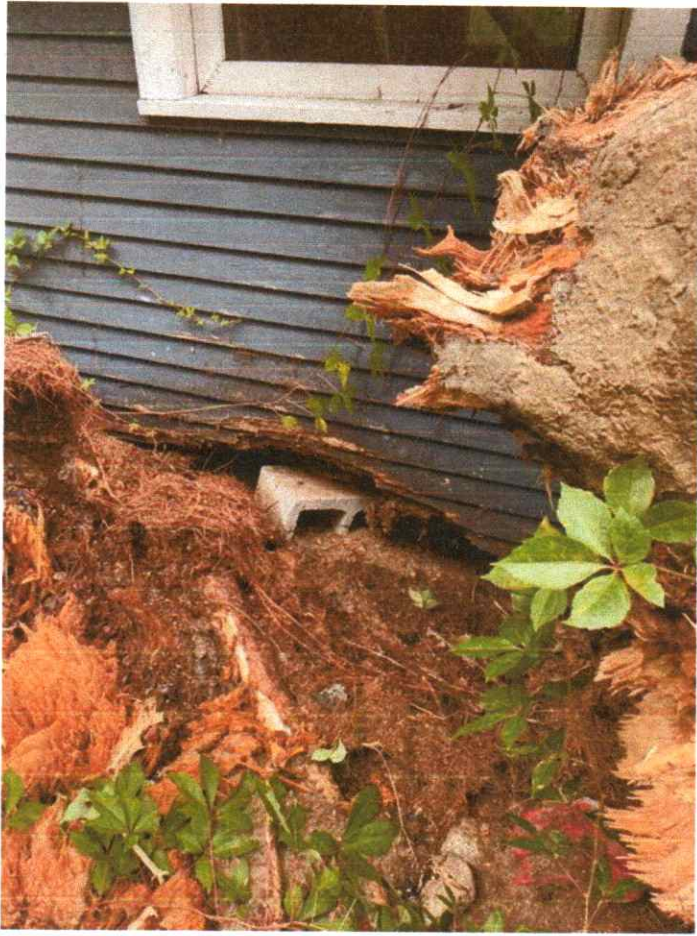
The work is as follows: Ateks Tree Removal Company, a fully licenced tree removal service who is experienced in working around waterways will remove the tree. Due to the location and access, a crane can not be used. The tree will be removed by hand, requiring the workers to wade into the water to remove parts. These will be lifted, winched and brought to the shore to be moved off the property by truck. The chainsaws will use biodegradable oil (bar oil) and follow all guidelines for working by the water. The section of the tree that rests in the water will be cut from boats or a dock when applicable. Every effort will be made to protect the shoreline with a temporary structure using all terrain mats and/or hay bales.

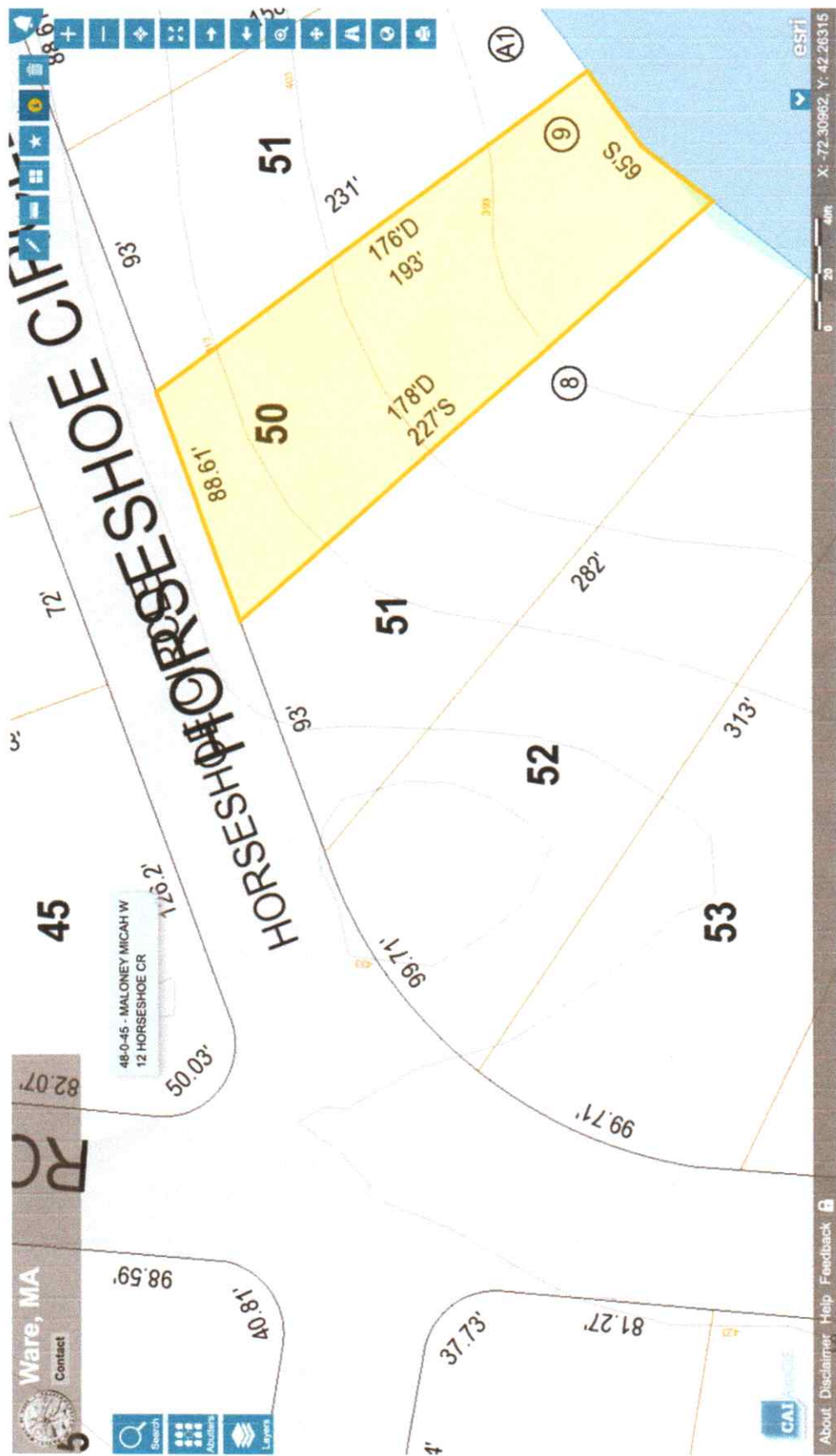
The fallen tree is a risk to the structure and also prevents any stabilization work, thus needs to be removed before any inclement weather can cause further damage. This fallen tree is blocking access to the lakefront, boat shed, boats and dock and is a risk to the family and pets who reside in the main dwelling.

Thank you,
Marie Lauderdale and Lew Burton









Assessment Field Card

Town of Ware, Massachusetts



| Parcel Information | |
|--|--|
| | <p> Address: 13 HORSESHOE CR Map-Lot: 48-0-50 Patriot Account #: 1862 Owner: BURTON LEWIS L Co-Owner: Mailing Address: 13 HORSESHOE CR WARE, MA 01082 </p> |
| Building Exterior Details | General Information |
| <p> Building Type: RANCH Year Built: 1970 Grade: C Frame Type: WOOD Living Units: 1 Building Condition: Average Roof Cover: ASPHALT SH Roof Type: GABLE Exterior Wall Type: TEX 111 Pool: False </p> | <p> Total Acres: 0.3375 Land Use Code: 101 Neighborhood Code: Owner Occupied: Y Condo Name: Condo Unit: Zone: BLR Utility Code 1: ART Utility Code 2: SEPT Utility Code 3: </p> |
| Building Area | Ownership History |
| <p> Gross Area: 2840 sqft Finished Area: 2108 sqft Basement Area: 952 sqft Garage Area: 0 sqft Detached Garage: sqft Basement Garage: 0 sqft </p> | <p> Sale Date: 11/29/2017 Sale Price: \$ 100 Nal Description: FAMILY Grantor (Seller): BURTON ,ANNE Book/Page: 12818-240 </p> |
| Building Interior | Assessed Value |
| <p> No. Total Rooms: 4 No. Bedrooms: 2 No. Full Baths: 2 No. Half Baths: 0 Bath Rating: AVER No. Kitchens: 2 Kitchen Rating: AVER Building Framing: WOOD Interior Wall Type: PLASTER Fireplaces: 0 Solar Hot Water: False Central Vac: False Floor Type: CARPET Heat Type: ELECTRC BB Heat Fuel: ELECTRIC Percent A/C: 100 </p> | <p> Assessed Yard Value: \$ 13400 Assessed Land Value: \$ 161800 Assessed Bldg Value: \$136100 Total Assessed Value: \$311300 </p> |



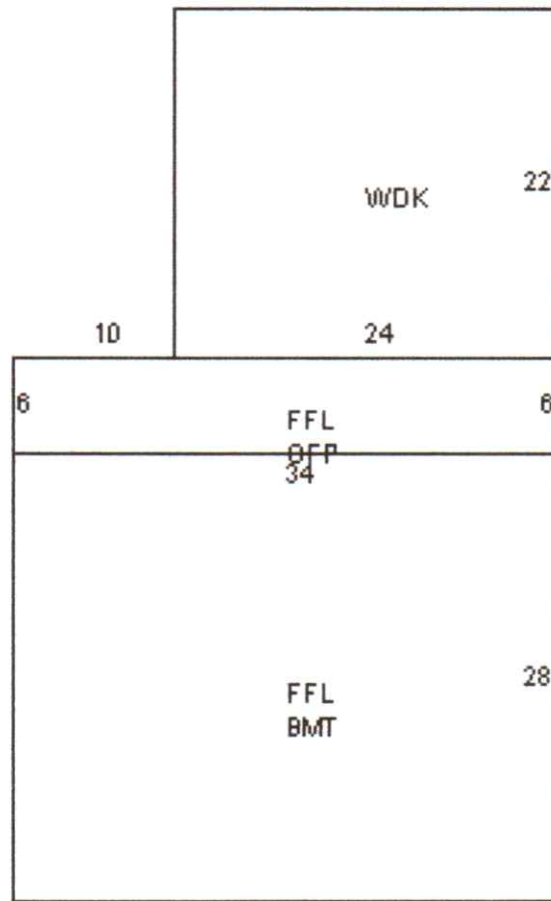
www.cai-tech.com

9/7/2021

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Property Information - Ware, MA

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9/7/2021

Property Information - Ware, MA

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Ateks Tree
Ware, MA 01082
413-687-3220

PAGE NO. _____ OF _____ PAGES

CONTRACT

PHONE 413-230-1121 DATE 8/24/2021

EMAIL ADDRESS _____

JOB NAME _____

JOB LOCATION _____

JOB PHONE _____

SUBMITTED TO

STREET

CITY STATE AND ZIP

Marielew Burton
9 Horseshoe circle
Ware Ma 01082

WE HEREBY SUBMIT SPECIFICATIONS AND ESTIMATES FOR:

The removal of one large White Pine tree that has fallen into Beaver Lake. Tree had blown over in storm and is half on land and half way into the water. Damage has already happened to shed and dock.

Half of the tree would have to be winched out of the water onto dry land. All of the big wood material would then be loaded up and trucked away. All of the branches would be chipped and hauled away.

The working and trucking would all be done by the use of the neighbors driveway. Permission has already been granted by the neighbor. This estimate is for the tree removal only, any lawn damage is not part of this estimate. Ateks Tree will follow the guidelines when it comes to working by the water, like the use of bio degradable chainsaw bar oil.