

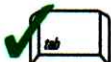


WPA Form 1- Request for Determination of Applicability

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:

AJS Restoration & Construction, Inc.

ajs71@comcast.net

Name

E-Mail Address

30 Haynes Hill Road

Mailing Address

Brimfield

MA

01010

City/Town

State

Zip Code

413-436-9878

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Berthiaume & Berthiaume

Firm

Damien D. Berthiaume

db@berthiaumelegal.com

Contact Name

E-Mail Address

4 Elm Street., PO Box 190

Mailing Address

North Brookfield

MA

01535

City/Town

State

Zip Code

508-867-6885

Phone Number

508-867-3138

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:

WARE

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):

388 Palmer Road

Street Address

Ware

City/Town

9-0

Assessors Map/Plat Number

171

Parcel/Lot Number

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

The Applicant proposes no work or improvements to the Property. See Attached Narrative

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

James & Cheryl Dauksewich Notice of Intent

Title

2/6/2007

Date

Mortgage Inspection Plan AJS Construction & Restoration, Inc.

Title

8/13/2020

Date

Title

Date

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

The Applicant proposes no work or improvements to the Property. See Attached Narrative



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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).

N/A- There is no work, improvement, or material to be made, or stored in a jurisdictional area.

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:

AJS Construction and Restoration, Inc.

Name

30 Haynes Hill Road

Mailing Address

Brimfield

City/Town

MA

State

01010

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

8/25/2020

Date

Signature of Representative (if any)

Date

388 Palmer Road, Ware, MA

Narrative

The Applicant intends to engage in a business which would be defined as a construction trade pursuant to the Town of Ware Zoning By-Law. That use is a permissible use under the Zoning By-Law and from the information provided by my client's representative the Building Inspector has agreed with that determination.

In connection with the pursuit of that permissible use, the Applicant has no intention of "removing, filling, or altering" any wetland or any area within a buffer zone, and in fact intends to use the property as it is presently laid out. No construction activities are proposed, no additional impervious surfaces are intended to be created, and the Applicant simply intends to occupy the currently improved areas.

The Applicant does anticipate storing empty construction dumpsters on the already existing impervious surface of the existing parking lot.

As is evident from the attached plans referenced in the request the area of the parking lot as well as the area of the existing improvements are well outside of any jurisdictional area.

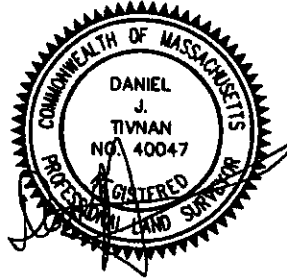
RENEY, MORAN, & TIVNAN
 REGISTERED LAND SURVEYORS
 75 HAMMOND STREET - FLOOR 2
 WORCESTER, MA 01610-1723
 PHONE: 508-752-8885
 FAX: 508-752-8895
 RMT@HSTGROUP.NET
 A Division of H. S. & T. Group, Inc.

MORTGAGE INSPECTION PLAN
 NAME AJS CONSTRUCTION AND RESTORATION, INC.
 LOCATION 388 PALMER ROAD
WARE, MA
 SCALE 1" = 100' DATE 8/13/2020

JOB # 08-011-20

REGISTRY HAMPSHIRE

BASED UPON DOCUMENTATION PROVIDED, REQUIRED MEASUREMENTS WERE MADE OF THE FRONTAGE AND BUILDING(S) SHOWN ON THIS MORTGAGE INSPECTION PLAN. IN OUR JUDGEMENT ALL VISIBLE EASEMENTS ARE SHOWN AND THERE ARE NO VIOLATIONS OF ZONING REQUIREMENTS REGARDING STRUCTURES TO PROPERTY LINES (UNLESS OTHERWISE NOTED IN DRAWING BELOW).
 NOTES: NOT DEFINED ARE ABOVEGROUND POOLS, DRIVEWAYS, OR SHEDS WITH NO FOUNDATIONS. THIS IS A MORTGAGE INSPECTION PLAN; NOT AN INSTRUMENT SURVEY. DO NOT USE TO ERECT FENCES, OTHER BOUNDARY STRUCTURES, OR TO PLANT SHRUBS. LOCATION OF THE STRUCTURE(S) SHOWN HEREIN IS EITHER IN COMPLIANCE WITH LOCAL ZONING FOR PROPERTY LINE OFFSET REQUIREMENTS, OR IS EXEMPT FROM VIOLATION ENFORCEMENT ACTION UNDER MASS. G.L. TITLE VII, CHAP. 40A, SEC. 7, UNLESS OTHERWISE NOTED. THIS CERTIFICATION IS NON-TRANSFERABLE. THE ABOVE CERTIFICATIONS ARE MADE WITH THE PROVISION THAT THE INFORMATION PROVIDED IS ACCURATE AND THAT THE MEASUREMENTS USED ARE ACCURATELY LOCATED IN RELATION TO THE PROPERTY LINES.

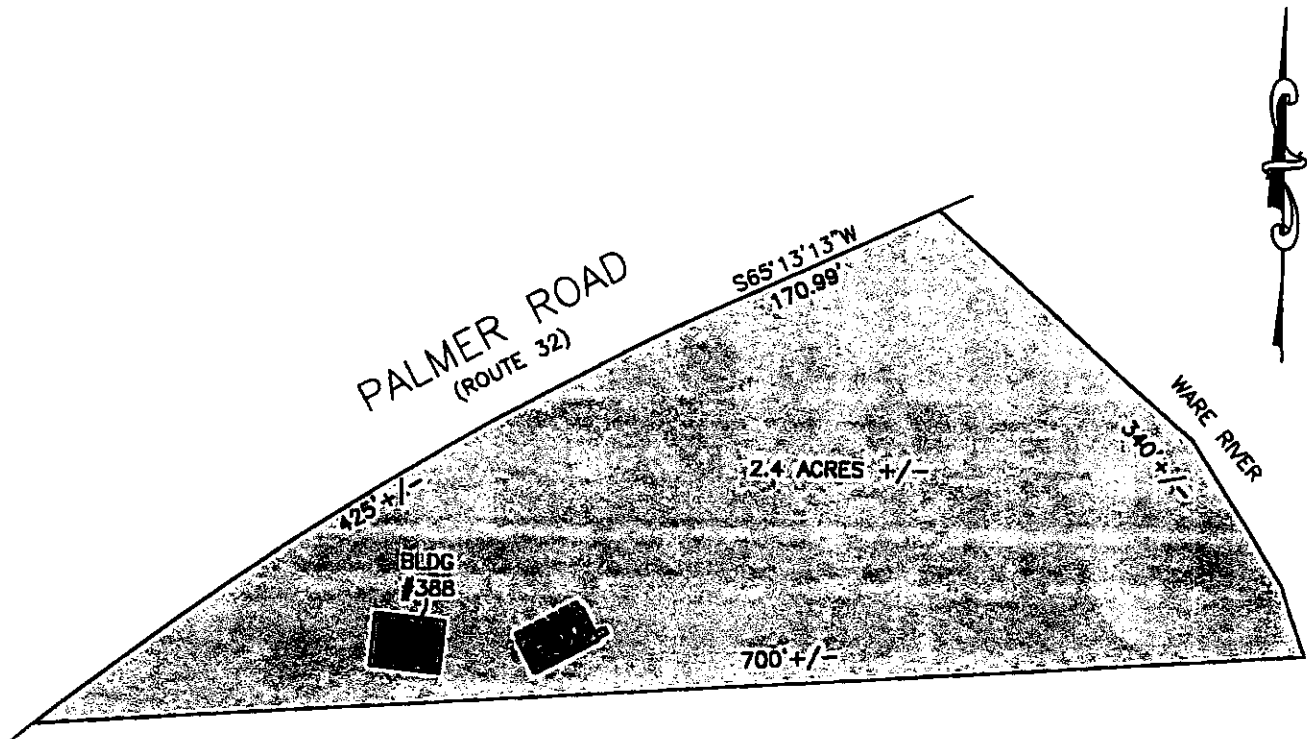


DEED BOOK/PAGE 9041/242
 PLAN BOOK/PLAN DEED/ASSESSORS
 WE CERTIFY THAT THE BUILDING(S) ARE WITHIN THE SPECIAL FLOOD HAZARD AREA. SEE FEMA MAP:
021B DTD 8/17/1981

FLOOD HAZARD ZONE HAS BEEN DETERMINED BY SCALE AND IS NOT NECESSARILY ACCURATE. UNTIL DEFINITIVE PLANS ARE ISSUED BY FEMA AND/OR A VERTICAL CONTROL SURVEY IS PERFORMED, PRECISE ELEVATIONS CANNOT BE DETERMINED.

NOTE:

PROPERTY LOCATED WITHIN FEMA DESIGNATED FLOOD HAZARD ZONE. ZONE A10.



REQUESTING OFFICE: BERTHAUME & BERTHAUME
 REQUESTED BY:

DRAWN BY: MM
 CHECKED BY:



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

August 25, 2020

Conservation Commission
126 Main Street
Ware, MA 01082

RE : Ware on Earth Realty LLC
Map 9, Lot 171

Dear Board Members:

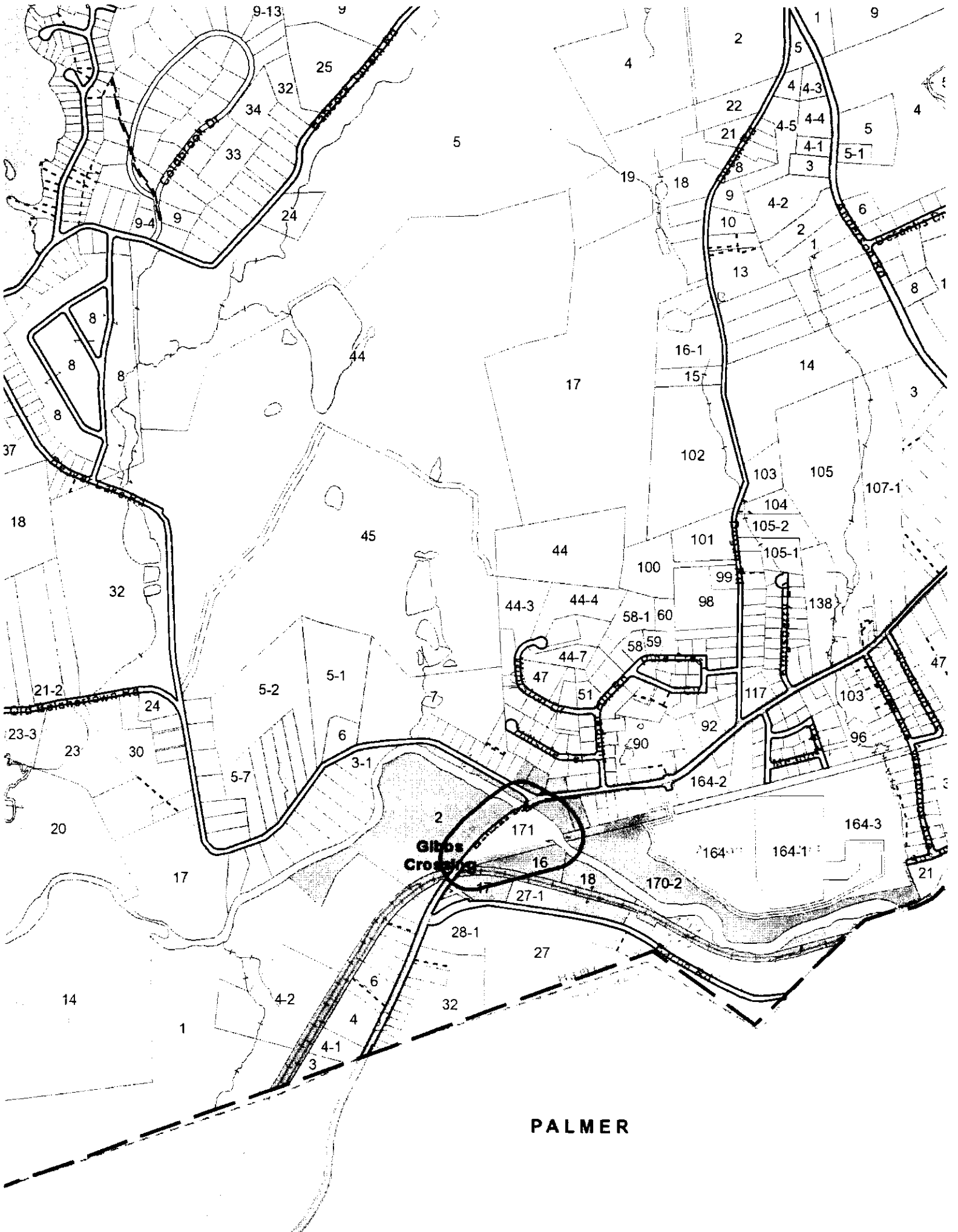
Listed on the attached sheet are the record owners of Real Property within 300' of the above-captioned property requested by AJ'S RESTORATION & CONSTRUCTION INC, MARY PLASSE for the purpose of a Notice of Intent.

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

Respectfully,

Joan E. Navarro
Joan E. Navarro
Principal Assessor

Enclosure



PALMER



300 foot Abutters List Report

Ware, MA
August 26, 2020

Subject Property:

Parcel Number: 9-0-171
CAMA Number: 9-0-171
Property Address: 388 PALMER RD

Mailing Address: WARE ON EARTH REALTY LLC C/O
EDWARD KAISER
17 KING PHILIP TRAIL
NORFOLK, MA 02056

Abutters:

Parcel Number: 5-0-17
CAMA Number: 5-0-17
Property Address: 14 BACON RD

Mailing Address: KARDAS RICHARD E KARDAS
MOREEN E
14 BACON RD
WARE, MA 01082

Parcel Number: 5-0-18
CAMA Number: 5-0-18
Property Address: 28 BACON RD

Mailing Address: BAKER ELLSWORTH H
99 FRONT ST APT 209
BELCHERTOWN, MA 01007

Parcel Number: 5-0-2
CAMA Number: 5-0-2
Property Address: 375 PALMER RD

Mailing Address: KNAPP MARCELLA C ESTATE OF c/o
SHROBA SUZANNE
47 WAGON RD
WALPOLE, MA 02081

Parcel Number: 5-0-33
CAMA Number: 5-0-33
Property Address: OLD RAILROAD BED

Mailing Address: MASSACHUSETTS CENTRAL RAILROAD
P O BOX 250 850 SO BARRE RD
SO BARRE, MA 01074

Parcel Number: 5-0-34
CAMA Number: 5-0-34
Property Address: ACTIVE RAILROAD

Mailing Address: MASS COMMONWEALTH OF DOT EXE
OFFICE OF TRANS + CON
10 PARK PLAZA RM 3510
BOSTON, MA 02116-3969

Parcel Number: 5-0-16
CAMA Number: 5-27-1
Property Address: BACON RD

Mailing Address: BOSS GLADYS R BOSS ALICE M
25 BACON RD
WARE, MA 01082

Parcel Number: 9-0-1
CAMA Number: 9-0-1
Property Address: OLD BELCHERTOWN RD

Mailing Address: WALULAK GENEVIEVE C HEIR OF C/O
WALULAK JOHN
59 MAIN ST #23-2
DENNIS, MA 02638

Parcel Number: 9-0-170
CAMA Number: 9-0-170
Property Address: PALMER RD

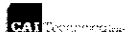
Mailing Address: WARE TOWN OF
126 MAIN ST
WARE, MA 01082

Parcel Number: 9-0-19
CAMA Number: 9-0-19
Property Address: 3 OLD BELCHERTOWN RD

Mailing Address: BRYAN CHARLES W BRYAN JEANNE L
3 OLD BELCHERTOWN RD
WARE, MA 01082

Parcel Number: 9-0-20
CAMA Number: 9-0-20
Property Address: 1 OLD BELCHERTOWN RD

Mailing Address: SETTLE WILEY H SETTLE CONNIE D
1 OLD BELCHERTOWN RD
WARE, MA 01082



www.cai-tech.com

8/26/2020

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Page 1 of 2

Parcel Number: 5-0-18
BAKER ELLSWORTH H
99 FRONT ST APT 209
BELCHERTOWN, MA. 01007

Parcel Number: 9-0-1
WALULAK GENEVIEVE C HEIR
C/O WALULAK JOHN
59 MAIN ST #23-2
DENNIS, MA. 02638

Parcel Number: 5-27-1
BOSS GLADYS R
BOSS ALICE M
25 BACON RD
WARE, MA. 01082

Parcel Number: 9-0-170
WARE TOWN OF
126 MAIN ST
WARE, MA. 01082

Parcel Number: 9-0-19
BRYAN CHARLES W
BRYAN JEANNE L
3 OLD BELCHERTOWN RD
WARE, MA. 01082

Parcel Number: 9-170-2
WARE TOWN OF
126 MAIN ST
WARE, MA. 01082

Parcel Number: 9-170-1
GLOGOWSKI BOGDAN J
GLOGOWSKI SOPHIA
366 PALMER RD
WARE, MA. 01082

Parcel Number: 5-0-17
KARDAS RICHARD E
KARDAS MOREEN E
14 BACON RD
WARE, MA. 01082

Parcel Number: 5-0-2
KNAPP MARCELLA C ESTATE
c/o SHROBA SUZANNE
47 WAGON RD
WALPOLE, MA. 02081

Parcel Number: 5-0-34
MASS COMMONWEALTH OF DOT
EXE OFFICE OF TRANS + CON
10 PARK PLAZA RM 3510
BOSTON, MA. 02116-3969

Parcel Number: 5-0-33
MASSACHUSETTS CENTRAL RAI
P O BOX 250
850 SO BARRE RD
SO BARRE, MA. 01074

Parcel Number: 9-0-21
PELLISSIER LINDA M
365 PALMER RD
WARE, MA. 01082

Parcel Number: 9-0-20
SETTLE WILEY H
SETTLE CONNIE D
1 OLD BELCHERTOWN RD
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: AJS Restoration & Construction Inc - Armand Dimo
- B. The address of the lot(s) where the activity is proposed is: 388 Palmer Rd
- 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 413-436-9878 between the hours of 9 to 5 on the following days of the week M-F.
- 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.

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.