



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:

Peter J. Martowski

Name

E-Mail Address

21 Shady Path

Mailing Address

Ware

City/Town

MA

State

01082-9717

Zip Code

Phone Number

NA

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).



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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):

21 Shady Path

Street Address

Ware

City/Town

MAP 10

Assessors Map/Plat Number

Parcel 0 LOT 140

Parcel/Lot Number

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

flat with a slight slope

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

plan of land at: 21 Shady Path, Ware, MA

Title

3/31/2020

Date

zoomed-in (same as above but zoomed-in on the area of interest)

Title

NA

Date

Title

Date

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

Construct a 20' X 32' addition on helical piers/piles as shown on attached plan of land.

- No excavation of earth/soil will occur as I will be using helical piers/piles.
- No activity will occur within the 25 foot do not disturb zone
- Siltation fence will be erected on the 25 foot do not disturb zone line



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Title

3/31/2020

Date

zoomed-in (same as above but zoomed-in on the area of interest)

Title

NA

Date

Title

Date

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

Construct an addition to my house on helical piers/piles as shown on attached plan of land.

- No basement or frost wall will be dug out or built, as I will be using helical piers/piles for the addition.
- No activity will occur within the 25 foot do not disturb zone
- Siltation fence will be erected on the 25 foot do not disturb zone line

**UPDATED WORK DESCRIPTION - THIS PAGE ONLY 8/31/2020**



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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).

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:

Peter J. Martowski

Name

21 Shady Path

Mailing Address

Ware

City/Town

MA

State

01082-9717

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.

*Peter J. Martowski*

Signature of Applicant

8/11/2020

Date

Signature of Representative (if any)

Date

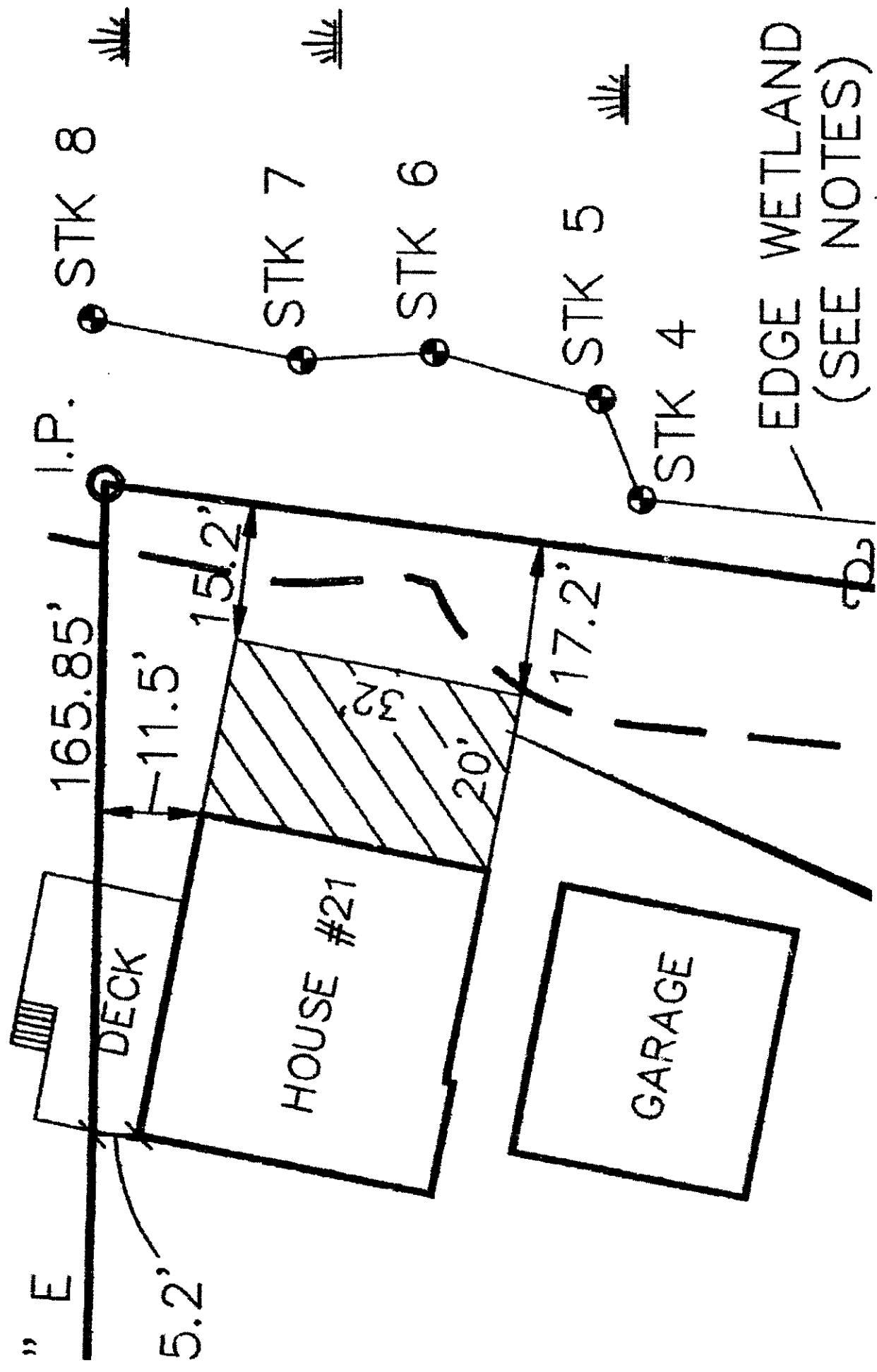


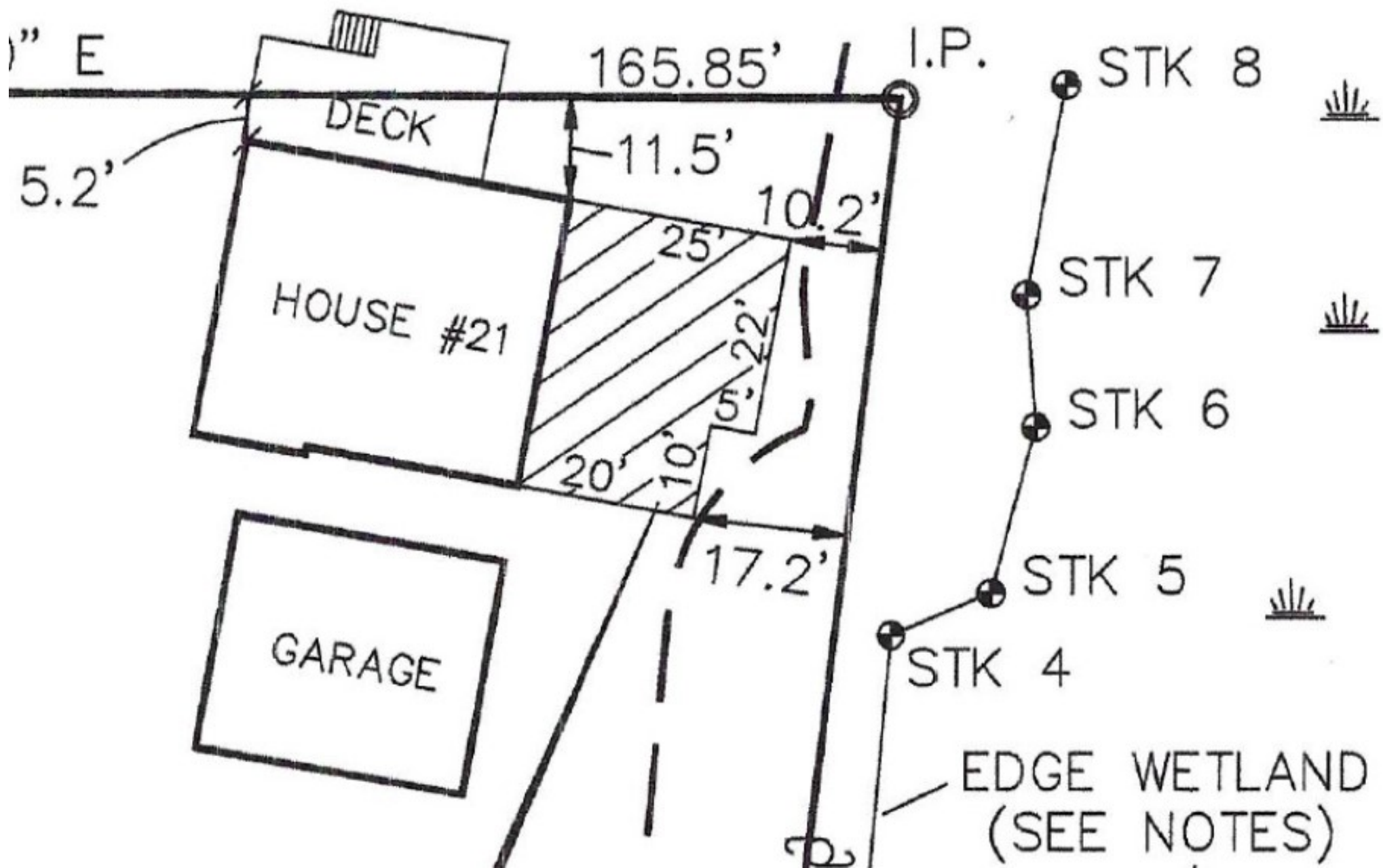
## SHADY PATH

1. THE WETLAND LIMIT SHOWN IS BASED ON WOODEN STAKES SET AS SHOWN ON PLAN. THE STAKES WERE FIELD LOCATED BY THIS OFFICE ON JULY 15, 2000.
2. A SILTATION FENCE IS TO BE ERRECTED ALONG THE 25' "DO NOT DISTURB ZONE" LINE PRIOR TO THE BEGINNING OF CONSTRUCTION.

OWNER:	PETER J. MARTOWSKI	PLAN OF LAND A3	
ADDRESS:		21 SHADY PATH WARE, MA	
HAMPSHIRE COUNTY BOOK OF PLANS:	99	DATE:	MAR. 31, 2020
PAGE NO.: 20	LOT NO.: 2	UPDATED:	JULY 15, 2020
DEED BOOK: 8470	MASS. LIC. NO.	PLAN NO.	
PAGE NO.: 268	38388	SMITH ASSOCIATES SURVEYORS, INC. 408 BADING STREET - EAST LONGMEADOW, MASS. 01026	

ZOOMed - 1/4









**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 12, 2020

Martowski, Peter J  
21 Shady Path  
Ware, MA 01082

Re: 21 Shady Path  
Map 10, Lot 140

Dear Board Members:

Listed on the attached sheet are the record owners of Real Property within 300' of the above-captioned property requested by Peter J. Martowski for the purpose of a Request for Determination.

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

Respectfully,

A handwritten signature in cursive script, reading "Laura A. Gallonski".

/laj  
Enclosure



# 300 foot Abutters List Report

Ware, MA

August 11, 2020

## Subject Property:

Parcel Number: 10-0-140  
CAMA Number: 10-0-140  
Property Address: 21 SHADY PATH

Mailing Address: MARTOWSKI PETER J  
21 SHADY PATH  
WARE, MA 01082

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## Abutters:

Parcel Number: 10-0-149  
CAMA Number: 10-0-149  
Property Address: 14 SHADY PATH

Mailing Address: SCHLEIS DALE W SCHLEIS LYNN M  
25150 TIERRA GRAND DR  
CARMEL, CA 93923

Parcel Number: 10-0-150  
CAMA Number: 10-0-150  
Property Address: 18 SHADY PATH

Mailing Address: HARNOIS JOSEPH A HARNOIS JEAN E  
3310 LOVELAND BLVD UNIT 307  
PUNTA GORDA, FL 33980

Parcel Number: 10-140-1  
CAMA Number: 10-140-1  
Property Address: 11 SHADY PATH

Mailing Address: MARTOWSKI JOSEPH T  
11 SHADY PATH  
WARE, MA 01082

Parcel Number: 6-0-10  
CAMA Number: 6-0-10  
Property Address: 250 MALBOEUF RD

Mailing Address: FULLER JOHN I FULLER BARBARA J  
PO BOX 415  
WARE, MA 01082



[www.cai-tech.com](http://www.cai-tech.com)

8/11/2020

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Parcel Number: 6-0-10  
FULLER JOHN I  
FULLER BARBARA J  
PO BOX 415  
WARE, MA. 01082

Parcel Number: 10-0-150  
HARNOIS JOSEPH A  
HARNOIS JEAN E  
3310 LOVELAND BLVD UNIT 307  
PUNTA GORDA, FL. 33980

Parcel Number: 10-140-1  
MARTOWSKI JOSEPH T  
11 SHADY PATH  
WARE, MA. 01082

Parcel Number: 10-0-149  
SCHLEIS DALE W  
SCHLEIS LYNN M  
25150 TIERRA GRAND DR  
CARMEL, CA. 93923