



Nicole L. Croteau  
Conservation Commission  
126 Main Street  
Ware, MA 01082

8/5/21

RE: RDA – upper Church St river access

Dear Commission,

Attached please find an RDA seeking determination to facilitate the creation of a path to a town river access at the former old Church St crossing to benefit paddlers and possibly fishermen.

The plan would be to carefully clear an 8-10 foot wide path through invasive brush overgrowth at the end of the present road to the hidden guardrail at the end of the old road. From there a narrower path, 4 foot wide, would be made to create an access. Presently, there are no signs of water flow along this corridor. All cleared areas would be graded and perhaps native grasses could be encouraged to populate the area.

Paddlers coming down from Gilbertville on the river could take out here instead of trespassing on private farmland nearby. Also, fishermen could access the river. Both of these activities would not pose a heavy use environment. Paddling here would be limited to higher river flows, mostly in spring, Fishing usually is focused near times of river stocking. So we would not anticipate much wear and tear on the land and what might happen will give way to summer growth.

Long term maintenance of the path would require a couple service days/yr to trim, weed wack and perhaps cut back shrubs in path.

It would be a nice benefit to the town and a simple benefit to create and maintain. Thank you for your consideration.

Keith Davies  
C4RWC coordinator  
PO Box 126, Three Rivers, MA 01080  
[chicopeewatershed@gmail.com](mailto:chicopeewatershed@gmail.com)

[www.c4rivers.org](http://www.c4rivers.org)

RDA - 2021-12 original



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 1- Request for Determination of Applicability**

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

City/Town \_\_\_\_\_

**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:
- Keith Davies chicopeewatershed@gmail.co
- 
- Name E-Mail Address
- PO Box 126
- 
- Mailing Address
- Three Rivers MA 01080
- 
- City/Town State Zip Code
- 4139679868
- 
- 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 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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**C. Project Description**

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

Upper Church St

WARE

Street Address

City/Town

Assessors Map/Plat Number

Parcel/Lot Number

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

Site is location of old river crossing where road approaches river.

Area is on north side of Church St just before the Ware River crossing.

- 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):

Work would entail clearing shrubs (many invasive) from end of existing clear old roadway to old guardrail (hidden in thicket) to a width of 8-10 ft, then a narrower path to river, 4 ft wide. Where needed, shrubs root balls would be removed (in old roadway to guard rail area) . Area would be graded and native grasses would be promoted to repopulate area. Volunteers would annually maintain path to keep shrub encroachment at bay.

Slope to river presently has signs of some armoring and heavy grass cover.

Present use of area is through private property and what paths exist do not show signs of heavy use or wear. The likely use of this path will be spring white water paddlers (at adequate river flows) and fisherman, likely near times of fish stocking.

C4RWC requesting the town create an access path to river along old roadway line.



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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:

Town of Ware

Name  
126 Main 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.

Keith Davies

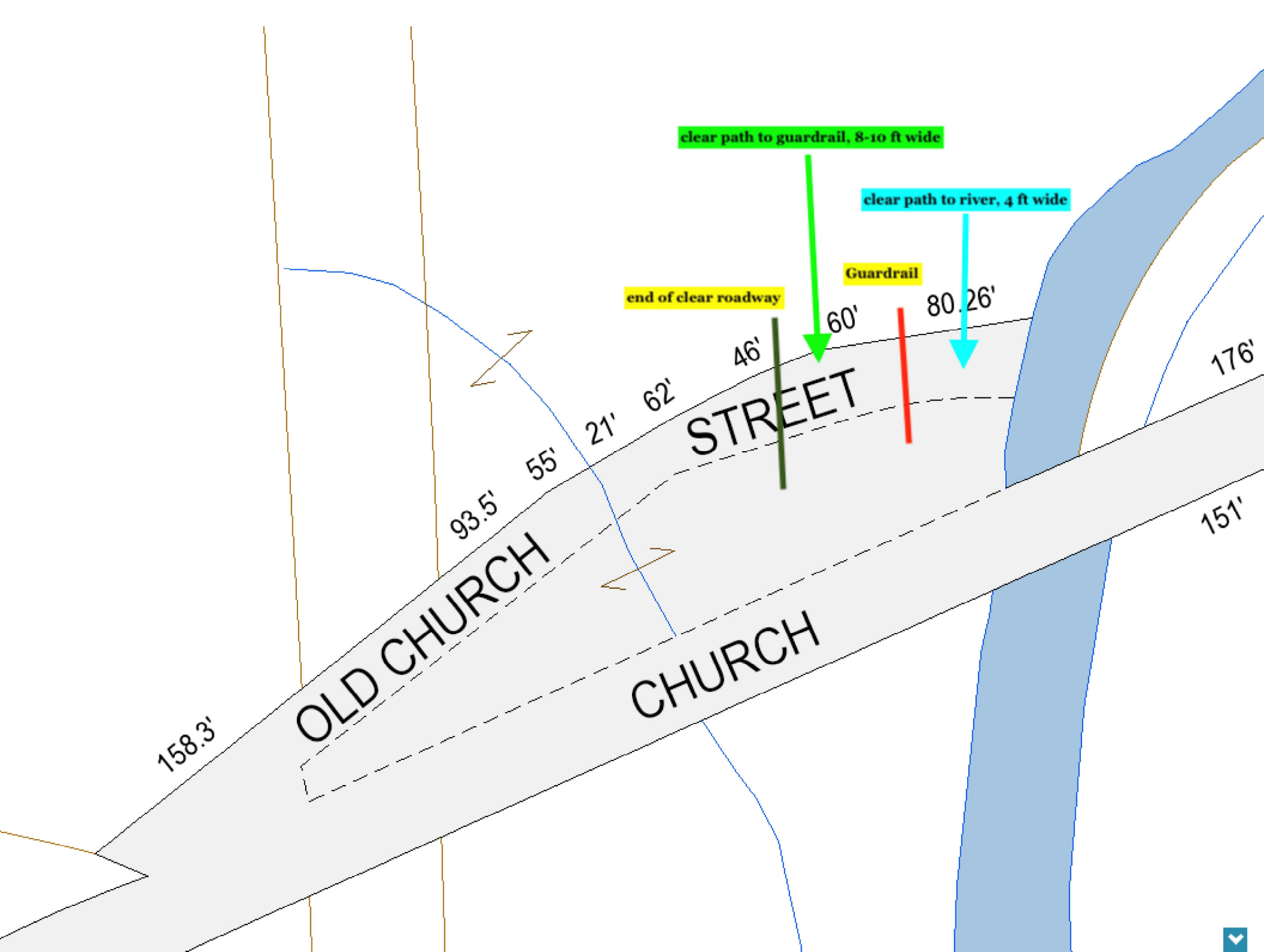
Signature of Applicant

8/5/21

Date

Signature of Representative (if any)

Date







*Old town road*

*Junk ?*

*New path - 8-10 wide*

section after rail, 4 ft wide

10 m  
20 ft

Scale = 1:564

140,882.96m 893,008.41m

2019 Color Orthos (USGS)



