



TOWN OF WELLESLEY MASSACHUSETTS
WETLANDS PROTECTION COMMITTEE
525 WASHINGTON STREET, WELLESLEY, MASSACHUSETTS 02482-5992

Robert Collins, Chair
J. Stanley Waugh
Carl Sciple
Richard Howell
Neal Glick

Pam Helinek, Wetlands Administrator
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Via Certified Mail

December 15, 2015

Elizabeth Wallis
Hayes Engineering, Inc
603 Salem Street
Wakefield, MA 01880

Re: Negative Determination of Applicability – 680 and 694 Worcester Street, Wellesley

Dear Ms. Wallis:

The Wellesley Wetlands Protection Committee has voted to issue a *Negative Determination of Applicability* for the area at the above referenced addresses. The Committee has determined that there are no jurisdictional Resource Areas or Buffer Zones on these parcels.

If you have any questions, please feel free to contact our office.

For the Committee,

A handwritten signature in black ink, appearing to read "Pam Helinek", written over a circular stamp or seal.

Pam Helinek
Wetlands Administrator, Town of Wellesley

Cc: MassDEP Northeast Regional Office, 205B Lowell Street, Wilmington, MA 01887
Building
File



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 2 – 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.



From:

Wellesley Wetlands Protection Committee
 Conservation Commission

To: Applicant

Hayes Engineering Inc
 Name 603 Salem Street
 Mailing Address

Property Owner (if different from applicant):

Name
 Mailing Address
 City/Town State Zip Code

Wakefield MA 01880
 City/Town

1. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

Title	11/10/2015
Resource Area Determination, #680 Worcester Street, Wellesley, MA	Date
Title	11/12/2015
Web Soil Survey Soil Report for #680 Worcester Street	Date
Title	Date

2. Date Request Filed:

11/10/2015

B. Determination

Pursuant to the authority of M.G.L. c. 131, § 40, the Conservation Commission considered your Request for Determination of Applicability, with its supporting documentation, and made the following Determination.

Project Description (if applicable):

The applicant requests the Wetlands Protection Committee to determine that the Isolated Wetland shown on the accompanying plan is not an area subject to protection under either the Massachusetts Wetlands Protection Act or the Town of Wellesley Wetlands Protection Bylaw. The Committee is further requested to determine that no other Resource Areas or Buffer Zones are present on the subject property.

Project Location:

680 and 694 Worcester Street
 Street Address
 121, 135
 Assessors Map/Plat Number

Wellesley
 18, 73
 Parcel/Lot Number



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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B. Determination (cont.)

6. The following area and/or work, if any, is subject to a municipal ordinance or bylaw but not subject to the Massachusetts Wetlands Protection Act:

7. If a Notice of Intent is filed for the work in the Riverfront Area described on referenced plan(s) and document(s), which includes all or part of the work described in the Request, the applicant must consider the following alternatives. (Refer to the wetland regulations at 10.58(4)c. for more information about the scope of alternatives requirements):

- Alternatives limited to the lot on which the project is located.
- Alternatives limited to the lot on which the project is located, the subdivided lots, and any adjacent lots formerly or presently owned by the same owner.
- Alternatives limited to the original parcel on which the project is located, the subdivided parcels, any adjacent parcels, and any other land which can reasonably be obtained within the municipality.
- Alternatives extend to any sites which can reasonably be obtained within the appropriate region of the state.

Negative Determination

Note: No further action under the Wetlands Protection Act is required by the applicant. However, if the Department is requested to issue a Superseding Determination of Applicability, work may not proceed on this project unless the Department fails to act on such request within 35 days of the date the request is post-marked for certified mail or hand delivered to the Department. Work may then proceed at the owner's risk only upon notice to the Department and to the Conservation Commission. Requirements for requests for Superseding Determinations are listed at the end of this document.

1. The area described in the Request is not an area subject to protection under the Act or the Buffer Zone.
2. The work described in the Request is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent.
3. The work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent, subject to the following conditions (if any).
See attached Exhibit A.

4. The work described in the Request is not within an Area subject to protection under the Act (including the Buffer Zone). Therefore, said work does not require the filing of a Notice of Intent, unless and until said work alters an Area subject to protection under the Act.



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B. Determination (cont.)

5. The area described in the Request is subject to protection under the Act. Since the work described therein meets the requirements for the following exemption, as specified in the Act and the regulations, no Notice of Intent is required:

Exempt Activity (site applicable statutory/regulatory provisions)

6. The area and/or work described in the Request is not subject to review and approval by:

Wellesley
 Name of Municipality

Pursuant to a municipal wetlands ordinance or bylaw,

Town of Wellesley Wetlands Protection Bylaw
 Name

Article 44
 Ordinance or Bylaw Citation

C. Authorization

This Determination is issued to the applicant and delivered as follows:

by hand delivery on

Date

by certified mail, return receipt requested on

Date

12/16/2015

This Determination is valid for **three years** from the date of issuance (except Determinations for Vegetation Management Plans which are valid for the duration of the Plan). This Determination does not relieve the applicant from complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.

This Determination must be signed by a majority of the Conservation Commission. A copy must be sent to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>) and the property owner (if different from the applicant).

Signatures:

[Signature]
 Robert Collins
[Signature]
 J. Stanley Waugh

[Signature]
 Carl Sciple
[Signature]
 Richard Howell

Neal Glick

12/10/2015
 Date