



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

Leicester
Municipality

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:
Lynnette Diaz
First Name Last Name
55 Waite Street
Address
Leicester MA 01524
City/Town State Zip Code
(508) 450-7208
Phone Number LD2993@GMAIL.COM
Email Address

2. Property Owner (if different from Applicant):

First Name Last Name
Address
City/Town State Zip Code
Phone Number Email Address (if known)

3. Representative (if any)

First Name Last Name
Company Name
Address
City/Town State Zip Code
Phone Number Email Address (if known)

B. Project Description

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

55 Waite Street Leicester
Street Address City/Town
42.24722 -71.89034
Latitude (Decimal Degrees Format with 5 digits after decimal) Longitude (Decimal Degrees Format with 5 digits after decimal e.g. -XX.XXXXX)
e.g. XX.XXXXX
21A A330
Assessors' Map Number Assessors' Lot/Parcel Number

[How to find Latitude
and Longitude](#)

[and how to convert
to decimal degrees](#)

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

The backyard area on the left side of the house and left side deck.

c. Plan and/or Map Reference(s): (use additional paper if necessary)

Mrs. Lynnette Diaz 5/11/2023
Title Date
Title Date



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B. Project Description (cont.)

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

We are requesting permission to install an 18 ft. above ground pool (wall heights of 52 inches) in the backyard of our property and permission to extend an approximate three and a half feet of the left side deck of the house in order to connect the pool to this deck. The approximate distance between the pool and the pond is approximately 75 ft from Waite Pond. This project will not alter Waite Pond in any way. See drawing/plans for visual description.

- 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).

This project will be 75 feet away from Waite Pond. This project will not alter Waite Pond in any way.

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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C. Determinations

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

- ☐ a. whether the **area** depicted on plan(s) and/or map(s) referenced above 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 above are accurately delineated.
- ☐ c. whether the **Activities** depicted on plan(s) referenced above is subject to the Wetlands Protection Act and its regulations.
- ☒ d. whether the area and/or Activities depicted on plan(s) referenced above is subject to the jurisdiction of any **municipal wetlands' ordinance or bylaw** of:

Leicester

Name of Municipality

- ☐ e. whether the following **scope of alternatives** is adequate for Activities in the Riverfront Area as depicted on referenced plan(s).

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.

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)(4) of the Wetlands Protection Act regulations.

Lynnette Diaz

Signature of Applicant

05/11/2023

Date

Signature of Representative (if any)

Date