



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Leicester
City/Town

WPA Form 1- Request for Determination of Applicability

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

A. General Information

RECEIVED

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:

Dustin Brown

Name

524 Main Street

Mailing Address

Danielson

City/Town

Phone Number

E-Mail Address

Town of Leicester
Development & Inspectional Services

CT

State

06239

Zip Code

Fax Number (if applicable)

2. Representative (if any):

EBT Environmental Consultants, Inc.

Firm

Glenn Krevosky

Contact Name

601 Main Street

Mailing Address

North Oxford

City/Town

508-769-3659

Phone Number

glenn.krevosky@charter.net

E-Mail Address

MA

State

01537

Zip Code

Fax Number (if applicable)

B. Determinations

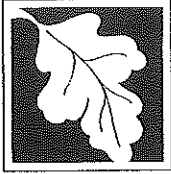
1. I request the Leicester make the following determination(s). Check any that apply:
Conservation Commission

- ☒ 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:

Leicester

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):

Wildwood Lane

Street Address

28B

Assessors Map/Plat Number

Leicester

City/Town

B7

Parcel/Lot Number

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

The existing $\pm 5,565$ square foot lot has a 11.5' by 28.1' wood structure placed on concrete blocks. The structure is 1' over the property line to the south. The remaining portion of the lot is wooded and dominated by Northern Red Oak trees. In the northeast corner of the lot is the headwaters of a treed swamp wetland system, delineated by Glenn Krevosky of EBT, Inc.

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

See attached RDA Additional Information

Title

Date

Title

Date

Title

Date

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

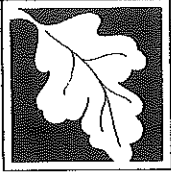
The applicant proposes to move the 11.5' by 28.1' structure ± 12 feet northward of the southern property line so it no longer encroaches the neighbors property. There will be minimum clearing to accommodate the placement of the structure. The applicant proposes a 15' cleared zone around the structure. A 9" diameter, staked straw wattle line shall be placed at the limit of the 15' construction zone east of the structure.

RDA Additional Information

Project Location: Map 28B Parcel B7, Wildwood Lane, Leicester

Applicant: Dustin Brown

- 1A. Existing Structure Location Plan by LaPrad Land Surveying, dated 2/19/17
- Proposed Structure Location Plan by LaPrad Land Surveying, dated 5/5/17
- 2A. Worcester South USGS Quad, dated 1982
- 3A. Assessor's Map 28B Parcel B7, dated 1/1/14
- 4A. Town of Leicester Abutters' List, dated 3/20/17
- 5A. Bylaw Fee Sheet & Copy of Payment
- 6A. Abutters Notification, dated 5/5/17
- 7A. Affidavit of Service, dated 5/8/17



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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:

Name

Mailing Address

City/Town

State

Dustin Brown

524 Main Street

Danielson

CT

C. Lori Wilkesman (RW)
Vichney

06239

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

Date

Signature of Representative (if any)

Date

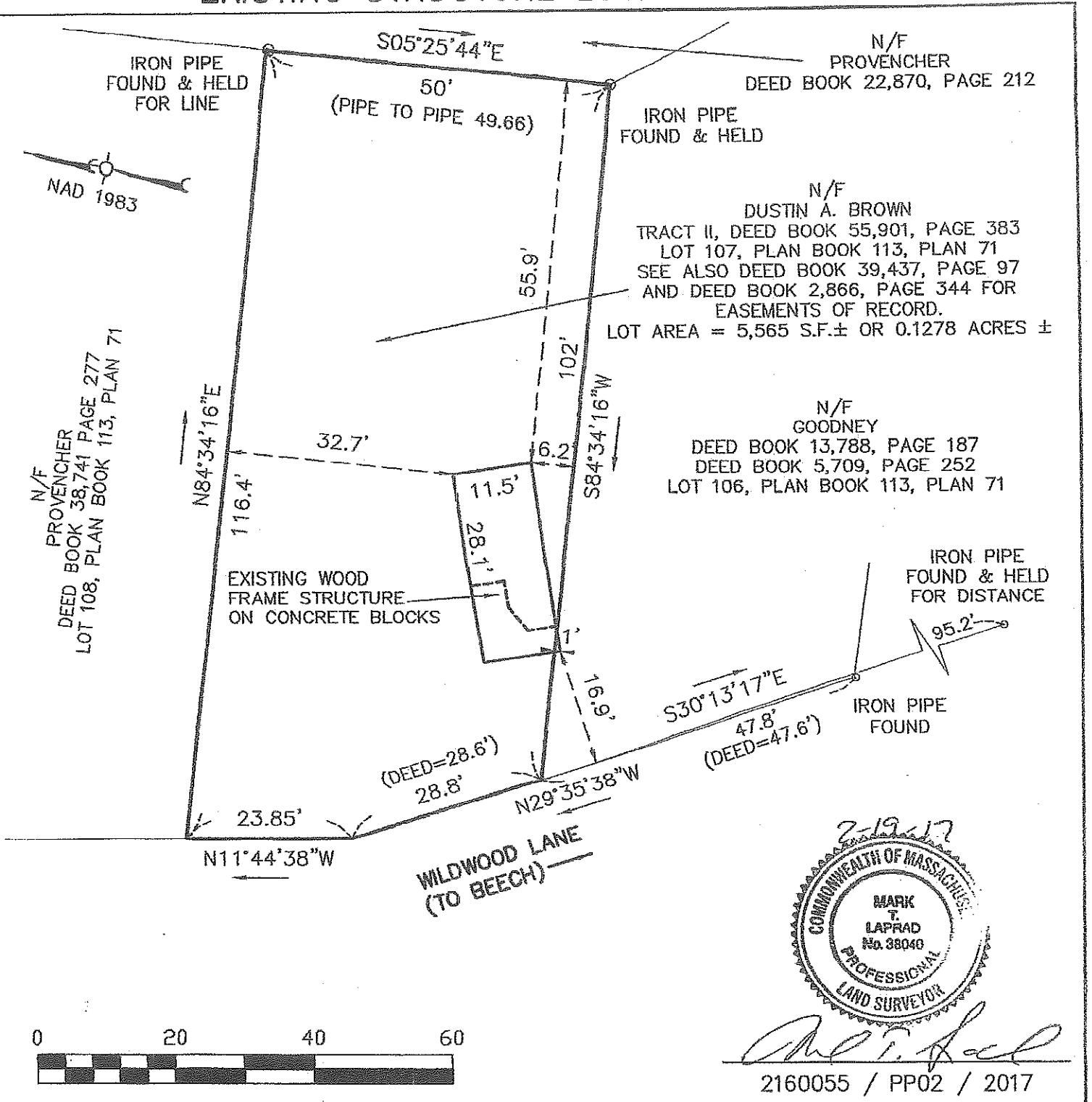
Dustin Brown C. Lori Wilkesman

March 26th 2014

Glenn E. Khoury

5/8/17

TOWN OF LEICESTER OFFICE OF THE BUILDING INSPECTOR EXISTING STRUCTURE LOCATION PLAN



1 INCH = 20 FEET - ASSESSOR'S MAP 28B, PARCEL B-7 - DATE 2-19-2017

LOCATION : 1 WILDWOOD LANE, LEICESTER, MA

ZONING DISTRICT - SUBURBAN AGRICULTURAL

OWNER : DUSTIN A. BROWN

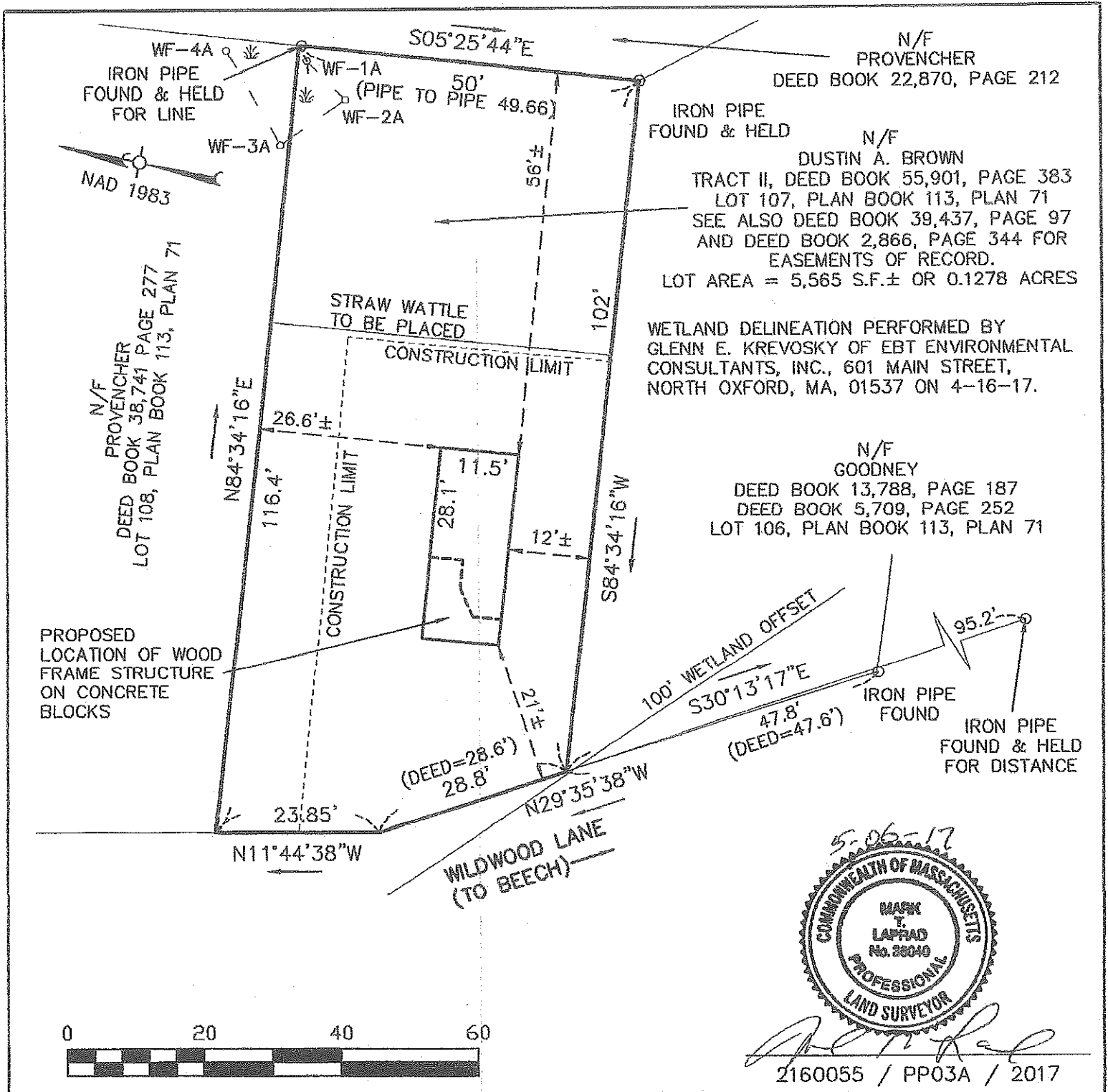
ADDRESS : 524 MAIN STREET
DANIELSON, CT 06239

SURVEYOR'S NAME : LAPRAD LAND SURVEYING

SURVEYOR'S ADDRESS : 145 WEST STURBRIDGE RD. EAST BROOKFIELD, MA. 01515 - 774-239-4452

1A

TOWN OF LEICESTER OFFICE OF THE CONSERVATION COMM. CONSERVATION PLAN



1 INCH = 20 FEET - ASSESSOR'S MAP 28B, PARCEL B-7 - DATE 5-05-2017

LOCATION : 1 WILDWOOD LANE, LEICESTER, MA

ZONING DISTRICT - SUBURBAN AGRICULTURAL

OWNER : DUSTIN A. BROWN

ADDRESS : 524 MAIN STREET
DANIELSON, CT 06239

SURVEYOR'S NAME : LAPRAD LAND SURVEYING

SURVEYOR'S ADDRESS : 145 WEST STURBRIDGE RD. EAST BROOKFIELD, MA. 01515-774-239-4452

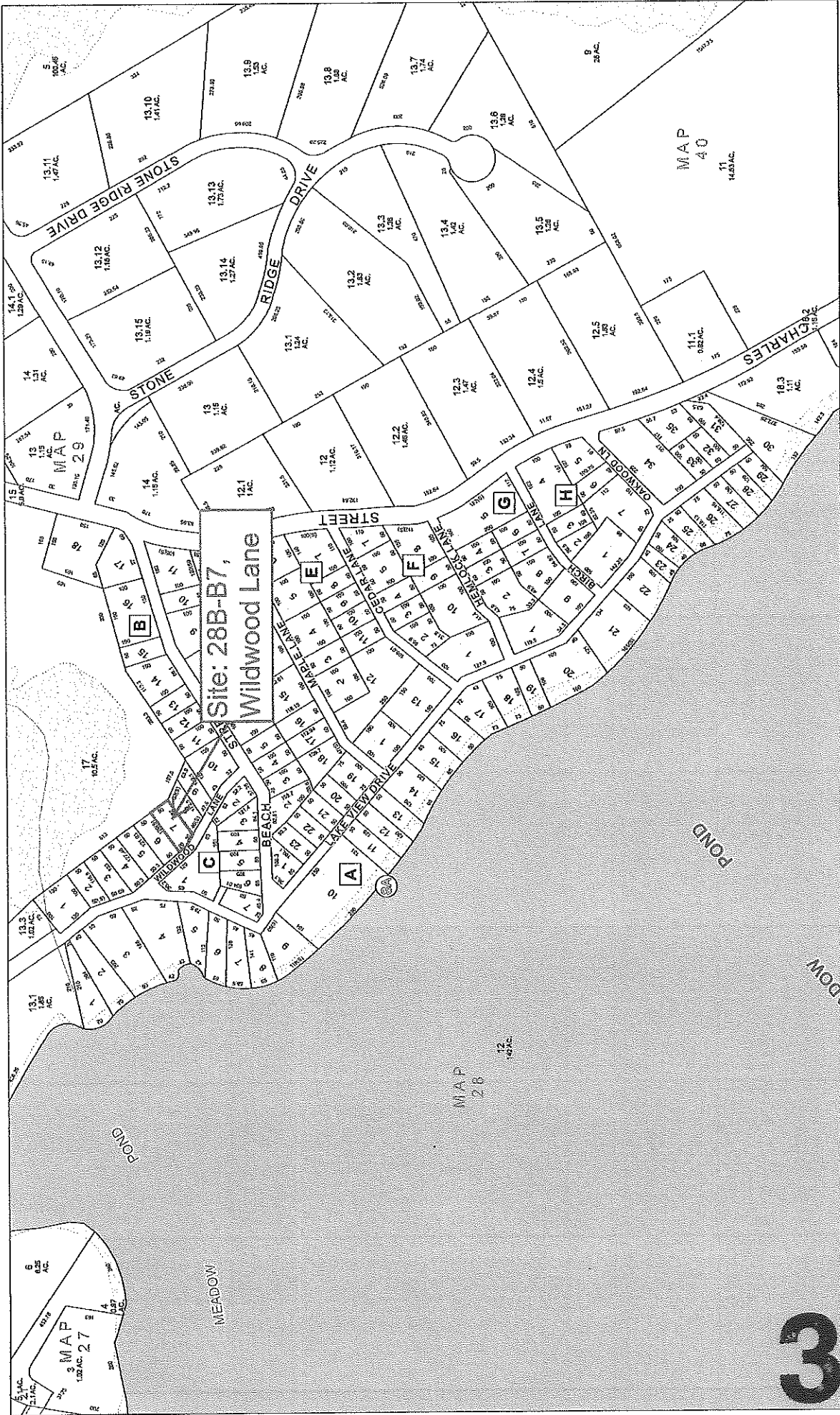
1A



Site: 28B-B7,
Wildwood Lane

USGS Worcester South Quad
1982

2A



FOR TAX PURPOSES ONLY

THIS MAP IS FOR INFORMATION PURPOSES ONLY. IT IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN CONVEYANCE. THE TOWN OF LEICESTER IS THE MASSACHUSETTS STATE PLANNING SYSTEM, MAP 85.

PRODUCED IN 2014 BY

CNRPG

2 WASHINGTON SQUARE, UNION STATION
WORCESTER, MA 01604

LEGEND

PROPERTY LINES

EASEMENTS

EXEMPT PROPERTY

MAP FOCUS

BLACK LETTER

TOWN BOUNDARY

WATER

STREAMS

WETLANDS

RAILROAD

ZONING DISTRICTS

TOWN OF LEICESTER

BOARD OF ASSESSORS

LEICESTER, MASS.

MAP NO.

28B

SCALE 1 in = 100 feet

REVISED TO:

JANUARY 1, 2014

3

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
28 A17 0	100 CHARLES ST	PROVENCHER DIANNA M	PROVENCHER BRUCE F	P O BOX 255	LEICESTER	MA	01524-0255
28B B6 0	WILDWOOD LN	PROVENCHER DIANNA		PO BOX 255	LEICESTER	MA	01524
28B B8 0	WILDWOOD LN	GOODNEY BEVERLY M		177 BOYCE ST	AUBURN	MA	01501
28B C1 0	60 LAKE VIEW DR	US BANK	C/O OCWEN LOAN SERVICE	1661 WORTHINGTON RD	W PALM BEACH	FL	33409

End of Report

4A

Above is a certified list of abutters that border subject parcel.
 Subject property: Wildwood Lane, Assessors Map 28B-B7-0, Deed Ref. 55901/383
 Subject owner(s): Dustin Brown

John Prescott, Principal Assessor
 Prepared by: Kathleen Asquith, Assistant

Table 1: Town of Leicester, Local Wetland Bylaw Fees

Type of Application	Local Application Fee
Request for Determination of Applicability (RDA)	\$50 for single-family or two-family residential; \$100 for all other applications
Notice of Intent (NOI)	25% of Total State Fee, except as below: 50% of Total State Fee for commercial projects or residential subdivisions with a Project Site ² area of 5 – 10 acres 100% of Total State Fee for commercial projects or residential subdivisions with a Project Site area of more than 10 acres.
Abbreviated Notice of Resource Area Delineation (ANRAD)	25% of Total State Fee
Legal Advertisement in Newspaper	Cost of Advertisement ³
Extension of Notice of Intent 3-year Deadline (no other changes)	No charge if request received prior to expiration; \$25 if received after expiration
Minor Modification or Amendment to an Order of Conditions	\$25; changes that require re-filing of amended NOI with DEP: 25% of state fee.
Certificate of Compliance	\$0; \$50 if requested more than 1 year after expiration of the Order of Conditions
After the Fact Applications	Double normal filing fees
Consultant Review Fees	Actual Cost. See Section IV. C. of these Regulations

C. Consultant Review Fees

Pursuant to G.L. Ch. 44 §53G and regulations promulgated by the Commission, the Commission may impose reasonable fees upon applicants for the purpose of securing outside consultants including engineers, wetlands scientists, wildlife biologists or other experts in order to aid in the review of proposed projects. Such funds shall be deposited with the town treasurer, who shall create an account specifically for this purpose. Additional consultant fees may be requested where the requisite review is more expensive than originally calculated or where new information requires additional consultant services.

Only costs relating to consultant work done in connection with a project for which a consultant fee has been collected shall be paid from this account, and expenditures may be made at the sole

² Project Site as defined 310CMR 10.04: the area within the Project Locus that comprises the limit of work for activities, including but not limited to, the dredging, excavating, filling, grading, the erection, reconstruction or expansion of a building or structure, the driving of pilings, the construction or improvement of roads or other ways, and the installation of drainage, stormwater treatment, environmentally sensitive site design practices, sewage and water systems.

³ The Town of Leicester shall be responsible for placing the legal notice. Costs associated with the publication of legal notices shall be paid directly by the applicant to the Town of Leicester prior to issuance of a decision.

POSTAL MONEY ORDER

Serial Number

Year, Month, Day
2017-04-10

Post Office
062600

U.S. Dollars and Cents

24228984251

\$50.00

Amount

Fifty Dollars and 00/100 *****

Clerk 05

Pay to

Address

From

Address

Loni Wilkesman
329 Main Street
Denison CT

062639

Wildwood Ct

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SEE REVERSE WARNING • NEGOTIABLE ONLY IN THE U.S. AND POSSESSIONS

0000008002

24228984251

**Notification to Abutters Under the
Town of Leicester Wetland Regulations**

(This form must be completed and copies sent, by certified mail, certificate of mailing or hand-delivered, to all abutters within 300 feet of the location of the project)

In accordance with section VI. of the LEICESTER CONSERVATION COMMISSION RULES AND REGULATIONS FOR ADMINISTERING THE TOWN OF LEICESTER WETLANDS PROTECTION BYLAW, you are hereby notified of the following:

- A. The name of the Applicant is Dustin Brown of Danielson, CT.
- B. The Applicant has filed a Request for Determination of Applicability (RDA) with the Leicester Conservation Commission.
- C. The address or location of the lot where the activity is proposed is Map 28B Parcel B7, Wildwood Lane, Leicester, MA.
- D. The applicant proposes to move the existing 11.5' by 28.1' wood structure placed on concrete blocks, that is 1' over the property line to the south, on the $\pm 5,565$ square foot lot.
- E. Copies of the RDA may be obtained or examined by calling Glenn E. Krevosky of EBT Environmental Consultants, Inc., 601 Main Street, North Oxford, MA 01537 at (508)987-0979 between the hours of 9:00 am and 3:30 pm, Monday through Friday.
- F. Information regarding the date, time and place of the Public Hearing may be obtained by contacting the Leicester Conservation Commission at (508)892-7007 between the hours of 8am to 5pm, Monday & Thursday, 8am to 7pm, Wednesday and closed Tuesday & Friday.

PLEASE NOTE:

- 1. Notice of the public hearing, including its date, time and place will be published at least five (5) business days in advance in the Telegram & Gazette.
- 2. Notice of the public hearing including date, time and place will be posted in the Town Hall not less than forty-eight (48) hours in advance.
- 3. You also may contact the Department of Environmental Protection (DEP) Regional Office for more information about this application or the Wetlands Protection Act. To contact the DEP:

CENTRAL REGION: (508) 792-7650

NORTHEAST REGION: (617) 654-6500

WESTERN REGION: (413) 784-1100

SOUTHEAST REGION: (508) 946-2700

5/5/17

6A

TOWN OF LEICESTER WETLAND PROTECTION BYLAW

7A