

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:

Dzmitry Charnahalau _____ diamond_dmitry@yahoo.com _____
 Name E-Mail Address
 16 Atherton Circle _____
 Mailing Address
 Lynnfield _____ MA _____ 01940 _____
 City/Town State Zip Code
 608-698-6186 _____
 Phone Number Fax Number (if applicable)

2. Representative (if any):

Rimmer Environmental Consulting, LLC _____
 Firm
 Mary Rimmer _____ mrimmer@rimmerenv.com _____
 Contact Name E-Mail Address
 57 Boston Road _____
 Mailing Address
 Newbury _____ MA _____ 01951 _____
 City/Town State Zip Code
 978-463-9226 _____
 Phone Number Fax Number (if applicable)

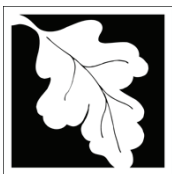
B. Determinations

1. I request the Lynnfield _____ 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:

Lynnfield _____
 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 (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:

Dzmitry Charnahalau

Name

16 Atherton Circle

Mailing Address

Lynnfield

City/Town

MA

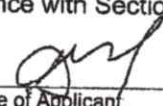
State

01940

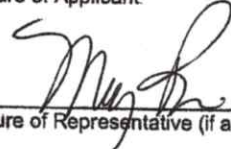
Zip Code

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

12/29/21
Date


Signature of Representative (if any)

12-29-21
Date



16 Atherton Circle Tree Removal Plan

Lynnfield, MA

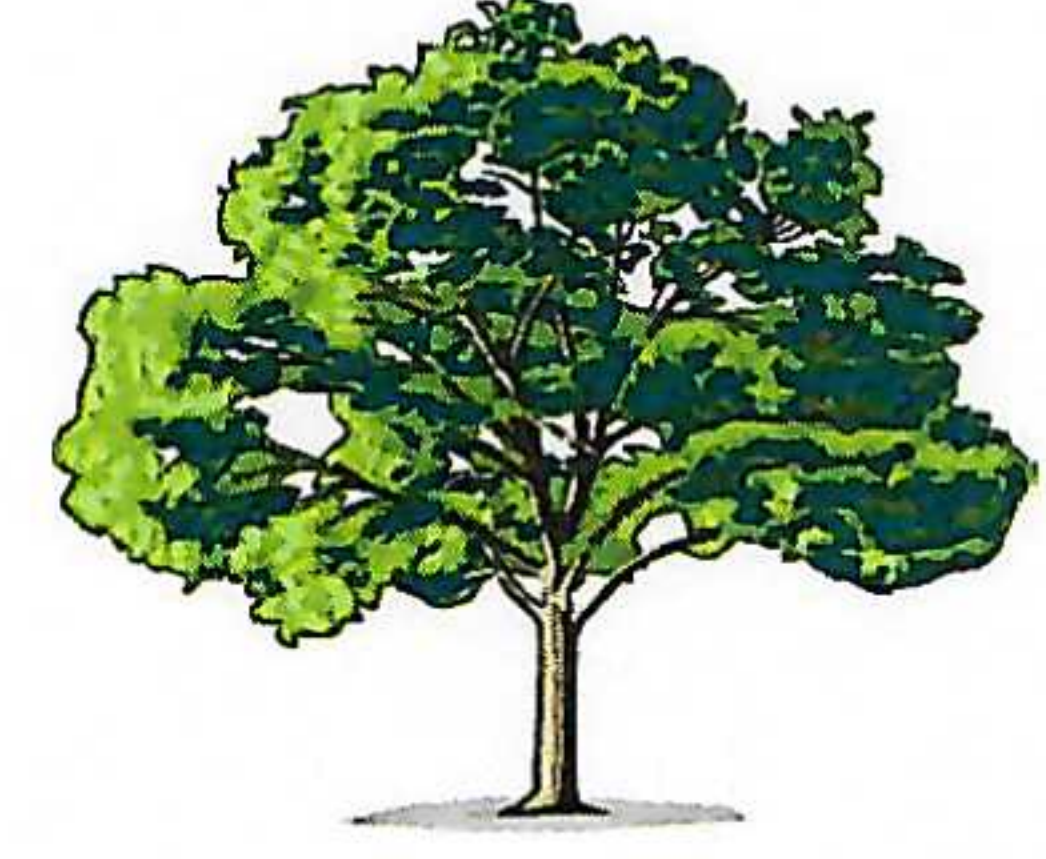
December 21, 2021

Wetlands Delineated by Rimmer Environmental Consulting, LLC



Keith's Tree Service, Inc.

465 Water Street
Wakefield, Ma. 01880
Phone # 781-224-9995 - Cell # 781-820-1742
• keith@keithstreeremoval.com



December 30, 2021

Dzmitry Charnahalau
16 Atherton Circle
Lynnfield, Ma. 01940

Dear Mr Charnahalau,

This letter is in reference to your proposal # 22139 and the 13 trees assessed along the back of the property, marked with ribbon, and are considered at risk in that proposal.

These tree's are at risk based on the following reasons. The proximity to homes and recreational area, the strong lean towards these targets, trunk rot and the previous uprooted tree in the area indicating soft soil structure. Based on this, it is recommended to remove these trees for safety. If you have any further questions or concerns in regards to this matter, please feel free to contact me.

Jay Sheppard
ISA Certified Arborist
NE7525

16 Atherton Circle, Lynnfield

December 21, 2021



View south



View southeast



View west



View east

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Form

Applicant: Charnahalau Prepared by: REC Project location: 16 Atherton Cir Lynnfield DEP File #: _____

Check all that apply:

- Vegetation alone presumed adequate BVW boundary: fill out section I only
 Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out sections I and II
 Method other than dominance test used (attach additional information)

Section I. Vegetation: Observation plot Number: wet Transect number: A1 Date of delineation: 12/21/21

A. Sample layer and plant species (by common name/scientific name)	B. Percent cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
Tree				
northern red oak/ <i>Quercus rubra</i>	38	100	Y	FACU
shrub				
sweet pepperbush/ <i>Clethra alnifolia</i>	63	100	Y	FAC*
Groundcover				
skunk cabbage/ <i>Symplocarpus foetidus</i>	20.5	100	Y	OBL*

Use an asterisk to mark wetland indicator plants: species listed in the Wetlands Protection Act (MGL c. 131, s. 40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FAC-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:
Number of dominant wetland indicator plants: 3 **Number of dominant non-wetland plants: 0**
Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? yes no

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site?

Title/date:
 Map number:
 Soil type mapped:
 Hydric soil inclusions:

Are field observations consistent with soil survey? yes no

Remarks:

2. Soil description

Horizon	Depth	Matrix Color	Mottles Color
O	0-8"	10YR 2/1	

Remarks

3. Other organic

Conclusion: Is soil hydric? yes no

Other Indicators of Hydrology: (check all that apply and describe)

- Site inundated: _____
- Depth to free water in observation hole: _ _____
- Water marks: _____
- Drift lines: _____
- Sediment deposits: _____
- Drainage patterns in BVW: _____
- Oxidized rhizospheres: _____
- Water-stained leaves: _____
- Recorded data(stream, lake, or tidal gauge; aerial photo, other):__
- Other: _____

Vegetation and Hydrology Conclusion

	Yes	No
Number of wetland indicator plants ≥ number of non-wetland indicator plants:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wetland hydrology present: Hydric soil present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other indicators of hydrology present:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sample location is in a BVW	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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A. Sample layer and plant species (by common name/scientific name)	B. Percent cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
Tree				
northern red oak/ <i>Quercus rubra</i>	63	100	Y	FACU
shrub				
sweet pepperbush/ <i>Clethra alnifolia</i>	38	65	Y	FAC*
american witch-hazel/ <i>Hamamelis virginiana</i>	20.5	35	Y	FACU

Use an asterisk to mark wetland indicator plants: species listed in the Wetlands Protection Act (MGL c. 131, s. 40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FAC-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:
Number of dominant wetland indicator plants: 1 **Number of dominant non-wetland plants: 2**
Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? yes no

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site?

Title/date:

Map number:

Soil type mapped:

Hydric soil inclusions:

Are field observations consistent with soil survey? yes no

Remarks:

2. Soil description

Horizon	Depth	Matrix Color	Mottles Color
A	0-3"	10YR 2/2	
B	3-12"	10YR 4/6	

Remarks

3. Other

Conclusion: Is soil hydric? yes no

Other Indicators of Hydrology: (check all that apply and describe)

Site inundated: _____

Depth to free water in observation hole: _ _____

Water marks: _____

Drift lines: _____

Sediment deposits: _____

Drainage patterns in BVW: _____

Oxidized rhizospheres: _____

Water-stained leaves: _____

Recorded data(stream, lake, or tidal gauge; aerial photo, other):__

Other: _____

Vegetation and Hydrology Conclusion

	Yes	No
Number of wetland indicator plants ≥ number of non-wetland indicator plants:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wetland hydrology present: Hydric soil present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other indicators of hydrology present:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sample location is in a BVW	<input type="checkbox"/>	<input checked="" type="checkbox"/>