



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

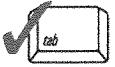
WPA Form 1 - Request for Determination of Applicability

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

Municipality _____

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:

Gerald and Stephanie
 First Name _____ Last Name DeFilippo

36 Greenwood Road
 Address _____

Lynnfield
 City/Town _____ State MA Zip Code 01940

781-367-1289, 781-780-1256
 Phone Number _____ Email Address jdef2020@protonmail.com
 Stephanie

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):

36 Greenwood Rd
 Street Address _____ City/Town Lynnfield, MA

[How to find Latitude and Longitude](#)

 Latitude (Decimal Degrees Format with 5 digits after decimal e.g. XX.XXXXX) _____ Longitude (Decimal Degrees Format with 5 digits after decimal e.g. -XX.XXXXX) _____

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

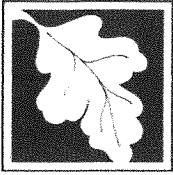
 Assessors' Map Number _____ Assessors' Lot/Parcel Number _____

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

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

 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 trying to remove two trees that have been deemed a danger to our property and our neighbors property by a certified arborist.

- 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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Municipality _____

C. Determinations

1. I request the Town of 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 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:

Town of Lynnfield
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)(1) of the Wetlands Protection Act regulations.

[Handwritten Signature]
Signature of Applicant

8/17/23
Date

Signature of Representative (if any)

Date

Request for Determination of Applicability

Property owners: Gerald DeFilippo & Stephanie DeFilippo

Property address: 36 Greenwood Rd, Lynnfield, MA 01940

Email: Jdef2020@protonmail.com

Phone: 781-367-1289

Please See Attached Pages for the Following:

- Detailed plot plan
- Statement from certified arborist (Keith's Tree Removal)

Homeowner's Statement:

We value the preservation of our conservation land and believe it should be persevered for generations to come. However, the two trees in question pose a significant safety risk which are endangering the life of my family and the neighboring properties.

We are committed to planting new trees in suitable locations to compensate for the removal and ensure the continued ecological balance. We look forward to finding a balanced solution that prioritizes safety while respecting the towns important conservation efforts.

Requested Trees to be Removed at Homeowner's Expense (Total of 2):

One medium oak located entirely on our property. Tree has a strong lean towards our neighbor's house without a counterweight to compensate for lean (roughly 45-degree angle). Per arborist, the tree is at risk to fall on the neighbor's house.

One large oak with the base located approximately 2 feet on town property - 90% of the remaining tree is leaning into our property. Tree has a lean and bend with all the crown weight going completely towards the house. The tree is also located on a hill with signs of soil erosion at the root base. Per a certified arborist the tree is at risk of crushing the house.

Suggested Number of Replacement Trees (total of 5):

- (1) Sugar maple planted on our property close to removal site
- (1) Red maples planted on our property close to removal site
- (1) Red maples planted on town property close to removal site
- (2) Sugar maple planted on town property close to removal site

We put some thought in the type and number of replacement trees to be planted. Our idea was to enhance the current conditions for the local wildlife, while maintaining the beauty and ecology of the forest. The two maples planted on our property near the removal sites will provide additional shade for the conservation area as well as enhance the local wildlife habitat. The 3 maples being planted in the conservation area should also enhance the shade and habitat for the local wildlife, while being well suited for the soil and moister conditions of the area.

KEITHS



TREE SERVICE

www.KeithsTreeRemoval.com

781-224-9995

465 Water Street - Wakefield - MA - 01880

Let our reviews make your decision

Repeat Customer Yes Not Yet

Referred By: _____

S.O.# _____

Estimate Date & Time August 1st 2023

Name Jerry DeFilippo Date Called In _____

Address 36 Greenwood rd

City Lynnfield, Ma

Phone—Work—Cell—Fax 781-367-1289

Billing Address _____

Email Address Jdef2020@protonmail.com

Description of work to estimate:

Description of work to be performed:

Tree Assessment

OAK Tree at back right of house - Tree has lean and bend with all the crown weight going towards back of house - Tree is AT risk of crushing house.

Oak Tree in backyard on right has strong lean towards neighbors house without any counter weight to compensate for lean Tree is at risk to Fall on neighbors house

Traffic detail additional if required

Fully Insured

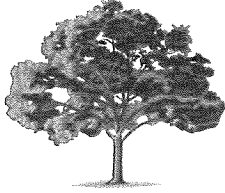
Equipment _____

Septic/Underground Utility _____

ISA Certified Arborist Jay Suppa
Estimated By _____

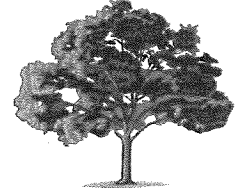
Customer's Signature _____

Tree Work Cost	\$ _____
Traffic Detail	\$ _____
Stump Work Cost	\$ _____
Total Estimated Cost	\$ _____
Price Good For	_____ Days



Keith's Tree Service, Inc.

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



August 15, 2023

Jerry DeFilippo
36 Greenwood Rd
Lynnfield, Ma. 01940

Dear Mr DeFilippo

This letter is in reference to your proposal # 25719 and the Hazardous tree assessed in that proposal. The Oak tree at back Right of house has lean and bend with all the crown weight going towards back of house. The tree is at risk of crushing the house. The Oak tree in the backyard on the right has strong lean towards neighbors house without any counter weight to compensate for lean. The tree is at risk to fall on neighbors house.

These trees pose a risk and is recommended to be removed. 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

KEITHS



TREE SERVICE

www.KeithsTreeRemoval.com

781-224-9995

465 Water Street - Wakefield - MA - 01880

Let our reviews make your decision

S.O.# _____

Estimate Date & Time August 1st 2023

Name Jerry DeFilippo

Date Called In _____

Address 36 Greenwood Rd

City Lynnfield, Ma

Phone-Work-Cell-Fax 781-367-1289

Repeat Customer Yes Not Yet

Referred By: _____

Billing Address _____

Email Address Jdef2020@protonmail.com

Description of work to estimate:

Description of work to be performed:

Tree Assessment

OAK Tree at back right of house - Tree has lean and bend with all the crown weight going towards back of house - Tree is AT RISK of crushing house.

Oak Tree in backyard on right has strong lean towards neighbors house without any counter weight to compensate for lean Tree is at risk to Fall on neighbors house

Traffic detail additional if required

Fully Insured

Equipment _____

Septic/Underground Utility _____

ISA Certified Arborist Jay Suppl
Estimated By _____

Customer's Signature _____

Tree Work Cost \$ _____

Traffic Detail \$ _____

Stump Work Cost \$ _____

Total Estimated Cost \$ _____

Price Good For _____ Days