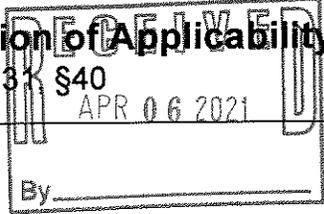




Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131



City/Town _____

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:

Douglas Bashista
Name

17 San Souci Dr
Mailing Address

South Hadley
City/Town

508- 320-1984
Phone Number

DBDF02@GMAIL.COM
E-Mail Address

MA
State

01075
Zip Code

Fax Number (if applicable)

2. Representative (if any):

Firm _____

Contact Name _____ E-Mail Address _____

Mailing Address _____

City/Town _____ State _____ Zip Code _____

Phone Number _____ Fax Number (if applicable) _____

B. Determinations

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

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:

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):

17 San Souci Dr

Street Address

43 / 53

Assessors Map/Plat Number

South Hadley

City/Town

0043-0053-000

Parcel/Lot Number

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

map / plan Attached

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

Title

Date

Title

Date

Title

Date

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

Removal of large trees near home that are currently a windstorm damage risk; 13' x 24' garage addition and installation of a 192 sq. ft. garden shed.



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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.)

Recorded 1994. Evidence attached.



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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:

Douglas Bashista

Name

17 San Souci Dr

Mailing Address

South Hadley

City/Town

MA

State

01075

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.

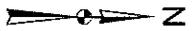
Signature of Applicant

Apr 6 2021

Date

Signature of Representative (if any)

Date



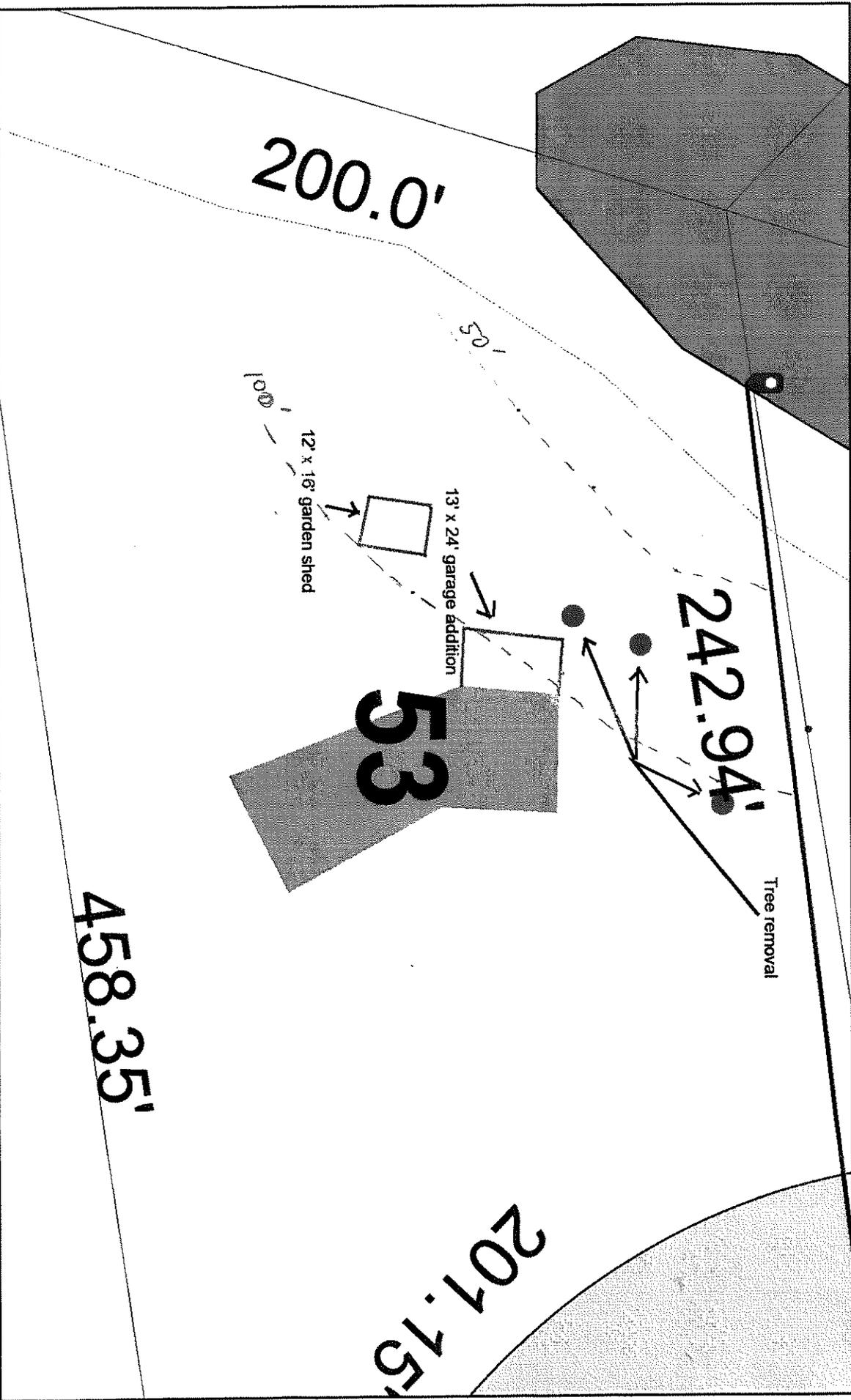
Plan

South Hadley, MA

1 inch = 34 Feet



April 6, 2021



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

KNOW ALL MEN BY THESE PRESENTS THAT

GARVEY HOMES, INC.

Doc: 940018333 DR /4531/0211 08/05/1994 15:33

a corporation duly established under the laws of Massachusetts and having its usual place of business at 10 Cooley Drive, Wilbraham, Hampden County, Massachusetts

for consideration paid, and in full consideration of \$250,000.00 grants to ROBERT C. JACKSON, JR. AND JANE M. JACKSON as tenants by the entirety of 710 Gatewood Drive, Enfield, Connecticut with warranty covenants of the land in South Hadley, Hampshire County, Massachusetts, being known as Lot #18 on a

(Description and encumbrances, if any)

Plan entitled "Definitive Subdivision of Land San Souci Estates in South Hadley, Massachusetts, Prepared for Stephen M. Reilly and Joseph Turek", dated August 26, 1987 drawn by Almer Huntley, Jr., and Associates, Inc., and said plan being recorded in the Hampshire County Registry of Deeds, Book of Plans 151, Pages 27-34 inclusive. Said Lot #18 being more particularly bounded and described as follows:

- NORTHEASTERLY by San Souci Drive, two hundred ninety six and 09/100 (296.09) feet;
NORTHERLY by Lot #19, two hundred forty two and 94/100 (242.94) feet;
WESTERLY by Lot #23 on said plan, two hundred thirty two and 87/100 (232.87) feet;
SOUTHERLY by land now or formerly of Walter Lauzier et als, four hundred fifty eight and 35/100 (458.35) feet; and
EASTERLY by a future street on said plan, forty three and 18/100 (43.18) feet.

Lot #18 contains 1.408 acres, more or less.

Subject to Restrictive Covenants dated May 15, 1989 in Book 3386, Page 288.

Subject to any restrictions, covenants, rights of way and easements of record.

Said lot is the same premises conveyed to Garvey Homes, Inc. by deed of Shirley P. Hallberg dated July 27, 1994 and recorded in Book 4531, Page 210.

Sale does not substantially constitute the sale of all the assets of the corporation.

In witness whereof, the said GARVEY HOMES, INC.

has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and

delivered in its name and behalf by GLEN J. GARVEY

its PRESIDENT & TREASURER this 26th day of July

in the year one thousand nine hundred and ninety four.

Signed and sealed in presence of

GARVEY HOMES, INC

by GLEN J. GARVEY, PRESIDENT AND TREASURER

WITH MASS EXCISE STAMPS AFFIXED AND CANCELLED

The Commonwealth of Massachusetts

Hampden

ss.

July 26

19 94

Then personally appeared the above named GLEN J. GARVEY

and acknowledged the foregoing instrument to be the free act and deed of the GARVEY HOMES, INC.

before me,

ROBERT J. EASTWOOD

Notary Public

ATTEST: HAMPSHIRE, MARIANNE L. DONOHUE, REGISTER

My commission expires November 25

19 99

CHAPTER 183 SEC. 6 AS AMENDED BY CHAPTER 497 OF 1969

Every deed presented for record shall contain or have endorsed upon it the full name, residence and post office address of the grantee and a recital of the amount of the full consideration thereof in dollars or the nature of the other consideration therefor, if not delivered for a specific monetary sum. The full consideration shall mean the total price for the conveyance without deduction for any liens or encumbrances assumed by the grantee or remaining thereon. All such endorsements and recitals shall be recorded as part of the deed. Failure to comply with this section shall not affect the validity of any deed. No register of deeds shall accept a deed for recording unless it is in compliance with the requirements of this section.

17 SAN SOUCI DRIVE, SOUTH HADLEY MA



Proactive by Design

GEOTECHNICAL
ENVIRONMENTAL
ECOLOGICAL
WATER
CONSTRUCTION
MANAGEMENT

1350 Main Street
Suite 1400
Springfield, MA 01103
T: 413.726.2100
F: 413.732.1249
www.gza.com



October 30, 2019
15.0166787.00

Mr. Doug Bashista
2 Hillside Road
Cherry Valley, MA 01611

Re: Wetland Assessment Letter Report
17 San Souci Drive
South Hadley, MA

Dear Mr. Bashista,

In accordance with our contract, GZA completed a wetland assessment at 17 San Souci Drive (Site) for the presence of regulated wetland resources under Local, State, or federal jurisdiction. The Site had not received excessive or unusual precipitation within 48 hours prior to our assessment; therefore, we considered the site to be under normal circumstances for the assessment. This letter report provides an overview of our wetland assessment findings.

Introduction

On Tuesday September 24, 2019, a Senior Environmental Scientist from GZA conducted a wetland assessment at the above referenced Site. The wetland assessment was conducted in a manner that is consistent with the 1995 Massachusetts Department of Environmental Protection's Handbook for *Delineating Bordering Vegetated Wetlands Under the Wetlands Protection Act* and the Wetland Protection Act (WPA; M.G.L. c. 131, § 40) and the companion regulations (Regulations; 310 CMR 10.00). GZA also reviewed the Site with regards to the 2012 Regional Supplement to the 1987 U.S Army Corps of Engineers Wetland Delineation Manual.

Desktop Survey

Prior to conducting our observations of the Site, GZA performed a desktop survey of readily available MassGIS data layers to better understand the potential natural resources on the Site. The MassDEP wetland layer indicated that the Site may have a wetland system that is located west on and adjacent to the western boundary of the Site. We also retrieved a letter prepared by MassDEP in 2003 regarding the wetland area that we reviewed for this project. The MassDEP accepted that this same wetland complex as a Bordering Vegetated Wetland (BVW), 310 CMR 10.54(2) and a Bank, 310 CMR 210.54(2).

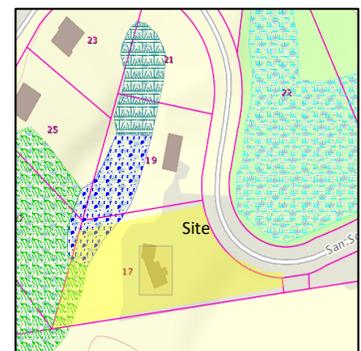
The desktop survey also revealed that the Site is not currently within an area protected for rare and endangered species nor is Certified Vernal Pool habitat present. The Site is not located within a regulated 100-year floodplain (a.k.a. Bordering Land Subject to Flooding) resource.

Site Observations

Our observations on the Site and the immediately adjacent land conclude that the Site partially contains a Local and State regulated BVW and Bank resources. This wetland would also be regulated under the Army Corps of Engineers under Section 404 of the Clean Water Act.

Wetland Resources

The principal BVW is a mix of scrub/shrub and forested wetland communities until the wetland intersects with the farm field to the south, where the wetland is an emergent complex with predominantly herbaceous species. The BVW also appears to





convey flow towards the south into the adjacent agricultural field. The outlet area has a defined surface hydraulic connection; therefore, the channel would qualify as a Bank resource.



The predominant wetland vegetation observed includes red maple (*Acer rubrum*), pin oak (*Quercus palustris*), highbush blueberry (*Vaccinium corymbosum*), spicebush (*Lindera benzoin*), and jewelweed (*Impatiens capensis*), and reed canary grass (*Phalaris arundinacea*).

The BVW is likely to support several interests of the Massachusetts Wetlands Protection Act regulations including Protection of Wildlife Habitat, local Flood Control and to some degree, Protection of Ground Water Supply.

The outlet area of the BVW complex appeared to contain a short segment of a Bank resource that we expect would be regulated as an intermittent stream because the watershed size is less than (e.g., 0.13 square miles) the required minimum of a ½ square mile.

The Bank resource is sparsely vegetated with shrub species of mainly highbush blueberry and red maple were observed along the margin of the channel. The channel was observed to have an average depth of 4 inches and an estimated bank full width of 3 feet and a substrate of sandy loam material and a few rocks. The channel segment length was estimated in the field to be 15-20 feet. No standing water or flow was observed in the BVW or the Bank resources at the time of our observations.

Assessment Findings

Based upon our site observations and the desktop survey, we conclude that the Site contains two regulated wetland resources that would be under the authority of the WPA regulations and the South Hadley Wetlands Protection Bylaw. The two wetlands are a BVW and a Bank resource and both resources also include a 100-foot regulated Buffer Zone that extends into the adjacent upland area. A permit approval would be required if work is proposed within the wetlands or its Buffer Zone.

In addition, it is our professional opinion that the BVW and the Bank resource would also be regulated under the Army Corps of Engineers jurisdiction, but this agency does not include a 100-foot Buffer Zone to wetlands.

Should you have any questions, please feel free to contact Dan Nitzsche at 413-726-2108.

Sincerely,
GZA GeoEnvironmental, Inc.

A handwritten signature in black ink that reads "Daniel M. Nitzsche". The signature is written in a cursive, flowing style.

Daniel Nitzsche, CPESC, CESSWI, SE
Senior Wetland Scientist



USE OF REPORT

1. GZA GeoEnvironmental, Inc. (GZA) has prepared this report on behalf of, and for the exclusive use of HERITAGE SURVEYS, INC. ("Client") for the stated purpose(s) and location(s) identified in the report. Use of this report, in whole or in part, at other locations, or for other purposes, may lead to inappropriate conclusions; and we do not accept any responsibility for the consequences of such use(s). Further, reliance by any party not identified in the agreement, for any use, without our prior written permission, shall be at that party's risk, and without any liability to GZA.

STANDARD OF CARE

2. GZA's findings and conclusions are based on the work conducted as part of the Scope of Services set forth in the Report and/or proposal, and reflect our professional judgment. These findings and conclusions must be considered not as scientific or engineering certainties, but rather as our professional opinions concerning the data gathered and observations made during the course of our work. Conditions other than described in this report may be found at the subject location(s).
3. GZA's services were performed using the degree of skill and care ordinarily exercised by qualified professionals performing the same type of services, at the same time, under similar conditions, at the same or a similar property. No warranty, expressed or implied, is made.

LIMITS TO OBSERVATIONS

4. Natural resource characteristics are inherently variable. Biological community composition and diversity can be affected by seasonal, annual or anthropogenic influences. In addition, soil conditions are reflective of subsurface geologic materials, the composition and distribution of which vary spatially.
5. The observations described in this report were made on the dates referenced and under the conditions stated therein. Conditions observed and reported by GZA reflect the conditions that could be reasonably observed based upon the visual observations of surface conditions and/or a limited observation of subsurface conditions at the specific time of observation. Such conditions are subject to environmental and circumstantial alteration and may not reflect conditions observable at another time.
6. The conclusions and recommendations contained in this report are based upon the data obtained from a limited number of surveys performed during the course of our work on the site, as described in the Report. There may be variations between these surveys and other past or future surveys due to inherent environmental and circumstantial variability.

RELIANCE ON INFORMATION FROM OTHERS

7. Preparation of this Report may have relied upon information made available by Federal, state and local authorities; and/or work products prepared by other professionals as specified in the report. Unless specifically stated, GZA did not attempt to independently verify the accuracy or completeness of that information.

COMPLIANCE WITH REGULATIONS AND CODES

8. GZA's services were performed to render an opinion on the presence and/or condition of natural resources as described in the Report. Standards used to identify or assess these resources as well as regulatory jurisdiction, if any, are stated in the Report. Standards for identification of jurisdictional resources and regulatory control over them may vary between



governmental agencies at Federal, state and local levels and are subject to change over time which may affect the conclusions and findings of this report.

NEW INFORMATION

9. In the event that the Client or others authorized to use this report obtain information on environmental regulatory compliance issues at the site not contained in this report, such information shall be brought to GZA's attention forthwith. GZA will evaluate such information and, on the basis of this work, may modify the conclusions stated in this report.

ADDITIONAL SERVICES

10. GZA recommends that we be retained to provide further investigation, if necessary, which would allow GZA to (1) observe compliance with the concepts and recommendations contained herein; (2) evaluate whether the manner of implementation creates a potential new finding; and (3) evaluate whether the manner of implementation affects or changes the conditions on which our opinions were made.