Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Devens
City/Town

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:

King Devens, LLC — Name
treynoso@ks-prop.com — E-Mail Address
800 Boylston Street, Suite 1570 — Mailing Address
Boston — City/Town
MA — State
02199 — Zip Code
617-910-5504 — Phone Number
Fax Number (if applicable)

2. Representative (if any):

Highpoint Engineering, Inc. — Firm
Douglas Hartnett, P.E. — Contact Name
dhartnett@highpointeng.com — E-Mail Address
45 Dan Road, Suite 140 — Mailing Address
Canton — City/Town
MA — State
02021 — Zip Code
781-910-7738 — Phone Number
Fax Number (if applicable)

B. Determinations

1. I request the Devens Enterprise 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:

Devens
Name of Municipality

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

C. Project Description

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

Lake George Street	Devens
Street Address	City/Town
N/A	
Assessors Map/Plat Number	Parcel/Lot Number

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

The newly proposed conduit installation work provides power from an electric manhole from 41 Lake George Street to 33 Jackson Road. The newly proposed conduit is primarily located within the Lake George Street right-of-way and crosses a 100' Buffer associated with a BVW to the west of Lake George Street.

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

Primary Electric Duct Bank Route, 33 Jackson Rd, Devens, MA Prepared for King Devens LLC, Prepared by Highpoint Engineering, Inc.	8/25/2021 Date
Title	Date
Title	Date

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

Installation of a primary electric duct bank route from an existing electric manhole at 41 Lake George Street to the 33 Jackson Road construction project along with associated trenching & patching, pavement removal, & loaming & seeding within the right-of-way.

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).

N/A

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.)

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:

MDFA
Name

99 High Street, 11th Floor
Mailing Address

Boston
City/Town

MA
State

~~02179~~ 02110
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

8/25/2021
Date

Signature of Representative (if any)

8/25/2021
Date