



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

Arlington

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:

Tim Lecuivre

Name

tlecuivre@town.arlington.ma.us

E-Mail Address

51 Grove Street

Mailing Address

Arlington

City/Town

MA

State

02476

Zip Code

781-316-3301

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Firm

Emily Sullivan

Contact Name

esullivan@town.arlington.ma.us

E-Mail Address

730 Massachusetts Ave

Mailing Address

Arlington

City/Town

MA

State

02476

Zip Code

781-316-3012

Phone Number

Fax Number (if applicable)

B. Determinations

1. I request the Arlington 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:

Arlington

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):

Minuteman Bikeway

Street Address

Arlington

City/Town

Assessors Map/Plat Number

Parcel/Lot Number

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

The Minuteman Bikeway is a 10.5 mile bicycle and pedestrian trail that passes through Cambridge, Arlington, Lexington, and Bedford. Approximately 3.5 miles of the bikeway passes through Arlington. The bikeway receives approximately 950,000 trips annually, with almost 2,700 trips daily. There are four sections of the bikeway that fall under conservation jurisdiction. The first is near wetland areas along Thorndike Field in East Arlington. The second is along Spy Pond Park. The third is along the Mill Street section of Mill Brook. The fourth is along Mill Brook and No Name Brook between the Arlington Reservoir and Forest Street. The four sections are variably within the 100-ft Wetlands Buffer, the AURA, and the 200-ft Riverfront Area. The first (Thorndike) and fourth (Reservoir) sections of the bikeway are also within the floodplain/floodway. Please see these jurisdictional areas in the attached maps document.

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

Bikeway Tree Maintenance RDA Map

Title

2/11/2020

Date

Title

Date

Title

Date

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

Tree maintenance work will be conducted to ensure that the bikeway is safe for users and is clear from hazardous debris. The tree canopy will be pruned to lighten the canopy and remove all hazardous dead wood. In addition to all canopy pruning, dead trees along the bikeway will be either removed or cut back. Any dead trees within conservation jurisdiction that require maintenance will be left with at least 8-10ft of stump. No trees in conservation jurisdiction will be flush cut. Trees and debris that have fallen directly into the brook along the bikeway will also be removed. No trees or debris laying along the brook banks or across the brook will be removed.



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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).

310 CMR 10.02(2)(b)2.n.i. Vegetation cutting for road safety maintenance, limited to the following: removal of diseased or damaged trees or branches that pose an immediate and substantial threat to safety from falling into the roadway

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.)

The Town of Arlington is responsible for the maintenance of the MBTA-owned Minuteman Bikeway.



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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:

Town of Arlington, Town Manager's Office

Name

730 Massachusetts

Mailing Address

Arlington

City/Town

MA

State

02476

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