

# DECOULOS & COMPANY

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ENVIRONMENTAL ENGINEERING & LAND PLANNING

VIA EMAIL AND HAND DELIVERY

Tuesday, August 8, 2023

Daniel Shinnick, Chairman  
Rowley Conservation Commission  
39 Central Street  
Rowley, MA 01969

RE: *Request for Determination of Applicability under MA Wetlands Protection Act and Rowley Wetlands Bylaw; Rowley Assessor Map 9, Parcel 23-30;*

Dear Chairman Shinnick and members of the Commission:

On behalf of the Danielsville, LLC, enclosed herewith is an application for a Request for Determination of Applicability (RDA) to conduct soil tests within the 100 foot buffer zone. Two copies of the following signed documents are enclosed:

1. Rowley RDA Checklist (with executed Permission to Enter);
2. DEP WPA Form 1;
3. USGS Locus Map;
4. Assessor's Map with abutters list of property owners within 100 feet;
5. 11 x 17 inch plan entitled "Proposed Soil Tests, Lot 24A (Parcel 9-23-30), Emily Lane, Rowley, MA; date: 8/8/23; Scale: 1"= 40'; prepared by Decoulos & Company";
6. Copy of certified mail label to the Northeast Regional office of MassDEP;
7. Rowley Wetland Bylaw Fee Calculation Form; and
8. Check to the Town of Rowley in the amount of \$75.00.

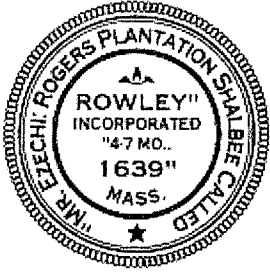
Please feel free to contact us if you have any questions or need additional information. Thank you.

Respectfully submitted,



James J. Decoulos, PE, LSP  
[jamesj@decoulos.com](mailto:jamesj@decoulos.com)

cc: DEP Northeast Regional Office *via certified mail 9414 7112 0620 3232 9879 51*  
Charles Costello, Chairman, Rowley Board of Health *via email*  
Theodore A. Speros, Manager, Danielsville, LLC



# Town of Rowley

Conservation Commission

Phone: (978) 948-2330 Fax: (978) 948-7196

Conservation@townofrowley.org

## REQUEST TO DETERMINE APPLICABILITY CHECKLIST

Send the following by certified mail, return receipt requested, or hand deliver to:  
Rowley Conservation Commission, PO Box 24, or 39 Central Street, Room #4, Rowley MA 01969

- Two copies of the Application including:
  - Completed WPA Form 1 – revised July 2020
  - Section of U.S. Geologic Survey (USGS) quadrangle locating site (8 ½” x 11”)
  - An appropriately sized section of the Assessor’s map clearly identifying the property and all others within a hundred feet
  - Plans and calculations clearly describing the location and the nature of the proposed work
  - Proof of mailing or hand delivery of Application to DEP NE regional office (address below)
  - One copy of permission to enter form with original signature of property owner
  - Proof of mailing or delivery of Application to property owner if not applicant
  - One electronic submission in “PDF” form of all Application documents and plans.
  - One copy of the Wetland Bylaw Fee Calculation Form with check for appropriate fee.

Send by certified mail, return receipt requested, or hand deliver to:  
DEP NERO, Wetlands Division, 150 Presidential Way, Woburn, MA 01801

- One copy of the Application including:
  - Completed WPA Form 1 – revised July 2020.
  - Section of U.S. Geologic Survey (USGS) quadrangle locating site (8 ½” x 11”).
  - An appropriately sized section of the Assessor’s map clearly identifying the property and all others within a hundred feet.
  - Plans and calculations clearly describing the location and the nature of the proposed work.

### PERMISSION TO ENTER

I, James Louie Sr, hereby grant the Rowley Conservation Commission and its officials permission to enter upon my property at Em. Lane 9.23.30 to

(NAME OF PROPERTY OWNER)

(STREET ADDRESS AND ASSESSOR’S MAP/PARCEL/LOT)

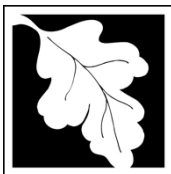
review the filed Request to Determine Applicability and future site conditions for compliance with the issued Determination of Applicability. The sole purpose of this document is to allow Commissioners and their officials to perform their duties under the Wetlands Protection Act (M.G.L. c. 131 s. 40) and the Town of Rowley Wetlands Protection Bylaw.

Signed: \_\_\_\_\_

(PROPERTY OWNER)

8/8/2023  
(DATE)

Rev. 2/22/2023



Massachusetts Department of Environmental Protection  
Bureau of Water Resources - Wetlands

**WPA Form 1- Request for Determination of Applicability**

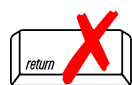
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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:

<u>Danielsville, LLC</u> First Name	<u>Theodore Speros</u> Last Name
<u>3 Brighton Street</u> Address	
<u>Belmont</u> City/Town	<u>MA</u> State
<u>617-719-5344</u> Phone Number	<u>02478</u> Zip Code
	<u>tedsperos@gmail.com</u> Email Address

2. Property Owner (if different from Applicant):

_____ First Name	_____ Last Name
_____ Address	
_____ City/Town	_____ State
_____ Phone Number	_____ Zip Code
	_____ Email Address (if known)

3. Representative (if any)

<u>James</u> First Name	<u>Decoulos</u> Last Name
<u>Decoulos &amp; Company, LLC</u> Company Name	
<u>185 Alewife Brook Parkway</u> Address	
<u>Cambridge</u> City/Town	<u>MA</u> State
<u>617-489-7795</u> Phone Number	<u>02138</u> Zip Code
	<u>jamesj@decoulos.com</u> 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):

<u>Emily Lane</u> Street Address	<u>Rowley</u> City/Town
<u>42.71307</u> Latitude (Decimal Degrees Format with 5 digits after decimal e.g. XX.XXXXX)	<u>-70.93023</u> Longitude (Decimal Degrees Format with 5 digits after decimal e.g. -XX.XXXXX)
<u>9</u> Assessors' Map Number	<u>23-30</u> Assessors' Lot/Parcel Number

[How to find Latitude and Longitude](#)

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

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

Vacant lot

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

<u>Proposed Soil Tests, Lot 24A (Parcel 9-23-30), Emily Lane, Rowley, MA</u> Title	<u>8/8/23</u> Date
_____ Title	_____ Date



# WPA Form 1- Request for Determination of Applicability

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

Municipality \_\_\_\_\_

## B. Project Description (cont.)

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

Soil tests to identify suitable soils for potential septic system within the 50 to 100 foot buffer zone.

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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).

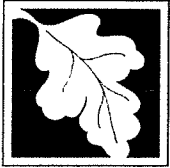
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3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- 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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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

**C. Determinations**

1. I request the Rowley 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:

Rowley

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**

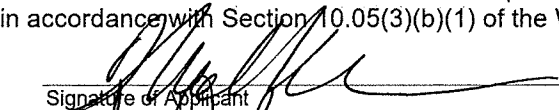
I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

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.

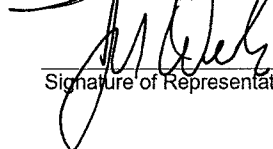
Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Signatures:

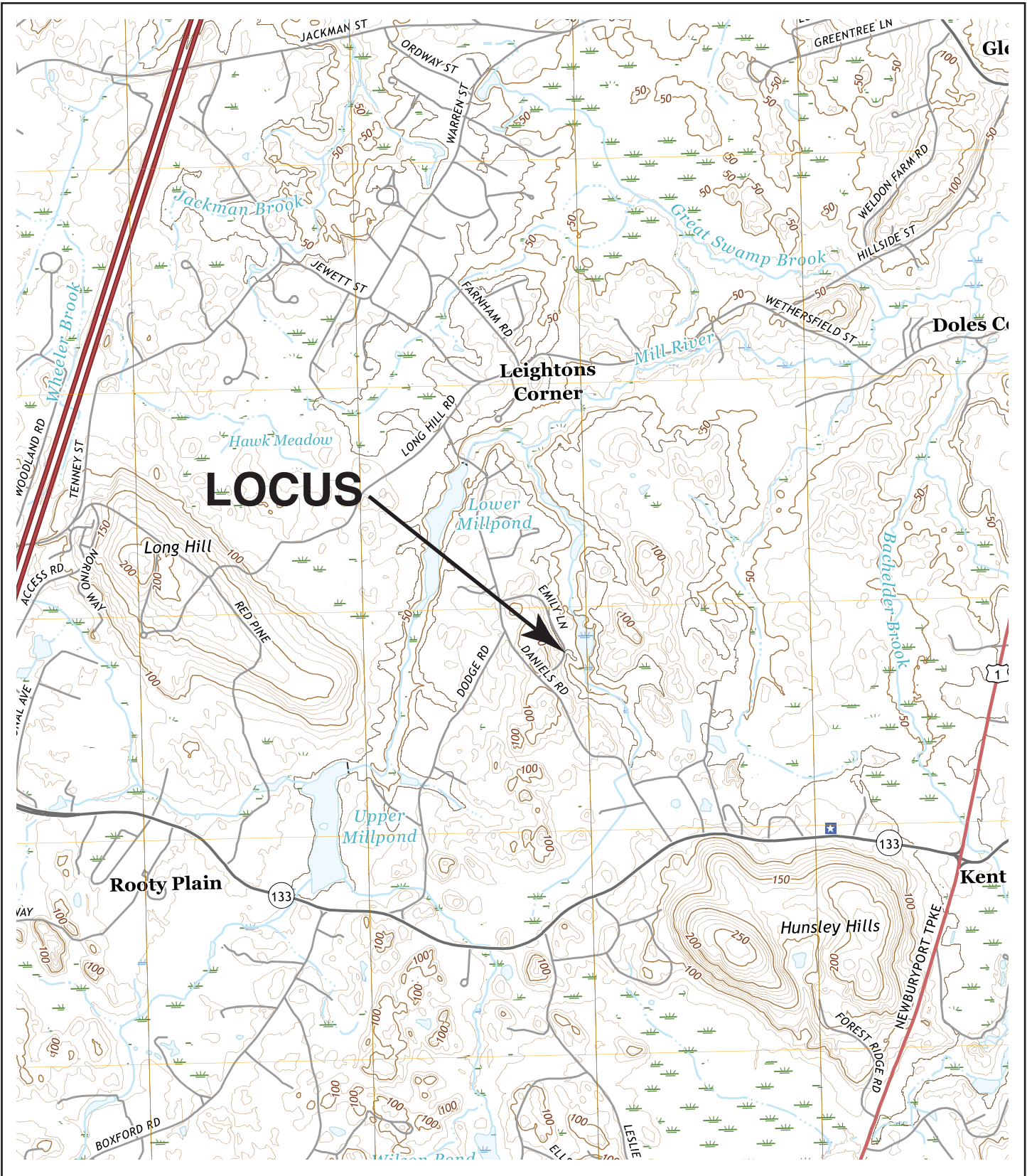
I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

  
Signature of Applicant

8/8/23  
Date

  
Signature of Representative (if any)

8/8/23  
Date



**REFERENCE:**

USGS QUADRANGLE:  
 GEORGETOWN, MA (2018)  
 SCALE: 1:24,000

DECOULOS & COMPANY LLC



**LOCUS MAP**

**FIGURE 1**

CERTIFIED ABUTTERS' LIST

Parcel ID	Location	Owner Name/Address
009-023-30	EMILY LN	DANIELSVILLE LLC 981 CONCORD AVE BELMONT, MA 02478
----- A B U T T E R S -----		
008-047	99 DANIELS RD	BURL CHRISTOPHER BURL COLETTE 99 DANIELS RD ROWLEY, MA 01969
008-048	75 DANIELS RD	TOMPKINS BRUCE E 74 LONG HILL RD ROWLEY, MA 01969
008-049-01	89 DANIELS RD	KAY ANDREW J KAY ROBIN A 89 DANIELS RD ROWLEY, MA 01969
008-049-02	83 DANIELS RD	TRS THE EVANS IRREVOCABLE TRUST EVANS JOSEPH TRUSTEE 83 DANIELS RD ROWLEY, MA 01969
008-049-03	79 DANIELS RD	HILDEBRANDT THEODORE A HILDEBRANDT ANNETTE P 79 DANIELS RD ROWLEY, MA 01969
008-049-04	71 DANIELS RD	FRASER CHRISTOPHER R FRASER DIANNE B 71 DANIELS RD ROWLEY, MA 01969
008-050	53 DANIELS RD	TREMBLAY ROGER H 53 DANIELS RD ROWLEY, MA 01969
008-051	43 DANIELS RD	TRS HAR RICKER REALTY TRUST C/O DEBRA A RICKER 117 CONANT ST DANVERS, MA 01923
008-062-D	56 SILVA LN	ROWLEY FARMS DEVELOPMENT LLC 981 CONCORD AVE BELMONT, MA 02478
009-023	DANIELS RD	ROWLEY FARMS DEVELOPMENT LLC 981 CONCORD AVE BELMONT, MA 02478

CERTIFIED ABUTTERS' LIST

Parcel ID	Location	Owner Name/Address
=====	=====	=====
009-023-30	EMILY LN	DANIELSVILLE LLC 981 CONCORD AVE BELMONT, MA 02478
-----		
A B U T T E R S		
=====		
009-023-12	131 DANIELS RD	TRS OLSON FAMILY TRUST OLSON MARK W ET AL TRUSTEES 131 DANIELS RD ROWLEY, MA 01969
009-023-13	125 DANIELS RD	GEYER JESSE BARRY ERICA 125 DANIELS RD ROWLEY, MA 01969
009-023-14	20 EMILY LN	LEBLANC ALICIA B 20 EMILY LN ROWLEY, MA 01969
009-023-25	41 EMILY LN	ROWLEY FARMS DEVELOPMENT LLC 981 CONCORD AVE BELMONT, MA 02478
009-023-26	33 EMILY LN	TRS THE 33 EMILY LANE REAL ESTAT SHEERAN MAUREN TRUSTEE 33 EMILY LN ROWLEY, MA 01969
009-023-28	25 EMILY LN	TRS TERRIEN FAMILY TRUST TERRIEN HOWARD R ET AL TRUSTEES 25 EMILY LN ROWLEY, MA 01969
009-023-31	15 EMILY LN	FIRTH JAMES R PLEVOCK KIMBERLY A 15 EMILY LN ROWLEY, MA 01969
009-024	121 DANIELS RD	MARTINO FRANK R HESFORD GIANNA 121 DANIELS RD ROWLEY, MA 01969
009-025	115 DANIELS RD	WOLLEN BRUCE P ROUNDS KRISTEN 115 DANIELS RD ROWLEY, MA 01969



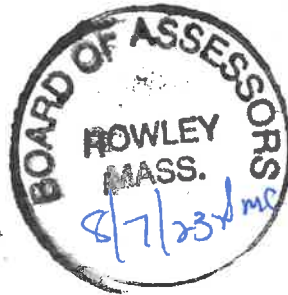
CERTIFIED ABUTTERS' LIST

Parcel ID	Location	Owner Name/Address
009-023-30	EMILY LN	DANIELSVILLE LLC 981 CONCORD AVE BELMONT, MA 02478
----- A B U T T E R S -----		
009-026	111 DANIELS RD	RAMIREZ ALEX D DEJESUS RAMIREZ NORMA I 111 DANIELS RD ROWLEY, MA 01969
009-038-01	BETSY LN	DANIELSVILLE LLC 981 CONCORD AVE BELMONT, MA 02478
009-038-02	BETSY LN	DANIELSVILLE LLC 981 CONCORD AVE BELMONT, MA 02478
009-038-03	BETSY LN	DANIELSVILLE LLC 981 CONCORD AVE BELMONT, MA 02478
009-038-04	BETSY LN	DANIELSVILLE LLC 981 CONCORD AVE BELMONT, MA 02478
009-038-05	BETSY LN	DANIELSVILLE LLC 981 CONCORD AVE BELMONT, MA 02478
009-038-06	BETSY LN	DANIELSVILLE LLC 981 CONCORD AVE BELMONT, MA 02478
009-038-07	BETSY LN	DANIELSVILLE LLC 981 CONCORD AVE BELMONT, MA 02478
009-038-08	BETSY LN	DANIELSVILLE LLC 981 CONCORD AVE BELMONT, MA 02478
009-038-09	BETSY LN	DANIELSVILLE LLC 981 CONCORD AVE BELMONT, MA 02478
009-038-A	BETSY LN	DANIELSVILLE LLC 981 CONCORD AVE BELMONT, MA 02478

CERTIFIED ABUTTERS' LIST

Parcel ID	Location	Owner Name/Address
009-023-30	EMILY LN	DANIELSVILLE LLC 981 CONCORD AVE BELMONT, MA 02478
----- A B U T T E R S -----		
009-038-B	BETSY LN	DANIELSVILLE LLC 981 CONCORD AVE BELMONT, MA 02478
009-038-C-1	BETSY LN	DANIELSVILLE LLC 981 CONCORD AVE BELMONT, MA 02478
009-038-C-2	BETSY LN	DANIELSVILLE LLC 981 CONCORD AVE BELMONT, MA 02478
009-038-C-3	BETSY LN	DANIELSVILLE LLC 981 CONCORD AVE BELMONT, MA 02478

34 parcels listed

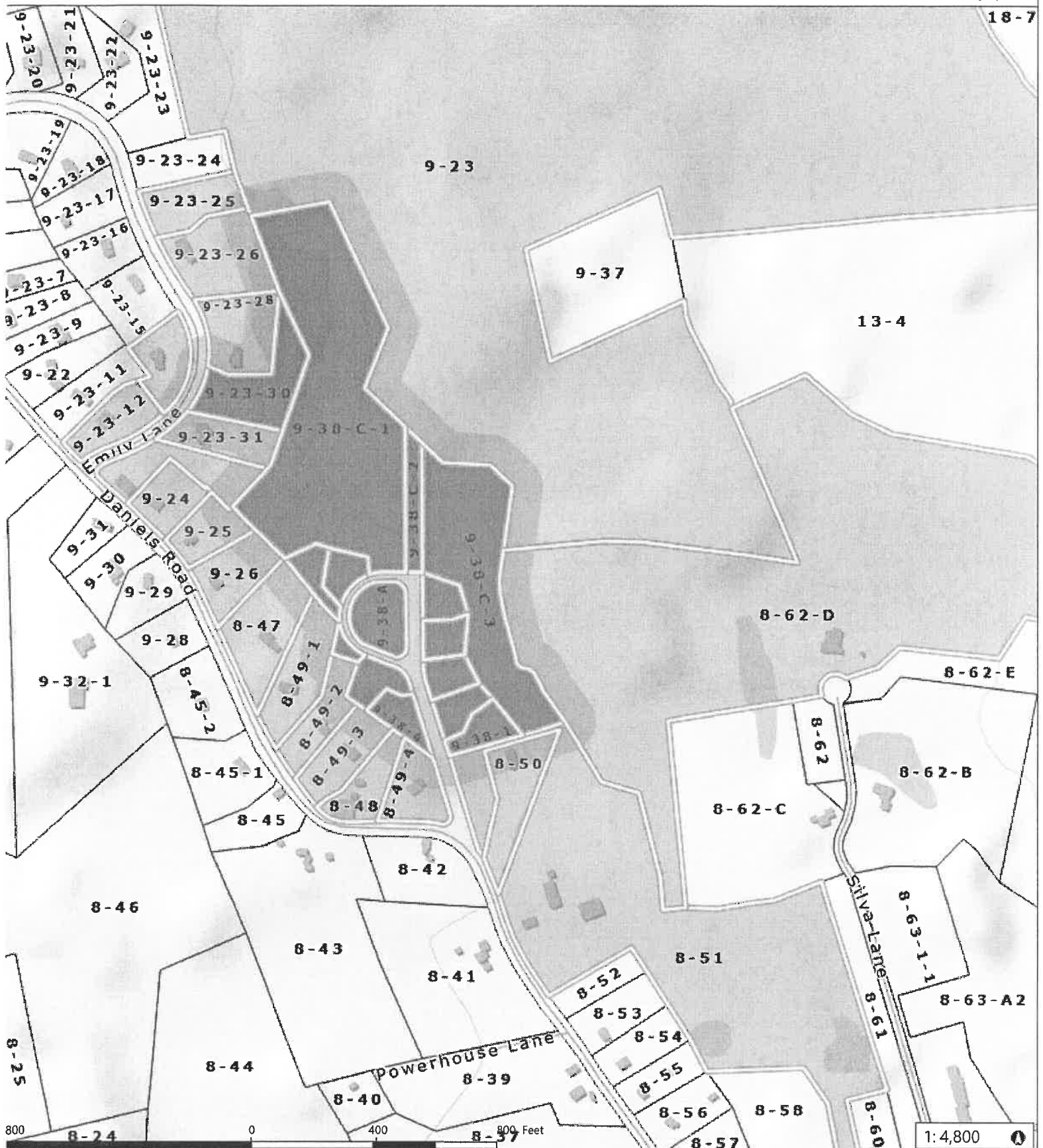


*Sean McFadden*  
Principal Assessor

# Town of Rowley

08/07/2023

18-7



Data Sources: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the Town of Rowley & MassGIS/MassGIS.  
MVPC AND THE TOWN OF ROWLEY MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE TOWN OF ROWLEY AND MVPC DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION



- Legend
- Municipal Boundary
  - Roads
  - Interstate
  - Major Road
  - Local Road
  - Parcels
  - Building Footprints
  - Hydrographic Features
  - Streams

**\$10.93** US POSTAGE  
8 OZ FIRST-CLASS MAIL FLATS RATE  
ZONE 1  
RETAIL

062S0001443187  
74849  
FROM 02478



stamps  
endicia  
08/08/2023

# USPS FIRST CLASS MAIL®

DECOULOS & COMPANY, LLC  
185 ALEWIFE BROOK PARKWAY  
CAMBRIDGE MA 02138

C008

SHIP  
TO:

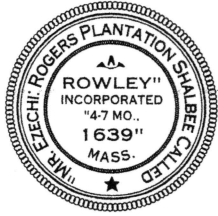
WETLANDS AND WATERWAYS  
MassDEP Northeast Regional Office  
205 LOWELL ST STE B  
WILMINGTON MA 01887-2972

USPS CERTIFIED MAIL™



9414 7112 0620 3232 9879 51

RDA Rowley



# Town of Rowley Conservation Department

Town Hall Annex – Room 4  
 39 Central St, P.O. Box 24, Rowley, MA 01969  
 Phone: 978-948-2330 Fax: 978-948-7196  
[conservation@townofrowley.org](mailto:conservation@townofrowley.org)

## WETLAND BYLAW FEE CALCULATION FORM

Property Address:	Map:	Parcel:	Lot:
<b>APPLICATION NAME / ACTIVITY</b>	<b>LOCAL BYLAW FEE</b>	<b># of Activities or Measurement</b>	<b>Subtotal</b>
Request for a Determination of Applicability (RDA)	\$75	1	75
<b>Abbrev. Notice of Resource Area Delineation (ANRAD)</b>			
Single Family House Project	\$1/linear foot, first 100'; \$0.50/lf, second 100'; \$0.10/lf, each additional foot		
All Other Projects	*\$1/linear foot, first 1000'; \$0.50/lf, second 1000'; \$0.10/lf, each additional foot		
<b>Notices of Intent (NOI)</b>			
Category 1 Activity	\$100		
Category 2 Activity	\$250		
Category 3 Activity	\$525		
Category 4 Activity	\$725		
Category 5 Activity	\$2/foot		
Category 6 Activity - If no ANRAD was filed for the project site, then a local Cat. 6 fee must be paid in accordance with the ANRAD fee schedule	See ANRAD fee schedule		
<b>Request to Amend an OOC (RAOC)</b>	\$100		
<b>Resource Area Alterations (for NOI &amp; RAOC)</b>			
Buffer Zone, 50'-100' from resource area boundary	\$0.05 / square foot		
Buffer Zone, 25'-50' from resource area boundary	\$0.10 / square foot		
Buffer Zone, 0'-25' from resource area boundary	\$0.25 / square foot		
Bordering Vegetated Wetlands & Salt Marsh	\$0.35 / square foot		
Bank	\$5 / linear foot		
Land Under Water & Waterways	\$0.35 / square foot		
Bordering Land Subject to Flooding & CLSSF**	\$0.05 / square foot		
***Riverfront Area only	\$0.05 / square foot		
Isolated Vegetated Wetlands	\$0.35 / square foot		
Land within Groundwater Protection Area Zone I	\$0.25 / square foot		
Land within Groundwater Protection Area Zone II	\$0.05 / square foot		
Other Local-only Jurisdictional Resource Areas	\$0.05 / square foot		
<b>Extension Permit</b>	\$100		
<b>Certificate of Compliance</b>	Projects under one acre in size: \$100 - over an acre in size \$250		
<b>For filings resulting from enforcement action, double the Local Bylaw Fee Total</b>			
<b>LOCAL BYLAW FEE TOTAL</b>			75
<b>As Determined by the Commission, Fee Total not to exceed \$15,000 except Enforcement</b>			
<b>NOTES:</b>			
*Local Bylaw Fee maximum of \$100, if, when determined necessary by Commission, applicant agrees to ANRAD review by outside consultant under M.G.L. Ch. 44, sec. 53G			
**Coastal Land Subject to Storm Flowage			
***Local Bylaw Fees for RDA, NOI, & RAOC increase 50% when project is also proposed within a Riverfront Area			
Local Bylaw Fees passed by a Unanimous vote of the Commission on 10/1/2019, effective 10/2/2019			

1089

TD BANK, N.A.  
53-7054/2113

8/8/2023

DECOULOS & COMPANY LLC  
185 ALEWIFE BROOK PARKWAY  
CAMBRIDGE, MA 02138

PAY TO THE ORDER OF Town Of Rowley \$ \*\*75.00

DOLLARS



Seventy-Five Only\*\*\*\*\*

AUTHORIZED SIGNATURE

MEMO RDA for soil tests, Parcel 9-23-30

⑈001089⑈ ⑆211370545⑆ 8247100360⑈

MP