

DEC 28 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

TOWN OF ROWLEY
Rowley
Municipality
CONSERVATION COMMISSION

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:

First Name	DANIEL	Last Name	TERRY
Address	13 JELLISON RD		
City/Town	ROWLEY	State	MA
Phone Number	978-471-8050	Zip Code	01969
		Email Address	DTERRY86@GMAIL.COM

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):

Street Address	SEE PLANS ATTACHED	City/Town	SEE PLANS ATTACHED
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)	
Assessors' Map Number		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):
SEE PLANS ATTACHED

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

Title	MUD CREEK AQUACULTURE FARM	Date	12/22/23
Title		Date	



B. Project Description (cont.)

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

Activities will include planting, transplanting, growing, and shellfish including but not limited to, oysters, scallops, mussels, quahog with the primary focus on oysters and scallops. Other activities will include using the aqua farm as an educational tool to help the general population understand and appreciate the importance of these mollusks and their impact on local estuaries. Helical anchors will be used to secure floating cages and upweller. Helical anchors do not significantly impact seabed nor disturb marine wildlife. Biofoul will be removed through mechanical means and not chemical.

- 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).

This is an aquaculture project and will not require removal, filling, dredging or alteration of proposed site as described in Plans.

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.)
-



C. Determinations

1. I request the Rowley Conservation Commission 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

12/27/23

Date

Signature of Representative (if any)

Date

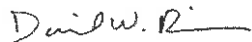
November 13, 2023

To Whom It May Concern:

I am writing in support of the oyster farming plan of Dan Terry's. I understand the operation will occur in Mud Creek in Rowley adjacent to land owned by the Essex County Greenbelt Association. Greenbelt supports this project and doesn't envision any adverse impacts to our land.

Please contact me with any questions.

Sincerely,



David W. Rimmer
Director of Stewardship

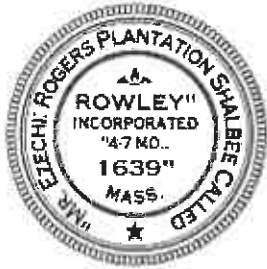
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TOWN OF ROWLEY
CONSERVATION COMMISSION

Conserving local farmland, wildlife habitat, and scenic landscapes since 1961.





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DEC 28 2023

Town of Rowley

TOWN OF ROWLEY
CONSERVATION COMMISSION

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 1/2" 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.

OPEN TO PUBLIC
(SAWYERS ISLAND)
LETTER OR SUPPORT
ESSEX GREENBELT
ASSOCIATION

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 1/2" 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.

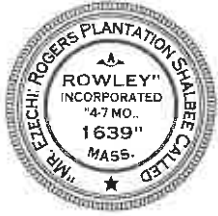
PERMISSION TO ENTER

I, ESSEX GREENBELT ASSOCIATION, ^{COUNTY} hereby grant the Rowley Conservation Commission and its
(NAME OF PROPERTY OWNER)

officials permission to enter upon my property at SAWYERS ISLAND PATMOS RD to
(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) _____ (DATE)



Town of Rowley Conservation Department

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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

TOWN OF ROWLEY WETLAND BYLAW FEE CALCULATION FORM

Property Address:

Map:

Parcel:

Lot:

APPLICATION NAME / ACTIVITY	LOCAL BYLAW FEE	# of Activities or Measurement	Subtotal
Request for a Determination of Applicability (RDA)	\$75		75. ✓
Abbrev. Notice of Resource Area Delineation (ANRAD)			
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		
Notices of Intent (NOI)			
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		
Request to Amend an OOC (RAOC)	\$100		
Resource Area Alterations (for NOI & RAOC)			
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 Bank	\$0.35 / square foot		
Land Under Water & Waterways	\$5 / linear foot		
Bordering Land Subject to Flooding & CLSSF**	\$0.35 / 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		
Extension Permit	\$100		
Certificate of Compliance	Projects under one acre in size: \$100 - over an acre in size \$250		
For filings resulting from enforcement action, double the Local Ordinance Fee Total			
LOCAL ORDINANCE FEE TOTAL			75. ✓
As Determined by the Commission, Fee Total not to exceed \$15,000 except Enforcement			
NOTES:			
*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			



ROWLEY
161 MAIN ST
ROWLEY, MA 01969-9998
(800)275-8777

12/28/2023 11:56 AM

Duplicate

Product	Qty	Unit Price	Price
USPS Grnd Advtg Woburn, MA 01801 Weight: 0 lb 5.00 oz Estimated Delivery Date Sat 12/30/2023 Tracking #: 9500 1109 7321 3362 2765 20	1		\$5.40
Insurance Up to \$100.00 included			\$0.00
Total			\$5.40

Grand Total: \$5.40

Debit Card Remit \$5.40

Card Name: VISA
Account #: XXXXXXXXXXXX0842
Approval #
Transaction #: 168
Receipt #: 013768
Debit Card Purchase: \$5.40
AID: A0000000980840 Chip
AL: US DEBIT
PIN: Verified

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit www.usps.com USPS Tracking or call 1-800-222-1811.

Save this receipt as evidence of insurance. For information on filing an insurance claim go to <https://www.usps.com/help/claims.htm> or call 1-800-222-1811

Preview your Mail
Track your Packages
Sign up for FREE @
<https://informedelivery.usps.com>

All sales final on stamps and postage.
Refunds for guaranteed services only.
Thank you for your business.

Tell us about your experience.
Go to: <https://postalexperience.com/Pos>
or scan this code with your mobile device.



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