

JAN 16 2024



Massachusetts Department of Environmental Protection  
Bureau of Water Resources - Wetlands

**WPA Form 1- Request for Determination of Applicability** Rowley  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 CONSERVATION COMMISSION 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:

DANIEL TERRY  
 First Name Last Name

13 JELLISON RD  
 Address

ROWLEY MA 01969  
 City/Town State Zip Code

978-471-8050 DTERRY86@GMAIL.COM  
 Phone Number Email Address

2. Property Owner (if different from Applicant):

SEE ATTACHED "PROPERTY OWNERSHIP"  
 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):

SEE PLANS ATTACHED SEE PLANS ATTACHED  
 Street Address City/Town

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

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

SEE PLANS ATTACHED

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

MUD CREEK AQUACULTURE FARM 12/22/23  
 Title Date

Title Date

[How to find Latitude and Longitude](#)

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



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Municipality

**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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Representative (if any)

\_\_\_\_\_  
Date

RECEIVED

JAN 16 2024

TOWN OF ROWLEY  
CONSERVATION COMMISSION

## Property Ownership Contact Information

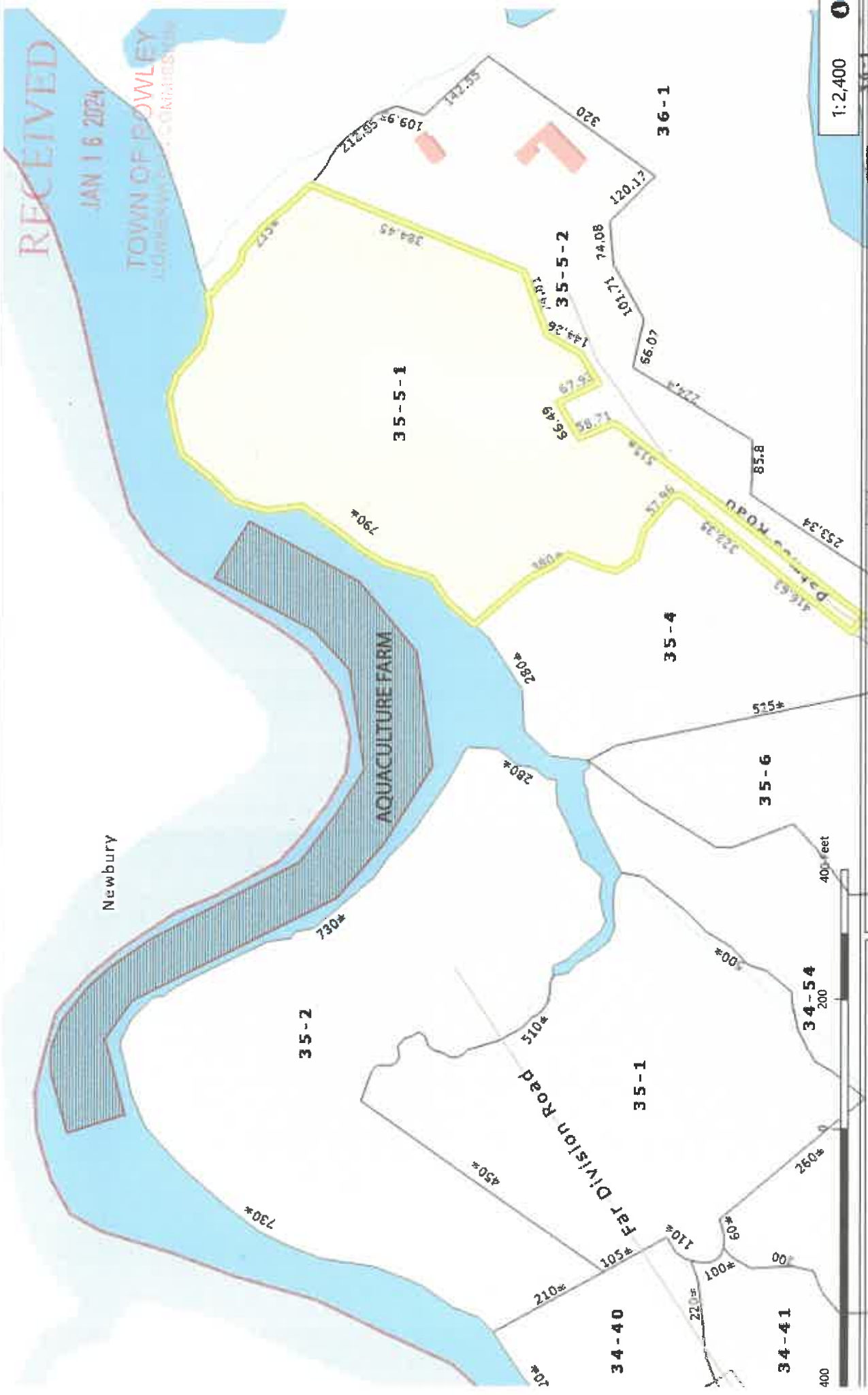
### Property owner of 190 Patmos Rd (Map 35, Parcel 5, Lot 1)

David Rimmer  
Director of Stewardship  
Greenbelt | Essex County's Land Trust  
82 Eastern Avenue  
PO Box 1026  
Essex, MA 01929  
[dwr@ecga.org](mailto:dwr@ecga.org)  
(978) 768 7241 x114

### Property owner of 100 Patmos Rd (Map 35, Parcel 4 and Parcel 2)

Alfred D. Chandler, III  
195 Patmos rd  
Rowley, MA 01969  
[Alfred.chandler@verizon.net](mailto:Alfred.chandler@verizon.net)  
978-500-3060

# Mud Creek Area off Patmos Rd



**Legend**

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

**Data Sources:** Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the Town of Rowley & Merrimack Valley Planning Commission (MVPC) AND THE TOWN OF ROWLEY. MVPC 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.

Section: NAD\_1983\_StatePlane\_Massachusetts\_Mainland\_FIPS\_2001

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