REQUEST FOR DETERMINATION OF APPLICABILITY June 2023

Well No. 3 and Wellfield No. 5 Cleaning and Redevelopment Rowley, Massachusetts





June 5, 2023

Mr. Daniel Shinnick, Chairman Rowley Conservation Commission Town Hall Annex Room #4 39 Central Street P.O. Box 24 Rowley, MA 01969

Subject: Request for Determination of Applicability Well No. 3 and Wellfield No. 5 Cleaning and Redevelopment Rowley, Massachusetts MassDEP Transmittal No. X289811 T&H No. 7399

Dear Mr. Shinnick:

On behalf of the Rowley Water Department, we are pleased to submit two (2) copies of the enclosed Request for Determination of Applicability (RDA) for the Cleaning and Redevelopment of Well No. 3 and Wellfield No. 5. The enclosed submittal includes the WPA Form 1, Wetland Fee Transmittal Form, and associated attachments.

The Rowley Water Department proposes to clean and redevelop Well No. 3 and Wellfield No. 5, including an evaluation of the existing pumping equipment. The existing well pump and motor at Well No. 5-3 located in Wellfield No. 5 will also be replaced. Cleaning and redevelopment of the wells is a regular and necessary maintenance activity for keeping the system in good working condition and maintaining the required production from the water sources. Mitigation measures will be taken to prevent disturbance of the wetlands during the well cleaning and redevelopment process.

The Rowley Water Department respectfully requests a determination from the Conservation Commission regarding the applicability of the Wetlands Protection Act to the proposed work and an exemption from filing a Notice of Intent. We trust that the documentation enclosed herein is sufficient for the Commission's review of the proposed project. Please contact us with any questions or concerns.



Mr. Daniel Shinnick, Chairman Rowley Conservation Commission June 2, 2023 Page 2 of 2

We appreciate your assistance with this project and look forward to meeting with the Commission on June 20, 2023 to review the project.

Sincerely,

TATA & HOWARD, INC.

Kathryp Carreira

Kathryn Carreira, P.E. Senior Project Engineer

Enclosures

cc: Mr. Robert Gray, Superintendent Rowley Water Department

> Ms. Deborah Eagan, Town Administrator Town of Rowley

MassDEP - Northeast Regional Office



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Section 1





Enter your transmittal number -

X289811 **Transmittal Number**

Your unique Transmittal Number can be accessed online:

1. Please type or print. A separate Transmittal Form must be completed for each permit application.

2. Make your check payable to the Commonwealth of Massachusetts and mail it with a copy of this form to: MassDEP, P.O. Box 4062, Boston, MA 02211.

3. Three copies of this form will be needed.

Copy 1 - the original must accompany your permit application. Copy 2 must accompany your fee payment. Copy 3 should be retained for your records

4. Both fee-paying and exempt applicants must mail a copy of this transmittal form to:

> MassDEP P.O. Box 4062 Boston, MA 02211

* Note: For BWSC Permits. enter the LSP.

| Massachusetts Department of Envi Transmittal Form for Permit | | | /ment | | | |
|---|--|---|----------------------------------|------------|--|--|
| A. Permit Information | | | | | | |
| BRP WPA Form 1 | | Request for De | termination of Applic | abilitv | | |
| 1. Permit Code: 4-to-7-character code from permi | t instructions | 2. Name of Permit | | , | | |
| Well Cleaning and Redevelopment | | | | | | |
| 3. Type of Project or Activity | | | | | | |
| B. Applicant Information – Firm | Applicant Information – Firm or Individual | | | | | |
| Rowley Water Department | | | | | | |
| 1. Name of Firm - Or, if party needing this appr | oval is an individu | al enter name below | | | | |
| 2. Last Name of Individual | 3 First | Name of Individual | | 4. MI | | |
| 401 Central Street | 0.110 | | | 4. 1011 | | |
| 5. Street Address | | | | | | |
| Rowley | MA | 01969 | (978) 948-2640 | | | |
| 6. City/Town | 7. State | 8. Zip Code | 9. Telephone # | 10. Ext. # | | |
| Robert Gray | | robert@rowley | water.com | | | |
| 11. Contact Person | | 12. e-mail address | | | | |
| 1. Name of Facility, Site or Individual 129 Boxford Road (Well No. 3); 64 Pir 2. Street Address Rowley 3. City/Town 3254000-03G; 3254000-04G 8. DEP Facility Number (if Known) D. Application Prepared by (if dif Tata & Howard, Inc. 1. Name of Firm or Individual | MA 4. State 9. Federa | 01969 5. Zip Code al I.D. Number (if Kn | 6. Telephone # | 7. Ext. # | | |
| 67 Forest Street | | | | | | |
| 2. Address Marlbaraugh | N A A | 01752 | (208) 222 6220 | | | |
| Marlborough 3. City/Town | <u>MA</u> 4. State | 01752 5. Zip Code | (508) 232-6239 6. Telephone # | 7. Ext. # | | |
| Kathryn Carreira, P.E. | 4. State | J. Zip Code | | 7. LXI. # | | |
| 8. Contact Person | <u> </u> | 9. LSP Number (BWSC Permits only) | | | | |
| E. Permit - Project Coordination | | | | | | |
| Is this project subject to MEPA review? [If yes, enter the project's EOEA file number Environmental Notification Form is submit | er - assigned wh | | | | | |
| | | | File Number | | | |
| F. Amount Due | | | | | | |
| Special Provisions: | | | | | | |

Permit No:

Rec'd Date:

DEP Use Only

municipal housing authority; the MBTA; or state agency if fee is \$100 or less. There are no fee exemptions for BWSC permits, regardless of applicant status.

- 2. Hardship Request - payment extensions according to 310 CMR 4.04(3)(c).
- Alternative Schedule Project (according to 310 CMR 4.05 and 4.10). 3.
- 4. Homeowner (according to 310 CMR 4.02).

Reviewer:

Check Number

Dollar Amount

Date



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

Municipality

Important:

Important:1.When filling outforms on thecomputer, use onlythe tab key to moveyour cursor - do notuse the return key.



| Α. | General | Information |
|----|---------|-------------|
| | | |

Applicant:

| | Rowley Water Department | | | | |
|----|---|-----------------------------|----------|--|--|
| | First Name | Last Name | | | |
| | 401 Central Street | | | | |
| | Address | | | | |
| | Rowley | MA | 01969 | | |
| | City/Town | State | Zip Code | | |
| | (978) 948-2640 | robert@rowleywater. | .com | | |
| | Phone Number | Email Address | | | |
| 2. | Property Owner (if different from Applicant): | | | | |
| | Town of Rowley | | | | |
| | First Name | Last Name | | | |
| | 139 Main Street, P.O. Box 275 | | | | |
| | Address | | | | |
| | Rowley | MA | 01969 | | |
| | City/Town | State | Zip Code | | |
| | 978-948-2705 | debbie@townofrowley.org | | | |
| | Phone Number | Email Address (if known) | | | |
| 3. | Representative (if any) | | | | |
| | Kathryn | Carreira | | | |
| | First Name | Last Name | | | |
| | Tata & Howard, Inc. | | | | |
| | Company Name | | | | |
| | 67 Forest Street | | | | |
| | Address | | | | |
| | Marlborough | MA | 01752 | | |
| | City/Town | State | Zip Code | | |
| | 508-232-6239 | kcarreira@tataandhoward.com | | | |

B. Project Description

Phone Number

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

Email Address (if known)

| - | 129 Boxford Road (Well 3) and 64 Pingree Farm Road (Wellfield 5) | Rowley | |
|----------------|--|---|--|
| Street Address | | City/Town | |
| 2 | 42.69714 (Well 3) and 42.69978 (Wellfield 5) | -70.95406 (Well 3) and -70.95516 (Wellfield 5) | |
| ī | Latitude (Decimal Degrees Format with 5 digits after decimal | Longitude (Decimal Degrees Format with 5 digits after | |
| e | e.g. XX.XXXXX) | decimal e.gXX.XXXXX) | |
| r | Map 5 (Well 3) and Map 4 (Wellfield 5) | Block 76 (Well 3) and Block 12-1 (Wellfield 5) | |
| 7 | Assessors' Map Number | Assessors' Lot/Parcel Number | |
| | | | |

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

See attached Section 2 - Narrative.

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

| Figure No. 1 and No. 2 - Well No. 3 USGS Locus Map and Assessor's Map | 6/5/2023 |
|--|----------|
| Title | Date |
| Figure No. 3 and No. 4 - Wellfield No. 5 USGS Locus Map and Assessor's Maps & Figure No. 5 - Well No. 3 and Wellfield No. 5 Site Plans | 6/5/2023 |
| Title | Date |

How to find Latitude and Longitude

and how to convert to decimal degrees



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

Municipality

Β. **Project Description (cont.)**

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

See attached Section 2 - Narrative.

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 necessarv).

See attached Section 2 - Narrative.

- 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.)



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

Determinations C.

- 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.
 - I 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:

Town 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).

Signatures and Submittal Requirements D.

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

Signature of Representative (if any)

 C_{1} Date

10-1-2023

Section 2



SECTION 2 - NARRATIVE

2.1 WPA Form 1 – Section B. Project Description

2.1.1 WPA Form 1 – Section B. 1b. Area Description

The location of the proposed work at Well No. 3, as shown on Figure Nos. 1 and 2, is 129 Boxford Road, Assessor's Map 5, Block 76, in the Town of Rowley, Massachusetts. The site contains the Rowley Water Department's Well No. 3 Pump Station and a separate chemical feed building. Wetlands are located to the west of the Well No. 3 Pump Station, with vernal pools to the east, as shown on Figure No. 5.

The location of the proposed work at Wellfield No. 5, as shown on Figure Nos. 3 and 4, is 64 Pingree Farm Road, Assessor's Map 4, Block 12-1, in the Town of Rowley, Massachusetts. The site contains the six well heads which comprise the Rowley Water Department's Wellfield No. 5. Wetlands are located to the south of Wellfield No. 5, with vernal pools to the northwest, as shown on Figure No. 5.

2.1.2 WPA Form 1 – Section B. 2a. Work Description

The Rowley Water Department is unable to pump Well No. 3 and Wellfield No. 5 to their permitted and designed capacity, which presents a potential public health and safety issue if Rowley's other water supply sources are compromised and are required to be taken off line. Cleaning and redevelopment of the wells and an evaluation of the existing pumping equipment is a regular and necessary maintenance activity for keeping the system in a state of good repair.

The work generally consists of pump testing and chemically cleaning using muriatic acid, redeveloping, disinfecting, and retuning to service the existing Well No. 3 and Wellfield No. 5. The existing well pump and motor at Well No. 5-3 located in Wellfield No. 5 will also be replaced. All water pumped from the wells during the course of the work will be properly neutralized and directed through a sedimentation control basin prior to infiltration and discharge (see attached Figure No. 5). Access to the Well No. 3 site will be from the existing access road off Boxford Road and access to the Wellfield No. 5 site will be from the existing access road off Pingree Farm Road.

No excavation will be required within the bordering vegetated wetlands or the buffer zone to complete the work. The sedimentation discharge control basin for Well No. 3 will be located approximately 300 feet from the edge of the bordering vegetated wetland and approximately 130 feet from the edge of the nearest vernal pool. The sedimentation discharge control basin for Wellfield No. 5 will be located approximately 75 feet from the edge of the bordering vegetated wetland, with additional straw bales and silt fence installed between the basin and edge of wetland. The basins and straw bales will be removed following completion of the work. Any disturbances to the buffer zone will be temporary and will be restored following construction.



2.1.3 WPA Form 1 – Section B. 2b. Wetlands Protection Act

The proposed work is subject to the following provisions of the Wetlands Protection Act.

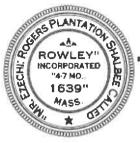
Language in 310 CMR 10.02(2)(a)(2) states that any activity proposed or undertaken within an area specified in 310 CMR 10.02(1), which will remove, fill, dredge, or alter that area, is subject to regulation under M.G.L. c. 131, § 40 and requries the filing of a Notice of Intent except: activites conducted to maintain, repair or replace, but not substantially change or enlarge an existing and lawfully located structure or facility used in the service of the public and used to provide electric, gas, water, sewer, telephone, telegraph and other communication services, provided that said work utilizes best practical measures to avoid or minimize impacts to wetland resource areas outside of the footprint of said structure or facility.

2.2 Conclusion

The Rowley Water Department seeks a determination from the Conservation Commission on the applicability of the Wetlands Protection Act to the proposed project. The work associated with this project is categorized as maintenance and repair of an existing facility used in the service of providing drinking water to the public. The proposed disturbances will be temporary and all infiltrated and discharged well water will be neutralized appropriately prior to discharge. No impacts to the resource areas are anticipated as no work within the bordering vegetated wetland will be required. Based on the work involved in the cleaning and redevelopment of Well No. 3 and Wellfield No. 5, the Rowley Water Department is requesting exemption from having to file a Notice of Intent under the Wetlands Protection Act.



Section 3



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 WPAForm 1-revisedJuly 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.

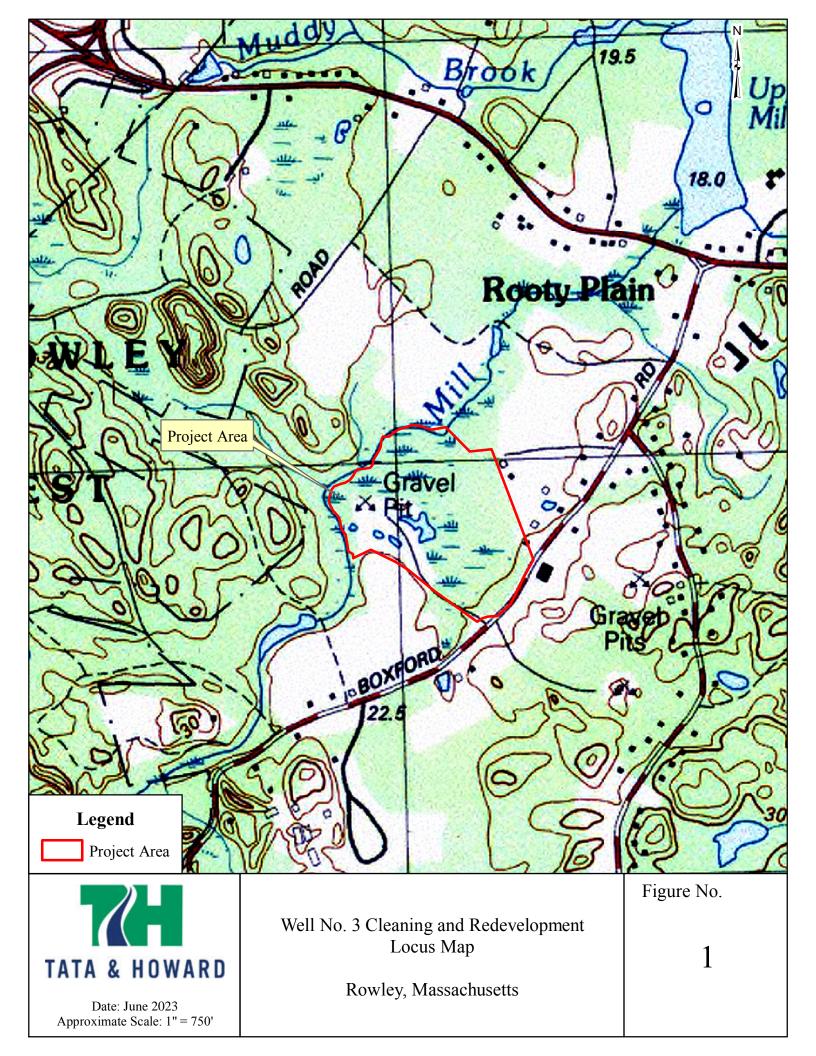
Send by certified mail, return receipt requested, or hand deliver to: DEP NERO, Wetlands Division, 150 Presidential Way, Woburn, MA 01801

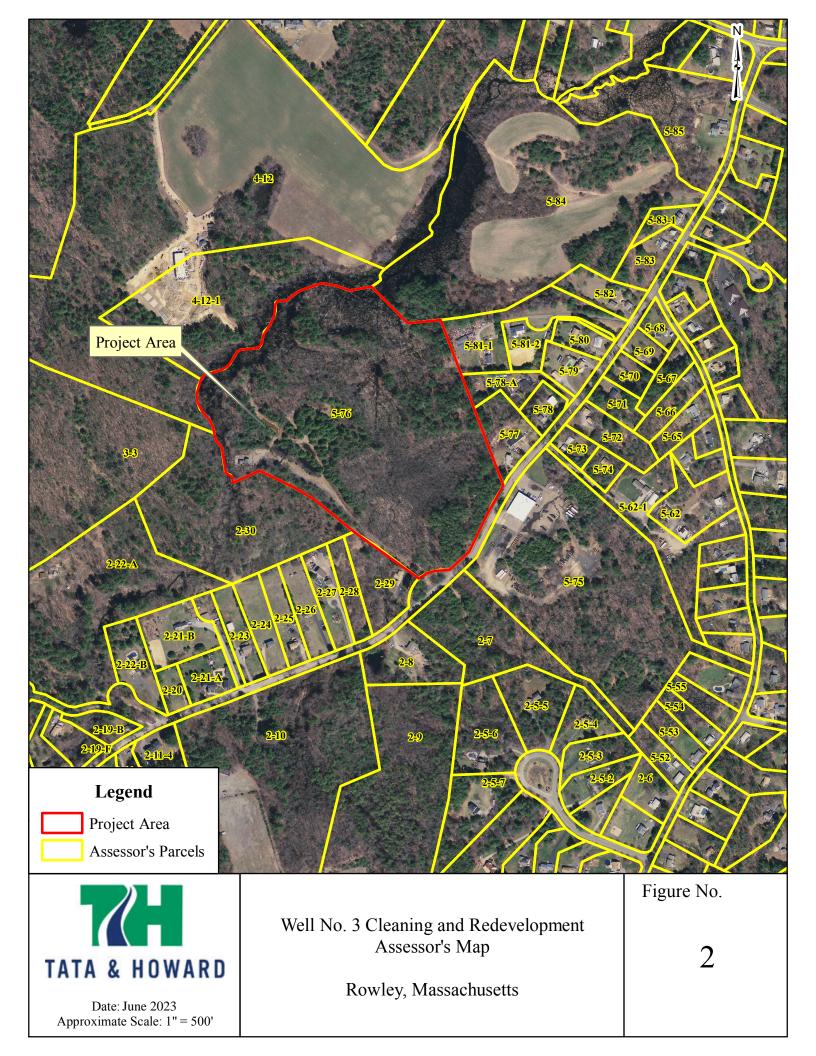
□ Onecopy of the Application including:

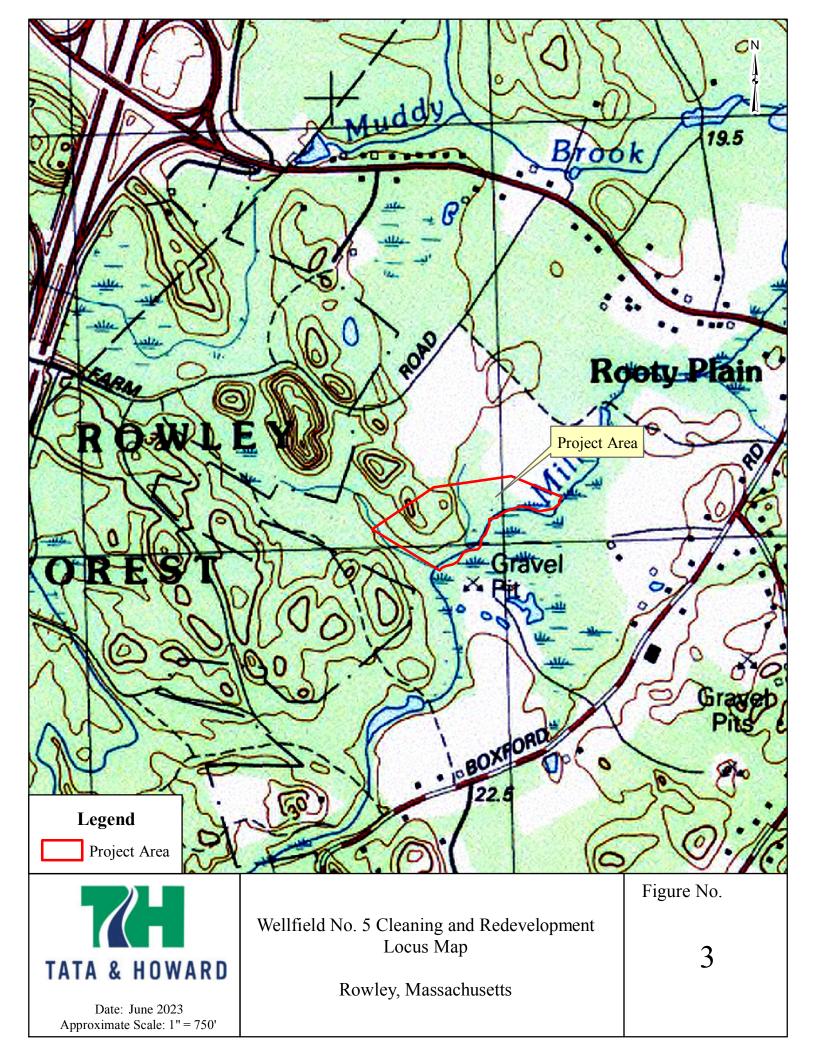
Re

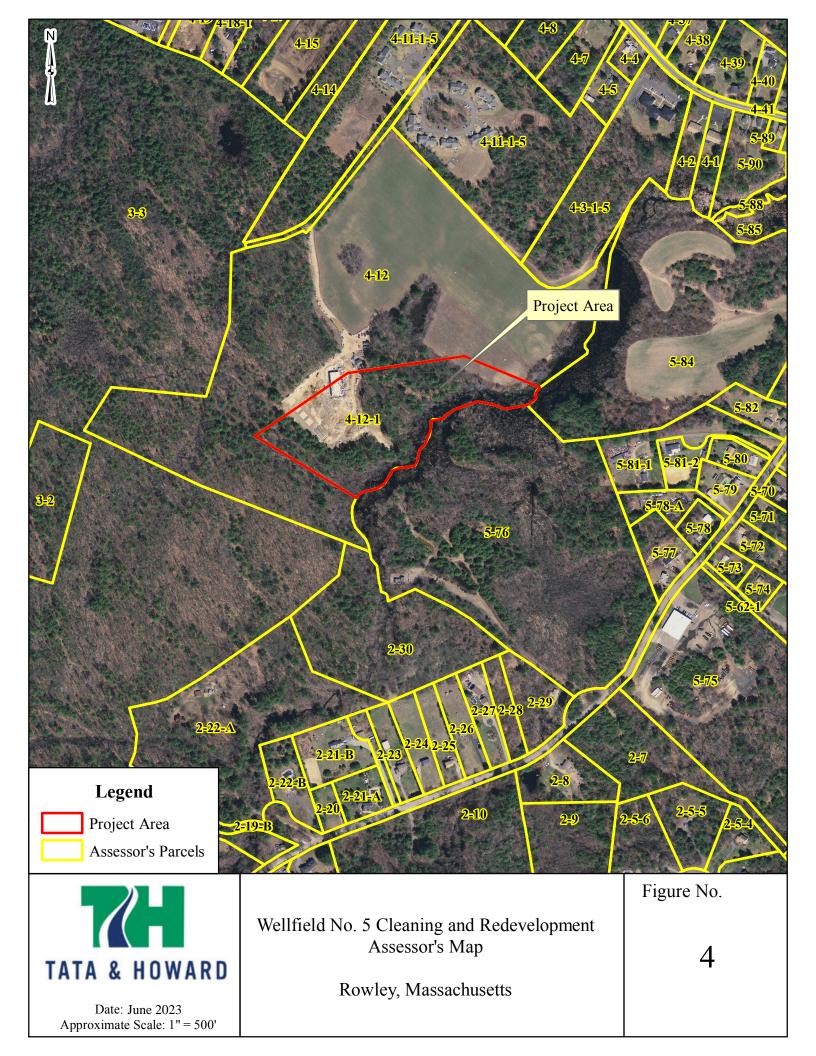
- □ Completed WPA Form 1-revised July 2020.
- □ Section of U.S. Geologic Survey (USGS) quadrangle locating site (8 ½" x 11").
- □ An appropriately sized section of the Assessor's map clearly identifying the property and all others within a hundred feet.
- □ Plans and calculations clearly describing the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

| PERMISSION TO ENTER | | |
|---|---------------------------|--|
| I. Deborah Eagan, Town Administrator, hereby grant the Rowley Conservation C | Commission and its | |
| (NAME OF PROPERTY OWNER) 129 Boxford Road, Map 5, Bloc | k 76, and | |
| officials permission to enter upon my property at 64 Pingree Farm Road, Map 4. | Block 12-1to | |
| (STREET ADDRESS AND ASSESSOR'S MAP/PARCEL/LOT) | | |
| review the filed Request to Determine Applicability and future site condition | s 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: <u>Deborch</u> | 01.120 | |
| Signed: Deborch Cagan | 61163 | |
| Rev.2/22/2023 (PROPERTY OWNER) | (DATE) | |
| Town Hall Annex • Room 4 • 39 Central Street • P.O. Box 24 • Rowley, MA | | |











OFFICE LOCATIONS: MA | NH | CT | VT | AZ

800-366-5760 www.tataandhoward.com

