



Massachusetts Department of Environmental Protection  
Bureau of Water Resources - Wetlands

**WPA Form 2 – Determination of Applicability**

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

Westwood  
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.



From:

Westwood  
Conservation Commission

To: Applicant

Eileen Doherty  
Name  
22 Westview Terrace  
Mailing Address  
Westwood MA 02090  
City/Town State Zip Code  
617-721-1423  
Phone Number  
leener.ed@gmail.com  
Email Address

Property Owner (if different from applicant):

Name  
Mailing Address  
City/Town State Zip Code  
Phone Number  
Email Address (if known)

1. Project Location:

22 Westview Terrace  
Street Address  
42.21490  
Latitude (Decimal Degrees Format with 5 digits after decimal e.g. XX.XXXXX)  
21  
Assessors Map/Plat Number

Westwood  
City/Town  
-71.22554  
Longitude (Decimal Degrees Format with 5 digits after decimal e.g. -XX.XXXXX)  
010  
Parcel/Lot Number

How to find Latitude and Longitude

and how to convert to decimal degrees

2. Date Request Filed:

2/14/24

**B. Determination**

Pursuant to the authority of M.G.L. c. 131, § 40, the Conservation Commission considered your Request for Determination of Applicability, with its supporting documentation, and made the following Determination.

Project Description (if applicable):

Front porch addition

Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

PLAN SHOWING PORCH 22 WESTVIEW TERRACE WESTWOOD, MA 9/18/23 rev. 2/8/24  
NORFOLK COUNTY Date

Title Date

Title Date



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**B. Determination (cont.)**

The following Determination(s) is/are applicable to the proposed site and/or project relative to the Wetlands Protection Act and regulations:

**Positive Determination**

Note: No work within the jurisdiction of the Wetlands Protection Act may proceed until a final Order of Conditions (issued following submittal of a Notice of Intent or Abbreviated Notice of Intent) has been received from the issuing authority (i.e., Conservation Commission or the Department of Environmental Protection).

- 1. The area described on the referenced plan(s) is an area subject to jurisdiction under the Act. Removing, filling, dredging, or altering of the area requires the filing of a Notice of Intent.
- 2a. The boundary delineations of the following resource areas described on the referenced plan(s) are confirmed as accurate. Therefore, the resource area boundaries confirmed in this Determination are binding as to all decisions rendered pursuant to the Wetlands Protection Act and its regulations regarding such boundaries for as long as this Determination is valid.

- 2b. The boundaries of Wetlands Resource Area(s) and Buffer Zone(s) listed below are not confirmed by this Determination, regardless of whether such boundaries are contained on the plans attached to this Determination or to the Request for Determination.

- 3. The work described on referenced plan(s) and document(s) is within an area subject to jurisdiction under the Act and will remove, fill, dredge, or alter that area. Therefore, said work requires the filing of a Notice of Intent.
- 4. The work described on referenced plan(s) and document(s) is within the Buffer Zone and will alter an Area subject to jurisdiction under the Act. Therefore, said work requires the filing of a Notice of Intent
- 5. The area and/or work described on referenced plan(s) and document(s) is subject to review and approval by:

Name of Municipality

Pursuant to the following municipal wetland ordinance or bylaw:

Name

Ordinance or Bylaw Citation



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**B. Determination (cont.)**

- 6. The following area and/or work, if any, is subject to a municipal ordinance or bylaw but not subject to the Massachusetts Wetlands Protection Act:

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- 7. If a Notice of Intent is filed for the work in the Riverfront Area described on referenced plan(s) and document(s), which includes all or part of the work described in the Request, the applicant must consider the following alternatives. (Refer to the wetland regulations at 10.58(4)(c) 2. for more information about the scope of alternatives requirements):

- Alternatives limited to the lot on which the project is located.
- Alternatives limited to the lot on which the project is located, the subdivided lots, and any adjacent lots formerly or presently owned by the same owner.
- Alternatives limited to the original parcel on which the project is located, the subdivided parcels, any adjacent parcels, and any other land which can reasonably be obtained within the municipality.
- Alternatives extend to any sites which can reasonably be obtained within the appropriate region of the state.

**Negative Determination**

Note: No further action under the Wetlands Protection Act is required by the applicant. However, if the Department is requested to issue a Superseding Determination of Applicability, work may not proceed on this project unless the Department fails to act on such request within 35 days of the date the request is post-marked for certified mail or hand delivered to the Department. Work may then proceed at the owner's risk only upon notice to the Department and to the Conservation Commission. Requirements for requests for Superseding Determinations are listed at the end of this document.

- 1. The area described in the Request is not an area subject to jurisdiction under the Act or the Buffer Zone.
- 2. The work described in the Request is within an area subject to jurisdiction under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent.
- 3. The work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to jurisdiction under the Act. Therefore, said work does not require the filing of a Notice of Intent, subject to the following conditions (if any).

Compost sock must be installed and inspected prior to start of work. If stockpiling is required it must be done in rear yard.

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- 4. The work described in the Request is not within an Area subject to jurisdiction under the Act (including the Buffer Zone). Therefore, said work does not require the filing of a Notice of Intent, unless and until said work alters an Area subject to jurisdiction under the Act.



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**B. Determination (cont.)**

- 5. The area described in the Request is subject to jurisdiction under the Act. Since the work described therein meets the requirements for the following exemption, as specified in the Act and the regulations, no Notice of Intent is required:

Exempt Activity (site applicable statutory/regulatory provisions)

- 6. The area and/or work described in the Request is not subject to additional review and approval by:

Name of Municipality

Pursuant to a municipal wetlands' ordinance or bylaw.

Westwood Wetland Protection Bylaw  
Name

Chapter 392  
Ordinance or Bylaw Citation

**C. Authorization**

This Determination is issued to the applicant and delivered as follows:

- By hand delivery on  By certified mail, return receipt request on

4/19/24

Date

Date

Certified Mail Number

A copy of this Determination has been sent on the same date, considered the date of issuance, to the appropriate DEP Regional Office and the property owner (if not the applicant) in the manner as follows:

**DEP**

- By eDEP DOA Submittal Platform (Attach this form and supporting documents)

- By USPS mail  By hand delivery

4/19/24

Date

Date

**Property Owner (if not applicant)**

- By mail  By hand delivery

4/19/24

Date

Date

By: Westwood Town Clerk



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C. Authorization (cont.)

This Determination is valid for **three years** from the date of issuance (except Determinations for Vegetation Management Plans which are valid for the duration of the Plan). This Determination does not relieve the applicant from complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.

This Determination must be signed by a majority of the Conservation Commission. As noted above, a copy must be sent to the appropriate DEP Regional Office (see <https://www.mass.gov/service-details/massdep-regional-offices-by-community>) and the property owner (if different from the applicant) on the same date that the Applicant is issued this Determination.

Westwood Conservation Commission  
Issuing Authority

Signatures:

Signature	<u>Todd C Sullivan</u>
Signature	<u>John Odeh</u>
Signature	<u>[Signature]</u>
Signature	<u>[Signature]</u>
Signature	<u>[Signature]</u>
Signature	<u>[Signature]</u>
Signature	<u>[Signature]</u>
Signature	<u>[Signature]</u>

Printed Name	<u>Todd Sullivan</u>
Printed Name	<u>DEBRA ODEH</u>
Printed Name	<u>Grace Walker</u>
Printed Name	<u>VESNA KANEVA-SPOELKOF</u>
Printed Name	<u>ELIAS FARES</u>
Printed Name	<u>[Blank]</u>
Printed Name	<u>[Blank]</u>

D. Appeals

The applicant, owner, any person aggrieved by this Determination, any owner of land abutting the land upon which the proposed work is to be done, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate Department of Environmental Protection Regional Office (see <https://www.mass.gov/service-details/massdep-regional-offices-by-community>) to issue a Superseding Determination of Applicability. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and Fee Transmittal Form (see Request for Departmental Action Fee Transmittal Form) as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Determination. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant if he/she is not the appellant. The request shall state clearly and concisely the objections to the Determination which is being appealed. To the extent that the Determination is based on a municipal ordinance or bylaw and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.