



# WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
and Westwood Bylaw - Article 18

## 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:

DONALD J. PECK

Name

E-Mail Address

djpeck22@gmail.com

15 WHIPPOORWILL DRIVE

Mailing Address

WESTWOOD

City/Town

MA

State

02090

Zip Code

401 261 4821

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Firm

Contact Name

E-Mail Address

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

## B. Determinations

1. I request the Westwood Conservation Commission make the following determination(s). Check any that apply:

- a. whether the area depicted on plan(s) and/or map(s) referenced below 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 below are accurately delineated.
- c. whether the work depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any municipal wetlands ordinance or bylaw of:

WESTWOOD

Name of Municipality

- e. whether the following scope of alternatives is adequate for work in the Riverfront Area as depicted on referenced plan(s).



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## C. Project Description

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

15 WHIPPOORWILL DRIVE

Street Address

WESTWOOD

City/Town

11

Assessor's Map/Plat Number

049

Parcel/Lot Number

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

existing deck & lawn

- c. Plan and/or Map Reference(s):

Sketch plan

Title

Date

N/A

Title

Date

Title

Date

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

- extend the deck

- construct patio with gas firepit



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### C. Project Description (cont.)

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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### 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.

Name and address of the property owner:

DONALD PECK  
Name  
15 WHIPPOORWILL DR  
Mailing Address  
WESTWOOD  
City/Town  
MA State 02090 Zip Code

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.

Donald J. Peck  
Signature of Applicant  
5/22/18  
Date

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

**Worksheet for Fees**  
**Westwood Wetlands Bylaw – Article 18**  
**(in Addition to DEP filing Fees)**

Applicant: Donald J Peck

Address: 15 Whipoorwill Dr

Location of Project: same

Notice of Intent

- |   |          |  |
|---|----------|--|
| 1. Minor project                        | _____    | \$100.00   |
| 2. Major project                        | _____    | \$250.00 plus \$1.00 additional sq ft                              |
| 3. New single family home               | _____    | \$500.00 plus \$1.00 per 10 sq ft of disturbance                   |
| 4. Subdivision road and utility         | _____    | \$750.00 plus \$5.00 per road sideline in resource or buffer zone  |
| 5. Drainage detention/retention         | _____    | \$750.00 plus \$1.00 per 10cf of basin in resource or buffer zone  |
| 6. Multiple Dwelling                    | _____    | \$500.00 plus \$100.00/unit and \$1.00 per 10 sq ft of disturbance |
| 7. Commercial institutional, industrial | _____    | \$750.00 plus \$1.00 per 10 sq ft of disturbance                   |
| 8. Request for Det of Applicability     | <u>1</u> | <u>@ \$100.00</u>  |
| 9. ANORAD                               | _____    | \$750.00 plus \$1.00 per 10 sq ft of disturbance                   |
| 10. Application filed after enforcement | _____    | Double application fees  |
| 11. Amendments                          | _____    | \$100.00   |
| 12. Certificate of Compliance           |          |  |
| Residence                               | _____    | \$100.00   |
| Non Residence                           | _____    | \$100.00   |
| Commercial or subdivision               | _____    | \$200.00   |
| 13. Emergency Certificate               | _____    | \$100.00   |
| 14. Agent Site Visit                    |          |  |
| Resident                                | _____    | \$25.00 per hour   |
| Non Resident                            | _____    | \$45.00 per hour   |

Total \$ 100.-

See Westwood Wetlands Protection Bylaw Regulations for more detail.

NOTICE TO ABUTTERS  
Under the Massachusetts Wetlands Protection Act  
and  
Westwood Wetland Bylaw

**Request for Determination of Applicability**

The Westwood Conservation Commission will hold a public hearing, under M.G.L. Chapter 131, Section 40 and the Westwood Wetland Bylaw on

Date: 6/13/18

Time: 7:00 pm

Place: 50 Carby Street  
Westwood, MA 02090

A permit is requested by DONALD J. PECK  
of 15 WHIPPOORWILL DR WESTWOOD, MA 02090

The property is located at \_\_\_\_\_

A complete copy of this filing is available to the public at the Westwood Conservation Commission office. Notice of the Conservation Commission meeting is posted in the Town Hall not less than 48 hours in advance as required by Open Meeting Law.

**LEGAL NOTICE OF PUBLIC HEARING  
Massachusetts Wetlands Protection Act  
And**

**Westwood Wetlands Protection By-law, Chapter 392**

The Westwood Conservation Commission will hold a public hearing, under M.G.L., Chapter 131, Section 40 and Chapter 392 of Westwood General Bylaws on:

**Date: June 13, 2018**

Time: 7:00 pm

Place: 50 Carby Street

A permit is requested by Donald Peck

Address – 15 Whippoorwill Drive, Westwood, MA 02090

**The project is located at 15 Whippoorwill Drive, Westwood, MA 02090. The applicant is proposing the construction of a deck and installation of a patio within the 100 foot buffer zone to a resource area.**

A complete copy of this filing is available to the public at the Office of the Town Clerk. Notice of the Conservation Commission meeting is posted in Town Hall not less than 48 hours in advance as required by Open Meeting Law.

Westwood Conservation Commission

Please bill – Donald Peck

Address – 15 Whippoorwill Drive, Westwood, MA 02090

Phone –401-461-4821

BOARD OF ASSESSORS  
580 High St.  
Westwood, Ma. 02090  
Fax: 781-251-2588

ABUTTERS LIST REQUEST  
Please allow 10 business days for final list

PARCEL REQUESTED: 15 WHIPPOORWILL DRIVE

RECORD OWNER: Donald J Peck, Michelle Miller Peck

FOR WHICH BOARD: Conservation Commission

REASON FOR REQUEST: Proposing work within 100 feet of wetland

PROJECT TYPE: deck expansion and patio

CONTACT PERSON: Donald J. Peck

TELEPHONE NUMBER: 401 261 4821

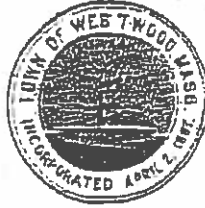
SIGNATURE: Donald J Peck DATE: 18 MAY 2018

\* Forward this completed request to the Assessor's Office ASAP  
Upon receipt of the certified abutter's list – send abutter's notification (next sheet) to  
all abutters.



TOWN OF WESTWOOD  
Commonwealth of Massachusetts

Joseph E. Previtera, Chairman  
Leo J. Crowe  
Eugene E. Elmes  
Barry D. Hoffman  
John C. Masterson



Christopher Poreda  
Richard P. Thompson  
Suzanne R. Wall, Associate  
Anne T. Caciogan, Associate

CONSERVATION COMMISSION

TIME WAIVER REQUIREMENT

Westwood Conservation Commission  
Westwood Town Hall  
High Street  
Westwood, MA 02090

Dear Commissioners:

I hereby waive the benefit of the time requirements set forth in Chapter 131 §40, (Wetlands Protection Act) of the Massachusetts General Laws, 310 CMR 10.00 Regulations, and the Town of Westwood Wetlands Protection By-Law, which require the Conservation Commission to convene a hearing and issue a Determination or Order within the time periods specified therein.

The public hearing shall be scheduled for the next available time slot on the meeting agenda upon receipt of the filing of a complete Notice of Intent or Request for Determination of Applicability.

The Order of Conditions or Determination of Applicability shall be issued within 45 days of the close of the public hearing.

Applicant's or Representative's  
Signature

5/22/18

Date

Applicant's Name:

Donald J. Peck

Project Location:

15 Whipoorwill Dr

Project Type:

Deck expansion, patio construction

TOWN OF WESTWOOD  
Commonwealth of Massachusetts

Joseph E. Provitera, Chairman  
Len J. Crowe  
Eugene E. Elmer  
Barry D. Hoffman



John C. Masterson  
Christopher Porets  
Richard P. Thompson  
Suzanne R. Wall, Associate

CONSERVATION COMMISSION

Wetlands Permit Application: Town Clerk

Westwood Conservation Commission  
Westwood Town Hall  
580 High Street  
Westwood, MA 02090

Dear Commissioners:

I hereby certify that a complete copy of the application and plans submitted to the Conservation for a permit under the Wetlands Protection Act, M.G.L. c. 131, §40, and/or the Westwood Wetlands Protection Bylaw, Article 18 has been filed with the Westwood Town Clerk.

The application was submitted to the Town Clerk on 5/22/18  
Date

Donald J. Peck  
Applicant's or Representative's Signature

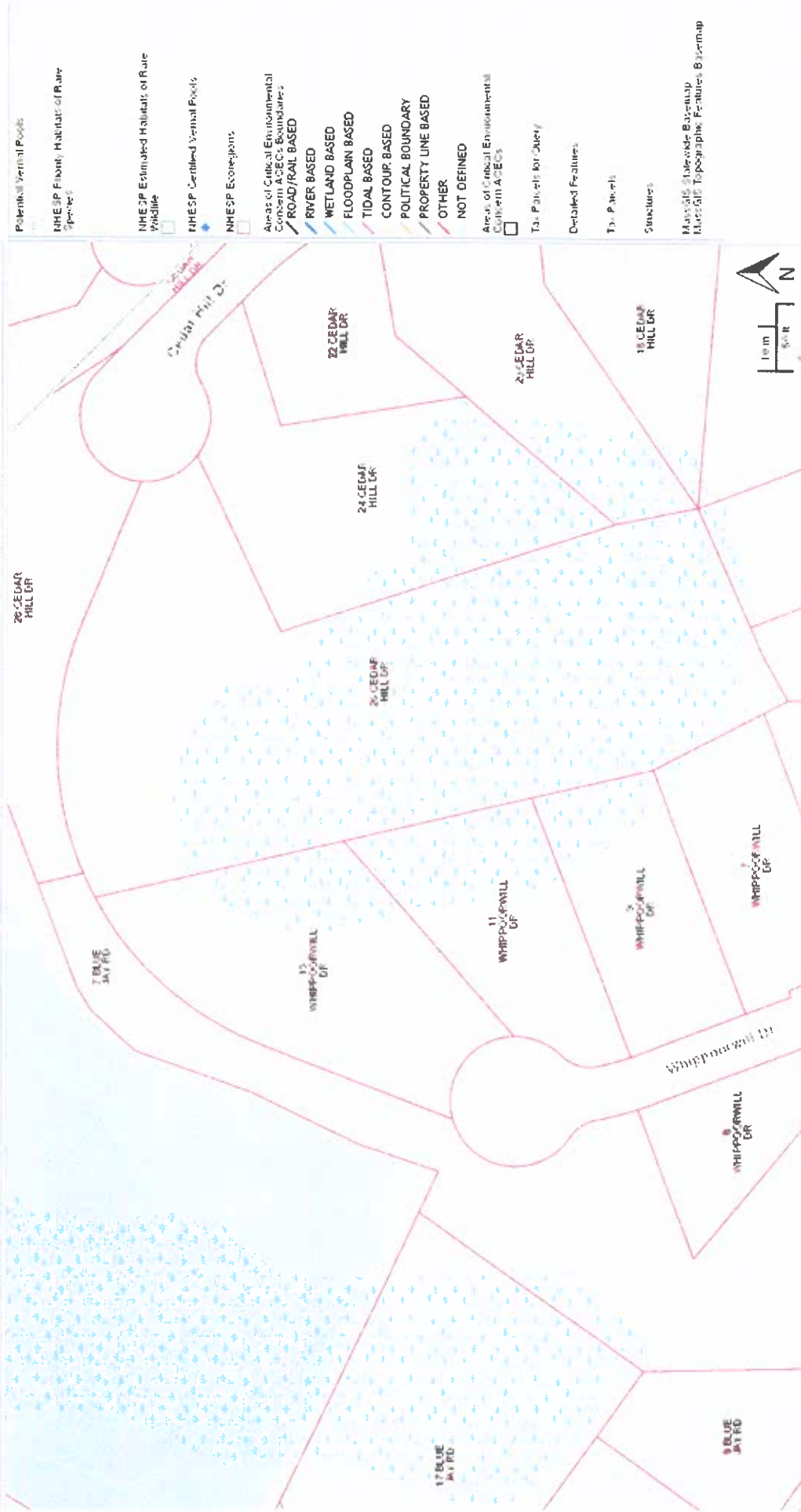
5/22/18  
Date

Applicant's Name: DONALD J. PECK

Project Location: 15 WHIPPOORWILL DR

Project Type: Deck expansion, patio construction

NHESP data



Potential Wetland Pools

NHESP Flood Habitat of Rare Species

NHESP Estimated Habitat of Rare Wildlife

NHESP Certified Wetland Pools

NHESP Escarpments

Areas of Critical Environmental Concern ACECs Boundaries

ROAD/RAIL BASED

RIVER BASED

WETLAND BASED

FLOODPLAIN BASED

TIDAL BASED

CONTOUR BASED

POLITICAL BOUNDARY

PROPERTY LINE BASED

OTHER

NOT DEFINED

Areas of Critical Environmental Concern ACECs

Tax Parcels for Overlay

Detailed Features

Tax Parcels

Structures

Mainline Statewide Basecamp

Mainline Topographic Features Basecamp

USGS data

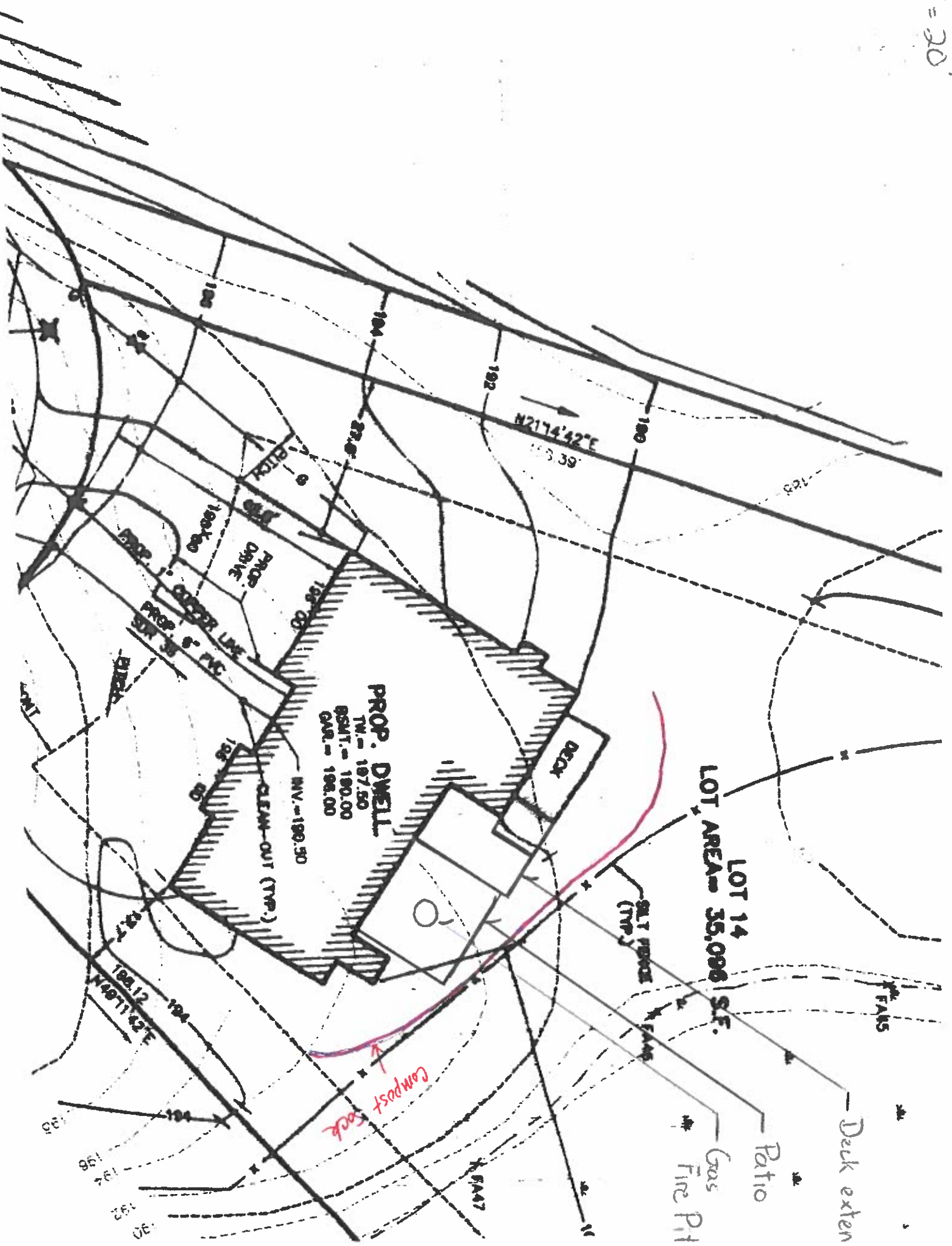


- DEP Wetlands, Detailed With Outlines:
- Barrier Beach System
- Barrier Beach-Deep Marsh
- Barrier Beach-Wooded Swamp Mixed Trees
- Barrier Beach-Coastal Beach
- Barrier Beach-Coastal Dune
- Barrier Beach-Marsh
- Barrier Beach-Salt Marsh
- Barrier Beach-Shrub Swamp
- Barrier Beach-Wooded Swamp Coniferous
- Barrier Beach-Wooded Swamp Deciduous
- Bog
- Coastal Bank Bluff or Sea Cliff
- Coastal Beach
- Coastal Dune
- Cranberry Bog
- Deep Marsh
- Barrier Beach-Open Water
- Open Water
- Rocky Intertidal Shore
- Salt Marsh
- Shallow Marsh Meadow or Fen
- Shrub Swamp
- Tidal Flat
- Wooded Swamp Coniferous
- Wooded Swamp Deciduous
- Wooded Swamp Mixed Trees
- CEP Wetlands, Detailed
- Barrier Beach System
- Barrier Beach-Deep Marsh
- Barrier Beach-Wooded Swamp Mixed Trees
- Barrier Beach-Coastal Beach
- Barrier Beach-Coastal Dune
- Barrier Beach-Marsh
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- Deep Marsh
- Barrier Beach-Open Water
- Open Water
- Rocky Intertidal Shore
- Salt Marsh
- Shallow Marsh Meadow or Fen
- Shrub Swamp
- Tidal Flat
- Wooded Swamp Coniferous
- Wooded Swamp Deciduous
- Wooded Swamp Mixed Trees





1" = 30'



NOTICE TO ABUTTERS  
Under the Massachusetts Wetlands Protection Act  
and  
Westwood Wetland Bylaw

**Request for Determination of Applicability**

The Westwood Conservation Commission will hold a public hearing, under M.G.L. Chapter 131, Section 40 and the Westwood Wetland Bylaw on

Date: <sup>27</sup> 6/18/18

Time: 7:00 pm

Place: 50 Carby Street  
Westwood, MA 02090

A permit is requested by DONALD J. PECK  
of 15 WHIFFPOORWILL DR WESTWOOD, MA 02090

The property is located at

A complete copy of this filing is available to the public at the Westwood Conservation Commission office. Notice of the Conservation Commission meeting is posted in the Town Hall not less than 48 hours in advance as required by Open Meeting Law.



Certificate of Mailing — Firm

Name and Address of Sender: Donald J. Peck  
15 Whymperwill Dr  
Westwood MA 02096

TOTAL NO. of Pieces Listed by Sender: 1  
TOTAL NO. of Pieces Received at Post Office™: 1  
Postmaster, per (name of receiving employee): POSTMASTER 697 HIGH ST WESTWOOD, MA 02096



USPS® Tracking Number Firm-specific Identifier	Address (Street, City, State, and ZIP Code™) 11 / 0011 / TOWN OF WESTWOOD CONSERVATION COMMISSION 580 HIGH ST WESTWOOD, MA 02090	Postage	Fee	Special Handling	Parcel Aftit
1.		50¢	40¢		
2.					
3.					
4.					
5.					
6.					





Certificate of Mailing — Firm

Name and Address of Sender  
 Donald J. Pick  
 15 Whippoorwill Dr  
 Westwood MA 02090

TOTAL NO. of Pieces Listed by Sender

TOTAL NO. of Pieces Received at Post Office™

Affix Stamp Here  
 Postmark with Date of Receipt.

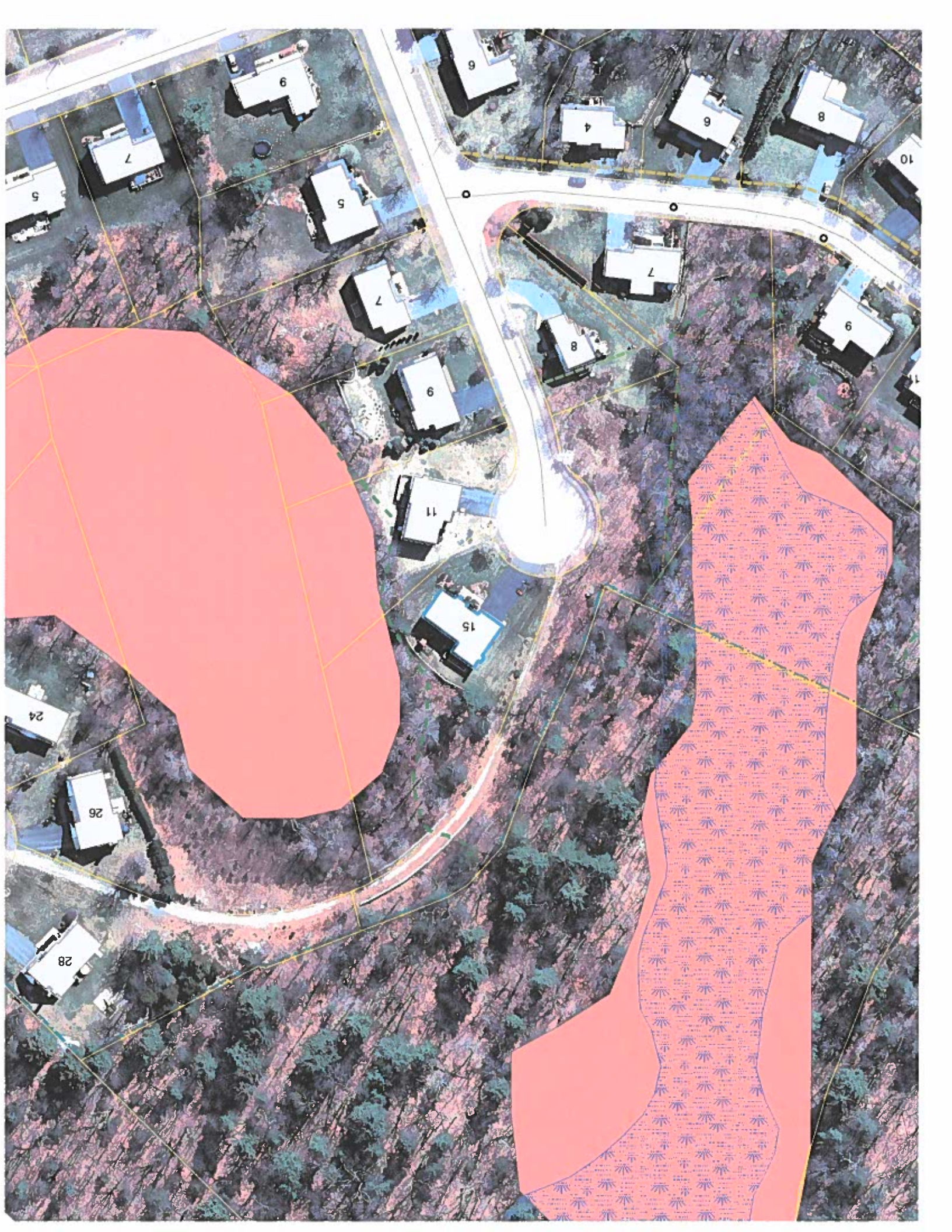
Postmaster, per (name of receiving employee)

POSTMASTER  
 637 HIGH ST  
 WESTWOOD, MA 02090



USPS® Tracking Number Firm-specific Identifier	Address	Postage	Fee	Special Handling	Parcel Airtel
1.	11/ 037/ / / LIEU-PING LEE JONATHAN NANCY N WANG 11 WHIPPOORWILL RD WESTWOOD, MA 02090 11/ 038/ / / RADNER GREGORY N JOANNE M RADNER 9 WHIPPOORWILL DR 11/ 039/ / / MCCUSKER MICHAEL L JENNIFER D MCCUSKER 7 WHIPPOORWILL DR WESTWOOD, MA 02090 11/ 034/ / / THOMAS J KILGARREFF III TRUST THOMAS J & TARA E KILGARREFF TRUSTE 7 BLUE JAY RD WESTWOOD, MA 02090 11/ 040/ / / FINEGOLD DANIEL W STEPHANIE L FINEGOLD 5 WHIPPOORWILL DR 11/ 049/ / / LU HUI SHIUN LI 26 CEDAR HILL DR WESTWOOD, MA 02090	50¢	40¢		
2.					
3.					
4.					
5.					
6.					

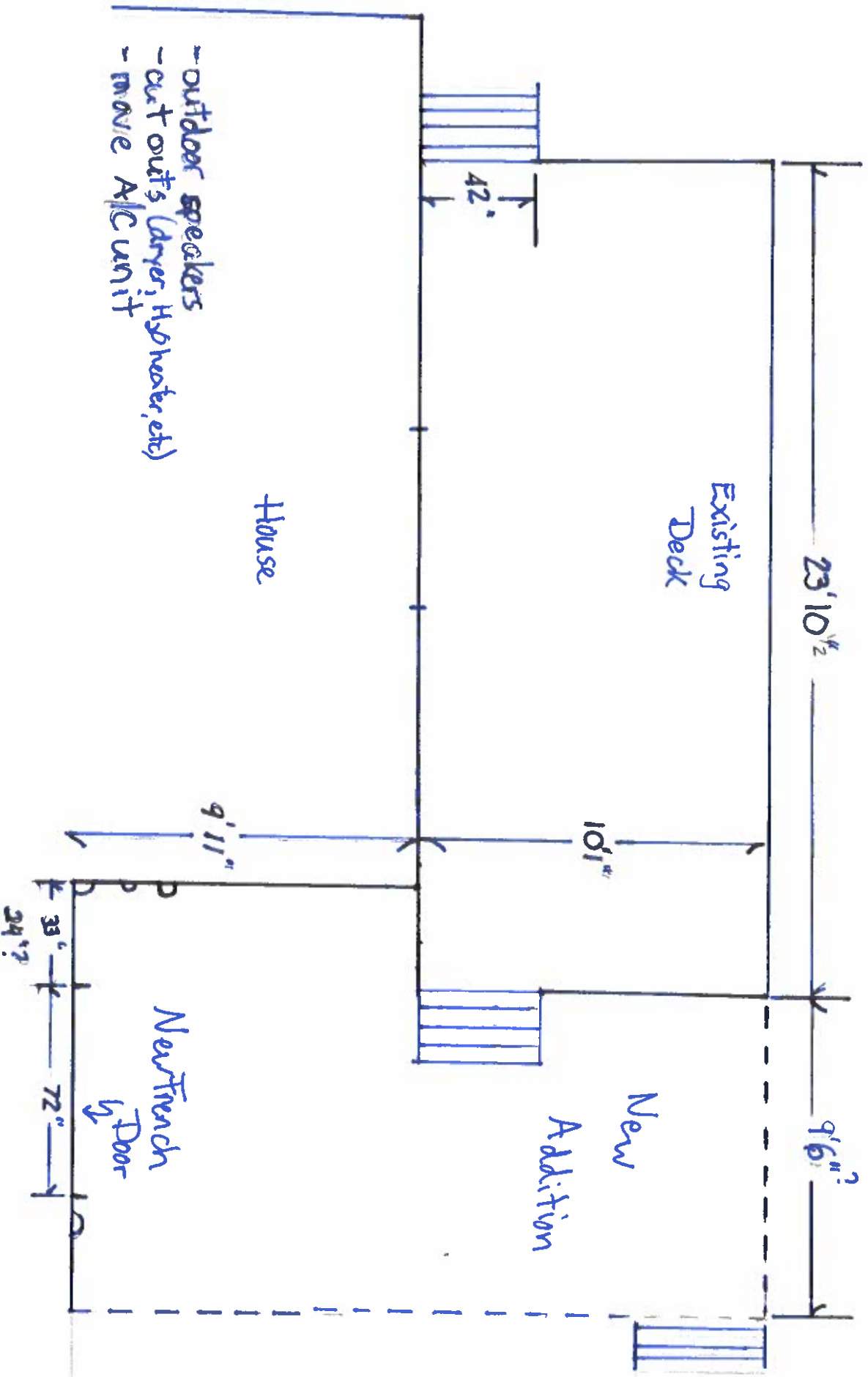






# 15 Hippodrome Dr Deck Plan

No New addition



- outdoor speakers
- cut outs (dryer, H2 heater, etc)
- move A/C unit

House

Existing Deck

New Addition

New French Door

23'10 1/2"

10'1"

9'11"

9'6"

42°

33"

72"

24'?

8/24/18  
KSE



**Karon Catrone**

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**From:** Jon Peck <djpeck22@gmail.com>  
**Sent:** Thursday, June 14, 2018 3:52 PM  
**To:** Karon Catrone  
**Subject:** Re: 15 Whippoorwill Drive

Karon,  
I would like to request a continuance regarding my Request for Determination of Applicability for 15 Whippoorwill Drive. Please continue this hearing to [June 27, 2018 at 7:00 p.m.](#)  
Thank you,  
Jon Peck

Sent from my iPhone

On Jun 11, 2018, at 11:27 AM, Karon Catrone <[keatrone@townhall.westwood.ma.us](mailto:keatrone@townhall.westwood.ma.us)> wrote:

Karon,

I would like to request a continuance regarding my Request for Determination of Applicability for 15 Whippoorwill Drive. Please continue this hearing to June 27, 2018 at 7:00 p.m.

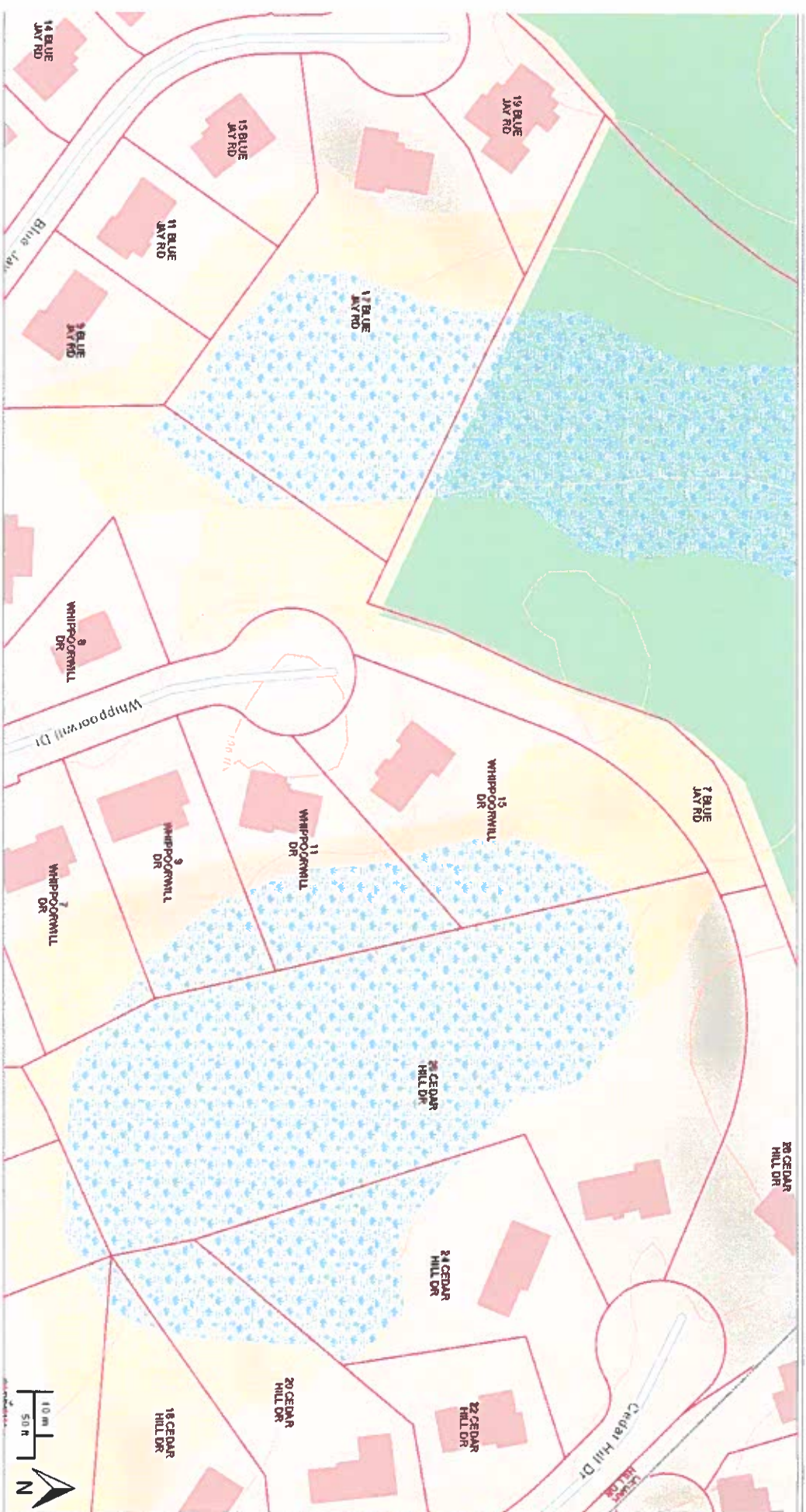
Thank you,

Jon Peck

***The Attorney General has determined that email correspondences are public records unless the content of the email falls with one of the stated exemptions under the Public Records Laws***



NHESP data



Potential Vernal Pools

NHESP Priority Habitats of Rare Species

NHESP Estimated Habitats of Rare Wildlife

NHESP Centred Vernal Pools

NHESP Ecoregions

Areas of Critical Environmental Concern ACECs Boundaries

ROAD/RAIL BASED

RIVER BASED

WETLAND BASED

FLOODPLAIN BASED

TIDAL BASED

CONTIGUOUS BASED

POLITICAL BOUNDARY

PROPERTY LINE BASED

OTHER

NOT DEFINED

Areas of Critical Environmental Concern ACECs

Tax Parcels for Query

Detailed Features

Tax Parcels

Structures

MassGIS Statewide Basemap

MassGIS Topographic Features Basemap





USGS data



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