

Massachusetts Department of Environmental Protection Bureau of Resource Protection - Wetlands



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

REVOI: 8/20/2021

100	A.	General Information		
Important: When filling out	1.	Applicant:		
forms on the computer, use only the tab key to move your		Name P.O. BOX 366158	E-Mail Address	nto & mail, com
cursor - do not		Mailing Address		
use the return		HYDE PARK	MA	02136
key.		City/Town .	State	OZ136 Zip Code
Alex		617-690-7848	***	
		Phone Number	Fax Number (if applic	able)
Team .	2.	Representative (if any):		
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		Contact Name	E-Mail Address	and the Bulletin As and the Assaultin construction of the Teaching and the Bulletin and the Assaultin

		Mailing Address		
		O'. F	***	Name of the Control o
		City/Town	State	Zip Code
		Phone Number	Eav Number (if!'-	-1-1-1
			Fax Number (if applic	able)
	B.	Determinations		
	1.	I request the CITY of BOSTON make the following de Conservation Commission	etermination(s). Che	eck any that apply:
		a. whether the area depicted on plan(s) and/or map(s) refer jurisdiction of the Wetlands Protection Act.	renced below is an a	area subject to
		b. whether the boundaries of resource area(s) depicted on below are accurately delineated.	plan(s) and/or map	(s) referenced
		c. whether the work depicted on plan(s) referenced below is	subject to the Wetla	ands Protection Act.
		d. whether the area and/or work depicted on plan(s) referent of any municipal wetlands ordinance or bylaw of:	ced below is subject	ct to the jurisdiction

e. whether the following scope of alternatives is adequate for work in the Riverfront Area as

N/A-Name of Municipality

depicted on referenced plan(s).



Massachusetts Department of Environmental Protection Bureau of Resource Protection - Wetlands

BOSTON City/Town

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

Rev 01:08/20/2021

C. Project Description

Street Address	LEGION IMY	Citv/Town	TON		
NIA			SEE	LIST BELO	W
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b. Area Description (use addit	-				
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CONSISTING OF:		,			
PARCEL ID:	SQFT		,		
1807234350	40,863				
1807 318 100	60,984				
1807 321 100	515,315				
c. Plan and/or Map Reference	e(s):				
SITE PLAN FL	GURE 1-4			4 JUNE	20
Title	ı			Date	
Title			Access of the contract of the	Date	
Tifle				Date	
a. Work Description (use addi	tional paper and/or prov	de plan(s) of wo	rk if ne	cessarv):	
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Massachusetts Department of Environmental Protection Bureau of Resource Protection - Wetlands

BOSTON City/Town

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

REVOL: 8/

REVOI: 8/20/2021

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).	
	15 1A

NIA

3.	If this application is a Request for Determination of Scope of Alternatives for work in the erfront 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.
	Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification ove (use additional paper and/or attach appropriate documents, if necessary.)



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

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Rev 01; 08/20/202

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:	
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	1500 BLUE HILL AVENUE	
	Mailing Address	
	City/Town	-
	MA	02126
	State	Zip Code
	Signatures:	
	I also understand that notification of this Decuest will be place	
	I also understand that notification of this Request will be place in accordance with Section 10.05(3)(b)(1) of the Wetlands Pro	
	Lokita Tockson	08/20/2021
	Signature of Applicant	Date
	Magaza	anguri-
	Signature of Representative (if any)	Date
ALSO MAI	LEO LO!	
	D CITY OF BOSTON CONSERVA	TION COMMISSION
	CITY HALL, ROOM 709	
	BOSTON, MA 02201	
	AMASS DEPT of ENVIRONMENT	AL PROTECTION
	NORTHEAST REGIONAL OFFI	
	2058 LOWELL ST.	
	WILMINGTON MA 01007	

TO:

Nicholas Moreno, City of Boston Conservation Commission

FROM:

Crane Ledge Woods Coalition

DATE:

August 20, 2021

SUBJ:

WPA Form 1 - Request for Determination of Applicability: Rev 01

990 American Legion Highway

Dear Mr. Moreno.

Thank you for the timely response to our initial filing of the Wetlands Protection Act Request for Determination of Applicability dated August 9, 2021 for parcels in District 5, City of Boston: 1807234350, 1807318100, 1807321100 relative to the proposed development at 990 American Legion Highway.

Please find attached our revised filing for Conservation Commission consideration at the hearing scheduled for Wednesday, September 1, 2021. We believe this revised filing is complete under state Wetland Protection Act requirements.

Please note that we are not seeking a determination at this time under the City of Boston Local Wetlands Ordinance.

We recommend and request that the Conservation Commission engage a qualified wetland scientist or firm to evaluate whether jurisdictional resources exist at the 990 American Legion Highway site, and that this independent evaluation be paid for under Commission funds dedicated for natural resource review.

The subject site is located within an environmental justice neighborhood at risk from the adverse impacts of natural resource losses. The Conservation Commission may appropriately expend these designated funds to pay for the resource determination.

As part of this assessment of Commission jurisdiction and City commitment to inclusive, transparent stakeholder engagement, we request:

- That the Coalition receive notice from the Commission of any site visit scheduled as part of the Request for Determination of Applicability;
- That the Commission provide the Coalition its adopted guidelines for site visits, if such guidelines exist. We note that MassDEP has standard and beneficial site visit protocols in place.

SUBJ: WPA Form 1 - Request for Determination of Applicability: Rev 01

990 American Legion Highway

Rev 01 Update on Items Listed:

BCC01. WPA Form 1 Section C(1)(c) indicates that no plans are applicable to the request. Section B(1) requests the Commission to determine whether the area shown on the plans accompanying the request is subject to their jurisdiction. Please update the form with the appropriate plan reference. Instructions for Completing Application WPA Form 1 – Request for Determination of Applicability, Boston Wetlands Regulations, Section VI(A)(1) & Boston Conservation Commission Filing Guide (incorporated into the Regulations by reference)

PLAN REFERENCE INCLUDED IN SEC. C(1)(c).

BCC02. We will need evidence that the property owner has been notified that the RDA has been filed. 310 CMR 10.05(3)(a)(3) & Boston Wetlands Regulations, Section VI(A)(3)

EVIDENCE PROVIDED VIA SIGNED VERIFICATION & USPO RECEIPT OF MAILING.

BCC03. A filing fee of \$425 is required for this request as well (\$100 up to 1 acre + \$25 for each additional acre). Boston Wetlands Regulations, Section VII(B)(1) & Boston Conservation Commission Filing Guide (incorporated into the Regulations by reference)

NOT REQUIRED UNDER WPA. APPLICANT TO PAY FOR PUBLIC NOTICE PUBLICATION.

BCC04. We will need a copy of the 300ft Abutters List, a signed Affidavit of Service, a copy of the English Abutter Notification, a copy of the translated Abutter Notification, translation certification, and a copy of the babel notice. Boston Wetlands Regulations, Section VI(A)(2), Boston Wetlands Regulations, Section VI(E), & Boston Conservation Commission Filing Guide (incorporated into the Regulations by reference)

NOT REQUIRED UNDER WPA.

BCC05. We will need a narrative describing what is being requested of the Commission, which resource areas you are seeking a determination on, and evidence supporting the presence of wetlands. We will also need the wetland determination sheets completed by a certified wetland scientist. Instructions for Completing Application WPA Form 1 – Request for Determination of Applicability, Boston Wetlands Regulations, Section VI(A)(1) & Boston Conservation Commission Filing Guide (incorporated into the Regulations by reference)

THE PURPOSE OF THE WPA FORM 1 FILING IS TO INITIATE AND COMPLETE THE REFERENCED DETERMINATION. AS NOTED, APPLICANT REQUESTS THAT THE COMMISSION COMPLETE THE ON-SITE EVALUATION VIA A QUALIFIED WETLAND SCIENTIST OR FIRM.

SUBJ: WPA Form 1 - Request for Determination of Applicability: Rev 01 990 American Legion Highway

BCC06. We will also need any stormwater engineering calculations to support the presence of ponding wetland resource areas. Boston Wetlands Regulations, Section VI(A)(1) & Boston Conservation Commission Filing Guide (incorporated into the Regulations by reference)

PLEASE SEE BCC05 ABOVE.

BCC07. The existing conditions plan set was not signed and stamped by the surveyor nor did it detail any wetland resources present on-site. We will need a stamped plan set.

Boston Wetlands Regulations, Section VI(A)(1) & Boston Conservation Commission Filing Guide (incorporated into the Regulations by reference)

THE EXISTING CONDITIONS PLAN SET WAS PREPARED BY THE 990 AMERICAN LEGION HIGHWAY PROJECT PROPONENT.

IF A STAMPED PLAN SET IS REQUIRED TO COMPLETE A REQUEST FOR DETERMINATION OF APPLICABILITY UNDER THE WETLANDS PROTECTION ACT, THE COMMISSION MAY REQUIRE THAT THE PROPONENT PREPARE.

64 South Street
Jamaica Plain, MA 02130 US
+1 6179832679
info@freshcopyjp.com

FC POS

SALES # 32075

DATE

08/20/2021

PMT METHOD

Cash

ACTIVITY		QTY	RATE	AMOUNT
TaxableFC:Copy B&W retail Black & White copy/print		24	0.16	3.84T
TaxableFC:Copy Color retail Color copy/print		8	0.75	6.00T
NontaxableFC:Service Fee		1	1.00	1.00
Thanks for your business!	SUBTOTAL			10.84
	TAX			0.62
	TOTAL			11.46
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	City, Stage, ZILLAPAN MA 02126		
	BS Form 3900 April 2015 PSN 7530-02-000-9047 See Reverse for Instructions		

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FORT POINT 25 DORCHESTER AVE RM 1 BOSTON, MA 02205-9761 (800) 275-8777

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TO: Nicholas Moreno, City of Boston Conservation Commission

FROM: Crane Ledge Woods Coalition

DATE: August 20, 2021

SUBJ: WPA Form 1 - Request for Determination of Applicability: Rev 01

990 American Legion Highway

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TO: Nicholas Moreno, City of Boston Conservation Commission

FROM: Crane Ledge Woods Coalition

DATE: September 1, 2021

SUBJ: WPA Form 1 -Request for Determination of Applicability: Rev 01

990 American Legion Highway

Dear Mr. Moreno:

Crane Ledge Woods Coalition has filed a revised Request for Determination of Applicability with the Conservation Commission for 3 parcels in District 5, City of Boston relative to the proposed development at 990 American Legion Highway.

We are not seeking a determination at this time under the City's Local Wetlands Ordinance, and believe this revised filing is complete under state Wetland Protection Act requirements.

Commission staff has requested any further information which might assist the Commission in its consideration of the RDA.

We bring to the Commission's attention a video about Crane Ledge Woods publicly posted on the internet. If we locate additional publicly available information of value we will forward it to the Commission in a timely way in advance of a scheduled hearing on the RDA.

The video appears to document Crane Ledge Woods natural resources, including footage starting at 5:40 providing possible evidence of wetland plants and areas of standing and flowing water: https://www.youtube.com/watch?v=WlUdAH5mK]g

CLWC cannot attest to any further details of this video, but it does appear to provide threshold evidence of possible jurisdictional resources on the site which the Commission has means and authority to access and evaluate under an RDA.

We can also provide a site map annotated by CLWC to suggest several possible areas for field investigation based on topography and elevation contour lines. Direct evaluation of the entire site by a qualified wetlands scientist is needed for Commission action on the RDA.

We understand that the Commission has an approved budget line item for such independent, technical assistance, and we suggest that investigation of whether resources under Commission jurisdiction exist on a large section of natural land in an environmental justice neighborhood in Boston is a reasonable and appropriate use of these funds.

As you likely know, natural assets within environmental justice neighborhoods in Boston and across our nation have a long history of devaluation by government agencies - a pattern which the Commission's timely action at Crane Ledge Woods can help address.

TO: Nicholas Moreno, City of Boston Conservation Commission

FROM: Crane Ledge Woods Coalition

DATE: September 3, 2021

SUBJ: WPA Form 1 -Request for Determination of Applicability: Rev 01

990 American Legion Highway: Memo 03

Dear Mr. Moreno:

Crane Ledge Woods Coalition is providing the following supplemental information to assist the Conservation Commission in its consideration of the RDA revision filed on August 20, 2021 for 3 parcels in District 5, City of Boston relative to the proposed development at 990 American Legion Highway:

- 1. A site base map annotated by CLWC to suggest several possible areas for field investigation based on topography and elevation contour lines.
- 2. Screen Shots from the video posted on the internet, appearing to show representative areas of the 990 American Legion Highway site with threshold evidence of possible jurisdictional resources which the Commission has means and authority to access and evaluate under an RDA.
 - The shots provide possible evidence of wetland plants and areas of standing and flowing water: https://www.youtube.com/watch?v=WlUdAH5mKJg
- 3. Through discussion with MassAudubon, CLWC is able to offer the Commission an option for independent, expert evaluation of the site as part of the RDA process. Specifics can be considered further at the Commission's earliest convenience.
 - Any site visit associated with the RDA will need to be via an administrative inspection warrant obtained by the Commission or with the owner's written consent.

EXISTING TREE CANOPY





Figure 1-4

Site Plan

990 American Legion Highway Boston, Massachusetts







