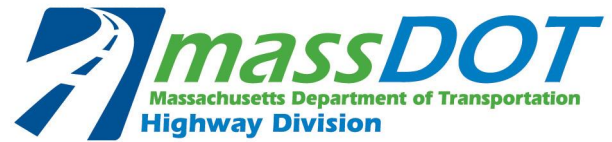




Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, Secretary & CEO
Jonathan L. Gulliver, Highway Administrator



September 4, 2020

Kevin Mooney, Chairman
Avon Conservation Commission
Avon Town Hall
65 East Main Street
Avon, MA 02322

Dear Mr. Mooney:

Attached please find an electronically signed Request for Determination of Applicability (“RDA”) concerning the following routine maintenance activities:

Route 24 (northbound and southbound)

- Re-surfacing (milling of pavement) on Route 24, including certain bridges, travel lanes, shoulders, and on/off-ramps, maintaining drainage structures and pipes, pavement markings, and related incidental work.
- Tree trimming for road safety maintenance, including selective removal of dead, dying or unsafe trees within the State Highway Layout (“SHLO”) up to a maximum of 20-feet from the edge of pavement and/or a maximum of 15-feet of guardrails or ramps.

Because MassDOT Highway is an agency of the Commonwealth, the enclosed RDA is being filed solely under the Massachusetts Wetlands Protection Act (“WPA”) regulations, and not under any local wetlands bylaw or ordinance including payments of any filing fees or abutter notifications.

The referenced pavement repair and resurfacing work within the SHLO and portions of the vegetation maintenance work within 6-feet of existing guardrails is exempt from review under the WPA as per 310 CMR 10.02(2)(b) (n & p), respectively. The proposed tree-trimming work is beyond the required exemption limits. Therefore, an RDA filing is in order.

Refer to Attachments (WPA Form 1, USGS Locus Map, and Typical Details) for additional information.

Regarding the legal advertisement for the public meeting on this RDA, please inform your local newspaper that an original “tearsheet” is required by the Commonwealth along with the billing from the newspaper to process payment for the advertisement. **The Commonwealth must pay the newspaper directly and cannot reimburse towns or cities for payment. The newspaper bill and original tearsheet must be sent to: Irene Petsalis, Environmental Services, MassDOT Highway Division, Room 4260, 10 Park Plaza, Boston, MA 02116 for payment.**

Please contact Andrea L. Coates, District Environmental Engineer, at (508) 884-4217 or via email at andrea.coates@state.ma.us with the date and time of the public meeting to review the RDA.

Sincerely,

Mary-Joe Perry
District Highway Director

ALC/
Encl.
cc: MJP, PRH, SDH
Mass DEP-SERO



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

Avon
City/Town

WPA Form 1- Request for Determination of Applicability

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

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:

Mass. Dept. of Transportation - Highway Division - District 5

Name

E-Mail Address

1000 County Street

Mailing Address

Taunton

City/Town

MA

State

02780

Zip Code

(508) 824-6633

Phone Number

(508) 880-6102

Fax Number (if applicable)

2. Representative (if any):

Massachusetts Department of Transportation - Highway Division - District 5

Firm

Andrea L. Coates

Contact Name

Andrea.Coates@dot.state.ma.us

E-Mail Address

1000 County Street

Mailing Address

Taunton

City/Town

MA

State

02780

Zip Code

(508) 884-4217

Phone Number

(508) 880-6102

Fax Number (if applicable)

B. Determinations

1. I request the Avon 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:

NA

Name of Municipality

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



WPA Form 1- Request for Determination of Applicability

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

C. Project Description

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

<u>Route 24</u>	<u>Avon</u>
Street Address	City/Town
<u>N/A</u>	<u>N/A</u>
Assessors Map/Plat Number	Parcel/Lot Number

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

Route 24 from the Avon/Brockton town line, north to the Avon/Stoughton town line.

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

<u>Route 24 - U.S.G.S. Locus Map</u>	<u></u>
Title	Date
<u>Route 24 - Limit of Clearing and Thinning Typical Sketch</u>	<u></u>
Title	Date
<u>Route 24 – Wetland/Habitat/Flood Zones</u>	<u></u>
Title	Date

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

Tree trimming for road safety maintenance, including selective removal of dead, dying or unsafe trees within the Route 24 State Highway Layout (“SHLO”) up to a maximum of 20-feet from the edge of pavement and/or a maximum of 15-feet of guardrails or ramps.



WPA Form 1- Request for Determination of Applicability

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

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).

310 CMR 10.58 (6)(a) - exemption from riverfront requirements for maintenance of roads.

310 CMR 10.02 (2)(b)2 – Pavement repair, resurfacing, etc.....

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

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

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:

Massachusetts Department of Transportation - Highway Division - District 5 Office
Name
1000 County Street
Mailing Address
Taunton
City/Town
Massachusetts
State
02780
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.

Signature of Applicant
Date

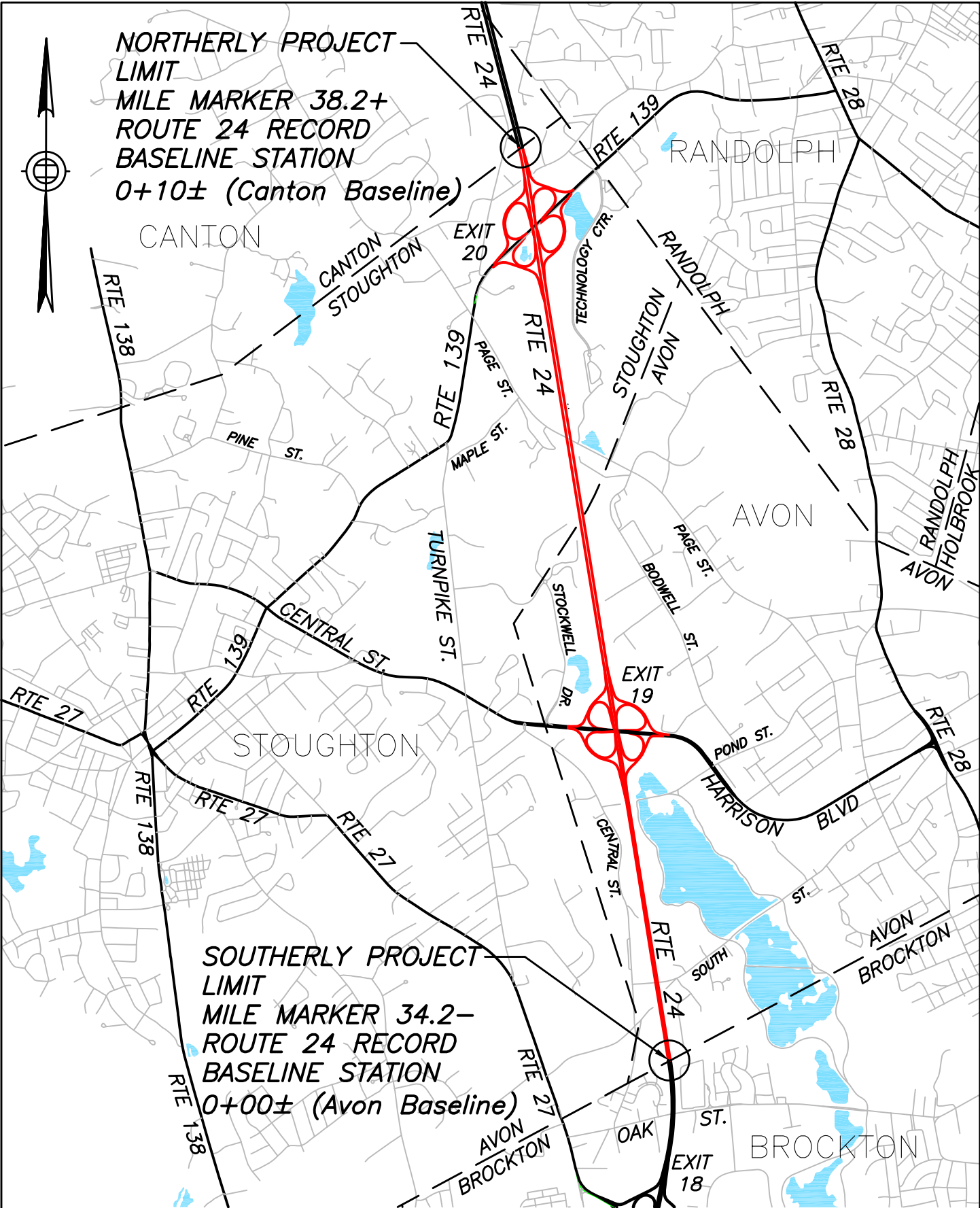
Signature of Representative (if any)
Date

Project Narrative

MassDOT proposes tree trimming associated with the resurfacing of Route 24 for road safety maintenance. The proposed work includes selective removal of dead, dying or unsafe trees within the State Highway Layout (“SHLO”) up to a maximum of 20-feet from the edge of pavement and/or a maximum of 15-feet of guardrails or ramps. There will be no surface disturbance, and no stumps removed.

The referenced pavement repair and resurfacing work within the SHLO and portions of the vegetation maintenance work within 6-feet of existing guardrails is exempt from review under the WPA as per 310 CMR 10.02(2)(b) (n & p), respectively. The proposed tree trimming work is beyond the required exemption limits. Therefore, an RDA filing is in order.

There is no Estimated or Priority Habitat located within the project limits, however the project does lie within flood zone areas and wetland buffer zones, please refer to attachments.











LOCUS MAP
 ROUTE 24 RESURFACING
 & RELATED WORK
 AVON-STOUGHTON

SCALE: 1"=3000'
 PROJECT FILE NO. 608496
 DISTRICT 5 PROJECTS SECT.
 TAUNTON, MA

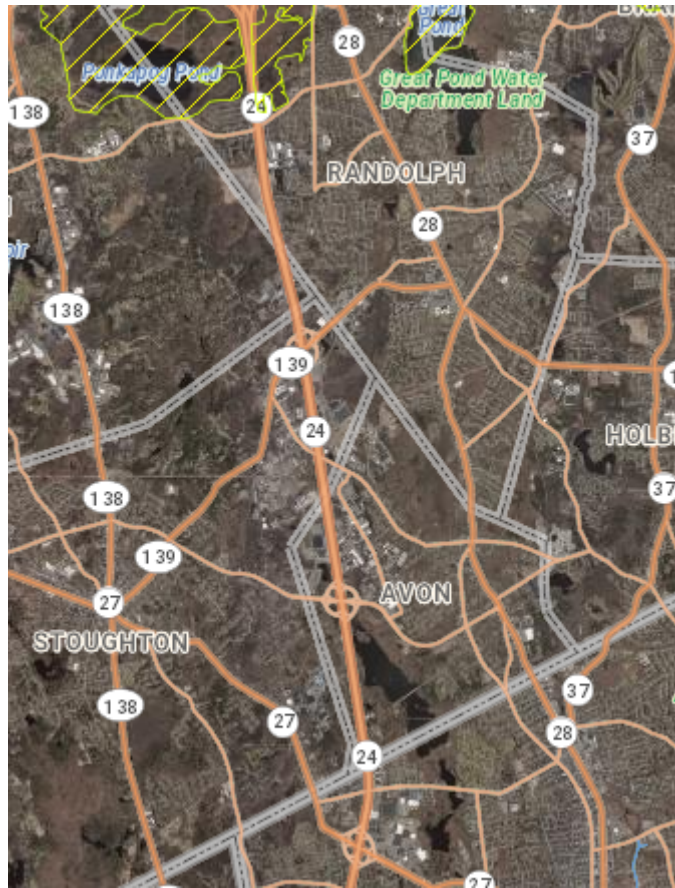
DEP Wetland MassGIS Data Layer



DEP Wetlands General Categories

-  MARSH/BOG
-  WOODED MARSH
-  CRANBERRY BOG
-  SALT MARSH
-  OPEN WATER
-  RESERVOIR (WITH PWSID)
-  TIDAL FLATS
-  BEACH/DUNE

Estimated and Priority Habitat MassGIS Data Layer



NHESP Estimated Habitats of Rare Wildlife









NHESP Priority Habitats of Rare Species



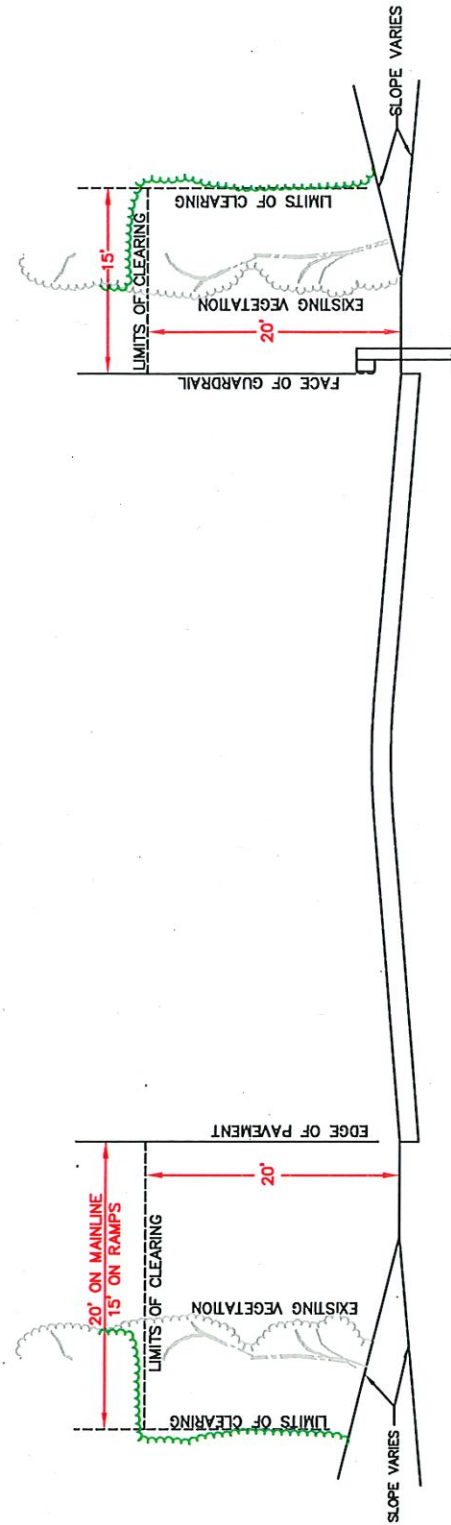
Tax Parcels for Query

FEMA Flood Zone MassGIS Data Layer

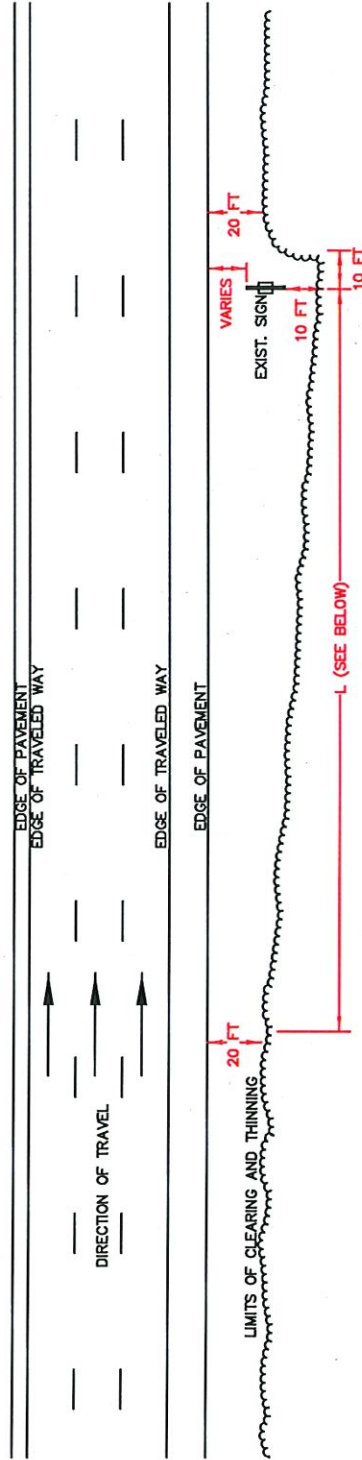


-  A
-  AE
-  AE Floodway
-  AH
-  AO
-  D
-  V
-  VE
-  Area Not Included
-  X500

TYPICAL LIMITS OF CLEARING AND THINNING FOR ROADSIDE CLEARANCE



CLEARING FOR SIGHT DISTANCE AT EXISTING SIGN LOCATIONS



NOTES:

- * MINIMUM LENGTH OF TAPER (L) = 50 FEET PER INCH OF LOWER CASE LETTER HEIGHT.
- * WORK TO BE DONE IN CONFORMANCE WITH SECTION 101 OF THE STANDARD SPECIFICATIONS AND ITEM 102.02 OF THE SPECIAL PROVISIONS.

NOT TO SCALE