

Massachusetts Department of Environmental Protection &
Bellingham Wetlands Protection Bylaw
Bureau of Resource Protection - Wetlands

Bellingham
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:

Brian Elmes
Name _____ *firewallends@hotmail.com*
E-Mail Address _____
43 Fox Run Rd
Mailing Address _____
Bellingham
City/Town _____ *MA* _____ *02019*
State _____ Zip Code _____
508-212-8061
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 *Bellingham* _____ make the following determination(s). Check any that apply:
Conservation Commission

- 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:

Bellingham
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):

43 Fox Run Road

Street Address

79

Assessors Map/Plat Number

Bellingham

City/Town

40

Parcel/Lot Number

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

*Tree removal. Tree #1 is Rotted & Split at base.
The Branches are touching roof. Tree is a safety concern.
Tree #2 will be removed at a later date.*

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

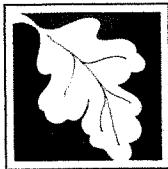
Title _____ Date _____

Title _____ Date _____

Title _____ Date _____

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

Tree removal requires a crane. Charron Tree Service to provide work.



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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).

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:

Brian Elmes
Name _____
43 Fox Run Road
Mailing Address _____
Bellingham
City/Town _____
MA
State _____ Zip Code *02019*

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.

Brian Elmes
Signature of Applicant _____ Date *10/23/2025*

Signature of Representative (if any) _____ Date _____



Application for Permit Bellingham Wetlands Protection Bylaw & Regulations

1. Applicant: Name: Brian Elmes Phone: 507-212-8861
Address: 43 Fox Run Rd Bellingham MA 02019
E-mail: firewallends@hotmail.com

2. Project Location: Street: _____
Assessor's Map 79 Parcel\Lot 40

3. This application is filed simultaneously with and consistent with the Project Filing Guidelines found on the town web site for:

- Request for Determination of Applicability
- Abbreviated Notice of Resource Area Delineation
- Notice of Intent
- Abbreviated Notice of Intent
- Amendment Request

Resource Area(s) Delineation to be confirmed: (Please complete number of linear feet)

Linear Feet

- X Bordering Vegetated Wetlands (BVW)
- _____ Bordering Land Subject to Flooding (BLSF)
- _____ Isolated Land Subject to Flooding (ILSF)
- _____ Isolated Vegetated Wetland (IVW)
- _____ Land Under Water Bodies (LUWB)
- _____ Bank
- _____ Perennial Stream: (MHAW) Stream Name: _____
- _____ Intermittent Stream: _____

Is Estimated or Priority Habitat present on the site? Yes _____ No _____

Species: _____

Number of Vernal Pools present on the site: Certified _____ Potential _____

4. Work is proposed in the following Resource Areas:

<input type="checkbox"/> Bank	Total #of square feet of impacts: _____
<input type="checkbox"/> Beach or Flat	Total #of square feet of impacts: _____
<input type="checkbox"/> Land Subject to Flooding(bordering or isolated)	Total # of square feet of impacts _____
<input type="checkbox"/> Bordering Vegetated Wetlands	Total # of square feet of impacts _____
<input checked="" type="checkbox"/> Buffer Zone	Total # of square feet of impacts _____
<input type="checkbox"/> Isolated Wetland	Total # of square feet of impacts _____
<input type="checkbox"/> Lakes or Ponds	Total # of square feet of impacts _____
<input type="checkbox"/> Land under Water Bodies	Total # of square feet of impacts _____
<input type="checkbox"/> Riverfront Area	Total # of square feet of impacts _____
<input type="checkbox"/> Vernal Pool	Total # of square feet of impacts _____
Total # of above _____	

5. Work is proposed in the following No Alteration Zones:

<input type="checkbox"/> Areas of Critical Environmental Concern	Total# of square feet of impacts
<input type="checkbox"/> Buffer Zone 0 -25 feet	Total# of square feet of impacts
<input type="checkbox"/> Estimated Habitat	Total# of square feet of impacts
<input type="checkbox"/> Priority Habitat	Total# of square feet of impacts
<input type="checkbox"/> 0 – 50 feet No Disturb Zone to Vernal Pool	Total# of square feet of impacts
	Total of above

6. Work in buffer zone only:

<input type="checkbox"/> 0-25 feet	Total# of square feet of impacts
<input checked="" type="checkbox"/> 25-50 feet	<i>6</i>
<input type="checkbox"/> 50-100 feet	Total# of square feet of impacts
	Total of above

7. Project Description:

a. Existing Conditions where work is proposed

<input type="checkbox"/> Impervious	<input checked="" type="checkbox"/> Lawn or landscaped area
<input type="checkbox"/> Regulated Resource Area	<input checked="" type="checkbox"/> Wooded or natural area
<input type="checkbox"/> Other	

b. Description of proposed work: *Tree Removal*

c. Type of equipment required for project: *Crane*

d. Type of erosion control proposed: _____

8. Plans must adhere to the criteria in Section 29 “Plan Requirements” of the Regulations.

9. Project Impacts (Use separate page if necessary referring to corresponding item)

Buffer Zone Setback:

If the project involves work in the buffer zone only, what is the shortest distance between project disturbance and the regulated resource area? 30 feet

Tree Cutting:

List the number of trees and approximate diameter of tree(s) in jurisdictional areas proposed for removal: (Use separate sheet if necessary.) 2

Fill & grading:

Amount of fill proposed for removal from site	<u>0</u>	cu yds.
Amount of fill proposed for use on site	<u>0</u>	cu yds.

Explain the difference between the proposed final grade and the existing conditions. _____

Explain proposed site stabilization methodology during and post construction. _____

10. If an exemption or waiver from the WPA or the Bellingham Wetland Bylaw will be required to complete the proposed project, the applicant shall, at the time of filing, provide information consistent with six requirements listed in Section 10 of the Bellingham Wetland Regulations.

11. The following completed items are included in each set of the filing:

Abutters list, Abutter Notification Form, Affidavit of Service, Bylaw Fee Calculation, Worksheet & remittance Plans (see #8 above), Narrative for projects Please include: THUMB DRIVE with pdf copy of entire filing

12. Statement of applicant: I hereby certify under penalties of perjury that this application and all supporting plans and documents are true and complete to the best of my knowledge and that these have been prepared in conformance with the requirement of the Bellingham Wetlands Protection Bylaw and its attendant Regulations I further certify that all abutters and other parties have been notified of this application as required by the Bellingham Wetlands Protection Regulations. I understand that I may be asked to pay for a consultant to review my application for the Commission.

Initialed sign off by Treasurer's Office:

**CERTIFICATION OF MUNICIPAL TAXES AND CHARGES PAID
TOWN OF BELLINGHAM**

Property Information	
Parcel ID	0079
Map	0040
Lot	0000
Street Number	43
Street Name	Fox Run Road
First Name	
Last Name	

Taxes / Charges	Paid
Tax Title	<input checked="" type="checkbox"/>
Motor Excise Tax	<input checked="" type="checkbox"/>
Real Estate Tax	<input checked="" type="checkbox"/>
Personal Property Tax	<input checked="" type="checkbox"/>
Water	<input checked="" type="checkbox"/>
Sewer	<input checked="" type="checkbox"/>
Trash	<input checked="" type="checkbox"/>

As the
Collector

As the Collector/Treasurer for the Town of Bellingham, MA I certify that the municipal taxes are paid in full for the above property.

Christine Mansfield
(Print name)

Christine
(Signature)
10.23.25
(Date)

Conservation Commission Category Activities and Fees

Category 1 (Fee for each activity is \$50):

- a.) work on single family lot; addition, pool, etc.;
- b.) site work without a house;
- c.) control vegetation;
- d.) resource improvement;
- e.) work on septic system separate from house;
- f.) monitoring well activities minus roadway;
- g.) new agricultural or aquaculture projects.

Category 2 (Fee for each activity is \$125)

- a.) construction of single family house;
- b.) parking lot;
- c.) beach nourishment;
- d.) electric generating facility activities;
- e.) inland limited projects minus road crossings and agriculture;
- f.) each crossing for driveway to single family house;
- g.) each project source (storm drain) discharge;
- h.) control vegetation in development;
- i.) water level variations;
- j.) any other activity not in Category 1, 3, or 4;
- k.) water supply exploration.

Category 3 (Fee for each activity is \$250)

- a.) site preparation (for development) beyond Notice of Intent scope;
- b.) each building (for development) including site;
- c.) road construction not crossing or driveway;
- d.) hazardous cleanup;
- e.) water supply development.

Category 4 (Fee for each activity is \$500):

- a.) each crossing for development or commercial road;
- b.) dam, sluiceway, tidegate (safety) work;
- c.) landfills operation/closures;
- d.) sand and gravel operations;
- e.) railroad line construction;
- f.) bridge;
- g.) hazardous waste alterations to resource areas;
- h.) dredging;
- i.) package treatment plant and discharge;
- j.) airport tree clearing;
- k.) oil and/or hazardous material release response actions.

Category 5 (Fee is \$2.00/linear foot):

- a.) Construction, repair, replacement of docks, piers, revetments, dikes, or other engineering structures on inland resource areas.

Revised 7/1/2013

Town of Bellingham Wetlands Protection Bylaw
Fee Calculations Worksheet
(Bylaw Fees are in addition to WPA Fees)
Fees must be submitted with application
(Check to be made payable to "Town of Bellingham")

1. **A flat fee of \$50.00 each for the following requests: (check off appropriate item)**
 Request for Determination of Applicability (RDA)..... \$ 50.1
 (For RDA also see item 4 or 5 below as appropriate)
 Request for an Extension to Orders of Conditions (Ext)..... \$ _____

2. **The following schedule applies for Notice of Intent (NOI) categories at 310CMR 10.03(7) (c), as follows:**
*(Also complete Item #4 below for all filings including RDA, NOI and ANRAD and Item #5 for Riverfront Area if applicable.)

	No.	Total
Category 1	\$ 50.00 per activity x _____	= \$ _____
Category 2	\$125.00 per activity x _____	= \$ _____
Category 3	\$250.00 per activity x _____	= \$ _____
Category 4	\$500.00 per activity x _____	= \$ _____
Category 5	\$ 2.00 per linear ft. x _____	= \$ _____

3. **A flat fee of \$50.00 for Request for an Amendment to each existing Order of Conditions permit:**
\$ 50.00 per activity x _____ = \$ _____

4. **Application for review of Resource Area Delineation: .20 per linear foot (not less than \$25.00 or more than \$200.00 for single family house projects; not less than \$50.00 or more than \$2,000.00 for any other activity).**

- This fee will be in addition to the fee for a Request for Determination of Applicability (RDA) or Notice of Intent (NOI) listed in items #1 for RDA and #2 NOI or Abbreviated Notice of Resource Area Delineation (ANRAD).

Type of activity: _____
Total linear feet _____ x .20/linear foot = \$ _____
(\$25/ min. or \$2000/ max.)

5. **Fees for projects within the Riverfront Area and another resource area shall be 150% of the above fees:**
(Check off appropriate item below)

Request for Determination of Applicability (RDA) \$ 50.00 x 150% = \$ _____
 Notice of Intent (NOI) (total from item 2 above) \$ _____ x 150% = \$ _____

Total Bylaw Fee Submitted \$ 50.1

DEP & BWP File No. _____

Name & Address of Applicant: Brian Elmes 413 Fox Run Rd Bellingham MA

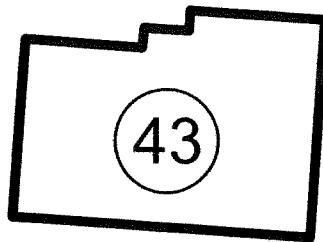
Project name (if applicable): _____

Project location: Assessors Map: 79 Lot or Parcel: 40 Street Address: 43 Fox Run Rd

150.00'

ELMES, BRIAN & MAUREEN 150.00'
43 FOX RUN RD
0079-0040-0000

39



308.07'

Tree #1

Tree #2

309.92'

)-41

79-40

58 AC

1.064 AC

7

1

149.98'

149.98'

430.31'

1



Proposal #111

Created: 04/21/2025

From: Sean

1060 Pulaski Boulevard Bellingham, MA 02019

1060 Pulaski Boulevard Bellingham, MA 02019

Proposal For

Brian Elmes

43 Fox Run Rd
Bellingham, MA 02019

mobile: 508-212-8061
brian.elmes@charron.com

Location

43 Fox Run Rd
Bellingham, MA 02019

33 Fox Run Rd 02019

Terms

Due on receipt

ITEM DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
1) Tree Removal -Remove one large red maple tree left rear corner of the house, with significant rot hole at the bifurcation about 6' up the stock of the tree. -Remove one red maple tree top of the driveway in the wood with a hard lean towards the neighbors property covered in vines. -Remove all wood and brush.	1	\$ 2,500.00	\$ 2,500.00

Client Notes

Conservation must be notified for the removal of the maples.

Hanna Crawford (774) 507-6255

All work will be completed in accordance with these plans unless subsequent changes are agreed upon in writing. Balances not paid by the due date are subject to late fees.

SUBTOTAL	\$ 2,500.00
SALES TAX	\$ 0.00
TOTAL	\$ 2,500.00

Signature

x

Date:

Please sign here to accept the terms and conditions

Sales Reps

Sean

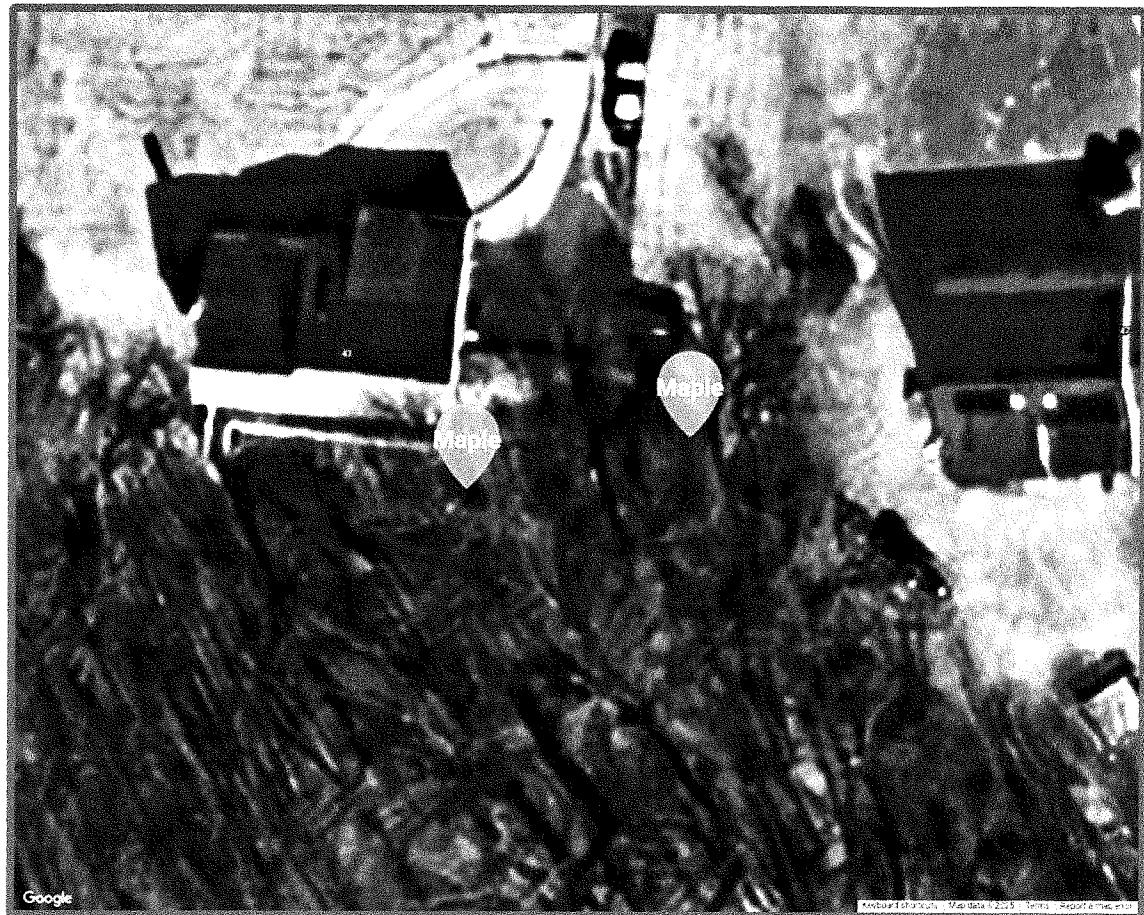
Office: 508-212-8060

Mobile: 508-212-8061

sean@charron.com

Photos





ID DESCRIPTION

COLOR

Maple remove

Maple remove