



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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:

Regency at Glen Ellen Trust

Name

manager.regencyatglenellen@barkanmanagement.com

E-Mail Address

1 Glen Ellen Blvd.

Mailing Address

Millis

MA

02054

City/Town

State

Zip Code

508-794-1683

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Barkan Management Company, Inc

Firm

Jack Donahue

manager.regencyatglenellen@barkanmanagement.com

E-Mail Address

Contact Name

1 Glen Ellen Blvd

Mailing Address

Millis

MA

02054

City/Town

State

Zip Code

508-794-1683

Phone Number

Fax Number (if applicable)

B. Determinations

1. I request the Conservation Commission 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:

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 (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.)

Declaration of Trust attached

3. b

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DORHAM, MA

Bk 37137 Pg 327 #80584
09-10-2019 @ 11:58a

NOT
CERTIFY
A N
O F F I C I A L
C O P Y
WILLIAM F. O'DONNELL, REGISTER

DECLARATION OF TRUST

REGENCY AT GLEN ELLEN CONDOMINIUM TRUST

THIS DECLARATION OF TRUST is made by Toll MA Land III Limited Partnership, a Massachusetts limited partnership, with an address of 116 Flanders Road, Suite 1200, Westborough, MA 01581 (hereinafter referred to as the "Declarant" or the "Trustee").

ARTICLE I NAME OF THE TRUST

The trust hereby created shall be known as **REGENCY AT GLEN ELLEN CONDOMINIUM TRUST**.

ARTICLE II THE TRUST AND ITS PURPOSE

2.1 General Purposes: This trust is created as the "organization of Unit Owners" as required by the provisions of M.G.L. c. 183A (the "Condominium Law") for the purpose of managing and regulating the Regency at Glen Ellen Condominium (hereinafter referred to as the "Condominium"), established and created by a Master Deed executed by the owner of the land described therein, dated the same date as the date of this Trust and recorded herewith (such owner being hereinafter sometimes referred to as "Declarant").

2.2 Definitions: Unless the context otherwise requires, the definitions contained in Section 1 of the Condominium Law shall be applicable to this Trust.

2.3 Trust and Not a Partnership: It is hereby expressly declared that a trust and not a partnership or corporation is hereby created and that the Unit Owners are beneficiaries and not partners or associates between and among themselves with respect to the Trust property, and hold no relation to the Trustees (as defined below) other than as beneficiaries hereunder and under the provisions of the Condominium Law.

2.4 Property Held in Trust: All property, real and personal, tangible and intangible, conveyed to or held hereunder by the Trustees shall vest in the Trustees, in trust, to manage, administer, and dispose of the same exclusive of the common areas and to receive and/or distribute the income and/or principal thereof for the benefit of the Unit Owners who are Owners from time to time of the Units in the Condominium. The Condominium shall contain up to 324 Units referred to herein collectively as the "Units." The beneficial interest of each Unit Owner is set forth in Exhibit C of the Master Deed, as may be amended in accordance with phasing amendments and other amendments from time to time.

Please Return To:
Mark A. Kablack, Esq.
M.A. Kablack & Associates, P.C.
176 East Main Street, Suite 3
Westborough, MA 01581



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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):

20 GLEN ELLEN BLVD

Street Address

MILLIS MA.

City/Town

Assessors Map/Plat Number

Parcel/Lot Number

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

50' INNER BUFFER ZONE

64 GLEN ELLEN MILLIS MA.

100' BUFFER ZONE

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

MAP OF AREA

Title

6/7/2023

Date

REQUEST

Title

6/7/2023

Date

PICTURES

Title

6/7/2023

Date

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

SEE REQUEST



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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:

Regency at Glen Ellen Trust

Name

1 Glen Ellen Blvd

Mailing Address

Millis

City/Town

Massachusetts

State

02054

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.

Jack Donahue
Signature of Applicant

6/7/2023
Date

Jack Donahue PROPERTY MANAGER
Signature of Representative (if any)

6/7/2023
Date

[illegible]

685-21-2019

REQUESTS

20 Glen Ellen

- This is just outside the granite bound denoting the edge of the 50' inner buffer.
- It is also beyond the limit of disturbance for Toll.
- Thus, approval should be sought.
- Other thoughts
 - This can probably be handled without equipment
 - Thus, there is no or minor disturbance.

The request is trimming the lower limbs and any dead limbs.

64 Glen Ellen

- This is just inside the 100' buffer and within the area subject to the conservation covenant.
- It is also beyond the limit of disturbance for Toll.
- Thus, approval should be sought.
- Other thoughts
 - The branch trunk is cracked and at risk of falling and potentially causing damage to property.
 - The timing of a problem is unpredictable.
 - The trunk is large and equipment will be required.
 - The commission is likely to be assured that there will be no disturbance to the ground i.e. no heavy equipment will be in the buffer zone.

The request is to remove cracked limb which rises 40 feet for safety and liability.

Emergency Road Connecting Richardson to Glen Ellen Blvd

- Removal of six (6) dead trees in conservation covenant.
 - The removal of said trees is Toll responsibility.

The request is to have all 6 dead trees removed in fear of safety for people walking the road.

20 GREEN ELLEN BLVD.

LOT # 10

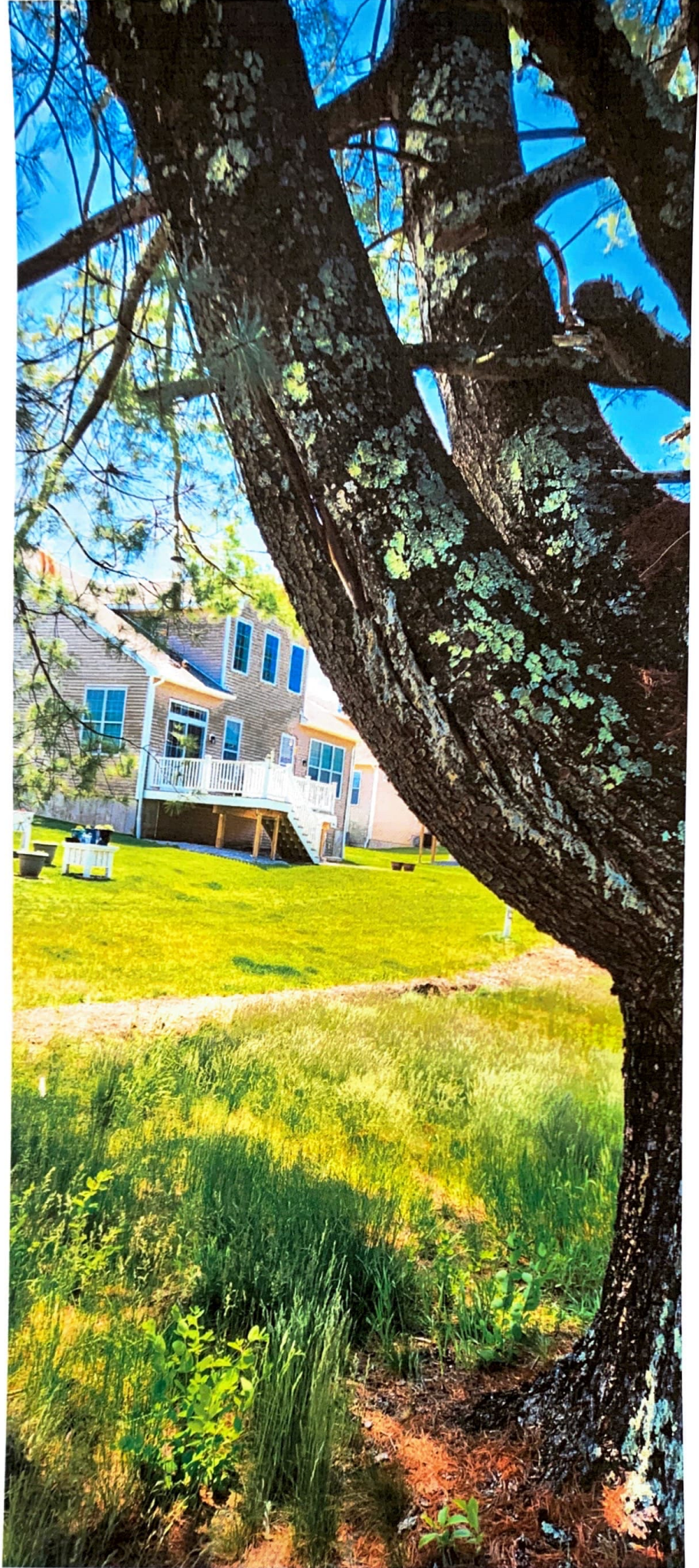


20 Glen Ellen Blvd
LOT # 10



64 GLEN ELEN BLVD

281 #107



64 GLEN ELEN BLVD
LOT # 107



EMERGENCY
E ROAD



Emergency
Road

