

Request for Determination of Applicability

Superstructure Replacement Project
Legate Hill Road over Legate Hill Brook, Charlemont, MA
Bridge No. C-05-054
November 15, 2023

Prepared for:

Town of Charlemont



Gill Engineering Associates, Inc.
63 Kendrick Street
Needham, MA 02494



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

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

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:

SARAH	REYNOLDS	
First Name	Last Name	
157 MAIN STREET		
Address		
CHARLEMONT	MA	01339
City/Town	State	Zip Code
413-339-4335 EXT 8	administrator@townofcharlemont.org	
Phone Number	Email Address	

2. Property Owner (if different from Applicant):

TOWN OF CHARLEMONT					
First Name			Last Name		
157 MAIN STREET					
Address					
CHARLEMONT	MA	01339			
City/Town	State	Zip Code			
413-339-4335					
Phone Number	Email Address (if known)				

3. Representative (if any)

JASON	FISCHER	
First Name	Last Name	
GILL ENGINEERING ASSOCIATES, INC.		
Company Name		
63 KENDRICK STREET		
Address		
NEEDHAM	MA	02492
City/Town	State	Zip Code
781-355-7100	jfischer@gill-eng.com	
Phone Number	Email Address (if known)	

B. Project Description

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

LEGATE HILL ROAD	CHARLEMONT
Street Address	City/Town
42.63520	-72.89656
Latitude (Decimal Degrees Format with 5 digits after decimal e.g. XX.XXXXX)	Longitude (Decimal Degrees Format with 5 digits after decimal e.g. -XX.XXXXX)
07	86 & 10-3
Assessors' Map Number	Assessors' Lot/Parcel Number

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

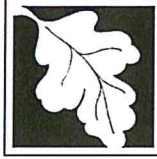
PAVED ROADWAY WITH MODERATELY STEEP SLOPE AT EMBANKMENTS

- c. Plan and/or Map Reference(s): (use additional paper if necessary)

C-05-054 PERMIT PLANS	11/13/2023
Title	Date
Title	Date

[How to find Latitude and Longitude](#)

[and how to convert to decimal degrees](#)



B. Project Description (cont.)

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

THE PROJECT SCOPE OF WORK CONSISTS OF A SUPERSTRUCTURE REPLACEMENT FOR BRIDGE NUMBER C-05-054 (BTE). THE EXISTING STEEL BEAM SUPERSTRUCTURE IS HEAVILY DETERIORATED AND WILL BE REPLACED WITH A PREFABRICATED GLULAM TIMBER DECK SYSTEM OF SIMILAR SIZE. THE EXISTING CONCRETE ABUTMENTS ARE IN GOOD CONDITION AND WILL BE REUSED. NO WORK WILL BE PERFORMED IN THE BROOK AND SHIELDING WILL BE USED TO CATCH CONSTRUCTION DEBRIS.

- 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)

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.)

Project Narrative

1. Introduction

The Town of Charlemont proposes to perform bridge replacement work to the steel stringer bridge that carries Legate Hill Road over Legate Hill Brook in Charlemont, MA. This bridge has a clear span length of 12 feet and an out-to-out width of 20 feet.

The purpose of the Bridge Replacement Project is to replace the existing superstructure, install guardrail over the brook, and resurface a section of Legate Hill Road where it crosses over the brook. The proposed work is intended to improve the current level of safety and infrastructure. The length of the project along Legate Hill Road is approximately 50 feet long. The project area for this RDA filing is shown on the locus map (Figure 1).

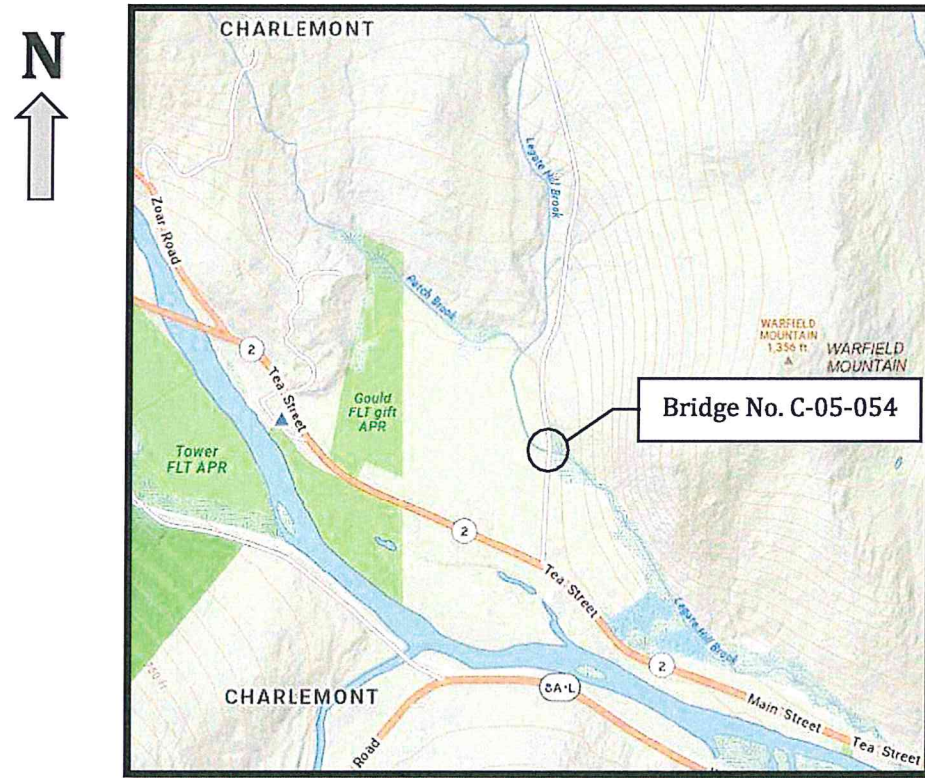


Figure 1 - Project Locus Map

2. Site Overview

Using the locus and available maps, GIS data layers from the Commonwealth's Office of Geographic Information (MassGIS) were overlaid on the project locus to determine the presence/absence and general location of environmental resources within, adjacent and proximate to the "Legate Hill Road over Legate Hill Brook Bridge Replacement" project limits in Charlemont.

2.1. Wetland Resources

As shown in Figure 2, based on the DEP Wetlands data layer, the proposed repair work is located above and adjacent to wetland resource areas. As such, the proposed work is located within the 200-foot riverfront area.

For work within riverfront:

As stated in 310 CMR 10.58(6)(a), work within riverfront is defined as: "Any excavation, structure, road, clearing, driveway, landscaping, utility line, rail line, airport owned by a political subdivision, marine cargo terminal owned by a political subdivision, bridge over two miles long, septic system, or parking lot within the riverfront area in existence on August 7, 1996. Maintenance of such structures or areas is allowed (including any activity which maintains a structure, roads (limited to repairs, resurfacing, repaving, but not enlargement), clearing, landscaping, etc. in its existing condition) without the filing of a Notice of Intent for work within the riverfront area, but not when such work is within other resource areas or their buffer zones except as provided in 310 CMR 10.58(6)(b). Changes in existing conditions which will remove, fill, dredge or alter the riverfront area are subject to 310 CMR 10.58, except that the replacement within the same footprint of structures destroyed by fire or other casualty is not subject to 310 CMR 10.58."

2.2. Massachusetts Natural Heritage & Endangered Species Program

According to related MassGIS data layers, the project site is not located within a Priority Habitat or Estimated Habitat of rare species.

2.3. Stormwater Critical Areas

Based on the MassGIS datalayers, the bridge to be replaced crosses Legate Hill Brook which is categorized as a Cold-Water Fishery. The work will consist of removal of the existing steel superstructure and replacing this with a timber superstructure. The contract specifications require that all deteriorated steel & concrete be collected before it falls into the water that flows beneath the bridge. As such, no work will be performed during construction that will cause contamination, siltation, filling, or dredging of the existing delineated resource areas. In addition, the proposed repair work is not located within any stormwater critical areas or area of critical environmental concern.

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Legate Hill Road over Legate Hill Brook
Bridge No. C-05-054
Charlemont, MA

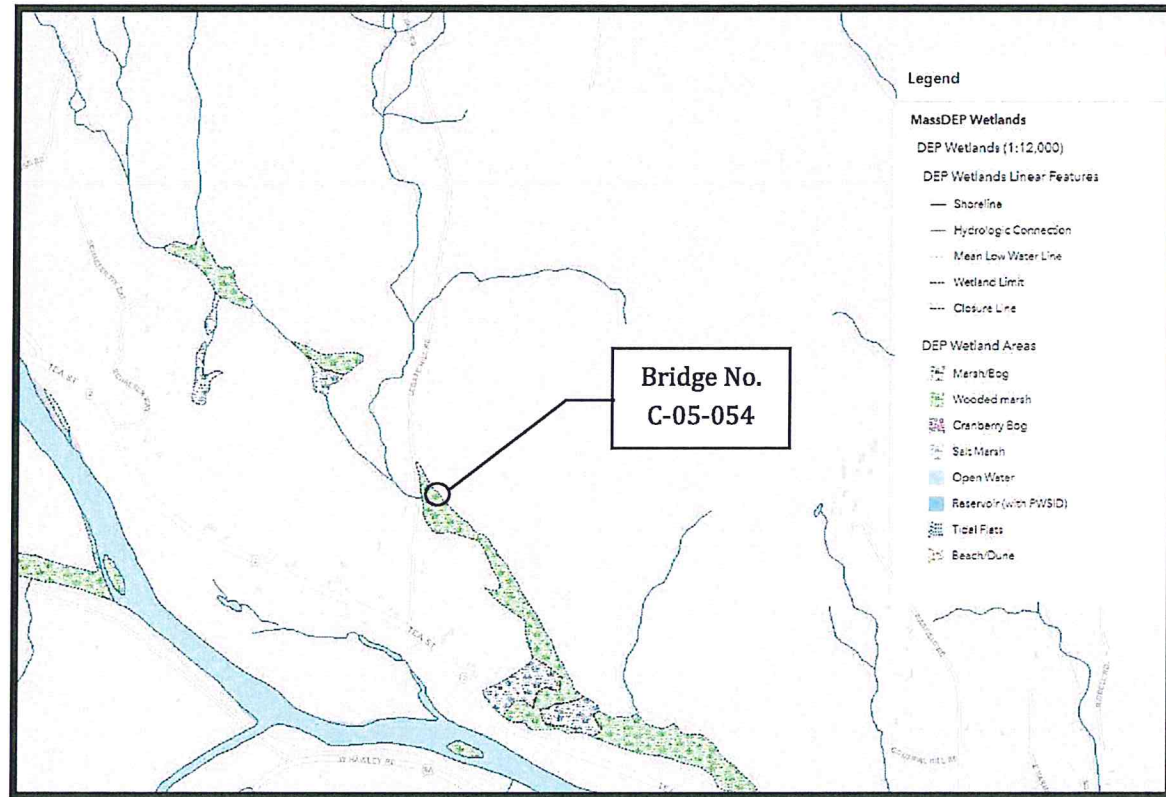


Figure 2 - MassDEP Wetland Map

2.4. Federal Emergency Management Agency

The online Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) for the Town of Charlemont, Massachusetts, Berkshire County, were reviewed. The project will not result in any net fill within the floodplain.

3. Proposed Activities

Superstructure replacement will be performed on the bridge identified as Bridge No. C-05-054 (BTE), Legate Hill Road over Legate Hill Brook.

The proposed replacement work covered under this RDA filing consists of removal of the existing superstructure and replacing this with a new timber superstructure. The contract specifications require that all deteriorated steel & concrete be collected before it falls into the water that flows beneath the bridge. As such, no work will be performed during construction that will cause siltation, filling, or dredging of the existing delineated resource areas. Siltation control measures (compost

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filter tubes) will be implemented prior to beginning work. The work also includes resurfacing the approaches within 20 feet of the bridge and replacing the highway guardrail off the bridge at each approach.

The superstructure replacement will require that the Contractor perform this work in accordance with MassDOT specifications concerning environmental protection and monitoring. The Contractor shall be required to comply with all Federal, State, and municipal laws, regulations and ordinances that require protection of the environment, including laws and regulations whose purpose is to prevent contamination and pollution of the air, water, and soil in and surrounding the work site. As currently proposed, all work on this project is on the bridge structure. No work will be performed directly in the delineated wetlands or below existing ground level. Therefore, the need for an EPA NPDES Stormwater Construction General Permit is not anticipated.

It is respectfully requested that the Charlemont Conservation Commission issue a Negative Determination with conditions as deemed appropriate, thereby allowing the project to proceed in the absence of the preparation and filing of a Notice of Intent.

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SURVEY NOTES:

1. COORDINATES IN U.S. SURVEY FEET, ARE REFERENCED TO THE NORTH AMERICAN DATUM OF 1983
2. ELEVATIONS, IN U.S. SURVEY FEET, ARE REFERENCED TO THE NORTH AMERICAN DATUM OF 1983
3. BENCHMARK:
SPIKE SET
BM #1 N: 3059557.401 E: 280382.243 EL.
BM #2 N: 3059347.839 E: 280361.187 EL.
BM #3 N: 3059620.767 E: 280389.808 EL.

- RESOURCE ABBREVIATIONS:
- LAND UNDER WATERBODIES AND WATERWAYS
 - BORDERING LAND SUBJECT TO FLOODING
 - RIVERFRONT AREA
 - ORDINARY HIGH WATER

RESOURCE IMPACTS (TEMPORARY & PERMANENT)
RIVERFRONT AREA (100') = 1700 SF

Sheet List Table	
ET NO.	SHEET TITLE
1	TITLE SHEET
2	EXISTING CONDITIONS
3	PROPOSED CONDITIONS
4	RESOURCE IMPACT PLAN

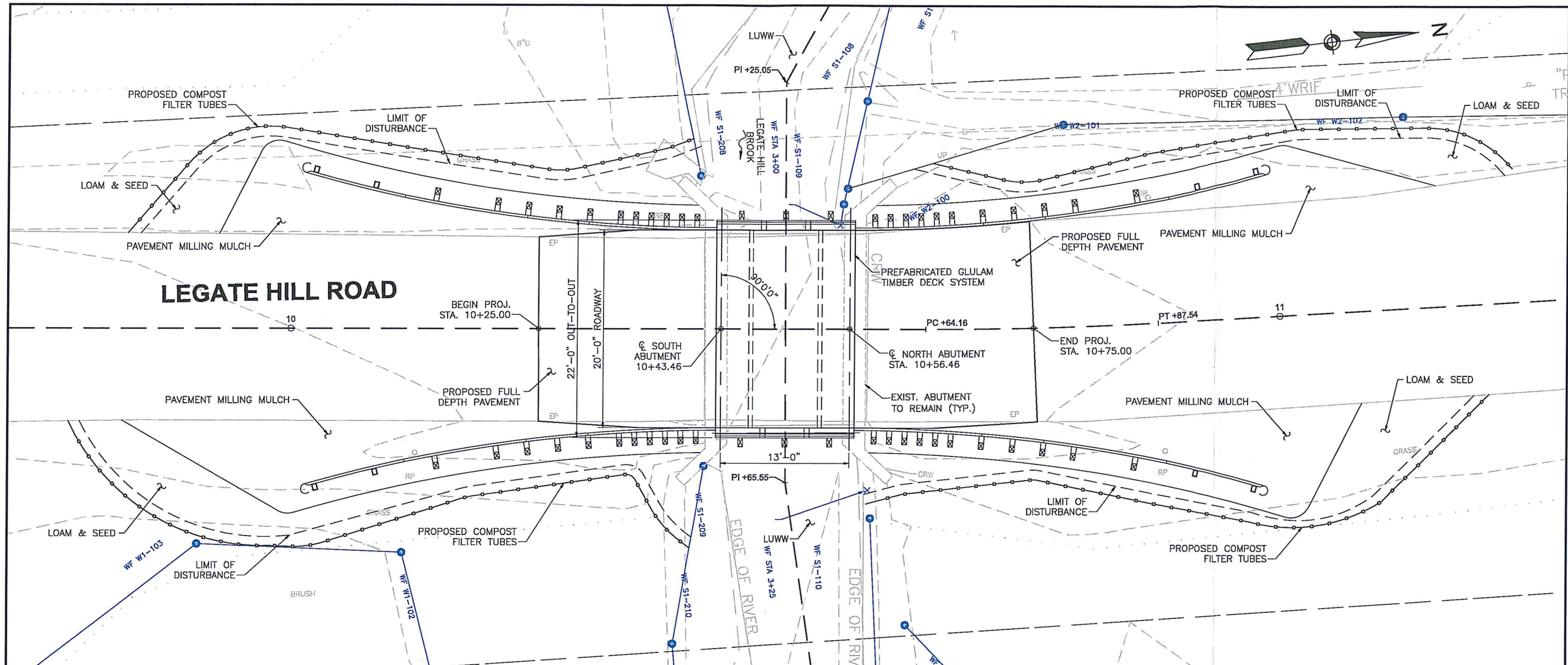


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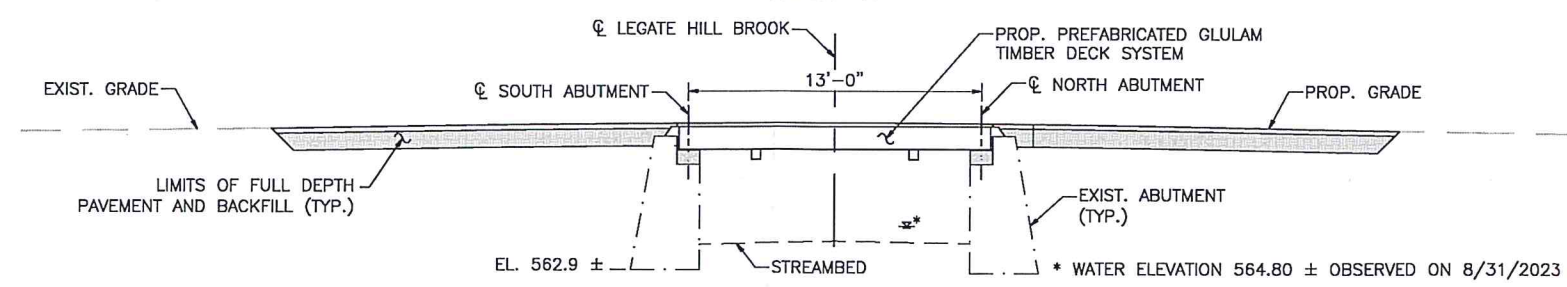
TITLE
SHEET

SHEET
1
OF 4

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PROPOSED CONDITIONS PLAN
SCALE: 1" = 10'



PROPOSED CONDITIONS ELEVATION
SCALE: 1" = 8'

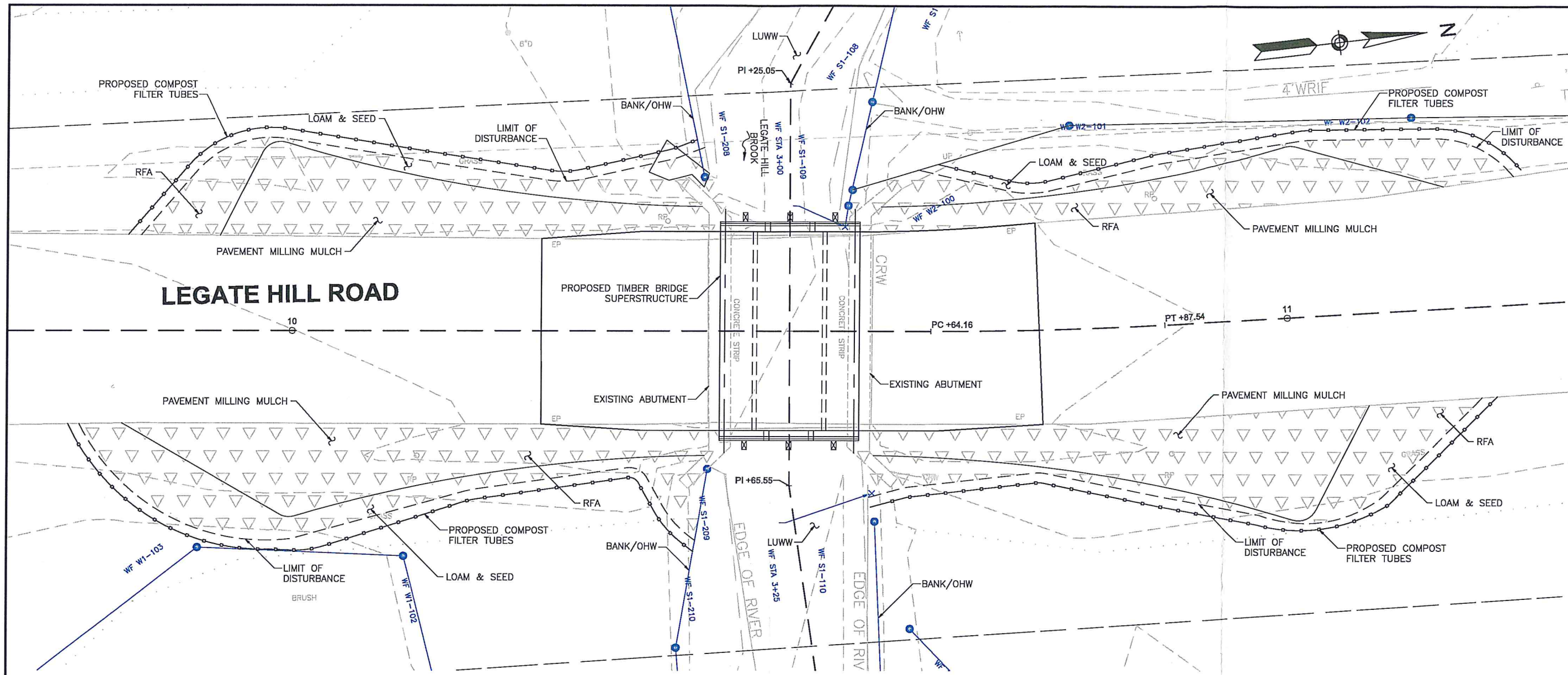


SUPERSTRUCTURE REPLACEMENT
TOWN OF CHARLEMONT

SUPERSTRUCTURE REPLACEMENT FOR CHARLEMONT
LEGATE HILL ROAD OVER LEGATE HILL BROOK

PROPOSED
CONDITIONS

SHEET
3
OF 4



ENVIRONMENTAL IMPACT PLAN
 SCALE: 1" = 10'

RESOURCE IMPACTS (TEMPORARY AND PERMANENT):

***** RIVERFRONT AREA = 1700 SF

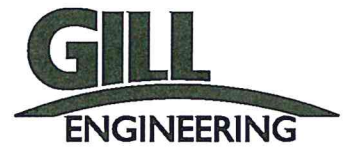
RESOURCE AREAS BOUNDARIES:

ALL ACTIVITIES ARE WITHIN THE 100-FOOT BUFFER ZONE AND THE 200-FOOT RIVERFRONT AREA.

WETLAND FLAG LEGEND:

PERENNIAL/MEAN ANNUAL HIGH WATER AND INLAND BANK:
 S1-100 TO S1-120 = STREAM 1, LEFT BANK
 S1-200 TO S1-215 = STREAM 1, RIGHT BANK

BORDERING VEGETATED WETLAND:
 W1-100 TO W1-104 = WETLAND 1 (SOUTH)
 W2-100 TO W2-106 = WETLAND 2 (NORTH)
 W3-100 TO W3-108 = WETLAND 3 (NORTH)



**SUPERSTRUCTURE REPLACEMENT
 TOWN OF CHARLEMONT**

Gill Engineering Associates, Inc. 63 Kendrick Street Needham, MA 02494 781-355-7100 www.gill-eng.com

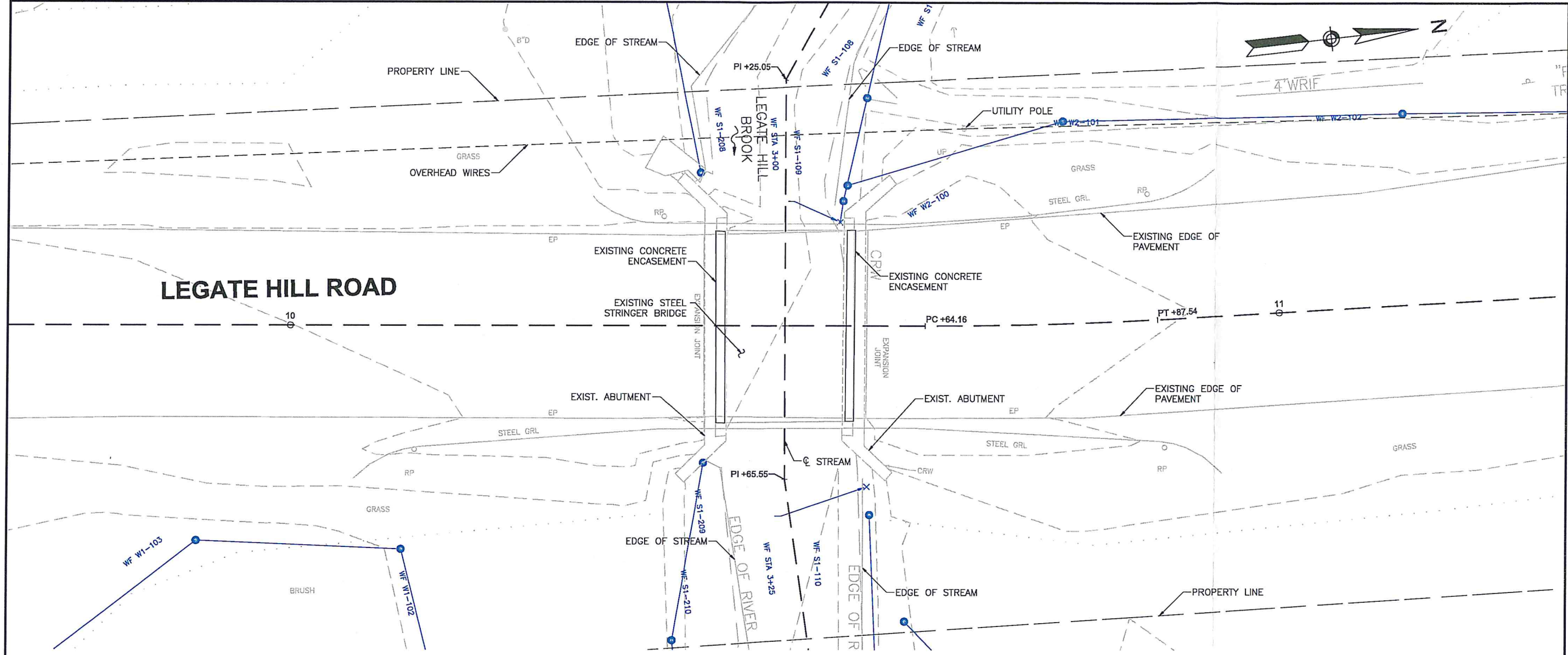
**SUPERSTRUCTURE REPLACEMENT FOR CHARLEMONT
 LEGATE HILL ROAD OVER LEGATE HILL BROOK**

**RESOURCE
 IMPACT
 PLAN**

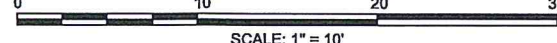
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 4
 OF 4**

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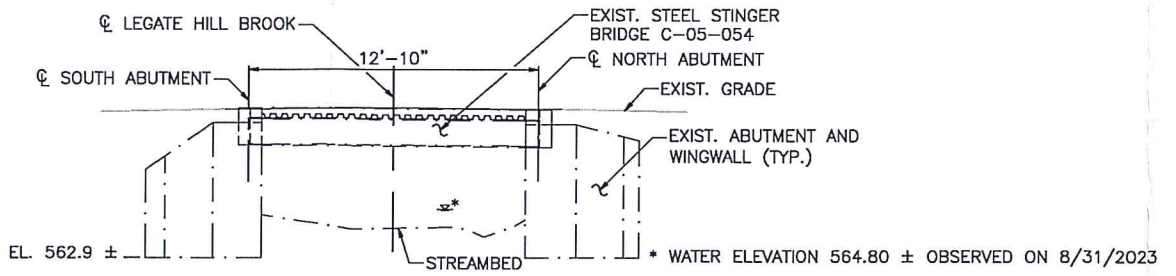
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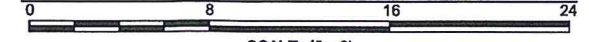
EXISTING CONDITIONS PLAN



SCALE: 1" = 10'



EXISTING CONDITIONS ELEVATION



SCALE: 1" = 8'



SUPERSTRUCTURE REPLACEMENT
TOWN OF CHARLEMONT

SUPERSTRUCTURE REPLACEMENT FOR CHARLEMONT
LEGATE HILL ROAD OVER LEGATE HILL BROOK

EXISTING
CONDITIONS

SHEET
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