

Mr. & Mrs. Michael V. Grybko

75 Arnold Rd

Pelham, MA 01002

Home: 413-256-0455

Lynda's Cell: 413-531-5354

November 30, 2020

Pelham Conservation Commission
c/o Meredith Borenstein
351 Amherst Rd
Pelham, MA 01002

Hi Meredith,

Both Dale and Judy are aware that this Request for Determination is being done after the fact. Frankly, it never occurred to Mike and me that we needed to apply for this when we asked Wagners, two years ago+- (lol) to do this work. So I'm not sure my answers on the "application" make sense. I'd be happy to re-word anything that you think needs clarification prior to the meeting.

I am enclosing before and after pics. Hope that's helpful. I know somewhere I had pictures of the big clump of trees that fell across our driveway (and they were BIG – several were probably 10" +-in diameter; think we had Wagner come and remove them). I can't seem to locate those. But my pictures show at least one of the many tall dead trees that continued to fall periodically over the years inside that group. Incredibly, none had yet fallen into George Greenstein's pool – or on his house, which was easily reachable due to the height of the trees. And none had fallen on our house, also within reach. An arborist speculated that since the trees around the perimeter did get some sunlight, they were probably a bit stronger than all the dead ones in the middle, and to some extent had shielded the houses. We did save several of those trees on the perimeter, although many of the perimeter trees were also diseased and dead.

Many years ago, probably within a few years of our moving here in 1983, Earl Shumway came and looked at this grove of trees, all branches covered with some grey stuff, and said they were all diseased and should come down. We were not ready at the time and the trees were not dead enough (lol), so we left them. Probably not wise.

Let me know if there's anything more you need. We plan on joining you on Zoom January 14th, 2021, unless you notify us otherwise. Let us know if we owe postage or anything for the newspaper ad. Please make sure we get a copy of the list of abutters and the letter sent as well as the ad. I've enclosed a check for the \$50.00 filing fee for the Request for Determination.

Thanks,



Mike and Lynda Grybko

Enc.



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:

Mike and Lynda Grybko

Name

ljgrybko@gmail.com

E-Mail Address

75 Arnold Rd

Mailing Address

Pelham

City/Town

MA

State

01002

Zip Code

Home: 413-256-0455; Lynda's cell: 413-531-5354

Phone Number

Fax Number (if applicable)

2. Representative (if any):

N/A

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 Pelham 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:

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):

75 Arnold Rd

Street Address

002.0/ 0000/ 0100.B

Assessors Map/Plat Number

Pelham, MA 01002

City/Town

Parcel/Lot Number

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

Area south of eastern 3/4 of driveway and to the west of open area near the street. See attached photos. Approximately 65' from known wetland area on north side of driveway. Dead evergreen grove, trees falling in on themselves for a number of years and in recent years, falling across our driveway. Winter 2019/2020 a clump of 6 trees fell across the driveway during a storm. Too big in diameter and too tall to remove by hand; had to be cut with chainsaws and moved with machinery. Blocked access to the house. The trees in this area were planted well before we bought (1983) about 5' apart and have been mostly dead for many years. They threatened the neighbor's house (#77 George Greenstein) and were tall enough to reach our house if they fell in that direction. Decided they needed to go before they fell on either house or made our home inaccessible in an emergency! The area will be replanted with fruit trees and other wildlife/birds/bees vegetation.

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):

All dead evergreens to be removed by Wagners, keeping all heavy equipment away from travel on wetland areas. Trees around the perimeter, if alive and healthy, will remain, as will all trees between the street and the open area east of trees to be removed. Stumps will be removed, as will all logs and brush. Area will be raked by Norwich Construction (with a Bobcat) to clean up as much debris as is practical.

Area subsequently planted with 4 Apple trees (pear and peach trees to be planted when appropriate in spring) with the intention of owners eating whatever the wildlife doesn't get first! It is not the intention of the owners to plant grass to be regularly mowed. Clover and other recommended "wildlife mix" will be planted this fall and wildflowers added as appropriate to make the area desirable to birds, butterflies and wildlife. The land will be mowed only as necessary to keep it from again becoming wild. Large boulders revealed during cleanup will be spaced to provide "seating" for family and friends to enjoy this (hopefully) lovely wildlife area.



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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).

? Don't know if this applies, but the falling of the trees in question, especially in winter of 2019/2020, put the security of the two houses near them at risk, as well as putting access to the occupants of the home at 75 Arnold Rd at risk in an emergency.

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:

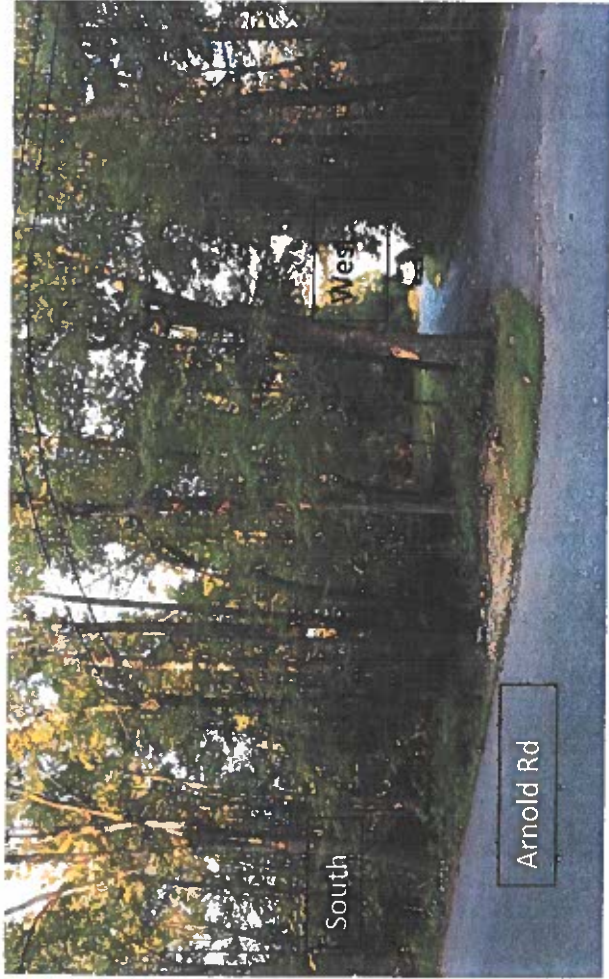
Michael V. and Lynda J. Grybko
 Name
 75 Arnold Rd
 Mailing Address
 Pelham
 City/Town
 MA
 State
 01002
 Zip Code

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.

Michael V. Grybko *Lynda J. Grybko* 11/30/2020
 Signature of Applicant Date

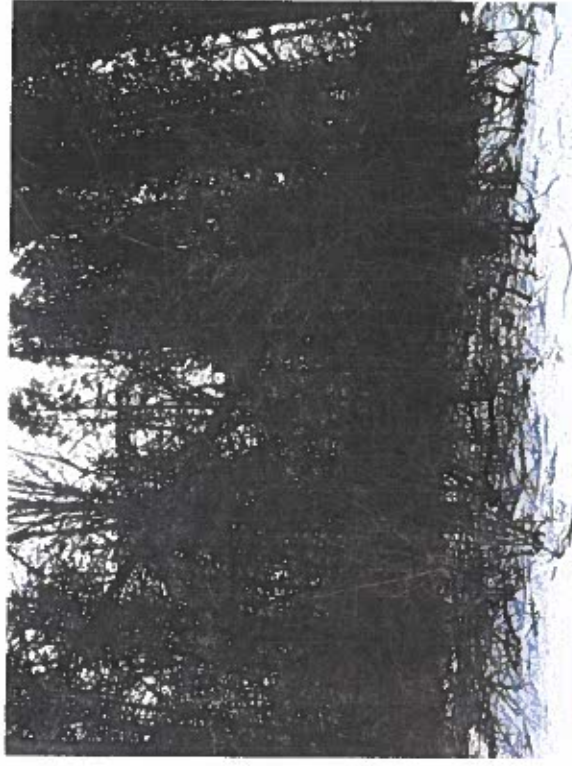
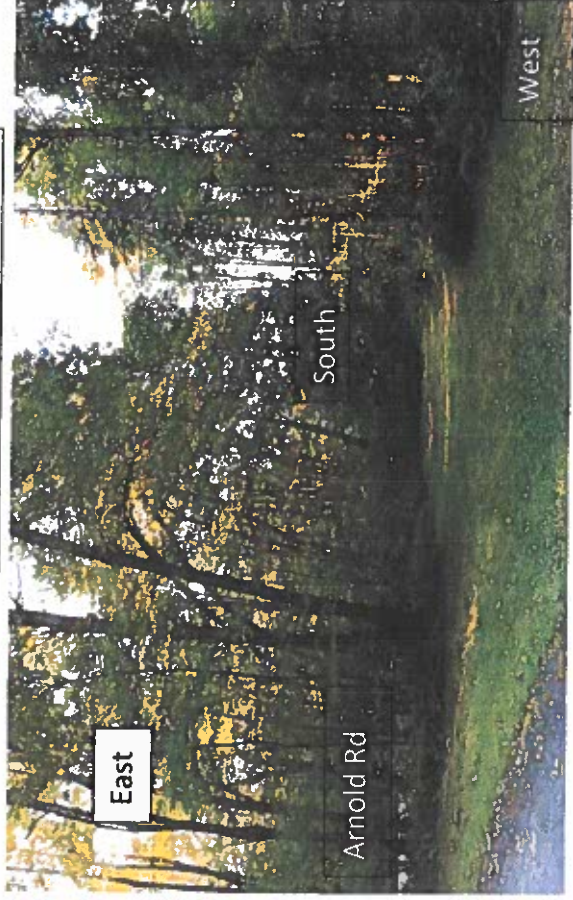
 Signature of Representative (if any) Date



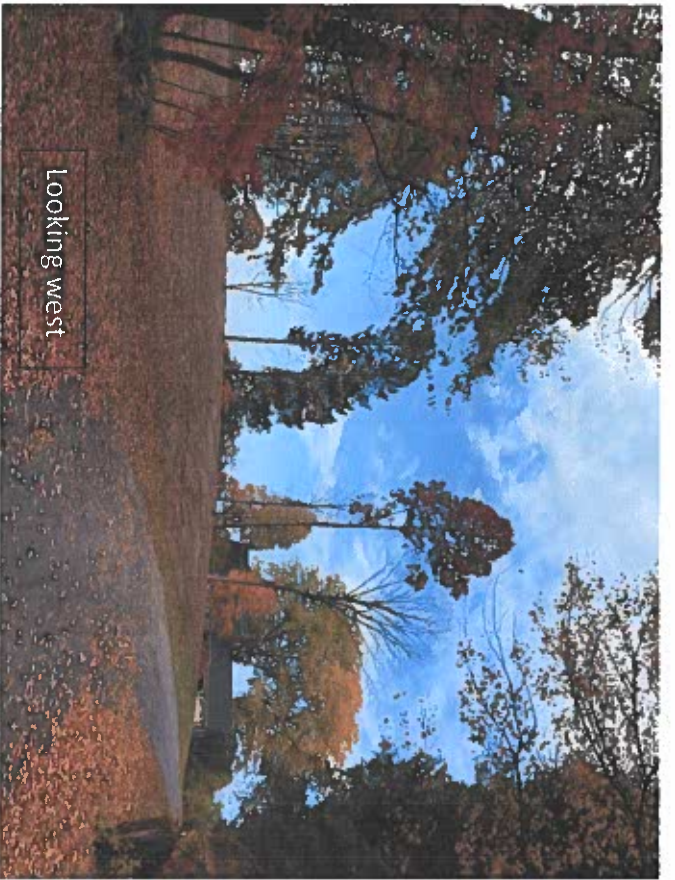
Looking west from Arnold Rd. Trees to be removed can be seen in the picture below to the west of the clearing, south (left in picture) of driveway. Note that majority of green showing is actually vines growing up the dead trees. No trees east of clearing, on the roadside or north of the driveway were touched.



75 Arnold Rd, Pelham, MA 01002



Majority of trees are dead evergreens, falling over. Greenery seen in summer are vines climbing trees!



The newly cleared land has been planted with wildlife mix (mostly clovers) as well as 4 apple trees, a fig tree and some wildlife/bird/butterfly friendly shrubs. It is hoped that maintenance of the area will involve only mowing once or twice annually to keep brush in check. Other flowering plants will be added judiciously. The goal is to attract more wildlife to this area where we and neighbors can enjoy. Large boulders uncovered on the site during the work have been strategically placed as “seating”. Respectful neighbors are invited to enjoy the view.

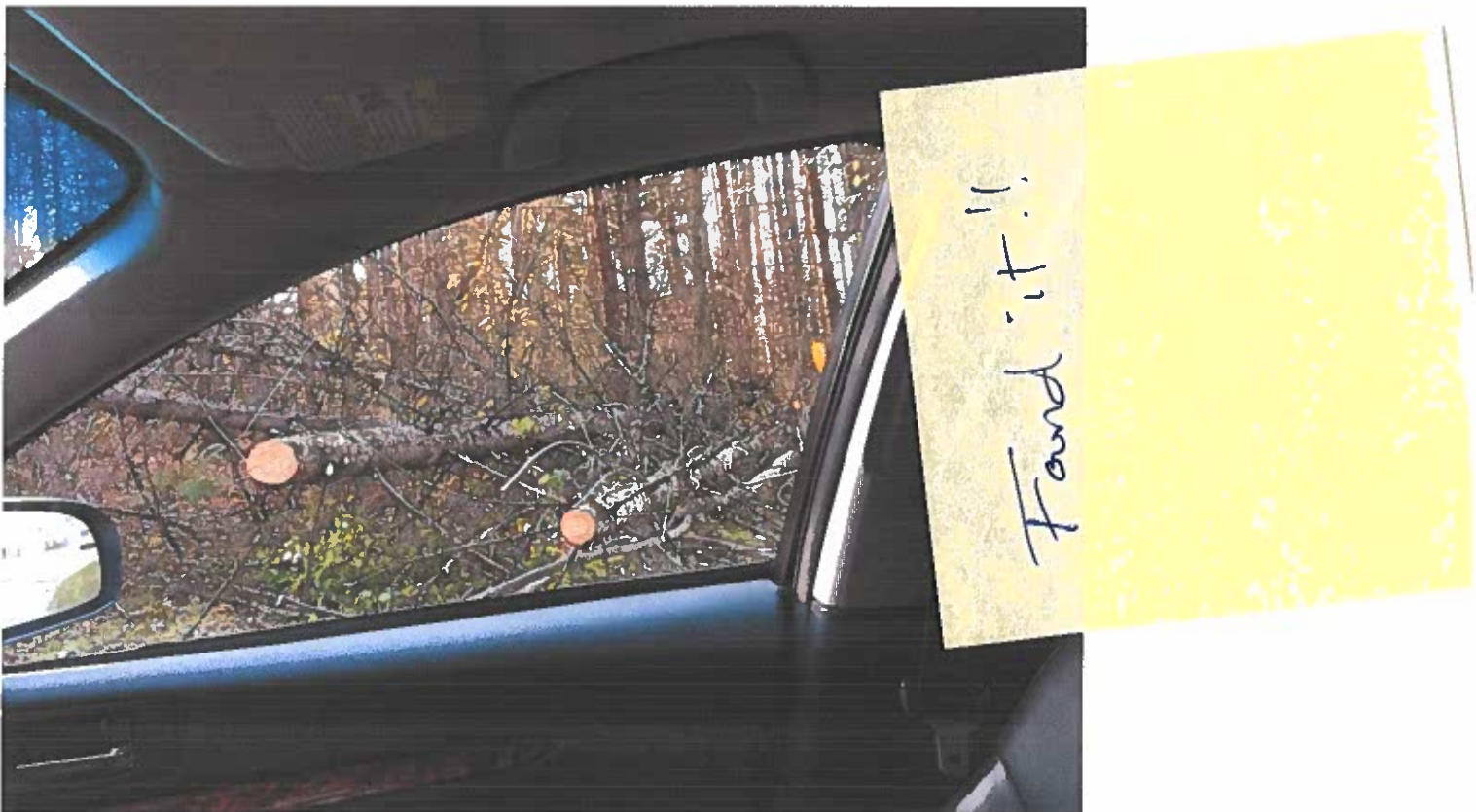


Oct. 30, 2020

Several oak and maple trees that were in good shape and not too bent as well as laurel and forsythia were left along the edge of the lawn. It is the hope that the trees, now that they have some light, will fill out. Hard to see in the photo several smaller trees left here, too, as well as trees along the southern border to give the neighbor some privacy. Wonderful to have east light in the house!



November 10, 2018. Six trees fell across our driveway at 75 Arnold Rd, Pelham MA (looking east to Arnold Rd.)



These diseased, dead trees are larger in diameter than we thought!