

Town of Dalton Conservation Commission
SMA Form A Request for Determination of Applicability
Massachusetts Scenic Mountain Act MGL c. 131, § 39a

SMA File Number: _____

Filing Fee: _____ \$

To be used only for projects with activities that take place in areas above 457.2 meters (1,500 feet) in elevation, as delineated on the map and text as adopted by the Town of Dalton, and as may be amended.

A. General Information

1. Applicant:

Name _____

Mailing Address _____

City/Town _____

State _____ Zip _____

Phone _____

Fax _____

e-mail _____

2. Property Owner (if not applicant):

Name _____

Mailing Address _____

City/Town _____

State _____ Zip _____

Phone _____

Fax _____

e-mail _____

Project Location:

Assessors Map # _____ Lot # _____ Project Address _____

Please send two copies of the completed form to Dalton Conservation Commission, Town Hall, 462 Main Street, Dalton, MA 01226.

B. Determinations

As the applicant I request the Dalton Conservation Commission make the following determination(s): Check any that apply.

- Whether the area depicted on the plan(s) and/or map(s) referenced below is subject to the Massachusetts Scenic Mountain Act (MGL 131 sec 93a)
- Whether the Activity described in this request which the applicant proposes to perform is exempt from coverage of MGL 131 sec 29a (Scenic Mountain Act) because the attached documents indicate:
 - The applicant has complied with the provisions of MGL 132 sec 40-46 (Forest Cutting Practices).
 - The activity is already subject to regulation under MGL 131 sec 40 (Wetlands Protection Act).
 - The activity will consist of the maintenance, repair, reconstruction, replacement,

enlargement not of a substantial nature, or change the use of any lawfully located and constructed structure.

- The activity will be conducted in connection with the construction or maintenance of any facility as that term is defined in MGL 164 sec 69g (Energy Facility Siting Council).

- The activity will be conducted in connection with construction or maintenance of any electrical transmission or distribution facilities, or facilities used in transmission of intelligence by electricity or by telephone or otherwise for which locations in the public ways have been approved by the selectmen under provisions of MGL 166 sec 22.

- The activity will be conducted in connection with the construction or maintenance of electrical distribution facilities required to serve a structure or building whose construction has been approved under the provisions of this Act.

- If the Conservation Commission determines that all or part of the geographic area does not lie within a mapped mountain region, and that the proposed activity is not exempt from regulation, then I request the Commission determine whether the proposed activity will have a substantial impact on the watershed resources or the natural scenic qualities of the mountain region within which it will be performed. (i.e., whether the activity is a regulated activity.)

C. Project Description

1. Please describe the area.

2. Please describe the nature and scope of the proposed activity and its effect on the watershed and scenic resources that are protected by this Act. Use additional paper if necessary. Attach any maps or plans that will better describe the location and nature of the proposed activity. Plans need not be detailed engineering or architectural plans as long as the nature and scope of the activity is reasonably described.

D. Signature

I certify that the documents, plans and supporting data submitted with this Request for Determination of Applicability are true and complete to the best of my knowledge.

I understand notification of this request will be placed in a local newspaper at my expense.

Signature of Applicant: _____ Date: _____

Print Name: _____