



Town of Monterey Conservation Commission SMA  
Form A – Request for Determination of Applicability  
MGL c.131 §39a

**SMA File Number** (*assigned by the Town*): \_\_\_\_\_

**\$65 filing fee:** ck#: \_\_\_\_\_ Date received: \_\_\_\_\_

Please send two (2) copies of the application and plans along with your filing fee to Monterey Conservation Commission, P.O. Box 308 Monterey, MA 01245.

*To be used only for projects with activities that take place in areas above 457.2 meters (1,500 feet) in elevation; all activities that take place in areas below 457.2 meters (1,500 feet) in elevations; and where any portion(s) of the project is located on a steep slope, as delineated on the map and text as adopted by the Town of Monterey, and as may be amended.*

**A. General Information**

<b>1. Applicant</b>	<b>2. Property Owner</b> (if different than applicant)
Name:	Name:
Mailing Address:	Mailing Address:
City/Town:	City/Town:
State:	State:
Zip:	Zip:
Phone:	Phone:
Fax:	Fax:
Email:	Email:

**3. Project location:**

Assessors Map #:	Assessors Lot #:	Project Address:

**B. Determinations**

As the applicant I request that the Monterey Conservation Commission make the following determination(s): *check all that apply*

- Whether the area depicted on the plan(s) and/or map(s) attached is subject to the Massachusetts Scenic Mountain Act (MGL c.131 §39a)
- Whether the Activity described in this request which the applicant proposes to perform is exempt from coverage of MGL c.131 §39a (Scenic Mountain Act) because the attached documents indicate:
  - The applicant has complied with the provisions of MGL c132 §406-46 (Forest Cutting Practices).



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- The activity is already subject to regulation under MGL c131 §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 c.164 §69g (Energy Facility Siting Council).
  - The activity will be conducted in connection with the 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 Select Board under provisions of MGL c.166 §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**

Please describe the project details and area (use additional paper if necessary). Describe the nature and scope of the proposed activity and its affect on the scenic resources that are protected by this Act. Plans need not be engineering or architectural plans as long as the nature and scope are reasonably described:

**D. Signature**

I certify that the documents, plans and supporting data submitted with this request are true and complete to the best of my knowledge. I understand notification of this request will be placed in a local newspaper.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_