REQUEST FOR DETERMINATION OF APPLICABILITY
SUBMITTAL CHECKLIST
Reading Conservation Commission

This checklist is intended as an aid only, to assist in the process of submitting a Request for Determination and to help avoid delays. Please consult MGL Chapter 131, Section 40, the Wetlands Protection Act and its accompanying Regulations, 310 CMR 10.00, available through the state website, www.mass.gov. Also, please consult Reading General Bylaws, Section 7.1, and the Reading Wetlands Protection Regulations, available through the Town Clerk's office and on the town website, www.readingma.gov. It is only necessary to file one submittal under both State and Town law.

A. Prior to submittal of a Request for Determination:

1. It is strongly recommended that the applicant or representative meet with the Conservation Administrator to review the proposed work, research existing site information, and to become familiar with the wetlands regulations. Contact the Administrator at Town Hall, (781) 942-6616.

2. Submit a completed Request for Abutters List form, to be signed by the Conservation Administrator and then delivered to the Assessor's office. It might take up to 21 days for the Assessor to return the Certified List of Abutters.

B. Request for Determination submittal:

1. Submit to the Reading Conservation Commission 9 complete RDA applications, the full size Original plans, two addition full-size copies, four 11x17 copies plus the entire application and plans set must be scanned and e-mailed to ctirone@ci.reading.ma.us or an electronic copy submitted. With the application include the following items:

    a. A completed Request for Determination of Applicability form, Form 1. See link to forms on Conservation home page, or download the form from the State website, www.mass.gov/dep.

    b. A Locus Map, showing the Town of Reading with the site location clearly marked (e.g., circled and located by a large arrow).

    c. A description of the site, the proposed activity, and supporting data and calculations such as soils test data, drainage calculations, wetlands boundaries, proposed earth moving, impervious cover area, etc. (Please refer to the wetlands regulations for requirements.)

    d. A site plan or plans no more than 2' by 3' in size, preferably prepared by an engineer, surveyor, or other licensed professional, having a title block with

shows as much of the following as needed to locate the wetlands and describe the proposed work (please refer to the wetlands regulations for complete requirements):

- Property boundaries, easements, rights-of-way, etc.;
- Boundaries of waterways, water bodies, banks, floodplains, and wetlands within and within 100 feet of the site, including locations of field flags;
- Boundaries of the 100-foot Buffer Zone and 25-foot Zone of Natural Vegetation;
- Existing topography (in one- or two-foot intervals), structures, and other physical features (walls, paths, trees, wells, drainage and utility lines, etc.);
- Proposed topography, structures, and physical features, including temporary and permanent stormwater and erosion control features.

2. A check payable to "Town of Reading" for filing fee under Reading General Bylaws, Section 7.1. Fee for RDA is $75.00.

3. A check payable to the Daily Times Chronicle in the amount of $75.00 for publication of the legal notice of the public hearing.

4. A set of standard sized business envelopes (4.5" by 9.5") addressed to: the certified list of abutters (excluding any duplicates and the planning boards of abutting towns), the applicant, and the applicant's representatives. Envelopes should also bear standard first-class postage stamps. Please leave the return address blank. The Commission will send abutters the notice of the public meeting using these envelopes.

5. On the same day that the Request is submitted to the Commission, mail one copy of the Request for Determination of Applicability form, site plans, locus map, all attached descriptions and data to the DEP Northeast Regional Office, attn: Wetlands Program, 205B Lowell Street, Wilmington, MA 01887.

C. Prior to the Public Meeting

1. The Conservation Commission will submit the legal notice of the public meeting to the Daily Times Chronicle for publication, along with the applicant's check for the cost of the advertisement. The Commission will mail copies of the same notice to the abutters, etc. using the envelopes submitted by the applicant.

2. The Conservation Administrator and the Conservation Commission may inspect the site. The Administrator usually inspects during normal business hours Monday through Thursday. The Commission usually inspects on the Sunday morning (or Monday evening in summer) prior to the hearing. The boundaries of all resource areas should be marked on site with labeled flags. The corners of proposed

structures and other important features (drainage systems, paved areas, limits of work, etc.) should be marked with stakes or flags, preferably using different colors and labels for different features.

D. Public Meeting

1. A public meeting will normally be scheduled within 21 days of receipt of a complete submittal. (If not possible, the Commission may ask the applicant to sign a waiver of the 21-day requirement. It is rare that the Commission can not open the meeting within 21 days.) Commission meetings are generally held every other Wednesday evening.

2. At the meeting, the applicant and his or her representatives will be given the opportunity to present and discuss the proposed work. The Commission, the Administrator, and the general public may comment upon the proposal and ask questions.

C. Determination of Applicability

A Determination of Applicability will be issued by the Commission after the public meeting is closed. The Commission will vote on the wording of the Determination during a public meeting and will issue the Determination within 21 days of the receipt of the Request. The Determination may be appealed as provided by law.

State Instructions for Completing Application WPA Form 1 – Request for Determination of Applicability can be found at

http://www.mass.gov/eea/agencies/massdep/service/approvals/wpa-form-1.html

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Reading
City/Town

WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
And the Reading General Bylaw Section 7.1

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:

Name _____ E-Mail Address _____

Mailing Address _____

City/Town _____ State _____ Zip Code _____

Phone Number _____ Fax Number (if applicable) _____

2. Representative (if any):

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 _____ (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).

_____

_____

_____

C. Project Description

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

Street Address _____ City/Town _____

Assessors Map/Plat Number _____ Parcel/Lot Number _____

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

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):

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.)

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:

Name

Mailing Address

City/Town

State

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.

Signature of Applicant

Date

Signature of Representative (if any)

Date

Town of Reading Locus Map

USGS The National Map: National Boundaries Dataset, 3D Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; U.S. Census Bureau - TIGER/Line, Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

TOWN OF READING

REQUEST FOR CERTIFIED ABUTTERS LIST

SUBJECT PROPERTY:

Address: _____

Assessors' Map Number: _____ Lot Number: _____

APPLICANT/AGENT:

Name: _____

Address: _____

Telephone: _____ Email: _____

Board or Commission for which this request is made (check all that are applicable):

Zoning Board of Appeals:

- ☐ Variance
- ☐ Special Permit
- ☐ Appeal

Community Planning and Development Commission:

- ☐ Site Plan Review
- ☐ Special Permit
- ☐ Subdivision

Conservation Commission:

- ☐ Request for Determination
- ☐ Abbreviated Notice of Resource Area Delineation
- ☐ Notice of Intent

Applicant/Agent Signature: _____ Date: _____

The Assessors' office may require up to three weeks in order to process and approve this request.

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Authorized Signature: _____ Date: _____

Department of Community Services