

**TOWN OF WESTWOOD**  
Commonwealth of Massachusetts

Joseph E. Previtera, Chairman  
Leo J. Crowe  
William Stowe  
Charles Pare



Steven Woodworth, Vice Chair  
Michael Terry  
John C. Masterson

**CONSERVATION COMMISSION**

**Filing Procedure Summary**

The following procedures must be followed when filing under M.G.L. c.131, §40 or the Westwood Wetlands Protection Bylaw, Article 18, for a wetland permit. The procedures apply to Notice of Intents, Abbreviated Notice of Intents, Request for Determinations, and Abbreviated Notice of Resource Area Determination. All applications for permits under M.G.L. c.131, §40 must also be filed under the Westwood Wetlands Protection Bylaw, Article 18.

This summary is not to be considered all inclusive and in no way should an applicant misconstrue its contents to replace any part of M.G.L. c.131, §40 or the Westwood Wetlands Bylaw, Article 18.

- Nine (9) copies of the permit application and plans must be filed with the Conservation Commission by Certified Mail or hand delivered to the Commission Wednesday before noon, two weeks prior to the meeting.
- One copy of the permit application must be filed with the Town Clerk at least five (5) working days prior to the public hearing. All plans and supporting documents submitted to the Conservation Commission must accompany the filing to the Town Clerk.
- The applicant must FAX a signed affidavit to the Conservation Commission indicating that a complete copy of the application and associated plans has been filed with the Town Clerk. The FAX number is (781) - 461- 6837.
- One complete copy of the application must be filed with the Department of Environmental Protection at:  
Department of Environmental Protection  
NERO – Wetlands Division  
205B Lowell Street  
Wilmington, MA 01887
- The application must include a certified list of abutters located within 300 feet of the property boundaries, according to the most recent records of the Town Assessors.

Westwood Conservation Commission  
50 Carby Street  
Westwood, MA 02090

Phone (781) 251-2580  
Fax (781) 461-6837

- The applicant, at the applicant's expense, shall post to each abutter by certified mail, seven (7) working days prior to the hearing, by Return Receipt Requested or Certificate of Mailing, a copy of the public hearing notice supplied to applicant by the Commission and shall state where copies of the application, including plans, may be examined. Such notice shall include the date, time and location of the public hearing.
- At the applicant's expense, the Commission shall publish a legal notice in the Daily Transcript announcing the public hearing. The legal notice must be published at least five (5) working days prior to the hearing date. The notice shall include the date, time and location of the public hearing.
- The application must include a signed copy of the 45 day waiver form. This allows the Commission adequate time to respond to all filings in a reasonable fashion during times of increased work load.
- The application must include a copy of the Town of Westwood filing fee worksheet, a wetland transmittal worksheet and checks to cover the appropriate fees made out to the Town of Westwood.
- A copy of the decision rendered by the Conservation Commission for a Determination will be sent to the applicant, to the Department of Environmental Protection and the Building Department.
- The applicant must provide the Conservation Commission with the following information on or before the opening of the public hearing:
  - 1 A copy of the local newspaper advertisement.
  2. Proof of abutter notification sent to each abutter.

# Plans Checklist to Accompany DEP Application for Notice of Intent (NOI)

This is a Bylaw Supplemental form to aid you in submitting complete and appropriate information on your plans.

**THIS PAGE MUST BE INCLUDED WITH YOUR NOI APPLICATION.** All applicable boxes must be marked with  or identified as "N/A".

These details are required on plans to accompany a DEP NOI application<sup>1</sup>:

- north arrow       locus insert       bar scale- 1 in. = 40-20 ft.
  - existing contours (black dashed line- - - - -)
  - existing structure(s) with natural and man-made features
  - existing rights-of-way, easements, ancient ways or other deeded ways
  - existing utilities- all locations (use standard engineering symbols/notations)
  - name of Wetland Specialist responsible for identifying wetland boundaries
  - date wetland was flagged (must be no more than 3 yrs. prior to current date)<sup>2</sup>
  - wetland boundaries with flag #'s (highlighted blue)
  - notations identifying all wetland types  
(include potential or certified vernal pools w/ 100' habitat area highlighted in green).
  - 100 ft Buffer zone to wetlands (solid green line)
  - 10 ft no-structure setback to wetlands (dashed green line - - - - -)
  - 35 ft no-disturbance setback to wetland (dashed green line - - - - -)
  - floodplain (highlighted orange) per FEMA flood plain maps (if applicable)
  - Annual MHW line to Riverfront area (purple solid line) labeled w/ name of River
  - 200 ft. and 100 ft. Riverfront areas (purple dashed line- - - - -) (if applicable)
  - wetland fill and replication areas (yellow for filled area, ~~orange for replication~~)
  - shortest distances to all resource areas from closest proposed structure (use arrow)
  - shortest distances to all resource areas from closest point of erosion control materials
- 
- Title Block with the following information:  Plan Title
  - Applicant's Name(s), address and phone
  - Property Owner Name(s), address and phone
  - Location/Street name and number-  
Must obtain from Assessor's Office if new lot, prior to submission of NOI
  - Assessor Map and Lot number(s) (All lots on which there will be activity, be must listed on the plan with appropriate Registry info. - BK/Pg or Cert. #)
  - plan preparer's name, title and company/firm name
  - date plan prepared
  - proposed contours (black solid line)
  - proposed structure(s) (including driveway work, septic components, etc.)<sup>3</sup>
  - proposed location of utility lines
  - erosion control line (highlighted red) with erosion control material detail
  - limit of Work line (solid red line- may be same as erosion control line)
  - conservation post locations (solid square symbol to indicate location of posts)
  - conservation post detail and plaque detail (copy available on website)
  - location of temporary stockpiles w/ notation of content (e.g. excavated soils)<sup>4</sup>
  - drywells for stormwater run-off are required for all structures requiring a Building Permit. Certain licensed autogenous pools also require dry wells for protection to ground water
  - drywell construction detail (copy available on website)
  - detail showing the access pathway to work area
  - crushed stone apron onto property as per DPW standards
  - signature and stamp of licensed surveyor or professional engineer

I certify that the above checked items have been completed and understand that incomplete applications are cause for scheduling delays/continuations of public hearings.

Signed: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

<sup>1</sup> Other documents are required with the application packet- see Submittal Requirements form.  
<sup>2</sup> Wetland delineation more than three years old is not acceptable for plan submission to the Cons. Commission. Call the Cons. Office for further details.  
<sup>3</sup> For Septic upgrades, show location of all features to be abandoned including detail notations. For structure demolition, show existing structural footprint.  
<sup>4</sup> depending on the content and size, stockpiles, even temporary piles, may require erosion control at base.

**Worksheet for Fees**  
**Westwood Wetlands Bylaw – Article 18**  
**(in Addition to DEP filing Fees)**

Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

Location of Project: \_\_\_\_\_

Notice of Intent

- |   |       |  |
|---|-------|--|
| 1. Minor project                        | _____ | \$100.00   |
| 2. Major project                        | _____ | \$250.00 plus \$1.00 additional sq. ft.                              |
| 3. New single family home               | _____ | \$500.00 plus \$1.00 per 10 sq. ft. of disturbance                   |
| 4. Subdivision road and utility         | _____ | \$750.00 plus \$5.00 per road sideline in resource or buffer zone    |
| 5. Drainage detention/retention         | _____ | \$750.00 plus \$1.00 per 10cf. of basin in resource or buffer zone   |
| 6. Multiple Dwelling                    | _____ | \$500.00 plus \$100.00/unit and \$1.00 per 10 sq. ft. of disturbance |
| 7. Commercial institutional, industrial | _____ | \$750.00 plus \$1.00 per 10 sq. ft. of disturbance                   |
| 8. Request for Det. of Applicability    | _____ | @ \$50.00  |
| 9. ANORAD                               | _____ | \$750.00 plus \$1.00 per 10 sq. ft. of disturbance                   |
| 10. Application filed after enforcement | _____ | Double application fees  |
| 11. Amendments                          | _____ | \$100.00   |
| 12. Certificate of Compliance           |       |  |
| Residence                               | _____ | \$100.00   |
| Non Residence                           | _____ | \$100.00   |
| Commercial or subdivision               | _____ | \$200.00   |
| 13. Emergency Certificate               | _____ | \$100.00   |
| 14. Agent Site Visit                    |       |  |
| Resident                                | _____ | \$25.00 per hour   |
| Non Resident                            | _____ | \$45.00 per hour   |

Total   \$ \_\_\_\_\_

See Westwood Wetlands Protection Bylaw Regulations for more detail.

BOARD OF ASSESSORS  
580 High St.  
Westwood, Ma. 02090  
Fax: 781- 251-2588

ABUTTERS LIST REQUEST  
**Please allow 10 business days for final list**

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PARCEL REQUESTED: \_\_\_\_\_

RECORD OWNER: \_\_\_\_\_

FOR WHICH BOARD: Conservation Commission \_\_\_\_\_

REASON FOR REQUEST: Proposing work within 100 feet of wetland \_\_\_\_\_

PROJECT TYPE: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

\* Forward this completed request to the Assessor's Office ASAP  
Upon receipt of the certified abutter's list – send abutter's notification (next sheet) to  
all abutters.

**NOTICE TO ABUTTERS**  
**Under the Massachusetts Wetlands Protection Act**  
**and**  
**Westwood Wetland Bylaw**

**Request for Determination of Applicability**

The Westwood Conservation Commission will hold a public hearing, under M.G.L. Chapter 131, Section 40 and the Westwood Wetland Bylaw on

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

Time: \_\_\_\_\_

Place: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A permit is requested by \_\_\_\_\_  
of \_\_\_\_\_

The property is located at \_\_\_\_\_

A complete copy of this filing is available to the public at the Westwood Conservation Commission office. Notice of the Conservation Commission meeting is posted in the Town Hall not less than 48 hours in advance as required by Open Meeting Law.

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**CONSERVATION COMMISSION**

**Time Waiver Requirement**

Westwood Conservation Commission  
Westwood Town Hall  
50 Carby Street  
Westwood, MA 02090

Dear Commission:

I hereby waive the benefit of the time requirements set forth in Chapter 131 s. 40, (Wetland Protection Act) of the Massachusetts General Laws, 310 CMR. 10.00 Regulations, and the Town of Westwood Wetlands Protection By-Law, which require the Conservation Commission to convene a hearing and issue a Determination or Order within the time periods specified therein.

The public hearing shall be scheduled for the next available time slot on the meeting agenda upon receipt of the filing of a COMPLETE Notice of Intent or Request for Determination of Applicability.

The Order of Conditions or Determination of Applicability shall be issued within 45 days of the close of the public hearing.

\_\_\_\_\_  
Applicant's or Representative's Signature

\_\_\_\_\_  
Date

**Applicant's Name** \_\_\_\_\_

**Project Location :** \_\_\_\_\_

**Project Type:** \_\_\_\_\_

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**CONSERVATION COMMISSION**

**Wetland Permit Application: Town Clerk**

Westwood Conservation Commission  
Westwood Town Hall  
50 Carby Street  
Westwood, MA 02090

Dear Commission:

I here certify that a complete copy of the application and plans submitted to the Westwood Conservation Commission for a permit under the Wetland Protection Act, M.G.L. c. 131, s40 and/or the Westwood Wetlands Protection Bylaw, Article 18 has been filed with the Westwood Town Clerk.

The application was submitted to the Town Clerk on (date) \_\_\_\_\_

\_\_\_\_\_  
Applicant's or Representative's Signature

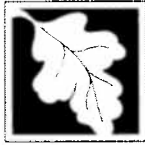
\_\_\_\_\_  
Date

**Applicant's Name** \_\_\_\_\_

**Project Location :** \_\_\_\_\_

**Project Type:** \_\_\_\_\_





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection – Wetlands Program

**WPA Form 1 Request for Determination of Applicability)**  
Massachusetts Wetlands Protection Act (M.G.L. Chapter 131, Section 40)  
**Instructions and Supporting Materials**

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**Instructions for Completing Application**  
**WPA Form 1 – Request for Determination of Applicability**

*Please read these instructions before completing the Request for Determination of Applicability (WPA Form 1) for more information on certain items that are not self-explanatory.*

**Purpose of the Request for Determination of Applicability**

The Request for Determination of Applicability is a process which provides applicants with the *option* of seeking a determination on the applicability of the Wetlands Protection Act (the Act) to a proposed site or activity. Before filing this form to confirm the boundary delineation of a resource area, the applicant should discuss other delineation review options with the Conservation Commission. The Commission may require the submission of WPA Form 4A (Abbreviated Notice of Resource Area Delineation), WPA Form 3 (Notice of Intent), or WPA Form 4 (Abbreviated Notice of Intent).

The applicant is responsible for providing the information required for the review of this application to the issuing authority (Conservation Commission or the Department of Environmental Protection). The submittal of a complete and accurate description of the site and project will minimize requests for additional information by the issuing authority which may result in an unnecessary delay in the issuance of a Determination of Applicability.

The issuing authority also may require that supporting materials (plans and calculations) be prepared by professionals including, but not limited to, a registered engineer, registered architect, registered landscape architect, registered land surveyor, registered sanitarian biologist, environmental scientist, geologist, or hydrologist when the complexity of the proposed work warrants specialized expertise.

To complete this form, the applicant should refer to the wetlands regulations (310 CMR 10.00) which can be obtained from the Department's web site at [www.state.ma.us/dep](http://www.state.ma.us/dep). Regulations are available for viewing at public libraries and county law libraries across the state, as well as at the Department's Regional Service Centers. Regulations also are available for sale from the State House Bookstore (617.727.2834) and State House Bookstore West (413.784.1378).

**Completing WPA Form 1**

**Section B: Determinations.** The Request for Determination of Applicability can be used for a variety of purposes. Check one or more of the boxes under the following circumstances.

1a. To determine whether the Act applies to a particular area of land. Areas subject to jurisdiction are described in the wetlands regulations at 310 CMR 10.02.

1b. To confirm the precise boundaries of any delineated wetland resource area. NOTE: before checking 1b., consult the Commission to determine whether it will provide confirmation of wetland resource area boundaries in response to the filing of WPA Form 1. If the request is filed for a determination of Bordering Vegetated Wetlands (BVW) boundary, the Commission may require applicants to file WPA Form 4A (Abbreviated Notice of Resource Area Delineation), WPA Form 3 (Notice of Intent), or WPA Form 4 (Abbreviated Notice of Intent) to obtain confirmation.

1c. To determine whether the Act applies to work which is planned within a wetland resource area or within the Buffer Zone to a resource area. Work subject to jurisdiction is described in the wetlands regulations at 310 CMR 10.02.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection – Wetlands Program

**WPA Form 1 Request for Determination of Applicability)**  
Massachusetts Wetlands Protection Act (M.G.L. Chapter 131, Section 40)  
**Instructions and Supporting Materials**

---

1d. To determine whether the city or town has a local wetlands ordinance or bylaw which applies to any particular area of land and/or to work which is planned within this area of land.

1e. To determine the scope of alternatives to be considered for work in the Riverfront Area. The scope of alternatives which must be considered for various types of projects in the Riverfront Area is contained in the wetland regulations at 310 CMR 10.58(4)(c)2.

*In order for the reviewing agency to obtain a complete description of the project site, resource area boundaries must be clearly delineated. Further explanation of Boxes 1a – 1e follows.*

**Resource Areas: Boundaries.**

For boundaries of inland resource areas (including the Riverfront Area, which may be either inland or coastal), refer to subsection (2), "Definitions, Critical Characteristics and Boundaries" for each resource area covered under 310 CMR 10.54 – 10.58.

For boundaries of coastal resource areas, refer to the definitions in 310 CMR 10.04 and 10.24 for each resource area covered under 310 CMR 10.25 – 10.35, as well as in the text of Section 10.25 – 10.35.

The boundary of the Buffer Zone is determined by measuring 100 feet horizontally from those areas specified in 310 CMR 10.02(1)(a).

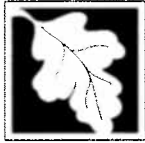
1a. Describe the site and, if possible, the boundary of any area that may be subject to protection under the Act (including the Buffer Zone).

1b. As noted earlier, 1b, should only be checked with approval of the Conservation Commission. If checked, submit:

- plans identifying the precise boundaries of the resource area(s) delineated;
- method used to determine the boundaries of Bordering Vegetated Wetland. Note whether the boundary was delineated based on the presence of one or more of the following:
  - 50% or more wetland indicator plants
  - Saturated/inundated conditions
  - Groundwater Indicators
  - Direct Observation
  - Hydric soil indicators
  - For disturbed sites: specific, credible evidence of conditions prior to disturbance.

Use one of the methods indicated above to determine the boundaries of Bordering Vegetated Wetlands (BVW). On the form, check all the methods that are used to determine the boundary. These methods are discussed in the wetland regulations at 310 CMR 10.55(2)(c). When undertaking BVW delineations, whether by vegetation alone or by vegetation and other indicators of wetland hydrology, applicants are encouraged to use the Department's BVW Handbook: *Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act* (1995). This document is available for purchase from the State House Bookstore (617.727.2834) and State House Bookstore West (413.784.1378). The Department encourages applicants to complete the BVW Field Data Form contained in the handbook and submit it with the Request for Determination of Applicability. If detailed vegetative assessments are not required for a particular site, the reasons should be noted on the Field Data Form.

1c. Describe the boundaries of all resource areas and Buffer Zones where work will occur or which could be impacted by the work.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection – Wetlands Program

**WPA Form 1 Request for Determination of Applicability)**  
Massachusetts Wetlands Protection Act (M.G.L. Chapter 131, Section 40)  
**Instructions and Supporting Materials**

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1d. Describe the site, and if possible, the boundary of any area that may be subject to a municipal wetlands ordinance or bylaw. If there are areas on the site which are not subject to the Wetlands Protection Act, but which may be subject to a municipal wetlands ordinance or bylaw (if any), specifically note the boundaries of such areas. Describe all areas where work is planned if such work may be subject to a municipal wetlands ordinance or bylaw.

1e. Indicate the precise location of all work relative to the boundaries of the Riverfront Area.

**Section C: Project Description.** In this section, the applicant must describe the area and proposed work (if any) subject to the Request. The type of information required depends, in part, on the type of determination requested in Section B. In all cases, the applicant should describe the site based on resource areas jurisdiction and boundaries under the Wetlands Protection Act and regulations.

1a. Location. Include a street address (if one exists) and, if known, the Assessors map or plat number, the parcel number, and the lot number. The map or plat, parcel, and lot numbers must be included if the lot subject to the Request does not contain a residence, school, or commercial or industrial establishment, or if the lot is being subdivided.

1b. Area Description. The area should be described in narrative form. If needed, attach additional sheets for a more complete description of the area; a map or plan may also be used as part of the area description (see instructions for 1c for plan and map requirements).

1c. Plan and/or map reference(s). On the application form, list the titles of all attached plans and maps, as well as, the most recent revision date.

Submit an 8.5" x 11" section of the U.S. Geologic Survey (USGS) quadrangle or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site.

Plans should be of adequate size, scale, and detail to completely and accurately describe the site, resource area boundaries, and proposed work. The following guidelines are provided to encourage uniformity:

*Sheet Size*

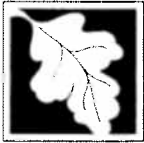
- Maximum 24" x 36"
- If more than one sheet is required to describe the proposed site and/or proposed work, provide an additional sheet indexing all other sheets and showing a general composite of all work proposed within the Buffer Zone and areas subject to protection under the Act

*Scale*

- Not more than 1" = 50'
- If plans are displayed, include graphical scales

*Title Block*

- Included on all plans
- Located at the lower right hand corner, oriented to be read from the bottom when bound at the left margin.
- Include original date plus additional space to reference the title and dates of revised plans



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection – Wetlands Program

**WPA Form 1 Request for Determination of Applicability)**

Massachusetts Wetlands Protection Act (M.G.L. Chapter 131, Section 40)  
**Instructions and Supporting Materials**

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2a. Work Description. Work subject to the jurisdiction of the Wetlands Protection Act is described in 310 CMR 10.02. If the Request is for determining jurisdiction over proposed work, the applicant is asked to describe the work in detail. Proposed work can be described in narrative form. If needed, attach additional sheets for a more complete description of the work; a map or plan may also be used to describe the work (see instructions in 1c for plan and map requirements).

Provide the following information, depending on which boxes were checked under Section B:

1c. Describe the proposed work and its precise location relative to the boundaries of each wetland resource area and the Buffer Zone on the site.

1d. Describe the proposed work and its precise location relative to the boundaries of areas which may be subject to municipal wetland ordinance or bylaw.

1e. Describe the proposed work and its precise location relative to the boundaries of the Riverfront Area.

2b. Exemptions. Exemptions are allowed under the Wetlands Protection Act for certain mosquito control, commercial cranberry bogs, agricultural, and aquacultural projects and for projects authorized by Special Act prior to 1/1/73. These exemptions are defined, in part, in 310 CMR 10.03(6) and in the definitions of agriculture and aquaculture in 310 CMR 10.04. In addition, there are exemptions for certain stormwater management projects (310 CMR 10.02(3)); specific minor activities in the Buffer Zone (310 CMR 10.02(2)(b)); and certain other projects in the Riverfront Area (310 CMR 10.58(6)(b)).

3a. Riverfront Area Scope of Alternatives. Complete this section *only* if 1e. under Section B is checked. In 3a, check one box that best describes the project. The classifications listed in 3a and the scope of alternatives which projects in each classification must analyze are explained in 310 CMR 10.58(4)(c)2.

**Section D: Signatures and Submittal Requirements**

A completed WPA Form 1, with all attachments, must be submitted to the Conservation Commission. Applicants also must send a copy of WPA Form 1 and all attachment to the appropriate DEP Regional Office (see <http://www.mass.gov/dep/about/region/findyour.htm> for locations of regional offices and the communities they serve) and to the property owner, if different from the applicant. **The original and copies must be sent simultaneously.** Failure by the applicant to send the copies in a timely manner may result in dismissal of the Request for Determination of Applicability

**Fees**

There is no application fee for the Request for Determination of Applicability. However, a notice of the application must be placed in a local newspaper, and published at least five days prior to the hearing, at the applicant's expense. Please contact your Conservation Commission regarding the procedure for public newspaper notice.



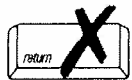
# WPA Form 1- Request for Determination of Applicability

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:

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 \_\_\_\_\_ make the following determination(s). Check any that apply:  
Conservation Commission

- 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).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**WPA Form 1- Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**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):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**WPA Form 1- Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**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.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

### 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