



Town of North Attleborough
CONSERVATION COMMISSION

43 S. Washington St, North Attleboro, MA 02760 | P 508.699.0100 ext 2584 | www.nattleboro.com/conservation

**Instructions for Filing an RDA
(Request for Determination of Applicability)**

These instructions are *in addition* to the MA Department of Environmental Protection (DEP) instructions and submittal requirements for filing an RDA. Please refer to 310 CMR 10.00 and *DEP Instructions for Completing Application WPA Form 1*.

The RDA is a process under the Wetlands Protection Act (M.G.L. c.131 § 40) to provide applicants with the option of seeking a determination on whether a site or proposed activity is subject to this law and associated regulations.

WPA Form 1 can also be used to confirm the boundary delineation of a Resource Area. But first, the applicant should discuss other delineation review options with the Conservation Commission.

Property Location: _____

RDA CHECKLIST

- locus map – a USGS or other map showing location of project site in town
- WPA Form 1 – complete and **must be signed by the property owner/applicant**
- written narrative
 - short description of existing conditions and proposed work
 - explanation of how the Vegetated Wetland boundaries were determined, if applicable
- if applicable, evidence sufficient to state that a nearby or present stream is not perennial*
- site plan – of adequate size and detail, to scale
 - paper no larger than 24” by 36”, scale no larger than 1” = 40’
 - preparation by a professional engineer or land surveyor not required, but recommended*
 - all Resource Areas regulated by the WPA (e.g. Riverfront Area, BVW, Vernal Pool)
 - buffer zones – 25’ No Disturb. Zone (NDZ) and 100’ buffer zone, if applicable
 - the 50’ line, if applicable – as it may pertain to “minor activities”
 - directional arrow (e.g. North ↑)
 - all existing structures and other notable features like tree areas, septic tanks, driveways...
 - erosion control, as applicable
 - all proposed work (e.g. any tree clearing, stockpiles of material, new structures...)
 - dimensions of proposed work
 - minimum distance from erosion control (limit of proposed work) to wetland/resource area

- plan title
- date (and date of latest revision, if multiple plan versions have been submitted)

SUBMISSION

Filing must happen simultaneously with the DEP and Conservation Commission both.

- full application packet (checklist items, plus any supporting material) to the DEP through eDEP or by mail:

<https://edep.dep.mass.gov/>

Department of Environmental Protection
Southeast Regional Office
20 Riverside Drive
Lakeville, MA 02347 / sero_noi@mass.gov

- full application packet (checklist items, supporting material) to Conservation Commission
 - one physical copy by hand delivery or certified mail
 - one digital copy by email or thumb drive

Once SUBMISSION is complete, a public meeting will also be scheduled with the Conservation Commission in accordance with the WPA regulations, 310 CMR 10.05(5).

You are responsible for the newspaper ad cost (to be determined) and this shall be paid ahead of your hearing with the Commission. You may write a check payable to “The North Star Reporter”. You can also pay The North Star by credit card, noting that our office must have a receipt.

Finally, either the applicant or representative must attend the meeting on the scheduled date. You will be notified of these details ahead of time.

Any questions regarding these instructions should be directed to the Conservation Department at 508.699.0100 x2584 or smccrory@nattleboro.com.



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

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

Municipality _____

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:

First Name _____ Last Name _____

Address _____

City/Town _____ State _____ Zip Code _____

Phone Number _____ Email Address _____

2. Property Owner (if different from Applicant):

First Name _____ Last Name _____

Address _____

City/Town _____ State _____ Zip Code _____

Phone Number _____ Email Address (if known) _____

3. Representative (if any)

First Name _____ Last Name _____

Company Name _____

Address _____

City/Town _____ State _____ Zip Code _____

Phone Number _____ Email Address (if known) _____

B. 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 _____

Latitude (Decimal Degrees Format with 5 digits after decimal e.g. XX.XXXXX) _____ Longitude (Decimal Degrees Format with 5 digits after decimal e.g. -XX.XXXXX) _____

Assessors' Map Number _____ Assessors' Lot/Parcel Number _____

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

c. Plan and/or Map Reference(s): (use additional paper if necessary)

Title _____ Date _____

Title _____ Date _____

[How to find Latitude and Longitude](#)

[and how to convert to decimal degrees](#)



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Municipality

B. Project Description (cont.)

2. a. Activity/Work Description (use additional paper and/or provide plan(s) of Activity, if necessary):

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.)



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Municipality

C. 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 above 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 above are accurately delineated.
- c. whether the **Activities** depicted on plan(s) referenced above is subject to the Wetlands Protection Act and its regulations.
- d. whether the area and/or Activities depicted on plan(s) referenced above 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 Activities in the Riverfront Area as depicted on referenced plan(s).

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.

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