

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 Conservation Administrator, Chuck Tirone at Town Hall, ctirone@ci.reading.ma.us (781) 942-6616.
2. Submit a completed Request for Abutters List form, to the Conservation Administrator or Public Service Department Staff, who will submit the request to the Assessor's Office. It may 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 the full-size Original plans, 2 addition full-size 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.
 - 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 location, date, legend, scale (1"=20' or 1" =40'), and north arrow, that clearly 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 for single family residential sites and \$100.00 for all other projects. Check the amount in the regulations
3. The legal notice will be published in the Daily Times Chronicle by the Conservation Office. The consultant and or applicant will be sent contact information shown below to directly pay the Daily Times Chronicle in the amount of \$200.00 for publication of the legal notice of the public hearing.

Tricia Lawson
Accounting Department
Daily Times Chronicle
1 Arrow Drive
Woburn, MA 01801
F 781-932-3321
P 781-933-3700 ext. 353

tricia.lawson@dailytimesinc.com
www.homenewshere.com

4. The consultant and or applicant will be sent contact information to directly pay the Daily Times Chronicle in the amount of \$200.00 for publication of the legal notice of the public hearing. Please note that the price for the legal notice is subject to change.

5. One copy of the Affidavit of Service, one copy of the Legal Notice sent to all certified abutters when the Request for Determination of Applicability is filed, and one copy of the certified list of abutters notified. Use Affidavit and Notification forms in this packet. Mail notices by certified mail, certificates of mailing or deliver by hand and ask recipient to sign a receipt as proof that they were notified. If the certified list of abutters includes duplicates, one mailing is sufficient. If the list includes the Planning Boards of abutting towns, do not send notifications to those addresses. The notification must be mailed on the same day that the Request for Determination of Applicability is submitted to the Conservation Commission. The legal notice is prepared by the Conservation Office. The Legal Notice and the Affidavit of Service can be mailed in the same envelope. The mailing receipts should be scanned and emailed to ctirone@ci.reading.ma.us
6. 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.
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 the site 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.



WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 & READING
WETLAND PROTECTION BYLAWS 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:

Chris Magnin and Kate Iannarone		christopher.magnin@gmail.com	
Name		E-Mail Address	
21 Brewer Lane			
Mailing Address			
Reading		MA	01867
City/Town		State	Zip Code
978.807.2169		N/A	
Phone Number		Fax Number (if applicable)	

2. Representative (if any):

N/A			
Firm			
N/A		N/A	
Contact Name		E-Mail Address	
N/A			
Mailing Address			
N/A		N/A	N/A
City/Town		State	Zip Code
N/A		N/A	
Phone Number		Fax Number (if applicable)	

B. Determinations

1. I request the Conservation Commission 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:

Reading
Name of Municipality

e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



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C. Project Description

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

21 Brewer Lane	Reading
Street Address	City/Town
Unk	40-169
Assessors Map/Plat Number	Parcel/Lot Number

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

Single family home adjacent to wetlands. See 21 Brewer Description of Work document.

- c. Plan and/or Map Reference(s):

Locus Map	Unk
Title	Date
Current Site Map, 21 Brewer Lane	03MAR2023
Title	Date
Proposed Work, 21 Brewer Lane	03MAR2023
Title	Date

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

See 21 Brewer Description of Work document attached.



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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).

N/A

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.)

N/A



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WETLAND PROTECTION BYLAWS SECTION 7.1

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:

Christopher Magnin

Name

21 Brewer Lane

Mailing Address

Reading

City/Town

MA

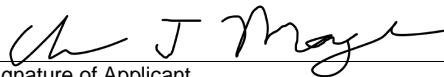
State

01867

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

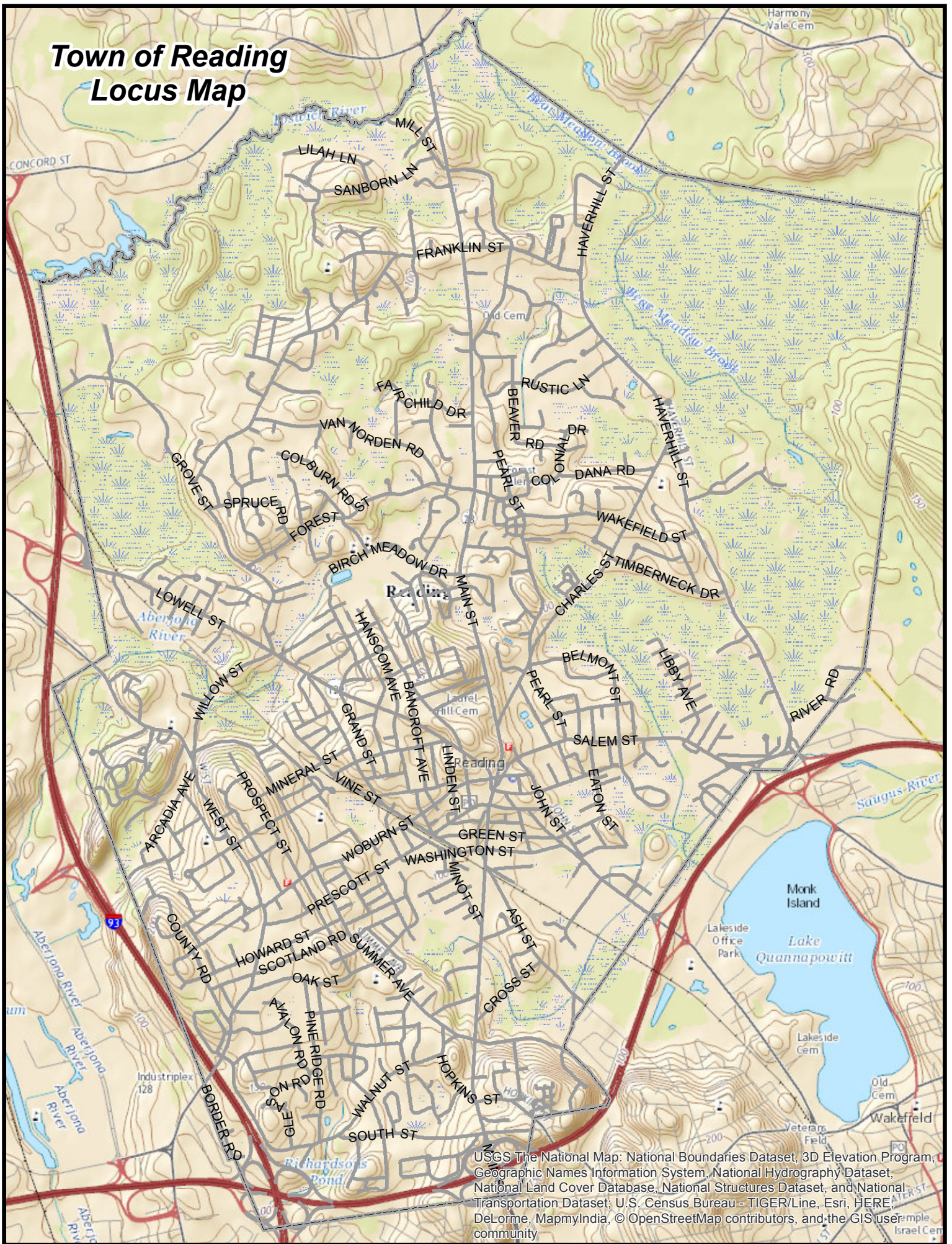
13MAR2023

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

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act, M.G.L., c.131, s.40 and Reading General Bylaws, Section 7.1

(To be submitted to the Conservation Commission when filing a Notice of Intent or Abbreviated Notice of Resource Area Delineation or Request for Determination of Applicability)

I, Christopher Magnin (Name), hereby certify under the pains and penalties of perjury that on 13th March, 2023 (Date), I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws, c.131, s.40, and the **DEP Guide to Abutter Notification** dated April 8, 1994, and Reading General Bylaws, Section 7.1 in connection with the following matter:

(Check the applicable form.)

Notice of Intent

Abbreviated Notice of Resource Area Delineation

Request for Determination of Applicability

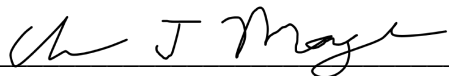
filed under M.G.L., c.131, s.40 and R.G.B., s.7.1 by

Chris Magnin (Applicant) with the Town of Reading

Conservation Commission on _____ (Date) for

property located at 21 Brewer Lane (Location).

The form of the notification and list of abutters to whom it was given and their addresses are attached to this Affidavit of Service.



Name

13MAR2023

Date

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

- Historic District Commission**
- Historical Commission**
- Board of Health**
- Other:** _____

Applicant/Agent Signature: _____ Date: _____

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

Authorized Signature: _____ **Date:** _____

Department of Community Services