

**Request for Determination of Applicability (RDA)**  
Reading Conservation Commission  
Submittal Checklist

This checklist is intended as an aid only, to assist in the process of submitting a Request for Determination (RDA) 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](http://www.mass.gov), the Reading General Bylaws, Section 7.1, and the Reading Wetlands Protection Regulations, available on the town website, [www.readingma.gov](http://www.readingma.gov) and through the Town Clerk's office. 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 contacts the Conservation Administrator to review the proposed work, research existing site information, and to become familiar with the wetland regulations.
2. Contact the Conservation Administrator, Chuck Tirone at Town Hall, [ctirone@ci.reading.ma.us](mailto:ctirone@ci.reading.ma.us) (781) 942-6616.
3. Submit a completed Request for Abutters List form to the Conservation Department or Public Service Department, who will then submit the request to the Assessor's Office. It may take up to 21 days for the Assessor to email the Certified List of Abutters.

**B. Request for Determination Application Submission**

1. The full-size original plans and 1 additional full-size copy (24"x36")
2. A scanned application and plans e-mailed to [ctirone@ci.reading.ma.us](mailto:ctirone@ci.reading.ma.us) or an e-DEP electronic copy submitted with the application including the following items:
  - a) A completed RDA Form 1, which can be found on the Towns website: [ma-reading.civicplus.com/189/Conservation-Division](http://ma-reading.civicplus.com/189/Conservation-Division)
  - 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, wetlands boundaries, proposed earth moving, impervious cover area, etc. (Please refer to the wetlands regulations for requirements.)
  - d) A site sketch or plan no more than 24" by 36" 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):
  - e) Property boundaries, easements, rights-of-way, etc.;

- f) Boundaries of waterways, water bodies, banks, floodplains, and wetlands within and within 100 feet of the site, including locations of field flags;
- g) Boundaries of the 100-foot Buffer Zone, 35-foot and 25-foot Zone of Natural Vegetation;
- h) Existing topography (in one- or two-foot intervals), structures, and other physical features (walls, paths, trees, wells, drainage and utility lines, etc.);
- i) Proposed topography, structures, and physical features, including temporary and permanent stormwater and erosion control features.
- j) A check payable to "Town of Reading" for filing fee under Reading General Bylaws, Section 7.1. The fee for an RDA is:
  - \$75.00 for single-family residential sites
  - \$100.00 for all other projects.

### C. Legal Notice & Mailing Information

1. The legal notice mailing and fee for the publication is the responsibility of the applicant/consultant.
2. Conservation Department will:
  - a) Draft and publish the legal notice with the Daily Times Chronicle
  - b) Send a copy of the legal notice Application/Consultant for the mailing, along with the contact information to directly pay for the \$275 fee for the publication in the Daily Times Chronicle:

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](mailto:tricia.lawson@dailytimesinc.com)  
[www.homenewshere.com](http://www.homenewshere.com)

3. Mailing Requirements
  - a) One copy of the Affidavit of Service and one copy of the Legal Notice must be sent to all certified abutters.
    - They can be mailed in the same envelope
    - 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.
  - b) Notices can be sent by:
    - Certified Mail

- Certificate of Mailing (most commonly used) or
  - Hand deliver if you can get the homeowner's signature.
  - The legal notice must be mailed on the same day that the Request for Determination of Applicability is submitted to the Conservation Commission or 7 days before the scheduled meeting date.
- c) A digital copy of the mailing receipts needs to be scanned and emailed to [ctirone@ci.reading.ma.us](mailto:ctirone@ci.reading.ma.us)
4. The same day that the RDA is submitted to the Conservation Department, mail one copy of the RDA form, site plans, locus map, all attached descriptions and data to:

**DEP Northeast Regional Office**  
ATTN: Wetlands Program  
150 Presidential Way, Woburn MA 01801

#### **D. Prior to the Public Meeting**

1. 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.

#### **E. Public Meeting**

1. A public meeting is normally 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 cannot open the meeting within 21 days.) Meetings are generally held every other Wednesday evening.
2. At the meeting, the applicant and their representatives will be given the opportunity to present and discuss the proposed work. The Commission, Administrator, and general public may comment upon the proposal and ask questions.

#### **F. Determination of Applicability**

1. A Determination of Applicability will be issued by the Commission after the public meeting is closed. The Commission will vote on the conditions 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:

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 Reading 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:

\_\_\_\_\_  
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):

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):

\_\_\_\_\_



**Massachusetts Department of Environmental Protection**

Bureau of Resource Protection - Wetlands

Reading  
City/Town

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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).

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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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### 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

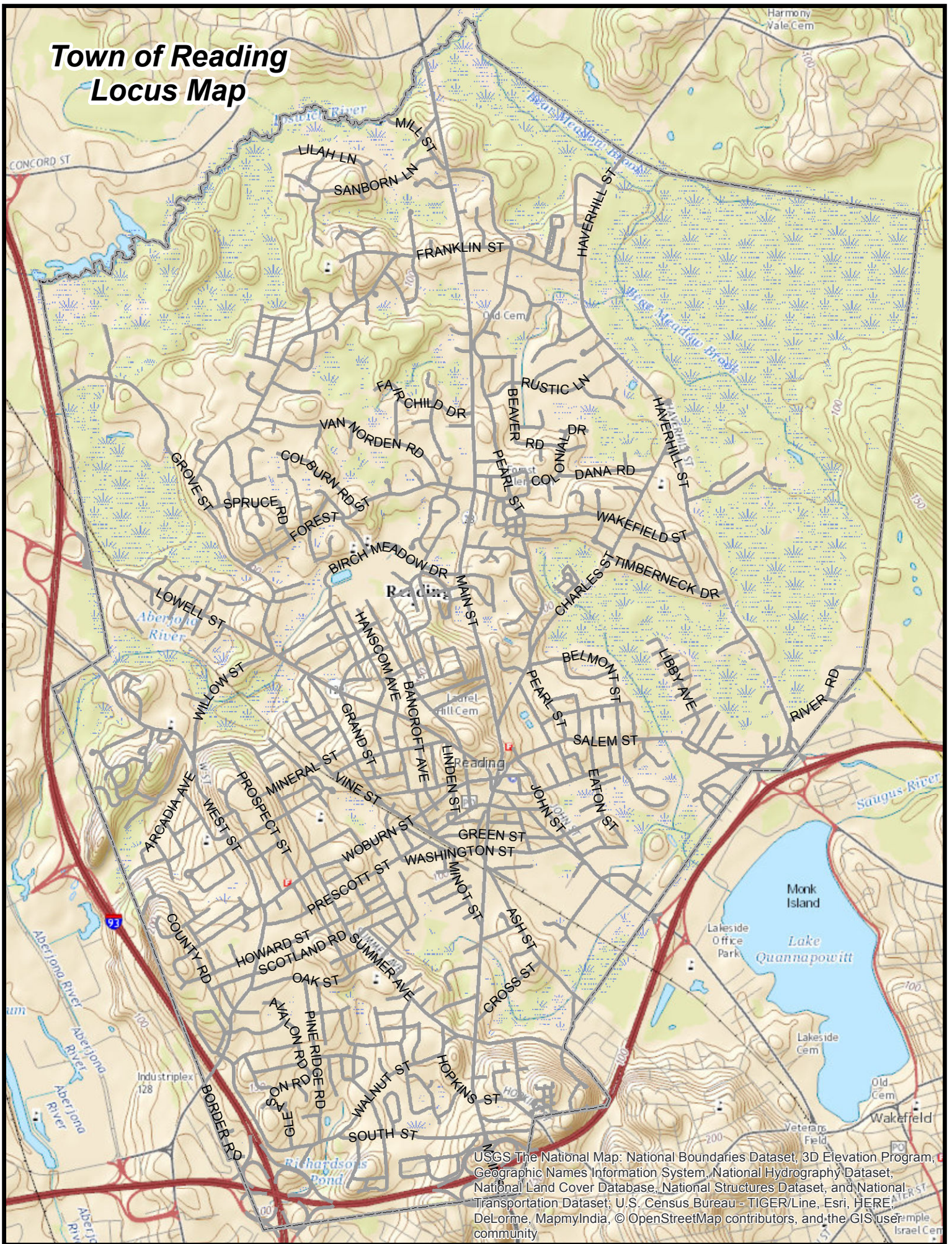
\_\_\_\_\_  
Date

\_\_\_\_\_  
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):**

**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

**Zoning Board of Appeals:**

- Appeal
- Special Permit
- Variance

- Health Department
- Historic District Commission
- Historical Commission
- Other: \_\_\_\_\_

**Brief description of request:** \_\_\_\_\_  
\_\_\_\_\_

Applicant/Agent Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

**Authorized Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

*Must be signed by the Public Services Department*

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, \_\_\_\_\_(Name), hereby certify under the pains and penalties of perjury that on \_\_\_\_\_(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

\_\_\_\_\_ (Applicant) with the Town of Reading

Conservation Commission on \_\_\_\_\_ (Date) for

property located at \_\_\_\_\_ (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

\_\_\_\_\_  
Date