

Ipswich Conservation Commission Mandatory Pre-Filing Checklist for an RDA

Filings must be complete, in compliance with the following checklist, or your project filing will not be accepted. Every blank below must be either initialed, indicating compliance, or designated as “N/A,” if not applicable. *Ipswich Wetlands Protection Bylaw and Regulations and Ipswich Stormwater Bylaw and Regulations are available at the Town Clerk’s Office or online at <http://www.town.ipswich.ma.us>.*

NOTE: If are proposing any activity in the No-Disturbance Zone or any structural activity (e.g., building, pool, sidewalk, patio, deck, pavement, gravel, etc.) in the No-Build Zone, a Request for Determination of Applicability (RDA) may not be used. You must file a Notice of Intent instead.

GENERAL REQUIREMENTS

____ Applicable sections of all forms are completed. We understand that incomplete or deficient information may cause delays in the hearing.

____ All forms are dated and contain contact names, addresses and telephone numbers, in addition to the proper project address. For the applicant, we understand that this must include having a **valid Massachusetts telephone number** for the legal advertisement bill. All information must be legible.

____ If this matter is not decided for any reason in the first session it is heard, and if any new information is required, or revisions to project plans required, the deadline for submission of any and all subsequent materials in this matter is 2:00pm on the Wednesday before the meeting date to which this matter was continued. All supplemental materials must comply with the Required Number of Copies section below, including one additional complete set of same submitted to DEP-Northeast Regional Office (NERO) on or before that date of submittal to the Commission.

REQUIRED PLANS:

____ We have included a Locus Map, which shows the project location, such as a Google map or portion of a USGS quadrangle, with the site circled.

____ We have included a sketch showing proposed work, and distances to wetland area(s).

FEES AND OTHER COSTS:

____ All fees required under **the local law** are enclosed. **If a delineation of resources is part of the project (box for B.1.b on WPA Form 1), we have included payment under the local law for review of the resource boundaries.** Fees are not refundable, including for voluntary project withdrawal. Miscalculation of fees or failure to pay fees will result in the filing being deemed incomplete.

____ We understand that all RDAs require published public advertisement/legal notices which the Commission will prepare and submit to the newspaper, but which are billed directly to the applicant based upon their telephone number and that **we agree to pay that fee.** Failure or refusal to pay that fee will constitute an incomplete filing and the matter will not advance until the fees are paid in full.

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MEETING DATE

____ We understand that this matter, if submitted in complete form, will normally be agendaed for the first meeting following our submittal of materials. The applicant or their duly-authorized representative **agrees to appear at the meeting in person.**

____ If, due to early deadlines related to the required legal advertisement, the matter cannot be heard within the required 21-day period, we agree to sign a waiver of the 21-day requirement for a hearing, and be present at the next regularly-scheduled public hearing.

AUTHORIZATION:

____ **If this document is not filled out by the applicant,** then any consultant or contractor or other representative so completing and submitting it hereby state(s) that they have full and complete knowledge and authority to make all the representations herein, that they agree to immediately notify the applicant of all aspects of this matter not decided by the applicant, and that the applicant has so authorized them to make those decisions on the applicant's behalf.

REQUIRED NUMBER OF COPIES:

____ We have signed and dated the original of this form, and submitted to the Conservation Office:

- **An original copy of all 8½" by 11" documents** (e.g., RDA, etc.) **AND**
- **An original plus 1 copy of documents larger than 8½" by 11"** at actual scale (e.g. plans).

____ **In addition,** we have submitted via email to BrendanI@ipswichma.gov and Janetr@ipswichma.gov **an electronic set of all documents (RDA form, local fee form, this checklist, locus map, plan/sketch),** as required by the Ipswich Wetland Protection Bylaw. If you require assistance with creating an electronic copy, contact the Conservation Office.

____ We have also submitted **one full set of all documents and plans except this checklist and the local fee form (RDA form, locus map, plan/sketch) to the DEP-Northeast Regional Office (NERO) at 205B Lowell Street, Wilmington, MA 01887** on or before this submission to the Commission.

I have reviewed and completed this form on ____ day of _____, 20__.

I am the (circle all that apply): applicant // site owner // consultant

Sign here: _____

Print name: _____

(Effective Version 2021--supersedes all other versions)



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 (if applicable) _____

Mailing Address _____

City/Town _____ State _____ Zip Code _____

Phone Number _____ Fax Number (if applicable) _____

2. Representative (if any):

Firm _____

Contact Name _____ E-Mail Address (if applicable) _____

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).



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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

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



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C. Project Description (cont.)

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 (see Appendix A) 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

APPENDIX A

TOWN OF IPSWICH WETLANDS PROTECTION BY-LAW PROCESSING FEE CALCULATION WORKSHEET (Effective January 17, 2018) IMPORTANT: BYLAW FEES ARE IN ADDITION TO WPA FEES

(Submit this form with application with payment check made payable to Town of Ipswich)

- 1. A flat fee of \$30.00 for an **Small Project Permit** \$ _____
- 2. A fee for the following applications: (check off appropriate item)
 - _____ **Request for Determination of Applicability (RDA)** \$75.00 ea. \$ _____
 - _____ **Request for Certificate of Compliance (COC) if Order is unexpired** \$100.00 ea. \$ _____
 - _____ **Request for COC if Order is expired** \$200.00 ea. \$ _____
 - _____ **Request for Extension of Order** \$60.00 ea. \$ _____

- 3. The following schedule applies for **Notice of Intent** and **Abbreviated Notice of Resource Areas Delineation** categories at 310 CMR 10.03(7) (c), as follow:

	<u>No.</u>	x		=	<u>Total</u>
Category 1.	\$75.00 per activity	x	_____	=	\$ _____
Category 2.	\$300.00 per activity	x	_____	=	\$ _____
Category 3.	\$650.00 per activity	x	_____	=	\$ _____
Category 4.	\$950.00 per activity	x	_____	=	\$ _____
Category 5. (Not less than \$50.00 or more than \$1,000.00)	\$2.00/L.F.	x	_____ L.F.	=	\$ _____
Total:					\$ _____

- 4. **Formal Amendment** to an existing Order (requires a public hearing):
 Equal to original filing fee/per each activity \$ _____

- 5. **Minor Modification** to an existing Order (does not require a public hearing), *check appropriate item(s)*:
 - _____ First Request - Equal to 25% of original filing fee or \$30.00, whichever is greater \$ _____
 - _____ Second Request - Equal to 50% of original filing fee \$ _____
 - _____ Third and Subsequent Requests-Equal to original filing fee \$ _____

Total: \$ _____

- 6. Application for review of resource area delineation: \$1.00/Linear Foot (LF) of not less than \$50.00 or more than \$200.00 for single family house projects; not less than \$50.00 or more than \$2000.00 for any other activity. This fee will be in addition to the fee for an RDA or NOI listed above.
 Type of activity: _____ \$1.00/LF x LF = \$ _____

- 7. Fees for projects within the Riverfront Area and another resource area shall be 150% of the above (check off appropriate item)
 - _____ RDA: \$ 75.00 x 150% = \$ _____
 - _____ NOI (Total from Paragraph #3 above): \$ _____ x 150% = \$ _____

- 8. Late filing penalty fees: In the event of a violation finding by the Commission in which a filing is required after-the-fact, the local Wetlands By-Law fee for that late filing will be three times the normal fee(s) for the activities, applicable per the above schedule, including delineation fees.
 Regular Processing Fee: \$ _____ x 3 (penalty) = \$ _____

Name/project address of Applicant: _____

DEP or ICC File No. _____ **(if applicable).** **TOTAL BYLAW FEE SUBMITTED \$** _____

Revised January 17, 2018



How to fill out a Request for Determination of Applicability

WPA Form 1

The Ipswich Conservation Commission must pre-approve all projects proposed within 100' of a wetland, 150' of an Area of Critical Environmental Concern (ACEC; elevation 10' in certain coastal areas), and 200' of a river or perennial stream. There are two types of applications to get your project approved: the **Request for Determination of Applicability (RDA)** and a **Notice of Intent (NOI)**. *The form you must use depends on the nature and location of your project.*

The Ipswich Wetland Protection Bylaw mandates a 50' No-Disturbance Zone (NDZ, areas within 50' of wetlands) and a 15' No-Build Zone (NBZ, areas within 65' of wetlands). For previously developed lots, such as existing single-family homes built before 2001, the NDZ is grandfathered at 25', within the 15' NBZ remaining the same (40' from wetlands). Properties where a change in use is proposed are subject to the more restrictive setbacks. When all work is outside of the above Mandatory Subzones, and the work is minor in nature (e.g.: repairing/ in-kind replacing of a deck, sidewalk or patio, or adding a shed), you can file a RDA for your project.

The RDA form packet is available on line and at the Conservation Office. The forms are relatively simple, and instructions are included. However, to make the process easier to follow, The Conservation Office has created these simplified instructions to fill out an RDA.

1. Section A: Fill in your name and mailing address under **Applicant**.
2. Section B: Fill in "Ipswich" on the line above **Conservation Commission**, and then check boxes a, c, and d, and fill in Ipswich again above **Name of Municipality**.
3. Section C.1.a: Fill in the project location's **Street Address** and **Assessor's Map and Lot number**. Your Map and Lot number can be found on the property's tax bill.
4. Section C.1.b: Fill in the **Area Description**, which means describe what the work area looks like (e.g., level lawn with existing patio/walkway; steeply sloping lawn area; etc.).
5. Section C.1.c: Fill in a brief **Work Description**, where you describe the work you want to do (e.g., replace concrete walkway with concrete paver walkway in same location/configuration.)
6. Section D: Fill in the **Name and address of the property owner**, even if it's the same as the Applicant, and then sign at the bottom.
7. Additional Requirements:
 - a. You must include a **Locus Map** so the Commission can find your property easily (Google map with your property circled is fine), and a **plan or sketch** of the work you want to do, *with dimensions*, and the estimated distance of the work to the wetland and other features such as the house, so the exact location can be identified by staff.
 - b. You must complete the **Mandatory Pre-Filing Checklist**. This document walks you through the process, and includes the number of copies to be submitted and to whom.
 - c. You must complete the **Fee Calculation Sheet**, and submit a **check to the Town of Ipswich for \$75.00**.
 - d. Submit the required number of copies of the RDA packet by the filing deadline. Filing deadlines are available on line and at the Conservation Office.

Homeowners are encouraged to include any work that they might want to do in the next 3 years, as this is the life of the RDA permit, and these permit can't be amended to add more work, or extended if all work is not completed. If you choose to not do the additional work, there is no obligation to do so.

If you have questions, you can contact the Conservation Office, and we'll try to help. But please try to fill out as much of the form as possible first.