

Fill out applicant information in this Section

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Tewksbury
City/Town

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)		

If you have a representative (e.g., consultant) completing this form, fill in applicable information

B. Determinations

1. I request the Tewksbury Conservation Commission make the following determination(s). Check any that apply:

- 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).

Check whatever determination you would like the Commission to make regarding your project. If you are unsure of what to check, checking box A, C, and D is typically sufficient.

Box E is typically not checked. If you think Box E applies, please contact the Conservation Commission or the Commission's Agent to discuss.

Fill out address information. Map and Lot numbers can be found by visiting <https://www.mapsonline.net/tewksburyma/> and searching your address.

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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):

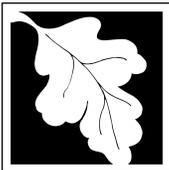
A brief description of where within the property the project is occurring (e.g., backyard of home within existing lawn area).

Include a site sketch or plan that shows where your work is occurring and the work's proximity to nearby wetland resource areas. For example, a sketch showing a proposed aboveground pool that is 30-feet away from the rear of the dwelling and 40-feet away from a nearby stream.

Multiple Site Plans/Sketches may be used.

It is recommended to use the state generated MassMapper tool (<https://maps.massgis.digital.mass.gov/MassMapper/MassMapper.html>) as one of the site plans included in the application. When using this tool, it is recommended to generate a pdf document to include in your application that shows (1) aerial imagery of the site, (2) DEP Wetland Layer, (3) FEMA National Flood Hazard Layer, and (4) NHESP Priority Habitats of Rare Species Layer.

A brief description of the proposed work being considered with this application. For example: "a residential addition, approximately 10-feet wide and 20-feet long, with a concrete foundation" or "clearing of vegetation and minor grading within an area that is 15-feet wide and 50-feet long to expand yard"



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C. Project Description (cont.)

Refer to the Tewksbury Wetland Protection Bylaw and the the Massachusetts Wetland Protection Act (WPA) regulations (310 CMR 10.00) for a list of exempt projects. Exempt projects are listed at 310 CMR 10.02(2) within the WPA regulations.

If you do not think an exemption applies, you can leave this part of the application blank.

If you did not check off box 1e in Section B of the application, this will not apply to your project.

If you did not check off box 1e in Section B of the application, this will not apply to your project.

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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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 _____

Read the above text under Section D. If you concur with this language, please fill in your personal information here.

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.

If you agree with this language, please provide signatures.

Signature of Applicant _____ Date _____

Signature of Representative (if any) _____ Date _____