



**TOWN OF MATTAPOISETT**  
**Conservation Commission**  
16 Main Street  
P.O. Box 435  
Mattapoissett, MA 02739

Phone: (508)758-4100 ext. 219

Fax: (508)758-3030

**INSTRUCTIONS FOR FILING A REQUEST  
FOR A DETERMINATION OF APPLICABILITY WITH  
THE MATTAPOISETT CONSERVATION COMMISSION**

- Fill out the attached Request for a Determination of Applicability (RDA) (don't forget to sign and date the last page).
- Obtain a (100 ft.) list of abutters from the Assessor's Office at the Town Hall (see attached form) (submit form first because the office has 2 weeks to issue).
- Submit seven (7) copies of the request and all other related documents, maps, sketches and plans to the Mattapoissett Conservation Commission office prior to submission of the advertisement for the public hearing. Make and keep one complete copy for your records.
- Request a hearing date from the Conservation Commission Office after the above items have been completed.
- Fill out the attached advertisement form and submit to a local newspaper (see attached list and form).
- Notify abutters either in person or by certified mail/return receipt with one of the attached forms (bring all certified mail receipts to the hearing with you) (Notify 7 business days prior to the public Hearing).
- Submit by (Certified Mail) one (1) copy of the RDA with plans to the Dept. of Environmental Protection, 20 Riverside Drive, Route 105 Lakeville, MA 02347
- Submit by (Certified Mail) one (1) copy of the RDA with plans to the Natural Heritage and Endangered Species Program (NHESP), Division of Fisheries and Wildlife, 100 Hartwell Street, Suite 230 West Boylston, MA 01583, if applicable.

Conservation Commission office hours are Monday, Wednesday and Friday from 10:00 a.m. to 3:00 p.m. The phone number is (508) 758-4100 ext. 219.

Thank you,  
Mattapoissett Conservation Commission



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**Listings for Public Advertisement /Legal Ads**

<u>Newspaper</u>	<u>Address</u>	<u>Phone Number</u>	<u>Fax</u>
1. The Wanderer	55 County Rd, Mattapoisett, MA 02739	508-758-9055	508-758-4845
2. The Standard Times	25 Elm St., New Bedford, MA 02740	508-979-4351	508-979-4495
3. The Sentinel	PO Box 959, Plymouth, MA 02362	508-748-1123 ext. 242	508-747-2148

Please note that the deadlines may vary for each local paper, so call in advance.

- **The Wanderer (weekly): Thursday issue. Ads must be placed before 10:00 a.m. on the previous Tuesday**
- The Standard Times (daily) Ads published on 2<sup>nd</sup> day is received before noon and on 3<sup>rd</sup> day if after noon.\*
- The Sentinel (weekly): Ads must be placed before 10:00 a.m. Tuesday to appear in the Thursday issue.

\*Example: Submit an ad to the Standard times on Tuesday before 12:00 noon and it will appear in Thursday's paper; ads submitted after Noon will appear in the next Friday edition.

- ✓ Please be aware that deadlines for advertisements are subject to change. Call in advance for information.
- ✓ Please promptly fill in the form below and submit it to:

**Mattapoisett Conservation Commission  
16 Main Street  
PO Box 435  
Mattapoisett, MA 02739**



I, \_\_\_\_\_ have placed my advertisement for  
(First and Last Name)

a Notice of Intent or a Request for Determination of Applicability (circle one). My advertisement will appear in

the \_\_\_\_\_, in the issue of \_\_\_\_\_.  
(Name of paper where you submitted the ad) (Date ad is scheduled to appear)

## ARTICLE 22

### CONSERVATION COMMISSION

- 22.1. Notice of Intent or Request for Determination for Applicability
  - 22.1.1. Any person filing a Notice of Intent or Request for Determination for Applicability with the Mattapoissett Conservation Commission under the provisions of the Wetlands Protection Act, G.L. c. 131, §40, shall, at the same time, give written notice of the hearing thereof, by certified mail (return receipt requested) or by hand delivery, to all abutters at their mailing addresses shown on the most recent applicable tax list of the assessors, including owners of land directly opposite on any public or private street or way.
  - 22.1.2. The notice to abutters shall state the date, time and location for any hearing and include a copy of the Notice or Request and shall state where copies of the complete filing may be examined. Copies shall be available to abutters free of charge. An affidavit of the persons providing such notice, with a copy of the notice mailed or delivered, shall be filed with the Conservation Commission at or before the time stated for the hearing.
  - 22.1.3. When a person requesting a determination is other than the owner, the request, the notice of the hearing and the determination itself shall be sent by the Conservation Commission to the owner as well as to the person making the request.





**NOTIFICATION TO ABUTTERS UNDER THE  
MASSACHUSETTS WETLANDS PROTECTION ACT AND  
MATTAPOISETT BY LAWS  
(By Certified Mail Receipt)**

**In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and Article XXII of the Mattapoissett by Laws you are hereby notified of the following.**

- a. **The name of the applicant is \_\_\_\_\_.**
  - b. **The applicant has filed a Request for a Determination of Applicability with the Conservation Commission seeking permission to remove, fill, dredge or alter an Area Subject to Protection under the Wetlands Protection Act (General Laws Chapter 131, Section 40.**
  - c. **The address of the lot where the activity is proposed is \_\_\_\_\_**  
\_\_\_\_\_
  - d. **The project consists of \_\_\_\_\_**
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- e. **Copies of the Request for a Determination of Applicability may be examined at the Town Hall Conservation Commission Office on Monday, Wednesday and Friday between 10:00 a.m. and 3:00 p.m. For more information call 508-758-4100 ext. 219.**
  - e. **The public hearing will be conducted on (date and time)**  
**Monday \_\_\_\_\_, at 6:30 p.m. in the Town Hall.**
  - g. **The applicant shall submit certified mail proof to the Commission that abutters have been notified or shall hand deliver this notice and have it signed below by abutters proving they have been informed of the hearing. Abutter attendance at the public hearing is not required.**



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

Mattapoissett

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) \_\_\_\_\_

B. Determinations

1. I request the Mattapoissett 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).



# WPA Form 1- Request for Determination of Applicability

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

## C. Project Description

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

Street Address \_\_\_\_\_ Mattapoisett  
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):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## WPA Form 1- Request for Determination of Applicability

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

### 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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## WPA Form 1- Request for Determination of Applicability

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

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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