

# Town of Rowley

Conservation Commission

Phone: (978) 948-2330 Fax: (978) 948-7196

Conservation@townofrowley.org

## REQUEST TO DETERMINE APPLICABILITY CHECKLIST

Send the following by certified mail, return receipt requested, or hand deliver to:  
Rowley Conservation Commission, PO Box 24, or 39 Central Street, Room #4, Rowley MA 01969

- Two copies of the Application including:
- Completed WPA Form 1 – revised July 2020
  - Section of U.S. Geologic Survey (USGS) quadrangle locating site (8 ½” x 11”)
  - An appropriately sized section of the Assessor’s map clearly identifying the property and all others within a hundred feet
  - Plans and calculations clearly describing the location and the nature of the proposed work
  - Proof of mailing or hand delivery of Application to DEP NE regional office (address below)
  - One copy of permission to enter form with original signature of property owner
  - Proof of mailing or delivery of Application to property owner if not applicant
  - One electronic submission in “PDF” form of all Application documents and plans.
  - One copy of the Wetland Bylaw Fee Calculation Form with check for appropriate fee.

Send by certified mail, return receipt requested, or hand deliver to:  
DEP NERO, Wetlands Div. 205B Lowell Street, Wilmington, MA 01887

- One copy of the Application including:
- Completed WPA Form 1 – revised July 2020.
  - Section of U.S. Geologic Survey (USGS) quadrangle locating site (8 ½” x 11”).
  - An appropriately sized section of the Assessor’s map clearly identifying the property and all others within a hundred feet.
  - Plans and calculations clearly describing the location and the nature of the proposed work.

### PERMISSION TO ENTER

I, Michael Esposito, hereby grant the Rowley Conservation Commission and its  
(NAME OF PROPERTY OWNER)  
officials permission to enter upon my property at 2 Taylor Lane to  
(STREET ADDRESS AND ASSESSOR'S MAP/PARCEL/LOT)

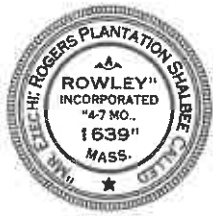
review the filed Request to Determine Applicability and future site conditions for compliance with the issued Determination of Applicability. The sole purpose of this document is to allow Commissioners and their officials to perform their duties under the Wetlands Protection Act (M.G.L. c. 131 s. 40) and the Town of Rowley Wetlands Protection Bylaw.

Signed: [Signature]  
(PROPERTY OWNER)

1-22-23  
(DATE)

Rev. 7/30/20

Town Hall Annex • Room 4 • 39 Central Street • P.O. Box 24 • Rowley, MA  
01969



# Town of Rowley Conservation Department

Town Hall Annex – Room 4  
 39 Central St, P.O. Box 24, Rowley, MA 01969  
 Phone: 978-948-2330 Fax: 978-948-7196  
[conservation@townofrowley.org](mailto:conservation@townofrowley.org)

## WETLAND BYLAW FEE CALCULATION FORM

Property Address:

Map:

Parcel:

Lot:

APPLICATION NAME / ACTIVITY	LOCAL BYLAW FEE	# of Activities or Measurement	Subtotal
Request for a Determination of Applicability (RDA)	\$75		
<b>Abbrev. Notice of Resource Area Delineation (ANRAD)</b>			
Single Family House Project	\$1/linear foot, first 100'; \$0.50/lf, second 100'; \$0.10/lf, each additional foot		
All Other Projects	*\$1/linear foot, first 1000'; \$0.50/lf, second 1000'; \$0.10/lf, each additional foot		
<b>Notices of Intent (NOI)</b>			
Category 1 Activity	\$100		
Category 2 Activity	\$250		
Category 3 Activity	\$525		
Category 4 Activity	\$725		
Category 5 Activity	\$2/foot		
Category 6 Activity - If no ANRAD was filed for the project site, then a local Cat. 6 fee must be paid in accordance with the ANRAD fee schedule	See ANRAD fee schedule		
<b>Request to Amend an OOC (RAOC)</b>			
	\$100		
<b>Resource Area Alterations (for NOI &amp; RAOC)</b>			
Buffer Zone, 50'-100' from resource area boundary	\$0.05 / square foot		
Buffer Zone, 25'-50' from resource area boundary	\$0.10 / square foot		
Buffer Zone, 0'-25' from resource area boundary	\$0.25 / square foot		
Bordering Vegetated Wetlands & Salt Marsh	\$0.35 / square foot		
Bank	\$5 / linear foot		
Land Under Water & Waterways	\$0.35 / square foot		
Bordering Land Subject to Flooding & CLSSF**	\$0.05 / square foot		
***Riverfront Area only	\$0.05 / square foot		
Isolated Vegetated Wetlands	\$0.35 / square foot		
Land within Groundwater Protection Area Zone I	\$0.25 / square foot		
Land within Groundwater Protection Area Zone II	\$0.05 / square foot		
Other Local-only Jurisdictional Resource Areas	\$0.05 / square foot		
<b>Extension Permit</b>			
	\$100		
<b>Certificate of Compliance</b>			
	Projects under one acre in size: \$100 - over an acre in size \$250		
<b>For filings resulting from enforcement action, double the Local Bylaw Fee Total</b>			
<b>LOCAL BYLAW FEE TOTAL</b>			
<b>As Determined by the Commission, Fee Total not to exceed \$15,000 except Enforcement</b>			
<b>NOTES:</b>			
*Local Bylaw Fee maximum of \$100, if, when determined necessary by Commission, applicant agrees to ANRAD review by outside consultant under M.G.L. Ch. 44, sec. 53G			
**Coastal Land Subject to Storm Flowage			
***Local Bylaw Fees for RDA, NOI & RAOC increase 50% when project is also proposed within a Riverfront Area			
Local Bylaw Fees passed by a Unanimous vote of the Commission on 10/1/2019, effective 10/2/2019			



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Rowley  
City/Town

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

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

RECEIVED

FEB 21 2023

**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.



Applicant:

Mike Esposito

Name

TOWN OF ROWLEY  
Michael.Esposito@gmail.com  
E-Mail Address  
CONSERVATION COMMISSION

2 Taylor Lane

Mailing Address

Rowley

City/Town

MA  
State

01969  
Zip Code

978-863-1969

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**

I request the Rowley 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):

2 Taylor Lane	Rowley
Street Address	City/Town
Map 12	Block #3 Lot #1
Assessors Map/Plat Number	Parcel/Lot Number

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

Previously developed property with a single family home, with maintained lawn & landscaping along with front and back walkways & paver patio. Large undeveloped area behind the current drainfield along with an undeveloped area within the bufferzone that faces southwest portion of the property.

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

Proposed Pool Site Plan	1-18-2023
Title	Date
Septic System Design	12-31-2020
Title	Date
Title	Date

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

Proposed construction of an 18x44 inground gunite kidney shaped saltwater pool, with attached spa. All necessary plumbing, and electrical for proposed pool & spa. Extension of paver patio from existing patio on site to surround proposed pool and spa. Install perimeter fence to meet pool code on all sides of property.



## 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).

---

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.



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

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

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

**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:

Michael & Anika Esposito  
Name  
2 Taylor Lane  
Mailing Address  
Rowley  
City/Town  
MA  
State  
01969  
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

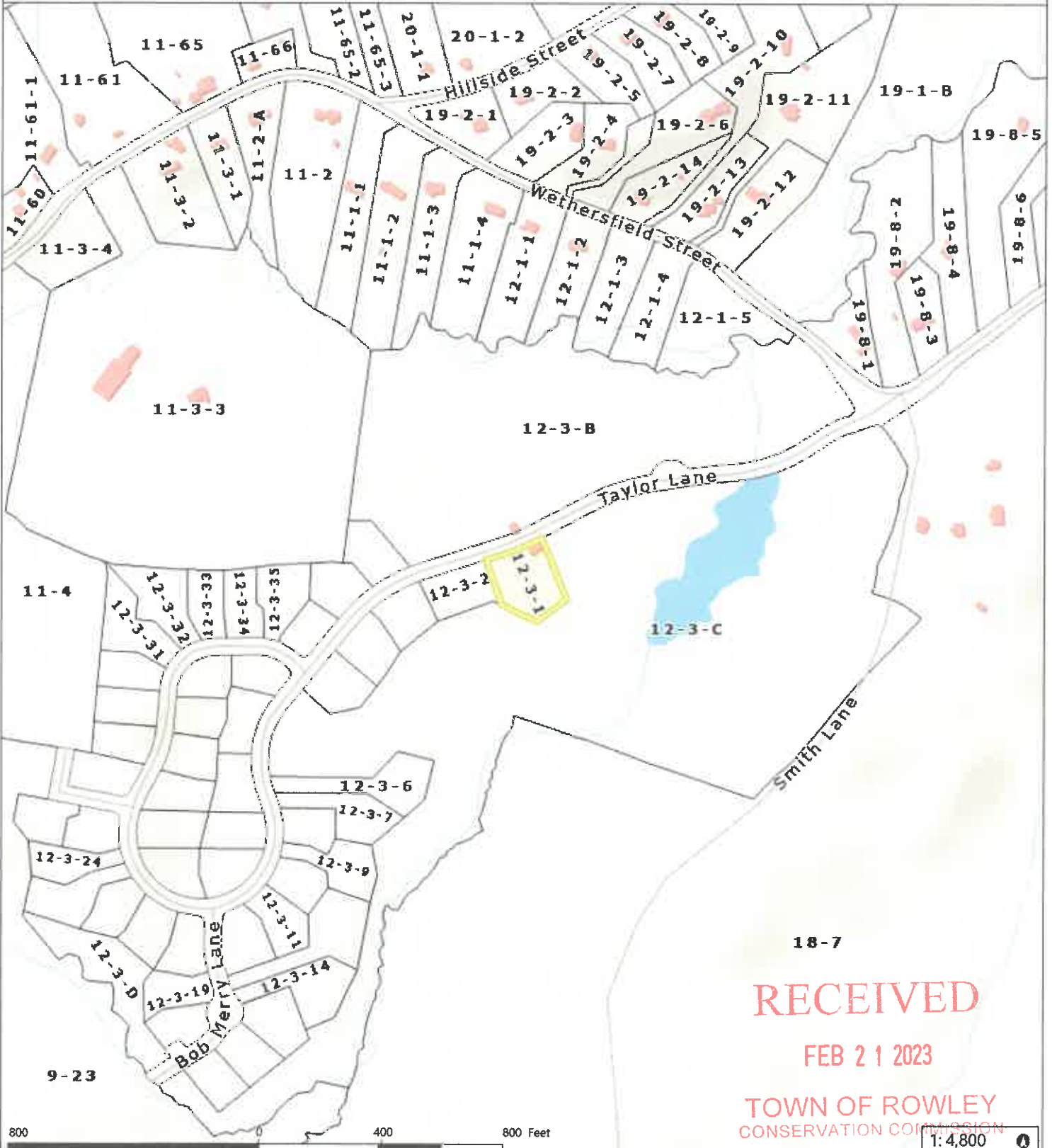
2-21-23  
Date

Signature of Representative (if any)

Date

# 2 Taylor Lane 12-3-1

02/22/2023




RECEIVED

FEB 21 2023

TOWN OF ROWLEY  
CONSERVATION COMMISSION


1:4,800

Data Sources: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the Town of Rowley & MassT/MassGIS. MVPC AND THE TOWN OF ROWLEY MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE TOWN OF ROWLEY AND MVPC DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION.

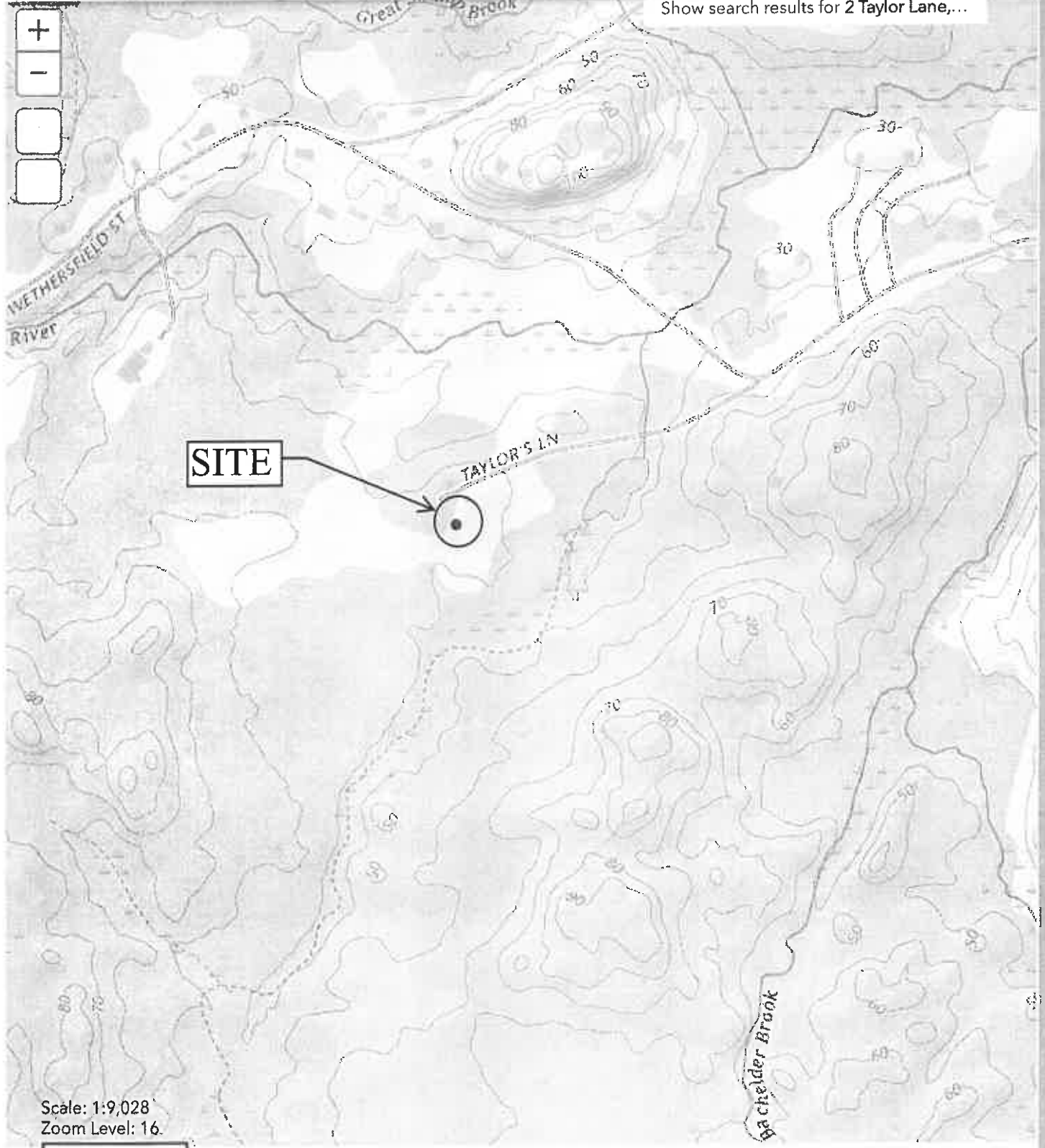


<ul style="list-style-type: none"> <li>Municipal Boundary</li> <li>Building Footprints</li> </ul>	<ul style="list-style-type: none"> <li>Roads</li> <li>Hydrographic Features</li> </ul>	<ul style="list-style-type: none"> <li>Interstate</li> <li>Streams</li> </ul>	<b>Legend</b> <ul style="list-style-type: none"> <li>Major Road</li> <li>Local Road</li> <li>Parcels</li> </ul>
---	--	---	---

Help D

2 Taylor Lane, Rowley, MA, 0196 X 

Show search results for 2 Taylor Lane,...



Scale: 1:9,028  
Zoom Level: 16

600ft

-70.912 42.724 Long Lat





ROWLEY  
 161 MAIN ST  
 ROWLEY, MA 01969-9998  
 (800)275-8777

02/22/2023 10:58 AM

Product	Qty	Unit Price	Price
First-Class Mail® Large Envelope Woburn, MA 01801 Weight: 0 lb 2.00 oz Estimated Delivery Date Fri 02/24/2023	1		\$1.50

Grand Total: \$1.50

Cash \$5.00  
 Change -\$3.50

Preview your Mail  
 Track your Packages  
 Sign up for FREE @  
<https://informedelivery.usps.com>

All sales final on stamps and postage.  
 Refunds for guaranteed services only.  
 Thank you for your business.

Tell us about your experience.  
 Go to: <https://postalexperience.com/Pos>  
 or scan this code with your mobile device.



or call 1-800-410-7420.

UFN: 246562-0969  
 Receipt #: 840-50180188-2-4482877-2  
 Clerk: 05