

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 Division, 150 Presidential Way, Woburn, MA 01801

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, Thomas Malinowski, hereby grant the Rowley Conservation Commission and its
(NAME OF PROPERTY OWNER)

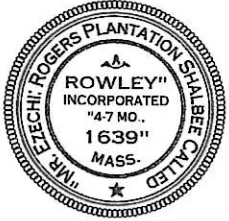
officials permission to enter upon my property at 3 Fenham Rd MAP 11 LOT 49 to
(STREET ADDRESS AND ASSESSOR'S MAP/PARCEL/LOT)

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: _____
(PROPERTY OWNER)

7-17-2023
(DATE)

Rev. 2/22/2023



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

WETLAND BYLAW FEE CALCULATION FORM

Property Address:

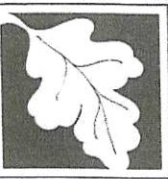
Map:

Parcel:

Lot:

APPLICATION NAME / ACTIVITY	LOCAL BYLAW FEE	# of Activities or Measurement	Subtotal
Request for a Determination of Applicability (RDA)	\$75		\$75
Abbrev. Notice of Resource Area Delineation (ANRAD)			
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		
Notices of Intent (NOI)			
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		
Request to Amend an OOC (RAOC)	\$100		
Resource Area Alterations (for NOI & RAOC)			
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 Bank	\$0.35 / square foot		
	\$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		
Extension Permit	\$100		
Certificate of Compliance	Projects under one acre in size: \$100 - over an acre in size \$250		
For filings resulting from enforcement action, double the Local Bylaw Fee Total			
LOCAL BYLAW FEE TOTAL			\$75
As Determined by the Commission, Fee Total not to exceed \$15,000 except Enforcement			

NOTES:
 *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 Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

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

Municipality _____

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:

Thomas
First Name

Malinowski Jr
Last Name

3 Farnham Rd.
Address

Rowley
City/Town

MA 01969
State Zip Code

617 888 7232
Phone Number

Fueki@gmail.com
Email Address

2. Property Owner (if different from Applicant):

First Name

Last Name

Address

City/Town

State Zip Code

Phone Number

Email Address (if known)

3. Representative (if any)

First Name

Last Name

Company Name

Address

City/Town

State Zip Code

Phone Number

Email Address (if known)

B. Project Description

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

3 Farnham Rd
Street Address

Rowley
City/Town

Latitude (Decimal Degrees Format with 5 digits after decimal e.g. XX.XXXXX)

Longitude (Decimal Degrees Format with 5 digits after decimal e.g. -XX.XXXXX)

11
Assessors' Map Number

49
Assessors' Lot/Parcel Number

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

c. Plan and/or Map Reference(s): (use additional paper if necessary)

Title Date

Title Date

[How to find Latitude and Longitude](#)

[and how to convert to decimal degrees](#)



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WPA Form 1- Request for Determination of Applicability

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Municipality

B. Project Description (cont.)

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

Alter/Extend existing 5'x12' deck to
14'x20' for egress to pool

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.)



Massachusetts Department of Environmental Protection
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WPA Form 1- Request for Determination of Applicability

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

Municipality _____

C. Determinations

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

- a. whether the **area** depicted on plan(s) and/or map(s) referenced above 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 above are accurately delineated.
- c. whether the **Activities** depicted on plan(s) referenced above is subject to the Wetlands Protection Act and its regulations.
- d. whether the area and/or Activities depicted on plan(s) referenced above is subject to the jurisdiction of any **municipal wetlands' ordinance or bylaw** of:

Rowley
Name of Municipality

- e. whether the following **scope of alternatives** is adequate for Activities in the Riverfront Area as depicted on referenced plan(s).

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.

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.

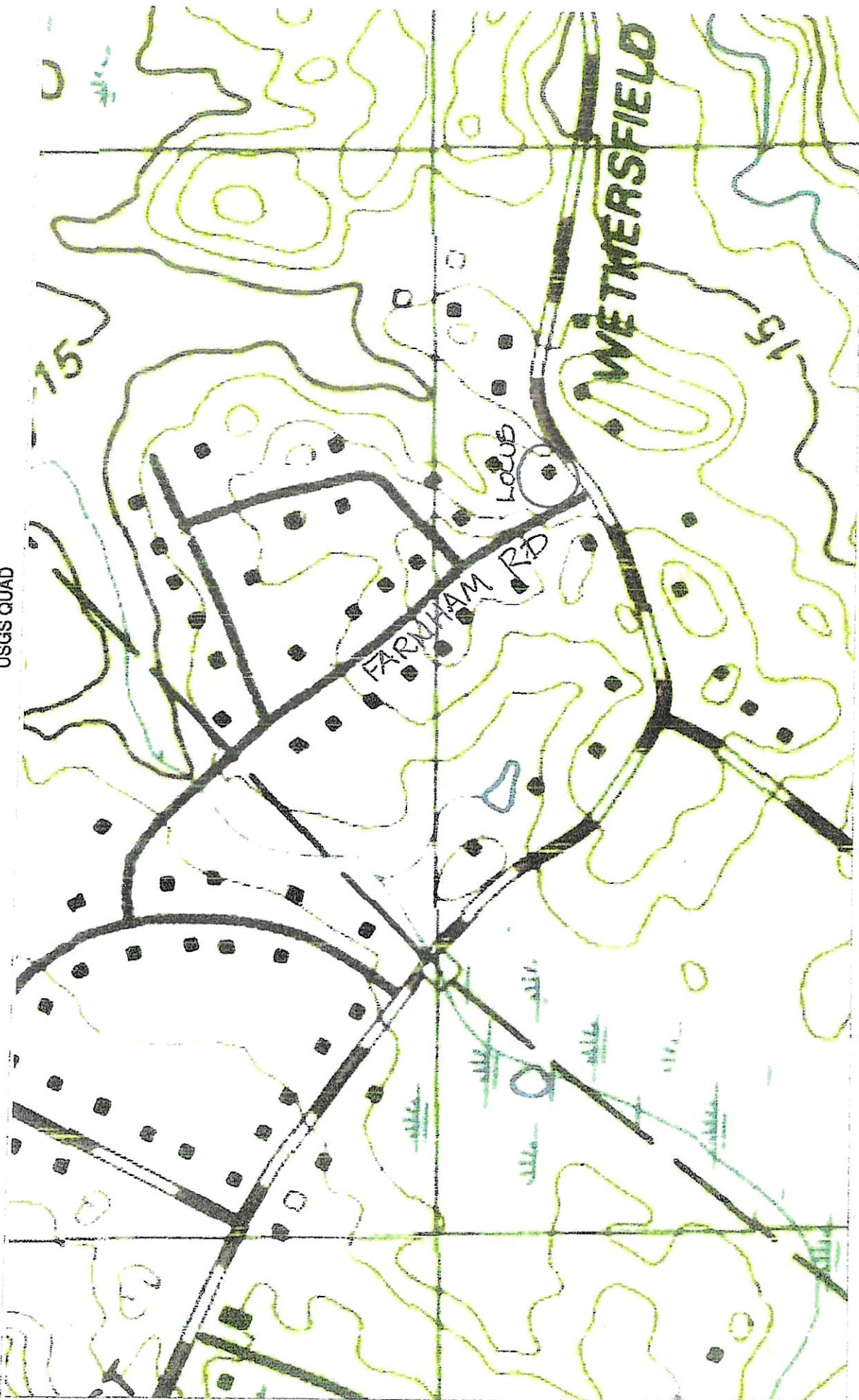
[Signature]
Signature of Applicant

7-17-2023
Date

Signature of Representative (if any)

Date

USGS QUAD



PROPERTY
3 FARNHAM RD
ROWLEY MA

USGS QUAD SHEET
FROM MASS GIS WEBSITE

NOT TO SCALE

Town of Rowley

10/28/2019



Source: Produced by Merrimack Valley Planning Commission. MPO
 g data provided by the Town of Rowley & Merrimack Valley
 AND THE TOWN OF ROWLEY MAKES NO WARRANTIES EXPRESSED
 IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY
 SUITABILITY OF THESE DATA. THE TOWN OF ROWLEY AND MPO
 IS NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OF
 USE OF THIS INFORMATION.



Municipal Boundary Roads — Interstate Legend
 Hydrographic Feature Streams Major Road Local Road ☐ Parcel

1:1,200

- MassDOT Roads Street Names
 - Major MassDOT Routes
 - Interstate Highways
 - US Roads
 - State
 - Massachusetts Towns
 - NHESP Estimated Habitats of Rare Wildlife
 - NHESP Priority Habitats of Rare Species
- Criticos 2013-2014
2013-2014 Color Ortho (USGS)



130.00'

SUBDIVISION LOT 31A
MAP 11 LOT 49
AREA=32,670SF±

INGROUND
POOL

DECK
20'x10'

THREE BEDROOM
DWELLING
#3

PROPOSED
10'X24' SLAB
ADDITION

GREEN
HOUSE

F.G.
102.8

PAVED DRIVE
103'

PORCH

PATIO

LANING
BED

BM
#2

SIDEWALK

WALK

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FARNHAM ROAD

PLAN 331 OF 1974

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TANK (TBR)
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EXIST SILTA
SOCKET
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