



TOWN OF ARLINGTON
MASSACHUSETTS
CONSERVATION COMMISSION

SUBMITTING A REQUEST FOR DETERMINATION OF APPLICABILITY (RDA)

RDA applications are for minor projects affecting a small portion of the area surrounding wetlands, also known as resource areas. It is the simplest and least expensive permit application procedure. This guide is an aid to completing the RDA process. Please consult the legal resources listed at the end of this document.

The RDA process determines whether your proposed project will need a wetlands permit. There are five steps to the process.

1. Meet with the Conservation Agent
2. Prepare the application
3. Submit the application
4. Present the project at a public hearing
5. Receive and file the Determination paperwork

MEET WITH THE CONSERVATION AGENT

Contact the Conservation Agent by phone at (781) 316-3012 or by email at concomm@town.arlington.ma.us to request a meeting. A short phone call is usually all that is needed. If your project includes adding over 350 square feet of impervious surface, you will need to consult with the Engineering Division about compliance with the Arlington Stormwater Management Bylaw.

PREPARE THE APPLICATION

The following list is required for filing an RDA. Please use the links below to find the forms and information you need. Please check off each item as you have completed it. Submit this checklist with your final application.

- [Wetlands Protection Act Form 1](#)
 - Most projects should check off the boxes at B.1.C. and B.1.D., but the Conservation Agent will help you decide which determinations are needed.
 - Please provide a detailed description of the proposed work in the Project Narrative section, including—but not limited to—construction, removing or planting grass/plants/trees, digging, dumping, etc. Please also note which resource areas are relevant to the project.
- Plan of the proposed work showing all wetland boundaries
 - [Use the Town's GIS Wetlands map](#) to determine wetland boundaries, including flood zones. To show flood zones, click Layers >> FEMA Hazard Zones.
 - Include a table documenting the total impermeable area and total permeable area before and after construction.

- [Topographic map of the site](#) (Click Layers >> Elevation)
- [Floodplain map of the site](#)
- Certified list of abutters requested from [the Arlington Assessor's Office](#)
- [Bylaw Filing Fees and Transmittal Form](#)
 - No changes to this form are needed; it has been completed for you.
- \$300 bylaw filing fee made payable to the Town of Arlington
- [Completed abutter notification form letter](#)
 - The Conservation Agent will provide you with the date of your hearing.
- [Signed Affidavit of Service](#)

SUBMIT THE APPLICATION

The RDA packet needs to be submitted two weeks prior to the preferred date of the hearing. All materials noted above are required when filing. Please also include this checklist. When you are ready to submit, please deliver the following to Town Hall.

- *For the Conservation Agent*
 - One electronic copy of the filing
 - One printed copy of the filing
- *For the Conservation Commission*
 - One printed copy of the filing packaged with valid postage for shipping within Arlington
 - Three full size copies of all submitted plans, each packaged with valid postage for shipping within Arlington

PRESENT THE PROJECT AT A PUBLIC HEARING

Once you have submitted the RDA, you will present it to the Conservation Commission at a public hearing. Conservation Commission meetings take place on the first and third Thursdays of the month at 7 PM. You will present the project as described in your application. For complex projects, more than one hearing may be required.

RECEIVE AND FILE THE DETERMINATION PAPERWORK

After the public hearing is closed, the Conservation Agent will issue a Determination of Applicability. If you receive a negative determination, no further action is needed, and you can proceed with your project. Please note that permits may still be required from other departments. Please file the Determination of Applicability with the deed for your property.

LEGAL RESOURCES

This document is only an aid to assist filling out Request for Determination paperwork. Please consult the following laws and regulations to gain a full understanding of the permitting process and requirements.

- [Wetlands Protection Act](#) (MGL Chapter 131, Section 40) and its accompanying [Regulations](#) (310 CMR 10.00)
- [Arlington's Wetlands Bylaw](#) (Title V-Article 8) and the [Arlington Wetlands Protection Regulations](#)

APPENDIX A: ADDITIONAL RDA FILING DOCUMENTS

BYLAW FILING FEES AND TRANSMITTAL FORM

Rules:

1. Fees are payable at the time of filing the application and are non-refundable.
2. Fees shall be calculated per schedule below.
3. Town, County, State, and Federal Projects are exempt from fees.
4. These fees are in addition to the fees paid under M.G.L. Ch. 131, s.40 (ACT).

Fee Schedule (ACC approved 1/8/15):

\$	No./Area	Category
150	1	(R1) RDA - \$150 local fee, no state fee
		(N1) Minor Project - \$200 (house addition, tennis court, swimming pool, utility work, work in/on/or affecting any body of water, wetland or floodplain).
		(N2) Single Family Dwelling - \$600
		(N3) Multiple Dwelling Structures - \$600 + \$100 per unit all or part of which lies within 100 feet of wetlands or within land subject to flooding.
		(N4) Commercial, Industrial, and Institutional Projects - \$800 + 50¢/s.f. wetland disturbed; 2¢/s.f. land subject to flooding or buffer zone disturbed.
		(N5) Subdivisions - \$600 + \$4/l.f. feet of roadway sideline within 100 ft. of wetlands or within land subject to flooding.
		(N6) Other Fees - copies, printouts; per public records law
		(N7) Minor Project Change - \$50
		(N8) Work on Docks, Piers, Revetments, Dikes, etc - \$4 per linear foot
		(N9) Resource Boundary Delineation (ANRAD) - \$1 per linear foot
		(N10) Certificate of Compliance (COC or PCOC) - No charge if before expiration of Order, \$200 if after that date.
		(N11) Amendments - \$300 or 50% of original local filing fee, whichever is less.
		(N12) Extensions -
		a. Single family dwelling or minor project - \$100.
		b. Other - \$150.
		(N13) Consultant Fee -per estimate from consultant
<i>Subtotal</i>	\$150	
	+\$150	Legal Notice Charge
	TOTAL \$300	

Note: Submit this form along with the forms submitted for the ACT - the "Wetlands Filing Fee Calculations Worksheet," and the "Notice of Intent Fee Transmittal Form."

ABUTTER NOTIFICATION

Notification to Abutters Under the Massachusetts Wetlands Protection Act and Arlington Wetlands Protection Bylaw

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the Arlington Wetlands Protection Bylaw, you are hereby notified of the following:

The Conservation Commission will hold a virtual public meeting using Zoom, on Date at 7:00 PM in accordance with the provisions of the Mass. Wetlands Protection Act (M.G.L. Ch. 131, s. 40, as amended), the Town of Arlington Bylaws Article 8, Bylaw for Wetland Protection, and in accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, for a Request for Determination of Applicability from Applicant Name, for Project Description at Project Address or Location within 100 feet of a wetland, on Assessor's Property Map/s # , Lot/s # . Please refer to the Commission's online meeting agenda for specific Zoom meeting access information.

A copy of the application and accompanying plans are available by request by contacting the Arlington Conservation at 781-316-3012 or concomm@town.arlington.ma.us. For more information, call the applicant (Phone Number), the Arlington Conservation Commission (781-316-3012), or the DEP Northeast Regional Office (978-694-3200).

NOTE: Notice of the Public Hearing will be published at least five (5) business days in advance in *The Arlington Advocate* and will also be posted at least 48 hours in advance in the Arlington Town Hall.

AFFIDAVIT OF SERVICE

I, Applicant Name, being duly sworn, do hereby state as follows: on Date, I mailed a "Notification to Abutters" in compliance with the second paragraph of Massachusetts General Laws, Chapter 131, s.40, the DEP Guide to Abutter Notification dated April 8, 1994, and the Arlington Wetlands Protection Bylaw, Title V, Article 8 of the Town of Arlington Bylaws in connection with the following matter:

Project Description

Project Address or Location

The form of the notification, and a list of the abutters to whom it was provided and their addresses, are attached to this Affidavit of Service.

Signed under the pains and penalties of perjury, this Day of Month.

Name

ARLINGTON CONSERVATION COMMISSION FILING DEADLINES FOR 2024

Meeting Date	Application Deadline	Supplemental Information Deadline¹	Legal Notices Published	Agenda Published
<i>Thursdays, 7:00pm</i>	<i>Wednesdays, 12pm</i>		<i>Thursdays</i>	<i>Tuesdays</i>
January 4, 2024	12/20/2023	12/27/2023	12/28/2023	1/2/2024
January 18, 2024	1/3/2024	1/10/2024	1/11/2024	1/16/2024
February 1, 2024	1/17/2024	1/24/2024	1/25/2024	1/30/2024
February 15, 2024	1/31/2024	2/7/2024	2/8/2024	2/13/2024
March 7, 2024	2/21/2024	2/28/2024	2/29/2024	3/5/2024
March 21, 2024	3/6/2024	3/13/2024	3/14/2024	3/19/2024
April 4, 2024	3/20/2024	3/27/2024	3/28/2024	4/2/2024
April 18, 2024	4/3/2024	4/10/2024	4/11/2024	4/16/2024
May 2, 2024	4/17/2024	4/24/2024	4/25/2024	4/30/2024
May 16, 2024	5/1/2024	5/8/2024	5/9/2024	5/14/2024
June 6, 2024	5/22/2024	5/29/2024	5/30/2024	6/4/2024
June 20, 2024	6/5/2024	6/12/2024	6/13/2024	6/18/2024
July 11, 2024	6/26/2024	7/3/2024	7/4/2024	7/9/2024
July 25, 2024	7/10/2024	7/17/2024	7/18/2024	7/23/2024
August 1, 2024	7/17/2024	7/24/2024	7/25/2024	7/30/2024
August 15, 2024	7/31/2024	8/7/2024	8/8/2024	8/13/2024
September 5, 2024	8/21/2024	8/28/2024	8/29/2024	9/3/2024
September 19, 2024	9/4/2024	9/11/2024	9/12/2024	9/17/2024
October 3, 2024	9/18/2024	9/25/2024	9/26/2024	10/1/2024
October 17, 2024	10/2/2024	10/9/2024	10/10/2024	10/15/2024
November 7, 2024	10/23/2024	10/30/2024	10/31/2024	11/5/2024
November 21, 2024	11/6/2024	11/13/2024	11/14/2024	11/19/2024
December 5, 2024	11/20/2024	11/27/2024	11/28/2024	12/3/2024
December 19, 2024	12/4/2024	12/11/2024	12/12/2024	12/17/2024

¹ Supplemental information deadlines are for hearings continued from the previous meeting.