



City Of Attleboro Conservation Commission

GOVERNMENT CENTER, 77 PARK STREET
ATTLEBORO, MASSACHUSETTS 02703
(508) 223-2222 FAX 222-3046

GENERAL INSTRUCTIONS AND CHECKLIST FOR COMPLETING AN ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION APPLICATION

The Abbreviated Notice of Resource Area Delineation (hereafter, “ANRAD”) provides a procedure for an applicant to confirm the precise boundaries of bordering vegetated wetlands (hereafter, “BVW”) and other wetland resource areas regulated under the Massachusetts Wetlands Protection Act (M.G.L. Ch131 §40; hereafter, “Act”) and the City of Attleboro’s Wetlands Protection Ordinance (Chapter 18 of the Revised Ordinances of the City of Attleboro; hereafter, “Ordinance”). This procedure is often helpful to applicants who wish to have the Conservation Commission “certify” the boundaries of wetland resources on a property prior to finalizing and presenting specific development plans. An applicant may also file a Notice of Intent and, as part of that permitting process, seek confirmation from the Conservation Commission of delineated wetland resource area boundaries. The ANRAD should not be used to determine whether the Act or the Ordinance applies to a particular property. If an applicant is uncertain as to whether the Act or Ordinance applies to a particular area of land or to specific work planned on a particular area of land, he or she may file a Request for Determination of Applicability (RDA).

In order to facilitate review of your application, please be sure that the following items are included in your ANRAD application.

Filing Requirements

- ❑ **Ten (10) complete copies of the Massachusetts Department of Environmental Protection (DEP) WPA Form 4A – Abbreviated Notice of Resource Area Delineation** (revised 5/2014).
The ANRAD application must be completed in accordance with DEP submittal requirements and include all necessary supporting documentation. One copy of the application must include the original signatures of the applicant, property owner, and representative, where appropriate.
- ❑ **Ten (10) copies of a site plan(s)** depicting the subject property and wetland resource area boundaries.
Plans must be clearly drawn at a scale of no less than 1"=40' and depicting sufficient details to clearly describe the proposed project. Plans should include at a minimum: property lines, existing and proposed grades with at least two (2') foot contours; the boundary of wetland resources denoted with consecutively numbered flags; the boundary of the one hundred (100') foot buffer zone; the boundary of the twenty-five (25') foot “no disturb” zone; all proposed structures within the buffer zone; offset distances from proposed structures and the limit of work from resource areas; and the Assessor’s plat and lot number, street number, and subdivision lot number, where applicable. All plans shall be highlighted with transparent marker pen as follows: wetland boundary in blue; one hundred (100') foot buffer zone in yellow; 25 foot “no disturb” zone in green; and 100-year floodplain in orange. The Conservation Commission may require that plans be stamped by a Professional Engineer or Registered Land Surveyor. If a septic system is proposed in an area subject to Conservation Commission jurisdiction, plans must show compliance with Title 5 of the Massachusetts Sanitary Code.
- ❑ **Ten (10) copies of an 8½” x 11” portion of the United States Geological Survey (USGS) topographic quadrangle map** clearly identifying the location of the property.

- ❑ **Ten (10) copies of an 8½” x 11” portion of the Federal Emergency Management Agency, Flood Insurance Rate Map** clearly identifying the location of the property.
- ❑ **Quantitative documentation (i.e. DEP Field Data Forms) to support the delineation of a vegetated wetland**, with certification from the wetland biologist responsible for the work, stating the basis for the delineation, the date on which it was performed, and stating that the delineation as shown on the plans appears to be correct.
- ❑ **Two (2) complete copies of WPA Appendix B – Wetland Fee Transmittal Form including the appropriate filing fee;**
- ❑ **Two (2) copies of the payment checks submitted to DEP and the Commission.**
Please make the Commission’s check payable to the City of Attleboro and please note DEP submittal requirements.
- ❑ The Conservation Commission shall prepare and submit the legal advertisement to The Sun Chronicle. The applicant is responsible to pay The Sun Chronicle directly for the legal advertisement. The Sun Chronicle will bill the applicant directly for the cost of the legal advertisement. The legal advertisement must appear in The Sun Chronicle not less than five (5) business days prior to the date of the public hearing in order for the Conservation Commission to hold the public hearing.
- ❑ **Two (2) copies of the Conservation Commission’s Certified List of Abutters signed by an authorized representative of the City Assessor’s Office.**
Lists that are older than six months from the date of issuance are invalid and a new list must be applied for with the Assessor’s Office. Evidence that all required abutters have been notified must be provided. Notification should be made using the Conservation Commission’s revised *Notification to Abutters - ANRAD* form. Certified mail receipts or receipts of hand delivery must be delivered to the Commission prior to opening the Public Hearing.
- ❑ **Two (2) copies of the ANRAD, filing fee, and supporting documents, including site plans must be delivered to the DEP Southeast Regional Office** in accordance with submittal requirements contained within the ANRAD application form.

The Commission may choose, at its discretion, to waive some of the above filing requirements due to site-specific circumstances. However, the Commission reserves the right to require additional information during the course of the public hearing. Applicants who wish guidance prior to filing an application may consult with the Conservation Agent.

Public Hearing Schedule and Filing Deadline:

The ANRAD must be submitted to the Conservation Commission no later than fourteen (14) days prior to a scheduled meeting. Once a complete ANRAD application is filed, the Commission will schedule a hearing within twenty-one (21) days of its receipt. Generally, the Commission meets on the first and third Wednesday of every month. You may call the Department of Planning and Development to confirm the meeting schedule. Any supplemental information should be submitted **within five (5) days** of the public hearing to be considered. Failure to submit supplemental information within this timeframe may be grounds for the Commission to continue a public hearing.

Site Visits

The Commission typically conducts a site visit as part of the information-gathering process. Site visits are typically conducted prior to regularly scheduled meetings (daylight permitting) or on Saturday mornings. A date and time for the site visit will be determined at the public hearing and efforts will be made to ensure that the site visit is compatible with the applicant’s schedule and will not result in unnecessary delays in the application process.



Instructions for Completing Application

Form 4A - Abbreviated Notice of Resource Area Delineation (ANRAD)

Please read these instructions before completing the Abbreviated Notice of Resource Area Delineation application form (WPA Form 4A) for more information on certain items that are not self-explanatory.

Introduction

The Abbreviated Notice of Resource Area Delineation, WPA Form 4A, (ANRAD) provides a procedure for an applicant to confirm the delineation of a Bordering Vegetated Wetlands (BVW). If an ANRAD is filed for a BVW delineation, confirmation of other resource areas may also be requested provided the other resource area boundaries are identified on the plans which accompany the BVW boundary delineation.

The filing of an Abbreviated Notice of Resource Area Delineation is optional. However, any work within an area subject to the jurisdiction of the Wetlands Protection Act may not proceed until either a Negative Determination of Applicability or a final Order of Conditions has been issued by the Conservation Commission or the Department of Environmental Protection. If an applicant is uncertain as to whether the Wetlands Protection Act applies to a particular area of land or to specific work planned on a particular area of land, he or she may file a Request for Determination of Applicability, RDA, (WPA Form 1) instead of WPA Form 4A. Also, an applicant may file a Notice of Intent, NOI, (WPA Form 3) or, in limited circumstances, an Abbreviated Notice of Intent (WPA Form 4) and, as part of that permitting process, seek confirmation from the Conservation Commission of delineated wetland resource area boundaries.

The applicant is responsible for providing the information required for the review of this application to the issuing authority (Conservation Commission or the Department of Environmental Protection). The submittal of a complete and accurate description of the site will minimize requests for additional information by the issuing authority which may result in an unnecessary delay in the issuance of an Order of Resource Area Delineation.

To complete this form, the applicant should refer to the Wetlands Protection Act regulations (310 CMR 10.00) which can be obtained from the Department's web site at www.mass.gov/dep. Regulations are available for viewing at public libraries and county law libraries across the state, as well as at the Department's Regional Service Centers. Regulations also are available for sale from the State House Bookstore (617.727.2834) and State House Bookstore West (413.784.1378).

Completing WPA Form 4A

Section A: General Information

Item 1. Project Location. Include a street address (if one exists), the latitude and longitude of the site and, if known, the Assessors map or plat number, the parcel number, and the lot number. If the lot subject to the Abbreviated Notice of Resource Area Delineation does not contain a structure with a numbered street address or the lot is being subdivided, the map or plat, parcel, and lot numbers must be included.

Section B: Area(s) Delineated

Item 1. Bordering Vegetated Wetlands (BVW). Indicate the length of the delineated BVW boundary.

Item 2. Method of Determination. Use one of the methods indicated in Item 2 to determine the boundaries of BVW. On the form, check all the methods that are used to determine the boundary. These methods are discussed in the wetlands regulations at 310 CMR 10.55(2)(c). When undertaking BVW delineations, whether by vegetation alone or by vegetation and other indicators of wetland hydrology, applicants are encouraged to use the Department's BVW Handbook: *Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act* (1995). This document is available on the web at:



Form 4A - Abbreviated Notice of Resource Area Delineation (ANRAD)

Massachusetts Wetlands Protection Act (M.G.L. Chapter 131, Section 40)

<http://www.mass.gov/dep/water/laws/policies.htm#wetlguid> or for purchase from the State House Bookstore (617.727.2834) and State House Bookstore West (413.784.1378). The Department encourages applicants to complete the BVW Field Data Form contained in the handbook and submit it with the Abbreviated Notice of Resource Area Delineation. If detailed vegetative assessments are not required for a particular site, the reasons should be noted on the Field Data Form.

Item 3. Other Resource Areas. Applicants may use WPA Form 4A to confirm the boundaries of other resource areas when delineated in addition to the BVW. To determine boundaries of other wetland resource areas (including the Riverfront Area), consult the wetland regulations, subsection (2), "Definitions, Critical Characteristics, and Boundaries" for each resource area covered under 310 CMR 10.54 - 10.58.

Section C: Additional Information

All listed information must be provided along with the Abbreviated Notice of Resource Area Delineation application. ANRAD applications seeking to delineate a wetland resource area boundary are required to include Resource Area Delineation Plans. Such plans should include an appropriate scale to depict all resource area boundaries for which boundary confirmation is being sought.

Plans specifications: All plans should be of adequate size, scale, and detail to completely and accurately describe the site and the resource area boundaries. The following guidelines are provided to encourage uniformity.

Sheet Size:

- Maximum 24" x 36"
- If more than one sheet is required to describe the proposed site and/or proposed work, provide an additional sheet indexing all other sheets and showing a general composite of all work proposed within the Buffer Zone and areas subject to protection under the Act

Scale:

- Not more than 1" = 50'
- If plans are displayed, include graphical scales

Title Block:

- Included on all plans
- Located at the lower right hand corner, oriented to be read from the bottom when bound at the left margin
- Include original date plus additional space to reference the title and dates of revised plans

Section D: Fees

There is an application fee for the Abbreviated Notice of Resource Area Delineation. The delineation fee for each resource area equals \$2 per linear foot. The maximum fee for activities with a single family house is \$200 and the maximum fee for any other activity is \$2,000. The city/town share of the fee is the first \$25 plus half of the remaining total fee. The state share is half the total fee in excess of \$25.

Complete pages 1 and 2 of the ANRAD Wetland Fee Transmittal Form and send them, along with a check for the state share of the filing fee, payable to the *Commonwealth of Massachusetts*, to MassDEP, Box 4062, Boston, MA 02211. Review of the Abbreviated Notice of Resource Area Delineation cannot begin until the fee is received.

No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.



Massachusetts Department of Environmental Protection

Form 4A - Abbreviated Notice of Resource Area Delineation (ANRAD)

Massachusetts Wetlands Protection Act (M.G.L. Chapter 131, Section 40)

In addition, a notice of the application must be placed in a local newspaper, and published at least five days prior to the hearing, at the applicant's expense. Please contact your Conservation Commission regarding the procedure for public newspaper notice.

Section E: Signatures and Certification Requirements

The property owner (if different from the applicant) and the applicant's representative (if any) must sign the Abbreviated Notice of Resource Area Delineation. A signature serves to certify that accompanying plans, documents, and supporting data are true and complete.

Two copies of the completed Abbreviated Notice of Resource Area Delineation (WPA Form 4A), including supporting plans and documents; two copies of the ANRAD Wetland Fee Transmittal Form; and the city/town fee payment must be sent to the Conservation Commission by certified mail or hand delivery.

One copy of the completed Abbreviated Notice of Resource Area Delineation (WPA Form 4A), including supporting plans and documents; one copy of the ANRAD Wetland Fee Transmittal Form; and a *copy* of the state fee check must be sent to the appropriate MassDEP Regional Office by certified mail or hand delivery. The Department copies must be sent at the same time as the application submission to the Conservation Commission. Failure by the applicant to send copies in a timely manner may result in dismissal of the Abbreviated Notice of Resource Area Delineation.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 4A – Abbreviated Notice of
Resource Area Delineation
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

 MassDEP File Number

 Document Transaction Number

 City/Town

A. General Information

1. Project Location (**Note:** electronic filers will click on button for GIS locator):

 a. Street Address

 b. City/Town

 c. Zip Code

 Latitude and Longitude:

 d. Latitude

 e. Longitude

 f. Assessors Map/Plat Number

 g. Parcel /Lot Number

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



2. Applicant:

 a. First Name

 b. Last Name

 c. Organization

 d. Mailing Address

 e. City/Town

 f. State

 g. Zip Code

 h. Phone Number

 i. Fax Number

 j. Email Address

3. Property owner (if different from applicant):

Check if more than one owner (attach additional sheet with names and contact information)

 a. First Name

 b. Last Name

 c. Organization

 d. Mailing Address

 e. City/Town

 f. State

 g. Zip Code

 h. Phone Number

 i. Fax Number

 j. Email Address

Note: Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

4. Representative (if any):

 a. Contact Person First Name

 b. Contact Person Last Name

 c. Organization

 d. Mailing Address

 e. City/Town

 f. State

 g. Zip Code

 h. Phone Number

 i. Fax Number

 j. Email Address

5. Total WPA Fee Paid (from attached ANRAD Wetland Fee Transmittal Form):

 a. Total Fee Paid

 b. State Fee Paid

 c. City/Town Fee Paid

Fees will be calculated for online users.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
**WPA Form 4A – Abbreviated Notice of
Resource Area Delineation**
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

D. Fees

The fees for work proposed under each Abbreviated Notice of Resource Area Delineation must be calculated and submitted to the Conservation Commission and the Department (see Instructions and Wetland Fee Transmittal Form).

1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to the attached Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 4A – Abbreviated Notice of
Resource Area Delineation
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

 MassDEP File Number

 Document Transaction Number

 City/Town

E. Signatures

I certify under the penalties of perjury that the foregoing Abbreviated Notice of Resource Area Delineation and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

I hereby grant permission, to the Agent or member of the Conservation Commission and the Department of Environmental Protection, to enter and inspect the area subject to this Notice at reasonable hours to evaluate the wetland resource boundaries subject to this Notice, and to require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.

I acknowledge that failure to comply with these certification requirements is grounds for the Conservation Commission or the Department to take enforcement action.

 1. Signature of Applicant

 2. Date

 3. Signature of Property Owner (if different)

 4. Date

 5. Signature of Representative (if any)

 6. Date

For Conservation Commission:

Two copies of the completed Abbreviated Notice of Resource Area Delineation (Form 4A), including supporting plans and documents; two copies of the ANRAD Wetland Fee Transmittal Form; and the city/town fee payment must be sent to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Abbreviated Notice of Resource Area Delineation (Form 4A), including supporting plans and documents; one copy of the ANRAD Wetland Fee Transmittal Form; and a copy of the state fee payment must be sent to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery. (E-filers may submit these electronically.)

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
ANRAD Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important:
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Location of Project:

_____	_____
a. Street Address	b. City/Town
_____	_____
c. Fee amount	d. Check number

2. Applicant:

_____	_____	_____
a. First Name	b. Last Name	c. Company

d. Mailing Address		

_____	_____	_____
e. City/Town	f. State	g. Zip Code

h. Phone Number		

3. Property Owner (if different):

_____	_____	_____
a. First Name	b. Last Name	c. Company

d. Mailing Address		

_____	_____	_____
e. City/Town	f. State	g. Zip Code

h. Phone Number		

B. Fees

The fee is calculated as follows for each Resource Area Delineation included in the ANRAD (check applicable project type). The maximum fee for each ANRAD, regardless of the number of Resource Area Delineations, is \$200 activities associated with a single-family house and \$2,000 for any other activity.

Bordering Vegetated Wetland Delineation Fee:

1. <input type="checkbox"/>	single family house project	_____	x \$2.00 =	_____
		a. feet of BVW		b. Fee for BVW
2. <input type="checkbox"/>	all other projects	_____	x \$2.00 =	_____
		a. feet of BVW		b. Fee for BVW

Other Resource Area (e.g., bank, riverfront area, etc.):

3. <input type="checkbox"/>	single family house project	_____	x \$2.00 =	_____
		a. linear feet		b. Fee
4. <input type="checkbox"/>	all other projects	_____	x \$2.00 =	_____
		a. linear feet		b. Fee

Total Fee for all Resource Areas: _____
 Fee

State share of filing fee: _____
 5. 1/2 of total fee **less** \$12.50

City/Town share of filing fee: _____
 6. 1/2 of total fee **plus** \$12.50



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
ANRAD Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

C. Submittal Requirements

- a.) Send a copy of this form, with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts, to:

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Abbreviated Notice of Resource Area Delineation; a **copy** of this form; and the city/town fee payment.
- c.) **To DEP Regional Office:** Send one copy of the Abbreviated Notice of Resource Area Delineation (and any additional documentation required as part of a Simplified Review Buffer Zone Project); a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

CERTIFIED LIST OF ABUTTERS

ATTLEBORO CONSERVATION COMMISSION

City Assessor, or designee's, initials: _____ Date: _____

Type of Application: ___ **Filing under Ma. Wetlands Protection Act/Stormwater Management Ordinance**
(check all that apply) (notify all properties within 100 feet of property line**)
 ___ **Filing under City of Attleboro Wetland Protection Ordinance**
 (notify all direct abutters and abutters to them within 300 feet of property line**)

Name of Applicant: _____

Phone Number: _____

Property Owner: _____

Property Owner Signature: _____

Property Address: _____

Assessor's Plat/Map: _____ Lot(s): _____

PLEASE PRINT OR WRITE NEATLY PLAT NUMBER AND LOT NUMBER IN EACH BOX (use additional sheet if necessary)

****Including abutters located directly opposite on any public or private street or way, in another municipality or across a body of water.**
Revised 4/12

NOTIFICATION TO ABUTTERS - ANRAD
UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT
AND
THE CITY OF ATTLEBORO WETLANDS PROTECTION ORDINANCE

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified that the Attleboro Conservation Commission will hold a public hearing relative to the following. The applicant has filed **Abbreviated Notice of Resource Area Delineation** with the Attleboro Conservation Commission seeking to confirm the boundaries of wetland resource areas. Application materials and plans are on file with the Department of Planning and Land Use, Government Center, 77 Park Street, Attleboro, Massachusetts 02703 and are available for public review between the hours of 8:30 a.m. to 4:30 p.m. during regular business days.

- A. The name of the applicant is: _____
- B. The address/location of the site: _____

- C. Description of wetland resource areas on the property: _____

- D. Copies of the Abbreviated Notice of Resource Area Delineation may be obtained from either (check one) the applicant or the applicant's representative , by calling this telephone number: () _____ between the hours of _____ and _____ on the following days of the week: _____
- E. Information regarding the date, time, and place of the public hearing may be obtained from the Attleboro Conservation Commission by calling (508) 223-2222 between the hours of 8:30 a.m. and 4:30 p.m. during regular business days.

Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in the *Sun Chronicle* newspaper.

Notice of the public hearing, including its date, time, and place, will be posted with the City Clerk's Office at Attleboro City Hall at least forty-eight (48) hours in advance.

You may also contact the Attleboro Conservation Commission at (508) 223-2222 x 3145 or the Department of Environmental Protection (DEP) Southeast Regional Office at (508) 946-2700 for more information about this application.