



Town of Uxbridge
Conservation Commission
21 South Main Street
Uxbridge, Massachusetts, 01569
508-278-8600 x2020



Request for Determination of Applicability (RDA) Instructions

What projects qualify for no filing, filing an RDA or filing an NOI?

Requests for Determination of Applicability (RDAs) are primarily used for minor activities occurring only in the Buffer Zone over 50 feet from a Wetland Resource Area that would not require a significant conditions to protect the wetland, such as the construction of a shed 50 feet from a wetland. Work proposed within a Wetland Resource Area or new site disturbance will likely require the filing of a Notice of Intent (NOI).

The following activities within the Buffer Zone do not require any filing with the Conservation Commission:

- Unpaved pedestrian walkways for private use;
- Fencing, provided it will not constitute a barrier to wildlife movement;
- Stonewalls;
- Stacks of cordwood;
- Plantings of native species of trees, shrubs, or groundcover, but excluding turf lawns;
- The conversion of impervious to vegetated surfaces, provided erosion and sedimentation controls are implemented during construction; and
- Activities are temporary in nature, have negligible impacts, and are necessary for planning and design purposes (e.g. installation of monitoring wells, exploratory borings, sediment sampling and surveying).

The following activities, if occurring more than 50 feet from the edge of a Resource Area, do not require filing with the Conservation Commission:

- Vista pruning; and
- The conversion of lawn to uses accessory to residential structures such as decks, sheds, patios and pools, provided erosion and sedimentation controls are implemented during construction.

All other work within 100 feet of a Wetland Resource Area requires filing an RDA or NOI application.

How do I file an RDA?

- Step 1:** Download the RDA application form (WPA Form 1) and the instructions from the Massachusetts Department of Environmental Protection (DEP) website: <http://www.mass.gov/dep/water/approvals/wpaform1.pdf>. Printed copies may be obtained from the Conservation Office at the Town Offices.
- Step 2:** Using the instructions, complete WPA Form 1. If you have any questions, please call the Conservation office.
- Develop a Plan. Applications must include a scaled plan. You may wish to obtain professional assistance from a consultant, engineer or land surveyor to assist you with preparing a plan. Use the checklist below to ensure that the plan(s) have the minimum required information:
- ☐ Title, date, preparer's name, north arrow, scale.
 - ☐ Property lines.
 - ☐ Wetlands on or within 200 feet of the property and 25-, 50- and 100-foot buffer zones.
 - ☐ Existing Conditions (buildings, pavement, edge of lawn, grading).
 - ☐ Proposed conditions (buildings, pavement, edge of lawn, grading).
 - ☐ Limits of work (LOW) and closest distance from LOW to Wetland Resource Area.
 - ☐ Sedimentation and erosion controls.
- Step 3:** Plan your submission date based on the meeting schedule. The Conservation Commission generally meets every 1st and 3rd Mondays of each month. Applications are due by 12:00 pm on the Wednesday 1 ½ weeks in advance of the Commission's meeting you wish to attend (to allow time for the legal advertisement posting).
- Step 4:** Submit the following materials to the Conservation Commission:
- ☐ 9 Copies of the RDA application (WPA form 1)
 - ☐ 9 Copies of the plan(s) (if larger than 11"x17", submit 2 full size and 8 reduced size copies)
 - ☐ Fee of \$175 payable to 'Town of Uxbridge' (\$50 RDA fee; \$125 legal ad fee)
 - ☐ Time stamp 2 copies of the RDA application and plans.
- Step 5:** Submit the following materials to the DEP Central Regional Office, 627 Main Street, Worcester MA 01608:
- ☐ 1 copy of the RDA application (WPA form 1), signed and attachments, if any)
 - ☐ 1 copy of the plan
- Step 6:** Once a complete RDA application has been received, you will be scheduled for the next available Conservation Commission public meeting. The applicant or the representative must be present at the scheduled public meeting.
- Step 7:** The Conservation Commission or their agent will perform a site visit to confirm existing conditions prior to the public meeting. If you wish to be contacted regarding the time of that visit, please contact the Conservation Office at the time of your application.
- Step 8:** At the meeting, the Commission will make its decision, either:
- A Negative Determination means that the applicant may proceed with the work as proposed, subject to any conditions, but no further action under the Wetlands Protection Act is required,
 - A Positive Determination means that the applicant may **not** proceed until they obtain an Order of Conditions by filing a separate Notice of Intent application, or
 - A continuation allowing the Commission the chance to request more information or a change of plans.
- The applicant is responsible for complying with the Determination of Applicability issued by the Conservation Commission.