



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

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

City/Town

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

**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:

MARK KIERAN  
Name

MARKKIERAN@gmail.com  
E-Mail Address

52 LINDIC DRIVE, SOUTH WEYMOUTH, MA 01990  
Mailing Address

City/Town

617-812-2872  
Phone Number

State

Zip Code

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**

1. I request the WEYMOUTH 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:

WEYMOUTH  
Name of Municipality

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



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**C. Project Description**

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

52 LINTIC DRIVE  
Street Address

SOUTH WYOMOUTH  
City/Town

MAP 50 BLOCK 572  
Assessors Map/Plat Number

LOT 26  
Parcel/Lot Number

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

Existing lawn w. birch fenced in yard.  
Wetlands beyond fence.

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

52 LINTIC DR PROPOSED POOL  
Title

9/07/22  
Date

Title

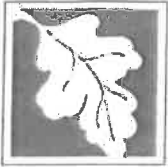
Date

Title

Date

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

15'x30' above ground pool w/ 2 cartridge filter.



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**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.

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.)



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**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:

MARK KIERAN  
Name  
62 LINCOLN DRIVE  
Mailing Address  
SOUTH WEYMOUTH  
City/Town  
MA  
State

02190  
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.

*Mark Kieran*  
Signature of Applicant

9/7/22  
Date

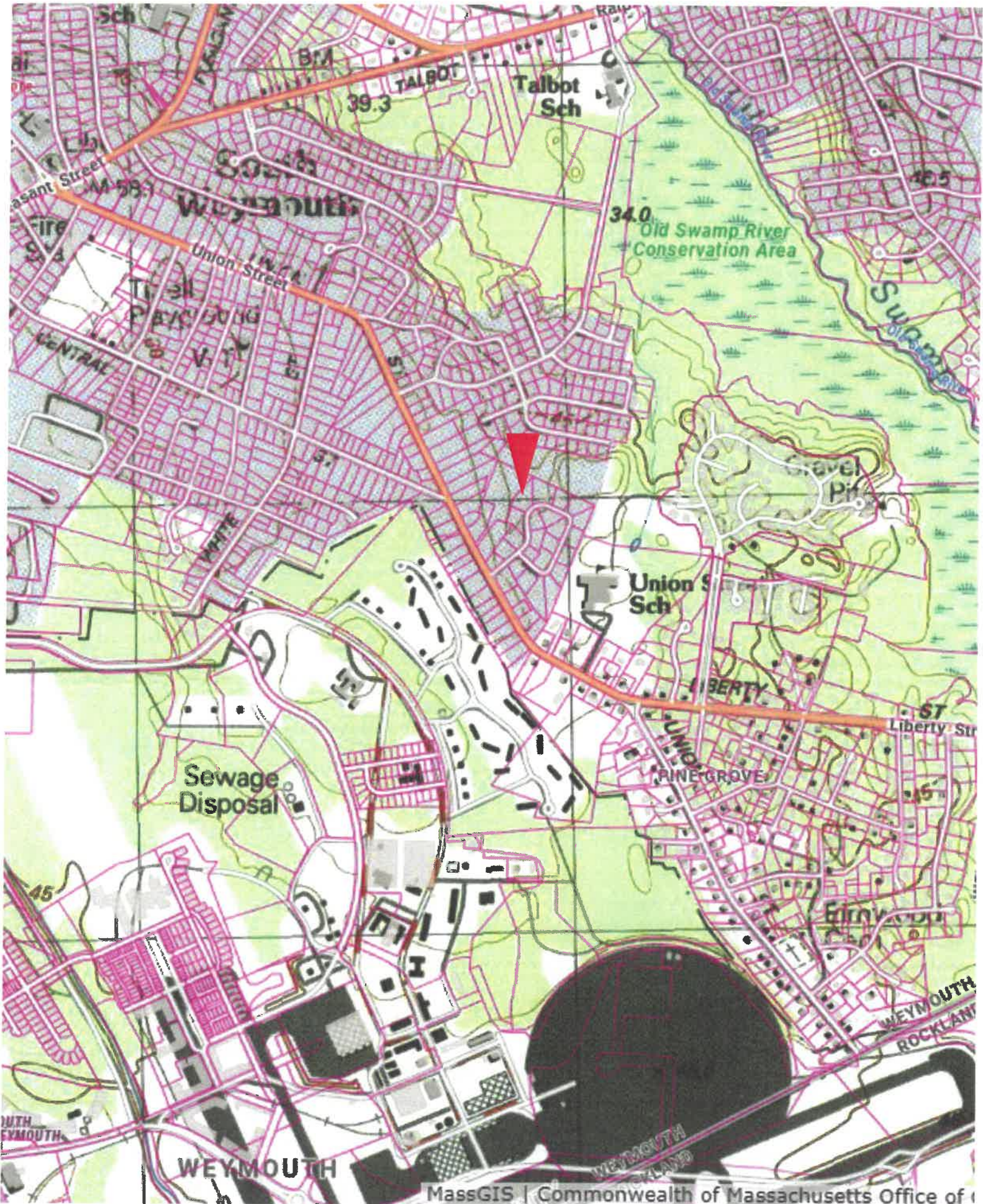
Signature of Representative (if any)

Date















**SITE ACCESS AUTHORIZATION**

DATE: 9/7/22

PROJECT: 52 LINTIC DR PROPOSED POOL

TO: **Weymouth Conservation Commission and Conservation Administrator**

FROM: MARK KIERNAN

LOCATION: 52 LINTIC DRIVE  
(Hereafter referred to as the property)

*I (We) hereby authorize the individual members of the Conservation Commission and its agents to enter upon the property for the purpose of gathering information prior to issuing a Determination of Applicability or an Order of Conditions and for the purpose of enforcing the Order of Conditions prior to the issuance of a Certificate of Compliance.*

TIME: **FROM THE PRESENT TO DATE OF ISSUANCE OF CERTIFICATE OF COMPLIANCE**

PROPERTY OWNER:  DATE: 9/7/22

7.04 FILING FEES

FY'06

These fees are in addition to the fees for the filing under M.G.L. Ch. 131, s. 40. In addition, the Conservation Commission is authorized to require the applicant to pay the costs and expenses of any expert consultant deemed necessary by the Conservation Commission to review the application or request up to a maximum of \$10,000.00.

(1) Schedule

- (a) Permit fees are payable at the time of application and non-refundable.
- (b) Permit fees shall be calculated by this Commission as noted below.
- (c) Town, State, County or Federal projects are exempt from fees.
- (d) Failure to comply with this law after official notification will result in fees twice those normally assessed.

(2) Fees (Per Activity)

- (a) Request for Determination of Applicability \$75.00. If a Positive Determination is issued, the \$75.00 fee paid for the Determination will be subtracted from the fee for the Notice of Intent.

(b) Notice of Intent for Single Family Dwellings:

- (i) house: \$300.00
- (ii) minor project (including additions, tennis court, swimming pool, utility work): \$100.00
- (iii) a fee of \$.75 per sq. ft. of wetland disturbed and \$.04 per sq. ft. of floodplain or buffer zone disturbed

- (c) Notice of Intent for Subdivisions: \$750.00 and \$2.00 per foot of roadway sideline within 100 feet of a resource area. A fee of \$.75 per sq. ft. of wetland disturbed and a \$.04 per sq. ft. of floodplain or buffer zone disturbed.

(d) Notice of Intent for Multiple-Dwellings:

- (i) Dwelling structures: \$750.00 and \$100.00 per unit, all or part of which lies within 200 feet of a resource area.
- (ii) Minor projects including tennis courts, swimming pools, recreation buildings, garages, utility or storage buildings, security buildings: \$100.00 each.

- (e) Notice of Intent for Commercial and Industrial projects: \$750.00 and \$.75 per square foot of wetland disturbed and \$.04 per square foot of flood plain or buffer zone disturbed.

- (f) Abbreviated Notice of Resource Area Delineation (ANRAD) \$100.00, if the wetland flagging is greater than 500 linear feet, \$300.00.

(g) Extensions of Permits:

- (i) Single Family projects: \$50.00
- (ii) Other projects: \$100.00

(h) Certificate of Compliance \$50.00

- (i) Inspections: \$50.00 per inspection Re-Inspections of any kind: \$25.00 per inspection
- (j) Refiling of a previously denied project within three years: original fee or \$1,000.00, whichever is less.

(k) Control of nuisance vegetation under 310 CMR 10.53 (4) \$100.00

- (l) Site preparation for any other development other than a single family home including removal of vegetation, excavation and grading when actual construction if not proposed: \$500.00

(m) Limited project activities pursuant to 310 CMR 10.53 (a-d) (f-l) per foot print: \$200.00

(n) New agricultural/aquacultural projects \$200.00

(o) Request for letter for Bank Closings, etc. \$50.00

(p) Requests for Notarized Material: \$50.00

(q) Amend Order of Conditions: \$100.00

(r) Record Orders of Conditions or Enforcement Orders: \$100.00

(3) Other Fees

- (a) Copies of Bylaw/Regulations: \$25.00
- (b) Copies of records: \$.25 Per Page
- (c) Research fees are in accordance with Public Records Law
- (d) All after the fact filings are subject to double the normal local fees.
- (e) Failure to Obtain Appropriate Permits – Double Fee