# SANDBOX CONSERVATION COMMISSION

## MEETING NOTICE

**2020**

<table>
<thead>
<tr>
<th>SUBMISSION DEADLINE NO LATER THAN 12:00 PM</th>
<th>SANDWICH ENTERPRISE ISSUE</th>
<th>MEETING DATES BEGIN AT 7:00 PM</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 26, 2019</td>
<td>January 3, 2020</td>
<td>January 15, 2020</td>
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<tr>
<td>January 16, 2020</td>
<td>January 24, 2020</td>
<td>February 5, 2020</td>
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<td>January 30, 2020</td>
<td>February 7, 2020</td>
<td>February 19, 2020</td>
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<td>February 13, 2020</td>
<td>February 21, 2020</td>
<td>March 4, 2020</td>
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<td>February 27, 2020</td>
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<td>March 12, 2020</td>
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<td>April 16, 2020</td>
<td>April 24, 2020</td>
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<td>April 30, 2020</td>
<td>May 8, 2020</td>
<td>May 20, 2020</td>
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<tr>
<td>May 14, 2020</td>
<td>May 22, 2020</td>
<td>June 3, 2020</td>
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<td>May 28, 2020</td>
<td>June 5, 2020</td>
<td>June 17, 2020</td>
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<td>June 11, 2020</td>
<td>June 19, 2020</td>
<td>July 1, 2020</td>
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<td>July 16, 2020</td>
<td>July 24, 2020</td>
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<td>July 30, 2020</td>
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<td>August 27, 2020</td>
<td>September 4, 2020</td>
<td>September 16, 2020</td>
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<td>September 17, 2020</td>
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<td>October 1, 2020</td>
<td>October 9, 2020</td>
<td>October 21, 2020</td>
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<td>October 15, 2020</td>
<td>October 23, 2020</td>
<td>November 4, 2020</td>
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<td>October 29, 2020</td>
<td>November 6, 2020</td>
<td>November 18, 2020</td>
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<tr>
<td>November 12, 2020</td>
<td>November 20, 2020</td>
<td>December 2, 2020</td>
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<tr>
<td><strong>November 27, 2020</strong></td>
<td><strong>December 4, 2020</strong></td>
<td><strong>December 16, 2020</strong></td>
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<tr>
<td>December 17, 2020</td>
<td>December 25, 2020</td>
<td>January 6, 2021</td>
</tr>
<tr>
<td>December 31, 2020</td>
<td>January 8, 2021</td>
<td>January 20, 2021</td>
</tr>
</tbody>
</table>

**SUBMISSION DEADLINE IS 12:00 P.M.**

ONLY 5 NEW HEARINGS WILL BE SCHEDULED FOR EACH MEETING

Revised Plans and/or Information for NEW Hearings or as requested by the Conservation Commission for Continued Hearings, MUST be turned into the Commission Office no later than 12:00 PM on the Friday prior to the public or continued hearing date, this includes any and all information for Informal or Miscellaneous requests made by a Property Owner or Representative to come before the Commission. Failure to comply may cause the Board to delay its decision until the next available public hearing date to allow for a suitable review of the information submitted.

Each deadline is set and published to allow sufficient lead-time to process applications and advertise hearings in the Sandwich Enterprise. All meetings will be held at 7:00 PM at the Sand Hill School Community Center located at 16 Dewey Avenue, Sandwich, MA UNLESS OTHERWISE POSTED ON AGENDAS
Sandwich Conservation Commission Bylaw Fee Schedule

Fee Schedule

<table>
<thead>
<tr>
<th>TYPE</th>
<th>NOI Fee</th>
<th>RDA Fee</th>
<th>COC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notice of Intent (NOI) &amp; Amendments to NOI</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ALL PROJECTS (includes environmental review fee and permit fee)</td>
<td>NOI Fee</td>
<td>RDA Fee</td>
<td>COC</td>
</tr>
<tr>
<td>Category 1 (deck, small alteration/landscaping project (&lt;500 SF))</td>
<td>$450</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Category 2 (single lot, single family house, garage, septic, pool, landscaping, freshwater docks (&gt;500 SF))</td>
<td>$500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Category 3 (commercial, cottage colony)</td>
<td>$550</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Category 4 (coastal projects (docks, revetments, coir projects, dune nourishment))</td>
<td>$600</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Category 5 (subdivisions (roads, utilities, drainage))</td>
<td>$650</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Complex NOI</td>
<td>(add $150 to fee)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Abbreviated NOI</td>
<td>(subtract $75 from fee)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amendment to an Order of Conditions: Requires a current valid Order of Conditions</td>
<td>$235</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Request for Determination of Applicability (RDA)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ALL PROJECTS (includes environmental review fee and application fee)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wetlands delineation, percolation tests, septic</td>
<td>$235</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construction approval including a Wetlands Delineation and Gas lines</td>
<td>$250</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legal Ad – check payable to Falmouth Publishing</td>
<td>$12</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Abutters List must be acquired from the Assessor’s office (fee applicable) for both NOI’s and RDA’s.</td>
<td>508-888-0157</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administrative Review of Minor Projects</td>
<td>$110</td>
<td></td>
<td></td>
</tr>
<tr>
<td>After the Fact Filing Fees: Except for emergency applications or requests, the fees for after-the-fact filings shall be DOUBLE those that would normally be assessed.</td>
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<tr>
<td>Certificate of Compliance:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Application and 1st inspection</td>
<td>$75</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2nd inspection</td>
<td>$50</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3rd and each subsequent inspections</td>
<td>$100</td>
<td></td>
<td></td>
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<tr>
<td>Request for Extension for Order of Conditions: Requires a valid Order of Conditions</td>
<td>$75</td>
<td></td>
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<tr>
<td>Request for Emergency Certification Permit:</td>
<td>$235</td>
<td></td>
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<tr>
<td>Restoration Order: Orders are issued to correct un-permitted alterations of a resource area or buffer zone.</td>
<td>$200</td>
<td></td>
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<tr>
<td>Duplicate Documents:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Duplicate Original Order of Conditions</td>
<td>$50</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Duplicate Original Certificate of Compliance</td>
<td>$50</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Duplicate Original Extension (for an Order of Conditions)</td>
<td>$50</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DEP Wetland Bylaw Fee:</td>
<td>$ (Same Formula used in WPS application process)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>When a NOI is filed for a project that will be reviewed strictly under the Sandwich Wetlands Bylaw, the same filing fee schedule established for NOI’s under the Wetlands Protection Act (WPA) will be applied. Filings combined with the WPA will not be charged a separate Bylaw application fee. A local bylaw permit fee will be assessed, upon receipt of the permit.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Where to File DEP Portion: Dept. of Environmental Protection, Box 4062, Boston, MA 02211.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Where to File Town of Sandwich Portion: File local portion of the state filing fee with the NOI at the time of submission.</td>
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</tbody>
</table>
Chapter 7

Town of Sandwich Wetlands Bylaws
Requirements for Notice of Intent Application

This checklist is promulgated pursuant to the Sandwich Wetlands Bylaw, Chapter 7 of the Town of Sandwich Bylaws, and is intended to establish criteria and standards for the uniform submission of (filings and) information to the Commission.

1. **Requirements**
   a. One (1) Stapled Notice of Intent, please nothing bound, (NOI) packet with Original signatures on the signature page and color pre-construction photos must be submitted to the Secretary along with one (1) copy of the above. Two (2) original stamped/full sized prints of both existing and proposed conditions as well as two (2) sets of architectural plans. Site plans may include existing and proposed on the same sheet side by side, not overlapping, or on two (2) separate sheets. **Plans must be folded with information block showing.**
   b. All submissions for the Commissioners must be submitted via email at, naturalresources@sandwichmass.org.

   **Packets to include:**
   i. Project description letter (Consultant’s/Applicant’s Report)
   ii. Colored Pre-Construction Photos
   iii. Notice of Intent forms with “Town of Sandwich Wetland Bylaws, Chapter 7”, inscribed under the form heading
   iv. NOI Wetland Fee Transmittal Form (Pages 1-2)
   v. Locus Map
   vi. Wetland (Vegetation) Delineation with field report and data sheets as applicable
   vii. Representative Designation Form
   viii. Waiver Request Form
   ix. Town of Sandwich Fee Transmittal Form, with check numbers written in the space provided, **NO COPIES OF CHECKS PLEASE**
   x. Certified Abutters Request and List (received from Assessors Office)
   xi. Copy of Abutters Notice including project description summary
   xii. Copies of all abutters white/green certified slips as proof of mailing (Conservation must have slips in hand by the meeting date)
       (please scan and email them to the secretary at hhawkins@sandwichmass.org once you have done the mailing)
       1. Please note: if slips are not received by the meeting, the Board may open and discuss the hearing, but will have to continue to the next available hearing
   xiii. Appendix G (if applicable)
   xiv. **Contact DEP for their filing requirements**
NOI SUBMISSION REQUIREMENTS

NOTICE OF INTENT (NOI)

Notice of Intent (NOI) is the name of the application used to review activities in wetland resource areas or within one hundred (100) feet of wetland resource area(s), in land subject to flooding and/or tidal action. The forms are available at the Town of Sandwich website, sandwichmass.org and online at www.mass.gov.

Any person who proposes to do work that will remove, fill, dredge, build upon, or alter land in or within one hundred (100) feet of a resource area (Sandwich Wetland Bylaw, Section 2 or as found in the regulations definitions) shall submit an Application for Permit and other required information. If only a portion of a proposed project or activity lies within an area subject to the jurisdiction of this bylaw, and the remainder of the project or activity lies outside the area(s), all aspects (all activities and alterations) of the project must be described. When a point source discharge falls within an area subject to the bylaw, a description of the estimated water quality characteristics (quality, amount, etc.) of the discharged water, in addition to the calculation of the peak flow comparisons (pre and post construction), shall be submitted. The description shall include information as recommended by the MA Stormwater Technical Handbook and, erosion control measures as recommended by the MA Erosion Control Manual.

1. **NOI APPLICATIONS:** ONE (1) stapled original signed NOI and ONE copy must be submitted along with supporting data (TWO (2) sets, e.g. sketch plan, certified existing conditions plan, certified proposed conditions plan, or survey plan showing setback distances to the edge of the resource area(s) etc.) are to be filed with the Town of Sandwich Conservation Commission prior on the pre-established submission deadlines by receipted hand delivery or by Certified U.S. Mail, return receipt requested.

2. **COMMISSIONERS MATERIAL:** All Commissioners material must be submitted to the Conservation Commission office at the time of submission, by email, naturalresources@sandwichmass.org.

3. **NOI APPLICATIONS (DEP):** Contact the Department of Environmental Protections for their filing requirements. The notice of service shall accompany the application abutter notification white slips.

4. **PRE-CONSTRUCT PHOTOS:** Colored photos depicting all area(s) affected by proposed work must be submitted at the time of filing.

5. **PLANS:** All Formal plans submitted must be stamped, signed and dated by the appropriate discipline(s) (Professional Engineer, Professional Land Surveyor, Structural Engineer, Landscape Architect, Sanitarian (for septic design only), etc.) as per Massachusetts General Laws (MGL) Ch. 112 s. 81D-81T; Ch. 13 s.45-47; Ch.7 s.38A; Ch. 143 s.93-100; 250 CMR and 780 CMR. **TWO (2) SETS** original stamped/full sized copies of plans (existing conditions, proposed conditions, re-vegetation, house, foundation, etc.) to be submitted along with the applications. At its discretion, the Conservation Commission may accept less formal plans in place of engineered plans.
depending on the circumstances and complexity of the project and its proximity to the edge of the resource area(s). A request to utilize less formal plans shall be made to the Conservation Commission or the Department of Natural Resources, in writing, prior to filing.

**Site plans** shall identify: all resource area(s), critical habitat, distance(s) from alteration(s) including distance(s) to building(s), proposed and existing, other structures or facilities such as wells, storage tanks, drainage structures, and areas of regrading and/or re-landscaping to resource areas, significant trees, ACEC’s, vernal pools, Estimated Habitats; and all lands subject to DEM Wetland restrictions. Site plans shall show topographical survey, contours, not spot elevations, show profile of all grades (existing and proposed) and edges of flood zones. Each site plan must have a graphic scale (1"=20’), and be based on North Atlantic Vertical Datum of 1988.

The plans(s) must label all resource area(s) (seasonal, perennial, natural, man-made), vernal pools, critical habitat, and the edge of the one hundred (100) foot jurisdictional buffer zone and the edge of the fifty (50) foot (no alteration setback) buffer area. If a bordering vegetated wetland (BVW) or other resource area is present it shall be keyed on the site plan to the field flags at no greater than fifty (50) foot intervals. The delineation flags shall be carried a minimum of fifty (50) feet, (two (2) flags), onto adjacent properties. The edge of Salt Marsh shall be delineated by vegetation and surveyed elevation of the highest tide. When present, land subject to flooding or coastal storm flowage; the high hazard velocity zone (V zone) and the one hundred (100) year (A,AE, AO zone) still water flood boundary as it extends on the lot, shall be shown and labeled on the plan.

**Landscape Plans** shall include existing and proposed vegetation/landscape features, proper erosion controls, in addition to significant trees, buffer zones and topographic information.

**House Plans** shall show size and design of structures, floor plans (existing and proposed), calculations of existing and proposed coverage and floor area, type of foundation to be utilized and locations of other facilities such as oil or propane storage tanks. In VE and AE zones, the foundation plans must be prepared, stamped, signed and dated by a Massachusetts structural engineer.

6. **ABUTTERS NOTIFICATION:** A certified list of owner(s) of record and all abutters within 100 feet of the subject property must be obtained, for a fee, from the Assessing Department at the Town Offices located at 16 Jan Sebastian Drive, Sandwich. The Assessing Department has up to ten (10) working days (per MGL) to produce this certified list. A copy of the Sandwich Assessor’s Map on which the subject lot(s) and said abutter lots are shown, shall be submitted with the filing. Abutting lots shall be highlighted with the owner’s names and addresses written on the copy filed with the Commission. Failure to comply with proper owner or abutter notification shall cause the hearing to be continued to a specific date after proper notification has taken place.

7. **APPENDIX G:** A detailed report and an appropriate number of Appendix G (310CMR10.55) forms (to be determined by the Commission) shall be submitted for each flagged station describing the particulars of the delineation methodology. This shall be included with the NOI.
8. **LOCUS MAP**: A locus map is required, clearly delineating the location of the project or work site and the nearest major street(s) shall be attached to each application.

9. **WETLAND (VEGETATION) DELINEATION**: Shall be completed by an individual who holds a minimum of a Master's degree in wetland or wildlife biology, botany and has three (3) years of field experience. Society of Wetlands Scientist (SWS) certification or seven (7) years of professional experience as a practicing wetland scientist may be substituted for the educational requirement. The individual shall present the Conservation Commission with a resume of past experience, for the Commission's review. Bordering Vegetated Wetland (BVW) delineations shall follow the DEP regulations 310 CMR 10.55. Coastal Bank delineations shall follow the DEP Coastal Bank Policy. Coastal dune delineations shall follow the criteria established by DEP’s regulations.

10. **NATURAL HERITAGE PROGRAM**: If the project lies within an Estimated Habitat for State Listed Rare Wetlands Plants and/or Wildlife as identified by the wall map in the Conservation Commission office, a copy of the application, plan(s) and locus map shall be delivered by U.S. Certified Mail (return receipt requested) or receipted hand delivery, to the Natural Heritage Program. Appropriate fee shall be provided as required by the Department. The notice of service shall accompany the application abutter notification white slips.

11. **UPDATED INFORMATION**: Any Additional updated information to be submitted after initial filing, including all revised plans, must be delivered to the Conservation Commission Office no later than 12:00 Noon the Friday prior to the project hearing. Information presented after 12:00 Noon the Friday prior to the next meeting or at the hearing may result in a continuation, to be scheduled for the next available hearing date to allow adequate time for the Commission and staff to review the new, updated information.

12. **REPRESENTATION**: To clarify the authority of the representative (i.e. engineer, attorney or other consultant), the Commission will require with applicants who are not representing themselves, to submit with the NOI, a form authorizing an individual or firm to act as the sole agent for the applicant at all reviews, submissions, hearings, appeals and identify the party who will receive the Order of Conditions (permit). The Conservation Commission will not review or approve work on or access onto or over public lands or the land of another private or public entity, other than the applicant, without written notarized evidence of authorization for the applicant to conduct such work or enter onto their lands.

15-Jun-20
**Town of Sandwich NOI/RDA Fee Transmittal Form**

<table>
<thead>
<tr>
<th>Type of Project/Category</th>
<th>Subtotal</th>
<th>Check #</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bylaw Fee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Check payable to Town of Sandwich</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(NOI includes Environmental Review &amp; Permit Fee)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(RDA includes Environmental Review &amp; App Fee)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legal Ad Fee – Check payable to Falmouth Publishing</td>
<td>$12</td>
<td></td>
<td>$12</td>
</tr>
<tr>
<td>WPA Fee – Check payable to Town of Sandwich (only for NOI’s)</td>
<td>Use State Wetlands Fee Form</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Project Fee</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
REPRESENTATIVE DESIGNATION

Date: __________________________

I ___________________________, hereby designate ____________________________
                (Applicant)                         (Representative)

as my/our representative for all information, on-site reviews, public hearings, and

(correspondence with the Commission relative to the (Notice of Intent/Amendment)
application for work proposed at ____________________________, (Project
Address)

submitted __________________________. Please keep the representative informed
of
                (Date)
the status of any changes in procedures specifically affecting my/our application(s). I

will raise any questions regarding this project through my/our representative.

Please complete the information below as to who is to be contacted to pick up the

processed (Order of Conditions):

Name: __________________________

Address: __________________________

Telephone Number: __________________________

Signature of Applicant: __________________________

Signature of Property Owner: __________________________

PLEASE PRINT OR TYPE
WAIVER REQUEST

Commissioner:

I/We hereby waive the benefit of the time requirements set forth in Chapter 7 of the Town of Sandwich Wetlands Bylaw, which requires a Public Hearing must be held within twenty-one (21) days after the submission of the Notice of Intent or Request for Determination of Applicability.

Under this waiver the Public Hearing shall be held within forth (40) days of the filing of a complete Notice of Intent or Request for Determination of Applicability.

_____________________________  ______________________________
Date  Applicant/Representative

Applicant's Name__________________________

Address______________________________

Town______________________________ State________________________

Telephone: (   ) __________________________

Project Location: ________________________________

Assessor's Map_________ Parcel/Lot No.________________________

Project type (Description)________________________

________________________________

Applicant’s Signature: ________________________________
LIST OF ABUTTERS
REQUEST FOR CERTIFICATION

NOTE: PLEASE ALLOW TEN BUSINESS DAYS FOR A LIST TO BE CERTIFIED BY ASSESSORS, PER MGL 66, S.10. LISTS ARE CERTIFIED ON A ‘FIRST COME, FIRST SERVE’ BASIS, PLEASE PLAN YOUR TIME FRAME ACCORDINGLY.

DATE OF REQUEST ___________________ PERSON REQUESTING CERTIFICATION ___________________

CONTACT PHONE NUMBER AND/OR EMAIL: ___________________________________________________________

SIGNATURE: __________________________________________________________

NAME OF PROPERTY OWNER/APPLICANT: ___________________________________________________________

STREET LOCATION OF PROPERTY: ________________________________________________________________

MAP NUMBER: ___________ PARCEL NUMBER: ___________

NUMBER OF ABUTTERS ON LIST ___________ (INCLUDES OWNER)

THE APPLICATION IS FOR:

_____ Board of Appeals (Variance, Special Permit, Comprehensive Permit)

_____ Planning Board (Special Permit)

_____ Planning Board (Definitive Plan)

_____ Selectmen (Road Taking)

_____ Selectmen (Utility/Pole Location)

_____ Selectmen (Gasoline/Oil Storage Tank)

_____ Selectmen (Liquor License)

_____ Conservation Commission (Notice of Intent/Request for Determination of Applicability)

_____ Historic District (Certificate of Appropriateness/Demolition or Removal)

_____ Board of Health (Site Assignment)

_____ Other (specify)

**********************************************************************************************

For Assessors Use

_____ The attached list has more than three errors. Please submit a corrected list.

_____ The attached list is certified to be a correct listing of abutters for the described application based on the most recent tax list.

Fee: __________________________ Date Paid: __________________________ Method of Payment: __________________________

Employees Initials: __________________________ Certified By: __________________________
NOTIFICATION TO ABUTTERS UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT

Sandwich Conservation Commission Meetings will be held via Zoom Video Conference until further Notice.

Public comment will ONLY be accepted via email at publiccomment@sandwichmass.org.

Comments must be received prior to and/or during this application’s public session.

Once the Commission has closed the application ‘to take under advisement’ or ‘to continue’, public comment will no longer be accepted.

If this application is continued comments will be accepted following the above protocol.

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following.

A. The name(s) of the applicant is ____________________________________________.

B. The applicant has filed either a Notice of Intent, a Request for Determination of Applicability or an Amendment to an existing Order of Conditions with the Sandwich Conservation Commission, seeking permission to remove, fill, dredge or alter an Area Subject to Protection under the Wetlands Protection Act (General Laws Chapter 131, Section 40).

C. The address of the lot where the activity is proposed is ________________________________

D. Project Description [to be taken from Section A6 on DEP Form 3 Notice of Intent] ____________________________________________

E. Copies of the Notice of Intent may be examined at the Department of Natural Resources at 16 Jan Sebastian Drive, Sandwich, MA 02563. Between the hours of 8:30 AM and 4:00 PM, Monday – Friday. For more information, call: (508) 833-8054.

F. Copies of the Notice of Intent may be obtained from the Department of Natural Resources, please email hhawkins@sandwichmass.org.

G. Information regarding the date, time, and place of the public hearing may be obtained from the Department of Natural Resources, by calling this telephone number 508-833-8054.

Note: Notice of the public hearing, including its date, time and place, will be published at least five (5) days in advance in the Sandwich Enterprise Newspaper.

Note: Notice of the public hearing including its date, time and place will be posted in the City or Town Hall not less than (48) forty eight hours in advance.

Note: You may also contact your local Conservation Commission at 508-833-8054 or the nearest Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act.

To contact DEP, call:

Central Region: 508-792-7650
Southeast Region: 508-946-2800

Northeast Region: 617-935-2160
Western Region: 413-784-1100
Instructions for Completing Application  
WPA Form 3 – Notice of Intent

Please read these instructions for assistance in completing the Notice of Intent application form (WPA Form 3). These instructions cover certain items on the Notice of Intent form that are not self-explanatory.

Purpose of the Notice of Intent (NOI)
To protect the Commonwealth’s wetland resources, the Massachusetts Wetlands Protection Act (General Law Chapter 131, Section 40) prohibits the removal, dredging, filling, or altering of wetlands without a permit. To obtain a permit (called an Order of Conditions), a project proponent must submit an application to the Conservation Commission and the Department of Environmental Protection (the Department). The Notice of Intent application provides the Conservation Commission and the Department with a complete and accurate description of the:

- **Site**: including the type and boundaries of resource areas under the Wetlands Protection Act, and
- **Proposed work**: including all measures and designs proposed to meet the performance standards described in the Wetlands Protection Act Regulations, 310 Code of Massachusetts Regulations (CMR) 10.00, for each applicable resource area.

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

To complete this form, the applicant should refer to the wetlands regulations (310 CMR 10.00), which can be obtained from the Department’s web site: [https://www.mass.gov/regulations/310-CMR-1000-wetlands-protection-act-regulations](https://www.mass.gov/regulations/310-CMR-1000-wetlands-protection-act-regulations). 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 (see [https://www.mass.gov/service-details/massdep-regional-offices-by-community](https://www.mass.gov/service-details/massdep-regional-offices-by-community) for locations of regional offices and the communities they serve). Regulations also are available for sale from the State House Bookstore in Boston (617-727-2834) and State House Bookstore West in Springfield (413-784-1378).

Requirements for Professional Services
The issuing authority may require that supporting plans and calculations be prepared and stamped by a registered professional engineer (PE) when, in its judgment, the complexity of the proposed work warrants this certification. Examples of information likely to require certification by a PE include: hydraulic and hydrologic calculations; critical elevations and inverts; and drawings for water control structures such as head walls, dams, and retention areas.

The issuing authority also may require that supporting materials be prepared by other professionals including, but not limited to, a registered architect, registered landscape architect, registered land surveyor, registered sanitarian, biologist, environmental scientist, geologist, or hydrologist when the complexity of the proposed work warrants specialized expertise.
Completing WPA Form 3

Leave the shaded box located at the upper right hand corner of page 1 of NOI blank. This box contains the words: "MassDEP File Number" and "Document Transaction Number". The MassDEP File Number for this project will be issued to the Conservation Commission by the Department’s regional office. Once issued, all subsequent correspondence on the project should reference the MassDEP file number.

Instructions to Section A: General Information

**Item 1. Project Location.** The map or plat, parcel, and lot numbers must be included if the lot subject to the NOI does not contain a residence, school, or commercial or industrial establishment, or if the lot is being subdivided.

*Electronic filers* must click on the button next to Item 1 and use to the GIS locator to identify the project site.

**Item 3. Property Owner.** If there is more than one property owner, a list of additional property owners should be attached to the Notice of Intent.

**Item 5. Total Wetlands Protection Act Fee Paid.** Instructions regarding calculations of fees are explained in Section E, below.

**Item 6. General Project Description.** The applicant should provide a brief description of the project. Describe, and show on accompanying maps and plans, both existing and proposed site conditions, including temporary construction impacts, replication areas, and/or other mitigation measures. Attach maps, plans, and other documents identifying proposed activities and their location relative to the boundaries of each wetland resource area and Buffer Zone (if applicable).

**Item 8. Property Recorded at the Registry of Deeds.** For Multiple Parcels, additional book and page numbers should be attached to the Notice of Intent.

Instructions to Section B: Buffer Zone and Resource Area Impacts

To determine the size and location of any impacts that a proposed project may have on each wetland resource area, first determine the resource area boundaries.

**Item 1. Buffer Zone Only.** The *boundary of the buffer zone* is determined by measuring 100 feet horizontally from the outer (landward) boundaries of bordering vegetated wetland, inland or coastal bank, coastal or barrier beach, rocky intertidal shore, salt marsh, and/or coastal dune. See Instructions in Section B, below, to determine the outer boundaries of these resource areas. If you check the Buffer Zone Only box in this section (indicating that the project is entirely in the Buffer Zone), skip the remainder of Section B of the Notice of Intent (Buffer Zone and Resource Area Impacts), and go directly to Section C of the Notice of Intent.

**Item 2.** The *boundaries of inland resource areas* in Items 2a through f can be determined by reference to the wetlands regulations, subsection (2), "Definitions, Critical Characteristics, and Boundaries," for each resource area covered under 310 CMR 10.54 - 10.58. The Riverfront Area, listed in Item 1f, also can be a coastal resource area. The width of the Riverfront Area is described in 310 CMR 10.58(2)(a)3, and the methods for determining the Mean Annual High-Water Line (which is the inner boundary) are found in 310 CMR 10.58(2)(a)2 and 10.58(2)(c).

**Item 3.** The *boundaries of coastal resource areas* (in Items 3a-k can be determined by reference to 310 CMR 10.25 – 10.35, and to the definitions found in 310 CMR 10.04 and 10.23, and M.G.L. c. 131, § 40. Land Subject to Coastal Storm Flowage is defined in the Wetlands Protection Act (M.G.L. c. 131, § 40); there are no performance standards pertaining to this resource area.
Once you have identified the resource areas and located the components of the proposed project in each such area, you must indicate on the Notice of Intent the size of the proposed alterations (and proposed replacement areas) in each resource area. **Replacement area standards**, if any, are included in the performance standards for each resource area, discussed in the paragraph below. See also the Department’s “Massachusetts Inland Wetland Replication Guidelines”, March 2002 (available on MassDEP website at: https://www.mass.gov/files/documents/2016/08/xf/replicat.pdf).

You must also attach to the Notice of Intent a narrative and any supporting documentation describing how the project will meet all **performance standards** for each of the resource areas altered, including standards requiring consideration of alternative project design or location. The wetland regulations describe the type and extent of work that may be permitted in resource areas, called performance standards. Proposed work must meet these standards.

- **Performance standards for inland resource areas**, including the Riverfront Area (which can be either inland or coastal) are described in the Wetland regulations, subsection 3: “General Performance Standards” for each resource area covered under 310 CMR 10.54 - 58. Among other performance standards, an **alternatives analysis** is required for all projects involving bordering vegetated wetlands as well as those in the Riverfront Areas. Detailed requirements for the evaluation of alternatives to proposed work in Riverfront Areas and bordering vegetated wetlands are described at 310 CMR 10.58(4) and 310 CMR 10.55(4), respectively.

- **Performance standards for coastal resource areas** (excluding Riverfront Area) are described in various subsections within 310 CMR 10.25 – 10.35.

- **Limited Projects** are categories of activities specified in the regulations at 310 CMR 10.24(7) and 10.53(3) – (6), which can proceed at the discretion of the issuing authority without fully meeting the resource area performance standards. **Performance standards for limited projects** are described in the regulations at 310 CMR 10.24(7) and 10.53(3)-(6). An **alternatives analysis** performance standard is required for most limited projects.

### Instructions to Section C. Other Applicable Standards and Requirements

**Item 1. Rare Wetland Wildlife Habitat.** Except for Designated Port Areas, no work (including work in the Buffer Zone) may be permitted in any resource area subject to the Act that would have adverse effects on the habitat of rare, “state-listed” vertebrate or invertebrate animal species.

The most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife is published by the Natural Heritage and Endangered Species Program (NHESP). See: [http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm](http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm) or the **Massachusetts Natural Heritage Atlas**.

If any portion of the proposed project is located in **Estimated Habitat of Rare Wildlife** as indicated on NHESP maps, the project is subject to the endangered species protection provisions of the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.37, 10.58(4)(b), & 10.59). Projects located within Estimated Habitat are also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18; for exemptions see 321 CMR 10.14). If any portion of the proposed project is located within Estimated Habitat, the applicant must send the Natural Heritage Program, at the following address, a copy of the Notice of Intent by certified mail or priority mail (or otherwise sent in a manner that guarantees delivery within two days), no later than the date of the filing of the Notice of Intent with the Conservation Commission and the Department.

Evidence of mailing to the Natural Heritage Program (such as Certified Mail Receipt or Certificate of Mailing for Priority Mail) must be submitted to the Conservation Commission and the Department’s Regional Office along with the Notice of Intent.
Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581-3336
508.792.7270

To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete the portion of Section D in the NOI entitled: Streamlined Massachusetts Endangered Species Act/Wetlands protection Act Review. If MESA supplemental information is not included with the NOI, the NHESP will require a separate MESA filing which may take up to 90 days to review.

Item 2. Coastal Projects. The mean high water line in coastal areas is described in the regulatory definitions at 310 CMR 10.23. The definition of anadromous/catatadromous “fish runs” is found at 310 CMR 10.35(2). If the proposed work is located in either such area, the applicant must send the Massachusetts Division of Marine Fisheries (South Shore (Cohasset to Rhode Island, and the Cape & Islands): Division of Marine Fisheries - Southeast Marine Fisheries Station, Attn: Environmental Reviewer, 836 South Rodney French Blvd., New Bedford, MA 02744 or North Shore (Hull to New Hampshire): Division of Marine Fisheries - North Shore Office, Attn: Environmental Reviewer, 30 Emerson Avenue, Gloucester, MA 01930 ) a copy of the Notice of Intent by certified mail or priority mail (or otherwise sent in a manner that guarantees delivery within two days) no later than the date of the filing of the Notice of Intent with the Conservation Commission and the Department. Evidence of mailing to the Division of Marine Fisheries (such as certified mail receipt or certificate of mailing for priority mail) must be submitted to the Conservation Commission and the Department’s Regional Office along with the Notice of Intent.

Item 3. Areas of Critical Environmental Concern. If the project is proposed in one of the communities listed in the last page of these Instructions (also listed at the Department’s web site: https://www.mass.gov/files/documents/2016/08/xo/aceclist.pdf) the project may be located in an Area of Critical Environmental Concern (ACEC). To confirm whether the project location is in an ACEC, contact the Conservation Commission or the MA Department of Conservation & Recreation (formerly the Department of Environmental Management) ACEC Program at:

251 Causeway St., Suite 600
Boston, MA 02114
617.626.1394

The ACEC Program also may be contacted for additional information or to verify new ACEC designations.

Item 5. Restriction Orders. If any portion of the proposed project is located on a site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131 § 40A) or Coastal Wetlands Restriction Act (M.G.L. c. 130 § 105), attach a copy of the order to the Notice of Intent. To determine if a Wetlands Restriction Order exists for the site, contact the Conservation Commission or the Department’s Regional Office (see https://www.mass.gov/service-details/massdep-regional-offices-by-community).

Item 6. Stormwater Management. According to MassDEP’s Stormwater Regulations (January 2008), certain projects require stormwater management measures. To determine if a project requires stormwater management, consult the Wetland Regulations at 310 CMR 10.05(6) and the Department publications: Massachusetts Stormwater Management Handbook: Volumes 1, 2, 3. These documents are available for purchase from the State House Bookstore (617/727-2834) and State House Bookstore West (413/784-1378) and also may be obtained from MassDEP’s web site: https://www.mass.gov/guides/ massachusetts-stormwater-handbook-and-stormwater-standards.
If stormwater management is required, applicants are required to submit a Stormwater Report with the Notice of Intent to provide stormwater management information for Conservation Commission review consistent with the wetland regulations, 310 CMR 10.05(6)(k)-(q). The Department requires engineers to also complete the Stormwater Report Checklist and Certification to certify that the project conforms to the Stormwater Regulations and meets acceptable engineering standards. For recharge wells, check the Underground Injection Control (UIC) requirements to see if UIC regulation is required at https://www.mass.gov/service-details/underground-injection-control-uic-application-forms.

Instructions to Section D: Additional Information

All information listed in Section D of the Notice of Intent must be provided along with the Notice of Intent when it is filed with the conservation commission and the Department.

Item 2. Plans should be of adequate size, scale, and detail to completely and accurately describe the site, resource area boundaries, and proposed work. 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 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 reduced, display 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.

Item 3. Resource Area Delineation Methodology: Attach documentation of the methodology used to delineate the Bordering Vegetated Wetlands (BVW) boundary (e.g. BVW Field Data Form, Final Order of Resource Area Delineation or other delineation method) as well as methods used to delineate any other resource areas proposed for alteration.

Instructions to Section E: Fees

A wetland application filing fee must accompany the Notice of Intent. The fee is based on the category of the proposed activity (described in 310 CMR 10.03(7)) and the resource area to be impacted by the activity. To calculate the filing fee of the NOI Wetland Fee Transmittal Form from the instructions below.

In summary, the total filing fee for a Notice of Intent that involves more than one activity is determined by adding the fees for each proposed activity. When work is proposed in the Riverfront Area, as well as another resource area or their Buffer Zones, add 50% to the fee for each activity in the Riverfront Area. For activities exclusively within the Riverfront Area, and not within other resource areas or their Buffer Zones, the fee is determined by
adding the amounts for each proposed activity. 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 NOI Wetland Fee Transmittal Form (attached to the NOI) 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 Notice of Intent cannot begin until the fee is received.

Include check number and payor name information on the Notice of Intent to expedite fee payment confirmation.

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.

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. Contact the Conservation Commission for the municipality where the project is located regarding the procedure for public newspaper notice.

Instructions for Completing the NOI Wetland Fee Transmittal Form

The wetland filing fee should be calculated using the following steps based on a hypothetical project involving two driveway crossings through a Riverfront Area and Bordering Vegetated Wetland and six single family houses in Riverfront Area only.

Step 1/Type of Activity: Review plans and narrative to identify each activity in wetland resource areas and their applicable Buffer Zones. Example: driveway crossing and construction of a single family house.

Step 2/Number of Activities: Determine the number of each activity associated with the project. Example: driveway crossings and six single family homes.

Step 3/Individual Activity Fee: List the fee amount for each category of activity (see Category Activities and Fee, below) Example: Driveway crossing is a Category 2(f) activity and is $500 each. Construction of a single family house is a Category 2(a) activity and is $500 each.

Step 4/Subtotal Activity Fee: Determine the subtotal fee for each type of activity by multiplying the fee for the activity (Step 3) by the number of activities (Step 2). If the activity is within the Riverfront Area as well as another resource area or its Buffer Zone, add 50% to total fee (e.g., multiply the fee by 1.5). If the activity is located in a Riverfront Area only, apply the fee amount for the category without the additional 50%. Example: 2 (driveway crossings in BVW) x $500 x 1.5 (for riverfront area) = $1,500; 6 (single family homes) x $500 = $3,000.

Step 5/Total Project Fee: Add all the subtotals identified in Step 4 to determine the total fee. Example: $1,500 + $3,000 = $4,500.

Step 6/Fee Payments: The state share of the fee is 50% of any filing fee in excess of $25 (i.e., the state share can be determined by dividing the total fee in half and subtracting $12.50); the remaining portion of the fee shall be made to the city or town (i.e., the City/Town share can be determined by dividing the total fee in half and adding $12.50). Example: City/Town share: $2,262.50; state share: $2,237.50.
Category Activities and Fees

Category 1 (Fee for each activity is $110):
   a.) work on single family lot; addition, pool, etc.;
   b.) site work without a house;
   c.) control vegetation;
   d.) resource improvement;
   e.) work on septic system separate from house;
   f.) monitoring well activities minus roadway;
   g.) new agricultural or aquaculture projects.

Category 2 (Fee for each activity is $500)
   a.) construction of single family house;
   b.) parking lot;
   c.) beach nourishment;
   d.) coastal limited projects;
   e.) inland limited projects minus road crossings and agriculture;
   f.) each crossing for driveway to single family house;
   g.) each project source (storm drain) discharge;
   h.) control vegetation in development;
   i.) water level variations;
   j.) any other activity not in Category 1, 3, 4, 5 or 6;
   k.) water supply exploration.

Category 3 (Fee for each activity is $1,050)
   a.) site preparation (for development) beyond Notice of Intent scope;
   b.) each building (for development) including site;
   c.) road construction not crossing or driveway;
   d.) hazardous cleanup;
   e.) water supply development.

Category 4 (Fee for each activity is $1,450):
   a.) each crossing for development or commercial road;
   b.) dam, sluiceway, tidegate (safety) work;
   c.) landfills operation/closures;
   d.) sand and gravel operations;
   e.) railroad line construction;
   f.) bridge;
   g.) hazardous waste alterations to resource areas;
   h.) dredging;
   i.) package treatment plant and discharge;
   j.) airport tree clearing;
   k.) oil and/or hazardous material release response actions.

Category 5 (Fee is $4 per linear foot; total fee not less than $100 or more than $2,000):
   a.) work on docks, piers, revetments, dikes, etc. (coastal or inland).

Category 6 (Fee is $2 per linear foot for each resource area): For each resource area delineation, the fee shall not exceed $200 for activities associated with a single family house or $2,000 for all other activities).
Signatures and Submittal Requirements. Follow the filing instructions in Section F of the Notice of Intent. For additional filing requirements, see Section D of these instructions, above. The original Notice of Intent and a copy must be sent, by certified mail or hand delivery, to the Conservation Commission. At the same time the original Notice of Intent is submitted to the commission, one copy of the Notice of Intent must be sent to the appropriate MassDEP Regional Office (see https://www.mass.gov/service-details/massdep-regional-offices-by-community) by certified mail or hand delivery. Failure by the applicant to send the copies in a timely manner may result in dismissal of the Notice of Intent application.

Mail transmittal forms and MassDEP payments, payable to:

Commonwealth of Massachusetts
Department of Environmental Protection
Box 4062
Boston, MA 02211
Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Town of Sandwich Wetlands Bylaw, Ch. 7

A. General Information

1. Project Location (Note: electronic filers will click on button to locate project site):
   a. Street Address
   b. City/Town
   c. Zip Code
   d. Latitude
   e. Longitude
   f. Assessors Map/Plat Number
   g. Parcel/Lot Number

2. Applicant:
   a. First Name
   b. Last Name
   c. Organization
   d. Street Address
   e. City/Town
   f. State
   g. Zip Code
   h. Phone Number
   i. Fax Number
   j. Email Address

3. Property owner (required if different from applicant): 
   □ Check if more than one owner
   a. First Name
   b. Last Name
   c. Organization
   d. Street Address
   e. City/Town
   f. State
   g. Zip Code
   h. Phone Number
   i. Fax Number
   j. Email Address

4. Representative (if any):
   a. First Name
   b. Last Name
   c. Company
   d. Street Address
   e. City/Town
   f. State
   g. Zip Code
   h. Phone Number
   i. Fax Number
   j. Email Address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):
   a. Total Fee Paid
   b. State Fee Paid
   c. City/Town Fee Paid
A. General Information (continued)

6. General Project Description:

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

1. □ Single Family Home
2. □ Residential Subdivision
3. □ Commercial/Industrial
4. □ Dock/Pier
5. □ Utilities
6. □ Coastal engineering Structure
7. □ Agriculture (e.g., cranberries, forestry)
8. □ Transportation
9. □ Other

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. □ Yes  □ No  If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

a. County  
b. Certificate # (if registered land)

9. Book  
d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

1. □ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.

2. □ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.
**B. Buffer Zone & Resource Area Impacts** (temporary & permanent) (cont’d)

<table>
<thead>
<tr>
<th>Resource Area</th>
<th>Size of Proposed Alteration</th>
<th>Proposed Replacement (if any)</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Bank</td>
<td>1. linear feet</td>
<td>2. linear feet</td>
</tr>
<tr>
<td>b. Bordering Vegetated Wetland</td>
<td>1. square feet</td>
<td>2. square feet</td>
</tr>
<tr>
<td>c. Land Under Waterbodies and Waterways</td>
<td>1. square feet</td>
<td>2. square feet</td>
</tr>
<tr>
<td></td>
<td>3. cubic yards dredged</td>
<td></td>
</tr>
<tr>
<td>Resource Area</td>
<td>Size of Proposed Alteration</td>
<td>Proposed Replacement (if any)</td>
</tr>
<tr>
<td>d. Bordering Land Subject to Flooding</td>
<td>1. square feet</td>
<td>2. square feet</td>
</tr>
<tr>
<td>e. Isolated Land Subject to Flooding</td>
<td>3. cubic feet of flood storage lost</td>
<td>4. cubic feet replaced</td>
</tr>
<tr>
<td>f. Riverfront Area</td>
<td>1. Name of Waterway (if available) - specify coastal or inland</td>
<td></td>
</tr>
</tbody>
</table>

2. Width of Riverfront Area (check one):

- □ 25 ft. - Designated Densely Developed Areas only
- □ 100 ft. - New agricultural projects only
- □ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project:  

   square feet

4. Proposed alteration of the Riverfront Area:

   a. total square feet  
   b. square feet within 100 ft.  
   c. square feet between 100 ft. and 200 ft.

5. Has an alternatives analysis been done and is it attached to this NOI?  

   □ Yes □ No

6. Was the lot where the activity is proposed created prior to August 1, 1996?  

   □ Yes □ No

3. □ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

**Note:** for coastal riverfront areas, please complete Section B.2.f. above.
Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

<table>
<thead>
<tr>
<th>Resource Area</th>
<th>Size of Proposed Alteration</th>
<th>Proposed Replacement (if any)</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. ☐ Designated Port Areas</td>
<td>Indicate size under Land Under the Ocean, below</td>
<td></td>
</tr>
<tr>
<td>b. ☐ Land Under the Ocean</td>
<td>1. square feet</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. cubic yards dredged</td>
<td></td>
</tr>
<tr>
<td>c. ☐ Barrier Beach</td>
<td>Indicate size under Coastal Beaches and/or Coastal Dunes below</td>
<td></td>
</tr>
<tr>
<td>d. ☐ Coastal Beaches</td>
<td>1. square feet</td>
<td>2. cubic yards beach nourishment</td>
</tr>
<tr>
<td>e. ☐ Coastal Dunes</td>
<td>1. square feet</td>
<td>2. cubic yards dune nourishment</td>
</tr>
<tr>
<td>f. ☐ Coastal Banks</td>
<td>1. linear feet</td>
<td></td>
</tr>
<tr>
<td>g. ☐ Rocky Intertidal Shores</td>
<td>1. square feet</td>
<td></td>
</tr>
<tr>
<td>h. ☐ Salt Marshes</td>
<td>1. square feet</td>
<td>2. sq ft restoration, rehab., creation</td>
</tr>
<tr>
<td>i. ☐ Land Under Salt Ponds</td>
<td>1. square feet</td>
<td></td>
</tr>
<tr>
<td>j. ☐ Land Containing Shellfish</td>
<td>2. cubic yards dredged</td>
<td></td>
</tr>
<tr>
<td>k. ☐ Fish Runs</td>
<td>1. square feet</td>
<td></td>
</tr>
<tr>
<td>l. ☐ Land Subject to Coastal Storm Flowage</td>
<td>Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above</td>
<td></td>
</tr>
<tr>
<td>1. cubic yards dredged</td>
<td>1. square feet</td>
<td></td>
</tr>
</tbody>
</table>

4. ☐ Restoration/Enhancement
If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

   a. square feet of BVW                   b. square feet of Salt Marsh

5. ☐ Project Involves Stream Crossings

   a. number of new stream crossings    b. number of replacement stream crossings
C. Other Applicable Standards and Requirements

☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in Estimated Habitat of Rare Wildlife as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the Massachusetts Natural Heritage Atlas or go to http://maps.massgis.state.ma.us/PRI/EST_HAB/viewer.htm.

   a. ☐ Yes ☐ No

   If yes, include proof of mailing or hand delivery of NOI to:

      Natural Heritage and Endangered Species Program
      Division of Fisheries and Wildlife
      1 Rabbit Hill Road
      Westborough, MA 01581

   b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); OR complete Section C.2.f, if applicable. If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).

   c. Submit Supplemental Information for Endangered Species Review*

      1. ☐ Percentage/acreage of property to be altered:

         (a) within wetland Resource Area percentage/acreage

         (b) outside Resource Area percentage/acreage

      2. ☐ Assessor’s Map or right-of-way plan of site

      2. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

         (a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

         (b) ☐ Photographs representative of the site

* Some projects not in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see https://www.mass.gov/ma-endangered-species-act-mesa-regulatory-review). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.
C. Other Applicable Standards and Requirements (cont’d)

(c) ☐ MESA filing fee (fee information available at https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review). Make check payable to “Commonwealth of Massachusetts - NHESP” and mail to NHESP at above address

Projects altering 10 or more acres of land, also submit:

(d) ☐ Vegetation cover type map of site
(e) ☐ Project plans showing Priority & Estimated Habitat boundaries
(f) OR Check One of the Following

1. ☐ Project is exempt from MESA review. Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. ☐ Separate MESA review ongoing.
   a. NHESP Tracking #
   b. Date submitted to NHESP

3. ☐ Separate MESA review completed.
   Include copy of NHESP “no Take” determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
   a. ☐ Not applicable – project is in inland resource area only
   b. ☐ Yes ☐ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:
Division of Marine Fisheries - Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

North Shore - Hull to New Hampshire border:
Division of Marine Fisheries - North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP’s Boston Office. For coastal towns in the Southeast Region, please contact MassDEP’s Southeast Regional Office.

c. ☐ Is this an aquaculture project?
   d. ☐ Yes ☐ No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).
4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
   a. [ ] Yes  [ ] No  
      If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations).  
      Note: electronic filers click on Website.
   b. ACEC

5. Is any portion of the proposed project within an area designated as an Outstanding Resource 
   Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00? 
   a. [ ] Yes  [ ] No

6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands 
   Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)? 
   a. [ ] Yes  [ ] No

7. Is this project subject to provisions of the MassDEP Stormwater Management Standards? 
   a. [ ] Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management 
      Standards per 310 CMR 10.05(6)(k)-(q) and check if:
      1. [ ] Applying for Low Impact Development (LID) site design credits (as described in 
         Stormwater Management Handbook Vol. 2, Chapter 3)
      2. [ ] A portion of the site constitutes redevelopment
      3. [ ] Proprietary BMPs are included in the Stormwater Management System.
   b. [ ] No. Check why the project is exempt: 
      1. [ ] Single-family house
      2. [ ] Emergency road repair
      3. [ ] Small Residential Subdivision (less than or equal to 4 single-family houses or less than 
         or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete 
   Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 
   10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of 
the following information you submit to the Department.

1. [ ] USGS or other map of the area (along with a narrative description, if necessary) containing 
sufficient information for the Conservation Commission and the Department to locate the site. 
   (Electronic filers may omit this item.)

2. [ ] Plans identifying the location of proposed activities (including activities proposed to serve as 
a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative 
to the boundaries of each affected resource area.
D. Additional Information (cont’d)

3. ☐ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☐ List the titles and dates for all plans and other materials submitted with this NOI.

   a. Plan Title
   b. Prepared By
   c. Signed and Stamped by
   d. Final Revision Date
   e. Scale
   f. Additional Plan or Document Title
   g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.

6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8. ☐ Attach NOI Wetland Fee Transmittal Form


E. Fees

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 pages 1 and 2 of the NOI 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
**F. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Notice of Intent 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 by Certificate of Mailing or 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.

<table>
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<tr>
<th>1. Signature of Applicant</th>
<th>2. Date</th>
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<tr>
<td>3. Signature of Property Owner (if different)</td>
<td>4. Date</td>
</tr>
<tr>
<td>5. Signature of Representative (if any)</td>
<td>6. Date</td>
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**For Conservation Commission:**
Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

**For MassDEP:**
One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a copy of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

**Other:**
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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.
A. Applicant Information

1. Location of Project:
   a. Street Address
   b. City/Town
   c. Check number
   d. Fee amount

2. Applicant Mailing Address:
   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):
   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

B. Fees

Fee should be calculated using the following process & worksheet. Please see Instructions before filling out worksheet.

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract $12.50. To calculate the city/town share of the fee, divide the total fee in half and add $12.50.
### B. Fees (continued)

<table>
<thead>
<tr>
<th>Step 1/Type of Activity</th>
<th>Step 2/Number of Activities</th>
<th>Step 3/Individual Activity Fee</th>
<th>Step 4/Subtotal Activity Fee</th>
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**Step 5/Total Project Fee:**

**Step 6/Fee Payments:**

- **Total Project Fee:**
  - a. Total Fee from Step 5
- **State share of filing Fee:**
  - b. 1/2 Total Fee less $12.50
- **City/Town share of filing Fee:**
  - c. 1/2 Total Fee plus $12.50

### C. Submittal Requirements

a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
Box 4062  
Boston, MA 02211

b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and the city/town fee payment.

**To MassDEP Regional Office** (see instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and a copy of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)