NOTICE OF INTENT
SUBMITTAL CHECKLIST
Reading Conservation Commission

This checklist is intended as an aid only, to assist in the process of submitting a Notice of Intent and to help avoid delays. Please consult MGL Chapter 131, Section 40, the Wetlands Protection Act and its accompanying Regulations, 310 CMR 10.00, available through the state website, www.mass.gov/dep. Also, please consult Reading General Bylaws, Section 7.1, and the Reading Wetlands Protection Regulations, available through the Town Clerk's office and on the town website, www.readingma.gov. It is only necessary to file one submittal under both State and Town law.

A. Prior to submittal of a Notice of Intent:

1. It is strongly recommended that the applicant or representative meet with the Conservation Administrator to review the proposed work, research existing site information, and to become familiar with the wetlands regulations. Contact the Administrator at Town Hall, (781) 942-6616.

2. Submit a completed Request for Abutters List form, to be signed by the Conservation Administrator and then delivered to the Assessor's office. It may take up to 21 days for the Assessor to return the Certified List of Abutters.

B. Notice of Intent submittal:

1. Submit to the Reading Conservation Commission the original plus nine copies of the following items:

   a. A completed Notice of Intent form (Form 3). Use the form provided through the link on the Conservation home page, or download the form from the State website, www.mass.gov/dep.

   b. A photocopy of a Locus Map showing the town of Reading with the site location clearly marked (e.g., circled and located by a large arrow).

   c. A description of the site, the proposed activity, and supporting data and calculations such as soils test data, drainage calculations, wetlands boundaries, proposed earth moving, impervious cover area, etc. (Please refer to the wetlands regulations for requirements.)

   d. A site plan or plans no more than 2' by 3' in size, prepared by an engineer, surveyor, or other licensed professional, having a title block with location, date, legend, scale (1"=20' or 1" =40'), and north arrow, that clearly shows at least the following (please refer to the wetlands regulations for complete requirements):

- Property boundaries, easements, rights-of-way, etc.;
- Boundaries of waterways, water bodies, banks, floodplains, and wetlands within and within 100 feet of the site, including locations of field flags;
- Boundaries of the 100-foot Buffer Zone and 25-foot Zone of Natural Vegetation;
- Existing topography (in one- or two-foot intervals), structures, and other physical features (walls, paths, trees, wells, drainage and utility lines, etc.);
- Proposed topography, structures, and physical features, including temporary and permanent stormwater and erosion control features.

2. One copy of completed Notice of Intent Fee Transmittal Form and check payable to "Town of Reading" for Town share of the state fee. Use the link to state forms on the Conservation home page, or download the form from the State website, www.mass.gov/dep.

3. One copy of Reading Bylaw Fee Calculation Form and check payable to "Town of Reading" for calculated amount. (One check may be written to the Town to cover both State and Town fees). Use the link to this form on the Conservation home page.

4. A check payable to the Daily Times Chronicle in the amount of $75.00 for publication of the legal notice of the public hearing.

5. One copy of the Affidavit of Service, one copy of the Notification to Abutters sent to all abutters when the Notice of Intent is filed, and one copy of the certified list of abutters notified. Use the link to the Affidavit and Notification forms on the Conservation home page. Mail notices by certified mail, certificate of mailing or deliver by hand and ask recipient to sign a receipt as proof that they were notified. If the certified list of abutters includes duplicates, one mailing is sufficient. If the list includes the Planning Boards of abutting towns, do not send notifications to those addresses. The notification must be mailed on the same day that the Notice of Intent is submitted to the Conservation Commission.

6. A set of standard sized business envelopes (4.5" by 9.5") addressed to: the certified list of abutters (excluding the duplicates and Planning Boards), the applicant, and the applicant's representatives. Envelopes should bear standard first-class postage stamps. Please leave the return address blank. The Commission will send abutters the notice of the public hearing using these envelopes.

7. On the same day that the Notice of Intent is submitted to the Commission, mail one copy of the Notice of Intent form, site plans, USGS locus map, all attached descriptions and data, the Notice of Intent Fee Transmittal Form, a photocopy of the check to Comm. of MA for the state share of the state filing fee, the Notification to Abutters, the Affidavit of Service, and the certified list of abutters to the DEP

Northeast Regional Office, attn: Wetlands Program, 205B Lowell Street, Wilmington, MA 01887.

8. On the same day that the Notice of Intent is submitted to the Commission, mail one copy of the completed Notice of Intent Fee Transmittal Form and check payable to "Commonwealth of Massachusetts" for the State share of the state fee to the DEP Box in Boston shown on the fee form.

C. *Prior to the Public Hearing*

1. The Conservation Commission will submit the legal notice of the public hearing to the Daily Times Chronicle for publication, along with the applicant's check for the cost of the advertisement. The Commission will mail copies of the same notice to the abutters, etc. using the envelopes submitted by the applicant.

2. The Conservation Administrator and the Conservation Commission may inspect the site. The Administrator usually inspects during normal business hours Monday through Thursday. The Commission usually inspects on the Sunday morning (or Monday evening in summer) prior to the hearing. The boundaries of all resource areas should be marked on site with labeled flags. The corners of proposed structures and other important features (drainage systems, paved areas, limits of work, etc.) should be marked with stakes or flags, preferably using different colors and labels for different features.

D. *Public Hearing*

1. A public hearing will normally be scheduled within 21 days of receipt of a complete submittal. (If not possible, the Commission may ask the applicant to sign a waiver of the 21-day requirement. It is rare that the Commission can not open the hearing within 21 days.) Commission meetings are generally held every other Wednesday evening.

2. At the hearing, the applicant and his or her representatives will be given the opportunity to present and discuss the proposed work. The Commission, the Administrator, and the general public may comment upon the proposal and ask questions.

3. If additional information is needed for the Commission to understand the proposed work, the Commission and applicant may continue the public hearing to a future date, giving the applicant adequate time to provide the information. When the information is complete, the hearing will be closed and the Commission will draft a decision.

C. *Order of Conditions*

An Order of Conditions will be issued by the Commission after the public hearing is closed. The Commission will vote on the wording of the Order during a public meeting

and will issue the Order of Conditions within 21 days of the close of the hearing. The Order may be appealed as provided by law.

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 Reading General Bylaw Section 7.1

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

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

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

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

Latitude and Longitude: | 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:

1. ☐ Single Family Home
2. ☐ Residential Subdivision
3. ☐ Limited Project Driveway Crossing
4. ☐ Commercial/Industrial
5. ☐ Dock/Pier
6. ☐ Utilities
7. ☐ Coastal Engineering Structure
8. ☐ Agriculture (e.g., cranberries, forestry)
9. ☐ Transportation
10. ☐ Other

7b. Is any portion of the proposed activity eligible to be treated as a 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:

2. Limited Project

8. Property recorded at the Registry of Deeds for:

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

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. ☐ Bank	1. linear feet	2. linear feet
b. ☐ Bordering Vegetated Wetland	1. square feet	2. square feet
c. ☐ Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. ☐ Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. ☐ Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced
f. ☐ Riverfront Area	1. Name of Waterway (if available)	

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)

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.

Online Users: Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. ☐ Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. ☐ Land Under the Ocean	1. square feet	
	2. cubic yards dredged	
c. ☐ Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. ☐ Coastal Beaches	1. square feet	2. cubic yards beach nourishment
e. ☐ Coastal Dunes	1. square feet	2. cubic yards dune nourishment

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

		Size of Proposed Alteration	Proposed Replacement (if any)
f. ☐	Coastal Banks	1. linear feet	
g. ☐	Rocky Intertidal Shores	1. square feet	
h. ☐	Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. ☐	Land Under Salt Ponds	1. square feet 2. cubic yards dredged	
j. ☐	Land Containing Shellfish	1. square feet	
k. ☐	Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above 1. cubic yards dredged	
l. ☐	Land Subject to Coastal Storm Flowage	1. square feet	

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

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
100 Hartwell Street, Suite 230
West Boylston, MA 01583

b. Date of map

C. Other Applicable Standards and Requirements (cont'd)

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.1.d, 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).*

1. 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

   3. ☐ 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

      (c) ☐ MESA filing fee (fee information available at http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html). 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

   d. 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, http://www.mass.gov/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14; 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

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* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/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)

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

2. 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 or hand delivery of NOI to either:

South Shore - Cohasset to Rhode Island, and the Cape & Islands:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694

North Shore - Hull to New Hampshire:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930

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.

3. 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

Online Users: Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. 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

5. 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

6. 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

C. Other Applicable Standards and Requirements (cont'd)

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

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.
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
9. ☐ Attach Stormwater Report, if needed.

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.

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 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.

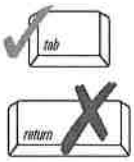
The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

NOI 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. 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

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).

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)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee

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 filling 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.)

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: http://www.mass.gov/eea/agencies/massdep/water/regulations/310-cmr-10-00-wetlands-protection-act-regulations.html. 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 http://www.mass.gov/eea/agencies/massdep/about/contacts/ 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.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Wetlands & Waterways

BRP WPA Form 3 - Notice of Intent Instructions and Supporting Materials

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 Item1f, 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: http://www.mass.gov/eea/docs/dep/water/laws/i-thru-z/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 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
100 Hartwell Street, Suite 230
West Boylston, MA 01583
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/catadromous "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, 1213 Purchase Street – 3rd Floor, New Bedford, MA 02740-6694 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: http://www.mass.gov/eea/docs/dep/water/approvals/year-thru-alpha/06-thru-d/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 http://www.mass.gov/eea/agencies/massdep/about/contacts/).

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: http://www.mass.gov/eea/agencies/massdep/water/regulations/massachusetts-stormwater-handbook.html.

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 http://www.mass.gov/eea/agencies/massdep/water/approvals/underground-injection-control-forms.html.

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 6 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.

BRP WPA Form 3 - Notice of Intent Instructions and Supporting Materials

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.) electric generating facility activities;
- 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).

BRP WPA Form 3 - Notice of Intent
Instructions and Supporting Materials

Instructions to Section F: Signatures and Submittal Requirements

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 http://www.mass.gov/eea/agencies/massdep/about/contacts/) 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

TOWNS WITH ACECs WITHIN THEIR BOUNDARIES

Town	ACEC NAME
Ashby	Squannassit
Ayer	Petapawag and Squannassit
Barnstable	Sandy Neck/Barnstable Harbor
Bolton	Central Nashua River Valley
Boston	Rumney Marshes
	Fowl Meadow and Ponkapoag Bog
	Neponset River Estuary
Bourne	Pocasset River
	Herring River Watershed
	Bourne Back River
Braintree	Cranberry Brook Watershed
Brewster	Pleasant Bay, Inner Cape Cod Bay
Bridgewater	Hockomock Swamp
Canton	Fowl Meadow and Ponkapoag Bog
Chatham	Pleasant Bay
Cohasset	Weir River
Dalton	Hinsdale Flats Watershed
Dedham	Fowl Meadow and Ponkapoag Bog
Dunstable	Petapawag
Eastham	Inner Cape Cod Bay
	Wellfleet Harbor
Easton	Canoe River Aquifer
	Hockomock Swamp
Egremont	Karner Brook Watershed
Essex	Parker River/Essex Bay
Falmouth	Waquoit Bay
Foxborough	Canoe River Aquifer
Gloucester	Parker River/Essex Bay
Groton	Petapawag and Squannassit
Grafton	Miscoe-Warren-Whitehall Watersheds
Harvard	Central Nashua River Valley
	Squannassit
Harwich	Pleasant Bay
Hingham	Weir River, Weymouth Back River
Hinsdale	Hinsdale Flats Watershed
Holbrook	Cranberry Brook Watershed
Hopkinton	Westborough Cedar Swamp
	Miscoe-Warren-Whitehall Watersheds
Hull	Weir River
Ipswich	Parker River/Essex Bay
Lancaster	Central Nashua River Valley
	Squannassit
Lee	Kampoosa Bog Drainage Basin
Leominster	Central Nashua River Valley
Lunenburg	Squannassit
Lynn	Rumney Marshes
Mansfield	Canoe River Aquifer
Mashpee	Waquoit Bay
Melrose	Golden Hills
Milton	Fowl Meadow and Ponkapoag Bog
	Neponset River Estuary
Mt Washington	Karner Brook Watershed,
	Schenob Brook
Newbury	Parker River/Essex Bay
Norton	Hockomock Swamp
	Canoe River Aquifer
Norwood	Fowl Meadow and Ponkapoag Bog
Orleans	Inner Cape Cod Bay, Pleasant Bay
Pepperell	Petapawag and Squannassit
Peru	Hinsdale Flats Watershed
Plymouth	Herring River Watershed,
	Ellisville Harbor
Quincy	Neponset River Estuary
Randolph	Fowl Meadow and Ponkapoag Bog
Raynham	Hockomock Swamp
Revere	Rumney Marshes
Rowley	Parker River/Essex Bay
Sandwich	Sandy Neck/Barnstable Harbor
Saugus	Rumney Marshes, Golden Hills
Sharon	Canoe River Aquifer
	Fowl Meadow and Ponkapoag Bog
Sheffield	Schenob Brook
Shirley	Squannassit
Stockbridge	Kampoosa Bog Drainage Basin
Taunton	Hockomock Swamp, Canoe River Aquifer
Townsend	Squannassit
Truro	Wellfleet Harbor
Tyngsborough	Petapawag
Upton	Miscoe-Warren-Whitehall Watersheds
Wakefield	Golden Hills
Washington	Hinsdale Flats Watershed
Wellfleet	Wellfleet Harbor
W Bridgewater	Hockomock Swamp
Westborough	Westborough Cedar Swamp
Westwood	Fowl Meadow and Ponkapoag Bog
Weymouth	Weymouth Back River
Winthrop	Rumney Marshes

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

NOI 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. 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

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).

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)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee

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 filling 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

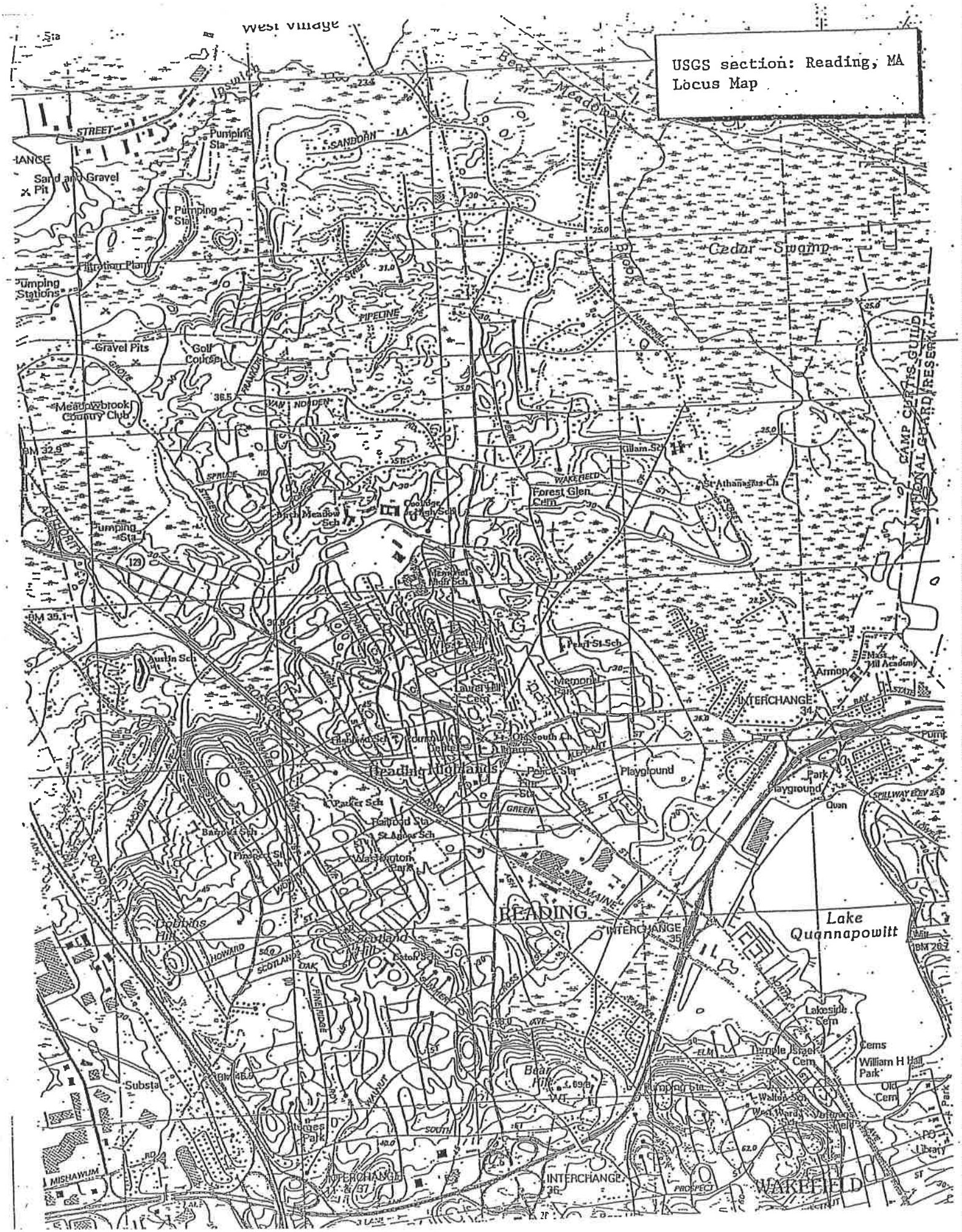
b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

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.)

Reading Wetlands Protection Bylaw Fee Calculation Form

Type of Activity	NOI Filing Fee	Calculated Fee
A. Each addition to or accessory use activity associated with an existing single-family or multi-family residential dwelling , including but not limited to driveways, sheds, swimming pools, athletic courts, additions to existing houses, grading, and landscaping	$110, plus all applicable fees listed in lines F through K	
B. Each new single-family dwelling, including associated driveway, utilities, grading, landscaping, and drainage structures	$500, plus all applicable fees listed in lines F through K	
C. Each new multi-family dwelling	$500, plus $110 per unit located in any Resource Area or Buffer Zone, plus all applicable fees listed in lines F through K	
D. Each subdivision roadway, or other roadway, or driveway (other than for a single-family dwelling), and all associated drainage structures, utilities, grading, curbing, landscaping, and other associated work exclusive of dwellings	$550.00, plus all applicable fees listed in lines F through K	
E. Each commercial, industrial, institutional or other non-residential project	$700, plus all applicable fees listed in lines F through K	
F. Boundary delineation for any Resource Area	$1.11 per linear foot of Resource Area boundary, up to a maximum of $111 for a single-family lot and $1110 for any other lot.	
G. Temporary and/or permanent alteration of land within the Buffer Zone	$1.25 per square foot of Buffer Zone altered for any temporary or permanent alteration within 25 feet of a Resource Area or any permanent structure within 35 feet of a Resource Area; and $0.03 per square foot of Buffer Zone temporarily or permanently altered for any other work .	
H. Work in Floodplain	$0.60 per square foot of Floodplain temporarily or permanently altered outside of any other Resource Area and Buffer Zone	
I. Work in Vernal Pool or its Buffer Zone	$11.10 per square foot of Vernal Pool temporarily or permanently altered and $1.11 per square foot of Buffer Zone of Vernal Pool temporarily or permanently altered	
J. Work in Freshwater Wetland, Wet Meadow, Bog, Swamp, Marsh, Creek, River, Streem, Pond, Lake, Land Under Waterbody	$11.00 per square foot of Resource Area temporarily or permanently altered	
K. Work in Bank	$11.00 per linear foot of Bank temporarily or permanently altered	
	TOTAL FEE CALCULATED:	$

USGS section: Reading, MA
Locus Map



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands Program

Checklist for Stormwater Report

A. Introduction

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

A Stormwater Report must be submitted with the Notice of Intent permit application to document compliance with the Stormwater Management Standards. The following checklist is NOT a substitute for the Stormwater Report (which should provide more substantive and detailed information) but is offered here as a tool to help the applicant organize their Stormwater Management documentation for their Report and for the reviewer to assess this information in a consistent format. As noted in the Checklist, the Stormwater Report must contain the engineering computations and supporting information set forth in Volume 3 of the Massachusetts Stormwater Handbook. The Stormwater Report must be prepared and certified by a Registered Professional Engineer (RPE) licensed in the Commonwealth.

The Stormwater Report must include:

- The Stormwater Checklist completed and stamped by a Registered Professional Engineer (see page 2) that certifies that the Stormwater Report contains all required submittals.[1] This Checklist is to be used as the cover for the completed Stormwater Report.
- Applicant/Project Name
- Project Address
- Name of Firm and Registered Professional Engineer that prepared the Report
- Long-Term Pollution Prevention Plan required by Standards 4-6
- Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan required by Standard 8[2]
- Operation and Maintenance Plan required by Standard 9

In addition to all plans and supporting information, the Stormwater Report must include a brief narrative describing stormwater management practices, including environmentally sensitive site design and LID techniques, along with a diagram depicting runoff through the proposed BMP treatment train. Plans are required to show existing and proposed conditions, identify all wetland resource areas, NRCS soil types, critical areas, Land Uses with Higher Potential Pollutant Loads (LUHPPL), and any areas on the site where infiltration rate is greater than 2.4 inches per hour. The Plans shall identify the drainage areas for both existing and proposed conditions at a scale that enables verification of supporting calculations.

As noted in the Checklist, the Stormwater Management Report shall document compliance with each of the Stormwater Management Standards as provided in the Massachusetts Stormwater Handbook. The soils evaluation and calculations shall be done using the methodologies set forth in Volume 3 of the Massachusetts Stormwater Handbook.

To ensure that the Stormwater Report is complete, applicants are required to fill in the Stormwater Report Checklist by checking the box to indicate that the specified information has been included in the Stormwater Report. If any of the information specified in the checklist has not been submitted, the applicant must provide an explanation. The completed Stormwater Report Checklist and Certification must be submitted with the Stormwater Report.

[1] The Stormwater Report may also include the Illicit Discharge Compliance Statement required by Standard 10. If not included in the Stormwater Report, the Illicit Discharge Compliance Statement must be submitted prior to the discharge of stormwater runoff to the post-construction best management practices.

[2] For some complex projects, it may not be possible to include the Construction Period Erosion and Sedimentation Control Plan in the Stormwater Report. In that event, the issuing authority has the discretion to issue an Order of Conditions that approves the project and includes a condition requiring the proponent to submit the Construction Period Erosion and Sedimentation Control Plan before commencing any land disturbance activity on the site.

Checklist for Stormwater Report

B. Stormwater Checklist and Certification

The following checklist is intended to serve as a guide for applicants as to the elements that ordinarily need to be addressed in a complete Stormwater Report. The checklist is also intended to provide conservation commissions and other reviewing authorities with a summary of the components necessary for a comprehensive Stormwater Report that addresses the ten Stormwater Standards.

Note: Because stormwater requirements vary from project to project, it is possible that a complete Stormwater Report may not include information on some of the subjects specified in the Checklist. If it is determined that a specific item does not apply to the project under review, please note that the item is not applicable (N.A.) and provide the reasons for that determination.

A complete checklist must include the Certification set forth below signed by the Registered Professional Engineer who prepared the Stormwater Report.

Registered Professional Engineer's Certification

I have reviewed the Stormwater Report, including the soil evaluation, computations, Long-term Pollution Prevention Plan, the Construction Period Erosion and Sedimentation Control Plan (if included), the Long-term Post-Construction Operation and Maintenance Plan, the Illicit Discharge Compliance Statement (if included) and the plans showing the stormwater management system, and have determined that they have been prepared in accordance with the requirements of the Stormwater Management Standards as further elaborated by the Massachusetts Stormwater Handbook. I have also determined that the information presented in the Stormwater Checklist is accurate and that the information presented in the Stormwater Report accurately reflects conditions at the site as of the date of this permit application.

Registered Professional Engineer Block and Signature

Signature and Date

Checklist

Project Type: Is the application for new development, redevelopment, or a mix of new and redevelopment?

☐ New development

☐ Redevelopment

☐ Mix of New Development and Redevelopment

Checklist for Stormwater Report

Checklist (continued)

LID Measures: Stormwater Standards require LID measures to be considered. Document what environmentally sensitive design and LID Techniques were considered during the planning and design of the project:

- ☐ No disturbance to any Wetland Resource Areas
- ☐ Site Design Practices (e.g. clustered development, reduced frontage setbacks)
- ☐ Reduced Impervious Area (Redevelopment Only)
- ☐ Minimizing disturbance to existing trees and shrubs
- ☐ LID Site Design Credit Requested:
  - ☐ Credit 1
  - ☐ Credit 2
  - ☐ Credit 3
- ☐ Use of "country drainage" versus curb and gutter conveyance and pipe
- ☐ Bioretention Cells (includes Rain Gardens)
- ☐ Constructed Stormwater Wetlands (includes Gravel Wetlands designs)
- ☐ Treebox Filter
- ☐ Water Quality Swale
- ☐ Grass Channel
- ☐ Green Roof
- ☐ Other (describe): _____

Standard 1: No New Untreated Discharges

- ☐ No new untreated discharges
- ☐ Outlets have been designed so there is no erosion or scour to wetlands and waters of the Commonwealth
- ☐ Supporting calculations specified in Volume 3 of the Massachusetts Stormwater Handbook included.

Checklist for Stormwater Report

Checklist (continued)

Standard 2: Peak Rate Attenuation

- ☐ Standard 2 waiver requested because the project is located in land subject to coastal storm flowage and stormwater discharge is to a wetland subject to coastal flooding.
- ☐ Evaluation provided to determine whether off-site flooding increases during the 100-year 24-hour storm.
- ☐ Calculations provided to show that post-development peak discharge rates do not exceed pre-development rates for the 2-year and 10-year 24-hour storms. If evaluation shows that off-site flooding increases during the 100-year 24-hour storm, calculations are also provided to show that post-development peak discharge rates do not exceed pre-development rates for the 100-year 24-hour storm.

Standard 3: Recharge

- ☐ Soil Analysis provided.
- ☐ Required Recharge Volume calculation provided.
- ☐ Required Recharge volume reduced through use of the LID site Design Credits.
- ☐ Sizing the infiltration, BMPs is based on the following method: Check the method used.

  ☐ Static ☐ Simple Dynamic ☐ Dynamic Field[1]

- ☐ Runoff from all impervious areas at the site discharging to the infiltration BMP.
- ☐ Runoff from all impervious areas at the site is *not* discharging to the infiltration BMP and calculations are provided showing that the drainage area contributing runoff to the infiltration BMPs is sufficient to generate the required recharge volume.
- ☐ Recharge BMPs have been sized to infiltrate the Required Recharge Volume.
- ☐ Recharge BMPs have been sized to infiltrate the Required Recharge Volume *only* to the maximum extent practicable for the following reason:
  - ☐ Site is comprised solely of C and D soils and/or bedrock at the land surface
  - ☐ M.G.L. c. 21E sites pursuant to 310 CMR 40.0000
  - ☐ Solid Waste Landfill pursuant to 310 CMR 19.000
  - ☐ Project is otherwise subject to Stormwater Management Standards only to the maximum extent practicable.
- ☐ Calculations showing that the infiltration BMPs will drain in 72 hours are provided.
- ☐ Property includes a M.G.L. c. 21E site or a solid waste landfill and a mounding analysis is included.

[1] 80% TSS removal is required prior to discharge to infiltration BMP if Dynamic Field method is used.

Checklist for Stormwater Report

Checklist (continued)

Standard 3: Recharge (continued)

☐ The infiltration BMP is used to attenuate peak flows during storms greater than or equal to the 10-year 24-hour storm and separation to seasonal high groundwater is less than 4 feet and a mounding analysis is provided.

☐ Documentation is provided showing that infiltration BMPs do not adversely impact nearby wetland resource areas.

Standard 4: Water Quality

The Long-Term Pollution Prevention Plan typically includes the following:

- Good housekeeping practices;
- Provisions for storing materials and waste products inside or under cover;
- Vehicle washing controls;
- Requirements for routine inspections and maintenance of stormwater BMPs;
- Spill prevention and response plans;
- Provisions for maintenance of lawns, gardens, and other landscaped areas;
- Requirements for storage and use of fertilizers, herbicides, and pesticides;
- Pet waste management provisions;
- Provisions for operation and management of septic systems;
- Provisions for solid waste management;
- Snow disposal and plowing plans relative to Wetland Resource Areas;
- Winter Road Salt and/or Sand Use and Storage restrictions;
- Street sweeping schedules;
- Provisions for prevention of illicit discharges to the stormwater management system;
- Documentation that Stormwater BMPs are designed to provide for shutdown and containment in the event of a spill or discharges to or near critical areas or from LUHPPL;
- Training for staff or personnel involved with implementing Long-Term Pollution Prevention Plan;
- List of Emergency contacts for implementing Long-Term Pollution Prevention Plan.

☐ A Long-Term Pollution Prevention Plan is attached to Stormwater Report and is included as an attachment to the Wetlands Notice of Intent.

☐ Treatment BMPs subject to the 44% TSS removal pretreatment requirement and the one inch rule for calculating the water quality volume are included, and discharge:

- ☐ is within the Zone II or Interim Wellhead Protection Area
- ☐ is near or to other critical areas
- ☐ is within soils with a rapid infiltration rate (greater than 2.4 inches per hour)
- ☐ involves runoff from land uses with higher potential pollutant loads.

☐ The Required Water Quality Volume is reduced through use of the LID site Design Credits.

☐ Calculations documenting that the treatment train meets the 80% TSS removal requirement and, if applicable, the 44% TSS removal pretreatment requirement, are provided.

Checklist for Stormwater Report

Checklist (continued)

Standard 4: Water Quality (continued)

☐ The BMP is sized (and calculations provided) based on:

- ☐ The ½" or 1" Water Quality Volume or
- ☐ The equivalent flow rate associated with the Water Quality Volume and documentation is provided showing that the BMP treats the required water quality volume.

☐ The applicant proposes to use proprietary BMPs, and documentation supporting use of proprietary BMP and proposed TSS removal rate is provided. This documentation may be in the form of the propriety BMP checklist found in Volume 2, Chapter 4 of the Massachusetts Stormwater Handbook and submitting copies of the TARP Report, STEP Report, and/or other third party studies verifying performance of the proprietary BMPs.

☐ A TMDL exists that indicates a need to reduce pollutants other than TSS and documentation showing that the BMPs selected are consistent with the TMDL is provided.

Standard 5: Land Uses With Higher Potential Pollutant Loads (LUHPPLs)

☐ The NPDES Multi-Sector General Permit covers the land use and the Stormwater Pollution Prevention Plan (SWPPP) has been included with the Stormwater Report.

☐ The NPDES Multi-Sector General Permit covers the land use and the SWPPP will be submitted ***prior to*** the discharge of stormwater to the post-construction stormwater BMPs.

☐ The NPDES Multi-Sector General Permit does ***not*** cover the land use.

☐ LUHPPLs are located at the site and industry specific source control and pollution prevention measures have been proposed to reduce or eliminate the exposure of LUHPPLs to rain, snow, snow melt and runoff, and been included in the long term Pollution Prevention Plan.

☐ All exposure has been eliminated.

☐ All exposure has ***not*** been eliminated and all BMPs selected are on MassDEP LUHPPL list.

☐ The LUHPPL has the potential to generate runoff with moderate to higher concentrations of oil and grease (e.g. all parking lots with >1000 vehicle trips per day) and the treatment train includes an oil grit separator, a filtering bioretention area, a sand filter or equivalent.

Standard 6: Critical Areas

☐ The discharge is near or to a critical area and the treatment train includes only BMPs that MassDEP has approved for stormwater discharges to or near that particular class of critical area.

☐ Critical areas and BMPs are identified in the Stormwater Report.

Checklist for Stormwater Report

Checklist (continued)

Standard 7: Redevelopments and Other Projects Subject to the Standards only to the maximum extent practicable

☐ The project is subject to the Stormwater Management Standards only to the maximum Extent Practicable as a:

- ☐ Limited Project
- ☐ Small Residential Projects: 5-9 single family houses or 5-9 units in a multi-family development provided there is no discharge that may potentially affect a critical area.
- ☐ Small Residential Projects: 2-4 single family houses or 2-4 units in a multi-family development with a discharge to a critical area
- ☐ Marina and/or boatyard provided the hull painting, service and maintenance areas are protected from exposure to rain, snow, snow melt and runoff
- ☐ Bike Path and/or Foot Path
- ☐ Redevelopment Project
- ☐ Redevelopment portion of mix of new and redevelopment.

☐ Certain standards are not fully met (Standard No. 1, 8, 9, and 10 must always be fully met) and an explanation of why these standards are not met is contained in the Stormwater Report.

☐ The project involves redevelopment and a description of all measures that have been taken to improve existing conditions is provided in the Stormwater Report. The redevelopment checklist found in Volume 2 Chapter 3 of the Massachusetts Stormwater Handbook may be used to document that the proposed stormwater management system (a) complies with Standards 2, 3 and the pretreatment and structural BMP requirements of Standards 4-6 to the maximum extent practicable and (b) improves existing conditions.

Standard 8: Construction Period Pollution Prevention and Erosion and Sedimentation Control

A Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan must include the following information:

- Narrative;
- Construction Period Operation and Maintenance Plan;
- Names of Persons or Entity Responsible for Plan Compliance;
- Construction Period Pollution Prevention Measures;
- Erosion and Sedimentation Control Plan Drawings;
- Detail drawings and specifications for erosion control BMPs, including sizing calculations;
- Vegetation Planning;
- Site Development Plan;
- Construction Sequencing Plan;
- Sequencing of Erosion and Sedimentation Controls;
- Operation and Maintenance of Erosion and Sedimentation Controls;
- Inspection Schedule;
- Maintenance Schedule;
- Inspection and Maintenance Log Form.

☐ A Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan containing the information set forth above has been included in the Stormwater Report.

Checklist for Stormwater Report

Checklist (continued)

Standard 8: Construction Period Pollution Prevention and Erosion and Sedimentation Control (continued)

- ☐ The project is highly complex and information is included in the Stormwater Report that explains why it is not possible to submit the Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan with the application. A Construction Period Pollution Prevention and Erosion and Sedimentation Control has ***not*** been included in the Stormwater Report but will be submitted ***before*** land disturbance begins.

- ☐ The project is ***not*** covered by a NPDES Construction General Permit.
- ☐ The project is covered by a NPDES Construction General Permit and a copy of the SWPPP is in the Stormwater Report.
- ☐ The project is covered by a NPDES Construction General Permit but no SWPPP been submitted. The SWPPP will be submitted BEFORE land disturbance begins.

Standard 9: Operation and Maintenance Plan

- ☐ The Post Construction Operation and Maintenance Plan is included in the Stormwater Report and includes the following information:
  - ☐ Name of the stormwater management system owners;
  - ☐ Party responsible for operation and maintenance;
  - ☐ Schedule for implementation of routine and non-routine maintenance tasks;
  - ☐ Plan showing the location of all stormwater BMPs maintenance access areas;
  - ☐ Description and delineation of public safety features;
  - ☐ Estimated operation and maintenance budget; and
  - ☐ Operation and Maintenance Log Form.
- ☐ The responsible party is ***not*** the owner of the parcel where the BMP is located and the Stormwater Report includes the following submissions:
  - ☐ A copy of the legal instrument (deed, homeowner's association, utility trust or other legal entity) that establishes the terms of and legal responsibility for the operation and maintenance of the project site stormwater BMPs;
  - ☐ A plan and easement deed that allows site access for the legal entity to operate and maintain BMP functions.

Standard 10: Prohibition of Illicit Discharges

- ☐ The Long-Term Pollution Prevention Plan includes measures to prevent illicit discharges;
- ☐ An Illicit Discharge Compliance Statement is attached;
- ☐ NO Illicit Discharge Compliance Statement is attached but will be submitted ***prior to*** the discharge of any stormwater to post-construction BMPs.

Notification to Abutters Under the Massachusetts Wetlands Protection Act And the Reading Wetlands Bylaw

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

A. The name of the applicant is

_____

B. The applicant has filed a Notice of Intent with the Reading Conservation Commission of the Town of Reading 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. The activity consist of

_____

_____

_____

E. Copies of the filing may be examined at the Conservation Commission office, Town Hall, between the hours of 7 am and 5:30 pm, M-Thursday, Friday's Closed.

For more information, Call: (781) 942 -6616

F. Copies of the Notice of Intent may be obtained from _____by Calling _____during the hours_____

G. Information regarding the date, time, and place of the public hearing may be obtained from the Conservation Commission Office by calling **781-941-6616** during the hours listed above

NOTE: Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in the Reading Daily Times Chronicle.

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

NOTE: You also may contact the Reading Conservation Commission, (781) 942-9016, or the Department of Environmental Protection,(DEP) Regional Office for more information about this application or the Wetlands Protection Act.To contact DEP call the Northeast Regional Office at (978)694-3200

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act, M.G.L., c.131, s.40 and Reading General Bylaws, Section 7.1

(To be submitted to the Conservation Commission when filing a Notice of Intent or Abbreviated Notice of Resource Area Delineation or Request for Determination of Applicability)

I, _____(Name), hereby certify under the pains and penalties of perjury that on _____(Date), I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws, c.131, s.40, and the **DEP Guide to Abutter Notification** dated April 8, 1994, and Reading General Bylaws, Section 7.1 in connection with the following matter:

(Check the applicable form.)
_____ Notice of Intent
_____ Abbreviated Notice of Resource Area Delineation
_____ Request for Determination of Applicability
filed under M.G.L., c.131, s.40 and R.G.B., s.7.1 by
_____(Applicant) with the Town of Reading
Conservation Commission on _____(Date) for
property located at _____ (Location).

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

_____ _____

Name Date

TOWN OF READING

REQUEST FOR CERTIFIED ABUTTERS LIST

SUBJECT PROPERTY:

ADDRESS:_____

Assessors' Map Number:_____ Lot Number:_____

APPLICANT/AGENT:

Name:_____

Address:_____

Telephone:_____ Email:_____

Board or Commission for which this request is made (check all that are applicable):

Zoning Board of Appeals:

- ❒ Variance
- ❒ Special Permit
- ❒ Appeal

Community Planning and Development Commission:

- ❒ Site Plan Review
- ❒ Special Permit
- ❒ Subdivision

Conservation Commission:

- ❒ Request for Determination
- ❒ Abbreviated Notice of Resource Area Delineation
- ❒ Notice of Intent

- ❒ **West Street Historic District Commission**
- ❒ **Board of Health**
- ❒ **Other:**_____

Applicant/Agent Signature:_____ Date:_____

The Assessors' office may require up to three weeks in order to process and approve this request.

Authorized Signature:_____ **Date:**_____

Department of Community Services