

## **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](http://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](http://www.readingma.gov). It is only necessary to file one submittal under both State and Town law.

#### **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 the Conservation Administrator or Public Service Department Staff, who will submit the request to the Assessor's Office. It may take up to 21 days for the Assessor to return the Certified List of Abutters.

#### **Notice of Intent submittal:**

1. Submit to the Reading Conservation Commission 2 Complete NOI Applications, the full-size Original plans, one addition full-size copy, the entire application and plans set must be scanned and e-mailed to [ctirone@ci.reading.ma.us](mailto:ctirone@ci.reading.ma.us) or an electronic copy submitted. With the application include 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](http://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](http://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. The consultant and/or applicant will be sent contact information to directly pay the Daily Times Chronicle in the amount of \$200.00 for publication of the legal notice of the public hearing. Please note that the price for the legal notice is subject to change.
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. The Conservation office will print out the legal notice. It’s the applicant and their representative’s responsibility to mail the legal notice to every name on the certified list of abutters (excluding the duplicates and Planning Boards) and should return a copy of the all certified receipts digitally.
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.

### **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 applicant will mail copies of the same notice to the abutters.
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.

## 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 cannot 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 hand in the Return Receipt (Green Card) or the Certificate of Mailing from the legal notice mailing verifying abutter notification.
3. 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.
4. 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.

## 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.

## Note

The Commission adopted a Tree Policy on 9/28/2016. This can be found on the Conservation Commission Home Page. Please read policy carefully as you are required to replace all trees removed in the Buffer Zone, one to one.