



# CHELMSFORD CONSERVATION COMMISSION

## Notice of Intent Application Instructions

Notices of Intent (NOI) are permit applications for work proposed in a Wetland Resource Area or within 100 feet of a Wetland Resource Area. Please consult the Chelmsford Wetlands Bylaw and Bylaw Regulations prior to filing with the Conservation Commission. You may wish to file an Abbreviated Notice of Resource Area Delineation to confirm wetland resource areas prior to filing a NOI.

### Step 1

Download and **complete WPA Form 3** from the Massachusetts Department of Environmental Protection (DEP) website: <http://www.mass.gov/dep/water/approvals/wpaform3.pdf>. Printed copies may be obtained from the Conservation Office at the Town Offices. It is recommended that you obtain a wetland scientist, consultant, engineer, and/or land surveyor to assist you with preparing the permit application. **Applications must include a plan certified by a registered professional engineer or land surveyor.**

Use the included checklist to ensure that the plan(s) include at least the minimum required information.

### Step 2

Plan your submission date based on the hearing schedule. The Conservation Commission generally meets every 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of the month. **Applications are due by 2:00 pm on Thursday**, 20 days in advance of the Commission's meeting (See the Legal Notice & Hearing Timeline form).

Example: If the Commission meets on Tuesday, September 18, 2012, the submission deadline is Thursday, August 30, 2012.

### Step 3

Obtain a certified list of abutters within **300 feet** of the subject property from the Chelmsford Assessor's Office. Concurrent with the filing of the NOI, you need to notify abutters in accordance with the provisions of 310 CMR 10.05(4)(a) and the Bylaw. The applicant must present either the certified mail receipts or certificate of mailing receipts for all abutters at the beginning of the public hearing.

### Step 4

Submit the following materials to the Conservation Commission:

- Two (2) copies of the NOI application:
  - Signed WPA Form 3
  - NOI Wetland Fee Transmittal Form
  - USGS map of the area
  - Detailed project description
    - Existing Conditions
    - Proposed Conditions
    - Wetland Delineation Information
    - Stormwater Information
    - Construction Sequencing
  - Evidence that:
    - The area is not significant to the interests of the Act; or
    - The work will contribute to the protection of the interests of the Act
- Nine (9) Copies of the plan [if larger than 11" x 17" submit two (2) full-size copies and seven (7) 11" x 17" copies]
- Electronic submission of application materials (email to: [aleflore@townofchelmsford.us](mailto:aleflore@townofchelmsford.us) or provide on Compact Disc):
  - One copy of the application and the plan in digital format: PDF file
  - One copy of the plan in digital format: capable of conversion to a DXF file and referenced to the Massachusetts State Plane NAD83 format
- One copy of the coordinates for all wetland resource flags, labeled and referenced to the Massachusetts State Plane NAD83 format

**Please**  
No staples - No GBC bindings  
No plastic covers  
Use binder clips or three-hole  
punch  
**Folded unbound plans**

# NOI Application Instructions

## Step 4 (Continued)

- Copy of an Assessor's List of Abutters
- Copy of the Notice to Abutters
- Affidavit of mailing to all abutters within 300 feet of the subject property
- Signed and completed Legal Notice & Hearing Timeline form
- Local Filing Fee Calculation Form
- Application fee payable to the Town of Chelmsford
- Photocopy of the checks or money orders submitted to the Town and the State

Submit the following materials to the DEP Northeast Regional Office:

- One (1) copy of the NOI application:
  - Signed WPA Form 3
  - NOI Wetland Fee Transmittal Form
  - USGS map of the area
  - Detailed project description
- One (1) copy of the plan
- Photocopy of the checks or money orders submitted to the Town and the State

DEP Northeast Regional Office  
205B Lowell Street  
Wilmington, Massachusetts 01887

Note that a copy of the NOI Wetland Fee Transmittal Form and check payable to the Commonwealth of Massachusetts for the state share of the filing fee must be submitted to: DEP, Box 4062, Boston, MA 02211

## Step 5

By submitting a **complete** NOI application (see items listed in Step 4), you will be scheduled to attend the next available public hearing. Incomplete NOI applications will not be received by the Conservation Office. **The applicant or the representative must be present at the scheduled public hearing.**

## Step 6

The Conservation Commission, their agent, or a third party reviewer will perform a site visit to confirm the existing conditions and resource area delineation. The applicant will be notified about the date and time of the site visit and is encouraged to attend.

## Step 7

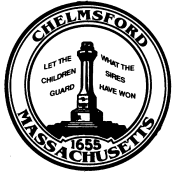
The applicant or the representative is responsible for paying the Legal Notice advertising fee (Approximately \$40 to the Chelmsford Independent) and will be billed directly by the newspaper.

## Plan Checklist

The following should be included on the submitted plan:

- Title & date
- Applicant's name & address
- Owner's name & address
- Assessor's map, block, lot number, street number and subdivision lot number, where applicable, of the subject property
- Owner's name, assessor's map, block, lot number, and street number of adjacent properties
- Existing & Proposed Conditions
  - Buildings & structures
  - Pavement
  - Edge of lawn / landscaping
  - Stormwater structures
  - Snow storage
  - 2-foot contours or smaller
- Limit of work
- Erosion control devices
- Construction stockpiling and staging areas
- Details for proposed stormwater structures, erosion control and stabilization
- Wetlands on and within 200 feet of the property
- The location of consecutively numbered flags delineating Wetland Resource Areas
- Name of the individual who performed the delineation & date of the delineation
- 100-foot Buffer Zone, 50-foot No Build, 30-foot No Impervious, and 25-foot No Disturbance
- Certification by a professional engineer or land surveyor

Updated August 2012



# CHELMSFORD CONSERVATION COMMISSION

## Legal Notice & Hearing Timeline

The Chelmsford Conservation Commission will prepare and submit a Legal Notice to be published in the **Chelmsford Independent** at least five (5) business days prior to the public meeting or hearing.

The Wetlands Protection Act [M.G.L. c. 131 § 40] and Regulations [310 CMR 10.00] require that a public meeting or hearing be held within 21 days after the filing of an Application (Request for Determination of Applicability, Abbreviated Notice of Resource Area Delineation, Notice of Intent) or that a Determination of Applicability be issued within 21 days of the filing.

The Chelmsford Independent is a Thursday publication that is printed weekly and requires Legal Notices be submitted one week in advance of publication. Therefore, applications must be received 19 days in advance of the Commission's regularly scheduled Tuesday meetings. Due to advertising in a weekly paper, if an applicant files after the submission deadline, they will be scheduled for the next available public meeting or hearing no sooner than 30 days after filing.

It is for these reasons that the Commission requests that the applicant or representative waive the benefit of the above 21 day requirements.

The alternative to this waiver is for the applicant or representative to utilize the Lowell Sun, a daily published paper of general circulation. The cost of a Legal Notice in the Lowell Sun is approximately \$150.00.

The cost of a Legal Notice in the Chelmsford Independent is approximately \$40.00.

The following billing information to be provided to the Newspaper:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone (Home)

\_\_\_\_\_  
Phone (Cell)

\_\_\_\_\_  
Phone (Other)

\_\_\_\_\_  
Email

I hereby authorize that the required Legal Notice be billed directly to the person above and that by signing this form, I acknowledge the following: that the Legal Notice will be published in the **Chelmsford Independent**; that I waive the mandated twenty-one (21) day decision/hearing deadline should I be filing after the submission deadline and the public meeting or hearing will be scheduled within 30 days; and that I am aware of and electing not to use the Lowell Sun as an alternative to waiving the mandated twenty-one (21) day decision/hearing deadline.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Updated October 2009



# CHELMSFORD CONSERVATION COMMISSION

## Local Filing Fee Calculation Form

The Chelmsford Wetlands Bylaw [Chapter 187] and the Chelmsford Wetlands Bylaw Regulations [Section 7.1] require a filing fee according to the following schedule.

APPLICATION TYPE:	QUANTITY:	FILING FEE:	TOTAL:
<b>Request for Determination of Applicability (RDA):</b>			
Commercial, industrial, non-profit, and water district entity:	_____ x	\$100.00	_____
Residential Subdivision (2 or more lots):	_____ x	\$100.00	_____
General Residential or Single Family house:	_____ x	\$50.00	_____
<b>Abbreviated Notice of Resource Area Delineation (ANRAD):</b>			
Single Family house	_____ x	Half the total Act fee	_____
All other Activities	_____ x	Half the total Act fee	_____
<b>Notice of Intent (NOI):</b>			
Activity Fee Category 1	_____ x	\$55.00	_____
Activity Fee Category 2	_____ x	\$250.00	_____
Activity Fee Category 3	_____ x	\$525.00	_____
Activity Fee Category 4	_____ x	\$725.00	_____
Activity Fee Category 5	_____ x	\$75.00	_____
*per each activity proposed within Wetland Resource Areas and Buffer Zone			
<b>Application Filed After Enforcement Order:</b>	_____ x	Double the total municipal fee	_____
<b>Amended Order of Conditions Application:</b>	_____ x	75% of initial municipal fee	_____
<b>Request for Certificate of Compliance (RCOC):</b>			
Commercial, industrial, non-profit, and water district entity:	_____ x	\$150.00	_____
Residential Subdivision:	_____ x	\$100.00	_____
General Residential or Single Family house:	_____ x	\$50.00	_____
If Order of Conditions has Expired:	_____ x	Add an additional \$50.00	_____
<b>Request for an Extension Permit (REP):</b>	_____ x	\$75.00	_____
<b>Request for True Attest Copy:</b> Order of Conditions, Certificate of Compliance, Amended Order of Conditions, Extension Permits, or other documents:	_____ x	\$25.00 each	_____
<b>Research:</b> Obtaining specific applications, plans, or permits from file or researching other information:	_____ x	\$25.00 per hour of staff time	_____
<b>Request for Partial Certificate of Compliance:</b>			
Commercial, industrial, non-profit, and water district entity:	_____ x	\$125.00	_____
Residential Subdivision:	_____ x	\$75.00	_____
General Residential or Single Family house:	_____ x	\$25.00	_____
<b>Local Filing Fee</b> (Sum of filing fees above):			_____
<b>Town Share</b> of state filing fee (from DEP form):			_____
<i>Note: State filling fee only applies to ANRADS and NOIs,</i>			
<b>Total Payable to Town of Chelmsford:</b> (Local Filing Fee + Town Share):			\$ _____

Updated April 2010



**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

Provided by MassDEP:

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MassDEP File Number

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Document Transaction Number

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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. <input type="checkbox"/> Single Family Home                | 2. <input type="checkbox"/> Residential Subdivision                   |
| 3. <input type="checkbox"/> Limited Project Driveway Crossing | 4. <input type="checkbox"/> Commercial/Industrial                     |
| 5. <input type="checkbox"/> Dock/Pier                         | 6. <input type="checkbox"/> Utilities                                 |
| 7. <input type="checkbox"/> Coastal Engineering Structure     | 8. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) |
| 9. <input type="checkbox"/> Transportation                    | 10. <input type="checkbox"/> 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)**

- 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.
- 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.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Bank	_____	_____
	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	_____	_____
	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	_____	_____
	1. square feet	2. square feet
	_____	_____
	3. cubic yards dredged	



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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
d. <input type="checkbox"/> Bordering Land Subject to Flooding	_____	_____
	1. square feet	2. square feet
	_____	_____
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	_____	_____
	1. square feet	_____
	_____	_____
	2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	_____	_____
	1. Name of Waterway (if available)	_____
	2. Width of Riverfront Area (check one):	_____
	<input type="checkbox"/> 25 ft. - Designated Densely Developed Areas only	_____
	<input type="checkbox"/> 100 ft. - New agricultural projects only	_____
	<input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	6. Was the lot where the activity is proposed created prior to August 1, 1996?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. <input type="checkbox"/> 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.

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



# WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

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MassDEP File Number

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Document Transaction Number

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City/Town

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

	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____	
	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____	
	1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____	_____
	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	_____	
	1. square feet	
	_____	
	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____	
	1. square feet	
k. <input type="checkbox"/> 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. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	
	1. square feet	
4. <input type="checkbox"/> 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. <input type="checkbox"/> 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://www.mass.gov/dfwele/dfw/nhosp/regulatory\\_review/priority\\_habitat/online\\_viewer.htm](http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/priority_habitat/online_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  
Route 135, North Drive  
Westborough, MA 01581**

b. Date of map \_\_\_\_\_





# WPA Form 3 – Notice of Intent

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

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
City/Town

## 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/dfwele/dfw/nhosp/regulatory\\_review/ mesa/ mesa\\_fee\\_schedule.htm](http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/ mesa/ mesa_fee_schedule.htm)).  
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/dfwele/dfw/nhosp/regulatory\\_review/ mesa/ mesa\\_exemptions.htm](http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/ mesa/ mesa_exemptions.htm); 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

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/dfwele/dfw/nhosp/nhosp.htm>, regulatory review tab). 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.



# WPA Form 3 – Notice of Intent

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

Provided by MassDEP:
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## 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:   | North Shore - Hull to New Hampshire:   |
| Division of Marine Fisheries - Southeast Marine Fisheries Station<br>Attn: Environmental Reviewer<br>1213 Purchase Street – 3rd Floor<br>New Bedford, MA 02740-6694 | Division of Marine Fisheries - North Shore Office<br>Attn: Environmental Reviewer<br>30 Emerson Avenue<br>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
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:
- Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
  - A portion of the site constitutes redevelopment
  - Proprietary BMPs are included in the Stormwater Management System.
- b.  No. Check why the project is exempt:
- Single-family house

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



# WPA Form 3 – Notice of Intent

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

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
City/Town

## 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.



# WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

## E. Fees

- 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:

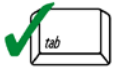
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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 \_\_\_\_\_

**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.

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

**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 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.)

# Notification to Abutters Under the Massachusetts Wetlands Protection Act and the Chelmsford Wetlands Bylaw

*(This form must be completed and copies sent, by certified mail or hand-delivered,  
to all abutters within 300 feet of the subject property)*

*In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the Chelmsford Wetlands Bylaw, 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 Conservation Commission for the municipality of Chelmsford seeking permission to remove, fill, dredge or alter an Area Subject to Protection Under the Wetlands Protection Act [M.G.L. c. 131, § 40] and The Town of Chelmsford Wetland Bylaw [Chapter 187].

Project: \_\_\_\_\_

C. The address of the subject property where the activity is proposed:

\_\_\_\_\_

D. Copies of the permit application may be examined at the Conservation Commission's office, at the Town Offices, 50 Billerica Road, between the hours of 9:00 am and 4:00 pm, Monday through Friday (please call first to make sure that the Conservation Agent is available). Copies of the Notice of Intent may also be examined at:

\_\_\_\_\_ between the hours of \_\_\_\_\_ and \_\_\_\_\_ on the following days of the week:

For more information, call (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_.

Check One: This is the applicant , representative , or other  (specify):

\_\_\_\_\_

E. Copies of the permit application may be obtained (for a fee) from either  the applicant or  the applicant's representative by calling (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ between the hours of \_\_\_\_\_ and \_\_\_\_\_ on the following days:

\_\_\_\_\_

F. Information regarding the date, time and place of the public hearing may be obtained by contacting the Chelmsford Conservation Commission,

Website:

Email:

Phone:

[www.townofchelmsford.us](http://www.townofchelmsford.us)

[aleflore@townofchelmsford.us](mailto:aleflore@townofchelmsford.us)

978-250-5248

**PLEASE NOTE:**

Notice of the public hearing, including its date, time and place will be published at least five (5) business days in advance in the Chelmsford Independent.

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

You may also contact the Department of Environmental Protection (DEP) Northeast Regional Office for more information about this application or the Wetlands Protection Act. To contact the DEP, Northeast Region, call 978-694-3200 (Wilmington).

# AFFIDAVIT OF SERVICE

## Under the Massachusetts Wetlands Protection Act

*(To be submitted to the Massachusetts Department of Environmental Protection and the Conservation Commission when filing a Notice of Intent or Abbreviated Notice of Resource Area Delineation)*

I, \_\_\_\_\_, hereby certify to the best of my knowledge, under the pains and penalties of perjury that on \_\_\_\_\_ I gave notification to the abutters in compliance with the second paragraph of Massachusetts General Law Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:

A \_\_\_\_\_ filed under the Massachusetts Wetlands Protection Act by \_\_\_\_\_ with the Chelmsford Conservation Commission on \_\_\_\_\_ for property located at \_\_\_\_\_

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date