



**Town of Uxbridge  
Conservation Commission  
21 South Main Street  
Uxbridge, Massachusetts, 01569  
508-278-8600, x 2013 and x 2020**



### **Notice of Intent (NOI) Instructions and Checklist**

#### **What projects require a NOI?**

**Notices of Intent (NOI)** are permit applications for work (land or vegetation disturbing activities) proposed in a Wetland Resource Area, within 100 feet of a Wetland Resource Area or within 200 feet of a perennial stream.

If you simply wish to confirm the boundaries of wetland resource areas on or near your property, you may wish to file an **Abbreviated Notice of Resource Area Delineation (ANRAD)**.

**Requests for Determination of Applicability (RDAs)** are primarily used for minor activities occurring only in the Buffer Zone, such as the construction of a shed greater than 50 feet from a wetland.

Some **minor activities** do not require any filing with the Conservation Commission. See 310 CMR 10.02(2) or contact the Conservation office.

#### **How do I file an NOI?**

**Step 1:** Download **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.

**Step 2:** Using the instructions, complete WPA Form 3. It is recommended that you consider obtaining a wetland scientist, consultant, engineer, and/or land surveyor to assist you with preparing the permit application.

Develop a Plan. Applications must include a plan certified by a registered professional engineer or land surveyor. Use the checklist below to ensure that the plan(s) have the minimum required information.

- ☐ Property information: Owner's name and address, Assessor's map, block, lot number, street number and subdivision lot number, where applicable
- ☐ Applicant's name & address
- ☐ Title & date, north arrow, and scale
- ☐ Adjacent properties' information: Owners' names, Assessor's maps, blocks, lot numbers and street numbers
- ☐ Wetlands (with the locations of consecutively numbered delineation flags) and 25-, 50-, and 100- foot buffer zones on and within 200 feet of the property
- ☐ Name of the individual who performed the delineation & date of the delineation
- ☐ Limits of work (LOW) and closest distance from LOW to Wetland Resource Area
- ☐ 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 and specifications**
- ☐ Construction stockpiling and staging areas
- ☐ Details for proposed stormwater structures, erosion control & stabilization
- ☐ Certification by a professional engineer or land surveyor

- Step 3:** Plan your submission date based on the hearing schedule. The Conservation Commission generally meets every 1<sup>st</sup> and 3<sup>rd</sup> Mondays of each month. Applications are due by 12:00 pm on the Monday two weeks in advance of the Commission's meeting you wish to attend (to allow time for the legal advertisement posting).
- Step 4:** Obtain a certified list of abutters within 100 feet of the subject property from the Assessor's office.
- Step 5:** Submit the following materials to the Conservation Commission:
- ☐ 9 Copies of the NOI application (WPA form 3) and attachments:
    - ☐ Detailed project narrative/description
    - ☐ USGS map of the area
    - ☐ Wetland Delineation Information (e.g. DEP Field Data Forms)
    - ☐ Stormwater Report, if needed
    - ☐ Construction sequence (recommended)
  - ☐ 9 – 11"x17" copies of the plan and 1 full size copy (if the plans are larger than 11"x17")
  - ☐ 2 copies of:
    - ☐ NOI Wetland Fee Transmittal Form
    - ☐ Copy of an Assessor's List of Abutters
    - ☐ Copy of the Notice to Abutters
    - ☐ Affidavit of mailing to all abutters within 100 feet of the subject property.
  - ☐ Digital copy (e.g. pdf) of the application, plans, and attachments
  - ☐ Filing fee: Town portion (and proof of payment of state portion) payable to Town of Uxbridge
  - ☐ Legal ad fee: \$125 payable to the "Town of Uxbridge"
- Step 6:** Submit the following to the DEP Central Regional Office, 8 New Bond St., Worcester MA 01606:
- ☐ 1 copy of the NOI application (WPA form 3) including supporting plans and documents
  - ☐ 1 copy of the NOI Wetland Fee Transmittal Form
  - ☐ 1 **copy** of the state fee payment to the MassDEP Regional Office (see instructions)
  - ☐ If you checked "yes" box in any part of Section C, Item 3, refer to that section and Instructions for additional submittal requirements
- Step 7:** Concurrent with the filing of the NOI, notify abutters in accordance with the provisions of 310 CMR 10.05(4) (a). 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 8:** Submit the following materials to the MassDEP, Box 4062, Boston MA 02211 by certified mail:
- ☐ 1 copy of the Fee Transmittal Form
  - ☐ State portion of the application fee payable to "the Commonwealth of Mass".
- Step 9:** Once a complete NOI application has been received, you will be scheduled for the next available Conservation Commission public meeting. The applicant or the representative must be present at the scheduled public meeting.
- Step 10:** The Conservation Commission or their agent will perform a site visit to confirm existing conditions prior to the public meeting. If you wish to be contacted regarding the time of that visit, please contact the Conservation Office at the time of your application.
- Step 11:** At the meeting, the Commission will make its decision, either:
- An Order of Conditions (OOC) approving the project means that the applicant may proceed with the work as proposed, subject to any conditions, but no further action under the Wetlands Protection Act is required,
  - An Order of Conditions (OOC) denying the project means that the applicant may ***not*** proceed with the proposed work, or
  - A continuation allowing the Conservation Commission the chance to request more information or a change of plans.
- The applicant is responsible for complying with the OOC issued by the Conservation Commission.