

Checklist for Filing a Notice of Intent Post COVID-19 State of Emergency *Updated 6.29.21

Notices of Intent (NOI) Applications are required for work proposed in a Wetland Resource Area, within 100 feet of a Wetland Resource Area, or within 200 feet of a perennial (year-round flowing) stream. This list is not meant to be exhaustive. If you have any questions, please contact the Weston Conservation Commission.

As of 6-29-21 and until further notice: Pursuant to Chapter 20 of the Acts of 2021, which includes an extension of Governor Baker's March 12, 2020 Order Suspending Certain provisions of the Open Meeting Law, G.L. c. 30A, §18, **all meetings of the Conservation Commission will be held via an online meeting platform. No in-person attendance of members of the public is available** but every effort will be made to ensure that the public can adequately access the proceedings in real time including a dial-in option.

Please be aware of the following requirements which are necessary for the Commission to begin review of your Notice of Intent (NOI) under the Mass. Wetlands Protection Act (WPA).

Important forms to be submitted as part of the NOI application process can be found on Conservation's website at WestonMA.gov/WetlandsPermit.

Step 1: Certified List of Abutters

Obtain a certified list of abutters within **100-feet** of the town by filing out the top half of the [Request for Certified Abutters List \(PDF\)](#) and submitting your request to Salgado.k@WestonMA.gov (it may take up to 5 business days to receive your certified abutters list).

Step 2: Fill out Permit Application

Download and complete the **Notice of Intent (NOI) form** from the Massachusetts [Department of Environmental Protection \(DEP\) website](#). It is recommended that you hire a wetland scientist, consultant, engineer, and/or land surveyor to assist you with preparing the permit application. If work is proposed within Weston's 25-Foot No Disturb Zone (NDZ), Please review the [NDZ Policy \(PDF\)](#), which can be found at WestonMA.gov/WetlandsPermit.

Step 3: Submit your Permit Application and Plan to the Weston Conservation Commission

The following is required in order for your submission to be considered complete. Deadline to submit is NOON on the dates listed on the [Commission's Meeting Schedule \(PDF\)](#) at WestonMA.gov/Conservation.

- Full Electronic submission to the Conservation Department: conservation@westonMA.gov – This material will be posted publicly. Please note: DO NOT include electronic copies of checks (banks and routing numbers have been found and stolen by thieves surfing con com online files)
- 2 Hard copies of the wetland application shall be received by the Conservation Department.

The Following must be submitted in order for an application to be considered complete:

- (A) Two copies of the NOI Application, Fee Transmittal Form, and detailed project description including:
- Existing & Proposed Conditions and

Please

- No plastic covers
- Avoid GBC bindings
- Staples and double-sided submissions are OK

- Evidence that the work will contribute to the protection of the interests of the Act
- (B) Wetland Delineation Information
- (C) USGS map of the area
- (D) NDZ Waiver form (if applicable)
- (E) Stormwater Information (if applicable)

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(F) Two Copies of the plan set. Plan should include:

- All Wetland Resource Areas within 100' of the parcel
- Buffer Zone Lines: 25' No Disturb Zone and 100' Buffer Zone
- Weston's Wetland and Flood Plain Protection District (if it applies)
- Existing Conditions and Proposed Work
 - Buildings & structures
 - Pavement
 - Edge of lawn / landscaping
 - Stormwater structures
 - 2-foot contours or smaller
 - Limit of work
 - Erosion Controls

(G) [Legal Ad Bill Acknowledgement Form \(PDF\)](#) – Please fill out the bottom half of the form. The applicant or the representative is responsible for paying the Legal Notice advertising fee. **Please note, the Conservation Office will prepare and submit your legal advertisement; the newspaper will bill you directly for the cost.

Step 4: Submit your Application to Department of Environmental Protection by Mail

- (A) One copy of the entire submission (described above), along with photocopy of the checks submitted to the Town and the State to: DEP-NE Regional Office, 205B Lowell St., Wilmington, MA 01887
- (B) State Fee (state check, Fee transmittal Form, and Photocopy of Town Check) to: DEP, Box 4062, Boston, MA 02211

Step 5: You will be given a Hearing Date/Time

By submitting a **complete** NOI application (see items listed in Step 3), The Commission will try its best to schedule a virtual public hearing. Incomplete NOI applications will not be accepted by the Conservation Office.

Step 6: Notify Abutters

Once you have been informed of the date and time for the hearing, you shall notify abutters in accordance with the provisions of 310 CMR 10.05(4)(a). Please contact the Conservation Administrator for a copy of the "Notification to Abutters" form and be sure to include the exact time and date of the hearing and Zoom Meeting information on this form. The Applicant must email copies of the certified mail slips or certificate of mailing receipts for all abutters at one week prior to your hearing.

Step 7: Stake the Property One Week in Advance of Hearing

The WCC requires that all new structures, additions, erosion control barriers, septic systems, and stormwater systems within the Buffer Zone for which a Notice of Intent has been filed, must be staked one week prior to the hearing. The stakes must be labeled (Please contact the Conservation Dept. for specific instructions). A plan demarcating the stakes in the field shall be submitted to the Conservation Commission at the time of staking.

Step 8: Conservation Commission will Conduct a Site Visit

The 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 & time of the visit.

Step 9: Virtually Attend the Public Hearing

The applicant or the representative must be present at the virtual public hearing. Please contact the Agent about your plan for presenting at this virtual meeting. The Agent can allow the applicant to be a co-host so that you can share your screen and show the plan and photos. It is important to color up the plan so that the wetland, limit of work, buffer zone can be easily seen on the screen. To learn more about what to expect at the public hearing, see:

Step 10: Receive an Order of Conditions and Read it

If you have any questions, contact the Conservation Commission. Whether a permit is issued or denied, any abutter, the applicant, or a 10-citizen group has 10 business days to appeal to the state Department of Environmental Protection on the grounds that the Commission failed to properly enforce the law.

Step 11: Record Permit at Registry of Deeds

The Registry may be closed during Covid-19 and therefore you may need to mail in your OOC for recording.

Pre and Post Construction Reminders

- Contact Conservation Department to schedule pre-construction Site Visit.
- You have 3 years to complete the work approved
- Any changes to the approved plan must be reviewed and approved by the Commission
- Once completed, all ground surfaces must be stabilized with vegetative cover and the erosion controls (if any), must be properly disposed of.

Other Permits to keep in mind

- Relevant Building, Zoning, and Board of Health Permits (please contact the appropriate departments for more information)
- [Weston's Stormwater and Erosion Control Bylaw](#)