

SUBMISSION REQUIREMENTS FOR A NOTICE OF INTENT (NOI)

Procedures and requirements for filing a Notice of Intent (NOI) pursuant to MGL C. 131 s. 40 (the Wetlands Protection Act) and Division VI Article I Wareham Wetland Protective By-Law.

- 1) **How to apply to the Wareham Conservation Commission:** Submit a complete Notice of Intent application online through the Open Gov portal. The plans will be the only paper copies submitted to the Town by mail or hand delivery, two (2) copies. The digital copy must include a WPA form, maps, project narrative, abutter documents, and site plans.
- 2) **How to apply to the MassDEP Regional office:** Send a copy of the WPA Form 3: Notice of Intent application and the accompanying plan to the Department of Environmental Protection (DEP), 20 Riverside Drive, Lakeville, MA 02347, by certified mail/return receipt, or hand delivery with proof of deliverance; or file online using MassDEP's online filing system.
- 3) **Payments:** There will be three separate payments: *The local bylaw fee and the NOI city/town share of the filing fee:* Submit the Wareham Bylaw filing fee along with a copy of the NOI Wetland Fee Transmittal Form at the same time as the Notice of Intent application. The filing fee checks are made payable to the Town of Wareham. A copy of the completed NOI Wetland fee Transmittal form must be mailed to DEP. *Payments mailed to MassDEP Lock Box:* Mail NOI Wetland Fee Transmittal Form pp. 1-2 along with a check or money order for the State share of the filing fee, payable to the Commonwealth of Massachusetts, Department of Environmental Protection, Box 4062, Boston, MA 02211. *Advertisement fee:* Submit a check for \$75.00 payable to the Wareham Week.
- 4) **Abutter Notification:** Applicant must notify all abutters within 100-ft. of the property lines by certified mail/return receipt or hand delivery. Abutters must receive notification at least **five (5) days** prior to the hearing date. Proof of abutter notification must be submitted on the night of the hearing. Failure to provide proof of abutter notification will result in continuance or denial of the project by the Commission.
- 5) **Hearing Date:** The Commission will set a hearing date within 21 days of the date on which the Notice of Intent is filed. The applicant or authorized representative will be notified of the date of the hearing. A public notice will appear in the Wareham Week at least **five (5) days** prior to the hearing date. **This will be a separate fee made payable to the Wareham Week in the amount of \$75.00.**

Questions regarding proper procedures and filing requirements should be directed to the Town of Wareham Conservation Department at (508) 291-3100 x 6505. The office is open Monday & Wednesday 8:30 a.m. – 3:30 p.m. and Tuesday & Thursday 8:30 a.m. – 5:30 p.m.

1. When submitting a Notice of Intent (NOI), please read the project category sheet carefully to determine which category your particular project falls into (1-5). Attached to your NOI Form is a fee Calculation sheet, which must be filled out along with a Fee Transmittal Form.
*When filing a NOI, there is a Town filing fee, which is in addition to the fee required under the MA Wetlands Protection Act. Please refer to the **Wareham Conservation Commission Filing Fees** Page for the specific fee based on the category of your project.
2. When the date of your hearing has been determined, you will receive a Notice of Public Hearing. Your hearing ad will be published in the Wareham Week one week prior to the hearing date.
3. After the hearing is closed, an "Order of Conditions" will be sent to you or your representative Certified Return Receipt. The original must be recorded at the Registry of Deeds, and a copy must be kept at the project site. Proof of registration is required to be supplied to the Conservation Department.
4. Once the project has been completed, according to the "Order of Conditions," the applicant shall submit a request for a "Certificate of Compliance" along with an "As-Built Plan" prepared by a professional engineer or land surveyor registered in the Commonwealth of Massachusetts showing deviations from the original plans submitted, if any, and showing that the site has been developed according to the requirements of the "Order of Conditions".