

CHATHAM CONSERVATION COMMISSION
Procedure for filing a
NOTICE OF INTENT (NOI)

WHAT TO FILE

APPLICATION

The applicant must complete the Notice of Intent (NOI) form. This form may be downloaded from the state's website at <http://www.state.ma.us/dep/brp/ww/wwforms.htm>

APPLICATION MATERIALS

You will need a TOTAL of:

- ✓ 3 (three) copies of the *completed* NOI application form
- ✓ 15 (fifteen) copies** of a plan of the property and supporting documentation
- ✓ 1 (one) signed Site Access Authorization Form
- ✓ 1 (one) CHECKLIST

\$\$ FEES \$\$

Payment for fees must accompany application for filing to be complete. Checks should be made out to the Town of Chatham. Payment will include:

- the local filing fee
- the Town's share of the state filing fee if applicable
- Add **\$20.00** to cover advertising

DEP's share of the filing fee (see NOI form) must be sent to:

**Dept. of Environmental Protection
Box 4062
Boston, MA 02211**

WHERE TO FILE

1 copy of the form, supporting documents and one of the plans are to be mailed to:

**DEP, Southeast Regional Office
20 Riverside Drive
Lakeville, MA 02347**

**Additional copies may be required to be sent to NHESP and/or DMF

The remaining application materials are to be submitted to the conservation office at the Town Annex, 261 George Ryder Road.

September 2011

WHEN TO FILE

The Conservation Commission holds hearings on the first and third Wednesday of each month at the Town Annex, 261 George Ryder Road (lower level). The meeting begins at 7:00 pm unless otherwise noticed. **The deadline for filing is 12:00 NOON, fifteen days prior to the scheduled hearing.**

OTHER REQUIREMENTS

Abutter Notification

The applicant must notify abutters to the property (an abutter is defined as any property within 100 feet of the subject property, including properties across roads, rivers, ponds, etc.) of the scheduled hearing date by certified mail, return receipt. Abutters list is to be certified by the Town Assessors' Office. The Assessors require 10 days advance notice, so please plan ahead - (508)945-5103. **The green cards must be submitted to the Conservation Commission at the hearing.**

The Town will place the advertisement of the public hearing on the NOI in a local newspaper the week prior to the scheduled hearing. Most often the ad will appear in the *Cape Cod Chronicle*, however due to holidays the legal ad may be placed in the *Cape Codder* or the *Cape Cod Times*.

Field Staking / Marking

The **Commission and its staff will visit the site** prior to the hearing for the purpose of gathering information for the hearing. The proposed work site should be staked and/or appropriately marked at least 10 days prior to the hearing.

HEARING PROCEDURE

The applicant or his representative must make a presentation to the Conservation Commission at the scheduled hearing, explaining the project. Hearings will be conducted in the following manner:

- ◆ Chairman opens the hearing on the NOI
- ◆ Applicant or his representative presents the project

- ◆ Commission members or staff direct questions to the applicant or his representative
- ◆ Chairman reads all correspondence received
- ◆ Chairman invites anyone present in the audience to speak to the request
- ◆ Applicant or his representative may address any comments or questions from the correspondence or audience directed to the Chairman
- ◆ Commission members or staff direct final questions to anyone present
- ◆ Chairman closes the hearing*

*The Commission may not close the public hearing on the NOI until a file number from DEP has been received. The hearing may therefore be continued for this reason or, if agreed to by the applicant, for the submission of additional information requested by the Commission or for the receipt of other necessary approvals/permits for the project.

Upon the close of the hearing, the Conservation Commission has 21 days to render a decision and mail the written Order of Conditions to the applicant. Any appeal of the Commission's decision must be filed within 10 days of the mailing of the written decision. Upon the expiration of this appeal period, if no appeal has been taken, the applicant or his representative must record the Order of Conditions at the Barnstable County Registry of Deeds. A copy of the recorded Order of Conditions must then be provided to the Commission. No work may commence until a copy of the recorded Order of Conditions has been provided to the Commission.

If you have any questions, please contact the Conservation Commission at (508) 945-5164 or at 261 George Ryder Road, Chatham. Office hours are Monday through Thursday, 7am-4pm and Friday, 7am-12:30pm.

ABUTTER NOTIFICATION LETTER

Date: _____

Subject: Upcoming Chatham Conservation Commission Public Hearing

Dear Property Owner:

As an abutter within 100ft of a proposed project, please be advised that a *Notice of Intent* application has been filed with the Chatham Conservation Commission. A public hearing will be held by the Conservation Commission to review the proposal. Below is the pertinent information regarding this application.

APPLICANT: _____

PROJECT ADDRESS

or LOCATION: _____
Assessors Map _____ Parcel _____

PROJECT DESCRIPTION: _____

APPLICANT'S REPRESENTATIVE: _____

Phone: _____

Address: _____

PUBLIC HEARING: Town Hall Annex
261 George Ryder Road
(lower level)

Date: _____

Time: Meeting starts at 7pm

The applications and plans are available for review at the Conservation Office, 261 George Ryder Road, Monday through Thursday 7am-4pm and Friday, 7am – 12:30pm. (508)945-5164.

July 2010



TOWN OF CHATHAM
Conservation Commission

SITE ACCESS AUTHORIZATION

Date: _____

Project: _____

Location: _____

Property Owner: _____

I (We) hereby authorize the individual members of the Chatham Conservation Commission and its agents to enter upon the referenced property for the purpose of gathering information regarding the application filed with the Commission pursuant to the *Wetlands Protection Act* (MGL Ch 131, s. 40) and/or the *Chatham Wetlands Protection Bylaw* (Chapter 272).

Additionally, if an Order of Conditions is issued for the project, I (we) grant permission for Commission members and the Commission's agents to enter the above referenced property for the purpose of inspecting for compliance with the Order of Conditions. This site access authorization is valid until a Certificate of Compliance is issued by the Conservation Commission.

Authorized Signature: _____ Date _____

Please Print _____

(If other than owner, please state whether tenant, agent or other)

Mailing Address: _____

Phone: _____ Email: _____

September 2011

Cell: _____ **Fax:** _____

CHATHAM'S LOCAL FILING FEES

1.09 Fees

The following fees shall apply to applications and documents issued under these regulations independent of the cost of advertising.

- Administrative Review - \$25
- Re-issue of any document - \$25
- Request for Determination of Applicability - \$35
- Request for Amended Order of Conditions - \$50
- Extension Permit - \$50
- Notice of Intent

a) Category 1 - \$50.00 per activity
refers to activities such as an addition to an existing single family dwelling, construction of a shed, installation of a pool, resource improvement, vegetation control, septic system work, etc.

b) Category 2 - \$200 per activity
refers to construction of a dwelling (including demolition), parking lot construction, beach nourishment, driveway crossing to a single family dwelling, maintenance dredging, etc.

c) Category 3 - \$400 per activity
refers to projects such as commercial building construction, road or bridge construction, commercial development, etc.

d) Category 4 - \$2 per linear foot, total fee not less than \$50
refers to work on bulkheads, revetments, fiber roll installation, docks, piers, catwalks, pilings, floats, etc.

Any municipal project is exempt from fees.