

NOTICE OF INTENT FILING REQUIREMENTS AND CHECK LIST

Policy Guideline 98-1: Filing Requirements and Checklist

General:

The following information will be required for most Notice of Intent filings. This checklist will need to be included with the finished Notice of Intent as an outline of the information provided. This checklist need not be sent to DEP. It is the responsibility of the applicant/representative to submit a complete Notice of Intent application. Failure to submit a complete application will result in delays and possible denial of the project.

The Conservation Commission acts as a reviewing agency. Filing requirements pursuant to MGL C. 131 s.40 and the Town of Bourne Wetlands Protection Bylaw Article 3.7, are the applicant's responsibility. THE COMMISSION WILL AUTOMATICALLY CONTINUE THE HEARING ON AN APPLICATION, WHICH DOES NOT CONFORM TO THESE FILING REQUIREMENTS.

If a Board of Health permit is needed, filing with the Conservation Commission and the Board of Health should be done concurrently. The Commission encourages applicants to file an abbreviated Notice of Resource Area Delineation (DEP Form 4A) to "lock-in" wetland resource boundaries BEFORE going to the Board of Health and/or the Planning Board.

All paper and digital submissions must be received by the hearing schedule deadline. If the application is mailed, it must be postmarked by the submission deadline. Revised plans and/or information requested by the Commission for a continued hearing must be submitted no later than 12pm on the Friday prior to the hearing.

Information Relative to All Plans:

1. _____ Title Box: date, owner/applicant, bar scale, latest revision
2. _____ North arrow
3. _____ Locus Map
4. _____ Assessor's reference: map and parcel number
5. _____ Lot area in square feet
6. _____ Property boundaries
7. _____ Scale no smaller than 1 inch=40 ft. (the Commission prefers 1 inch=20 ft.)
8. _____ Existing contours at 2 ft. intervals based on Mean Sea Level (NGVD)
9. _____ Resource area labeled (BVW, flood zones, riverfront area, dune, etc.)
10. _____ **All Wetland Resource Area** boundaries should be displayed with each individual flagging station numbered (Example: BVWI, BVW2, BVW3, etc.). The numbering system must correspond to the actual flagging stations located in the field (see On Site Requirements).

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11. ____ A 200-ft. setback line from the Riverfront Resource Areas and a 100-ft. setback line from all other Wetland Resource Areas.
12. ____ ACEC boundaries must be displayed on the plan, if applicable.
13. ____ A no habitable dwelling, accessories or roadway/driveway 50-ft. setback from all Wetland Resource Area boundaries (including top of coastal banks and/or the landward edge of dunes) is required on the plan for all new construction.
14. ____ A minimum 25-ft. strip of naturally occurring vegetation is required up-gradient of any Wetland Resource Area boundary and must be displayed.
15. ____ Erosion control mechanisms and the limit of work line should be displayed. Where applicable, the Commission requests that erosion control devices be located at the limit of work line.
16. ____ The **ORIGINAL** signed and stamped plan, and one copy must be submitted with the Notice of Intent.
 - ◆ Field locations of property lines, wetland lines, resource area delineations, etc. require a R.L.S stamp and signature.
 - ◆ Septic systems require either a R.S. or a P.E. stamp and signature.
 - ◆ Foundations on piers or pilings, retaining walls, docks and revetments require a P.E. stamp and signature.
 - ◆ Proposed structures located in an AE & VE flood zone may require a P.E. stamp.

Additional Information Which May Be Required (If Applicable):

1. ____ AE and VE flood zones along with the 100-year flood elevation. The plan must reflect compliance with State Building Code 780 CMR 2102.0 for construction in a flood zone.
2. ____ MHW and MLW (Extreme High water or Spring Tide) indications.
3. ____ A report explaining the wetland delineation methodology used, DEP Wetland Delineation Worksheets, and vegetation, soils and hydrology data.
4. ____ All above ground proposed and existing structures, roadways, access ways etc.
5. ____ Below ground alterations and structures, including utility lines, drainage structures, on-site septic systems, wells, and any type of storage tanks.
6. ____ The type of material to be used in roadway construction, roadway profiles and profiles and cross-sections of drainage or retention/detention structures.
7. ____ Proposed contours and amount of fill in cubic yards.

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8. _____ Dwellings, labeled with the number of bedrooms and lowest proposed floor elevation.
9. _____ Septic system design, in compliance with Title 5 and the Town of Bourne Board of Health Regulations. Setbacks from any Wetland Resource Area must be shown.
10. _____ Any private water supply wells within 100-ft. radius of the property boundaries.
11. _____ A nitrogen loading calculation form for proposed new septic systems. If the nitrogen load exceeds the target limit of 5PPM, the applicant or representative must demonstrate to the Commission's satisfaction that alternative systems have been investigated with the intent of achieving or approximating the target limit.
12. _____ Surface drainage directions and destinations.
13. _____ Soil characteristics for a representative portion of the site. USDA/NRCS Soil Maps or on-site soil sampling.
14. _____ Easements and zoning setback information.
15. _____ Water Resource District information (Town of Bourne Zoning Map).

On-Site Requirements:

1. _____ Flagging of all Resource Areas, under both MGL C. 131 s.40 and the Town of Bourne Wetlands Protection Bylaw Article 3.7, labeled and numbered sequentially (BVW #1-4 etc.).
2. _____ Stakes and flagging in place seven days prior to the hearing.
3. _____ Stakes and flagging to indicate the proposed building or structure corners, proposed septic leaching field, and trees to be removed over 4-in. DBH.
4. _____ One large stake or flag used to identify the undeveloped lot and should be visible from the street.

Submittal Requirements:

1. **How to apply to the Bourne Conservation Commission:** Submit 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 (1 original wet stamped and 2 copies) total of (3) paper copies. Digital copy must include WPA form, maps, project narrative, Bourne forms, abutter documents and site plans.
2. **How to apply to the MassDEP Regional office:** Send one copy of the WPA Form 3: Notice of Intent application and the accompanying plan to the **Department of Environmental Protection (DEP), 20 Riverside Dr., Lakeville, MA 02346** by certified mail/return receipt, or hand delivery with proof of deliverance; or file Online using MassDEP's Online filing system.

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3. **Payments to the Town of Bourne:** There will be two separate payments: The local bylaw fee and the NOI city/town share of the filing fee. Submit the Bourne Bylaw Filing Fee Calculation Sheet 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 Bourne, or you have the option to pay online, either by electronic check or credit card. The Bourne Conservation's online payment center link is found on the Town's Conservation Department web page and on the Open Gov portal. 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 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

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 **5 days** prior to the hearing date. Proof of abutter notification must be submitted 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 Cape Cod Times or another newspaper of local circulation at least 5 days prior to the hearing date. The bill for the public notice will be sent to the applicant or the project representative.

Public Hearing Presentation Format:

1. Except for complex projects, the initial presentation by the applicant or representative should not exceed 10 minutes.
2. The applicant or representative should first describe the Resource Areas within 100 ft. of the proposed project. Performance standards and interests protected by these resources should be discussed.
3. The applicant or representative should describe the proposal, limit of work, proximity to Resource Areas, changes in topography, drainage, etc.
4. The applicant or representative should conclude by discussing performance standards, mitigation measures, avoidance designs, and Best Management Practices which will be used to protect wetland functions from the project impacts. For proposals within 200-ft. of a Riverfront Resource Area, an alternative analysis should be submitted and discussed.

Questions regarding proper procedures and filing requirements should be directed to the Town of Bourne Conservation Department at (508) 759-0600 ext. 1344. The office is open Monday through Friday, 8:30 a.m. to 4:30 p.m.