

North Brookfield Conservation Commission
Notices of Intent
Procedures Required by 310 CMR 10 (Wetland Regulations)

Applicants must provide sufficient information to the Conservation Commission to understand the project and its affect to resource areas. WPA Form 1 is a Request for Determination of Applicability which can be printed, filled out and brought to a Conservation Commission meeting. Please call 774-452-1516 or email concomm01535@gmail.com to ask for this form and to be placed on the agenda for the next scheduled meeting. This form and any other plans or documents pertaining to your request will be used to decide if an NOI filing is necessary in proceeding with your work.

Conservation Commission meetings are held every second and fourth Tuesdays each month.

- A written description of the project to include information about activities and existing and proposed site conditions.
 - A signed, dated, drawing, map or plan showing the location of the property, the work activity, and the wetland boundaries.
 - The map, plan, or drawing must indicate the shortest distance from activity disturbance to each protected resource area. For this purpose, “disturbance” includes temporary disturbance.
 - Show proposed erosion and sedimentation controls.
 - Be prepared to discuss the sequence for the transitional work from the existing to proposed conditions.
1. Any person who proposed to do work that will remove, fill, dredge or alter any area subject to protection under MGL chapter 131 section 40 shall file a Notice of Intent (NOI) found at, <https://www.mass.gov/how-to/wpa-form-3-wetlands-notice-of-intent>
 2. The commission will hold a site visit prior to a hearing to better understand the plans and the resource areas affected.
 3. You will be given instructions to advertise a legal notice (see below) in the next local publications of Stonebridge Press, jean@stonebridgepress.news. Legal Notice must run one 10 days prior to the scheduled hearing. Legal notices are received by Stonebridge Press up to 12:00 noon on Tuesday for advertisement of your hearing notice that week.

PUBLIC NOTICE

In accordance with the provisions of Massachusetts General Law, Chapter 131, Section 40 of the Wetlands Protection Act, the North Brookfield Conservation Commission will hold a public hearing on ____ (date) ____ at 7:00 p.m. at the North Brookfield Board of Health office, 215 No. Main St., No. Brookfield for an NOI filing and associated activities at ____ (property address) _____. Any person interested in this matter is invited to attend the hearing.

4. Three copies of the NOI with supporting plans and documents shall be sent to the conservation commission and one copy to the DEP.
5. Abutters within 100 feet of the property line must be notified one week prior to the hearing and a list of abutters can be received from the Town Assessors Office. Notice of Public Hearing must be sent using the Certificate of Mailing process provided at the post office.
6. If the applicant is not a landowner of the Project Locus, the applicant shall obtain written permission from landowner prior to filing the NOI and give a copy to the commission.
7. During the hearing, the commission will review all aspects of the project as they impact the resource areas. The commission may request additional information as required to meet the performance

standards for each resource area affected. The conservation commission may require that supporting plans and calculations be prepared and stamped by a registered professional engineer when, in its judgement, the complexity of the proposed work warrants such.

8. Within 21 days of the close of the public hearing, the commission will issue its decision. In most cases, the decision will consist of an Order of Conditions (OOC) on DEP Form 5, which describes the working conditions necessary to meet the performance standards of 310 CMR 10. The OOC is valid for 3 years. DEP shall issue a file number, and sometimes make comments about the project. **NO WORK MAY BEGIN UNTIL A DEP FILE NUMBER IS ISSUED AND OOCs ARE DELIVERED TO THE APPLICANT.**
9. Prior to commencement of any work, the OOCs with DEP File number shall be recorded in the Worcester Registry of Deeds. Certificate of recording shall be sent to the commission on the form at the end of DEP Form 5 (OOC).
10. Appeals of commission decisions may be made to the DEP. The requirements to do so are very specific, so ask the commission for details or refer to 310 CMR 10.
11. Upon completion of the work described in the NOI, the applicant shall request in writing the issuance of a Certificate of Compliance (COC) stating that the work has been satisfactorily completed. If the work has been completed in accordance with plans stamped by a registered professional engineer, a written statement by such professional certifying substantial compliance with the plans shall accompany the request for a COC.
12. The commission will conduct a site visit to review the work.
13. A COC will be issued within 21 days of receipt on DEP Form 8.
14. If the commission determines, after review and inspection, that the work has not been done in compliance with the Order, it may refuse to issue a COC until the work is satisfactory.