



TOWN OF CONCORD
Natural Resources Commission
141 Keyes Road, Concord, MA 01742
TEL. (978) 318-3285 FAX (978) 318-3291

**Notice of Intent
Submission Checklist**

The Natural Resources Commission administers and implements the MA Wetlands Protection Act (WPA) and Concord Wetlands Bylaw. The following represents a summary of the submission requirements for filing a Notice of Intent.

Step 1: Certified List of Abutters

Once you are ready to file, obtain a certified list of abutters within 100 feet of the property by contacting the Assessor's Office at 24 Court Lane or assessing@concordma.gov. The abutter's list is valid for three months prior to your submittal date.

Step 2: Fill out Permit Application

Download and complete the **Notice of Intent (NOI) form** from the Wetlands Permitting page at <https://concordma.gov/753/Wetland-Permitting>. It is recommended that you hire a wetland scientist, consultant, engineer, and/or land surveyor to assist you with preparing the permit application and plans. If work is proposed within 25-Foot No Disturb Zone (NDZ) or 50-foot No Build Zone, please review Concord's Wetlands Bylaw, Wetlands Bylaw Regulations, and the 50-foot No Disturb Zone Policy on the website noted above. There are additional requirements and restrictions administered within these resource areas.

**For hard copies:
Avoid plastic binding.
DOUBLE-SIDE ALL PAGES**

Step 3: Prepare and Submit your Permit Application

All information for a NEW project shall be submitted by 4:30 p.m., no later than the submittal deadline date. Hearings are typically every third Wednesday. The meeting and submittal deadline schedule can be found here: <https://www.concordma.gov/732/Natural-Resources-Commission>

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

FORMS and MAPS

- Two double-sided copies of the NOI Application, Fee Transmittal Form, and filing fee check, plus a copy of the DEP filing fee check. Routing numbers on all checks **MUST BE blacked out** prior to submitting electronic and paper copies.
- Two copies of the following maps: USGS topographic, NHESP, and FEMA floodplain maps
- Two copies of Stormwater information (if applicable)
- Two copies of the Abutter Notification Form, available here: <https://www.concordma.gov/753/Wetland-Permitting>. This information will be used for publication of the legal ad. The Natural Resources Division will prepare and submit your legal advertisement to the *Concord Bridge*. **The Concord Bridge requires that Applicant's pre-**

pay their legal ad. You must pay at least 10 business days prior to the NRC hearing; failure to do so will result in an unpublished legal notice and a delay of the hearing.

NARRATIVE

- Two detailed copies of project narratives including:
 - Wetland delineation information: a description of wetland resource areas, date delineated, and name of the wetland scientist that conducted the delineation.
 - Description of work within regulated resource areas and any impacts to these areas.
 - A table of the existing and proposed square footage of impact (impact) by type, including the 25-foot NDZ, 50-foot NBZ, 100-foot BZ, and the 100-foot and 200-foot Riverfront Area.
 - If the project is new development within the 200-foot Riverfront Area, provide an alternatives analysis.
 - Evidence that the work will contribute to the protection of the interests of the Act,
 - A written waiver request in accordance with Section 7.7 of the Concord Wetlands Bylaw for any work within 25 feet of wetlands
 - A written waiver request in accordance with the 50-foot No Build Zone Policy for any new structures proposed within 50 feet of wetlands
 - Proposed mitigation for unavoidable project impacts (1:1 for work in the outer Buffer Zone and Riverfront Area; 10:1 for work in the 50-foot No Build Zone; 1:1 for trees removed).
 - For systems designed to provide drainage or stormwater management including, but not limited to culverts, drainage outfalls, catch basins and pervious pavement systems, provide an appropriate plan detail, along with an Operation and Maintenance plan to maintain the design element.

SITE PLANS:

Two full-size copies of Site Plans with the following information:

- All wetland resource areas delineated within 100 feet of the parcel (200 feet for Riverfront Area)
- Buffer Zone Lines: 25-foot No Disturb Zone, 50-foot No Build Zone, and 100-foot Buffer Zone
- 200-foot Riverfront Area (if applicable)
- Surveyed floodplain elevation data based on 1988 NAVD.
- NHESP zones (Estimated Habitat for rare wetlands wildlife)
- NHESP Certified and Potential Vernal Pools
- Existing and proposed conditions
- Buildings & structures
- All property lines, building envelope restrictions and/or easement areas, including conservation restrictions, if applicable
- Stormwater management features. For residential projects, consider infiltration basins, trenches, and LID structures
- Current or f/k/a landowners of adjacent properties

- ❑ Tree protection measures for all trees within the limit of work. Show trees to be protected on a plan, and include a detail of, at a minimum, a 4-foot high welded wire fence securely attached to metal stakes a maximum of 10' apart around all trees to be retained. Fencing signage to read, "TREE SAVE AREA – KEEP OUT"/"AREA DE AHORRO DE ARBOLES – ENTRADA PROHIBIDA", in both English and Spanish.
- ❑ Location and detail of erosion controls (straw bales, silt fence, filtermitts, straw wattles, etc.)
- ❑ Closest point of existing and proposed distance of structure to wetlands
- ❑ Stockpile and equipment staging locations
- ❑ Location of any soil borings, test pits, and groundwater wells (including BVW plots; monitoring, irrigation, supply wells, etc.).
- ❑ Existing and proposed pavement
- ❑ Existing and proposed HVAC units and bulkheads
- ❑ Existing and proposed edge of lawn / landscaping
- ❑ 2-foot or less contours
- ❑ Limit of work (LOW)
- ❑ All existing and proposed landscaping and vegetation, including existing trees 6 inches or greater in diameter breast height (dbh) and major vegetative cover types, wooded areas defined by tree line, shrub communities, and limits of lawn.
- ❑ Trees greater than 6 inches DBH to be removed; provide 1:1 replacement
- ❑ Planting specifications chart with species, size, and quantity
- ❑ Proposed native seed mix

**When proposing mitigation areas, and replacement trees, a table on the plan shall indicate plant species (common and botanical names), quantities, and size (caliper, height, or container size). The table must indicate quantities to be planted in the zones regulated by the Commission (25-foot NDZ, 50-foot NBZ, 100-foot BZ, and the 100-foot and 200-foot Riverfront Area, as applicable). A planting density of 5-foot on center for shrub species and 10-foot on center for trees is required. Square footage of mitigation areas shall be provided in the project narrative, as well as tree replacements for those trees greater than 6 inches DBH to be removed (1:1 ratio),

Sheet size

- ❑ Maximum dimension of 24" x 36"
- ❑ If several sheets are needed to describe the proposed work, a key sheet showing a general composite of all work proposed within wetland resource areas and the Buffer Zone is required.

Scale

- ❑ Not more than 1" = 50' (the Commission routinely accepts plans at 1"=20' or 1"=40')
- ❑ If plans are displayed, include graphical scales

Title Block

- ❑ Included on all plans
- ❑ Located at the lower right hand corner, oriented to be read from the bottom when bound at the left margin
- ❑ Include original date plus additional space to reference the title and dates of all plan revisions

Send or drop off your complete application to:

Town of Concord
Natural Resources Division
141 Keyes Road
Concord, MA 01742

AND

Submit an electronic copy of the complete application to nr@concordma.gov, or include a USB drive in your application package.

Note: email greater than 10MG cannot be accepted.

Submit your Application physically to DEP

(A) Send one copy of the complete application, including copies of the state and local filing fees with the routing numbers blacked out:

DEP-NERO Wetlands Division
150 Presidential Way
Woburn, MA 01801

(B) Send the state filing fee (fee transmittal form, State check, and copy of Town check) to:

DEP
Box 4062
Boston, MA 02211

Step 4: Notify Abutters

At the same time that you submit your application to the Natural Resources Division and DEP, notify abutters in accordance with the provisions of 310 CMR 10.05(4)(a). The Abutter Notification Forms are found on the website and should include the time and date of the hearing. Notification can be by hand, via certificate of mailing, or certified mail, return receipt requested. The post office must provide you with a date-stamped receipt (“certificate”) for each letter mailed. This certificate, copies of mailing receipts, or proof of receipt of hand delivered mail must be emailed to kbockoven@concordma.gov at least one week before the hearing.

Step 5: Stake the Property One Week in Advance of Hearing

The Commission may require that new structures, erosion control barriers, septic systems, stormwater systems, and/or other proposed work within the wetland resource areas be staked. Staff will inform you if this is required.

Step 6: Conduct a Site Visit to review project

Natural Resources Division staff will perform a site visit prior to the hearing to review the resource area delineation, and existing and proposed conditions.

Step 7: Attend the Public Hearing

You or your representative must be present at the public hearing. We recommend that you color up the plan so that the wetland, buffer zones, and limit of work can be easily seen on the screen, and email this plan to nr@concordma.gov prior to the meeting.

When Presenting to the Natural Resources Commission

The NRC is most interested in how your project impacts the resource areas on or near your property. Accordingly, when presenting to the NRC you should address and focus on the following:

- 1st - Steps you are taking to avoid impact
- 2nd - What you are doing to minimize impact where it cannot be avoided, and
- 3rd - How you will mitigate for these impacts

It is often helpful to present alternative ways of achieving your project goals. These alternatives can broaden the discussion with the NRC, and are intended to streamline the permitting process.

The NRC understands that projects are not presented in a vacuum. As such, it may help to briefly mention other factors that drive your particular project. For example, these may include, restrictions presented by other boards or commissions, site constraints, safety concerns, or other interests that you may want to provide for or protect. This information helps the NRC understand your project better and may be taken into consideration. However, by themselves they are insufficient, so it is most important to clearly address how your project minimizes impacts to wetland resource area functions and values.

If the hearing is continued, revised information shall be submitted by noon at least eight business days in advance of hearing date unless otherwise specified.

Step 8: Receive an Order of Conditions (and Read it!)

If you have any questions, contact the Natural Resources Division. Whether a permit is approved or denied, any abutter, the applicant, DEP, or a 10-citizen group has 10 business days to appeal to the state Department of Environmental Protection under the state WPA, and 60 calendar days to appeal the NRC decision under the Bylaw to Superior Court on the grounds that the Commission failed to properly enforce the law.

Step 9: Record Permit at Registry of Deeds

Mail your OOC, with a check for recording, to the Middlesex South Registry of Deeds at:

Middlesex South Registry of Deeds
208 Cambridge Street
Cambridge, MA 02141

Step 10. Pre-construction Meeting

After carefully reading through the Order of Conditions and attached Special Conditions, make sure the following items are addressed before requesting an onsite pre-construction meeting:

- ❑ Order of Conditions is filed with the Registry of Deeds
- ❑ Erosion controls are installed according to the approved plans.
- ❑ A sign displaying the DEP File # 137-**** is visible from the road
- ❑ A hard copy of the Order of Conditions and site plans are placed in a water-proof, container to remain onsite during construction (not nailed to a tree).

At the meeting, be prepared to discuss the proposed work, timeline, mitigation, sequencing of events, and precautionary measures if heavy rainfall events are a concern.

Step 11. File a Request for Certificate of Compliance

After your project is complete, including mitigation and monitoring, file a Request for Certificate of Compliance (CoC). The request should include a letter from a qualified professional stating any deviations from the approved plans, an as-built plan stamped by a professional engineer or equivalent, and any other information required in the conditions of your permit. When all permit conditions are met, the Request for CoC will be added to the Commission's agenda for approval at the next hearing to close out the permit. Erosion controls may not be removed until Natural Resources staff has confirmed that the site is stable.

You must record the Certificate of Compliance at the Registry of Deeds to release the lien from the property.