



Town of Wellfleet
 Health and Conservation Department
 220 West Main Street
 Wellfleet, MA 02667
 508-349-0308

LOCAL FILING PROCEDURES

Meeting schedule:

The Wellfleet Conservation Commission normally meets on the first and third Wednesday of each month. The public meeting begins at 4:00 p.m. Public hearings are scheduled beginning at 5:00 p.m.

A schedule of deadlines, for submission of applications, to get put on the agenda for a specific meeting will be mailed to engineering firms & consultants periodically and may also be obtained by contacting the Health/Conservation office at (508) 349-0308.

The “filing date” is the date that a complete application is received and stamped by the Conservation Department. This is the date from which all administrative time periods begin. In order for a filing to be complete, it must include the proper forms, fees, plans and any supplementary information that may be required (see the Filing Instructions below and the Wellfleet Environmental Protection Regulations).

Forms:

All Forms (Request for Determination of Applicability, Notice of Intent, etc...) are available at the Health/Conservation office located at the DPW facility, 220 West Main Street, from 8:00 a.m. to 12:00 noon and from 1:00 p.m. to 4:00 p.m. The forms are also available on DEP website: <https://www.mass.gov/lists/wetlands-permitting-forms>

Please note: if forms other than those picked up at the Health/Conservation office are to be submitted (including those downloaded from DEP), they will need to be modified by writing or typing the words **Wellfleet Environmental Protection Bylaw** under the heading Massachusetts Wetlands Protection Act M.G.L Ch. 131, § 40 (see Figure 1 below) to indicate that the Application is also being filed pursuant to the Wellfleet Environmental Protection Bylaw.

Fig. 1: Example of how to modify forms properly. *Note: this modification applies to all forms and applications.*

Filing

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|--|---|-------------------------|
| | Massachusetts Department of Environmental Protection | DEP File Number: |
| | Bureau of Resource Protection - Wetlands | |
| | WPA Form 3 – Notice of Intent | Provided by DEP |
| | Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 | |
| | Wellfleet Environmental Protection Bylaw | Town |

Instructions:

See DEP “Instructions for Completing Application WPA Form ___” for detailed filing requirements for the particular application you wish to submit (Request for Determination of Applicability or Notice of Intent). You may obtain copies of these instructions at the Health/Conservation office or on the DEP website: <http://www.state.ma.us/dep/brp/ww/wwforms.htm>.

Please refer to the Wellfleet Environmental Protection Regulations, which are available online at https://www.wellfleet-ma.gov/sites/g/files/vyhlf5166/f/file/file/wellfleet_environmental_protection_regulation_revision_may_31_2017.docx.pdf, and the MA Wetlands Protection Act Regulations <http://www.state.ma.us/dep/brp/ww/files/310cmr10.pdf> regarding performance standards for all work proposed within an area subject to protection (including the 100-ft. Buffer Zone).

The Conservation Commission requires all applications to be complete at the time of filing and conform to the regulations and requirements. In addition, the Commission requires the square footage of the proposed and existing areas of disturbance to be clearly depicted on the site plan. All elevations must be relative to NAVD 88. If it is necessary to utilize an older site plan the datum must be identified. All projects must be staked or flagged in the field by the morning of the hearing so that the Commissioners can visit the site and evaluate the project.

The following number of copies must be sent by certified mail or hand delivery to:

- 9 – copies to: Wellfleet Conservation Commission
220 West Main Street
Wellfleet, MA 02667
- 1 – copy to: DEP Southeast Region
20 Riverside Drive
Lakeville, MA 02347
- *1 – copy to: Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

* If the proposed project falls within **Estimated Habitat for Rare Wildlife** you must submit a copy of the complete NOI to the NHESP, by CERTIFIED MAIL or HAND DELIVERY at the same time that the NOI is filed with the Conservation Commission. You will need to provide proof of delivery to DEP and the Conservation Commission.

Notification of Abutters:

Pursuant to MGL c. 131 s. 40 any person filing a **Notice of Intent** shall at the same time give written notification thereof by hand delivery or certified mail, return receipt requested, to all abutters within one-hundred feet of the property line of the land where the activity is proposed (i.e. properties across a roadway or water-body AND within 100' of the property line). Said notification shall state:

- Where copies of the Notice of Intent may be examined (i.e. Health/Conservation office, DEP Southeast Regional Office, Engineering firm office...)
- Where information regarding the date, time and place of the public hearing may be obtained (i.e. Health/Conservation Office, Commission Secretary)

Proof of such notification, with a copy of the notice mailed or hand delivered, must be filed with the conservation commission.

Legal Advertisement:

The Commission will place the legal advertisement in a local newspaper, two Fridays before the date of the hearing, at which time Notice of Hearing will be sent to applicants, property owners, and project representatives.

Fee Schedule pursuant to the Wellfleet Environmental Protection Bylaw:

In addition to filing fees pursuant to the MA WPA, the Wellfleet Environmental Protection Bylaw has established the following fee schedule:

- Request for Determination of Applicability (RDA) \$ 30.00 ... After-the-Fact Filing \$ 300.00
- Notice of Intent NOI \$ 100.00 ... After-the-Fact Filing \$1000.00
- Certificate of Compliance \$ 15.00
- Amended Order of Conditions \$ 50.00
- Coastal Engineered Structure \$ 2.00 / linear foot
- Docks \$ 2.00 / linear foot
- Reissuance of a permit* \$ 20.00
- Jurisdictional Opinion \$15.00
- Continuance after two hearings due to the lack of appearance, or at the request of the applicant \$ 5.00/ additional hearing

Mail or hand deliver all applications to: Wellfleet Conservation Commission
220 West Main Street
Wellfleet, MA 02667

Conservation Department phone: (508) 349-0308