



WPA Form 4 – Abbreviated Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
And the City of Peabody-Wetlands & Rivers Protection Ordinance Ch 32

A. General Information

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form, consult your local Conservation Commission regarding any municipal bylaw or ordinance.

1. Applicant:

Name _____		E-Mail Address _____	
Street Address _____			
City/Town _____	State _____	Zip Code _____	
Phone Number _____	Fax Number (if applicable) _____		

2. Representative (if any):

Firm _____		E-Mail Address _____	
Contact Name _____			
Mailing Address _____			
City/Town _____	State _____	Zip Code _____	
Phone Number _____	Fax Number (if applicable) _____		

3. Property Owner (if different from applicant):

Name _____		E-Mail Address _____	
Mailing Address _____			
City/Town _____	State _____	Zip Code _____	

4. Total Fee:

(from NOI Wetland Fee Transmittal Form)

5. Project Location:

Street Address _____		City/Town _____	
Latitude and Longitude: _____		Latitude _____	Longitude _____
Assessors Map/Plat Number _____		Parcel /Lot Number _____	

6. General Project Description:



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Provided by DEP _____

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A. General Information (cont.)

7. Registry of Deeds:

County	Book	Page
Certificate (if Registered Land)		

B. Site and Activities Subject to Regulation

Complete any of the following sections that apply to the proposed work and project site.

1. Complete for proposed activities located, in whole or in part, in Buffer Zone.

a. Check all the following borders to the Buffer Zone:

Inland Resource Areas

- Inland Bank
- Bordering Vegetated Wetland (BVW)

Coastal Resource Areas

- Coastal Beach
- Rocky Intertidal Shore
- Salt Marsh
- Barrier Beach
- Coastal Dune
- Coastal Bank

b. Check all the methods used to delineate the Bordering Vegetated Wetland boundary:

- Final Order of Resource Area Delineation issued by Conservation Commission or DEP (attached)
- DEP BVW Field Data Form (attached)
- Final Determination of Applicability issued by Conservation Commission (attached)
- Other Method of Determining BVW boundary (attach documentation):
 - 50% or more wetland indicator plants
 - Saturated/inundated conditions exist
 - Groundwater indicators
 - Direct observation
 - Hydric soil indicators
 - Credible evidence of conditions prior to disturbance.



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B. Site and Activities Subject to Regulation (cont.)

c. Describe, with reference to supporting plans and calculations where necessary, the size, type, and location of the proposed work and mitigating measures and designs to insure that the proposed work will not alter the resource area and Buffer Zone borders. Attach additional sheets, if necessary.

2. Complete for proposed activities located, in whole or in part, in Land Subject to Flooding.

a. Resource area description:

Bordering Land Subject to Flooding:

Isolated Land Subject to Flooding:

Volume of Flood Storage Lost (cubic feet)

Volume of Flood Storage Lost (cubic feet)

Volume of Flood Storage Compensation (cubic feet)

Volume of Flood Storage Compensation (cubic feet)

b. Describe, with reference to supporting plans and calculations where necessary the size, shape, location, and type of work, mitigating measures, and designs proposed to meet the performance standards set forth in 310 CMR 10.57(4) and 10.60. Attach additional sheets, if necessary.

3. Complete for proposed activities located, in whole or in part, in the Riverfront Area.

a. Name of Waterway (if available):



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B. Site and Activities Subject to Regulation (cont.)

b. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

c. Describe how the Mean Annual High-Water Line was determined:

d. Distance of proposed activity closest to the Mean Annual High-Water Line:

Feet

e. Total area of Riverfront Area on the site of the proposed project:

Square Feet

f. Proposed alteration of the Riverfront Area:

Total Square Feet

Square Feet within 100 ft.

Square Feet between 100 ft. and 200 ft.

g. Indicate project purpose:

- Single family house
 - Residential subdivision
 - Commercial development
 - Industrial development
 - Transportation
 - Other (describe):
- _____

h. Was the lot where the activity is proposed created prior to August 1, 1996?

- Yes
- No



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B. Site and Activities Subject to Regulation (cont.)

i. Describe how the project will meet all performance standards set forth in 310 CMR 10.58(4) for the Riverfront Area, including standards requiring consideration of alternative project design or location. Attach additional sheets, if necessary.

4. Is the project exempt from the DEP Stormwater Management Policy?

Yes

If yes, explain why the project is exempt:

No

If no, stormwater management measures are required. Applicants are encouraged to complete the Stormwater Management Form and submit it with this Abbreviated Notice of Intent.

5. a. Is any portion of the proposed project located within estimated habitat as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program?

Yes

If yes, include proof of mailing or hand delivery of Abbreviated Notice of Intent to :

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
100 Hartwell Street, Suite 230
West Boylston, MA 01583

No

Date of Map

b. Is any portion of the proposed project in an Area of Critical Environmental Concern (ACEC)?

Yes

If yes, provide name of ACEC (see the Area of Critical Concern list for ACEC locations):

No

ACEC Name



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B. Site and Activities Subject to Regulation (cont.)

c. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?

Yes

No

6. If any activity within Land Subject to Flooding, the Riverfront Area, or Buffer Zone is exempt from performance standards in accordance with any provision of the wetlands regulations, 310 CMR 10.00, identify the appropriate exemption:

Exemption

C. Additional Information

Applicants must include the following with this Abbreviated Notice of Intent (ANOI):

- USGS or other map of the area (along with a narrative description, if necessary), containing sufficient information for the Conservation Commission and the Department to locate the site.
- Plans identifying the location of proposed activities relative to the boundaries of each affected resource area.
- Other material identifying and explaining the determination of resource area boundaries shown on plans (e.g., a DEP BVW Field Data Form).
- List the titles and final revision dates for all plans and other materials submitted with this ANOI.

D. Fees

The fees for work proposed under each Abbreviated Notice of Intent must be calculated and submitted to the Conservation Commission and DEP (see Instructions and NOI Wetland Fee Transmittal Form).

No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

Check Number

Check date

Payor name on check

Applicant name on check



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E. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Abbreviated Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

Signature of Applicant

Date

Signature of Property Owner (If different)

Date

Signature of Representative (if any)

Date

For Conservation Commission:

Two copies of the completed Abbreviated Notice of Intent (Form 4), including supporting plans and documents; two copies of pages 1 and 2 of the NOI Wetland Fee Transmittal Form; and the city/town fee payment must be sent to the Conservation Commission by certified mail or hand delivery.

For DEP:

Two copies of the completed Abbreviated Notice of Intent (Form 4), including supporting plans and documents; two copies of pages 1 and 2 of the NOI Wetland Fee Transmittal Form; and a **copy** of the state fee payment must be sent to the DEP Regional Office by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section B, Item 5, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Abbreviated Notice of Intent.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee:	_____	a. Total fee from Step 5
State share of filing fee:	_____	b. 1/2 total fee less \$12.50
City/Town share of filing fee:	_____	c. 1/2 total fee plus \$12.50

C. Submittal Requirements

a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of pages 1 and 2 of this form; and the city/town fee payment.

c.) **To DEP Regional Office** (see Instructions): Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of pages 1 and 2 of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
Request for Departmental Action Fee
Transmittal Form

DEP File Number: _____

Provided by DEP

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. Request Information

Important:
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Person or party making request (if appropriate, name the citizen group's representative):

Name _____

Mailing Address _____

City/Town _____ State _____ Zip Code _____

Phone Number _____ Fax Number (if applicable) _____

Project Location _____

Mailing Address _____

City/Town _____ State _____ Zip Code _____

2. Applicant (as shown on Notice of Intent (Form 3), Abbreviated Notice of Resource Area Delineation (Form 4A); or Request for Determination of Applicability (Form 1)):

Name _____

Mailing Address _____

City/Town _____ State _____ Zip Code _____

Phone Number _____ Fax Number (if applicable) _____

3. DEP File Number:

B. Instructions

1. When the Departmental action request is for (check one):

- Superseding Order of Conditions
- Superseding Determination of Applicability
- Superseding Order of Resource Area Delineation

Send this form and check or money order for \$50.00, payable to the *Commonwealth of Massachusetts* to:

Department of Environmental Protection
 Box 4062
 Boston, MA 02211



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

**Request for Departmental Action Fee
Transmittal Form**

Provided by DEP

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

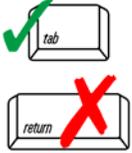
B. Instructions (cont.)

2. On a separate sheet attached to this form, state clearly and concisely the objections to the Determination or Order which is being appealed. To the extent that the Determination or Order is based on a municipal bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.
3. Send a **copy** of this form and a **copy** of the check or money order with the Request for a Superseding Determination or Order by certified mail or hand delivery to the [appropriate DEP Regional Office](#).
4. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.



A. Property Information

Important:
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
 This November 2000 version of the Stormwater Management Form supersedes earlier versions including those contained in DEP's Stormwater Handbook.

1. The proposed project is:
 - a. New development Yes No
 - b. Redevelopment Yes No
 - c. Combination Yes No (If yes, distinguish redevelopment components from new development components on plans).

2. Stormwater runoff to be treated for water quality is based on the following calculations:
 - a. 1 inch of runoff x total impervious area of post-development site for discharge to **critical areas** (Outstanding Resource Waters, recharge areas of public water supplies, shellfish growing areas, swimming beaches, cold water fisheries).
 - b. 0.5 inches of runoff x total impervious area of post-development site for other resource areas.

B. Stormwater Management Standards

DEP's Stormwater Management Policy (March 1997) includes nine standards that are listed on the following pages. Check the appropriate boxes for each standard and provide documentation and additional information when applicable.

Standard #1: Untreated stormwater

- a. The project is designed so that new stormwater point discharges do not discharge untreated stormwater into, or cause erosion to, wetlands and waters.

Standard #2: Post-development peak discharge rates

- a. Not applicable – project site contains waters subject to tidal action.
 Post-development peak discharge does not exceed pre-development rates on the site at the point of discharge or downgradient property boundary for the 2-yr, 10-yr, and 100-yr, 24-hr storm.
- b. Without stormwater controls
- c. With stormwater controls designed for the 2-yr, and 10-yr storm, 24-hr storm.
- d. The project as designed will not increase off-site flooding impacts from the 100-yr, 24-hr storm.

B. Stormwater Management Standards (cont.)



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
Stormwater Management Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

c. If the project is redevelopment, explain how much TSS will be removed and briefly explain why 80% removal cannot be achieved.

Standard #5: Higher potential pollutant loads

See Stormwater Policy Handbook Vol. I, page I-23, for land uses of high pollutant loading (see Instructions).

Does the project site contain land uses with higher potential pollutant loads

a. Yes No b. If yes, describe land uses:

c. Identify the BMPs selected to treat stormwater runoff. If infiltration measures are proposed, describe the pretreatment. (Note: If the area of higher potential pollutant loading is upgradient of a critical area, infiltration is not allowed.)

Standard #6: Protection of critical areas

See Stormwater Policy Handbook Vol. I, page I -25, for critical areas (see Instructions).

Will the project discharge to or affect a critical area?

a. Yes No b. If yes, describe areas:

c. Identify the BMPs selected for stormwater discharges in these areas and describe how BMPs meet restrictions listed on pages I-27 and I-28 of the Stormwater Policy Handbook – Vol. I:

B. Stormwater Management Standards (cont.)



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 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Note:
 components of
 redevelopment
 projects which
 plan to develop
 previously
 undeveloped
 areas do not fall
 under the scope
 of Standard 7.

Standard #7: Redevelopment projects

Is the proposed activity a redevelopment project?

- a. Yes No b. If yes, the following stormwater management standards have been met:

c. The following stormwater standards have not been met for the following reasons:

d. The proposed project will reduce the annual pollutant load on the site with new or improved stormwater control.

Standard #8: Erosion/sediment control

a. Erosion and sediment controls are incorporated into the project design to prevent erosion, control sediments, and stabilize exposed soils during construction or land disturbance.

Standard #9: Operation/maintenance plan

a. An operation and maintenance plan for the post-development stormwater controls have been developed. The plan includes ownership of the stormwater BMPs, parties responsible for operation and maintenance, schedule for inspection and maintenance, routine and long-term maintenance responsibilities, and provision for appropriate access and maintenance easements extending from a public right-of-way to the stormwater controls.

b. Plan/Title _____

c. Date _____

d. Plan/Title _____

e. Date _____

C. Submittal Requirements



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

Stormwater Management Form

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

DEP recommends that applicants submit this form, as well as, supporting documentation and plans, with the Notice of Intent to provide stormwater management information for Commission review consistent with the wetland regulations (310 CMR 10.05 (6)(b)) and DEP's Stormwater Management Policy (March 1997). If a particular stormwater management standard cannot be met, information should be provided to demonstrate how equivalent water quality and water quantity protection will be provided. DEP encourages engineers to use this form to certify that the project meets the stormwater management standards as well as acceptable engineering standards. For more information, consult the Stormwater Management Policy.

D. Signatures

Applicant Name

Date

Signature

Representative (if any)

Date

Signature



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

Areas of Critical Environmental Concern

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. Guidance

Projects proposed in the communities listed below may be located in Areas of Critical Environmental Concern (ACECs). To confirm whether the project location is in an ACEC, contact the Conservation Commission or the MA Department of Conservation & Recreation (formerly the Department of Environmental Management) ACEC Program at:

251 Causeway St., Suite 600
Boston, MA 02114
617.626.1394

B. Towns with ACECs within their Boundaries

<u>Town</u>	<u>ACEC Name</u>	<u>Town</u>	<u>ACEC Name</u>
Ashby	Squannassit	Lunenburg	Squannassit
Ayer	Petapawag and Squannassit	Lynn	Rumney Marshes
Barnstable	Sandy Neck/Barnstable Harbor	Mansfield	Canoe River Aquifer
Bolton	Central Nashua River Valley	Mashpee	Waquoit Bay
Boston	Rumney Marshes	Melrose	Golden Hills
	Fowl Meadow and Ponkapoag Bog	Milton	Fowl Meadow and Ponkapoag Bog
	Neponset River Estuary		Neponset River Estuary
Bourne	Pocasset River	Mt Washington	Karner Brook Watershed,
	Herring River Watershed		Schenob Brook
	Bourne Back River	Newbury	Parker River/Essex Bay
Braintree	Cranberry Brook Watershed	Norton	Hockomock Swamp
Brewster	Pleasant Bay, Inner Cape Cod Bay		Canoe River Aquifer
Bridgewater	Hockomock Swamp	Norwood	Fowl Meadow and Ponkapoag Bog
Canton	Fowl Meadow and Ponkapoag Bog	Orleans	Inner Cape Cod Bay, Pleasant Bay
Chatham	Pleasant Bay	Pepperell	Petapawag and Squannassit
Cohasset	Weir River	Peru	Hinsdale Flats Watershed
Dalton	Hinsdale Flats Watershed	Plymouth	Herring River Watershed,
Dedham	Fowl Meadow and Ponkapoag Bog		Ellisville Harbor
Dunstable	Petapawag	Quincy	Neponset River Estuary
Eastham	Inner Cape Cod Bay	Randolph	Fowl Meadow and Ponkapoag Bog
	Wellfleet Harbor	Raynham	Hockomock Swamp
Easton	Canoe River Aquifer	Revere	Rumney Marshes
	Hockomock Swamp	Rowley	Parker River/Essex Bay
Egremont	Karner Brook Watershed	Sandwich	Sandy Neck/Barnstable Harbor
Essex	Parker River/Essex Bay	Saugus	Rumney Marshes, Golden Hills
Falmouth	Waquoit Bay	Sharon	Canoe River Aquifer
Foxborough	Canoe River Aquifer		Fowl Meadow and Ponkapoag Bog
Gloucester	Parker River/Essex Bay	Sheffield	Schenob Brook
Grafton	Miscoe-Warren-Whitehall Watersheds	Shirley	Squannassit
Groton	Petapawag and Squannassit	Stockbridge	Kampoosa Bog Drainage Basin
Harvard	Central Nashua River Valley	Taunton	Hockomock Swamp, Canoe River Aquifer
	Squannassit	Townsend	Squannassit
Harwich	Pleasant Bay	Truro	Wellfleet Harbor
Hingham	Weir River, Weymouth Back River	Tyngsborough	Petapawag
Hinsdale	Hinsdale Flats Watershed	Upton	Miscoe-Warren-Whitehall Watersheds
Holbrook	Cranberry Brook Watershed	Wakefield	Golden Hills
Hopkinton	Westborough Cedar Swamp	Washington	Hinsdale Flats Watershed
	Miscoe-Warren-Whitehall Watersheds	Wellfleet	Wellfleet Harbor
Hull	Weir River	W Bridgewater	Hockomock Swamp
Ipswich	Parker River/Essex Bay	Westborough	Westborough Cedar Swamp
Lancaster	Central Nashua River Valley	Westwood	Fowl Meadow and Ponkapoag Bog
	Squannassit	Weymouth	Weymouth Back River
Lee	Kampoosa Bog Drainage Basin	Winthrop	Rumney Marshes
Leominster	Central Nashua River Valley		