

 Town of Holliston

Commonwealth of Massachusetts

Conservation Commission

**Notice of Intent (NOI) Preparation and Filing Instructions**

A Notice of Intent is one of the most common applications for work within areas subject to the jurisdiction of the Conservation Commission, regulated under the Wetlands Protection Act (MGL c. 131 s. 40) and the Holliston Wetlands Protection Bylaw (Article XXXI). This application is reviewed during a public hearing by the Conservation Commission to consider compliance with the performance standards imposed on work within buffer zones and wetland resource areas, with a resulting permit or decision referred to as an Order of Conditions.

The same forms are used for filing a Notice of Intent under the Act and the Bylaw. The Notice of Intent form is available at: <http://www.mass.gov/legis/laws/mgl/131-40.htm>.

The text of the Wetlands Protection Act is available at: <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXIX/Chapter131/Section40>

The Massachusetts Wetlands Protection Act Regulations are available at: <http://www.mass.gov/regulations/310-CMR-1000-wetlands-protection-act-regulations>.

The text of the Holliston Wetlands Protection Bylaw is available at: https://www.townofholliston.us/conservation-commission/pages/holliston-wetland-protection-bylaw-article-xxxi

If you have questions or concerns, need assistance, or do not know if your project will require the filing of a Notice of Intent, please contact the Holliston Conservation Commission at (508) 429-0607 or conservation@holliston.k12.ma.us

Applicants must, at a minimum, provide **two (2)** copies of the following materials:

* Wetlands Protection Act Form 3 (Notice of Intent)
* Project narrative, to include the following:
	+ Description of project site
	+ Description of proposed activity(s)
	+ Jurisdictional resource areas onsite
* Development plans. Depending on scale and scope of the project, these must be stamped by a certified engineer or land surveyor, to include the following:
	+ Property boundaries
	+ Resource area delineation
	+ Boundaries of the 50-ft No Disturbance Zone and 100-ft Buffer Zone
	+ Boundaries of the 200-ft Riverfront Area
	+ Base Flood Elevation or floodplain boundaries
	+ Existing and proposed topography, structures, and any other physical features (walls, paths, trees, wells, drainage, utility lines, etc.)
	+ Erosion controls
* A topographic map of Holliston with the project site clearly marked, search property here:

<https://viewer.nationalmap.gov/advanced-viewer/> or

<https://ngmdb.usgs.gove/topoview/viewer/#4/40.01/-100.06>

* Bylaw and State Filing Fees and Transmittal Form
	+ Bylaw fees payable to “Town of Holliston”
	+ State fees payable to “Commonwealth of Massachusetts”
		- The state fee shall be sent to:

Massachusetts Department of Environmental Protection

Box 3982

Boston, MA 02241

* Abutter Notification
* Certified Abutter List, available from the Holliston Assessor’s Department
* Affidavit of Service

An additional copy of all materials listed above must be sent to the Massachusetts Department of Environmental Protection via certified mail, office located at:

Massachusetts Department of Environmental Protection, Wetlands Sector

8 New Bond Street

Worcester, MA 01606

Upon submittal of the Notice of Intent to the Conservation Commission, all abutters within 100’ of the property line as determined by the Certified Abutters List, shall be notified of the submittal via certified mail or certificate of mailing.

Upon receipt of the Notice of Intent, a hearing will be scheduled within twenty-one (21) days. Prior to this hearing, the Conservation Commission shall place a notice in *Metrowest Daily News* or another largely circulated newspaper in Holliston, advertising the time, date, location, and nature of the public hearing. **This advertisement will be billed directly to the applicant.**

A copy of the current Estimated Habitats of Rare Wetlands Wildlife & Certified Vernal Pools map is available for review at the following: <http://maps.massgis.state.ma.us/map_ol/oliver.php> (turn on layers Priority Habitat for Rare Species and Estimated Habitat for Rare Species and zoom in to your property). If your project is located within these areas, a copy of the Notice of Intent package must be sent to:

Natural Heritage and Endangered Species Program

Massachusetts Division of Fisheries and Wildlife

1 Rabbit Hill Road

Westborough, MA 01581

During the scheduled public hearing, the Commission shall make a decision on the Notice of Intent based on the information and materials filed, site visits, and information presented during the hearing. The Commission may decide, dependent on the scope and scale of the project, to hire a third party consultant to assist in the review of any aspect of the project. This consultant shall be selected by the Commission (appealable to the Select Board based on concerns of a conflict of interest) and shall be paid for by the applicant in a separate fee. If more information or revisions to the plans are needed, the meeting may be continued in compliance with applicable State and Town laws. If the applicant fails to provide the requested information, the Commission may deny the permit on these grounds. A file number and any comments from DEP must be received in order for the permit to be issued. The decision shall be issued within 21 days of the closing of the public hearing.

Prior to the commencement of any approved work, the Order of Conditions (decision) **must** be recorded at the Registry of Deeds. From the date of issuance, there is a ten (10) business day appeal period before work can begin.