

Process for Filing a Notice of Intent

1. Application

An application and instructions for completing a Notice of Intent (NOI) can be located at <https://www.mass.gov/how-to/wpa-form-3-wetlands-notice-of-intent>
See “Submittal Requirements” for complete application details.

2. A copy of the completed NOI must be sent to DEP at their regional office:

The Commonwealth of Massachusetts
Department of Environmental Protection
MassDEP Northeast Regional Office
150 Presidential Way, Woburn, MA 01801

3. The original and seven (7) copies must be sent to:

Winthrop Conservation Commission
Attn: Stacie Marley
Public Facilities Building
100 Kennedy Drive
Winthrop, MA 02152

4. Filing Fee

The filing fee is determined based on the proposed activities, per the fee schedule included in the NOI instructions at the link posted above. Please note that this fee needs to be divided between the DEP and the Winthrop Conservation Commission using the formula in the NOI instructions. Also note the DEP fee is to be sent to PO Box address included in the NOI application and not the regional office listed for the application.

5. Abutter Notification

According to the Wetlands Protection Act, abutters located within 100 feet of the project and a reasonable distance across a waterway shall be notified. The Assessor’s Office will compile a list of abutters and send to the applicant. It is the applicant’s responsibility to fill out and send the notice to the abutters. The notices must be sent by certified mail.

6. Legal Advertisement

The Conservation Agent will draft a legal notice for publication in the Winthrop Sun Transcript. The Winthrop Sun Transcript requires that you submit a deposit payment prior to publication.

7. Stake the Project

Stake the property two weeks in advance of the public hearing. The Con Com requires that all new structures, erosion control barriers, stormwater systems, etc. with Con com jurisdiction, be stakes with labeled "stakes" or flags.

8. Site Visit

The Con Com and/or Agent will perform a site prior to the public meeting to confirm existing conditions and proposed work stakes. If you wish to be informed of the visit, please contact the Department when applying.

9. Attend a Conservation Commission Meeting

The applicant or a representative must attend a meeting of the Conservation Commission to discuss the proposed project. The Commission's meeting schedule and submittal deadlines are posted on the Commission's webpage, listed above. Based on the information presented the Con Com will issue an:

- Order of Conditions (OOC) approving the project, so work may proceed as proposed, subject to conditions.
 - Order of Conditions denying the project, so the project may not process as proposed.
- or
- Continue the item to allow more time to review the project or for additional Information to be provided.

10. Received and Read the Order of Conditions

Contact the Con Com if you have any questions.

11. Wait-out the 10-Day Appeal Period

A decision of the Con Com can be appealed by any abutter, the applicant, or a 10-citizen group has within 10 business days of the decision of MassDEP.

12. Record the Order

The OOC must be recorded at the Registry of Deeds PRIOR to the work. Provide proof of Recording to the Conservation office.

13. Install MassDEP File Number Sign and Erosion Controls

14. Attend a Pre-Construction Site Visit

Contact the Conservation office to schedule a pre-construction site visit.

15. Execute the Project

The project must be completed within three (3) years, unless an extension of the permit is issued; extensions must be requested least 30 days prior to the expiration of the permit.

16. Request a Certificate of Compliance

Once the project is completed and all conditions are complied with, request a Certificate of Compliance from the Conservation office by submitting Mass DEP Form 8a, a letter from the engineer, and an as-built plan. The Conservation Agent will perform a site visit to ensure compliance.

17. Record the Certificate of Compliance (COC)

The COC must be recorded at the Registry of Deeds to remove the cloud from the title. Provide proof of recording to the Conservation office.

Questions

Please Contact Stacie Marley, Conservation Agent, at 617-846-4344 ext. 2701 or conservation@town.winthrop.ma.us with any questions.