

Ipswich Conservation Commission - Formal Amendment Filing Procedure

✓	REQUIREMENT	Included? (ICC Completes)
	<p><u>Items to be submitted, by filing deadline (generally 2 weeks prior to a meeting):</u> 1) Cover letter describing the proposed change to the Order of Conditions, with the site address and DEP File # (36-___), and including the mailing address and a phone number for the applicant (Original copy only for all documents except 2 copies of plans)</p>	
	2) An abutters list, certified by the Assessor's Office for all properties within 100' of the property	
	3) A completed Abutter Notification Form	
	4) A completed Affidavit of Service for abutter notification	
	5) Engineered plan showing the proposed work and distance to resource area. If a sketch is to be submitted, you must request a waiver of the requirement for engineered plans (2 copies of plan/sketch)	
	6) Written waiver request for work in the mandatory subzone (No-Disturbance Zone, No-Build Zone), if applicable, with required 1.5 : 1 mitigation	
	7) Local Fee form and check for correct amount. Make check out to "Town of Ipswich". Please note project address in the memo space in the check.	
	8) This completed form, signed at the bottom by the applicant (Original only).	
	9) An electronic copy of all of the above emailed to Brendanl@ipswichma.gov and Janetr@ipswichma.gov .	
	The applicant must submit 1 copy of items 1-5 to DEP-NERO, 205B Lowell St, Wilmington, MA 01887	
	The applicant must notify all abutters using copies of the completed abutter notification for (#3 above) via certified mail, return receipt requested, at least 7 days prior to the meeting. Proof of abutter notification (certified mail and/or return receipts) must be submitted at the start of the public hearing.	
	The Conservation Office will submit a legal ad, to be paid for by the applicant.	
	Applicant must attend the public hearing(s).	
	If approved, the Amended OOC must be recorded at the registry of deeds, and proof submitted to the Conservation Office, prior to beginning work.	
	Only unexpired OOCs may be amended. The Amended OOC does not extend the expiration date.	
	There is no appeals process for Formal Amendment requests that are not approved.	

<i>Site Address</i>	<u>36-</u> <i>DEP File #</i>	
<i>Printed Applicant Name</i>	<i>Applicant Signature</i>	<i>Date</i>

APPENDIX A

TOWN OF IPSWICH WETLANDS PROTECTION BY-LAW PROCESSING FEE CALCULATION WORKSHEET (Effective January 17, 2018) IMPORTANT: BYLAW FEES ARE IN ADDITION TO WPA FEES

(Submit this form with application with payment check made payable to Town of Ipswich)

- 1. A flat fee of \$30.00 for an Small Project Permit \$
2. A fee for the following applications: (check off appropriate item)
Request for Determination of Applicability (RDA) \$75.00 ea.
Request for Certificate of Compliance (COC) if Order is unexpired \$100.00 ea.
Request for COC if Order is expired \$200.00 ea.
Request for Extension of Order \$60.00 ea.

3. The following schedule applies for Notice of Intent and Abbreviated Notice of Resource Areas Delineation categories at 310 CMR 10.03(7) (c), as follow:
Table with columns: Category, Rate, No., Total

- 4. Formal Amendment to an existing Order (requires a public hearing): Equal to original filing fee/per each activity \$
5. Minor Modification to an existing Order (does not require a public hearing), check appropriate item(s):
First Request - Equal to 25% of original filing fee or \$30.00, whichever is greater
Second Request - Equal to 50% of original filing fee
Third and Subsequent Requests-Equal to original filing fee

- 6. Application for review of resource area delineation: \$1.00/Linear Foot (LF) of not less than \$50.00 or more than \$200.00 for single family house projects; not less than \$50.00 or more than \$2000.00 for any other activity. This fee will be in addition to the fee for an RDA or NOI listed above.
Type of activity: \$1.00/LF x LF = \$

- 7. Fees for projects within the Riverfront Area and another resource area shall be 150% of the above (check off appropriate item)
RDA: \$ 75.00 x 150% = \$
NOI (Total from Paragraph #3 above): \$ x 150% = \$

- 8. Late filing penalty fees: In the event of a violation finding by the Commission in which a filing is required after-the-fact, the local Wetlands By-Law fee for that late filing will be three times the normal fee(s) for the activities, applicable per the above schedule, including delineation fees.
Regular Processing Fee: \$ x 3 (penalty) = \$

Name/project address of Applicant: _____

DEP or ICC File No. _____ (if applicable). TOTAL BYLAW FEE SUBMITTED \$ _____

Revised January 17, 2018

Ipswich Conservation Commission Abutter Notification Requirements and Procedure

When submitting a Notice of Intent (NOI), Abbreviated Notice of Intent (ANOI), or an Abbreviated Notice of Resource Area Delineation (ANRAD) certain abutters to the subject property must be notified in accordance with the Massachusetts Wetlands Protection Act and Ipswich Wetlands Protection Bylaw. This notification is at the applicant's expense. The notification must meet the following requirements:

1. Notify all abutters within 100' of the subject property, including properties across roadways, unless your project meets the MA Department of Environmental Protection's Abutter Notification protocol for large or linear project. This protocol states that:
 - an applicant who proposes work only in Land Under Water Bodies or Waterways, or only on a lot larger than 50 acres, is required to provide notification only to abutters whose lot is within 100' of the "Project Site", which is the specific area where work is occurring that is within the Commission's jurisdiction.
 - an applicant proposing a Linear-shaped project (such as a within utility easement) greater than 1,000 feet in length is required to provide notification only to Abutters whose lot is within 1,000 feet of the "Project Site", which is the specific area where work is occurring that is within the Commission's jurisdiction.
2. Notify abutters at least seven (7) days prior to the public hearing;
3. The notification must be in writing, using the required local form (entitled "Notification Of Abutters Under The Massachusetts Wetlands Protection Act And The Town Of Ipswich Wetlands Protection Bylaw"). The notification must be either delivered by hand (with a confirmatory signature of the abutter); by certified mail, return receipt requested; or by certificates of mailing.
4. The applicant must present proof of notification (signature of hand delivery, certified mail receipts, or certificate of mailing receipts) for all abutters at the beginning of the first public hearing.

The abutters list (the list of those who must be notified) must be certified by the Ipswich Assessor's Office. The process is as follows: the applicant/representative gets a blank abutter form from the Assessor's Office or the Conservation Office. Then the applicant/representative fills it in using the maps and computer in the Public Research Room at Town Hall (across from the Assessor's Office – 1st floor). After the list is created, it is brought to the Assessor's office for certification. If it is a short list and they have the time, they'll review/certify it on the spot. If it is long or they are very busy, you leave it and they review and certify it. They then let the applicant/representative know when the form is ready for pickup. A copy of the certified abutter list must be submitted with the NOI/ANOI/ANRAD filing packet.



TOWN OF IPSWICH

IPSWICH, MASSACHUSETTS 01938

ASSESSORS OFFICE
25 GREEN STREET

(978) 356-6603

ABUTTER LIST REQUEST FORM

Date requested:	
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Requested by:	
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Mailing address:	
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Email address:	
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Phone number:	
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Subject Property address:	
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Subject Parcel ID:	
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Owner(s) name:	
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Number of feet required:	
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Board/Commission requesting list:	
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Signature of requester:	
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The Board of Assessors of the Town of Ipswich do hereby certify, in accordance with the provisions of Section 10 and 11 of Chapter 808 of the Acts of 1975, that the following named person, firms and corporations are parties in interest, as in said section 11 defined, with respect to the premises herein above described.

X

Certified by: Assessors Office

*The Assessor's Office has **up to 10 days** to complete the list. List is valid for sixty days only from date of issue.*

**NOTIFICATION OF ABUTTERS UNDER THE
MASSACHUSETTS WETLANDS PROTECTION ACT AND
THE TOWN OF IPSWICH WETLANDS PROTECTION BYLAW**

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the Ipswich Wetlands Protection Bylaw, as an abutter within 100 feet of any property line, you are hereby notified of the following:_____ has filed a

(Applicant)

Notice of Intent _____; Abbreviated Notice of Resource Area Delineation _____;
Request for Formal Amendment to Order of Conditions _____

with the Ipswich Conservation Commission, for review of the following activity:

at _____, Tax Map _____ Tax Lot _____.
(project address)

Existing IPS/DEP File Number, if assigned, is DEP # 036-_____. The Applicant's target hearing date is: _____. Information regarding the date, time, and place of the public hearing may be obtained from the Ipswich Conservation Office by calling (978) 356-6661.

The filing materials may be examined at the Conservation Office, 25 Green St, Ipswich, MA, by appointment during Town Hall business hours, or without an appointment on

Monday 8:00am - 2:00pm and 5:00pm - 7:00pm;

Tuesday 9:00am - 10:00am;

Wednesday 8:00am - 2:00pm;

Thursday 8:00am to 11:00am;

Friday 8:00am – 12:00pm.

Copies of 8½” by 11” documents may be purchased for \$0.05/page. Full size plans (24” by 36”) may be purchased for \$7.00 per sheet. Scans of document can be provided at no charge and emailed. **Scans and copies may not be available immediately**, but will be prepared within a reasonable time of the request. **No file materials may be borrowed under any circumstances.** Other than a brief summary of the matter at issue, the Conservation Office will not be able to discuss projects in depth over the telephone. If you have specific questions about a filing, contact the Conservation Office to make an appointment to speak with the Conservation Agent.

Notice of the public hearing, including the date, time and place, will be published at least five (5) days in advance of the first hearing only, in the Ipswich Chronicle, and in the Conservation Commission's Agenda as posted outside the Town Clerk's Office in Town Hall not less than forty-eight (48) hours in advance of sessions, and on the Town's Conservation website at www.Ipswichma.gov.

For more information regarding this matter or the Massachusetts Wetlands Protection Act, you may also contact the Mass. Department of Environmental Protection, Northeast Regional Office (DEP-NERO) at 978-694-3200, or at 205B Lowell Street, Wilmington, MA 01887; or at its website at: <http://mass.gov/dep/water/resources/wetlands.htm>.

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act

I, _____, of _____, hereby give notice under pains and penalties of perjury that on _____ I gave notice to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the DEP Guide to Abutter Notification, in connection with the following matter:

A _____ was filed under the Massachusetts Wetlands Protection Act by _____ with the Town of Ipswich Conservation Commission on _____ for the property located at _____. The form of the notification. The list of abutters to whom it was given, and their addresses, are attached to this Affidavit of Service. Proof of notification will be submitted at or before the first public hearing.

signature

date

printed name