

# **Town of Marblehead Conservation Commission**

Mary A. Alley Municipal Building  
7 Widger Road  
Marblehead, Massachusetts 01945  
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## **Public Hearings before the Marblehead Conservation Commission**

Request for Determination of Applicability (RFD) – WPA Form 1  
Notice of Intent (NOI) – WPA Form 3  
Abbreviated Notice of Intent (ANOI) – WPA Form 4  
Abbreviated Notice of Resource Area Delineation (ANRAD) – WPA Form 4A  
Marblehead Wetlands By-Law – Chapter 194

### **General Instructions\***

Revised 3/1/24

- Hearings before the Marblehead Conservation Commission are normally held simultaneously under the Wetlands Protection Act (MGL c. 131, § 40) and its regulations (310 CMR 10.00 et. seq.), and under the Town of Marblehead Wetlands Protection Bylaw (Chapter 194, Sections 194-1 – 194-14) and its regulations entitled Town of Marblehead, Wetlands Protection Bylaw Regulations for Administering Marblehead Bylaws Chapter 194, Sections 194-1 – 194-14. The filing forms used are those required by the Wetlands Protection Act and its regulations and said forms normally apply to the Marblehead Wetlands Protection Bylaw and its regulations as well.
- Fill out the appropriate wetland form(s) for your proposed project from the list indicated above. Answer all applicable questions and provide appropriate supporting plans and documents as necessary. The wetland forms are available in Microsoft Word at the MA Department of Environmental Protection [DEP] web site at: <http://www.mass.gov/eea/agencies/massdep/water/approvals/wetlands-and-waterways-forms.html>  
Please refer to the general instructions for each form, also available at the web site.
- Fill out the form entitled “Notification to Abutters under the Massachusetts Wetlands Protection Act and Marblehead Wetlands Protection Bylaw” and use this form to notify abutters of your project in accordance with the requirements of Sec. 194-5, Notice and hearings, of the Marblehead Wetlands Protection Bylaw.

Fill out the form entitled “Affidavit of Service (Abutter Notification)”. Submit the completed form with:

- a. a copy of the completed Notification to Abutters form sent to the abutters,
  - b. the abutter list with the abutter addresses to whom the form was sent,
  - c. the completed legal advertisement acknowledgment form.
- The NOI shall include all plans and documents required per The Town of Marblehead bylaw Chapter 194-3.
  - When your application for a hearing is complete, submit one (1) copy with all of the above forms, supporting plans and documents, to the DEP Northeast Regional Office, 150 Presidential Way, Woburn MA 01801, phone (978-694-3200). At the same time, submit fourteen (14) complete copies of the above documents to the Marblehead Conservation Commission c/o the Marblehead Engineering Department, Mary A. Alley Building, 7 Widger Road, Marblehead, MA 01945. Email an electronic version of the completed application with supporting plans and documents to the Conservations Commission at [conservation@marblehead.org](mailto:conservation@marblehead.org).

NOTE: The deadline for submitting the application is at the end of business on Wednesday, 2 weeks prior to the hearing.

- After the DEP reviews and accepts the completed application, they will issue a DEP file number for your project. Please refer to the file number when making inquiries regarding your project.

NOTE: An RFD, WPA Form 1 does not require a DEP File Number.

Filing fees are required both under the Wetlands Protection Act and its regulations, and under the Marblehead Wetlands Protection Bylaw and its regulations. Three [3] separate checks are required. Fees are due at the time the application is filed. Refer to Section 9, Fee Schedule, of the Marblehead Wetlands Protection Bylaw Regulations for the appropriate fee required by the Marblehead Wetlands Protection Bylaw. The fee required by the Wetlands Protection Act and its regulations is found at the end of WPA form 3. Please note that you are required to send the Wetlands Protection Act fee with the fee transmittal form to a separate location noted at the end of Form 3. Don't include the fee with your NOI submittal.

**Mail the fee transmittal form and MassDEP payment, payable to:**

Commonwealth of Massachusetts  
Department of Environmental Protection  
Box 4062  
Boston, MA 02211

The other two checks, the Marblehead bylaw fee and the town's share of the DEP fee are to be attached to the town's NOI submittal. The two checks may be combined if a fee calculation sheet is included in your NOI filing submittal.

- Once an application for a hearing is filed with the Conservation Commission and deemed complete, the Commission will schedule a hearing date and prepare an ad for publication in a local newspaper. The Commission will send the ad to the newspaper with instructions for the newspaper to bill the applicant for the cost of running the ad one time not less than five (5) business days prior the date of the hearing.

The hearings are generally scheduled at 7:00 p.m. on the 2<sup>nd</sup> Thursday of each month.

**\*This information is provided as a reference for commonly asked questions. Whenever an actual interpretation is required, the written laws, rules and regulations of the State and Town apply.**