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 3/27/2015

1. 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.

2. 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 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.

3. 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.

4. Fill out the form entitled “Affidavit of Service (Abutter Notification)” and submit this completed form, along with a copy of the completed Notification to Abutters form that was sent to the abutters and the abutter list including addresses to whom the Abutter Notification form was sent, to the Conservation Commission at the same time that your application for a hearing is submitted.

5. When your application for a hearing is complete, submit fourteen (14) copies of the completed application, along with fourteen (14) copies of all supporting plans and documents, to the Marblehead Conservation Commission c/o the Marblehead Engineering Department, Mary A. Alley Building, 7 Widger Road, Marblehead, MA 01945. At the same time submit one (1) copy of the completed application along with one (1) copy of all supporting plans and documents to the Massachusetts Department of Environmental Protection Northeast Regional Office, 205B Lowell Street, Wilmington, MA 01887 (978-694-3200) and obtain a DEP File Number for your project. Please note that RFD, WPA Form 1 does not require a DEP File Number.
6. **Filing fees are required both under the Wetlands Protection Act and its regulations, and under the Marblehead Wetlands Protection Bylaw and its regulations.** 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 on the applicable application form(s) required to be completed. Please note that you are required to send the Wetlands Protection Act fee to a separate location from the location where the actual application forms and support documents are sent.

7. Include with the submission one completed Legal Advertisement Acknowledgement Form.

8. Once an application for a hearing is filed with the Conservation Commission, 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.

*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.*