

Town of Winchendon
109 Front Street
Winchendon, MA 01475



Land Use
Conservation
Planning and Development

Notice of Intent (NOI) for Conservation Commission

The NOI process and application form are tools of MA DEP, administered locally by the Conservation Commission. In addition to the regulations from the state there are local Wetland Bylaw regulations that may apply to your proposed project. The process is very prescribed and can seem overwhelming at first. We are here to assist and ensure that the application process goes smoothly for each owner.

The NOI application can be completed using the form included with this document or can be done via their online system. A copy of the application form needs to be submitted to the DEP office for review, to their PO Box with payment and to the Conservation Agent with local payment. MA DEP will generate a formal file number that identifies the application. Once we have your application form and payment, accompanying information and the DEP number we can schedule a public hearing with the Conservation Commission. The Commission currently meets the second Thursday of each month at Town Hall.

Prior to the public hearing we are required to post notice in the local paper. You need to obtain a certified abutters list from the Town Assessor and notify those listed via certified mail. The abutters list may take up to 10 days to process and letters must be sent at least 7 days prior to the hearing. In order to advertise in the paper and generate the notice to abutters your application needs to be received at least 3 weeks prior to the next meeting date.

At the public hearing you will be invited to provide an overview of the project to the commissioners. They will likely ask questions and may continue the hearing (keep it open until next month) to allow for a site visit or submission of additional information. The public will also have an opportunity to ask questions and to comment on the proposal. Once the Commission has sufficient information they will close the public hearing and discuss the project, ultimately rendering a decision, called the Order of Conditions (Order or OoC).

The decision then needs to be signed by the Commission members and will be delivered to you and to DEP. You will need to record the Order of Conditions with the Registry of Deeds and submit a copy of the receipt. The Order will remain as a title restriction on the property until a Certificate of Compliance is recorded.

Once the Order is recorded the erosion controls need to be installed and inspected and construction can begin. Upon completion of the project an Engineer or Architect needs to issue a letter certifying that the project has been and is compliant with the regulations and Order of Conditions. This letter, along with an as-built survey of the completed project and the Request for Certificate of Compliance (another DEP form) need to be submitted to the Conservation Agent. This information will go before the Conservation Commission for review. They will either issue the Certificate of Compliance or notify you remedial alterations required. The Certificate of Compliance may contain permanent conditions that must be followed for the property. This Certificate of Compliance needs to be filed with the Registry of Deeds to remove the title restriction, allowing for mortgage and sale in the future.

In addition to the forms and applications you will need to write several checks, a summary list is provided here.

- DEP NOI application fee \$42.50 mailed to their PO Box in Boston
- DEP NOI local application fee \$67.50 payable to the Town of Winchendon
- Winchendon Bylaw Fee \$112.50 payable to the Town (includes 50% due if filing after work has begun)
- Assessor Fee for Abutters list - \$10 payable to the Town of Winchendon
- Advertising fee – set by the Gardner News and typically less than \$150 – I will notify you of this cost
- Winchendon Certificate of Compliance Fee - \$30 payable to the Town of Winchendon when permit filed

Please don't hesitate to contact me at any time for assistance with your submission. Email is generally the best way to reach me – amanugian@townofwinchendon.com