

How to Comply with Wetlands Regulations When Applying for a Building Permit

An Introduction to the Wetlands and Rivers Protection Acts Regulations

The Plainfield Conservation Commission (PCC) is responsible for implementing the WPA and RPA regulations. Outlined below are the steps the PCC will help you, the applicant, to work through.

Request for Determination of Applicability (RDA, Form 1*): In order to determine if your land is subject to the regulations, you should submit an RDA. We will discuss your project at our next meeting. You submit a check to cover the cost of publishing a newspaper notice of the meeting at least 5 business days prior to the meeting. The Commission will schedule a **site visit** to review the proposed work. The Commission will respond within 21 days of the receipt of your submission, complete with your description and detailed plans. If you already know, from your own consultant, that your project will impact wetlands, then you should instead submit a "Notice of Intent" (see "NOI" below).

Determination of Applicability, (DOA, Form 2*) If the proposed work will not impact wetlands, we will return your request with a negative determination. In cases where there may be only minimal impact, we will issue a negative determination with conditions that you must meet in order to comply.

Notice of Intent (NOI, Form 3*): If the work does come under the Commission's jurisdiction and issues a positive determination for your RDA, you must file an NOI, including a site plan, any engineering studies/plans and show how impacts to wetlands are to be mitigated. The Commission will hold a public Hearing within 21 days of the receipt of the submission.

- a. You submit the original NOI to the Commission and send a copy to the DEP.
- b. You pay a fee with the NOI: one check goes to the DEP, and a second goes to the Town of Plainfield.
- c. You submit a check to cover the cost of publishing a newspaper notice of the Public Hearing at least 5 business days prior to the hearing.
- d. You send a **Notice to Abutters** of the Public Hearing (if this service is not provided by your engineer/contractor, the Commission will provide you with a template).

Public Hearing: Here you or your engineer/contractor will present your plan. The Commissioners and the public may ask you questions during the hearing. The Commission will then reach a decision within 21 days of closing the hearing (note: the hearing may be extended by mutual agreement).

Order of Conditions (OOC, Form 5*): If the project is approved, the Commission may specify conditions in the OOC that must be met in order to carry out the project. The OOC is then sent to the Registrar of Deeds as an addendum to your deed. In the event the Commission does not approve the plan, you may appeal the decision to the DEP or submit an alternate NOI.

Certificate of Compliance (COC, Form 8b*): When the project is completed, you should request a COC from the commission with a **Request for COC, (Form 8a*)**. Your COC will be issued within 21 days and will be filed with the registrar of deeds and the DEP.

* All Forms may be downloaded from www.mass.gov/eea/agencies/massdep/water/approvals.