

INSTRUCTIONS FOR FILING
A NOTICE OF INTENT
IN GARDNER, MA

These forms are used to describe the proposed activity to allow the Gardner Conservation Commission and the Massachusetts Department of Environmental Protection (DEP) to evaluate potential impacts to wetlands and adjacent resource areas.

Wetlands are protected because they provide important functions for the public including protection of public and private water supplies, protection of groundwater, flood control, erosion and sedimentation control, storm damage prevention, water pollution prevention, protection of fisheries, wildlife and wildlife habitat, aesthetics and recreation. For these reasons, the Massachusetts Wetlands Protection Act prohibits the removing, filling, dredging or other alteration of the land surface, water levels or vegetation within wetlands without filing a written Notice of Intent with the Gardner Conservation Commission and obtaining a permit. The Act also gives jurisdiction to the Conservation Commission for activities within the area that extends 100 feet from many of these wetlands (Buffer Zone). Under the Gardner Wetlands Protection Ordinance, the Conservation Commission has jurisdiction over alterations within 30 feet of a wetland (No Disturbance Zone) and within 30 feet of any No Disturbance Zone (No Build Zone). For more information, visit the Gardner Conservation Commission website at www.gardner-ma.gov under Boards and Commissions, Conservation Commission, Additional Links

A. TO THE STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION:

- 1) Submit either by certified mail or hand delivery to the DEP Central Regional Office (627 Main Street, Worcester, MA 01608) the following information:
 - a) A completed and signed hard copy of the Notice of Intent (WPA Form 3, current version) or an electronic copy submitted at www.mass.gov/dep under eDEP Online Filing
 - b) A copy of an 8 ½” by 11” section of the USGS quadrangle topographic map of the area, marked to identify where the proposed work will be located
 - c) A copy of the project plan
 - d) A copy of the Wetland Fee Transmittal Form (within WPA Form 3)
 - e) A copy of the state filing fee check (mailing instructions below)
 - f) A copy of the certified list of all abutters within 100 feet of the property line of the land where the activity is proposed. This list may be obtained from the City Assessor, Room 223 of Gardner City Hall.

- 2) Submit to DEP Headquarters (P.O. Box 4062, Boston, MA 02211) the following state filing fee and form:
 - a) Completed Wetland Fee Transmittal Form (within WPA Form 3)
 - b) A check payable to the Commonwealth of Massachusetts for the state portion of the filing fee in the amount shown on the Wetland Fee Transmittal Form

B. TO THE GARDNER CONSERVATION COMMISSION:

- 1) Submit either by hand or certified mail to the Gardner Conservation Commission (Gardner City Hall-Manca Annex, 95 Pleasant St., Room 202, Gardner, MA 01440) the following:
 - a) Two completed and signed hard copies of the Notice of Intent Form (WPA Form 3, current version); one set MUST include original signatures
 - b) One electronic copy of the entire filing
 - c) One electronic copy of the Project Narrative, emailed to dtorres@gardner-ma.gov.
 - d) A copy of the Wetland Fee Transmittal Form with a check payable to the Gardner Conservation Commission for the city portion of the filing fee in the amount shown on the Transmittal Form
 - d) A copy of the check sent to DEP in Boston for the state portion of the fee
 - e) A certified list of all abutters within 100 feet of the property line of the land where the activity is proposed. This list may be obtained from the City Assessor, Room 223 of Gardner City Hall.
 - f) Two sets of plans and any additional information which describes the nature of the proposed activity and its effects on the wetlands and buffer zones (e.g., a copy of an 8 ½” by 11” section of the USGS quadrangle topographic map of the area, marked to identify where the proposed work will be located)
 - g) Receipts proving Notification of Abutters by certified mail, return receipt requested. These receipts may be turned in at the beginning of the hearing.
 - h) The Conservation Agent will compose and deliver the legal notice to The Gardner News. The applicant is responsible for contacting Gardner News directly to provide payment for the notice.

- 2) Effective October 1, 2011, the Gardner Conservation Commission began collecting filing fees under the local Wetlands Protection Ordinance in addition to those collected under the state Wetlands Protection Act (above). Submit the following for the Ordinance filing fees:
 - a) A check payable to the Gardner Conservation Commission in the amount shown on the Ordinance Filing Fee Calculation Worksheet (available on the Commission website at www.gardner-ma.gov, Boards and Commissions, Conservation Commission, Additional Links).