

## Notice of Intent - Filing Checklist

### **When to File a Notice of Intent (NOI)**

The Massachusetts Department of Environmental Protection (MassDEP) explains that to protect the Commonwealth's wetland resources, the Massachusetts Wetlands Protection Act (WPA) prohibits the removal, dredging, filling, or altering of wetlands without a permit. To obtain a permit (called an Order of Conditions), you must submit an application (called a Notice of Intent) to the local Conservation Commission and MassDEP. The Notice of Intent application provides the Conservation Commission and MassDEP with a complete and accurate description of the site and proposed work seeking a permit. Thus, if you have a project that will occur in any part within lands under the jurisdiction of the Wetlands Protection Act and/or the Greenfield Wetlands Protection Ordinance, you will need to file a NOI with the Greenfield Conservation Commission in order to remain in compliance with Massachusetts State Law. Further guidance by MassDEP can be found at: <https://www.mass.gov/how-to/wpa-form-3-wetlands-notice-of-intent>

A MassDEP WPA Form 3 (NOI) should be filed when a project is within a WPA jurisdictional area and a Greenfield Wetlands Protection Ordinance jurisdictional area. When a project is only within a Greenfield Wetlands Protection Ordinance jurisdictional area, a Greenfield NOI form should be filed instead.

If you are about to begin a project and would like assistance in determining if it is appropriate for you to file a NOI, please contact the Conservation Agent at [mitchell.vye@greenfield-ma.gov](mailto:mitchell.vye@greenfield-ma.gov), by phone at 413-772-1548 ext. 3, or visit the Planning & Development Department office at 20 Sanderson Street.

The City of Greenfield also has available a free GIS mapping tool in which applicants may enter their project location and utilize remotely analyzed projections of where wetlands likely are. ***Please note that this is not an official delineation of wetlands and so the true extent of the wetlands on your property may be greater or less than what is shown.*** A wetland scientist would need to assess your property in person to tell you exactly where the wetlands are and a formal wetland delineation is required for a NOI to be considered.

GIS Mapping Tool: <https://www.axisgis.com/greenfieldma/>

### **Required Materials for a Complete NOI Application**

The following documents are considered the minimum submittal requirements for a complete application to the Conservation Commission. The Commission reserves the right to request additional information before issuing a decision based on site and/or project specifics.

- **Completed MassDEP Wetlands Protection Act Form 3: Notice of Intent.**
  - o Blank forms can be found on the MassDEP website at: <https://www.mass.gov/how-to/wpa-form-3-wetlands-notice-of-intent> or by request from the Conservation Agent.
  - p A Greenfield NOI form should be filed instead when a project is within a Greenfield Wetlands Protection Ordinance jurisdictional area only. This can be found at: [https://cms5.revize.com/revize/greenfield/Document\\_Center/Government/Conservation%20Commission/WPA%20Form%203\\_Notice%20of%20Intent\\_Greenfield\\_Wetlands\\_Protection\\_Ordinance.doc](https://cms5.revize.com/revize/greenfield/Document_Center/Government/Conservation%20Commission/WPA%20Form%203_Notice%20of%20Intent_Greenfield_Wetlands_Protection_Ordinance.doc)
- **Stormwater Checklist and Report (and supporting calculations), if applicable.**
  - o Be sure to indicate Stormwater Standards applicability on MassDEP Form 3 and utilize the Stormwater Handbook found here: <https://www.mass.gov/guides/massachusetts-stormwater-handbook-and-stormwater-standards>
- **City portion of WPA filing fee and proof of payment of State portion of WPA filing fee.**
  - o Utilize the NOI Wetland Fee Transmittal Form to calculate the required fee payment to Greenfield and MassDEP. Checks to the Conservation Commission

should be made out to The City of Greenfield. Payment to the State should be sent by USPS Certified Mail/Return Receipt to the address below.

MassDEP  
Box 4062  
Boston, MA 02211

- **Professional Engineer Stamped Site Plan(s) at a scale no smaller than 1"=40' showing existing and proposed features (with dimensions) relative to jurisdictional wetland resource areas (e.g. wetlands, streams, Riverfront Area) and the 100-foot Buffer Zone.**
  - Overall project layout plans, if appropriate due to the size of the project, may be submitted at other scales.
- **USGS Site Locus Map.**
  - This gives the Conservation Commission greater context of where the work will be taking place within Greenfield.
- **Narrative description of existing conditions and proposed activities.**
  - As support to your site plan, the description should highlight any details not immediately apparent in the visual plans as well as provide greater context for long term construction plans. This includes site management considerations and how the performance standards will be met.
- **Narrative description of wetland resource area delineation methodology.**
  - The delineation must be completed by a wetland scientist with proper credentials.
- **MassDEP Delineation Data Forms for upland-wetland transects at each Bordering Vegetated Wetland (BVW) referenced in the NOI and/or plans.**
  - Data Forms can be found at the following link:  
<https://www.mass.gov/doc/bordering-vegetated-wetland-delineation-field-data-form/download>
- **Proof of legal ad within the Greenfield Recorder at least five business day prior to intended meeting appearance.**
  - It is the Applicant's responsibility to coordinate publication of the legal ad. A guide and sample legal ad is available through the City Planner's office and the Conservation Commission webpage at:  
[https://cms5.revize.com/revize/greenfield/Legal\\_Notice\\_Guidance\\_Sample\\_Format.pdf](https://cms5.revize.com/revize/greenfield/Legal_Notice_Guidance_Sample_Format.pdf)
- **Scheduled site visit with the Commission prior to intended meeting appearance.**
  - Coordinate with the Conservation Agent to assign a date and time. The visit may be scheduled the day of the intended meeting.
- **List of Abutters within 300 feet of the subject parcel(s) with notification to property owners.**
  - Lists can be obtained at the City Assessors Office and Certified Mail return receipts will need to be submitted to the Conservation Commission by the public hearing date.
  - p The Abutter Notification Form can be found at:  
[https://cms5.revize.com/revize/greenfield/Document\\_Center/Government/Conservation%20Commission/Abutter\\_Notification\\_Form.pdf](https://cms5.revize.com/revize/greenfield/Document_Center/Government/Conservation%20Commission/Abutter_Notification_Form.pdf)
  - q The Affidavit of Service Form ([https://cms5.revize.com/revize/greenfield/Document\\_Center/Government/Conservation%20Commission/Affidavit\\_of\\_Service\\_Form.pdf](https://cms5.revize.com/revize/greenfield/Document_Center/Government/Conservation%20Commission/Affidavit_of_Service_Form.pdf)) should be submitted to the Conservation Commission.

- **Photographs of scope of work.**
  - Photos may also be taken by the Conservation Agent/Commission at the aforementioned site visit.
- **Proof of submittal to MassDEP and the property owner (if different from applicant).**
  - A copy of the application must be submitted to MassDEP at the address provided below or online through eDEP. Applications should be sent as USPS Certified Mail/Return Receipt or hand-delivered.

Massachusetts Department of Environmental Protection  
436 Dwight Street  
Springfield, MA 01103

In the event that the Applicant is not the property owner of the land for which the application pertains, the Applicant must demonstrate that a complete copy of the application has been provided to the property owner(s). Copies should be sent as USPS Certified Mail/Return Receipt or hand-delivered.

- **Determination letter from the Natural Heritage and Endangered Species Program through the MESA project review (for non-exempt activities within priority or estimated habitat).**

**One digital and one physical copy** of a complete application must be submitted to the Commission. Applicants may submit the application materials electronically (i.e. pdf) to the Commission, by mail, or hand delivery to the Planning Department.

Contact the Conservation Agent at [mitchell.vye@greenfield-ma.gov](mailto:mitchell.vye@greenfield-ma.gov) or 413-772-1548 ext. 3 to confirm these details. If submitting by mail, NOI Applications and accompanying documentation should be sent as USPS Certified Mail/Return Receipt or hand-delivered to the address provided below.

Greenfield Conservation Commission  
c/o Greenfield Planning & Development Department 14  
Court Square  
Greenfield, MA 01301

Note:

1. A filing fee based on the activity or activities proposed is due to the Commission or MassDEP when filing a NOI. The fee is due at the time of application. An application submitted to the Commission without payment of fees will not be considered complete or included on a meeting agenda until payment is made.
2. In the event that a wetland boundary is delineated on an adjacent parcel, the Applicant must obtain written permission from the landowner(s) to present that wetland line on project documents.
3. The Commission recommends that Applicants inquire regarding other recent permit applications that may have been approved on land that affects the subject parcel and/or proposed project area. Previously approved and valid wetland delineations are legally binding.
4. The Greenfield Wetlands Protection Ordinance expands the Conservation Commission's jurisdiction to include protection of the 200-foot Riverfront Area adjacent to intermittent streams ("rivers, streams, brooks and creeks, whether perennial or intermittent; lands adjoining these resource areas out to a distance of 200 feet, known as the 'riverfront area'"), isolated wetlands ("resource areas shall be protected whether or not they border surface waters"), and vernal pools as defined in the ordinance regardless of whether the vernal pools have been certified by the Massachusetts Division of Fisheries and Wildlife. The ordinance also stipulates at a minimum a 25-foot "No Disturb Zone" between resource areas and all altered areas. Contact the agent if assistance is needed to determine whether the Wetlands Protection Act, the Greenfield Wetlands Protection Ordinance, or both apply to a project.

*Updated February, 2024*