



Town of Tyngsborough Conservation Commission

25 Bryants Lane,
Tyngsborough, Massachusetts 01879-1003
Office: (978) 649-2300 x 119
Fax: (978) 649-2301

APPLICATION FILING REQUIREMENTS

1. **Presubmission meeting** - All applicants should meet with the Conservation Agent prior to submission of applications. The Conservation Agent will determine which type of application and details are necessary for the application based on the scale of the project and its impact to the areas under jurisdiction of the Conservation Commission. The Conservation Commission may override the Agent's recommendation if the Commission feels additional information or applications are appropriate.
2. **Submission Requirements** – The following items are required for filing with the Commission:
 - a. Two signed copies of a completed Notice of Intent, Abbreviated Notice of Intent, Amended Notice of Intent, Request for Determination of Applicability, or Abbreviated Notice of Resource Delineation as determined by the Conservation Agent.
 - b. Two copies of plans stamped by a professional engineer, land surveyor, or registered sanitarian as appropriate for industrial, commercial, residential subdivision, or multifamily projects. Detail requirements for plans are attached. Single family lots will require plans stamped by a professional engineer, land surveyor or registered sanitarian unless the Conservation Agent determines a lesser standard is appropriate for the project proposed. At a minimum single family plans shall include scaled drawings based on certified plot plans or subdivision plans. The Conservation Commission may override the Agent's recommendation if the Commission feels additional plans are appropriate.
 - c. A letter of description discussing the proposed project with the signature of the owner of the property if the applicant is not the owner and has no other demonstrated interest in the property such as a Purchase and Sale Agreement.
 - d. Two copies of drainage calculations, consultant release forms, and other engineering data as deemed necessary by the Commission.

- e. Two copies of a locus map showing the parcel where the proposed work is to take place with sufficient streets or points of interest around the parcel to readily identify its location.
 - f. An original abutters list certified by the Assessor's Office with proof of notification to all listed abutters, in the form of signatures on a letter listing all information relevant to the hearing, or certified receipts from the Post Office. A copy of the notice should be included with the abutter's list. An abutter for the purposes of the Tyngsborough Conservation Commission shall be the owner of any parcel within three hundred (300) feet of the parcel or parcels on which the project is proposed. A copy of the Notification to Abutters form is attached. Notification forms should be reviewed by the Conservation Agent or Clerk prior to mailing.
 - g. Proof of mailing of the above to the MassDEP-Northeast Regional Office, 205B Lowell Street, Wilmington, MA 01887, in the form of a certified receipt from the Post Office. The mailing to the DEP should also include a copy of the Affidavit of Service.
 - h. The appropriate filing fee, including the local bylaw fees where applicable, made out by check to the Town of Tyngsborough.
3. **Deadlines** – The Conservation Commission meets on the second and fourth Tuesday of the month except when there is a holiday conflict. The deadline for submission of a complete application is 12:00 noon on the second Wednesday prior to the scheduled meeting (approximately 14 days prior to the meeting).
4. **Fees** – Under the Tyngsborough Wetlands Protection By-law, the Commission has established a Filing Fee Schedule. Such fees are in addition to those fees required by the Wetland Protection Act 310 CMR 10.03 (7). Permit fees are payable at the time of the application and are non-refundable. Permit fees shall be calculated by the applicant based on the schedule below. This calculation is subject to review by the Conservation Agent and acceptance by the Commission. The Commission shall have the right to change the fee schedule shown below. Any change of the fee schedule must be advertized and posted at the Town Hall at least thirty (30) days prior to the date the changes become effective. The Fee Schedule is as follows:
- a. Subdivisions:
 - 1) Roadways and utilities: \$250.00 + \$2.00/foot of roadway side line within 100 foot buffer zone of resources under the jurisdiction of the Conservation Commission
 - 2) Lots in subdivisions: \$100.00/lot for lots within 100 foot buffer zone of resources under the jurisdiction of the Conservation Commission

- b. Multi-family Dwelling Units: \$250.00 + \$100.00/dwelling unit if all or part of which lies within 100 foot buffer zone of resources under the jurisdiction of the Conservation Commission.
- c. Commercial and Industrial Sites: \$400.00 + \$0.50/square foot of resource area disturbed under the jurisdiction of the Conservation Commission.
- d. Requests for Determinations of Applicability: \$50.00
- e. Time Extensions: \$50.00
- f. Agent Determinations: No charge for first determination visit, \$25.00 if multiple visits are required.
- g. Amendments to Orders of Conditions: Amendments to existing Orders of Conditions shall require the same fees as appropriate for Orders of Conditions of similar extent.
- h. After the fact applications: All fees associated with after the fact applications without an enforcement order will be increased 50%.
- i. Enforcement Order:
 - 1) All fees associated with applications filed in conjunction with an enforcement order will be doubled.
 - 2) To lift an existing Enforcement Order:
 - First Offense: \$150.00
 - Second Offense: \$300.00

Adopted: 7/17/90
 Amended: 8/21/90
 5/7/91
 6/22/93
 1/1/01
 1/23/01
 7/26/05