

V. FILING FEES, PLAN REQUIREMENTS, AND WORK CONDITIONS

A. Filing Fees

1. Preamble

- a. Any person filing an Application for Permit or Request for Determination pursuant to the bylaw shall, at the same time, pay a filing fee in accordance with the Filing Fee Schedule.
- b. If the project is other than an addition or alteration to a one-family or two-family dwelling or related parking structures, the person shall agree, in writing, to pay the fees, costs, and expenses of any expert consultant deemed necessary by the Commission to review the Application for Permit or Request for Determination.
- c. Municipal projects are exempt from these requirements.

2. Permit Fee Schedules

- a. Request for Determination
 - i. \$50 for the first five acres or less
 - ii. \$5 for each additional acre or part
- b. Abbreviated Notice of Resource Area Delineation
\$2 per linear foot of determined bordering vegetated wetland:
 - i. up to a maximum of 100 feet (\$200) for a single-family lot;
 - ii. up to a maximum of 1,000 feet (\$2,000) for a commercial subdivision or industrial development, or a subdivision with more than four lots.
- c. Notice of Intent
Where proposed work falls under the jurisdiction of the Town of Amherst Wetland Protection Bylaw, only the town's portion of the state filing fee shall be submitted.
- d. Amended Order of Conditions - \$100
- e. Extension of Order of Conditions - \$50
- f. Certificate of Compliance - \$50
- g. Emergency Certification - \$75
- h. Re-issue Order of Conditions or Certificate of Compliance - \$50

B. Plan Requirements for Requests for Determination

Any person filing a Request for Determination shall adhere to the plan requirements specified for the state form WPA 1.

C. Plan Requirements for Notices of Intent

1. Preamble

- a. Plans shall describe the proposed activity and its effect on the environment, with due regard shown for all natural features such as large trees, water courses and water bodies, historic features, wildlife habitat, and recreational areas.
- b. The applicant may submit, or be required to submit, any further information which will assist in the review and which is deemed necessary to determine the proposed effect on the interests protected by the bylaw.
- c. The applicant must submit the original material to the Commission, plus two (2) copies of the appropriate Permit Application, including an 8.5 x 11 inch reproduction

of the USGS quadrangle sheet showing the project locus. In the case where the project requires two or more plans to show the locus, an 8.5 x 11 inch sheet clearly identifying the proposed site and work, with labeled boundaries of the resource areas, must be submitted.

2. General Submission Requirements

- a. The names and addresses of the record owner(s), the applicant(s), and all abutters, as determined by the most recent local tax list unless the applicant shall have more recent knowledge of such abutters.
- b. Description of any alteration to flood storage capacity on the site, including calculations and watershed maps. If a change of flood storage capacity is proposed, compensatory storage at every elevation in the floodplain must be indicated.
- c. Percolation test calendar dates of measurements and samplings, regardless of planned sewer connection.
- d. Soil characteristics in representative portions of the site.
- e. A runoff plan and calculations using TR-55 or the Modified Soil Cover Complex Method (for areas greater than 20 acres) and based on the 10 year, 50 year, and 100 year flood frequency event periods. Calculations must show existing and proposed runoff conditions for comparative purposes. Other methods of calculations will be considered by the Commission at its discretion based on site-specific conditions.
- f. Methods to be used to stabilize and maintain any embankments facing any wetland, or to show slope on plans of less than or equal to 3:1.
- g. A siltation and erosion control plan to be implemented during and after the work.

3. Detailed Plan Requirements

- a. All drawings shall be drawn (1" = 40' max.) with the title designating the name of the project location(s), the name(s) of the person(s) preparing the drawings, and the date prepared, including all revision dates. Drawings shall be stamped and signed by a registered professional engineer or registered land surveyor of the Commonwealth of Massachusetts. Pencil notations will not be accepted.
- b. Drawings must include numbered delineations of all wetland resource areas which have been identified by a wetland scientist, both permanent and seasonal, whether natural or man-made, and should be clearly delineated regardless of whether or not the applicant believes the work is subject to the Wetlands Protection Act (G.L. Ch. 131 Sec. 40) or the Amherst Wetlands Protection Bylaw:
- c. Drawings must include delineations of all alterations proposed in or adjacent to wetlands and floodplains, with clear explanations of the alterations in text or footnotes,
- d. Drawings must indicate buffer zones to all state and local resource areas
- e. Drawings must indicate different resource areas by color coding with the recommended coding as follows: wetlands (blue), upland (brown) and open space (green).
- f. Drawings must include the following additional information:
 - i. existing and final contours (with the contour intervals used), including pond bottom and stream invert contours
 - ii. soil characteristics in representative parts of the property, including depth of peat and soil types in wetlands, and test-boring logs
 - iii. locations, sizes, and slopes of existing and proposed culverts and pipes
 - iv. cross-sections of all wetlands, showing slopes, banks, and bottom treatments
 - v. existing and proposed water-storage capacity of the property, including the calculations and data on which the capacity is based

- vi. effect of loss of storage on downstream channels and culverts, if filling is proposed
 - vii. location and elevation of the benchmark used for the survey
 - viii. invert elevations on catch basins
 - ix. proposed on-site pollution control devices, such as hooded catch basins, oil absorption pillows, detention/retention basins, flow dissipaters, or vegetative buffers
 - x. locations/details of erosion control devices
 - xi. Assessor's map and lot number(s)
4. Site Requirements Prior to Inspection
- Before site inspections can be made by the Commission or the Commission's agent, the following conditions must be met (and please note that failure to meet these requirements may result in non-review and hence costly delay of the project):
- a. stakes indicating the corners of proposed houses or other proposed structures nearest the wetland resource area
 - b. stakes indicating the limit of proposed work
 - c. lot number or house number posted at the location
 - d. edges of all resource areas clearly delineated with numbered flags or stakes

D. Minimal Conditions Regulating the Work

1. No activity may proceed until the applicant has received all other permits required by law, including but not limited to any permit required by Health Inspections, Planning Board, Zoning Board of Appeals, Department of Environmental Protection, and/or the Army Corps of Engineers.
2. The Commission shall receive forty-eight (48) hours advance notice, in writing, before the commencement of any activity within, or within the 100 foot buffer zone of, the resource area(s), including site preparation and construction.
3. The location of siltation and erosion controls shall be approved by the agent for the Commission. Such controls shall remain in place and be maintained until all disturbed areas have been stabilized to the satisfaction of the Commission.
4. A copy of the Permit shall be kept on-site at all times during construction. All contractors and sub-contractors engaged during construction shall be provided with a copy of the Permit, and should be prepared to produce said Permit upon request of the Commission or its agent.
5. Work shall proceed in strict accordance to referenced plan(s) in the Permit, and to information submitted in the Application.
6. All structures, facilities, and equipment as part of the project shall be continually operated and maintained so as to comply with the Permit. This provision applies specifically to all heavy equipment used on the project. Any leakage of oil, hydraulic fluid, gasoline, or any other pollutant must be cleaned up immediately, and the defective equipment responsible for said leaking shall be repaired immediately or taken off-site.
7. All work shall be completed in such a manner as to prevent eutrophication or sedimentation in wetlands, water bodies, or public or private water supplies.
8. Any substantial changes made or intended to be made in the plans shall require the applicant to file a new Notice of Intent or to inquire of the Commission, in writing or by certified mail, whether the change is so substantial as to require the filing of a new Notice.
9. The Permit is granted under Section VII of the Amherst Wetlands Protection Bylaw subject to the conditions proposed herein. Requests for an extension of the Permit must

be submitted, in writing, no less than thirty (30) days prior to the expiration date of that Permit, or else the applicant will be required to file a new Notice of Intent.

10. Violation of any of these conditions shall be subject to a daily fine, pursuant to Section XI of the Town of Amherst Wetlands Protection Bylaw, until said violation(s) has been corrected to the satisfaction of the Commission.
11. A Certificate of Compliance shall be requested from the Commission upon completion of the proposed work. Said request shall be accompanied by a written statement from the professional who prepared the plan certifying compliance with all plans, as well as an “as built” plan.