

# Erving Notice of Intent Submission Instructions

All RDAs, NOIs or issues requiring legal advertising must be submitted **at least 10 business days** before the next month's meeting to be considered for that meeting agenda

## Required Paperwork:

1. Applicant to fill out [Notice of Intent \(NOI\) form](#) (and instructions [here](#)) or online [here](#). If you have an environmental consultant or engineer, they will be familiar with these forms, or you can fill it out yourself. Note that depending on the scope of work the Conservation Commission may request professional engineers, architect, hydrologists, etc sign off on proposed work at the expense of the applicant.
2. **Three hard copies and one digital copy of the NOI and any plans/drawings/specifications** for the proposed work need to be submitted through the Town Hall dropbox (to the left of the back door) or mailed to Erving Conservation Commission 12 East Main Street, Erving, MA 01344. Digital copies can be sent to the [Conservation Commission](mailto:conservationcommission@erving-ma.gov) conservationcommission@erving-ma.gov
3. There is a payment schedule included in the NOI form:
  - a. One check made out to Town of Erving Conservation Commission can be placed in the Town Hall drop box or mailed to the Erving Conservation Commission 12 East Main Street, Erving, MA 01344
  - b. A second check is sent to Massachusetts Department of Environmental Protection, 1 Winter Street Boston, MA 02108
  - c. A copy of the fee transmittal form is sent to Massachusetts Department of Environmental Protections, 436 Dwight Street Springfield, MA 01103
4. The NOI must be submitted to DEP either [online](#) or by sending one copy to Massachusetts Department of Environmental Protections, 436 Dwight Street Springfield, MA 01103. When Mass DEP receives their copy from the applicant, they will issue a file number and comments

## Public Hearing

5. Upon receipt of a file number, the Conservation Commission will work with you to set a date for the hearing within 21 days and will notify Mariah Kurtz, Town Planner, of that date
  - a. The Commission usually meets the first Monday or Tuesday of each month at 6:30 PM (subject to changes)

- b. The NOI must be submitted at least **10 business days** prior to the next meeting date and MassDEP must issue a file number in time to meet the advertising deadlines. If these deadlines are not met the applicant may need to wait until the next month's meeting
- 6. The applicant must request a list of abutters within 100' from the Assessor [Jacquelyn Boyden](mailto:jacquelyn.boyden@erving-ma.gov)  
[jacquelyn.boyden@erving-ma.gov](mailto:jacquelyn.boyden@erving-ma.gov)
  - a. Applicant must notify all abutters on the list of the public hearing via Certified Mail at least 48 hours before the hearing begins (best practice is to give them even more notice than that)
  - b. Please use the abutters notification template found on the Town website and replace the bolded words with the appropriate project information
  - c. **The applicant must submit the abutters list and receipts of the mailing to the Conservation Commission before the scheduled meeting begins**
- 7. Mariah Kurtz will post a legal ad in the Greenfield Recorder with the date and time of the meeting and an invoice will be sent to the applicant upon placement of that ad
- 8. The Conservation Commission may choose to organize a site visit prior to or after the public meeting
- 9. The public hearing will be held. The applicant will be asked to explain the project, abutters may ask questions and make comments. The result will either be that the hearing is closed and an Order of Conditions is issued by the Conservation Commission, or the Special Hearing is continued to another meeting with agreeance of applicant and Commission

### Order of Conditions

- 10. An Order of Conditions must be issued within 21 days of closing the hearing. Upon issuance of the Order of Conditions
  - a. Original will be given to the applicant or sent via certified mail
  - b. Other copies will be kept at Town Hall
  - c. One copy will be submitted to DEP through mail or eDEP
- 11. Upon receiving the Order of Conditions, the applicant **must file it with the Registry of Deeds**
- 12. The applicant/DEP/abutters have a 10 business day appeal period starting at the postmarked date. Work must not begin until the appeal period has passed

### Certificate of Compliance

- 13. The applicant must complete the work as described within 3 years. The applicant may request additional 3 year extensions if needed. When the work is complete, the applicant shall submit a [Request for Certificate of Compliance](#)
- 14. Upon receipt of the Request, the Conservation Commission will review, and if appropriate, respond with a Certificate of Compliance

**Tips:**

- The paperwork can be confusing – if you are working with a consultant or engineer ask them for help
- This process can take longer than people expect (sometimes a few months since Conservation Commission only meets 1x per month), get your paperwork submitted as soon as possible to ensure the quickest possible timeline
- Come to the hearing prepared to answer questions about your project
- During COVID-19, all public meetings are being held online on a platform called GoToWebinar. A link will be posted in the agenda on the Town website (check under calendar) and if requested, sent to the applicant via email. Call in options are available as requested.