

Article IV Filing Requirements

§23 Filing fees; consultant fees.

A. Filing fees.

(1) General provisions.

- (a) The Bylaw Section IV, authorizes the Conservation Commission to charge a filing fee for a request for a determination and an application for a permit for work and to set the amount of this fee by regulation. The schedule of filing fees is found below, payable at the time of application, and such fees are nonrefundable. The Commission does not consider an application or request received until the filing fee is paid.

Project	Fee
1. Minor Project	
a. Residential Site	\$150
b. Commercial/Industrial	\$300
2. Single-family dwelling	
a. Any activity within a resource area excluding the buffer zone	\$525 plus \$10.00/s.f.*
b. Any activity within the inner buffer zone or riverfront area within the 50 ft. "no-touch zone"	\$525 plus \$0.50/s.f.*
c. Any activity within the outer buffer zone or riverfront area between the 50 ft. "no-touch zone" and the outer edge (100 ft. or 200 ft. depending on the resource area)	\$525 plus \$0.25/s.f.*
3. Subdivisions; roadway & utilities	
a. Work within a resource area	\$750 plus \$10.00/s.f.*
b. Work within an inner buffer zone's 50 ft. "no-touch zone"	\$750 plus \$6.00/s.f.*
c. Work within an outer buffer zone	\$750 plus \$3.00/s.f.*
4. Commercial and Industrial Projects, Multi-unit dwelling structures	
a. Any activity resulting in new disturbance within a resource area excluding the buffer zone	\$900 plus \$10.00/s.f.*
b. Any activity within a previously lawfully altered resource area excluding the buffer zone	\$900 plus \$1.00/s.f.*
c. Any activity resulting in new disturbance within the inner buffer zone or riverfront area within the 50 ft. "no-touch zone"	\$900 plus \$5.00/s.f.*
d. Any activity within a previously lawfully altered inner buffer zone or riverfront area within the 50 ft. "no-touch zone"	\$900 plus \$0.50/s.f.*
e. Any activity resulting in new disturbance within the outer buffer zone or riverfront area between the 50 ft. "no-touch zone" and the outer edge (100 ft. or 200 ft. depending on the resource area)	\$900 plus \$0.50/s.f.*
f. Any activity within a previously lawfully altered outer buffer zone or riverfront area between the 50 ft. "no-touch zone" and the outer edge (100 ft. or 200 ft. depending on the resource area)	\$900 plus \$0.25/s.f.*
5. Solar Energy Facilities	

a. Any activity resulting in new disturbance within a resource area excluding the buffer zone)	\$900 plus \$10.00/s.f.*
b. Any activity within a previously lawfully altered resource area excluding the buffer zone)	\$900 plus \$2,000/ac**
c. Any activity resulting in new disturbance within the inner buffer zone or riverfront area within the 50 ft. "no-touch zone"	\$900 plus \$5.00/s.f.*
d. Any activity within a previously lawfully altered inner buffer zone or riverfront area within the 50 ft. "no-touch zone"	\$900 plus \$1,500/ac**
e. Any activity resulting in new disturbance within the outer buffer zone or riverfront area between the 50 ft. "no-touch zone" and the outer edge (100 ft. or 200 ft. depending on the resource area)	\$900 plus \$0.50/s.f.*
f. Any activity within a previously lawfully altered outer buffer zone or riverfront area between the 50 ft. "no-touch zone" and the outer edge (100 ft. or 200 ft. depending on the resource area)	\$900 plus \$1,000/ac**
g. Dual-Use Solar Energy Systems only: The installation of solar arrays over cultivated areas in a manner that is compatible with ongoing agricultural practices. This can include ground crops as well as installation in regulated wetland resource areas, including cranberry bogs.(calculate the acreage** of the entire solar array)	\$900 plus \$1,000/ac**
6. Ecological Restoration Projects***	\$900
7. Request for Extension to Permit/Order of Conditions	
a. Single-family dwelling/minor project	\$100
b. Other	\$200
8. Amended Order of Conditions	\$100
9. Refiling of previously denied projects within 3 years	Original fee or \$1,250, whichever is less
10. Abbreviated Notice of Resource Area Delineation	
a. Single-family dwelling	\$2/ l.f. not to exceed \$400
b. Other	\$2/l.f.
11. Request for Determination of Applicability	
a. Single-family dwelling/minor project	\$100
b. Other	\$300
12. Certificate of Compliance	
a. Partial	\$100
b. Complete	\$125
13. Duplicate Originals	\$75

* Where the proposed activities are intended to return previously lawfully disturbed resource areas to a natural state, the per linear foot, per square foot and/or per acre charge will be calculated based on the **net** new disturbance within the resource areas.

** Calculating Acreage: 1 acre is defined as 43,560 square feet

*** Ecological Restoration Projects are defined at 310 CMR 10.04 as a project whose primary purpose is to restore or otherwise improve the natural capacity of a Resource Area(s) to protect and sustain the interests identified in M.G.L. c. 131, § 40, when such interests have been degraded or destroyed by anthropogenic influences. The term Ecological Restoration Project shall not include projects specifically intended to provide mitigation for the alteration of a Resource Area authorized by a Final Order or Variance issued pursuant to 310 CMR 10.00 or a 401 Water Quality Certification issued pursuant to 314 CMR 9.00: 401 Water Quality Certification for Discharge of Dredged or Fill Material, Dredging, and Dredged Material Disposal in Waters of the United States Within the Commonwealth other than projects implemented pursuant to a US Army Corps of Engineers approved in-lien fee program.

- (b) Town, county, state, and federal projects are exempt from filing fees.
- (c) Where a person has failed to comply with legal requirements of any federal, state, county, or municipal rule, regulation, or statute necessary as part of any request or application filed with the Conservation Commission under the Bylaw, after official notification the Conservation Commission shall assess filing fees twice the amount specified in the Filing Fee Table, above.
- (d) The Bylaw filing fees are in addition to the filing fees charged under MGL c. 131, §40, and 310 CMR 4.00 and 310 CMR 10.03(7).
- (e) The filing fee is based on the category of the proposed activity. The total filing fee that involves more than one activity is determined by adding the fees for each proposed activity.
- (f) If the initial measurements/calculations used for the application fees are determined to be inaccurate, the Conservation Commission may require additional sums to be paid during the hearing process. Additionally, if wetland delineation lines change during the hearing deliberation, then relevant filing fees may be adjusted to reflect those changes.