Section 5. Conservation Permitting Types, Procedures and Fees

C. Conservation Permitting Filing Fees

A. Effective date. In accordance with the Town of Marshfield Wetlands Protection Bylaw, as amended, the following regulations with respect to the payment of fees shall be effective as to those notices of intent and all other matters filed with the Conservation Commission as of May 1, 2008. The Conservation Commission establishes these fee regulations to defray costs incurred by the Commission with respect to specific applications and hearings held under the Wetlands Protection Bylaw. [Amended 10-30-2018 & 4-22-2021]

B. Rules.

(1) Fees are payable at the time of application and are nonrefundable.
(2) Fees shall be calculated by the Conservation Commission per the schedule established below in Subsection C.
(3) Any after-the-fact Notice of Intent fee or Request for Determination of Applicability fee unless waived by the Commission shall be doubled.

C. Filing fees. Filing fee for a notice of intent under the Marshfield Wetlands Protection Bylaw shall be equal to and in addition to the fee required by 310 CMR 10.03(7), set forth as follows: [Amended 6-20-2017, 10-16-2018, 10-30-2018 & 4-22-2021]

Marshfield Notice of Intent (NOI) Wetland Fee Category 1 through 5 and Abbreviated Notice of Resource Delineation (ANRAD) Category 6 Summary

Category 1: ($125.00)
   a) Work on single-family lot: addition, pool, etc.
   b) Site work without house
   c) Control vegetation single-family house (SFH): removal, herbicide, etc.
   d) Resource improvement
   e) Work on septic system separate from house
   f) Monitoring well activities minus roadway

Category 2: ($500.00)
   a) Construction of single-family house (SFH)
   b) Parking lot
   c) Beach nourishment
   d) Electric generating facility activities
   e) Inland limited projects minus road crossings
   f) New agricultural or aqua cultural projects
Marshfield Notice of Intent (NOI) Wetland Fee Category 1 through 5 and Abbreviated Notice of Resource Delineation (ANRAD) Category 6 Summary

g) Each crossing for driveway to SFH
h) Any point source discharge

Category 3: ($1,050.00)
a) Site preparation (for development) beyond NOI scope
b) Each building (for development) including site
c) Road construction not crossing or driveway
d) Hazardous cleanup

Category 4: ($1,450.00)
a) Each crossing for development or commercial road
b) Dam, sluiceway, tide-gate work
c) Landfill
d) Sand and gravel operation
e) Railroad line construction
f) Control vegetation in development (SFH)
g) Bridge (SFH)
h) Water level variation
i) Hazardous waste alterations to resource area
j) Dredging
k) Package treatment plant and discharge

Category 5: ($4.50 per linear foot) (minimum $50.00, maximum $1,000.00)
a) Docks, piers, revetments, dikes, etc. (coastal or inland)

Category 6: ($3.00 per linear foot) (maximum $200.00 for SFH, maximum $2,000.00 for any other)
a) Delineation of wetland resources (Abbreviated Notice of Resource Area Delineation)

D. Cost of publication in the local newspaper. Check shall be made payable to the designated newspaper in an amount required by said newspaper and delivered to the Commission.

E. Cost of notice to abutters. Cost of delivering notice of hearings by certified mail to abutters shall be paid for by applicant.

F. Other fees.
   (1) Extension of order of conditions / WPA Form 7: $100.00
   (2) Amending order of conditions / WPA Form 3 modified for Amendment: $100.00
   (3) Amending order of conditions / WPA Form 3 modified for Amendment: $100.00
(4) Certificate of compliance / WPA Form 8B:
   $125.00 if submitted within 5 years of date of issuance of Orders / WPA Form 5;
   $250.00 if submitted beyond 5 years of date of issuance of Orders / WPA Form 5.
(5) Request for determination of applicability: $150.00
(6) Request for copy of order of conditions: $10.00
(7) Abbreviated Notice of Resource Area Delineation / WPA Form 4A: The delineation fee for each resource area equals $3.00 per linear foot. The maximum fee for activates with a single family house is $200.00 and the maximum fee for any other activity is $2,000.00.

G. Consultant Fee

(1) The applicant shall pay for the cost and expense of qualified consultants to review the application or to gather additional information as deemed necessary by the Commission. Such consultants shall work for and represent the interests of the Commission.
(2) Upon receipt of a permit application or RFD, or at any point in its deliberations, the Commission may deem it necessary to obtain environmental, engineering, surveying or other outside consultant services in order to reach a final decision on the application. The specific consultant services may include but are not limited to resource area survey and delineation, analysis of resource area values, including wildlife habitat evaluations, hydrogeologic and drainage analysis, and environmental or land use law. In such instances, the Commission shall notify the applicant of its decision. The applicant will be given the opportunity to amend or withdraw the application. Should the applicant choose to proceed, the Commission shall require the applicant to pay the reasonable costs and expenses borne by the Commission for retaining these consulting services as listed below. This fee is called the "consultant fee".
(3) The exercise of discretion by the Commission in making its determination to retain outside qualified consultant services and to require the payment of a consultant fee shall be based upon its reasonable finding that the additional information is required to make an independent, objective decision.
(4) Qualified Consultants must meet the minimum qualifications of the MWPR Section 505-105.1 and as further described in Section 6.D.2 of this Policy and Procedure Guide.
(5) The Commission may require the payment of the consultant fee at any point in its deliberations. The applicant shall pay the fee which shall be deposited into a special revolving fund for consultant services. Such fund shall be drawn upon by the Commission for specific consultant services approved by the Commission at one of its public meetings.
(6) The Commission shall return to the applicant any unused portion of the consultant fee, along with any interest accrued during the time the funds were deposited in the special revolving fund for consultant services.