

CHAPTER M
TOWN OF REHOBOTH
WETLAND PROTECTION BY-LAW
(in effect as of September 17, 2010)

I. Purpose

The purpose of this bylaw is to supplement the Commonwealth of Massachusetts' Wetlands Protection Act, to protect the wetlands and related water resources, in Rehoboth, through imposing filing fees beyond those established under the Wetlands Protection Act and its implemented regulations, 310 CMR 10.00.

II. Applications and Fees

Any person needing to know whether or not a proposed activity or an area is subject to this bylaw may in writing request a determination from the Commission. Such a Request for Determination of Applicability (RDA) or Abbreviated Notice of Resource Area Delineation (ANRAD) filed under the Act shall include information and plans as are deemed necessary by the Commission.

The notice of intention which must be filed with the Conservation Commission under and in accordance with the provisions of MGL Ch. 131, Sec. 40, shall constitute the notice of intention which is required under this bylaw, provided, however, that the plans submitted therewith describing the proposed activity and its effect on the environment shall include information on percolation rates and environmental impact data on erosion, sedimentation, wildlife, and aesthetics and such other information as the Conservation Commission may from time to time require. Each filing as listed below shall be accompanied by a filing fee payable to the Town of Rehoboth. The fee is in addition to that required by the Wetlands Protection Act and Regulations.

Filing Fee Schedule

A. Request for Determination of Applicability (RDA)

- | | |
|--------------------------------------------------|----------|
| 1. Single family house or lot | \$100.00 |
| 2. Commercial/Industrial/Residential Subdivision | \$250.00 |

B. Notice of Intent (NOI)**

- | | |
|-------------------------------------------------------------------------------------------------------|-----------|
| 1. Existing single family house – addition, septic repair, etc. | \$100.00 |
| 2. New Single Family House | \$250.00 |
| 3. Other residential (subdiv/condo, etc.) | \$500.00+ |
| \$2.00/linear foot of roadway sideline within resource area or buffer zone(in addition to \$500 fee) | |
| 4. Non-residential Projects | \$750.00+ |
| \$2.00/linear foot of roadway sideline within resource area or buffer zone (in addition to \$750 fee) | |

C. Resource Area Alterations

- 1. Bordering Vegetated Wetland, Land Under Water and
Bordering Land Subject to Flooding (BLSF) \$1.00/sf of alteration
(min. \$100.00/max \$500.00)

- 2. Bank \$2.00/lf of alteration
(min. \$500.00/max \$2000.00)

D. Resource Area Delineation (NOI & ANRAD)

- 1. Single family house lot \$1.00/linear ft.
(min. \$100.00/ max. \$500.00)

- 2. Other \$2.00/linear ft.
(min. \$500/max. \$2,000.00)

E. Amendment

- 1. Residential Single Family Home \$100.00
- 2. All others \$400.00

F. Extensions \$200.00

G. Certificate of Compliance

- 1. Residential Single Family Home \$50.00
- 2. All others \$100.00

**** Please note that the filing fee for a Notice of Intent which has been filed as a result of Enforcement Action is double the fee shown in Section IV(B)**

The Conservation Commission may, upon proof of financial hardship, waive all or a portion of the above filing fees. The burden of establishing the basis for such waiver falls upon the petitioner to establish by a clear preponderance such financial hardship. Such waiver request does not exempt the petitioner from submitting the filing fees required per 310 CMR 10.00.

III. Severability

The invalidity of any section or provision of this Bylaw shall not invalidate any other section or provision thereof, nor shall it invalidate any permit or determination which previously has been issued.