Environmental Stewardship

CITY OF NEW BEDFORD

IN COMMITTEE

April 07, 2009

RECEIVED
APR 17 2009
BY: Irvin Steward
SD

The Honorable City Council
133 William Street
New Bedford, MA 02740

Dear Honorable Members of the City Council:

The Committee on Finance at a Meeting held on Tuesday, March 31, 2009, considered a Communication, Mayor Lang, to City Council, submitting for approval the City of New Bedford Conservation Commission's REVISED FEE SCHEDULE based on a review of the costs in providing services to fulfill the Conservation Commission's obligations under the MA Wetlands Protection Act and Regulations; the Conservation Commission voted at the January 06, 2009 meeting to forward this schedule for approval (Ref'd 2/12/09) was received and placed on file by Councillor Morad and seconded by Councillor Lawrence.

Mr. John Gurney from the Conservation Commission was present and addressed the Committee.

On motion, by Councillor Morad and seconded by Councillor Lawrence, the Committee VOTED: To refer to the full City Council for approval, the City of New Bedford Conservation Commission's REVISED FEE SCHEDULE based on a review of the costs in providing services to fulfill the Conservation Commission's obligations under the MA Wetlands Protection Act and Regulations. This motion passed on a voice vote.

IN COMMITTEE ON FINANCE

Jane L. Gonsalves

Councillor Jane L. Gonsalves, Chairperson

JLG: dmb

IN CITY COUNCIL, April 07, 2009
Recommendation Followed and Approve the REVISED FEE SCHEDULE.
Rita D. Arruda, City Clerk

Presented to the Mayor for approval April 09, 2009. Rita D. Arruda, City Clerk
Approved April 15, 2009. Scott W. Lang, Mayor

a true copy, attest:

Rita D. Arruda

City Clerk

Environmental Stewardship Department/
New Bedford Conservation Commission

City of New Bedford
Scott W. Lang, Mayor

Conservation Commission Fee Schedule

(1) GENERAL FEE SCHEDULE

Permit fees shall be calculated by the Conservation Commission in accordance with the schedule in (2) below

The City of New Bedford is exempt from all local fees.

Permit fees are payable at the time of application submission and are non-refundable
Payment must be in the form of a check or money order payable to the City of New Bedford.

The Conservation Commission reserves the right to waive penalties in the event the Commission deems such waiver to be in the best interest of the City of New Bedford.

(2) FEE SCHEDULE

(A) ALTERATION FEES:

Application and field review of a project proposed in a Wetland Resource Area or its Buffer Zone:
150.00 plus the applicable alteration fee as follows:

a. 50¢/square foot of Wetland Resource Area Altered (Wetland Resource Areas include Bordering Vegetated Wetland, Coastal Wetlands, Beach, Dune, Land Under any Waterway or Water Body,
Inland Bordering Land subject to Flooding & Isolated Land Subject to Flooding.

b. 5¢/square foot of Alteration to Land Subject to Coastal Storm Flowage.

c. 25' Riverfront Area – Developed[1] 20¢/square foot; Undeveloped[2] ($1.00/sf).

d. $5.00 for linear foot of Coastal Bank alteration.

e. 10¢ for every s.f. of Buffer Zone altered.

(B). EXTENSION OF AN ORDER OF CONDITIONS.

a. Minor project[3] $100.00 + ¼ of all local fees paid when NOI was filed

b. All other projects $200.00 + ¼ of all local fees paid when NOI was filed.

(C). AMENDING A PERMIT
a. Written Inquiry or Appearance before the Commission to determine the need to Amend an Order $50.00.

b. Amending an Order of Conditions $150.00 plus the applicable alteration fee (refer to 2A above)

(D). RESOURCE[5] BOUNDARY DELINEATION VERIFICATIONS USING A REQUEST FOR DETERMINATION APPLICATION

$150.00 plus $2.00/linear foot of wetland boundary to be verified.

(E). ABBREVIATED RESOURCE AREA DELINEATION (ANRAD)
150.00 plus 1.00 per linear foot of Resource Area Boundary to be verified.

(F). RESOURCE[4] BOUNDARY DELINEATION CONDUCTED DURING A NOTICE OF INTENT REVIEW

$3.00/linear foot. (applicants are strongly encouraged to obtain a valid wetland verification through an RDA or ANRAD application prior to filing a Notice of Intent to conduct work).

(G). DOCKS - $100.00 plus $4.00/liner foot of dock
Add 150% to total fee if dock is located in significant shellfish habitat as determined by MA-DMF

(H). AFTER THE FACT FILING
All Total fees are automatically doubled

(I). RESTORATION PLAN FEE (no NOI filing required)
($150.00 + Alteration Fee) Multiplied by 2 = Total Restoration Fee

(J). LIFTING AN ENFORCEMENT ORDER = $150.00

(K). CERTIFICATES OF COMPLIANCE

a. One new house ($150.00)
b. One activity at an existing house ($100.00)
c. Commercial & Industrial = $300.00 for additions to parking and buildings ($150.00 for partial)
d. New Commercial Industrial facilities $500.00 ($250.00 for partial)
e. New roadways $500.00 ($250.00 for partial)
f. A partial for a single family dwelling in a new subdivision $150.00
g. All other partial CoC requests = ½ the cost of the total CoC
h. Re-inspect CoC = $50.00/inspection (payable prior to the inspection)

(If more than one partial CoC is requested, the fee is still ½ the cost of the total)

(L) PENALTIES: the following penalty fees shall apply:

Violation of a Special Condition in a permit, which results in damage to the State Protected Resources:
150.00/day for each day the violation remains in place.

Unauthorized Dumping of fill (including landscape debris, construction debris, demolition debris, any type of sand, gravel or earthen fill) = $200.00/day for each day it remains in place.

Vegetation Cutting: $100.00/tree in the inner 50' Buffer Zone; $ 200.00/tree in the Riverfront.

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[1] developed: A previously developed riverfront area contains impervious surfaces from existing structures or pavement, absence of topsoil, junkyards, or abandoned dumping grounds.
[2]. undeveloped: Native or naturalized (non-invasive) vegetation covers the RiverFront
[3]Minor project: an addition or modification to, or an activity at, an existing single-family dwelling
[4]Resource boundaries include the following: Bordering Vegetated Wetland, Bank, Beach, Dune, Coastal Wetland (including salt marsh and mudflat), Isolated Land Subject to Flooding when the delineation is vegetation-based.

1/09