

Permitting Procedure For Beach Access Stairs In Salisbury, MA

1. Obtain a MA Department of Environmental Protection (DEP) Notice of Intent Form (NOI) and NOI Fee Transmittal Form (attached, with instructions). Forms may also be obtained from at the DEP website: <http://www.mass.gov/dep/water/approvals/wwforms.htm#noi> in Adobe Acrobat or MS Word format, or from Conservation Administrator, Michelle Rowden in the Salisbury Conservation Commission (SCC) Office in Town Hall. Make sure that the form includes the words “and the Salisbury Wetland Protection Bylaw” at the top of each page of the NOI. Michelle can be reached at conservation@salisburyma.gov or by phone at 978-499-0358.
2. Obtain a certified abutters list for the subject property at the Salisbury Assessor’s Office in Town Hall (\$15.00 fee due at time of request, 5 – 10 day processing time).
3. Obtain an engineered drawing of the stairs to be permitted, drawn to scale. Stairs must be designed to meet the MA Department of Conservation and Recreation (DCR) Salisbury Beach Dune Walkover Design Standards (attached).
4. Complete the NOI Form and Fee Transmittal Form (category 1a, work associated with a single family house, \$110.00 total fee) and sign as applicant and / or owner. If applicant is not owner, owner’s signature must be obtained. If there are multiple owners (e.g. for condominiums) all owners’ signatures must be obtained, or alternatively, written permission from the condo association may be used. A complete NOI must include: a locus map (assessor’s map with property noted may be used), certified abutters list, abutter notification letter which meets the requirements of the MA Wetland Protection Act and Salisbury Wetland Bylaw (see Michelle Rowden in the SCC office for an example), DEP Fee Transmittal Form, and copies of the checks to the Commonwealth of Massachusetts (\$42.50) and the Town of Salisbury (\$67.50). Make 7 copies of the entire NOI filing for the SCC, 1 copy for the DEP, 1 copy for the DCR, 1 copy for the applicant and 1 for the property owner (if different).
5. Send the state check and a copy of the Fee Transmittal Form to the DEP lock box shown on the Fee Transmittal Form.
6. Complete DCR Beach Access Tracking Sheet (attached) for access to the Salisbury Beach Reservation and sign.
7. Contact Salisbury Beach Reservation to make an appointment to obtain a Tracking Number and attend a site visit to review the NOI and stair plan. (Mike Magnifico or Jim Marcelos at 978-462-4481). At site visit, submit NOI and obtain a DCR Tracking Number on Tracking Sheet.
8. Contact DEP Northeast Regional Office (NERO) to set up site visit for project review (Ron Stelline, 978-694-3200). DEP site visit may coincide with DCR site visit.
9. Submit NOI copies, including copies of DCR Tracking Sheet with Tracking Number to SCC and DEP at least two weeks before public hearing. Hearings are generally held on the first and third Wednesday of each month.

10. Notify abutters via certified mail, return receipt requested, or hand delivery with signature by recipient. Proof of abutter notification must be submitted at the public hearing. The SCC will place the required legal in the paper; the bill will be sent to the applicant for payment.
11. Before the public hearing, check the DEP website to obtain your file number and check for comments (<http://public.dep.state.ma.us/wetland/wetland.aspx>).
12. Attend public hearing in support of your project. You will be asked to describe the project and answer questions, such as how close is the property to a public beach access, and will any other property owners be allowed to utilize the proposed beach access stairs. If approved, obtain SCC signature on Tracking Sheet.
13. Contact Salisbury Beach Reservation to obtain signature on Tracking Sheet.
14. Contact DEP NERO (Ron Stelling) to obtain signature on Tracking Sheet.
15. Send copy of Tracking Sheet with Salisbury Beach Reservation, DEP NERO and SCC signatures to DCR Northeast Regional Director (see attached Contact information) for final sign off. Keep a copy for your files.
16. Once the DCR Tracking Sheet has been signed by DCR Northeast Regional Director, make copies of the Tracking Sheet for the Salisbury Beach Reservation, DEP NERO, and SCC files. Submit copies to all agencies via hand delivery or certified mail, return receipt requested. Keep original.
17. When the Order of Conditions (OOC, the permit) arrives, **READ IT THOROUGHLY.** If you do not understand the conditions, ask for clarification. Make a copy for your files and take the original to the Essex County Registry of Deeds in Salem, MA to be recorded (\$75.00 fee).
18. There is a 10-day appeal period from the date of issuance noted on the OOC, during which work **should not** occur.
19. Prior to commencement of construction, **ensure that all pre-construction requirements have been met.** Ensure that all contractors have been given, have read and understood the OOC. The property owner is responsible for ensuring that contractors follow all requirements in the OOC.
20. When construction is complete, obtain “Project Completion Final Sign-off” signatures from SCC and Salisbury Beach Reservation on the Tracking Sheet, and give them copies of the signed form.
21. OOC’s are valid for three years from the date of issuance. In order to remove the OOC from your deed, you must file a Request for a Certificate of Compliance with the SCC. Once issued, the Certificate of Compliance must be recorded on your deed at the Essex County Registry of Deeds in Salem, MA. **If the new stairs are destroyed by another storm during the 3 year life of the OOC, the applicant must come back before the Commission before the stairs can be rebuilt.** *NOTE 1: Rebuilding beach access stairs is not considered an emergency by the SCC. NOTE 2: If DCR or DEP requires changes to the plan approved by the SCC, the applicant must return to the SCC for approval of changes.*
22. Always ensure that the beach access stairs are operated and maintained as required, including removing beach stairs in the winter, and storing in a suitable location. **Enjoy your new beach access stairs. Please remember to stay off the dune and protect dune vegetation as effectively as it protects you and your home!**