

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. Forms may be obtained from at the DEP website www.mass.gov/dep in Adobe Acrobat or MS Word format, on the Conservation Commission website <https://www.salisburyma.gov/conservation-commission> or from Conservation Agent in the Salisbury Conservation Commission (SCC) Office in Town Hall. The Agent 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 (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 If applicant is not owner, owner's signature must be obtained. 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 (see Agent in the SCC office for an example), DEP Fee Transmittal Form, and copies of the checks to the Commonwealth of Massachusetts and the Town of Salisbury. 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. Provide copies of both checks to both agencies.
6. Contact DCR for Beach Access Permission and approval of stair location and design (978)462-4481
7. Submit NOI copies at least two weeks before public hearing. Hearings are generally held on the first and third Wednesday of each month. See deadline schedule on Commission website <https://www.salisburyma.gov/conservation-commission>
8. 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.
9. 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>).
10. 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.
11. 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).

12. Understand that there is a 10-day appeal period after issuance of the OOC during which no work may occur.
13. Prior to commencement of construction, **ensure that all pre-construction requirements have been met.** Arrange for a preconstruction site visit with Conservation Agent 72 hours ahead of start of construction. 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.
14. OOCs 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.
15. 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, not on DCR property. **Enjoy your new beach access stairs!**