



BRP WW 12 Renewal of Simplified License

Instructions and Supporting Materials

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A. Introduction

MassDEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the MassDEP Web site at: <http://www.mass.gov/eea/agencies/massdep/> in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

Instructions & Support Materials files in Microsoft Word™ format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

Permit Applications in Microsoft Word™ format must be downloaded separately. Users with Microsoft Word™ 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF™ format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF™ files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



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Permit Fact Sheet

1. What is the purpose of this renewal application?

A project *licensed* under MGL Chapter 91, the Public Waterfront Act, using the simplified license option has a limited term of generally 10-15 years. For the authorization to continue, the Licensee, or his/her successor, must request the simplified license be renewed.

2. Who must apply?

Anyone who obtains a Waterways simplified license under 310 CMR 9.00, must file an application to extend the term of the license prior to the expiration of the license to maintain lawfully the structures and activities authorized in the license. This includes anyone who obtained an Interim Approval under the amnesty provisions pursuant to 310 CMR 9.28.

To renew a standard license, a Licensee is required to file a license amendment pursuant to 310 CMR 9.25.

3. What prerequisites should be considered before applying for this renewal request?

An existing simplified license can only be renewed if the structure remains sound and conforms to plans attached to the original authorization. If the authorized structure or use has changed, an application for a new Simplified License is required.

4. What concurrent actions are related to this renewal request?

At the time an application for renewal is submitted, the applicant must send a copy of the application to the mayor or board of selectmen, planning board, and conservation commission of the city or town where the project site is located, The Department may require additional public notice based on comments received about the structure or other relevant information. If such additional public notice for renewal is required the public comment period is 30 days.

5. What fees are associated with this renewal request?

There is an application fee of \$35.

Chapter 91 licenses are subject to Tidewater Displacement fees, Annual Compliance fees and Commonwealth Tidelands Occupation fees. However, Simplified Licenses are exempt from Displacement Fees. Commonwealth Occupation fees are calculated at a rate of \$1 per square yard occupied multiplied by the license term. The applicant will be notified of the amount due following review of the renewal request.

6. To which MassDEP Office should the renewal request be sent?

Renewal application packages are reviewed in the MassDEP Boston office for projects located in the Northeast, Central and Boston regions. Projects located in the Southeast and Western regions are reviewed in their corresponding MassDEP regional office:

<http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html> . Renewal of a simplified license for a nonwater-dependent application should be sent to MassDEP's Boston Office.

7. Where can I get a copy of the timelines?



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The timelines are available on the MassDEP Website:

<http://www.mass.gov/eea/agencies/massdep/service/approvals/timely-action-fees-and-payments.html>

8. What is the term of the renewed Simplified Licenses?

A Simplified License may be renewed for up to 15 years in accordance with 310 CMR 9.10(5).

9. How can I avoid the most common mistakes made in applying for this renewal?

a. Submit fee and one copy of the MassDEP Transmittal Form to:

Department of Environmental Protection
P. O. Box 4062
Boston, MA 02211

b. Send a copy of the completed application and plans to the mayor/board of selectman, planning board and conservation commission of the city or town in which the project site is located.

c. Include a copy of the plan attached to the original simplified license that is being renewed. If the plan attached to the original simplified license is unavailable, a plan may be submitted that is drawn in accordance with the Simplified License Plan Checklist.

10. What are the regulations that apply to this certificate? Where can I get copies?

These regulations include, but are not limited to:

- a. Waterways Regulations, 310 CMR 9.00.
- b. Timely Action and Fee Provisions, 310 CMR 4.00.
- c. Administrative Penalty Regulations, 310 CMR 5.00.

These may be purchased at:

State House Bookstore
Room 116
Boston, MA 02133
617-727-2834

State House West Bookstore
436 Dwight Street
Springfield, MA 01103
413-784-1376



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Appendix A: Simplified License Plan Checklist

Enclose a copy of the plan attached to the original simplified license that is being renewed with your request. If the plan attached to the original simplified license is unavailable, prepare drawings using the Sample Plan and Plan Template as guides (see Appendices B and C). Note: The template in Appendix C can be printed and used as a hard-copy form. Drawings should include the following information:

Plan View

Please refer to the sample plan drawings included in the appendices.

- Drawings must be prepared on the 8.5 X 11 inch paper. A 1-inch margin should be left at the top edge of each drawing for purposes of reproduction and binding. A 1/2 inch margin is required for the three other edges. Please use the Sample Template (Appendix C).
- Each drawing submitted should include a title block that identifies the project and contains the name of the waterway, the name of the applicant, the number of the sheet and the total number of sheets in the set, and the date the drawing was prepared.
- North Arrow
- Locus Map shall depict the subject property in relation to the surrounding area. This may be prepared as illustrated on the Sample plan, in the upper right-hand corner or the applicant may simply photocopy a street map circle the property and label it.
- Scale – All drawings shall be in a suitable scale (e.g. 1 inch = 40 feet) and the scale should be indicated on each sheet of the plan.
- Subject property – Illustrate as much of the subject property as possible, including any residence, adjacent streets, property lines, and the tax assessor's information (map number).
- Mean high and low water lines – The mean high water (MHW) and mean low water (MLW) lines must be clearly delineated. In inland waters, such as ponds and non-tidal rivers, the ordinary high and low water shorelines (OHW and OLW) should be used. Color shading cannot be used because the Department reproduces the plans. Please use dashed or dotted lines, or crosshatching where necessary. (See definitions of "High Water Mark" and "Low Water Mark" at 310 CMR 9.02, C.91 Regulations).
- Licensed activities – All structures and/or fill to be licensed must be clearly depicted, accompanied by their dimensions. Linear distances, in feet, must be provided from the structures to each property line along the waterway and residence.
- Abutters – Abutters' names must appear in the lower left-hand block, and the corresponding number (1, 2, or 3, etc.) should be placed on the appropriate lot location.
- Title Block– Prepare the lower-middle and right-hand blocks as indicated on the Sample template.



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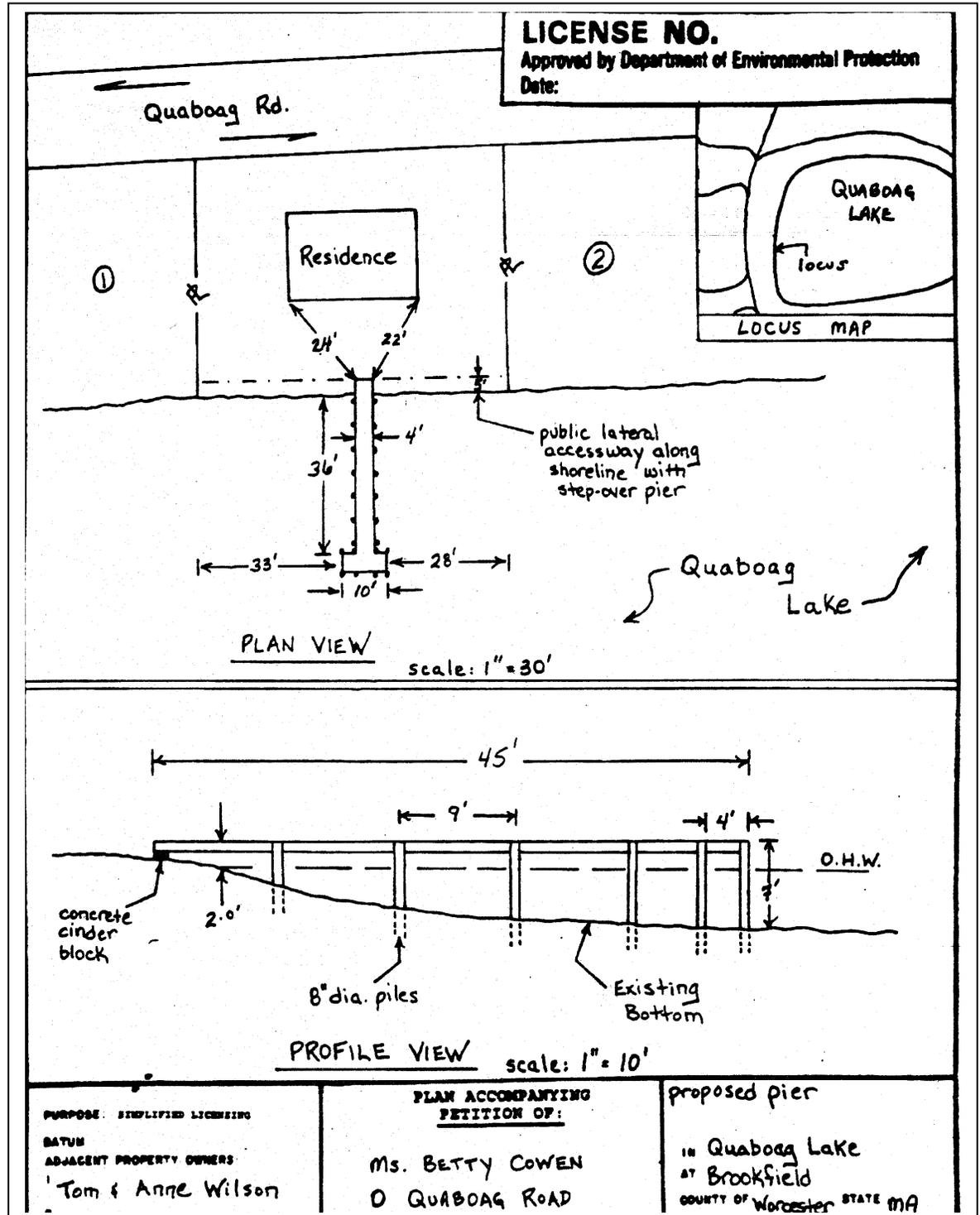
Profile View

- Profiles – Bottom and bank profiles should be delineated as accurately as possible.
- Mean high water (MHW) and mean low water (MLW) lines – MHW and MLW (or ordinary high and low water lines (OHW/OLW) must be illustrated. The elevation of MLW may be given as 0.0 ft. Elevations for MHW and all other structures should then be given relative to MLW.
- Licensed activities – All structures and/or fill to be licensed must be clearly depicted. Dimensions of piles, and any other structures not indicated on the first sheet(s), must be provided with the Cross-section view.
- Title Blocks – the lower middle and right-hand blocks shall be prepared as indicated on the Sample template (Appendix C).



Permit Fact Sheet

Appendix B: Simplified License – Sample Plan





Permit Fact Sheet

Appendix B: Simplified License Plan - Template

			License No.
			Approved by Department of Environmental Protection Date:
Purpose: Simplified Licensing	Plan accompanying petition of:	Project Description:	
Adjacent Property Owners:	_____	_____	
1. _____	_____	In _____ At: _____	
2. _____	_____	County of: _____	
3. _____	_____	State: _____	
4. _____	_____	By applicant _____	
		date: _____ sheet: ___ of ____	



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Waterways

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Application Completeness Checklist

- Complete the MassDEP Transmittal Form. This form may be obtained from the MassDEP website at <http://www.mass.gov/eea/agencies/massdep/service/approvals/transmittal-form-for-payment.html> or any MassDEP regional office.
- Complete the application form and have it signed by the applicant, the landowner (if different from the applicant), and the authorized agent (if any).
- Include a copy of the sketch plan attached to the original license or, if that is unavailable, recreate the plan in accordance with the Simplified Plan Checklist.
- Deliver a copy of the completed application form and accompanying plan to the mayor/board of selectman, planning board and conservation commission of the city or town in which the project site is located.
- Send one copy of the application form, the plan and one copy of the MassDEP Transmittal Form to MassDEP's, Waterways Regulation Program in Boston for projects located in the Northeast, Central and Boston regions. Application packages for projects located in the Southeast and Western regions should be sent to the corresponding MassDEP regional office: <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html> . Renewal of a simplified license for a nonwater-dependent application should be sent to MassDEP's Boston Office – Department of Environmental Protection, Waterways Regulation Program, One Winter Street, Boston, MA 02108
- Send fee of \$35 in the form of check or money order made payable to *Commonwealth of Massachusetts*, along with one copy of the MassDEP Transmittal Form to:

Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211



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Transmittal Number _____

Renewal of Simplified License

A. Simplified License Being Renewed

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Simplified License Number

Date Issued

1. Has the structure changed from that previously authorized? No Yes: If yes, see note below
2. Has the use/activity changed from that previously authorized? No Yes: If yes, see note below

NOTE: An existing Simplified License can only be renewed if the structure and use/activity has remained the same from that which was authorized. If you answered YES to Question #1 or #2, an application for a new simplified license is required.

B. Applicant Information

Print Applicant Name

Street Address

City/Town

State

Zip Code

Phone Number

Email

Print Authorized Agent Name (if any)

Mailing Address

City/Town

State

Zip Code

Phone Number

Email

C. Existing Project/Use Information

1. _____
Property Owner Name (if different from applicant)

Project Site Street Address

Project Site City/Town

County City/Town

Tax Assessors Map and Parcel Number

Registered Land? Yes No

Name of waterbody where the project site is located

2. Abutter information

List the name & complete mailing address of each abutter (attach additional sheets if necessary). An abutter is defined as the owner of land that shared a common boundary along the water's edge with the project site, as well as the owner of land that lies within 50' across a waterbody from the project.

Name

Address

Name

Address



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Transmittal Number

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D. Project Plans

I have enclosed the sketch plan referenced in the simplified License for which a renewal is requested.

Yes No

I have enclosed a sketch plan drawn in accordance with the Checklist for Simplified License Plan.

Yes No

E. Certification

All applicants, property owners and authorized agents must sign this page. The authorized agent alone may sign all future application correspondence.

"I hereby make application for a renewal of the simplified license previously issued by the Department. The structures and use/activities have not been modified from that which was previously authorized. Upon my signature, I agree to allow the duly authorized presentation of the Massachusetts Department of Environmental Protection to enter upon the premises of the project site at reasonable times for the purpose of inspection."

"I hereby certify that the information submitted in this application is true and accurate to the best of my knowledge."

"I hereby certify that I have sent the required fee to MassDEP and a copy of this application to the following officials for the municipality in which the project site is located."

Please check: Planning Board Local Conservation Commission Board of Selectman Mayor and City Council

Applicant's Signature

Date

Property Owner's Signature (if different from Applicant)

Date

Authorized Agent's Signature (if applicable)

Date

F. Public Notice

Dear Mayor/Board of Selectman, Planning Board, and Conservation Commission:

Public notice is hereby given of the request to renew this Simplified License, under the provisions of the Public Waterfront Act M.G.L. Chapter 91 and its regulations at 310 CMR 9.10. The plan is attached for further information.

The Department of Environmental Protection, Waterways Regulation Program, will consider all written comments on this simplified license renewal request received by MassDEP within 30 days of the date this request was filed (the public comment deadline). Failure of any aggrieved person or group of ten citizens or more to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c).

Written comments must be addressed to: Ben Lynch, Program Chief, MassDEP Waterways Regulation Program, One Winter Street - 5th Floor, Boston, MA 02108. Additional information regarding this application may be obtained by contacting the Waterways Regulation Program at (617) 348-4084.