



Applying for a Permit from the Conservation Commission

How do I know what form to file if my project needs a permit from the Conservation Commission and how long will it take to get my permit?

The size and scope of your project will dictate which application you need to file which typically is either:

Request for Determination of Applicability (RDA) - This application covers projects that are minor in scope (i.e. decks, sheds, minor landscaping, small additions that are located in the outer reaches of the buffer zone)

- This application can also request that the Commission make certain determinations about an area or a project and whether it is regulated under the Wetlands Protection Act.
- The Commission will hold a public meeting and the applicant or representative will present the project. If the project is minor and the information provided is clear and descriptive enough, the Commission can issue a decision at that meeting.
- The process may take longer if the Commission decides it needs to conduct a site inspection or collect additional information, in which case the Commission will continue the application to the next regularly scheduled meeting.

Notice of Intent (NOI)

- This application covers larger projects that involve work close to or within the resource area itself (i.e. excavation, grading, large additions, garages, piers, docks, single-family home construction, etc.)
- The Commission strongly recommends you hire an environmental consultant to assist you in filing this type of application as the project is usually more involved and the wetland line usually needs to be formally determined by a wetland scientist.
- Within 21 days of receiving an application, the Commission will hold a public hearing and the applicant or representative will present the project and the Commission will consider any comments or questions from the public or abutters to the project.

- The Commission usually conducts a site inspection before the public hearing or, as appropriate, may continue the hearing to the next regularly scheduled meeting in order to do a site inspection or obtain additional information from the applicant.
 - Once the Commission determines it has sufficient information to make a decision, it will close the public hearing and issue an Order of Conditions (permit) approving or denying the project which must be done within 21 days (in some cases it will be issued at the close of the initial public hearing).
 - From the date of issuance of the Order of Conditions, there is a 10-business day appeal period during which no work can commence.
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Are there permit fees?

Yes, there are fees charged under both the Massachusetts Wetlands Protection Act.

What happens if I don't provide enough information in my application?

If the Conservation Commission finds that the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act, the project may be denied. The denial will specify the information which is lacking and why it is necessary.

I received an Abutter Notification. What does it mean?

You have received a notification because you are an abutter to a proposed project that will be reviewed by the Conservation Commission.. As a property abutter (you live within 100 feet of the property line of the proposed project), you must be notified that a hearing will take place in order to give you an opportunity to comment, ask questions, or voice your concerns. This notice will be the only one that you will receive for this particular project. It is up to you to stay informed regarding the status and progress of the project.

What will take place at the public meeting?

During the public hearing, the person(s) proposing the project (the applicant) or their representative provides a short presentation demonstrating how the project conforms (or does not conform) to the Wetlands Protection Act. If the applicant is proposing work that could adversely affect the wetland, they may offer mitigation measures, which the Commission will consider in determining whether or not to approve the project. After the presentation, during which the Commission and its agent ask their questions and make comments, members of the public are invited to ask questions or offer comments that are relevant to the project *and* are within the jurisdiction of the Conservation Commission (see more below).

How do I make my concerns known at the hearing?

In order to make the most effective use of your time at the hearing, it is advised that you learn as much as possible about the project under review. You may do this by requesting project information from the Conservation Agent or coming into the office to review the file.

It is also important to understand that only those aspects of a project related to the Massachusetts Wetlands Protection Act or other related laws under the jurisdiction of the Conservation Commission are appropriate for discussion at the hearing. Comments regarding noise, increased traffic, hours of operation of a business, lighting issues, etc. should be voiced to the Zoning Board of Appeals or Planning Board (if the project is subject to permitting by those Boards), as the Conservation Commission has no jurisdiction over these issues.

If I am an abutter, could nearby wetlands or other resource areas affect future projects on my property?

As an abutter, you may be located near a resource area. In the future, if you have a project that will take place within the buffer zone of any of the wetland resources areas under the jurisdiction of the Conservation Commission, you will need to apply for the appropriate wetland permit. If you are not sure, contact Conservation Agent, who will help you determine if you need a permit for work on your property and what type of permit is appropriate.

