

CONSERVATION COMMISSION

The Conservation Commission administers Chapter 131, Section 40 of the Massachusetts General Laws, known as the "Wetlands Protection Act".

GENERAL INFORMATION

The Commission meets on the second and fourth Tuesday of each month at 7:30 pm at the Town Hall. Telephone 781-925-8102.

WHY IS A PERMIT NECESSARY?

The Wetlands Protection Act serves to protect the following public interests:

- Protection of public and private water supply
- Protection of ground water supply
- Flood control
- Storm damage prevention
- Prevention of pollution
- Protection of land containing shellfish
- Protection of fisheries
- Protection of wildlife habitat

WHO MUST FILE AN APPLICATION?

Approximately 80% of the land in the Town of Hull is covered under the Wetlands Protection Act. For example, all properties in flood plains, near wetlands, ponds, coastal areas, and riverbanks are subject to the Wetlands Protection Act. Any person who plans work that consists of digging, filling, grading or otherwise disturbing the ground should check with the Conservation Commission before the work begins to determine if an application needs to be filed. Projects ranging from decks, piers, driveways and fences, to single family homes and commercial buildings may require a permit. Anyone not filing an application could be in violation of the Act.

THE PERMIT PROCESS

There are two principle applications for permits: (1) Request for Determination of Applicability (RDA), and (2) Notice of Intent (NOI).

RDA: This application is a formal way to ask the question, "Is the work I'm planning subject to the Wetlands Protection Act?" There is no fee, but the applicant will be billed for the required newspaper advertising. The advertised public hearing will be held and, if the Commission votes a negative determination, the work may proceed following a two-week appeal period. If the determination is positive, the applicant must file a Notice of Intent.

NOI: A Notice of Intent is a request for permission to conduct work. Upon receipt of a NOI, the Commission will hold an advertised hearing and will determine the conditions under which the work must be performed. The Commission then issues a permit called an Order of Conditions. The applicant must pay for the advertising and a permit fee, as well as notify abutters of the public hearing. The amount of the permit fee varies depending upon the work. Most applications are processed and issued to the applicant within two weeks. There is a two-week appeal period, from the date of issuance, before the work may begin.

