



## Town of Boylston Wetland Permitting Procedure

So, you are applying for a wetland permit, what happens now?

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This is a brief outline of the wetland permitting procedure. The Conservation Commission typically meets on the 3<sup>rd</sup> Monday of each month, except on holidays. All applications are due 2 weeks prior to the regularly scheduled meeting. Items with this symbol \* are not required for a Request for Determination of Applicability.

1. **Submit all required application materials to the Boylston Conservation Commission.** *Refer to the individual permit filing checklists and instructions on our webpage to create a “complete” application. Only complete applications will be accepted. For Notices of Intent, applications must also be sent to the Massachusetts Department of Environmental Protection, who will assign a file number to the application.*
2. **A Public Hearing or Meeting will be scheduled by the Commission Administrator** once you submit a complete application. The Administrator will contact you with date and time of the meeting.
3. **\*Notify abutters prior to or the same day as you submit your application to the Conservation Commission.** Applicants shall notify abutters in accordance with the provisions of 310 CMR 10.05(4)(a).
  - a. Applicants must request a Certified List from the Assessor’s Office and notify all abutters in writing.
  - b. Applicants must notify all abutters via certified mail at least 7 days prior to the scheduled Public Hearing or Meeting with information as to the work being performed, and the date and time of the Public Hearing or Meeting.
  - c. The Applicant must present either the certified mail or certificate of mailing receipts post marked by the post office for all abutters in the application package and the signed green cards at the public hearing.
4. **The Applicant will be billed for a legal advertisement**, that will be placed by the Commission Administrator who will notify you of the ad cost.
  - a. Applicants must bring a check payable to “the Town of Boylston” to the Conservation Office prior to the public hearing date or at the public hearing.
5. **Attend the public hearing/meeting.** The applicant or representative is expected to attend and briefly present the project and provide proof of abutter notification. It is important for the owner to attend this hearing to avoid any complications, delays or misinformation about



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your project. If additional information or revised plans are requested, you may request that the hearing be continued.

6. All requested information must be submitted a week (or more depending on the project and information requested) prior to the next scheduled hearing so the Commission have time to review before a continued hearing.
7. At the public hearing or meeting, the Conservation Commission will review your information and **issue its decision** to either:
  - a. Close the public meeting and Issue a Determination of Applicability (a negative determination means you may proceed without further permitting, a positive determination mean you must file a Notice of Intent application),
  - b. Close the public hearing and issue an Order of Conditions (OOC) approving or denying the project, or
  - c. Continue the public hearing or meeting to allow more time for additional information to be provided. In most cases, the hearing or meeting will be scheduled at a time to be determined at the next regularly scheduled meeting.
8. **Wait the 10-Day appeal period.** A decision of the Conservation Commission can be appealed to MassDEP by any abutter, applicant, or 10-citizen group within 10 business days of the decision.
9. **\*Record the OOC at the Registry of Deeds.** Provide proof of recording to the Conservation Office.
10. **Install MassDEP file number (115-XXX) sign and all required sediment controls.** A copy of the OOC should be kept on site and available for inspection.
11. **\*Attend a pre-construction meeting.** Contact the Conservation office to schedule a site visit.
  - a. Applicant, owner and contractor must attend this meeting.
  - b. Everyone must bring a copy of the Order of Conditions with them.

### Did You Know....

Wetlands reduce flooding, provide wildlife habitat, recharge aquifers, and cleanse water supplies. Wetlands function best in a natural state. Don't "clean them up;" wildlife thrives in areas with brush piles, standing dead trees, rotting logs and other "untidy" things.

Wetlands can be wet, wooded and/or meadow-like.

Wetlands on public & private property are regulated.

Many activities in or near wetlands require a permit.

These include:

- Cutting trees or shrubs; Dumping yard waste, dirt, etc.

- Grading, excavating, filling, or redoing lawns

- Building structures

- Changing drainage

Owners are responsible for all activities on their properties. Before hiring workers, call the Conservation Office to determine if a permit is needed.



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12. **Execute the project.** The project must be completed within 3 years, unless an extension of the permit is issued; extensions must be requested least 30 days prior to the expiration of the permit. We cannot extend an expired permit.
13. **\*Request a Certificate of Compliance (COC).** Once the project is completed and all conditions are complied with, request a Certificate of Compliance from the Conservation Office by submitting the minimum required documents (See the OOC for any other requirements):
  - a. MassDEP Form 8a;
  - b. A letter from the engineer stating that everything is in compliance with the approved plans and OOC;
  - c. An as-built plan, stamped by a professional engineer.
  - d. The Commission or its representative will perform a site visit to ensure compliance.
  - e. All disturbed areas must be permanently stabilized.
  - f. If required, Wetlands Boundary Markers must be installed.
14. \*The Conservation Commission will issue a decision within 21 days of receiving the written request. If a Partial Certificate is requested, the Commission is not obligated to issue said Partial Certificate, and may, if so determined to protect the Public Interest, require the posting of a CASH "Performance Bond" in accordance with the standard operating procedures of the Town Treasurer. The performance bond shall cover the cost to perform the unfinished work (i.e. to stabilize the site, complete the As-Built Plans and record all documents). Contact the Conservation office for details on how to post a bond.
15. **\*Record the Certificate of Compliance (COC)** at the Registry of Deeds to remove the lien from the title. Provide proof of recording to the Conservation office.

**If you ever have any questions about this process, please feel free to contact the Conservation Office  
at 508-869-6127 or by email at [conservation@boylston-ma.gov](mailto:conservation@boylston-ma.gov)**