



TOWN OF FRAMINGHAM

Planning and Economic Development Conservation Commission

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Procedure for securing a Conservation Commission permit

Jurisdiction

- Anyone wishing to perform work within 125 feet of a wetland or 200 feet of a perennial stream, is required by law to file an application called a "Notice of Intent" or "Request for Determination of Applicability" with the Conservation Commission.

Public Hearings

- The Commission schedules a public hearing within 21 days of receiving the application.
- Public Hearings are generally held the 1st and 3rd Wednesday of each month, 7-10:30pm or later.
- Abutters within 100 feet of the landowner's property where work is proposed will be notified (by the Applicant) at least 5 business days in advance of the public hearing.
- Public hearings are also legally advertised in the paper at least 5 business days in advance.
- During the public hearing, the Commission will open the hearing on the proposed project at the time posted in the legal advertisement and on the agenda posted in Town Hall.
- The Chairman will remind the audience of the following procedure:
 - (1) Landowner or his/her representative(s) will present the project.
 - (2) The Conservation Commission members will have a chance to ask questions to the applicant.
 - (3) After the Commission has had the opportunity to raise questions, the Chair will open up the meeting to public comment. Public comments are limited to wetland issues.
- If the Commission requests additional information to determine if the functions and values of the re-

sources area are protected, they may continue the hearing to a future public meeting

Site Visits

- Before the hearing, the Conservation Administrator performs a site visit and reviews the documents and offers a professional opinion as to if the project as proposed meets the performance standards in the Massachusetts Wetlands Protection Act (310 CMR 10.00) and Town of Framingham Wetlands Protection Bylaw (Article V, Section 18).
- The Commission members (7 volunteer residents) often perform site visits and review the application prior to the public hearing.

The Commission's Decisions

- If the Commission feels that the proposed project will not impact the functions and values of the wetland resource areas and the project has met all of the performance standards in the aforementioned laws, the Commission will close the hearing and issue a permit approving the project
- If the Commission feels that functions and values of the wetland are not being protected, the Commission will close the hearing and deny the project.
- The Commission has 21 days to issue the permit.

Appeals

- Once the permit is issued, any abutter, the applicant, or a 10 citizen group has 10 business days to appeal the decision to Massachusetts Department of Environmental Protection on the grounds that the Commission failed to ensure the performance standards in the Massachusetts Wetlands Protection Act (310 CMR 10.00) were not met.