



TOWN OF WAYLAND
MASSACHUSETTS
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CONSERVATION COMMISSION

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An Abutter's Guide to the Conservation Commission Permitting Process

The Wayland Conservation Commission (WCC) has prepared this guide to explain what you, as an abutter to a proposal to conduct work in or near wetlands, can expect during the project permitting process. It is not intended as a legal guide, but to help you understand how to participate in hearings, get information, and best communicate any concerns. To reach the WCC Commission, please call 508-358-3669 or email conservation@wayland.ma.us. WCC is located in Town Hall at 41 Cochituate Road.

Who is notified of a wetlands project?

The Wetlands Protection Act (WPA) requires that all property owners within 100- feet of a proposal to conduct work in or near wetlands are notified by the applicant by mail. All wetland hearings are also legally advertised in the Wayland Town Crier or Metrowest Daily Newspaper at least 5 days prior to the hearing.

How Can I Find Out More About What is Proposed?

Residents are encouraged to call the WCC Office or the Applicant to ask questions. The application and proposed plan are on file at the WCC office. You are welcome to review this information and may pay for copies of any information that you would like to keep. The office is generally open on weekdays from 8:00-4:00 pm. Since staff is sometimes conducting site visits, it is best to make an appointment.

What Should I Expect at the Public Hearing?

At the hearing, the applicant or property owner will present plans and explain what is proposed. The WCC will ask questions. Then, the WCC Chair will ask if anyone in the audience has questions or wishes to offer an opinion as it relates to wetland protection. Since the WCC hears several projects in an evening, hearings last a specified period of time. At the end of this time, the hearing may be either closed (if there is no more information to be received) or continued to a date and time certain (if the WCC needs additional information). You will not receive written notice of the continued hearing date. To verify that a hearing is being held on a scheduled date, you can call the WCC office.

What Issues Does the Commission Consider?

The scope of issues that the WCC can consider in reviewing proposed projects is defined by the WPA. In presenting testimony (oral or written), please be aware that the Commission's jurisdiction only relates to wetland issues.

Suggestions for Presenting Testimony at Public Hearings

- State your name and address for the record before you speak and each time you speak
- Feel free to use the proposed plan to point out concerns you may have
- Try to state all of your questions or concerns at once and then allow the next person to speak
- Be polite and respectful of differing opinions - Avoid personal attacks
- While you may have questions of the applicant, you should address them to the WCC
- Stick to issues relating to the project and within the scope of the WCC review. For example, issues like traffic and noise are outside of the WCC purview
- It is fine to just say "I agree with Mr. Smith about that drainage issue" rather than restating the same concerns

How Can I Make My Concerns Known if I Cannot Attend?

Comments can be submitted in writing prior to the close of the public hearing. As with all testimony (oral and written), it is most helpful to raise concerns early in the process.

What Happens After the Hearing?

After the hearing is closed, the WCC deliberates and issues a decision (Order of Conditions), within 21 days of closing the hearing. The WCC generally approves the project with conditions. In rare circumstances, the WCC can deny a project if it cannot be adequately conditioned to protect wetlands.

Will I Be Notified of the Decision?

Copies of decisions are not sent to abutters. You may request a copy from the WCC office. The owner is also required to record it at the Registry of Deeds. Permits are generally valid for three years.

How Can I Appeal?

Appeals of decisions under the Wetlands Protection Act (called a Request for a Superseding Order of Conditions) must be made to the Department of Environmental Protection within 10 days using forms supplied by DEP. Appeals may be made by the Applicant, an abutter, 10 residents of the community, or the Department of Environmental Protection. For more information, please see: www.tinyurl.com/DEPappealprocess.