



TOWN OF CHATHAM CONSERVATION COMMISSION
Policy and Procedures for the Administrative Review of Proposed Projects

Background: Some proposed projects fall in the 0-100 foot buffer zone to a Resource Area (also known as the Adjacent Upland Resource Area in Chatham) and are small in scale as to cause no likely impact to any interest of the Wetlands Protection Act or Chatham Wetlands Protection Regulations. Such projects will not undergo formal review before the Conservation Commission and can be reviewed and approved by the Conservation Agent.

Activities that are not allowed to be permitted using an Administrative Review Application:

The following activities **will not be permitted** through the submission of an Administrative Review Application:

1. Any activity in a wetland Resource Area as defined in 310 CMR 10.00
2. Any activity that involves the use of excavation or heavy equipment in a Resource Area or within 100 feet of a Resource Area
3. View pruning activities.
4. Regrading, filling or foundation work
5. Uprooting or root grappling of trees
6. Mowing or clear cutting of vegetation
7. Construction of decks, stairs, walkways or any other hardscaping in the 0-50 foot buffer to any wetland Resource Area. If the Agent determines that the work is proposed in an existing hardscaped area, he/she may authorize the work with submission of an Administrative Review Application.

Note: An individual seeking to permit the activities listed above must submit a Request for Determination of Applicability or a Notice of Intent. In some cases, an Amendment to an existing Order of Conditions may be applicable. Please contact the Conservation Agent if you have questions about your project and/or would like more information on how to file. Please see section below titled "Procedure for the Filing an Administrative Review Application" for more details on how to contact the Conservation Department.

Criteria for Removing Trees using an Administrative Review Application:

The following activities can be requested through the submission of an Administrative Review Application:

1. A maximum of 3 healthy trees can be proposed for removal or pruning. Root grappling is not allowed. The Applicant must show that the three healthy trees pose eminent



danger to surrounding structures or are a risk to public safety. If proposed, the Administrative Review Application must be accompanied by a letter from a Certified Arborist with their license # or a letter from a qualified arborist with a statement briefly outlining their professional tree experience. The letter must state why the trees pose a danger to surrounding structures or public safety and propose 1:1 replacement with native trees in the Resource Area(s).

2. The removal of unhealthy trees (i.e. dead, dying or diseased) can be proposed if they pose eminent danger to structures and personal safety. The Administrative Review Application must be accompanied by a letter from a Certified Arborist with their license # or a letter from a qualified arborist with a statement outlining their professional tree experience. The letter must also describe why the trees are unhealthy and how they are a danger to existing structures, personal safety, etc.
3. Flush cutting storm-damaged trees can be proposed. The Administrative Review Application must be accompanied by a photograph of each tree after the storm which shows how the tree was damaged. The photograph must be dated and identify the date of the storm event. The Agent may ask for a letter from a Certified Arborist or a letter from a qualified arborist stating that the tree has sustained damage from a storm and will pose eminent danger to structures and personal safety.

Procedure for the Filing an Administrative Review Application: If the proposed project meets the criteria for an Administrative Review (see criteria listed above), the applicant must fill out an Administrative Review Application and submit \$25. Cash or check is accepted, and all checks should be made out to the Town of Chatham. A hard copy of the Administrative Review Application can be picked up at the Conservation office in the Town Annex building, located at 261 George Ryder Road, Chatham, MA or it can be downloaded from the Town Website (under the Conservation Division webpage, select the “Filing Instructions” tab on the left). Your Application must contain written permission for entry onto the property and signed by the owner of record. The Site Authorization Form is located on the Conservation Division webpage and copies of this form are also available at the Conservation office. Conservation Department staff is available to assist you. The Conservation office is open Monday – Thursday 7 AM – 4 PM and Friday 7 AM – 12:30 PM.

Complete applications are reviewed quickly and efficiently; incomplete applications typically result in more time delays. If the submitted Administrative Review Application is incomplete,



staff in the Conservation office will contact the person listed on the application and outline why the application was incomplete. Once your application is complete, your application will be reviewed by the Conservation Agent. Upon submission of a complete Administrative Review Application, the applicant will clearly define the proposed project in the field, as practicable, with staking and/or flagging.

Decision Procedure:

The Conservation Agent will visit the site to review the proposed activities in the field. As of October 28, 2020, the Commission authorized the Agent to issue an Administrative Review Decision without a vote of the Conservation Commission. The decision from the Agent is located on the bottom of the Administrative Review Application. If the Agent does not approve the Administrative Review Application, he/she will issue a “denial” decision to the Applicant. If the decision rendered by the Agent is opposed by any party of interest, the decision can be appealed by applying for a Request for Determination of Applicability.

Note: All Administrative Review decisions will be emailed to the email address provided on the Application. Please double check that the email address on the application is correct. Any work approved under an Administrative Review Application must be completed within 6 months of the approval.



Administrative Review Application

Please provide the information below (Please print clearly):

Project Address: _____

Name of Owner: _____

Owner's Phone #: _____

Owner's Email Address: _____

If applicable (Please print clearly):

Name of Contractor performing work: _____

Contractor's Email Address: _____

Representative's Phone Number: _____

Please answer YES or NO to the following questions:

Is the proposed work in a Resource Area? If yes, identify the Resource Area.

Is the proposed work within 50 feet of a Resource Area? If yes, identify the Resource Area.

Is excavation by machinery required or proposed?

Is foundation work proposed?

Is view pruning proposed?

Is regrading proposed, including addition or removal of soil, sand, fill, etc.?



Is removal of vegetation proposed? If so, what species, native or invasive, how much (square footage or number of plants)?

Is tree removal proposed? If yes, how many trees will be removed, what is the diameter at breast height (dbh) and what species?

Is pruning of trees proposed? If yes, how many trees will be pruned and what species?

Is planting proposed? If yes, please supply planting information which includes the number and species of native plants to be planted.

Is removal of invasive species proposed? If yes, please identify the species and describe the removal process in the Project Description.

PHOTOGRAPHS OF THE SITE:

Please provide printed photographs of the proposed project site. Photographs must be in focus, printed on paper for the file, no larger than 8.5 x 11 inches and no smaller than 4x6 inches. If the photographs require a description, please include that description in the Project Description on the next page. The photographs help expedite the permitting process for the Applicant and the Conservation Agent.



PROJECT DESCRIPTION:

Please provide a clear and comprehensive description of the proposed work. Attach an additional sheet if necessary.

ADMINISTRATIVE REVIEW DECISION (FOR OFFICIAL USE ONLY):

Date Stamp of Received

Application: _____

Fee Paid, Check # or Cash: _____

Date of Site Inspection: _____

Decision:

APPROVED

DENIED

Decision Date: _____

If denied, required Filing and rationale: _____

Conditions of the Approval: All work shall be completed within 6 months of this decision and contractor shall notify the Conservation Agent prior to start of work (charper@chatham-ma.gov)