

**Notification to Abutters**  
**Under the Massachusetts Wetlands Protection Act &**  
**Chatham Wetlands Protection Bylaw**

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40 and the Chatham Wetlands Protection Bylaw, you are hereby notified of the following:

- A. The name of the **Applicant** is \_\_\_\_\_
- B. The Applicant has filed a Request for Determination of Applicability (RDA) with the Chatham Conservation Commission for seeking permission to alter an Area Subject to Protection (Wetland Resource Area and/or Buffer Zone) Under the Massachusetts Wetlands Protection Act (General Laws Chapter 131, Sec.40) and the Chatham Wetland Protection Bylaw.
- C. The **Address** of the lot where the activity is proposed: \_\_\_\_\_
- D. The **proposed activity** is:  
\_\_\_\_\_
- E. A **Public Hearing** regarding this Notice of Intent will be held on:  
**Wednesday, \_\_\_\_\_ @ 1pm**
- F. **Public Participation will be in person or Virtually** - This Public meeting will be held in person and virtually, pursuant to H58 Chapter 2 of the Acts of 2023, Suspending Certain Provisions of the Open Meeting Law. Chatham Conservation Commission (CCC) greatly values the participation of its citizens in the public meeting process and therefore encourages the public to participate in this meeting. Please see the backside of this letter for the CCC's flyer "Abutters Guide to the Wetland Permitting Process".
- G. **The public may participate in this meeting via Remote Participation, if desired.** The Microsoft Teams link for the virtual meeting will be provided on the Conservation Commission's Agenda posted on the Town's website (<https://www.mytowngovernment.org/02633>) at least 48 hours prior to the meeting.
- H. **The Request for Determination of Applicability** may be examined by visiting this Website: <https://www.mytowngovernment.org/02633>. You may call the Chatham Conservation Commission at (508) 945-5164 if you have questions about the hearing process.
- I. Copies of the RDA may be obtained from either The Applicant, or the Applicant's representative \_\_\_\_\_, by calling this telephone number: \_\_\_\_\_ between the hours of \_\_\_\_\_.

Note: Public Hearing Notice, including its date, time, and place, will be published at least 5 days in advance in the **Cape Cod Chronicle** (at the applicant's expense).

Note: You also may contact the Department of Environmental Protection (DEP) for more information about the Wetlands Protection Act. To contact DEP (20 Riverside Drive, Lakeville, MA 02347), call (508) 946-2700.

## **An Abutter's Guide to the Conservation Commission Permitting Process**

The Chatham Conservation Commission (CCC) 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 CCC or to speak to conservation staff, please call 508-945-5164 or email [conservation@chatham-ma.gov](mailto:conservation@chatham-ma.gov).

**Who is notified of a wetlands project?** The Chatham Wetland Protection Bylaw (Bylaw) requires that all property owners within 100-feet of a proposed project are notified by the applicant by mail.

**How Can I Find Out More About What is Proposed?** Residents are encouraged to call the CCC Office. Conservation Staff are more than happy to discuss the project with you so you can better understand what is being proposed. All files are uploaded to a website for easy viewing by the public. Please email the CCC office for the web link. Hard copies of the application can be requested (for a fee) from the Applicant or the CCC and that information is on the "Notification to Abutter Letter" letter.

**Are Public Meetings Being Held in Person or Remote?** This Public meeting will be held both in person and virtually, pursuant to H58 Chapter 2 of the Acts of 2023, Suspending Certain Provisions of the Open Meeting Law. Included in the Agenda on the Town's website is a link to allow you to attend remotely if you are interested. The Agenda is posted at least 48 hours prior to the meeting.

**What Should I Expect at the Public Hearing?** At the hearing, the applicant will present plans and explain what is proposed. The CCC will ask questions. Then, the CCC Chair will ask if anyone to express a comment or question, as it relates to wetland protection. Once questions/comments have been raised, the hearing may be continued to a specific date either for more information or to present the Order and close the hearing. You will not receive written notice of the continued hearing date. To find out the date of the continued hearing, you can call the CCC office.

**What Issues Does the Commission Consider?** The scope of issues that the CCC can consider in reviewing proposed projects is defined by the WPA and Bylaw. 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.
- 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 CCC.
- Stick to wetland issues. For example, issues like traffic and noise are outside of the CCC 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 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 CCC has received all of the information needed and feel that the project is approvable, the CCC schedules the project for an Order of Conditions and continues to the hearing to a future meeting where the Order will be reviewed and the hearing will be closed and the Order approved. The CCC generally approves the project with conditions. In rare circumstances, the CCC 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 CCC 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 must be made to the Department of Environmental Protection within 10 days using forms supplied by DEP. Appeals may be made by the Applicant, a direct abutter, a 10 citizen group, or the Department of Environmental Protection. For more information, please see: [www.tinyurl.com/DEPappealprocess](http://www.tinyurl.com/DEPappealprocess). Appeals to the Bylaw OOC shall be reviewable in the superior court in accordance with M.G.L. c.249, §4.