

TOWN OF MATTAPOISETT
COMMONWEALTH OF MASSACHUSETTS

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Date April 14, 2015

Catherine L. Heuberger
Town Clerk
Mattapoisett, MA 02739

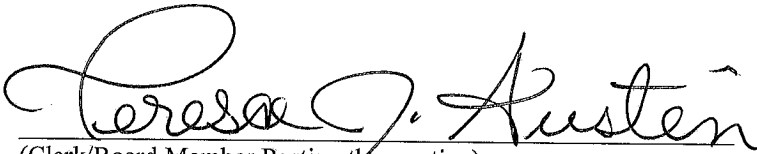
NOTICE OF MEETING
Pursuant to M.G.L. Chapter 30A, §18-25

Name of Board/Committee: Conservation Commission

Date & Time of Meeting: Thursday, April 23, 2015 @ 6:30 p.m.

Location of Meeting: Town Hall Conference Room

Clerk/Board Member posting notice: Teresa Austin, Secretary


(Clerk/Board Member Posting the meeting)

AGENDA

1. Proposed Conservation By-Law

TOWN OF MATTAPOISETT CONSERVATION COMMISSION NOTICE OF PUBLIC HEARING

Notice is hereby given the Town of Mattapoisett will hold a public hearing on Thursday April 23, 2015 at 6:30p.m. in the Town Hall conference room, 16 Main Street, Mattapoisett, MA 02739 on a Proposed Town of Mattapoisett Wetland Protection Bylaw. The proposal is as follows:

7.1 Purpose

The purpose of this bylaw is to protect the wetlands, water resources and adjoining land areas in the Town of Mattapoisett by controlling activities deemed by the Conservation Commission likely to have a significant or cumulative effect upon resource area values, including but not limited to the following: public or private water supply, groundwater, flood control, erosion and sedimentation control, storm damage prevention including coastal storm flowage, water quality, water pollution control and prevention, fisheries, land containing shellfish, wildlife habitat including rare plant species, agriculture, aquaculture, and recreation values deemed important to the community (collectively, the "resource area values protected by this bylaw"). The Conservation Commission has the authority to adopt rules and regulations for the use of conservation land (G.L., Ch. 40 §8C). This bylaw is intended to utilize the Home Rule authority of this municipality to protect additional resource areas, for additional values, with additional standards and procedures stricter than those of the Wetlands Protection Act (G.L. Ch. 131 §40) and Regulations thereunder (310 CMR 10.00), subject, however, to review and approval by town meeting vote and to the rights and benefits accorded to agricultural uses and structures of all kinds under the laws of the Commonwealth.

7.2 Jurisdiction

Except as permitted by the Conservation Commission or as provided in this bylaw, no person shall commence to remove, fill, dredge, build upon, degrade, discharge into, or otherwise alter the following resource areas:

- 1) Within one hundred feet (100') of any of the following:
 - Freshwater or coastal wetlands; marshes; wet meadows; bogs; swamps; vernal pools; banks; reservoirs; lakes; flats; ponds of any size; rivers; streams; creeks; beaches; dunes; estuaries; the ocean; land under water bodies; lands subject to flooding or inundation by groundwater or surface water; lands subject to tidal action, coastal storm flowage, or flooding; and
- 2) Lands abutting any of the aforesaid resource areas as set out in Section 7.1 "Purpose" (collectively the "resource areas protected by this bylaw"), or
- 3) Within 200 feet of any perennial river or stream

Said resource areas shall be protected whether or not they border surface waters. This bylaw is adopted under the Home Rule Amendment of the Massachusetts Constitution and the Home Rule statutes, independent of the Wetland Protection Act (G.L. Ch. 131 §40) and Regulations (310 CMR 10.00).

Under General Law, Chapter 44, Section 53G

As provided by General Law, Chapter 44, Section 53G, the Mattapoisett Conservation Commission may impose reasonable fees for the employment of outside consultants, engaged by the Conservation Commission for specific expert services deemed necessary by the Commission to come to a final decision on an application submitted to the Conservation Commission pursuant to the requirements of the Wetlands Protection Act (GL, Ch. 131, Sec. 40). Refusal to deposit funds to this account may result in the Conservation Commission voting to deny the project.

Funds received by the Conservation Commission pursuant to these rules shall be deposited with the Town of Mattapoisett treasurer who shall establish a special account for this purpose. Expenditures from this special account may be made at the direction of the Conservation Commission without further appropriation as provided in General Law, Chapter 44, Section 53G. Expenditures from this account shall be made only in connection with the review of a specific project or projects for which a consultant fee has been collected from the applicant. Any funds remaining in the account after the Commission has rendered a decision will be returned to the applicant.

Copies of the text may be obtained from the Mattapoisett Conservation Commission office Monday – Friday between 8:00 a.m. & 4:00 p.m., by visiting the Town of Mattapoisett web-site, or call Teresa at (508) 758-4100 ext-219. 4/16

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