



TOWN OF BREWSTER
2198 MAIN STREET
BREWSTER, MA 02631
PHONE: 896-4546
CONSERVATION@BREWSTER-MA.GOV

OFFICE OF
CONSERVATION COMMISSION

ADMINISTRATIVE REVIEW POLICY

EXPLANATION: Some proposed projects that fall within the jurisdiction of the Conservation Commission are of such small scale as to cause no threat to any of the interests of the Massachusetts Wetlands Protection Act or the Brewster Wetlands Protection By-law. Such projects should not undergo the scrutiny of a formal hearing before the Conservation Commission and can be adequately reviewed by the Conservation Administrator.

This process is intended to expedite the permitting process.

APPLICABILITY: If a project meets all of the conditions below, the work may be approved by the Administrator without the filing of a Request for Determination of Applicability (RDA) or a Notice of Intent (NOI). Each approval must be ratified by the Conservation Commission prior to commencement of work.

If the Administrator or Commission has any doubt that the project meets the requirements, then the applicant will be required to file a formal application (RDA or NOI) and request a hearing.

A project may be approved by the Conservation Administrator without a formal hearing if it meets the following conditions:

Vegetation Projects:

1. No removal of vegetation *within* any inland or coastal wetland resource
2. No uprooting of vegetation
3. No mowing to the ground or clear cutting
4. Any proposed tree removal is demonstrated to be necessary, e.g., to protect existing structures, public safety, traffic visibility, etc.
5. Mitigation may be required, i.e., an area to be planted with native species of trees or shrubs.
6. Trees for removal must be tagged for inspection
7. No excavation by machinery is required or proposed

Sheds and other Construction Projects:

1. No construction *within* any wetland resource
2. Any proposed new construction is more than 50 feet from the resource
3. No excavation by machinery is required or proposed
4. Foundation for structure will only consist of concrete blocks or sonotubes
5. Repairs or replacement of existing structures remain within the same footprint
6. New structures must be less than 160 square feet



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INSTRUCTIONS:

1. The Administrative Review Form is to be submitted, containing enough information to determine where the project is located and whether it meets the above requirements
2. A \$30 fee is to accompany the completed form.
3. Written permission for entry onto property must be granted and signed by the owner of record.

PROCEDURE:

1. Following submission of the form, the Commission or the Administrator will visit the site. At the time of inspection, the applicant will have clearly defined the proposed project in the field.
2. The Administrator will determine whether all conditions of this policy are met.
3. The Administrator will issue an Administrative Review Decision only upon receipt of a *completed* Administrative Review Form that fulfills all information requirements.
4. The Commission must vote to ratify the Administrator's decision prior to the decision being issued and *prior to the work commencing*.
5. The decision, once ratified, shall be filed as a permanent record with the Commission.
6. If the decision rendered is opposed by any party in interest, they may apply for a Request for Determination of Applicability (RDA).
7. Once a project is approved, the applicant must notify the Conservation Office when the work is to take place. The work must be completed within 14 days of such notification.
8. The work must be completed within 6 months of the administrative approval.
9. The Conservation Administrator may inspect the property to verify the work completed is within the scope of the approved proposal.
10. Any work beyond the scope of the approved Administrative Review shall be subject to enforcement action.