

*To Accompany Building Permit Applications:*

**The Massachusetts Wetlands Protection Act and the Rockport Wetlands By-law apply to many properties where wetland areas may not be obvious, so please read the following.**

Application procedures with the Conservation Commission are separate from application procedures with the Building Inspector. The Rockport Conservation Commission wishes to advise you that your proposed construction may be subject to review under the Massachusetts Wetlands Protection Act (Massachusetts General Laws, Chapter 131, Sec. 40) and the Rockport Wetlands Protection By-law. **If wetlands (\*see list of wetland resource areas listed below) are present within 100' of the proposed work, or a river/perennial stream is present within 200', an application must be filed with the Rockport Conservation Commission for the proposed work.** Contact with the Commission at this time may save considerable time, frustration and expenses down the road.

In general terms, **the Act and By-law provide that anyone proposing to remove, fill, dredge, build upon, degrade, discharge into, or otherwise alter any wetland must first file a Request for Determination and/or a Notice of Intent** (permit application) including detailed plans with the local Commission. The Commission subsequently holds a public hearing on the activity. This is the law administered in all 351 communities within the Commonwealth of Massachusetts. Following this hearing an Order of Conditions (the permit) defining the limit of work and any conditions may be issued if the project meets performance standards set forth in the Wetlands Act and By-law. The purpose of any such conditions is to ensure that negative impacts to the \* wetland resource area are avoided and that the assumed functions and values of the wetland resource area are preserved.

The Wetlands Protection Act and Rockport Wetlands By-law and their Regulations may be reviewed at and application forms obtained from the Conservation Commission Office. Copies of the Act and By-law can also be obtained at the Town Clerk's office. Anyone with questions about the laws and how they apply to their site or activity, and anyone in need of filing assistance can call the Conservation Commission Office at (978) 546-5005 to speak with the Conservation Agent or via our website link at the Town's website: <http://www.rockportma.gov> .

**It is the responsibility of the applicant to find out if they are working in a \*wetland resource area or buffer zone and to apply for and obtain any necessary wetland permits before doing work in these areas; it is NOT the Commission's or Building Inspector's responsibility to notify you.** The Commission stands ready to help the public understand and comply with these laws.

Also please be aware that while excavation, grading and vegetation clearing do not require a Building Permit, these activities do require a "permit" from the Conservation Commission if taking place 100' from a \*wetland or 200' from a river/perennial stream. **Un-permitted activities are subject to fines up to \$300 per violation per day.**

**\* Wetland resource areas include: freshwater or coastal wetlands, marshes, wet meadows, bogs, swamps, vernal pools, banks, reservoirs, lakes, ponds, quarry pits or motions, rivers, streams, creeks, beaches, dunes, estuaries, the ocean, lands under water bodies, lands subject to flooding or inundation by groundwater or surface water, lands subject to tidal action, lands within 100' of above cited resource areas, coastal storm flowage, or flooding.**