



TOWN OF YARMOUTH

Conservation
Commission

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OFFICE OPERATING PROCEDURES FOR FILING WETLAND PROJECTS

This document offers simple guidelines for filing applications and plans for proposed projects that fall within Conservation jurisdiction under the Wetland Protection Act and/or the Town of Yarmouth Bylaw, Chapter 143. **This is to be only used as a guideline.** All applications are subject to Conservation Commission and staff review. A final determination on the proper application is still subject to information provided by the applicant and site visit by Commissioners and staff. Formal filings may be required in all cases. Additional information on the Wetland Protection Act and Chapter 143 may be obtained at the Conservation office or by calling 508-398-2231 ext. 1288.

Note on setbacks:

Under the Town bylaw, **no new structures will be allowed within 50 feet of a Resource Area**, (except for water dependent structures), minor structures such as sheds, decks and small additions may be allowed closer than 50 feet to a Resource Area but **no closer than 35 feet**.

Abbreviations

AR = Administrative Review

RDA= Request for Determination of Applicability

NOI = Notice of Intent

If more than one is listed, please contact the Conservation office for guidance about your project

Projects within Floodplain Only and Riverfront Area- See Page 4

Project	Distance from wetland resource (ft.)	Filing Type
<u>Single family house</u>		
Construct a single-family house	35 – 100	NOI
Raze and replace on existing foundation	0 - 100	NOI
<u>Addition – Ground Level</u>		
addition – any size	35– 50	NOI
addition - > 400 sqft	50 - 100	NOI
addition - ≤ 400 sqft	50 - 100	RDA
<u>Addition – Second Floor (no bump out) first floor must remain</u>		
≤ 400 sqft addition	0 – 50	RDA
full second floor addition	0 – 50	NOI
any size addition	50 – 100	AR
<u>Dormers/raise roofline on existing building</u>		
small dormer	0 – 50	AR

full dormer across back	0 - 50	RDA
full dormer across back	50 – 100	AR
raise roofline	0 – 50	RDA
raise roofline	50 – 100	AR

Decks, screen porches, and 3 season room (sono tube only) on existing building

Decks, screen porch,3 season rm.	35– 50	NOI
“ “ \geq 400sqft	50 – 100	NOI
“ “ \leq 400sqft	50 - 100	AR

Converting decks/porches/3 season rm.(structure present at least 5ys) sono tubes only

deck to screen porch	0 – 50	RDA
deck to 3 season rm.	0 – 50	RDA
screen porch to 3 season rm.	0 – 50	RDA
deck to screen porch	50 – 100	AR
deck to 3 season rm.	50 – 100	AR
porch to 3 season rm.	50 – 100	AR

** Deck to year-round addition – refer to addition guidelines

Patio

pervious	35 – 50	RDA
pervious	50-100	AR

Shed (sono tube)

shed \leq 200sqft	35 – 100	AR
shed or barn > 200 sqft (sono tube or pad)	35-50	NOI
shed or barn > 200 sqft (sono tube or pad)	50 – 100	RDA/NOI

Pools

Pool inground	50 – 100	NOI
Above ground /spa	50 – 100	RDA/NOI

Demo house

demo house (no rebuild) – AR but attach a plan showing:

- 1) work limit/straw bale/silt fence,
- 2) note: back fill to surrounding grade and
- 3) note: disturbed areas to be loamed and seeded

Fence

In resource area		NOI
Snow/Sand fence on beach/dune		AR / RDA
0 – 50, in disturbed area or split rail		RDA
0 – 50 in undisturbed area		RDA
50 -100		AR
flood plain		AR

garden fencing (for geese control, ma. 18” height, no tight mesh or chicken wire)- no filing needed

Beach nourishment

Freshwater Staking of spring high water level (SHWL) required

Above SHWL		RDA
Below SHWL		NOI
<u>Saltwater</u>		NOI

Other projects

vista pruning (see guidelines, none in wetland)	0 – 50	RDA
4-foot path not entering wetland resource area	0 – 50	RDA
planks, boards, or walkways into resource area		NOI
enlarge lawn for house	50 – 100	RDA
clearing undeveloped lot to 50'	50 – 100	NOI
retaining wall with fill	50 – 100	RDA/NOI
docks, coastal projects, stairs	0 – 50	NOI
septic system upgrade	0 – 100	AR
Utility pole	0 – 50	RDA
Kayak rack	0 – 50	AR/RDA
Wooden bench	0 – 35	RDA
Wooden bench	35 – 50	AR
Adding trees and shrubs	0 - 50	AR/RDA
Adding trees and shrubs	50 – 100	AR/RDA
Tree removal, ≤ 3 trees With replacement trees within 10', consult with CA	0-100	AR
Tree removal, >3 trees	0-100	RDA
Treatment of invasives	0 – 100	RDA/NOI
Treatment of invasives in wetland and aerial is ok for plan		Ecological restoration NOI

Flood plain projects, Away from buffer

single family dwelling or addition- Eng. plan shows no grading, pervious drive	RDA
single family dwelling or addition- fill, regrading, or paving proposed	NOI
sheds, decks < 200sqft on sonotubes or anchored	AR
barns/ large sheds > 200 sqft on slab or sono tubes	RDA
garage > 200 sqft on slab (including detached)	RDA
3-season room	RDA
Clearing trees reveg. with shrubs	RDA
Clearing vegetation replace with gravel	RDA
close in porch for 3-season rm.	AR
pool with clearing or fill	RDA if aboveground or spa
2 nd floor addition	AR
demo	AR
septic system upgrade	AR
tennis court	NOI
increase driveway layout -pervious	AR
Stairs with footings	RDA
upgrade foundation	see single family dwelling/addition consult with Conservation Administrator.

River Front Area Protection

Single family dwelling	NOI
Addition in outer riparian 100' and being built on a deck	RDA
all additions (or RDA with administrator approval)	NOI
remove first floor down to foundation and then build new 1 st and 2 nd floor	NOI
construct new 2 nd floor without any demo of first floor	AR
pool (if within lawn, see Exempt Minor Activities)	NOI
clearing	NOI
shed, deck, patio - apply usual wetland guidelines	
3 season room - apply usual wetland guidelines	
garage - attached - treat as addition, ground level detached	NOI
increase driveway-pervious	outer riparian zone-AR inner riparian zone-RDA
Demo house- apply usual wetland guidelines	
Invasive species management	Restoration Limited Project- NOI