



Abutters' Guide to Beverly Conservation Commission Meetings and Process

Why Am I Receiving This Abutter Notification?

You received this notification because you live within 300 feet of a proposed project that will be reviewed by the Beverly Conservation Commission. The Commission must hold a public hearing for projects filed under certain applications that could affect a wetland or its buffer zone. The term "wetland" includes rivers, streams, the ocean, ponds, and other wet areas as defined by state and local laws and regulations. As a property abutter you must be notified that a hearing will take place in order to give you an opportunity to comment, ask questions, or voice your concerns.

This notice will be the only one that you will receive for this particular project. It is up to you to stay informed regarding the status and progress of the project going forward.

When and Where Will the Hearing Take Place?

Hearings take place during regularly scheduled Conservation Commission meetings. These meetings are held roughly every three weeks on Tuesday or Wednesday evenings starting at 7:00 p.m. The meeting follows a set agenda, which is available to the public a few days prior the meeting. Meeting locations most often take place at Beverly City Hall. Your abutter notice should specify the exact location, if not please call the Conservation Office for this information. Please note that meetings are sometimes lengthy and you may have to wait for a particular project to come up for discussion.

What Will Take Place at the Hearing?

During the public hearing portion of the meeting, the person(s) proposing the project (the applicant or their representative) typically provides a short presentation showing how the project conforms (or does not conform) to state and local wetland regulations. If the applicant is proposing work that could adversely affect the wetland, he or she may offer mitigation measures, which the Commission will consider in determining whether to approve the project.

After the presentation, during which the Commissioners ask their questions and make comments, members of the public are invited to ask questions or offer their comments that are relevant to the project *and* are within the jurisdiction of the Conservation Commission (see more below).

How Can I Best Express My Concerns at the Hearing?

In order to make the most effective use of your and the Commission's time at the hearing, it is advised that you learn as much about the project as possible. You may do this by reviewing the project file, which is available for public review in the Planning Department during City Hall hours. If you have follow up questions you can call or email the Environmental Planner (see contact information below).

It is also important to understand that only those aspects of a project related to the Massachusetts Wetlands Protection Act, Beverly's Wetlands Ordinance, or other related laws under the jurisdiction of the Commission are appropriate for discussion at the hearing. Comments regarding existing flooding conditions, project design, noise, hours of operation, increased traffic, etc. are issues that the Commission has no regulatory authority over. If the project requires permits from other land use boards, such issues should be voiced to those boards (e.g. Planning or Zoning).

May I Visit the Property?

Often the Commission decides that it should hold a site inspection in order to view site conditions and the exact location of the project in relation to wetland boundaries. In this case, the public

hearing is "continued" to the next Conservation Commission meeting and a site inspection is scheduled (typically on a Saturday morning or during the week late afternoon or early evening before the next meeting).

The public is welcome to attend these site inspections (sometimes called site visits or site walks) but it is at the landowner's discretion as to whether the public will be allowed on private property. Do keep in mind, however, that the purpose of a site inspection is to allow the Commissioners to learn more about the project-they are not intended to act as public hearings. Times and dates of site inspections are announced at the hearing and posted on the City Clerk's bulletin board on the first Floor of City Hall.

What is the Jurisdiction of the Conservation Commission?

The name "Conservation Commission" can be misleading in that citizens often assume that the Commission has authority over anything related to conservation. Although the Commissioners are advocates for conservation and the protection of our natural resources, they can only act within the limits of the regulations that fall within their jurisdiction. Most of these regulations pertain to the protection of wetlands and in fact, the vast majority of projects that come before the Commissions are those that are seeking permits under the Massachusetts Wetlands Protection Act and Beverly's local Wetlands Protection Ordinance.

What Types of Wetlands Are Protected?

The table below includes some of the wetlands (often referred to as resource areas) and their associated buffer areas that are protected under the law. Any project that lies either within the wetland or its buffer zone is subject to jurisdiction under Massachusetts Wetlands Protection Act and Beverly's Wetlands Ordinance.

Wetland Resource Area	Buffer Zone	No Disturbance Zone	No Build Zone
Riverfront Area consists of 200 feet on either side of the river or perennial stream	n/a	n/a	
Bordering & Isolated Vegetated Wetlands, Inland Banks	100 feet	First 25 feet	First 50 feet
Coastal Banks and other Coastal Resources	100 feet	First 25 feet	First 50 feet
Vernal Pools	100 feet	100 feet	100 feet
Land Subject to Coastal Storm Flowage and Tidal Action	n/a	n/a	n/a
Land Subject to Flooding	n/a	n/a	n/a
Land Under Water Bodies or Waterways	100 feet	First 25 feet	First 50 feet
The ocean, including land under ocean	n/a	n/a	n/a

If I Am An Abutter, Could Nearby Wetlands Affect Future Projects on My Property?

As an abutter, you may in fact be located near a wetland. In the future, if you have a project that will take place within the buffer zones or within any of the wetland resource areas outlined above, you will need to apply for the appropriate wetland permit. If you are not sure, contact Beverly's Environmental Planner who will help you determine if you need a permit for work on your property and what type.

Contact Information:

Environmental Planner
 191 Cabot Street
 Beverly, MA 01915
 conservation@beverlyma.gov
 (978) 605-2343

For Additional Information, go to:

Mass Wetland Protection Act and Regulations:

www.mass.gov/guides/wetlands-information

Beverly Conservation Commission Web Page:

www.beverlyma.gov/boards-commissions/conservation-commission/