

## Section 601 Wetland and Watershed Protection District (WWPD)

**New text is bolded and underlined. Deleted text is strikethrough.**

### Wording edit:

#### 601.4 Regulations:

**601.4.8** The following uses, which require excavation, filling, drainage, stump removal, or otherwise altering the surface configuration of the land that is necessary for any construction shall require a special permit from the Planning Board:

1. Uses permitted in the W.W.P.D.;
2. Uses granted by variance;
3. If essential for the allowed use of land adjacent to the W.W.P.D.;

Such approval may be granted after the submission of plans describing the activities and after proper public notice and public hearing. Such plans shall also be submitted to the Conservation Commission and Code Enforcement Administrator (CEA) for their review and comment at the public hearing. The Planning Board's action on proposals shall be based on whether the proposed action is consistent with the intents and purposes of Section 601 of this ordinance and documented accordingly. ~~The following statement must be entered on the plan:~~

**601.4.8.1 Plans approved under this section shall contain the following notation on the plan:** NOTE: No structure may be erected nor shall any alteration of the surface configuration of the land be permitted in the Wetland and Watershed Protection District, except as authorized by this approval.

### WWPD Markings Edit:

**601.4.8.4** Where any application receiving Planning Board Approval contains property within the Wetland and Watershed Protection District (WWPD), the WWPD boundaries on such portions of the property as the Planning Board shall determine as reasonably necessary to prevent encroachment shall be marked. In determining whether such marking is reasonably necessary, the Planning Board shall consider the following factors:

- i. Whether the application requires actual work within the WWPD area.
- ii. Whether the application results in new development in close proximity to the WWPD area.
- iii. Whether the application results in new lot lines in close proximity to the WWPD.
- iv. Any other circumstance where the Planning Board sees just cause for such marking.

**601.4.8.4.1** WWPD boundary markers should be placed at fifty-foot +/- (50 foot +/-) intervals along the total WWPD boundary following its general contour, provided further that at least one such marker must be within the line of sight from the location of the

primary structure or proposed primary structure, if an unobstructed line of sight exists or will exist.

**601.4.8.4.2** Care shall be taken to ensure that WWPD boundary markers are placed with the appropriate spacing at points closest to any proposed or existing structure located on the property.

**601.4.8.4.3** Markers shall be affixed to trees if possible. Where no tree of reasonable girth present, markers shall be permanently affixed to hardscape, structure or non-biodegradable stakes that are driven a minimum of 24” into the ground.

**601.4.8.4.4** The cost of the purchase of the WWPD boundary markers from the Community Development Department and the placement of them by a certified wetland scientist, surveyor, or other qualified professional, as determined by staff, shall be borne by the applicant/developer or their successors in interest.

## **Duration of Approvals Edit:**

### **601.4.8.5 Conditional Approvals:**

**601.4.8.5.1 If/when the Planning Board approves a WWPD special permit with conditions precedent to its final issuance, such conditions shall be satisfied within 120 days of the Board action.**

**601.4.8.5.2 The applicant may request an extension of time required to satisfy conditions precedent to final approval of a WWPD special permit by written request (including the reasons therefore) with the Board no later than 14 days prior to the expiration of the 120 day period provided. The Planning Board shall vote on whether an extension is appropriate under the circumstances.**

### **601.4.8.6 Expiration of Approvals:**

**601.4.8.6.1 WWPD Special Permits expire one (1) year after the date of issuance if not exercised by the recipient.**

**601.4.8.6.2 The recipient may request an extension of time to complete work under the issued permit by a written request (including the reasons therefore) with the Board no later than 14 days prior to the expiration of the one year period provided. The Planning Board shall vote on whether an extension is appropriate under the circumstances.**