

Town of North Attleborough

Conservation Commission – Administrative Review Policy

1. Policy Intent

It is the intent of this policy to provide a clear and efficient process for reviewing minor projects while upholding the protection afforded by the Massachusetts Wetlands Protection Act (M.G.L. c. 131, §40) and its implementing regulations (310 CMR 10.00), and the Massachusetts Stormwater Standards.

2. Purpose

The North Attleborough Conservation Commission has established this Administrative Review Policy to streamline permitting for small-scale projects that pose no threat to the interests protected under the Wetlands Protection Act or local stormwater bylaws. Such projects, due to their limited scope and negligible impact, do not require a formal public hearing before the Commission. Instead, they may be reviewed and approved by the Conservation Administrator. This process promotes efficiency while maintaining compliance with all applicable environmental protections.

3. Applicability

- Conservation staff are available to assist applicants in determining whether a Request for Determination of Applicability (RDA) or Notice of Intent (NOI) is required.
- If eligible for Administrative Review, applicants must complete an Administrative Review Form. Staff will review the form with the applicant, and, if approved, the Conservation Administrator will sign and validate the form.
- A \$25.00 fee is due at the time of signing. No fee is charged if a formal filing is required.
- Approvals are valid for **one (1) year from the date of issuance** unless otherwise specified.
- The Conservation staff may inspect the property to verify the work is complete within the scope of the approved project.
- Any work beyond the scope of the Administrator Review Decision shall be subject to enforcement action.

4. Review Procedures

Applicants must submit:

- A description of the proposed work,
- A sketch or site plan (GIS maps may be provided by staff if needed), and
- Photographs of the site (required for tree removal; strongly encouraged for other projects).

When reviewing projects, the following criteria will be considered:

- Is the work within 100 ft of a wetland or 50 ft of a resource area?
- Is excavation or foundation work proposed?
- Will soil be removed, added, or regraded?
- Will vegetation or trees be removed (photos required)?
- Is planting proposed (species list required)?
- Is invasive species removal or herbicide use proposed?
- Will impervious surface area be increased? If so, does it remain below stormwater thresholds?

A site visit and staking/flagging may be required.

5. Eligible Activities

A. Minor Projects

May be approved if within the 100-ft buffer zone, provided impacts are minimized and stabilization measures are used:

1. Fencing, stone walls, or cordwood stacks in existing lawn ≥ 25 ft from wetlands, provided wildlife passage is maintained.
2. Planting of native trees, shrubs, or groundcover (not turf lawn).

3. In-kind replacement of residential driveways, without expansion. *Permeable materials are encouraged where practicable.*
4. In-kind replacement of decks on existing or helical pier footings (no excavation). Limited expansions may be considered ≥ 50 ft from wetlands. Projects larger than these thresholds require an RDA/NOI.
5. Second-story additions or dormers within existing roof area (roof expansion ≤ 100 sq. ft.). Larger expansions require an RDA/NOI.
6. Small accessory uses (sheds, porous patios, playgrounds ≤ 100 sq. ft.), ≥ 50 ft from wetlands, with erosion controls. Larger projects require an RDA/NOI.
7. Conversion of impervious surfaces to native vegetation (not lawns), with erosion controls.
8. Installation of irrigation conduit within existing lawns (no new wells within jurisdictional areas).

Cumulative Impact Note: Properties adding more than 500 sq. ft. of new impervious surface through multiple small projects must file an RDA/NOI.

B. Tree Work

1. Healthy Trees – Removal or pruning of up to 3 healthy trees, with 1:1 replacement of native trees within the buffer zone or another approved area. Photographs of each tree must be submitted. Replacement species should provide comparable canopy/cover value where feasible.
2. Risk Assessed, Dying, or Diseased Trees – Removal may be approved if they pose imminent risk to people, structures, or utilities. Requires a letter from a Certified/Qualified Arborist.
3. Storm-Damaged Trees – May be flush cut with dated photographs showing the storm event and damage.

Conditions of Approval

 - Stumps must remain unless otherwise authorized.
 - Replacement trees must be native; planting must be documented with photos.
 - Deviations from approved work require a new filing.
 - Site visit required from Conservation staff.

6. Activities Not Eligible for Administrative Review

The following require an RDA or NOI:

- Work within a wetland resource area (as defined in 310 CMR 10.00).
- Excavation or heavy equipment in a resource area.
- Regrading, filling, or foundation work.
- Uprooting or root grappling of trees.
- Mowing or clear-cutting vegetation.
- Construction of decks, stairs, walkways, or hardscaping within 0–50 ft of wetlands (unless in existing hardscape area, at Conservation Administrator’s discretion).
- Removal of more than 3 healthy trees.
- Projects creating greater than 500 sq. ft. of new impervious area.

7. Filing & Decision Procedure

1. Submit a completed Administrative Review Form with required documentation. Incomplete applications will delay processing.
2. A site visit may be scheduled by the Conservation Staff.
3. The Conservation Administrator will issue a written decision (by email):
 - a. Approval: includes conditions.
 - b. Denial: with instructions for filing an RDA or NOI.