

WAIVER REQUEST

Conservation Commission
Town of Plymouth
26 Court Street
Plymouth, MA 02360

Dear Commissioners:

I hereby waive the benefit of the time requirements set forth in Chapter 131, Section 40 (Wetlands Protection Act) of the Massachusetts General Laws, 310 CMR 10.00 Regulations, and the Town of Plymouth Wetlands Protection Bylaw, which require that the Conservation Commission hold a hearing and issue a Determination or Order within the time periods specified therein.

The Public Hearing shall be held within 90 days of the filing of a complete Notice of Intent, Request for Determination of Applicability, or Abbreviated Notice of Resource Area Delineation.

The Order of Conditions, Determination of Applicability, or Order of Resource Area Delineation shall be issued within 90 days of the close of the public hearing.

Applicant's or Representative's Signature _____ Date _____

Applicant's Name: _____

Parcel ID: _____

Project Location: _____

Project Type: _____

Explanation of Waiver Request Regarding Statutory Time Requirements

Massachusetts General Laws, Chapter 131, Section 40 (Wetlands Protection Act), 310 CMR 10.00 (Regulations) and/or the Town of Plymouth Wetlands Protection Bylaw (Article 27) require that with respect to any written request, a Public Hearing must be held within 21 days (State Law) or 30 days (Bylaw) after the filing of the Notice of Intent or Request for Determination, and that an Order of Conditions be issued within 21 days (State Law) or 30 days (Bylaw) of the close of the hearing, or a Determination of Applicability be issued within 21 days (State Law) or 30 days (Bylaw) of the filing.

As a result of time constraints due to the number of requests received, the Conservation Commission often finds itself unable to meet the above statutory time requirements for either holding a hearing or issuing a decision. It is for this reason that the Commission must often request that applicants or representatives waive the benefit of the above requirements.

The alternative to this waiver is for the applicant or representative to request a Superseding Order of Conditions or Determination of Applicability from the DEP, Southeast Region. However, this process may be quite lengthy and may result in delaying the applicant's project for some time. Generally speaking, the Commission will be able to issue an Order or Determination more quickly than the DEP.