** Homeowner’s Guide to Wetlands and Permitting**

If you live in Massachusetts, you may have heard of the ***Wetlands Protection Act and Regulations.*** This law says that wetlands are important and that we all share in the in the stewardship responsibilities to keep wetlands clean. This law requires anyone doing work or any activity near a wetland to obtain a wetland permit from the Conservation Commission. This law applies to homeowners and developers alike. Under Massachusetts laws **you are responsible for obtaining the permit even if you do not know you are required to obtain one.**

When you buy land/house or propose a project you are responsible for finding which permits you need and to obtain them before you do the project. This is called *due diligence*.

You may be asking yourself “how do I know if I have wetlands on my property” and “how would I know I need a permit if no one told me?”

The first step is to review all the information that is free and readily available to you. Some of that information is in your closing documents. **The easiest thing to do is to contact the Conservation Commission**. All permit applications and permits are public information and stored in the Conservation Office. There are several resources available on the Internet, such as aerial photographs, soil maps, and other resources to help you determine if wetlands are on your property.

* <https://www.mass.gov/doc/310-cmr-1000-the-wetlands-protection-act> - Link to the Wetlands Protection Act.
* <https://maps.massgis.digital.mass.gov/MassMapper/MassMapper.html> - This website has user-friendly data layers. Just type in the address in question and select the layer(s) you wish to view. **Please note:** depictions of resources such as wetlands shown are to be used as a guide, not in place of a formal wetland delineation performed by a qualified wetland consultant/ field inspection.
* <http://titleview.org/plymouthdeeds/> - Link to Plymouth County Deeds website. You may be able to find past information regarding the property in question as it pertains to Conservation matters.

You may also choose to put your boots on and walk the property yourself. The checklist below will help you. Look for the clues listed in the checklist. If you answer yes to any of the questions, you probably have wetlands on your property or close enough to your property that it is likely you will need a wetland permit to do a project. **Caution:** The checklist is just a guide and not meant as a definitive determination about wetlands. Any project within 100 feet of wetlands or 200 feet of a perennial stream requires a wetland permit. All projects within the 100-year floodplain and endangered species habitat are required to obtain permits too. Those maps can be found online. There are some exemptions for minor projects that could be determined by the Conservation Commission or a Wetlands Specialist. Do not assume that a project is exempt. An exemption under one law does not necessarily mean that it qualifies for an exemption under Wetland Protection Act. For example, certain agricultural activities that are exempt under another law/bylaw may not be exempt from getting a wetland permit. Always make the inquiry. It is far easier to ask first than to stop work and fix it later. Asking first avoids costly delays.

Examples of work or activities that require permits are, including but not limited to:

• Construction

• Land clearing

• Additions and Garages

• Parking lots, roads and subdivisions

• Cutting and clearing vegetation

• Retaining walls

• Wells (irrigation, point, drinking water)

• Septic systems

• Pool, deck or shed

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