

WAIVER REQUEST

Conservation Commission
Town of Duxbury
878 Tremont St.
Duxbury, MA 02332

Duxbury Conservation Commission:

I hereby waive the benefit of the time requirements set forth in Massachusetts General Law, Chapter 131, Section 40 (Wetlands Protection Act), 310 CMR 10.00 Regulations and the Town of Duxbury Wetlands Protection Bylaw, Chapter 9, which require that the Conservation Commission hold a hearing and issue a Determination or an Order within the time periods specified therein.

Applicant's or Representative's
Signature

Date

Applicant's Name: _____

Project Location: _____

Assessor's Lot #: _____

Project Type: _____

EXPLANATION OF WAIVER REQUESTS REGARDING STATUTORY TIME REQUIREMENTS

Massachusetts General Laws, Chapter 131, Section 40 (Wetlands Protection Act, 310 CMR 10.00 (Regulations) and/or the Town of Duxbury Wetlands Protection Bylaw, Chapter 9 require that with respect to any written request, a Public Hearing must be held within 21 days (State Law & Town Bylaw) after the filing of the Notice of Intent, Abbreviated Notice of Resource Delineation or Request for Determination, and that an Order of Conditions be issued within 21 days of the close of the hearing, or a Determination of Applicability be issued within 21 days of the filing.

As a result of time constraints due to the number of requests received, the Duxbury 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 Determination or Order from the Department of Environmental Protection, 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 a Determination or Order more quickly than the Department of Environmental Protection.

Please do not hesitate to call the Conservation Department if you have any questions regarding the waiver process.

Thank you.

Joseph. M. Grady, Jr.
Duxbury Conservation Administrator