



**CONSERVATION COMMISSION OFFICE POLICY FOR  
APPLICATIONS THAT REQUIRE WATERWAYS/SHELLFISH  
COMMITTEE REVIEW**

*Revised June 26, 2008*

All applicants that require Waterways Committee review must file a copy of the Notice of Intent, (NOI), and accompanying plans with the Yarmouth Dept. of Natural Resources at their Forest Rd. office and obtain a Waterways Committee hearing date. (Per TOY Wetland By-Law). The Waterways Committee normally meets on the 2<sup>nd</sup> Wednesday of each month. The Conservation Commission normally meets on the 1<sup>st</sup> & 3<sup>rd</sup> Thursdays of each month.

It's important to note that any Conservation Commission must accept a properly prepared NOI filing when filed in the respective town, whether or not local waterways review has commenced. A public hearing relative to the NOI must be at least opened within 21 days of such filing, or the Conservation Commission will loose jurisdiction under the Mass Wetland Act. This time-table is mandated by Mass General Law, chap 131, sec. 40. (The Mass Wetland Protection Act). In cases where local waterways review is not complete, and available to the Commission, the opening of the Conservation Commission hearing must occur within 21 days and a continuance to a date certain will be agreed upon. No testimony other than an agreed date shall be taken in order to enable any commissioner to sit at the continued hearing.

It is strongly recommended that applicants complete required Waterways review prior to NOI submittal with the Conservation Commission. If applicants must file with the Conservation Commission prior to actual Waterways review for whatever reason, the applicant should expect possible delays in Conservation Commission approval due to incomplete Waterways Committee action.