



Sharon Conservation Guide to Permitting **Filing a Request for a Determination of Applicability** **also known as an RDA**



When planning any type of project, such as: construction of a driveway, deck, pool, dock, shed, or fence; installing/repairing a septic system; putting an addition on your home; cutting trees; building a wall; putting in a walkway; or altering the landscape in any way, the Conservation Administrator should be contacted, if there is an obvious wetland resource or water body on your property, or if you are unsure whether there is.

The Conservation Administrator will help determine the scope and size of project and whether the proposed work falls within the Conservation Commission's jurisdiction as defined in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), Wetlands Protection Act Regulations (310 CMR 10.00), the Town of Sharon Bylaw Ch 262: Wetlands Protection and the Rules and Regulations of the Sharon Conservation Commission.

The Conservation Commission regulates activities proposed within 100 feet of a resource area and within 200 feet of a river or stream. Before any work begins, the commission must review and approve any project that falls within its jurisdiction. The appropriate application for projects involving minor disturbances is called a Request for Determination of Applicability, or an RDA. Available online and at the Conservation Department, the *Sharon Conservation Checklist: Filing a Request for Determination of Applicability* outlines specific filing instructions.

The Conservation Administrator serves as a first point of contact for anyone considering a project that may fall within the Commission's jurisdiction. Discussing proposals with the Conservation Administrator helps ensure timely submissions for any projects requiring the Commission's review.

Josh Philibert, Conservation Administrator

219 Massapoag Ave. Sharon, MA 02067 SharonConCom@TownofSharon.org (781) 784-1511

<https://www.townofsharon.net/conservation-commission>

A Brief Overview of the Application Process and Timeline for Review

The Conservation Commission typically meets on the first and third Thursdays of the month and requires at least two weeks to review a complete application and post a public notice before holding a public hearing on a proposed project. A hearing will usually take place within 21 days of receiving a complete application packet. Please see the RDA Checklist for specifics regarding fees, public notices, and abutter notification.

An applicant or representative is required to attend the public hearing, present the project to the Commission, and answer any questions from the Commission or members of the public. Applicants can submit a continuance request in writing if they are unable to attend a scheduled hearing. If the Commission requests additional information to come to a decision, the applicant may request to continue the hearing to a future date.

The Commission can vote to approve the project, issuing what is called a "Negative Determination;" or deny the project, issuing what is called a "Positive Determination." The commission may also request the applicant submit an application called a "Notice of Intent" should they deem the work greater than what is considered a minor disturbance and therefore not appropriate for an RDA.

Within 21 days after the hearing closes, the Commission will issue the Determination of Applicability whether it is a Positive Determination or a Negative Determination. The determination will need to be registered by the applicant with the Norfolk County Registry of Deeds. Proof of the recording with the book and page numbers should be sent to the Conservation Department before work begins. Additionally, work should not begin until after a 10-day appeal period following the Commission's decision.