



Town of Rowley

Conservation Commission

Phone: (978) 948-2330 Fax: (978) 948-7196

Conservation@townofrowley.org

Extension Request Guidelines

To Request to Extend an Existing Order of Conditions:

The Wetlands Protection Act (the Act) M. G. L. Chapter 131 Section 40 and the Town of Rowley Wetlands Protection Bylaw (Bylaw) allows the Rowley Conservation Commission (RCC) to extend an Order of Conditions (Order) for one or more periods of up to three years each upon application at least 30 days prior to the expiration date of the Order (310 CMR 10.05(8)). Typically, the RCC issues an extension for 1 year. For large projects or unique circumstances, the RCC may consider issuing a two or three year extension. No abutter notification, or legal notice is required for a Request to Extend an Order but a Wetlands Protection Bylaw fee is applicable. The RCC requests that you only ask for the time that is necessary to complete your project.

- Submit eight copies, of a Request-to-Extend letter outlining all work completed under the Order and any/all outstanding work to be completed. The letter, referencing the DEP File #, should describe the reason for needing more time to complete the project, the time frame requested and additional justification if the time frame sought is for more than one year. State current contact information for applicant and property owner. Include one completed Bylaw Fee Worksheet accompanied by the appropriate fee payment.

You must be present at the meeting to present your Request. Please contact us to clarify the date and time your Request to Extend will be heard.

If an Extension to your Order is issued by the RCC, you must record it at the Registry of Deeds within thirty days for it to take effect. There is no appeal to DEP.

In accordance with the Act's Regulations [310 CMR 10.05(8)(b)], an extension request may be denied by the RCC, and a new Notice of Intent required if:

- No work has begun, except if there are unavoidable delays in getting other permits e.g., appeals
- New information, not available at the time the Order was issued, indicates the interests of the Wetlands Protection Act and Bylaw are not being protected by the Order e.g., site conditions have changed or a wetland resource boundary delineation is incorrect
- Incomplete work has led to damage to the interests of the Act
- There is a violation of the Order, Bylaw, Act, or Regulations
- The Regulations have been amended and the existing Order no longer complies with the Regulations.

June 1, 2010