

WHAT WETLANDS ARE PROTECTED?

By law, wetlands are defined by the kind of plants that grow in them (such as jewel weed, red maples, or skunk cabbage) and the kind of soils that exist there. The Conservation staff or a wetland specialist can help you determine whether you live near a wetland.

The Commission must permit any work:

- Within 100 feet of a:
 - Swamp or marsh
 - Forested wetland
 - Vernal pool
 - Pond
 - Intermittent stream



- Within 200 feet of a stream that flows year round
- Within the 100-year flood zone

Wetlands may not be wet all the time. Low areas that flood in the spring may be wetlands.

Wetlands are valuable because they reduce flooding, provide wildlife habitat, help recharge aquifers, and filter polluted water.

ARE BUFFER ZONES AROUND WETLANDS PROTECTED?

Yes! Buffer zones, the land within 100 feet of wetlands, are critical in maintaining health and productivity of wetlands.

Laws also regulate work within 200 feet of a stream.

WHAT ACTIVITIES ARE REGULATED?

The Conservation Commission must permit activities that will alter wetlands or their buffer zones. Regulated activities include:

- Dumping leaves, brush, grass, debris
- Cutting trees or shrubs
- Reconstructing lawns
- Building or constructing structures or a septic system
- Grading, excavating, or filling
- Changing storm water discharge
- Polluting wetlands or streams

You can maintain lawfully existing (grandfathered or permitted) structures, lawns and landscapes, and you can do some limited vista pruning of trees, but **cutting of whole trees, clearing understory, construction, earth disturbing activities, or drainage altering activities require a permit.**

WHAT WETLAND LAWS APPLY?

The **Massachusetts Wetlands Protection Act** protects the above-mentioned wetlands and buffer zones from construction, filling, landscaping, and cutting.

WHAT'S THE APPLICATION PROCESS?

In general, you must fill out a **permit application** (we have the forms for you), notify your abutters (we have those forms too), attend a **public hearing** (it's easy), and resolve any concerns about protecting the wetlands (we help). Then you may receive a **permit** for the work.

WHAT SHOULD I DO IF I HAVE A PROJECT IN MIND?

1. Determine if your project will occur within a wetland or buffer zone – [see the graphic on the back of this flyer](#).
2. Ask a member or email the Conservation Commission with questions.
3. Complete the required application.
4. Attend a public hearing.
5. Get a permit **before** starting work.



WHAT HAPPENS TO VIOLATORS?

Violations include unpermitted:

- Dumping of grass, leaves, brush, or debris in a wetland or buffer zone;
- Cutting of trees or shrubs within Riverfront Area, wetland, or buffer; or
- Building without a permit within Riverfront Area, wetland, or buffer.

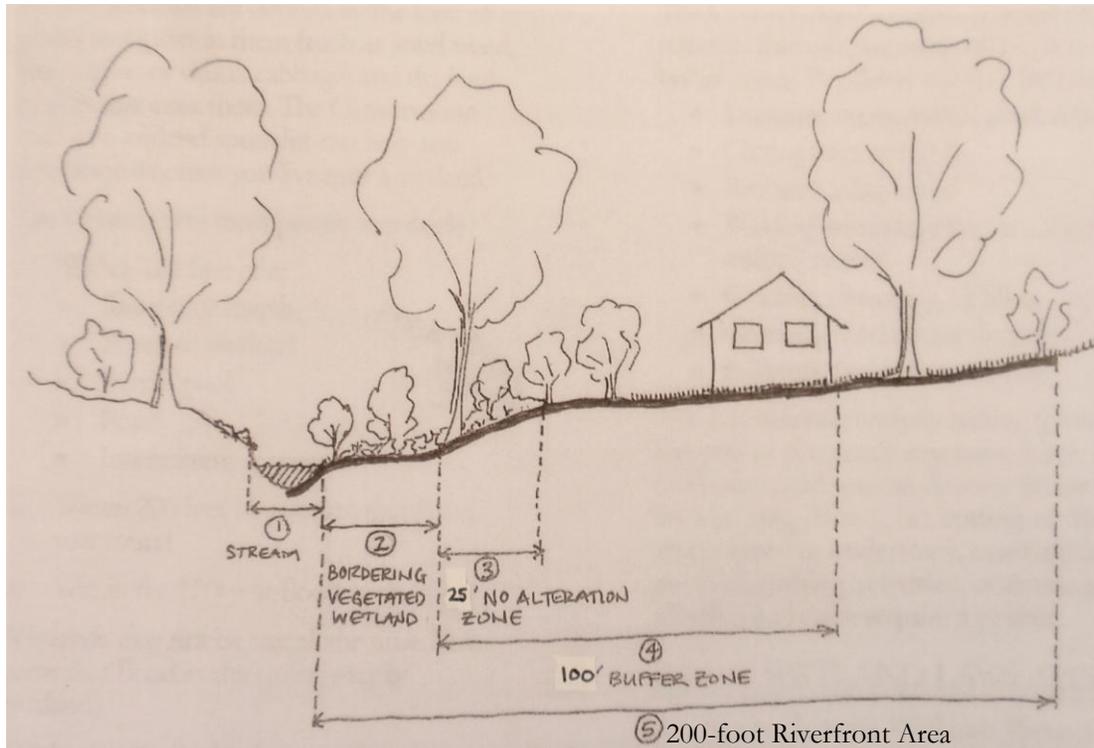
Under the Wetland Protection Act, the Conservation Commission can require illegally altered land to be restored to its original condition, and can issue fines.

HELP PROTECT WETLANDS!

You can do more than just obey the law.

- Do not use fertilizers, herbicides, insecticides, or de-icers near wetlands.
- Encourage native vegetation and native wildlife.

Wetland Resource Areas and Buffer Zones



LIVING WITH WETLANDS

A Guide to Wetland Protection Laws in Berlin

Read this before you dump, cut, or build near wetlands. You may need a permit.

DID YOU KNOW?

- Wetlands on both public and private property are regulated.
- You are responsible for activity that occurs on your property. Before you hire a tree company, landscaper, or contractor call the Conservation office to determine if you need a permit.
- Wetlands can be wooded or meadow-like; wetlands often appear dry in the summer.
- Over 25% of Berlin falls under wetland regulations (so your property may, too).
- The Conservation Commission by law takes enforcement action for work done w/o a permit.

Berlin Conservation Commission
23 Linden St
Berlin, MA 01503

Email:
conservationcommission@townofberlin.com