

# Wilmington's Wetlands

what you need to know

Town of Wilmington, MA

**Wetlands** are areas where water is at or just below the surface of the ground, and include marshes, wet meadows, bogs and swamps. Although wetlands can appear dry during some seasons, they hold enough water to support certain plants and soils. Wetlands can be found on both public and private property.

Benefits that wetlands provide to you, your property, and the community:

**Drinking water protection:** Wetlands provide natural water purification with plants that remove pollutants and filter sediments.

**Flood control:** Wetlands act as sponges, soaking up flood waters and slowly releasing them back to rivers and ponds. This prevents flood waters from rising as rapidly, damaging property and threatening lives.

**Habitat:** Many birds, reptiles, amphibians, mammals, insects, and plants depend on wetlands for their survival. Wetlands provide essential feeding, breeding and habitat areas.

**Natural beauty & recreation:** Wetlands provide scenic beauty along public walking trails, roadways, and private properties acting as a natural open space buffer that helps to preserve town character.

**“Wetlands” vs. “conservation land”** These terms are often used interchangeably; however, wetlands are those areas described above and can be located on either public or private property. Conservation land is property owned by the Town under the control and custody of the Conservation Commission for natural open space, wildlife habitat, ecological function, and public enjoyment. Conservation land is protected public open space and includes uplands like forest in addition to wetlands.

**Wetlands**  
cover **19%** of  
Wilmington's  
total area.



# Wilmington's Wetlands

a guide to permitting

Town of Wilmington, MA

**Wetland resource areas** include wetlands, rivers, streams, banks, floodplains. Wetlands have a 100-foot buffer area around them in which projects need to be reviewed for potential impacts to the wetlands. Rivers have a 200-foot riverfront zone in which specific requirements apply. The **Wilmington Conservation Commission** is the local permitting authority that administers the Massachusetts Wetlands Protection Act (Act) and Regulations (310 CMR 10).

## When do I need a Permit?

Any disturbance of a resource area requires a permit. Under the Act no one may “remove, fill, dredge or alter” any wetland, floodplain, bank, land under a water body, land within 100 feet of a wetland, or land within 200 feet of a perennial stream or river without a permit from the Conservation Commission. Some examples of these activities include installing a swimming pool, altering the drainage or water flow of your property, removing vegetation (trees) or building an addition. Permit types are described below:

**Request for Determination of Applicability (RDA):** For small projects located within the 100-foot wetlands buffer zone (but not within 200 feet of a perennial stream or river) that have little chance of altering resource areas, submit plan and description of the proposed work, showing any measures you plan to take to protect nearby wetlands from alteration. A posted legal ad and public meeting are required. If the Commission determines that your project will not impact the resource areas (Negative Determination) work may begin after the 10-day appeal period.

**Notice of Intent (NOI):** Formal filing for projects that may impact the resources areas, often prepared with the help of a civil engineer and wetlands consultant, according to the standards and criteria defined in the Act and Regulations, showing in detail all aspects of the proposed project. The Conservation Commission will schedule and advertise a public hearing at the Applicant's expense. After the hearing is held, the Commission issues its decision (Order of Conditions) and a 10-day appeal period occurs. After the appeal period ends, the Order is recorded at the Registry of Deeds and work may begin barring any other local or State approvals..

**Abbreviated Notice of Resource Area Delineation (ANRAD):** Plan to establish resource area boundaries.

Contact us with any questions: **Department of Planning & Conservation – 978.658.8238**

## Exemptions

from filing include installing a pool, shed or new deck at least 50' from wetlands; maintaining existing landscaping; fences that do not act as a barrier to wildlife; planting native trees; and unpaved walkways (up to 30" if private, 36" if public.)

