



DID YOU KNOW?

- Wetlands on both public and private property are regulated.
- Owners are responsible for activity that occurs on their property. Before you hire a tree company, landscaper, or contractor call the Conservation Commission office to determine if you need a permit.
- Wetlands can be forested, shrub swamps or meadows; wetlands often appear dry in the summer.
- Many houses and their yards predate wetlands legislation and might not be permitted in the same locations today. New construction must be at least 75 feet back from a wetland and a 50 foot natural buffer or “no disturb zone” is required.
- Pastures, paddocks and barns must be set back 100 feet from wetlands.

LIVING WITH WETLANDS

A Guide to Wetland Protection Laws in Harvard



Read this before you
purchase property · dump · cut ·
landscape · pasture animals ·
or build near wetlands.
You may need a permit.

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WHAT WETLANDS ARE PROTECTED?

Wetlands are defined by the kind of plants that grow in them and the kind of soils that exist there. The Conservation Agent or a wetland specialist can help you determine whether you live near a wetland.

The property owner must obtain permission for any work:

- Within 100 feet of a:
 - Swamp or marsh
 - Forested wetland
 - Intermittent stream
- Within 200 feet of a:
 - Vernal pool
 - Pond
 - 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.

ARE BUFFER ZONES AROUND WETLANDS PROTECTED?

Yes! Buffer zones are critical in maintaining the health and productivity of wetlands – they protect the wetlands from human impacts and provide valuable wildlife habitat. In turn, healthy wetlands provide people with drinking water purification, groundwater recharge, flood control and pollution control.

Permit application forms, wetland laws, rules and further information can be found on the Conservation Commission website under Committees/Boards at www.harvard.ma.us.

WHAT ACTIVITIES ARE REGULATED?

The homeowner must obtain permission from the Conservation Commission for activities that will alter wetlands or their buffer zones. Regulated activities include:

- Dumping yard waste, debris or manure
- 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 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 and the Harvard Wetlands Protection Bylaw along with the Bylaw Rules.

WHAT'S THE APPLICATION PROCESS?

The approval process depends on the activity proposed. Minor projects like the removal of a few trees may be handled with a simple approval form, while a building or landscape construction project may require a permit application with engineered plans, notification of abutters and evaluation at a public hearing. As long as wetlands are not adversely affected, most projects can be permitted!

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

1. Determine if your project will occur within a wetland or buffer zone -- the Conservation Agent can help.
2. Call the Conservation Office with questions.
3. Complete the required application,
4. Attend a public hearing.
5. Get a permit before starting work.



WHAT HAPPENS TO VIOLATORS?

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!

- Wetlands function best in a natural state. Do not clear their edges or clean them up. Bordering vegetation protects water quality and wildlife thrives in edge areas, brush piles, rotting logs, and other “untidy” spots.
- Do not use fertilizers, herbicides, insecticides, or deicers near wetlands. Fertilizer, synthetic or natural, will cause excessive growth of algae and other vegetation in a wetland. Many natural lawn care alternatives are available.
- Encourage native vegetation and native wildlife in your landscaping and learn about invasive plants. (www.newfs.org)