

By Mr. Goyette of New Bedford, petition of Roger R. Goyette and Mary Jeanette Murray that provision be made for the expeditious handling of certain cases under the wetlands protection law. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT TO PROVIDE FOR THE EXPEDITIOUS HANDLING OF CERTAIN GASES
UNDER THE WETLANDS PROTECTION ACT.

Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same, as follows:

- 1 Section 40 of Chapter 131 of the General Laws, as amended by
2 the insertion after the twenty-third paragraph thereof of the fol-
3 lowing new paragraph: —
4 The commissioner shall by regulation define classes of activity
5 under this section which are of limited extent and significance in
6 which the conservation commission, or the department on appeal,
7 may at its discretion permit the activity to be carried out under a
8 letter of authorization issued by it without a public hearing, with-
9 out a formal order of conditions, and without a recording in the
10 registry of deeds. Such classes of activity may include maintenance
11 work, repair work, work performed in accordance with a farm plan
12 approved by a conservation district, work performed by an indi-
13 vidual landowner incidental to his continuing use of his property
14 and other work of limited areal extent whose impacts on the
15 environment and on the interests of other parties are likely to be
16 minimal. The commissioner shall promulgate regulations, shall
17 prevent a conservation commission, or the department on appeal,
18 from requiring use of the full formal proceedings otherwise pres-
19 cribed in this section in any case where it may deem such use to be
20 in the public interest, nor to allow issuance of a letter of authoriza-
21 tion without the filing of such plans as willfully describe and define

22 the intended work, without notification of the department, without
 23 published notice of the proposed or actual issuance of such letter
 24 and of the right of appeal by any party within ten days of such
 25 publication, and without payment of a fee of at least ten dollars to
 26 the city or town. No exemptions shall be allowed without a majori-
 27 ty vote of the members of the Conservation Commission present
 28 when a work or activity is proposed.