

Extreme Winter Conditions Wetland Delineation Policy

Policy adopted by vote of the Southborough Conservation Commission at the Commission's regularly scheduled public session held on January 30, 2014

Delineating or verifying resource area boundaries during the winter months, especially with deep snow cover or frozen soil conditions, is difficult and under some extreme circumstances virtually impossible. Vegetation and other indicators of hydrology that are used to determine wetland boundaries are not readily observable or may be misleading during these times.

MassDEP recommends that resource area delineations be avoided when deep snow cover or "deep freeze" conditions exist. When these conditions exist, it is also not possible to conduct a field verification of a delineation that was performed earlier, under favorable conditions, but was not submitted to the Commission until unfavorable evaluation conditions existed.

Therefore, the Southborough Conservation Commission has concluded that it may be necessary and appropriate to continue any hearing on a filing with a material delineation that is based on any non-validated wetlands delineation, until conditions have improved sufficiently to permit field verification of the submitted delineation, irrespective of when conducted. The Conservation Administrator (or a representative so designated by the Commission) is hereby authorized and directed to determine when such conditions legitimately exist and thereafter perform such evaluation and, if further directed, to schedule a Commission site visit for evaluation purposes, or if deemed advisable by the Administrator.

Exception to this policy may be granted upon a written request stating the reasons for the exception sought. Each request shall be evaluated on its own merits, on a case-by-case basis. Grant of an exception on any given property or for any particular application, when warranted, shall be for that one instance only.

If the applicant does not agree to a meeting or hearing continuance in order to allow the Commission to complete an adequate field verification of the wetland resource boundaries affecting a particular application, the Commission shall close the hearing and make a determination based on the information available.

This policy is intended to be consistent with the Massachusetts DEP's "Winter Delineations" guidance as set forth in the MassDEP manual: "Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act (1995), on page 49 thereof.