



### 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.

### **Harvard Conservation Commission**

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## WHAT WETLANDS ARE PROTECTED?

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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?

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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.

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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](http://www.harvard.ma.us).

## WHAT ACTIVITIES ARE REGULATED?

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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?

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The Massachusetts Wetlands Protection Act and the Harvard Wetlands Protection Bylaw along with the Bylaw Rules.

## WHAT'S THE APPLICATION PROCESS?

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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?

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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?

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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!

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- 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](http://www.newfs.org))