

CONSERVATION COMMISSION POLICY ON AMENDMENTS TO AN ORDER OF CONDITIONS

When an order of conditions has been issued for work in a jurisdictional area, the order can be amended in one of the following ways and under the following conditions:

- No changes to the orders shall be made without Commission approval;
- If there is an immediate threat to health or safety, e.g. a tree in danger of falling on a house, an MBZA may be filed with the Commission to remove the threat;
- If there is no immediate danger to health and safety, **AND** the following three conditions are met, the applicant shall submit a map and narrative outlining the proposed changes to the Commission for approval:
 1. There shall be no net increase in the amount of fill or excavation of material or vegetation removed;
 2. The proposed changes shall not be any closer to the resource areas than originally proposed; and
 3. The impact on the resource area(s) shall be no greater than originally approved.
- In all other cases, the Commission will follow the procedure outlined in DEP Policy 85-4 which requires the applicant to submit a request to the Commission outlining the proposed changes and the Commission will vote on whether a new NOI is required or an amendment is sufficient. If only an amendment is required, a public hearing will be held following normal hearing procedures, including a legal notice and abutter notifications.