



# Town of Barnstable Conservation Commission

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## CHAPTER 706

### ABUTTER NOTIFICATION REGULATION

#### Request for Determination of Applicability (RDA), Notice of Intent (NOI) & Amended Order (AO)

- A. **When:** At the *same time* as filing the application, once a docket date & time have been assigned by the Conservation Office
- B. **To:** (1) **NOI & AO** Property owners within 100 ft. of the perimeter of the subject parcel upon which work is proposed  
(2) **RDA** Property owners actually touching on the subject parcel upon which work is proposed
- C. **How:** By *certified mail, return receipt requested*. Reminder - show green cards at hearing, but applicant will retain them afterward.
- D. **Form:** Use the Conservation office's standard templates for your notification letters. We suggest using Town GIS office for assistance in producing abutter maps, lists and labels.
- E. **Notice:** The Commission may exercise its discretion to require re-notification of abutters for certain continued hearings.
- F. **State/Local Requirements:**

**MGL CH 131 §40:** "Any person filing a notice of intent shall at the same time give written notification thereof, by delivery in hand or certified mail, return receipt requested, to all abutters."

**310 CMR 10.05 (4)(a):** "The applicant shall provide written notification to all abutters required to be notified by hand delivery or certified mail, return receipt requested ... Mailing at least seven [business] days prior to the public hearing shall constitute timely notice."

**TOB Ch 237-5A:** "Any person filing an application or a request for determination with the Commission shall give written notice thereof, within 14 days of the public hearing, by certified mail or hand delivery, to all abutters in accordance with the regulations of the Commission."

Approved: 8/24/04

Amended: 9/28/04; RDA notice by 1st class mail

Revised: 3/14/06

Amended: 10/14/14; RDA notice by certified mail

Revised: 3/31/15