

CHATHAM CONSERVATION COMMISSION

DECLARATION RESPECTING SCHEDULING OF HEARINGS ON APPLICATIONS FILED AFTER MARCH 10, 2020

On March 10, 2020 in response to the COVID-19 emergency, Governor Baker declared a state of emergency. This State of Emergency will last until the Governor affirmatively lifts the Order.

On April 3, 2020 the Massachusetts Legislature passed the “Act of 2020,” to address the challenges faced by municipal authorities resulting from COVID-19. The Act of 2020 suspended statutory and regulatory deadlines applicable to the Conservation Commission. The effect is that, during this State of Emergency, the 21-day requirement for the Commission to take action, open a hearing or issue Orders of Conditions has temporarily been suspended. The Act provides that the suspension of deadlines will remain in place until 45 days after the Governor lifts the Emergency Order.

In addition, Section 17(b) of the Act of 2020 provides that a board or commission may schedule and reschedule a hearing one or more times “by declaration of its chair,” without the need for approval by a quorum of the board. Notice of the rescheduling (including the new date) must be provided to the applicant in writing and posted on the Town Clerk’s website.

The Chatham Conservation Commission has been working throughout this State of Emergency in an effort to process, review and hear applications and issue Orders of Condition in as timely a fashion as possible. However, working remotely and holding hearings via a videoconference platform has slowed down an already complex process. The Commission has found over this period that hearings on a remote platform generally take more than twice as long as hearings conducted in person. In addition, the Commission has found that the maximum amount of time that can be spent participating in a remote hearing is approximately three hours. Even working under these circumstances, the Commission has been able to hear a significant number of applications and has issued Orders of Condition for most application that were in process before March 10, 2020.

Since the start of the Emergency period on March 10th, the Commission has received 16 new substantive applications. In order to address these new applications, as well as being mindful of the rights of abutters, the Commission will take the following steps to schedule hearings and issue Orders.

I am hereby exercising the authority conferred on me by Section 17 (b)(v) of the Act of 2020 as Chair of the Conservation Commission to declare that the following applications are being rescheduled based on the order that they were received. The dates listed below will be sent out to everyone on the Conservation Division email list and posted on the Town’s website.

Hearing Date**Property Address**

May 13,2020	158 Old Field Bend (RDA)
	324 Shore Road (RDA)
	38 Briggs Way (AOOC Phase 1)
May 27, 2020	39 Homestead Lane (NOI)
	14 Pine Ridge Road (NOI)
	45 Barcliff Extension (NOI)
June 10, 2020	46 Little Beach Road (NOI)
	47 Little Beach Road (NOI)
	53 Little Beach Road (NOI)
June 24, 2020	144 Chatharbor Road (NOI)
	104 Cranberry Lane (NOI)
July 8, 2020	335 Cedar Street (NOI)
	74 and 77 Sears Point Road (NOI)
	159 Seapine Road (NOI)
July 22, 2020	86 Harbor View Road (NOI)
	366 Seapine Road (NOI)
August 12, 2020	24 Cedar Street (NOI)
	33 Honeysuckle Lane (NOI)
	83 Seagull Road (ATF NOI)

Janet Williams

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Chair, Chatham Conservation Commission

Dated: May 13, 2020
