

# TOWN OF WESTPORT

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## *Conservation Commission Soil Conservation Board*

Date: January 22, 2024

[Dear Coastal Property Owner]

The Westport Conservation is committed to working with East Beach and other coastal property owners whose lots have suffered damage that requires beach restoration including clean-up, grading and replenishment of material that is compatible with the pre-storm composition of sand and cobble on the beach. The purpose of the letter is to provide you with information on the restoration application process and the conditions for implementing projects on your lot consistent with the Wetlands Protection Act (WPA) and Regulations.

A Notice of Intent (NOI) application, in accordance with 310 CMR 10.05(4), will be required to conduct beach restoration activities, except where the existing conditions require immediate action to protect public health or safety. **No beach grading or nourishment activities are permitted without Commission approval.** Once the request is received and reviewed a letter of approval or denial will be issued with specific instructions of what will be allowed.

A sample Notice of Intent is available on the Westport Conservation Commission webpage. <https://www.westport-ma.com/conservation-commission>. An NOI requires notification of abutters within 100' of the parcel and a public hearing. The Natural Heritage Endangered Species Program fee may apply for certain properties determined by the most recent mapping of piping plover activity.

An owner with a condition on their lot that creates a public health or safety risk can file a request for an Emergency Certification that would allow for work to be conducted to address the risk without filing an NOI. **A condition of the Certification is that all the work must be completed within 30 days of its approval.** The request must specify the public health or safety risk being addressed and a description of the work which is to be allowed and shall not include work beyond that necessary to abate the emergency. **It is strongly recommended that owners contact the Commission upon receipt of this letter if they believe an emergency condition currently exists.**

The following conditions will apply to **all** Notice of Intent or Emergency Certification approved beach clean-up, grading and replenishment/restoration application requests:

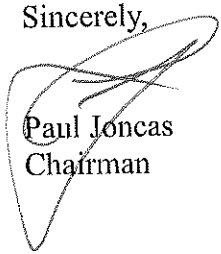
- **Beach Restoration:**

- a. No sand shall be removed from any existing dune or coastal beach as defined in the WPA or its regulations.

- b. **The source location and volume of sand or rock imported onto the property to replace or replenish material displaced by the storm or otherwise to nourish the beach must be approved by the Commission prior to commencement of the work.**
  - c. **Sand shall be of a compatible grain size as determined by the Commission.**
  - d. Heavy equipment can be used for grading the imported material provided adequate steps are taken to protect the existing dunes and beach as set forth in the Order of Conditions.
  - e. Placement of sand or other approved material on vegetated dunes that smothers or otherwise buries dune plants is prohibited unless an approved dune replanting plan is conducted.
  - f. No placement of sand or other compatible material is allowed within 10' of the Mean High Water (MHW) location.
- **Coastal Structure Repairs:** Temporary repair of a coastal engineering structure, including a dock, seawall, revetment, or bulkhead is permitted provided that structure was previously licensed or has an existing Chapter 91 license as it existed on April 14, 2007. Any activity below MHW will require the filing of an NOI.
  - **Stabilizing Buildings/ Foundations:** Stabilization and shoring up a structure, building or foundation is permitted, but only to the extent necessary to prevent imminent harm to the structure and if required by the Building Inspector. Complete restoration will require the filing of an NOI.
  - **Septic System Replacement or Repairs:** The replacement or major repair of an on-site sewage disposal system including septic tank, leach field or holding tank, will require the filing of an NOI.

For further information or questions, please contact the Commission Office at 508-636-1019 or email [ccagent@westport-ma.gov](mailto:ccagent@westport-ma.gov).

Sincerely,



Paul Joncas  
Chairman