

To see if Town Meeting will vote to amend DIVISION VI ARTICLE I WAREHAM WETLAND PROTECTIVE BY-LAW as follows:

Add to section XVII. Buffer Zone, C. Exceptions, 2., a new section d. to read;

2. The No Activity Zone requirements set forth in this Section shall not apply to:

- a. Structures or site work that is defined as the normal maintenance or improvement of Land In Agricultural Use under 310 CMR 10.04, "Agriculture".
- b. Projects requiring Chapter 91 Licenses, freshwater dock projects, repairs of existing Chapter 91 Licensed structures, or other coastal engineering structures deemed by the Conservation Commission to be necessary to protect the interests of the Massachusetts Wetlands Protection Act and this By-law.
- c. Projects involving the repair, but not expansion of, existing and lawfully located buildings and structures, including roads, culverts, utilities, septic systems, or storm water drainage structures.
- d. Public and private projects within the WV-1 and OV-1 zoning districts for water-dependent uses and development or alterations of land previously altered with structures and/or fill such as filled tidelands, bulkheads, piers, marina facilities, parkland, and public access. Permission for development in these areas will be granted under the remaining standards of the bylaw as necessary to protect the interests of the Massachusetts Wetlands Protection Act and this By-law.**

or take any action relative thereto.

Motion: I move the article as printed.

Explanation: Projects in the WV-1 and OV-1 districts are going to be more intensive than the usual project and rightly so because these areas are the village centers. Access to the water is necessary to accommodate the construction and facilities that allow active use of the waterfront. As examples, the Harbormaster's office on the Onset Pier is within the setback, and a proposal for the former lumberyard downtown requires structures in the 50-foot setback. There are others willing to invest in waterfront projects in the villages, but need assurances in the regulations that their projects can actively use and access the waterfront. All other performance criteria would still apply to protect the wetland resource values. In addition, State review under Chapter 91 regulations ensures the waterfront structures meet high standards.