



Mary Thomas <wzzw19@gmail.com>

Fwd: CON COM: Building Inspector's parameters

1 message

Mary Thomas <wzzw19@gmail.com>
To: Con Com <concom@wendellmass.us>

Wed, Mar 5, 2025 at 1:58 PM

----- Forwarded message -----

From: Building Inspector <buildinginspector@wendellmass.us>
Date: Wednesday, March 5, 2025
Subject: Conservation Commission reminder
To: Mary Thomas <wzzw19@gmail.com>

Good morning Mary,

I have responded to this question but I don't remember if you were the one asking at the time. Under chapter 1 of 780 CMR I do not have the authority to withhold a building permit pending a signature from the conservation commission. If I refuse to issue a permit I have to site the reason. There are specific reasons listed in R 105.3.1 which I must use, and a signature or approval from conservation commission is not one of them. There is case law for towns being successfully sued over this issue. I would much rather see people consult with you before starting their project not after. It is often much easier to address issues that way. At the same time I have a responsibility not to expose the town to legal liabilities. In attempt to meet these goals I have been advising people when appropriate to consult with the conservation commission before the start of their project and that the con com can shut down their project for violations under their jurisdiction even if there is a valid building permit. I also keep a spreadsheet of permits as they are being issued if you have a clerk or someone you would like to designate I can invite them to excel so that your board can be updated as permits are issued. I hope this helps and I look forward to a good working relationship with you.

Justin Gale

From: Mary Thomas <wzzw19@gmail.com>
Sent: Monday, March 3, 2025 3:48 PM
To: Building Inspector <buildinginspector@wendellmass.us>
Subject: Conservation Commission reminder

Hi Justin.

Have you been sending building permits to the Conservation Commission for us to sign off on as required?

56.1 Locke Hill Road comes to mind.

Thanks.

Mary Thomas

Conservation Agent

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"[It's] time for the human race to enter the solar system." -- Dan Quayle

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