

File No.

Applicant

*Town of  
Falmouth*

Date Request Filed

**Determination of Applicability  
Chapter 235 of the Code of Falmouth**

From: Falmouth Conservation Commission

TO:

(Name of person making request)

(Name of property owner)

Address \_\_\_\_\_ Address

This determination is issued and delivered as follows:

by hand delivery to person making request on \_\_\_\_\_ (date)

by certified mail, return receipt requested on \_\_\_\_\_ (date)

Pursuant to the authority of Chapter 235 of the Code of Falmouth, the Falmouth Conservation Commission has considered your request at a public hearing held on \_\_\_\_\_ (date) for a Determination of Applicability and its supporting documentation, and has made the following determination (check whichever is applicable):

Location: Street Address

Lot Number:

**This Determination is positive.**

1.  Based on information submitted into the record by \_\_\_\_\_, the area described below, which includes all/part of the area described in your request, is an Area subject to Protection under the Bylaw. Therefore, any removing, filling, dredging, building upon, degrading or otherwise altering of that area requires the filing of a Permit Application.

2.  Based on information submitted into the record by \_\_\_\_\_, the resource area(s) depicted in the plan submitted with your request is correctly delineated, with the following exceptions:

3.  Based on information submitted into the record by \_\_\_\_\_, the resource area(s) depicted in the plan submitted with your request is incorrectly delineated.

4.  Based on information submitted into the record by \_\_\_\_\_, the work described below, which includes all/part of the work described in your request, is within an Area Subject to Protection Under the Bylaw and will remove, fill, dredge, build upon, degrade or otherwise alter that area. Therefore, said work requires the filing of a Permit Application.

**This Determination is negative:**

- 1.  Based on information submitted into the record by \_\_\_\_\_, the area described in your request is not an Area Subject to Protection Under the Bylaw.
- 2.  Based on information submitted into the record by \_\_\_\_\_, the work you described in your request is within an Area Subject to Protection Under the Bylaw, but will not remove, fill, dredge, build upon, degrade or otherwise alter that area. Therefore, said work does not require the filing of a Permit Application.
- 3.  Based on information submitted into the record by \_\_\_\_\_, the area you described in your request is subject to Protection Under the Bylaw, but since the work you describe therein meets the requirements for the following exemption, as specified in the Bylaw and the regulations, no Permit Application is required:

Issued by the Falmouth Conservation Commission

Signature(s)

This Determination must be signed by a majority of the Conservation Commission.

On this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, before me personally appeared \_\_\_\_\_, to me known to be the person described in, and who executed, the foregoing instrument, and acknowledged that he/she executed the same as his/her free act and deed.

Notary Public

My Commission Expires

This Determination does not relieve the applicant from complying with all other applicable federal, state or local institutes, ordinances, by-laws or regulations. This Determination shall be valid for three years from the date of issuance.