

FWR 10.00 FALMOUTH CONSERVATION COMMISSION

FWR 10.99

Form E

File No.

*Town of  
Falmouth*

Applicant

**Permit  
Falmouth Wetlands Bylaw,  
Chapter 235 of the Code of Falmouth**

From: Falmouth Conservation Commission

TO:

(Name of person making request)

(Name of property owner)

Address \_\_\_\_\_

Address

This Order is issued and delivered as follows:

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

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

This project is located at

The property is recorded at the Barnstable County Registry of Deeds,

Book \_\_\_\_\_ Page

Certificate (if registered)

The Permit Application for this project was filed on \_\_\_\_\_ (date)

The public hearing was closed on \_\_\_\_\_ (date)

**Findings:**

The Falmouth Conservation Commission has reviewed the above-referenced Permit Application and plans and has held a public hearing on the project. Based on the information made part of the record, the Conservation Commission at this time, the Conservation Commission has determined that the area on which the proposed work is to be done is significant to the following resource area values in accordance with the Presumptions of Significance set forth in the regulations for each Area Subject to Protection under the Bylaw (check as appropriate):

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Public water supply               | <input type="checkbox"/> Flood Control           | <input type="checkbox"/> Shellfish        |
| <input type="checkbox"/> Private water supply              | <input type="checkbox"/> Storm damage prevention | <input type="checkbox"/> Fisheries        |
| <input type="checkbox"/> Ground water                      | <input type="checkbox"/> Water Pollution Control | <input type="checkbox"/> Wildlife Habitat |
| <input type="checkbox"/> Erosion and Sedimentation Control | <input type="checkbox"/> Agriculture             | <input type="checkbox"/> Aesthetics       |
| <input type="checkbox"/> Recreation                        | <input type="checkbox"/> Aquaculture             |   |

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Therefore, the Falmouth Conservation Commission hereby finds that the following conditions are necessary, in accordance with the Performance Standards set forth in the regulations, to protect those resource area values checked above. The Falmouth Conservation Commission orders that all the work shall be performed in accordance with the said conditions and with the Permit Application referenced above. To the extent that the following conditions modify or differ from the plans, specifications or other proposals submitted with the Permit Application, the conditions shall control.

#### **General Conditions**

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Permit.
2. This Permit does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Permit does not relieve the permitted or any other person of the necessity of complying with all other applicable federal, state or local statutes, ordinances, by-laws or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Permit unless either of the following apply:
  - (a) the work is a maintenance dredging project as provided for in the Bylaw; or
  - (b) the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance and both that date and the special circumstances warranting the extended time period are set forth in this Permit.
5. This Permit may be extended by the issuing authority for one or more periods of up to one year each upon application to the Falmouth Conservation Commission at least 30 days prior to the expiration date of the Permit.
6. Any fill used in connection with this project shall be clean fill, containing no trash, refuse, rubbish or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles or parts of any of the foregoing.
7. No work shall be undertaken until the Permit has been recorded in the Barnstable County Registry of Deeds or the Land Court, within the chain of title of the affected property. In the case of recorded land, the Permit shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of registered land, the Permit shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Falmouth Conservation Commission on the form at the end of this Permit prior to the commencement of the work.
8. A sign shall be displayed at the site not less than two square feet or more than three square feet in the size bearing the words, "FCC File Number \_\_\_\_".
9. Upon completion of the work described herein, the applicant shall forthwith request in writing that a Certificate of Compliance be issued stating that the work has been satisfactorily completed.

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- 10. A complete copy of this Permit, including its drawings, Special Conditions and any amendments shall be maintained at the work site whenever work is being performed. The permittee shall assure that all contractors, subcontractors and other personnel performing the permitted work are fully aware of the Permit's terms and conditions.
- 11. Members and Agents of the Falmouth Conservation Commission and the Falmouth Department of Natural Resources reserve the right to enter and inspect the property at all reasonable times, until a Certificate of Compliance is issued, to evaluate compliance with the conditions stated in this Permit and plans, and may require the submittal of any data deemed necessary by the Falmouth Conservation Commission for that submittal.
- 12. The provisions of this Permit shall apply to, and be binding upon, the applicant, his employees, and all successors and assigns in interest and control.
- 13. It is the responsibility of the Applicant, Owner and/or successor(s) to comply with all conditions of this Permit. The project engineer and contractors are to be provided with a copy of this Permit and referenced documents before commencement of construction.
- 14. All construction must comply with the above referenced plans and of this Permit. For any proposed change in the approved plans or in the work, the Applicant shall file a new Permit Application or inquire, in writing, of the Falmouth Conservation Commission whether the change is substantial enough to require a new Permit. No change in plan, under this filing, is permissible without prior written approval from the Falmouth Conservation Commission allowing the change.
- 15. The Falmouth Conservation Commission reserves the right to request an as-built plan as part of the requirements for a Certificate of Compliance.
- 16. The work shall conform to the following plans and special conditions:

Plans:

Title	Dated	Signed and Stamped by:
_____	_____	
_____	_____	
_____	_____	
_____	_____	

Special Conditions:

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Issued by the Falmouth Conservation Commission

Signature(s)

This Order 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

**Detach on dotted line and submit to the Conservation Commission prior to commencement of work.**

.....  
To the Falmouth Conservation Commission:

Please be advised that the Order of Conditions for the project at

File Number \_\_\_\_\_ has been recorded at the Barnstable County Registry of Deeds and

has been noted in the chain of title of the affected property in accordance with General Condition 7 on \_\_\_\_\_ 19 \_\_\_\_.

If recorded land, the instrument number which identifies this transaction is

If registered land, the document number which identifies this transaction is

Signature \_\_\_\_\_ Applicant

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Form F