

**TOWN OF WESTWOOD
LAND DISTURBANCE PERMIT**

File Number
SMP- 008

A. General Information

From:

Westwood Conservation Commission

This issuance is for (check one):

- Administrative Land Disturbance Review
 Land Disturbance Permit

To: Applicant:

Keith Fengler

Name

19 High Rock Street

Mailing Address

Westwood, MA 02090

City/Town

State

Zip Code

Property Owner (if different from applicant):

Name

Mailing Address

City/Town

State

Zip Code

1. Project Location:

3A Phillips Way

Street Address

40

Assessors Map/Plat Number

Westwood

City/Town

189

Parcel/Lot Number

2. Property recorded at the Registry of Deeds for:

Norfolk

County

34614

Book

81

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Certificate (if registered land)

3. Dates:

May 1, 2017

Date Application Filed

Date Hearing Closed

Date of Issuance

4. Final Approved Plans and Other Documents (attach additional plan references as needed):

Lot 3A Phillips Way Plan of Land in Westwood, MA Sheets 1 and 2

Title

May 20, 2017

Date

Title

Date

Title

Date

5. Final Plans and Documents Signed and Stamped by:

Daniel Merrikin

Name

6. Total Fee:

\$1000.00

B. Findings

Findings pursuant to the Town of Westwood Storm Water By-law:

Following the review of the above-referenced Application and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the By-law. ???

Furthermore, this Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- The following conditions, which are necessary, in accordance with the performance standards, set forth in the regulations. This Commission orders that all work shall be performed in accordance with the Application referenced above, the following General Conditions, and any other special conditions attached to this Permit. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Application, these conditions shall control.

Denied because:

- The proposed work cannot be conditioned to meet the performance standards set forth in the regulations. Therefore, work on this project may not go forward unless and until a new Application is submitted which provides measures, which are adequate to protect these interests, and a Permit issued.
- The information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the By-law. Therefore, work on this project may not go forward unless and until a revised Application is submitted which provides sufficient information and includes measures, which are adequate to protect the By-law's interests, and a Permit is issued. A description of the specific information which is lacking and why it is necessary is attached to this Permit.

General Conditions (only applicable to approved projects)

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. The 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 permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Permit.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority 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. Any fill shall contain 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.

General Conditions (continued)

7. This Permit is not final until all administrative appeal periods from this Permit have elapsed, or if such an appeal has been taken, until all proceedings before the Court have been completed.
8. No work shall be undertaken until the Permit has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, 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 the 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 this Conservation Commission on the form at the end of this Permit, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
9. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance to the Conservation Commission.
10. The work shall conform to the plans and special conditions referenced in this Permit
11. Any change to the plans identified in the Permit above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Application.
12. The Agent or members of the Conservation Commission shall have the right to enter and inspect the area subject to this Permit at reasonable hours to evaluate compliance with the conditions stated in this Permit, and may require the submittal of any data deemed necessary by the Conservation Commission.
13. This Permit shall apply to any successor in interest or successor in control of the property subject to this Permit and to any contractor or other person performing work conditioned by this Permit.
14. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until the Conservation Commission has issued a Certificate of Compliance.
15. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland, water body or outside the limit of work. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Permit.

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This Permit is valid for three years, unless otherwise specified as a special condition.

Issued 6/28/17
Date

Valid until 6/28/20

This Permit must be signed by a majority of the Conservation Commission. The Permit must be mailed by certified mail (return receipt requested) or hand delivered to the applicant and a copy mailed to the property owner (if different from applicant).

Signatures:

[Signature]
John Rogers
[Signature]
Diane Hayes
[Signature]
Charles Pare
[Signature]
R. J. Sheer

Todd Sullivan

Todd Weston

Brain Gorman

This Permit is issued to the applicant as follows:

by hand delivery on

by certified mail, return receipt requested, on

Date

6/28/17
Date

C. Appeals

The applicant, the owner, any person aggrieved by this Permit, has a right to appeal a decision of the Conservation Commission in the nature of certiorari to the appropriate court.

D. Recording Information

This Permit must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, 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 subject to the Permit. In the case of registered land, this Permit shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Permit.

D. Recording Information (cont.)

To:

Westwood
Conservation Commission

Please be advised that the Permit for the Project at:

3A Phillips Way
Project Location

SMP #008
File Number

Has been recorded at the Registry of Deeds of:

Norfolk
County

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**TOWN OF WESTWOOD
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For:

Keith Fengler
Property Owner

and has been noted in the chain of title of the affected property in:

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In accordance with the Permit issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant

