

City Ordinances

Title 10

Streets, Sidewalks And Public Places

Chapter 10.20

Wetland Protection Regulations

10.20.090 Permit--Determinations and conditions.

A. If the commission after a public hearing determines that the area which is subject to the application is likely to be significant to the interests protected by this ordinance, the commission, within twenty-one (21) days of the close of the hearing or a continuance thereof, shall issue or deny a permit for the work requested. If it issues a permit, the commission shall impose conditions which the commission deems necessary or desirable to protect those interests, and all work shall be done in accordance with those conditions.

B. If the commission determines that the activities which are the subject to an application are not likely to have a significant or cumulative effect upon the interests protected by this ordinance, the commission shall so inform the applicant that the activities do not require a permit.

C. The commission is empowered to deny a permit for failure to meet the requirements of this ordinance, the reasons include but are not limited to, failure to submit necessary information and plans requested by the commission; failure to meet the design specification, performance standards and other requirements which the commission may adopt in regulations of the commission; failure to avoid or prevent unacceptable significant or cumulative effects upon the interest protected by this ordinance; and where no conditions are adequate to protect those values.

D. A permit shall expire three (3) years for the date of issuance, and all work shall be completed prior to expiration. The commission may extend a permit for additional one (1) year periods.

E. For good cause the commission may revoke or modify a permit issued under this ordinance.

F. The conservation commission shall issue permits under this chapter in addition to any order of conditions issued under the Wetlands Protection Act.

G. No work proposed in any application shall be undertaken until the permit or determination issued by the commission with respect to such work has been recorded in the Hampden County Registry of Deeds, and the holder of the permit has certified in writing to the commission that the permit has been so recorded, or, court for the district wherein the land lies, by the holder of the permit until the holder of the permit certifies in writing to the commission that the permit has been so recorded. (added 05/05/1993)