

310 CMR 10.99

Form 8

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DEP File No.

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SE 43-1091

(To be provided by DEP)

City/Town Mashpee

Applicant Richard M. Cushner

Commonwealth
of Massachusetts

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Certificate of Compliance
Massachusetts Wetlands Protection Act, G.L. c. 131, §40
and Chapter 172 of the Town of Mashpee Bylaw

From MASHPEE CONSERVATION COMMISSION Issuing Authority

To Richard M. Cushner 1455 Main St., Tewksbury, MA 01876
(Name) (Address)

Date of Issuance 1 October 1998

This Certificate is issued for work regulated by an Order of Conditions issued
to Richard M. Cushner dated 25 August 1993

and issued by the MASHPEE CONSERVATION COMMISSION

1. ☒ It is hereby certified that the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.
2. ☐ It is hereby certified that only the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed: (If the Certificate of Compliance does not include the entire project, specify what portions are included.)
3. ☐ It is hereby certified that the work regulated by the above-referenced Order of Conditions was never commenced. The Order of Conditions has lapsed and is therefore no longer valid. No future work subject to regulation under the Act may be commenced without filing a new Notice of Intent and receiving a new Order of Conditions.

(Leave Space Blank)

Mash

0 - 594,365

DOC 594365 CTF 77187
22-Sunset Rd Mashpee Mar

4. ☒ The certificate shall be recorded in the Registry of Deeds or the Land Court for the district in which the land is located. The Order was originally recorded on 9/28/93 Doc. # 599,365 (date) at the O F E L C A L Amended Order: 4/12/95 E. I. # 637365 L
Amended/Amended Order: 7/23/97 C' O # POO,203
Registry of Barnstable County, Book _____, Page _____.

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5. ☒ The following conditions of the Order shall continue: (Set forth any conditions contained in the Final Order, such as maintenance or monitoring, which are to continue for a longer period.)

Special Conditions: 17, 19, 20, 21, 22, 23, 24, 25, 26, 30, 32 and 33.

Issued by MASHPEE CONSERVATION COMMISSION

Signature(s) [Signature]

[Signature]

[Signature]

When issued by the Conservation Commission this Certificate must be signed by a majority of its members.

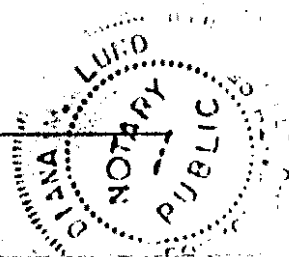
On this First day of October, 1998, before me personally appeared John B. Johansen, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed.

Notary Public

[Signature]
Diana M. Lund

December 1, 2000

My commission expires



Detach on dotted line and submit to the Mashpee Conservation Commission

To Mashpee Conservation Commission Issuing Authority

Please be advised that the Certificate of Compliance for the project at: 22 Samoset Road

File Number SE 43-1091 has been recorded at the Registry of Barnstable County

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

17. If any future landscaping is planned within 100 feet of the wetland (and/or any resource area as listed in Section 172-2 of the Mashpee Code), application must be made to the Commission.
19. The Commission shall be notified in writing of all transfers of title for this property.
20. This Order of Conditions shall apply to any successor in interest or successor in control.
21. Violation of any condition of this Order may result in the issuance of an Enforcement Order. Such Enforcement Order, if issued, will require the immediate cessation of all work until the mandates in the Enforcement Order are followed. In some instances, the violation may necessitate a hearing, in this case such hearing will be held not more than 10 days from the issuance of the Enforcement Order.
22. The float must be stored upland from the wetland. The Mashpee Conservation Commission must be notified, in writing, as to the location of the float in storage.
23. The float must not be pulled over the wetland to the storage area.
24. The assigned DEP filing number must be permanently displayed on the dock and float.
25. The float surface shall not be constructed of solid material. Allowance must be made for light penetration to the water.
26. There shall be one inch spacing between planks to allow sunlight through to vegetation. Planking shall be in accordance with the following table.
- One inch spacing for 2" X 10" planks
 - Three quarter inch spacing for 2" X 8" planks
 - One half inch spacing for 2" X 6" planks
30. Maintenance shall be allowed in perpetuity, provided that all conditions herein are observed and that the Commission is notified in writing of the nature of said maintenance at least three weeks prior to the start of said maintenance activities and provided there is a valid Chapter 91 Permit for the structure. Any maintenance and/or other alterations to the structure not corresponding to the Plan of Record and/or this Order of Conditions are not allowed without the express, written consent of the Commission. The Commission reserves the right (in the event of future maintenance) to require additional measures to protect areas subject to protection under the M.G.L. Chapter 131, Section 40 and/or Chapter 172 of the Mashpee Code.
32. Performance standards of 310 CMR 10.25 (Land Under the Ocean) require minimal adverse effects on water circulation, eelgrass, water quality and/or sediment changes. Performance standards of 310 CMR 10.34 (Land Containing Shellfish) require no adverse effect(s) on shellfish productivity due to changes in alterations of water circulation, alterations in relief elevation, alterations in the distribution of sediment grain size, and/or changes in water quality, including (but not limited to) salinity levels, dissolved Oxygen, nutrients, temperature or turbidity, or the addition of pollutants.

In order to uphold these performance standards, the vessel(s) using the dock permitted under SE-43-1091 are restricted to:

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- position(s) of Boat(s): two vessels as described in Notice of Intent of Force on each side, stern out at the end of dock

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two vessels as described in Notice of Intent) F F one on each side, stern out at the end of dock

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Changes to the above must be approved, in writing, by the Conservation Commission. Information concerning vessels, for purposes of amending this condition, must be submitted to the Commission prior to any approval. Details and substantiation of said information shall be as is deemed appropriate by the Commission. Failure to supply satisfactory information shall be due cause for the Commission to deny changes to this condition.

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33. The only saltmarsh destruction/loss permitted under this Order of Conditions is for the cross-sectional areas occupied by the pilings shown on the approved plan of record. Any additional destruction/loss of saltmarsh vegetation is subject to enforcement, fines and/or the requirement for revegetation.