



Town of Northborough

Conservation Commission

63 Main Street

Northborough, Massachusetts 01532-1994
(508) 393-5015 Office (508) 393-6996 Fax

March 4, 2022

Mr. Richard Gates
R.J. Devereaux Corp.
10 Emerson Place, Suite 2E
Boston, MA 02114

Re: Order of Conditions, DEP # 247-1208
200 Bartlett Street, Northborough, MA

Dear Mr. Gates,

Enclosed is a copy of the Order of Conditions issued by the Conservation Commission for the above referenced project. Please submit a check to our office in the amount of \$105.00 payable to the "Commonwealth of Massachusetts". This will be sent with the original Order to the Registry of Deeds in Worcester for recording.

Work may proceed after the 10-day appeal period has elapsed AND the completion of a site inspection by the Conservation Commission of the erosion control devices and trees marked for removal.

Regards,

Fred Litchfield
Town Engineer

Enclosure

CC: Jason Ducey, Owner, certified mail
Vito Colonna, Connorstone Engineering, email
DEP – CERO, certified mail
File



**Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
 WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40**

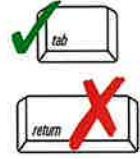
Provided by MassDEP:
 247-1208
 MassDEP File #

 eDEP Transaction #
 Northborough
 City/Town

A. General Information

Please note:
 this form has
 been modified
 with added
 space to
 accommodate
 the Registry
 of Deeds
 Requirements

Important:
 When filling
 out forms on
 the
 computer,
 use only the
 tab key to
 move your
 cursor - do
 not use the
 return key.



1. From: Northborough
Conservation Commission

2. This issuance is for (check one):
 a. Order of Conditions b. Amended Order of Conditions

3. To: Applicant:
 Richard Gates
 a. First Name b. Last Name

R.J. Devereaux Corp.
 c. Organization
 10 Emerson Place, Suite 2E
 d. Mailing Address
 Boston MA 02114
 e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):
 Jason Ducey, Trustee
 a. First Name b. Last Name

Bartlett Street Realty Trust
 c. Organization
 290 Durfee Road
 d. Mailing Address
 Southbridge MA 01550
 e. City/Town f. State g. Zip Code

5. Project Location:
 200 Bartlett Street Northborough
 a. Street Address b. City/Town
 66 7
 c. Assessor's Map/Plat Number d. Parcel/Lot Number

Latitude and Longitude, if known: 42d31950m s 71d60940m s
 d. Latitude e. Longitude



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
247-1210
MassDEP File #

eDEP Transaction #
Northborough
City/Town

A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
Worcester
a. County Worcester b. Certificate Number (if registered land) 63
65512 c. Book 63 d. Page 63
7. Dates: 1/25/22 2/14/22 3/7/2022
a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance
8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
Proposed Sewage Disposal System for Bill Norman, 222 Green Street, Northborough MA dated 12/31/2021
Connonstone Engineering Vito Colonna
b. Prepared By c. Signed and Stamped by
2/7/2022 d. Final Revision Date e. Scale
f. Additional Plan or Document Title g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:
Following the review of the above-referenced Notice of Intent 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 Wetlands Protection Act (the Act). Check all that apply:
- a. Public Water Supply b. Land Containing Shellfish c. Prevention of Pollution
d. Private Water Supply e. Fisheries f. Protection of Wildlife Habitat
g. Groundwater Supply h. Storm Damage Prevention i. Flood Control
2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
247-1208
MassDEP File #

eDEP Transaction #
Northborough
City/Town

B. Findings (cont.)

Denied because:

- b. the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. 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 Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
3. Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) 26
a. linear feet

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	<u> </u> a. linear feet	<u> </u> b. linear feet	<u> </u> c. linear feet	<u> </u> d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
6. <input type="checkbox"/> Land Under Waterbodies and Waterways	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
	<u> </u> e. c/y dredged	<u> </u> f. c/y dredged		
7. <input type="checkbox"/> Bordering Land Subject to Flooding	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
Cubic Feet Flood Storage	<u> </u> e. cubic feet	<u> </u> f. cubic feet	<u> </u> g. cubic feet	<u> </u> h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	<u> </u> a. square feet	<u> </u> b. square feet		
Cubic Feet Flood Storage	<u> </u> c. cubic feet	<u> </u> d. cubic feet	<u> </u> e. cubic feet	<u> </u> f. cubic feet
9. <input type="checkbox"/> Riverfront Area	<u> </u> a. total sq. feet	<u> </u> b. total sq. feet		
Sq ft within 100 ft	<u> </u> c. square feet	<u> </u> d. square feet	<u> </u> e. square feet	<u> </u> f. square feet
Sq ft between 100-200 ft	<u> </u> g. square feet	<u> </u> h. square feet	<u> </u> i. square feet	<u> </u> j. square feet



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 247-1208
 MassDEP File # _____

eDEP Transaction # _____
 Northborough
 City/Town

B. Findings (cont.)

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	_____	_____		
	a. square feet	b. square feet		
	_____	_____		
	c. c/y dredged	d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	_____	_____	_____ cu yd	_____ cu yd
	a. square feet	b. square feet	c. nourishment	d. nourishment
14. <input type="checkbox"/> Coastal Dunes	_____	_____	_____ cu yd	_____ cu yd
	a. square feet	b. square feet	c. nourishment	d. nourishment
15. <input type="checkbox"/> Coastal Banks	_____	_____		
	a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	_____	_____		
	a. square feet	b. square feet		
17. <input type="checkbox"/> Salt Marshes	_____	_____	_____	_____
	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	_____	_____		
	a. square feet	b. square feet		
	_____	_____		
	c. c/y dredged	d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	_____	_____	_____	_____
	a. square feet	b. square feet	c. square feet	d. square feet
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	_____	_____		
	a. c/y dredged	b. c/y dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	_____		
	a. square feet	b. square feet		
22. <input type="checkbox"/> Riverfront Area	_____	_____		
	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	_____	_____	_____	_____
	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	_____	_____	_____	_____
	g. square feet	h. square feet	i. square feet	j. square feet



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
247-1208
MassDEP File #

eDEP Transaction #
Northborough
City/Town

B. Findings (cont.)

* #23. If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

23. Restoration/Enhancement *:

a. square feet of BVW

b. square feet of salt marsh

24. Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are 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 Order.
2. The Order 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 Order 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 Order unless either of the following apply:
 - a. The work is a maintenance dredging project as provided for in the Act; 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. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
 - c. If the work is for a Test Project, this Order of Conditions shall be valid for no more than one year.
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 Order. An Order of Conditions for a Test Project may be extended for one additional year only upon written application by the applicant, subject to the provisions of 310 CMR 10.05(11)(f).
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on _____ unless extended in writing by the Department.
7. 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.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

247-1208

MassDEP File #

eDEP Transaction #

Northborough

City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act

8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order 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 Final Order 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 Final Order 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 Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]

"File Number 247-1208 "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 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 Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
247-1208
MassDEP File #

eDEP Transaction #
Northborough
City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

17. 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 a Certificate of Compliance has been issued by the Conservation Commission.
18. 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 or water body. 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 Order.
19. The work associated with this Order (the "Project")
- (1) is subject to the Massachusetts Stormwater Standards
- (2) is NOT subject to the Massachusetts Stormwater Standards

If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:

- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:
- i.* all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
 - ii.* as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
 - iii.* any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

247-1208

MassDEP File #

eDEP Transaction #

Northborough

City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;

v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following:

i.) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and

ii.) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.

d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 247-1208
 MassDEP File #
 eDEP Transaction #
 Northborough
 City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):

-
20. For Test Projects subject to 310 CMR 10.05(11), the applicant shall also implement the monitoring plan and the restoration plan submitted with the Notice of Intent. If the conservation commission or Department determines that the Test Project threatens the public health, safety or the environment, the applicant shall implement the removal plan submitted with the Notice of Intent or modify the project as directed by the conservation commission or the Department.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 247-1208
 MassDEP File #

eDEP Transaction #
 Northborough
 City/Town

D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? Yes No
 2. The Northborough Conservation Commission hereby finds (check one that applies):
 - a. that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:
Northborough Wetlands Bylaw Ch 6 of Mun
1. Municipal Ordinance or Bylaw Code

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.
 - b. that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:
Northborough Wetlands Bylaw and Northborough Stormwater Ch 6 and 2
Management and Land Disturbance Bylaw of Mun Code
3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.
 The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):

See Attached Exhibit A: Special Conditions



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 247-1208
 MassDEP File #

eDEP Transaction #
 Northborough
 City/Town

E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

3/4/2022

1. Date of Issuance

Please indicate the number of members who will sign this form.

5

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

2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Greg Young
 Signature

Greg Young
 Printed Name

Dan Clark
 Signature

Dan Clark
 Printed Name

Tom Beals
 Signature

Tom Beals
 Printed Name

Kelley Marston
 Signature

Kelley Marston
 Printed Name

Diane Guldner
 Signature

Diane Guldner
 Printed Name

Fred Litchfield
 Signature

Printed Name
 As signed by Fred Litchfield, Town
 Engineer

Signature

Certificate of Vote 6/29/2020
 Book 62901 Page 360

by hand delivery on

by certified mail, return receipt requested, on

Date

Date



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

247-1208

MassDEP File #

eDEP Transaction #

Northborough

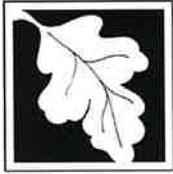
City/Town

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 247-1208
 MassDEP File #

eDEP Transaction #
 Northborough
 City/Town

G. Recording Information

Prior to commencement of work, this Order of Conditions 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 Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Conservation Commission

Please be advised that the Order of Conditions for the Project at:

Project Location

MassDEP File Number

Has been recorded at the Registry of Deeds of:

County

Book

Page

for: Property Owner

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

Book

Page

In accordance with the Order of Conditions 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

**Town of Northborough
Conservation Commission
Special Conditions
"Exhibit A"**

1. This Order shall apply to any successor in interest or successor in control of the property.
2. Changes to the Plan or Errors & Omissions
 - a. Any change in the plans, or any deviation in construction from the plans, shall require the applicant to file a notice of project change with the Northborough Conservation Commission (the Commission) with a written inquiry as to whether the change is substantial enough to require filing a new Notice of Intent. The Commission shall either hold a public hearing for the purpose of amending this Order or, if the change is substantial, shall require submission of a new Notice of Intent.
 - b. If any plan, calculation, or other data presented to the Office of the Commission is in error or have omissions, and are deemed significant by the Commissioners or their Agents, all work will stop at the discretion of the Commission, until the discrepancies have been rectified to the Commission's satisfaction.
 - c. The applicant must notify the Commission in writing of any changes in the plans or implementation of the proposed activity where mandated by any local, state, or federal agencies having jurisdiction over the proposed activity. If, in the opinion of the Commission, any changes in the plans or implementation of the proposed activity so require, then the Commission may modify, amend or rescind this Order in a way consistent with:
 - M.G.L. Chapter 131, Section 40,
 - 310 CMR 10.00, *Wetlands Protection*,
 - the Town of Northborough *Wetlands Bylaw*, and
 - the Commission's *Wetlands Regulations*

If any provisions of any conditions, or application thereof is held to be invalid, such invalidity shall not affect any other provisions of this Order. If the Commission deems that a proposed change is major or substantial, a new hearing may be required.

3. A Conservation Commissioner, agent of the Commission or the Department of Environmental Protection reserves the right to enter and inspect the property at all reasonable times, until a Certificate of Compliance is issued, to evaluate compliance with this Order of Conditions, the Act, Town Bylaws, 310 CMR 10.00 and town regulations, and may acquire any information, measurements, photographs, observations and/or materials, or may require the submittal of any data or information deemed necessary by the Commission for that evaluation. Further, work shall be halted on the site if the Commissioner, agent, or DEP determines that any of the work is not in compliance with this Order. Work shall not resume until the commission is satisfied that the work will comply, and has so notified the applicant in writing.
4. No work may proceed under this Order until all required local, state and federal permits are obtained and, if requested, submitted to the Office of the Commission.
5. The applicant shall notify the Commission in writing of the name, address, and business and home telephone numbers of the project supervisor or contractor who shall be responsible for ensuring

compliance with the conditions in this Order and shall notify the Commission (by telephone or in writing) at least 48 hours prior to commencement of work on the site.

6. Prior to the start of any tree cutting, excavation or construction, there shall be a preconstruction conference on the site involving the contractor conducting the work, the site engineer, the applicant, and a member or agent of the Commission to ensure that the requirements of this Order are understood by all parties. At that meeting, the Applicant shall provide the Commission or it's agent a construction activity plan that outlines the timing and duration of tree cutting, soil disturbing activities and construction of the drainage system.
7. The contractor, site engineer, or other individual in charge of work on the site shall have a copy of this Order available on the site at all times.
8. Flagging spaced at intervals not greater than 25 feet apart shall identify the boundaries of all wetland resource areas. Flagging used to identify wetland resource areas shall be of a color different from any other flagging used on the site. Flags shall be checked and replaced as necessary prior to the start of work. The flags shall be maintained until work is complete.
9. The limits of disturbance within the 100-foot buffer zone and wetland resource areas shall be clearly flagged in the field by stakes at intervals not greater than 25 feet apart. A continuous construction barrier consisting of erosion control devices shall be established between all construction areas and wetland resource areas. The location and installation of the barrier shall be approved by the Commission prior to construction.
10. No equipment is to cross or enter wetland resource areas at any time unless the location of disturbance is marked on the plans referenced in this Order and flagged in the field.
11. Equipment storage and refueling operations shall be situated in an upland area at a distance greater than 100 feet from the wetland resource areas.
12. All debris, fill and excavated material shall be stockpiled as far away from wetland resource areas as possible and surrounded by staked hay bales to prevent sediment from surface runoff entering the wetland resource areas. At no time shall any debris or other material be buried or disposed of within the buffer zone or wetland resource areas, except as allowed by this Order.
13. All utility installations shall be to the Town of Northborough's specifications, standards, and/or State codes.
14. Equipment necessary to quickly attend to inadvertent spills or leaks will be stored on-site in a secure but accessible location. This spill prevention kit shall consist of but not be limited to the following: safety goggles, chemical resistant gloves and overshoe boots, water and chemical fire extinguishers, sand and shovels, suitable absorbent materials, storage containers and first aid equipment.
15. Upon completion of the work covered by this Order, the applicant shall submit an as-built plan, in accordance with the provisions of Section 9 of the Wetlands Regulations of the Town of Northborough. The as-built plan shall include, at a minimum, and as applicable to the project, a permanent benchmark, location of all utilities, elevation of all pipe inverts and outlets, pipe sizes, materials, slopes; all other drainage structures, limits of clearing, grading and fill; all structures, limits of pavement, and contours within 100 feet of wetland resource areas; locations of wetland boundaries; all alterations within wetland resource areas; all wetland replication areas; location of approved snow storage areas; and all dates of fieldwork. The as-built plan shall include a list of all

discrepancies from the approved plan. The as-built plan shall be based on the 1988 NGVD vertical datum and the 1983 NAD horizontal datum. The applicant shall also submit a certification by a Massachusetts licensed Professional Engineer stating the drainage system was built substantially in accordance with the design and will perform as designed.

- a. When checked, the applicant shall also submit a certification by a Massachusetts licensed Professional Engineer stating the drainage system was built substantially in accordance with the design and will perform as designed.

If permanent markers were required, the certified as-built plan-of-land shall depict their location.

16. The Commission reserves the right to make further requirements of the applicant should a site inspection show this to be necessary.

EROSION CONTROL

17. The Applicant and/or their designated Erosion Control Monitor (ECM) assignee shall inspect the stormwater water controls measures frequently (minimum weekly inspections and during/after rainfall events) to ensure control measures are functioning properly. The applicant and/or their designated ECM shall maintain a daily log containing times of inspections, conditions of control measures at the time of inspections, any problems or failures with the control measures, rainfall events and the action taken to correct problems or failures. The log shall be maintained on site and be available for review by the Town or their designated consultant(s) during the hours of operation. Monthly, a field report shall be submitted (electronically, via e-mail) to the Commission from the civil engineer of record or mutually agreed upon professional civil engineer registered in the Commonwealth of Massachusetts certifying that, to the best of their knowledge and belief based upon periodic site inspection(s), work is being performed in general compliance with this Order and that stormwater control measures are functioning. The Commission shall accept copies of the weekly SWPPP reports, submitted at least monthly, as the required field reports. The Commission shall be notified immediately, in writing, of any change of ECM or engineer of record.
18. The applicant or designate ECM shall oversee any emergency placement of controls and regular inspection of replacement of erosion and sediment control devices. The name, phone number and e-mail address of the ECM shall be provided to the Commission in the event that this person has to be contacted, due to an emergency at the site, during any 24-hour period, including weekends. This person shall be given authority to stop construction for erosion control purposes. In addition to stormwater control measures, the ECM shall be required to inspect other pollution control devices and oversee cleaning and the proper disposal of waste products. Other pollution control devices include temporary sanitary facilities, controls for equipment fueling/repair areas, spill containment controls, etc. Cleaning shall include removal of any entrapped silt. The ECM shall meet/consult with the Conservation Agent or their designee on a weekly basis to update them on construction status. Consultation/meetings may occur during a site visit. These weekly meetings/consultations shall be noted in the ECM's daily log book.
19. The project will require a permit from the U.S. Environmental Protection Agency under the General Permit for Construction Activities. A copy of the EPA Notice of Intent shall be submitted to the Commission prior to the start of construction. The applicant shall submit the project's Stormwater Pollution Prevention Plan and other supporting documentation that show how the applicant will meet the requirements of the General Permit. The Stormwater Pollution Prevention Plan shall be incorporated into this Order and that shall be followed during the course of construction

20. Erosion control devices shall be designed, installed, and maintained in accordance with the General Performance Standards set forth in Section 3.4.3 of the Wetlands Regulations of the Town of Northborough.
21. The work shall be designed and constructed to ensure that there shall be no erosion or sedimentation into wetland resource areas during construction or after completion of the project.
22. Erosion control devices shall be installed in the location as shown on the plan.
23. Erosion control devices shall be inspected, and approved by the Commission before the commencement of any site work and site preparation. THE SILT FENCE MUST BE INSPECTED PRIOR TO THE START OF ANY WORK OR A \$100 PER DAY FINE WILL BE LEVIED ON THE APPLICANT AND THE CONTRACTOR.
24. Prior to any earth moving activity, erosion control devices, as approved by the Commission, shall be placed upgradient of all resource areas along the limit of activity between all disturbed areas and the wetland resource areas. This shall also define the limit of activity downgradient of which no work shall take place. The applicant is also responsible for obtaining a permit from the Earthwork Board.
25. Erosion control devices shall remain in place, until all disturbed surfaces have been stabilized with final vegetative cover or the Commission has authorized their removal.
26. Erosion control measures and barriers shall be monitored daily and maintained, or reinforced as necessary to ensure and prevent erosion and siltation of soils to wetland resource areas. Additional filter fabric and straw wattles shall be stored on site for emergency use.
27. During all phases of construction, all disturbed or exposed areas shall be brought to finished grade and either: a) loamed and seeded for permanent stabilization, in accordance with U.S. Soil Conservation Service procedures, or b) stabilized in another way approved by the Commission. Areas that cannot be permanently stabilized within 30 days of disturbance shall be stabilized with straw, mulch or any other protective covering and/or method approved by the U.S. Department of Agriculture Soil Conservation Service or by other temporary measures acceptable to the Commission.
28. If soils are to be disturbed for longer than two months, a temporary cover of rye or other grass should be established following U.S. Department of Agriculture Soil Conservation Service procedures to prevent erosion and sedimentation. If the season is not appropriate for plant growth, exposed surfaces shall continue to be temporarily stabilized. Prior to winter, exposed soils shall be stabilized (e.g. with demonstrated vegetative growth, impermeable barriers, erosion control blankets, etc.)
29. All exposed soils shall receive a minimum of 4 inches of loam or topsoil prior to seeding and final stabilization.
30. The Commission reserves the right to require any additional erosion and/or damage prevention controls it may deem necessary.
31. Use of fertilizers shall be in accordance with manufacturer's recommendations and federal law. Herbicide and pesticide usage shall be in accordance with federal regulations. This condition shall remain in perpetuity, and shall be recorded as such on the Certificate of Compliance.

32. Snow storage areas shall be located outside wetland areas. Accumulated sediments shall be removed from the snow storage area as needed. If re/moved snow amounts to more than can be stored within the approved snow storage locations, this surplus snow shall be removed from the property and disposed according to all local, state and federal regulations.
33. After completion of work, the applicant shall permanently mark an offset line no closer than 25-feet from the edge of wetland resource areas with one of the following permanent markers listed below:
- Concrete Bounds: The concrete bounds shall be a minimum of 6-inch by 6-inch and 6-feet long to be buried at least 3-feet into the ground with a minimum of 2-feet exposed above the ground.
 - Boulders: The boulders on average shall be 0.5 cubic yard in size. The bottom third, more or less, of the boulders should be buried into the ground.
 - Post w/signs: The steel post shall be a minimum of 4-feet in height with minimum post dimension of 2-inches (round or square) and shall be set in concrete or driven into the ground a minimum of the height of the sign. The sign shall be a minimum of 12-inch by 18-inch and conform to MUTCD standard for informational traffic signs. The sign shall indicate the wetlands. The wording of the sign shall be submitted to the Conservation Agent for review and approval.
 - Single Split Rail Fence: The wood split rail fence shall be a minimum of 30-inches high and shall be constructed of a durable wood or other material.
 - Other: The Applicant can submit a different type of marker. This marker would need to be approved by the Conservation Commission.

The Markers shall be placed along the development side of the wetlands in such a way that generally defines an offset line; the markers shall be no more than 50-feet apart from one another. The markers shall not impede the movement of wildlife.

The Applicant shall submit to the Conservation Agent a sketch plan of the location and type of wetland markers and construction detail(s) of the marker(s). The Conservation Agent will review and approve the sketch and details prior to installation of the markers.

OPERATION AND MAINTENANCE PLAN

34. The operation and maintenance of the storm water management system shall be the responsibility of the property owner and shall run with the land in perpetuity.
35. The Operation and Maintenance Plan shall be incorporated as part of this Order and shall remain in perpetuity and shall be recorded as such on the Certificate of Compliance.
36. The Commission shall be notified before all maintenance activities occur and shall be afforded the opportunity to inspect the work.
37. Copies of all inspection reports shall be submitted to the Commission.
38. All accumulated sediments and hydrocarbons shall be disposed of in accordance with current applicable local, state and federal guidelines and regulations.

39. Accumulated debris and sediment shall be removed on an as needed basis, annually at a minimum.
40. The roadway, parking areas and sidewalks shall be swept weekly at a minimum, in the event of excessive accumulation and anytime at the request of the Commission or its Agent.
41. Equipment to attend inadvertent spills or leaks shall be stored on site.
42. Snow storage shall be limited to a designated area outside the resource areas where infiltration can occur as shown on the approved plans.
43. DRIVEWAY AND PARKING AREA: The property Manager/Owner shall clean the driveway and parking facility twice a year or more frequently as necessary using vacuum street sweepers. Prior to building occupancy the project developer shall perform street sweeping on an as-needed basis, considering not only winter sanding activities, but also construction activities.
44. CATCH BASINS: The property Manager/Owner shall clean catch basin sumps on an annual basis. Prior to building occupancy the project developer shall monitor sumps and remove sediment as necessary, considering both annual necessity and the need for more frequent cleaning during construction. All accumulated sediments shall be disposed of in accordance with applicable local, state and federal guidelines and regulations.
45. ROOF DRAINAGE: The roof shall be kept clear of debris. An annual inspection shall be conducted and any sediment or other particulate matter that may accumulate shall be removed.
46. STORM WATER DETENTION BASINS: Basins shall be maintained and inspected as follows:
 - a. The detention basins shall be inspected a minimum of once per year to ensure that they are operating as intended and that all components are stable and in working order.
 - b. The retention basins shall be inspected a minimum of once per year and monitored after a rainfall event to determine if the basin is infiltrating per design.
 - c. The property manager/owner shall retain the services of a professional engineer with experience in drainage and stormwater management to perform the inspections. A written report shall be provided to the property manager/owner and the Conservation Commission (via e-mail) indicating the condition of the basins. This report shall include at a minimum:
 - o Status of the stormwater management system.
 - o Record of inspections and maintenance activities, and recommendations for additional maintenance activities.
 - o An assessment of the infiltration rate of the retention basins.
 - d. During the growing season the side slopes shall be mowed at least twice with additional cutting performed as needed. Wetland plants shall be allowed to grow along the wet basin bottom, except that any such plants that interfere with the inlet or outlet control devices shall be removed.
 - e. All tree saplings shall be removed from embankments and the pond bottom.

- f. The inlet and outlet shall be inspected for erosion and sedimentation; riprap shall be repaired promptly in the event of erosion.
 - g. The basins shall be inspected for sediment accumulation annually and any accumulated sediments shall be removed when the depth reaches six inches anywhere in the basins. All accumulated sediments shall be disposed of in accordance with current applicable local, state and federal guidelines and regulations. Sediment removal and other pond maintenance activities shall not be considered as a wetland alteration under the Massachusetts Wetlands Protection Act or the Northborough Wetlands Bylaw, however the Commission shall be notified of all such activities.
 - h. All routine maintenance of the detention basins shall be performed by hand. Motorized equipment shall only be used for emergency repairs or as allowed by the Commission or its agent.
47. MECHANICAL OIL & GRIT MANAGEMENT SYSTEM: This system shall be inspected periodically and shall be cleaned using a vacuum truck at a minimum annually or when the sediment in the chamber reaches 12 inches. During the first year of operation, inspection shall occur monthly and during periods of heavy contaminant loading (e.g., construction, winter sanding, soil disturbances, or fuel spills). All records of annual maintenance shall be provided to the Commission.
48. The Commission reserves the right to make further requirements of the applicant should a site inspection show this to be necessary.
49. Special Conditions number 31, 32, 33 and 34 - 47 and the attached Operation and Maintenance Plan shall extend beyond the Certificate of Compliance, in perpetuity, and shall be referenced in the Certificate of Compliance.
56. This Order of Conditions includes the issuance of Stormwater Management and Land Disturbance Permit # 2022-01 as attached. The Stormwater Management and Land Disturbance Permit will not become effective until signed by all appropriate parties during the preconstruction conference.

Stormwater Operations and Management Plan and Long-term Pollution Prevention Program

**200 Bartlett Street
Northborough, MA**

Stormwater Management System Owner: R.J. Devereaux Corporation
AND Responsible Party

This Operation and Maintenance Plan has been prepared in accordance with the MA Department of Environmental Protection stormwater standards and recommendations outlined in the stormwater handbook. This plan outlines the minimum efforts necessary to ensure that the stormwater collection and treatment system and sedimentation and erosion control system for this site operates in accordance with Massachusetts Department of Environmental Protection (DEP) stormwater management policy. Efforts in addition to the minimum listed herein may be required to ensure adequate stormwater management.

This plan includes general site restrictions, routing/non-routine operation and maintenance; reporting and record keeping; and an estimated budget.

General Conditions

1. The following site conditions are imposed as part of this Plan.
 - Illicit discharges into stormwater management system are perpetually prohibited.
 - The use of fertilizers should be limited to slow-release, low-nitrogen fertilizers.
2. The Town Engineer shall be notified before maintenance work is performed and shall be afforded the opportunity to inspect the work. Copies of any contracts, inspection reports, and invoices for the work performed shall be retained and made available to the Town Engineer upon request.
3. All material removed from the drainage system (i.e. catch basin cleanings) shall be legally disposed of off-site.

Operation and Maintenance:

Stormwater management facilities should be inspected a minimum of four times per year and following at least one major storm per year. Upon completion of inspection, the inspector should specify any necessary corrective actions to be taken by ownership of the facility. The items to be inspected and maintained are described in the following sections.

Based on the observed conditions, the Responsible Party shall immediately schedule the appropriate maintenance. Some minor maintenance, such as the removal of blockages, debris and saplings in the basins may be conducted at the time of the inspection. More difficult maintenance activities, requiring special equipment, will have to be scheduled, such as the removal of excessive sediment or the repair of eroded areas. All sediment must be removed at least once per year.

Catch Basins, and Stormceptors.

The actual removal of sediments and associated pollutants and trash occurs only when sumps are cleaned out; therefore, regular maintenance is required. The more frequent the cleaning, the less likely sediments will be resuspended and subsequently discharged. Frequent cleaning also results in more volume available for future storms and enhances the overall performance.

At a minimum, catch basins and Stormceptors should be inspected four times annually, and cleaned whenever sediment accumulation exceeds 12 inches in catch basins and 8 inches in Stormceptors. Disposal of the accumulated sediment and hydrocarbons must be in accordance with applicable local, state, and federal guidelines and regulations. At each inspection, inspect gas trap hoods and repair as necessary. Inspect outlet pipe and remove debris. Vacuum trucks shall be utilized for all cleanings.

Drywells / Infiltration Chambers

The inspection ports should be opened and the infiltration chambers checked for accumulated debris and sediment at four times annually (spring and fall) with at least one after a major storm to see if they have fully drained. The inspector shall utilize the inspection port on the Culvert Chambers that receive flow to determine if any sediment or debris is entering the system. If any sediment is present and/or if the infiltration chambers do not drain within 72 hours of the end of a storm, then remediation may be necessary. It may be possible to flood the system to suspend sediment and debris and remove it with a vacuum truck. Otherwise replacement of the soil around and under the infiltration chambers may be required.

Gutters should be inspected and cleaned a minimum of twice per year (or cleaned whenever debris is noted). Downspouts should be inspected for connection and any evidence of overflow.

Infiltration Basin

After every major storm during the first 3 months of operation and thereafter at least twice annually, the inspector shall visually inspect the basin, noting each of the items listed below (Vegetation, Dewatering, Inlets, Outlets and Structural Stability). If any of the items are in need of attention, it shall be noted and the proper remedial action initiated, as described below, as soon as possible.

The inspector shall visit the site three to four days after the rainfall of a major storm has ended to ensure that the facility has drained to the appropriate level. If significant water remains ponded in the system three (3) days after the latest rainfall, sediment removal/blockage removal activities shall be investigated and/or performed.

The embankment and side slopes of the detention basins should exhibit no visible signs of erosion, settlement, slope failure, wildlife damage, or vehicle damage. Damaged side slopes should be repaired using similar fill of adequate permeability. Damaged embankments should be filled and compacted with impermeable soils to prevent seepage. Eroded areas should be reseeded as discussed under "vegetation". Repeated repairs to side slopes may necessitate the flattening of the slopes to ensure structural stability. Signs of vehicle damage may necessitate the construction of fences around certain areas.

Vegetation should be dense (and aesthetically acceptable) on all portions of the device, including the side slopes, basin floor, buffer strips and the embankments. The inspector shall determine: (1) whether fertilizing is required (2) the areas where grass should be mowed, and (3) the areas which should be protected against erosion. In addition, recently seeded areas should be inspected for failures. Grasses of the fescue family can be mowed a minimum of twice per year, in July and late September. In addition to grass maintenance, any other vegetation in the basin area or access areas which has reached nuisance levels, (e.g., bushes, trees and weeds) should be trimmed or removed.

The inspector shall ensure that there are no signs of scour around the inlets. Vegetation and riprap shall be in good condition (e.g., grass shall be dense and healthy looking; riprap shall be free from undermining and/or deterioration). Inlet structures shall be free from cracks, breaks, or deterioration of materials. If scour is evident, the damaged area shall be filled, compacted and reseeded, stabilized with a geotextile fabric, or

lined with riprap in that order. If rip rapped areas have been damaged, the riprap shall be replaced or supplemented. The use of concentrated flow dissipation devices, such as level spreaders, may help to eliminate inlet scour problems.

The outlet channel itself should be free from obstruction (e.g., fallen trees) and bank scour, or the undermining of riprap. The spillway should show no signs of settlement, erosion, or slope failure. Damaged natural areas along the outlet channel should be filled, compacted, and reseeded, to lined with geotextile fabric. Damaged rip rapped areas should be replaced and supplemented.

Street Sweeping

Street sweeping of the roadway should be performed at least twice per year, preferably in the spring after the snow has melted and in the fall, prior to snowfall. Disposal of the sweepings must be in accordance with applicable local, state, and federal guidelines and regulations.

Debris Accumulation

The inspector shall check basins and channels for both sediment and debris accumulations. Debris and sediment shall be removed at the time of the inspection, if feasible. Sediment shall not be allowed to accumulate and restrict flows. Most debris can be removed by hand or with hand tools (e.g. shovel). Some larger objects, such as fallen tree limbs, may have to be cut up before removal by hand is possible.

Vegetation

The initial vegetation inspection shall occur four (4) weeks after final stabilization of the site; vegetation shall be dense (and aesthetically acceptable on all portions of the project, including the side slopes, buffer strips and the embankments). The inspector shall determine and document: (1) whether fertilizing is required (2) the areas where grass shall be mowed, and (3) the areas which shall be protected against erosion. In addition, recently seeded areas shall be inspected for failures.

Eroded areas shall be filled and compacted, if necessary, and reseeded as soon as possible. If an area erodes twice, then a geotextile fabric is to be installed to stabilize the area to allow vegetation to be established. These maintenance activities shall take place during the planting season. Areas affected by lack of rainfall shall be watered. If a recently established vegetated area is determined to be inadequate for erosion control it shall be refertilized with microbial release, not sulfur encapsulated, fertilizer, (using half of the rate originally applied). If the stand is more than 60% damaged, it shall be reestablished, following the original preparation and seeding instructions. Areas of repeated erosion/scour problems shall be lined with riprap only after twice attempting to stabilize the area with geotextile fabric.

Pipe Outlets

Pipe outlets shall be checked for: (1) signs of seepage, (2) signs of scour, (3) cracks, breaks, or deterioration of materials, and (4) rip rap condition / undermining. The outlet channel itself shall be free from obstruction (e.g., fallen trees). Vegetation and riprap shall be in good condition (e.g., grass shall be dense and healthy looking; riprap shall be free from undermining and/or deterioration). If scour is evident, the damaged area shall be filled, compacted and reseeded, stabilized with a geotextile fabric, or lined with riprap in that order. If rip rapped areas have been damaged, the riprap shall be replaced or supplemented. The use of concentrated flow dissipation devices, such as level spreaders, may help to eliminate inlet scour problems.

Snow Removal

Snow shall not be plowed toward the wetland areas. All catch basins shall be uncovered and functional immediately after snow plowing.

Public Safety Features

The driveway shall be kept free of snow and debris for emergency vehicle access. Storage shall not be allowed in these areas.

Activity	Frequency
Perform Inspection of all System Components and Prepare Report	Four times per year
Clean Catch Basins & Stormceptor	Minimum once per year or when sediment reaches 12-inches in catch basins or 8-inches in Stormceptor
Mow surface Infiltration area. Remove trash and debris; remove grass clippings and accumulated organic matter.	Minimum of twice per year
Street Sweeping	Minimum twice per year (spring and fall)
Clean / remediation of Infiltration system	As required based upon inspection
Clean Gutters	Minimum twice per year or whenever debris is noted

Reporting and Record Keeping

The responsible party will be responsible for maintaining accurate Maintenance Logs for all maintenance and inspections. The maintenance logs shall be kept on site for a minimum of three (3) years and be available for inspection by the Town municipal departments or other auditing authority, including inspections, repairs, replacement and disposal (for disposal, the log shall indicate the type of material and the disposal location). This will be a perpetual requirement of the Owners or their Designated Party.

The Site Maintenance Log will be completed as described above, and at a minimum will include the following items:

- Date activity performed;
- Last rain event;
- BMP's inspected and condition;
- Specific maintenance task;
- Staff or contractor performing activity;
- Verification of maintenance activity;
- For disposal include type of material and the disposal location; and
- Recommended additional maintenance tasks.

Estimated Budget

The estimated annual budget to perform the routine scheduled maintenance is approximately \$4,000.00. This estimate does not include the repair of structures, pipes, embankments; cleaning drain lines; snow plowing; or other non-routine tasks.

Emergency Response Plan / Spill Control Practices

On-site storage of hazardous materials shall not be allowed.

In the event of an accident in the roadway or on individual lots, where a significant amount of gasoline or other petroleum product is released, the following procedure should be followed:

1. Immediately contact the following agencies:

Northborough Fire Department	(508) 393-1537
MassDEP Emergency response	(888) 304-1133

2. Provide support to agencies listed above, which may include contacting an outside contractor to provide clean-up or contacting a Licensed Site Professional (LSP) to lead the clean-up.

If the volume of spill has reached the catch basins, the structures should be cleaned by a licensed liquid waste hauler. The outlet to the drainage system should be inspected. If there is evidence of discharge from the drainage system, additional corrective actions must be taken extending to the receiving water or beyond.

MAINTENANCE INSPECTION FORM
200 Bartlett Street
Northborough, MA

Date: _____ Inspector: _____ Signature: _____

Drainage Structures

DESIGNATION	DEPTH OF SEDIMENT	ACTION REQUIRED / TAKEN
CB-1		
CB-2		
CB-3		
CB-4		
CB-5		
Cb-6		
CB-7		
CB-8		
CB-9		
CB-10		
CB-11		
CB-12		
STC-1		
STC-2		
STC-3		
STC-4		
Dry Well 1		Dewatered (Y/N)
Dry Well 2		Dewatered (Y/N)
Infiltration Basin		Dewatered (Y/N)

Inspect Vegetation _____

Inspect Pavement Condition _____

COMMENTS / MAINTENANCE REQUIRED: _____



Town of Northborough

Conservation Commission

63 Main Street, Northborough, Massachusetts 01532-1994

Email: conservation@town.northborough.ma.us Office:(508) 393-5015

Stormwater Management and Land Disturbance Permit

Permit #	2022-01	Location:	200-220 Bartlett Street
Applicant:	Richard Gates	Site Contractor:	R.J. Devereaux Corp.
Issue Date:	3/7/2022	Expiration Date:	3/7/2025
Plan Title:	Proposed Site Plan of 200-220 Bartlett Street in Northborough, MA		
By/Date:	Connorstone Engineering, 12/14/2021		
Stormwater Report, Date:	Stormwater Report for RJ Devereaux Proposed Site Plan 200 Bartlett St, Northborough, MA 11/23/2021		

The following standards conditions shall be met:

1. No work may proceed under this Permit until all required local, state and federal permits are obtained and, if requested, submitted to the Office of the Commission.
2. Install erosion controls as shown on the approved plans.
3. Call the Stormwater Authority (Office of the Conservation Commission) to inspect erosion controls prior to initiation of site work.
4. If a project requires a Stormwater Pollution Prevention Plan (SWPPP) per the NPDES General Permit for Storm Water Discharges from Construction Activities (and as amended), then the applicant is required to submit a complete copy of the final SWPPP and the signed Notice of Intent prior to construction.
5. Keep all hazardous material in their proper containers and covered.
6. Stabilization measures must be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased.
7. Erosion control measures and barriers shall be monitored daily and maintained or reinforced as necessary to ensure and prevent erosion and siltation of soils to wetland resource areas. Additional filter fabric and straw wattles shall be stored on site for emergency use.
8. After each rainstorm of 0.5 inches, inspect the site for any erosion or siltation problems. Adjust the erosion control as necessary. Notify the Stormwater Authority of any adjustments required.
9. Sweep road as required or as directed by Stormwater Authority.
10. Final grading to be as shown on the plan.
11. Erosion control devices shall remain in place until all disturbed surfaces have been stabilized with final vegetative cover or the Stormwater Authority has authorized their removal. Once the area is stabilized, call the Stormwater Authority for an inspection.
12. Project Changes: The permittee, or their agent, must notify the Stormwater Authority in writing of any change or alteration of a land-disturbing activity authorized in a Land Disturbance Permit before any change or alteration occurs. If the Stormwater Authority determines that the change or alteration is significant, the Stormwater Authority may require that an amended Land Disturbance Permit application be filed and a public hearing held. If any change or alteration from the Land Disturbance Permit occurs during any land disturbing activities, Stormwater Authority may require the installation of interim erosion and sedimentation control measures before approving the change or alteration.
13. Upon completion of the work and no later than two (2) years after completion of construction, the holder of a Land Disturbance Permit shall submit a report (including certified as-built construction plans) from

a Professional Engineer (PE) or Land Surveyor (PLS) certifying that the project has been completed in accordance with the conditions of the Land Disturbance Permit. The holder of a Land Disturbance Permit shall also include certification from a PE that the drainage system was constructed in accordance with the approved plans and will perform as designed. The as-built drawings shall comply with Section 11 of the Stormwater Management Regulations. Any discrepancies from the approved permit plans shall be noted in writing in the report and as-built plans.

14. Issuance and signing of this permit provide a permanent easement allowing the Town to access the property to remedy any operational failure or maintenance problem of the drainage and stormwater system in the case of an emergency.
15. This permit with the approved operation and maintenance plan attached must be recorded on the most current deed of the property at the Worcester Registry of Deeds prior to the start of work.

The following conditions *special to this project* shall be met:

1. Pre-construction Meeting: Prior to starting the clearing, excavation, construction, redevelopment or land disturbing activity, the applicant, the applicant's technical representative, the general contractor or any other person with authority to make changes to the project, may be required to meet with the Stormwater Authority, to review the approved plans and their proposed implementation.
2. Construction may not commence until the applicant has submitted EPA's approval of the Construction General Permit Notice of Intent to the Stormwater Authority and the final SWPPP is posted at the site. Weekly SWPPP reports shall be submitted at least once a month to the Stormwater Authority.
3. Install a tracking pad (using 3"-6" Trap Rock) at the site entrance to avoid depositing silt onto the roadway as shown on the approved plans. This pad shall be removed and re-installed if contaminated.
4. The Operation and Maintenance Plan shall remain on file with the Stormwater Authority and shall be an ongoing requirement. The Applicant shall provide copies of the Operation and Maintenance Plan to all persons responsible for maintenance and repairs.
5. The stormwater system shall be maintained post-construction and annually, at a minimum. Copies of all inspection reports shall be submitted to the Stormwater Authority by April 1 of each year.

By signing this permit, the applicant and Site Contractor take responsibility for maintaining the siltation control and stabilization.

Applicant Signature	Print Name	Date
Owner Signature	Print Name	Date
Site Contractor Signature	Print Name	Date
DPW/Conservation Signature	Print Name	Date