

The Middleborough Board of Selectmen will hold a public hearing on Monday, December 5, 2011 at 7:40 PM in the Selectmen's Meeting Room at the Town Hall, 10 Nickerson Avenue, for the purpose of discussing an application filed by Metro Imports, Inc., d.b.a. Metro Volkswagen, for a Class I Automobile Dealer's License for the premises located at 3 Chalet Drive, Middleboro, MA (Assessors M038, L6384). Anyone desiring to be heard on this matter should appear at the time and place designated.

Alfred P. Rullo, Jr.  
Stephen J. McKinnon  
Steven P. Spataro  
Allin Frawley  
Ben Quelle  
BOARD OF SELECTMEN

Publish: November 24, 2011

Payment will be forwarded to S. Coast Media, 25 Elm St., New Bedford, MA 02740. Advertiser #300074

# Metro Imports, Inc. dba Metro Volkswagen

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1651 New State Highway  
Raynham MA 02767  
508-822-1000

November 9, 2011

Board of Selectmen  
Town of Middleborough  
Town Hall  
10 Nickerson Avenue  
Middleborough, MA 02346

Re: Class 1 Dealer's License

Dear Board Members:

Please accept this letter as a formal request for the issuance of a Class 1 Automobile Dealer's License. It is our hope to operate a Volkswagen new car dealership on property at 3 Chalet Dr., Middleborough, MA ( Assessors Map 38, Lot 6384). Our proposed hours of operation are as follows:

Monday – Saturday    7:30 AM to 9:00 PM  
Sunday                    10:00 AM to 6:00 PM

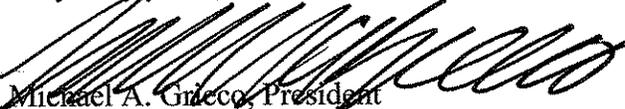
Enclosed please find the following items:

Commonwealth of Massachusetts Application  
Town of Middleborough General Application  
Completed Workers Compensation Affidavit/Federal Identification Tax ID #  
CORI Request Form  
Site Plan of Premises

A Certified Abutters List from the Board of Assessors will be delivered to you by the office of Robert J. Mather, Esq. Attorney Mather will be representing us in this matter.

If you have any questions or require any additional information, please do not hesitate to contact either the undersigned or Attorney Robert Mather at 508-946-0066.

Very truly yours,



Michael A. Griceco, President

THE COMMONWEALTH OF MASSACHUSETTS

TOWN OF MIDDLEBOROUGH

APPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE  
OR ASSEMBLE SECOND HAND MOTOR VEHICLES  
OR PARTS THEREOF

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a .....  
class license, to Buy, Sell, Exchange or Assemble second hand motor vehicles or parts thereof, in accordance with  
the provisions of Chapter 140 of the General Laws.

1. What is the name of the concern? Metro Imports, Inc. dba Metro Volkswagen

Business address of concern: No. 3 Chatelet Road St.,  
Middleboro City - Town.

2. Is the above concern an individual, co-partnership, an association or a corporation? S. Corp.

3. If an individual, state full name and residential address.

4. If a co-partnership, state full names and residential addresses of the persons composing it.

5. If an association or a corporation, state full names and residential addresses of the principal officers.

President Michael A. Grieco - 2727 S. OCEAN BLVD. HIGHLAND BEACH FL 33487

Secretary Domenic R. Grieco - 2 KING PHILLIP ROAD LINCOLN RI 02865

Treasurer Robert T. Grieco - 12 DARIO DRIVE LINCOLN RI 02865

6. Are you engaged principally in the business of buying, selling or exchanging motor vehicles? YES

If so, is your principal business the sale of new motor vehicles? YES

Is your principal business the buying and selling of second hand motor vehicles? NO

Is your principal business that of a motor vehicle junk dealer? NO

7. Give a complete description of all the premises to be used for the purpose of carrying on the business.

3 Chalet Road

8. Are you a recognized agent of a motor vehicle manufacturer? YES (Yes or No)

If so, state name of manufacturer VOLKSWAGEN

9. Have you a signed contract as required by Section 58, Class 1? YES (Yes or No)

10. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? YES (Yes or No)

If so, in what city - town Raynham

Did you receive a license? YES (Yes or No) For what year? 2001

11. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked? NO (Yes or No)

Sign your name in full [Signature] (Duly authorized to represent the concern herein mentioned)

Residence 2727 S. OCEAN BLVD #1405 HIGHLAND BEACH, FL 33487

IMPORTANT

EVERY QUESTION MUST BE ANSWERED WITH FULL INFORMATION, AND FALSE STATEMENTS HEREIN MAY RESULT IN THE REJECTION OF YOUR APPLICATION OR THE SUBSEQUENT REVOCATION OF YOUR LICENSE IF ISSUED.

NOTE: If the applicant has not held a license in the year prior to this application, he must file a duplicate of the application with the registrar. (See Sec. 59)

**December 5, 2011**

**Board of Selectmen:**

**There is nothing in the CORI background records to cause concern in issuing a Class II Automobile Dealer's license to Michael Grieco.**

**Jackie Shanley, Secretary**



## Town of Middleborough

Massachusetts

Board of Selectmen

# MEMORANDUM

TO: J. Spalding, Health Officer  
R. Whalen, Building Commissioner  
R. Geoffroy, Planning Director  
P. Cassady, Conservation Agent

FROM: Jackie Shanley, Confidential Secretary  
BOARD OF SELECTMEN

DATE: 11-16-11

SUBJECT: Request for Class I License – Metro Volkswagen, 3 Chalet Drive

Attached please find a copy of an application for a Class I license filed by Michael A. Grieco.

The Board will hold a hearing on **Monday, December 5, 2011 at 7:40 PM** in the Selectmen's Hearing room at the Town Hall.

Please submit any comments or concerns regarding this request **by 12 Noon on Wednesday, November 29, 2011.**

Thank you.

Attachments

xc: Board of Selectmen  
Town Manager

SELECTMEN:

As of 1:30 PM on Friday, I did not receive any confirmation of Real Estate Taxes having had been brought up-to-date.

I left a voicemail for Attorney Mather and tried to reach the Deputy Collector of Taxes, but was unsuccessful.

Jackie

CRANBERRY CAPITAL  
OF THE WORLD

*RC*



Phone: 508-946-2408  
Fax: 508-946-0058

Town of Middleborough  
Massachusetts  
Board of Selectmen

APPLICATION FOR LICENSE  
(PLEASE TYPE OR PRINT CLEARLY)

DATE 11/7/11  
NAME OF APPLICANT MICHAEL A GRIECO  
ADDRESS OF APPLICANT 141 PUTNAM AVE. JOHNSON CT. 02919  
ASSESSORS MAP & LOT \_\_\_\_\_  
DAYTIME TELEPHONE 401-232-8000

NAME OF BUSINESS Metro Imports Inc. DBA Metro Volkswagen  
OWNER OF PROPERTY TO BE LICENSED M GRIECO REALTY LLC  
ADDRESS OF PROPERTY TO BE LICENSED 3 Church St. Middleboro, MA  
ASSESSORS MAP & LOT 38/6384

TYPE OF LICENSE REQUESTED (Check One)

2<sup>nd</sup> Hand \_\_\_\_\_ WRPD \_\_\_\_\_  
Class I License / Earth Removal Permit \_\_\_\_\_  
Class III License \_\_\_\_\_ Liquor License \_\_\_\_\_  
Class II License \_\_\_\_\_ Junk Dealer \_\_\_\_\_  
Entertainment \_\_\_\_\_ Other \_\_\_\_\_

Anticipated Start Date for Business: December 2011  
Days & Hours of Operation: M-Sat. 7:30a-9p Sunday 10-6

Has the applicant previously held a similar license in the Town of Middleborough or elsewhere?  
If yes, explain:  
Metro Volkswagen in Rumney

Signature:

DATE OF HEARING: 12.5.11 APPROVED/DENIED

Do not write below line: To be Completed by Treasurer/Collector:

Please inform this department as to whether or not the above listed property owner/applicant/petitioner owes the Town of Middleborough any outstanding taxes and/or municipal charges that remain unpaid for more than one year.

Does Property Owner/Applicant/Petitioner owe Taxes/Municipal Charges? YES owes

TT

2009 RE Tax  
2010 RE Tax  
2011 RE Tax

Please see attached TT,

*they needs to pay before getting permit  
Thanks*

011/15/2011 TOWN OF MIDDLEBOROUGH MR  
 16:12 OFFICE OF THE TOWN TREASURER  
 TAX TITLE ACCOUNT STATEMENT as of 11/15/2011

Parcel ID: 038-6384 TT Acct#: 825  
 bnkrptcy #10-14550 chptr 7 schldd for 11/10 per wynn & wynn

Location: 3 CHALET ROAD Year taken: 2009

Name: WOODBURY, KIM TRUSTEE Reg. land?

Mailing Address: 225 COUNTY ROAD  
 LAKEVILLE MA 02347

\*\*\*\*\* C R E D I T S \*\*\*\*\*

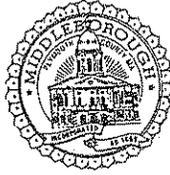
Year	Tax	Days	Rate	Interest	Fees	Date	Tax	Interest	Fees	Description
					29.00	02/10/2010				Deputy Fees
2010					29.00	06/30/2010				Deputy Fees
2011					29.00	06/30/2011				Deputy Fees
2009	13,815.78	287	16%	1,738.14		02/10/2010				
	1,738.14	287	16%			02/10/2010				
2010	25,925.15	155	16%	1,761.49		06/30/2010				
I &	54.20	155	16%	3.68		06/30/2010				
	1,761.49	155	16%			06/30/2010				
						12/02/2010	36,430.82	3,503.31		Partial Payment
B'10	3,364.31	313	16%	461.60		12/02/2010				
	461.60	313	16%			12/02/2010				
2011	28,727.06	103	16%	1,297.05		06/30/2011				
Sew	127.32	103	16%	5.75		06/30/2011				
I &	54.57	103	16%	2.46		06/30/2011				
	1,297.05	103	16%			06/30/2011				
	5.75	103	16%	5,258.28		06/30/2011				
						10/11/2011	26,923.66	1,766.86		Partial Payment
B'11	5,349.60	35	16%	82.08		10/11/2011				
	82.08	35	16%			10/11/2011				

81.00

Redemption Fee

Per diem interest: 2.3450 ACCOUNT SUMMARY as of 11/15/2011

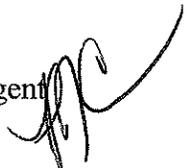
	DEBITS	PAYMENTS	NON-CASH ADJ.	BALANCE
Tax:	68,467.99	63,118.39		5,349.60
Sewer Ln:	127.32	127.32		0.00
I & E Ln:	108.77	108.77		0.00
Tax + S/A:	68,704.08	63,354.48		5,349.60
Interest:	5,340.36	5,258.28		82.08
Int-Sewer:	5.75	5.75		0.00
Int-I & E:	6.14	6.14		0.00
Fees:	168.00			168.00
Totals:	74,224.33	68,624.65	0.00	5,599.68



**Town of Middleborough**  
CONSERVATION COMMISSION

**MEMORANDUM**

TO: Jackie Shanley, Confidential Secretary  
Board of Selectmen

FROM: Patricia J. Cassady, Conservation Agent 

DATE: November 21, 2011

RE: Request for Class I License – Metro Volkswagen, 3 Chalet Drive

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On October 18, 2011 Attorney Robert Mather and Mr. Michael A. Grieco came into the Conservation office to ask about 3 Chalet Drive.

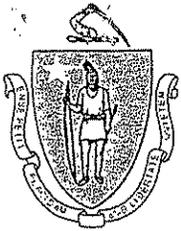
The Conservation Department does have a file on 3 Chalet Drive for when Crossroads RV was being proposed in 2004. An Order of Conditions was issued to John Souza, M.H.D. General Contractors, Inc. on May 14, 2004 under DEP File #SE220-873. This Order expired on May 14, 2007. (Attached is a copy of the Order of Conditions and the Stormwater Operation and Maintenance Plan)

Mr. Mather, Mr. Grieco and myself discussed that the Order of Conditions from 2004 was never recorded at the Plymouth County Registry of Deeds and that since the project was completed for the RV dealership that the would also need to request a Certificate of Compliance with an As-Built plan. 

If there are any significant changes to the site than what currently exists Mr. Grieco may also need to file a new Notice of Intent application with the Conservation Commission.

If you have any questions, don't hesitate to contact the Conservation Department at 508-946-2406.

pjc



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

DEP File Number:

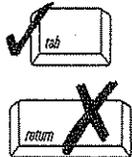
220-873

Provided by DEP

**A. General Information**

**FILE COPY**

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



From:

Middleborough  
 Conservation Commission

This issuance is for (check one):

- Order of Conditions
- Amended Order of Conditions

To: Applicant:

John Souza, M.H.D. General Contractors, Inc  
 Name  
204 Route 28  
 Mailing Address  
West Yarmouth MA 02673  
 City/Town State Zip Code

Property Owner (if different from applicant):

Kim Woodbury, Let It Ride Realty Trust  
 Name  
204 Route 28  
 Mailing Address  
West Yarmouth MA 02673  
 City/Town State Zip Code

1. Project Location:

<u>3 Chalet Drive</u> Street Address	<u>Middleborough</u> City/Town
<u>38</u> Assessors Map/Plat Number	<u>6384</u> Parcel/Lot Number

2. Property recorded at the Registry of Deeds for:

<u>Plymouth County</u> County	<u>26948</u> Book	<u>151-153</u> Page
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Certificate (if registered land)

3. Dates:

<u>2/5/04</u> Date Notice of Intent Filed	<u>5/6/04</u> Date Public Hearing Closed	<u>5/14/04</u> Date of Issuance
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4. Final Approved Plans and Other Documents (attach additional plan references as needed):

<u>Site Development Plan of Harding Street B-702</u> Title	<u>4/29/04</u> Date
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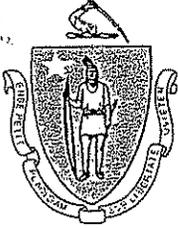
5. Final Plans and Documents Signed and Stamped by:

Arthur F. Borden, Professional Land Surveyor  
Carleton O. Boardman, Jr., Registered Professional Engineer

6. Total Fee:

\$525.00  
 (from Appendix B: Wetland Fee Transmittal Form)

*Add Resan  
 May 23, 2011*



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

DEP File Number:  
 220-873  
 Provided by DEP

**B. Findings**

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. Check all that apply:

- Public Water Supply
- Private Water Supply
- Groundwater Supply
- Land Containing Shellfish
- Fisheries
- Storm Damage Prevention
- Prevention of Pollution
- Protection of Wildlife Habitat
- Flood Control

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 wetlands regulations, to protect those interests checked above. 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.

**Denied because:**

- the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations to protect those interests checked above. 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 these interests, and a final Order of Conditions is 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 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).

**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 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.



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

DEP File Number:

220-873

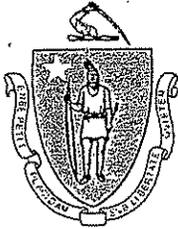
Provided by DEP

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**B. Findings (cont.)**

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.
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.
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.
7. 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.
8. 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 this 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.
9. 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, "MA DEP"]  
"File Number 220-873 "
10. 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 DEP.
11. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
12. The work shall conform to the plans and special conditions referenced in this order.
13. Any change to the plans identified in Condition #12 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.
14. 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.



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

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Provided by DEP

**B. Findings (cont.)**

15. 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.
16. 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.
17. 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.

Special Conditions (use additional paper, if necessary):

1. Stormwater Management Operation and Maintenance Plan Crossroads RV Center, #3 Chalet Drive dated 4-28-04;
2. The Site Development Plans, Existing and Proposed Watershed Plans, and the Stormwater Calculations are revised dated 4/29/04.

**Findings as to municipal bylaw or ordinance**

Furthermore, the \_\_\_\_\_ hereby finds (check one that applies):  
 Conservation Commission

- that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw specifically:

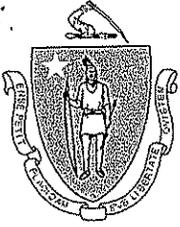
\_\_\_\_\_  
 Name Municipal Ordinance or Bylaw

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.

- that the following additional conditions are necessary to comply with a municipal ordinance or bylaw, specifically:

\_\_\_\_\_  
 Name Municipal Ordinance or Bylaw

The Commission orders that all work shall be performed in accordance with the said additional 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.



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

DEP File Number:

220-873

Provided by DEP

**B. Findings (cont.)**

Additional conditions relating to municipal ordinance or bylaw:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

5/6/04  
Date

This Order must be signed by a majority of the Conservation Commission. 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 (see Appendix A) and the property owner (if different from applicant).

Signatures:

[Signature] \_\_\_\_\_  
Patricia A. Delaney \_\_\_\_\_  
[Signature] \_\_\_\_\_  
Richard B. Reilly \_\_\_\_\_

On 6th Day Of May 2004 Month and Year

before me personally appeared

D. Jeffrey Erickson

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.

Rosemarie Correia Rosemarie Correia  
Notary Public

12/30/05  
My Commission Expires

This Order is issued to the applicant as follows:

by hand delivery on ROSEMARIE CORREIA  
NOTARY PUBLIC  
Commonwealth of Massachusetts  
My Commission Expires on  
Date December 30, 2005

by certified mail, return receipt requested, on  
Date \_\_\_\_\_

TOWN OF MIDDLEBOROUGH  
CONSERVATION COMMISSION

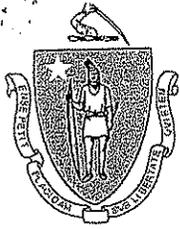
**STANDARD CONDITIONS**

APPLIES  
**YES NO**

- X Recording of Order is the responsibility of applicant or owner. To be returned prior to commencement of work.
- X All mitigation and resource protection devices and measures, e.g. hay bales, siltation fence, etc. are to be installed prior to initiation of any work under the Order of Conditions. The Conservation Agent shall be notified when in place for inspection and verification. No work, which is subject to the Order of Conditions, is to be undertaken until approval is received from the Conservation Commission and/or Agent.
- X Commission to be notified of the date of start of work prior to its commencement.
- X In addition to the mitigation shown on the plan, staked hay bales or siltation fence is to place where necessary to prevent erosion and siltation into the wetland resource area(s).
- X Wherever necessary to maintain compliance with M.G.L. CH. 131, s.40, appropriate mitigation, to prevent erosion and siltation to surface waters and Bordering Vegetated Wetlands, is to be installed and maintained until all exposed areas are stabilized.
- X Any tears, rips, breaks or collapse of siltation barrier shall be repaired immediately (no more than 24 hours).
- X Any replication area is to be prepared prior to the destruction of the resource area being replicated.
- X All detention and/or retention areas are to be completed and vegetated before installation of any impervious material or structure discharging surface water runoff.
- X Retention/detention basins, included in this plan, are to be maintained on a regular basis. Schedule stated in the Notice of Intent.
- X All facilities and equipment used within or as part of this project will be continually maintained and operated so as to comply with this Order and the Wetlands Protection Act.
- X Members and agents of the Conservation Commission shall have the right to enter and inspect the property to determine and evaluate compliance with this order.
- X Wetland flagging to remain in place until the project has been completed.

APPLIES  
**YES NO**

- X Notice of Intent, Order of Conditions and plan shall be retained on the site during construction and made available to all contractors.
- X Prior to any construction, an on-site inspection is to be held between the proposed contractor, the engineer, owner's representatives and the Conservation Commission to go over the sequence of construction and all other restrictions and requirements as noted on the Order of Conditions. A written construction schedule to be received at that time.
- X No sodium based de-icing agents to be used.
- X The drainage system is to be sealed until all work has been completed and vegetation has been established.
- X Certificate of Compliance to be requested immediately after completion.
- X All conditions are on going and do not expire at the end of three years upon the issuance of a Certificate of Compliance.
- X Request for Certificate of Compliance shall be accompanied by an as-built plan. As-built plan to be overlay map.
- X No partial Certificate of Compliance will be issued unless the balance of the project, at whatever stage it is in at the time of said request.
- X As-built plan to show location of structures, grading, wetland line, resource areas and an deviation from original plan of record.
- X This project to be in compliance with the Order of Conditions, the Wetlands Protection Act and Regulations promulgated thereunder (M.G.L. CH. 131, s.40; 310 CMR).
- X Engineer or other equally qualified person shall be available on-site and responsible for insuring compliance with the Order of Conditions.
- X Written reports to be submitted to the Conservation Agent detailing progress of activities as detailed by the Order of Conditions. To be received the 1<sup>st</sup> and 15<sup>th</sup> of the limited project month.
- X If wetland alteration is allowed under limited project status, no wetland alteration is to occur until all local, state and federal permits have been received for the project as submitted to the Conservation Commission.
- X This Order of Conditions is issued for the above referenced plans only. Any alteration to said plans may cause this Order of Conditions to be null and void unless an amendment is submitted and approved by this Board.
- X Prior to commencement of work, applicant is to submit letter certified by a professional engineer stating that any plans submitted for other local, state and federal permits are identical to the plans submitted for this Order of 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

DEP File Number:

220-873

Provided by DEP

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### **C. 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 DEP 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 Appendix E: Request of 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.

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.

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### **D. Recording Information**

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 Page 7 of Form 5 shall be submitted to the Conservation Commission listed below.

Middleborough

Conservation Commission



## Stormwater Management Operation & Maintenance Plan

Property:

**“Crossroads RV Center”  
#3 Chalet Drive  
Middleborough, Massachusetts**

Date:

**04-28-04**

During construction of the perimeter controls, internal driveway, stormwater conveyances, mass grading on-site, utilities, & stormwater management measures, all facets of the project including temporary siltation / erosion control measures & BMP's shall be the property and maintenance responsibility of the property owner and / or the developer. After completion of the infrastructure construction, the stormwater conveyances, stormwater management measures, & BMP's shall be the property and maintenance responsibility of the current property owner. Any temporary measures whose function is the control of erosion or siltation during construction shall not require continued maintenance or specific ownership after the completion of the project. Post-development measures have ongoing operation and maintenance requirements that shall be incorporated into an Order of Conditions and as continuing conditions in the Certificate of Compliance issued by the Middleborough Conservation Commission.

### Maintenance Tasks & Schedule for Inspections & Maintenance

The operation and maintenance of the BMP's, drainage structures, and non-structural stormwater management guidelines within this project consist of the following:

#### Spill Prevention

- Drip pans are to installed beneath the engine compartments of all RV's parked over the stone infiltration area.
- The pans be inspected prior to moving an RV, or at least on a weekly basis to ensure that no leaks have occurred.

### **Snow and Snowmelt Management**

- Use of de-icing compounds – The use of de-icing compounds is prohibited due to the closeness of wetland areas.
- Snow removal and storage – Place plowed snow in pervious area where it can slowly infiltrate. A location for snow removal has been depicted on the plan. If a snow blower is used, snow is to be blown from paved areas to grassed or pervious areas.

### **Sweeping**

- The parking area sweeping efforts are to be conducted once a month during the late spring, summer, and early fall seasons.

### **Drainage Channel / Swale**

- Channels and swales shall be inspected on a semi-annual basis. They shall be inspected for slope integrity, soil moisture, vegetative health, soil stability, soil compaction, soil erosion, ponding and sedimentation..
- Regular maintenance tasks include mowing, fertilizing, liming, watering, pruning and weed and pest control. Channels shall be mowed at least once per year. The grass must not be cut shorter than 4 inches. Excessive mowing shall be avoided, as this may keep the grass too short, decreasing flow velocity and pollutant removal effectiveness.
- Sediment and debris shall be removed manually, at least once per year, before the vegetation is impacted adversely. Care shall be taken to protect drainage channels / swales from snow removal procedures.
- Particular attention shall be given to the inlet and outlet pipes flowing to and from the channels / swales to insure they remain free from materials that would clog their operation.

### **Infiltration Stone Trench System**

- After construction, infiltration trenches shall be inspected after every major storm for the first few months to ensure proper stabilization and function. Thereafter, the trenches shall be inspected at least twice per year. Water levels in the observation wells shall be recorded over several days to check trench drainage. If the trench does not drain completely within 3 days, it usually means that the bottom of the trench is clogged and remedial measures are required.
- Preventive maintenance shall be performed at least twice a year, and ideally sediment shall be removed from the pretreatment BMP grass strips, after every major storm event.

- Ponded water, at a depth exceeding 10 inches inside the trench (as visible from the observation well) after 24 hours or several days, often indicates that the bottom of the trench is clogged.
- Water ponded at the surface of the trench may indicate only surface clogging. Corrective maintenance is required immediately.
- For surface clogging, the first layer of stone aggregate and filter fabric must be removed and replaced.
- Clogging in trenches occurs most frequently on the surface and therefor, grass clippings, leaves and accumulated sediment shall be removed as frequently as possible from the surface of the trench.
- The pretreatment BMP grass strips shall be inspected and cleaned at a minimum during the regular bi-annual checks, and more frequently if possible.
- The grass filter strips shall be managed as a lawn or allowed to grow to a height of 6" – 8". These strips shall be mowed 3 – 4 times a year to suppress weeds and interrupt natural succession. Periodic spot repairs, watering and fertilization (foliar fertilizer) may be required to maintain a dense growth of vegetation. After each mowing, the area of infiltration trench shall be cleaned with a leaf blower to lessen the impacts of dust, grass clippings and leaves.
- No trees shall be allowed to grow in a manner which allows the tree's drip line to extend over the trench area. Pioneer trees that start to grow in the vicinity of the trench shall be removed immediately to avoid root puncture of the filter fabric.
- Ponding water in the trenches indicates infiltration failure from the bottom. In this case, all of the stone aggregate and filter fabric must be removed and replaced. Accumulated sediment shall be removed from the trench bottom. The bottom shall be scarified or tilled to help induce infiltration prior to installing new stone aggregate.

**Note: The above Operations and Maintenance Plan are ongoing conditions. Records and results of the required inspections shall be filed with the Town of Middleboro Conservation Commission on a quarterly basis.**

### Contact List

Stormwater Management System Owner:

**Cross Roads RV Center  
#3 Chalet Drive  
Middleborough, Ma.**

Party Responsible for Operation & Maintenance: **same**

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