HEARINGS, MEETINGS, LICENSES
9-12-11

(Town Seal)

The Board of Selectmen will hold a public hearing in the Selectmen's Meeting Room at the Town Hall, 10 Nickerson Avenue, Middleborough, MA on Monday, September 12, 2011 at 7:30 PM to accept the layout of Meadowbrooke Lane and Bon View Circle in Middleborough, MA, on such terms as the Selectmen shall determine for the purposes of a Town way, such property being shown on a plan entitled "Street Acceptance Plan Meadowbrooke Lane and Bon View Circle Meadowbrooke Farm", dated July 14, 2011, and revised on August 12, 2011, prepared by Field Engineering Co., Inc., which plan is on file with the Town Clerk's Office.

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

Publish: September 1, 2011

Town of Middleborough

Massachusetts

TOWN PLANNER
Ruth McCawley Geoffroy

Planning Board

Telephone (508) 946-2425
Fax (508) 946-1991

July 27, 2011

Board of Selectmen
Town Hall
10 Nickerson Ave.
Middleborough, MA 02346

Re: Meadowbrooke Farm - Public Layout

Honorable Board:

The Planning Board, at their regularly scheduled meeting held July 26, 2011, voted to recommend favorable action on the layout and acceptance of Meadowbrooke Lane and Bon View Circle by the Town.

The Planning Board, at their public hearing on July 12, 2011, found that the construction of the subdivision road and the installation of the municipal services, as approved July 12, 2011, to be complete, and have been built to the standards of the Town of Middleborough Subdivision Rules and Regulations. The Board, therefore, voted to issue a Certificate of Completion for "Meadowbrooke Farm".

The Planning Board is in receipt of the following plan entitled: "Roadway As-Built Plan 'Meadowbrooke Lane and Bon View Circle in Middleborough, MA'" dated June 16, 2011, revised through July 11, 2011 prepared by Field Engineering, Co., Inc. 11D Industrial Drive, P.O. Box 1178, Mattapoisett, MA 02739, consisting of twelve (12) sheets.

If you should have any questions regarding this, please do not hesitate to contact the Planning Department.

Sincerely,

Michael J. Labonte, Chairman

cc: Stephen & Maureen Bonfiglioli
Bonview Corporation

RELEASE OF ALL CLAIMS

The undersigned in consideration of the Town of Middleborough (the "Town") laying out and acquiring the following way(s) as Town way(s): That certain roadway being shown as Meadowbrooke Lane and being shown on a plan entitled, "Meadowbrooke Farm Definitive Subdivision in Middleborough, Massachusetts," which plan is dated July 17, 2003, revised through February 20, 2004, and is recorded at the Plymouth County Registry of Deeds as Plan No. 507 of 2004 in Plan Book 48, Page 281, hereby release the Town from any and all claims for damages on account of or arising from an anticipated order of taking by eminent domain by the Town's Board of Selectmen to acquire ownership of the said way(s) as Town way(s) and to acquire any easement(s) in the land of the undersigned taken in such order of taking in connection with said way(s).

The way(s) to be acquired as Town ways are shown on the following described plan(s):

1. Meadowbrooke Lane & Bon View Circle
   Name of Way

WITNESS the hand(s) and seal(s) of the undersigned this _____ day of March, 2011

Signature of Property Owner	Stephen H. Bonfiglioli Name of Property Owner (PRINT)
237 Thompson Street, Middleboro, MA Address of Property Owner	1 Lot Number of Property Owner
Signature of Property Owner	Maureen V. Bonfiglioli Name of Property Owner (PRINT)
237 Thompson Street, Middleboro, MA Address of Property Owner	1 Lot Number of Property Owner
Signature of Property Owner	Bonview Corporation Name of Property Owner (PRINT)
237 Thompson Street, Middleboro, MA Address of Property Owner	2 Lot Number of Property Owner
Signature of Property Owner	Christopher W. Brady Name of Property Owner (PRINT)
25 Meadowbrooke Lane, Middleboro, MA Address of Property Owner	3 Lot Number of Property Owner
Signature of Property Owner	Jocelyn H. Brady Name of Property Owner (PRINT)
25 Meadowbrooke Lane, Middleboro, MA Address of Property Owner	3 Lot Number of Property Owner
Signature of Property Owner	Anthony T. Bonfiglioli Name of Property Owner (PRINT)
237 Thompson Street, Middleboro, MA Address of Property Owner	4 Lot Number of Property Owner
Signature of Property Owner	Charles F. Barnes Name of Property Owner (PRINT)
1296 Broadway, Raynham, MA Address of Property Owner	5 Lot Number of Property Owner

William L. Kendall
Signature of Property Owner

William L. Kendall
Name of Property Owner (PRINT)

205 Brayton Point Road, Westport, MA
Address of Property Owner

6
Lot Number of Property Owner

Signature of Property Owner

Jeanne A. Kendall
Name of Property Owner (PRINT)

205 Brayton Point Road, Westport, MA
Address of Property Owner

6
Lot Number of Property Owner

Signature of Property Owner

Bonview Corporation
Name of Property Owner (PRINT)

237 Thompson Street, Middleboro, MA
Address of Property Owner

7
Lot Number of Property Owner

Signature of Property Owner

Bonview Corporation
Name of Property Owner (PRINT)

237 Thompson Street, Middleboro, MA
Address of Property Owner

8
Lot Number of Property Owner

Signature of Property Owner

Gregory Anderson
Name of Property Owner (PRINT)

51 Meadowbrooke Lane, Middleboro, MA
Address of Property Owner

9
Lot Number of Property Owner

Signature of Property Owner

Jennifer Anderson
Name of Property Owner (PRINT)

51 Meadowbrooke Lane, Middleboro, MA
Address of Property Owner

9
Lot Number of Property Owner

Signature of Property Owner

Joseph E. Bonfiglioli
Name of Property Owner (PRINT)

237 Thompson Street, Middleboro, MA
Address of Property Owner

10
Lot Number of Property Owner

Signature of Property Owner

Bonview Corporation
Name of Property Owner (PRINT)

237 Thompson Street, Middleboro, MA
Address of Property Owner

11
Lot Number of Property Owner

Signature of Property Owner

Bonview Corporation
Name of Property Owner (PRINT)

237 Thompson Street, Middleboro, MA
Address of Property Owner

12
Lot Number of Property Owner

Signature of Property Owner

William R. Detore
Name of Property Owner (PRINT)

10 Bon View Circle, Middleboro, MA
Address of Property Owner

13
Lot Number of Property Owner

Signature of Property Owner

Cynthia L. Detore
Name of Property Owner (PRINT)

10 Bon View Circle, Middleboro, MA
Address of Property Owner

13
Lot Number of Property Owner

Signature of Property Owner

Bonview Corporation
Name of Property Owner (PRINT)

237 Thompson Street, Middleboro, MA
Address of Property Owner

14
Lot Number of Property Owner

Signature of Property Owner

Bonview Corporation
Name of Property Owner (PRINT)

237 Thompson Street, Middleboro, MA
Address of Property Owner

15
Lot Number of Property Owner

Signature of Property Owner

Jerome H. Fletcher
Name of Property Owner (PRINT)

73 Meadowbrooke Lane, Middleboro, MA
Address of Property Owner

16
Lot Number of Property Owner

Signature of Property Owner

Holly P. Fletcher
Name of Property Owner (PRINT)

73 Meadowbrooke Lane, Middleboro, MA
Address of Property Owner

16
Lot Number of Property Owner

Signature of Property Owner

Bonview Corporation
Name of Property Owner (PRINT)

237 Thompson Street, Middleboro, MA
Address of Property Owner

17
Lot Number of Property Owner

Signature of Property Owner

Randall O. Dupré
Name of Property Owner (PRINT)

81 Meadbrooke Lane, Middleboro, MA
Address of Property Owner

18
Lot Number of Property Owner

Signature of Property Owner

Cheryl M. Dupré
Name of Property Owner (PRINT)

81 Meadbrooke Lane, Middleboro, MA
Address of Property Owner

18
Lot Number of Property Owner

Signature of Property Owner

Robert Pribusauskas
Name of Property Owner (PRINT)

157 White Street, Raynham, MA
Address of Property Owner

19
Lot Number of Property Owner

Signature of Property Owner

Joyce Pribusauskas
Name of Property Owner (PRINT)

157 White Street, Raynham, MA
Address of Property Owner

19
Lot Number of Property Owner

Signature of Property Owner

Bonview Corporation
Name of Property Owner (PRINT)

237 Thompson Street, Middleboro, MA
Address of Property Owner

20
Lot Number of Property Owner

Signature of Property Owner

Bonview Corporation
Name of Property Owner (PRINT)

237 Thompson Street, Middleboro, MA
Address of Property Owner

21
Lot Number of Property Owner

(Town Seal)

The Board of Selectmen will hold a public hearing in the Selectmen's Meeting Room at the Town Hall, 10 Nickerson Avenue, Middleborough, MA on Monday, September 12, 2011 at 7:45PM, for the purpose of discussing an application filed by the Middleborough Department of Public Works for a Special Permit under the Water Resource Protection District By-law, to replace the existing culvert under Wood Street at Fall Brook within twenty-five (25) feet of a fresh water wetland. This project is located as Map 70, Lot 1469 Wood Street, WRPD Z3. Anyone wishing 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: August 25, 2011 and September 1, 2011

*Please bill: Town of Middleborough DPW
48 Wareham Street
Middleborough, MA 02346

Town of Middleborough
Water Division – Department of Public Works
48 Wareham Street
Middleborough, MA 02346
Phone 508-946-2482 Fax 508-946-2484

Joseph M. Silva
Water Superintendent

September 9, 2011

To: Alfred Rullo, Chairman
Board of Selectmen
Middleboro, MA 02346

From: Joseph Silva

RE: Wood Street Culvert Replacement – Water Resource Protection District.

I have reviewed the proposed plan to replace the Wood Street culvert at Fall Brook.

I find no adverse effects to the public drinking water supply.

Town of Middleborough

RECEIVED
AUG 23 2011
TOWN MANAGER'S OFFICE
MIDDLEBOROUGH, MA

CONSERVATION COMMISSION

MEMORANDUM

TO: Board of Selectmen

FROM: Patricia J. Cassady, Conservation Agent

DATE: August 19, 2011

SUBJECT: W.R.P.D. Application – Wood Street (Map 70, Lot 1469) Culvert at Fall Brook

---

The above-mentioned is for a culvert replacement at Fall Brook on Wood Street within 25-feet of a fresh water wetland.

The Conservation Commission issued an Order of Conditions on May 31, 2011 to approve this work under the fact that it qualifies under Limited Project Status (310 CMR 10.53 (3) (l)): The construction, reconstruction, operation or maintenance of water dependent uses; provided, however that:

1. any portion of such work which alters a bordering vegetated wetland shall remain subject to the provisions of 310 CMR 10.55 (they have provided a replication plan to replace lost wetlands)
2. such work in any other resource area(s) found to be significant to flood control or prevention of storm damage shall meet the performance standards for that interest(s), and
3. adverse impacts from such work in any other resource area(s) shall be minimized regarding the other statutory interests for which that resource area(s) is found to be significant.

Limited Project Status is one of the exempt activities under the W.R.P.D. Section XII(G.)(3)(i)i

If you have any further questions regarding this matter I can be contacted at the Conservation Office at 508-946-2406.

pjc

Town of Middleborough
20 Centre Street, Second Floor
Middleborough, Massachusetts 02346

Robert J. Whalen
Building Commissioner
Tel. 508-946-2426
Fax 508-946-2305

September 7, 2011

Middleborough Board of Selectmen
Middleborough Town Offices
10 Nickerson Ave
Middleborough, MA 02346

RE: W.R.P.D. Application for Wood Street, Assessor's Map 070, Lot 1469 GU/WRPD Z3.

Honorable Board,

I have reviewed the plan submitted by AECOM Technical Services, Inc. dated: April 2011 for Wood Street. Middleborough WRPD regulations allow for such activity within twenty-five (25') feet of a "fresh water wetland".

I would support this request.

Respectfully submitted,

Robert J. Whalen
Building Commissioner
Zoning Enforcement Officer

RJW/d

CRANBERRY CAPITAL
OF THE WORLD

Phone: 508-946-2405
Fax: 508-946-0058

Town of Middleborough

Massachusetts

Board of Selectmen

MEMORANDUM

TO: Ruth Geoffroy, Town Planner
Patricia Cassady, Conservation Commission Agent
Jeanne Spalding, Health Officer
Robert Whalen, Building Commissioner
FROM: Jackie Shanley
Confidential Secretary to the Board of Selectmen
DATE: August 18, 2011
SUBJECT: W.R.P.D. Application

Attached is a W.R.P.D. application filed by the DPW for a Special Permit under the Water Resource Protection District By-law, *to replace the existing culvert under Wood Street at Fall Brook within twenty-five (25) feet of a fresh water wetland.* This property is located at **Wood Street (Map 70, Lot 1469), WRPD Z3** of the Water Resources Protection District.

The Selectmen will conduct a hearing on this application on **Monday, September 12th at 7:45 PM.**

Further information and a copy of the plan are attached.

All remarks or concerns regarding the request must be returned to the Selectmen's Office no later than **Wednesday, September 7th by 12 Noon.**

Even if you have no comments to make regarding the plan, please send a note stating that you have reviewed the plans.

Please contact the Selectmen's Office if you have any further questions.

Attachments

xc: Board of Selectmen
Town Manager

Incorporated 1669
341 Years of Progress

CRANBERRY CAPITAL
OF THE WORLD

Town of Middleborough
Massachusetts
Department of Public Works
48 Wareham Street
Middleborough, MA 02346
Phone 508-946-2481 Fax 508-946-2484

Andrew P. Bagas
D. P. W. Director

DIVISIONS
Highway
Sanitation
Insect & Pest Control
Tree Warden
Wastewater
Water

July 6, 2011

RECEIVED
10:08 a.m.
JUL 06 2011
Allison J. Ferreira
TOWN CLERK

To: Board of Selectmen
15 Nickerson Ave
Middleboro, MA 02346

From: Andrew Bagas

RE: Water Resource Protection District

Attached please find an application for the Town of Middleboro Water Resource Protection District for the Middleboro Department of Public Works.

The intent of the application is to replace the existing culvert under Wood Street at Fall Brook. The project has been issued an Order of Conditions by the Conservation Commission (see attached).

TOWN OF MIDDLEBOROUGH
WATER RESOURCE PROTECTION DISTRICT
PETITION SUBMITTAL CHECKOFF SHEET

Applicant must initial each item or the application/petition will not be accepted.

No.	Description	Initial	N/A
1.	The plan has a cover page showing the location of the water supply Zone 2 and 3, with the proposed project site identified.	AB	
2.	The plan has street location(s), number, buildings and driveway and shows the acreage of the lot in square feet.		✓
3.	The plan shows existing waterways adjacent, on or near the property.	AB	
4.	The plan is stamped by BOTH a registered Land Surveyor and a Civil Professional Engineer.		
	Note: If the site has no approval required other than a home lot then a Land Surveyor stamp will be accepted.		✓
5.	The plan contains topography, wetland delineations, local storm water discharge points, on site drainage systems and septic systems.	AB	
6.	The plan provides details for work done or proposed for any component outlined in No. 5 (above).	AB	
7.	The submittal contains the abutters list.	AB	
8.	The submittal contains calculations for any proposed on site stormwater retainage, storage tanks and spill containment, on site drainage and recharge.		✓
9.	The submittal contains a statement that the project has been designed to minimize large scale lot disturbances and has implemented methods to encourage infiltration of site runoff and preservation of groundcover.	AB	
10.	The submittal contains a statement that there will be no removal of soil closer than four (4) feet to the groundwater table, as determined through Title 5 Soil Evaluation methods.		✓

No.	Description	Initial	N/A
11.	The submittal contains a statement that if there is to be storage of hazardous wastes, sludges, deicing chemicals, fertilizers or oil, that appropriate methods have been provided to contain any spillage.	AB	
12.	The submittal contains a statement that outside stored material will have no impact to the groundwater.	AB	

Incorporated 1669
341 Years of Progress

CRANBERRY CAPITAL
OF THE WORLD

Town of Middleborough
Massachusetts
Department of Public Works
48 Wareham Street
Middleborough, MA 02346
Phone 508-946-2481 Fax 508-946-2484

Andrew P. Bagas
D. P. W. Director

DIVISIONS
Highway
Sanitation
Insect & Pest Control
Tree Warden
Wastewater
Water

Additional Information for the Water Resource Protection District Checkoff Sheet

Item #1, The Wood Street Culvert is located within Zone III of the East Grove Street Pumping Station, approximately 6,000' to the south of the well.

In accordance of item #11 of the application check off sheet, "...if there is to be storage of hazardous wastes, sludges, deicing chemicals, fertilizers or oil, that appropriate methods have been provided to contain any spillage."

In accordance with item #12, "...outside stored material will have no impact to the groundwater."

Andrew Bagas, DPW Director

Middleborough Assessors Office
10 Nickerson Avenue
Middleborough, MA 02346

ABUTTER'S LIST CERTIFICATION PAGE***

Date: 06/29/2011

Board of Selectmen
Board name for certification

This is a certified abutter's list for 300 feet in every direction*, including across the street of the following parcels.**

70	1484	WOOD ST
70	1469	WOOD ST
70	2945	WOOD ST
70	3173	WOOD ST
70	4767	WOOD ST

_____, Senior Clerk
for the Middleborough Board of Assessors

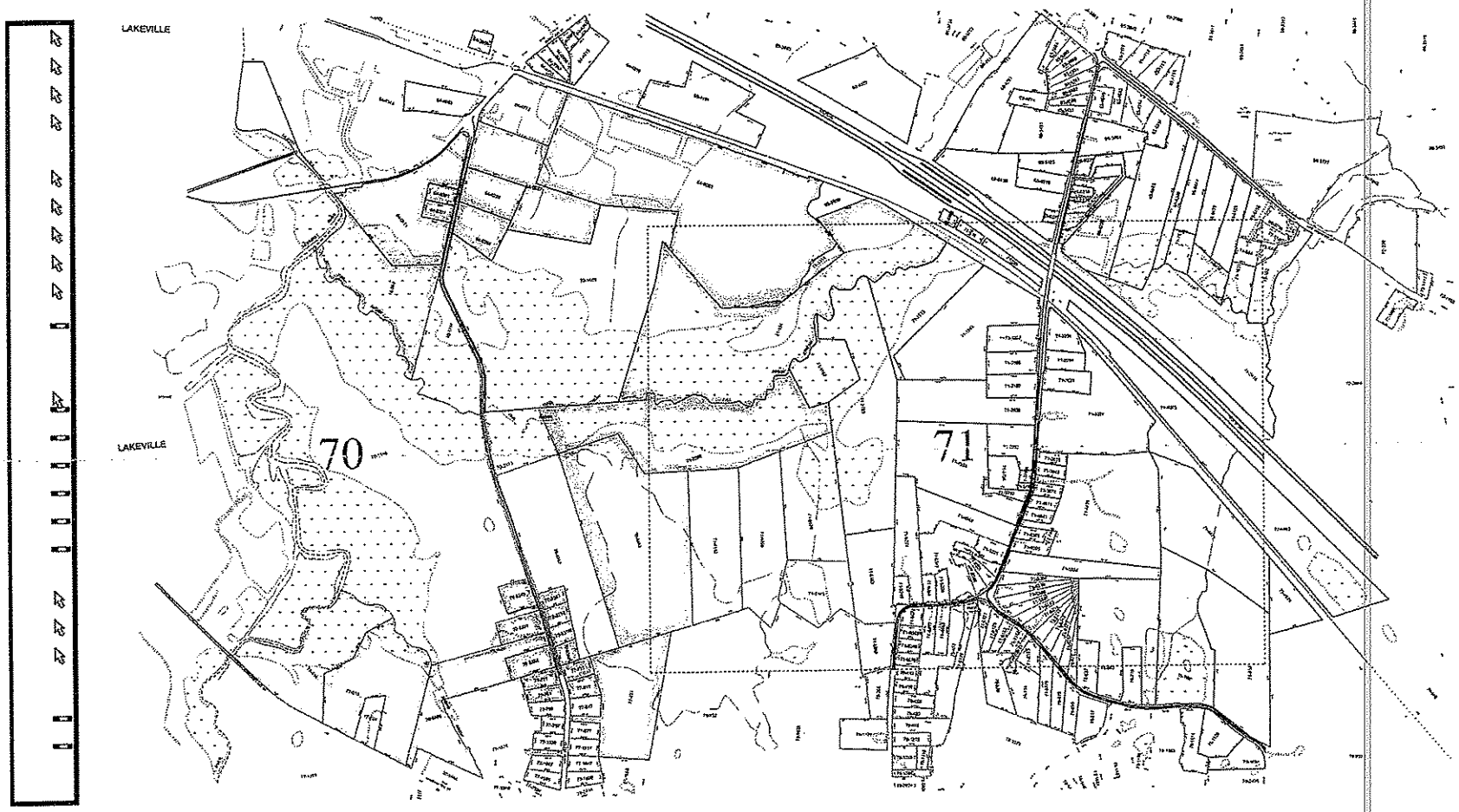
(This list consists of 3 pages with a total of 5 locus lots and 31 abutter's lots)

*This list does not include any parcels in Lakeville which may abut the locus.
** The locus lots are included as abutters.

***Please note: There is no additional charge for this page and it is intended to certify the information on the preceding or attached document (s)

LOCUS

ABUTTERS



		APPLICANT NAME ***Andy Bagas***	***CONTACT #*** ***508-946-2480***		***NAME OF BOARD*** ***Selectmen***	***REASON FOR PROJECT*** ***Wood Street Culvert Replacement***	***PAGE*** ***1 of 3***	***DATE*** ***June 29, 2011***
		LOCUS						
Map	Lot	Parcel Location	Owner	C/O Owner	Mailing Address	City	St	Zip
70	1484	WOOD ST	WEEKS, ROBERT L	C/O N E REFRIG TERMINAL	P O BOX 191,	MIDDLEBORO	MA	02346
70	1469	WOOD ST	TOWN OF MIDDLEBOROUGH		10 NICKERSON AVE	MIDDLEBORO	MA	02346
70	2945	WOOD ST	FREITAS, LEOLA	C/O JOSEPH F FREITAS JR	95 VAUGHAN ST	MIDDLEBORO	MA	02346
70	3173	WOOD ST	TOWN OF MIDDLEBOROUGH		10 NICKERSON AVE	MIDDLEBORO	MA	02346
70	4767	WOOD ST	FREITAS, JOSEPH F & LEOLA L ETAL	C/O JOSEPH F FREITAS JR	95 VAUGHAN ST	MIDDLEBORO	MA	02346

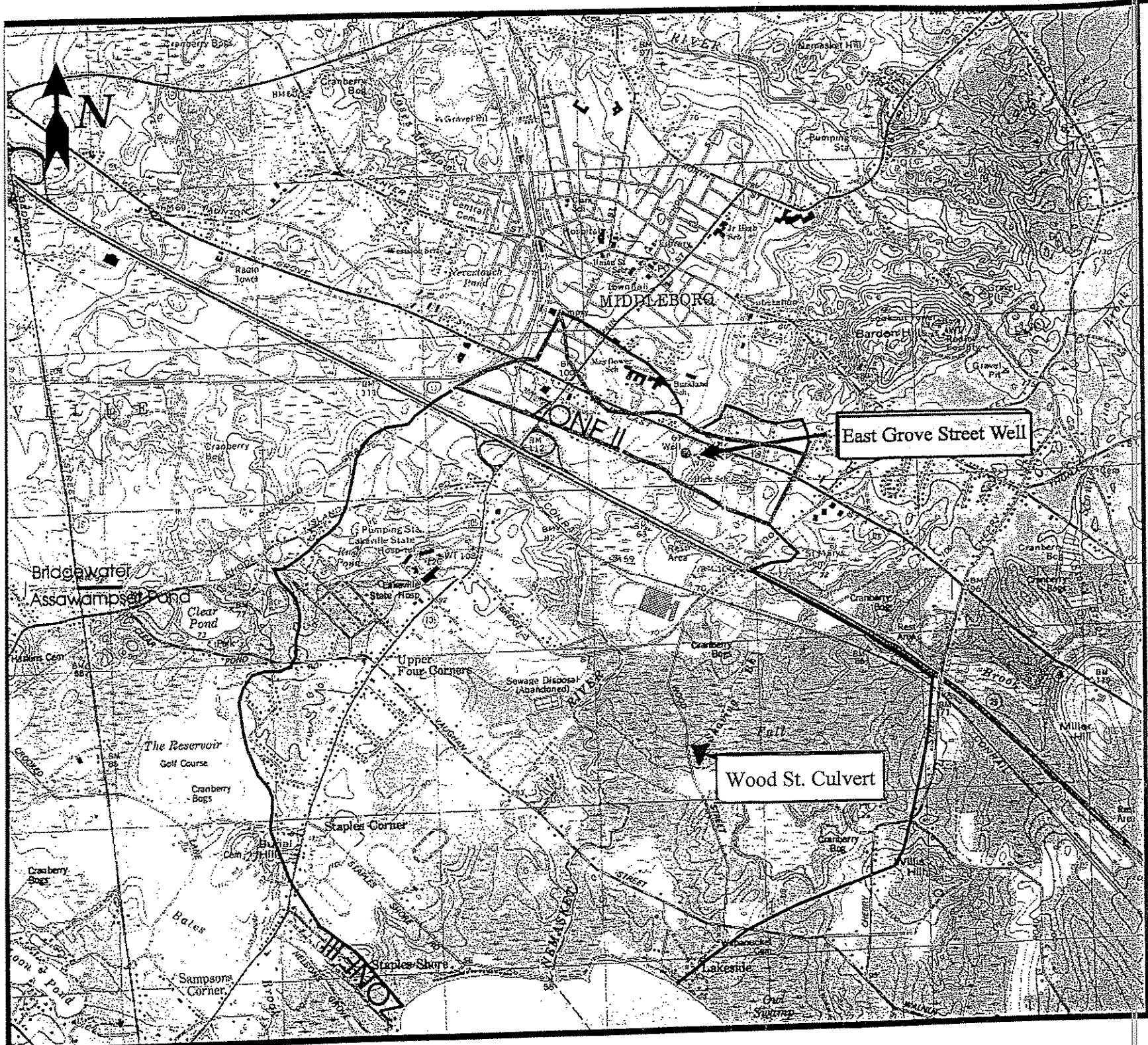


Figure 6

DEP CONCEPTU
II AND I
EAST GROVE STR
MIDDLEBORO

Municipality: Town of Middlebor
PWS Identification # 182-04G
Name of Water Supply: East Gro
Water Purveyor: Middleborough
Source Identification #
Title of Study: RESULTS OF PR
PUMPING TEST AND CONCE
DELINEATION AT EAST GRO
WELL, MIDDLEBOROUGH, M
USGS Quadrangle Names: Bridg
Pond
Consultant: DeFeo, Wait & Pare
Date of Submittal: 11/95
Latitude/Longitude of Source:
41 52 55 N/ 70 54 37 W

Signitures: Da

Water Purveyor/Project Proponen

Consultant

Patrick S. O'Neal

Regional Water Supply Chief

Legend:

ZONE II
ZONE III Sc

TUNDRA

DeFeo,
31 Bellow
Raynham
A Tundra C

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:
SE220-1153
MassDEP File #

eDEP Transaction #

Middleborough
City/Town

A. General Information

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

1. From: Middleborough Conservation Commission

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

3. To: Applicant:

a. First Name:
b. Last Name:
c. Organization: Middleborough DPW
d. Mailing Address: 48 Wareham Street
e. City/Town: Middleborough
f. State: MA
g. Zip Code: 02346

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

4. Property Owner (if different from applicant):

a. First Name:
b. Last Name:
c. Organization:
d. Mailing Address:
e. City/Town:
f. State:
g. Zip Code:

5. Project Location:

a. Street Address: Wood Street
b. City/Town: Middleborough
c. Assessors Map/Plat Number: Map 70
d. Parcel/Lot Number: Lot 1469

Latitude and Longitude, if known: d m s (d. Latitude) d m s (e. Longitude)

A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):

Plymouth	
a. County	b. Certificate Number (if registered land)
3569 & 3516	670 & 299
c. Book	d. Page

7. Dates: April 8, 2011 (a. Date Notice of Intent Filed) May 19, 2011 (b. Date Public Hearing Closed) May 31, 2011 (c. Date of Issuance)

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

Culvert Replacement Wood Street Middleborough, MA (4 sheets)	
a. Plan Title	
AECOM	Matthew Mullally, P.E.
b. Prepared By	c. Signed and Stamped by
May 19, 2011	1" = 10', 1" = 40', 1" = 4', 1" = 20'
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.

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) _____ 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. ☐ Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
5. ☒ Bordering Vegetated Wetland	1797 a. square feet	b. square feet	1800 c. square feet	d. square feet
6. ☐ Land Under Waterbodies and Waterways	a. square feet	b. square feet	c. square feet	d. square feet
	e. c/y dredged	f. c/y dredged		
7. ☐ Bordering Land Subject to Flooding	a. square feet	b. square feet	c. square feet	d. square feet
Cubic Feet Flood Storage	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. ☐ Isolated Land Subject to Flooding	a. square feet	b. square feet		
Cubic Feet Flood Storage	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. ☒ Riverfront Area	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	350 s.f. 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

B. Findings (cont.)

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

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. ☐ Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. ☐ Land Under the Ocean	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
12. ☐ Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. ☐ Coastal Beaches	a. square feet	b. square feet	cu yd c. nourishment	cu yd d. nourishment
14. ☐ Coastal Dunes	a. square feet	b. square feet	cu yd c. nourishment	cu yd d. nourishment
15. ☐ Coastal Banks	a. linear feet	b. linear feet		
16. ☐ Rocky Intertidal Shores	a. square feet	b. square feet		
17. ☐ Salt Marshes	a. square feet	b. square feet	c. square feet	d. square feet
18. ☐ Land Under Salt Ponds	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
19. ☐ Land Containing Shellfish	a. square feet	b. square feet	c. square feet	d. square feet
20. ☐ 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. ☐ Land Subject to Coastal Storm Flowage	a. square feet	b. square feet		

B. Findings (cont.)

* #22. 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.

22. ☐ Restoration/Enhancement *:

a. square feet of BVW _____ b. square feet of salt marsh _____

23. ☒ Stream Crossing(s):

a. number of new stream crossings: None
b. number of replacement stream crossings: one

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.
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. 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.
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.

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

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 then two square feet or more than three square feet in size bearing the words,

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

    "File Number SE220-1153 "

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.

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.

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

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.

NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS

19. **The work associated with this Order (the "Project") is** (1) ☐ **is not** (2) ☒ **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;
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. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

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.

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):

See attached Standard Conditions

Contractor needs to fill out Category 1 Army Corps of Engineers Permit and notify conservation commission

Standard Conditions **DEP File #: SE220-1153**
Applicant: Town of Middleborough, DPW

1. A member of the Conservation Commission or its agent may enter and inspect the property and the activity that are the subjects of this Order of Conditions (OOC) at all reasonable times, with or without probable cause or prior notice, ~~and until a Certificate of Compliance (COC) is issued, for the limited purpose~~ of evaluating compliance with this OOC.

2. The term "applicant" as used in this OOC shall refer to the owner, any successor in interest or successor in control of the property referenced in the Notice of Intent, supporting documents and this OOC. The Commission shall be notified in writing within 30 days of all transfers of title of any portion of property that take place prior to the issuance of the COC.

3. This document shall be included by reference in all contracts, plans and specifications dealing with the activity that is the subject of this OOC, and that are created or modified after the issuance date of this OOC, along with a statement that this OOC shall supersede any conflicting contractual arrangements, plans or specifications.

4. The applicant shall provide a copy of this OOC to the person or persons supervising the activity that is the subject of this OOC, and will be responsible for ensuring that all persons performing the permitted activity are fully aware of the terms and conditions of this OOC.

5. If any change is made in the above-described plan(s) which may or will alter an area subject to protection under the Wetlands Protection Act, 310 CMR 10.00, the applicant shall inquire from this Commission or its agent, prior to implementing the change in the field, whether the change is significant enough to require the filing of a new Notice of Intent. Any errors in the plans or information submitted by the applicant shall be considered changes and the above procedures shall be followed.

6. It is the responsibility of the applicant to complete any review required by all agencies with jurisdiction over the activity that is the subject of this OOC, and to procure all required permits or approvals before any work commences. These reviews, permits and approvals may include but are not limited to the following:
   a. Review by the U.S. Army Corps of Engineers for any Category 2 or Individual Permit activity, and procurement of any permits or approvals identified by the Corps;
   b. Review by the Department of Environmental Protection (DEP) and procurement of any permits or approvals identified by DEP;

c. Review by the Massachusetts Natural Heritage and Endangered Species Program for any projects within estimated and/or priority habitat and any permits or approvals identified by the Program;
d. Review by local planning boards, boards of health, zoning boards, and building inspectors, and procurement of any permits or approvals required by these boards or agencies.

7. All construction materials, earth stockpiles, landscaping materials, slurry pits, waste products, refuse, debris, stumps, slash, or excavate may only be stockpiled or collected in areas as shown and labeled on the approved plan(s), or if no such areas are shown must be placed or stored outside all resource areas and associated buffer zones (unless authorized to do so) under cover and surrounded by a double-staked row of hay bales to prevent contact with rain water.

8. No material of any kind may be buried, placed or dispersed in areas within the jurisdiction of the Commission by activities that are the subject of this OOC, except as are expressly permitted by this OOC or the plans approved herein.

9. There shall be no pumping of water from wetland resource areas.

10. All waste products, grubbed stumps, slash, construction materials, etc. shall be deposited at least 100 feet from wetland resource areas unless specified in this OOC.

11. No fuel, oil, or other pollutants shall be stored in any resource area or the buffer zone thereto, unless specified in this OOC or expressly authorized by the Commission or their agent.

12. Any material placed in wetland resource areas by the applicant without express authorization under this OOC shall be removed by the applicant upon demand by the Conservation Commission or its agent.

13. There shall be no underground storage of fuel or other hazardous substance in areas within the jurisdiction of the Conservation Commission.

14. Removal and storage of hazardous waste, if in an area subject to protection under the Wetlands Protection Act shall be as follows:
    a. Removal and storage shall be conducted only when approved and directed by DEP, the U.S. Environmental Protection Agency (EPA) or other applicable state or federal agency under which remedial activities are

b. directed and shall be conducted in the manner specified in the Notice of Intent and appropriate agency directives.
c. All hazardous materials, products and waste produced, stored or removed must be handled, treated and disposed of in accordance with local, state and federal law regulating such materials and must be located outside of the buffer zone to wetland resource areas, unless specifically authorized by the OOC and appropriate state and federal licensing and permitting agencies.
d. No hazardous waste shall be introduced or discharged into or toward wetland resource areas.
e. No hazardous waste shall be introduced or discharged into the sanitary or sewage systems in such a manner which will result in an impact to wetland resource areas unless approved by the Conservation Commission, board of health, DEP and/or EPA.
f. Identification of all types of hazardous materials used, produced or stored shall be submitted to the Conservation Commission in writing.

15. No trash dumpsters will be allowed within 100 feet of areas subject to protection under the Wetlands Protection Act unless authorized by the OOC.

16. This OOC shall pertain to the roadways, utilities within the roadway layout, and associated drainage facilities. Individual lot construction, including driveways, lot utilities, sewage and water, if under the Commission's jurisdiction, shall require individual Notices of Intent and/or Requests for Determination.

17. This OOC authorizes only the activity described on the approved plans(s) and approved documents referenced in this OOC. Any other or additional activity in areas within the jurisdiction of the Commission will require separate review and approval by the Commission or its agent.

Strict compliance with these Standard Conditions may be waived when in the judgment of the Conservation Commission such action is in the public interest and not inconsistent with the Wetlands Protection Act.

D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? ☐ Yes ☐ No
2. The _____ hereby finds (check one that applies):
   Conservation Commission
   a. ☐ that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

      _____ _____
      1. Municipal Ordinance or Bylaw 2. Citation

      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:

      _____ _____
      1. Municipal Ordinance or Bylaw 2. Citation
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):

   _____

   _____

   _____

   _____

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: SE220-1153
MassDEP File #

eDEP Transaction #
Middleborough
City/Town

E. Signatures

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

tab

return

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

Please indicate the number of members who will sign this form.
This Order must be signed by a majority of the Conservation Commission.

5/31/11
1. Date of Issuance

FOUR
2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy must be mailed, hand delivered or filed electronically at the same time with the appropriate MassDEP Regional Office.

Signatures:

Steven Ventresca

John J. Medeiros

[illegible]

[illegible]

☒ by hand delivery on 5/31/11
Date

☐ by certified mail, return receipt requested, on
Date

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 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.

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.

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.

Middleborough
Conservation Commission

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

To:

Middleborough
Conservation Commission

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

Wood Street — Project Location
SE220-1153 — MassDEP File Number

Has been recorded at the Registry of Deeds of:

Plymouth — County
3569 & 3516 — Book
670 & 299 — 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:

5/31/11
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 Seal)

The Board of Selectmen will hold a public hearing in the Selectmen's Meeting Room at the Town Hall, 10 Nickerson Avenue, Middleborough, MA on Monday, September 12, 2011 at 8:00 PM for the purpose of discussing an application filed by Ferdinand J. Kiley, III, for a Special Permit under the Water Resource Protection District By-law, to install a reinforced soil lawn paver emergency access driveway, to install a drainage out fall, and for the creation of wetland replacement totaling 5,064 square feet over two areas located within twenty-five (25) feet of the fresh water wetlands. This project is located at 35 East Main Street, Map 51, Lot 4245, WRPD Z3. Anyone wishing 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: August 24, 2011 and September 1, 2011

*Payment is forthcoming - Advertiser #300074

Town of Middleborough

CONSERVATION COMMISSION

RECEIVED
AUG 23 2011
TOWN MANAGER'S OFFICE
MIDDLEBOROUGH, MA

MEMORANDUM

TO: Board of Selectmen

FROM: Patricia J. Cassady, Conservation Agent

DATE: August 19, 2011

SUBJECT: W.R.P.D. Application – 35 East Main Street (Map 51, Lot 4245)

The above-mentioned is to install a reinforced soil lawn paver emergency access driveway, to install a drainage out fall, and for the creation of wetland replacement totaling 5,064 square feet over two areas located within 25-feet of the fresh water wetlands.

The Conservation Commission issued an Order of Conditions on July 14, 2011 to approve the project with several special conditions. (See attached Order)

This project was not submitted to the Conservation Commission under the Notice of Intent as a Limited Project (310 CMR 10.53(3)), however this project does fall within other exemptions with regard to the W.R.P.D.

Under Section XII (3) G. 3. i. ii: Creation of wetland replacement or flood storage mitigation for the wetland replication that is required due to the filling of wetlands for the emergency access.

Under Section XII (3) G. 3. i. iii: Installation of drainage outfalls or outlet swales where no alternative is feasible due to elevation or hydraulic connection but not including primary drainage structures such as detention/retention basins, berms, water quality swales, etc. This would apply to the drainage outfall that is proposed.

Under Section XII (3) G. 3. i. iv: Maintenance and construction of trails, creation of public parks or resource improvement projects such as the cleaning of streams may be permitted upon issuance of a Special Permit by the SPGA which shall consider the report and recommendations of the Board of health, Planning Board and Conservation Commission. Such *Special Permit may be conditional upon safeguards and requirements to protect water resources, health, safety and welfare....* The proposed emergency access that the Fire Department is requiring seems to fit this part of the bylaw although you may want to consult Town Counsel about this.

If you have any other questions or concerns I can be contacted 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

Provided by MassDEP:
SE220-1151
MassDEP File #

eDEP Transaction #

Middleborough
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: Middleborough
Conservation Commission

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

3. To: Applicant:

Ferdinand — a. First Name
Kiley — b. Last Name
c/o The Heritage Companies — c. Organization
70 Quincy Avenue — d. Mailing Address
Quincy — e. City/Town
MA — f. State
02169 — g. Zip Code

4. Property Owner (if different from applicant):

a. First Name
b. Last Name
Winthrop-Atkins Co., Inc. — c. Organization
35 East Main Street — d. Mailing Address
Middleborough — e. City/Town
MA — f. State
02346 — g. Zip Code

5. Project Location:

35 East Main Street — a. Street Address
Middleborough — b. City/Town
Map 51 — c. Assessors Map/Plat Number
Lot 4245 — d. Parcel/Lot Number

Latitude and Longitude, if known: 041d53m43Ns — d. Latitude; 070d54m7Ws — e. Longitude

Rec'd 7/20/2011

A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
   Plymouth — a. County
   b. Certificate Number (if registered land)
   1883 — c. Book
   490 — d. Page
7. Dates: April 11, 2011 — a. Date Notice of Intent Filed; June 16, 2011 — b. Date Public Hearing Closed; July 14, 2011 — c. Date of Issuance
8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
   Site Plan for Notice of Intent Residences at Star Mill 35 East Main Street Middleborough Massachusetts - See attached List
   Advanced Concepts Engineering Corp. — b. Prepared By
   Dana R. Clow, P.E. & Glenn D Odone Jr., R.L.S.
   June 16, 2011 — 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.

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) _____ 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. ☐ Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
5. ☒ Bordering Vegetated Wetland	2200 a. square feet	2200 b. square feet	4834 c. square feet	4834 d. square feet
6. ☐ Land Under Waterbodies and Waterways	a. square feet	b. square feet	c. square feet	d. square feet
	e. c/y dredged	f. c/y dredged		
7. ☐ Bordering Land Subject to Flooding	a. square feet	b. square feet	c. square feet	d. square feet
Cubic Feet Flood Storage	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. ☐ Isolated Land Subject to Flooding	a. square feet	b. square feet		
Cubic Feet Flood Storage	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. ☐ 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

B. Findings (cont.)

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

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. ☐ Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. ☐ Land Under the Ocean	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
12. ☐ Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. ☐ Coastal Beaches	a. square feet	b. square feet	c. nourishment cu yd	d. nourishment cu yd
14. ☐ Coastal Dunes	a. square feet	b. square feet	c. nourishment cu yd	d. nourishment cu yd
15. ☐ Coastal Banks	a. linear feet	b. linear feet		
16. ☐ Rocky Intertidal Shores	a. square feet	b. square feet		
17. ☐ Salt Marshes	a. square feet	b. square feet	c. square feet	d. square feet
18. ☐ Land Under Salt Ponds	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
19. ☐ Land Containing Shellfish	a. square feet	b. square feet	c. square feet	d. square feet
20. ☐ 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. ☐ Land Subject to Coastal Storm Flowage	a. square feet	b. square feet		

B. Findings (cont.)

* #22. 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.

22. ☐ Restoration/Enhancement *:

a. square feet of BVW _____ b. square feet of salt marsh _____

23. ☐ 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.
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. 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.
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.

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

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 then two square feet or more than three square feet in size bearing the words,

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

    "File Number SE220-1151 "

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.

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.

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

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.

NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS

19. **The work associated with this Order (the "Project") is** (1) ☐ **is not** (2) ☒ **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;
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. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

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.

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):

See Attached Sheets

D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? ☐ Yes ☒ No
2. The _____ hereby finds (check one that applies):
   Conservation Commission
   a. ☐ that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

      _____ _____
      1. Municipal Ordinance or Bylaw 2. Citation

      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:

      _____ _____
      1. Municipal Ordinance or Bylaw 2. Citation
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):

   _____

   _____

   _____

   _____

Applicant: The Heritage Companies
Representative: Advanced Concepts Engineering Corp.
DEP File # SE220-1151
Site: Winthrop-Atkins 35 East Main Street, Middleborough, MA
Plans accepted by the Middleborough Conservation Commission

1.) Cover Sheet: Site Plan for Notice of Intent Residences at Star Mill 35 East Main Street, Middleborough, Massachusetts Revised date of June 16, 2011 (As noted, each sheet)
2.) Existing Condition Plan: Scale 1" = 40' Revisions: 6/02/2011 Sheet No. 7 Added
3.) Layout and Zoning Plan: Scale 1" = 30' Revisions: 6/16/2011 No Change
4.) Grading and Drainage Plan: Scale 1" = 30' and Replication Detail Scale 1" = 20' Revisions 6/16/2011 Indicate Replication Area in Grading Plan View
5.) Drainage Notes & Details: Bioretention area scale 1" = 5' Revisions 6/16/2011 No Change
6.) Erosion Control Plan, Notes & Details: Scale 1" = 20' Revisions 6/16/2011 Add Wetland Replication Area; Adjust Siltation Fence/Limit of Work
7.) Wetland Replication Plan: Scale 1" = 20' Revisions 6/16/2011 No Change

Standard Conditions **DEP File #: SE220-1151**
Applicant: The Heritage Companies

1. A member of the Conservation Commission or its agent may enter and inspect the property and the activity that are the subjects of this Order of Conditions (OOC) at all reasonable times, with or without probable cause or prior notice, and until a Certificate of Compliance (COC) is issued, for the limited purpose of evaluating compliance with this OOC.

2. The term "applicant" as used in this OOC shall refer to the owner, any successor in interest or successor in control of the property referenced in the Notice of Intent, supporting documents and this OOC. The Commission shall be notified in writing within 30 days of all transfers of title of any portion of property that take place prior to the issuance of the COC.

3. This document shall be included by reference in all contracts, plans and specifications dealing with the activity that is the subject of this OOC, and that are created or modified after the issuance date of this OOC, along with a statement that this OOC shall supersede any conflicting contractual arrangements, plans or specifications.

4. The applicant shall provide a copy of this OOC to the person or persons supervising the activity that is the subject of this OOC, and will be responsible for ensuring that all persons performing the permitted activity are fully aware of the terms and conditions of this OOC.

5. If any change is made in the above-described plan(s) which may or will alter an area subject to protection under the Wetlands Protection Act, 310 CMR 10.00, the applicant shall inquire from this Commission or its agent, prior to implementing the change in the field, whether the change is significant enough to require the filing of a new Notice of Intent. Any errors in the plans or information submitted by the applicant shall be considered changes and the above procedures shall be followed.

6. It is the responsibility of the applicant to complete any review required by all agencies with jurisdiction over the activity that is the subject of this OOC, and to procure all required permits or approvals before any work commences. These reviews, permits and approvals may include but are not limited to the following:
   a. Review by the U.S. Army Corps of Engineers for any Category 2 or Individual Permit activity, and procurement of any permits or approvals identified by the Corps;
   b. Review by the Department of Environmental Protection (DEP) and procurement of any permits or approvals identified by DEP;

c. Review by the Massachusetts Natural Heritage and Endangered Species Program for any projects within estimated and/or priority habitat and any permits or approvals identified by the Program;
d. Review by local planning boards, boards of health, zoning boards, and building inspectors, and procurement of any permits or approvals required by these boards or agencies.

7. All construction materials, earth stockpiles, landscaping materials, slurry pits, waste products, refuse, debris, stumps, slash, or excavate may only be stockpiled or collected in areas as shown and labeled on the approved plan(s), or if no such areas are shown must be placed or stored outside all resource areas and associated buffer zones (unless authorized to do so) under cover and surrounded by a double-staked row of hay bales to prevent contact with rain water.

8. No material of any kind may be buried, placed or dispersed in areas within the jurisdiction of the Commission by activities that are the subject of this OOC, except as are expressly permitted by this OOC or the plans approved herein.

9. There shall be no pumping of water from wetland resource areas.

10. All waste products, grubbed stumps, slash, construction materials, etc. shall be deposited at least 100 feet from wetland resource areas unless specified in this OOC.

11. No fuel, oil, or other pollutants shall be stored in any resource area or the buffer zone thereto, unless specified in this OOC or expressly authorized by the Commission or their agent.

12. Any material placed in wetland resource areas by the applicant without express authorization under this OOC shall be removed by the applicant upon demand by the Conservation Commission or its agent.

13. There shall be no underground storage of fuel or other hazardous substance in areas within the jurisdiction of the Conservation Commission.

14. Removal and storage of hazardous waste, if in an area subject to protection under the Wetlands Protection Act shall be as follows:
    a. Removal and storage shall be conducted only when approved and directed by DEP, the U.S. Environmental Protection Agency (EPA) or other applicable state or federal agency under which remedial activities are

b. directed and shall be conducted in the manner specified in the Notice of Intent and appropriate agency directives.
c. All hazardous materials, products and waste produced, stored or removed must be handled, treated and disposed of in accordance with local, state and federal law regulating such materials and must be located outside of the buffer zone to wetland resource areas, unless specifically authorized by the OOC and appropriate state and federal licensing and permitting agencies.
d. No hazardous waste shall be introduced or discharged into or toward wetland resource areas.
e. No hazardous waste shall be introduced or discharged into the sanitary or sewage systems in such a manner which will result in an impact to wetland resource areas unless approved by the Conservation Commission, board of health, DEP and/or EPA.
f. Identification of all types of hazardous materials used, produced or stored shall be submitted to the Conservation Commission in writing.

15. No trash dumpsters will be allowed within 100 feet of areas subject to protection under the Wetlands Protection Act unless authorized by the OOC.

16. This OOC shall pertain to the roadways, utilities within the roadway layout, and associated drainage facilities. Individual lot construction, including driveways, lot utilities, sewage and water, if under the Commission's jurisdiction, shall require individual Notices of Intent and/or Requests for Determination.

17. This OOC authorizes only the activity described on the approved plans(s) and approved documents referenced in this OOC. Any other or additional activity in areas within the jurisdiction of the Commission will require separate review and approval by the Commission or its agent.

Strict compliance with these Standard Conditions may be waived when in the judgment of the Conservation Commission such action is in the public interest and not inconsistent with the Wetlands Protection Act.

Special Conditions for The Heritage Companies
Winthrop-Atkins 35 East Main Street, Middleborough, Massachusetts
DEP File # SE220-1151

1. The wetland replication on the easterly end of the site shall have silt fence installed prior to excavating the area.

2. The Town will provide documentation for discussion on the creation of a river walk easement along the Nemasket River.

3. From the DEP File # sheet: If impacts to resource areas or project size increases beyond that described in the NOI or there are discrepancies therein, you must notify MassDEP and the Commission and request a determination that the criteria of 314 CMR 9.03 have been met before the activity may begin.

Prior to Construction:

1. Prior to any work commencing on site, the applicant shall submit for the Commission's approval a detailed, written sequence of construction.

2. Prior to the commencement of any activity on this site other than the placement of erosion control marker stakes, the applicant shall arrange, at the discretion with the Commission or its agent to conduct a Pre-Activity Meeting between the applicant or the applicant's representative, the persons or supervisor responsible for the work, and a member of the Conservation Commission or its agent.

3. Prior to any activity on site, the limit of work shall be clearly marked with erosion control, construction fencing, stakes or flags, and shall be confirmed by the Commission or its agent. Such markers shall be checked and replaced as necessary and shall be maintained until all construction is complete. Workers shall be informed that no use of machinery, storage of machinery or materials, stockpiling of soil or construction activity is to occur beyond this line at any time.

During Construction:

1. All equipment shall be inspected regularly for leaks. Any leaking hydraulic lines, cylinders or any other components shall be fixed immediately.
2. Upon beginning of work, the project supervisor or environmental professional shall submit to the Conservation Commission written progress reports once a month. Progress reports shall indicate what work has been done in wetland resource areas and associated buffer zones, and what work is anticipated to be done over the next reporting period. The reports shall also address the current condition of erosion and sedimentation controls; describe any erosion and sedimentation control repair and/or replacement; and describe any erosion or sedimentation problems and mitigation measures implemented.
3. A copy of this OOC, construction plans, and copies of the documents and reports shall be on site upon commencement and during any site work for contractors to view and adhere to.

4. In case of emergencies, problems, or the need to discuss site conditions with the Conservation Commission, please contact the Commission or its agent during business hours at 508-946-2406.
5. The burial of stumps and any other type of construction refuse or other waste material is prohibited.

Erosion Control:

1. The Commission reserves the right to impose additional conditions on portions of this project to mitigate any impacts which could result from site erosion, or any noticeable degradation of surface water quality discharging from the site.
2. All existing and proposed catch basins and oil traps on the site or on the streets adjacent to the project shall be protected by Silt Sacks or other device deemed appropriate by the Conservation Commission to prevent sediment from entering the drainage system. Silt sacks or other devices shall be maintained and regularly cleaned of sediments until all areas associated with the work permitted by this Order of Conditions have been permanently stabilized and the Commission and/or Staff has formally approved their removal.
3. Dewatering activities shall be monitored daily to ensure that sediment-laden water is appropriately settled prior to discharge toward the wetland resource areas. No discharge of water is allowed directly into an area subject to jurisdiction of the Wetlands Protection Act.

In perpetuity:

1. The maintenance or repair, by the property owner of record or designee, of detention basins, supporting drainage systems, storm water management best management practices, other than those in the public way shall be the responsibility of the applicant/property owner. The design capacity, storm water management treatment capacity, and structural integrity of these facilities must be maintained.
2. De-icing chemicals (e.g., sodium, potassium, and calcium chloride) are prohibited on driveways located in wetland resource areas and buffer zones. This condition shall survive the expiration of this OOC, and shall be included as a continuing condition in perpetuity on the COC.

Stormwater:

1. In the event that groundwater is encountered during the installation of infiltration structures, the applicant shall contact the Conservation Commission immediately to discuss alternative designs/solutions.
2. Pre-development water quality shall be determined by analysis of at least 4 samples collected at the Nemasket River (2) and groundwater on site (2), in the summer and fall for Phosphates, sodium, nitrates, nitrites, and turbidity. The results of the analyses shall be submitted to the Commission, together with a written report detailing the sampling conditions, methods of analyses, detection limit, sensitivity and analytical results.

3. Following completion of construction and before a COC may be issued, water samples shall be again collected and analyzed for comparison with the original samples, and the results shall be reported to the Commission in writing. No COC will be issued until post-development monitoring shows that water quality does not differ significantly from pre-development water quality.
4. If the water quality in the post-development samples differs significantly from the pre-development quality, the applicant shall meet with the Conservation Commission to determine what additional measures should be implemented to restore water quality to its pre-development condition.

Replication:

1. The wetland replication shall be performed in accordance with the plans referenced above; including the Planting Plan dated June 16, 2011. The Commission reserves the right to require additional plantings to ensure achievement of 75 percent cover of wetland species within two full growing seasons, as specified in 310 CMR 10.55 (4) (b).
2. The Commission shall be give 48 hours notice prior to the beginning of construction of the replacement area. The Commission must meet with the construction engineer and the wetland specialists to discuss the requirement and to ensure compliance with all special conditions.
3. Any damage caused as a direct result of this project to any wetland resource areas shall be the responsibility of the applicant to repair, restore and/or replace. Sedimentation or erosion into these areas shall be considered damage to wetland resource areas. If sediment reaches these areas the Commission shall be contacted and a plan for abatement of the problem and proposed restoration/mitigation measures shall be submitted for approval and implementation.
4. Siltation barriers shall be placed at the perimeter of the replication area and at the top of any unstabilized adjacent slope. These will remain in place and be maintained until all areas are completely stabilized.
5. The Commission reserves the right to impose additional conditions on portions of this project to mitigate any impacts which could result from wetland alteration or replication activities.

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:
SE220-1151
MassDEP File #

eDEP Transaction #

Middleborough
City/Town

E. Signatures

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

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

July 14, 2011
1. Date of Issuance

Please indicate the number of members who will sign this form.
This Order must be signed by a majority of the Conservation Commission.

Six
2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy must be mailed, hand delivered or filed electronically at the same time with the appropriate MassDEP Regional Office.

Signatures:

Steven Ventresca

John J. Medeiros

☒ by hand delivery on 7/20/2011
Date

☐ by certified mail, return receipt requested, on
Date

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 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.

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.

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.

Middleborough
Conservation Commission

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

To:

Middleborough
Conservation Commission

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

35 East Main Street — Project Location
SE220-1151 — MassDEP File Number

Has been recorded at the Registry of Deeds of:

Plymouth — County
1883 — Book
490 — 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:

July 14, 2011
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 Middleborough
20 Centre Street, Second Floor
Middleborough, Massachusetts 02346

Robert J. Whalen
Building Commissioner
Tel. 508-946-2426
Fax 508-946-2305

September 7, 2011

Middleborough Board of Selectmen
Middleborough Town Offices
10 Nickerson Ave
Middleborough, MA 02346

Subject: Application for W.R.P.D. Special Permit for 35 East Main Street, Assessors' Map: 051 Lot: 4245 Zoned GU/W.R.P.D. Z3.

Honorable Board,

I have reviewed the application filed by Advanced Concepts Engineering, Corp. dated: August 1, 2011 for a special permit under the Water Resource Protection District By-Law to install a reinforced soil lawn paver emergency access driveway extending along the side of the existing building to the rear building line as requested by the Middleborough Fire Department, to install drainage out fall and for the creation of wetland replacement totaling 5,064 square feet over two areas located within twenty five feet of the fresh water wetlands. The projects listed above are allowed under the Water Resource Protection District By-Law, Section XII, G. 3. i. *

I would support this request

Respectfully submitted,

Robert J. Whalen
Building Commissioner
Zoning Enforcement Officer

*See attached

RJW/d

d. Storage of commercial fertilizers, as defined in MGL Chapter 128, Section 64-*Agriculture,* unless such storage is within a structure designated to prevent the generation and escape of contaminated runoff or leachate.

e. Automobile service and repair shops including those accessory to new and used car dealerships.

f. Petroleum, fuel oil and heating oil bulk stations and terminals such as gas stations, including but not limited to those listed under Standard Industrial Codes 5171 and 5983.

g. Storage of liquid hazardous materials, as defined in MGL Chapter 21E, or storage of liquid petroleum products , except that specified in Section G.3.f. above, unless such storage is above ground level; and on an impervious surface; and either in

i. a free standing container or above ground tank(s) within a building, or

ii. outdoors in covered container(s) or above ground tank(s) in an area that has a containment system designed and operated to hold either 10% of the total possible storage capacity of all containers, or 110% of the largest container's storage capacity, whichever is greater.

Storage of petroleum products within a freestanding container or storage tank on an impervious surface within buildings it will heat is a permitted use and does not require the issuance of a Special Permit.

h. Treatment or disposal works subject to 314 CMR 5.00-*Ground Water Discharge Permits* for wastewater other than sanitary sewage. This prohibition includes, but is not limited to, treatment or disposal works related to activities under Standard Industrial Classification (SIC) Codes set forth in 314 CMR 15.004(6) (Title V). The following uses only may be permitted with the issuance of a Special Permit from the SPGA:

i. the replacement or repair of an existing system(s) that will not result in a design capacity greater than the design capacity of the existing system(s);

ii. treatment works approved by the Massachusetts Department of Environmental Protection designed for the treatment of contaminated groundwater or surface water and operated in compliance with 314 CMR 5.05(3) or 5.05(13);

iii. publicly owned treatment works.

i. There shall be no building, structure or land disturbing activity within twenty-five (25) feet of a "fresh water wetland" as defined by MGL Ch. 131, Section 40 – Massachusetts Wetlands Protection Act or a "wetland" as defined by

33CFR 328.3 and 40 CFR 230.3, the regulations promulgated under Section 404 of the Federal Clean Water Act, as of the effective date of this By-law except that necessary for:

i. limited projects as defined by 310 CMR 10.53 (3);
ii. creation of wetland replacement or flood storage mitigation;
iii. installation of drainage outfalls or outlet swales where no alternative is feasible due to elevation or hydraulic connection but not including primary drainage structures such as detention/retention basins, berms, water quality swales, etc.;
iv. maintenance and construction of trails, creation of public parks or resource improvement projects such as the cleaning of streams

may be permitted upon issuance of a Special Permit by the SPGA which shall consider the report and recommendations of the Board of Health, Planning Board and Conservation Commission. Such Special Permit may be conditional upon safeguards and requirements to protect water resources, health, safety and welfare, and shall be in compliance with the provisions of Section I. below. The SPGA shall determine to its satisfaction that any land disturbing activity or activities shall be in compliance with this provision and to that end may reasonably require any of the following:

v. determination of Applicability by the Conservation Commission;
vi. a plan certified by a Registered Land Surveyor which shows the location of all wetlands as set forth above and the area which is within twenty-five (25) feet of the wetland.

j. Any use that will render more than 40 % of any lot impervious. Special Permits may be issued for alterations resulting in less than 40% impervious area provided that pre-development runoff rates from a lot shall not exceed post-development runoff rates for storms up to and including the 100-year storm. Except for single or two (2) family residential uses, all parking areas shall be impervious and be equipped with oil, grease, and sediment traps to facilitate removal of contamination and these devices shall precede any infiltration structure or drainage outfalls. Stormwater from parking areas, if recharged, shall be via infiltration basins or similar systems covered with natural vegetation and dry wells/leaching structures shall be used only where other methods are infeasible. The owner shall permanently maintain any and all recharge areas in full working order. Not less than 50% of any lot area shall be maintained as a Natural Vegetation Area. This provision does not apply to lots within the Downtown Business District.

H. WRPD Z4 USE REGULATIONS

1. WRPD Z4 – Permitted Uses: Except as specified in H.2 and H.3 below, those principal and accessory uses authorized in the underlying district are permitted in WRPD Z4.

CRANBERRY CAPITAL
OF THE WORLD

Phone: 508-946-2405
Fax: 508-946-0058

Town of Middleborough

Massachusetts

Board of Selectmen

MEMORANDUM

TO: Ruth Geoffroy, Town Planner
Patricia Cassady, Conservation Commission Agent
Jeanne Spalding, Health Officer
Robert Whalen, Building Commissioner
FROM: Jackie Shanley
Confidential Secretary to the Board of Selectmen
DATE: August 18, 2011
SUBJECT: W.R.P.D. Application

Attached is a W.R.P.D. application filed by the DPW for a Special Permit under the Water Resource Protection District By-law, *to install a reinforced soil lawn paver emergency access driveway, to install a drainage out fall, and for the creation of wetland replacement totaling 5,064 square feet over two areas located within twenty-five (25) feet of the fresh water wetlands.* This property is located at **35 East Main Street (Map 51, Lot 4245), WRPD Z3** of the Water Resources Protection District.

The Selectmen will conduct a hearing on this application on **Monday, September 12th at 8:00 PM.**

Further information and a copy of the plan are attached.

All remarks or concerns regarding the request must be returned to the Selectmen's Office no later than **Wednesday, September 7th by 12 Noon.**

Even if you have no comments to make regarding the plan, please send a note stating that you have reviewed the plans.

Please contact the Selectmen's Office if you have any further questions.

Attachments

xc: Board of Selectmen
Town Manager

BOARD OF SELECTMEN

MIDDLEBOROUGH, MASSACHUSETTS

PETITION

FOR PUBLIC HEARING

This Petition, when completed and signed, must be filed with the Town Clerk, Town Hall, Middleborough, Massachusetts.

Middleborough, MA August 12, 2011, xxx

To the Board of Selectmen
Middleborough, Massachusetts

I/xxhereby petition your Board for a public hearing for a Special Permit which is subject to Board of Selectmen approval under the Water Resource Protection Districts By-law.

A. (Give location of property in question.)

xxxxxxxx See Exhibit A attached hereto and made a part hereof as if fully set forth hereat for the relief requested

As shown on the attached plan.

B. State full names and addresses of last known abutting property owners, and the owners of land within 350 feet of the land which is the subject of this petition. Also state the owners of the land immediately across the street from the subject property. Please attach a certified list of these property owners to this petition.

C. Respectfully submitted, FERDINAND J. KILEY, III, By his Attorney:

Signature: [signature]

Printed Name: David C. Manoogian, Esquire

Address: 149 Pleasant Street

Attleboro, MA 02703

Telephone Number: 508-226-4000

RECEIVED
3:15 pm
AUG 15 2011
Alison J Ferreira
TOWN CLERK

EXHIBIT A

Petition of Ferdinand J. Kiley, III for Public Hearing

A.

The property is located at 35 East Main Street, Middleborough, Massachusetts and more particularly described as Middleborough Assessors' Map 51, Parcel 4245.

The applicant proposes to renovate the existing mill structure on the premises and convert same to 71 rental dwelling units with no fewer than 18 dwelling units set aside for rent to qualify individuals or families of low or moderate income, all as shown in the plan submitted with this application.

The applicant respectfully requests that the Middleborough Board of Selectmen (the "Board") grant a special permit pursuant to Section XII.G.3(a) and/or Section XII.G.3(i)(ii-iii) to allow:

1. the installation of a reinforced soil lawn paver emergency access driveway extending along the side of the existing building to the rear building line as requested by the Middleborough Fire Department; and

2. the installation of a drainage out fall where no alternative is feasible due to elevation and including a primary drainage structure (subsurface detention storage); and

3. the creation of wetland replacement totaling 5,064 square feet over two areas located within twenty-five (25) feet of the fresh water wetlands.

Respectfully submitted,

FERDINAND J. KILEY, III
By his Attorney:

David C. Manoogian, Esquire
149 Pleasant Street
Attleboro, MA 02703
508-226-4000

August 12, 2011

TOWN OF MIDDLEBOROUGH
WATER RESOURCE PROTECTION DISTRICT
PETITION SUBMITTAL CHECKOFF SHEET

Applicant must initial each item or the application/petition will not be accepted.

No.	Description	Initial	N/A
1.	The plan has a cover page showing the location of the water supply Zone 2 and 3, with the proposed project site identified.	DRC	___
2.	The plan has street location(s), number, buildings and driveway and shows the acreage of the lot in square feet.	DRC	___
3.	The plan shows existing waterways adjacent, on or near the property.	DRC	___
4.	The plan is stamped by BOTH a registered Land Surveyor and a Civil Professional Engineer.		
	Note: If the site has no approval required other than a home lot then a Land Surveyor stamp will be accepted.	DRC	___
5.	The plan contains topography, wetland delineations, local storm water discharge points, on site drainage systems and septic systems.	DRC	___
6.	The plan provides details for work done or proposed for any component outlined in No. 5 (above).	DRC	___
7.	The submittal contains the abutters list.	DRC	___
8.	The submittal contains calculations for any proposed on site stormwater retainage, storage tanks and spill containment, on site drainage and recharge.	DRC	___
9.	The submittal contains a statement that the project has been designed to minimize large scale lot disturbances and has implemented methods to encourage infiltration of site runoff and preservation of groundcover.	___	N/A
10.	The submittal contains a statement that there will be no removal of soil closer than four (4) feet to the groundwater table, as determined through Title 5 Soil Evaluation methods.	___	N/A

No.	Description	Initial	N/A
11.	The submittal contains a statement that if there is to be storage of hazardous wastes, sludges, deicing chemicals, fertilizers or oil, that appropriate methods have been provided to contain any spillage.	___	N/A
12.	The submittal contains a statement that outside stored material will have no impact to the groundwater.	___	N/A

Middleborough Assessor's Office
10 Nickerson Avenue
Middleborough, MA 02346

ABUTTER'S LIST CERTIFICATION PAGE*

Date: 7/26/2011

BOARD OF SELECTMEN
Board Name for Certification

This is a certified abutter's list for 300 feet in every direction including across the street of

MAP 51 LOT 4245

Lori Rutherford, Junior Clerk
Middleborough Board of Assessors

(This list consists of 5 page with 46 abutter's lots)

*Please note there is no additional charge for this page and it is intended to certify the information on the preceding or attached document (s)

LOCUS			LOCATION	OWNER NAME	APPLICANT NAME	CONTACT #	PAGE	DATE	7/26/2011
MAP	LOT	UNIT	35 EAST MAIN STREET	WINTHROP-ATKINS CO INC	FERDINAND J KILEY	DAVID MONOOGIAN ESQ 508-226-4000	145		
51	4245		REASON FOR PROJECT	CONVERSION OF MILL/WRPD APPLICATION	NAME OF BOARD	BOARD OF SELECTMEN			

MAP	LOT	UNIT	OWNER NAME	C/O OWNERS NAME	MAILING ADDRESS	CITY	ST	ZIP
51	3487	2	COULSTRING, CHRISTINE M		44 EAST MAIN ST,	MIDDLEBORO	MA	02346
50L	4066		SCHOFIELD, STEVEN M TRUSTEE		7 VERONICA LN,	MIDDLEBORO	MA	02346
50L	4835		DEPIETRO, ALAN T & BREWER, SONJA		20 COOMBS ST,	MIDDLEBORO	MA	02346
51	3452		DEARRUDA, LARRY & CYNTHIA		48 MONTELLO STREET,	MIDDLEBORO	MA	02346
51	4232		KELLY, JAMES & KEVIN		523 WEST GROVE STREET,	MIDDLEBORO	MA	02346
51	3495		TOWN OF MIDDLEBOROUGH	SEWER PUMP HOUSE	10 NICKERSON AVE,	MIDDLEBORO	MA	02346
51	3385		NORTON, MICHAEL & NANCY		22 EAST MAIN STREET,	MIDDLEBORO	MA	02346
51	3394		O'BRIEN, SCOTT		2 STAR AVE,	MIDDLEBORO	MA	02346
20	1639	M	COMMONWEALTH OF MASS	DIV OF FISHERIES & WILDLIFE	100 CAMBRIDGE ST,	BOSTON	MA	02202
51	4216		LINEHAN, MICHAEL & BLAIS, MICHELLE		36 EAST MAIN ST,	MIDDLEBORO	MA	02346
50L	4864		ELDREDGE, KIMBERLY & GLEN		13 COOMBS ST,	MIDDLEBORO	MA	02346

LOCUS			LOCATION	OWNER NAME	APPLICANT NAME	CONTACT #	PAGE	DATE 7/26/2011
MAP	LOT	UNIT	35 EAST MAIN STREET	WINTHROP-ATKINS CO INC	FERDINAND J KILEY	DAVID MONOOGIAN ESQ 508-226-4000	2/5	
51	4245		REASON FOR PROJECT	CONVERSION OF MILL/WRPD APPLICATION	NAME OF BOARD	BOARD OF SELECTMEN		

MAP	LOT	UNIT	OWNER NAME	C/O OWNERS NAME	MAILING ADDRESS	CITY	ST	ZIP
50L	4866		FRANCISCO, DOROTHY		19 COOMBS ST,	MIDDLEBORO	MA	02346
51	4266		TOWN OF MIDDLEBOROUGH		10 NICKERSON AVE,	MIDDLEBORO	MA	02346
50L	4839		DIJUNE, SUSAN M		21 COOMBS ST,	MIDDLEBORO	MA	02346
50L	4833		MORRIS, DAVID & ELEANOR		24 COOMBS ST,	MIDDLEBORO	MA	02346
51	3354		ORCUTT-CARUSO, JOSEPH & MELANIE		18 EAST MAIN ST,	MIDDLEBORO	MA	02346
51	3367		HARTLEY, ERIC		P O BOX 129,	MIDDLEBORO	MA	02346
51	3369		DUGGAN, JESSOP, KATHLEEN L		7 STAR AVE,	MIDDLEBORO	MA	02346
51	3449		WINTHROP-ATKINS CO INC		35 EAST MAIN STREET,	MIDDLEBORO	MA	02346
50L	4863		WALLACE, KEITH & KIMERBLY		189 WASHINGTON ST,	ABINGTON	MA	02351
51	4319		WYATT, WILLIAM R JR		55 EAST MAIN ST,	MIDDLEBORO	MA	02346
51	4934		UNKNOWN OWNER		SOME STREET,	MIDDLEBORO	MA	02346

LOCUS			LOCATION	OWNER NAME	APPLICANT NAME	CONTACT #	PAGE	DATE	7/26/2011
MAP	LOT	UNIT	35 EAST MAIN STREET	WINTHROP-ATKINS CO INC	FERDINAND J KILEY	DAVID MONOOGIAN ESQ 508-226-4000	345		
51	4245		REASON FOR PROJECT	CONVERSION OF MILL/WRPD APPLICATION	NAME OF BOARD	BOARD OF SELECTMEN			

MAP	LOT	UNIT	OWNER NAME	C/O OWNERS NAME	MAILING ADDRESS	CITY	ST	ZIP
50L	4096		NELSON, SCOTT E & SUSAN M		11 EAST MAIN ST,	MIDDLEBORO	MA	02346
50L	4826		CUNHA, DAVID L & PERO, DANIELLE		14 COOMBS ST,	MIDDLEBORO	MA	02346
51	3389		KELLY, AMY K		24 EAST MAIN ST,	MIDDLEBORO	MA	02346
51	5045		SANFORD, SUSAN H		P O BOX 1292,	MIDDLEBORO	MA	02346
51	3344		MADDEN, CAROLINE		133 EDSON ST,	BROCKTON	MA	02302
51	3381		MOORE, WILLIAM F		20 EAST MAIN ST,	MIDDLEBORO	MA	02346
51	3487	1	FRATALIA, MICHAEL		42 EAST MAIN ST,	MIDDLEBORO	MA	02346
51	3494		CRAWFORD, GEORGE C & CATHERINE M		48 EAST MAIN ST,	MIDDLEBORO	MA	02346
51	5833		SANFORD, SUSAN H		P O BOX 1292,	MIDDLEBORO	MA	02346
51	3377		ROGERS, THOMAS E & JUNE M		13 EAST MAIN ST,	MIDDLEBORO	MA	02346
51	4132		FORD, CLAIRE M		26 EAST MAIN STREET,	MIDDLEBORO	MA	02346

LOCUS			LOCATION	OWNER NAME	APPLICANT NAME	CONTACT #	PAGE	DATE	7/26/2011
MAP	LOT	UNIT	35 EAST MAIN STREET	WINTHROP-ATKINS CO INC	FERDINAND J KILEY	DAVID MONOOGIAN ESQ 508-226-4000	4/5		
51	4245		REASON FOR PROJECT	CONVERSION OF MILL/WRPD APPLICATION	NAME OF BOARD	BOARD OF SELECTMEN			

MAP	LOT	UNIT	OWNER NAME	C/O OWNERS NAME	MAILING ADDRESS	CITY	ST	ZIP
51	4214		COOK, KEVIN & KAREN		32 EAST MAIN STREET,	MIDDLEBORO	MA	02346
51	4136		MATHER, JAMES & MICHELLE		28 EAST MAIN ST,	MIDDLEBORO	MA	02346
50L	4095		HAYES, ROBERT R & LYNN A		9 EAST MAIN ST,	MIDDLEBORO	MA	02346
51	3348		MAGUIRE, CYNTHIA		166 MAIN ST,	PLYMPTON	MA	02367
50L	4853		HUGHES, DOUGLAS A		11 COOMBS ST,	MIDDLEBORO	MA	02346
51	3379		RICHARD, JEAN M		15 EAST MAIN ST,	MIDDLEBORO	MA	02346
51	4237		ROUSSEAU, MICHAEL G & LOMBARDI, ANNA M		49 HIGHLAND ST,	MIDDLEBORO	MA	02346
51	3347		FARLEY, WILLIAM		14 EAST MAIN STREET,	MIDDLEBORO	MA	02346
51	4124		DELONG, PAMELA		19 EAST MAIN ST,	MIDDLEBORO	MA	02346
51	3469		STIGA, PAUL FREEMAN		54 MONTELLO ST,	MIDDLEBORO	MA	02346
51	3482		ROBINSON, RICHMOND M JR & CELESTA I		51 MONTELLO STREET,	MIDDLEBORO	MA	02346

LOCUS			LOCATION	OWNER NAME	APPLICANT NAME	CONTACT #	PAGE	DATE	7/26/2011
MAP	LOT	UNIT	35 EAST MAIN STREET	WINTHROP-ATKINS CO INC	FERDINAND J KILEY	DAVID MONOOGIAN ESQ 508-226-4000	5of5		
51	4245		REASON FOR PROJECT	CONVERSION OF MILL/WRPD APPLICATION	NAME OF BOARD	BOARD OF SELECTMEN			

MAP	LOT	UNIT	OWNER NAME	C/O OWNERS NAME	MAILING ADDRESS	CITY	ST	ZIP
51	3396		RAMSAY, ROBERT JR & SUSAN		1 & 3 STAR AVENUE,	MIDDLEBORO	MA	02346
50Q	5649		TOWN OF MIDDLEBOROUGH	PLAYGROUND	10 NICKERSON AVE,	MIDDLEBORO	MA	02346

51-3566
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50Q-5649