

**CONSERVATION
COMMISSION**



Town Hall
Room 212
135 School Street
Walpole, MA 02081
Phone (508) 660-7268
Fax (508) 668-2071

**Town of Walpole
Commonwealth of Massachusetts**

July 20, 2023

James Bristol III – Original
Bristol Brothers Development Corp.
190 Old Derby Street, Suite 311
Walpole, MA 02081

Enclosed is the Walpole Conservation Commission's Amended *Order of Conditions* for Renmar Avenue and West Street, Walpole, Ma. - DEP #315-1173.

Please note that no work shall commence until the following steps are completed:

1. **Record the Amended Order of Conditions at the Registry of Deeds and return recording information to the Conservation Commission office;**
2. Install erosion controls;
3. Provide the name and number of the contractor to the Conservation Commission

Please return a copy of the new recording to the Conservation Commission for our records

Very Truly Yours,
Conservation Commission

/lh

Enclosure

Cc:

Zoning Board of Appeals
Planning Board
Town Engineer
Building Commissioner
DEP-SERO



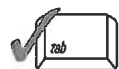
Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 315-1173
 MassDEP File #
 eDEP Transaction #
 Walpole
 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.

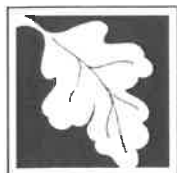


1. From: Walpole
 Conservation Commission
2. This issuance is for (check one):
 a. ☐ Order of Conditions b. ☒ Amended Order of Conditions

3. To: Applicant:
- James Bristol III
 a. First Name b. Last Name
- Bristol Brothers Development Corp.
 c. Organization
- 190 Old Derby Street ste. 311
 d. Mailing Address
- Walpole MA 02081
 e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):
- James Bristol
 a. First Name b. Last Name
- Renmar Forest LLC
 c. Organization
- 190 Old Derby Street ste. 311
 d. Mailing Address
- Walpole MA 02081
 e. City/Town f. State g. Zip Code

5. Project Location:
- Renmar & West Walpole
 a. Street Address b. City/Town
- Map:32: parcls 85,86,94,95 Map 39: Parcels: 55,56,57,58,59,60
 Map 40L parcel 6 d. Parcel/Lot Number
- Latitude and Longitude, if known: 42d08m12s 71d16m33s
 d. Latitude e. Longitude



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A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
 Norfolk
 a. County
 25405/33623
 c. Book
 b. Certificate Number (if registered land)
 377/433
 d. Page
7. Dates: a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance
8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
 Site Plan Proposed Age Qualified Village For Renmar Ave. and West Street- C-1, C3A-C, C4, C4A-C, C6, C7, C8A-E, C9.1-9.7
 Crocker Design Group, LLC
 b. Prepared By
 7/10/2023
 d. Final Revision Date
 Stormwater Report-revised Operation and Maintenance Plan
 f. Additional Plan or Document Title
 Gabriel Crocker, 7/3/2023
 c. Signed and Stamped by
 e. Scale
 5/3/23, rev7/10/23
 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.



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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) 25
a. linear feet

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

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	a. square feet	b. square feet	c. square feet	d. square feet
6. <input type="checkbox"/> 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. <input type="checkbox"/> 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. <input type="checkbox"/> 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. <input type="checkbox"/> Riverfront Area	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	g. square feet	h. square feet	i. square feet	j. square feet



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B. Findings (cont.)

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

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



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B. Findings (cont.)

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

23. ☐ Restoration/Enhancement *:

a. square feet of BVW

b. square feet of salt marsh

24. ☐ Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. The work is a maintenance dredging project as provided for in the Act; or
 - b. The time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
 - c. If the work is for a Test Project, this Order of Conditions shall be valid for no more than one year.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order. An Order of Conditions for a Test Project may be extended for one additional year only upon written application by the applicant, subject to the provisions of 310 CMR 10.05(11)(f).
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on 06/14/2024 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.



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C. General Conditions Under Massachusetts Wetlands Protection Act

8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

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

"File Number 315-1173 "
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.



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

17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.
19. The work associated with this Order (the "Project")
 - (1) ☐ is subject to the Massachusetts Stormwater Standards
 - (2) ☒ is NOT subject to the Massachusetts Stormwater Standards

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

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



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

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

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

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

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

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

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

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

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



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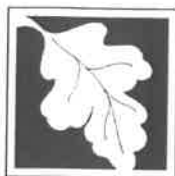
C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- 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

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



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D. Findings Under Municipal Wetlands Bylaw or Ordinance

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

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:

<u>Walpole Wetlands Bylaw & Regulations</u>	<u>Div2 Ch 561</u>
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):

See Attached



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E. Signatures

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

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

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

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

7/20/2023
 1. Date of Issuance

7
 2. Number of Signers

Walpole

Jack Wiley
 Signature

Jack Wiley, Chair
 Printed Name

Al Goetz
 Signature

Al Goetz, Vice Chair
 Printed Name

Betsy Dyer
 Signature

Betsy Dyer
 Printed Name

Emidio DiVirgilio
 Signature

Emidio DiVirgilio
 Printed Name

Doug Burchesky
 Signature

Doug Burchesky
 Printed Name

Bailey Ziemba
 Signature

Bailey Ziemba
 Printed Name

Dean Bebis
 Signature

Dean Bebis
 Printed Name

Signature

Printed Name

☐ by hand delivery on

☒ by certified mail, return receipt requested, on

Date

Date 7/20/2023



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F. Appeals

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

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

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



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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.

Walpole

Conservation Commission

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

To:

Walpole

Conservation Commission

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

Project Location

MassDEP File Number

Has been recorded at the Registry of Deeds of:

County

Book

Page

for:

Property Owner

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

Book

Page

In accordance with the Order of Conditions issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
Request for Departmental Action Fee
Transmittal Form

DEP File Number: _____

Provided by DEP _____

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

A. Request Information

1. Location of Project

a. Street Address _____

b. City/Town, Zip _____

c. Check number _____

d. Fee amount _____

2. Person or party making request (if appropriate, name the citizen group's representative):

Name _____

Mailing Address _____

City/Town _____

State _____

Zip Code _____

Phone Number _____

Fax Number (if applicable) _____

3. Applicant (as shown on Determination of Applicability (Form 2), Order of Resource Area Delineation (Form 4B), Order of Conditions (Form 5), Restoration Order of Conditions (Form 5A), or Notice of Non-Significance (Form 6)):

Name _____

Mailing Address _____

City/Town _____

State _____

Zip Code _____

Phone Number _____

Fax Number (if applicable) _____

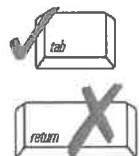
4. DEP File Number: _____

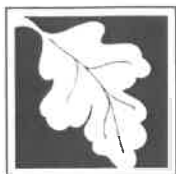
B. Instructions

1. When the Departmental action request is for (check one):

- ☐ Superseding Order of Conditions – Fee: \$120.00 (single family house projects) or \$245 (all other projects)
- ☐ Superseding Determination of Applicability – Fee: \$120
- ☐ Superseding Order of Resource Area Delineation – Fee: \$120

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





Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number: _____

**Request for Departmental Action Fee
Transmittal Form**

Provided by DEP

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

B. Instructions (cont.)

Send this form and check or money order, payable to the *Commonwealth of Massachusetts*, to:

Department of Environmental Protection
Box 4062
Boston, MA 02211

2. On a separate sheet attached to this form, state clearly and concisely the objections to the Determination or Order which is being appealed. To the extent that the Determination or Order is based on a municipal bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.
3. Send a **copy** of this form and a **copy** of the check or money order with the Request for a Superseding Determination or Order by certified mail or hand delivery to the appropriate DEP Regional Office (see <https://www.mass.gov/service-details/massdep-regional-offices-by-community>).
4. 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.

FINDING: This Order of Conditions is for the development of 55.32 \pm acres of land with 100 single family AQV homes know as Weathervane of Walpole. The project includes 4,500 feet long, 24 feet wide roadway/driveway to access the single family homes serviced by public water and sewer. Stormwater management includes deep sump catch basins, drywells, manholes, and 12 basins including basin 10 designed as a wet basin. The wetlands were delineated under 315-1092 issued 10/1/2015.

SPECIAL CONDITIONS

1. This Order shall apply to any successor in control or successor in interest of the property described in the Notice of Intent and accompanying plans. These obligations shall be expressed in covenants in all deeds to succeeding owners of portions of the property.
2. The form provided at the end of this Order shall be completed and stamped at the appropriate Registry of Deeds, after the expiration of the 10-day appeal period and if no request for appeal has been filed with the Department of Environmental Protection. This form should be returned to the Commission in accordance with General Condition #9, and prior to the commencement of work.
3. Any Order not recorded by the Applicant before work commences may be recorded by the Commission at the Applicant's expense.
4. Prior to any work commencing, a sign shall be displayed at the project showing **DEP File No. 315-1173**, preferably not placed on a living tree.
5. The term "Applicant" as used in this Order of Conditions 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 Order of Conditions. 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 issuance of the Certificate of Compliance.
6. The Conservation Commission designates the Conservation Agent with full powers to act on its behalf in administering and enforcing this Order.
7. A Conservation Commissioner, Agent of the Commission or the Department of Environmental Protection reserves the right to enter and inspect the property at all reasonable times, until a Certificate of Compliance is issued, to evaluate compliance with this Order of Conditions, the

Act, Town By-Law, and 310 CMR 10.00 regulations, and may require any information, measurements, photographs, observations, and/or materials, or may require the submittal of any data or information deemed necessary by the Commission for that evaluation. Further, work shall be halted on the site if the Commissioner, Agent or DEP determines that any of the work is not in compliance with this Order of Conditions. Work shall not resume until the Commission is satisfied that the work will comply, and has so notified the Applicant in writing.

8. Failure to comply with this Order of Conditions may result in revocation of this Order of Conditions and may require a refile by the Applicant.
9. This document shall be included in all construction contracts, subcontracts, and specifications dealing with the work proposed and shall supersede any conflicting contract requirements. The Applicant shall assure that all contractors, subcontractor and other personnel performing the permitted work are fully aware of the permit's terms and conditions. Thereafter, the contractor will be held jointly liable for any violation of this Order resulting from failure to comply with its conditions.
10. It is the responsibility of the Applicant, Owner, and/or successor(s) to ensure that all Conditions of this Order of Conditions are complied with. The project engineer and contractors are to be provided with a copy of this Order of Conditions and referenced documents before commencement of construction.
11. Prior to construction, the Applicant shall furnish the Conservation Commission with the name, address and telephone number of the contractor and sub-contractors who will be doing the work on the site.
12. At the pre-construction meeting, To assure an immediate response to the Commission/Agent, the Applicant shall provide the Walpole Conservation Commission/Agent with the name and a 24-hour phone number of the on-site construction supervisor who will be responsible to coordinate the construction and ensure compliance with this Order.
13. Any substantial changes made in the above-described plan(s), unless specified otherwise in this Order, which may or will alter an area subject to protection under the Wetlands Protection Act and the Town of Walpole Wetlands By-Law, or any change(s) in activity subject to regulations under M.G.L. Chapter 131, section 40, shall require the Applicant to inquire from this Commission in writing, prior to their implementation in the field, whether the change(s) is significant enough to require the filing of a new Notice of Intent or an amended Order of

Conditions. Any errors in the plans or information submitted by the Applicant shall be considered as a change and the above procedures shall be followed.

14. If unforeseen problems occur during construction which may affect the statutory interests of the Wetlands Protection Act or the Town of Walpole Wetlands By-Law, upon discovery by either the Conservation Commission, its Agent, or the Applicant, such problem shall require immediate notification to the Commission and an immediate meeting shall be held between the Commission or its Agent, the Applicant, and other concerned parties to determine the correct measures to be employed. The Applicant shall then act to correct the problems using the corrective measures agreed upon. Subsequent to resolution, the activity and resulting actions shall be documented in writing.
15. The owners of the project and their successors in title, in the event they proceed to alter areas subject to the Commission's jurisdiction under the Order, agree that the Town shall have no responsibility to maintain the proposed detention basin and that the Town shall not be liable for any damage in the event of failure. By acceptance of this Order, the owners indemnify and hold harmless the Town and its residents for any damages attributable to alterations undertaken on this property pursuant to the Order. Issuance of the Order does not imply or certify that the site or downstream areas will not be subject to flooding, storm damage, or any other form of water damage.
16. Upon completion of this project, the Applicant shall submit the following to the Conservation Commission to receive a Certificate of Compliance.
 - a. DEP form (8A) requesting a Certificate of Compliance.
 - b. A written statement from a registered professional engineer of the Commonwealth certifying that the work has been conducted as shown on the plan(s) and documents referenced above, and as conditioned by the Commission;
 - c. **Compliance with DEP conditions #18 and #19;**
 - d. An "as-built" plan prepared and signed and stamped by a registered professional engineer of the Commonwealth, for the public record;
17. Perpetual Conditions shall extend beyond the Certificate of Compliance, in perpetuity, and shall be referred to in all future deeds to this property.

18. The Commission reserves the right to amend this Order of Conditions after a legally advertised public hearing if plans or circumstances are changed or if new conditions or information so warrant.
19. It is the responsibility of the Applicant to procure all other applicable federal, state and local permits and approvals associated with this project and to provide copies to the Conservation Commission.
20. Should issuance of additional permits result in a change in the project, the provisions of Condition #13 applies, regarding the process for plan changes.
21. Any future work within wetland resource areas or buffer zones will require that a new Notice of Intent or Request for Determination of Application be filed with the Commission.
22. The Order of Conditions shall be valid for three (3) years. Extensions may be requested in a yearly basis thereafter, and requested 30 days prior to expiration.

FLAGGING

23. Prior to beginning any work, the **boundary of wetland resource areas** within the proposed work area and verified under this Order of Conditions shown on the Notice of Intent Plan shall be staked or flagged and shall remain in place until a Certificate of Compliance is issued. All flags used for the above purposes shall be of a color **different** from other flagging used on the site.
24. Prior to beginning any work, the **boundary of the erosion control/ limit of work boundary** verified under this Order of Conditions and shown on the Notice of Intent Plan shall be staked by the Applicant's engineer, and then inspected by the Conservation Agent, and shall remain in place until a Certificate of Compliance is issued.

EROSION CONTROL

25. The erosion controls shall be installed prior to removal of vegetation other than that to install erosion controls.
26. The erosion controls shall be inspected after the tree cutting and replaced if necessary.

27. Erosion and sedimentation control measures as shown on the plan shall be implemented and maintained in effect throughout the entire construction phase, and until the site has been stabilized.
28. The erosion control specifications provided in the Notice of Intent and the erosion control provision in the Order will be the minimum standards for this project; additional measures may be required by the Commission.
29. All erosion control measures shall be maintained until the engineer and a member or Agent of the Conservation Commission agree that they are no longer needed, at which time they will be removed, using mutually satisfactory removal procedures.
30. Under no conditions shall operation of equipment, storage of materials, stockpiling of soil, or other site disturbance take place on the wetland side of the limit of work line.
31. All debris, fill and excavated material shall be stockpiled outside the 100-foot wetland buffer zone, and at a location to prevent sediment from entering the wetland resource area. Siltation controls shall be used around the stockpile areas approved within the 100-foot buffer as shown on the plan or as approved by the Conservation Agent.
32. Placement of erosion controls shall be directed at the site by the engineer in order to ensure that no sedimentation will reach wetland resource areas and that the erosion and sedimentation controls meet the specifications on the plans and these Order of Conditions.
33. Siltation controls shall be placed upgradient of all resource areas along the limit of activity as shown on the plan, between all disturbed areas and the wetlands.
34. If filter fabric is required to be installed it shall be installed as recommended by the manufacturer except as otherwise directed by the Conservation Commission or its Agent. The bottom six (6) inches of the material shall be buried by excavating a six (6) inch deep trench along the toe of the fabric line and placing the bottom six (6) inches of filter fabric into the trench. The trench shall then be backfilled with the spoil material and compacted. In no instance shall the bottom of the filter fabric be laid on the ground surface and simply covered with backfill or stone.

35. Hay is no longer acceptable form of erosion control barrier. Straw wattles or erosion control tubes with clean fill may be used if approved by the Conservation Commission or Agent.
36. Siltsacks™ shall be placed in the newly constructed catch basins and maintained after each storm event.
37. The Applicant shall designate an Erosion Control Monitor to oversee any emergency placement of controls and regular inspection or replacement of erosion and sedimentation control devices. The name and phone number of the Monitor must be provided to the Commission in the event that this person has to be contacted, due to an emergency at the site, during any 24-hour period, including weekends. This person shall be given authority to stop construction for erosion control purposes.
38. An adequate stockpile of erosion control materials shall be on site at all times for emergency or routine replacement and may include materials required to repair or replace silt fences, fiber rolls, Siltsacks™, erosion control blankets, stone riprap, filter berms or any other devices required for use during construction.
39. 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. For example, installation of erosion control measures may be required in areas not shown on the plan(s) referenced in this Order of Conditions. Should such installation be required by the Commission, they shall be installed within 48 hours of the Commission's request.
40. The areas of construction shall remain in a stable condition at the close of each construction day. Erosion controls should be inspected at this time, and repaired, reinforced or replaced as necessary.
41. If soils are to be disturbed for longer than two months, a temporary cover of rye or other grass should be established to prevent erosion and sedimentation. If the season is not appropriate for plant growth, exposed surfaces shall be stabilized by other appropriate erosion control measures, firmly anchored, to prevent soils from being washed by rain or flooding.
42. Erosion controls shall be placed along the street front of each house lot during construction and until each lot is fully stabilized.

43. Each house lot shall have a crush stone construction entrance maintained to prevent sediments onto the street until the lot is fully stabilized.
44. The inspection of erosion controls shall be done on a weekly basis and after every 1" or more rain event by an independent person trained in erosion control practices at construction sites until a Certificate of Compliance is issued.
45. Weekly Erosion Control Inspection Reports may be required and if so will be mailed or emailed by the Applicant, to the Conservation Commission, each week until a Certificate of Compliance is issued. The name and contact number of the inspector shall be provided in the report.

GRADING/SLOPE STABILIZATION

46. In proximity to resource areas, site grading and construction shall be scheduled during the dry season whenever possible, to avoid periods of high surface water. Once begun, grading and construction shall move uninterrupted to completion to avoid erosion and siltation into the wetland.
47. All disturbed areas and slopes shall be loamed and seeded or stabilized through the use of erosion control blankets or other approved means. All disturbed areas will be graded, loamed and seeded prior to November 1 of each year, if possible. No disturbed areas or stockpiled material will be left unprotected or without erosion controls during the winter.
48. Loaming and seeding will occur as soon as possible after final grading. Barren areas should be stabilized by seeding if work on the project is interrupted for more than 90 days, unless the 90 days are in the winter. If this condition should occur, the Applicant shall request a determination from the Commission as to whether seeding or an alternative measure should be conducted.

CONSTRUCTION MANAGEMENT

49. A Pre-construction meeting shall occur with the Applicant, engineer, construction manager and the Conservation Agent prior to any work starting at which time the Conservation Agent will receive the name(s) and telephone number(s) of the person(s) responsible on site for compliance with this Order and the list of all sub-contractors.
50. A copy of the Definitive Subdivision Plan signed by the Planning Board shall be provided to the Conservation Commission 78 hours prior to the preconstruction meeting.
51. The Engineer will inspect the site regularly whenever construction within 100 feet of the wetland resource areas is in progress. The Applicant shall provide that person's phone number for the Commission.
52. A copy of this Order of Conditions, and Notice of Intent plans last revised dated 11/30/2018, shall be on the site upon commencement and during any site work for contractors to view and adhere to.
53. All equipment shall be operated, so as to limit alterations of wetlands and buffer zone to those areas clearly identified on the plans and demarcated in the field by the flagging. Construction equipment shall be parked overnight, maintained and fueled outside the wetland buffer zone. Any exceptions shall require approval by the Commission/Agent.
54. All waste products, grubbed stumps, slash, construction materials, etc. shall be removed from the site in accordance with all local, state and federal law and regulation. All equipment, i.e., cement trucks, plasters, masons, painters, without limitation shall be accomplished outside the buffer and riparian zone and properly disposed of off site. Disposal shall be done weekly or as needed.
55. Only clean fill shall be used on the site i.e., clean soil, free of masonry, stumps, asphalt, or waste material.
56. No oils, fuel, grease cartridges or other pollutants shall be stored in the buffer zone, unless as specified in this Order of Conditions. Containers from these materials shall be disposed of properly.

57. A fuel or hydraulic oil spill kit shall be maintained at all times on site, per Walpole Fire Department specifications. In the event of a spill, the Applicant shall take immediate measures to contain such spill and shall notify the Walpole Fire Department.
58. The street shall be maintained in a clean condition free from dirt and debris in order to keep siltation from entering the storm water system.
59. All construction debris shall be removed from the site and disposed of in accordance with all applicable laws and regulations.

DETENTION BASIN

60. The stormwater management basins and structures for this AQV shall be constructed and maintained as shown on the plan , Stormwater management plan, as reviewed by BETA consulting group in their final report dated 11/13/2018.
61. There shall be no increase in the post-development discharges from the storm drainage system or any other changes in post-development conditions that alter the post-development watershed as currently depicted in the Notice of Intent and approved by this Order of Conditions, unless specifically approved in writing by the Commission.
62. To control peak rates of runoff and to treat the storm runoff in compliance with DEP stormwater standards, the Applicant is to construct the stormwater management areas as shown on the Plans. Construction of the stormwater management areas shall proceed at commencement of construction and proceed simultaneously with all other work, with the exception that work which is necessary to gain access to the basin sites and to place erosion control barriers shall be performed first to assure that no siltation reaches the wetlands prior to and during basin construction.
63. The basin areas within the easements and associated outlet structures within the easements shall be maintained during and after construction in good hydraulic condition such that the basin will function as intended without causing flooding. The areas within the basin and structure easements shall be periodically maintained, as necessary, by removal of any accumulated sediment or debris that would reduce the design storage capacity of the basin by 10 percent.

64. All slopes and disturbed soils within and adjacent to the basins shall be stabilized within two weeks after the basins are completed. The siltation control barrier shall remain in place around the basin until the area adjacent to the basin has been stabilized with vegetation.
65. For the first three (3) years after post-construction operation, the basin and structures are to be inspected on a monthly basis and after storms that exceed one (1) inch of rainfall, to make sure that the outlet is not clogged, that sediment levels have not exceeded six (6) inches in depth and that all banks are stable and free of erosion. If necessary, more frequent inspections shall be conducted. **A log of inspection shall be kept by the Applicant and made available to the Conservation Commission upon request.**
66. **The Stormwater Management Systems** (“consists of all conveyances and treatment of stormwater designed to comply with the DEP Stormwater Management Standards”) are to be maintained in accordance with this Order, by **Bristol Brothers Development Co.**, until a Certificate of Compliance is issued, or the Conservation Commission receives a legal written document stating who the responsible party is and that they are the owner of the property and have read and understand the Order of Conditions.
67. Any change in the responsible party for Stormwater management maintenance will require notification to the Conservation Commission of name, address, phone and email.
****Continued condition**
68. A surveyed As-built plan of the constructed stormwater basins and structures shall be provided to and approved by the Commission prior to post-construction use of the stormwater management system. A copy of the final Operation and Maintenance Plan with contact information of the responsible party will be provides as well.
69. Catch basins and gasoline traps shall be maintained in accordance with this Order by the property owner. ****Continued condition**
70. The maintenance of the Stormwater management systems as specified in this Order of Conditions and the final Operation and Maintenance Plan shall occur without further Commission approval. ****Continued condition**

71. Snow removal shall comply with DEP Snow Removal Guidelines ****Continued condition**
72. Landscape practices shall comply with state regulations regulating phosphorus and nitrogen. Soils shall be tested prior to use as required. ****Continued condition**
73. Irrigation systems shall use water sense devises. ****Continued condition**
74. All houses on individual lots will require roof drains constructed to engineered design standards and practices to infiltrate roof water. ****Continued condition**
75. The trail shall be constructed outside of the 25-foot “no alteration” boundaries. ****Continued condition**
76. The final design of the retaining walls shall be submitted for approval by the Conservation Commission and stamped by a MA registered Professional Engineer.
77. Basin 10 is designed as a wet basin, if the design changes, the new design shall be approved by the Conservation Commission. ****Continued condition**
78. The excavation of the infiltration system shall be observed by the Town Engineer to verify soils.
79. The erosion controls shall be inspected prior to an anticipated storm event of 1-inch or more and after such event as well as on a weekly basis.
80. The Conservation Commission shall have access to the SWPPP reports.
81. The applicant shall provide to the Conservation Commission a copy of the site plan approved and signed by the Planning Board with a letter stating any differences from the 11/30/2018 approved plan.

*** Continuing Conditions

82. A copy of the Operation and maintenance plan shall be included with this document and recorded at the Registry of Deeds.

83. To be signed by project manager/contractor to begin any aspect of the project:

I _____, representing, _____ have
read the Order of Conditions.

Name (print) _____

24-Phone Number/Email _____

Address: _____

FINDING: This Amends the Order of Conditions is for the development of 55.32 ± acres of land with 100 single family AQV homes know as Weathervane of Walpole. The amended plan modified the layout and the stormwater management system with no additional activity within the wetland resource areas. The wetlands were delineated under 315-1092 issued 10/1/2015.

Additional SPECIAL CONDITIONS

83. No alteration Plaques shall be installed along the 25-foot no alteration area every 50 feet or at turns and bends. The plaques shall be visible at all times. **Continue condition**
84. The 25-foot no alteration area shall be survey staked and inspected prior to construction. The stakes shall remain in place through-out construction.
85. Any areas of the no alteration area that has been or is disturbed during construction shall be replanted with a landscape plan approved by the Commission.
86. No alteration bounds and plaques shall be installed and inspected **prior to excavation for foundations**. This can be completed in phases approved by the Conservation Agent.
87. Retaining walls shall be constructed and **certified by a registered engineer** provided to the Commission prior to excavation of foundations. This can be completed in phases approved by the Conservation Agent.
88. A plan with the location of each of the stormwater management system BMP's on 8 1/2 by 11 paper shall be included with the O & M plan.
89. Town Engineer's approval of Basin #6 Design shall be provided to the Conservation Commission in writing prior to construction.
90. The final approved plan by the Planning Board shall be submitted to the Conservation Commission prior to the preconstruction meeting.
91. The location of the 2-foot wide berms at the top of the slopes at the swales/basins have been highlighted on the O&M BMP Map. These berms shall be maintained by mowing and/or weed-wacking. The locations of these berms shall be highlighted on the O&M plan.
92. The applicant shall provide to the Conservation Commission a copy of the site plan approved and signed by the Planning Board with a letter stating any differences from the July 10, 2023 approved plan.

LONG-TERM STORMWATER OPERATION & MAINTENANCE PLAN

WEATHERVANE AT WALPOLE

Revised 7/10/2023

PROJECT OVERVIEW:

The proposed project consists of 100 single-family residential detached condominiums and a clubhouse/property maintenance facility. The project has been designed to comply with the Massachusetts Stormwater Management Regulations.

Appended to this document is a sample maintenance form and a chart describing the anticipated frequency of tasks.

OWNER AND RESPONSIBLE PARTY:

Current Land Owners:

Renmar Forest, LLC
190 Old Derby Street, Suite 311
Hingham, MA 02043

-And-

Walpole Quarry Nominee Trust
882 Pleasant Street
Weymouth, MA 02189

Proposed Site Contractor:

J.F. Price Co.
611 Pleasant Street
Weymouth, MA 02189

Proposed Owner (Once project is approved)*:

Bristol Bros. Development Corp
190 Old Derby Street, Suite 311
Hingham, MA 02043

**Should the property be transferred to new ownership, the approved and permitted Operation and Maintenance plan shall be adhered to in perpetuity.*

Bristol Bros. Development Corp. has facilities maintenance personnel on-staff. For any service beyond their service ability, they subcontract to the appropriate vendors such as street sweeping, catch basin and water quality unit cleaning, etc.

Ultimately, a Condominium Association will be established that will take over long-term O&M Responsibilities upon project completion and turnover from Bristol Bros Development Corp to the Condominium Association.

CONSTRUCTION MANAGEMENT:

A construction manager with adequate knowledge and experience on projects of similar size and scope shall be employed to oversee all site work related construction. The contractor shall incorporate the appropriate techniques to control sediment and erosion pollution during construction in accordance with the *Massachusetts Erosion and Sediment Control Guidelines for Urban and Suburban Areas* and any conditions of approval from the local conservation commission.

Care should be taken when constructing stormwater control structures. Light earth-moving equipment shall be used to excavate in the vicinity of the infiltration areas. Use of heavy equipment causes excessive compaction of the soils beneath the basin resulting in reduced infiltration capacity. At no time shall temporary infiltration areas or settling basins be constructed in the vicinity of the proposed infiltration basins in order to prevent the soils from becoming clogged with sediment.

ON-GOING MAINTENANCE CONTRACT

The non-structural and structural approaches recommended below, as well as the required BMP maintenance, will be completed by Bristol Bros. Development Corp.'s contractor, JF Price Co. Adequate personnel with appropriate training and access to proper equipment will be available to complete the tasks. Future responsible parties must be notified of their responsibility to operate and maintain the system in perpetuity. **Part IV of the Town of Walpole Stormwater Management and Erosion Control Bylaw (Section IV.A.2(a) through 2(h)) requires a maintenance agreement to which this document shall accompany.**

MAINTENANCE LOG

The Responsible Party shall develop and maintain a log of inspections, maintenance, repairs, and disposal (including location of disposal) during the life of the project. Records will be maintained for at least 3 years and be made available to the Massachusetts Department of Environmental Protection or the Town of Walpole in accordance with the provisions of the Massachusetts Stormwater Handbook. A sample of such a maintenance log is provided.

STORMWATER BMP MAINTENANCE

The proposed stormwater management system has been designed with appropriate BMPs aimed at reducing the pollutants discharge based upon the intended use of the property. All BMPs require regular maintenance to function as intended. Some management measures have simple maintenance requirements; others are more involved. The Responsible Party must have all BMPs regularly inspected to ensure they are operating properly on an as needed basis, including during runoff events exceeding 0.5 inches of rainfall.

A description of the non-structural and structural approaches to be incorporated is indicated below. The following best management practices are proposed to be incorporated into the stormwater management design to reduce source runoff and improve stormwater runoff discharge quality. The Responsible Party will regularly inspect all BMPs to ensure they are operating properly. If any deficiencies are identified during these inspections, action to resolve it will be initiated and documented on the maintenance log.

STRUCTURAL BMPs

Deep Sump Hooded Catch Basins/ Dry Wells and Area/Yard Drains

Catch basins shall be labeled with “Do Not Dump, Drains to local Waterway” markers and repair/replace markers as necessary. On a regular basis the inlet pipe and outlet pipe shall be checked for debris and removed as necessary to ensure unobstructed flow of water. Inspections shall occur at least twice annually, once in the fall and then in the spring after the snow melts. Inspections shall verify the tees are secure and free flowing. Depth of sediment below water line. Basins are to be cleaned whenever sediment and hydrocarbons are observed. Basins shall be cleaned using a vacuum pump. All liquid shall be pumped from the sump of each basin at least once per year. All sediments and hydrocarbons should be properly handled and disposed of in accordance with local, state, and federal guidelines and regulations.

Subsurface Infiltration System

The subsurface systems have been designed with riser structures at grade to aid the removal of sediment and debris accumulating in the structure. Preventative maintenance shall be performed in accordance with manufacturer’s instructions. Inspection should occur twice annually, once in the fall and then in the spring after the snow melts. Cleaning will take place at the completion of construction and as deemed necessary based on the inspections.

Infiltration Basins

Remove debris and sediment on an as needed basis. Sediment shall be removed using light equipment so as not to compact the underlying soil. Sediment transported off site and disposed of in accordance with applicable local, state, and federal guidelines and regulations. Vegetated surfaces shall be repaired to ensure stable surfaces exist. Maintenance shall be done using a “gator” or golf cart sized vehicle to access the basins. Any debris or landscape growth extending within the identified maintenance access paths shall be trimmed/removed accordingly to maintain a clear and open pathway. At least twice a year, mow the vegetated berms, side slopes and basin bottom (if applicable). Remove grass clippings and organic matter to prevent an impervious mat from forming. Inspection should occur twice annually, once in the fall and then in the spring after the snow melts.

Wet Basin

Inspect Wet Basin at least once per year to ensure it is working as designed. Inspect the outlet structures for evidence of clogging or excessive outflow releases. At least twice a year, mow the upper stage, side slopes, embankment, and emergency spillway. At this time, also check the sediment forebay for accumulated material, sediment, trash and debris and remove it. Remove sediment from the basin at least once every 10 years.

Proprietary Water Quality Units

Hydrodynamic Separators shall be maintained in accordance with the manufacturer's recommendations. Refer to the enclosed "CDS Inspection and Maintenance Guide". Typically, a vacuum truck removes accumulated sediment and oil most efficiently. See maintenance documentation from the manufacturer. Inspection should occur at least twice annually, once in the fall and then in the spring after the snow melts. All sediment and hydrocarbons should be properly handled and disposed of in accordance with local, state, and federal guidelines and regulations. Cleaning will take place at the completion of construction and as deemed necessary based on the inspections and manufacturer's requirements.

Sediment Forebay

Frequently remove accumulated sediment. At a minimum, inspect forebay monthly and clean them out at least four times a year. Stabilize the floor and sidewalls of the forebay before making it operational. Grass height shall be no higher than 6-inches, and no lower than 3-inches. Check for signs of riling and gullyng and repair as needed.

Stone Check Dams

Inspect at least once a month or after every rainfall event. Remove sediment accumulations. Check structure and abutments for erosion, piping, or rock displacement. Repair immediately.

Grass Swale/ Berms

Inspect swales after the first few months to ensure there is no riling or gullyng and that vegetation is adequate. Thereafter, inspect twice a year for slope integrity, vegetative health, soil erosion, ponding, and sediment accumulation. Remove sediment and debris manually at least once per year. Berms shall be maintained by mowing and/or weed-wacking (See O&M plan for area specifics).

Infiltration Trench

Inspect and clean pretreatment BMP's every six months and after every major storm event (2-year return frequency). Check inlet/outlet pipes to determine if they are clogged. Inspect trench after the first several rainfall events, after all major storms, and on regularly scheduled dates every 6-months. Remove accumulated sediment trash, debris, leaves, and grass clippings.

Porous Pavers

Porous pavers shall be monitored once or twice a year and following any storms to ensure proper drainage and note any deterioration. Note obvious sources of surface contaminants, and check surface for buildup of sediment in joints. Buildup typically occurs near adjoining impervious pavements. If standing water is ponding on the surface and/or infiltration rates are reduced the pavers should be vacuum swept to remove the sediment. When using air vacuum sweepers, adjustments should be made to the vacuum force to minimize removal of the joint filler stone from the joints. Joints should be refilled with clean aggregate. All Cracked pavers should be removed and replaced with new pavers. Signage will be installed to clearly demarcate the limits of the porous surface.

NON-STRUCTURAL BMPs

Pavement Sweeping

As street sweeping is a BMP under DEP guidelines, this non-structural BMP is an effective removal of Total Suspended Solids (TSS) in a comprehensive stormwater management program. Litter and debris are to be regularly picked up and removed from the pavement. Paved areas are to be swept a minimum of two times per year, at least once during April and again in September. This BMP is not needed to meet the 80% TSS removal requirement.

Pervious Areas and Slopes

Wherever possible, runoff from paved areas and snowmelt shall be directed over vegetated areas to promote settlement of suspended solids before entering a wetland or resource area. Steep pervious slopes will be permanently vegetated to dissipate energy and reduce potential erosion. No constructed vegetated slopes should exceed 2H:1V. Slopes exceeding 2:1 shall be stabilized with riprap or other similar measures to minimize the potential for future erosion. Irrigation system(s) shall be designed and maintained such that water is not applied to/or allowed to run off onto any impervious surfaces. Although overspray or runoff may be unavoidable during periods of high winds. In the event of accidental damage to system components or other unusual circumstances the system components shall be promptly corrected. Maximum of 1 inch of irrigation water will be applied to irrigated areas per week.

Drainage Control Structures, Flared End Sections, Trash Racks, Riprap Pads, Swales, and Level Spreader Splash Pads

Basin control structures, flared end sections, trash racks, riprap pads and level spreader splash pads shall be inspected and any debris or growth surrounding or within these

structures shall be removed. Any/all debris or vegetation encroaching on the control structures or outfall components shall be removed or appropriately trimmed back to maintain the designed control elevation and flow patterns/cross section without impediment. Inspection should occur twice annually, once in the fall and then in the spring after the snow melts. Cleaning will take place at the completion of construction and as deemed necessary based on the inspections and manufacturer's requirements.

Fertilizers

Use of fertilizers shall follow the requirements of 330 CMR 31.0 including but not limited to:

- No fertilizers containing phosphorous shall be applied in the absence of a current soil test indicating that supplemental phosphorous is required.
- No fertilizer shall be applied intentionally or otherwise to impervious surfaces and if so applied, shall be immediately cleaned up.
- All record keeping requirements shall be followed.
- All time of application requirements including prohibition of applications when heavy rain is forecast within 24 hours shall be followed.
- Lawn clippings: No lawn clippings shall be disposed of onsite.

Pest and Insect Control

- As a first-line defense against pests/insects and weeds (the "First-Line Defense"), the party responsible for maintenance shall avoid the use of non-organic pesticides, herbicides, fungicides and insecticides unless spot treatment is required for a specific control application. The owner shall not be required to undertake extraordinary measures or incur unreasonable cost to locate, purchase or apply non-organic products.
- If the First-Line Defense fails, as determined by the owner or party responsible for maintenance, in its sole but reasonable discretion, non-organic approaches to pest/insect control may be used, the same to be applied by a professional licensed in the Commonwealth of Massachusetts, where required. But in no event shall such non-organic approaches be used within the 25ft buffer zone to the wetlands.

Waste Management

Solid waste and recycling will be contained in garbage cans maintained at each residence for routine and regular trash pickup. Waste deposition in the receptacles will be consistent with state and local regulations.

Snow Removal

There shall be no plowing or stockpiling of snow within any resource areas. Typically, a combination of plowing and/or snow blowing is utilized on the individual driveways and a snow blowing "bobcat" is used to clear the sidewalks. No sodium chloride shall be used for ice removal. Alternatively, sand or formulations without chloride may be used. Calcium magnesium acetate (CMA) is preferred. Deicing compounds must be stored or sheltered on impervious pads (i.e. in residential garages and the maintenance facility). No de-icing compounds shall be stored or utilized in wetland resource areas nor the 25ft buffer. Snow that is plowed from the paved driveway surfaces shall be plowed to the edges of the pavement. When capacity of these areas is exceeded, accumulated snow shall be removed. Refer to the attached 11x17 O&M Map which identifies location of BMPs and provides additional Snow Removal information.

Trash Pickup

Trash will be picked up at each individual home in the standard containers required by the local trash company.

Hazardous Waste and Spill Control Containment

In the event of a discharge or spill of oil or another hazardous material, outlets to stormwater management facilities immediately downstream of the spill shall be plugged so that hazardous materials do not enter the system. In the event of a discharge of oil or other hazardous material, responsible facility personnel shall notify the appropriate state agencies, the Town of Walpole DPW and the EPA National Response Center 1-800-424-8802 shall be notified. All hazardous waste materials will be disposed of in a manner specified by local, state and/or federal regulations and by the manufacturer of such products.

Pet Waste Management

Pooper scooper laws for pets shall be followed. Residents shall not dump pet waste into storm drains, catch basins, stormwater basins, or any other drainage system components. Pet waste shall be scooped up and disposed of properly.

Other Miscellaneous Maintenance Items

Washing or pressure washing of impervious areas will not be part of routine maintenance procedures, though it may be used on occasion in small areas to treat specific problems. No coal tar-based driveway sealer products shall be used on the paved surfaces throughout the site. Asphalt binder sealers shall be used instead.