



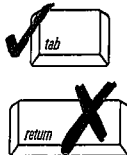
Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 141=0466
 MassDEP File #
 eDEP Transaction #
 Dedham
 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: Dedham
 Conservation Commission

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

3. To: Applicant:
Jason Mammone
 a. First Name b. Last Name

Town of Dedham
 c. Organization

55 River St.
 d. Mailing Address

Dedham MA 02026
 e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

a. First Name b. Last Name

c. Organization

d. Mailing Address

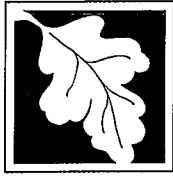
e. City/Town f. State g. Zip Code

5. Project Location:

450 Sprague St. Dedham
 a. Street Address b. City/Town

157 & 170 8 & 96
 c. Assessors Map/Plat Number d. Parcel/Lot Number

Latitude and Longitude, if known: 42d15m209s 71d07m681s
 d. Latitude e. Longitude



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A. General Information (cont.)

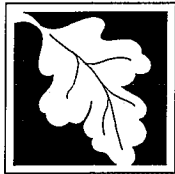
6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
 Norfolk
 a. County Norfolk b. Certificate Number (if registered land) 173 & 178
 15392
 c. Book 15392 d. Page 173 & 178
7. Dates: March 11, 2014 June 5, 2014 June 20, 2014
 a. Date Notice of Intent 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):
 Notice of Intent, Town of Dedham, Manor Fields Recreation Facility, Dedham, Massachusetts
 Activitas, Inc., Samiotes Consultants, Inc. Andrew M. Truman, P.E., Patrick Maguire, R.L.A.
 b. Prepared By
 June 11, 2014 as noted
 d. Final Revision Date e. Scale
 Striar Property Recreational Facilities, 450 Sprague Street, rev. 5-9-14
 Dedham, Massachusetts, Stormwater Calculations 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) _____ 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 checked="" type="checkbox"/> Bank	150 a. linear feet	150 b. linear feet	_____ c. linear feet	_____ d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	20 a. square feet	20 b. square feet	_____ c. square feet	_____ d. square feet
6. <input type="checkbox"/> Land Under Waterbodies and Waterways	_____ a. square feet _____ e. c/y dredged	_____ b. square feet _____ f. c/y dredged	_____ c. square feet	_____ d. square feet
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 checked="" type="checkbox"/> Isolated Land Subject to Flooding	4665 a. square feet	4665 b. square feet	_____ c. square feet	_____ d. square feet
Cubic Feet Flood Storage	.037 AF c. cubic feet	.037 AF d. cubic feet	_____ e. cubic feet	_____ f. cubic feet
9. <input type="checkbox"/> Riverfront Area	_____ a. total sq. feet	_____ b. total sq. feet	_____ c. square feet	_____ d. square 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

local jurisdiction only



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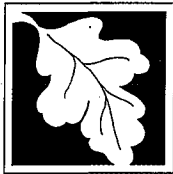
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B. Findings (cont.)

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	<u> </u> a. square feet	<u> </u> b. square feet		
	<u> </u> c. c/y dredged	<u> </u> 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	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. nourishment cu yd	<u> </u> d. nourishment cu yd
14. <input type="checkbox"/> Coastal Dunes	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. nourishment cu yd	<u> </u> d. nourishment cu yd
15. <input type="checkbox"/> Coastal Banks	<u> </u> a. linear feet	<u> </u> b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	<u> </u> a. square feet	<u> </u> b. square feet		
17. <input type="checkbox"/> Salt Marshes	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	<u> </u> a. square feet	<u> </u> b. square feet		
	<u> </u> c. c/y dredged	<u> </u> d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> 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			
	<u> </u> a. c/y dredged	<u> </u> b. c/y dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	<u> </u> a. square feet	<u> </u> b. square feet		



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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.



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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 than two square feet or more than three square feet in size bearing the words,
"Massachusetts Department of Environmental Protection" [or, "MassDEP"]
"File Number 141-0466"
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.



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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.

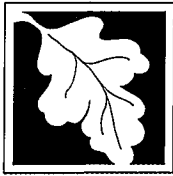
NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS

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.



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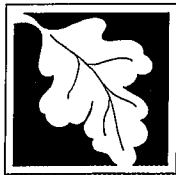
C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

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.



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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 Special Conditions



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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 Dedham 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:

Town of Dedham Wetlands Protection By-law Ch. 28
 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 Special Conditions



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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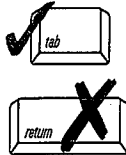
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E. Signatures

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.

June 20, 2014

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.

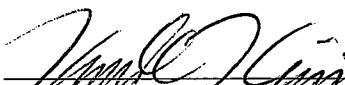
2. Number of Signers

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.

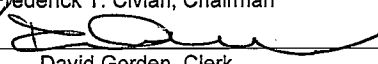
Signatures:




Laura Bugay, Vice-Chair



Frederick T. Civian, Chairman



David Gorden, Clerk



Brian McGlath

Andrew Tittler



Kristine Langdon

Sean Hoxie

by hand delivery on

by certified mail, return receipt requested, on

Date

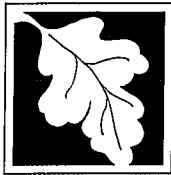
Date

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.



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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.

Dedham
 Conservation Commission

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

To:

Dedham
 Conservation Commission

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

450 Sprague St.
 Project Location

141-0466
 MassDEP File Number

Has been recorded at the Registry of Deeds of:

Norfolk
 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

SPECIAL CONDITIONS

450 Sprague Street – Manor Fields Recreation Facility

Town of Dedham, Applicant

DEP FILE # 141-0466

Finding of Facts:

1. The subject site is comprised of 25± AC of undeveloped land on the west side of Sprague Street. The property was purchased by the Town of Dedham in 2001 for recreational purposes. The proposed project combines numerous types of active and passive recreation responding to public input on the program elements.
2. Work permitting under this Order of Conditions shall conform to the following plans and documents:

Notice of Intent, Striar Property Recreation Facility, 450 Sprague Street, Dedham, MA, prepared by Samiotes Consultants, Inc. and Activitas, Inc., dated March 11, 2014.

Plan set entitled “Notice of Intent, Town of Dedham, Manor Fields Recreation Facility, Dedham, Massachusetts”, prepared by Activitas, Inc. and Samiotes Consultants, Inc., revised June 11, 2014.

Striar Property Recreational Facilities, 450 Sprague Street, Dedham, Massachusetts, Stormwater Calculations, prepared by Samiotes Consultants, Inc., dated March 11, 2014, revised May 9, 2014.

Striar Property Recreational Facilities, Construction Period Pollution Prevention and Erosion Control Operations and Maintenance Plan, rev. June 10, 2014

3. The Protected Resource Areas included in this Notice of Intent were defined through an Order of Resource Area Delineation issued by the Dedham Conservation Commission on November 8, 2013, under DEP File# 141-0455.
4. The Commission finds that the proposed design, which includes a bridge spanning the Bordering Vegetated wetland, pedestrian boardwalks through the BVW, 150 linear feet of Bank loss and the filling of 4,665 SF of Isolated Land Subject to Flooding (local jurisdiction only), will have no negative impact on the adjacent Protectable Resource Areas.

Special Conditions to be performed prior to start of construction:

20. Any change (other than those required by the various Conditions of this Order) to the plan(s) referenced within WPA Form 5, Section A.8. of this Order, requires written notification to the Dedham Conservation Commission, and no work shall be accomplished on the desired change(s) until the Dedham Conservation Commission, at a Public Meeting determines:

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(1) That the requested change is insignificant to the Interests of the Act, and/or Bylaw, and notifies the Applicant, in writing, that the project, as modified, may proceed without further Dedham Conservation Commission action, or;

(2) That the requested change requires issuance of an Amendment to the Order of Conditions, in which case the procedures outlined in DEP's Wetlands Protection Program Policy 85-4 shall be followed, or;

(3) That the requested change(s) so deviate(s) from the original concept of the project, that the filing of a new Notice of Intent is required. Such a determination rests solely at the discretion of the Dedham Conservation Commission.

21. Notwithstanding the provisions contained within Condition 20 herein, typographical errors that may appear within the referenced plan set may be corrected upon notice to the Conservation Agent. In addition, changes are anticipated due to unforeseen field conditions, and these amendments may be undertaken with the approval of the Conservation Agent, provided that the as-built plan required under Condition 48 herein properly notes the as-built condition.

22. Wherever the referenced plans or project specifications cite "or approved equal" or similar language, indicating discretionary authority to be given to the applicant, design engineer, contractor, or other person(s) of decision making capability, such approval of an alternative configuration, design, appliance, or structure, shall also be subject to approval by the Dedham Conservation Commission or its Agent, and no substitution or variance from the item cited within the approved plan set shall be permitted without the express written consent of the Dedham Conservation Commission or its Agent.

23. The applicant shall arrange a pre-construction meeting between the applicant, the General Contractor's Project Manager and/or Site Superintendent, and the Dedham Conservation Commission or their Agent. The purpose of this meeting is to review the Conditions of this Order, in detail, to insure that each and every Condition has been read and its meaning understood. Questions that any party might have relative to the intent of each Condition shall be clarified during the meeting. All parties, including the Project Manager in particular, shall initial each page of a copy of the applicant-supplied Order, indicating both attendance at the meeting, and acknowledgement that the intent and meaning of each Condition has been fully understood, and will be complied with. The Dedham Conservation Commission shall retain the endorsed copy of the Order for its files.

24. A copy of the Final Order of Conditions, amendments thereto, and all referenced plans and documents shall be kept on-site at all times until a Certificate of Compliance is issued. All contractors and subcontractors engaged during construction shall be provided with a copy of the Order or amendments thereto, prior to commencing work; thereafter,

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the applicant, contractor and subcontractor shall be held both individually and jointly liable for any violation of the Order of Conditions. The construction office will be removed prior to the issuance of a Certificate of Compliance.

25. The Dedham Conservation Commission shall be notified in writing of the identity and 24 hour phone number(s) and email address of the on-site construction supervisor(s) whose responsibility shall be to ensure compliance with this Order. The Dedham Conservation Commission shall be notified should the construction supervisor(s) or his/her/their contact information change at any point during this project.

26. The Applicant shall provide the Dedham Conservation Commission a forty-eight (48) hour notice in writing before starting any work authorized by this Order.

27. Members of the Dedham Conservation Commission and its Agent shall be permitted access to the project site during construction with proper notification to the applicant. Proper notification shall be through the construction trailer sign-in process or shall be through the emergency call number of the applicant's representative in case of emergency or off-hours situations.

28. Prior to the start of any construction, the applicant shall set in place all erosion controls shown on the approved plans. Erosion control barriers shall consist of compost filter tube or approved equal. The applicant shall notify the Dedham Conservation Commission once all such erosion controls have been set in place so that the Commission or its Agent may inspect the erosion controls prior to commencement of any work.

Stormwater System Design

29. The proposed stormwater management system is shown on the plans referenced in this Order of Conditions. With the exception of the main parking area, all proposed road and driveway pavement is to be pervious. All work shall conform to the plans, details and specifications, except as may be modified by the Conditions herein.

30. All project modified or newly installed catch basins shall have the Town of Dedham Standard "Don't Dump" Placard placed adjacent to the catch basin grates, outside of the paved surface (see Dedham DPW Design and Construction Standards for typical detail).

31. All slopes of 2:1 or greater, if not proposed for armoring with rip-rap, shall be stabilized with erosion control matting.

32. The proposed filter berms in the existing channels of the two intermittent streams shall be inspected after every major storm event during construction and for one year post-construction to ensure that they have not been damaged and are functioning properly.

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Special Conditions to be observed during the course of construction:

33. No vegetation larger than six inch caliper shall be removed during the construction of the pedestrian boardwalks. Any modifications to the locations of the boardwalks shall be reviewed and approved by the Commission or its Agent.
34. The applicant shall undertake the removal and control of invasive plant species within that portion of the site to be developed for active recreation. Monitoring reports on the invasive species control shall be provided on an annual basis for the first five years post-construction.
35. There shall be no storage of fuel, lubricants, or other hazardous substances within the limits of the 100' Buffer Zone on the subject site.
36. Accepted engineering and construction industry standards of workmanship, materials, and procedures shall be followed to the completion of the project in a proper, substantial, and workman-like manner. Engineering and construction shall be provided in a manner consistent with the level of care and skill ordinarily exercised by those providing services under similar circumstances, and all work must abide by all current Federal, State, and Local regulations and codes regarding engineering and construction.
37. In the event of any spill of hazardous materials (including gasoline, fuel oils, lubricants and hydraulic fluids), the Dedham Fire Department (781-326-2212), the DEP's Spill Response Unit (617-556-1133), the Dedham Board of Health (781-752-9220), the Dedham Conservation Commission Office (781-751-9210), and the Dedham-Westwood Water District (781-978-7090 or 781-326-1250) shall be contacted immediately.
38. The Contractor shall clean up at least daily, all refuse, rubbish, scrap and surplus materials, debris, and unneeded construction equipment resulting from the construction operations. The site of the work and the adjacent areas shall be kept in a neat and orderly condition. Sediments that might be deposited on streets adjacent to the site shall be swept up daily.
39. A portable sanitary facility shall be located on site during construction.
40. All excavated earth material not used during the course of this project and all construction waste and debris shall be removed from the site and disposed of in accordance with applicable regulations.
41. All fill brought to the site shall be clean and free from any construction debris, stumps, wood, asphalt, concrete, boulders or other contaminants and shall be accompanied by a manifest attesting to its place of origin.

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42. Truck traffic associated with the transportation of both excavated and fill material shall be limited to the hours from 8:00 AM to 5:00 PM on weekdays.

43. All loam to be used in the landscaped areas of the site shall be free from weed seeds, especially those of invasive species.

44. Erosion controls such as silt sacks shall be installed in all of the newly installed catch basins to prevent silt from entering the existing subsurface drainage system or the protectable resource area during construction.

Special Conditions to be performed and observed after completion of construction:

45. It is the Commission's understanding that the main parking area is to be used for snow storage by the Dedham Department of Public Works. The DPW shall ensure that the silt and litter deposited by the plowed snow in the landscaped island in the parking area is removed no later than May 31 every spring and that any dead or damaged plant material is removed and replaced.

46. All erosion and sedimentation controls implemented by the Applicant pursuant to this Order shall be maintained in place until the issuance of a Certificate of Compliance, or until their removal is requested by the Dedham Conservation Commission's Agent.

47. The Applicant shall submit an "as-built" plan to the Dedham Conservation Commission upon completion of the project. The plan shall be signed by a Registered Professional Engineer documenting that the work has been performed in accordance with the approved plans, supporting documents, and the Final Order of Conditions. The plan must be submitted prior to the issuance of a Certificate of Compliance by the Dedham Conservation Commission. A request for a Certificate shall be made utilizing WPA Form 8A. In addition to the as-built the applicant shall submit an Engineer's Certification stating that the stormwater management system is functioning as designed.

48. Prior to the request for a partial or total Certificate of Compliance, Applicant shall provide to the Dedham Conservation Commission for their review and written approval, a revised Operations and Maintenance Plan of all as-built structural BMP systems, as well as anticipated non-structural BMPs such as sweeping, and applications of winter de-icing agents. The Plan, at a scale of 1"= 20', shall include a depiction of each structural BMP element, numbered, (i.e., catch basin #1, etc.), keyed to a table indicating the specific inspectional and maintenance requirements for that particular structural BMP element. The Plan shall also indicate those areas within which applications of fertilizers, herbicides, and pesticides are anticipated, and those areas to be designated as chemical and/or fertilizer free. Materials, application rates, and total amounts to be used of each material shall be provided. The applicant shall also provide some means of adequate funding for the required maintenance to the Commission.

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Continuing Conditions that will be incorporated into the Certificate of Compliance:

49. The project shall be maintained in accordance with the site's Conservation Commission approved Operations and Maintenance Plan. Special emphasis shall be placed on the proper maintenance of the pervious pavement.

50. Use of Dedham-Westwood Water District water within any subsurface lawn or landscape area irrigation system is prohibited. Use of hand-held watering devices upon gardens or landscape areas (but not lawns) is allowed, subject to the restriction that may be, from time to time, further imposed by the Dedham-Westwood Water District.

51. The owners of the project and their successors in title, in the event they proceed to alter areas subject to the Dedham Conservation Commission's jurisdiction under this Order and Permit, agree that the Town of Dedham shall have no responsibility to maintain the proposed drainage system and that said Town shall not be liable for any damages in the event of failure. By acceptance of this Order and Permit, the owners indemnify and hold harmless the Town of Dedham and its residents for any damages attributable to alterations undertaken on this property pursuant to this Order and Permit, except to the extent caused by the Town of Dedham's willful misconduct. Issuance of this Order and Permit does not in any way imply or certify that the site or downstream areas will not be subject to flooding, storm damage, or any other form of water damage.

End of DEP Special Conditions

Town of Dedham Wetlands Protection & Stormwater Management Bylaws

Special Conditions

1. General and Special Conditions 1-51 above are also issued as Conditions of the Stormwater Management Permit issued under the Town of Dedham Stormwater Management Bylaw and are enforceable by the provisions contained therein. The issuance of this Order of Conditions negates the requirement for a separate Stormwater Management Permit for this project.

2. General and Special Conditions 1-51 above are also issued as Conditions for the Wetlands Permit issued under the Town of Dedham General Wetlands Protection Bylaw and are enforceable by the provisions contained therein.

End of Local Bylaw Conditions