



**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:

SE35-1584

MassDEP File #

eDEP Transaction #

Hull

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: Hull
Conservation Commission

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

3. To: Applicant:

Joseph A.

a. First Name

Stigliani

b. Last Name

Dept. of Public Works, Town of Hull

c. Organization

9 Nantasket Avenue

d. Mailing Address

Hull

e. City/Town

MA

f. State

02045

g. Zip Code

4. Property Owner (if different from applicant):

SAME

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

5. Project Location:

Atlantic Avenue

a. Street Address

Hull

b. City/Town

Map 48-49, 51-55

c. Assessors Map/Plat Number

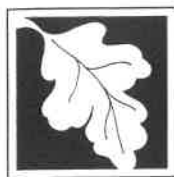
NA

d. Parcel/Lot Number

Latitude and Longitude, if known:

d m s
d. Latitude

d m s
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):
Not Applicable-Road Right of Way
- a. County _____ b. Certificate Number (if registered land) _____
- c. Book _____ d. Page _____
7. Dates: 09/29/2020 11/17/2020 12/14/2020
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):
See attached Special Conditions page
- a. Plan Title _____
- b. Prepared By _____ c. Signed and Stamped by _____
- d. Final Revision Date _____ e. Scale _____
- f. Additional Plan or Document Title _____ g. Date _____

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- a. ☐ Public Water Supply b. ☐ Land Containing Shellfish c. ☐ Prevention of Pollution
- d. ☐ Private Water Supply e. ☐ Fisheries f. ☐ Protection of Wildlife Habitat
- g. ☐ Groundwater Supply h. ☒ Storm Damage Prevention i. ☒ Flood Control

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

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



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



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eDEP Transaction #

Hull

City/Town

B. Findings (cont.)

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

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
12. <input checked="" type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input checked="" type="checkbox"/> Coastal Beaches	40 s.f.	40 s.f.	cu yd	cu yd
	a. square feet	b. square feet	c. nourishment	d. nourishment
14. <input type="checkbox"/> Coastal Dunes			cu yd	cu yd
	a. square feet	b. square feet	c. nourishment	d. nourishment
15. <input checked="" type="checkbox"/> Coastal Banks	130 l.f.			
	a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores				
	a. square feet	b. square feet		
17. <input checked="" type="checkbox"/> Salt Marshes	264 s.f.			
	a. square feet	b. square feet	c. square feet	d. square feet
18. <input checked="" type="checkbox"/> Land Under Salt Ponds	85 sf			
	impact/	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 checked="" type="checkbox"/> Land Subject to Coastal Storm Flowage	225,800 s.f.	225,800 s.f.		
	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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MassDEP File #

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Hull

City/Town

B. Findings (cont.)

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

23. ☐ Restoration/Enhancement *:

a. square feet of BVW

b. square feet of salt marsh

24. ☐ Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

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



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SE35-1584

MassDEP File #

eDEP Transaction #

Hull

City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act

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

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]
"File Number SE35-1584 "
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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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE35-1584

MassDEP File #

eDEP Transaction #

Hull

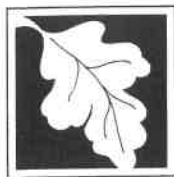
City/Town

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

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

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

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



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Provided by MassDEP:

SE35-1584

MassDEP File #

eDEP Transaction #

Hull

City/Town

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

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

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

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

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

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

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

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

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



**Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands**

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:

SE35-1584

MassDEP File #

eDEP Transaction #

Hull

City/Town

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

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

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

See attached Special Conditions page

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



**Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands**

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:

SE35-1584

MassDEP File #

eDEP Transaction #

Hull

City/Town

D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? ☐ Yes ☒ No
2. The _____ hereby finds (check one that applies):

Conservation Commission

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

1. Municipal Ordinance or Bylaw

2. Citation

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

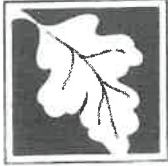
- b. ☐ that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

1. Municipal Ordinance or Bylaw

2. Citation

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):



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

Provided by MassDEP:
SE35-1584
 MassDEP File #

eDEP Transaction #
HULL
 City/Town

* E. Signatures

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

12/14/2020
 1. Date of Issuance

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

6
 2. Number of Signers

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.

Signatures:

Jim Stone by CK, UPL
Joe Sargi by CK, UPL
Tammy Best by CK, UPL

Paul Epstein by CK, UPL
Sam Banner by CK, UPL
Paul Pagan by CK, UPL

☒ by hand delivery on

☐ by certified mail, return receipt requested, on

Date

12/14/2020

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 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.

**For authorization for said signatures, see Certificate of Vote Authorizing Signatures by Agent and Electronic Signatures on file with the Plymouth County Registry of Deeds in Book 52738, Page 157.*

DEP File#: SE35-1584

**Project Site: Atlantic Avenue
Maps 48-49, 51-55**

**Applicant: Joseph Stigliani
Town of Hull DPW
9 Nantasket Avenue
Hull, MA 02045**

Property Owner: SAME

Pursuant to the Authority of the Massachusetts Wetland Protection M.G.L. c. 131, §40, the Hull Conservation Commission has reviewed your Notice of Intent and plans, and has determined that the area which is the subject of the permit application is significant to the interests of the Act. The said Commission has determined that your application is approved.

HULL Standard Conditions

Conditions numbered **9, 11, 14, 15, 16, and 17; Special Conditions 2, 3 & 5** shall extend beyond the term of this Order and will be specifically referenced in the Certificate of Compliance as perpetual conditions applicable to this project.

1. Any changes to the approved plans shall require the applicant to inquire of the Conservation Commission, in writing, whether the change is so significant as to require a new Notice of Intent, an Amendment to the Order of Conditions, or a minor plan change.
2. No work shall begin until 1) the appeal period has lapsed, 2) the original Order has been recorded at the Registry of Deeds in Plymouth 3) the project manager has met with the Conservation Administrator or their designee to briefly review the project and to review and approve sedimentation barriers and/or erosion controls, and 4) a sign with the DEP File Number is placed in appropriate location.
3. The appropriate sedimentation barriers and/or erosion controls shall be constructed between the construction area and the resource area. They shall be placed in such a manner as to provide protection for the resource area. They shall be kept in good working order and must remain on-site until all areas have been stabilized with vegetation or other means or until the Commission determines that control measures are no longer necessary. Prior to the start of any construction on the project site, the Conservation Commission Office (781-925-8102) shall be notified that the sedimentation barriers and/or erosion controls are in place and ready for inspection.
4. Any excess material (e.g. soil and/or spoil) which is to remain on the Applicant's site as well as all areas of disturbed soil, shall be stabilized with the appropriate material (e.g. mulch, grass, and/or plantings) to prevent erosion and sedimentation.
5. Any excess material (e.g. soil and/or spoil) which was permitted for removal is to be removed and disposed of in a legal manner.
6. Notwithstanding the foregoing conditions, the Applicant is responsible throughout the construction period to take any and all measures necessary to protect the resource area. Should any damage occur during the course of construction, the Applicant, as the responsible party, shall bear the full cost of restoring the resource area to the satisfaction of the Commission.
7. Any and all contracts or subcontracts for this project shall include this document and the referenced plans. In the case of any conflicts, this document and the referenced plans shall be the rule. This document and the referenced plans shall be available on the job site at all times during construction. If the Conservation Administrator or their designee conducts an impromptu site visit and discovers that this Order and the approved plans are not on-site, no work may continue until proper documentation is on-site.
8. During construction, members and agents of the Conservation Commission shall have the right to enter and inspect the premises to evaluate compliance with these conditions, the referenced plans, and to ensure

DEP File#: SE35-1584

**Project Site: Atlantic Avenue
Maps 48-49, 51-55**

**Applicant: Joseph Stigliani
Town of Hull DPW
9 Nantasket Avenue
Hull, MA 02045**

Property Owner: SAME

compliance with the Wetlands Protection Act. The applicant shall submit data or information deemed necessary by the Commission for such evaluation.

9. This Order shall apply to any successor in interest or control. This condition is ongoing and will not expire at the end of three years.

10. Any person who purchases, inherits or otherwise acquires real estate, upon which work has been done in violation of this Order, shall forthwith comply with this Order to restore such real estate to its condition prior to any such violation.

11. There shall be no increase in sediment and/or siltation into the resource area. This condition shall not expire at the end of three years.

12. 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. Should such installation be required by the Commission, they shall be installed within 48 hours of the Commission's request.

13. All disturbed areas will be graded, loamed and seeded prior to November 1 of this year, if possible. No disturbed areas or stockpiled material will be left unprotected or without erosion controls during the winter.

14. No pollutants of any kind shall be discharged or disposed of in the resource area. This condition is ongoing and will not expire at the end of three years.

15. No stumps or debris of any kind shall be buried on the site. This condition is ongoing and will not expire at the end of three years.

16. All hazardous materials (including but not limited to gasoline, paint, fertilizers, pesticides, etc.) shall be stored on shelves above the flood elevation. This condition is ongoing and will not expire at the end of three years.

17. No changes to existing drainage patterns are permitted. No additional fill and/or loam that would increase the topographical elevation of the property and/or change the existing drainage patterns are permitted. This condition is ongoing and will not expire at the end of three years.

18. At the completion of the project, the Applicant shall submit WPA Form 8A and any or all of the following pertinent information to the Hull Conservation Commission in order to receive a Certificate of Compliance.

- a. A Request for Certificate of Compliance (WPA Form 8A), referencing the DEP File number.
- b. A written statement from a registered Professional Engineer that the project is substantially in compliance with this document and the referenced plans, and if different from the original plan, how and where it differs.
- c. A signed and stamped as-built topographic plan from a registered Professional Land surveyor that includes as-built elevations of all drainage structures within 100 feet of any resource area and all distances and elevations of all structures within 100 feet of any resource area.
- d. A written statement from a qualified wetland scientist attesting to compliance with state and local regulations is required for all wetland replication and/or restoration areas. Replicated areas must be constructed to provide the same functions and values that the natural area provided prior to impact. Only

DEP File#: SE35-1584

**Project Site: Atlantic Avenue
Maps 48-49, 51-55**

**Applicant: Joseph Stigliani
Town of Hull DPW
9 Nantasket Avenue
Hull, MA 02045**

Property Owner: SAME

in-kind replication is acceptable (i.e. shrub to shrub, forested to forested, etc.). The replicated area shall be monitored through two growing seasons to achieve required standards.

DEP File#: SE35-1584

**Project Site: Atlantic Avenue
Maps 48-49, 51-55**

**Applicant: Joseph Stigliani
Town of Hull DPW
9 Nantasket Avenue
Hull, MA 02045**

Property Owner: SAME

HULL Special Conditions

Pursuant to the Authority of the Massachusetts Wetland Protection M.G.L. c. 131, §40, the Hull Conservation Commission has reviewed your Notice of Intent and plans, and has determined that the area which is the subject of the permit application is significant to the interests of the Act. The said Commission has determined that your application is approved. The approved work consists of: **modify existing dwelling and the paved driveway**. The work shall be in accordance to the work shown on the plan and as described during the public hearing. The homeowner is responsible for ensuring the below Plan/s of Record are followed. If any further work or changes are proposed, they must be approved by the Conservation Commission.

The following section lists the plans of record and special conditions for the above project, DEP File #SE35-1584

Final Approved Plans:

(1)

Plan entitled: "Plan and Profile of Reconstruction of Atlantic Avenue and Related Work in the City/Town of Hull Plymouth County – Notice of Intent Plans"; 43 pp.
Prepared by: CHA
For: Town of Hull
Signed & stamped by: John Morgan, No. 46886
Date: 9/28/2020

The referenced plans are on file in the office of the Conservation Office.

Special Conditions for SE35-1584 if any:

- 1) Prior to beginning work, the applicant shall provide the Conservation Department with a valid Ch. 91 license for the proposed work or provide evidence that a Ch. 91 License is not needed.
- 2) The proposed work for the parking area ("Prop Gravel DWY") identified in the set of plans referenced above, most notably on page 12 of 43, is NOT approved work to be included in this Order of Conditions.
- 3) Any modifications that result from the establishing the final Right-of-Way for Atlantic Ave through the fee, taking, and easement processes shall be documented and shared with the Commission to evaluate whether an amendment to these Order is needed prior to any amendment work perceived or proposed.