APPENDIX B

Order of Conditions
January 28, 2016

Douglas Deschenes, Esq.
Deschenes and Farrell PC
515 Groton Road #204
Westford, MA 01886

RE  Order of Conditions DEP File # 334-1620, for Stream Crossings, Storage of Earth Materials and
Stormwater Best Management Practices
    Newport Construction, 10 Commerce Way

Dear Attorney Deschenes,

Enclosed please find the approved Order of Conditions issued by the Westford Conservation
Commission under the Massachusetts Wetlands Protection Act and Westford Non-Zoning Wetlands
Bylaw. The Order of Conditions must be recorded at the North Middlesex Registry of Deeds in Lowell
prior to any activity taking place on the site. Once recorded please submit the Book and Page number of
the recorded information to the Conservation office.

Although no work subject to this Order can commence until the appeal period has ended and the
conditions are met, I’m recommending that the trap rock apron be installed immediately. The apron is
not within the buffer zone or in any wetland resource areas, and it is a necessary step to eliminate the
materials being tracked out onto Groton Road to protect the wetlands

If you have any questions please feel free to contact me.

For the Commission,

Carol A. Gumbart
Conservation/Resource Planner

cc  John Tucker, Newport Materials (e-copy)
    Andrea Tavares, Land Tech Consultants (e-copy)
    Jeffery Morrissette, Westford Town Planner (e-copy)
    Jeff Stephens, Westford Environmental Director (e-copy)
    Chris Kluchman, Westford land Use Director (e-copy)
A. General Information
1. Conservation Commission WESTFORD
2. Issuance
   a. ✓ OOC
   b. Amended OOC
3. Applicant Details
   a. First Name JOHN
   b. Last Name TUCKER
   c. Organization NEWPORT CONSTRUCTION
   d. Mailing Address 10 COMMERCE WAY
   e. City/Town WESTFORD
   f. State MA
   g. Zip Code 01886
4. Property Owner
   a. First Name
   b. Last Name
   c. Organization
   d. Mailing Address
   e. City/Town
   f. State
   g. Zip Code
5. Project Location
   a. Street Address 540 GROTON ROAD
   b. City/Town WESTFORD
   c. Zip Code 01886
   d. Assessors Map/Plat# 048
   e. Parcel/Lot# 0011 0234 AND 0011 0250
   f. Latitude 42.62907N
   g. Longitude 71.41342W
6. Property recorded at the Registry of Deed for:
   a. County NORTHERN MIDDLESEX
   b. Certificate
   c. Book 21235
   d. Page 250
7. Dates
   a. Date NOI Filed: 7/23/2015
   b. Date Public Hearing Closed: 1/13/2016
   c. Date Of Issuance: 1/28/2015
8. Final Approved Plans and Other Documents
   a. Plan Title:
   b. Plan Prepared by:
   c. Plan Signed/Stamped by:
   d. Revised Final Date:
   e. Scale:

SEE ATTACHED
LIST OF PLANS
AND DOCUMENTS

B. Findings
1. Findings pursuant to the Massachusetts Wetlands Protection Act
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:  
MassDEP File #:334-1620  
eDEP Transaction #:798815  
City/Town: WESTFORD

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

Check all that apply:

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

2. Commission hereby finds the project, as proposed, is:

Approved subject to:

- ☑ 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.

Denied because:

- ☑ 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 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.**

- ☑ 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 interests of the Act, 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 10.85(6)(c).**

3. ☑ Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310CMR10.021(a).

<table>
<thead>
<tr>
<th>Resource Area</th>
<th>Proposed Alteration</th>
<th>Permitted Alteration</th>
<th>Proposed Replacement</th>
<th>Permitted Replacement</th>
</tr>
</thead>
<tbody>
<tr>
<td>4. Bank</td>
<td>a. linear feet</td>
<td>b. linear feet</td>
<td>c. linear feet</td>
<td>d. linear feet</td>
</tr>
<tr>
<td>5. Bordering Vegetated Wetland</td>
<td>1021 a. square feet</td>
<td>1021 b. square feet</td>
<td>1021 c. square feet</td>
<td>1021 d. square feet</td>
</tr>
<tr>
<td>6. Land under Waterbodies and Waterways</td>
<td>a. square feet</td>
<td>b. square feet</td>
<td>c. square feet</td>
<td>d. square feet</td>
</tr>
<tr>
<td></td>
<td>e. c/y dredged</td>
<td>f. c/y dredged</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Bordering Land Subject to Flooding</td>
<td>a. square feet</td>
<td>b. square feet</td>
<td>c. square feet</td>
<td>d. square feet</td>
</tr>
</tbody>
</table>

Inland Resource Area Impacts: (For Approvals Only)
Cubic Feet Flood Storage

<table>
<thead>
<tr>
<th></th>
<th>e. cubic feet</th>
<th>f. cubic feet</th>
<th>g. cubic feet</th>
<th>h. cubic feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>8. Isolated Land Subject to Flooding</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Cubic Feet Flood Storage</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. square feet</td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>b. square feet</td>
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<td></td>
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<td></td>
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<tr>
<td>c. cubic feet</td>
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<tr>
<td>d. cubic feet</td>
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<tr>
<td>e. cubic feet</td>
<td></td>
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<td></td>
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<tr>
<td>f. cubic feet</td>
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</tr>
</tbody>
</table>

9. Riverfront Area

<table>
<thead>
<tr>
<th></th>
<th>a. total sq. feet</th>
<th>b. total sq. feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sq ft within 100 ft</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. square feet</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. square feet</td>
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<td></td>
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<tr>
<td>e. square feet</td>
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<tr>
<td>f. square feet</td>
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<table>
<thead>
<tr>
<th></th>
<th>g. square feet</th>
<th>h. square feet</th>
<th>i. square feet</th>
<th>j. square feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sq ft between 100-200 ft</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>c. y dredged</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>d. c/y dredged</td>
<td></td>
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</tbody>
</table>

Coastal Resource Area Impacts:

<table>
<thead>
<tr>
<th>Resource Area</th>
<th>Proposed Alteration</th>
<th>Permitted Alteration</th>
<th>Proposed Replacement</th>
<th>Permitted Replacement</th>
</tr>
</thead>
<tbody>
<tr>
<td>10. Designated Port Areas</td>
<td>Indicate size under Land Under the Ocean, below</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. Land Under the Ocean</td>
<td>a. square feet b. square feet</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12. Barrier Beaches</td>
<td>Indicate size under Coastal Beaches and/or Coastal Dunes below</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13. Coastal Beaches</td>
<td>a. square feet b. square feet c/y nourishment d. c/y nourishment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14. Coastal Dunes</td>
<td>a. square feet b. square feet c/y nourishment d. c/y nourishment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15. Coastal Banks</td>
<td>a. linear feet b. linear feet</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16. Rocky Intertidal Shores</td>
<td>a. square feet b. square feet</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17. Salt Marshes</td>
<td>a. square feet b. square feet c. square feet d. square feet</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18. Land Under Salt Ponds</td>
<td>a. square feet b. square feet</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19. Land Containing Shellfish</td>
<td>a. square feet b. square feet c. square feet d. square feet</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
20. Fish Runs

Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above

   c. c/y dredged d. c/y dredged

21. Land Subject to Coastal Storm Flowage

   a. square feet   b. square feet

22.

Restoration/Enhancement (For Approvals Only)

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 & d or B.17.c & d above, please enter the additional amount here.

   a. square feet of BVW   b. square feet of Salt Marsh

23.

Streams Crossing(s)

If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

   a. number of new stream crossings   b. number of replacement stream crossings

2

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 exceed the issuance date of the original Final Order of Conditions.

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.

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...
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 recorded 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: "334-1620"

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 Mass DEP.

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.

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 correct any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion control or damage prevention controls if deemed 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) not (2) subject to the Massachusetts Stormwater Standards. If the work is subject to 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 Pollutant Discharge Elimination System Construction General Permit as required by Stormwater Standard 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.

b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that: i. all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures; ii. as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized; iii. any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater...
Standard 10; iv: all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition; v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

c) 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 19(c)) 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 Pollutant 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 19(f) through 19(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 19(f) through 19(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.

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:
SEE ATTACHED SPECIAL CONDITIONS
D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? □ Yes □ No

2. The Conservation Commission hereby (check one that applies):
   a. □ DENIES the proposed work which 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 or Conditions is issued. Which are necessary to comply with a municipal ordinance or bylaw:

b. ☑ APPROVES the proposed work, subject to the following additional conditions.
   1. Municipal Ordinance or Bylaw WESTFORD NON-ZONING WETLANDS BYLAW
   2. Citation CH. 171 __________________________

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:
SEE ATTACHED SPECIAL CONDITIONS
E. Signatures

This Order is valid for three years from the date of issuance, unless otherwise specified pursuant to General Condition #4. If this is an Amended Order of Conditions, the Amended Order expires on the same date as the original Order of Conditions.

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.

Signatures:

[Signatures]

☐ by hand delivery on

☐ by certified mail, return receipt requested, on

Date

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.05(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

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

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

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.

WESTFORD
Conservation Commission

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

To:

WESTFORD
Conservation Commission

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

540 GROTON ROAD
Project Location

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
Project Description:

The project involves the clearing of approximately 6 acres of land for storage of sand, gravel, clay, and earth materials in 55 foot high stockpiles with associated stormwater basins to control runoff from the stockpiles. To access the new storage area the project includes the re-construction of a 13 foot wide gravel road and installation of 2 culvert crossings to reach an upland area that will be used for stockpiling materials such as sand, gravel and other earth materials.

Findings

The Commission finds the majority of the site has been disturbed from its granite quarry days. Today with its massive piles of dirt and rock, the Commission finds that the site has a perpetually changing landscape which requires regular and routine oversight to ensure protection of the wetland resource areas. A portion of the site is being operated as a recycling operation for asphalt, brick, concrete and wood. The applicant is proposing to clear approximately 6 acres of land to store earth materials such as sand and gravel (Hydrologic Soil Group A). A portion of the storage stockpile area as proposed and/or stormwater infiltration basins are within the 100 foot wetland buffer zone to bordering vegetated wetlands.

The Commission finds that the Order of Resource Area Delineation issued on July 15, 2015 has expired. Only portions of the wetland delineation closest to the stream crossings were reviewed for the issuance of this Order and no exploration of the "potential" vernal pool was performed. However, the Self Storage Order of Conditions (DEP File 334-1558) was issued in April 2013 and includes an overall plan of the existing conditions and wetlands. Therefore, there is a valid delineation for the property. The Commission finds that the two stream crossings were dry during the summer and fall of 2015, and the Commission's peer review consultant confirmed that the stream stat calculations were accurate showing these streams as intermittent and not perennial at the locations of the stream crossings.

The Commission finds that the owner meets the MA Stormwater Standards as designed. The design includes sediment forebays with infiltration basins where the groundwater is 24-inches below grade. The Commission is concerned with potential contaminated material being brought into the site. However, through the peer review process the question of contaminated material was adequately addressed by the applicant. The applicant's response is that they comply with the Mass DEP Similar Soils Provisional Guidance regulations.

The Commission finds that the project anticipates only using the reconstructed gravel road for internal equipment. However, the material that is being stored on the site is being brought into the site from trucks that enter from Groton Road. The Commission finds that the entrance is not sufficiently maintained and sediment from the trucks is tracked in and out of the site. The tracking causes windrows of sediment along Route 40 that washes into the wetlands during storm events. The applicant has agreed to add a 100 foot long trap-rock area which will remove sediment from truck tires prior to leaving the site. The applicant also agreed to a regular sweeping schedule of the paved driveway and installation of a one-hundred foot trap rock apron.

The following Special Conditions also apply to work within the jurisdictional areas of the Conservation Commission as defined by General Laws, chapter 131 section 40 and State and local regulations.
Special Conditions:

21. It shall be understood by the applicant that the issuance of this Order of Conditions shall apply to the Massachusetts Wetlands Protection Act, the Town of Westford’s Non-Zoning Wetlands Bylaw and the MA DEP Stormwater Regulations.

22. The applicant/owner shall have applied for and obtained all permits prior to any alteration of the site, including but not limited to construction of the gravel access road, vegetation clearing and/or any tree removal.

23. Prior to the storage of any material within the wetland buffer zone, the owner shall correct the drainage problems at the site entrance road in accordance with the plans approved in DEP File 334-1558.

24. Prior to any tree removal in the proposed storage areas, a Stormwater Management Permit shall be obtained from the Town of Westford’s Planning Board, in accordance with Westford’s General Bylaw 147, and a copy provided to the Conservation Commission.

25. Prior to any tree removal in the proposed storage areas, a Stormwater Pollution Prevention Plan (SWPPP) shall be developed through the National Pollutant Discharge Elimination System (NPDES) program, if applicable, and an approved SWPPP shall be provided to the Conservation Commission.

26. Work associated with the installation of the 2 new box culverts shall only be completed during low flow conditions. The stream bottom shall be replicated within the bottom of the culverts and the replication plan shall be submitted to the Commission or its agent, for review and approval prior to the alteration of the stream.

27. The applicant’s representatives anticipate the temporary alteration of approximately 1,021 square feet of wetlands. Prior to any work at the stream crossings the owner shall submit a restoration plan for review and approval including, but not limited to, the number, types and size of plants to be planted to restore the wetland to its original condition. Said restoration work shall be carried out as soon as all construction work potentially impacting said areas has been completed.

Said restoration work shall be performed under the direction of and be monitored by a qualified wetland scientist biologist, who shall submit monitoring reports to the Commission on October 1st of each year for two years following initial construction of the restoration area. Each report shall include an observed species list, relative abundance of each species, percent cover of upland and wetland species, the viability of the plantings and proposed remedial measures to ensure a minimum of 75% replication within two (2) growing seasons. Additional years of monitoring shall be required should the minimum restoration not be attained within two years.

28. The gravel access road shall remain a 13 foot wide gravel construction road and not be paved. Siltfence with steel mesh reinforcement fence shall run along the length of the access driveway and be placed in a staggered manner to allow for small fauna to move along the fence and cross the access driveway. The fence shall be securely entrenched in the ground and be maintained in this manner. This shall be a condition in perpetuity and shall be noted in the Certificate of Compliance.
29. The gravel access road shall only be used by vehicles that can stay within the 13 foot wide road and can make the turns without going beyond the 13 width of the road. There shall be no oversized use of vehicles on the access road. This shall be a condition in perpetuity and shall be noted in the Certificate of Compliance.

30. Prior to adding any materials to the stockpiles, other than Hydro Soil Group A, the Conservation Commission and its agent shall be notified of the change and what if any accommodations shall be made for stormwater infiltration.

31. During all construction phases the proponent shall provide an onsite manager who shall be responsible for implementing all mitigation measures and full compliance with this Order of Conditions, with particular emphasis on installation and maintenance of erosion and sedimentation control measures, and who shall conduct site investigations with the Commission and/or its agent. It shall be the site manager's responsibility and priority to control sediment flow on the site and assure that sediment is not discharged to any wetlands.

32. The final Operation and Maintenance Plan (O&M Plan) shall be recorded with this Order of Conditions and compliance with the O&M Plan shall be a continuing condition that runs with the title of the property. This shall be a condition in perpetuity and shall be noted in the Certificate of Compliance.

33. Any ground disturbed during any phase of the project, not including the active stockpile areas, shall be seeded and stabilized with a seed mixture approved by an agent of the Commission. The disturbed areas shall be stabilized within the same growing season the work occurs and no later than September 15 to ensure adequate growth within the growing season.

34. Notice shall be given to the Commission or its agent no more than one week and no less than three (3) days prior to the commencement of any activities associated with this Order, including onsite trucking of earth materials in new locations and major removal of site vegetation.

35. Prior to the commencement of the project there shall be a meeting onsite between the project contractor, the site superintendent and project engineer and the Commission's agent to review this Order of Conditions and its requirements. A copy of said Order of Conditions and referenced plans and documents shall be onsite during all construction activities.

36. The limit of work shall be clearly established by a land surveyor and prior to any tree removal the limit of work line shall be reviewed in the field with the Commission or its agent.

37. Prior to any disturbance on the site the applicant or his/her representative shall submit a schedule to the Commission or its agent for review and approval. The schedule shall include a sequence of events with approximate dates of activities relevant to this Order including but not limited to:
   • Placement of sediment and erosion controls;
   • Site preparation;
   • Stream crossing and culvert installation;
   • Tree cutting;
   • Stabilization of the site;
   • Key dates or milestones for activities; and
   • Site management information including, names, address, phone number and email of site contractor(s).
38. One progress report per month or at intervals as agreed with the Conservation Resource/Planner shall be submitted to the Conservation Commission when work is ongoing within the Buffer Zone. Progress reports, with photo documentation shall indicate what work has been done within the Buffer Zone and what work is anticipated to be done over the next reporting period. The report shall also address the current condition of erosion and sedimentation controls; describe any erosion or sedimentation problems and mitigation measures implemented. Reports shall be sent to the Westford Conservation/Resource Planner by email within two days of the inspection.

39. An annual report shall be provided by the owner with photographs documenting any stormwater management problems that have arisen during the year and how they were corrected. This shall be a condition in perpetuity and shall be noted in the Certificate of Compliance.

40. The Conservation Commission or its agent shall have the right to visit the property, with prior notice to the site representative, and at reasonable times, to ensure compliance with this Order and ongoing stormwater management operations. This shall be a condition in perpetuity and shall be noted in the Certificate of Compliance.

41. The O&M Plan and SWPPP shall be reviewed with and a copy provided to all contractors and engineers working on the site involved with site preparation, earthwork and landscaping. A copy of said Plans shall be onsite during all construction activities.

42. Prior to the commencement of any other activities on the site, erosion/sedimentation/work limit control barriers consisting of staked straw wattles in combination with steel mesh backed silt fence shall be established in the locations shown as “Erosion Controls” on the Plan of Record. These installations shall be located in the field by a land surveyor and must be inspected and approved by the Commission or its agent in the presence of the owner’s engineer and site contractor prior to the commencement of any other work on the site.

The Commission’s agent is authorized to require the installation of any other erosion/sedimentation/work limit controls on the site as deemed necessary to protect the wetlands.

43. The applicant shall have on hand at the start of any soil disturbance, removal or stockpiling, a minimum fifty feet of straw wattles and 100 feet of steel mesh backed silt fence. Said wattles and fence shall be used for control of emergency erosion problems, and shall not be used for normal control of erosion.

These control features shall be maintained in proper working condition.

44. Accepted engineering and construction standards shall be followed in the completion of this project. This includes proper installation and maintenance of Erosion & Sediment Control (E&SC) Best Management Practices (BMPs) per applicable DEP and/or manufacturers’ guidelines.

45. The owner and his employees and contractors shall make no changes or additions to any of the work shown on the approved plans without first having those changes reviewed and approved by the Commission or its agent.
46. Any required dewatering shall be performed so as to direct water to an upland discharge point, as far away as possible from wetlands and in such a fashion that said water is temporarily detained in a stilling pond, or other acceptable feature as may be approved by the Commission or its agent and overflow from said basin or feature shall flow back towards the wetlands through a line of silt fence in combination with staked straw bales. In no case shall there be direct discharge to wetlands.

47. During construction of the new stormwater drainage control system, care must be taken to prevent siltation from entering the system. Because site drainage conditions during construction may vary from the drainage modeling submitted for post-development conditions, it shall be the site manager’s responsibility and priority to ensure that all site drainage is properly controlled and that sufficient temporary controls are installed as necessary to assure no stormwater drainage flows directly from the construction area towards the wetlands and that there are no increases in stormwater runoff during the construction period. It shall also be the site manager’s responsibility and priority to control sediment flow on the site and ensure that no sediment is discharged to the wetlands.

The standard for this project shall be zero discharge of sediment to the wetlands. Discharge of any sediment to the wetlands may be considered a violation of this Order of Conditions.

48. All construction equipment, including, but not limited to machinery, heavy equipment and vehicles shall be parked and stored more than 100 feet from any wetlands when not in use. All fuels, lubricants and hydraulic fluids shall be stored more than 100 feet from any wetlands. All refueling and maintenance involving transfer of oils and hydraulic fluids shall be performed more than 100 feet from any wetlands.

49. All excavate, fill, loam and any other earth materials associated with the project shall be stored and stockpiled within the boundaries established on the approved plans. No excavate, fill, loam or other material shall be stockpiled against the sediment or erosion control feature.

50. No fill, excavate, construction debris or equipment or any other material shall be allowed to enter the wetlands; any such material entering the wetlands shall be removed immediately. No trees or shrubs shall be felled into or disposed of in the wetlands.

51. If requested, the applicant shall submit copies of the reports created by the Licensed Site Professional (LSP) for any material brought into the site, as said material may be stockpiled within the wetland and associated buffer zones. This shall be a condition in perpetuity and shall be noted in the Certificate of Compliance.

52. No unsuitable material of any kind (stumps, roots, trash, debris, etc.) may be buried, placed or dispersed within the wetland and associated buffer zones. This shall be a condition in perpetuity and shall be noted in the Certificate of Compliance.

53. Use of de-icing agents should be tightly restricted to that absolutely necessary for safety in consideration of water quality concerns of wetlands and for downgradient public water supply wells. Sodium Chloride is not to be used for de-icing and only Calcium Chloride or other more environmentally protective alternative shall be used for de-icing operations. Snow and ice from snow removal operations shall be carefully controlled onsite to ensure that any snow removed from the parking and access drive areas shall be deposited outside the of the 100 foot wetland buffer. There shall be absolutely no deposition of snow directly into the wetlands. This shall be a condition in perpetuity and shall be noted in the Certificate of Compliance.
54. The "Snow Storage Areas" shall be cleaned in the spring of the year of any accumulated sand or debris following melt off of all snow and reseeded as necessary for restoration of vegetative cover. Sand and debris shall be removed to a proper disposal location away from any wetlands. This shall be a condition in perpetuity and shall be noted in the Certificate of Compliance.

55. All disturbed areas shall be stabilized by loaming and seeding (not including active stockpiles). Those areas not permanently stabilized by December 1 shall be temporarily stabilized for the winter months using erosion control blankets or jute mesh and straw mulch.

56. No site work shall be performed within any wetland resource area, 100 feet of any wetlands and/or floodplain between December 1 and April 1, except with the permission of the Conservation Commission or its agent.

57. After the stormwater drainage control structures shall have been completely installed and are functional, certification from a Massachusetts licensed civil engineer shall be submitted to the Commission confirming that these features, as well as all other stormwater control features on the site, have been installed according to the manufacturer's specifications and in the locations and elevations shown on the Plan of Record. A copy of the engineer's certification shall be submitted to the Commission and/or its agent prior to commencing storage of any new earth materials in the new areas.

58. After the work on the access road and culverts is completed an as-built plan shall be submitted to the Commission for their review. Said plan shall be stamped by a registered professional engineer. The same engineer shall submit a written statement certifying substantial compliance with the plans and setting forth what deviation, if any, exists from the plans approved in the Order.

59. Conditions: 28, 29, 32, 39, 40, 51, 52, 53, and 54 shall be conditions in perpetuity and shall be noted in the Certificate of Compliance.

60. After the work is completed the proponent/owner shall request a Certificate of Compliance.

If the project has been conducted in accordance with plans stamped by a registered professional engineer, a written statement by such a professional person certifying substantial compliance with the plans and setting forth what deviation, if any, exists from the plans approved in the Order shall accompany the request for the Certificate of Compliance.

After the project is constructed, a certified "as-built" plan, prepared by a Registered Professional Engineer, shall be submitted to the Commission. The as-built plan shall include but not be limited to: work in the Buffer Zone, final grades, restoration areas, and any additional information necessary to aid the Commission's evaluation of the project before issuance of a Certificate of Compliance for work under this Order.
Plans and Documents Reviewed:


2. Stormwater Management Report 540 Groton Road Westford, MA dated July 21, 2015, Prepared by LandTech Consultants, Inc., including plans entitled “Pre-Development Drainage Plan” (Scale 1’=80’) Sheet PRE-2, and “Post-Development Drainage Plan” (Scale 1’=80’) Sheet POST-2, both dated July 21, 2015, and Signed and Stamped by Matthew A. Waterman Registered P.E. #45666;

3. Plan entitled “Notice of Intent 540 Groton Road (Route 40) Westford, Massachusetts”
   - Title Sheet dated July 21, 2015, Signed and Stamped by Matthew A. Waterman Registered P.E. #45666
   - Existing Condition Plans (Scale 1’=100’) dated July 21, 2015, Sheets EX-1 and EX-2
   - Site Grading and Drainage Plan (Scale 1’ = 40’) dated July 21, 2015, Sheets CP-1 and CP-2, Signed and Stamped by Matthew A. Waterman Registered P.E. #45666
   - Details and Sections, (No Scale) dated July 21, 2015, Sheet DS-1, Signed and Stamped by Matthew A. Waterman Registered P.E. #45666
   - Stormwater Pollution Prevention Plan (Not to Scale) dated July 21, 2015, Signed and Stamped by Matthew A. Waterman Registered P.E. #45666;


5. Letter dated August 26, 2015 from Norse Environmental Services, Inc., re: 540 Groton Road Newport materials Westford, MA DEP File 334-1558 with attachments including Mass GIS Oliver Map, StreamStats Flow Statistics and Basin Characteristics, GIS Parcel Map annotated to note where photos were taken, Photos of dry streambed conditions, and an Affidavit of Service from Andrea Travares dated 8/26/15;

6. Conceptual Plan entitled “Site Grading and Drainage Plan” (Scale 1’=40’) dated July 21, 2015 and revised 9/18/15, Sheet CP-2, Signed and Stamped by Matthew A. Waterman Registered P.E. #45666;


8. Emails dated November 4 and 10, 2015 to Janet Bernardo of Horsley Witten Group from Andrea Travares, LandTech Consultants;

9. Letter dated November 18, 2015, from LandTech Consultants re Notice of Intent 540 Groton Road;


   - Title Sheet dated July 21, 2015 and revised September 3, 2015 and November 23, 2015, Signed and Stamped by Matthew A. Waterman Registered P.E. #45666
   - Existing Condition Plans (Scale 1"=100') dated July 21, 2015, Sheets EX-1 and EX-2
   - Site Grading and Drainage Plan (Scale 1" = 40') dated July 21, 2015, and revised 9/18/15 and 11/23/15, Sheets CP-1 and CP-2, Signed and Stamped by Matthew A. Waterman Registered P.E. #45666
   - Details and Sections, (No Scale) dated July 21, 2015, and revised 9/18/15, 10/1/15 and 11/23/15, Sheet DS-1, Signed and Stamped by Matthew A. Waterman Registered P.E. #45666
   - Stream Crossing Profile (Scale 1"=20') dated October 7, 2015, Signed and Stamped by Matthew A. Waterman Registered P.E. #45666
   - Stormwater Pollution Prevention Plan (Not to Scale) dated July 21, 2015, and revised 9/18/15 and 11/23/15, Signed and Stamped by Matthew A. Waterman Registered P.E. #45666;

13. Plan entitled "Drainage Access Plan" 540 Groton Road Westford, MA dated November 10, 2015, Signed and Stamped by Matthew A. Waterman Registered P.E. #45666;

14. Letter dated November 24, 2015, from LandTech Consultants to Janet Bernardo Horsley Witten Group re Peer Review of Notice of Intent 540 Groton Road, Westford, MA Mass DEP File no. 334-1620;

15. Letter dated December 7, 2015, from Horsley Witten Group re Peer Review of Notice of Intent 540 Groton Road, Westford, MA Mass DEP File no. 334-1620;

16. Letter dated November 24, 2015, from LandTech Consultants to Janet Bernardo Horsley Witten Group re Second Peer Review of Notice of Intent 540 Groton Road, Westford, MA Mass DEP File no. 334-1620;

17. Email dated December 9, 2015 to Andrea Travares, LandTech Consultants from Janet Bernardo of Horsley Witten Group;

18. Letter dated December 7, 2015, from Chris Kluchman, Town of Westford Director of Land Use Management to Attorney Douglas Deschenes;


21. Letter dated December 22, 2015, from Norse Environmental Services, Inc. to Wetlands and Waterways Department of Environmental Protection re: 540 Groton Road Westford, MA 01886, ACOP-NE-6W007;

   - Existing Condition Plans (Scale 1”=100’) dated July 21, 2015 and revised 9/18/15, Sheets EX-1 and EX-2
   - Site Grading and Drainage Plan (Scale 1” = 40’) dated July 21, 2015, and revised 9/18/15, 11/23/15, and 1/8/16, Sheets CP-1, Signed and Stamped by Matthew A. Waterman Registered P.E. #45666
   - Site Grading and Drainage Plan (Scale 1” = 40’) dated July 21, 2015, and revised 9/18/15, 10/1/15, 11/23/15, 12/9/15, and 1/8/16, Sheets CP-2, Signed and Stamped by Matthew A. Waterman Registered P.E. #45666
   - Stream Crossing Profile (Scale 1”=20’) dated October 7, 2015, and revised 1/8/16, Signed and Stamped by Matthew A. Waterman Registered P.E. #45666
   - Stormwater Pollution Prevention Plan (Not to Scale) dated July 21, 2015, and revised 9/18/15, 11/23/15, and 1/8/16, Signed and Stamped by Matthew A. Waterman Registered P.E. #45666;

23. Illicit Discharge Compliance Statement Signed by Richard A. DeFelice, President and dated 12/30/15; and

24. Email dated January 5, 2016 to Carol Gumbart from LandTech Consultants re 540 Groton Road Admin. Consent Order.
OPERATION AND MAINTENANCE PLAN
for
540 Groton Road, Westford, Massachusetts

January 8, 2016

Prepared For:
540 Groton Road, LLC
10 Commerce Way
Westford, MA 01886

Prepared By:
LandTech Consultants, Inc.
515 Groton Road
Westford, MA 01886

GENERAL:
The project includes the reconstruction of an existing internal site roadway including the
reconstruction of two existing wetland crossings and the clearing of trees within the 100’
wetland buffer. No clearing or disturbance will take place within 50’ of the wetlands, or 100’
around the potential vernal pool as indicated on the site plans. There will be no new
impervious area added as part of the project. The project will include semi-permanent
placement of silt fence along the new treeline and will serve as a visible and physical barrier
between the work area and buffer zone. Stormwater controls are also proposed to attenuate
peak rates of runoff.

Proper maintenance of all structural and non-structural practices is essential for efficient
operation of the storm water management system. Therefore, the property owners shall
follow this Manual to ensure that the stormwater facilities continue to function over time.

OWNER:
The stormwater management system is to be owned and maintained by the current land
owners, 540 Groton Road LLC. This manual shall be available on the property.

No alterations or modifications to the drainage system shall be made without the prior
approval of the Conservation Commission.

REFERENCES:

"Notice of Intent, 540 Groton Road (Route 40), Westford, Massachusetts" Plan Set prepared
for 540 Groton Road LLC, 10 Commerce Way, Westford, Massachusetts, prepared by
LandTech Consultants, 515 Groton Road, Westford, MA 01886 dated July 21, 2015, revised
through January 8, 2015, and consisting of 8 (eight) sheets.
Operation and Maintenance Plan
540 Groton Road
Westford, MA


DESCRIPTION OF STORMWATER MANAGEMENT SYSTEM

The goal of the operation and maintenance plan is not only to protect resources on-site or nearby, but also to protect resources in the region that may be affected by the activities at the site. Water quality treatment measures and the implementation of Best Management Practices (BMP's) for structural controls will result in the treatment of site stormwater and the removal of a minimum of 80 percent of the total suspended solids (TSS) load in runoff prior to discharge from the site, consistent with Massachusetts DEP's TSS removal standard.

The following summarizes the stormwater treatment trains and the individual structural pollutant controls used to separate and capture stormwater pollutants. The stormwater management system is to be owned and maintained by the property owner.

Stormwater Treatment System #1
Is located approximately 100' to the east of the potential vernal pool. The treatment train includes:
- A sediment forebay which discharges to,
- A 735' long vegetated infiltration basin #1 which discharges to,
- A wetland area (potential vernal pool)

Stormwater Treatment System #2
Is located approximately 175' to the north of the potential vernal pool. The treatment train includes:
- A sediment forebay which discharges to,
- A 565' long vegetated infiltration basin #2 which discharges to,
- A wetland area

Stormwater Treatment System #3
Is located approximately 70' east from the end of the 13' wide gravel drive. The end of the gravel drive is approximately 340' from the northerly wetland crossing/culvert. The treatment train includes:
- A sediment forebay which discharges to,
- A 245' long vegetated infiltration basin #3 which discharges to,
- A wetland area

Stormwater Treatment System #4
Is located approximately 30' west from the end of the 13' wide gravel drive. The end of the gravel drive is approximately 340' from the northerly wetland crossing/culvert. The treatment train includes:
- A sediment forebay which discharges to,
Operation and Maintenance Plan
540 Groton Road
Westford, MA

- A 120' long vegetated infiltration basin #4 which discharges to,
- A wetland area

Stormwater Treatment System #5
Is located in the north east corner of the property and approximately 140' north of stormwater treatment system 4. The treatment train includes:
- A sediment forebay which discharges to,
- A 80' long vegetated infiltration basin #5 which discharges to,
- Adjacent property and swale which discharge to,
- A wetland area

Stormwater Treatment System #6
Is located approximately 80' east of stormwater treatment system 3 and approximately 365' east of the end of the 13' wide gravel drive. The end of the gravel drive is approximately 340' from the northerly wetland crossing/culvert. The treatment train includes:
- A sediment forebay which discharges to,
- A 250' long vegetated infiltration basin #6 which discharges to,
- A wetland area

DESCRIPTION OF LONG TERM OPERATION AND MAINTENANCE PLAN

The site is proposed to utilize best management practices (BMP's) to manage and treat stormwater runoff as well as control and minimize erosion and sedimentation. These practices include the use of silt fence and straw wattles, sediment forebays, infiltration basins, regular sweeping of paved areas, and a rock construction entrance/exit. Each of these components and the associated maintenance is described in detail in the following paragraphs.

Reinforced Silt Fence and Straw Wattles
Purpose: The reinforced silt fence and straw wattles are sediment control devices used to protect water quality in nearby wetland resource areas from sediment in stormwater runoff. The barrier is positioned down gradient to trap sediment transported by runoff before it reaches the drainage system, wetland resource areas, or adjacent properties.

Minimum required maintenance: The erosion control barriers will be inspected weekly and after every storm event as well as prior to any known large storm event. Any sediment that collects behind the barriers will be removed and disposed in accordance with local, state, and federal regulations. Any damaged sections of silt fence or wattles shall be repaired or replaced immediately. The underside of the straw wattles shall be kept in close contact with the earth to prevent underflow and shall be reset as necessary. A minimum of 50-feet of straw wattles and 100-feet of silt fence shall be on hand at all times.

Sediment Forebay
Purpose: The stormwater management system includes sediment forebays prior to the runoff entering infiltration basins. The forebays will serve as pretreatment area for the runoff
and are designed to slow incoming stormwater runoff and facilitate the gravity separation of suspended solids. Forebays help increase the ability of the basin to capture sediment and increase flood control. Additionally they provide a lower cost of sediment removal.

**Minimum required maintenance:** Regular maintenance of the forebays is crucial to the function of the system. Visual inspection of the sediment forebays shall occur monthly to ensure they are operating as intended. The sediment forebays shall be cleaned a minimum of four times per year and when the sediment depth is between 3 to 6 feet. More frequent sediment removal may be done as necessary. Dispose of sediment in accordance with local, state, and federal regulations.

**Infiltration Basins**

**Purpose:** The stormwater management system includes the use of infiltration basins to provide water quality treatment, groundwater recharge, and attenuation of peak flows. The proper function of these items is crucial to providing adequate groundwater recharge and flood control.

**Minimum required maintenance:** The maintenance of the basins may affect the functioning of stormwater management practices. Visual inspection of the basins will occur after every major storm during the first 3 months of operation and twice a year thereafter. Mow the side slopes, embankment, and bottom at least twice per year. Remove sediment as necessary and dispose of sediment in accordance with local, state, and federal regulations.

**Rock Construction Entrance/Exit**

**Purpose:** A rock construction entrance/exit is a bed of rocks that helps to remove sediment from vehicle tires. When properly maintained, the rock entrance will limit sediment tracking from vehicles and equipment leaving the construction site onto Groton Road (Route 40).

**Minimum required maintenance:** The rock construction entrance/exit should be maintained in a condition that will prevent tracking or flow of mud and sediment onto public rights-of-way. Remove material, separate and dispose of sediment if the construction entrance becomes clogged with sediment. As necessary, replace rock in kind when sediment can be seen between the material. Rock material should be crushed aggregate greater than 3 inches and smaller than 6 inches in size. Trapped sediment should be disposed in accordance with local, state, and federal regulations.

**Sweeping of Paved Areas**

**Purpose:** Specialized sweeping equipment cleans and removes sediment from the main entrance/exit of the project site. Sweeping prevents sediment from the project site from entering adjacent wetlands or Groton Road (Route 40).

**Minimum required maintenance:** All paved areas on the property shall be kept free of sediment. Sweeping shall occur as needed and at a minimum of once a week when feasible.
When road sand and other accumulated sediment is washed off the roadways; sweepings shall be disposed in accordance with all applicable local, state and federal regulations.

**Snow Removal**
Snow shall not be stored within 100-feet of any wetland resource area. No snow shall be pushed into any wetland resource area. Snow removal within the gravel drive including the two culverted wetland crossings shall be done with care and as to not impact the adjacent wetlands. No vehicles are permitted beyond the 13-foot travel way. The use of any deicing chemicals will be used sparingly and will follow the manufacturer’s recommendations for application. Only non-sodium based deicers shall be used.
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**Reinforced Silt Fence and Straw Wattles** - Inspect weekly, after every storm, and before known large storms. Repair as needed.
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Sweeping of Paved Areas – Sweep paved areas once per week when feasible.
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**Sediment Forebays** — Inspect monthly. Clean four times per year and when sediment depth is between 3 and 6 feet.

**Infiltration Basins** — Inspect four times per year. Mow side slopes, embankment, and bottom at least two times per year. Remove sediment as necessary.

**Rock Construction Entrance/Exit** — The rock construction entrance/exit should be maintained in a condition that will prevent tracking or flow of mud and sediment onto public rights-of-way. Remove material, separate and dispose of sediment if the construction entrance becomes clogged with sediment. As necessary, replace rock in kind when sediment can be seen between the material.
Appendix C

Soil Profile Package Information
# Groton Road Soil Submittal Form

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<td>MCP Tracking Number (if applicable)</td>
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<td>Quantity of Soil</td>
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<td>Description of Soil</td>
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<td>Shipment Schedule</td>
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On the basis of a due-diligence investigation of site history and use, the generator must provide a “yes” or “no” indication for each of the following, based on a preponderance of the evidence:

- Yes ☐ No ☐ Tannery operations
- Yes ☐ No ☐ Textile manufacturing
- Yes ☐ No ☐ Foundry operations
- Yes ☐ No ☐ Dry Cleaning operations
- Yes ☐ No ☐ Coal Gasification operations
- Yes ☐ No ☐ Machine Shop activities
- Yes ☐ No ☐ Salvage/Junk Yard operations
- Yes ☐ No ☐ Petroleum Storage facility (more than household quantities)
- Yes ☐ No ☐ Plating/metal finishing operations
- Yes ☐ No ☐ Chemical Production operations
- Yes ☐ No ☐ Circuit Board Manufacturing

A “yes” or “no” indication must also be provided for the following conditions at the site of generation:

- Yes ☐ No ☐ Herbicide or Pesticide were used or likely used, stored, or disposed
- Yes ☐ No ☐ Urban Fill Soils are present
- Yes ☐ No ☐ Boston Blue Clay is present
- Yes ☐ No ☐ Soil with elevated natural background of Arsenic are present
- Yes ☐ No ☐ The site was a dumping ground for dredge spoils, fill soil, ash, or other waste
- Yes ☐ No ☐ The site is classified as RCS-1
- Yes ☐ No ☐ Soil samples were obtained at the site and point of generation and screened at a minimum frequency of 1 sample/50 cubic yards using the MassDEP Jar Headspace procedure, with priority given to any soil exhibiting signs of contamination (e.g., staining or odors)

October 25, 2016
ATTACHMENTS

◊ Site sketch showing soil origin, soil stockpiles, and location of all soil samples
◊ Laboratory Data
◊ Analytical Data table comparing all applicable results to the 540 Groton Road Acceptance Criteria provided.
◊ Signed & Stamped MSR is provided
◊ Field screening data used to support chemical composition provided.
◊ LSP Opinion Letter including description of site, contaminants, current and former site usage/history.
Appendix D

Groundwater Sampling Results