

CITY OF NEW BEDFORD
FORM C

**APPLICATION for APPROVAL
of DEFINITIVE PLAN**

File 21 completed forms and plans with the New Bedford planning Board, c/o the City Clerk.

(Applicant is required to submit 21 forms and plans for Board Members upon notification of Hearing Date)

March 15 20 22

To the New Bedford Planning Board:

The undersigned herewith submits the accompanying DEFINITIVE Plan of property located in New Bedford for approval as a subdivision under the requirements of the Subdivision Control Law and the Rules and Regulations Governing Subdivision of Land of the New Bedford Planning Board in the City of New Bedford.

1. Name of Subdivision Bartlett Estates

2. Name of Subdivider Amandio & Jose Araujo

Address 224 Nyes Lane - Acushnet, MA 02743

Phone # 774-930-5168

3. Name of Engineer or Surveyor Farland Corp.

Address 21 Ventura Drive, Dartmouth, MA 02747

Phone # 508-717-3479

4. Deed of Property recorded in Bristol County South Registry,

Book 11182 (&14224) Page 346 (& 44)

5. Location and Description of Property, including Plot and Lots,
1265 Bartlett Street Map 134 Lot 299 & 305 & Portion of Lot 314

Name of Owner Amandio & Jose Araujo

Signature of Owner 

Address 224 Nyes Lane - Acushnet, MA 02743

Phone # 774-930-5168

A complete list of the names and address of all abutters of this subdivision is attached. Certification will be made by the Applicant.

LOCUS

BK 11182 PG 346

09/26/14 12:20 000. 18875
Bristol Co. S.D.

QUITCLAIM DEED

I, JEAN H. SANFORD, of 157 Elm Street, Pembroke, Massachusetts 02359

for consideration paid, and in full consideration of One Hundred Fifteen Thousand Dollars (\$115,000.00)

grant to AMANDIO ARAUJO and JOSE ARAUJO, of 224 Nyes Lane, Acushnet, Massachusetts 02743

held as tenants in common

with QUITCLAIM COVENANTS

the land, with any building(s) thereon, located in New Bedford, Bristol County, Massachusetts, more particularly bounded and described as follows:

PARCEL I:

BEGINNING at the southeast corner thereof, at a point in the west line of Bartlett Street, also known as Rowe Street on plan of Parkman Grove filed with the Bristol County (S.D.) Registry of Deeds in Plan Book 14, Page 62, said point being seventy-nine and 80/100 (79.80) feet north of the north line of Sheffield Street, as shown on said plan;

Thence northerly in the westerly line of said Bartlett Street, one hundred eighty (180) feet;

Thence westerly by land now or formerly of Ginevra A. White, two hundred forty-five (245) feet;

Thence southerly, one hundred eighty (180) feet to said Parkman Grove; and

Thence easterly by the northerly line of Parkman Grove, two hundred forty-five (245) feet to the point of beginning.

CONTAINING one acre, more or less.

PARCEL II:

BEGINNING at the southeast corner thereof at a point two hundred forty-five (245) feet west of the westerly line of Bartlett Street;

Thence northerly ninety-six (96) feet;

Thence westerly seventy-five (75) feet to land now or formerly of Wallace Woodis;

Thence southerly in line of last named land, ninety-six (96) feet to the northerly line of land shown on plan of Parkman Grove filed with the Bristol County (S.D.) Registry of Deeds in Plan Book 14, Page 62;

Thence easterly in line of said Parkman Grove, seventy-five (75) feet to the point of beginning.

CONTAINING 26.44 rods, more or less.

Property Address: 1265 Bartlett Street, New Bedford, Massachusetts 02745.

Southern Bristol Registry of Deeds
Electronically Recorded Document

This is the first page of the document - Do not remove

Recording Information

Document Number : 3364
Document Type : DEED
Recorded Date : February 11, 2022
Recorded Time : 02:29:46 PM

Recorded Book and Page : 14224 / 44
Number of Pages(including cover sheet) : 3
Receipt Number : 148552
Recording Fee (including excise) : \$155.00

MASSACHUSETTS EXCISE TAX
Bristol ROD South 001
Date: 02/11/2022 02:29 PM
Ctrl# Doc# 00003364
Fee: \$.00 Cons: \$1.00

Southern Bristol Registry of Deeds
Sherrilynn M. Mello, Register
25 N 6th Street
New Bedford, MA 02740
508-993-2603
www.NewBedfordDeeds.com

QUITCLAIM DEED

I, STACY OLIVEIRA, of 5 Archer's Way, Acushnet, MA 02743

for consideration paid, and in full consideration of ONE DOLLAR and 00/100 (\$1.00)

grant to AMANDIO ARAUJO and JOSE ARAUJO, of 224 Nyes Lane, Acushnet, MA 02743

with QUITCLAIM COVENANTS

the land in New Bedford, Bristol County, Massachusetts, more particularly bounded and described as Parcel A, containing 8,868 $\pm$ S.F. on Approval Not Required Plan, Giseles Way & Bartlett Street Assessors, Map 134, Lots 299, 305 & 314, New Bedford, Massachusetts, dated June 8, 2020 revised February 5, 2021 prepared by Farland Corp recorded at the Bristol County S.D. Registry of Deeds in Plan Book 183, Page 28.

The Grantor named herein, does hereby voluntarily release all her rights of Homestead, if any, as set forth in M.G.L. Chapter 188 and state that there are no other person or persons entitled to any homestead rights other than those executing this deed.

Being a portion of the property conveyed to me by deed dated February 8, 2018 and recorded at the Bristol County (S.D.) Registry of Deeds in Book 12359, Page 340.

Property address: land off Bartlett Court, New Bedford

WITNESS my hand and seal this 11th ~~day of August, 2021.~~ ^{January 2022}

Witness

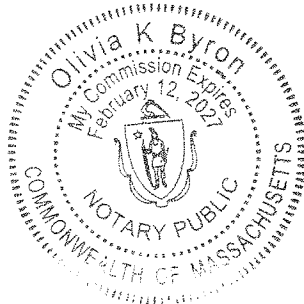
Stacy Oliveira
Stacy Oliveira

Commonwealth of Massachusetts

County of Bristol

~~August 11, 2021~~ ^{January 2022}

On this 11th ~~day of August, 2021,~~ ^{January 2022} before me, the undersigned notary public, Stacy Oliveira personally appeared, proved to me through satisfactory evidence of identification, which was DL, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.



Notary Public: John E. Williams
My commission expires: 3-11-2022

November 4, 2019

New Bedford Planning Board
New Bedford City Hall
133 William Street
New Bedford, MA 02740

**RE: Letter of Authorization for Representation
984 Sharon St. – New Bedford, MA 02745**

This letter is to certify that we authorize Farland Corp., to represent us as owners of Map 134 Lots 299 & 305 Bartlett Street in regards to the submission of a Definitive Subdivision Plan and accompanying documents.

Sincerely,



Jose Araujo
Owner 11-6-19

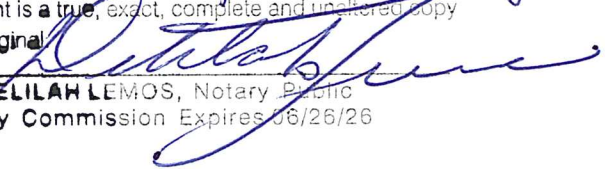


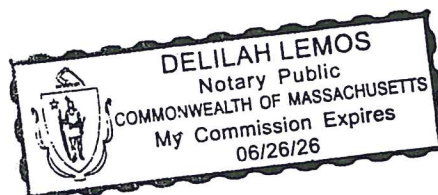
Amandio Araujo
Owner 11-6-19

Commonwealth of Massachusetts

On this 6 day of November 20 19
I certify that the Jose Araujo + Amandio Araujo
document is a true, exact, complete and unaltered copy
of the original.




DELILAH LEMOS, Notary Public
My Commission Expires 06/26/26





City of New Bedford **REQUEST for a CERTIFIED ABUTTERS LIST**

This information is needed so that an official abutters list as required by MA General Law may be created and used in notifying abutters. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

SUBJECT PROPERTY			
MAP #		LOT(S)#	
ADDRESS:			
OWNER INFORMATION			
NAME:			
MAILING ADDRESS:			
APPLICANT/CONTACT PERSON INFORMATION			
NAME (IF DIFFERENT):			
MAILING ADDRESS (IF DIFFERENT):			
TELEPHONE #			
EMAIL ADDRESS:			
REASON FOR THIS REQUEST: <i>Check appropriate</i>			
☐	ZONING BOARD OF APPEALS APPLICATION		
☐	PLANNING BOARD APPLICATION		
☐	CONSERVATION COMMISSION APPLICATION		
☐	LICENSING BOARD APPLICATION		
☐	OTHER (<i>Please explain</i>):		

Once obtained, the Certified List of Abutters must be attached to this Certification Letter.

Submit this form to the Department of City Planning, Room 303 in City Hall, 133 William Street, or Email to Angela.Goncalves@newbedford-ma.gov. The applicant is responsible for picking up and paying for the certified abutters list from the Assessor's Office (city hall, room #109).

Official Use Only:

As Administrative Assistant to the City of New Bedford's Board of Assessors, I do hereby certify that the names and addresses as identified on the attached "abutters list" are duly recorded and appear on the most recent tax.

Michael J. Motta

Printed Name

Signature

Date

CITY OF NEW BEDFORD

Schedule of Departmental Payments to Treasurer

Single Charge Code

Department/Contact: ASSESSORS
 GL String: 01411160-439020
 Treasury: TW06-101010

Date: 03/15/2022
 Charge Code: ASSFEE

From Whom	Source (cash, check, etc.)	Amount	Total
DEPARTMENTAL RECEIPT		\$9.00	
ABUTTERS LIST	CC		
	2407895		
134-299,305& 314			
1265 Bartlett Street			
Christopher Gilbert			

\$9.00

To the City Treasurer:

The above is a detailed list of revenue collected by me, amounting in the aggregate of

joyce araujo Dollars

Receipt#

Signature:

Title:

PRINCIPAL CLERK

CITY OF NEW BEDFORD

Schedule of Departmental Payments to Treasurer

Single Charge Code

Department/Contact: ASSESSORS
 GL String: 01411160-439020
 Treasury: TW06-101010

Date: ASSFEE
 Charge Code: ASSFEE

From Whom	Source (cash, check, etc.)	Amount	Total
DEPARTMENTAL RECEIPT			
ABUTTERS LIST	CC		

To the Departmental Officer making the Payment

Received in Treasurer's Office..... the sum of

..... Dollars

for collections, as per schedule of this date, filed in my office-----

City Treasurer

Receipt#

March 15, 2022

Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 1265 Bartlett Street (Map: 134, Lot: 299,305,314). The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

<u>Parcel</u>	<u>Location</u>	<u>Owner and Mailing Address</u>
134-427	3455 ACUSHNET AVE	PIMENTAL ADELINO A, PIMENTAL KAREN D 3455 ACUSHNET AVENUE NEW BEDFORD, MA 02745
134-382	3417 ACUSHNET AVE	SYLVIA SHAWN, SYLVIA SOFIA 3417 ACUSHNET AVENUE NEW BEDFORD, MA 02745
134-357	1046 PRAIRIE AVE	ALVES BONIFACIA, 1046 PRAIRIE AVENUE NEW BEDFORD, MA 02745
134-315	END W OF BRADFORD ST	PLACE ANNA G, 12 RUTH STREET NEW BEDFORD, MA 02744
134-432	26 GISELE`S WAY	ANTAO CARLOS, ANTAO MARIA G 26 GISELE`S WAY NEW BEDFORD, MA 02745
134-157	3491 ACUSHNET AVE	HARTFORD ERIC C, HARTFORD KATHLEEN M 3491 ACUSHNET AVE NEW BEDFORD, MA 02745
134-431	3411 ACUSHNET AVE	GOMES MANUEL V, GOMES ALZIRA A 3411 ACUSHNET AVENUE NEW BEDFORD, MA 02745
134-433	R WS ACUSHNET AVE	BAPTISTE WAYNE A, BAPTISTE SUSAN D 3501 ACUSHNET AVE NEW BEDFORD, MA 02745
134-345	102 GISELE`S WAY	GONSALVES STEVEN D, GONSALVES GISELE 102 GISELE`S WAY NEW BEDFORD, MA 02745
132H-35	1103 SHEFFIELD ST	LORD PAUL P JR, 1103 SHEFFIELD STREET NEW BEDFORD, MA 02745
132H-32	1089 SHEFFIELD ST	PAULINO JOSE S, 1089 SHEFFIELD STREET NEW BEDFORD, MA 02745
132H-29	1081 SHEFFIELD ST	MURRAS DOMINGOS F, MURRAS FRANCISCA G 1081 SHEFFIELD STREET NEW BEDFORD, MA 02745
132H-27	1255 BARTLETT ST	DASILVA CLIFTON F, RIBEIRO MARIA E GOMES, 1255 BARTLETT STREET NEW BEDFORD, MA 02745

March 15, 2022

Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 1265 Bartlett Street (Map: 134, Lot: 299,305,314). The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

<u>Parcel</u>	<u>Location</u>	<u>Owner and Mailing Address</u>
132H-26	NS SHEFFIELD ST	SYLVIA ROBERT, SYLVIA WILLIAM 2 TROUT FARM WAY W. WAREHAM, MA 02576
132H-22	1055 SHEFFIELD ST	MARQUES RUSSELL A, P O BOX 174 FAIRHAVEN, MA 02719
132H-13	1039 SHEFFIELD ST	BAIA JOAQUIM "TRUSTEE", BAIA ROSALIA "TRUSTEE", THE BAIA FAMILY REVOCABLE 1039 SHEFFIELD STREET NEW BEDFORD, MA 02745
134-303	R WS BARTLETT ST	WOODIS WALLACE, 1 HIGH HILL ROAD NORTH DARTMOUTH, MA 02747
134-322	1260 BARTLETT ST	TIVEY ROBERT C, 1260 BARTLETT STREET NEW BEDFORD, MA 02745
134-309	3405 ACUSHNET AVE	HOWARD JOHN J, HOWARD LORRAINE C 3405 ACUSHNET AVE NEW BEDFORD, MA 02745
134-339	3427 ACUSHNET AVE	SHERMAN WILLIAM G, SHERMAN JOANNE M 3427 ACUSHNET AVENUE NEW BEDFORD, MA 02745
134-352	3429 ACUSHNET AVE	MARTIN NOAH, MARTIN SHERRI 3429 ACUSHNET AVE NEW BEDFORD, MA 02745
134-417	3471 ACUSHNET AVE	BRANCO DANNY JR, MOSHER SARAH 3471 ACUSHNET AVENUE NEW BEDFORD, MA 02745
134-363	3477 ACUSHNET AVE	MCCANN WILLIAM P JR, 3477 ACUSHNET AVENUE NEW BEDFORD, MA 02745
134-423	3483 ACUSHNET AVE	RAMOS DANIEL S, SILVA CHRISTINE D 3483 ACUSHNET AVENUE NEW BEDFORD, MA 02745
134-284	3501 ACUSHNET AVE	BAPTISTE WAYNE A, BAPTISTE SUSAN D 3501 ACUSHNET AVE NEW BEDFORD, MA 02745
134-360	1038 PRAIRIE AVE	SOARES JAIME F, SOARES KELLY, SOARES RUI F, SOARES LISA 1038 PRAIRIE AVENUE NEW BEDFORD, MA 02745

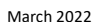
March 15, 2022

Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 1265 Bartlett Street (Map: 134, Lot: 299,305,314). The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

<u>Parcel</u>	<u>Location</u>	<u>Owner and Mailing Address</u>
134-368	1030 PRAIRIE AVE	WHITE MICHAEL W, WHITE LORRAINE I 1030 PRAIRIE AVE NEW BEDFORD, MA 02745
134-292	1024 PRAIRIE AVE	BRETON RICHARD D, BRETON THERESA L 1024 PRAIRIE AVE NEW BEDFORD, MA 02745
134-286	3513 ACUSHNET AVE	MARMELO ZULMIRA A, 3513 ACUSHNET AVE NEW BEDFORD, MA 02745
134-381	1047 PRAIRIE AVE	ASHLEY BRIAN M, 1047 PRAIRIE AVE NEW BEDFORD, MA 02745
134-302	END BRADFORD ST	CITY OF NEW BEDFORD, 131 WILLIAM ST NEW BEDFORD, MA 02740
134-389	SS BRADFORD ST	SAVARIA MAURICE R, SAVARIA ROLAND L 504 NASKETUCKET WAY FAIRHAVEN, MA 02719
134-460	PRAIRIE AVE	ASHLEY BRIAN M, 1047 PRAIRIE AVENUE NEW BEDFORD, MA 02745-3914
134-299	1265 BARTLETT ST	ARAUJO AMANDIO, ARAUJO JOSE 224 NYES LANE ACUSHNET, MA 02743
134-307	BARTLETT ST	NEW HOMES BY CASTELO INC, 1815 ACUSHNET AVENUE NEW BEDFORD, MA 02745
134-390	3441 ACUSHNET AVE	AVILA SCOTT J, AVILA BETH, 3441 ACUSHNET AVENUE NEW BEDFORD, MA 02745
134-365	3465 ACUSHNET AVE	LACHAPELLE JOSHUA S LACHAPELLE MEGAN 3465 ACUSHNET AVENUE NEW BEDFORD, MA 02745
132H-20	1043 SHEFFIELD ST	FARIA GEORGE, FARIA ALICE, 1043 SHEFFIELD STREET NEW BEDFORD, MA 02745
134-314	68 GISELE`S WAY	OLIVEIRA STACY 5 ARCHER`S WAY ACUSHNET, MA 02743





Department of Public Infrastructure

Jamie Ponte
Commissioner

CITY OF NEW BEDFORD
Jonathan F. Mitchell, Mayor

Water
Wastewater
Highways
Engineering
Cemeteries
Park Maintenance
Forestry
Energy

MEMORANDUM

To: City of New Bedford Planning Board

From: Jamie Ponte, Commissioner, D.P.I

Date: February 7, 2020

RE: Bartlett Estates Subdivision- Definitive Plans

The Department of Public Infrastructure has reviewed the definitive plans for the proposed subdivision to be known as “Bartlett Estates”, and offer the following comments:

1. The Department of Public Infrastructure agrees to grant waivers for the 24’ roadway width and sidewalk requirement.
2. Developer must request waiver to reduce proposed layout width to 40 feet.
3. Driveway locations should be shown on a separate plan with lots, road layout and utilities. All driveways to be a maximum of 18 feet wide and constructed with a 4 foot transition curb on both sides, and perpendicular to the street layout (6” cement concrete and ½ inch lip)
4. A roadway profile should be shown on the plans. Spot grades should be provided for the cul-de-sac to ensure adequate gutter line flow and to prevent low spots at driveways.
5. All proposed driveways to be constructed with cement concrete and in accordance with City of New Bedford standards.
6. Street trees shall be planted in accordance with Article VII, section J of the City of New Bedford subdivision regulations.
7. Street lights to be installed in accordance with subdivision regulations, Article VII, section H. All lights to be LED and spacing to be approved by the City of New Bedford. (Plans show incorrect spacing)
8. All utilities to be installed in accordance with City of New Bedford regulations.

9. Water main to be installed at a maximum depth of 5.5 feet. Owner to provide the Department of Public Infrastructure with an automatic flushing unit for the dead end hydrant.
10. Owner to install a new hydrant at the intersection of Sheffield St and Bartlett St. Northwest corner. Also, install 3 gate valves at intersection of Bartlett St and Bartlett Court and extend main 25' North of 90 degree bend.
11. Drain line should have a minimum of 3 foot cover measured from top of pipe to finished ground. Use RCP pipe instead of HDPE.
12. Overflow from subsurface recharge system can not discharge into private property.
13. Owner must record proposed easement showing all dimensions.
14. All water meters to be installed at point of entry into building. No water service to run under slab.
15. Show size of existing utilities.
16. Show all lots on the plans as they exist on the City assessors maps.
17. Owner of plot 134 lot 314 must record an ANR plan to create lot to be conveyed to the Developer and record the deed. Then, developer must update and record subdivision plan.
18. Test pits should be performed for every lot to gather data for the installation of underground roof recharge systems.
19. Property includes 3 lots (Plot 134, Lots 299, 305, and a section of lot 314)
20. All projects disturbing 1 or more acres shall obtain an EPA NPDES construction general permit. Developer to follow New Bedford stormwater management rules and regulations. Coordinate all site work for Stormwater control and sedimentation with the Department of Public Infrastructure.
21. All the above mentioned comments could change pending the issuance of an order of conditions from the New Bedford Conservation Commission to the Developer and the affect that it would have on the proposed design.

CC: Department of Inspectional Services
Environmental Stewardship
Farland Corp.
Amandio & Jose Araujo



2022 00000514

Bk: 14182 Pg: 20 Pg: 1 of 12 BS
Doc: OC 01/10/2022 10:08 AM



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

SE-19-01864

MassDEP File #

eDEP Transaction #

New Bedford

City/Town

A. General Information

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

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

3. To: Applicant

Amandio & Jose

a. First Name

Araujo

b. Last Name

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



c. Organization

P.O. Box 91

d. Mailing Address

Rochester

e. City/Town

MA

f. State

02770

g. Zip Code

4. Property Owner (if different from applicant)

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

5. Project Location:

1265 Bartlett Street

a. Street Address

134

c. Assessor's Map/Plat Number

Latitude and Longitude, if known:

41d42m40.96s

d. Latitude

New Bedford

b. City/Town

299 & 305

d. Parcel/Lot Number

70d56m12.09s

e. Longitude



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.

SE 19-0861

MassDEP File #

eDEP Transaction #

New Bedford

City/Town

A. General Information (cont.)

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

Bristol

a County

11182

c. Book

b Certificate Number (if registered land)

346

d Page

7. Dates: 2/16/2021 4/6/2021 4/6/2021
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):

Definitive Subdivision Plan, 1265 Bartlett Street, New Bedford, MA (sheet 1 thru 7)

a Plan Title

farland Corp. Inc.

b Prepared By

3/5/2021

d Final Revision Date

Christian farland P.E.

c Signed and Stamped by

1"= 20'

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.



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

SI: 19-0861

MassDEP File #

eDEP Transaction #

New Bedford

City/Town

B. Findings (cont.)

Denied because:

- b. ☐ the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. ☐ the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
3. ☒ Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) 25' a. linear feet

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

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. ☐ Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
5. ☐ Bordering Vegetated Wetland	a. square feet	b. square feet	c. square feet	d. square feet
6. ☐ Land Under Waterbodies and Waterways	a. square feet	b. square feet	c. square feet	d. square feet
	e. c/y dredged	f. c/y dredged		
7. ☐ Bordering Land Subject to Flooding	a. square feet	b. square feet	c. square feet	d. square feet
Cubic Feet Flood Storage	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. ☐ Isolated Land Subject to Flooding	a. square feet	b. square feet		
Cubic Feet Flood Storage	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. ☐ Riverfront Area	a. total sq. feet	b. total sq. feet		
Sq. ft within 100 ft	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



**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.

SE 19-0864

MassDEP File #

eDEP Transaction #

New Bedford

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. ☐ Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. ☐ Land Under the Ocean	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
12. ☐ Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. ☐ Coastal Beaches	a. square feet	b. square feet	c. ^{cu yd} nourishment	d. ^{cu yd} nourishment
14. ☐ Coastal Dunes	a. square feet	b. square feet	c. ^{cu yd} nourishment	d. ^{cu yd} nourishment
15. ☐ Coastal Banks	a. linear feet	b. linear feet		
16. ☐ Rocky Intertidal Shores	a. square feet	b. square feet		
17. ☐ Salt Marshes	a. square feet	b. square feet	c. square feet	d. square feet
18. ☐ Land Under Salt Ponds	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
19. ☐ Land Containing Shellfish	a. square feet	b. square feet	c. square feet	d. square feet
20. ☐ Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	a. c/y dredged	b. c/y dredged		
21. ☐ Land Subject to Coastal Storm Flowage	a. square feet	b. square feet		
22. ☐ 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



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.

SI 19-0861

MassDEP File #

eDEP Transaction #

New Bedford

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 8.17 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 4/6/2024 unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.



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
 SE 19-0861
 MassDEP File #

eDEP Transaction #
 New Bedford
 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 SE49-0864 "
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.



**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:

SE 19-0861

MassDEP File #

eDEP Transaction #

New Bedford

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;



**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:

SE: 19-0861

MassDEP File #

eDEP Transaction #

New Bedford

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:

SE 19-0861

MassDEP File #

eDEP Transaction #

New Bedford

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 #21 - 48

- 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.

SF 19-0861

MassDEP File #

eDEP Transaction #

New Bedford

City/Town

D. Findings Under Municipal Wetlands Bylaw or Ordinance

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

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

1 Municipal Ordinance or Bylaw

2 Citation

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

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

Wetlands Ordinance

1. Municipal Ordinance or Bylaw

Sec. 15 -101

thru 15 - 112

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):

MA DEP General Conditions 1 through 20 are Special Conditions pursuant to the City of New Bedford Wetlands Ordinance (Sec. 15 - 101 through 15 - 112). in addition, see attached Special Conditions 21 through 48.



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.

SE19-0864

MassDEP File #

eDEP Transaction #

New Bedford

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.

4/6/2021

1. Date of Issuance

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

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

2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy 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.

Kimberly Blony
Signature

Signature

Sean Carney
Signature

Signature

Signature

Signature

Signature

Signature

Kimberly Blony
Printed Name

Peter Blanchard
Printed Name

Sean Carney
Printed Name

Dennis W. Audette
Printed Name

Printed Name

Printed Name

Printed Name

Printed Name

☐ by hand delivery on

☐ by certified mail, return receipt requested, on

Date

Date



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:

SE 19 086 I

MassDEP File #

eDEP Transaction #

New Bedford

City/Town

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.



**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
SE 19-086 I
MassDEP File #

eDEP Transaction #
New Bedford
City/Town

G. Recording Information

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

New Bedford
Conservation Commission

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

To:

New Bedford
Conservation Commission

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

Project Location

MassDEP File Number

Has been recorded at the Registry of Deeds of:

County

Book

Page

for: Property Owner

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

Book

Page

In accordance with the Order of Conditions issued on:

Date

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

Instrument Number

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

Document Number

Signature of Applicant



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

1265 Bartlett St - ORDER OF CONDITIONS
Map 134, Lot 299 & 305
APPLICANT/OWNER – Amandio & Jose Araujo

SE49-0864 SPECIAL CONDITIONS

21. No activity shall occur prior to obtaining all necessary and required permits, licenses and approvals; and until copies of the same have been furnished to the Conservation Commission.
22. Any design modifications, alterations, amendments, or additions shall be subject to the approval of the New Bedford Conservation Commission. Requests for any changes shall be made in writing and shall be accompanied by a revised plan.
23. No modification to surface features, drainage or topography shall be permitted except as indicated by this Order of Conditions.
24. Contours shall remain unchanged except as permitted by this Order of Conditions.
25. There shall be no construction other than that proposed by the Notice of Intent and included on the plans.
26. Immediately following completion of construction and grading, permanent stabilization shall be carried out to minimize erosion.
27. All wetland areas not to be altered shall be kept clear of rubbish, debris, and construction material.
28. All exposed soil or subsoil shall be replanted with vegetation such as grass, groundcover, shrubs or a wetland seed mix so as to minimize erosion.
29. There shall be minimum disruption of existing grades and vegetation in order to minimize erosion.
30. No runoff shall be caused to drain on adjacent property.

31. All excess material shall be removed from the site.
32. The owners shall notify the Conservation Commission of the work start date prior to its commencement so that regular inspections may be made.
33. The inspector and/or Commission members shall have the right to enter upon the land for the purpose of the inspection and/or the taking of pictures to determine and evaluate compliance with this Order.
34. All facilities and equipment shall be continually maintained so as to comply with this Order of Conditions and M.G.L. Ch. 131 S40, the Wetlands Protection Act and Regulations 310 CMR 10.00 et seq.
35. Certain conditions such as maintenance or monitoring are on-going and are not to expire at the end of three years or with the issuance of a Certificate of Compliance.
36. This Order of Conditions shall apply to any successor in interest or successor in control.
37. Any changes required by any other board or authority may require a new filing with the Conservation Commission.
38. It is the responsibility of the applicant to complete the review required by agencies with jurisdiction over the activity that is subject to this Order of Conditions and procure all required permits or approvals before work commences. These reviews, permits, and approvals may include but are not limited to:
 - The Army Corps of Engineers
 - The MA Department of Environmental Protection
 - The MA Natural Heritage and Endangered Species Program
 - Review by local Planning Boards, Zoning Boards, Board of Health and Building Inspector.
39. The Conservation Commission shall not be responsible or liable for the construction, operation, or maintenance of any part of this project and does not warrant the safety of same.
40. Any fill or construction materials shall be placed in upland areas.
41. Any mitigation and resource protection devices and measures, e.g. straw bales, siltation fence or compost tubes are to be installed prior to the initiation of work under this Order of Conditions. Silt fence and straw bales shall be trenched into the ground. The Conservation Agent is to be notified when in place for inspection and verification. No work is to be undertaken until written or verbal approval is received from the Conservation Commission or its Agent.
42. In accordance with Condition number fourteen (14), no activity shall take place until the applicant has furnished written documentation that the plans on file with the Conservation Commission are consistent with permits and approvals of other City Boards.
43. Prior to any construction, an on-site inspection is to be held between the proposed contractor, the engineer, and the Conservation Commission Agent to go over the sequence of construction and all other restrictions and requirements as noted on the Order of Conditions. A written construction

schedule is to be received at that time.

44. Any changes in proposed drainage patterns shall require the written approval of the Conservation Commission.
45. Wetland flagging to remain in place until the project has been completed and a Certificate of Compliance issued.
46. Notice of Intent, Order of Conditions and approved plans shall be retained on the site during construction and made available to all contractors.
47. All conditions are on going and do not expire until the issuance of a Certificate of Compliance.
48. An as-built plan including utilities & grading shall be submitted upon completion of construction.