

Commission Members
David Travalini, Chair
Dayna Gill
Ken McKay
David Blackwell
Sean Green
James Dacier
Rebekah Mitchell



Medway Town Hall
155 Village Street
Medway, MA 02053
Telephone (508) 533-3292
bgraziano@townofmedway.org

TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
CONSERVATION COMMISSION

February 11, 2026

Steve Brody
39 West Street
Medway, MA 02053

Dear Mr. Brody,

Enclosed is the wetland permit (Order of Conditions) issued on **February 11, 2026, DEP #216-1076**. The appeal period is 10 days. No work should be performed prior to the end of the 10-day appeal period.

Please carefully read the Special Conditions. This permit must be recorded at the Norfolk Registry of Deeds please send our office a check for \$106.00 made payable to the Norfolk County Registry of Deeds. Therefore, after the 10-day appeal period our office can complete the recording on your behalf.
Please contact me for a mandatory pre-construction meeting.

We thank you for the opportunity to review this work and trusts that it will be carried out in such a way that protects our wetland resources. The Order of Conditions DEP #216-1076 shall **February 11, 2029**. If you have any questions, please contact me at bgraziano@medwayma.gov.

Sincerely,

Bridget R. Graziano, Conservation Agent
Medway Conservation Commission



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:
 216-1076

MassDEP File #

eDEP Transaction #

Medway

City/Town

A. General Information

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

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



1. From: Medway
 Conservation Commission

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

3. To: Applicant:

Steve

a. First Name

Brody

b. Last Name

c. Organization

39 West Street

d. Mailing Address

Medway

e. City/Town

MA

f. State

02053

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:

39 West Street

a. Street Address

Medway

b. City/Town

55

c. Assessors Map/Plat Number

51

d. Parcel/Lot Number

Latitude and Longitude, if known:

42d13m941s

d. Latitude

71d45m170s

e. Longitude



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A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
 Norfolk
 a. County
 37060
 c. Book
 b. Certificate Number (if registered land)
 585
 d. Page
 7. Dates: November 13, 2025 February 5, 2026 February 10, 2026
 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):
 Permit Site Plan, 39 West Street, Medway, MA
 a. Plan Title
 Hancock Associates
 b. Prepared By
 1/5/26
 d. Final Revision Date
 Notice of Intent
 f. Additional Plan or Document Title
 Joseph D. Peznola No.38117
 c. Signed and Stamped by
 1'=20"
 e. Scale
 November 13, 2025
 g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

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

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

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

Approved subject to:

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



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B. Findings (cont.)

Denied because:

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

3. ☒ Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a)

25 ← Project only
a. linear feet
0-25 Restoration work only

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 e. c/y dredged	b. square feet f. c/y dredged	c. square feet	d. square feet
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	3300 a. total sq. feet	3300 b. total sq. feet		
Sq ft within 100 ft	0 c. square feet	0 d. square feet	0 e. square feet	0 f. square feet
Sq ft between 100-200 ft	0 g. square feet	0 h. square feet	3300 i. square feet	3300 j. square feet

100'-200'
Restoration
only
no permitted
project work



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B. Findings (cont.)

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

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. ☐ 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. nourishment cu yd	d. nourishment cu yd
14. ☐ Coastal Dunes	a. square feet	b. square feet	c. nourishment cu yd	d. nourishment cu yd
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



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B. Findings (cont.)

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

23. ☐ Restoration/Enhancement *:

a. square feet of BVW

b. square feet of salt marsh

24. ☐ Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. The work is a maintenance dredging project as provided for in the Act; or
 - b. The time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
 - c. If the work is for a Test Project, this Order of Conditions shall be valid for no more than one year.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order. An Order of Conditions for a Test Project may be extended for one additional year only upon written application by the applicant, subject to the provisions of 310 CMR 10.05(11)(f).
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on 2/10/2029 unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.



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C. General Conditions Under Massachusetts Wetlands Protection Act

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

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]
"File Number 216-1076 "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.



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

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

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

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



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

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

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

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

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

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

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

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 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.



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

g) The responsible party shall:

1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.

h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.

i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.

j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.

k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.

l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

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

See attached for Findings and Conditions adopted under the MA Wetlands Protection Act (MGL. Ch. 131 S. 40) & the Medway General Wetlands Protection Bylaw (Article 21) and Article 26 Stormwater Bylaw.

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



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D. Findings Under Municipal Wetlands Bylaw or Ordinance

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

1. Municipal Ordinance or Bylaw	2. Citation
Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.	
 - b. ☒ that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

<u>Medway General Bylaw</u>	<u>Article 21</u>
1. Municipal Ordinance or Bylaw	2. Citation
3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.
The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):

See attached for Findings and Conditions adopted under the MA Wetlands Protection Act (MGL. Ch. 131 S. 40) & the Medway General Wetlands Protection Bylaw (Article 21).



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E. Signatures

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

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

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

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

2/11/2026

1. Date of Issuance

2. Number of Signers

Signature Authorization Bk . 37825 Pg 135 Document #1559791

David Travalini

Signature

Ken McKay

Signature

David Blackwell

Signature

James Dacier

Signature

Signature

Signature

Signature

Signature

David Travalini

Printed Name

Ken McKay

Printed Name

David Blackwell

Printed Name

James Dacier

Printed Name

Printed Name

Printed Name

Printed Name

Printed Name

☐ by hand delivery on

Date

☒ by certified mail, return receipt requested, on
 2/11/2026

Date



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E. Signatures

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

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

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

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

2/11/2026
 1. Date of Issuance

4
 2. Number of Signers

Signature Authorization Bk . 37825 Pg 135

DOC# 1,559,791

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

☐ by hand delivery on

☒ by certified mail, return receipt requested, on

Date

Date

9589 0710 5270
 0052 7485 82



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F. Appeals

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

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

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



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G. Recording Information

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

Conservation Commission

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

To:

Conservation Commission

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

Project Location

MassDEP File Number

Has been recorded at the Registry of Deeds of:

County

Book

Page

for:

Property Owner

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

Book

Page

In accordance with the Order of Conditions issued on:

Date

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

Instrument Number

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

Document Number

Signature of Applicant



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number: _____

**Request for Departmental Action Fee
Transmittal Form**

Provided by DEP

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

A. Request Information

1. Location of Project

a. Street Address _____

b. City/Town, Zip _____

c. Check number _____

d. Fee amount _____

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

Name _____

Mailing Address _____

City/Town _____

State _____

Zip Code _____

Phone Number _____

Fax Number (if applicable) _____

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

Name _____

Mailing Address _____

City/Town _____

State _____

Zip Code _____

Phone Number _____

Fax Number (if applicable) _____

4. DEP File Number: _____

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



B. Instructions

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

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

**Request for Departmental Action Fee
Transmittal Form**

Provided by DEP

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

B. Instructions (cont.)

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

Department of Environmental Protection
Box 4062
Boston, MA 02211

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

MEDWAY CONSERVATION COMMISSION
ORDER OF CONDITIONS – PART II
FINDINGS AND CONDITIONS UNDER THE MASSACHUSETTS WETLANDS PROTECTION
ACT AND THE MEDWAY GENERAL WETLANDS PROTECTION BYLAW (ARTICLE 21)
PROJECT SITE: 39 WEST STREET
MEDWAY, MASSACHUSETTS
ASSESSOR'S MAP 55 LOT 051
DATE OF ISSUANCE: February 10, 2026

Project Description: The applicant proposes to construct a two-story residential condominium building with associated parking, stormwater management, landscaping, and utilities. Additional work for restoration of jurisdictional areas will also be performed. All of the work will be within the 100' Buffer Zone to Bordering Vegetated Wetland and the 200' Riverfront Area. The applicant has submitted the following documents which have been accepted as part of the final record and decision for the proposed project referenced above.

Approved Documents:

1. Plans titled, "Permit Site Plan" by Hancock Associates, dated January 5, 2026 (Sheets 1-16)
2. Plans sheet titled, "Landscape and Restoration Plan" by Hancock Associates, dated January 5, 2026
3. Operations and Maintenance Plan (original) titled, "Appendix IX - Construction Pollution Prevention and Erosion & Sedimentation Control" by Hancock Associates, within the Stormwater Pollution Prevention Plan and Report titled, "Stormwater Pollution Prevention Plan for 39 West Street Medway, MA" by Hancock Associates, dated January 5, 2026
4. Document titled, "Appendix VII Operations and Maintenance Plan and Log" By Hancock Associates, within the Stormwater Pollution Prevention Plan and Report titled, "Stormwater Pollution Prevention Plan for 39 West Street Medway, MA" by Hancock Associates, dated January 5, 2026
5. Long Term Pollution Prevention Plan (LTPPP) titled "Long Term Pollution Prevention Plan", by Hancock Associates, dated January 5, 2026
6. Document titled, "Stormwater Report in Support of Permit Plan for 39 West Street" by Hancock Associates, dated January 5, 2026
7. Document titled, "Stormwater Pollution Prevention Plan for 39 West Street Medway, MA", by Hancock Associates, dated January 5, 2026

Peer Review Documents:

8. Letter from Tetra Tech titled, "Stormwater and Land Disturbance Review Proposed Residential Development 39 West Street Medway, MA" by Tetra Tech, dated December 10, 2025

Other Relative Documents

9. Document titled, "Restoration Notes for 39 West Street, Medway, MA 0053" by Hancock Associates, dated January 5, 2026
10. Document titled, "39 West Street Notice of Intent and Land Disturbance (Mass DEP File #216-1076) Tree Replacement Table, by Hancock Associates, dated January 5, 2026
11. Document titled, "Landscape Maintenance Plan for 39 West Street Medway, MA" by Hancock Associates, dated January 5, 2026

Findings:

The Medway Conservation Commission makes the following findings relative to the Notice of Intent Application DEP File # 216-1076:

- a) The Commission hereby finds that the work proposed to construct a two-story residential condominium building with associated parking, stormwater management, landscaping, utilities, and restoration will take place within the 100' Buffer Zone to Bordering Vegetated Wetland and the 200' Riverfront Area. The applicant presented at public hearing evidence sufficient to demonstrate that the proposed activity meets the provisions under 310 CMR 10.02 (2)(b) & (3), 310 CMR 10.05(6)(k-q), 310 CMR 10.53 (1), and 310

CMR 10.58(4) and Medway General Bylaw Article 21 Regulations and the performance standards under Section 25, 26, 28, 31.

- b) The Commission voted to grant a waiver of the Medway General Bylaw Article 21 Section 21.2(b) to allow the removal of junk and debris items and to complete restoration of the 0-25'. The placement of the junk and debris was not authorized by the Commission and, therefore, under this Order, is required to be removed. The waiver vote granted this approval under Section 29 of the Regulations.
 - c) It was noted that all conditions of this Order must be met in order to meet the above-mentioned provisions. The Commission additionally finds that the work must be conditioned to protect all interests of Medway General Wetlands Protection Bylaw.
 - d) Additionally, the Medway Conservation Commission finds that the following conditions are necessary in order to protect the interest of the Bylaw. The Commission orders that all work shall be performed in accordance with said conditions and with the Notice of Intent referenced in the Special Conditions, section of this Order. To the extent that the following conditions modify or differ from the plans, specifications or other proposals submitted with the application, the conditions shall control.
- d.) Furthermore, the Medway Conservation Commission hereby finds that the proposed project is:

Approved, subject to the findings and conditions contained herein.

- A. The Medway Conservation Commission based its decision to approve the proposed project upon the information provided in the Land Disturbance Application, together with all of its contents and attachments, including the plans and documents within this permit, the findings and conditions contained in this Part III, and the information presented and discussed at the public hearing.
- B. The Medway Conservation Commission further finds the following:
 - 1. Wetland Resource Areas and Boundaries: The site contains the following wetland resource areas protected by the Massachusetts Wetlands Protection Act and the Medway Wetlands By-Law:
 - i. 0-25' No Disturb Zone (only for restoration work and the removal of junk and debris)
 - ii. 25' - 100' buffer zone of Bordering Vegetated Wetlands
 - iii. 0-100' Riverfront Area (removal of camper)
 - iv. 100'-200' Riverfront Area (restoration only)
 - 2. Additional General Findings Relate to the Overall Project:
 - i. This Order protects the interests specified in the Wetlands Protection Act and the Medway Wetlands By-Law. The Wetland resource areas on the lot are identified on the Plan.
 - ii. The Commission accepts the resource areas as depicted on the above-referenced Plan and as described in the Notice of Intent Project Narrative.
 - 3. Wildlife Habitat: The Commission finds that the project areas is not within an estimated habitat for state-listed rare wetland wildlife as depicted on the most recent Estimated Habitat Map provided by the Natural Heritage and Endangered Species Program. The Commission further finds that the project is not within an Area of Critical Environmental Concern.
 - 4. Stormwater Management: The Commission finds that the project is subject to the Department of Environmental Protection's Stormwater regulation and policy and the Town of Medway General Bylaw Article 26.

In addition to the General Conditions and Findings stated in Parts I and II of the Order of Conditions for this project, the General and Special Conditions below are necessary to comply with the Medway Wetlands By-Law and the Medway Conservation Commission Regulations as well as the Wetlands Protection Act and regulations.

APPEALS FOR BYLAW

Medway General Bylaw, Article 21 and its Regulations. An appeal may be taken from a decision under the Medway General Bylaws in accordance with the provision of Massachusetts General Laws Chapter 249 within 60 days of the issuance of a decision.

I. General Conditions

1. A Conservation Commissioner, agent of the Commission or the Department of Environmental Protection reserves the right to enter and inspect the property at all reasonable times to evaluate compliance with this Order of Conditions, the Act, 310 CMR 10.00 and may acquire any information, measurements, photographs, observations, and/or materials, or may require the submittal of any data or information deemed necessary by the Commission for that evaluation. Further, work shall be halted on the site if a Commissioner, agent or DEP determines that any of the work is not in compliance with this Order of Conditions. Work shall not resume until the Commission is satisfied that the work will comply and has so notified the applicant in writing.
2. This Order shall apply to any successor in control or successor in interest of the property described in the Notice of Intent and accompanying plans. These obligations shall be expressed in covenants in all deeds to succeeding owners of all or any part of or share (in fact) of the property.
3. The term "Applicant" as used in this Order of Conditions shall refer to the owner, any successor in interest, title or successor in control of the property referenced in the Notice of Intent, supporting documents and this Order of Conditions. The Commission shall be notified in writing within 30 days of all transfers of title of any portion of property that take place prior to issuance of the Certificate of Compliance.
4. The form provided at the end of this Order shall be completed and stamped at the appropriate Registry of Deeds, after the expiration of the 10-day appeal period and if no request for appeal has been filed with the Department of Environmental Protection. Any Order not recorded by the applicant before work commences may be recorded by the Commission at the applicant's expense.
5. With respect to all conditions, the Conservation Commission designates the Conservation Agent as its agent with full powers to act on its behalf in administering and enforcing this Order.
6. This document shall be included in all construction contracts, subcontracts, and specifications dealing with the work proposed and shall supersede any conflicting contract requirements. The applicant shall ensure that all contractors, subcontractors and other personnel performing the permitted work are fully aware of this Order's terms and conditions. Thereafter, the Applicant, the contractors, and subcontractors will be held jointly liable for any violation of this Order resulting from failure to comply with its conditions.
7. If any changes are made in the approved plan(s) which may or will alter an area subject to protection under the Wetlands Protection Act or any change(s) in activity subject to regulations under G.L. Ch. 131 §40 or the Medway General Bylaw Article 21, the applicant shall inquire from this Commission in writing, prior to their implementation in the field, whether the change(s) is significant enough to require the filing of a new Notice of Intent, or a Request To Amend this Order of Conditions. Any errors in the plans or information submitted by the applicant shall be considered changes and the above procedures shall be followed.
8. The owners of the project and their successors in title, in the event they proceed to alter areas subject to the Commission's jurisdiction under the Order, agree that the Order does not in itself impose upon the Town any responsibility to maintain the proposed drainage system and that the Town of Medway shall not be liable for any damage in the event of failure. By acceptance of this Order, the owners agree to indemnify and hold harmless the Town of Medway and its residents for any damages attributable to alterations undertaken on this property pursuant to the Order. Issuance of the Order does not imply or certify that the site or downstream areas will not be subject to flooding, storm damage, or any other form of water damage. This condition shall remain in perpetuity.
9. The Commission reserves the right to amend this Order of Conditions after a legally advertised public hearing if plans or circumstances are changed or if new conditions or information so warrant.
10. It is the responsibility of the applicant to procure all other applicable federal, state and local permits and approvals associated with this project.
11. Should issuance of additional permits result in a change in the project, the provisions of condition

#7 apply, regarding the process for plan amendments.

12. All waste products, refuse, debris, grubbed stumps, slash, excavate, construction materials, etc. shall be contained and ultimately deposited at an appropriate off-site facility and shall not be incorporated in any manner into the project site. No mulch shall be placed in wetland resource areas.
13. There shall be no pumping of water from wetland resource areas.
14. All waste products, grubbed stumps, slash, construction materials, etc. shall be deposited at least 100 feet from intermittent streams, Bordering Vegetated Wetlands and all Vernal Pools (regardless of state status), 200 feet from rivers, and not within Bordering Land Subject to Flooding.
15. No fuel, oil, or other pollutants shall be stored in any resource area or the buffer zone thereto.
16. Any debris or "dumped" material existing or future that is located in wetland resource areas, Riverfront, or buffer zones shall be removed by the applicant prior to the issuance of the Certificate of Compliance.
17. There shall be no underground storage of fuel, oil, or hazardous substance on the property within the buffer zones or Wetland Resource Areas.
18. Removal and storage of hazardous substances, hazardous waste, or hazardous material if in an area subject to protection under the Massachusetts Wetlands Protection Act:
 - a. Shall be conducted only when approved and directed by the Department of Environmental Protection, Environmental Protection Agency or other applicable state or federal agency under which removal or remedial activities are directed and shall be conducted in the manner specified in the Notice of Intent and appropriate agency directives.
 - b. All hazardous materials, hazardous substances, and hazardous waste produced, stored or removed must be handled, treated and disposed of in accordance with local, state and federal law regulating such materials and must be located outside of the buffer zone to wetland resource areas, unless specifically authorized by the Order of Conditions and appropriate state and federal licensing and permitting agencies.
 - c. No hazardous materials, substances, or wastes shall be introduced or discharged into or toward wetland resource areas.
 - d. No hazardous materials, substances, or wastes shall be introduced or discharged into the sanitary or sewage systems in such a manner which will result in an impact to wetland resource areas unless approved by the Conservation Commission, Board of Health, Massachusetts Department of Environmental Protection and/or the United States Environmental Protection Agency.
 - e. Identification of all types of hazardous materials, hazardous substances, or hazardous wastes used, produced, or stored on the site shall be submitted to the Conservation Commission in writing.
19. Any other work within 100 feet of Bordering Vegetated Wetlands and 200 feet from any perennial River not expressly permitted under this Order will require notification to, and determination by the Commission whether a new Notice of Intent or Request for Determination of Application must be filed with the Commission.
20. In the case of a conflict between a specific condition in this Order and a referenced document, the conditions of this Order shall prevail.
21. Prior to any fill being brought onto the premises from any off-property sources, the Medway Conservation Commission requires that Any soil, including loam, brought into the resource areas, buffer zones, or other jurisdictional area should be free of trash and deleterious material and free of any chemical contaminants in excess of Massachusetts Contingency Plan (MCP 310 CMR 40.0000) RCS-1 Reportable Concentrations. Soil should also be free of invasive species. While the MCP as a regulation at the State level may or may not apply to the project, soil characterization shall be completed in a manner consistent with this regulation. Prior to delivering to the project soil, material should be characterized by sampling the soil as outlined below and a certification shall be provided to the Conservation Commission or its agent. The certification shall include a letter signed by a Licensed Site Professional (see MCP) describing the Site history of the originating soil location and certifying sampling collection procedures, quality control, results, compliance

with RCS-1 Standards, and compliance with the requirements of this condition. Soil containing concentrations of contaminants in Exemptions from reporting outlined in the MCP including but not limited to lead paint, emissions, arsenic, and ash, shall not be allowed in jurisdictional areas. Sampling and classification of soils shall also be consistent with MassDEP Policy # COMM-97-001.

Required soil testing is outlined below:

One soil sample shall be collected from material at each originating location or soil type. One soil sample shall be collected for every 500 cubic yards of soil.

- Volatile Organic Compounds (VOCs) by EPA Method 8260
- SemiVolatile Organic Compounds (SVOCs) by EPA 8270
- Polychlorinated Biphenyls (PCBs) by EPA Method 8082
- Total Petroleum Hydrocarbons (TPH) by EPA Method 8015 or 8100M.
- Substitute MassDEP VPH/EPH) for TPH allowed
- pH
- Priority Pollutant 13 Metals (total) Sb, As, BA, Be, Cd, Cr, Pb, Ni, Se, Ag, Ti, V, Zn.
- Any other analyses determined by the Conservation Commission, MassDEP, or the LSP necessary to properly characterize the soil for relocation.

Exceptions:

Washed Stone Materials (The Commission may elect to require sampling of these materials if materials are suspect when inspected by the Commission or its Agent)

Alternative Sampling Plans;

The Commission may consider alternative sampling plans or soil materials at its sole discretion. Approval of the commission or its agent is required for alternate plans. These may include management of soils consistent with MassDEP WSC#-13-500, Similar Soils Provision Guidance. These may also include originating facilities that are known to the Commission based on previous certifications, historical operations, and sampling to produce soils below RCS-1.

22. The Commission reserves the right to require the applicant and/or its successors to hire a qualified Licensed Site Professional (LSP) for all review of the above requirements of conditions #21 of this Order. The Applicant shall hire a professional competent consultant who is licensed as a LSP. The review of these materials shall be completed prior to the placement of any fill material being stored on site within the Commission's jurisdiction.
23. The Commission reserves the right to request truck manifests or other supporting materials that depicts the trucks route with regards to the transportation of soil materials from an off-site location approved by the Conservation Commission, its Agent or a Licensed Site Professional who is employed on behalf of the Town of Medway.
12. All work for the two story building with associated parking lot, stormwater management, driveway, utilities, proposed under this Order shall be conducted in accordance with the approved site plans titled, "Permit Site Plan" by Hancock Associates, dated January 5, 2026 (Sheets 1-16) (hereafter referred to as Approved Site Plans), Stormwater Report titled, "Stormwater Report in Support of Permit Plan for 39 West Street" by Hancock Associates, dated January 5, 2026 (hereafter referred to as Stormwater Report), Document titled, "Appendix VII Operations and Maintenance Plan and Log" By Hancock Associates, within the Stormwater Pollution Prevention Plan and Report titled, "Stormwater Pollution Prevention Plan for 39 West Street Medway, MA" by Hancock Associates, dated January 5, 2026 (hereafter referred to as O&M), the Long Term Pollution Prevention Plan, titled, Long Term Pollution Prevention Plan (LTPPP), by Hancock Associates, dated January 5, 2026 (hereafter referred to as the LTPPP), the document titled, "Document titled, "Stormwater Pollution Prevention Plan for 39 West Street Medway, MA", by Hancock Associates, dated January 5, 2026 (hereafter referred to as SWPPP), and the conditions of this Order.

Copies of the approved documents listed above shall be always kept on site while the site is under construction and the conditions of this Order. Copies of applicable documents listed above shall be kept on site at all times while the site is under construction.

24. The applicant and its successors agree that they shall not request any future additional alteration of the 0-25' No Disturb Setback and the 100'-200' Riverfront, regardless of the proximity of structures to the limit of the work line approved under this Order. This includes but is not limited to landscaping and maintenance, removal of vegetation of any type, construction of any type of structure, etc. The site is considered to be developed to the maximum extent, where the applicant has purposely placed the roadway in close proximity to No Disturb Setback and/or jurisdictional areas under the Medway General Bylaw Article 21 and its Regulations. This condition shall remain in perpetuity.

II. Prior to Construction

25. Prior to the commencement of work, the applicant shall install a DEP sign 2' x 2' of DEP #216-1076, on the closest street, West Street.
26. No clearing of vegetation, including trees, or disturbance of soil shall occur prior to the Pre-Construction Meeting. Minimal disturbance of shrubs and herbaceous plants shall be allowed prior to the Pre-Construction Meeting if absolutely necessary in order to stake the approved erosion control and limit of work lines where required.
27. Prior to the commencement of any activity on this site other than the marking of locations for erosion controls and limits of work, there shall be a **PRE-CONSTRUCTION MEETING** between the project supervisor, the contractor responsible for the work, and a member of the Conservation Commission or its Agent to ensure that the requirements of the Order of Conditions are understood. The staked erosion control line shall be adjusted, if necessary, during the pre-construction meeting to comply with the approved plans. The applicant shall contact the Conservation Commission office at 508-533-3292 at least three (3) business days prior to any activity to arrange for the pre-construction meeting.
28. Immediately after the Pre-Construction Meeting, all erosion controls and limits of work lines shall be installed along the approved and staked line. This includes where old erosion control sit today, shall be removed and replaced to new/fresh erosion controls. Erosion controls and limits of work lines shall be installed with minimal disturbance to vegetation. Where possible, erosion controls should go *around* trees, shrubs, and other vegetation, on the uphill side. All erosion controls shall be siltation fencing and 10"-12" compost socks, unless directed otherwise by the Agent and/or the Commission
29. Prior to any work on site, the applicant shall submit to the Commission and/or its Agent for its review and approval the final submitted Stormwater Pollution Prevention Plan or (SWPPP).
30. Immediately after installation of erosion controls, the Conservation Commission shall be contacted in order to conduct a follow-up inspection to ensure that erosion controls and limits of work lines have been properly installed. No work shall be conducted in any jurisdictional area of the site until the Commission, or its Agent has inspected and approved of the installation of the erosion controls.
31. Prior to any work on site, the proposed limits of work shall be clearly marked with stakes or flags and shall be confirmed by the Conservation Commission.
32. Emergency Contacts – The applicant shall provide to the Commission the identity and 24-hour contact information for one or more persons who will act as emergency contacts in the event of an environmental problem that occurs outside of normal working hours. The applicant shall be responsible for insuring that adequate, round-the-clock coverage including holidays, vacations, weekends, etc. is provided by an adequate number of persons so that a qualified person is always available, and that appropriate contact information has been provided to the Commission. The emergency contact person(s) shall have the authority to expend resources, including necessary manpower, materials, and required subcontracted services, to alleviate any environmental problems at the site in short order. The applicant shall be responsible for immediately notifying the Commission of any change in the identity or contact information for the Emergency Contact persons.
33. Prior to commencement of construction on site, the Bordering Vegetated Wetlands and perennial river mean annual high water shall be flagged with surveyor's tape numbered to correspond to the wetland delineation on the approved plans and shall remain in place during construction.

34. The applicant shall notify the Conservation Commission in writing at least five (5) business days prior to commencement of construction activity on the site and shall advise the Commission of the name(s) and telephone number(s) of the person(s) responsible on site for compliance with this Order. The applicant shall be responsible for immediately notifying the Commission of any change in the identity or contact information for the on-site person responsible for compliance with the Order.
35. The applicant shall secure a qualified professional to act as a clerk of the works to be approved or designated by the Commission. The Clerk of the Works will supervise the contractor and will inspect the site regularly whenever construction in or within riverfront area, bordering lands subject to flooding, or 100 feet of a bordering vegetated wetland or a Vernal Pool is in progress. The Clerk of the Works will provide inspection reports to the Commission every two weeks and after storm events over 0.5", and will respond to required inspected the next day or 24 hours whichever is sooner after storm events of over 0.5", so as to take responsibility for the proper functioning of drainage systems for the project. The applicant shall provide that person's phone number for the Commission. Failure to provide above reports may result in cessation of all work on site until the applicant can meet with the Conservation Commission at a regularly scheduled meeting to explain and rectify their absence.
36. It is the responsibility of the applicant to procure and comply with all other applicable federal, state and local permits, approvals, and guidelines associated with the project. A copy of the filed NPDES permit with approval shall be submitted to the Commission prior to the commencement of work. These regulations, guidelines, and permits may include but are not necessarily limited to the following:
- a. EPA Phase II Stormwater Regulations and NPDES Permit
 - b. Medway Board of Health Well Decommissioning Permit
 - c. Medway Department of Public Works Sewer Connection Permit
37. Prior to commencing any work on the site, the applicant shall submit the following to the Conservation Commission:
- d. A set of **photographs** depicting the project site in pre-construction condition.
 - e. A **clearing plan** showing areas to be cleared and areas to be left in a natural state
 - f. A **project/construction-sequencing plan**
 - g. A **statement** signed by the applicant, owner of the property and all persons responsible for the construction of the project that such individuals understand the terms and conditions as specified in the Order and that such persons agree to comply with the provisions of the Wetlands Protection Act and this Order.
26. Prior to the commencement of work, the applicant shall supply all costs associated with services provided by a Consulting Engineer for the review and oversight related to, but not limited to, the following construction Services – Inspection of all site work related to the construction of the stormwater management system by the Town's Consulting Engineer. The Consulting Engineer will document compliance with the OOC and report findings to the Commission. The Applicant shall pay a construction services/consultant peer review fee to the Town of Medway for such inspections. The amount shall be determined by the Medway Conservation Commission based on an estimate provided by the Town's Consulting Engineer based on the scope of the project. The Applicant shall provide supplemental payments to the Town of Medway for reasonable additional construction services upon invoice from the Medway Conservation Commission, until the as-built and a Certificate of Compliance has been granted determining the infrastructure to be satisfactory in compliance with this Order. Funds for such account shall be replenished upon notice from the Conservation Commission and/or Agent. If funds are not replenished within fourteen (14) days of request all work within jurisdictional areas shall be suspended until such time when it is replenished.
38. Prior to installation of any portion of the proposed stormwater management system, the applicant shall perform a minimum of one (1) test pit soil testing in within the location limits of the proposed Subsurface Infiltration System SIS system (System). The test pit(s) shall be conducted during a period of ESHGW and shall be advanced to a minimum depth of four feet below the proposed bottom elevation of the System (bottom of System foundation stone) to confirm soil texture and ESHGW elevation. The test pit(s) shall be

performed and logged by the applicant's Massachusetts Certified Soil Evaluator in the presence of the Town's Consulting Engineer to confirm results of the testing. show that pitting was performed to show soils within four feet of the proposed bottom of the system (in locations as directed by the Town's Consulting Engineer) in the presence of the Town's Consulting Engineer to confirm the soils on site. If at such time the soils and ESHGW conditions are not consistent with the submitted approved Stormwater Report, the applicant shall then redesign the System according to the 310 CMR 10.05 (6)(k-o) to be approved by the Commission and/or the Agent depending on the extent of the design modification. This may require an Amendment to the Order of Conditions as determined by the Commission and/or Agent.

III. Erosion Control Inspection and Monitoring

39. It shall be the responsibility of the applicant and his successors to conduct monitoring, maintenance, and repair of erosion control measures, as well as to take any other additional measures necessary to control erosion from the site such that wetland impacts do not occur. The erosion control measures designated on the site plans and described in this Order of Conditions shall be considered a minimum standard for compliance. In addition, it shall be the responsibility of the applicant to take whatever measures are necessary to prevent any form of wetland impacts not approved within this Order. Additional requirements related to site monitoring and control are:

- A. Erosion Control Inspector. The applicant shall designate and identify to the Commission a qualified Erosion Control Inspector. This person shall have appropriate credentials in the field of engineering or environmental science, and erosion and sedimentation control.
- B. Erosion control inspections. At least once every two weeks and within 24 hours of a rain event of > 0.5" inch within any 24 hour period, the designated Erosion Control Inspector shall conduct a thorough inspection of the site. At a minimum, each inspection shall include a visual inspection of all erosion control barriers, visual inspection of all temporary sediment traps and other erosion control measures, inspection of all stockpile areas, inspection of intermittent streams, the vernal pool wetland adjacent to the development, and the Main Building. Inspections shall include turbidity monitoring as described below.
- C. Precipitation Monitoring: The applicant shall obtain and maintain in good working order at the site a precipitation gauge. The applicant shall maintain a daily log of precipitation at the site, and make the log available for inspection.
- D. Inspection reports. Within one week of the completion of an inspection, the Erosion Control Inspector shall submit a report of findings to the Medway Conservation Commission. The contents of this report shall include, but are not limited to, the following:
 - a. Summary of site status with respect to construction phases and erosion control measures.
 - b. Summary of erosion control measure maintenance and additions conducted during the period since the last inspection.
 - c. A list of any and all recommended measures for maintenance, repair, or improvement of erosion control measures.
 - d. The results in tabular form of turbidity monitoring.
 - e. Each inspection report shall contain the following certification signed by the Erosion Control Inspector:

"With only the following exception(s) noted herein, it is my professional opinion that:

- 1. Work on the site is being conducted in compliance with the Order of Conditions and other regulatory requirements and approvals related to environmental protection.
- 2. The erosion control barriers and other erosion control measures are functioning as intended, are being maintained adequately, and are in a condition to continue to function as intended.
- 3. I observed no impacts of sedimentation, physical disturbance, or other alteration of wetland resource areas, including open water

areas and vegetated wetlands, on the site.

IV. Phasing

40. Prior to the commencement of work, the Contractor/Project Supervisors shall submit the proposed Phasing and Construction sequence which shall comply with all approved plans and documents.
41. If it is determined that there is a violation of this Order and/or the Wetland Protection Act, the Medway Bylaw Article 21 or 26, work on a subsequent Phase cannot commence until said violation is cured to the satisfaction of the Commission and/or Agent.

V. Staging Areas

42. Prior to construction the general contractor shall designate a **construction staging area**, located outside all resource areas and buffer zones. All construction trailers, portable sanitary facilities, material storage and overnight parking of equipment shall be in the staging area. The perimeter of the staging area shall be protected as necessary with silt fence and the ground surface shall be protected with washed stone or another suitable non-erosive material.
43. **An area for cleanup and or maintenance of construction equipment** shall be designated prior to construction.
 - a. Applicant shall designate wash out areas (not limited to concrete only) which will be located over 100' from any wetland resource and surrounded by siltation controls or some other form of protection approved by the Commission.
 - b. Any runoff resulting from the washing of trucks or construction equipment shall neither be directed to, nor dumped in, any on-site drainage system or in any area subject to protection under the Massachusetts Wetlands Protection Act. Any such washing shall occur in a designated area, protected by washed stone, outside of all resource areas. All construction vehicles exiting the property shall be cleaned of soil prior to traveling on public streets within the Town of Medway.
 - c. Any leakage or spillage of oil, hydraulic fluid, gasoline, or other pollutants must be cleaned up immediately and disposed of off the site. All fueling of equipment shall be performed outside of wetland resource areas and buffer zones. The Commission shall be notified immediately in the event of any spillage.
44. Prior to commencing any work on the site the applicant shall install a stone construction entrance (**tracking pad**) not less than 20' wide and not less than 30' in length of a stone size, on the average of 1" to 4".
45. All **construction equipment** employed in the resource areas or buffer zones thereto shall be **properly maintained** and precautions shall be taken to prevent any leakage or spillage of oil, gasoline, hydraulic fluids, etc.
46. **No fuel, oil, or other pollutants shall be stored** in any resource area or the buffer zone thereto, unless specified in this Order of Conditions.

VI. Restoration Prior to Construction

Prior to the commencement of work

47. The applicant shall submit and receive Medway Board of Health approval for the removal of the existing shallow dug well, as noted on the approved plans. This well shall be decommissioned per the Medway Board of Health. This area then shall be restored per the approved restoration plan titled, plans sheet titled, "Landscape and Restoration Plan" by Hancock Associates, dated January 5, 2026, and the document titled, "Restoration Notes for 39 West Street, Medway, MA 0053" by Hancock Associates, dated January 5, 2026
48. All discarded junk, existing shed/building and debris materials within jurisdictional areas, such as, but not limited to, debris, well lines, tires, junk, rubber, and all other materials designated by the Agent to be impacting wetland resources, shall be removed using hand tools into wheel-mounted trucks, as directed by the Agent.

49. Once all materials are removed, the applicant's wetland scientist and the Conservation Agent shall review the areas and determine if the restoration plan within the approved site plans is sufficient to restore the jurisdictional areas. The Agent shall be the directing authority to determine whether the approved restoration is sufficient once the debris is removed. If it is not sufficient, as deemed by the Commission and/or the Agent, the applicant shall submit and updated plan to address any impacted resource areas, not originally addressed in the document titled, "Restoration Notes for 39 West Street, Medway, MA 0053" by Hancock Associates, dated January 5, 2026.
50. Owner constructed stone walls within the 0-25' No Disturb Zone shall be removed immediately, through the use of hand tools and other small wheel-mounted machinery.
51. All areas of restoration within the buffer zone shall be restored per the approved plan, and Conservation Wildlife Mix, as approved by the Agent and/or the Commission shall be applied to areas proposed to be protected within jurisdictional areas. All proposed seed mixes shall be approved by the Agent and/or the Commission prior to application.

During Construction

52. Applicant shall install completed restoration as shown on the approved plans and described in the document titled, "Restoration Notes for 39 West Street, Medway, MA 0053" by Hancock Associates, dated January 5, 2026 and the plans sheet titled, "Landscape and Restoration Plan" by Hancock Associates, dated January 5, 2026. Restoration shall be completed within 30 days of the completion of stormwater system, roadway and parking. All proposed planting shall be of the same species as noted on the approved plan, or shall be requested for review and approval by the Agent, prior to planting.
53. The applicant shall stake out all proposed planting locations per the approved plan sheet titled, "Landscape and Restoration Plan" by Hancock Associates, dated January 5, 2026 and the document titled, "Restoration Notes for 39 West Street, Medway, MA 0053" by Hancock Associates, dated January 5, 2026. Staked locations shall be approved by the Agent and/or the Commission prior to installation.
54. The native trees shall be planted 10'-13' on center, and shrubs shall be planted 6' – 10' on center and shall be planted as depicted on the approved site plan.
55. The buffer zone and Riverfront restoration areas shall be monitored for invasive species (as identified by the Massachusetts Invasive Plant Advisory Group) and manually removed from the buffer zone restoration area when found, for the life of the Order. The Environmental Monitor shall submit reports to the Commission twice a year (by June 1 and November 1) that, at a minimum, identify the species found and removed and provide details on the condition of native plantings and the progress on the establishment of this area (photos to be included). The monitoring and removal of invasive species from the restoration area shall begin within one month of removal of debris, buildings and other junk materials and continue at least twice per growing season until a Certificate of Compliance is issued.
56. The approved/installed restoration area shall not be altered from restoration area to any other use not consistent with natural buffer zone/Riverfront. This conditions shall remain in perpetuity
57. There shall be no application of herbicides, pesticides or fungicides within jurisdictional areas which include the restoration areas, as designated on the approved plan. Additionally, there shall be no mulch applied to restoration areas, unless it is composted leaf mulch approved by the Agent and/or the Commission.

VII. Tree Protection

Prior to the commencement of work

58. All trees for protection and tree proposed for removal shall be marked in the field with distinctive flagging for each designation. The trees shall be numbered for removal and match the submitted document titled, "39 West Street Notice of Intent and Land Disturbance (Mass DEP File #216-1076) Tree Replacement Table, by Hancock Associates, dated January 5, 2026. A revised plan shall be submitted to the Commission and/or the Agent noting the assigned tree to be removed by number and trees to remain protected.
59. Once the plan is submitted to the Commission, a site visit will be scheduled for the Agent to review that the

trees proposed to be removed were flagged for removal and correspond correctly with the document titled, "39 West Street Notice of Intent and Land Disturbance (Mass DEP File #216-1076) Tree Replacement Table, by Hancock Associates, dated January 5, 2026

60. Trees that are proposed to be protected shall have drop lines flagged in the field, reviewed by the Conservation Agent, and approved as protected. Any trees that do not survive the construction shall be mitigated as prescribed under Section 23 of the Medway General Bylaw Article 21 Regulations. The proposed mitigation shall be submitted to the Agent within 30 days of the Medway Tree Warden or a Certified Arborist designating the tree as dead or declining. Trees may only be designated dead or declining during the life of this Order.
61. All trees with existing buried root systems shall be identified by the applicant's wetland scientist, certified arborist, or botanist, flagged in the field, and materials, such as rock and soil, shall be removed from the root flare. The tree shall be monitored for one calendar year and assessed by the certified arborist for health. The arborist shall draft a report noting the health of the trees; if any show decline or are dead, the applicant shall mitigate for the loss of the tree in accordance with Section 23 of the Medway General Bylaw Article 21 Regulations. The proposed mitigation shall be submitted to the Agent within 30 days of the Medway Tree Warden or a Certified Arborist designating the tree as dead or declining. Trees may only be designated dead or declining during the life of this Order.
62. The applicant is required to file for a Tree Preservation Permit under Medway General Bylaw Article 31, for all trees that are proposed to be removed within the Zoning Setbacks. This shall be completed prior to the commencement of work on site.

VIII. During Construction

63. If unforeseen problems occur during construction which may affect the statutory interests of the Wetlands Protection Act, upon discovery by either the Conservation Commission, its agent, or the applicant, the Commission shall immediately be notified, and an immediate meeting shall be held between the Commission or its agent, the applicant, and other concerned parties to determine the correct measures to be employed. The applicant shall then act to correct the problems using the corrective measures agreed upon. Subsequent to resolution, the activity and resulting actions shall be documented in writing.
64. All equipment shall be inspected regularly for leaks. Any leaking hydraulic or other fluid lines, cylinders, containers of any kind, or any other components shall be repaired immediately.
65. A copy of this Order of Conditions, construction plans, and copies of the documents and reports cited in this Order shall be on the site upon commencement and during any site work for contractors to view and adhere to.
66. All equipment shall be operated, parked, and maintained so as to limit alterations of wetlands and buffer zone to those areas clearly identified on the plans and demarcated in the field by the flagging and construction barriers installed. No equipment is to enter or cross wetland resource areas at any time unless the location of disturbance is marked on the plans referenced in this Order and flagged in the field.
67. For all work to construct structures (buildings/living units), including any land disturbance, is proposed within the Buffer Zone or 200 Riverfront, the applicant shall complete a plan prepared by a Registered Professional Land Surveyor of the Commonwealth which accurately depicts the foundation location and specifically notes its proximity to wetland resource areas as approved under this Order of Conditions. Said plan shall be submitted to the Conservation Agent for approval prior to additional construction activities on the dwelling.
68. Equipment for fuel storage and refueling operations shall be located in an upland area greater than 100 feet from the Bordering Vegetated Wetlands, Certified and Potential Vernal Pools and not within the Riverfront Area.
69. Proposed sewer cut and cap plans shall be sent to the Conservation Agent for review and determination of the proposed work exceeding the LOW (limit of work) approved under this Order. If it does, the applicant shall be required to file an Amendment to the Order of Conditions for work to exceed the approved LOW. All disturb areas shall be restored, a proposed restoration shall be submitted to the Conservation Agent for approval. No trees shall be removed in order to cut and cap the existing sewer line.

Erosion Control:

70. Appropriate erosion control devices shall be in place prior to the beginning of any phases of construction and shall be maintained during construction in the wetland areas and buffer zone. The erosion control specifications provided in the Notice of Intent and the erosion control provision in the Order will be the minimum standards for this project; additional measures may be required by the Commission. These will be maintained until the Erosion Control Inspector and a member or agent of the Conservation Commission agree that they are no longer needed, at which time they will be removed, using removal procedures that the Commission finds satisfactory. 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 designee shall inspect the erosion controls on a daily basis and shall remove all sediment when accumulated to a depth of two inches or greater. The applicant shall immediately control all erosion on the site and shall immediately notify the Commission of any breaches of the erosion control barriers by sediment or silt-laden water.
71. Under no conditions shall operation of equipment, storage of materials, stockpiling of soil, or other site disturbance take place on the wetland side of the limit of work line. All debris, fill and excavated material shall be stockpiled far enough away from wetland resource areas, and at a location sufficient to prevent sediment from entering wetland resource areas.
72. Placement of erosion controls shall be directed at the site by the Erosion Control Inspector in order to ensure that no sedimentation will reach wetland resource areas and the erosion and sedimentation controls achieve the specifications specified as part of the Notice of Intent and these Orders of Conditions. Choice of suitable silt fence materials should be based on the design specifications listed by various manufacturers, and in accordance with the approved Site Plans and Details.
73. Dewatering activities shall be conducted in accordance with best management practices and with a plan to be submitted for Commission approval prior to any activity on the site. Dewatering activities shall be monitored daily to ensure that sediment-laden water is not discharged toward the wetland resource areas. With the exception of dewatering effluent discharged into a detention basin, no discharge of water is allowed directly or indirectly into an area subject to jurisdiction of the Wetlands Protection Act. If emergency dewatering requirements arise, the applicant shall submit a contingency plan to the Commission for approval, which provides for the pumped water to be contained in a settling basin, to adequately reduce turbidity prior to discharge into a resource area. Additional monitoring requirements may be imposed on any such discharge approved, to ensure adequacy of the sediment removal measures. A sedimentation basin shall be constructed within one of the site's proposed infiltration basins to entrap any soils that may be eroded during construction dewatering.
74. An adequate stockpile of erosion control materials shall be on site at all times for emergencies or routine replacement and shall include materials to repair or replace silt fences, hay bales, erosion control blankets, stone riprap, filter berms or any other devices planned for use during construction. At a minimum, this shall include erosion control blankets, 100 straw bales and 500 feet of siltation fence.
75. The Commission reserves the right to impose additional conditions on portions of this project to mitigate any impacts which could result from site erosion, or any noticeable degradation of surface water quality discharging from the site. For example, installation of erosion control measures may be required in areas not shown on the plan(s) referenced in this Order of Conditions. Should such installation be required by the Commission, they shall be installed within 48 hours of the Commission's request.
76. The areas of construction shall remain in a condition that is protected by erosion control devices at the close of each construction day. Erosion controls should be inspected at this time, and repaired, reinforced or replaced as necessary.
77. Erosion control devices may be augmented based upon experience at the site. All such devices shall be inspected, cleaned or replaced during construction and shall remain in place and in good working order until such time as stabilization of all areas that may impact resource areas is permanent. These devices shall be inspected to assure that maximum control has been provided after any rainfall. No portion of the erosion control barriers or mechanisms may be deleted without written authorization by the Commission or its Agent.
78. Within thirty days of completion of construction on any given portion of the project, all disturbed areas in the completed portion of the site shall be permanently stabilized with rapidly growing vegetative cover, using sufficient top soil, or the proposed surface treatments as indicated on the approved plans to assure

long-term stabilization of disturbed areas. Where necessary, the loam and seeding shall be held in place with jute netting. Outside of the growing season, exposed soil finish grade surfaces shall be stabilized with a layer of mulch hay until climate conditions allow for seeding. During construction, any area of exposed soils that will be left idle for more than 30 days shall be stabilized with a layer of mulch hay or other means approved by the Conservation Commission. Temporary stabilization methods may include, but not be limited to, hydro-seeding, straw mats, jute netting, sod, or other Commission approved method. A minimum of four to six inches of organic top soil, and a USDA Natural Resource Conservation Service-approved seed mixture should be used in accordance with the measures outlined in "Vegetative Practices in Site Development: Massachusetts Conservation Guide, Volume II", or other stabilization method the Commission deems acceptable. Continued maintenance of this area in a manner which assures permanent stabilization and precludes any soil erosion shall be the responsibility of the applicant.

79. Subsequent to seeding, disturbed areas will be covered with a hay mulch, erosion control blanket or netting or other suitable material in order to provide adequate surface protection until seed germination. Preference should be given to erosion control netting with biodegradable stitching.

Grading/Landscaping/Slope:

80. Site grading and construction in areas of potential inundation shall be scheduled to avoid periods of high surface water. Once begun, grading and construction shall move uninterrupted to completion to avoid erosion and siltation of the wetlands.
81. Grading shall be accomplished so that runoff shall not be directed to the property of others outside the project area without mitigation as described in the project plans. This project shall not increase runoff, nor cause flood or storm damage, to abutters or the property of others outside the project area.
82. All disturbed areas, slopes and proposed landscape areas shall be loamed and seeded or stabilized through the use of erosion control blankets or other approved means. All disturbed areas will be graded, loamed and seeded prior to November 1 of each year, except areas of ongoing construction activity, in which case such areas shall be stabilized with vegetation as soon as possible. No disturbed areas or stockpiled material will be left unprotected or without erosion controls during the winter.
83. Loaming and seeding will occur as soon as possible and not more than 14 days following final grading unless occurring outside the growing season. Barren areas should be stabilized by seeding if work on the project is interrupted for more than 90 days, unless the 90 days are in the winter. If this condition should occur, the applicant shall request a determination from the Commission as to whether seeding or an alternative measure should be conducted. Seed stock to restore project within denuded areas shall conform to the approved plans.
84. Landscaping shall not include exotic invasive species identified on the most current listing of the Massachusetts Division of Fisheries and Wildlife.
85. The applicant and its successors shall not prescribe or perform any landscaping or maintenance of any areas within the 0-25' No Disturb Setback and 0-200' riverfront unless located within a permanent approved locations within the limit of work. This condition shall remain perpetuity.
86. All structures that have been approved for locations at or on the limit of work line shall not have any additional alterations of any buffer zone, riverfront and/or resources area, this includes but is not limited to landscaping, maintenance, IPM Program implementation, removal of trees or any type of vegetation. The applicant and its successors agree that they shall not request to remove any type of vegetation within the 0-25 No Disturb Setback as this was the choice of the applicant to place structures in such close proximity to a sensitive protected resources which is prohibited from alteration. This condition shall remain in perpetuity.

Placement of Riprap and Stone:

87. Riprap material shall be clean and free of trash, tree stumps, roots, and other deleterious material.
88. Crushed stone of uniform size or erosion control mats shall be used for temporary construction roadways.

IX. Stormwater Management

89. The temporary sedimentation basin constructed within the proposed location of the final constructed infiltration basin shall be lined, as shown on the approved plans, to prevent infiltration of fine sediments

and silts from construction into the basin. The Professional Engineer of Record (applicant's Engineer) and the Town's Consulting Engineer shall approve the proposed liner used in the basin prior to its installation. Once the temporary basin is no longer required, the liner shall be removed. The liner shall not be removed without the approval of the Agent and/or the Town's Consulting Engineer.

90. The Town Consulting Engineer may require additional inspections of the stormwater management system. All inspections shall be scheduled per the requirements of the Town Consulting Engineer to ensure the system is installed and constructed as approved under the approved site plan and stormwater management report.
91. The applicant shall comply with all the requirements of the National Pollutant Discharge Elimination System (NPDES) any violation of the NPDES permit can be considered a violation of this Order by the Commission and/or the Agent.
92. All construction and post-construction stormwater management shall be conducted in accordance with the plans and specifications approved by the Commission in this Order of Conditions, including final plans, stormwater management system operation and maintenance documents, and the Department of Environmental Protection Stormwater Management Policy and as follows:
 - a. All roof runoff shall be directed as proposed on the site plans and be equipped with overflow apparatus on each downspout.
 - b. Catch basins shall be equipped with sumps, oil and gas traps, and shall be inspected and cleaned as outlined in the stormwater operation and maintenance plan submitted with the NOI. After each inspection and cleaning, the inspector shall provide to the Commission written confirmation that the inspection and cleaning were conducted.
 - c. All catch basin discharge points or other point source discharge points shall be riprapped to disperse stormwater energy.
93. Catch basins shall be inspected and cleaned on a semi-annual basis. After each inspection and cleaning, the inspector shall provide to the Commission written confirmation that the inspection and cleaning were conducted. This condition shall be noted on the Certificate of Compliance and shall continue in perpetuity.
94. During construction, all drainage structures shall be inspected regularly and cleaned as necessary.
95. There shall be no increase in the post-development discharges from the storm drainage system or any other changes in post-development conditions that alter the post-development watershed boundaries as currently depicted in the notice of Intent and approved by this Order of Conditions, unless specifically approved in writing by the Commission.
96. All earthen berms to be constructed as part of a stormwater management system shall be constructed as shown on the plan(s) to achieve the water quantity and water quality requirements approved by this Order of Conditions.
97. There shall be no sedimentation into wetlands or water bodies from discharge pipes or surface runoff leaving the site.
98. The Conservation Commission shall be notified in writing, when any maintenance functions that may impact the wetlands, such as, but not limited to, replacing backfill and repairing drains and terraces, are to be performed.
99. The applicants, owners, and their successors and assignees shall maintain all culverts, collection basins, traps, retention and detention ponds, outlet structures, and other elements of drainage systems, in order to avoid blockages and siltation which might cause failure of the system and/or detrimental impacts to on-site or off-site resource areas, and shall maintain the integrity of vegetative cover on the site.
100. Beginning with the construction of the drainage system, and continuing in perpetuity thereafter, the owner(s) of the roadway shall maintain the roadway and drainage system in accordance with the following schedule:
 - a. Road/parking lot sweeping and snow plowing – Roadway and sidewalks shall be swept, preferably with a vacuum sweeper, in the early spring immediately after snow melt.

- b. Roadway surface and right-of-way surface – Paving and curbing shall be maintained in good condition to channel surface runoff into the storm water treatment system. Vegetation within the roadway right-of-way shall be maintained in healthy condition to prevent erosion and sedimentation in the drainage system and wetland resource areas. These areas shall be inspected in the spring and fall, and repaired or replaced as needed.
- c. Catch basins - Accumulated sediments shall be removed from sumps and floatable wastes shall be removed from the surface of every catch basin at least two times per year. Sediments and wastes shall be disposed of in accordance with all applicable federal, state, and local laws. Any component of a catch basin that becomes damaged shall be repaired or replaced immediately upon discovery.
- d. Drain pipes – All drain pipes shall be inspected at least two times per year. Sediments and debris shall be removed and disposed of in accordance with all applicable federal, state, and local laws. Any pipe which becomes damaged shall be repaired or replaced immediately upon discovery.
- e. Water Quality Unit (Stormceptor or other approved unit) – Operations and maintenance of the proprietary separator shall be done per the manufacturer's guidelines. Sediments shall be removed when it reached approximately 15% of the unit storage and all units shall be vacuumed for oils, fuel or other hydrocarbons that float on top of the water if there is a spill or other incident that would require the removal of the hydrocarbons. Stormceptor units shall be inspected quarterly for sediments and oils, where they shall be removed as necessary. All unit shall be cleaned annually. Jet vacs should be used to clean the chambers when the average depth of sediment exceeds 3" annually. All hydrocarbons should be properly handled and disposed off site in accordance with state, local and federal regulations.
- f. Stormtech MC-3500 Infiltration Chambers and Isolator Row – inspected after every major storm for the first 12 months. If inspections take longer than 72 hours after a storm to drain, this indicates an issue, which requires correction. Correction may be through cleaning, maintenance or replacement of the system. After inspections, they shall take place twice annually, in the spring and fall.

All unit shall be cleaned annually. Jet vacs should be used to clean the chambers when the average depth of sediment exceeds 3" annually. All hydrocarbons should be properly handled and disposed off site in accordance with state, local and federal regulations. All maintenance of stormwater management units shall be conducted as prescribed under LTPPP and this condition.

- 101. All stormwater BMP's maintenance logs as prescribed under the LTPPP shall be kept on site and shall be provided to the Conservation Commission upon request and annually or Planning Board upon request, this includes but is not limited to street sweeping logs and receipts.
- 102. All Stormwater best management practices shall be maintained as specified in the Long Term Pollution Prevention Plan (LTPPP) titled "Long Term Pollution Prevention Plan", by Hancock Associates, dated January 5, 2026 and incorporated in the Order of Conditions under Condition #101. Evidence of maintenance of the Stormwater Management system shall be provided to the Commission on an annual basis post construction, but Stormwater BMP's shall be checked and cleaned according to the schedule prescribed within LTPPP. This condition shall be noted on the Certificate of Compliance and shall continue in perpetuity.
- 103. Deep Sump Catch Basins shall be inspected after a 0.5" storm event and on a weekly basis during construction. Post- Construction: the catch basins shall be inspected and cleaned on a quarterly basis. Post-construction all inspection and cleaning dates shall be provide to the Commission written confirmation that the inspections and cleanings were conducted, this shall be provided annually. This condition shall be noted on the Certificate of Compliance and shall continue in perpetuity.
- 104. Subsurface Infiltration Bed after 0.5" storm event and on a weekly basis during construction. Post-Construction: inspected twice per year and all debris shall be removed, this shall be reported annually. Any water remaining over 72 hours suggests there is a clog in the system. Sediment shall be removed as needed. This condition shall be noted on the Certificate of Compliance and shall continue in perpetuity. This condition shall be noted on the Certificate of Compliance and shall continue in perpetuity.

105. Water Quality Units shall be inspected after 0.5" storm event and on a weekly basis during construction. Post -Construction shall be inspected once per year, cleaned as needed and reported in writing annually. This condition shall be noted on the Certificate of Compliance and shall continue in perpetuity.
13. During construction, all drainage structures shall be inspected regularly and cleaned as necessary as prescribed under Operations and Maintenance Plan (original) titled, "Appendix VII Operations and Maintenance Plan and Log" By Hancock Associates, within the Stormwater Pollution Prevention Plan and Report titled, "Stormwater Pollution Prevention Plan for 39 West Street Medway, MA" by Hancock Associates, dated January 5, 2026
- 106.
107. There shall be no increase in the post-development discharges from the storm drainage system or any other changes in post-development conditions that alter the post-development watershed boundaries as currently depicted in the notice of Intent and approved by this Order of Conditions, unless specifically approved in writing by the Commission.
108. All earthen berms to be constructed as part of a stormwater management system shall be constructed as shown on the plan(s) to achieve the water quantity and water quality requirements approved by this Order of Conditions.
109. There shall be no sedimentation into wetlands or water bodies from discharge pipes or surface runoff leaving the site.
110. The Conservation Commission shall be notified in writing, when any maintenance functions that may impact the wetlands, such as, but not limited to, replacing backfill and repairing drains and terraces, are to be performed.
111. The applicants, owners, and their successors and assignees shall maintain all water quality units, collection basins, traps, infiltration basins, outlet structures, and other elements of drainage systems, in order to avoid blockages and siltation which might cause failure of the system and/or detrimental impacts to on-site or off-site resource areas, and shall maintain the integrity of vegetative cover on the site. This conditions shall remain in perpetuity.
112. The Conservation Commission members and the Commission Agent shall have the right to enter the roadway parcel and drainage easement area to inspect for compliance with these conditions. The Stormwater Management basins for the project will be constructed as soon as possible in the construction sequence so as to allow for the capture and control of site runoff and treatment of stormwater discharges during the construction period. This Conditions shall remain in perpetuity.
113. The applicant and its successors shall submit annual reports of inspections of all stormwater management structures as prescribed in LTPPP to the Conservation Commission. This condition shall remain in perpetuity.
114. The applicant and its successors, upon the completion of the entire project, prior to submitting a Request for Certificate of Compliance shall provide to the Commission and/or its Agent receipts of all inspections to the stormwater management system as prescribed under the document titled "Long Term Pollution Prevention Plan", by Hancock Associates, dated January 5, 2026 and Condition #91 of this Order.
115. These receipts shall refer to but are not limited to, catch basin cleaning, water quality units, subsurface infiltration units and isolator rows, vegetation management, and inspection and cleaning of proprietary separator.
116. The applicant and its successors shall not pave over the inspection ports of for the subsurface infiltration system.

X. After Construction / In Perpetuity

117. Upon completion of construction and final soil stabilization, the applicant shall submit the following to the Conservation Commission to request a Certificate of Compliance (COC):

- (1) A Completed Request for a Certificate of Compliance form (WPA Form 8A)

- (2) A letter from a Registered Professional Engineer certifying compliance of the property with this Order of Conditions, and detailing any deviations that exist, and their potential effect on the project. A statement that the work is in "substantial compliance" with no detailing of the deviations shall not be accepted.
 - (3) An "As-Built" plan or plans signed and stamped by a Registered Professional Engineer or Land Surveyor showing post-construction conditions within all areas under the jurisdiction of the Massachusetts Wetlands Protection Act. This plan shall include at a minimum:
 - (a) All wetland resource area boundaries with associated buffer zones and regulatory setback areas taken from the plans approved in this Order of Conditions;
 - (b) Locations and elevations of all stormwater management conveyances, structures and best management designs, including foundation drains, constructed under this Order within any wetland resource area or buffer zone;
 - (c) Distances from any structures constructed under this Order to wetland resource areas - "structures" include, but are not limited to, all buildings, septic system components, wells, utility lines, fences, retaining walls, and roads/driveways;
 - (d) A line delineating the actual limit of work - "work" includes any filling, excavating and/or disturbance of soils or vegetation, whether or not approved under this Order;
 - (e) The limit of work approved under this Order.
 - (4) Post-construction photographs demonstrating compliance with this Order, including established vegetation where required.
- 118.If the completed work differs from that in the original plans and/or conditions listed in this Order, a report must be submitted to the Commission thirty (30) days prior to completion specifying how the work differs, at which time the applicant shall first request a modification to the Order. Upon review, and if approved by the Commission, the applicant may request in writing a Certificate of Compliance as described above.
- 119.No herbicides, pesticides or fertilizers shall be used on this site unless outside the Medway Conservation Commission jurisdiction. It was approved to use low-phosphate and organic fertilizers on designated landscaped areas (not restoration areas) within the buffer zone. This condition shall remain in force permanently and shall be recorded as such on the Certificate of Compliance.
- 120.There shall be no snow storage in 0-25' No Disturb Setbacks and no dumping of excess snow into water bodies or resource areas. Any season when snowfall exceeds the allotted space for storage, the snow shall be removed and trucked off-site. This Condition shall remain in perpetuity.
- 121.The applicant and/or its successors shall install granite bounds 25' from the wetland resource flag, as depicted on the plan sheet titled "Landscape and Restoration Plan" by Hancock Associates, dated January 5, 2026. **All bounds shall remain in perpetuity.** The markers shall have the letter "W" on the marker and must be at least 2 feet above ground level and at least 4 inches square. Granite markers shall have the side with the "W" facing toward the existing dwelling. Locations of markers shall be staked in the field with wooden stakes and approved by the Agent and/or the Commission prior to installation. These markers shall remain on site permanently and may not be removed by the present or any future property owner. Installation shall be completed no less than 30 days post-construction. The bounds shall remain in place in perpetuity. **This condition shall remain in perpetuity.**

Perpetual Conditions:

- 122.Conditions numbered 8, 25, 57, 86, 87, 94, 101, 103-106, 112-114, and 120-144 shall survive the expiration of this Order, shall continue in force beyond the Certificate of Compliance, in perpetuity, shall be so noted on the Certificate of Compliance, and shall be referred to in all future deeds to this property.
- 123.Dumping Prohibited: There shall be no burning or dumping of leaves, grass clippings, brush, or other debris in or into the 100' Buffer Zone, Bordering Vegetated Wetland, and/or perennial/intermittent streams, specifically any component of the Stormwater Management System.
- 124.Additional Alteration Prohibited: There shall be no additional alterations of areas under Conservation Commission jurisdiction without the required review and permit(s) under state and local wetlands protection laws and regulations.

125. Underground irrigation is prohibited within jurisdictional areas, 0-100' Bordering Vegetated Wetland and 0-200' Riverfront Area.
126. Snow storage is restricted from the following locations: 25' No Disturb Setback, Bordering Vegetated Wetlands, Stormwater Management System, as noted within the Long Term Pollution Prevention Plan (LTPPP) titled "Long Term Pollution Prevention Plan", by Hancock Associates, dated January 5, 2026.
127. The applicant and its successors shall follow all prescriptive language for landscaping and maintenance under the document titled, "Landscape Maintenance Plan for 39 West Street Medway, MA" by Hancock Associates, dated January 5, 2026.
128. Amendments to the approved plans at no time shall the applicant or its successors apply for permits or amendments to permits to place any structures within the 25' No Disturb Setback, the 0-100' Riverfront Area. Additionally, this includes removal of vegetation from these No Disturb Setback, as the applicant has chosen to place units in extremely close proximity to these resources knowing that vegetation may be not altered or removed for any reason.
129. All conditions noted in this Order as continuing in perpetuity, listed under this section, or listed under Section X. After Construction/ In Perpetuity, shall survive the expiration of this Order, shall continue in force beyond the Certificate of Compliance, in perpetuity, shall be so noted on the Certificate of Compliance, and shall be referred to in all future deeds to this property.
130. The maintenance or repair of infiltration basins, supporting drainage systems, weeps holes, stormwater management best management practices, other than those in the public way shall be the responsibility of the applicant/property owner and its successors. The design capacity, storm water management treatment capacity and structural integrity of these facilities must be maintained. The applicant shall be responsible for mitigation of any alteration to jurisdictional areas caused by water from the weep holes in the retaining wall and if the Commission and/or the Agent determines the water from the weep holes has caused alteration of jurisdictional areas, then the applicant shall submit a mitigation plan to correct the alteration(s).
131. Stabilized slopes shall be maintained as designed and constructed by the property owner of record, whether "bio-engineered" or mechanically-stabilized slopes.
132. The Applicant shall have the document titled, "Long Term Pollution Prevention Plan", by Hancock Associates, dated January 5, 2026 and Conditions in Perpetuity after this Order has received a Certificate of Compliance, and the SWPPP made part of the all contracts for maintenance work that effects jurisdictional areas and for all residents who are leasing units or cottages.
133. The "owners", other than itself, shall provide a legal instrument that establishes the terms of the legal responsibility for the operation and maintenance of the stormwater BMPs. In the event that the stormwater BMPs will be operated and maintained by an entity, municipality, state agency or person other than the owner of the units upon which the stormwater management facilities are located, the owner shall provide a plan and easement deed that provide the right of access for the legal entity to be able to perform all said operations and maintenance functions as required under the Long Term Pollution Prevention Plan, the SWPPP, and all Conditions in perpetuity as prescribed under this Order.
134. All tenants or occupants of units, prior to the occupancy of the unit must read a summary document to be approved by the Conservation Commission which summarizes the Conditions of the issued Order, Long Term Pollution Prevention Plan, and the SWPPP. The future owner shall sign a document of acknowledgement of receipt and of agreement to this document shall be provided at time of sale. These statements must be made available upon request of the Medway Conservation Commission. This condition shall remain in Perpetuity.
135. The owner(s) and their successors shall follow all requirements of LTPPP, Conditions in perpetuity, and the SWPPP.
136. The owner(s) and their successors shall maintain annual logs of all annual inspections required for the stormwater BMPs. The inspections shall be done according to the approved LTPPP These logs shall be sent to the Conservation Office at the end of every year by December 1st.
137. Snow storage is only allowed in locations as depicted on the plan sheet titled, "Layout and Materials Plan, by Hancock Associates, dated January 5, 2026. This condition shall remain in perpetuity.

138. Snow storage signs shall be erected immediately following the construction of the guardrail, as depicted on the plan sheet titled, "Layout and Materials Plan, by Hancock Associates, dated January 5, 2026. This condition shall remain in perpetuity.
139. All deicing chemical must be stored in a cover location, outside the 100' buffer zone, the wetland resource area and all areas where stormwater BMP's are located and the applicant shall not use sodium chloride (NaCl or rock salt) for de-icing on the site.

XXIII. Miscellaneous

140. The applicant shall not use no sodium chloride (NaCl, rock salt) shall be used for de-icing on the site known as 39 West Street. This condition shall continue in perpetuity.
141. There shall be no additional alteration of Riverfront Area on the property that is the subject of this Notice of Intent, including all lots and common areas. This condition shall continue in perpetuity. This condition shall not be construed to prohibit exempt or grandfathered activities in the Riverfront Area provided that such activities are not in conflict with other conditions of this Order.
142. Snow storage areas shall be clearly marked on site and all snow removal operators shall be made aware of approved locations on site for storage. Excess snow shall be removed from the site and disposed of in accordance with applicable regulations. ***This condition shall apply in perpetuity.***
143. The property owner and its successors shall submit annual reports of inspections and cleanings by December 1st of every year for all stormwater management structures as prescribed in Operation and Maintenance Plan and the Long-Term Pollution Prevention Plan to the Conservation Commission, Planning and Economic Development Board and DPW. This condition shall remain in perpetuity.

**FINDINGS AND CONDITIONS UNDER THE MEDWAY STORMWATER PROTECTION
BYLAW (ARTICLE 26)
39 WEST STREET MAP 55 LOT 051
LD-26-01
MEDWAY, MASSACHUSETTS
DATE OF ISSUANCE: February 10, 2026**

Project Description: The applicant proposes to construct a two-story residential condominium building, parking, stormwater management, landscaping, and utilities. All of the work will be within the 100' Buffer Zone to the Bordering Vegetated Wetland and the 200' Riverfront Area. The applicant has submitted the following documents, which have been accepted as part of the final record and decision for the proposed project referenced above.

Approved Documents:

1. Plans titled, "Permit Site Plan" by Hancock Associates, dated January 5, 2026 (Sheets 1-16)
2. Plans sheet titled, "Landscape and Restoration Plan" by Hancock Associates, dated January 5, 2026
3. Operations and Maintenance Plan (original) titled, "Appendix IX - Construction Pollution Prevention and Erosion & Sedimentation Control" by Hancock Associates, within the Stormwater Pollution Prevention Plan and Report titled, "Stormwater Pollution Prevention Plan for 39 West Street Medway, MA" by Hancock Associates, dated January 5, 2026
4. Document titled, "Appendix VII Operations and Maintenance Plan and Log" By Hancock Associates, within the Stormwater Pollution Prevention Plan and Report titled, "Stormwater Pollution Prevention Plan for 39 West Street Medway, MA" by Hancock Associates, dated January 5, 2026
5. Document titled "Long Term Pollution Prevention Plan", by Hancock Associates, dated January 5, 2026
6. Document titled, "Stormwater Report in Support of Permit Plan for 39 West Street" by Hancock Associates, dated January 5, 2026
7. Document titled, "Stormwater Pollution Prevention Plan for 39 West Street Medway, MA", by Hancock

Peer Review Documents:

8. Letter from Tetra Tech titled, "Stormwater and Land Disturbance Review Proposed Residential Development 39 West Street Medway, MA" by Tetra Tech, dated December 10, 2025

Other Relative Documents

9. Document titled, "Restoration Notes for 39 West Street, Medway, MA 0053" by Hancock Associates, dated January 5, 2026
10. Document titled, "39 West Street Notice of Intent and Land Disturbance (Mass DEP File #216-1076) Tree Replacement Table, by Hancock Associates, dated January 5, 2026
11. Document titled, "Landscape Maintenance Plan for 39 West Street Medway, MA" by Hancock Associates, dated January 5, 2026

Findings:

The Medway Conservation Commission makes the following findings relative to the Land Disturbance Application for LD-26-01:

- a) The Commission hereby finds that the work proposed construct a two-story residential condominium building, parking, stormwater management, landscaping, and utilities was presented at a public hearing where the applicant has presented sufficient evidence to demonstrate that the proposed activity shall meet the provisions under the Medway General Bylaw Article 31 Section 26.5.1. and its Regulations.
- b) It was noted that all conditions of this Order must be met in order to meet the above mentioned provisions. The Commission additionally finds that the work must be conditioned to protect all interests of Medway General Wetlands Protection Bylaw.
- c) Additionally, the Medway Conservation Commission finds that the following conditions are necessary in order to protect the interest of the Bylaw. The Commission orders that all work shall be performed in accordance with said conditions and with the Notice of Intent referenced in the Special Conditions, section of this Order. To the extent that the following conditions modify or differ from the plans, specifications or

other proposals submitted with the application, the conditions shall control.

d.) Furthermore, the Medway Conservation Commission hereby finds that the proposed project is:

Approved, subject to the findings and conditions contained herein.

The Medway Conservation Commission based its decision to approve the proposed project upon the information provided in the Land Disturbance Application, together with all of its contents and attachments, including the plans and documents within this permit, the findings and conditions contained in this Part III, and the information presented and discussed at the public hearing.

The Medway Conservation Commission further finds the following:

1. General Findings Relate to the Overall Project:
 - i. This Order protects the interests specified the Medway Wetlands By-Law Article 26.
 - ii. The Commission accepts the resource areas as depicted on the above-referenced Plan and as described in the Land Disturbance Project Narrative.
2. Stormwater Management: The Commission finds that the project is subject to the Department of Environmental Protection's Stormwater regulation and policy and the Town of Medway General Bylaw Article 26.

In addition to the General Conditions and Findings stated in Parts I and II of the Order of Conditions for this project, the General and Special Conditions below are necessary to comply with the Medway General By-Law Article 26 for Land Disturbance and Stormwater Management.

APPEALS FOR BYLAW

Medway General Bylaw, Article 26 and its Regulations. An appeal may be taken from a decision under the Medway General Bylaws in accordance with the provision of Massachusetts General Laws Chapter 249 within 60 days of the issuance of a decision.

I. General Conditions

1. A Conservation Commissioner, agent of the Commission reserves the right to enter and inspect the property at all reasonable times to evaluate compliance with this Order of Conditions, the Medway Stormwater Bylaw Article 26 and may acquire any information, measurements, photographs, observations, and/or materials, or may require the submittal of any data or information deemed necessary by the Commission for that evaluation. Further, work shall be halted on the site if a Commissioner, agent determines that any of the work is not in compliance with this Order of Conditions. Work shall not resume until the Commission is satisfied that the work will comply, and has so notified the applicant in writing.
2. The term "Applicant" as used in this Order of Conditions shall refer to the owner, any successor in interest, title or successor in control of the property referenced in the Notice of Intent, supporting documents and this Order of Conditions. The Commission shall be notified in writing within 30 days of all transfers of title of any portion of property that take place prior to issuance of the Certificate of Compliance.
3. It is the responsibility of the applicant to procure all other applicable federal, state and local permits and approvals associated with this project.
4. With respect to all conditions, the Conservation Commission designates the Conservation Agent as its agent with full powers to act on its behalf in administering and enforcing this Order.
14. All work for the Cottages proposed under this Order shall be conducted in accordance with the approved site plans titled, "Permit Site Plan" by Hancock Associates, dated January 5, 2026 (Sheets 1-16) (hereafter referred to as Approved Site Plans), Stormwater Report titled, "Stormwater Report in Support of Permit Plan for 39 West Street" by Hancock Associates, dated January 5, 2026 (hereafter referred to as

Stormwater Report), document titled, "Appendix VII Operations and Maintenance Plan and Log" By Hancock Associates, within the Stormwater Pollution Prevention Plan and Report titled, "Stormwater Pollution Prevention Plan for 39 West Street Medway, MA" by Hancock Associates, dated January 5, 2026 (hereafter referred to as O&M), and the Long Term Pollution Prevention Plan, titled, Long Term Pollution Prevention Plan (LTPPP) titled "Long Term Pollution Prevention Plan", by Hancock Associates, dated January 5, 2026 (hereafter referred to as the LTPPP), and the document titled, "Document titled, "Stormwater Pollution Prevention Plan for 39 West Street Medway, MA", by Hancock Associates, dated January 5, 2026 (hereafter referred to as SWPPP), and the conditions of this Order. Copies of the approved documents listed above shall be always kept on site while the site is under construction and the conditions of this Order. Copies of applicable documents listed above shall be kept on site at all times while the site is under construction.

5. This document shall be included in all construction contracts, subcontracts, and specifications dealing with the work proposed and shall supersede any conflicting contract requirements. The applicant shall ensure that all contractors, subcontractors and other personnel performing the permitted work are fully aware of this Order's terms and conditions. Thereafter, the Applicant, the contractors, and subcontractors will be held jointly liable for any violation of this Order resulting from failure to comply with its conditions. The Applicant shall ensure that all contractors, subcontractors and other personnel performing the permitted work are fully aware of this OOC's terms and conditions. Nothing in this paragraph shall limit or restrict the liability of the Applicant for violations of this OOC.

II. Prior to Construction

6. Prior to the Pre-Construction Meeting and any work commencing on the site, a sign of minimum size two-feet by two-feet shall be displayed so as to be clearly visible from the street showing LD-26-01.
7. Emergency Contacts – The applicant shall provide to the Commission the identity and 24-hour contact information for one or more persons who will act as emergency contacts in the event of an environmental problem that occurs outside of normal working hours. The applicant shall be responsible for insuring that adequate, round-the-clock coverage including holidays, vacations, weekends, etc. is provided by an adequate number of persons so that a qualified person is always available, and that appropriate contact information has been provided to the Commission. The emergency contact person(s) shall have the authority to expend resources, including necessary manpower, materials, and required subcontracted services, to alleviate any environmental problems at the site in short order. The applicant shall be responsible for immediately notifying the Commission of any change in the identity or contact information for the Emergency Contact persons.
8. Prior to the Pre-Construction Meeting and commencement of any activity on this site, the approved erosion control and limit of work lines shall be staked, by survey. The location of erosion controls shall be adjusted, if necessary, during the pre-construction meeting.
9. No clearing of vegetation, including trees, or disturbance of soil shall occur prior to the Pre-Construction Meeting. Minimal disturbance of shrubs and herbaceous plants shall be allowed prior to the Pre-Construction Meeting, if necessary, in order to stake the approved erosion control and limit of work lines where required.
10. Prior to the commencement of any activity on this site other than the marking of locations for erosion controls and limits of work, there shall be a **PRE-CONSTRUCTION MEETING** between the project supervisor, the contractor responsible for the work, and a member of the Conservation Commission or its Agent to ensure that the requirements of the Order of Conditions are understood. The staked erosion control line shall be adjusted, if necessary, during the pre-construction meeting to comply with the approved plans. The applicant shall contact the Conservation Commission office at 508-533-3292 at least three business days prior to any activity to arrange for the pre-construction meeting.
11. Immediately after the Pre-Construction Meeting, all erosion controls and limits of work lines shall be installed along the approved and staked line. Erosion controls and limits of work lines shall be installed with minimal disturbance to vegetation. Where possible, erosion controls should go *around* trees, shrubs, and other vegetation, on the uphill side.
12. Immediately after installation of erosion controls (consisting of 10"-12") compost socks and trenched siltation fencing), the Conservation Commission shall be contacted in order to conduct a follow-up inspection to ensure that erosion controls and limits of work lines have been properly installed. No work shall be

conducted in any jurisdictional area of the site until the Commission or its Agent has inspected and approved of the installation of the erosion controls.

13. Prior to commencement of work the applicant shall install siltation sacks long the roadways during work, these shall be installed in catch basins along the Walgreen entrance and Main Street (if required by the Agent). Siltation sacks shall be installed in catch basins in conjunction with the erosion control installation and shall be checked by the Agent at the Pre-Construction Meeting.
14. The applicant shall notify the Conservation Commission in writing at least five business days prior to commencement of construction activity on the site and shall advise the Commission of the name(s) and telephone number(s) of the person(s) responsible on site for compliance with this Order. The applicant shall be responsible for immediately notifying the Commission of any change in the identity or contact information for the on-site person responsible for compliance with the Order.
15. Prior to any fill being brought onto the premises from any off-property sources, the Medway Conservation Commission requires that any soil, including loam, brought into the resource areas, buffer zones, or other jurisdictional area should be free of trash and deleterious material and free of any chemical contaminants in excess of Massachusetts Contingency Plan (MCP 310 CMR 40.0000) RCS-1 Reportable Concentrations. Soil should also be free of invasive species. While the MCP as a regulation at the State level may or may not apply to the project, soil characterization shall be completed in a manner consistent with this regulation. Prior to delivering to the project soil, material should be characterized by sampling the soil as outlined below and a certification shall be provided to the Conservation Commission or its agent. The certification shall include a letter signed by a Licensed Site Professional (see MCP) describing the Site history of the originating soil location and certifying sampling collection procedures, quality control, results, compliance with RCS-1 Standards, and compliance with the requirements of this condition. Soil containing concentrations of contaminants in Exemptions from reporting outlined in the MCP including but not limited to lead paint, emissions, arsenic, and ash, shall not be allowed in jurisdictional areas. Sampling and classification of soils shall also be consistent with MassDEP Policy # COMM-97-001.

Required soil testing is outlined below:

One soil sample shall be collected from material at each originating location or soil type. One soil sample shall be collected for every 500 cubic yards of soil.

- Volatile Organic Compounds (VOCs) by EPA Method 8260
- Semi Volatile Organic Compounds (SVOCs) by EPA 8270
- Polychlorinated Biphenyls (PCBs) by EPA Method 8082
- Total Petroleum Hydrocarbons (TPH) by EPA Method 8015 or 8100M.
 - Substitute MassDEP VPH/EPH) for TPH allowed
- pH
- Priority Pollutant 13 Metals (total) Sb, As, BA, Be, Cd, Cr, Pb, Ni, Se, Ag, Ti, V, Zn.
- Any other analyses determined by the Conservation Commission, MassDEP, or the LSP necessary to properly characterize the soil for relocation.

Exceptions:

Washed Stone Materials (The Commission may elect to require sampling of these materials if materials are suspect when inspected by the Commission or its Agent)

Alternative Sampling Plans;

The Commission may consider alternative sampling plans or soil materials at its sole discretion. Approval of the Commission or its agent is required for alternate plans. These may include management of soils consistent with MassDEP WSC#-13-500, Similar Soils Provision Guidance. These may also include originating facilities that are known to the Commission based on previous certifications, historical operations, and sampling to produce soils below RCS-1.

16. Prior to the commencement of work, the applicant shall supply all costs associated with services provided by a Consulting Engineer for the review and oversight related to, but not limited to, the following construction Services – Inspection of all site work related to the construction of the stormwater management system by the Town's Consulting Engineer. The Consulting Engineer will document compliance with the OOC and report findings to the Commission. The Applicant shall pay a construction services/consultant peer review fee to the Town of Medway for such inspections. The amount shall be determined by the Medway Conservation Commission based on an estimate provided by the Town's Consulting Engineer based on the scope of the project. The Applicant shall provide supplemental payments to the Town of Medway for reasonable additional construction services upon invoice from the Medway Conservation Commission, until the as-built and a Certificate of Compliance has been granted determining the infrastructure to be satisfactory in compliance with this Order. Funds for such account shall be replenished upon notice from the Conservation Commission and/or Agent. If funds are not replenished within fourteen (14) days of request all work within jurisdictional areas shall be suspended until such time when it is replenished.

III. Stormwater Management

17. Prior to construction the contractor/project supervisor shall provide plans showing the proposed locations of the temporary sedimentation basins. These shall be approved by the Conservation Agent. Once approved the contractor shall construct temporary stormwater management basin as prescribed by the Stormwater Pollution Prevention Plan and/or the Town's National Pollutant Discharge Elimination System MS4 permit.
18. Prior to installation of any portion of the proposed stormwater management system, the applicant shall perform a minimum of one (1) test pit within the location limits of the proposed Subsurface Infiltration System (System). The test pit(s) shall be conducted during a period of ESHGW and shall be advanced to a minimum depth of four feet below the proposed bottom elevation of the System (bottom of System foundation stone) to confirm soil texture and ESHGW elevation. The test pit(s) shall be performed and logged by the applicant's Massachusetts Certified Soil Evaluator in the presence of the Town's Consulting Engineer to confirm the results of the testing. If at such time the soils and ESHGW conditions are not consistent with the approved Stormwater Report, the applicant shall then redesign the System according to 310 CMR 10.05 (6) (k-o) to be approved by the Commission and/or the Agent, depending on the extent of the design modification. This may require an Amendment to the Order of Conditions as determined by the Commission and/or Agent.
19. All construction and post-construction stormwater management shall be conducted as prescribed on the Approved Documents, approved site plans, and the Approved Stormwater Report conforming to the Massachusetts Stormwater Management Standards. All Stormwater best management practices shall be maintained as specified in the approved O&M Plan and incorporated in the Order of Conditions.
20. The Agent and the Town Consulting Engineer shall be contacted with the appropriate time (no less than 5 business days) to schedule inspections for inspection of the bottom excavation for the sub-surface infiltration system and then once system is installed the open system with wrapping. The Commission reserves the right to request information documenting or showing the system was installed as designed if the applicant did not follow the above requirement of. This may include excavation of the installed system.
21. The Town Consulting Engineer may require additional inspection of the stormwater management system. These inspections shall be scheduled per the requirements of the Town Consulting Engineer to ensure the system is installed and constructed as approved under the approved site plan and stormwater management report.
22. The applicant shall comply with all the requirements of the National Pollutant Discharge Elimination System (NPDES) any violation of the NPDES permit can be considered a violation of this Order by the Commission and/or the Agent.
23. The Stormwater Management System components for the project will be constructed as soon as possible in the construction sequence so as to allow for the capture and control of site runoff and treatment of stormwater discharges during the construction period.

24. Once the stormwater management system is installed all catch basins on the site shall have siltation sacks installed. The Agent shall be notified once this is complete.
25. During construction all stormwater management systems shall be inspected after a 0.5" rain fall and bi-monthly during construction. Structures shall be maintained and cleaned as prescribed within the approved Order and the LTPPP.
26. All construction and post-construction stormwater management shall be conducted in accordance with the plans and specifications approved by the Commission in this Order of Conditions, including final plans, Operation and Maintenance Plan, NPDES, SWPPP, LTPPP, and the Department of Environmental Protection Stormwater Management Standards.
27. All Stormwater best management practices shall be maintained and inspected as specified in the Operation and Maintenance Plan
28. During construction, all drainage structures shall be inspected on the same schedule as the erosion controls and cleaned as necessary.
29. The Conservation Commission shall be notified in writing, when any maintenance functions that may impact the wetlands, such as, but not limited to, replacing backfill and repairing drains and terraces, are to be performed.
30. All Stormwater best management practices shall be maintained as specified in the Operation and Maintenance Plan submitted with the Notice of Intent and incorporated in the Order of Conditions. Evidence of maintenance of the Stormwater Management system shall be provided to the Commission on a semi-annual basis during construction.
31. Beginning with the construction of the drainage system, and continuing in perpetuity thereafter, the owner(s) of the property shall maintain the parking areas, driveways, and drainage system in accordance with the following schedule:
 - a. **Road/Parking Lot sweeping and snow plowing** – Driveways, parking areas, and sidewalks shall be swept, preferably with a vacuum sweeper, in the early spring immediately after snow melt. Snow shall only be stored within the location noted on the approved plans.
 - b. **Deep Sump Catch basins** - Accumulated sediments shall be removed from sumps and floatable wastes shall be removed from the surface of every catch basin at least two times per year. Sediments and wastes shall be disposed of in accordance with all applicable federal, state, and local laws. Any component of a catch basin that becomes damaged shall be repaired or replaced immediately upon discovery.
 - c. **Water Quality Units** – the units shall be cleaned per the manufacturer's manual.
 - d. **Outlet Pipes** – The outlet pipes and level spreader from the CMP detention system shall be inspected at least twice annually for evidence of clogging, scouring, slumping, erosion or other problems and shall be cleaned and repaired as needed to maintain proper functioning. . Any problems shall be corrected.
 - e. **Drain Lines**- after construction, the drain lines shall be inspected after every major storm for the first 12 months. The presence of silt or sedimentation would indicate the need for more frequent pre-treatment maintenance. Thereafter, drain lines inspection once per year.
 - g. **Stormtech MC-3500 Infiltration Chambers and Isolator Row** – inspected after every major storm for the first 12 months. If inspections take longer than 72 hours after a storm to drain, this indicates an issue that requires correction. Correction may be through cleaning, maintenance or replacement of the system. After inspections, they shall take place twice annually, in the spring and fall.

All unit shall be cleaned annually. Jet vacs should be used to clean the chambers when the average depth of sediment exceeds 3" annually. All hydrocarbons should be properly handled and disposed of off-site in accordance with state, local, and federal regulations.

All maintenance of stormwater management units shall be conducted as prescribed under LTPPP. The Conservation Commission members and the Commission Agent shall have the right to enter the property to inspect for compliance with all sub conditions of this condition. This condition shall be noted on the Certificate of Compliance and shall continue in perpetuity.

32. Catch basins shall be equipped with sumps, oil and gas traps, and shall be inspected and cleaned as outlined in the stormwater operation and maintenance plan submitted with the NOI. After each inspection and cleaning, the inspector shall provide to the Commission written confirmation that the inspection and cleaning were conducted.
36. All stormwater BMP's maintenance logs as prescribed under the O&M Plan shall be kept on site and shall be provided to the Conservation Commission annually and upon request.
37. Deep Sump Catch Basins shall be inspected after a 0.5" storm event and on a weekly basis during construction. Post-construction all inspection and cleaning dates shall be provided to the Commission written confirmation that the inspections and cleanings were conducted, this shall be provided annually. This condition shall be noted on the Certificate of Compliance and shall continue in perpetuity.
38. Water Quality Units shall be inspected after 0.5" storm event and on a weekly basis during construction. Post -Construction shall be inspected once per year, cleaned as needed and reported in writing annually. This condition shall be noted on the Certificate of Compliance and shall continue in perpetuity.

There shall be no increase in the post-development discharges from the storm drainage system or any other changes in post-development conditions that alter the post-development watershed boundaries as currently depicted in the notice of Intent and approved by this Order of Conditions, unless specifically approved in writing by the Commission.
39. There shall be no sedimentation into wetlands or water bodies from discharge pipes or surface runoff leaving the site.
40. The property owner and its successors shall submit annual reports of inspections and cleanings by December 1st of every year for all stormwater management structures as prescribed in Operation and Maintenance Plan and the Long-Term Pollution Prevention Plan to the Conservation Commission, Planning and Economic Development Board and DPW. This condition shall remain in perpetuity.
41. The applicant and its successors, upon the completion of the entire project, prior to submitting a Request for Certificate of Compliance shall provide to the Commission and/or its Agent receipts of all inspections to the stormwater management system as prescribed under the O&M Plan and the Long Term Pollution Prevention Plan. These receipts shall refer to but are not limited to, catch basin cleaning, vegetation management, and inspection and cleaning of any components of the stormwater management system.
42. At the time of filing for a Request for Certificate of Compliance, there shall be no illicit discharges.

IV. During Construction

43. If unforeseen problems occur during construction which may affect the statutory interests of the Wetlands Protection Act, upon discovery by either the Conservation Commission, its agent, or the applicant, the Commission shall immediately be notified, and an immediate meeting shall be held between the Commission or its agent, the applicant, and other concerned parties to determine the correct measures to be employed. The applicant shall then act to correct the problems using the corrective measures agreed upon. Subsequent to resolution, the activity and resulting actions shall be documented in writing.
44. All equipment shall be operated, parked, and maintained so as to limit impacts to resource area and buffer zone to those areas clearly identified on the plans and demarcated in the field by the flagging and construction barriers installed. No equipment is to enter or cross wetland resource areas at any time unless the location of disturbance is marked on the plans referenced in this Order and flagged in the field.
45. During construction, personnel shall exercise extreme care when onsite fueling is underway during construction or storms. Spill kits as required herein shall be maintained at the fueling system during all stages of construction. Any spill of fuel shall be immediately reported to the Medway Fire Department, Police Department and Conservation Commission.

46. All existing and proposed catch basins and water quality inlets on the site or within the parcel that receive runoff from or contributes runoff to the project site shall be cleaned of sediment prior to commencement of work and be protected by Silt Sacks or equivalent to prevent sediment from entering the drainage system. Silt Sacks and sumps shall be maintained and regularly cleaned of sediments until all areas associated with the work permitted by this Order have been permanently stabilized and the Commission and/or its Agent has formally approved their removal.
47. All equipment shall be inspected regularly for leaks. Any leaking hydraulic or other fluid lines, cylinders, containers of any kind, or any other components shall be repaired immediately.
48. A copy of this Order of Conditions, construction plans, and copies of the documents and reports cited in this Order shall be on the site upon commencement and during any site work for contractors to view and adhere to.

Erosion Control:

49. 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 designee shall inspect the erosion controls on a daily basis and shall remove all sediment when accumulated to a depth of two inches or greater. The applicant shall immediately control all erosion on the site, and shall immediately notify the Commission of any breeches of the erosion control barriers by sediment or silt-laden water. The Commission reserves the right to impose additional conditions on portions of this project to mitigate any impacts which could result from site erosion, or any noticeable degradation of surface water quality discharging from the site.
50. Under no conditions shall operation of equipment, storage of materials, stockpiling of soil, or other site disturbance take place on the wetland side of the limit of work line. All debris, fill and excavated material shall be stockpiled far enough away from wetland resource areas, and at a location sufficient to prevent sediment from entering wetland resource areas.
51. Dewatering activities shall be conducted in accordance with best management practices and with a plan to be submitted for Commission approval prior to any dewatering activity on the site. Dewatering activities shall be monitored daily to ensure that sediment laden water is not discharged toward the wetland resource areas. With the exception of dewatering effluent discharged into a detention basin, no discharge of water is allowed directly or indirectly into an area subject to jurisdiction of the Wetlands Protection Act. If emergency dewatering requirements arise, the applicant shall submit a contingency plan to the Commission for approval, which provides for the pumped water to be contained in a settling basin, to adequately reduce turbidity prior to discharge into a resource area. Additional monitoring requirements may be imposed on any such discharge approved, to ensure adequacy of the sediment removal measures.
52. An adequate covered stockpile of erosion control materials shall be on site at all times for emergency or routine replacement and shall include materials to repair or replace silt fences, erosion control blankets, stone riprap, filter berms or any other devices planned for use during construction. At a minimum, this shall include erosion control blankets, 500 feet compost socks and 500 feet of siltation fence, this shall be stored under cover in specified location on site during construction for any issues that may arise requiring the maintenance of erosion controls.
53. The areas of construction shall remain in a condition that is protected by erosion control devices at the close of each construction day. Erosion controls should be inspected at this time, and repaired, reinforced or replaced as necessary.
54. Erosion control devices may be augmented based upon experience at the site. All such devices shall be inspected, cleaned or replaced during construction and shall remain in place and in good working order until such time as stabilization of all areas that may impact resource areas is permanent. These devices shall be inspected to assure that maximum control has been provided after any rainfall. No portion of the erosion control barriers or mechanisms may be deleted without written authorization by the Commission or its Agent.
55. Within thirty days of completion of construction on any given portion of the project, all disturbed areas in the completed portion of the site shall be permanently stabilized with rapidly growing vegetative cover, using sufficient top soil, or the proposed surface treatments as indicated on the approved plans to assure long-term stabilization of disturbed areas. Where necessary, the loam and seeding shall be held in place with jute netting. Outside of the growing season, exposed soil finish grade surfaces shall be stabilized with a

layer of mulch hay until climate conditions allow for seeding. During construction, any area of exposed soils that will be left idle for more than 30 days shall be stabilized with a layer of mulch hay or other means approved by the Conservation Commission. Temporary stabilization methods may include, but are not limited to, hydro-seeding, straw mats, jute netting, sod, or other Commission approved method. A minimum of four to six inches of organic top soil, and a USDA Natural Resource Conservation Service-approved seed mixture should be used in accordance with the measures outlined in "Vegetative Practices in Site Development: Massachusetts Conservation Guide, Volume II", or other stabilization method the Commission deems acceptable. Continued maintenance of this area in a manner which assures permanent stabilization and precludes any soil erosion shall be the responsibility of the applicant.

56. Subsequent to seeding, disturbed areas will be covered with a straw mulch, erosion control blanket or netting or other suitable material in order to provide an adequate surface protection until seed germination. Preference should be given to erosion control netting with biodegradable stitching.
57. A temporary cover of rye or other grass shall be established on any soil stockpiles inactive for more than 60 days to prevent erosion and sedimentation. If the season is not appropriate for plant growth, exposed surfaces shall be stabilized by other appropriate erosions control measures, firmly anchored, to prevent soils from being washed by rain or flooding.
58. All existing and proposed catch basins and oil traps on the site or within the portion of any street that receives runoff from the project site shall be protected by Silt Sacks or equivalent to prevent sediment from entering the drainage system. Silt Sacks shall be maintained and regularly cleaned of sediments until all areas associated with the work permitted by this Order have been permanently stabilized and the Commission and/or its Agent has formally approved their removal.
59. Cement trucks shall not be washed out in any wetland resource or buffer zone area, or into any drainage system. Any such deposit of cement or concrete products into a buffer zone or wetland resource area shall be immediately removed and all impacted areas restored to their original condition.
60. Erosion and sedimentation control devices shall be inspected after each storm event and repaired or replaced as necessary. Any silt adjacent to the barriers shall be removed when it accumulates to two inches in depth.
61. All stockpiles of soils existing for more than seven days shall be surrounded by a row of staked straw bales, compost socks or entrenched silt fence, and shall be covered. The applicant shall cover and surround all soil piles with erosion controls prior to a rain event of 0.5 inches or greater. The Commission reserves the right to require any stockpiles be covered during rain events, as directed through the Agent and/or a Commissioner.

Grading/Landscaping/Slope:

62. Grading shall be accomplished so that runoff shall not be directed to the property of others outside the project area without mitigation as described in the project plans. This project shall not increase runoff, nor cause flood or storm damage, to abutters or the property of others outside the project area.
63. Landscaping shall not include exotic invasive species identified on the most current listing of the Massachusetts Division of Fisheries and Wildlife.

Placement of Riprap and Stone:

64. All stone aggregate materials shall be clean and free of trash, tree stumps, roots, and other deleterious material.

Grading/Landscaping/Slope:

65. Landscaping shall not include exotic invasive species identified on the most current listing of the Massachusetts Division of Fisheries and Wildlife.

V. After Construction / In Perpetuity

66. Conditions numbered 32, 37, 38, 40, 66 and 67 shall survive the expiration of this Order, shall continue in force beyond the Certificate of Compliance, in perpetuity, shall be so noted on the Certificate of Compliance, and shall be referred to in all future deeds to this property.

67. The applicant or its successors shall submit a proposed management company that will be in charge of the maintenance of the Stormwater Management System, and shall submit reports as required under this Order and in perpetuity. The management company proposed that the Stormwater Management System shall sign and submit an acknowledgement of the condition requiring submission of an annual report. This shall be submitted to the Conservation Agency at the time of the Request for Certificate of Compliance submission.
68. Upon completion of construction and final soil stabilization, the applicant shall submit the following to the Conservation Commission:
- a. final As-Built Plan with a letter from the Engineering stating that all work was completed in conformance with the approved plans, this permit and the Medway Stormwater Bylaw Article 26.

Appendix VII Operations and Maintenance Plan and Log

Long Term Operations and Maintenance Plan

The information provided herein is intended to provide the base information for operation and maintenance of the site in perpetuity subject to updates and revisions as required at a future date. As such all future property owners must be notified in writing of this plan and be provided with a copy of this plan, a complete set of the design drawings and/or a completed as-built plan showing all the drainage features as they were constructed, which are considered part of this document. Please see the attached Operations and Maintenance Log (Appendix IX). Reports shall be submitted annually to the Medway Department of Public Works (DPW) by December 15th of each year.

Stormwater management system owner: Steven Brody
The party responsible for operation and maintenance: Steven Brody

Preliminary Stormwater Operation and Maintenance Budget

Quarterly Inspection and Maintenance x \$2,500 per visit = \$10,000 annually

Street Sweeping

Driveways and parking areas shall be swept twice per year, after foliage and snow removal seasons.

Deep Sump Hooded Catch Basins

Inspect deep sump catch basins four times per year including the end of the foliage and snow removal seasons. Sediments must also be removed four times per year or when the depth of deposits is greater than or equal to one half the depth of the sump. Vacuum trucks are to be used to remove trapped sediment and supernatant.

Although catch basin debris often contains concentrations of oil and hazardous materials such as petroleum hydrocarbons and metals, MassDEP classifies them as solid waste. Any contaminated materials must be evaluated in accordance with the Hazardous Waste Regulations, 310 CMR 30.00, and handled as hazardous waste. MassDEP regulations prohibit landfills from accepting materials that contain free draining liquids.

Nyloplast Area Drains

- Over the span of the first year of a new installation, visually inspect each basin every 2 months or after 2 storm events once the site has stabilized.
- Check for obstructions and debris at the openings of the grate and remove as needed.
- After cleaning the surface of the grate, remove the grate from the frame.
- Once the grate is removed from the frame, check for obstructions and debris inside the basin (including the sump and inlet and outlet pipes) and clean out as needed.
- A vacuum truck is best for the removal of debris when necessary. After the collection of the debris, it shall be disposed of according to the local environment requirements.
- After the maintenance or inspection of the structure completed, set the grate back in the frame so it sits flush and does not rock.
- Once the monitoring period is over, it is best to continually schedule maintenance based on the amount of debris or sediment that accumulates over time.

Stormtech MC-3500 Infiltration Chambers

Infiltration chambers shall be inspected after every major storm for the first few months to ensure it is stabilized and functioning properly. If necessary, corrective action shall be taken until the system functions properly. Adjust the inspection interval based on previous observations of sediment accumulation and high water elevations. Inspectors should note how long water remains standing in the inspection port after a storm; standing water within the basin 48 to 72 hours after a storm indicates that the infiltration capacity may have been overestimated. If the ponding is due to clogging, immediately address the reasons for the clogging. Thereafter, inspect the isolator row at least twice per year.

The JetVac process should be used to clean the chambers when the average depth of sediment exceeds three inches or annually. All sediments and hydrocarbons should be properly handled and disposed offsite in accordance with local, state, and federal regulations.

Roof Drain Leaders

Routine roof inspections shall be performed two times per year. The roof shall be kept clean and free of debris, and the roof drainage systems shall be kept clear. Gutters and downspouts shall be cleaned at least twice per year, or more frequently as necessary.

Vegetated Areas Maintenance

Although not a structural component of the drainage system, the maintenance of vegetated areas may affect the functioning of stormwater management practices. This includes the health/density of vegetative cover and activities such as the application and disposal of lawn and garden care products, disposal of leaves and yard trimmings.

Initial Post-Construction Inspection

During the initial period of vegetation establishment pruning and weeding are required twice in first year by contractor or owner. Any dead vegetation/plantings found after the first year will be replaced. Proper mulching is mandatory and regular watering may be required initially to ensure proper establishment of new vegetation.

Long-Term Maintenance

The planted areas shall be inspected on a semi-annual basis and any litter removed. Weeds and invasive plant species shall be removed by hand. Maintain planted areas adjacent to pavement to prevent soil washout. Immediately clean any soil deposits on pavement. Leaf litter and other detritus shall be removed twice per year. If needed to maintain aesthetic appearance, perennial plantings may be trimmed at the end of the growing season.

Trees and shrubs shall be inspected twice per year to evaluate health and attended to as necessary. Seeded ground cover or grass areas shall not receive mulching. Re-seed bare areas; install appropriate erosion control measures when native soil is exposed or erosion channels are forming. Plant alternative mixtures of grass species in the event of unsuccessful establishment. The grass vegetation should not be cut to a height less than four inches.

Snow Storage

Snow shall be removed from all paved surfaces and deposited in the designated snow storage areas. In addition snow may be stored along the perimeter of the site provided that care is taken to avoid damage to the landscape plantings. Snow shall not be pushed toward the wetlands as directed by site signage. Owner shall ensure that guardrails and fences are not damaged during the moving of snow. Any excess snow shall be transported off-site.

Pesticide/Herbicide Usage

No pesticides or herbicides are to be used in any circumstance.

39 West Street

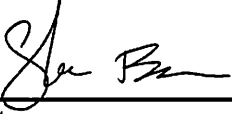
Operations and Maintenance Log

Inspections for Year: _____

Structural Best Management Practice	Action	Date Completed	Completed By	Comments
Deep Sump Hooded Catch Basin– Inspect/clean four times per year. Clean when sump is 50% full. (CB1, CB2, CB3, CB4)	Inspect/ Clean			
	Inspect/ Clean			
	Inspect/ Clean			
	Inspect/ Clean			
	Inspect/ Clean			
Stormtech MC-3500 Chambers – Inspect twice per year. Clean as required or when sediment exceeds 3 inches.	Inspect			
	Inspect			
Street Sweeping – Sweep driveways and parking areas twice per year after foliage and snow removal seasons.	Sweep			
	Sweep			
Area Drains – Inspect twice per year. Clean as required. (AD1, AD2)	Inspect/Clean			
	Inspect/Clean			
Roof Drain Leaders – Inspect/clean twice per year.	Inspect/Clean			
	Inspect/Clean			
Vegetated Areas Maintenance – Inspect twice per year. Maintain as required.	Inspect			
	Inspect			

Illicit Discharge Compliance Statement

To the best of my knowledge no illicit discharges currently exist on the site and no future illicit discharge will be allowed, including wastewater discharges and discharges of stormwater contaminated by contact with process wastes, raw materials, toxic pollutants, hazardous substances, oil, or grease.



Signature

11/12/25
Date

Appendix IX Construction Period Pollution Prevention and Erosion & Sedimentation Control

Best management practices (BMP) for erosion and sedimentation control are compost socks, silt fences, hydro seeding, and phased development. Many stormwater BMP technologies (e.g., infiltration technologies) are not designed to handle the high concentrations of sediments typically found in construction runoff and must be protected from construction-related sediment loadings. Construction BMP's must be maintained. In developing the proposed project certain measures will be implemented to minimize impacts erosion and sedimentation could have on surrounding areas. This section addresses items that involve proper construction techniques, close surveillance of workmanship, and immediate response to emergency situations. The developer must be prepared to provide whatever reasonable measures are necessary to protect the environment during construction and to stabilize all disturbed areas as soon as construction ends. Construction period pollution prevention and erosion and sediment control shall meet the requirements for the 2022 EPA Construction General Permit for all projects requiring coverage under the CGP.

Pre-Construction

1. The contractor shall have a stockpile of materials required to control erosion on-site to be used to supplement or repair erosion control devices. These materials shall include, but are not limited to compost socks, silt fence, and crushed stone.
2. The contractor is responsible for erosion control on site and shall utilize erosion control measures where needed, regardless of whether the measures are specified on the plan or in the order of conditions.

Preliminary Site Work

1. Excavated materials should be stockpiled, separating the topsoil for future use on the site. Erosion control shall be utilized along the down slope side of the piles and side slopes shall not exceed 2:1.
2. If intense rainfall is anticipated, the installation of supplemental compost sock dikes, silt fences, or armored dikes shall be considered.
3. Unsuitable excavated material shall be removed from the site.
4. Construction entrance shall be installed.
5. Existing catch basins shall be protected with silt sacks.

Ongoing Site Work

1. Dewatering shall be done in a manner so as not to transmit silt, sand or particulate matter to the receiving water or existing drainage system.

Maintenance/Inspection Procedures

Visual inspections of all cleared and graded areas of the construction site will be performed every seven (7) days and within 24 hours of the end of a storm with rainfall amounts greater than 0.5 inches based on local weather forecasts or a rain gauge installed at the construction trailer onsite. The SWPPP coordinator or his designated storm water team members shall conduct the inspection. The inspection will verify that the structural BMPs described above are in good condition and are minimizing erosion. The inspection will also verify that the procedures used to prevent storm water contamination from construction materials and petroleum products are effective. The following inspection and maintenance practices will be used to maintain erosion and sediment controls:

1. Built up sediment will be removed from silt fencing when it has reached $\frac{1}{4}$ to $\frac{1}{2}$ the height of the fence.
2. Built up sediment will be removed from temporary sedimentation controls and basins before their capacity is reduced by 50%.

3. Silt fences will be inspected weekly for depth of sediment, for tears, to see if the fabric is securely attached to the fence posts, and to see that the fence posts are firmly in the ground.
4. Temporary and permanent seeding will be inspected for bare spots, washouts, and healthy growth.
5. The stabilized construction entrance will be inspected daily for sediment tracked on the road, for clean gravel, and to make sure that all traffic use the stabilized entrance when leaving the site. Sediment deposited onto the surface of off-site streets, other paved areas, and sidewalks will be removed by the end of the same work day in which the track-out occurs or by the end of the next work day if track-out occurs on a non-work day. Track-out will be removed by sweeping, shoveling, or vacuuming these surfaces, or by using other similarly effective means of sediment removal. Sweeping of tracked-out sediment into any stormwater conveyance (unless it is connected to a sediment basin, sediment trap, or similarly effective control), storm drain inlet, or surface water will be prohibited. Stone will be added to the entrance as needed to ensure proper function. The entrance will also be cleaned as required.
6. A water truck will be used to spray surfaces to minimize dust. Spraying will occur as required to maintain a moist condition at open soils. Calcium chloride may also be spread over surfaces as needed to control dust.
7. Silt sacks to be inspected weekly. Sediment and debris will be removed as necessary. Additional maintenance may be required based on construction related activities and major storm events.

Landscaping

1. Landscaping shall occur as soon as possible to provide permanent stabilization of disturbed surfaces.
2. If the season or adverse weather conditions do not allow the establishment of vegetation, temporary mulching with straw, wood chips weighted with snow fence or branches, or other methods shall be provided.
3. A minimum of 6 inches of topsoil shall be placed and its surface smoothed to the specified grades.
4. The use of herbicides is prohibited.
5. Hydro seeding is encouraged for steep slopes. Application rates on slopes greater than 3:1 shall have a minimum seeding rate of 5-lbs/1000 SF. A latex or fiber tackifier shall be used on these slopes at a minimum rate of 50 lbs. of tackifier per 500 gallons of water used.

Long Term Operation and Maintenance Plan

The information provided herein is intended to provide the base information for operation and maintenance of the site in perpetuity subject to updates and revisions as required at a future date. As such all future property owners must be notified in writing of this plan and be provided with a copy of this plan, a complete set of the design drawings and/or a completed as-built plan showing all the drainage features as they were constructed, which are considered part of this document. Please see the attached Operations and Maintenance Log. Reports shall be submitted annually to the Medway Department of Public Works (DPW) by December 15th of each year.

Stormwater management system owner: Steven Brody
The party responsible for operation and maintenance: Steven Brody

Preliminary Stormwater Operation and Maintenance Budget

Quarterly Inspection and Maintenance x \$2,500 per visit = \$10,000 annually

Street Sweeping

Driveways and parking areas shall be swept twice per year, after foliage and snow removal seasons.

Deep Sump Hooded Catch Basins

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Although catch basin debris often contains concentrations of oil and hazardous materials such as petroleum hydrocarbons and metals, MassDEP classifies them as solid waste. Any contaminated materials must be evaluated in accordance with the Hazardous Waste Regulations, 310 CMR 30.00, and handled as hazardous waste. MassDEP regulations prohibit landfills from accepting materials that contain free draining liquids.

Nyloplast Area Drains

- Over the span of the first year of a new installation, visually inspect each basin every 2 months or after 2 storm events once the site has stabilized.
- Check for obstructions and debris at the openings of the grate and remove as needed.
- After cleaning the surface of the grate, remove the grate from the frame.
- Once the grate is removed from the frame, check for obstructions and debris inside the basin (including the sump and inlet and outlet pipes) and clean out as needed.
- A vacuum truck is best for the removal of debris when necessary. After the collection of the debris, it shall be disposed of according to the local environment requirements.
- After the maintenance or inspection of the structure completed, set the grate back in the frame so it sits flush and does not rock.
- Once the monitoring period is over, it is best to continually schedule maintenance based on the amount of debris or sediment that accumulates over time.

Stormtech MC-3500 Infiltration Chambers and Isolator Row

Infiltration chambers and Isolator Rows shall be inspected after every major storm for the first few months to ensure it is stabilized and functioning properly. If necessary, corrective action shall be taken until the system functions properly. Adjust the inspection interval based on previous observations of sediment accumulation and high water elevations. Inspectors should note how long water remains standing in the inspection port after a storm; standing water within the basin 48 to 72 hours after a storm indicates that

the infiltration capacity may have been overestimated. If the ponding is due to clogging, immediately address the reasons for the clogging. Thereafter, inspect the isolator row at least twice per year.

The JetVac process should be used to clean the chambers when the average depth of sediment exceeds three inches or annually. All sediments and hydrocarbons should be properly handled and disposed offsite in accordance with local, state, and federal regulations.

Roof Drain Leaders

Routine roof inspections shall be performed two times per year. The roof shall be kept clean and free of debris, and the roof drainage systems shall be kept clear. Gutters and downspouts shall be cleaned at least twice per year, or more frequently as necessary.

Vegetated Areas Maintenance

Although not a structural component of the drainage system, the maintenance of vegetated areas may affect the functioning of stormwater management practices. This includes the health/density of vegetative cover and activities such as the application and disposal of lawn and garden care products, disposal of leaves and yard trimmings.

Initial Post-Construction Inspection

During the initial period of vegetation establishment pruning and weeding are required twice in first year by contractor or owner. Any dead vegetation/plantings found after the first year will be replaced. Proper mulching is mandatory and regular watering may be required initially to ensure proper establishment of new vegetation.

Long-Term Maintenance

The planted areas shall be inspected on a semi-annual basis and any litter removed. Weeds and invasive plant species shall be removed by hand. Maintain planted areas adjacent to pavement to prevent soil washout. Immediately clean any soil deposits on pavement. Leaf litter and other detritus shall be removed twice per year. If needed to maintain aesthetic appearance, perennial plantings may be trimmed at the end of the growing season.

Trees and shrubs shall be inspected twice per year to evaluate health and attended to as necessary. Seeded ground cover or grass areas shall not receive mulching. Re-seed bare areas; install appropriate erosion control measures when native soil is exposed or erosion channels are forming. Plant alternative mixtures of grass species in the event of unsuccessful establishment. The grass vegetation should not be cut to a height less than four inches.

Snow Storage/Management

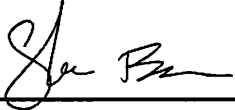
Snow shall be removed from all paved surfaces and deposited in the designated snow storage areas. In addition snow may be stored along the perimeter of the site provided that care is taken to avoid damage to the landscape plantings. Snow may not be stockpiled in the infiltration/detention areas. Owner shall ensure that guardrails and fences are not damaged during the moving of snow. The use of sodium chloride is prohibited; calcium chloride may be used.

Pesticide/Herbicide Usage

No pesticides are to be used unless a single spot treatment is required for a specific control application.

Illicit Discharge Compliance Statement

To the best of my knowledge no illicit discharges currently exist on the site and no future illicit discharge will be allowed, including wastewater discharges and discharges of stormwater contaminated by contact with process wastes, raw materials, toxic pollutants, hazardous substances, oil, or grease.

A handwritten signature in black ink, appearing to be "J. B.", written over a horizontal line.

Signature

11/12/25

Date

39 West Street

Operations and Maintenance Log

Inspections for Year: _____

Structural Best Management Practice	Action	Date Completed	Completed By	Comments
Deep Sump Hooded Catch Basin– Inspect/clean four times per year. Clean when sump is 50% full. (CB1, CB2, CB3, CB4)	Inspect/ Clean			
	Inspect/ Clean			
	Inspect/ Clean			
	Inspect/ Clean			
	Inspect/ Clean			
Stormtech MC-3500 Chambers and Isolator Row – Inspect twice per year. Clean as required or when sediment exceeds 3 inches.	Inspect			
	Inspect			
Street Sweeping – Sweep driveways and parking areas twice per year after foliage and snow removal seasons.	Sweep			
	Sweep			
Area Drains – Inspect twice per year. Clean as required. (AD1, AD2)	Inspect/Clean			
	Inspect/Clean			
Roof Drain Leaders – Inspect/clean twice per year.	Inspect/Clean			
	Inspect/Clean			
Vegetated Areas Maintenance – Inspect twice per year. Maintain as required.	Inspect			
	Inspect			