

TOWN OF WELLESLEY



MASSACHUSETTS

### Wetlands Protection Committee

Lower Level, Town Hall, 525 Washington Street, Wellesley, Massachusetts 02482-5992

Mary Jane O'Donnell, Chairman  
Rhonda Ryznar, Vice Chairman  
Robert Lubker  
Robert McDonnell  
Marc Taylor  
August 28, 2006

Fax (781) 237-6495  
Telephone (781) 431-1019 ext 292  
Peter Keenan, Conservation Administrator

Dean Behrend  
Wellesley Realty Association  
P.O. Box 81004  
Wellesley, MA 02481

#### CERTIFIED MAIL

Subject: Order of Conditions  
978 Worcester Street  
DEP File No. 324-517

Dear Mr. Behrend:

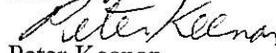
At it's meeting on August 24, 2006 the Wetlands Protection Committee issued the enclosed Order of Conditions for your proposals at 978 Worcester Street.

Before starting any work, including clearing the site or establishing erosion controls, you need to:

- Submit to the Committee for its approval a revised operation and maintenance plan (Condition 19);
- Allow the appeal period of ten business days to elapse (Condition 7);
- Record the Order at the Norfolk County Registry of Deeds in Dedham (Condition 8)
- Post the DEP File Number on site (Condition 9);
- Establish wetland flags (Condition 16, and
- Notify this office and arrange a site meeting (Condition 22).

If you have any questions, please call me at (781) 431-1019 ext. 292.

Sincerely,

  
Peter Keenan  
Conservation Administrator

cc: Building  
DEP Northeast Region  
ZBA  
Beals Assoc. Inc., 98 North Washington Street, Boston, MA 02114

f

NPPES  
SWPPP



**A. General information**

From: Town of Wellesley, Wetlands Protection Committee  
 1. Conservation Commission

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

3. To: Applicant:

<u>Dean</u>	<u>Behrend</u>	<u>Wellesley Realty Associates</u>
a. First Name	b. Last Name	c. Company
<u>P.O. Box 81004</u>		
d. Mailing Address		
<u>Wellesley</u>	<u>MA</u>	<u>02481</u>
e. City/Town	f. State	g. Zip Code

4. Property Owner (if different from applicant):

<u></u>	<u></u>	<u></u>
a. First Name	b. Last Name	c. Company
<u></u>		
d. Mailing Address		
<u></u>	<u></u>	<u></u>
e. City/Town	f. State	g. Zip Code

5. Project Location:

<u>978 Worcester St.</u>	<u>Wellesley</u>
a. Street Address	b. City/Town
<u>MAP 200</u>	<u>Parcel 21</u>
c. Assessors Map/Plat Number	d. Parcel/Lot Number
Latitude and Longitude, if known:	
<u></u>	<u></u>
e. Latitude	f. Longitude

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

<u>Norfolk</u>	<u></u>
a. County	b. Certificate (if registered land)
<u>12198</u>	<u>156</u>
c. Book	d. Page

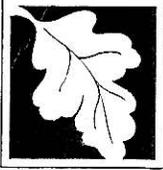
7. Dates: Feb. 2, 2006 August 3, 2006 August 24, 2006  
 a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance

8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):

SEE PAGE 6  
 a. Plan Title

<u></u>	<u></u>
b. Prepared By	c. Signed and Stamped by
<u></u>	<u></u>
d. Final Revision Date	e. Scale
<u>SEE PAGE 6</u>	
<u></u>	<u></u>
f. Additional Plan or Document Title	g. Date





# WPA Form 5 – Order of Conditions

**324-517**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
and Wellesley Wetland Protection Bylaw

## B. Findings (cont.)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
7. <input checked="" type="checkbox"/> Bordering Land Subject to Flooding	36,750	36,750	36,750	36,750
Cubic Feet Flood Storage	a. square feet 1397	b. square feet 1397	c. square feet 1495	d. square feet 1495
	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding				
Cubic Feet Flood Storage	a. square feet	b. square feet		
	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. <input type="checkbox"/> Riverfront area				
Sq ft within 100 ft	a. total sq. feet	b. total sq. feet		
	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

## C. General Conditions Under Massachusetts Wetlands Protection Act

(only applicable to approved projects)

- Revocation: 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.
- Property rights: 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.
- Other legal requirements: 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.
- Expiration of Order: The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
  - the work is a maintenance dredging project as provided for in the Act; or
  - 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.
- Extension of Order: 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.
- Clean fill only: 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.
- Appeal period: 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.



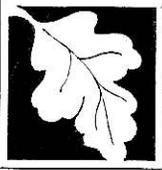
**WPA Form 5 – Order of Conditions**

**324-517**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
and Wellesley Wetland Protection Bylaw

**C. General Conditions Under Mass. Wetlands Protection Act (cont.)**

8. Recording of Order before working: 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 this 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.
9. Sign posting: 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, "MA DEP"]  
"File Number 324-517"
10. Superseding Orders: 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 DEP.
11. Certificate of Compliance required: Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
12. Compliance with plans and Conditions: The work shall conform to the plans and special conditions referenced in this order.
13. Prior approval for changes: Any change to the plans identified in Condition #12 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.
14. Right to inspect: 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.
15. Property transfer: 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.
16. Wetland flags: 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.



# WPA Form 5 – Order of Conditions

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
and Wellesley Wetland Protection Bylaw

## C. General Conditions Under Mass. Wetlands Protection Act (cont.)

17. Maintenance of erosion controls and notification: 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.
18. Stormwater standards: All work associated with this Order is required to comply with the Massachusetts Stormwater Policy Standards.

**Special Conditions: see below**

## D. Findings Under Municipal Wetlands Bylaw

1. Is a municipal wetlands bylaw or ordinance applicable?  Yes  No
2. The Wellesley Wetlands Protection Committee hereby finds the project, as proposed, is (check one):
3.  Denied because the proposed work cannot be conditioned to meet the standards set forth in the Wellesley Wetland Protection Bylaw and its Regulations  
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.
4.  **Approved** subject to the General and Special Conditions, found necessary to comply with the Wellesley Wetland Protection Bylaw (Article 44 to Town Bylaws) and its Regulations. The Commission orders that all work shall be performed in accordance with the with the General Conditions, with the Special Conditions, and with the Notice of Intent referenced above. To the extent that the Conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

### Impacts to Additional Resource Areas under the Wellesley Wetland Protection Bylaw:

<input type="checkbox"/> Vernal Pool Habitat	sq. ft. permanently altered	sq. ft. temporarily altered
<input type="checkbox"/> Isolated Vegetated Wetland	sq. ft. permanently altered	sq. ft. temporarily altered
<input checked="" type="checkbox"/> 100-foot Buffer Zone	19,000±	
	sq. ft. permanently altered	sq. ft. temporarily altered
25' – No-Disturbance Zone	2,000±	
	sq. ft. permanently altered	sq. ft. temporarily altered
75' – Limited-Disturbance Zone	17,000±	
	sq. ft. permanently altered	sq. ft. temporarily altered
<input type="checkbox"/> Intermittent Stream without Vegetated Wetland	linear ft. permanently altered	linear ft. temporarily altered



**WPA Form 5 – Order of Conditions**

**324-517**

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and Wellesley Wetland Protection Bylaw

**Final Approved Plans and Other Documents**

**Plans**

TITLE & CONSULTANT	SHEET	DATE	STAMPED BY
Plans to Accompany Notice of Intent for: 978 Worcester Street. By: Beales Associates, Inc.	1 – Existing Conditions Plan 2 – Site Layout Plan 3 – Grading & Drainage Plan 4 – Utility Plan 5 – Details	July 12, 2006	Not Stamped
Notice of Intent for 978 Worcester Street. By: Beales Associates, Inc.	1 – Existing Watershed 2 – Proposed Watershed	July 12, 2006	Not Stamped

**Other Documents\***

DOCUMENT	CONSULTANT	DATE
Drainage Analysis, Post Development, for 978 Worcester Street	Beales Associates, Inc.	July 18, 2006
Operation and Maintenance Plan for Construction and Post Development	(included with Drainage Analysis) Beales Associates, Inc	July 18, 2006
C-520 Cut Fill Analysis, 978 Worcester Street	Beales Associates, Inc.	Aug. 4, 2006

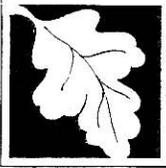
\*(These documents were received and reviewed by the Wetlands Protection Committee. The Committee does not necessarily agree with or accept the information or conclusions in this material.)

**Special Findings and Conditions**

**Findings:** The Committee finds that the project described in the Notice of Intent meets the requirements of **both** the Wetlands Protection Act and Wellesley Wetland Protection Bylaw, provided that all Conditions of this Order (listed on pages 3, 4, 5, and below) are met. The Committee finds the site significant to all the interests checked on page 2 of this Order, with no evidence presented by the applicant to rebut any of these presumptions.

The project involves a site now almost entirely covered with impervious surfaces (two buildings and paved parking) partly in the buffer zone of a vegetated wetland bordering on Morses Pond. The long motel and restaurant building would be demolished, the other existing building would remain, a new commercial building would be built, and the parking area would be completely rebuilt. The plan includes stormwater treatment for runoff from all impervious surfaces, with a system including catchbasins, particle separators, and an underground detention system with infiltration. Under present conditions all runoff flows over the surface to the wetland.

About 19,000 square feet of buffer zone would be altered. Inside the buffer zone, there would be a slight decrease in impervious area, since some of the existing pavement nearest the wetland will not be replaced and landscaped islands and borders would replace some paving. About 1800 square feet of building removed would be replaced by an equal area of paving in the buffer zone.

**WPA Form 5 – Order of Conditions****324-517**Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
and Wellesley Wetland Protection Bylaw

Bordering land subject to flooding (BLSF), defined by the 100-year flood elevation, covers more than half the entire lot, but only to a depth of up to 1 foot. The parking lot area will be regraded slightly by cutting and filling as part of the runoff control, and the requirement for maintenance of flood water storage volume is met in the design.

The Committee finds that the proposal would contribute to the improvement of wetlands with respect to all the interests by its treatment of stormwater runoff, and is satisfied that the design meets the stormwater standards to the extent practicable as required for a redevelopment project.

**Under the Wellesley Wetland Protection Bylaw ...**

Projects in buffer zones are subject to the additional regulations under the Bylaw, including restrictions within the 25-foot No-Disturbance Zone. This project would result in only temporary disturbance within the areas already covered with pavement.

**Special Conditions Applying Under Both Bylaw And Wetlands Protection Act**

19. Operation and Maintenance Plan: Before beginning any work on site, the applicant must submit an amended Post-Construction Operation and Management plan to the Committee and receive written approval. The amendment must include a log form listing the tasks and inspections required, the required performance frequency of each, with space for recording dates performed, comments and observations, cleaning or repairs needed, dates cleaning or repairs are performed, and name of person performing or inspecting. (A detailed record of all inspections and maintenance activities must be kept by the owner or applicant, with a copy submitted annually to the Committee.)

**CHANGES IN PLAN**

20. Revisions need approval: If the Applicant intends to make any change in the work permitted hereunder, the Applicant must submit a written request to the Committee with plans or description that reflect the proposed changes. Upon review of said request, the Committee may require the Applicant to submit a request for amendment to the Order of Conditions. No changes may be made before said written request to the Committee and approval thereof in writing by the Committee. Changes needing approval include (but are not limited to) additional decks, patios, and landscaped areas, **changes in elevation of structures and foundations**, alteration of vegetation, alteration of approved construction sequence, regrading, and all other alterations within resource areas and buffer zones.
21. Unauthorized revisions: If any change is made, or plans altered or revised, without prior approval of the Committee, additional conditions may be imposed to protect the interests of the Wetlands Protection Act and the Wellesley Wetland Protection Bylaw.

**BEFORE PROJECT BEGINS (Refer also to Conditions 7, 8, 9, and 16, above.)**

22. Site meeting before erosion controls: Before beginning any work on site or installing erosion controls, the applicant must notify the Conservation Administrator in writing or by phone that the erosion control line has been staked or marked on site, and arrange for a site meeting. At that meeting, the erosion control plan will be reviewed and adjustments made as the Administrator may find necessary. Adjustments to the limits of work may also be made. At that time, the applicant must inform the Administrator of the name and telephone numbers of the person(s) responsible at all times for compliance with this Order and for maintenance of erosion and sedimentation control as prescribed by Condition 17.
23. Installation of erosion controls: Hay bales, silt fence, or other erosion control devices must be installed according to best practices, or according to the detail of erosion controls shown on the approved plans.



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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
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Hay bales must be entrenched, placed with baling twine running horizontally, tightly butted together, and each bale secured by two stakes. Silt fence must be toed into a trench at least 4" deep and secured by backfill. The limit of work must be clearly marked so that its position and meaning are clear to all workers on site. If the erosion control fencing is not, in the opinion of the Administrator, sufficient, orange net construction fence must be installed to mark the limit of work. Emergency supplies of erosion controls must be on site before construction begins.

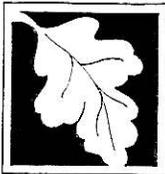
24. Approval of erosion controls: When installation of erosion controls is complete, the Administrator must be notified in writing or by phone and must inspect the site within three business days of notification. No further work may proceed until the Administrator approves the installation of the erosion controls.

### DURING CONSTRUCTION (Refer also to Conditions 6, 14, and 17, above)

25. Copy of Order of Conditions on site: A copy of the above-referenced plans and this Order of Conditions must be provided to the Contractor before the commencement of work and must be available at all times at the construction site for reference.
26. Order of Conditions prevails: Except where modified by these Conditions, all work must be performed in accordance with the plans outlined by the applicant and referenced on page 1 of this Order. Where a conflict exists between the referenced plans and these Conditions, the Conditions will govern.
27. Limit of work demarcated: No work, disturbance, or alteration may occur on the Resource Area side of the hay bales or silt fence, which will also serve as a limit of work. No heavy equipment may operate beyond the limit of work at any time. No construction materials, stockpiled soil or fill, debris, brush, leaves, or other materials may be placed within three feet of erosion controls.
28. Emergency supplies: The applicants must keep at least 50 feet of silt fence or hay bales on site in case there is a need for immediate repair of erosion controls or if sediment is found to be leaving the site at any location.
29. Inspection of stormwater structures: The applicant shall arrange with the Committee or Administrator for inspection of all underground retention, detention, and recharge basins, including drywells and infiltration trenches, before these are covered or enclosed, to verify compliance with plans and Conditions. Failure to comply with this condition will require these structures to be exposed again for inspection.
30. Dewatering: If dewatering is required it must be run through adequate sedimentation controls on site. No dewatering may proceed until the Wetlands Protection Committee or its administrator has inspected and approved the installation of the dewatering controls.
31. Care of stockpiled materials: Any stockpiled soil, sand or similar unconsolidated material must be stored within the limits of work *and* outside all Resource Areas and buffer zones, unless otherwise authorized by these Conditions, by the Wetlands Protection Committee, or by the Administrator. Any stockpile of soil, sand, or similar materials that is permitted within a buffer zone or Resource Area, must be enclosed within a line of entrenched and staked haybales or siltation fence. In the event that all earthwork ceases for more than 30 days, all exposed soils must be stabilized with a temporary vegetative cover, straw mulch, or other method of erosion control accepted by the Wetlands Protection Committee.

### UPON COMPLETION OF PROJECT

32. Permanent soil stabilization: Following the completion of construction and grading, all exposed soils within 100 feet of a wetland and 200 feet of a perennial stream or river must be stabilized with a



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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
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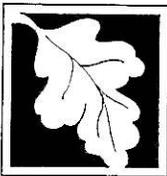
permanent cover. Bark mulch or wood mulch will not be considered to provide permanent stabilization on slopes with a gradient steeper than 3:1.

33. Request for Certificate of Compliance: Within 30 days of completion of the project, the applicant must make a written request to the Wetlands Protection Committee for a Certificate of Compliance. An "As-Built" plan showing all finished grades and structures must be submitted with the request accompanied by a certificate signed by a registered surveyor or engineer stating that all work has been completed strictly in accordance with the Order of Conditions and approved plans, or describing any differences from them.
34. Removal of erosion controls: With the approval of the Committee or Administrator, hay bales and silt fence may be removed from the site when the surface is permanently stabilized. These must be removed before the issuance of a Certificate of Compliance.

### CONDITIONS IN PERPETUITY

35. The following conditions must be recorded at the Registry of Deeds as part of the Order of Conditions, must be included on the Certificate of Compliance, and must continue in perpetuity. The property owner will have the right to request from the Wetlands Protection Committee an amendment to the conditions in perpetuity. If, in the judgment of the Committee, the proposed amendment will not detrimentally affect the values of the wetland resource area, the Committee will amend this Order or the Certificate of Compliance.
36. Wetlands or wetland buffers located on this property are subject to the Massachusetts Wetlands Protection Act (MGL Ch. 131, s. 40) and the Wellesley Wetland Protection Bylaw. Any work within a wetland resource area or adjacent buffer zones that might fill, excavate, or otherwise alter that area, requires approval by the Wellesley Wetlands Protection Committee, in accordance with the Act and Bylaw. This Condition is ongoing and does not expire with the expiration of the Order of Conditions or the issuance of a Certificate of Compliance.
37. Operation and Maintenance: The Stormwater Management system must be inspected and maintained in accordance with the approved Operation and Maintenance plan, revised or amended as required by Condition 19, above, and a copy of the log delivered to the Wetlands Protection Committee by July 1 of each year.
38. Use of deicing salts: Only calcium-based deicing chemicals may be used on surfaces where runoff or drainage will discharge into wetland resource areas. This Condition is ongoing and does not expire with the expiration of the Order of Conditions or the issuance of a Certificate of Compliance.

END OF CONDITIONS



# WPA Form 5 – Order of Conditions

324-517

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
and Wellesley Wetland Protection Bylaw

## E. Issuance

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

Aug. 24 2006  
1. Date of Issuance

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

4  
2. Number of Signers

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

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

Signatures:

<u>Robert H. Liebker</u>	<u>Rebecca Weissman</u>
<u>Mark A. Taylor</u>	<u>P. Keenan</u>
<u>M. J. O'Donnell</u>	

## Notary Acknowledgement

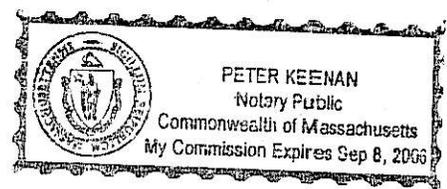
Commonwealth of Massachusetts, County of Norfolk:

On this 24<sup>th</sup> day of August, 2006, before me, the undersigned notary public, personally appeared Mary Jane O'Donnell,

proved to me through satisfactory evidence of identification, which was personal knowledge to be

the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose, as a member of the Wellesley Wetlands Protection Committee.

Peter Keenan  
Notary Public



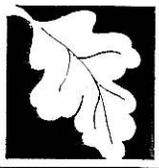
This Order is issued to the applicant as follows:

by hand delivery on

by certified mail, return receipt requested, on

Date \_\_\_\_\_

Aug. 28, 2006  
Date



## WPA Form 5 – Order of Conditions

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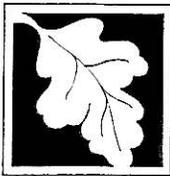
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
and Wellesley Wetland Protection Bylaw

### 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 DEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request of Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant. Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order or Determination, or providing written information to the Department prior to issuance of a Superseding Order or Determination.

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.

**Section G, Recording Information is available on the following page.**



**WPA Form 5 – Order of Conditions**

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and Wellesley Wetland Protection Bylaw

**G. Recording Information**

This Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on Page 7 of this form shall be submitted to the Conservation Commission listed below.

Wellesley Wetlands Protection Committee  
Conservation Commission

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

To:

Wellesley Wetlands Protection Committee  
Conservation Commission

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

978 Worcester St.  
Project Location

324-517  
DEP File Number

Has been recorded at the Registry of Deeds of:

Norfolk  
County

Book

Page

for:

Property Owner

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

Book

Page

In accordance with the Order of Conditions issued on:

Date

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

Instrument Number

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

Document Number

Signature of Applicant