

Town of Franklin

355 East Central Street
Franklin, Massachusetts
02038-1352



(Phone) 508-420-4929
www.franklinma.gov

Conservation Commission

TO: Franklin Conservation Commission

FROM: Breeka Li Goodlander, CWS, PWS, CERPIT, Conservation Agent/Natural Resource Protection Manager

RE: 00 Prospect Street Enforcement Order, Parcel 309-018-000-000

DATE: May 16, 2024

This Memorandum is in response to an email provided by Wall Street Development Corp. ("Wall Street")/Mr. Lou Petrozzi ("Mr. Petrozzi") on May 14, 2024 contesting the Enforcement Order (EO) date May 15, 2024 for 00 Prospect Street, Parcel 309-018-000-000.

The EO dated May 15, 2024 for parcel 309-018-000-000 was issued to Wall Street/ Mr. Petrozzi for: "unpermitted activities resulted in the alteration of the 100-foot Buffer Zone to Bordering Vegetated Wetlands, and the locally regulated 0- to 25-foot, 25- to 50-foot, and 50- to 100-foot Buffer Zone, including, but not limited to, tree and herbaceous coverage removal, fill/gravel stockpiling, conversion of land use, and potential grading and/or wetland drainage." The Conservation Commission did not and does not have an approved Order of Conditions issued for this parcel nor does the Massachusetts Department of Environmental Protection – Central Region ("MassDEP"). A few things to note:

- The Resource Areas identified in this EO are Resource Areas identified in Plans and maps provided by Mr. Petrozzi and approved by both Franklin and Bellingham Planning Boards.
- Prior to filing an Enforcement Order, on April 24, 2024, the Franklin Conservation Agent emailed Judy Schmitz ("Ms. Schmitz"), MassDEP Wetlands Section Chief, to confirm the validity of the Enforcement Order. The Franklin Conservation Agent confirmed the need for an Enforcement Order with the Conservation Commission Chair, Mr. Jeff Livingstone, as well. Per Ms. Schmitz' email response dated April 24, 2024, "The Commission can issue an Enforcement Order, if work is being conducted within jurisdictional wetland resource areas or Buffer Zone, since no work permitting this work has been issued by the Franklin Conservation Commission or DEP. While an EO instructing the applicant to cease & desist may be appropriate, further instructions to file an NOI may complicate the permitting process at this time. A revised or second EO can always be issued at a future date." A pdf of this email is attached.

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With this precedent set, please see the below responses from the Franklin Conservation Agent to the eight points Mr. Petrozzi provided in his email dated May 14, 2024 as to why this Enforcement Order is invalid.. Modifications have been made from the original email, comprising of punctuation and capitalization. Please reference the attached pdf of the original email.

1. "Wall Street purchased the property on Prospect Street in October, 2021;"

Response: Understood. Purchase of a property does not allow for the above listed unpermitted activities.

2. "Prior to acquiring title to the property, Wall Street filed a Notice of Intent for each of the Lots 4, 5 and 6 with the Franklin Conservation Commission. The Conservation Commission subsequently issued an Order of Conditions for each of the Lots in October, 2021;"

Response: Correct. Order of Conditions corresponding to Lot 4 (CE159-1240), Lot 5 (CE159-1238), and Lot 6 (CE-159-1239) were approved and issued by the Conservation Commission on October 19, 2021. No Order of Conditions were issued for the parcel of land with the parcel ID of 309-018-000-000, which is where the above listed violations occurred. The Order of Conditions related to Lot 4, Lot 5, and Lot 6 did not approve the construction of an access to a subdivision in Bellingham.

Furthermore, had an Order of Conditions been issued for parcel 309-018-000-00, a notification prior to the start of work and erosion control installation and approval would have been conditioned as standard special conditions. If we are to assume that an Order of Conditions was sought and given for parcel 309-018-000, then Mr. Petrozzi would still be in violation of the Order of Conditions. Notification prior to the start of work or inspection of erosion controls did not occur with the current Conservation Agent, nor any past Conservation Agents because there was no requirement to do so (e.g., there was no permit to be had for work occurring on parcel 309-018-000-000).

Additionally, Certificates of Compliance have all been issued for Lots 4, 5, and 6 so Mr. Petrozzi would be admitting to conducting work outside of an existing Order of Conditions if any Order of Conditions were to be had, regardless.

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Lastly, the unpermitted activities on parcel 309-018-000-000 corresponds to the existing Notice of Intent filed March 17, 2024 not the Notice of Intent filed for Lots 4, 5, and 6 in 2021. So, while it is a correct statement that a Notice of Intent was filed for Lots 4, 5, and 6, it is incorrect to assume that this has any bearing on the current project or Enforcement Order for 309-018-000-000.

3. "Following the issuance of the Orders, Lots 4, 5, and 6 were sold and single family homes were constructed, all in accordance with the Order of Conditions issued and the regulations;"

Response: Partially correct. The buyer of the lots did have issues with the Order of Conditions, but this is not a consideration in regards to the validity of the Enforcement Order for parcel 309-018-000-000.

4. "In addition, Wall Street obtained approval of additional lots 1, 2, and 3 with frontage on Prospect Street (outside jurisdiction of the Commission). In March, 2022, Wall Street contracted for each of the lots to be cleared for eventual sale and construction;"

Response: This is an unfortunate statement. Lot 3 and Lot 8, which resides in Bellingham, has significant coverage of mapped Bordering Vegetated Wetlands with the 100-foot Buffer Zone to Bordering Vegetated Wetlands on Lot 2. To the northwest, Lot 15, in Franklin, also has mapped locally jurisdictional Isolated Vegetated Wetlands and associated Buffer Zone that extend to Parcel 2. The wetlands are shown on the Definitive Subdivision Plan (11 lots) dated December 17, 2021 (note: this Plan was provided by Mr. Petrozzi as the "endorsed plan" in his email dated May 14, 2024), and are shown on the current "Special Residential Townhouse Development Plan – "Prospect Hill Village"" dated November 30, 2023 currently in front of the Bellingham Planning Board and Conservation Commission. Any clearing of the Lot 2 property should have been permitted under the Franklin Conservation Commission and MassDEP pursuant to the Wetlands Protection Act and the local Wetlands Protection Bylaw (Chapter 181) and associated Regulations. Therefore, Mr. Petrozzi is also in violation of the Wetlands Protection Act and the local Wetlands Protection Bylaw (Chapter 181) and associated Regulations for unpermitted work on this property.

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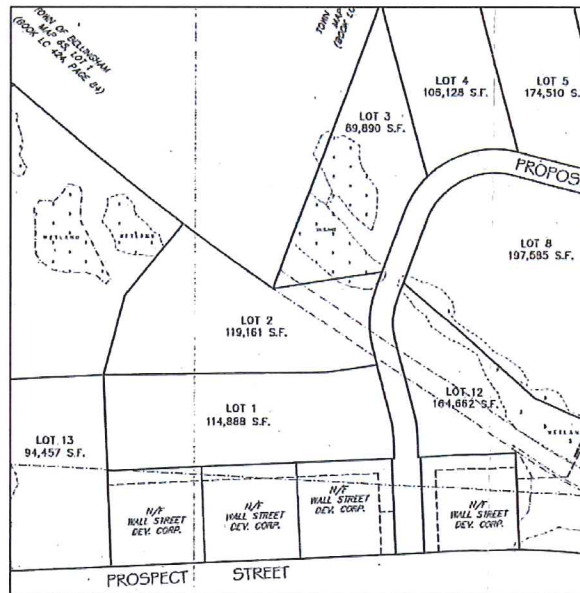


Image 1. Snippet from the “Definitive Subdivision Plan” dated December 17, 2021. Notice Lot 1 and Lot 2 mid-center. Scale: 1”=120’ (Note: scale is not true to size on this document)

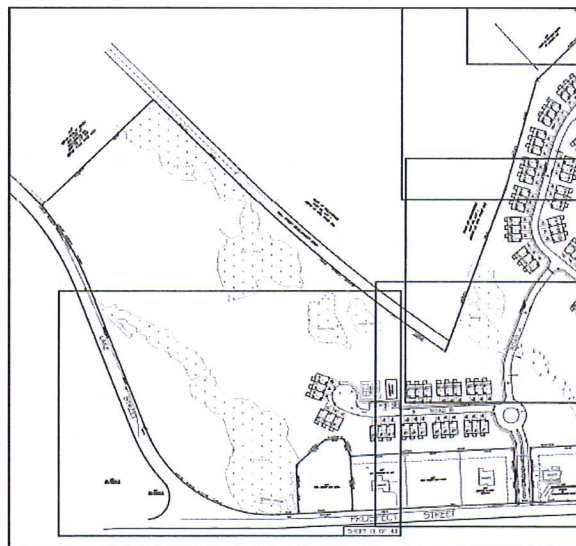


Image 2. Snippet from sheet 10 of 43 from the “Special Residential Townhouse Development Plan – “Prospect Hill Village”” dated November 30, 2023 currently in front of the Bellingham Planning Board and Conservation Commission. Note approximate location of Lot 1 and Lot 2. Scale: 1”=120’ (Note: scale is not true to size on this document)

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5. “In December, 2021, Wall Street filed an application for Preliminary Subdivision Approval with the Bellingham Planning Board. The Preliminary Plan was followed up with the filing of a Definitive Subdivision Plan with both the Bellingham Planning Board and Franklin Planning Board;”

Response: Correct. Please see response to #4 regarding site conditions shown on this filing. Please note that neither the Bellingham nor the Franklin Planning Board oversees the Wetlands Protection Act or the local Wetlands Protection Bylaw (Chapter 181) and its associated Regulations. This approval bears no weight on any decision the Franklin Conservation Commission is tasked with making and Mr. Petrozzi is still required to file with the Franklin Conservation Commission for work proposed on parcels with jurisdiction under the Wetlands Protection Act or local Wetlands Protection Bylaw (Chapter 181) and its associated Regulations.

6. “The Definitive Subdivision Plan shows a 60-foot roadway from Prospect Street in Franklin to provide access to the remaining land in Bellingham. The Bellingham and Franklin Planning Board both approved the Definitive Subdivision Plan in 2023. A copy of the endorsed Plan is attached for your reference along with the certificate of vote of the Franklin Planning Board and other documents approved by the Town of Franklin;”

Response: Correct. Please see response to #4 regarding site conditions shown on this filing. Please note that neither the Bellingham nor the Franklin Planning Board oversees the Wetlands Protection Act or the local Wetlands Protection Bylaw (Chapter 181) and its associated Regulations. This approval bears no weight on any decision the Franklin Conservation Commission is tasked with making and Mr. Petrozzi is still required to file with the Franklin Conservation Commission for work proposed on parcels with jurisdiction under the Wetlands Protection Act or local Wetlands Protection Bylaw (Chapter 181) and its associated Regulations.

7. “The area you indicate that was clear cut is an approved right of way under the subdivision control law. Wall Street is the owner of this area, along with the adjoining Lot 2.”

Response: Mr. Petrozzi is correct that is owns the property, however ownership of property does not circumvent the jurisdiction or required permits needed under the Wetlands Protection Act or the local Wetlands Protection Bylaw (Chapter 181) and associated Regulations. While the phrase “clear cut” was utilized for brevity and plain language, please note the official language provided in the Enforcement Order dated

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May 15, 2024 for parcel 309-018-000-000. An Enforcement Order was not issued for Lot 2, however as Mr. Petrozzi has admitted, unpermitted activities also occurred on Lot 2. The Commission can consider modifying the Enforcement Order to include this Lot.

8. "Wall Street is not aware of any resource areas that are jurisdictional to the wetlands protection act of the Franking Wetland Bylaw. In addition, it does not appear that Wall Street is in violation of any state or local regulations regarding the work undertaken."

Response: Incorrect. Mr. Petrozzi has provided on his volition endorsed plans noting such jurisdiction and has filed a Notice of Intent on March 17, 2024 for proposed work on parcel 309-018-000-000. If this parcel did not have any jurisdictional resources within it, then Mr. Petrozzi would have had no need to file or seek a Superseding Order of Conditions with MassDEP.

With regards to comments made by Mr. Petrozzi that this Enforcement Order was an act of retribution against filing a Request for a Superseding Order of Conditions is also unfortunate and incorrect. The site visit to the property which noted unpermitted activities on parcel 309-018-000-000 was prompted by the many citizen comments the Franklin Conservation Commission received on April 18, 2024 at the first initial public hearing for the Notice of Intent filed March 17, 2024. The Franklin Conservation Agent followed the normal procedure of responding to a violation reported by Franklin residents. These comments are recorded via video, audio, and via meeting minutes. Please note that the Franklin Conservation Agent did not go to the property until April 24, 2024. The first public hearing was on April 18, 2024 with the Request for a Superseding Order of Conditions sought on April 17, 2024. A full seven calendar days transpired between the Request for a Superseding Order of Conditions and the site visit. Furthermore, as demonstrated above and by the attached email, MassDEP was contacted prior to any issuance of the Enforcement Order. The Enforcement Order follows the suggestions of MassDEP and does not enforce anything other than proper construction site management and proper permitting procedure. The Enforcement Order for parcel 309-018-000-000 ordered:

- "The property owner, their agents, permittees, and all other shall immediately cease and desist from any activity affecting the Buffer Zone and/or Resource Areas;
- No further work shall be performed until a public hearing has been held and an Order of Conditions has been issued to regulate said work. Biodegradable compost socks (i.e., erosion/sedimentation controls) shall be installed surrounding the limit of work by May

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31, 2024. Socks shall be inspected and approved by the Conservation Agent once installed. It is the property owner's responsibility to seek confirmation of the erosion/sedimentation controls prior to June 7, 2024."

In summary, the decision to ratify the Enforcement Order for parcel 309-018-000-000 is deferred to the Commission. It is recommended that the Commission discuss modifying the Enforcement Order to include Lot 2 to the Order and approve the proposed timeline for erosion control installation and approval.

Sincerely,

Breeka Li Goodlander, CWS, PWS, CERPIT
Conservation Agent/Natural Resource Protection Manager



CC: Jamie Hellen, Franklin Town Administrator
Amy Frigulietti, Deputy Town Administrator
Mark Cerel, Franklin Town Attorney
Bryan Taberner, Franklin Director of Community and Planning Development
Bellingham Conservation Commission
MassDEP Central Region

ATTACHMENTS (BY DOCUMENTS)

1. Email from Mr. Petrozzi dated May 14, 2024 in receipt of Enforcement Order for parcel 309-018-000-000
2. Email from MassDEP dated April 24, 2024 responding to parameters for issuing an Enforcement Order
3. Endorsed Prospect Hill Estates Subdivision dated December 17, 2021 provided by Mr. Petrozzi in his email dated May 14, 2024
4. Certificate of Vote dated March 13, 2023 provided by Mr. Petrozzi in his email dated May 14, 2024
5. Covenant (i.e., “Deed”) stamped December 01, 2023 provided by Mr. Petrozzi in his email dated May 14, 2024
6. Lot 4, 5, and 6 Order of Conditions
7. “Special Residential Townhouse Development Plan – “Prospect Hill Village” dated November 30, 2023



Breeka Li Goodlander <bgoodlander@franklinma.gov>

Prospect Street - Enforcement

1 message

Lou Petrozzi <lou@wallstreetdevelopment.com>

Tue, May 14, 2024 at 11:42 AM

To: Breeka Li Goodlander <bgoodlander@franklinma.gov>

Cc: "robert.truax" <robert.truax@glmengineering.com>, Paul McManus <pmcmanus@ecotecinc.com>, Richard Nysten <rnylen@ldnllp.com>, Jeff Livingstone <jrl.pharmagenie@gmail.com>, Chris Timson <ctimson@timsonlaw.com>, "mcerel@franklinma.gov" <mcerel@franklinma.gov>, jhellen@franklinma.gov

Good Morning Breeka Li:

I just finished viewing the meeting of the conservation commission on May 2, 2024. During that meeting it appears that you presented inaccurate information to the commission regarding the work undertaken within the area situated in the town of Franklin. In fact, you clearly misrepresented Wall Street's activities by implying that Wall Street "clear cut" the entire area, particularly the area reserved for roadway access into the portion of the property situated in Bellingham. Furthermore, you suggested that an enforcement or cease and desist would be warranted and further implied that Wall Street undertook these activities in complete disregard of the regulations. Since you were not the conservation agent during the initial period when Wall Street acquired the property, these misrepresentations will be excused at this time.

However, for the record and your future reference, let's make sure the information you are presenting to the commission and, perhaps, other municipal officials in the future is accurate and true. Please note the following:

1. Wall Street purchased the property on Prospect Street in October, 2021;
2. Prior to acquiring title to the property, Wall Street filed a notice of intent for each of the lots 4, 5 and 6 with the Franklin conservation commission. The conservation commission subsequently issued an order of conditions for each of the lots in October, 2021;
3. Following the issuance of the orders, lots 4, 5 and 6 were sold and single family homes were construct, all in accordance with the order of conditions issued and the regulations;
4. In addition Wall Street obtained approval of additional lots 1, 2 and 3 with frontage on Prospect Street (outside jurisdiction of the commission). In March, 2022, Wall Street contracted for each of the lots to be cleared for eventual sale and construction;
5. In December, 2021, Wall Street filed an application for preliminary subdivision approval with the Bellingham planning board, The preliminary plan was followed up with the filing of a definitive subdivision plan with both the Bellingham Planning Board and Franklin planning board;
6. The definitive subdivision plan shows a 60-foot roadway from Prospect Street in Franklin to provide access to the remaining land in Bellingham. The Bellingham and Franklin planning board both approved the definitive plan in 2023. A copy of the endorsed plan is attached for your reference along with the certificate of vote of the Franklin planning board and other documents approved by the town of Franklin;
7. The area you indicate that was clear cut is an approved right of way under the subdivision control law. Wall Street is the owner of this area, along with the adjoining Lot 2.
8. Wall Street is not aware of any resource areas that are jurisdictional to the wetlands protection act of the Franking Wetland Bylaw. In addition, it does not appear that Wall Street is in violation of any state or local regulations regarding the work undertaken.

Based on the foregoing, any representation that Wall Street undertook these activities in complete disregard of any rules or regulations is completely erroneous. While, it is not unexpected that the commission, through its agent, may seek to extract retribution or a penalty from Wall Street for seeking a superseding order due to the commission's failure to open a timely public hearing, however, seeking to manipulate and misrepresent facts in order to justify an enforcement action will not be tolerated. In addition, such a misrepresentation tarnishes and discredits Wall Street's reputation as it seeks development permits for its proposed development..

Therefore, it would be appreciated if you would inform the commission that you were mistaken in your initial assessment of the situation and that Wall Street is not in violation of any regulations under the jurisdiction of the Franklin conservation commission. As always should you have any questions or need any additional information, please do not hesitate to contact me.

Lou P.

--

Lou Petrozzi, President
Wall Street Development Corp.
[2 Warthin Circle](#)
[Norwood, MA 02062](#)
O. 617-922-8700
www.wallstreetdevelopment.com

3 attachments



Prospect Hill - Certificate of Vote_23March14.pdf
883K



Prospect Hill Estates Subdivision (Endorsed) - 2023.pdf
3230K



doc00310420240514103930.pdf
1023K



Breeka Li Goodlander <bgoodlander@franklinma.gov>

Re: 00 Prospect Street, Franklin - Superseding Order of Conditions

1 message

Schmitz, Judith (DEP) <judith.schmitz@mass.gov>

Tue, Apr 23, 2024 at 8:48 PM

To: Breeka Li Goodlander <bgoodlander@franklinma.gov>, "CERO_NOI (DEP)" <cero_noi@mass.gov>

Cc: Jeff Livingstone <jrl.pharmagenie@gmail.com>, Mark Cerel <mcerel@franklinma.gov>

Hi Breeka Li,

Unfortunately I am unable to access the photo drive. I am cc'ing Tom Rebula from CERO Wetlands who has been working on the Bellingham appeal. The Commission can issue an Enforcement Order, if work is being conducted within jurisdictional wetland resource areas or Buffer Zone, since no work permitting this work has been issued by the Franklin Conservation Commission or DEP. While an EO instructing the applicant to cease & desist may be appropriate, further instructions to file an NOI may complicate the permitting process at this time. A revised or second EO can always be issued at a future date.

Thanks,

Judy

Judith Schmitz, PWS

Section Chief

Wetlands Program

MassDEP Central Regional Office

[8 New Bond Street](#)

Worcester, MA [01606](#)

(857) 263-0948 [mobile]

Judith.Schmitz@mass.gov

**MassDEP Central Regional Office is currently transitioning our phone system from a desktop-based system to a more flexible mobile-based system. Please note that our main line will remain unchanged. However, as a result of this transition, the direct phone numbers for our staff members will be changing. Kindly take note of my new phone number.*

From: Breeka Li Goodlander <bgoodlander@franklinma.gov>

Sent: Tuesday, April 23, 2024 3:05 PM

To: Schmitz, Judith (DEP) <judith.schmitz@mass.gov>; CERO_NOI (DEP) <cero_noi@mass.gov>

Cc: Jeff Livingstone <jrl.pharmagenie@gmail.com>; Mark Cerel <mcerel@franklinma.gov>

Subject: 00 Prospect Street, Franklin - Superseding Order of Conditions

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

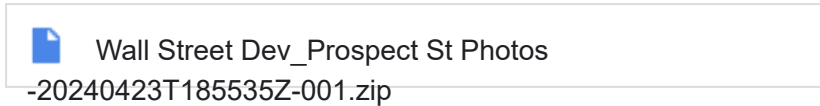
Good Afternoon Central Region,

I wanted to send a follow up email regarding the project currently proposed at 00 Prospect Street in Franklin, MA. The Franklin Conservation Commission opened the public hearing as required last Thursday, April 18. Many residents during the hearing made comments that Wall Street Development, LLC. has already started clearing and altering the property. I conducted a site visit today and did note that the property has been clear cut/significantly altered to 42.0661374,

-71.4561963. I noticed roads have been cut in on the Bellingham side and did take a few photos of roads wetland adjacent.

Typically the Conservation Commission would issue a stop work order and an Enforcement Order requiring the violator to file with the Conservation Commission. However, given the unique nature of this Project, the current request for a Superseding Order of Conditions for work proposed within state jurisdictional resources, and the fact that Wall Street Development, LLC. still has to file under local Bylaw, I wanted to first communicate the violation and send photos to you to receive guidance. I am not apt to propose an Enforcement Order until further direction given the circumstances. Last thing I want to do is muddy the waters!

Photos attached:



Breeka Li (Bree-kah Lie)

Breeka Li Goodlander, CWS, PWS, CERPIT
Conservation Agent/Natural Resource Protection Manager
Town of Franklin
Office: 508.520.4929
bgoodlander@franklinma.gov

Sign up [here](#) to join our Friends of Franklin Conservation stewardship group.
Subscribe [here](#) to receive all the latest Conservation news.

NOTE: I will be out of the office April 26, May 3-9, and May 24-27.

Please allow us three business days to respond to all Conservation inquiries and/or permitting questions. For emergencies, please call (508) 520-4847.

Before printing this e-mail, consider whether it is necessary. Think Green.

This email is intended for municipal / educational use only and must comply with the Town of Franklin and Franklin Public School's policies and state/federal laws. Under Massachusetts Law, any email created or received by an employee of The Town of or Franklin Public Schools is considered a public record. All email correspondence is subject to the requirements of M.G.L. Chapter 66. This email may contain confidential and privileged material for the sole use of the intended recipient. Any review or distribution by others is strictly prohibited. If you are not the intended recipient please contact the sender and delete all copies.

DEFINITIVE SUBDIVISION PLAN "PROSPECT HILL ESTATES" A SINGLE FAMILY RESIDENTIAL SUBDIVISION BELLINGHAM, MASSACHUSETTS

APPROVED BY THE
FRANKLIN PLANNING BOARD:

[Signature]
[Signature]
[Signature]

DATE APPROVED: 3/13/23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE FRANKLIN PLANNING BOARD WAS RECEIVED ON 07/12/2022 AT 11:01 AM, AND NO APPEAL TO THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.

[Signature] 3/13/2023
TOWN CLERK DATE

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY 07/27/22 AND TO BE RECORDED HEREWITH.

TOWN OF FRANKLIN MASSACHUSETTS
PLANNING BOARD
CERTIFICATE OF VOTE
DEFINITIVE SUBDIVISION PROSPECT HILL

CONDITIONS OF DEFINITIVE SUBDIVISION PROSPECT HILL
The Applicant and Town of Franklin Planning Board entered into a Judgement, dated January 5, 2023, filed in the Land Court Department Docket No. 22 MISC 000822. The Stipulated Judgement, included the following conditions:
1. Roadway will always remain private and be maintained by homeowners and Town of Franklin will never have any responsibility to maintain it.
2. To implement condition #1, Developer will execute a private road covenant with Town and establish a homeowners association, both documents to be recorded.

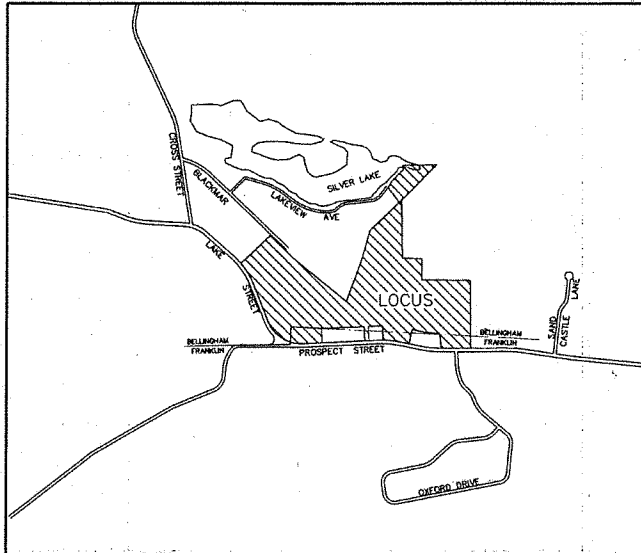
TOWN OF FRANKLIN WAIVERS GRANTED:

- SECTION 300-10.B(4)(b)-Roads shall not provide access to undeveloped land in other towns.
- SECTION 300-10.B(4)(c)-Roads right of way, including cul de sacs, will be setback at least 25-feet from Town lines.

NOTES:

- THE HOMES WILL BE SERVICED BY INDIVIDUAL PRIVATE WELLS AND ONSITE SEWAGE DISPOSAL SYSTEMS.
- THIS PLAN IS THE RESULT OF AN ON-THE-GROUND SURVEY CONDUCTED BY GLM ENGINEERING CONSULTANTS, INC. THE UTILITY LOCATIONS DEPICTED ON THIS PLAN ARE BASED ON FIELD OBSERVATIONS MADE BY GLM ENGINEERING CONSULTANTS, INC. DOTS/PAIN INDICATORS AND/OR RECORD PLAN LOCATIONS. GLM ENGINEERING CONSULTANTS, INC. DOES NOT WARRANT THAT ALL UTILITIES ARE SHOWN OR THAT UTILITIES THAT ARE DEPICTED ARE SHOWN IN THE CORRECT LOCATION OR WITH THE PROPER MATERIAL DESIGNATION. GLM ENGINEERING CONSULTANTS, INC. DOES NOT WARRANT OR PROVIDE AN EXPRESS OR IMPLIED WARRANTY THAT ALL SURFACE IMPROVEMENTS ARE SHOWN CORRECTLY, INCLUDING BUT NOT LIMITED TO UTILITIES, UNDERGROUND VAULTS, TANKS OR CHAMBERS, DUCT BANKS AND/OR OTHER MAN-MADE UNDERGROUND IMPROVEMENTS. GLM ENGINEERING CONSULTANTS, INC. DOES NOT WARRANT THE LOCATION NOR CHARACTER OR SURFACE IMPROVEMENTS. THE OBSERVATION OF WHICH WAS OBSERVED AT THE TIME OF THE SURVEY.
- THE PROPERTY DESCRIBED ON THIS SURVEY LIES WITHIN ZONE 'X' AND ZONE 'A' A SPECIAL FLOOD HAZARD AREA AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THE PROPERTY IS IDENTIFIED AS MAP NUMBER 2501C0304E, EFFECTIVE DATE 07/17/2013. FLOOD ZONE 'X' IS LOCATED WITHIN THE BOROERING VEGETATED WETLAND AREA.

Date: December 17, 2021
Revised: March 2, 2022
July 12, 2022: Oct. 11, 2022
April 5, 2023: Aug. 1, 2023



LOCUS MAP
1"=800'

PREPARED BY:
GLM ENGINEERING CONSULTANTS, INC.
19 EXCHANGE STREET
HOLLISTON, MASSACHUSETTS 01746
(508)429-1100 fax:(508)429-7160

APPLICANT:
WALL STREET DEVELOPMENT CORP.
P.O. BOX 272
WESTWOOD, MASSACHUSETTS

PLAN REFERENCE:
NORFOLK COUNTY REGISTRY OF DEEDS
PLAN No.712 OF 1985
PLAN No.425 OF 1960
PLAN BOOK 323 (No.712 OF 1985)
PLAN BOOK 388 (No.1178 OF 1989)
PLAN BOOK 234 (No.976 OF 1972)
PLAN BOOK 231 (No.392 OF 1972)
RECORD BOOK 661, PAGE 508

OWNERS OF RECORD:

- V.F.M. OF THE U.S., INC.
940 SOUTH MAIN ST.
BELLINGHAM, MA
P.O. BOX 101
BELLINGHAM, MA
- WALL STREET DEVELOPMENT CORP.
P.O. BOX 272
WESTWOOD, MA
- PAUL D. CLARKIN
137 LAMBEVEN AVE.
BELLINGHAM, MA

ASSESSOR'S REFERENCE:

- FRANKLIN:
MAP 308, LOT 018
MAP 308, LOT 079
BELLINGHAM:
MAP 69, LOT 87
MAP 65, LOT 22
MAP 65, LOT 20

ZONING CLASSIFICATIONS:

- AGRICULTURAL
LOT AREA:
Single Family: 80,000 s.f.
Two Family: 160,000 s.f.
FRONTAGE: 200'
SETBACKS:
Front: 30'
SIDE: 15'
REAR: 20'

APPROVED BY THE
BELLINGHAM PLANNING BOARD:

[Signature]
[Signature]
[Signature]
DATE APPROVED: 3/13/23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD WAS RECEIVED ON 07/12/2022 AT 11:01 AM, AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY 07/27/22 AND TO BE RECORDED HEREWITH.

SHEET INDEX

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	KEY SHEET
3	LAYOUT PLAN
4	LAYOUT PLAN
5	LAYOUT PLAN
6	LAYOUT PLAN
7	EXISTING & PROPOSED TOPOGRAPHY
8	EXISTING & PROPOSED TOPOGRAPHY
9	EXISTING & PROPOSED TOPOGRAPHY
10	EXISTING & PROPOSED TOPOGRAPHY
11	PLAN & PROFILE
12	PLAN & PROFILE
13	EROSION CONTROL PLAN
14	EROSION CONTROL PLAN
15	DETAILS
16	DETAILS
17	DETAILS
18	DEGRADED RIVERFRONT
19	WETLAND REPLICATION
20	EXISTING TOPOGRAPHY (40 Scale)
21	EXISTING TOPOGRAPHY (40 Scale)
22	EXISTING TOPOGRAPHY (40 Scale)
23	EXIST & PROP. TOPOGRAPHY (40 Scale)
24	EXIST & PROP. TOPOGRAPHY (40 Scale)
25	EXIST & PROP. TOPOGRAPHY (40 Scale)

I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES & REGULATIONS OF THE REGISTER OF DEEDS.

THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE PROCEDURAL AND TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.



[Signature] 3/13/23
JOYCE E. HADDINS P.L.S. DATE



JOB No.	16.660
DATE:	DEC. 17, 2021
SCALE:	As shown
SHEET:	1 of 25
PLAN #:	27,541

PLAN REFERENCE:
 NORFOLK COUNTY REGISTRY OF DEEDS
 PLAN No.712 OF 1985
 PLAN No.425 OF 1960
 PLAN BOOK 323 (No.712 OF 1985)
 PLAN BOOK 388 (No.1176 OF 1989)
 PLAN BOOK 234 (No.976 OF 1972)
 PLAN BOOK 231 (No.392 OF 1972)
 RECORD BOOK 861, PAGE 506

OWNERS OF RECORD:
 1. V.F.W. OF THE U.S., INC
 940 SOUTH MAIN ST.
 BELLINGHAM, MA
 P.O. BOX 101
 BELLINGHAM, MA

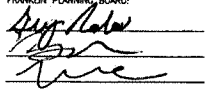
2. WALL STREET DEVELOPMENT CORP.
 P.O. BOX 272
 WESTWOOD, MA

3. PAUL D. CLARON
 137 LAKEVIEW AVE.
 BELLINGHAM, MA


ASSESSOR'S REFERENCE:
FRANKLIN:
 MAP 309, LOT 018
 MAP 308, LOT 079

BELLINGHAM:
 MAP 69, LOT 87
 MAP 65, LOT 22
 MAP 65, LOT 20

ZONING CLASSIFICATIONS:
 AGRICULTURAL
 LOT AREA:
 Single Family: 80,000 s.f.
 Two Family: 160,000 s.f.
 FRONTAGE: 200'
 SETBACKS:
 Front: 30'
 Side: 15'
 Rear: 20'

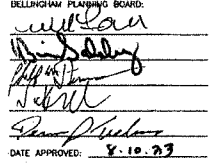
APPROVED BY THE
 FRANKLIN PLANNING BOARD:


DATE APPROVED: 3/13/23

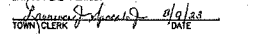
THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE FRANKLIN PLANNING BOARD WAS RECORDED ON 3/13/23 AT 11:41 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
 TOWN CLERK:  DATE

TOWN OF FRANKLIN WAIVERS GRANTED:
 1. SECTION 300-10.B(4)(b)-Roads shall not provide access to undeveloped land in other towns.
 2. SECTION 300-10.B(4)(d)-Roads right of way, including cut de areas, will be setback of least 25-feet from town lines.

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY DATED 3/17/2023, AND TO BE RECORDED HERewith.

APPROVED BY THE
 BELLINGHAM PLANNING BOARD:


DATE APPROVED: 3.10.23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD WAS REVEYED ON Mar 17 2023 AT 10:00 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
 TOWN CLERK:  DATE

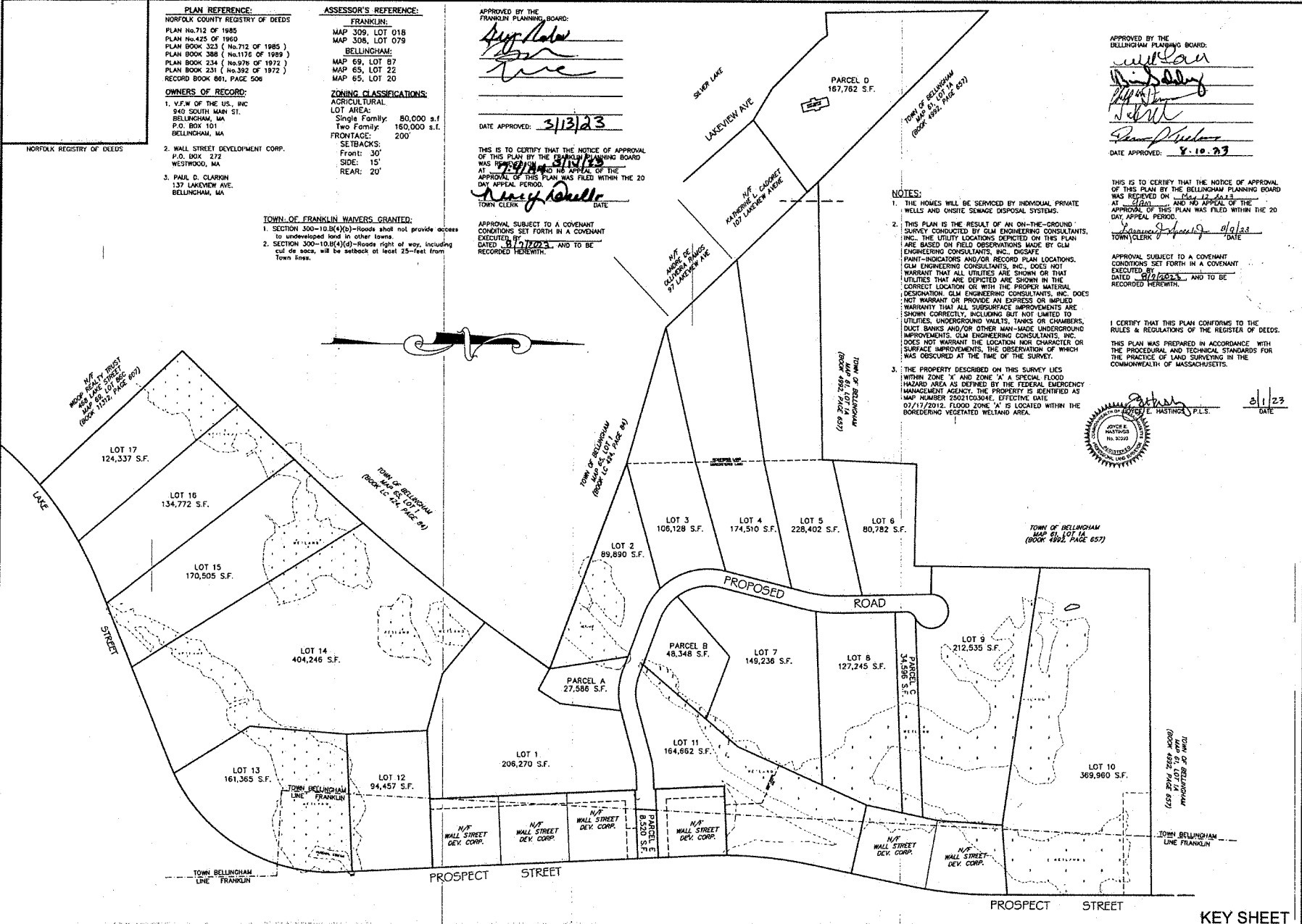
APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY DATED 3/17/2023, AND TO BE RECORDED HERewith.

I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES & REGULATIONS OF THE REGISTER OF DEEDS. THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE PROCEDURAL AND TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.

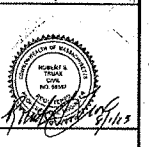


3/1/23
 DATE

NOTES:
 1. THE HOMES WILL BE SERVED BY INDIVIDUAL PRIVATE WELLS AND ONSITE SEWAGE DISPOSAL SYSTEMS.
 2. THIS PLAN IS THE RESULT OF AN ON-THE-GROUND SURVEY CONDUCTED BY GLM ENGINEERING CONSULTANTS, INC. THE UTILITY LOCATIONS DEPICTED ON THIS PLAN ARE BASED ON FIELD OBSERVATIONS MADE BY GLM ENGINEERING CONSULTANTS, INC., DIGSAFE PART-INDICATORS AND/OR RECORD PLAN LOCATIONS. GLM ENGINEERING CONSULTANTS, INC. DOES NOT WARRANT THAT ALL UTILITIES ARE SHOWN OR THAT UTILITIES THAT ARE DEPICTED ARE SHOWN IN THE CORRECT LOCATION OR WITH THE PROPER MATERIAL DESIGNATION. GLM ENGINEERING CONSULTANTS, INC. DOES NOT WARRANT OR PROVIDE AN EXPRESS OR IMPLIED WARRANTY THAT ALL SURFACE IMPROVEMENTS ARE SHOWN CORRECTLY, INCLUDING BUT NOT LIMITED TO UTILITIES, UNDERGROUND VAULTS, TANKS OR CHAMBERS, DIRT BANKS AND/OR OTHER MAN-MADE UNDERGROUND IMPROVEMENTS. GLM ENGINEERING CONSULTANTS, INC. DOES NOT WARRANT THE LOCATION NOR CHARACTER OR SURFACE IMPROVEMENTS, THE OBSERVATION OF WHICH WAS OCCURRED AT THE TIME OF THE SURVEY.
 3. THE PROPERTY DESCRIBED ON THIS SURVEY LIES WITHIN ZONE 'X' AND ZONE 'A' SPECIAL FLOOD HAZARD AREA AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THE PROPERTY IS IDENTIFIED AS MAP NUMBER 280210304K. EFFECTIVE DATE 07/17/2012. FLOOD ZONE 'A' IS LOCATED WITHIN THE BORDERING VEGETATED WETLAND AREA.



NO.	DATE	DESCRIPTION
1	03/07/2022	Conservation Application
2	07/17/2022	Conservation (20 State Plan)
3	04/25/2023	Site Comments
4	04/25/2023	Planning Board Decision
5	03/07/2023	Planning Board Decision



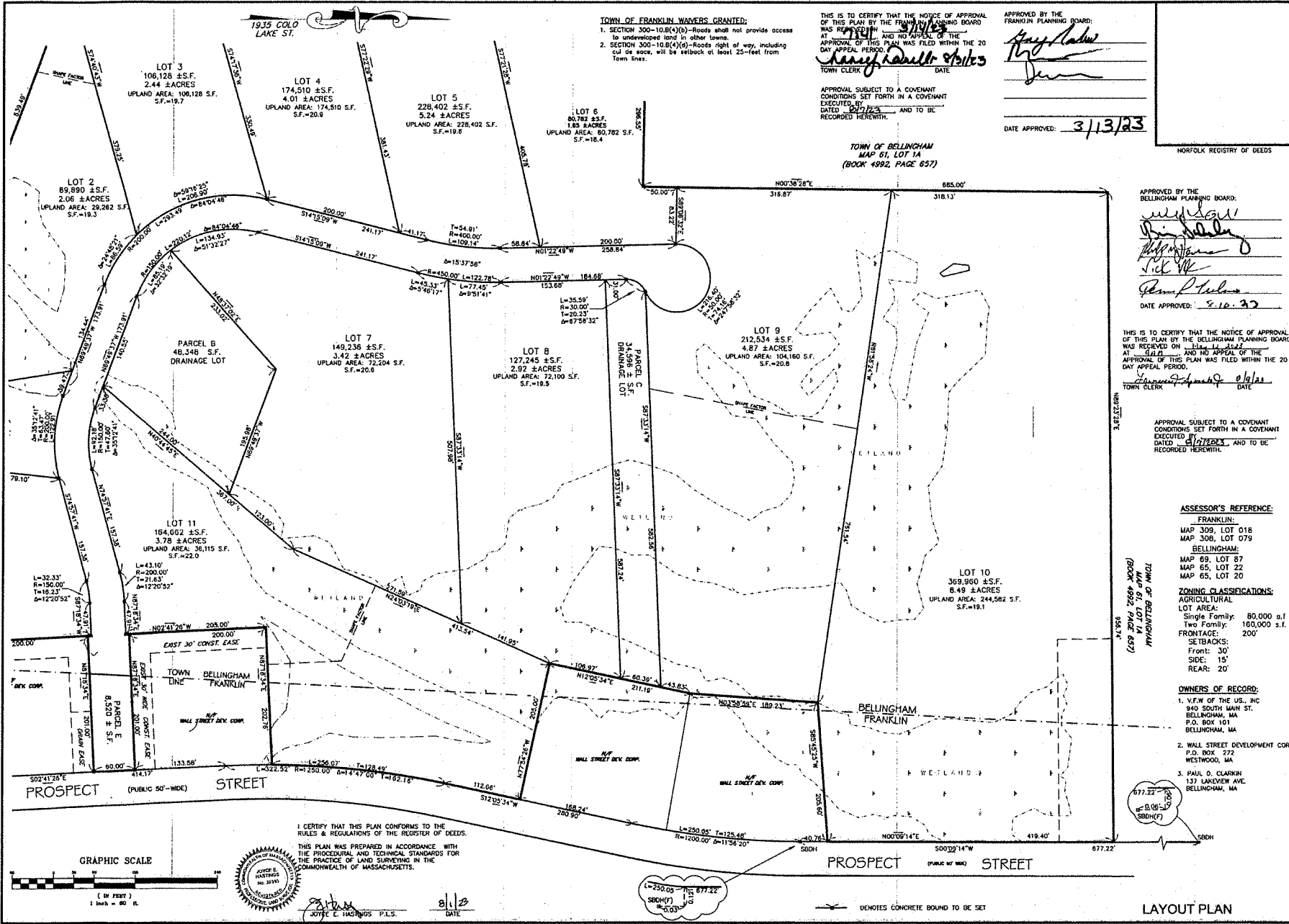
**DEFINITIVE SUBDIVISION PLAN
 PROSPECT HILL ESTATES
 BELLINGHAM, MASSACHUSETTS**

PREPARED FOR:
 WALL STREET DEVELOPMENT CORP.
 WESTWOOD, MASSACHUSETTS

GLM Engineering Consultants, Inc.
 19 EXCHANGE STREET
 HOLLISTON, MA 01746
 P: 508-429-1100
 F: 508-429-7160
 www.GLMengineering.com

JOB No. 16.590
 DATE: DEC. 17, 2021
 SCALE: 1"=120'
 SHEET: 2 of 25
 PLAN #: 27,541

KEY SHEET



TOWN OF FRANKLIN WAIVERS GRANTED:
 1. SECTION 300-10.8(4)(a) - Roads shall not provide access to undeveloped land in other towns.
 2. SECTION 300-10.8(4)(c) - Roads right of way, including cut or slope, will be setback of least 25-feet from Town lines.

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE FRANKLIN PLANNING BOARD WAS RECEIVED ON 3/13/23 AT 10:15 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
 TOWN CLERK Christine G. Gifford DATE

APPROVED BY THE FRANKLIN PLANNING BOARD:
[Signature]
[Signature]
 DATE APPROVED: 3/13/23

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY DATED 5/17/23 AND TO BE RECORDED HERewith.

TOWN OF BELLINGHAM
 MAP 61, LOT 14
 (BOOK 4992, PAGE 657)

APPROVED BY THE BELLINGHAM PLANNING BOARD:
[Signature]
[Signature]
[Signature]
 DATE APPROVED: 5.10.23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD WAS RECEIVED ON 5.10.23 AT 11:00 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
 TOWN CLERK [Signature] DATE

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY DATED 5/17/23 AND TO BE RECORDED HERewith.

ASSESSOR'S REFERENCE:

- FRANKLIN:
 MAP 309, LOT 018
 MAP 308, LOT 079
- BELLINGHAM:
 MAP 69, LOT 87
 MAP 65, LOT 22
 MAP 65, LOT 20
- ZONING CLASSIFICATIONS:
 AGRICULTURAL
 LOT AREA:
 Single Family: 80,000 s.f.
 Two Family: 160,000 s.f.
 FRONTAGE: 200'
 SETBACKS:
 Front: 30'
 Side: 15'
 Rear: 20'

OWNERS OF RECORD:

- V.F.W. OF THE U.S., INC
 940 SOUTH MAIN ST.
 BELLINGHAM, MA
 P.O. BOX 101
 BELLINGHAM, MA
- WALL STREET DEVELOPMENT CORP.
 P.O. BOX 272
 WESTWOOD, MA
- PAUL O. CLARKIN
 137 LAKEMAN AVE.
 BELLINGHAM, MA

NO.	DATE	DESCRIPTION
1	03/02/2022	Consentation Application
2	03/17/2022	Review (No Scale Plan)
3	03/27/2023	Review to Corrections
4	04/05/2023	Planning Board
5	05/01/2023	Planning Board Decision

APPROVED BY THE BELLINGHAM PLANNING BOARD:
[Signature]
[Signature]
 DATE APPROVED: 5.10.23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD WAS RECEIVED ON 5.10.23 AT 11:00 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
 TOWN CLERK [Signature] DATE

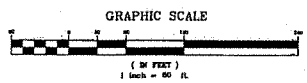
APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY DATED 5/17/23 AND TO BE RECORDED HERewith.

DEFINITIVE SUBDIVISION PLAN
PROSPECT HILL ESTATES
BELLINGHAM, MASSACHUSETTS

PREPARED FOR:
 WALL STREET DEVELOPMENT CORP.
 WESTWOOD, MASSACHUSETTS

CLM Engineering Consultants, Inc.
 19 EXCHANGE STREET
 HOLLISTON, MA 01746
 P: 508-429-1100
 F: 508-428-7180
 www.CLMEngineering.com

JOB No.	18.590
DATE:	DEC. 17, 2021
SCALE:	1"=60'
SHEET:	3 of 25
PLAN #:	27.541



NORFOLK REGISTRY OF DEEDS

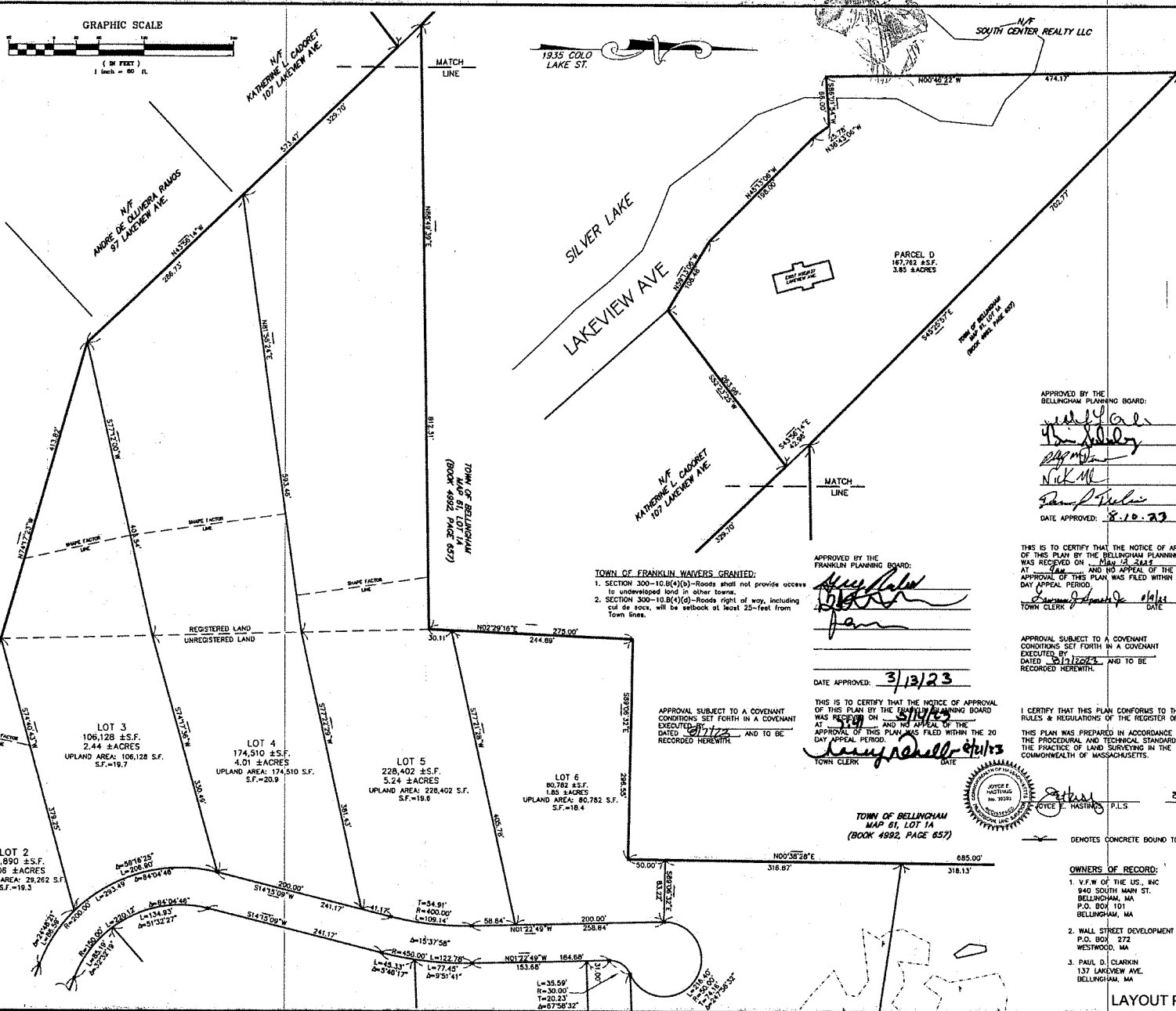
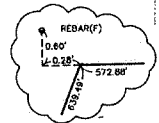
ASSESSOR'S REFERENCE:

FRANKLIN:
MAP 309, LOT 018
MAP 308, LOT 079

BELLINGHAM:
MAP 69, LOT 87
MAP 65, LOT 22
MAP 65, LOT 20

ZONING CLASSIFICATIONS:

AGRICULTURAL
LOT AREA:
Single Family: 80,000 s.f.
Two Family: 160,000 s.f.
FRONTAGE: 200'
SETBACKS:
Front: 30'
SIDE: 15'
REAR: 20'



APPROVED BY THE BELLINGHAM PLANNING BOARD:
[Signatures]
DATE APPROVED: 8.10.23

TOWN OF FRANKLIN WAIVERS GRANTED:
1. SECTION 300-10.6(4)(b)-Roads shall not provide access to undeveloped land in other towns.
2. SECTION 300-10.8(4)(d)-Roads right of way, including cut de socs, will be setback at least 25-feet from Town lines.

APPROVED BY THE FRANKLIN PLANNING BOARD:
[Signatures]

DATE APPROVED: 3/13/23

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY DATED 3/13/23 AND TO BE RECORDED HEREWITH.

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE FRANKLIN PLANNING BOARD WAS RECEIVED ON 3/13/23 AT 1:19 AND THE APPEAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
TOWN CLERK: *[Signature]* DATE: 3/13/23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD WAS RECEIVED ON 3/13/23 AT 1:19 AND NO APPEAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
TOWN CLERK: *[Signature]* DATE: 3/13/23

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY DATED 3/13/23 AND TO BE RECORDED HEREWITH.

I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES & REGULATIONS OF THE REGISTER OF DEEDS. THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE PROCEDURAL AND TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.

[Signature]
JOYCE E. HASTINGS, P.L.S. 3/1/23
DATE

DEMOTES CONCRETE BOUND TO BE SET

OWNERS OF RECORD:

- V.F.W. OF THE U.S., INC
840 SOUTH MAIN ST.
BELLINGHAM, MA
P.O. BOX 101
BELLINGHAM, MA
- WALL STREET DEVELOPMENT CORP.
P.O. BOX 272
WESTWOOD, MA
- PAUL D. CLARKIN
137 LAKEVIEW AVE.
BELLINGHAM, MA

LAYOUT PLAN

NO.	DATE	DESCRIPTION
1	03/13/23	Consolidation Application
2	07/12/2023	Consolidation (40 Sheet Plan)
3	10/11/2023	Response to Comments
4	04/05/2023	Planning Board
5	03/01/2023	Planning Board Decision



**DEFINITIVE SUBDIVISION PLAN
PROSPECT HILL ESTATES
BELLINGHAM, MASSACHUSETTS**

PREPARED FOR:
WALL STREET DEVELOPMENT CORP.
WESTWOOD, MASSACHUSETTS

GLM Engineering Consultants, Inc.
19 EXCHANGE STREET
HOLLISTON, MA 01746
P: 508-428-1100
F: 508-428-7160
www.GLMengineering.com

JOB No. 16.590
DATE: DEC. 17, 2021
SCALE: 1"=60'
SHEET: 4 of 25
PLAN #: 27.541

APPROVED BY THE BELLINGHAM PLANNING BOARD:

William
W. Smith
Mike
Dan

DATE APPROVED: 9.10.23

APPROVED BY THE FRANKLIN PLANNING BOARD:

Sgt. Robert
...

DATE APPROVED: 3/13/22

TOWN OF FRANKLIN WAIVERS GRANTED:

- SECTION 300-10.B(4)(b)-Roads shall not provide access to undeveloped land in other towns.
- SECTION 300-10.B(4)(e)-Roads right of way, including cut & back, will be setback at least 25-feet from Town Lines.

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE FRANKLIN PLANNING BOARD WAS RECEIVED ON 3/13/22 AT 9:14 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.

Handwritten signature
TOWN CLERK

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY DATED 8/17/23 AND TO BE RECORDED HEREWITH.

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD WAS RECEIVED ON 9.10.23 AT 1:00 PM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.

Handwritten signature
TOWN CLERK

OWNERS OF RECORD:

- V.F.W. OF THE U.S., INC
840 SOUTH MAIN ST.
BELLINGHAM, MA
P.O. BOX 101
BELLINGHAM, MA
- WALL STREET DEVELOPMENT CORP.
P.O. BOX 272
WESTWOOD, MA
- PAUL D. CLARON
137 LAKEVIEW AVE.
BELLINGHAM, MA

ASSESSOR'S REFERENCE:

- FRANKLIN:
MAP 309, LOT 018
MAP 308, LOT 079
BELLINGHAM:
MAP 69, LOT 87
MAP 65, LOT 22
MAP 65, LOT 20

ZONING CLASSIFICATIONS:

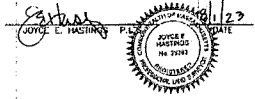
- AGRICULTURAL
LOT AREA:
Single Family: 80,000 ± ft.
Two Family: 180,000 ± ft.
FRONTAGE: 200'
SETBACKS:
Front: 30'
Side: 15'
Rear: 20'

NORFOLK REGISTRY OF DEEDS

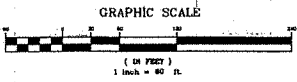
APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY DATED 8/17/23 AND TO BE RECORDED HEREWITH.

I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES & REGULATIONS OF THE REGISTER OF DEEDS.

THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE PROCEDURAL AND TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.



--- DENOTES CONCRETE BOUND TO BE SET



LAKE STREET

LAKE STREET

LOT 13
161,365 ± S.F.
3.70 ± ACRES
UPLAND AREA: 72,124 S.F.
S.F.=15.3

LOT 12
94,457 ± S.F.
2.17 ± ACRES
UPLAND AREA: 86,584 S.F.
S.F.=17.2

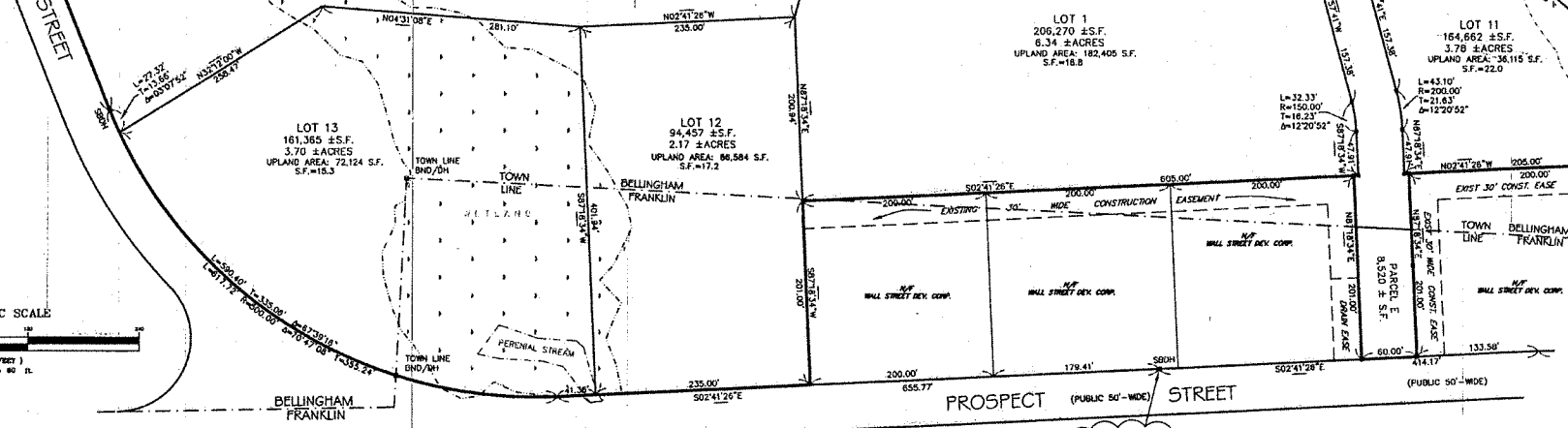
LOT 14
404,246 ± S.F.
9.28 ± ACRES
UPLAND AREA: 292,971 S.F.
S.F.=18.0

LOT 1
206,270 ± S.F.
6.34 ± ACRES
UPLAND AREA: 182,408 S.F.
S.F.=18.8

LOT 11
164,662 ± S.F.
3.78 ± ACRES
UPLAND AREA: 36,115 S.F.
S.F.=22.0

LOT 2
89,890 ± S.F.
2.06 ± ACRES
UPLAND AREA: 29,282 S.F.
S.F.=19.3

LOT 3
106,128 ± S.F.
2.44 ± ACRES
UPLAND AREA: 106,128 S.F.
S.F.=19.7



No.	DATE	DESCRIPTION
1	03/02/2022	Conservation Application
2	07/12/2022	Conservation (40 Scale Plan)
3	10/11/2022	Response to Comments
4	04/05/2023	Planning Board
5	09/07/2023	Planning Board Decision



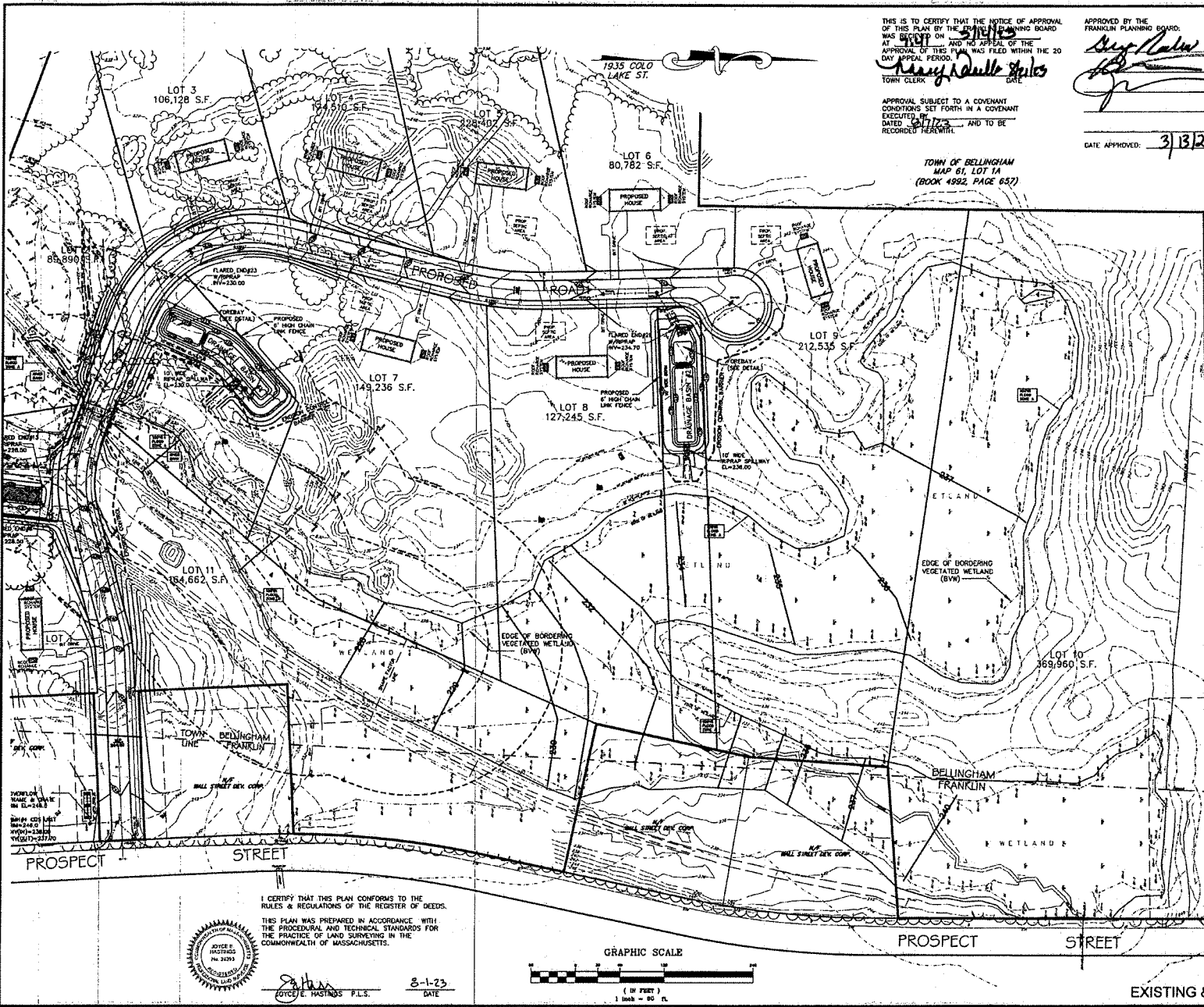
DEFINITIVE SUBDIVISION PLAN
PROSPECT HILL ESTATES
BELLINGHAM, MASSACHUSETTS

PREPARED FOR:
WALL STREET DEVELOPMENT CORP.
P.O. BOX 272
WESTWOOD, MASSACHUSETTS

CLM Engineering Consultants, Inc.
19 EXCHANGE STREET
HOLLISTON, MA 01746
P: 508-429-1100
F: 508-429-7160
www.CLEngineering.com

JOB No. 16,590
DATE: DEC. 17, 2021
SCALE: 1"=80'
SHEET: 5 of 25
PLAN #: 27,541

LAYOUT PLAN



THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD WAS RECEIVED ON 3/13/23 AT 11:12 AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.

Nancy A. Gault Spikes
TOWN CLERK DATE

APPROVED BY THE FRANKLIN PLANNING BOARD:

Steph Calver
[Signature]

DATE APPROVED: 3/13/23

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY DATED 5/17/2023 AND TO BE RECORDED HERewith.

TOWN OF BELLINGHAM
MAP 61, LOT 1A
(BOOK 4992, PAGE 657)

APPROVED BY THE BELLINGHAM PLANNING BOARD:

William
[Signature]
[Signature]
[Signature]

DATE APPROVED: 1.10.23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD WAS RECEIVED ON May 13, 2023 AT 11:21 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.

Deanna J. Spinks, 01918
TOWN CLERK DATE

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY DATED 5/17/2023 AND TO BE RECORDED HERewith.

ASSESSOR'S REFERENCE:
FRANKLIN:
MAP 309, LOT 018
MAP 308, LOT 079

BELLINGHAM:
MAP 69, LOT 87
MAP 65, LOT 22
MAP 65, LOT 20

ZONING CLASSIFICATIONS:
AGRICULTURAL
LOT AREA:
Single Family: 80,000 s.f.
Two Family: 160,000 s.f.
FRONTAGE: 200'
SETBACKS:
Front: 30'
SIDE: 15'
REAR: 20'

OWNERS OF RECORD:
1. V.F.W. OF THE U.S., INC
140 SOUTH MAIN ST.
BELLINGHAM, MA
P.O. BOX 101
BELLINGHAM, MA

2. WALL STREET DEVELOPMENT CORP.
P.O. BOX 272
WESTWOOD, MA

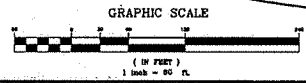
3. PAUL D. CLARKIN
137 LAKEVIEW AVE.
BELLINGHAM, MA



I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES & REGULATIONS OF THE REGISTER OF DEEDS.

THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE PROCEDURAL AND TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.

[Signature]
LOUCEE HASTINGS P.L.L.C.
DATE: 3-1-23



EXISTING & PROPOSED TOPOGRAPHY

REVISIONS	DATE	DESCRIPTION
1	03/02/2023	Conservation Application
2	07/12/2022	Conservation (40 Scale Plan)
3	10/11/2022	Response to Comments
4	04/05/2023	Planning Board
5	08/07/2023	Planning Board Decision

NO.	DATE	DESCRIPTION
1	03/02/2023	Conservation Application
2	07/12/2022	Conservation (40 Scale Plan)
3	10/11/2022	Response to Comments
4	04/05/2023	Planning Board
5	08/07/2023	Planning Board Decision

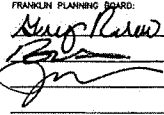


DEFINITIVE SUBDIVISION PLAN
PROSPECT HILL ESTATES
BELLINGHAM, MASSACHUSETTS

PREPARED FOR:
WALL STREET DEVELOPMENT CORP.
P.O. BOX 272
WESTWOOD, MASSACHUSETTS

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F: 508-429-7160
www.GLMengineering.com

JOB No. 10,590
DATE: DEC. 17, 2021
SCALE: 1"=60'
SHEET: 7 of 25
PLAN#: 27,541

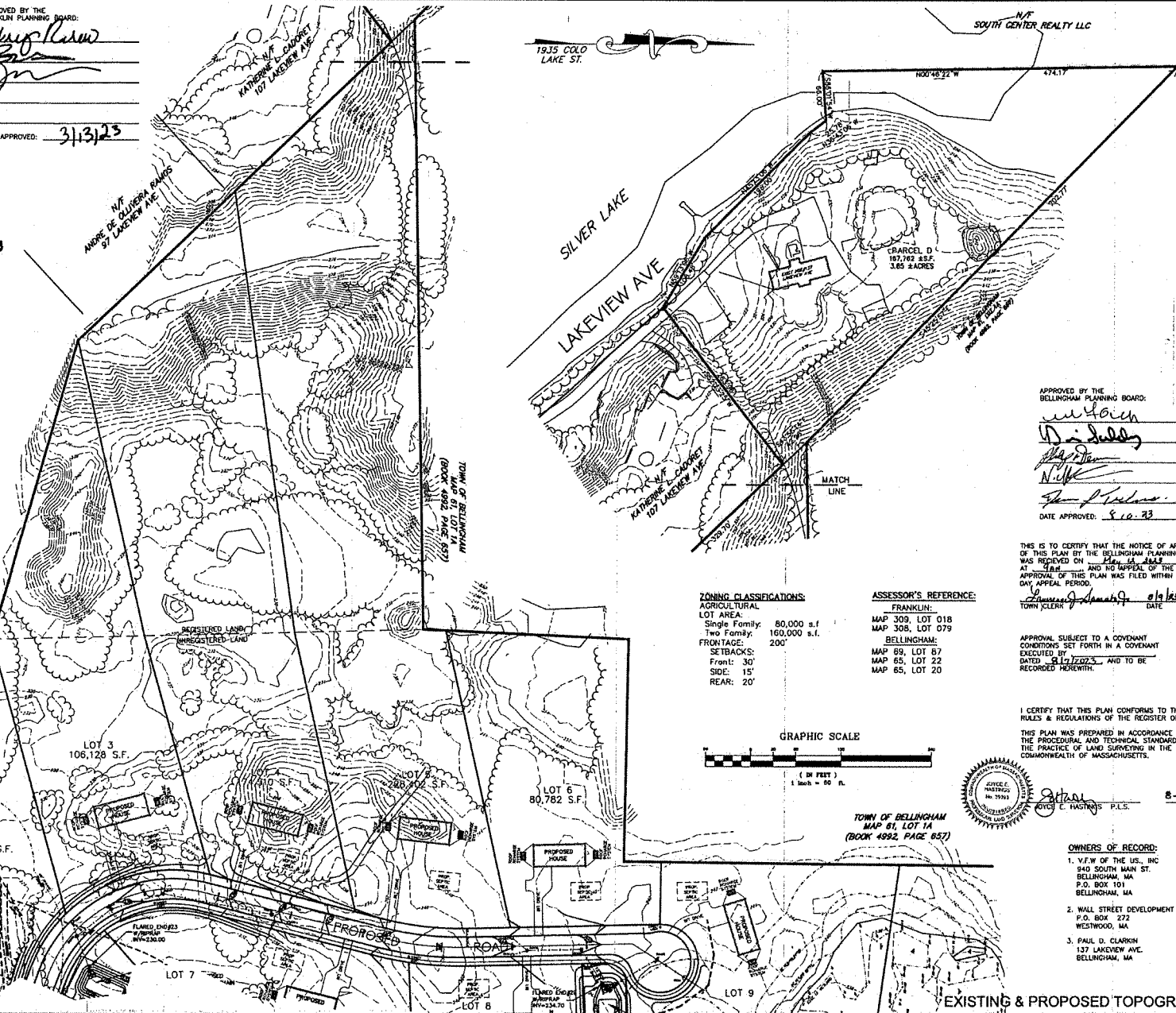
APPROVED BY THE FRANKLIN PLANNING BOARD:

 DATE APPROVED: 3/13/23

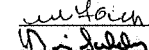
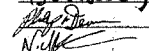
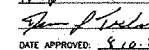
NORFOLK REGISTRY OF DEEDS

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE FRANKLIN PLANNING BOARD WAS RECEIVED ON 1/14/23 AT 4:14 AM AND THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
 David Adams
 TOWN CLERK DATE

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY THE TOWN OF FRANKLIN, MA AND TO BE DATED 8/17/23, AND TO BE RECORDED HERewith.

- LEGEND**
- EXISTING UTILITY POLE
 - EXISTING HYDRANT
 - EXISTING WATER LINE
 - EXISTING CONTOUR LINE
 - PROPOSED CONTOUR LINE
 - PROPOSED CATCH BASIN
 - PROPOSED DRAIN MANHOLE
 - PROPOSED DRAIN LINE
 - PROPOSED CAPE COD BORN
 - WETLAND DELINEATION FLAG
 - DEEP HOLE TEST PIT

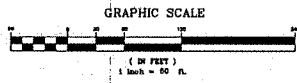


APPROVED BY THE BELLINGHAM PLANNING BOARD:



 DATE APPROVED: 8.10.23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD WAS RECEIVED ON 8.10.23 AT 4:14 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
 David Adams
 TOWN CLERK DATE

ZONING CLASSIFICATIONS:
 AGRICULTURAL
 LOT AREA:
 Single Family: 60,000 s.f.
 Two Family: 160,000 s.f.
 FRONTAGE: 200'
 SETBACKS:
 Front: 30'
 Side: 15'
 Rear: 20'

ASSESSOR'S REFERENCE:
 FRANKLIN:
 MAP 309, LOT 018
 MAP 308, LOT 079
 BELLINGHAM:
 MAP 89, LOT 87
 MAP 65, LOT 22
 MAP 65, LOT 20



I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES & REGULATIONS OF THE REGISTER OF DEEDS. THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE PROCEDURAL AND TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.



DAVID C. FRAZIER, P.L.S.
 DATE: 8-1-23

- OWNERS OF RECORD:**
1. V.F.W. OF THE U.S., INC
 840 SOUTH MAIN ST.
 BELLINGHAM, MA 01746
 P.O. BOX 101
 BELLINGHAM, MA
 2. WALL STREET DEVELOPMENT CORP.
 P.O. BOX 272
 WESTWOOD, MA
 3. PAUL D. CLARRIN
 137 LAKEVIEW AVE.
 BELLINGHAM, MA

NO.	DATE	DESCRIPTION
1	03/07/2022	Conservation Application
2	07/27/2022	Conservation (2) Scale Plan
3	08/01/2023	Conservation (2) Scale Plan
4	04/05/2023	Planning Board
5	08/01/2023	Planning Board Decision

DEFINITIVE SUBDIVISION PLAN
 PROSPECT HILL ESTATES
 BELLINGHAM, MASSACHUSETTS

PREPARED FOR:
 WALL STREET DEVELOPMENT CORP.
 P.O. BOX 272
 WESTWOOD, MASSACHUSETTS

GLM Engineering Consultants, Inc.
 18 EXCHANGE STREET
 HOLLISTON, MA 01746
 P: 508-429-1100
 F: 508-429-7160
 www.GLMengineering.com

JOB No. 18,590
 DATE: DEC. 17, 2021
 SCALE: 1"=60'
 SHEET: 8 of 25
 PLAN #: 27,541

APPROVED BY THE BELLINGHAM PLANNING BOARD:

[Signatures]

DATE APPROVED: 9.10.23

ASSESSOR'S REFERENCE:

FRANKLIN:
MAP 309, LOT 018
MAP 308, LOT 079

BELLINGHAM:
MAP 89, LOT 87
MAP 65, LOT 22
MAP 65, LOT 20

ZONING CLASSIFICATIONS:

AGRICULTURAL
LOT AREA:
Single Family: 80,000 s.f.
Two Family: 100,000 s.f.
FRONTAGE: 200'
SETBACKS:
Front: 30'
SIDE: 15'
REAR: 20'

OWNERS OF RECORD:

- V.F.W. OF THE U.S., INC.
840 SOUTH MAIN ST.
BELLINGHAM, MA
P.O. BOX 101
BELLINGHAM, MA
- WALL STREET DEVELOPMENT CORP.
P.O. BOX 272
WESTWOOD, MA
- PAUL D. CLARKIN
137 LAKEVIEW AVE.
BELLINGHAM, MA

LEGEND

- EXISTING UTILITY POLE
- EXISTING HYDRANT
- EXISTING WATER LINE
- EXISTING CONTAINER LINE
- PROPOSED CONTAINER LINE
- PROPOSED CATCH BASIN
- PROPOSED DRAIN MANHOLE
- PROPOSED DRAIN LINE
- PROPOSED CAPE COD BERM
- WETLAND DELINEATION FLAG
- DEEP HOLE TEST PIT



I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES & REGULATIONS OF THE REGISTER OF DEEDS. THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE PROCEDURAL AND TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.



James C. Hastings, P.L.S. DATE: 8-1-23

NORFOLK REGISTRY OF DEEDS

APPROVED BY THE FRANKLIN PLANNING BOARD:

[Signatures]

DATE APPROVED: 3/13/23

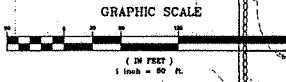
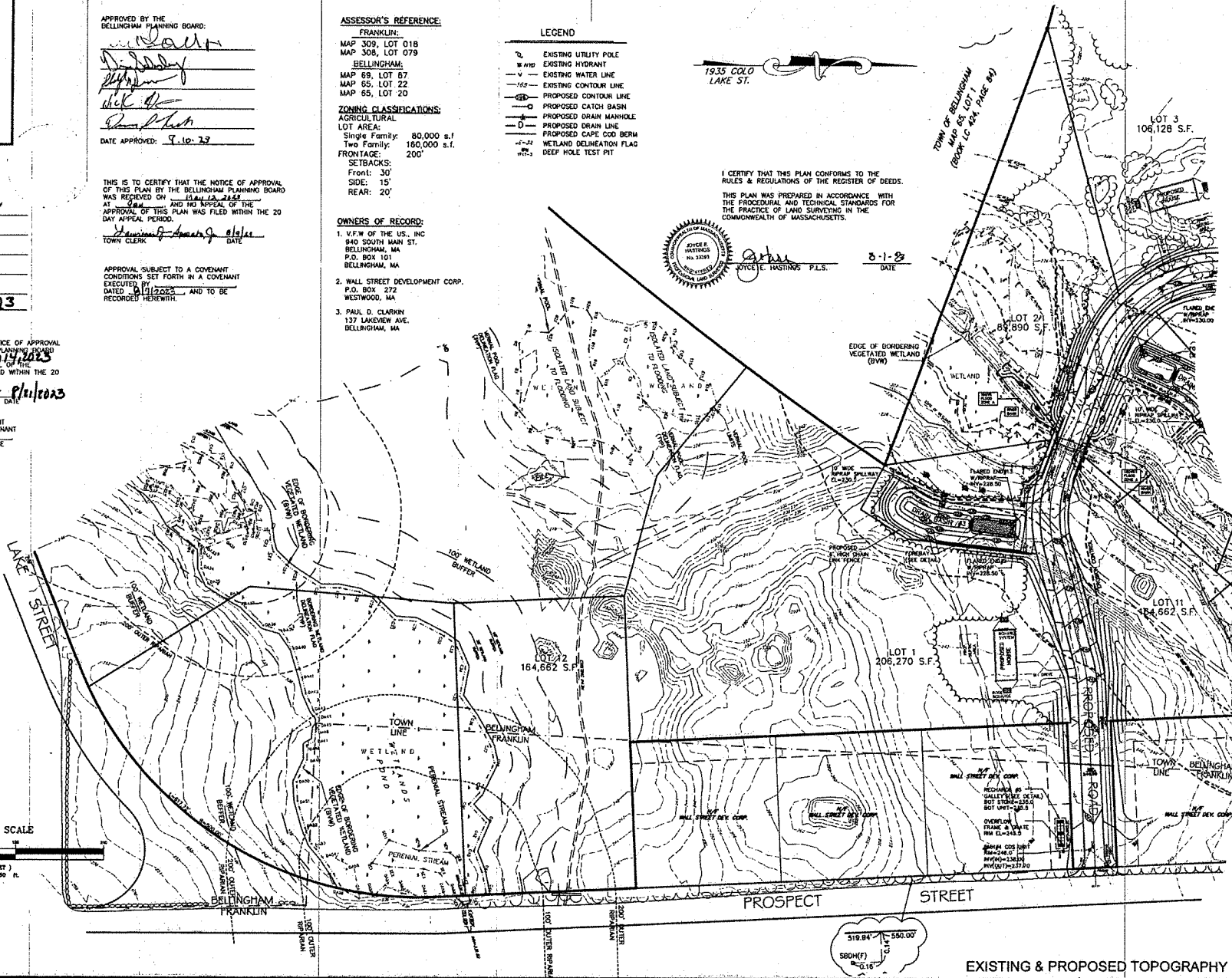
THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE FRANKLIN PLANNING BOARD WAS RECEIVED ON 3/13/23 AND THE APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.

[Signature] DATE: 3/13/23

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY DATED 3/13/23 AND TO BE RECORDED HERewith.

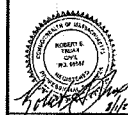
THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD WAS RECEIVED ON 3/13/23 AND THE APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY DATED 3/13/23 AND TO BE RECORDED HERewith.



EXISTING & PROPOSED TOPOGRAPHY

NO.	DATE	DESCRIPTION
1	10/02/2023	Conservation Application
2	07/12/2023	Conservation (40 Scale Plan)
3	10/11/2022	Response to Comments
4	04/05/2023	Planning Board
5	08/01/2023	Planning Board Decision



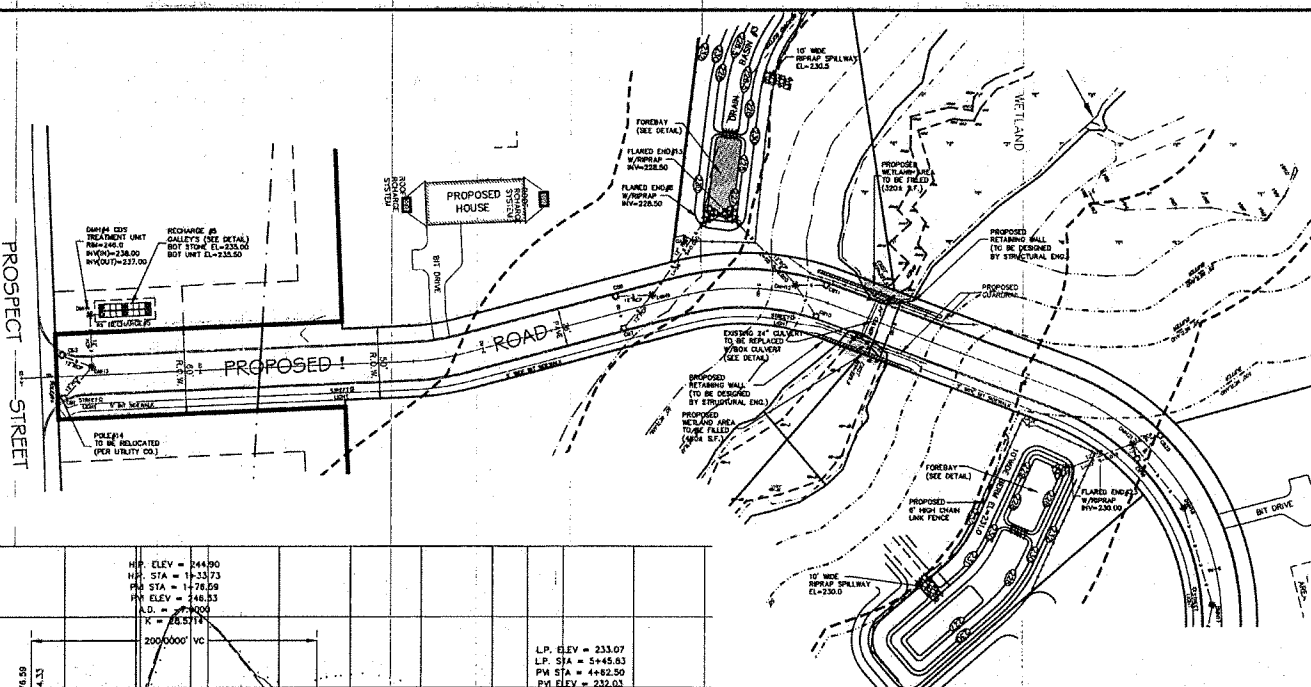
DEFINITIVE SUBDIVISION PLAN
PROSPECT HILL ESTATES
BELLINGHAM, MASSACHUSETTS

PREPARED FOR:
WALL STREET DEVELOPMENT CORP.
WESTWOOD, MASSACHUSETTS

GLM Engineering Consultants, Inc.
19 EXCHANGE STREET
HOLLISTON, MA 01746
P: 508-429-1100
F: 508-429-7160
www.GLMengineering.com

JOB No. 18.590
DATE: DEC. 17, 2021
SCALE: 1"=80'
SHEET: 9 of 25
PLAN #: 27.541

PROSPECT STREET



APPROVED BY THE BELLINGHAM PLANNING BOARD
[Signature]
[Signature]
[Signature]
 DATE APPROVED: 1.10.23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD WAS RECEIVED ON 12/12/22 AT 10:00 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
 TOWN CLERK: *[Signature]* DATE: 1/10/23

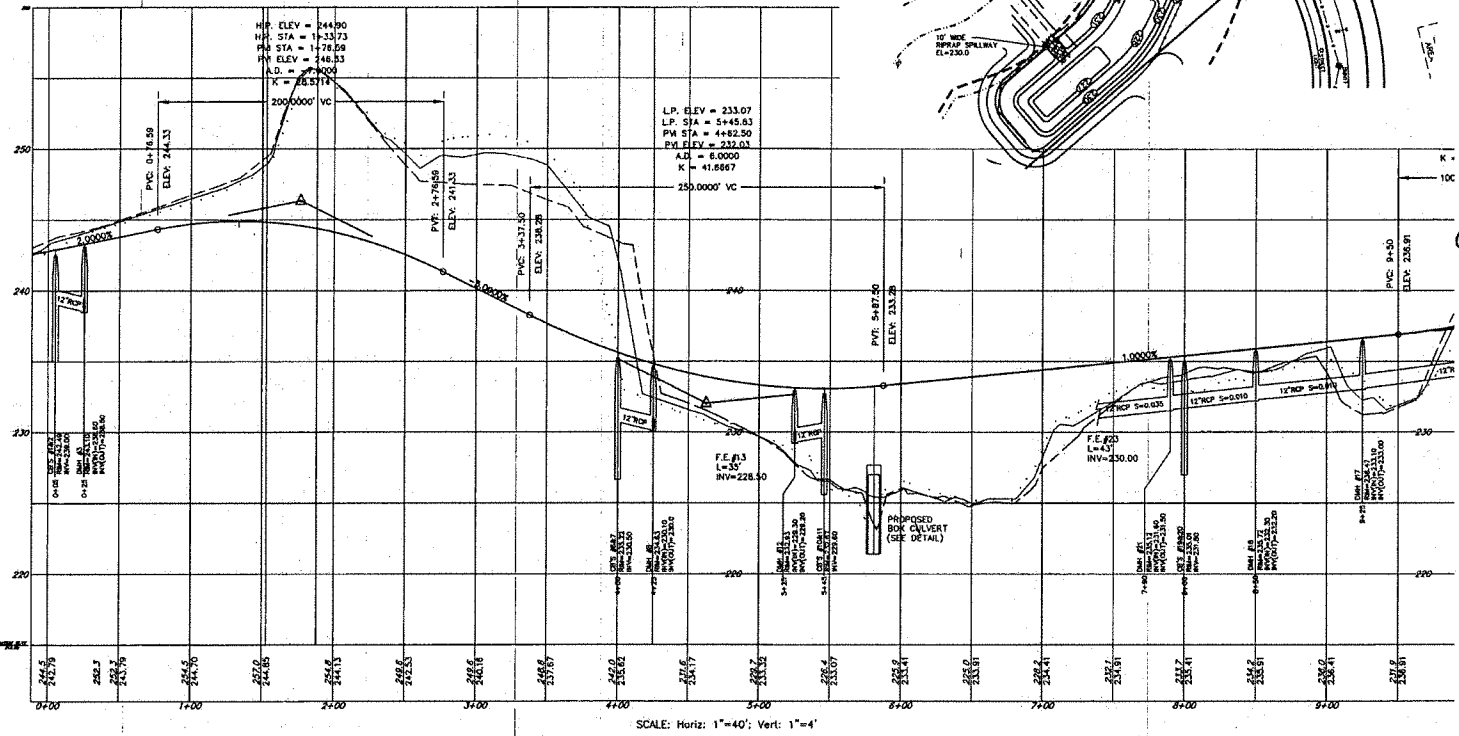
APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXCERPT DATED 07/12/23 AND TO BE RECORDED HERewith.

- LEGEND
- EXISTING UTILITY POLE
 - EXISTING HYDRANT
 - EXISTING WATER LINE
 - EXISTING CONTOUR LINE
 - PROPOSED CONTOUR LINE
 - PROPOSED CATCH BASIN
 - PROPOSED DRAIN MANHOLE
 - PROPOSED DRAIN LINE
 - PROPOSED CAPE CODE BERM
 - WETLAND DELINEATION FLAG
 - DEEP HOLE TEST PIT

APPROVED BY THE FRANKLIN PLANNING BOARD
[Signature]
[Signature]
 DATE APPROVED: 3/13/23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE FRANKLIN PLANNING BOARD WAS RECEIVED ON 3/13/23 AT 10:00 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
 TOWN CLERK: *[Signature]* DATE: 3/13/23

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXCERPT DATED 07/12/23 AND TO BE RECORDED HERewith.



SCALE: Horiz: 1"=40'; Vert: 1"=4'

PLAN & PROFILE

NO.	DATE	DESCRIPTION
1	03/02/2022	Conservation Application
2	07/12/2022	Conservation (40 State Plan)
3	10/11/2022	Response to Comments
4	04/05/2023	Planning Board
5	08/07/2023	Planning Board Decision

DEFINITE SUBDIVISION PLAN
 BELLINGHAM HILL-ESTATES
 BELLINGHAM, MASSACHUSETTS

PREPARED FOR:
 WALL STREET DEVELOPMENT CORP.
 P.O. BOX 272
 WESTWOOD, MASSACHUSETTS

CLM Engineering Consultants, Inc.
 18 EXCHANGE STREET
 HOLLISTON, MA 01748
 P: 508-429-1100
 F: 508-429-7160
 www.CLMEngineering.com

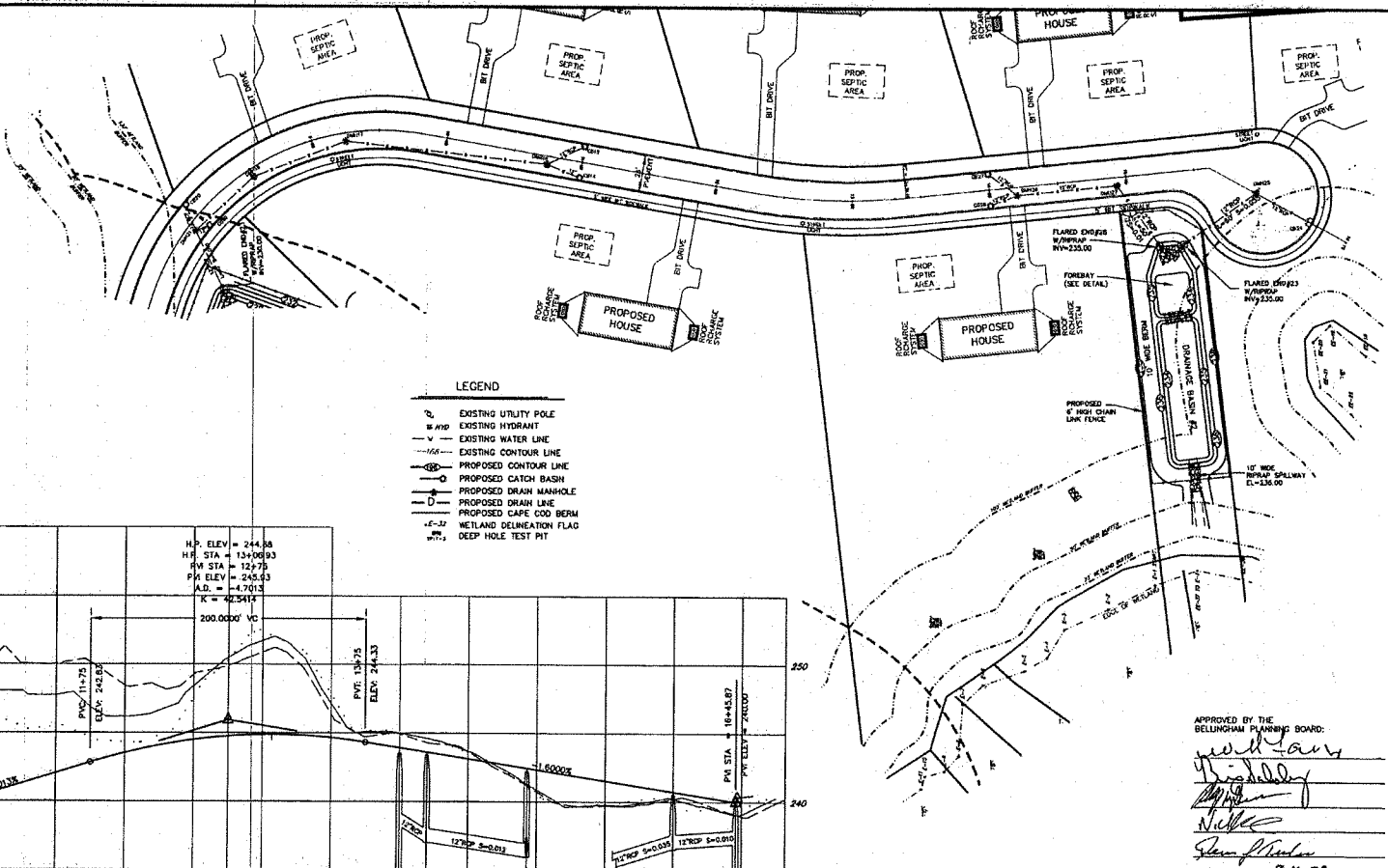
JOB No. 18,590
 DATE: DEC. 17, 2021
 SCALE: 1"= 40'
 SHEET: 11 of 25
 PLAN #: 27,541

APPROVED BY THE FRANKLIN PLANNING BOARD:
[Signature]

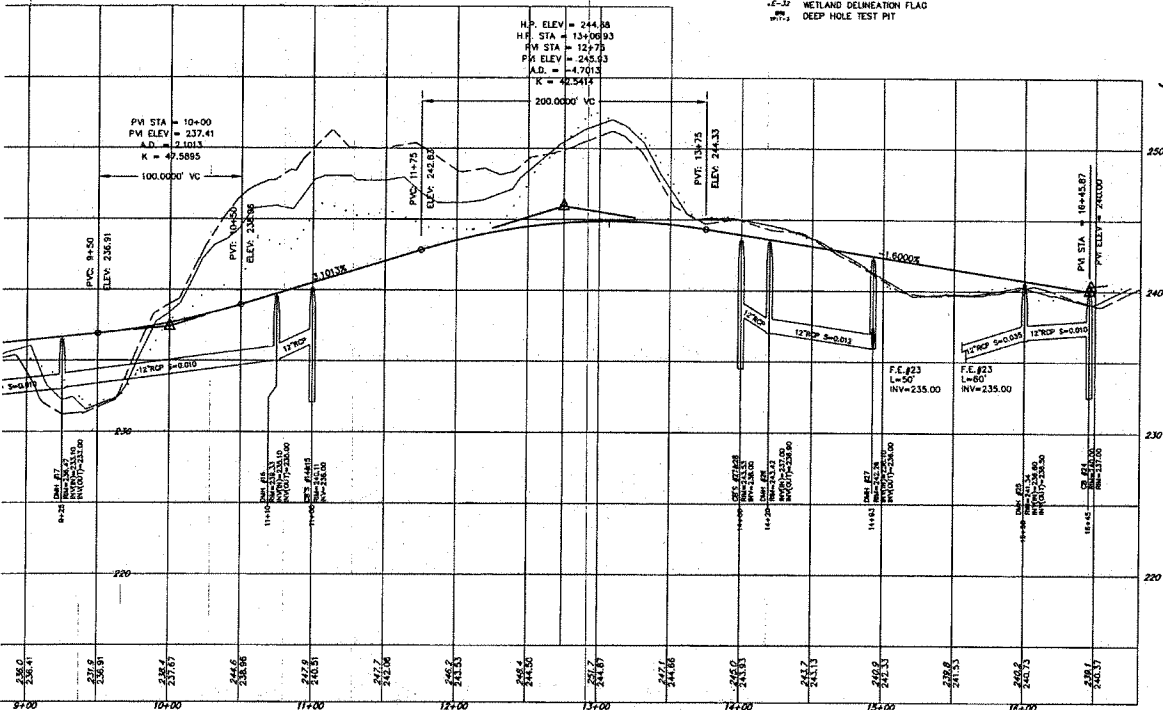
DATE APPROVED: 3/13/23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE FRANKLIN PLANNING BOARD WAS RECEIVED ON MAY 17, 2022 AT 11:44 AM AND THE APPEAL OF THIS APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
 TOWN CLERK Nancy Hanley DATE 5/17/2023

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY [Signature] DATED 5/17/23 AND TO BE RECORDED HERewith.



- LEGEND**
- EXISTING UTILITY POLE
 - H—D EXISTING HYDRANT
 - V— EXISTING WATER LINE
 - W— EXISTING WATER LINE
 - A— EXISTING CONTOUR LINE
 - C— PROPOSED CONTOUR LINE
 - PROPOSED CATCH BASIN
 - PROPOSED DRAIN MANHOLE
 - D— PROPOSED DRAIN LINE
 - D— PROPOSED CAPE COD BERM
 - F—W— WETLAND DELINEATION FLAG
 - T— DEEP HOLE TEST PIT



APPROVED BY THE BELLINGHAM PLANNING BOARD:
[Signature]
 DATE APPROVED: 5-10-23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD WAS RECEIVED ON MAY 17, 2022 AT 11:44 AM AND THE APPEAL OF THIS APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
 TOWN CLERK Nancy Hanley DATE 5/17/2023

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY [Signature] DATED 5/17/23 AND TO BE RECORDED HERewith.

NO.	DATE	DESCRIPTION
1	10/02/2022	CONSERVATION ASSASSON
2	07/12/2023	Conservation (40 Same Plan)
3	10/11/2022	Response to Comments
4	04/05/2023	Planning Board
5	10/01/2023	Planning Board Decision

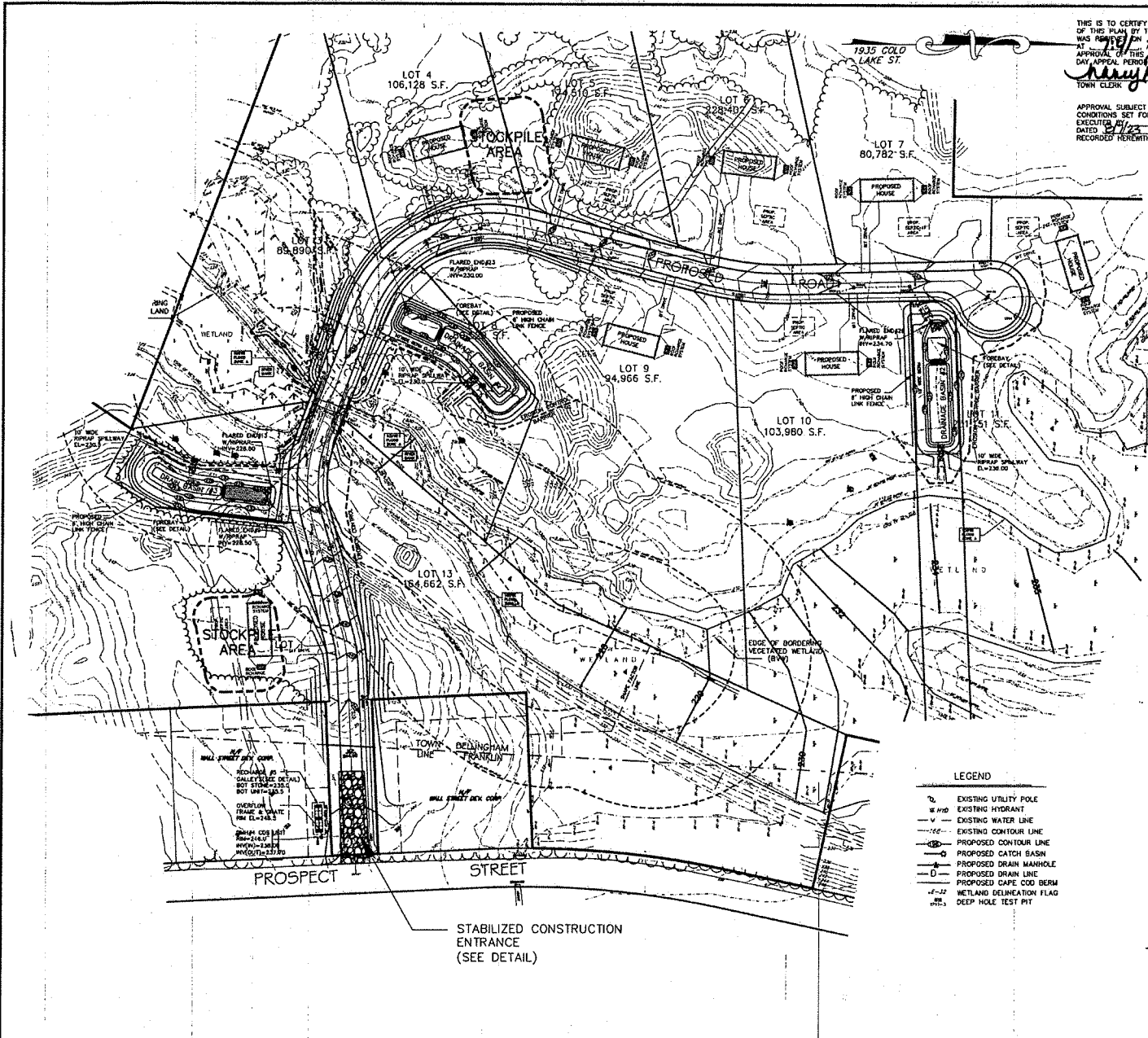


**DEFINITIVE SUBDIVISION PLAN
 PROSPECT HILL ESTATES
 BELLINGHAM, MASSACHUSETTS**

REVISIONS FOR:
 WALL STREET DEVELOPMENT CORP.
 P.O. BOX 272
 WESTWOOD, MASSACHUSETTS

GLM Engineering
 Consultants, Inc.
 19 EXCHANGE STREET
 HOLLISTON, MA 01746
 P: 508-429-1100
 F: 508-429-7160
 www.GLMengineering.com

JOB No.	16,590
DATE:	DEC. 17, 2021
SCALE:	1"= 40'
SHEET:	12 of 25
PLAN#	27,541



THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE FRANKLIN PLANNING BOARD WAS RECEIVED ON 2/19/23 AT 10:00 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
 TOWN CLERK Christine Stebbins DATE

APPROVED BY THE FRANKLIN PLANNING BOARD:
[Signature]
 DATE APPROVED: 3/13/23

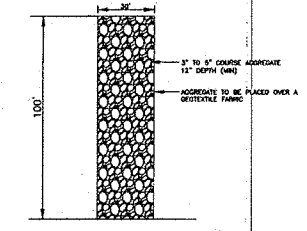
APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXCLUDED BY DATE 8/1/23 AND TO BE RECORDED HERewith.

APPROVED BY THE BELLINGHAM PLANNING BOARD:
[Signature]
[Signature]
[Signature]
 DATE APPROVED: 8.10.23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD WAS RECEIVED ON July 13, 2023 AT 10:00 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
 TOWN CLERK Christine Stebbins DATE

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXCLUDED BY DATE 8/1/23 AND TO BE RECORDED HERewith.

- LEGEND
- EXISTING UTILITY POLE
 - EXISTING HYDRANT
 - EXISTING WATER LINE
 - EXISTING CONTOUR LINE
 - PROPOSED CONTOUR LINE
 - PROPOSED CATCH BASIN
 - PROPOSED DRAIN MANHOLE
 - PROPOSED DRAIN LINE
 - PROPOSED CAPE COD BERM
 - WETLAND DELINEATION FLAG
 - DEEP HOLE TEST PIT



PROSPECT STREET
 STABILIZED CONSTRUCTION ENTRANCE DETAIL
 NOT TO SCALE

REVISIONS	NO.	DATE	DESCRIPTION
	1	03/07/2023	Conservation Application
	2	07/12/2023	Conservation (40 Scale Plan)
	3	07/12/2023	Response to Comments
	4	08/02/2023	Planning Board
	5	08/10/2023	Planning Board Decision

DEFINITIVE SUBDIVISION PLAN
 PROSPECT HILL ESTATES
 BELLINGHAM, MASSACHUSETTS

PREPARED FOR:
 WALL STREET DEVELOPMENT CORP.
 P.O. BOX 272
 WESTWOOD, MASSACHUSETTS

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 F: 508-429-7160
 www.CLMEngineering.com

JOB No. 16,590
 DATE: DEC. 17, 2021
 SCALE: 1"=60'
 SHEET: 13 of 25
 PLAN #: 27,541

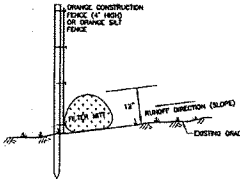
EROSION AND SEDIMENTATION CONTROL:

1. PRIOR TO ANY DISTURBANCE OR ALTERATIONS ON ANY AREA ON THE SITE, THE FILTER MITT SEDIMENT BARRIER SHALL BE INSTALLED IN THE LOCATIONS SHOWN ON THE SITE PLAN.
2. BARRIERS SHALL BE CONSTRUCTED AS SHOWN ON THE FILTER MITT DETAIL WITH CONSTRUCTION FENCE DETAIL ABOVE.
3. ONCE INSTALLED, THE FILTER MITT SEDIMENT BARRIERS SHALL BE MAINTAINED IN PLACE UNTIL ALL AREAS UPGRADIENT FROM THE BARRIERS HAVE BEEN STABILIZED AS SPECIFIED HEREIN. UPON COMPLETION AND STABILIZATION OF THE PROJECT, THE FILTER MITT AND CONSTRUCTION FENCE SHALL BE REMOVED.
4. THE ORANGE CONSTRUCTION FENCE IS INTENDED TO ACT AS A LIMIT OF DISTURBANCE. ANY LAND DOWN GRADIENT FROM THE FENCE ACCIDENTALLY DISTURBED SHALL BE IMMEDIATELY REPAIRED AND RESTORED TO ORIGINAL CONDITION.
5. EROSION CONTROL MEASURES SHALL BE MONITORED ON A DAILY BASIS, OR AS NEEDED, AND BE REINFORCED, REPAIRED, OR REPLACED WHEN NEEDED, PER JUDGEMENT OF THE SITE FOREMAN AND/OR TOWN OF BELLINGHAM REPRESENTATIVE.
6. TEMPORARY VEGETATION COVER SHALL BE ESTABLISHED ON ALL DISTURBED AREAS WHERE CONSTRUCTION ACTIVITIES TEMPORARILY CEASE FOR AT LEAST 30 DAYS. AREAS SHALL BE STABILIZED WITH TEMPORARY SEED, IF THE SEASON PREVENTS THE ESTABLISHMENT OF A VEGETATIVE COVER. DISTURBED AREAS SHALL BE MULCHED AND THEN SEEDED WHEN WEATHER CONDITIONS ALLOW.
7. THE FIRST ONE-HUNDRED FIFTY (100) FEET OF THE PROPOSED ENTRANCE AT PROSPECT STREET SHALL HAVE A CONSTRUCTION ENTRANCE PAD(SEE DETAIL).
8. WATER SPRAYING SHALL BE UTILIZED ON ALL DISTURBED AREAS DURING DRY WEATHER TO PREVENT DUST. A WATER TRUCK SHALL BE KEPT ON SITE AT ALL TIMES DURING THE DURING THE SUMMER MONTHS OF CONSTRUCTION.
9. FOLLOWING CONSTRUCTION OF THE CATCH BASIN STRUCTURES, A SILTATION BARRIER SHALL BE SET AROUND THE INLET FOR EACH STRUCTURE TO PREVENT SEDIMENT FROM ENTERING THE DRAINAGE SYSTEM. (SEE DETAIL)
10. NO SLOPES, EITHER TEMPORARY OR PERMANT SHALL BE STEEPER THAN TWO TO 1 (2:1).
11. STREET SWEEPING SHALL BE DONE AS NEEDED BASIS ALONG PROSPECT STREET TO THE LIMITS OF SEDIMENT TRACKING.
12. STOCKPILE MATERIAL SHALL BE SECURED AROUND THE PERIMETER WITH EROSION CONTROL BARRIERS.

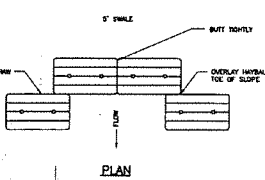
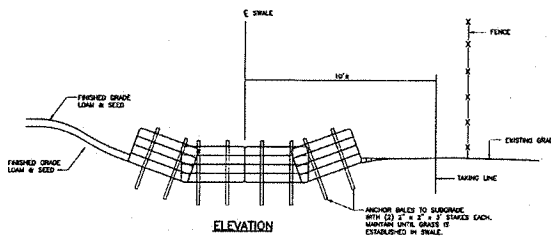
MAINTENANCE:

1. THE CONTRACTOR SHALL HAVE ON SITE AN ADEQUATE QUANTITY OF SUPPLEMENTAL HAYBALES AND/OR SILT SOCK TO BE USED FOR CONTROL OF EMERGENCY EROSION PROBLEMS.
2. ALL EROSION CONTROL MEASURES SHALL BE INSPECTED WEEKLY.
3. THE CONTRACTOR SHALL MONITOR DAILY WEATHER AND PRIOR TO ANY PREDICTED RAIN STORM, THE EROSION BARRIERS SHALL BE INSPECTED AND NEW ONES SUPPLEMENTED IN ANY AREAS OF POSSIBLE CONCENTRATED RUNOFF.
4. SEDIMENT CHECK DAMS MAY BE INSTALLED IN AREA OF HIGH CONCENTRATION OF SURFACE RUNOFF.(SEE DETAIL)
5. ALL EQUIPMENT SHALL BE STORED IN THE DESIGNATED STAGING AREA.

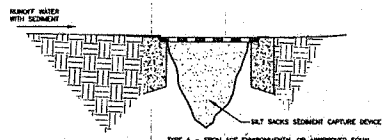
A MORE DETAILED SEDIMENT AND EROSION CONTROL PLAN WILL BE DEVELOPED AS PART OF THE NPDES STORMWATER POLLUTION PREVENTION PLAN.



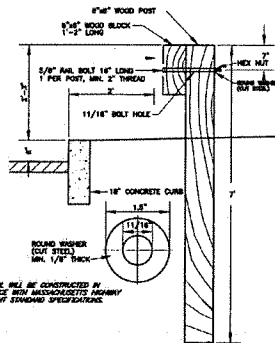
EROSION CONTROL BARRIER FILTER MITT W/ CONSTRUCTION FENCE DETAIL
N.T.S.



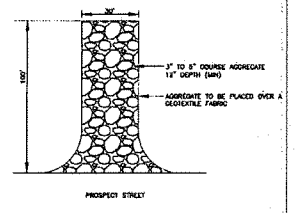
SEDIMENT CHECK DAM DETAIL
N.T.S.



SILT SACK CATCH BASIN INLET
NOT TO SCALE



SINGLE FACE GUARD RAIL WITH WOOD POST
N.T.S.



STABILIZED CONSTRUCTION ENTRANCE PAD DETAIL
NOT TO SCALE

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD WAS RECEIVED ON 3/13/23 AT 10:11 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
TOWN CLERK Amy Daulton DATE

APPROVED BY THE BELLINGHAM PLANNING BOARD:
[Signature]
[Signature]

DATE APPROVED: 3/13/23

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY [Signature] AND TO BE RECORDED HEREWITH.

APPROVED BY THE BELLINGHAM PLANNING BOARD:
[Signature]
[Signature]
[Signature]
DATE APPROVED: 3.10.23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD WAS RECEIVED ON 3/10/23 AT 10:11 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
TOWN CLERK [Signature] DATE

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY [Signature] AND TO BE RECORDED HEREWITH.

NO.	DATE	DESCRIPTION
1	03/02/2022	Conservation Application
2	07/12/2022	Conservation L&D (Scale Plan)
3	10/11/2022	Response to Comments
4	04/05/2023	Planning Board
5	06/07/2023	Planning Board Decision



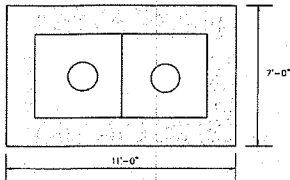
DEFINITIVE SUBDIVISION PLAN
PROSPECT HILL ESTATES
BELLINGHAM, MASSACHUSETTS

PREPARED FOR:
WALL STREET DEVELOPMENT CORP.
P.O. BOX 272
WESTWOOD, MASSACHUSETTS

GLM Engineering Consultants, Inc.
19 EXCHANGE STREET
HOLLISTON, MA 01746
P: 508-428-1100
F: 508-428-7160
www.GLMEngineering.com

JOB No. 16.590
DATE: DEC 17, 2021
SCALE: 1"=60'
SHEET: 14 of 25
PLAN #: 27,541

EROSION CONTROL PLAN

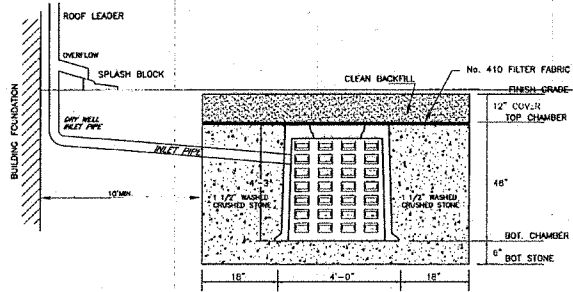


2 - 4X4X4 GALLEYS W/STONE

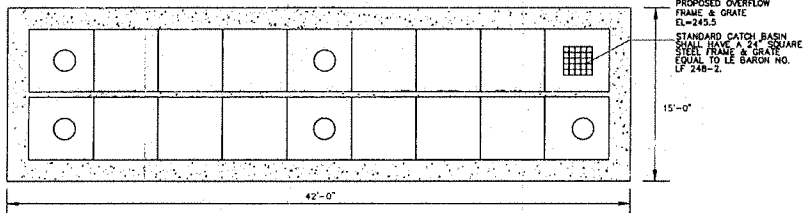
- NOTES:
1. ALL ROOF RUNOFF SHALL BE DIRECTED TO A RECHARGE SYSTEM. (SEE PLAN)
 2. INSTALLED TWO SYSTEMS PER DWELLING, EACH SYSTEM TO CAPTURE APPROXIMATELY 1/2 THE ROOF AREA.

- NOTES:
1. CONCRETE: 4,000 PSI MINIMUM AFTER 28 DAYS.
 2. DESIGNED FOR H-20 LOADING.
 3. GALLEYS TO BE PLACED AGAINST ONE ANOTHER AS INDICATED ON THE GRADING PLAN ON A STONE BASE, WITH 10" OF STONE ALL AROUND.
 4. STONE SHALL MEET SECTION HEAD 2 OF THE MHD SPECIFICATIONS.

TWO RECHARGE SYSTEMS PER DWELLING

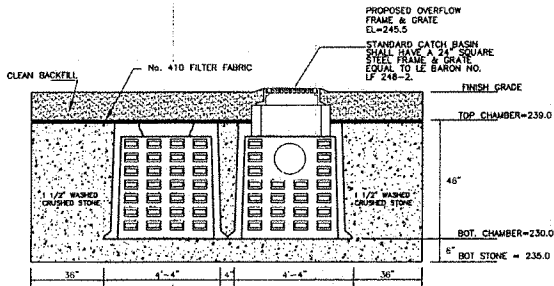


ROOF RECHARGE SYSTEM DETAIL
N.T.S.



2 ROWS 9 GALLEYS PER ROW
TOTAL 18 4x4x4 GALLEYS

- PROPOSED OVERFLOW FRAME & GRATE
EL-245.5
- STANDARD CATCH BASIN SHALL HAVE A 24" SQUARE STEEL FRAME & GRATE EQUAL TO LE BARDON NO. LF 248-2.



STORWATER RECHARGE SYSTEM #5
N.T.S.

- NOTES:
1. CONCRETE: 4,000 PSI MINIMUM AFTER 28 DAYS.
 2. DESIGNED FOR H-20 LOADING.
 3. GALLEYS TO BE PLACED AGAINST ONE ANOTHER AS INDICATED ON THE GRADING PLAN ON A STONE BASE, WITH 36" OF STONE ALL AROUND.
 4. STONE SHALL MEET SECTION HEAD 2 OF THE MHD SPECIFICATIONS.

EQUAL: EJ MASS. MUNICIPAL
FRAME: 8" Hgt. 0MA54000008
GRATE: SQUARE HOLE 0MA52000075

NOTES

1. All construction shall conform to the Town of Bellingham Planning Board Rules and Regulations and Department of Public Works standards and details.
2. Sidewalk ramps must meet current applicable ADA / AAD standards.



NOTE: IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION.
DIGSAFE IS TO BE NOTIFIED 72 WORKING HOURS IN ADVANCE OF CONSTRUCTION.
DIGSAFE 1-800-344-7233

APPROVED BY THE FRANKLIN PLANNING BOARD:

[Signatures]

DATE APPROVED: 3/13/23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE FRANKLIN PLANNING BOARD WAS RECEIVED ON 3/13/23 AT 11:11 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.

TOWN CLERK: *[Signature]* DATE: 3/13/23

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY *[Signature]* DATED 8/2/23 AND TO BE RECORDED HEREWITH.

APPROVED BY THE BELLINGHAM PLANNING BOARD:

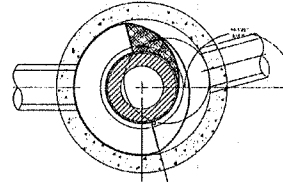
[Signatures]

DATE APPROVED: 9.10.23

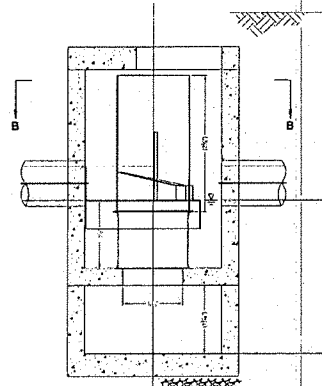
THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD WAS RECEIVED ON 9/10/23 AT 11:11 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.

TOWN CLERK: *[Signature]* DATE: 9/10/23

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY *[Signature]* DATED 8/2/23 AND TO BE RECORDED HEREWITH.



PLAN VIEW B-B
N.T.S.



ELEVATION A-A
N.T.S.

- GENERAL NOTES
1. CONTRACTOR TO PROVIDE ALL MATERIALS UNLESS NOTED OTHERWISE.
 2. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE MHD SPECIFICATIONS AND SHALL BE SUBJECT TO THE SUPERVISION AND INSPECTION OF THE TOWN ENGINEER. THE CONTRACTOR SHALL NOTIFY THE TOWN ENGINEER PRIOR TO THE START OF ANY CONSTRUCTION.
 3. CONSTRUCTION PRODUCTS SHALL BE IN ACCORDANCE WITH ALL DESIGN DATA AND REQUIREMENTS CONTAINED IN THIS DRAWING.
 4. STRUCTURE SHALL BE REINFORCED AND GASTINGS SHALL MEET ALL DESIGN REQUIREMENTS. ALL REINFORCEMENT SHALL BE PLACED AT THE BOTTOM OF THE STRUCTURE UNLESS OTHERWISE NOTED.
 5. STONE SHALL MEET SECTION HEAD 2 OF THE MHD SPECIFICATIONS.
 6. PVC INTERNAL SHEAR PLATE IS PLACED ON SHEET AT BOTTOM OF SCREEN CHAMBER. REPAIR AND REPLACE AS NECESSARY DURING MAINTENANCE CLEANING.

- INSTALLATION NOTES
1. ANY 500-SIZE SANDFILL DEPTH AND/OR AIR-EGGATION PREVENTORS ARE SPEC-OPTIONS. OTHER CONDUCTIONS AND PREVENTORS SHALL BE SPECIFIED BY CONTRACTOR'S REVIEW.
 2. CONTRACTOR TO VERIFY EXISTING UTILITIES AND RECORD UTILITIES AND RECORD UTILITIES TO BE SET BY THE CONTRACTOR. STRUCTURE ELEVATION SHALL BE IN ACCORDANCE WITH ALL DESIGN DATA AND REQUIREMENTS CONTAINED IN THIS DRAWING.
 3. CONTRACTOR TO AND SHALL VERIFY BETWEEN ALL STRUCTURE SECTIONS AND ADJACENT STRUCTURES.
 4. CONTRACTOR TO PROVIDE, INSTALL, AND MAINTAIN ALL STRUCTURE JOINTS WITH ALLOWABLE SPACING.
 5. CONTRACTOR TO TAKE APPROPRIATE MEASURES TO PROTECT EXISTING UTILITIES, INCLUDING WATER TO FLOWING AROUND ANY UTILITY, IF IT IS SUGGESTED THAT ALL JOINTS BELOW PIPE AND/OR ARE GROUNDED.

WATER QUALITY UNIT DETAIL DMH#4
CDS1515-3-C CDS INLINE STANDARD DETAIL
NOT TO SCALE

NO.	DATE	DESCRIPTION
1	03/02/2023	Conservation Application (Scale Plan)
2	04/11/2023	Response to Comments
3	04/05/2023	Planning Board
4	08/07/2023	Planning Board Decision



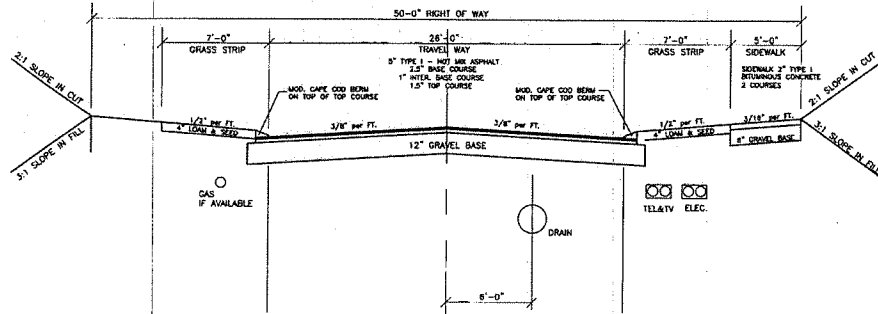
DEFINITIVE SUBDIVISION PLAN
PROSPECT HILLESSTATES
BELLINGHAM, MASSACHUSETTS

PREPARED FOR:
WALL STREET DEVELOPMENT CORP.
WESTWOOD, MASSACHUSETTS

CLM Engineering Consultants, Inc.
19 EXCHANGE STREET
HOLLISTON, MA 01746
P: 508-429-1100
F: 508-429-7160
www.CLMEngineering.com

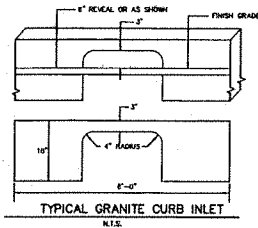
JOB No. 16,590
DATE: DEC. 17, 2021
SCALE: 1"=60'
SHEET: 15 of 25
PLAN #: 27,541

DETAILS

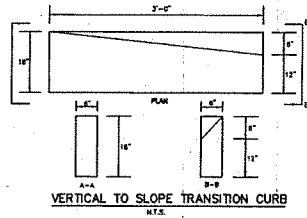


TYPICAL ROADWAY CROSS SECTION

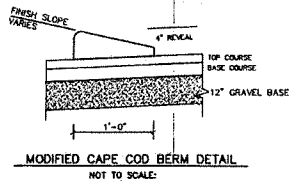
NOTE: CURB INLETS TO BE INSTALLED AT ALL CATCH BASIN WITH TRANSITION CURBS.



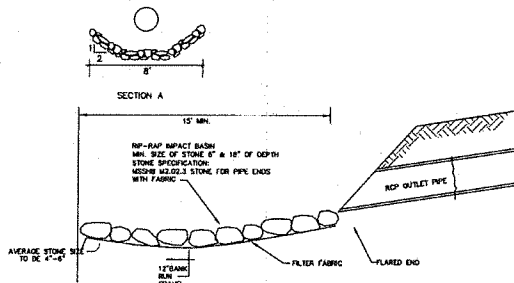
TYPICAL GRANITE CURB INLET
N.T.S.



VERTICAL TO SLOPE TRANSITION CURB
N.T.S.



MODIFIED CAPE COD BERM DETAIL
NOT TO SCALE:



RIPRAP OUTLET DETAIL
NOT TO SCALE

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD WAS RECEIVED ON 3/13/23 AT 11:00 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
TOWN CLERK: Amy Hault DATE: _____

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY _____ DATED 3/13/23 AND TO BE RECORDED HEREWITH.

APPROVED BY THE BELLINGHAM PLANNING BOARD:

[Signatures]

DATE APPROVED: 3/13/23

APPROVED BY THE BELLINGHAM PLANNING BOARD:

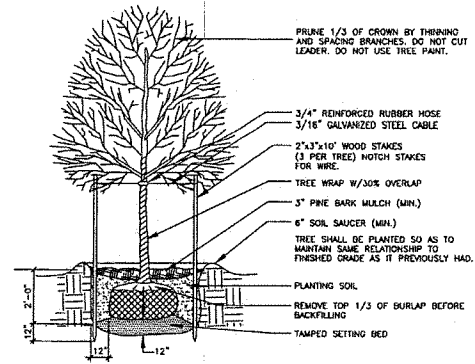
[Signatures]

DATE APPROVED: 3.10.23

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TOWN CLERK: Amy Hault DATE: _____

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY _____ DATED 3/13/23 AND TO BE RECORDED HEREWITH.

- NOTE:
- STREET TREES SHALL BE PLANTED ON BOTH SIDES OF THE ROADWAY, SPACED APPROXIMATELY 40 FT. APART AND APPROXIMATELY 10 FT. FROM SIDEWALK OR ROADWAY.
 - STREET TREES SHALL BE MINIMUM OF 2 1/2" CALIPER 4 FT. ABOVE THE GROUND.



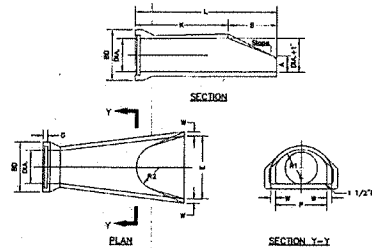
STREET TREE DETAIL
NOT TO SCALE

NOTES

- All construction shall conform to the Town of Bellingham Planning Board Rules and Regulations and Department of Public Works standards and details.
- Sidewalk ramps must meet current applicable ADA / AAB standards.



NOTE: IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION. DOWSAFE IS TO BE NOTIFIED 72 WORKING HOURS IN ADVANCE OF CONSTRUCTION. DOWSAFE 1-800-344-7233



R.C.P. FLARED END SECTION DETAIL
NOT TO SCALE

OA	WA	BA	CA	DA	EA	FA	GA	HA	IA	JA	KA	LA	MA	NA	OA	PA	QA	RA	SA	TA	UA	VA	WA	XA	YA	Z	SHA
12"	2"	4"	2'-0"	4'-10"	4'-10"	2'-0"	20"	4'-10"	4'-10"	10'-0"	15'	10'-0"	9"	4"	11/2"	3.1											
18"	2 1/4"	4"	2'-3"	5'-10"	4'-10"	2'-0"	24"	4'-10"	4'-10"	10'-0"	16'	10'-0"	11"	4"	11/2"	3.1											
18"	2 1/2"	4"	2'-3"	5'-10"	4'-10"	2'-0"	28"	4'-10"	4'-10"	10'-0"	22"	10'-0"	12"	4"	1 3/4"	3.1											
24"	2 3/4"	4"	2'-11"	5'-2"	4'-10"	2'-0"	34"	4'-10"	4'-10"	10'-0"	28"	10'-0"	12"	4"	1 3/4"	3.1											
24"	3"	4 1/2"	2'-11"	5'-2"	4'-10"	2'-0"	38"	4'-10"	4'-10"	10'-0"	34"	10'-0"	14"	4"	2"	3.1											

NO.	DATE	DESCRIPTION
1	03/07/2023	Conservation-App (10 Scale Plan)
2	10/11/2023	Site Plan-Conservation
3	04/26/2023	Planning Board
4	08/01/2023	Planning Board Decision
5	08/01/2023	Planning Board Decision



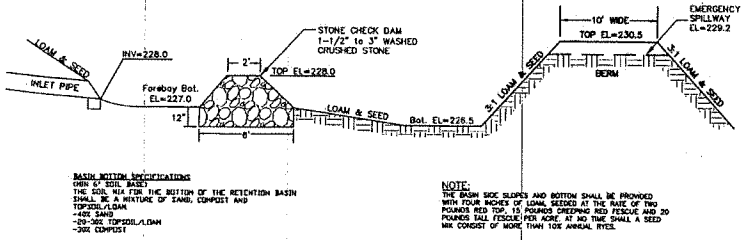
DEFINITIVE SUBDIVISION PLAN
PROSPECT HILLCREST
BELLINGHAM, MASSACHUSETTS

PREPARED FOR:
WALL STREET DEVELOPMENT CORP.
WESTWOOD, MASSACHUSETTS

GLM Engineering
Consultants, Inc.
19 EXCHANGE STREET
HOLLISTON, MA 01746
P: 508-428-1100
F: 508-428-7160
www.GLMengineering.com

JOB No. 18,590
DATE: DEC. 17, 2021
SCALE: 1"=60'
SHEET: 16 of 25
PLAN #: 27,541

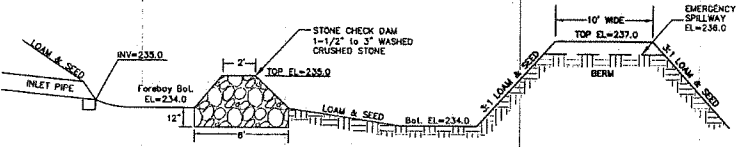
DETAILS



Basin Bottom Specifications
 6" to 8" SOIL BASE
 THE SOIL FOR THE BOTTOM OF THE RETENTION BASIN SHALL BE A MIXTURE OF SAND, COMPOST AND TOPSOIL/LOAM
 -4% SAND
 -20% TOPSOIL/LOAM
 -3% COMPOST

NOTE:
 THE BASIN SIDE SLOPES AND BOTTOM SHALL BE PROVIDED WITH FOUR INCHES OF LOAM SEEDS AT THE RATE OF TWO POUNDS RED TOP, 15 POUNDS GREENING RED FESCUE AND 30 POUNDS TALL FESCUE PER ACRE. AT NO TIME SHALL A SEED MIX CONSIST OF MORE THAN 10% ANNUAL RYEG.

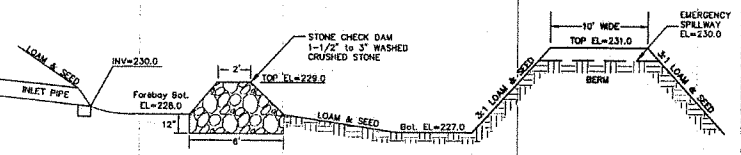
DRAINAGE RECHARGE BASIN #3 DETAIL
 NOT TO SCALE



Basin Bottom Specifications
 6" to 8" SOIL BASE
 THE SOIL FOR THE BOTTOM OF THE RETENTION BASIN SHALL BE A MIXTURE OF SAND, COMPOST AND TOPSOIL/LOAM
 -4% SAND
 -20% TOPSOIL/LOAM
 -3% COMPOST

NOTE:
 THE BASIN SIDE SLOPES AND BOTTOM SHALL BE PROVIDED WITH FOUR INCHES OF LOAM SEEDS AT THE RATE OF TWO POUNDS RED TOP, 15 POUNDS GREENING RED FESCUE AND 30 POUNDS TALL FESCUE PER ACRE. AT NO TIME SHALL A SEED MIX CONSIST OF MORE THAN 10% ANNUAL RYEG.

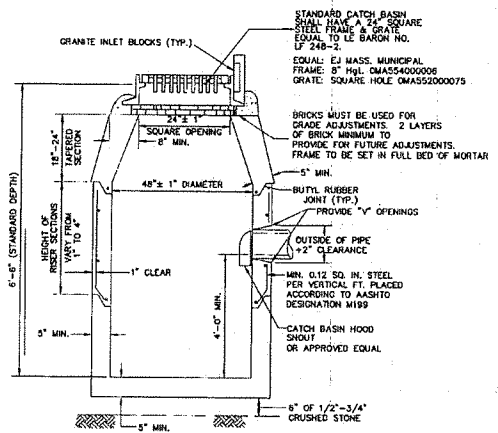
DRAINAGE RECHARGE BASIN #2 DETAIL
 NOT TO SCALE



Basin Bottom Specifications
 6" to 8" SOIL BASE
 THE SOIL FOR THE BOTTOM OF THE RETENTION BASIN SHALL BE A MIXTURE OF SAND, COMPOST AND TOPSOIL/LOAM
 -4% SAND
 -20% TOPSOIL/LOAM
 -3% COMPOST

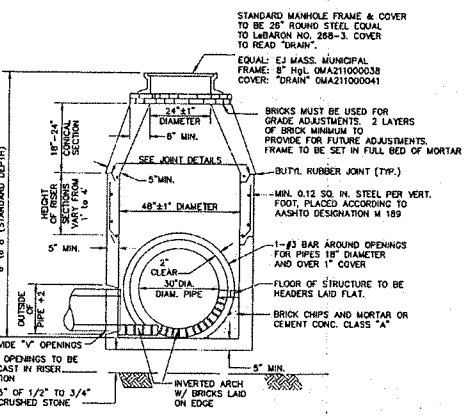
NOTE:
 THE BASIN SIDE SLOPES AND BOTTOM SHALL BE PROVIDED WITH FOUR INCHES OF LOAM SEEDS AT THE RATE OF TWO POUNDS RED TOP, 15 POUNDS GREENING RED FESCUE AND 30 POUNDS TALL FESCUE PER ACRE. AT NO TIME SHALL A SEED MIX CONSIST OF MORE THAN 10% ANNUAL RYEG.

DRAINAGE RECHARGE BASIN #1 DETAIL
 NOT TO SCALE



NOTE: NO BELL ENDS IN CATCH BASIN. CONNECTIONS TO BE TIGHTLY SEALED WITH MORTAR.

PRECAST CATCH BASIN DETAIL
 NOT TO SCALE



PRECAST MANHOLE DETAIL
 NOT TO SCALE

APPROVED BY THE BELLINGHAM PLANNING BOARD:
[Signatures]
 DATE APPROVED: 8.10.23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD WAS RECEIVED ON May 16, 2023 AT 10:00 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
 TOWN CLERK: *[Signature]* DATE: 5/16/23

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY DATED 1/17/23 AND TO BE RECORDED HEREWITH.

APPROVED BY THE FRANKLIN PLANNING BOARD:
[Signatures]
 DATE APPROVED: 3/13/23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE FRANKLIN PLANNING BOARD WAS RECEIVED ON 3/13/23 AT 11:41 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
 TOWN CLERK: *[Signature]* DATE: 3/13/23

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY DATED 1/17/23 AND TO BE RECORDED HEREWITH.

NOTES
 1. All construction shall conform to the Town of Bellingham Planning Board rules and Regulations and Department of Public Works standards and details.
 5. Sidewalk ramp must meet current applicable ADA / AAB standards.



NOTE: IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION.
 DOWSAFE IS TO BE NOTIFIED 72 WORKING HOURS IN ADVANCE OF CONSTRUCTION.
 DOWSAFE 1-888-344-7333

NO.	DATE	DESCRIPTION
1	03/02/2022	Conservation Application
2	07/12/2022	Conservation (40 State Plan)
3	10/11/2022	Response to Comments
4	04/05/2023	Planning Board
5	08/17/2023	Planning Board Decision



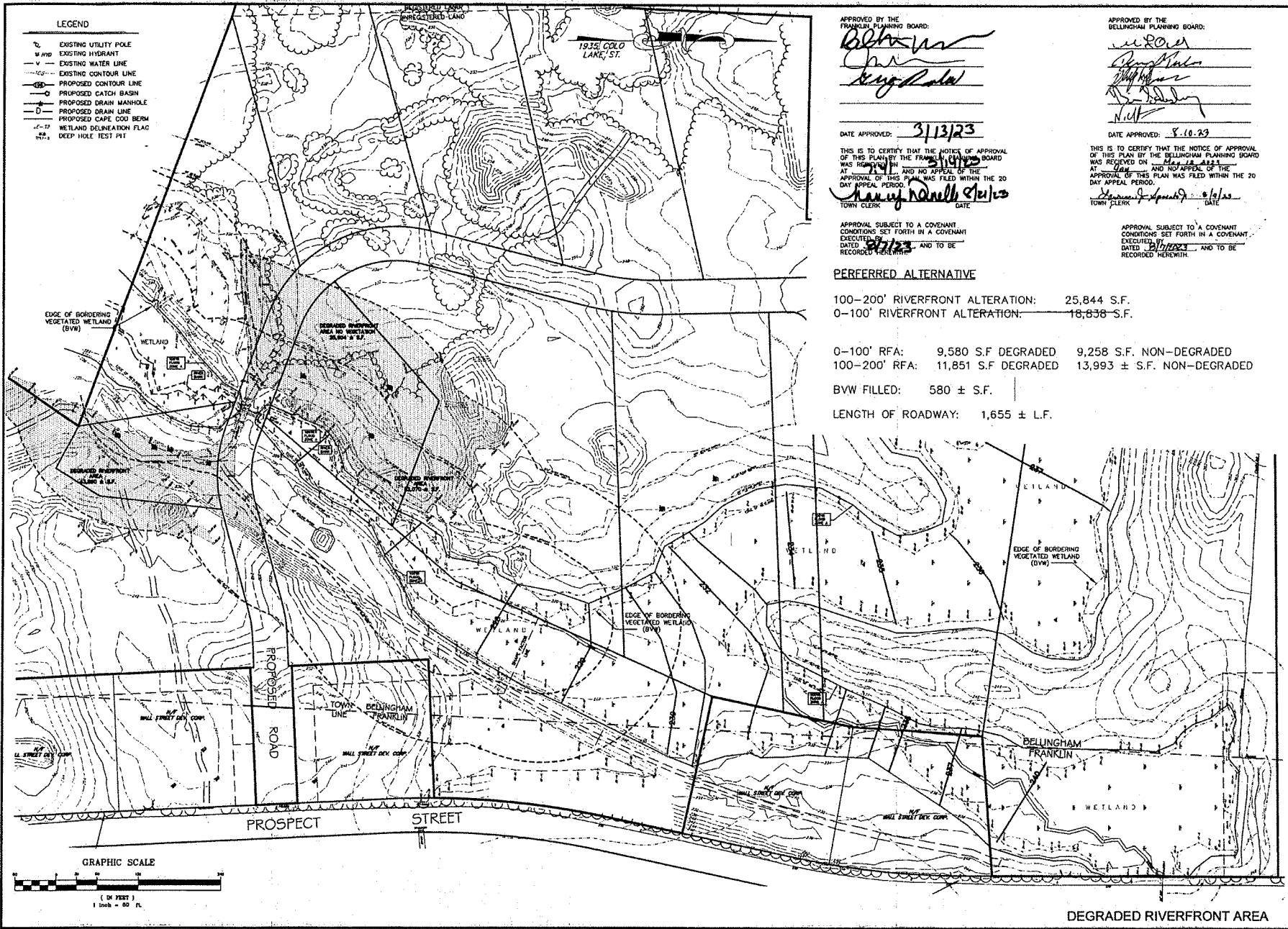
DEFINITIVE SUBDIVISION PLAN
 PROSPECT HILL ESTATES
 BELLINGHAM, MASSACHUSETTS

PREPARED FOR:
 WALL STREET DEVELOPMENT CORP.
 P.O. BOX 372
 WESTWOOD, MASSACHUSETTS

GLM Engineering
 CONSULTANTS, INC.
 19 EXCHANGE STREET
 HOLLISTON, MA 01746
 P: 508-429-1100
 F: 508-429-7160
 www.glmengineering.com

JOB No.	18,590
DATE:	DEC. 17, 2021
SCALE:	1"=60'
SHEET:	17 of 25
PLAN #	27,541

DETAILS



- LEGEND**
- EXISTING UTILITY POLE
 - W— EXISTING HYDRANT
 - V— EXISTING WATER LINE
 - C— EXISTING CONTOUR LINE
 - PROPOSED CONTOUR LINE
 - PROPOSED CATCH BASIN
 - PROPOSED DRAIN MANHOLE
 - D— PROPOSED DRAIN LINE
 - D— PROPOSED CAPE COD BERM
 - W— WETLAND DELINEATION FLAG
 - DEEP HOLE TEST PIT

APPROVED BY THE
FRANKLIN PLANNING BOARD:
[Signature]
[Signature]

DATE APPROVED: 3/13/23
THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE FRANKLIN PLANNING BOARD WAS RECEIVED ON 3/13/23 AT 11:00 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
[Signature]
TOWN CLERK DATE

APPROVED BY THE
BELLINGHAM PLANNING BOARD:
[Signature]
[Signature]
[Signature]

DATE APPROVED: 3/10/23
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[Signature]
TOWN CLERK DATE

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED DATED 3/13/23 AND TO BE RECORDED HERewith.

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED DATED 3/10/23 AND TO BE RECORDED HERewith.

REFERRED ALTERNATIVE

100-200' RIVERFRONT ALTERATION: 25,844 S.F.
0-100' RIVERFRONT ALTERATION: 18,638 S.F.

0-100' RFA: 9,580 S.F. DEGRADED 9,258 S.F. NON-DEGRADED
100-200' RFA: 11,851 S.F. DEGRADED 13,993 ± S.F. NON-DEGRADED

BVW FILLED: 580 ± S.F.

LENGTH OF ROADWAY: 1,655 ± L.F.

NO.	DATE	DESCRIPTION
1	10/20/2022	CONSERVATION ASSOCIATION
2	07/12/2022	Conservation (40 Scale Plan)
3	10/11/2022	Relocation to Comments
4	08/07/2022	Revising Shaded Areas
5	06/07/2023	Planning Board Decision



**DEFINITIVE SUBDIVISION PLAN
PROSPECT HILLESSTATES
BELLINGHAM, MASSACHUSETTS**

PREPARED FOR:
WALL STREET DEVELOPMENT CORP.
P.O. BOX 272
WESTWOOD, MASSACHUSETTS

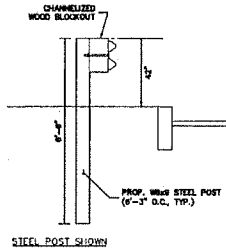
GLM Engineering
Consultants, Inc.
19 EXCHANGE STREET
HOLLISTON, MA 01746
P: 508-429-1100
F: 508-429-7160
www.GLMengineering.com

JOB No. 16,590
DATE: MARCH 2, 2022
SCALE: 1"=60'
SHEET: 18 of 25
PLAN #: 27,541

DEGRADED RIVERFRONT AREA

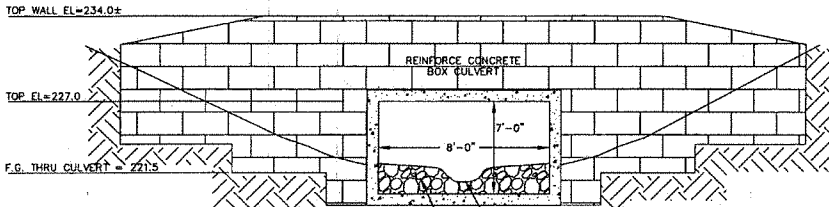
DEWATERING:
PUMPING AND DEWATERING THE EXCAVATION AREAS SHALL BE DONE IN A MANNER WHICH WILL NOT DISCHARGE ANY SILT SEDIMENT INTO A RESOURCE AREA. DISCHARGES FROM A DEWATERING CONSTRUCTION PROCEDURE WILL BE FILTERED THROUGH A SILTATION BASIN AND/OR A SILT SOCK, CONSTRUCTED UPLAND FROM THE WORK SITE. THE SILTATION BASIN SHALL BE A DEPRESSION SURROUNDED BY A HAYBALE DIKE OR SILT FENCE. OVERFLOW FROM THE SILTATION BASIN SHALL BE PLANNED TO BE LOCATED OVER A THICKLY AND NATURALLY MULCHED UPLAND AREA. ALL BASINS SHALL BE LOCATED AT LEAST 100 FEET UPSLOPE FROM ANY RESOURCE AREA.

- NOTES:**
1. ALL GUARDRAIL SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST MANDOT CONSTRUCTION STANDARDS.
 2. GUARDRAIL SHALL BE GALVANIZED STEEL 1/2" BEAM HEIGHT GUARD WITH GALVANIZED STEEL POSTS OR COR-10% WEATHERING STEEL BEAM HEIGHT GUARD WITH TREATED WOOD POSTS. THE TYPE OF GUARDRAIL TO BE USED WILL BE SPECIFIED BY THE DESIGNER.



GUARDRAIL DETAIL
NOT TO SCALE

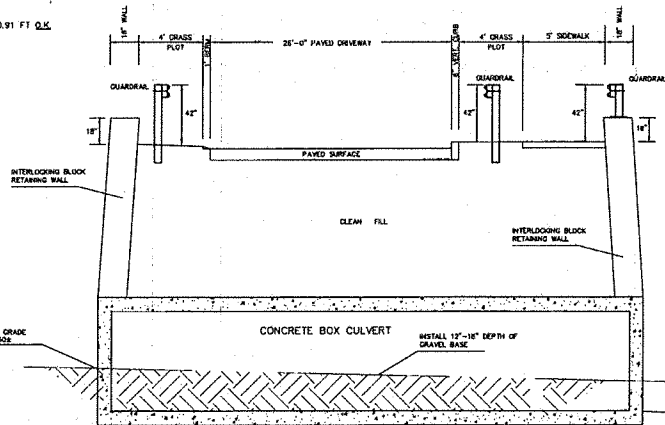
- NOTES:**
1. CULVERT DESIGN SPECIFICATIONS:
- A318 & AASHTO
- MATERIAL PROPERTIES:
- Concrete - 3000 psi @ 28 days
- Steel Reinforcement:
- Rebar ASTM A-615 Grade 60
- Welded Wire Fabric ASTM A-185 Grade 65
INTERLOCKING BLOCK WALL TO BE DESIGNED BY STRUCTURAL ENGINEER.



TOP WALL EL=234.0±
TOP EL=227.0
F.G. THRU CULVERT = 221.5

SPANS CHANNEL WIDTH:
1.2 X BANKFULL WIDTH
1.2 X 4 FT = 4.8 FT MIN,
8 FT PROVIDED (S.S.)

OPENNESS RATIO (O.R.):
MIN. REQUIRED O.R. = 0.82 FEET
O.R. = (HEIGHT X WIDTH)/LENGTH
AVG. HEIGHT = 5 FT
WIDTH = 8 FT
LENGTH = 44 FT
O.R. = (8 X 5)/44 = 0.91 FT O.K.



WETLAND CROSSING DETAIL
NOT TO SCALE

APPROVED BY THE FRANKLIN PLANNING BOARD:

[Signatures]

DATE APPROVED: 3/13/23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE FRANKLIN PLANNING BOARD WAS RECEIVED ON 3/14/23 AT 10:01 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.

[Signature]
TOWN CLERK DATE

APPROVED BY THE BELLINGHAM PLANNING BOARD:

[Signatures]

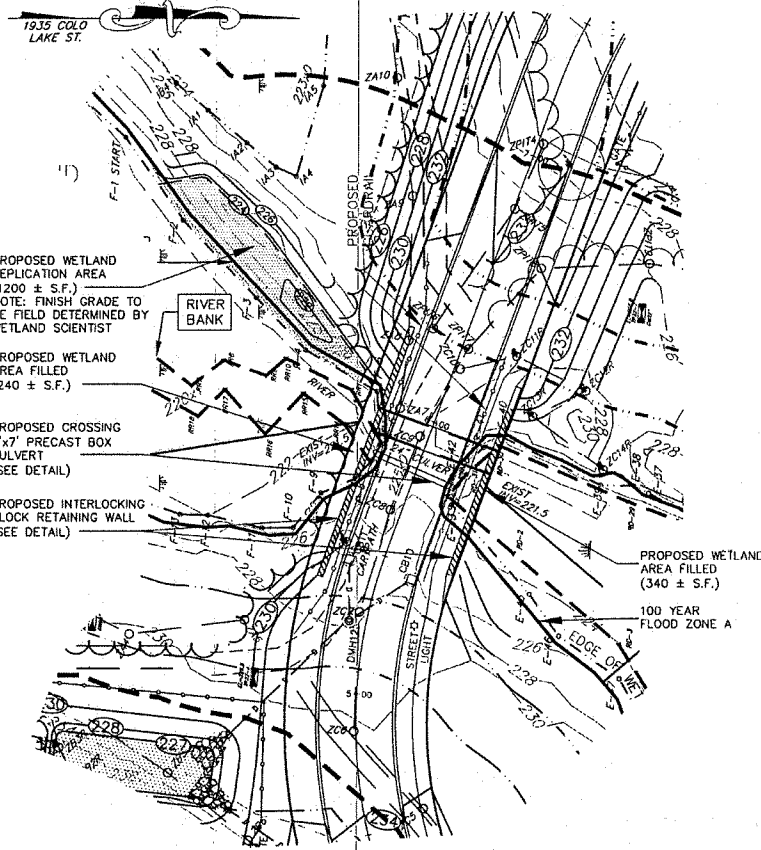
DATE APPROVED: 3.10.23

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[Signature]
TOWN CLERK DATE

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY DATED 3/17/2023 AND TO BE RECORDED HERewith.

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY DATED 3/17/2023 AND TO BE RECORDED HERewith.



PLAN VIEW
1" = 20'

WETLAND REPLICATION PLAN

NO.	DATE	DESCRIPTION
1	03/02/2022	Conservation Agreement
2	07/12/2022	Conservation (40 Some Plan)
3	10/11/2022	Response to Comments
4	04/25/2023	Planning Board
5	06/01/2023	Planning Board Decision



8-1-23

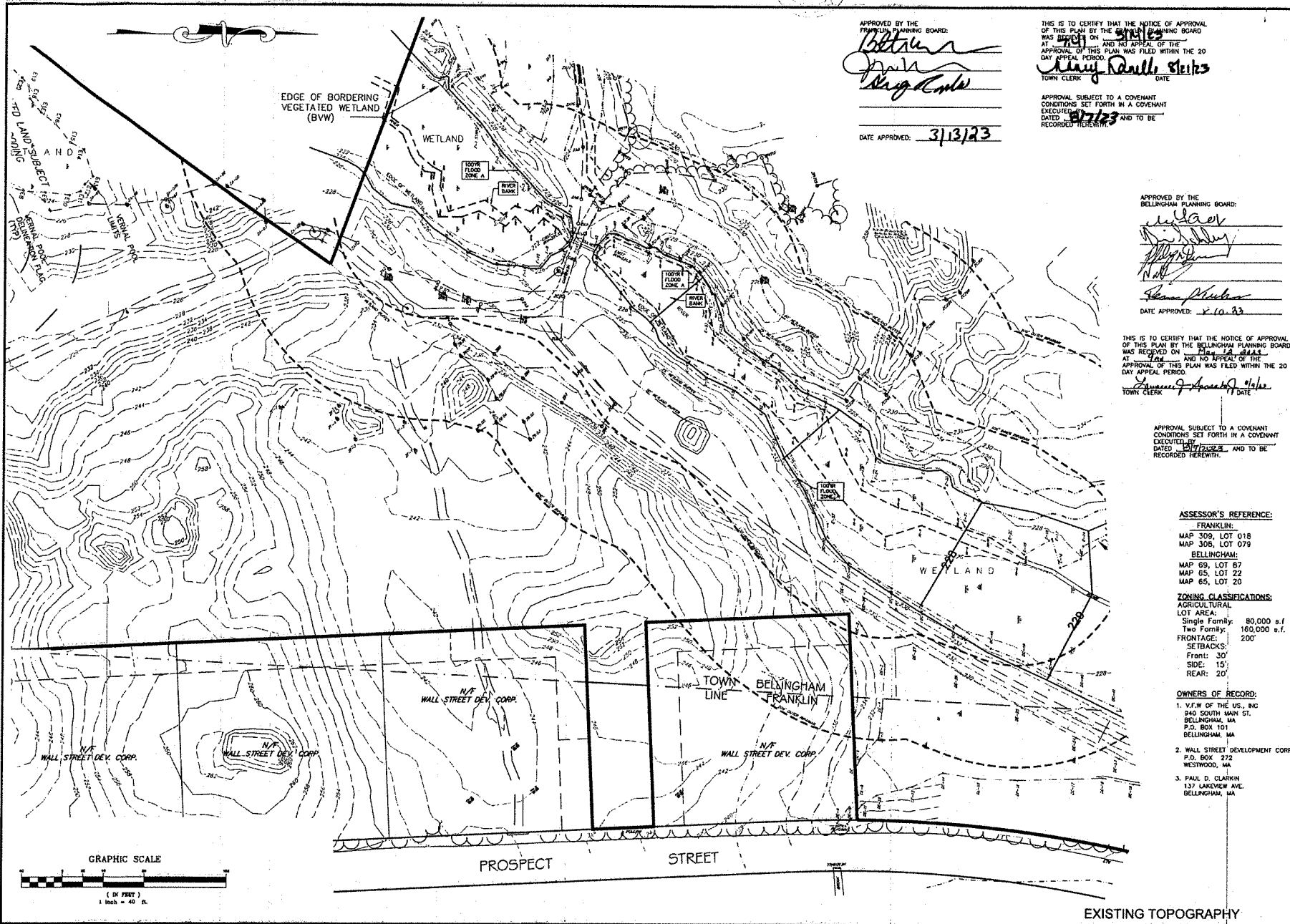


**DEFINITIVE SUBDIVISION PLAN
PROSPECT HILL ESTATES
BELLINGHAM, MASSACHUSETTS**

PREPARED FOR:
P.O. BOX 272
WESTWOOD, MASSACHUSETTS

GLM Engineering Consultants, Inc.
19 EXCHANGE STREET
HOLLISTON, MA 01746
P: 508-429-1100
F: 508-429-7160
www.GLMengineering.com

JOB No.	16,590
DATE:	MARCH 2, 2022
SCALE:	1" = 20'
SHEET:	19 of 25
PLAN#:	27,541



APPROVED BY THE
FRANKLIN PLANNING BOARD:
[Signature]
[Signature]
[Signature]
DATE APPROVED: 3/13/23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL
OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD
WAS RECEIVED ON 1/11/23 AND NO APPEAL OF THE
APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20
DAY APPEAL PERIOD.
TOWN CLERK: *[Signature]* DATE: 1/11/23
APPROVAL SUBJECT TO A COVENANT
CONDITIONS SET FORTH IN A COVENANT
EXECUTED ON 1/11/23 AND TO BE
RECORDED HEREWITH.

APPROVED BY THE
BELLINGHAM PLANNING BOARD:
[Signature]
[Signature]
[Signature]
DATE APPROVED: 1/10/23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL
OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD
WAS RECEIVED ON 1/10/23 AND NO APPEAL OF THE
APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20
DAY APPEAL PERIOD.
[Signature] DATE: 1/10/23
TOWN CLERK: *[Signature]*

APPROVAL SUBJECT TO A COVENANT
CONDITIONS SET FORTH IN A COVENANT
EXECUTED ON 1/10/23 AND TO BE
RECORDED HEREWITH.

ASSESSOR'S REFERENCE:

FRANKLIN:
MAP 308, LOT 018
MAP 308, LOT 079
BELLINGHAM:
MAP 69, LOT 87
MAP 65, LOT 22
MAP 65, LOT 20

ZONING CLASSIFICATIONS:

AGRICULTURAL
LOT AREA:
Single Family: 80,000 s.f.
Two Family: 160,000 s.f.
FRONTAGE: 200'
SETBACKS:
Front: 30'
SIDE: 15'
REAR: 20'

OWNERS OF RECORD:

- V.F.W. OF THE U.S. INC.
940 SOUTH MAIN ST.
BELLINGHAM, MA
P.O. BOX 101
BELLINGHAM, MA
- WALL STREET DEVELOPMENT CORP.
P.O. BOX 272
WESTWOOD, MA
- PAUL D. CLARKSON
137 LAKEVIEW AVE.
BELLINGHAM, MA

NO.	DATE	DESCRIPTION
1.	03/02/2022	CONSENT TO APPEAL
2.	07/12/2022	Conservation (40 Scale Plan)
3.	10/11/2022	Response to Comments
4.	04/05/2023	Planning Board
5.	08/07/2023	Planning Board Decision

[Signature] 8/1/23

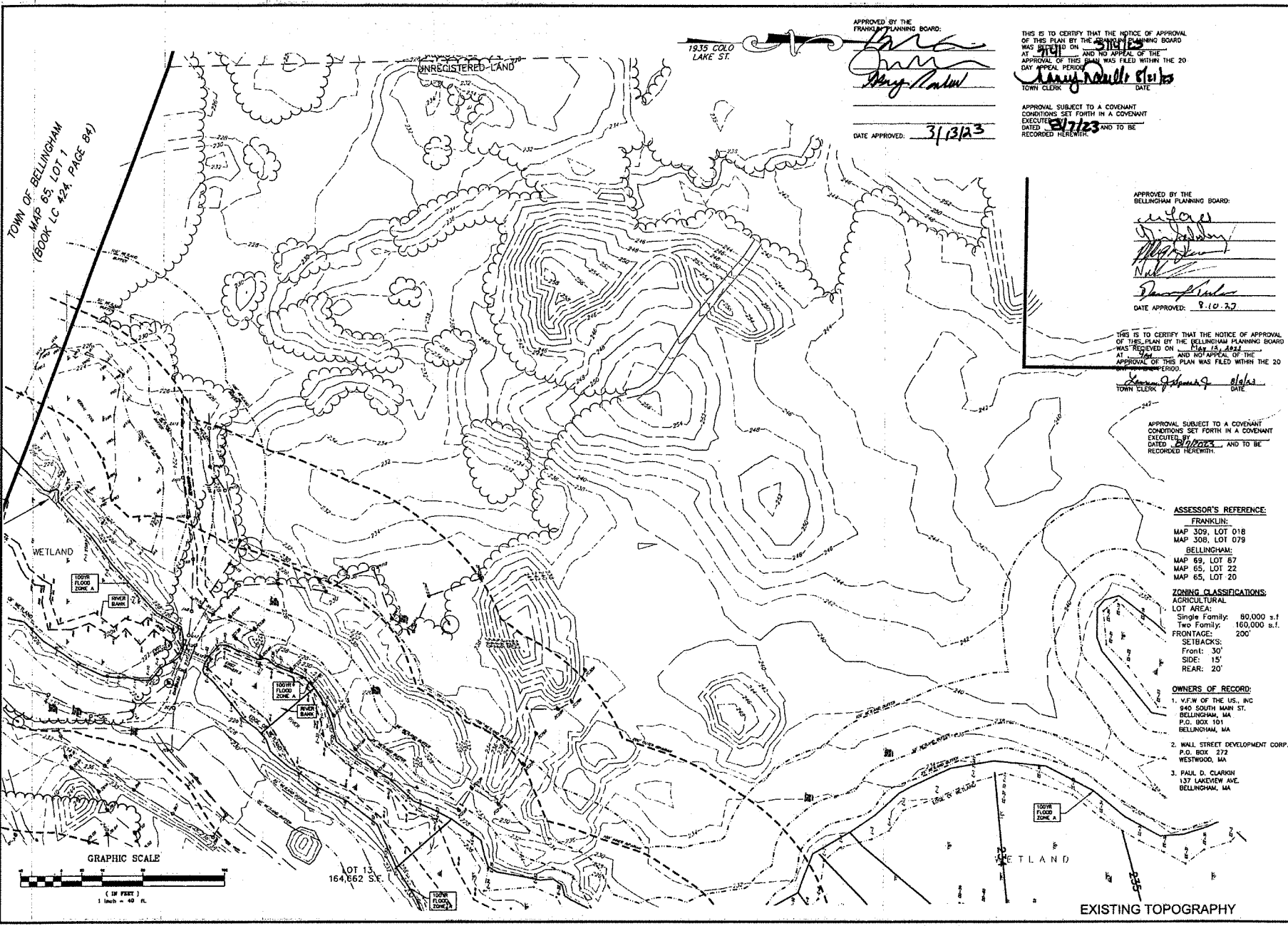
[Signature] 9/1/23

**DEFINITIVE SUBDIVISION PLAN
PROSPECT HILL ESTATES
BELLINGHAM, MASSACHUSETTS**

PREPARED FOR:
WALL STREET DEVELOPMENT CORP.
P.O. BOX 272
WESTWOOD, MASSACHUSETTS

QJM Engineering
Constantis, Inc.
19 EXCHANGE STREET
HOLLISTON, MA 01746
P: 508-429-1100
F: 508-429-7160
www.QJMEngineering.com

JOB No. 18,580
DATE: DEC. 17, 2021
SCALE: 1"=40'
SHEET: 20 of 25
PLAN #: 27,541



TOWN OF BELLINGHAM
 MAP 85, LOT 1
 (BOOK LC 424, PAGE 84)

APPROVED BY THE
 FRANKLIN PLANNING BOARD:
 [Signature]
 [Signature]
 DATE APPROVED: 3/13/23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL
 OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD
 WAS RECEIVED ON 11/17/22 AND NO APPEAL OF THE
 APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20
 DAY APPEAL PERIOD.
 EXECUTED BY: [Signature]
 TOWN CLERK: [Signature] DATE: 11/17/22

APPROVAL SUBJECT TO A COVENANT
 CONDITIONS SET FORTH IN A COVENANT
 EXECUTED BY: [Signature]
 DATED 8/17/23 AND TO BE
 RECORDED HERewith.

APPROVED BY THE
 BELLINGHAM PLANNING BOARD:
 [Signature]
 [Signature]
 [Signature]
 DATE APPROVED: 8.10.23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL
 OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD
 WAS RECEIVED ON 11/13/22 AND NO APPEAL OF THE
 APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20
 DAY APPEAL PERIOD.
 EXECUTED BY: [Signature]
 TOWN CLERK: [Signature] DATE: 11/13/22

APPROVAL SUBJECT TO A COVENANT
 CONDITIONS SET FORTH IN A COVENANT
 EXECUTED BY: [Signature]
 DATED 8/17/23 AND TO BE
 RECORDED HERewith.

ASSESSOR'S REFERENCE:

- FRANKLIN:
 MAP 309, LOT 018
 MAP 308, LOT 079
 BELLINGHAM:
 MAP 69, LOT 87
 MAP 65, LOT 22
 MAP 65, LOT 20

ZONING CLASSIFICATIONS:

- AGRICULTURAL
 LOT AREA:
 Single Family: 80,000 s.f.
 Two Family: 160,000 s.f.
 FRONTAGE: 200'
 SETBACKS:
 Front: 30'
 Side: 15'
 Rear: 20'

OWNERS OF RECORD:

- V.F.W. OF THE U.S., INC.
 940 SOUTH MAIN ST.
 BELLINGHAM, MA.
 P.O. BOX 101
 BELLINGHAM, MA
- WALL STREET DEVELOPMENT CORP.
 P.O. BOX 272
 WESTWOOD, MA
- PAUL D. CLARKIN
 137 LAKEVIEW AVE.
 BELLINGHAM, MA

NO.	DATE	DESCRIPTION
1	10/10/2022	Conservation Application
2	10/12/2022	Conservation (40 State Plan)
3	10/17/2022	Response to Comments
4	10/05/2022	Planning Board
5	10/01/2022	Planning Board Decision



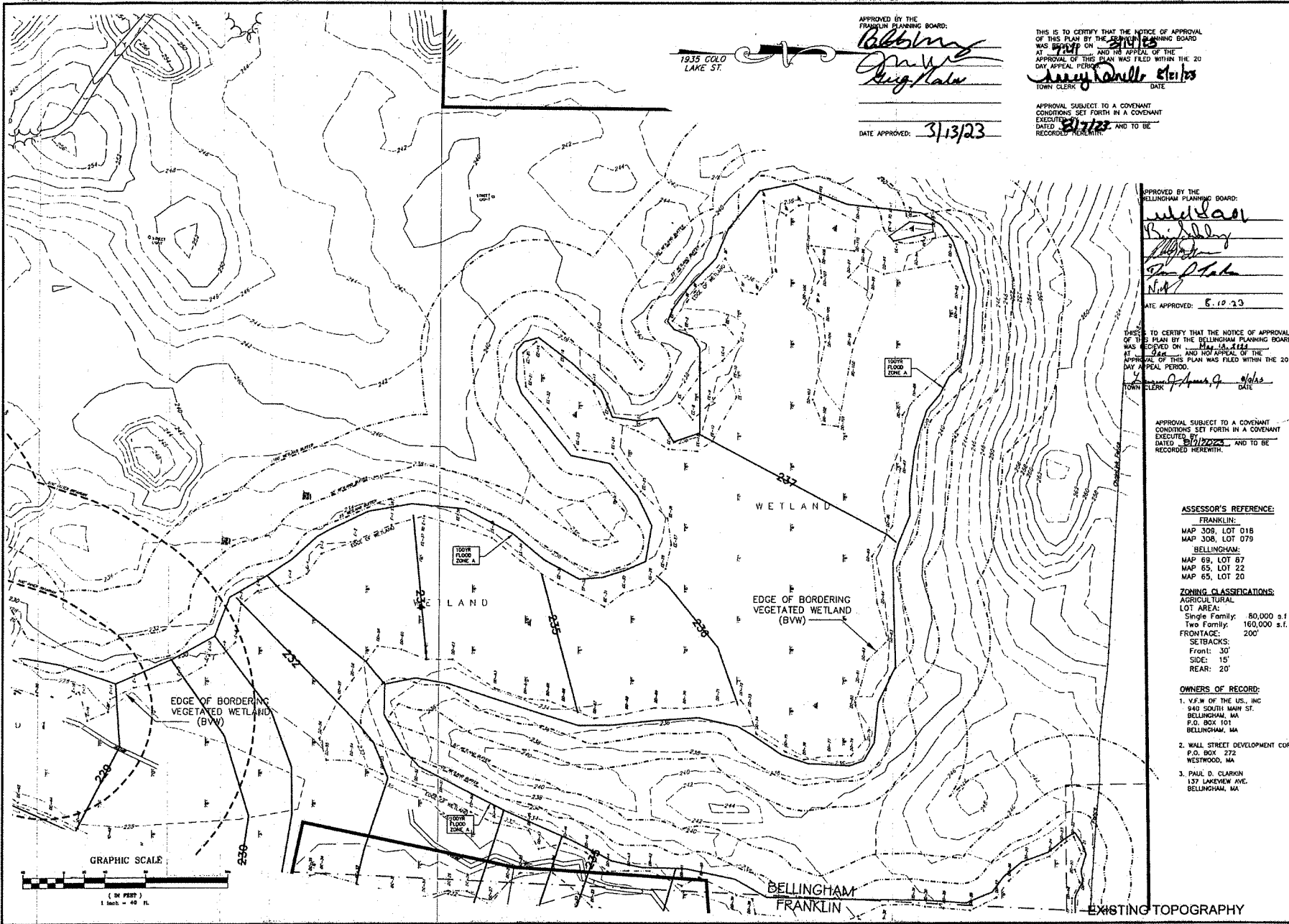
DEFINITIVE SUBDIVISION PLAN
 PROSPECT HILLS ESTATES
 BELLINGHAM, MASSACHUSETTS

PREPARED FOR:
 WALL STREET DEVELOPMENT CORP.
 WESTWOOD, MASSACHUSETTS

GLM Engineering Consultants, Inc.
 19 EXCHANGE STREET
 HOLLISTON, MA 01746
 P 508-429-1100
 F 508-429-7180
 www.glmengineering.com

JOB No. 18.590
 DATE: DEC. 17, 2021
 SCALE: 1"=40'
 SHEET: 21 of 25
 PLAN #: 27,541

EXISTING TOPOGRAPHY



APPROVED BY THE FRANKLIN PLANNING BOARD:
Robert [Signature]
Aug. Hahn
 DATE APPROVED: 3/13/23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE FRANKLIN PLANNING BOARD WAS RECEIVED ON 3/13/23 AT 11:00 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
Angie Donnell Kleib
 TOWN CLERK DATE

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED, DATED 8/17/2022 AND TO BE RECORDED HERewith.

APPROVED BY THE BELLINGHAM PLANNING BOARD:
W. [Signature]
R. [Signature]
[Signature]
 DATE APPROVED: 5.10.23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD WAS RECEIVED ON May 18, 2023 AT 11:00 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
[Signature]
 TOWN CLERK DATE

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED, DATED 8/17/2022 AND TO BE RECORDED HERewith.

ASSESSOR'S REFERENCE:

FRANKLIN:
 MAP 306, LOT 018
 MAP 308, LOT 079
 BELLINGHAM:
 MAP 68, LOT 87
 MAP 65, LOT 22
 MAP 65, LOT 20

ZONING CLASSIFICATIONS:
 AGRICULTURAL
 LOT AREA:
 Single Family: 80,000 ± 1
 Two Family: 160,000 s.f.
 FRONTAGE: 200'
 SETBACKS:
 Front: 30'
 Side: 15'
 Rear: 20'

OWNERS OF RECORD:

- V.F.W. OF THE U.S., INC
 940 SOUTH MAIN ST.
 BELLINGHAM, MA
 P.O. BOX 101
 BELLINGHAM, MA
- WALL STREET DEVELOPMENT CORP.
 P.O. BOX 272
 WESTWOOD, MA
- PAUL D. CLARKIN
 137 LAKEVIEW AVE.
 BELLINGHAM, MA

NO.	DATE	DESCRIPTION
1	03/07/2022	Conservation Application
2	07/17/2022	Conservation (40 Scale Plan)
3	08/17/2022	Planning Board Decision
4	04/05/2023	Planning Board Decision
5	08/07/2023	Planning Board Decision

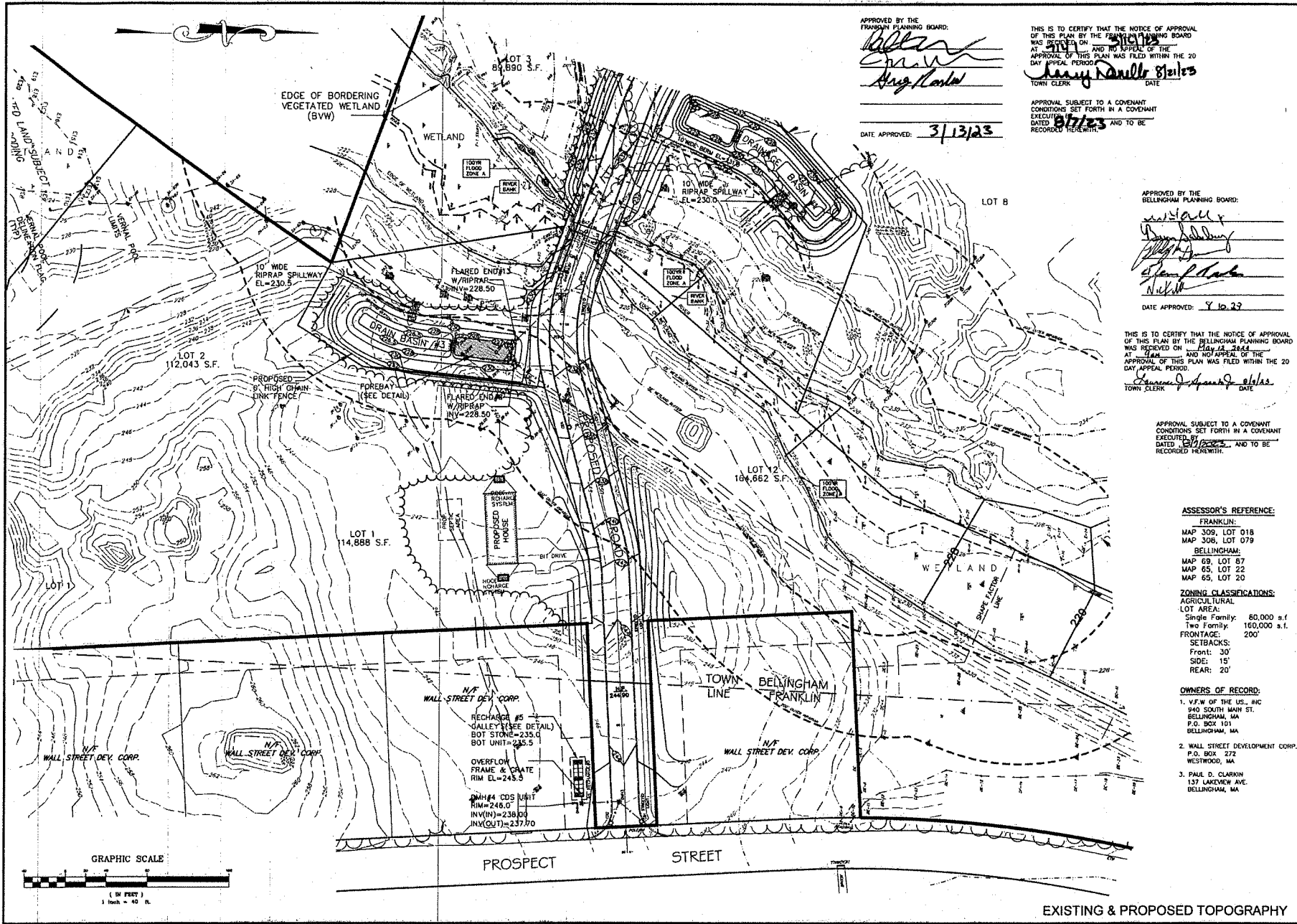


DEFINITIVE SUBDIVISION PLAN
 PROSPECT HILLES
 BELLINGHAM, MASSACHUSETTS

PREPARED FOR:
 WALL STREET DEVELOPMENT CORP.
 WESTWOOD, MASSACHUSETTS

CLM Engineering, Inc
 18 EXCHANGE STREET
 HOLLISTON, MA 01746
 P: 508-429-1100
 F: 508-429-7160
 www.CLMengineering.com

JOB No.	16.590
DATE:	DEC. 17, 2021
SCALE:	1"=60'
SHEET:	22 of 25
PLAN #:	27,541



THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE FRANKLIN PLANNING BOARD WAS RECEIVED ON 3/13/23 AT 11:00 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.

[Signature]
 TOWN CLERK DATE

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY [Signature] DATED 8/17/23 AND TO BE RECORDED HEREWITH.

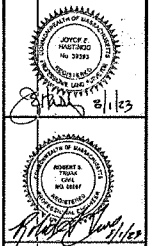
APPROVED BY THE BELLINGHAM PLANNING BOARD:
[Signature]
[Signature]
 DATE APPROVED: 4.10.23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD WAS RECEIVED ON 4.10.23 AT 11:00 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.

[Signature]
 TOWN CLERK DATE

APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY [Signature] DATED 8/17/23 AND TO BE RECORDED HEREWITH.

NO.	DATE	DESCRIPTION
1	03/02/2022	Conservation (Scale Plan)
2	07/12/2022	Conservation (40 Scale Plan)
3	10/11/2022	Response to Comments
4	04/05/2023	Planning Board
5	08/07/2023	Planning Board Decision

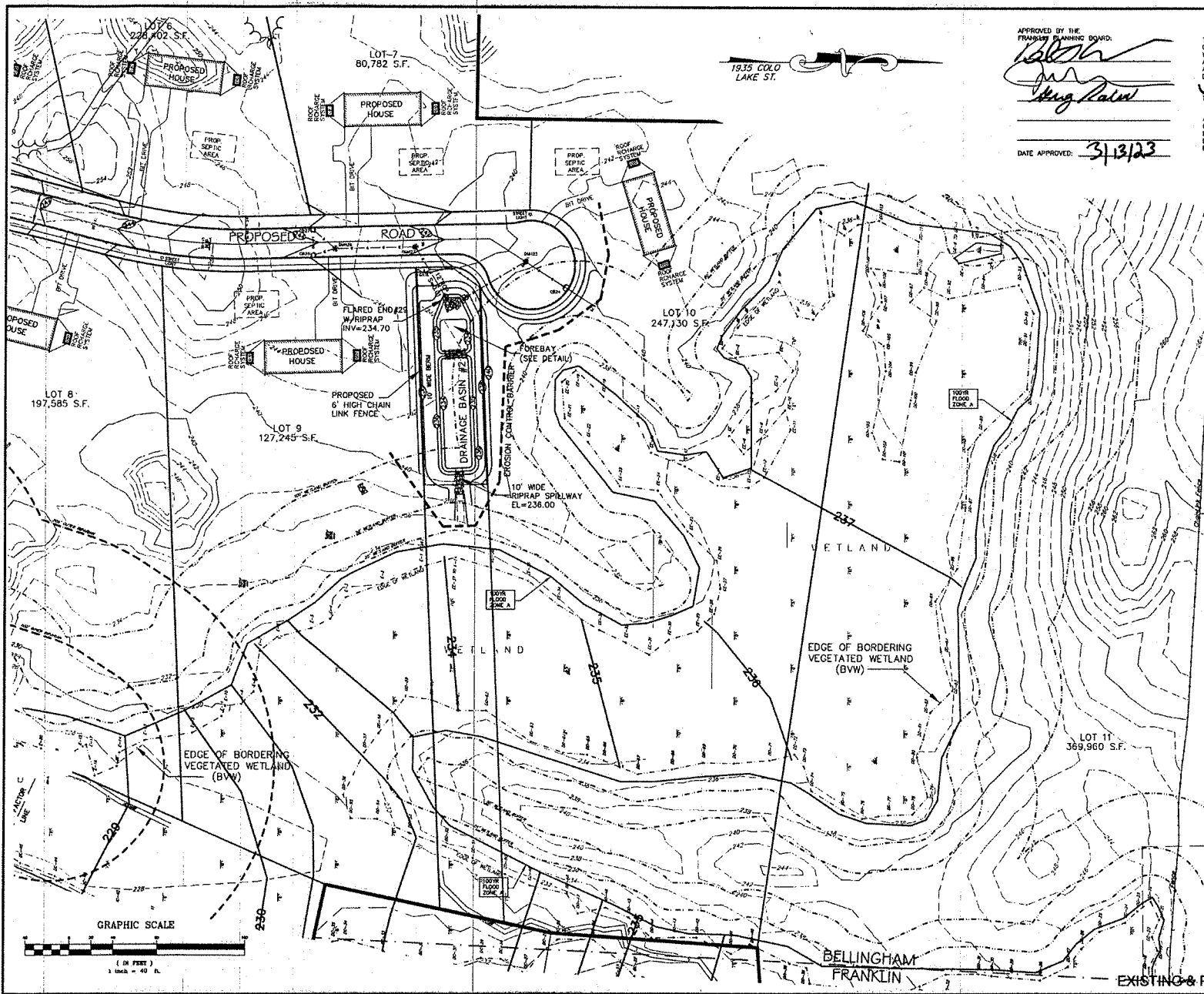


**DEFINITIVE SUBDIVISION PLAN
 PROSPECT HILLSTATES
 BELLINGHAM, MASSACHUSETTS**

PREPARED FOR:
 WALL STREET DEVELOPMENT CORP.
 WESTWOOD, MASSACHUSETTS

CLM Engineering
 19 EXCHANGE STREET
 MILFORD, MA 01745
 P: 508-429-1100
 F: 508-429-7160
 www.CLMEngineering.com

JOB No.	16,590
DATE:	DEC. 17, 2021
SCALE:	1"=40'
SHEET:	23 of 25
PLAN #:	27,541



APPROVED BY THE
FRANKLIN PLANNING BOARD:
[Signature]
[Signature]
DATE APPROVED: 3/13/23

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE FRANKLIN PLANNING BOARD WAS RECEIVED ON 3/13/23 AT 10:00 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
TOWN CLERK: *[Signature]* DATE: 3/13/23
APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY *[Signature]* DATED 3/13/23 AND TO BE RECORDED HEREWITH.

APPROVED BY THE
BELLINGHAM PLANNING BOARD:
[Signature]
[Signature]
DATE APPROVED: 3/10/23

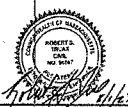
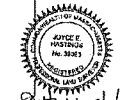
THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE BELLINGHAM PLANNING BOARD WAS RECEIVED ON 3/10/23 AT 10:00 AM AND NO APPEAL OF THE APPROVAL OF THIS PLAN WAS FILED WITHIN THE 20 DAY APPEAL PERIOD.
TOWN CLERK: *[Signature]* DATE: 3/10/23
APPROVAL SUBJECT TO A COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY *[Signature]* DATED 3/10/23 AND TO BE RECORDED HEREWITH.

ASSESSOR'S REFERENCE:
FRANKLIN:
MAP 309, LOT 018
MAP 308, LOT 079
BELLINGHAM:
MAP 89, LOT 87
MAP 85, LOT 22
MAP 85, LOT 20

ZONING CLASSIFICATIONS:
AGRICULTURAL
LOT AREA:
Single Family: 80,000 s.f.
Two Family: 160,000 s.f.
FRONTAGE: 200'
SETBACKS:
Front: 30'
Sides: 15'
Rear: 20'

OWNERS OF RECORD:
1. V.F.W. OF THE U.S., INC
940 SOUTH MAIN ST.
BELLINGHAM, MA
P.O. BOX 101
BELLINGHAM, MA
2. WALL STREET DEVELOPMENT CORP.
P.O. BOX 272
WESTWOOD, MA
3. PAUL D. CLARKIN
137 LAKEVIEW AVE.
BELLINGHAM, MA

NO.	DATE	DESCRIPTION
1	10/02/2022	Conservation Application
2	07/12/2022	Conservation (At Scale Plan)
3	10/02/2022	Final Plan
4	10/02/2022	Planning Board Decision
5	08/01/2023	Planning Board Decision



**DEFINITIVE SUBDIVISION PLAN
PROSPECT HILL ESTATES
BELLINGHAM, MASSACHUSETTS**

PREPARED FOR:
WALL STREET DEVELOPMENT CORP.
P.O. BOX 272
WESTWOOD, MASSACHUSETTS

GLM Engineering Consultants, Inc
19 EXCHANGE STREET
HOLLISTON, MA 01746
P: 508-428-1100
F: 508-428-7180
www.GLMengineering.com

JOB No. 18,590
DATE: DEC. 17, 2021
SCALE: 1"=60'
SHEET: 25 OF 25
PLAN #: 27,541

EXISTING & PROPOSED TOPOGRAPHY

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4907
www.franklinma.gov

PLANNING BOARD

March 13, 2023

Nancy Danello, Town Clerk
Town of Franklin
355 East Central Street
Franklin, MA 02038

2023 MAR 14 A 7:42
TOWN OF FRANKLIN
TOWN CLERK
RECEIVED

CERTIFICATE OF VOTE DEFINITIVE SUBDIVISION PROSPECT HILL

Subdivision Plan: Definitive Plan of Land "Prospect Hill Estates"
Applicant: Wall Street Development Corp.
PO Box 272
Westwood, MA 02090
Owners: Wall Street Development Corp.
PO Box 272
Westwood, MA 02090
Prepared By: GLM Engineering Consultants, Inc., 19 Exchange St, Holliston, MA
Surveyor/Engineer: July 22, 2022
Dated: Assessors Map 309 Lot 019

Dear Mrs. Danello:

Please be advised that at its meeting on Monday, March 13, 2023 the Planning Board, upon motion duly made and seconded, voted (5-0) to **APPROVE, with Conditions and waivers**, the above referenced Definitive Subdivision Plan. The waivers are listed on page 2, attached hereto.

Sincerely,

Gregory Rondeau, Chairman

cc: Building Commissioner, DPW/Engineering, Assessor, Applicant/Owner

CONDITIONS
DEFINITIVE SUBDIVISION
PROSPECT HILL

The Applicant and Town of Franklin Planning Board entered into a Judgement, dated January 5, 2023, filed in the Land Court Department Docket No. 22 MISC 000622. The Stipulated Judgement, included the following conditions:

1. Roadway will always remain private and be maintained by homeowners and Town of Franklin will never have any responsibility to maintain it.
2. To implement condition #1, Developer will execute a private road covenant with Town and establish a homeowners association, both documents to be recorded.

WAIVERS
DEFINITIVE SUBDIVISION
PROSPECT HILL

Based on its finding that the requested waivers would be in the public interest and consistent with the intent and purpose of the Subdivision Control Law, the Planning Board, upon motion duly made and seconded voted at its March 13, 2023 Planning Board Meeting (5-0) to **APPROVE** the applicant's request for the following waivers:

1. **§300-10.B(4)(b)** – Roads shall not provide access to undeveloped land in other towns.
2. **§300-10.B(4)(d)** – Roads right-of-way, including cul de sacs, will be setback at least 25-feet from Town lines.

Granting the waivers, approves roadway in Franklin to access Wall Street Development Corps. Eleven lot residential subdivision which, with exception of access roadway, is to be constructed entirely within Bellingham, subject to Franklin Town Engineer's determination that proposed design and construction of roadway is adequate to provide safe vehicular ingress and egress.

PROCEDURES
DEFINITIVE SUBDIVISION
PROSPECT HILL

A copy of this Certificate of Vote shall be filed with the Town Clerk, and one copy shall be mailed to the Owner/applicant. This decision may be appealed by any person aggrieved to the Land Court of to the Superior Court within twenty (20) days of its filing with the Town Clerk.

This Certificate of Vote shall become effective only upon the recording of a copy certified by the Town Clerk with the Norfolk County Registry of Deeds. A copy of the recorded Certificate of Vote shall be submitted to the Board within thirty (30) days of recording.

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA T

Bk 41539 Pg 127 #79616
12-01-2023 @ 02:02p

CERTIFY A N
William P. O'Donohue
WILLIAM P. O'DONOHUE, REGISTER

N O T
A N
O F F I C I A L
C O P Y

**COVENANT
TOWN OF FRANKLIN
(PROSPECT HILL ESTATES - A PRIVATE WAY)**

Lake St. & Prospect St., Franklin, MA

The undersigned, Wall Street Development Corp. of P.O. Box 272, Westwood, MA 02090 (here within: "Wall Street") is the owner of land shown as Parcel "E" situated off Prospect Street in said Franklin, Norfolk County, Massachusetts, shown on a Definitive Subdivision Plan entitled "Prospect Hill Estates in Bellingham & Franklin, Massachusetts", (hereinafter the "Plan") dated December 17, 2021, revised through August 1, 2023, prepared by GLM Engineering Consultants, Inc., 19 Exchange Street, Holliston, MA 01746 to be recorded herewith at the Norfolk County Registry of Deeds.

Parcel E as shown on said Plan is a proposed unnamed private way. The plan was approved with conditions by the Planning Board of the Town of Franklin by Certificate of Vote dated March 13, 2023, filed with the Town Clerk of the Town of Franklin on March 14, 2023, a certified copy of which having been recorded at Norfolk County Registry of Deeds Book Page
renewite

Wall Street represents and covenants that it is the owner in fee simple of all the included land in the aforesaid subdivision and that, except as indicated below, there are no mortgages of record or otherwise on any of said land, except a mortgage to Needham Bank, 1063 Great Plain Avenue, Needham, MA 02394. With its execution of this Covenant, said mortgagee hereby assents to the imposition and binding effect of this Covenant and hereby agrees that said mortgage shall be subordinated to this Covenant, as further provided in paragraph 7 below.

In accordance with said Plan and Certificate of Vote, Wall Street, for minimal consideration acknowledges that this Covenant shall be binding upon its executors, administrators, heirs, successors, and assignees and agree with the Town of Franklin, by and through its Town Administrator, whose signature is affixed hereto, together with a resolution of the Town Council of said Town of Franklin, as follows:

- 1.) Said unnamed private way shall be constructed as a private road in accordance with the above-described Plan and any and all waivers granted by the Franklin Planning Board.
- 2.) The property owners served by said unnamed private way shall have the exclusive and continuing obligation for maintenance, repair, and snow removal of said way and the maintenance and repair of the drainage structure(s), if any.

SEE PLAN FILED IN

PLAN BOOK 725 PAGE 43-48 1

3.) The unnamed private way shall remain a private road and is not intended to be now or at any time in the future a public way and the drainage structure(s), if any, shall remain private structure(s) for the benefit of the property owner.

O F F I C I A L C O P Y

4.) No petition shall ever be made to the Town of Franklin seeking to change the status of the unnamed private way and or the drainage structures, if any, from that of private way/private drainage structures or to transfer the obligation for maintenance, repair and/or snow removal from the private property owners to the Town of Franklin.

5.) The unnamed private way and drainage structure, if any, shall be constructed in accordance with the standard set forth in Section 300, Subdivision of Land - Rules and Regulations of the Town of Franklin, except those waived by the Planning Board. Maintenance and repair of the private way, water supply systems, sewer pipes, electric distribution system and storm water system shall be the responsibility of the owners and shall never be the responsibility of the Town of Franklin and the Town of Franklin shall never be required to perform any service, repair or maintenance with respect to said way, areas or any of the aforementioned systems within the subject property. The Town of Franklin will never be required to provide snow plowing with respect to the subject property;

6.) The Town of Franklin, its agents and servants, shall have the right but not the obligation at all times to enter the unnamed private way and the drainage structures, if any, for the purpose of inspecting, maintaining and/or making emergency repairs including, but not limited to, drainage. In such event, the private property owners shall be liable, jointly, and severally, for the payment of all expenses incurred by the Town of Franklin in connection therewith, and unpaid expenses shall constitute a lien on their property.

7.) The holder of the mortgage on said Parcel E, Needham Bank, 1063 Great Plain Avenue, Needham, MA, hereby consents to this covenant, and agrees that said mortgage shall be subject and subordinate hereto as fully as though this covenant had been executed, delivered, and recorded or filed prior to the execution, delivery and recording or filing of said mortgage.

Executed as sealed instrument this 7th day of August, 2023.

WALL STREET DEVELOPMENT CORP.

Louis Petrozzi
By: Louis Petrozzi, President & Treasurer

TOWN OF FRANKLIN
Jamie Hellen 8/11/23
By: Jamie Hellen,
Town Administrator
Hereunto Duly Authorized

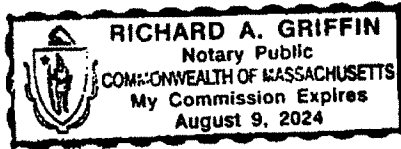
MORTGAGEE - NEEDHAM BANK

Lawrence J. Pitman
By: Lawrence J. Pitman, Senior Vice-President

NOT AN OWNER NOT COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss OFFICIAL COPY OFFICIAL COPY August 7, 2023

On this 7th day of August, 2023, before me, the undersigned notary public, personally appeared Louis Petrozzi, proved to me through satisfactory evidence of identification, which was a Massachusetts Driver's License, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose, as President and Treasurer of Wall Street Development Corp., a Massachusetts corporation.



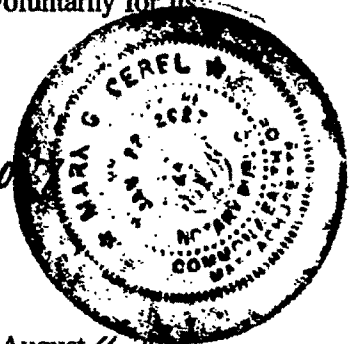
[Signature] Notary Public My Commission Expires

TOWN OF FRANKLIN COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss September 11, 2023

On this 11th day of September, 2023, before me, the undersigned notary public, personally appeared Jamie Hellen, Town Administrator, proved to me through satisfactory evidence of identification, which were Massachusetts Driver's License, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose, as the authorized official of the Town of Franklin.

[Signature] Notary Public My Commission Expires: 1-22-20

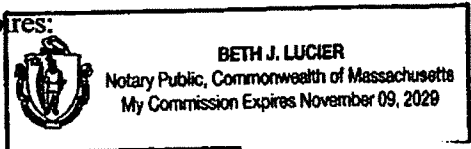


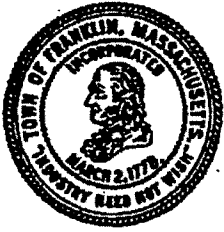
MORTGAGEE COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss August 4, 2023

On this 4th day of August, 2023, before me, the undersigned notary public, personally appeared Lawrence J. Pitman, proved to me through satisfactory evidence of identification, which was a Massachusetts Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, as Vice-President of Needham Bank, a Massachusetts bank.

[Signature] Notary Public My Commission Expires:





TOWN OF FRANKLIN

NOT AN OFFICIAL COPY RESOLUTION 23-50 NOT AN OFFICIAL COPY CERTIFY

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA

William P. O'Donnell
WILLIAM P. O'DONNELL, REGISTER

ACCEPTANCE OF PRIVATE ROAD COVENANT WITH OWNER-DEVELOPER OF
PROSPECT HILLS ESTATES, A RESIDENTIAL SUBDIVISION LOCATED IN BELLINGHAM
WITH ACCESS ROAD OFF PROSPECT STREET IN FRANKLIN

WHEREAS, the Franklin Planning Board on March 14, 2023 voted to approve with conditions a definitive subdivision plan for a residential subdivision known as Prospect Hills Estates, which subdivision plan shows a residential subdivision located wholly in Bellingham but accessed by a roadway off Prospect Street in Franklin, and which plan is to be recorded at Norfolk County Registry of Deeds; and

WHEREAS, said vote included conditions that the unnamed roadway shown on the above described subdivision plan as Parcel E, together with related drainage and utilities, be and remain private and that the private property owner(s) have the exclusive obligation to maintain and repair the same, as well as to remove snow therefrom; and

WHEREAS, Wall Street Development Corp. is the owner of the subject property and has executed a covenant incorporating the foregoing conditions, a true copy of which is attached as "Exhibit 1";

NOW THEREFORE BE IT ORDERED that the Town of Franklin, acting by and through its Town Council, hereby authorizes the Town Administrator to execute the covenant, a copy of which is attached hereto as Exhibit 1, on behalf of the Town of Franklin.

This resolution shall become effective according to the provisions of the Town of Franklin Home Rule Charter.

DATED: Sept 6th, 2023

VOTED: passed

ATTEST:
TOWN OF FRANKLIN

UNANIMOUS:

YES: 9 NO: 0

ABSTAIN: ABSENT:

RECUSED:

Nancy Daniels
Nancy Daniels, TMC
Town Clerk

Glen Jones
Glen Jones, Clerk
Franklin Town Council

Exhibit 1

N O T
A N
O F F I C I A L
C O P Y

N O T
A N
O F F I C I A L
C O P Y

SUBDIVISION REGULATIONS

**Town of Bellingham
Form F
Covenant**

The undersigned, Wall Street Development Corp. of P.O. Box 272, Westwood, MA 02090 (hereinafter called "Covenantor"), having submitted to the Bellingham Planning Board (the "Board") an application for approval of a Definitive Plan of a subdivision entitled "Prospect Hill Estates," dated December 17, 2021, last revised August 1, 2023, designed by GLM Engineering Consultants, Inc., 19 Exchange Street, Holliston, MA 01746, does hereby covenant and agree with said Planning Board and the successors in office of said Board, pursuant to M.G.L. Ch. 41, § 81U, as amended, that:

1. Except as otherwise expressly provided in M.G.L. Ch. 41, § 81U, no lot included on such plan shall be built upon or conveyed until the infrastructure and other work required in relation to such lot has been completed in the manner specified by the Subdivision Regulations of the Town of Bellingham or a performance bond or other security in lieu of completion has been accepted by the Planning Board, and in accordance with the covenants, conditions, agreements, terms and provisions contained in the following:

- a) Application for Approval of Definitive Plan (Form C) signed by the Applicant and dated December 17, 2021.
- b) The Definitive Plan as qualified by the Certificate of Approval (Form D-1) issued by the Planning Board dated April 5, 2023.
- c) The Certificate of Approval of a Definitive Subdivision Plan and Stormwater Management Plan Permit dated May 11, 2023, and filed with the Office of the Town of Bellingham Town Clerk on May 12, 2023.
- d) The Subdivision Control Law, the Town of Bellingham Zoning Bylaws, and the Subdivision Rules and Regulations of the Town of Bellingham and Best Management Practices.
- e) [Other permits listed]

The Planning Board shall be permitted to utilize engineers and other outside consultants, at the expense of the Covenantor, in order to determine whether said infrastructure has been completed in a complying manner.

2. It is the intention of the Covenantor, and it is hereby understood and agreed, that this contract shall constitute a covenant running with the land included in the aforesaid Subdivision and shall operate as restrictions upon said land, and shall be binding upon the executors, administrators, devisees, heirs, assigns, and successors in title to the premises. It is agreed that any subsequent mortgages shall be subordinate to this Covenant.

3. The undersigned represents and covenants that it is the owner in fee simple of all the included land in the aforesaid subdivision and that, except as indicated below, there are no mortgages of record or otherwise on any of said land, except a mortgage to Needham Bank, 1063 Great Plain Avenue, Needham, MA 02394 dated July 31, 2023, and recorded in the Norfolk County Registry of Deeds in Book 41335, Page 368. With its execution of this Covenant, the mortgagee listed below hereby assents to the imposition and binding effect of this Covenant and hereby agrees that said mortgage shall be subordinated to this Covenant.

4. The construction of ways and installation of municipal services shall be completed in accordance with the applicable rules and regulations of the Planning Board in effect at the time of the approval of the Subdivision Plan and within a period of Four (4) years from the date of the execution of the Covenant. Failure to timely secure or complete shall automatically rescind approval of the Plan. Covenantor may request additional extensions of time from the Planning Board for the completion of construction of ways and installation of municipal services for additional periods of two (2) years per request. Failure to complete the construction of ways and installations of municipal services shall constitute sufficient reason for the Planning Board to consider rescission of its Certificate of Approval, in accordance with the requirements of General Laws Chapter 41, Section 81W, unless otherwise extended by the Planning Board.

5. This covenant shall be binding upon the executors, administrators, heirs, successors, and assignees of the undersigned and shall constitute a covenant running with the land included in the Subdivision and shall operate as restrictions upon said land. This Covenant shall be binding upon the managers, members, executors, administrators, devisees, heirs, successors, and assigns of the Covenantor and the undersigned.

6. Nothing herein shall be deemed to prohibit a conveyance by a single deed, subject to this covenant, of either the entire parcel of land shown on the Definitive Plan or of all lots not previously released by the Planning Board.

7. The undersigned Covenantor agree to record this Covenant, at its expense, with the Norfolk County Registry of Deeds forthwith. Reference to this Covenant shall be entered upon the Definitive Plan as approved.

8. A deed of any part of the Subdivision in violation of this covenant shall be voidable by the grantee prior to the release of this covenant but not later than three (3) years from the date of such deed, as provided in General Laws Chapter 41, Section 81U.

9. This covenant shall be executed before endorsement of the approval of the Definitive Plan by the Planning Board and shall take effect upon the endorsement of approval. This covenant shall be recorded with the Definitive Plan in the Norfolk County Registry of Deeds.

10. Upon final completion on or before of the construction of ways and the installation of municipal services as specified herein, the Planning Board shall release this covenant by an appropriate instrument, duly acknowledged. Upon performance of this covenant with respect to any lot, the Planning Board may release such lot from this covenant.

C O P Y C O P Y

11. Nothing herein shall prohibit the Covenantor from varying the method or combination of methods of securing the construction of ways and the installation of municipal services from time to time as permitted by General Laws Chapter 41, Section 81U, provided that such security be sufficient in the opinion of the Planning Board to secured performance of such construction and installation.

12. The undersigned Louis Petrozzi, President of Wall Street Development Corp., hereby represents and warrants that he is signing this Covenant having been fully authorized to do so, that he has full and complete authority to bind each party on whose behalf he is signing, and that such interest as Wall Street Development Corp. may have in said land shall be subject to the provisions of this covenant.

For title to said land see deed of Varney Bros. Sand & Gravel Co. to Wall Street Development Corp. dated October 14, 2021 recorded at the Norfolk County Registry of Deeds in Book 39961, Page 49 and deed of Paul Clarkin to Wall Street Development Corp. dated July 31, 2023 and recorded at the Norfolk County Registry of Deeds in Book 41335, Page 366.

Needham Bank, 1063 Great Plain Avenue, Needham, MA, holder of the mortgage above described, hereby consents to this covenant, and agrees that said mortgage dated July 31, 2023, and recorded at the Norfolk County Registry of Deeds in Book 41335, Page 368, shall be subject and subordinate hereto as fully as though this covenant had been executed, delivered, and recorded or filed prior to the execution, delivery and recording or filing of said mortgage.

IN WITNESS WHEREOF we have hereunto set our hands and seals this 7th day of August, 2023.

**OWNER/COVENANTOR
WALL STREET DEVELOPMENT CORP.**

Louis Petrozzi
By: Louis Petrozzi, President & Treasurer

**ACCEPTED BY:
BELLINGHAM PLANNING BOARD**

Neil Fair
Bin Selby
Ben J. Tucker
Nick M...

MORTGAGEE – NEEDHAM BANK

Lawrence J. Pitman
By: Lawrence J. Pitman
Senior Vice-President

Majority of the Planning Board

Planning Board Representative

NOTARY PUBLIC COMMONWEALTH OF MASSACHUSETTS

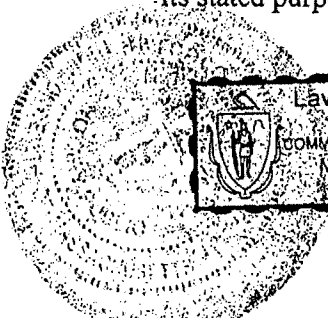
Norfolk, ss

OFFICIAL COPY

OFFICIAL COPY

August 7, 2023

On this 7th day of August, 2023, before me, the undersigned notary public, personally appeared William E. O'Connell, proved to me through satisfactory evidence of identification, which was a Massachusetts Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, as the authorized representative of the Bellingham Planning Board.



Lawrence J. Sposato, Jr. Notary Public COMMONWEALTH OF MASSACHUSETTS My Commission Expires July 17, 2026

Signature of Lawrence J. Sposato, Jr. Notary Public My Commission Expires: 7/17/26

Owner or Owners

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

August 7, 2023

On this 7th day of August, 2023, before me, the undersigned notary public, personally appeared Louis Petrozzi, proved to me through satisfactory evidence of identification, which was a Massachusetts Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, as President and Treasurer of Wall Street Development Corp., a Massachusetts corporation.

RICHARD A. GRIFFIN Notary Public COMMONWEALTH OF MASSACHUSETTS My Commission Expires August 9, 2024

Signature of Richard A. Griffin Notary Public My Commission Expires: _____

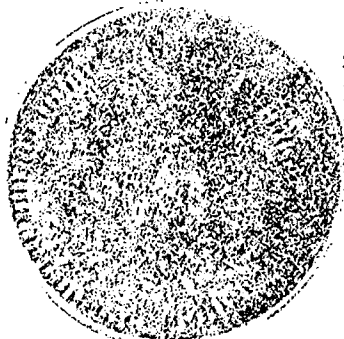
Mortgagee

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

August 4, 2023

On this 4th day of August, 2023, before me, the undersigned notary public, personally appeared Lawrence J. Pitman, proved to me through satisfactory evidence of identification, which was a Massachusetts Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, as President of Needham Bank, a Massachusetts bank.



Signature of Beth J. Lucier Notary Public My Commission Expires: _____

BETH J. LUCIER Notary Public, Commonwealth of Massachusetts My Commission Expires November 09, 2029



TOWN OF FRANKLIN

NOT AN OFFICIAL COPY
RESOLUTION 23-50
NOT AN OFFICIAL COPY

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA

CERTIFY
William P. O'Donnell
WILLIAM P. O'DONNELL, REGISTER

ACCEPTANCE OF PRIVATE ROAD COVENANT WITH OWNER-DEVELOPER OF
PROSPECT HILLS ESTATES, A RESIDENTIAL SUBDIVISION LOCATED IN BELLINGHAM
WITH ACCESS ROAD OFF PROSPECT STREET IN FRANKLIN.

WHEREAS, the Franklin Planning Board on March 14, 2023 voted to approve with conditions a definitive subdivision plan for a residential subdivision known as Prospect Hills Estates, which subdivision plan shows a residential subdivision located wholly in Bellingham but accessed by a roadway off Prospect Street in Franklin, and which plan is to be recorded at Norfolk County Registry of Deeds; and

WHEREAS, said vote included conditions that the unnamed roadway shown on the above described subdivision plan as Parcel E, together with related drainage and utilities, be and remain private and that the private property owner(s) have the exclusive obligation to maintain and repair the same, as well as to remove snow therefrom; and

WHEREAS, Wall Street Development Corp. is the owner of the subject property and has executed a covenant incorporating the foregoing conditions, a true copy of which is attached as "Exhibit 1";

NOW THEREFORE BE IT ORDERED that the Town of Franklin, acting by and through its Town Council, hereby authorizes the Town Administrator to execute the covenant, a copy of which is attached hereto as Exhibit 1, on behalf of the Town of Franklin.

This resolution shall become effective according to the provisions of the Town of Franklin Home Rule Charter.

DATED: Sept 6th, 2023

VOTED: passed

A TRUE AND CORRECT TEST:

Nancy Daniels, TMC
Town Clerk

UNANIMOUS:
YES: 9 NO: 0
ABSTAIN: ABSENT:
RECUSED:

Glenn Jones, Clerk
Franklin Town Council

Exhibit 1

N O T
A N
O F F I C I A L
C O P Y

N O T
A N
O F F I C I A L
C O P Y

SUBDIVISION REGULATIONS

**Town of Bellingham
Form F
Covenant**

The undersigned, Wall Street Development Corp. of P.O. Box 272, Westwood, MA 02090 (hereinafter called "Covenantor"), having submitted to the Bellingham Planning Board (the "Board") an application for approval of a Definitive Plan of a subdivision entitled "Prospect Hill Estates," dated December 17, 2021, last revised August 1, 2023, designed by GLM Engineering Consultants, Inc., 19 Exchange Street, Holliston, MA 01746, does hereby covenant and agree with said Planning Board and the successors in office of said Board, pursuant to M.G.L. Ch. 41, § 81U, as amended, that:

1. Except as otherwise expressly provided in M.G.L. Ch. 41, § 81U, no lot included on such plan shall be built upon or conveyed until the infrastructure and other work required in relation to such lot has been completed in the manner specified by the Subdivision Regulations of the Town of Bellingham or a performance bond or other security in lieu of completion has been accepted by the Planning Board, and in accordance with the covenants, conditions, agreements, terms and provisions contained in the following:

- a) Application for Approval of Definitive Plan (Form C) signed by the Applicant and dated December 17, 2021.
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- d) The Subdivision Control Law, the Town of Bellingham Zoning Bylaws, and the Subdivision Rules and Regulations of the Town of Bellingham and Best Management Practices.
- e) [Other permits listed]

The Planning Board shall be permitted to utilize engineers and other outside consultants, at the expense of the Covenantor, in order to determine whether said infrastructure has been completed in a complying manner.

2. It is the intention of the Covenantor, and it is hereby understood and agreed, that this contract shall constitute a covenant running with the land included in the aforesaid Subdivision and shall operate as restrictions upon said land, and shall be binding upon the executors, administrators, devisees, heirs, assigns, and successors in title to the premises. It is agreed that any subsequent mortgages shall be subordinate to this Covenant.

3. The undersigned represents and covenants that it is the owner in fee simple of all the included land in the aforesaid subdivision and that, except as indicated below, there are no mortgages of record or otherwise on any of said land, except a mortgage to Needham Bank, 1063 Great Plain Avenue, Needham, MA 02394 dated July 31, 2023, and recorded in the Norfolk County Registry of Deeds in Book 41335, Page 368. With its execution of this Covenant, the mortgagee listed below hereby assents to the imposition and binding effect of this Covenant and hereby agrees that said mortgage shall be subordinated to this Covenant.

4. The construction of ways and installation of municipal services shall be completed in accordance with the applicable rules and regulations of the Planning Board in effect at the time of the approval of the Subdivision Plan and within a period of Four (4) years from the date of the execution of the Covenant. Failure to timely secure or complete shall automatically rescind approval of the Plan. Covenantor may request additional extensions of time from the Planning Board for the completion of construction of ways and installation of municipal services for additional periods of two (2) years per request. Failure to complete the construction of ways and installations of municipal services shall constitute sufficient reason for the Planning Board to consider rescission of its Certificate of Approval, in accordance with the requirements of General Laws Chapter 41, Section 81W, unless otherwise extended by the Planning Board.

5. This covenant shall be binding upon the executors, administrators, heirs, successors, and assignees of the undersigned and shall constitute a covenant running with the land included in the Subdivision and shall operate as restrictions upon said land. This Covenant shall be binding upon the managers, members, executors, administrators, devisees, heirs, successors, and assigns of the Covenantor and the undersigned.

6. Nothing herein shall be deemed to prohibit a conveyance by a single deed, subject to this covenant, of either the entire parcel of land shown on the Definitive Plan or of all lots not previously released by the Planning Board.

7. The undersigned Covenantor agree to record this Covenant, at its expense, with the Norfolk County Registry of Deeds forthwith. Reference to this Covenant shall be entered upon the Definitive Plan as approved.

8. A deed of any part of the Subdivision in violation of this covenant shall be voidable by the grantee prior to the release of this covenant but not later than three (3) years from the date of such deed, as provided in General Laws Chapter 41, Section 81U.

9. This covenant shall be executed before endorsement of the approval of the Definitive Plan by the Planning Board and shall take effect upon the endorsement of approval. This covenant shall be recorded with the Definitive Plan in the Norfolk County Registry of Deeds.

10. Upon final completion on or before of the construction of ways and the installation of municipal services as specified herein, the Planning Board shall release this covenant by an appropriate instrument, duly acknowledged. Upon performance of this covenant with respect to any lot, the Planning Board may release such lot from this covenant.

C O P Y C O P Y

11. Nothing herein shall prohibit the Covenantor from varying the method or combination of methods of securing the construction of ways and the installation of municipal services from time to time as permitted by General Laws Chapter 41, Section 81U, provided that such security be sufficient in the opinion of the Planning Board to secured performance of such construction and installation.

12. The undersigned Louis Petrozzi, President of Wall Street Development Corp., hereby represents and warrants that he is signing this Covenant having been fully authorized to do so, that he has full and complete authority to bind each party on whose behalf he is signing, and that such interest as Wall Street Development Corp. may have in said land shall be subject to the provisions of this covenant.

For title to said land see deed of Varney Bros. Sand & Gravel Co. to Wall Street Development Corp. dated October 14, 2021 recorded at the Norfolk County Registry of Deeds in Book 39961, Page 49 and deed of Paul Clarkin to Wall Street Development Corp. dated July 31, 2023 and recorded at the Norfolk County Registry of Deeds in Book 41335, Page 366.

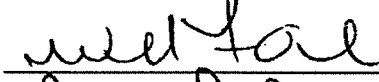
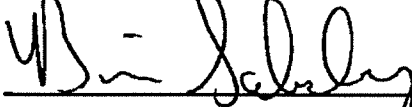
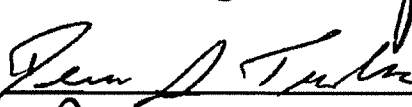
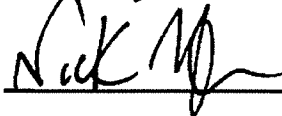
Needham Bank, 1063 Great Plain Avenue, Needham, MA, holder of the mortgage above described, hereby consents to this covenant, and agrees that said mortgage dated July 31, 2023, and recorded at the Norfolk County Registry of Deeds in Book 41335, Page 368, shall be subject and subordinate hereto as fully as though this covenant had been executed, delivered, and recorded or filed prior to the execution, delivery and recording or filing of said mortgage.

IN WITNESS WHEREOF we have hereunto set our hands and seals this 7th day of August, 2023.


**OWNER/COVENANTOR
WALL STREET DEVELOPMENT CORP.**


By: Louis Petrozzi, President & Treasurer

**ACCEPTED BY:
BELLINGHAM PLANNING BOARD**

MORTGAGEE - NEEDHAM BANK


By: Lawrence J. Pitman
Senior Vice-President

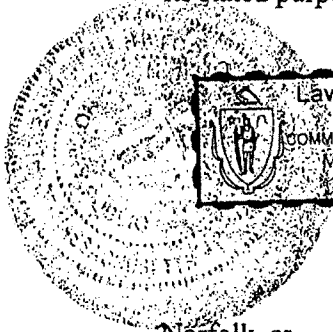
Majority of the Planning Board

Planning Board Representative

NOT COMMONWEALTH OF MASSACHUSETTS NOT

Norfolk, ss OFFICIAL COPY OFFICIAL COPY August 7, 2023

On this 7th day of August, 2023, before me, the undersigned notary public, personally appeared William F. O'Connell, proved to me through satisfactory evidence of identification, which was a Massachusetts Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, as the authorized representative of the Bellingham Planning Board.



Lawrence J. Sposato, Jr. Notary Public COMMONWEALTH OF MASSACHUSETTS My Commission Expires July 17, 2026

Signature of Lawrence J. Sposato, Jr. Notary Public My Commission Expires: 7/17/26

Owner or Owners

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss August 7, 2023

On this 7th day of August, 2023, before me, the undersigned notary public, personally appeared Louis Petrozzi, proved to me through satisfactory evidence of identification, which was a Massachusetts Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, as President and Treasurer of Wall Street Development Corp., a Massachusetts corporation.

RICHARD A. GRIFFIN Notary Public COMMONWEALTH OF MASSACHUSETTS My Commission Expires August 9, 2024

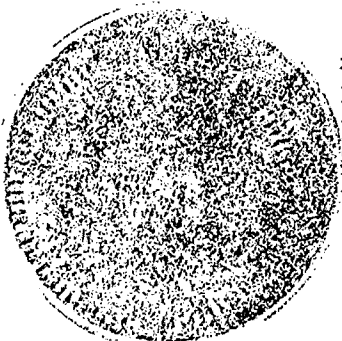
Signature of Notary Public My Commission Expires: _____

Mortgagee

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss August 7, 2023

On this 4th day of August, 2023, before me, the undersigned notary public, personally appeared Lawrence J. Pitman, proved to me through satisfactory evidence of identification, which was a Massachusetts Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, as President of Needham Bank, a Massachusetts bank.



Signature of Beth J. Lucier Notary Public My Commission Expires: _____

BETH J. LUCIER Notary Public, Commonwealth of Massachusetts My Commission Expires November 09, 2029

9489 0090 0027 6064 1852 84

Applicant

9489 0090 0027 6064 1853 38

Owner

Town of Franklin

Tel: (508) 520-4929

Fax: (508) 520-4906



Conservation Commission

355 East Central Street • Franklin, Massachusetts 02038-1352

October 7, 2021

Louis Petrozzi
Wallstreet Development Corp.
P.O. Box 272
Westwood, MA 02090

RE: Order of Conditions, Lot 4 Prospect Street, CE159-1240

Mr. Petrozzi:

Please find enclosed the Order of Conditions for the Lot 4 Prospect Street project recently permitted through the Franklin Conservation Commission. Per state statute the Order of Conditions must be recorded in the Registry of Deeds and evidence of this recording must be given to the Conservation Commission office.

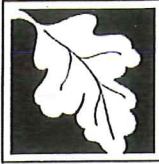
In addition, the erosion control barriers must be installed, inspected and certified by your engineer prior to Franklin's Conservation Agent signing off on any building permits.

If you have any questions, please feel free to contact me (508-520-4929; jdelmore@franklinma.gov).

Sincerely,

A handwritten signature in cursive script, appearing to read "Jef Delmore", is written in black ink.

Jennifer Delmore
Conservation Agent



Massachusetts Department of Environmental Protection

eDEP Transaction Copy

Here is the file you requested for your records.

To retain a copy of this file you must save and/or print.

Username: FRANKLINCONCOM

Transaction ID: 1314120

Document: WPA Form 5 - OOC

Size of File: 133.61K

Status of Transaction: In Process

Date and Time Created: 10/6/2021:12:57:37 PM

Note: This file only includes forms that were part of your transaction as of the date and time indicated above. If you need a more current copy of your transaction, return to eDEP and select to "Download a Copy" from the Current Submittals page.

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

Provided by MassDEP:
MassDEP File #:159-1240
eDEP Transaction #:1314120
City/Town:FRANKLIN

A. General Information

1. Conservation Commission FRANKLIN
2. Issuance a. OOC b. Amended OOC
3. Applicant Details
a. First Name LOUIS b. Last Name PETROZZI
c. Organization WALLSTREET DEVELOPMENT CORP.
d. Mailing Address P.O. BOX 272
e. City/Town WESTWOOD f. State MA g. Zip Code 02090
4. Property Owner
a. First Name ELIZABETH b. Last Name VARNEY
c. Organization VARNEY BROS. SAND & GRAVEL, INC.
d. Mailing Address 79 HARTFORD AVENUE
e. City/Town BELLINGHAM f. State MA g. Zip Code 02019
5. Project Location
a. Street Address PROSPECT STREET (LOT 4)
b. City/Town FRANKLIN c. Zip Code 02038
d. Assessors 308 e. Parcel/Lot# 079
Map/Plat#
f. Latitude 42.06473N g. Longitude 71.45621W
6. Property recorded at the Registry of Deed for:
a. County NORFOLK b. Certificate c. Book BOOK 3576 - BOOK 4030 d. Page PAGE 477 - PAGE 146
7. Dates
a. Date NOI Filed : 9/1/2021 b. Date Public Hearing Closed: c. Date Of Issuance:
8. Final Approved Plans and Other Documents
a. Plan Title: PROPOSED SEWAGE DISPOSAL SYSTEM LOT 4 - PROSPECT STREET FRANKLIN, MASSACHUSETTS
b. Plan Prepared by: JOYCE E. HASTINGS, PLS
c. Plan Signed/Stamped by: ROBERT S. TRUAX, PE
d. Revised Final Date: SEPT 29, 2021
e. Scale: 1" = 20'

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act
Following the review of the 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.

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

Provided by MassDEP:
 MassDEP File #:159-1240
 eDEP Transaction #:1314120
 City/Town:FRANKLIN

Check all that apply:

<input type="checkbox"/> a. Public Water Supply	<input type="checkbox"/> b. Land Containing Shellfish	<input type="checkbox"/> c. Prevention of Pollution
<input type="checkbox"/> d. Private Water Supply	<input type="checkbox"/> e. Fisheries	<input type="checkbox"/> f. Protection of Wildlife Habitat
<input type="checkbox"/> g. Ground Water Supply	<input type="checkbox"/> h. Storm Damage Prevention	<input type="checkbox"/> i. Flood Control

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

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.

Denied because:

b. The proposed work cannot be conditioned to meet the performance standards set forth in the wetlands regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**

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 interests of the Act, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**

3. Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310CMR10.02(1)(a). _____ a. linear feet

Inland Resource Area Impacts:(For Approvals Only):

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	_____ a. linear feet	_____ b. linear feet	_____ c. linear feet	_____ d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
6. <input type="checkbox"/> Land under Waterbodies and Waterways	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
	_____ e. c/y dredged	_____ f. c/y dredged		
7. <input type="checkbox"/> Bordering Land Subject to Flooding	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
Cubic Feet Flood Storage	_____	_____	_____	_____

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8. <input type="checkbox"/> Isolated Land Subject to Flooding	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
Cubic Feet Flood Storage	<u> </u>	<u> </u>		
	a. square feet	b. square feet		
9. <input checked="" type="checkbox"/> Riverfront Area	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
	<u>1410</u>	<u>1410</u>		
Sq ft within 100 ft	a. total sq. feet	b. total sq. feet		
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Sq ft between 100-200 ft	c. square feet	d. square feet	e. square feet	f. square feet
	<u>1410</u>	<u>1410</u>	<u>0</u>	<u>0</u>
	g. square feet	h. square feet	i. square feet	j. square feet

Coastal Resource Area Impacts:

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	<u> </u>	<u> </u>		
	a. square feet	b. square feet		
	<u> </u>	<u> </u>		
	c. c/y dredged	d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
14. <input type="checkbox"/> Coastal Dunes	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
15. <input type="checkbox"/> Coastal Banks	<u> </u>	<u> </u>		
	a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	<u> </u>	<u> </u>		
	a. square feet	b. square feet		
17. <input type="checkbox"/> Salt Marshes	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	<u> </u>	<u> </u>		
	a. square feet	b. square feet		
	<u> </u>	<u> </u>		
	c. c/y dredged	d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	a. square feet	b. square feet	c. square feet	d. square feet
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			

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21. Land Subject to Coastal Storm Flowage
c. c/y dredged d. c/y dredged
a. square feet b. square feet

22. Restoration/Enhancement (For Approvals Only)
If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c & d or B.17.c & d above, please entered the additional amount here.

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

23. Streams Crossing(s)
If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

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

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. the work is a maintenance dredging project as provided for in the Act; or
 - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not exceed the issuance date of the original Final Order of Conditions.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land 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

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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 : "159-1240"

11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before Mass DEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately 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.

NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS

19. The work associated with this Order (the "Project") is (1) is not (2) subject to the Massachusetts Stormwater Standards. If the work is subject to Stormwater Standards, then the project is subject to the following conditions;
- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Construction General Permit as required by Stormwater Standard 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that: *i.* all construction period BMPs have been

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- removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures; *ii.* as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized; *iii.* any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10; *iv.* all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition; *v.* any vegetation associated with post-construction BMPs is suitably established to withstand erosion.
- c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 19(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 Pollutant Discharge Elimination System Multi-Sector General Permit.
- e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 19(f) through 19(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 19(f) through 19(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.
- f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.
- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.

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- 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:

D. Findings Under Municipal Wetlands Bylaw or Ordinance

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

2. The Conservation Commission hereby (check one that applies):

a. DENIES the proposed work which cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw specifically:

1. Municipal Ordinance or Bylaw _____

2. Citation _____

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order or Conditions is issued. Which are necessary to comply with a municipal ordinance or bylaw:

b. APPROVES the proposed work, subject to the following additional conditions.

1. Municipal Ordinance or Bylaw FRANKLIN
WETLANDS
PROTECTION
BYLAW AND
CONSERVATION
COMMISSION
BYLAWS

2. Citation CH. 181 AND 271

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

The special conditions relating to municipal ordinance or bylaw are as follows:
SEE ATTACHED

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E. Signatures

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



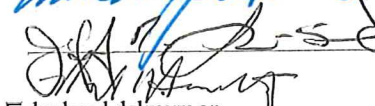
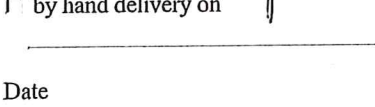
1. Date of Original Order

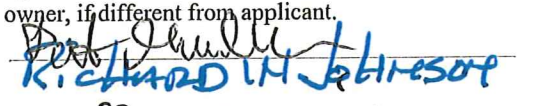

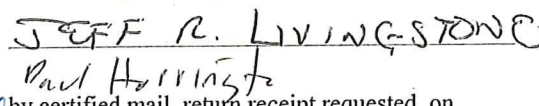
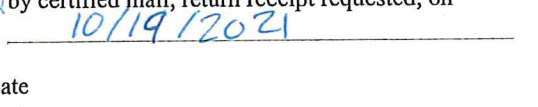

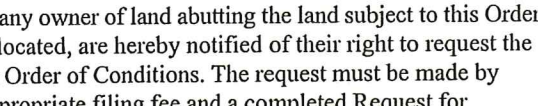
Please indicate the number of members who will sign this form. This Order must be signed by a majority of the Conservation Commission.

4
2. Number of Signers

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

Signatures:

by hand delivery on

by certified mail, return receipt requested, on
10/19/2021

Date

Date

F. Appeals

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

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

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

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G. Recording Information

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

FRANKLIN
Conservation Commission

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

To: FRANKLIN
Conservation Commission

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

PROSPECT STREET (LOT 4) 159-1240
Project Location MassDEP File Number

Has been recorded at the Registry of Deeds of:

County	Book	Page
for: <u>Property Owner ELIZABETH VARNEY</u>		

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

Rev. 4/1/2010

ATTACHMENT
SPECIAL CONDITIONS

Table 1. List of Special Conditions

Add	No.	Special Conditions
	19	Mitigation Planting Plan
X	20	Erosion Control Barriers
X	21	Extra Siltation Barriers
	22	As-Built Plan
	23	Written Conformance Reports
X	24	Work Performed According to Plan
	25	Referencing Order of Conditions
	26	Provision of Plans and Order of Conditions
X	27	Approved Changes
X	28	Notification Prior to Work
X	29	Right to Impose Additional Conditions
X	30	Errata as Changes
	31	Compliance Contact Information
	32	Weekly Monitor Reports
	33	Use of Clean Fill
X	34	No Straw Bales
	35	Stockpile Maintenance
	36	Cleaning Vehicles
	37	Remedy Upon Problem Identification
	38	Barriers as Limit to Work
	39	Limit of Work Marked
	40	No Construction Materials
X	41	Inspections and Disposal of Sediment
	42	No Rock Salt
	43	No Fertilizers
X	44	Removal of Barriers
	45	Dewatering Plan

	46	Stockpile Location
	47	Removal of Sediment
	48	No Refueling
	49	Emergency Repairs
	50	Leaks and Spills
X	<u>51</u>	<u>Building Permit Sign Off</u>

19. **Mitigation Planting Plan:** If the project involves detention basins, drainage swales or other significant drainage structures, prior to the first pre-construction meeting, the Applicant shall submit a mitigation planting plan to the Conservation Department for review and approval. The mitigation planting plan shall use low shrub and tree species from the Franklin Best Development Practices Guide Book - specific for wildlife habitat - to be planted near the detention basin and altered swale.

20. **Erosion Control Barriers:** Erosion control barriers must be installed, inspected and approved by a professional engineer or licensed wetlands scientist. Before any work commences (including any land and/or vegetation cutting, removal, or disturbance) said professional shall submit to the Conservation Commission a written statement confirming the erosion control barriers are installed according to the approved plan. The statement shall be signed and stamped by said professional. All erosion control barriers must be biodegradable. This biodegradable requirement supersedes any details shown on the plan.

21. **Extra Siltation Barriers:** An extra 10% of the required biodegradable siltation barriers must be stored on site in the event of an emergency or storm.

22. **As-Built Plan:** If the Order of Conditions was based on a plan submitted and stamped by a licensed professional, then simultaneous with any written request for a Certificate of Compliance inspection, the Applicant will provide an as-built drawing plan stamped with the same license as the original plan. Any deviation from the approved plan must be demarcated and duly explained.

23. **Written Conformance Reports:** The Commission must receive a written report with respect to a project's conformance to Orders of Conditions every April and October from a professional consultant (e.g. engineer or wetland scientist) until a Certificate of Compliance is issued.

24. **Work Performed According to Plan:** Except where modified by the Commission, all work must be performed in accordance with the plans and the Order of Conditions. Any violation of these Orders of Conditions may result in the Applicant being subject to an Enforcement Order.

25. **Referencing Order of Conditions:** This Order shall be referenced in all construction contracts, subcontracts, and specifications dealing with the proposed work 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 the permit's terms and conditions. Thereafter, the Contractor will be held jointly and independently

liable for any violation of the Order of Conditions, resulting from failure to comply with its conditions.

26. Provision of Plans and Order of Conditions: A copy of the plans and associated Order of Conditions must be provided to the contractor responsible for the project's construction and completion, *prior* to the commencement of work. The contractor must have a copy of this Order of Conditions on site at all times while activities regulated by this Order of Conditions are being performed.

27. Approved Changes: Any changes, alterations, or revisions in the submitted plans or Notice of Intent must be approved by the Commission prior to their implementation. Failure to comply with this condition may subject the Applicant to an Enforcement Order. If the Commission finds, by a majority vote, said changes to be significant and/or to deviate from the revised plans, Notice of Intent, or the Order of Conditions, then the Commission may require that the Applicant file a Request to Amend the Order of Conditions or a new Notice of Intent. All changes to the plan shall be in accordance with DEP Policy 85-4.

28. Notification Prior to Work: The Applicant must notify the Franklin Conservation Commission in writing one week before any activity, including vegetation removal, commences on the project site. Failure to comply with pertinent conditions may result in a directive to cease all activity. In the event that work ceases on the site for a period of time greater than five business days **and** inspections required by this Order are stopped, this condition shall again apply prior to recommencing work on the site. Compliance with this condition does not relieve the Applicant from complying with all other conditions. All conditions requiring additional information prior to commencing construction shall be met prior to submitting said notice.

29. Right to Impose Additional Conditions: If siltation, erosion, or other adverse impacts to any resource areas occur, the Commission reserves the right to impose additional conditions as necessary to protect the interests of the Wetlands Protection Act and the Franklin Wetlands Protection Act Bylaw.

30. Errata as Changes: Any errors found on the plans or in the information submitted by the Applicant shall be considered as changes, and the procedures and policies related to plan changes outlined above, shall be followed.

31. Compliance Contact Information: Prior to any work being performed on the site, the Applicant shall inform the Franklin Conservation Commission in writing of the names, addresses, and business and home phone numbers of both the project supervisor who will be responsible for ensuring on site compliance with the Order of Conditions, as well as his/her alternate. The Applicant shall notify the Commission in writing of any changes in this information as soon as practically possible.

32. Weekly Monitor Reports: At least every other week, beginning the first week of construction, in which construction activity occurs on site and for as long thereafter as the ground remains destabilized, the applicant, the applicant's representative, or the contractor must submit a written report to the Conservation Commission. The report must include weekly erosion control inspection logs, details of any remediation activities taken, and descriptions of any deviations from approved plans.

33. **Use of Clean Fill:** Any fill used in connection with this project shall be clean, meaning it contains 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.

34. **No Straw Bales:** In order to help prevent the spread of invasive plant species, the use of straw hay bales as a means of erosion control is prohibited.

35. **Stockpile Maintenance:** Any soil areas, including stockpiles, which will remain exposed for longer than thirty calendar days shall be mulched or covered with a short-lived annual herbaceous cover crop.

36. **Cleaning Vehicles:** In order to help prevent the spread of invasive plant species during construction, all vehicles entering or leaving the site will be thoroughly cleaned of accumulated soil or plant material.

37. **Remedy Upon Problem Identification:** If any unforeseen problems occur during construction that affect any of the statutory interests identified in MGL c. 131 §40 and 310 CMR 10.00, and/or the Town of Franklin Wetlands Bylaw, the Applicant shall immediately notify the Conservation Commission, and a meeting shall be held shortly thereafter between the Conservation Commission, the Applicant, the Applicant's licensed professionals, the Contractor, and any other concerned parties, to determine corrective measures to be taken. The Applicant shall then implement the agreed upon corrective measures. In the event of a dispute between the meeting participants, the Commission's judgment shall prevail.

38. **Barriers as Limit of Work:** The sedimentation barriers will also serve as the limit of work, and no work, disturbance, or alteration shall occur on the resource area side of the barrier except as depicted on the approved plans.

39. **Limit of Work Marked:** The limit of work area shall be clearly marked in the field with said indicators being spaced at intervals no greater than 50 feet.

40. **No Construction Materials:** No construction materials, debris, leaves, or other materials shall be deposited outside the limits of work.

41. **Inspections and Disposal of Sediment:** To assure the continued effective removal of sediments, the Contractor shall inspect the barriers weekly and after each rainfall event to determine its condition. At the time of these inspections, accumulated sediments will be removed from the barriers and damaged barriers will be repaired or replaced as necessary. In no event shall silt be allowed to accumulate to a height greater than one-half the height of the barriers. Any removed sediment will be moved to and disposed of at a suitable location.

42. **No Rock Salt:** No rock salt (sodium chloride) can be used on paved surfaces within one hundred feet of wetland resource areas. Other de-icing chemicals may be used with the prior written approval of the Conservation Commission, and only after a formal review of the proposed substance. Signs, submitted to and approved by the Conservation Commission, shall be posted at the site stating this is a no-salt zone. The Conservation Commission shall not grant a perpetual use of any salt alternative chemical for the site. This condition will be noted on the Certificate of Compliance and will continue in perpetuity.

43. **No Fertilizers:** Pesticides, herbicides, and fungicides will not be used within the 100-foot buffer zone resource area. Fertilizers may be used if it is a slow release fertilizer and has been approved in advance by the Conservation Commission. This Condition will be noted on the Certificate of Compliance and will continue in perpetuity.

44. **Removal of Barriers:** No sedimentation barrier may be removed without the prior approval of the Commission or its staff.

45. **Dewatering Plan:** Prior to any excavation dewatering activity, the applicant must submit a dewatering plan to the Conservation Commission for approval. The dewatering plan must clearly indicate the location of the dewatering discharge and the measures used to prevent discharge of silt or sediment into the stormwater system or a wetland resource area. The dewatering plan must also include a contingency plan for emergency dewatering requirements. The contingency plan will provide for the pumped water to be contained in a settling basin prior to discharge. No dewatering will take place without the prior written approval of the Conservation Commission. No direct discharge to wetland resource areas will be allowed. Subsequent to dewatering, accumulated sediments will be removed to a secure location.

46. **Stockpile Location:** No debris, fill, or excavated material shall be stockpiled within 25 linear feet of the limit of work, unless approved beforehand by the commission. At no time shall any debris or other material be buried or disposed of within wetland resource areas or the 100-foot buffer zone resource areas, other than fill that is allowed by this Order of Conditions and as shown on the above-referenced plan.

47. **Removal of Sediment:** Any debris, sediment, or other material that falls into or otherwise enters the wetland resource area during the construction period must be immediately removed by hand.

48. **No Refueling:** No refueling of equipment or trucks shall occur within 100 linear feet of any wetland resource area.

49. **Emergency Repairs:** There shall be no more than a total of 50 gallons of fuel (other than what is in vehicles) or maintenance chemicals stored on any jurisdictional site at any one time. No routine servicing of vehicles used for this project will be permitted on the site. The Conservation Commission will be notified prior to initiating any emergency repairs to vehicles that must take place on the site.

50. **Leaks and Spills:** Any leaks or spills of hazardous material must be cleaned up immediately and disposed of at an appropriate off-site location in accordance with all federal, state, and local requirements and regulations. The Contractor must notify the Conservation Commission within 24 hours of any spillage or leakage of hazardous material, and must maintain an appropriate amount of absorbent on site.

51. **Building Permit Sign Off:** No land alteration, except for installation of erosion control, may begin and no building permit will be signed by the Conservation Office until such time as stipulations 9 and 20 are complied with and evidence of said compliance is received by the Conservation Office.

9489 0090 0027 6064 1852 91

9489 0090 0027 6064 1853 45

Applicant

Owner

Town of Franklin

Tel: (508) 520-4929

Fax: (508) 520-4906



Conservation Commission

355 East Central Street • Franklin, Massachusetts 02038-1352

October 7, 2021

Louis Petrozzi
Wallstreet Development Corp.
P.O. Box 272
Westwood, MA 02090

RE: Order of Conditions, Lot 5 Prospect Street, CE159-1238

Mr. Petrozzi:

Please find enclosed the Order of Conditions for the Lot 5 Prospect Street project recently permitted through the Franklin Conservation Commission. Per state statute the Order of Conditions must be recorded in the Registry of Deeds and evidence of this recording must be given to the Conservation Commission office.

In addition, the erosion control barriers must be installed, inspected and certified by your engineer prior to Franklin's Conservation Agent signing off on any building permits.

If you have any questions, please feel free to contact me (508-520-4929; jdelmore@franklinma.gov).

Sincerely,

Jennifer Delmore
Conservation Agent



Massachusetts Department of Environmental Protection

eDEP Transaction Copy

Here is the file you requested for your records.

To retain a copy of this file you must save and/or print.

Username: FRANKLINCONCOM

Transaction ID: 1313116

Document: WPA Form 5 - OOC

Size of File: 133.50K

Status of Transaction: In Process

Date and Time Created: 10/6/2021:1:36:02 PM

Note: This file only includes forms that were part of your transaction as of the date and time indicated above. If you need a more current copy of your transaction, return to eDEP and select to "Download a Copy" from the Current Submittals page.

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

Provided by MassDEP:
 MassDEP File #:159-1238
 eDEP Transaction #:1313116
 City/Town:FRANKLIN

A. General Information

1. Conservation Commission FRANKLIN
2. Issuance a. OOC b. Amended OOC
3. Applicant Details
 a. First Name LOUIS b. Last Name PETROZZI
 c. Organization WALLSTRET DEVELOPMENT CORP.
 d. Mailing Address P.O. BOX 272
 e. City/Town WESTWOOD f. State MA g. Zip Code 02090
4. Property Owner
 a. First Name ELIZABETH b. Last Name VARNEY
 c. Organization VARNEY BROS. SAND & GRAVEL, INC.
 d. Mailing Address 79 HARTFORD AVENUE
 e. City/Town BELLINGHAM f. State MA g. Zip Code 02019
5. Project Location
 a. Street Address PROSPECT STREET - LOT 5
 b. City/Town FRANKLIN c. Zip Code 02038
 d. Assessors Map/Plat# 308 e. Parcel/Lot# 079
 f. Latitude 42.06473N g. Longitude 71.45621W
6. Property recorded at the Registry of Deed for:
 a. County NORFOLK b. Certificate c. Book 3576 - 4030 d. Page 477 - 146
7. Dates
 a. Date NOI Filed : 9/1/2021 b. Date Public Hearing Closed: c. Date Of Issuance:
8. Final Approved Plans and Other Documents
 a. Plan Title: PROPOSED SEWAGE DISPOSAL SYSTEM LOT 5 - PROSPECT STREET FRANKLIN, MASSACHUSETTS
 b. Plan Prepared by: JOYCE E. HASTINGS, PLS
 c. Plan Signed/Stamped by: ROBERT S. TRUAX, PE
 d. Revised Final Date: September 10, 2021
 e. Scale: 1" = 20'

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act
 Following the review of the 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.

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Check all that apply:

<input type="checkbox"/> a. Public Water Supply	<input type="checkbox"/> b. Land Containing Shellfish	<input type="checkbox"/> c. Prevention of Pollution
<input type="checkbox"/> d. Private Water Supply	<input type="checkbox"/> e. Fisheries	<input type="checkbox"/> f. Protection of Wildlife Habitat
<input type="checkbox"/> g. Ground Water Supply	<input type="checkbox"/> h. Storm Damage Prevention	<input type="checkbox"/> i. Flood Control

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

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.

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 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 interests of the Act, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**

3. Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310CMR10.02(1)(a). 30
a. linear feet

Inland Resource Area Impacts:(For Approvals Only):

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	<u> </u> a. linear feet	<u> </u> b. linear feet	<u> </u> c. linear feet	<u> </u> d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
6. <input type="checkbox"/> Land under Waterbodies and Waterways	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
	<u> </u> e. c/y dredged	<u> </u> f. c/y dredged		
7. <input type="checkbox"/> Bordering Land Subject to Flooding	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
Cubic Feet Flood Storage	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. Isolated Land Subject to Flooding	<u> </u>	<u> </u>		
Cubic Feet Flood Storage	a. square feet	b. square feet		
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. Riverfront Area	<u> </u>	<u> </u>		
Sq ft within 100 ft	a. total sq. feet	b. total sq. feet		
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Sq ft between 100-200 ft	c. square feet	d. square feet	e. square feet	f. square feet
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	g. square feet	h. square feet	i. square feet	j. square feet

Coastal Resource Area Impacts:

Resource Area	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	<u> </u>	<u> </u>		
	a. square feet	b. square feet		
	<u> </u>	<u> </u>		
	c. c/y dredged	d. c/y dredged		
12. Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. Coastal Beaches	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
14. Coastal Dunes	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
15. Coastal Banks	<u> </u>	<u> </u>		
	a. linear feet	b. linear feet		
16. Rocky Intertidal Shores	<u> </u>	<u> </u>		
	a. square feet	b. square feet		
17. Salt Marshes	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	a. square feet	b. square feet	c. square feet	d. square feet
18. Land Under Salt Ponds	<u> </u>	<u> </u>		
	a. square feet	b. square feet		
	<u> </u>	<u> </u>		
	c. c/y dredged	d. c/y dredged		
19. Land Containing Shellfish	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	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			
	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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21. Land Subject to Coastal Storm Flowage
c. c/y dredged d. c/y dredged
a. square feet b. square feet

22.

Restoration/Enhancement (For Approvals Only)

If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c & d or B.17.c & d above, please entered the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

23.

Streams Crossing(s)

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

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. the work is a maintenance dredging project as provided for in the Act; or
 - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not exceed the issuance date of the original Final Order of Conditions.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land 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

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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 : "159-1238"

11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before Mass DEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately 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.

NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS

19. The work associated with this Order(the "Project") is (1) is not (2) subject to the Massachusetts Stormwater Standards. If the work is subject to Stormwater Standards, then the project is subject to the following conditions;
- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Construction General Permit as required by Stormwater Standard 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that: *i.* all construction period BMPs have been

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- removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures; *ii.* as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized; *iii.* any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10; *iv.* all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition; *v.* any vegetation associated with post-construction BMPs is suitably established to withstand erosion.
- c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 19(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 Pollutant Discharge Elimination System Multi-Sector General Permit.
- e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 19(f) through 19(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 19(f) through 19(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.
- f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.
- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.

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- 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:

D. Findings Under Municipal Wetlands Bylaw or Ordinance

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

2. The Conservation Commission hereby (check one that applies):

a. DENIES the proposed work which cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw specifically:

1. Municipal Ordinance or Bylaw _____

2. Citation _____

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order or Conditions is issued. Which are necessary to comply with a municipal ordinance or bylaw:

b. APPROVES the proposed work, subject to the following additional conditions.

1. Municipal Ordinance or Bylaw FRANKLIN
WETLANDS
PROTECTION
BYLAW AND
CONSERVATION
COMMISSION
BYLAWS

2. Citation CH. 181 AND 271

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

The special conditions relating to municipal ordinance or bylaw are as follows:
SEE ATTACHED

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E. Signatures

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

1. Date of Original Order

Please indicate the number of members who will sign this form. This Order must be signed by a majority of the Conservation Commission.

4
 2. Number of Signers

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

Signatures:

[Handwritten signatures]

[Handwritten signatures]
 RICHARD JOHNSON
 JEFF J. MINE
 WILLIAM BATCHELOR
 JEFF R. LIVINGSTONE
 Paul Harrington

by hand delivery on

by certified mail, return receipt requested, on
 10/19/2021

Date

Date

F. Appeals

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

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

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

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G. Recording Information

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

FRANKLIN

Conservation Commission

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

To:
FRANKLIN

Conservation Commission

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

PROSPECT STREET - LOT 5

Project Location

159-1238

MassDEP File Number

Has been recorded at the Registry of Deeds of:

County	Book	Page
--------	------	------

for:
Property Owner ELIZABETH VARNEY

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

Rev. 4/1/2010

ATTACHMENT
SPECIAL CONDITIONS

Table 1. List of Special Conditions

Add	No.	Special Conditions
	19	Mitigation Planting Plan
X	20	Erosion Control Barriers
X	21	Extra Siltation Barriers
	22	As-Built Plan
	23	Written Conformance Reports
X	24	Work Performed According to Plan
	25	Referencing Order of Conditions
	26	Provision of Plans and Order of Conditions
X	27	Approved Changes
X	28	Notification Prior to Work
X	29	Right to Impose Additional Conditions
X	30	Errata as Changes
	31	Compliance Contact Information
	32	Weekly Monitor Reports
	33	Use of Clean Fill
X	34	No Straw Bales
	35	Stockpile Maintenance
	36	Cleaning Vehicles
	37	Remedy Upon Problem Identification
	38	Barriers as Limit to Work
	39	Limit of Work Marked
	40	No Construction Materials
X	41	Inspections and Disposal of Sediment
	42	No Rock Salt
	43	No Fertilizers
X	44	Removal of Barriers
	45	Dewatering Plan

	46	Stockpile Location
	47	Removal of Sediment
	48	No Refueling
	49	Emergency Repairs
	50	Leaks and Spills
X	51	<u>Building Permit Sign Off</u>

19. **Mitigation Planting Plan:** If the project involves detention basins, drainage swales or other significant drainage structures, prior to the first pre-construction meeting, the Applicant shall submit a mitigation planting plan to the Conservation Department for review and approval. The mitigation planting plan shall use low shrub and tree species from the Franklin Best Development Practices Guide Book - specific for wildlife habitat - to be planted near the detention basin and altered swale.

20. **Erosion Control Barriers:** Erosion control barriers must be installed, inspected and approved by a professional engineer or licensed wetlands scientist. Before any work commences (including any land and/or vegetation cutting, removal, or disturbance) said professional shall submit to the Conservation Commission a written statement confirming the erosion control barriers are installed according to the approved plan. The statement shall be signed and stamped by said professional. All erosion control barriers must be biodegradable. This biodegradable requirement supersedes any details shown on the plan.

21. **Extra Siltation Barriers:** An extra 10% of the required biodegradable siltation barriers must be stored on site in the event of an emergency or storm.

22. **As-Built Plan:** If the Order of Conditions was based on a plan submitted and stamped by a licensed professional, then simultaneous with any written request for a Certificate of Compliance inspection, the Applicant will provide an as-built drawing plan stamped with the same license as the original plan. Any deviation from the approved plan must be demarcated and duly explained.

23. **Written Conformance Reports:** The Commission must receive a written report with respect to a project's conformance to Orders of Conditions every April and October from a professional consultant (e.g. engineer or wetland scientist) until a Certificate of Compliance is issued.

24. **Work Performed According to Plan:** Except where modified by the Commission, all work must be performed in accordance with the plans and the Order of Conditions. Any violation of these Orders of Conditions may result in the Applicant being subject to an Enforcement Order.

25. **Referencing Order of Conditions:** This Order shall be referenced in all construction contracts, subcontracts, and specifications dealing with the proposed work 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 the permit's terms and conditions. Thereafter, the Contractor will be held jointly and independently

liable for any violation of the Order of Conditions, resulting from failure to comply with its conditions.

26. Provision of Plans and Order of Conditions: A copy of the plans and associated Order of Conditions must be provided to the contractor responsible for the project's construction and completion, *prior* to the commencement of work. The contractor must have a copy of this Order of Conditions on site at all times while activities regulated by this Order of Conditions are being performed.

27. Approved Changes: Any changes, alterations, or revisions in the submitted plans or Notice of Intent must be approved by the Commission prior to their implementation. Failure to comply with this condition may subject the Applicant to an Enforcement Order. If the Commission finds, by a majority vote, said changes to be significant and/or to deviate from the revised plans, Notice of Intent, or the Order of Conditions, then the Commission may require that the Applicant file a Request to Amend the Order of Conditions or a new Notice of Intent. All changes to the plan shall be in accordance with DEP Policy 85-4.

28. Notification Prior to Work: The Applicant must notify the Franklin Conservation Commission in writing one week before any activity, including vegetation removal, commences on the project site. Failure to comply with pertinent conditions may result in a directive to cease all activity. In the event that work ceases on the site for a period of time greater than five business days **and** inspections required by this Order are stopped, this condition shall again apply prior to recommencing work on the site. Compliance with this condition does not relieve the Applicant from complying with all other conditions. All conditions requiring additional information prior to commencing construction shall be met prior to submitting said notice.

29. Right to Impose Additional Conditions: If siltation, erosion, or other adverse impacts to any resource areas occur, the Commission reserves the right to impose additional conditions as necessary to protect the interests of the Wetlands Protection Act and the Franklin Wetlands Protection Act Bylaw.

30. Errata as Changes: Any errors found on the plans or in the information submitted by the Applicant shall be considered as changes, and the procedures and policies related to plan changes outlined above, shall be followed.

31. Compliance Contact Information: Prior to any work being performed on the site, the Applicant shall inform the Franklin Conservation Commission in writing of the names, addresses, and business and home phone numbers of both the project supervisor who will be responsible for ensuring on site compliance with the Order of Conditions, as well as his/her alternate. The Applicant shall notify the Commission in writing of any changes in this information as soon as practically possible.

32. Weekly Monitor Reports: At least every other week, beginning the first week of construction, in which construction activity occurs on site and for as long thereafter as the ground remains destabilized, the applicant, the applicant's representative, or the contractor must submit a written report to the Conservation Commission. The report must include weekly erosion control inspection logs, details of any remediation activities taken, and descriptions of any deviations from approved plans.

33. **Use of Clean Fill:** Any fill used in connection with this project shall be clean, meaning it contains 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.

34. **No Straw Bales:** In order to help prevent the spread of invasive plant species, the use of straw hay bales as a means of erosion control is prohibited.

35. **Stockpile Maintenance:** Any soil areas, including stockpiles, which will remain exposed for longer than thirty calendar days shall be mulched or covered with a short-lived annual herbaceous cover crop.

36. **Cleaning Vehicles:** In order to help prevent the spread of invasive plant species during construction, all vehicles entering or leaving the site will be thoroughly cleaned of accumulated soil or plant material.

37. **Remedy Upon Problem Identification:** If any unforeseen problems occur during construction that affect any of the statutory interests identified in MGL c. 131 §40 and 310 CMR 10.00, and/or the Town of Franklin Wetlands Bylaw, the Applicant shall immediately notify the Conservation Commission, and a meeting shall be held shortly thereafter between the Conservation Commission, the Applicant, the Applicant's licensed professionals, the Contractor, and any other concerned parties, to determine corrective measures to be taken. The Applicant shall then implement the agreed upon corrective measures. In the event of a dispute between the meeting participants, the Commission's judgment shall prevail.

38. **Barriers as Limit of Work:** The sedimentation barriers will also serve as the limit of work, and no work, disturbance, or alteration shall occur on the resource area side of the barrier except as depicted on the approved plans.

39. **Limit of Work Marked:** The limit of work area shall be clearly marked in the field with said indicators being spaced at intervals no greater than 50 feet.

40. **No Construction Materials:** No construction materials, debris, leaves, or other materials shall be deposited outside the limits of work.

41. **Inspections and Disposal of Sediment:** To assure the continued effective removal of sediments, the Contractor shall inspect the barriers weekly and after each rainfall event to determine its condition. At the time of these inspections, accumulated sediments will be removed from the barriers and damaged barriers will be repaired or replaced as necessary. In no event shall silt be allowed to accumulate to a height greater than one-half the height of the barriers. Any removed sediment will be moved to and disposed of at a suitable location.

42. **No Rock Salt:** No rock salt (sodium chloride) can be used on paved surfaces within one hundred feet of wetland resource areas. Other de-icing chemicals may be used with the prior written approval of the Conservation Commission, and only after a formal review of the proposed substance. Signs, submitted to and approved by the Conservation Commission, shall be posted at the site stating this is a no-salt zone. The Conservation Commission shall not grant a perpetual use of any salt alternative chemical for the site. This condition will be noted on the Certificate of Compliance and will continue in perpetuity.

43. **No Fertilizers:** Pesticides, herbicides, and fungicides will not be used within the 100-foot buffer zone resource area. Fertilizers may be used if it is a slow release fertilizer and has been approved in advance by the Conservation Commission. This Condition will be noted on the Certificate of Compliance and will continue in perpetuity.

44. **Removal of Barriers:** No sedimentation barrier may be removed without the prior approval of the Commission or its staff.

45. **Dewatering Plan:** Prior to any excavation dewatering activity, the applicant must submit a dewatering plan to the Conservation Commission for approval. The dewatering plan must clearly indicate the location of the dewatering discharge and the measures used to prevent discharge of silt or sediment into the stormwater system or a wetland resource area. The dewatering plan must also include a contingency plan for emergency dewatering requirements. The contingency plan will provide for the pumped water to be contained in a settling basin prior to discharge. No dewatering will take place without the prior written approval of the Conservation Commission. No direct discharge to wetland resource areas will be allowed. Subsequent to dewatering, accumulated sediments will be removed to a secure location.

46. **Stockpile Location:** No debris, fill, or excavated material shall be stockpiled within 25 linear feet of the limit of work, unless approved beforehand by the commission. At no time shall any debris or other material be buried or disposed of within wetland resource areas or the 100-foot buffer zone resource areas, other than fill that is allowed by this Order of Conditions and as shown on the above-referenced plan.

47. **Removal of Sediment:** Any debris, sediment, or other material that falls into or otherwise enters the wetland resource area during the construction period must be immediately removed by hand.

48. **No Refueling:** No refueling of equipment or trucks shall occur within 100 linear feet of any wetland resource area.

49. **Emergency Repairs:** There shall be no more than a total of 50 gallons of fuel (other than what is in vehicles) or maintenance chemicals stored on any jurisdictional site at any one time. No routine servicing of vehicles used for this project will be permitted on the site. The Conservation Commission will be notified prior to initiating any emergency repairs to vehicles that must take place on the site.

50. **Leaks and Spills:** Any leaks or spills of hazardous material must be cleaned up immediately and disposed of at an appropriate off-site location in accordance with all federal, state, and local requirements and regulations. The Contractor must notify the Conservation Commission within 24 hours of any spillage or leakage of hazardous material, and must maintain an appropriate amount of absorbent on site.

51. **Building Permit Sign Off:** No land alteration, except for installation of erosion control, may begin and no building permit will be signed by the Conservation Office until such time as stipulations 9 and 20 are complied with and evidence of said compliance is received by the Conservation Office.

9489 0090 0027 6064 1853 07

Applicant

9489 0090 0027 6064 1853 52

Owner

Town of Franklin

Tel: (508) 520-4929



Fax: (508) 520-4906

Conservation Commission

355 East Central Street • Franklin, Massachusetts 02038-1352

October 7, 2021

Louis Petrozzi
Wallstreet Development Corp.
P.O. Box 272
Westwood, MA 02090

RE: Order of Conditions, Lot 6 Prospect Street, CE159-1239

Mr. Petrozzi:

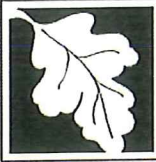
Please find enclosed the Order of Conditions for the Lot 6 Prospect Street project recently permitted through the Franklin Conservation Commission. Per state statute the Order of Conditions must be recorded in the Registry of Deeds and evidence of this recording must be given to the Conservation Commission office.

In addition, the erosion control barriers must be installed, inspected and certified by your engineer prior to Franklin's Conservation Agent signing off on any building permits.

If you have any questions, please feel free to contact me (508-520-4929; jdelmore@franklinma.gov).

Sincerely,

Jennifer Delmore
Conservation Agent



Massachusetts Department of Environmental Protection

eDEP Transaction Copy

Here is the file you requested for your records.

To retain a copy of this file you must save and/or print.

Username: FRANKLINCOM

Transaction ID: 1313240

Document: WPA Form 5 - OOC

Size of File: 133.52K

Status of Transaction: In Process

Date and Time Created: 10/6/2021:1:28:13 PM

Note: This file only includes forms that were part of your transaction as of the date and time indicated above. If you need a more current copy of your transaction, return to eDEP and select to "Download a Copy" from the Current Submittals page.

Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 5 - Order of Conditions

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

Provided by MassDEP:

MassDEP File #:159-1239

eDEP Transaction #:1313240

City/Town:FRANKLIN

A. General Information

1. Conservation Commission FRANKLIN
2. Issuance a. OOC b. Amended OOC
3. Applicant Details
- | | | | | | |
|--------------------|------------------------------|--------------|----------|-------------|-------|
| a. First Name | LOUIS | b. Last Name | PETROZZI | | |
| c. Organization | WALLSTREET DEVELOPMENT CORP. | | | | |
| d. Mailing Address | P.O. BOX 272 | | | | |
| e. City/Town | WESTWOOD | f. State | MA | g. Zip Code | 02090 |
4. Property Owner
- | | | | | | |
|--------------------|----------------------------------|--------------|--------|-------------|-------|
| a. First Name | ELIZABETH | b. Last Name | VARNEY | | |
| c. Organization | VARNEY BROS. SAND & GRAVEL, INC. | | | | |
| d. Mailing Address | 79 HARTFORD AVENUE | | | | |
| e. City/Town | BELLINGHAM | f. State | MA | g. Zip Code | 02019 |
5. Project Location
- | | | | |
|------------------------|-------------------------|----------------|-----------|
| a. Street Address | PROSPECT STREET - LOT 6 | | |
| b. City/Town | FRANKLIN | c. Zip Code | 02038 |
| d. Assessors Map/Plat# | 308 | e. Parcel/Lot# | 079 |
| f. Latitude | 42.06473N | g. Longitude | 71.45621W |
6. Property recorded at the Registry of Deed for:
- | | | | |
|-----------|----------------|-------------|-----------|
| a. County | b. Certificate | c. Book | d. Page |
| NORFOLK | | 3576 - 4030 | 477 - 146 |
7. Dates
- a. Date NOI Filed : 9/1/2021 b. Date Public Hearing Closed: c. Date Of Issuance:

8. Final Approved Plans and Other Documents

a. Plan Title:	b. Plan Prepared by:	c. Plan Signed/Stamped by:	d. Revised Final Date:	e. Scale:
PROPOSED SEWAGE DISPOSAL SYSTEM LOT 6 - PROSPECT STREET FRANKLIN MASSACHUSETTS	JOYCE E. HASTINGS, PLS	ROBERT S. TRUAX, PE	September 10, 2021	1" = 20'

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act
Following the review of the 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.

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Check all that apply:

a. <input type="checkbox"/> Public Water Supply	b. <input type="checkbox"/> Land Containing Shellfish	c. <input type="checkbox"/> Prevention of Pollution
d. <input type="checkbox"/> Private Water Supply	e. <input type="checkbox"/> Fisheries	f. <input type="checkbox"/> Protection of Wildlife Habitat
g. <input type="checkbox"/> Ground Water Supply	h. <input type="checkbox"/> Storm Damage Prevention	i. <input type="checkbox"/> Flood Control

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

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.

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 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 interests of the Act, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**

3. Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310CMR10.02(1)(a). 30
a. linear feet

Inland Resource Area Impacts:(For Approvals Only):

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	<u> </u> a. linear feet	<u> </u> b. linear feet	<u> </u> c. linear feet	<u> </u> d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
6. <input type="checkbox"/> Land under Waterbodies and Waterways	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
	<u> </u> e. c/y dredged	<u> </u> f. c/y dredged		
7. <input type="checkbox"/> Bordering Land Subject to Flooding	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
Cubic Feet Flood Storage	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Cubic Feet Flood Storage	a. square feet	b. square feet		
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
9. <input type="checkbox"/> Riverfront Area	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
Sq ft within 100 ft	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Sq ft between 100-200 ft	a. total sq. feet	b. total sq. feet		
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	c. square feet	d. square feet	e. square feet	f. square feet
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	g. square feet	h. square feet	i. square feet	j. square feet
	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Coastal Resource Area Impacts:

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	<u> </u>	<u> </u>		
	a. square feet	b. square feet		
	<u> </u>	<u> </u>		
	c. c/y dredged	d. c/y dredged		
	<u> </u>	<u> </u>		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
14. <input type="checkbox"/> Coastal Dunes	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
15. <input type="checkbox"/> Coastal Banks	<u> </u>	<u> </u>		
	a. linear feet	b. linear feet		
	<u> </u>	<u> </u>		
16. <input type="checkbox"/> Rocky Intertidal Shores	<u> </u>	<u> </u>		
	a. square feet	b. square feet		
	<u> </u>	<u> </u>		
17. <input type="checkbox"/> Salt Marshes	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	a. square feet	b. square feet	c. square feet	d. square feet
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
18. <input type="checkbox"/> Land Under Salt Ponds	<u> </u>	<u> </u>		
	a. square feet	b. square feet		
	<u> </u>	<u> </u>		
	c. c/y dredged	d. c/y dredged		
	<u> </u>	<u> </u>		
19. <input type="checkbox"/> Land Containing Shellfish	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	a. square feet	b. square feet	c. square feet	d. square feet
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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21. Land Subject to Coastal Storm Flowage
c. c/y dredged d. c/y dredged
a. square feet b. square feet

22. Restoration/Enhancement (For Approvals Only)
If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c & d or B.17.c & d above, please entered the additional amount here.

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

23. Streams Crossing(s)
If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

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

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. the work is a maintenance dredging project as provided for in the Act; or
 - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not exceed the issuance date of the original Final Order of Conditions.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land 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

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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 : "159-1239"

11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before Mass DEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately 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.

NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS

19. The work associated with this Order (the "Project") is (1) is not (2) subject to the Massachusetts Stormwater Standards. If the work is subject to Stormwater Standards, then the project is subject to the following conditions;
- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Construction General Permit as required by Stormwater Standard 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that: i. all construction period BMPs have been

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- removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures; *ii.* as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized; *iii.* any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10; *iv.* all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition; *v.* any vegetation associated with post-construction BMPs is suitably established to withstand erosion.
- c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 19(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 Pollutant Discharge Elimination System Multi-Sector General Permit.
- e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 19(f) through 19(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 19(f) through 19(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.
- f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.
- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.

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- 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:

D. Findings Under Municipal Wetlands Bylaw or Ordinance

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

2. The Conservation Commission hereby (check one that applies):

a. DENIES the proposed work which cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw specifically:

1. Municipal Ordinance or Bylaw _____

2. Citation _____

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order or Conditions is issued. Which are necessary to comply with a municipal ordinance or bylaw:

b. APPROVES the proposed work, subject to the following additional conditions.

1. Municipal Ordinance or Bylaw FRANKLIN
WETLANDS
PROTECTION
BYLAW AND
CONSERVATION
COMMISSION
BYLAWS

2. Citation CH. 181 AND 271

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

The special conditions relating to municipal ordinance or bylaw are as follows:
SEE ATTACHED

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E. Signatures

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

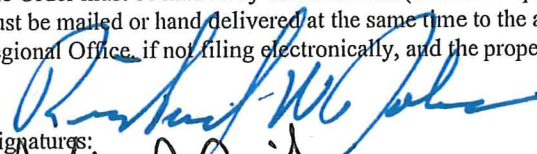



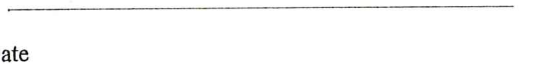
1. Date of Original Order

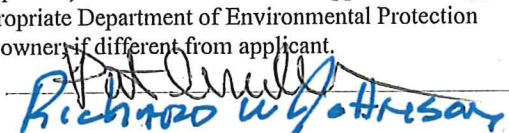
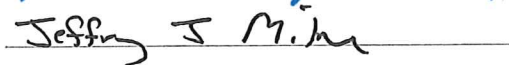

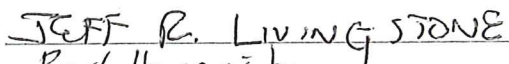
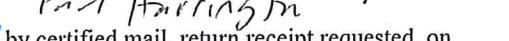
Please indicate the number of members who will sign this form. This Order must be signed by a majority of the Conservation Commission.

4
2. Number of Signers

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

Signatures:


Richard W. Goffman

Jeffrey J. Miller

WILLIAM BATCHELOR

JEFF R. LIVINGSTONE

Paul Harrington

by hand delivery on

by certified mail, return receipt requested, on

10/19/2021

Date

Date

F. Appeals

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

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

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

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G. Recording Information

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

FRANKLIN
Conservation Commission

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

To:
FRANKLIN
Conservation Commission

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

PROSPECT STREET - LOT 6
Project Location

159-1239
MassDEP File Number

Has been recorded at the Registry of Deeds of:

County Book Page

for:
Property Owner ELIZABETH VARNEY

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

Rev. 4/1/2010

ATTACHMENT
SPECIAL CONDITIONS

Table 1. List of Special Conditions

Add	No.	Special Conditions
	19	Mitigation Planting Plan
X	20	Erosion Control Barriers
X	21	Extra Siltation Barriers
	22	As-Built Plan
	23	Written Conformance Reports
X	24	Work Performed According to Plan
	25	Referencing Order of Conditions
	26	Provision of Plans and Order of Conditions
X	27	Approved Changes
X	28	Notification Prior to Work
X	29	Right to Impose Additional Conditions
X	30	Errata as Changes
	31	Compliance Contact Information
	32	Weekly Monitor Reports
	33	Use of Clean Fill
X	34	No Straw Bales
	35	Stockpile Maintenance
	36	Cleaning Vehicles
	37	Remedy Upon Problem Identification
	38	Barriers as Limit to Work
	39	Limit of Work Marked
	40	No Construction Materials
X	41	Inspections and Disposal of Sediment
	42	No Rock Salt
	43	No Fertilizers
X	44	Removal of Barriers
	45	Dewatering Plan

	46	Stockpile Location
	47	Removal of Sediment
	48	No Refueling
	49	Emergency Repairs
	50	Leaks and Spills
X	<u>51</u>	<u>Building Permit Sign Off</u>

19. **Mitigation Planting Plan:** If the project involves detention basins, drainage swales or other significant drainage structures, prior to the first pre-construction meeting, the Applicant shall submit a mitigation planting plan to the Conservation Department for review and approval. The mitigation planting plan shall use low shrub and tree species from the Franklin Best Development Practices Guide Book - specific for wildlife habitat - to be planted near the detention basin and altered swale.

20. **Erosion Control Barriers:** Erosion control barriers must be installed, inspected and approved by a professional engineer or licensed wetlands scientist. Before any work commences (including any land and/or vegetation cutting, removal, or disturbance) said professional shall submit to the Conservation Commission a written statement confirming the erosion control barriers are installed according to the approved plan. The statement shall be signed and stamped by said professional. All erosion control barriers must be biodegradable. This biodegradable requirement supersedes any details shown on the plan.

21. **Extra Siltation Barriers:** An extra 10% of the required biodegradable siltation barriers must be stored on site in the event of an emergency or storm.

22. **As-Built Plan:** If the Order of Conditions was based on a plan submitted and stamped by a licensed professional, then simultaneous with any written request for a Certificate of Compliance inspection, the Applicant will provide an as-built drawing plan stamped with the same license as the original plan. Any deviation from the approved plan must be demarcated and duly explained.

23. **Written Conformance Reports:** The Commission must receive a written report with respect to a project's conformance to Orders of Conditions every April and October from a professional consultant (e.g. engineer or wetland scientist) until a Certificate of Compliance is issued.

24. **Work Performed According to Plan:** Except where modified by the Commission, all work must be performed in accordance with the plans and the Order of Conditions. Any violation of these Orders of Conditions may result in the Applicant being subject to an Enforcement Order.

25. **Referencing Order of Conditions:** This Order shall be referenced in all construction contracts, subcontracts, and specifications dealing with the proposed work 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 the permit's terms and conditions. Thereafter, the Contractor will be held jointly and independently

liable for any violation of the Order of Conditions, resulting from failure to comply with its conditions.

26. Provision of Plans and Order of Conditions: A copy of the plans and associated Order of Conditions must be provided to the contractor responsible for the project's construction and completion, *prior* to the commencement of work. The contractor must have a copy of this Order of Conditions on site at all times while activities regulated by this Order of Conditions are being performed.

27. Approved Changes: Any changes, alterations, or revisions in the submitted plans or Notice of Intent must be approved by the Commission prior to their implementation. Failure to comply with this condition may subject the Applicant to an Enforcement Order. If the Commission finds, by a majority vote, said changes to be significant and/or to deviate from the revised plans, Notice of Intent, or the Order of Conditions, then the Commission may require that the Applicant file a Request to Amend the Order of Conditions or a new Notice of Intent. All changes to the plan shall be in accordance with DEP Policy 85-4.

28. Notification Prior to Work: The Applicant must notify the Franklin Conservation Commission in writing one week before any activity, including vegetation removal, commences on the project site. Failure to comply with pertinent conditions may result in a directive to cease all activity. In the event that work ceases on the site for a period of time greater than five business days **and** inspections required by this Order are stopped, this condition shall again apply prior to recommencing work on the site. Compliance with this condition does not relieve the Applicant from complying with all other conditions. All conditions requiring additional information prior to commencing construction shall be met prior to submitting said notice.

29. Right to Impose Additional Conditions: If siltation, erosion, or other adverse impacts to any resource areas occur, the Commission reserves the right to impose additional conditions as necessary to protect the interests of the Wetlands Protection Act and the Franklin Wetlands Protection Act Bylaw.

30. Errata as Changes: Any errors found on the plans or in the information submitted by the Applicant shall be considered as changes, and the procedures and policies related to plan changes outlined above, shall be followed.

31. Compliance Contact Information: Prior to any work being performed on the site, the Applicant shall inform the Franklin Conservation Commission in writing of the names, addresses, and business and home phone numbers of both the project supervisor who will be responsible for ensuring on site compliance with the Order of Conditions, as well as his/her alternate. The Applicant shall notify the Commission in writing of any changes in this information as soon as practically possible.

32. Weekly Monitor Reports: At least every other week, beginning the first week of construction, in which construction activity occurs on site and for as long thereafter as the ground remains destabilized, the applicant, the applicant's representative, or the contractor must submit a written report to the Conservation Commission. The report must include weekly erosion control inspection logs, details of any remediation activities taken, and descriptions of any deviations from approved plans.

33. Use of Clean Fill: Any fill used in connection with this project shall be clean, meaning it contains 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.

34. No Straw Bales: In order to help prevent the spread of invasive plant species, the use of straw hay bales as a means of erosion control is prohibited.

35. Stockpile Maintenance: Any soil areas, including stockpiles, which will remain exposed for longer than thirty calendar days shall be mulched or covered with a short-lived annual herbaceous cover crop.

36. Cleaning Vehicles: In order to help prevent the spread of invasive plant species during construction, all vehicles entering or leaving the site will be thoroughly cleaned of accumulated soil or plant material.

37. Remedy Upon Problem Identification: If any unforeseen problems occur during construction that affect any of the statutory interests identified in MGL c. 131 §40 and 310 CMR 10.00, and/or the Town of Franklin Wetlands Bylaw, the Applicant shall immediately notify the Conservation Commission, and a meeting shall be held shortly thereafter between the Conservation Commission, the Applicant, the Applicant's licensed professionals, the Contractor, and any other concerned parties, to determine corrective measures to be taken. The Applicant shall then implement the agreed upon corrective measures. In the event of a dispute between the meeting participants, the Commission's judgment shall prevail.

38. Barriers as Limit of Work: The sedimentation barriers will also serve as the limit of work, and no work, disturbance, or alteration shall occur on the resource area side of the barrier except as depicted on the approved plans.

39. Limit of Work Marked: The limit of work area shall be clearly marked in the field with said indicators being spaced at intervals no greater than 50 feet.

40. No Construction Materials: No construction materials, debris, leaves, or other materials shall be deposited outside the limits of work.

41. Inspections and Disposal of Sediment: To assure the continued effective removal of sediments, the Contractor shall inspect the barriers weekly and after each rainfall event to determine its condition. At the time of these inspections, accumulated sediments will be removed from the barriers and damaged barriers will be repaired or replaced as necessary. In no event shall silt be allowed to accumulate to a height greater than one-half the height of the barriers. Any removed sediment will be moved to and disposed of at a suitable location.

42. No Rock Salt: No rock salt (sodium chloride) can be used on paved surfaces within one hundred feet of wetland resource areas. Other de-icing chemicals may be used with the prior written approval of the Conservation Commission, and only after a formal review of the proposed substance. Signs, submitted to and approved by the Conservation Commission, shall be posted at the site stating this is a no-salt zone. The Conservation Commission shall not grant a perpetual use of any salt alternative chemical for the site. This condition will be noted on the Certificate of Compliance and will continue in perpetuity.

43. **No Fertilizers:** Pesticides, herbicides, and fungicides will not be used within the 100-foot buffer zone resource area. Fertilizers may be used if it is a slow release fertilizer and has been approved in advance by the Conservation Commission. This Condition will be noted on the Certificate of Compliance and will continue in perpetuity.

44. **Removal of Barriers:** No sedimentation barrier may be removed without the prior approval of the Commission or its staff.

45. **Dewatering Plan:** Prior to any excavation dewatering activity, the applicant must submit a dewatering plan to the Conservation Commission for approval. The dewatering plan must clearly indicate the location of the dewatering discharge and the measures used to prevent discharge of silt or sediment into the stormwater system or a wetland resource area. The dewatering plan must also include a contingency plan for emergency dewatering requirements. The contingency plan will provide for the pumped water to be contained in a settling basin prior to discharge. No dewatering will take place without the prior written approval of the Conservation Commission. No direct discharge to wetland resource areas will be allowed. Subsequent to dewatering, accumulated sediments will be removed to a secure location.

46. **Stockpile Location:** No debris, fill, or excavated material shall be stockpiled within 25 linear feet of the limit of work, unless approved beforehand by the commission. At no time shall any debris or other material be buried or disposed of within wetland resource areas or the 100-foot buffer zone resource areas, other than fill that is allowed by this Order of Conditions and as shown on the above-referenced plan.

47. **Removal of Sediment:** Any debris, sediment, or other material that falls into or otherwise enters the wetland resource area during the construction period must be immediately removed by hand.

48. **No Refueling:** No refueling of equipment or trucks shall occur within 100 linear feet of any wetland resource area.

49. **Emergency Repairs:** There shall be no more than a total of 50 gallons of fuel (other than what is in vehicles) or maintenance chemicals stored on any jurisdictional site at any one time. No routine servicing of vehicles used for this project will be permitted on the site. The Conservation Commission will be notified prior to initiating any emergency repairs to vehicles that must take place on the site.

50. **Leaks and Spills:** Any leaks or spills of hazardous material must be cleaned up immediately and disposed of at an appropriate off-site location in accordance with all federal, state, and local requirements and regulations. The Contractor must notify the Conservation Commission within 24 hours of any spillage or leakage of hazardous material, and must maintain an appropriate amount of absorbent on site.

51. **Building Permit Sign Off:** No land alteration, except for installation of erosion control, may begin and no building permit will be signed by the Conservation Office until such time as stipulations 9 and 20 are complied with and evidence of said compliance is received by the Conservation Office.