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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:
002-1124
MassDEP File #
eDEP Transaction #
Amesbury
City/Town

A. General Information

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

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



1. From: Amesbury
Conservation Commission

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

3. To: Applicant:

Ellen Hallissey
a. First Name b. Last Name

c. Organization

68 Lake Attitash Road

d. Mailing Address

Amesbury MA 01913
e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

a. First Name b. Last Name

c. Organization

d. Mailing Address

e. City/Town f. State g. Zip Code

5. Project Location:

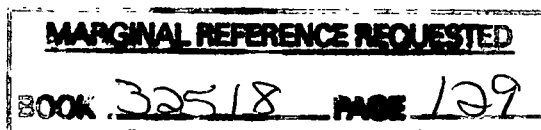
68 Lake Attitash Road Amesbury

a. Street Address b. City/Town

59 14

c. Assessors Map/Plat Number d. Parcel/Lot Number

Latitude and Longitude, if known: d m s d m s
d. Latitude e. Longitude





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A. General Information (cont.)

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

a. County

b. Certificate Number (if registered land)

c. Book

d. Page

7. Dates: 5.11.15 7.20.15 7.30.15
a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance

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

See Attachment to Order of Conditions

a. Plan Title

b. Prepared By

c. Signed and Stamped by

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

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

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

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

Approved subject to:

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



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B. Findings (cont.)

Denied because:

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

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

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. ☒ Bank	0 a. linear feet	0 b. linear feet	 c. linear feet	 d. linear feet
5. ☐ Bordering Vegetated Wetland	 a. square feet	 b. square feet	 c. square feet	 d. square feet
6. ☒ Land Under Waterbodies and Waterways	0 a. square feet e. c/y dredged	0 b. square feet f. c/y dredged	 c. square feet	 d. square feet
7. ☐ Bordering Land Subject to Flooding	 a. square feet	 b. square feet	 c. square feet	 d. square feet
Cubic Feet Flood Storage	 e. cubic feet	 f. cubic feet	 g. cubic feet	 h. cubic feet
8. ☐ Isolated Land Subject to Flooding	 a. square feet	 b. square feet		
Cubic Feet Flood Storage	 c. cubic feet	 d. cubic feet	 e. cubic feet	 f. cubic feet
9. ☐ Riverfront Area	 a. total sq. feet	 b. total sq. feet		
Sq ft within 100 ft	 c. square feet	 d. square feet	 e. square feet	 f. square feet
Sq ft between 100-200 ft	 g. square feet	 h. square feet	 i. square feet	 j. square feet



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B. Findings (cont.)

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

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



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B. Findings (cont.)

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

22. ☐ Restoration/Enhancement *:

a. square feet of BVW

b. square feet of salt marsh

23. ☐ Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. the work is a maintenance dredging project as provided for in the Act; or
 - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
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 extend the issuance date of the original Final Order of Conditions and the Order will expire on _____ unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
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.



**Massachusetts Department of Environmental Protection
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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

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

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]
"File Number 002-1124 "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
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.



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

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

a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.

b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:

- i. all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
- ii. as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
- iii. any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;
- 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.



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

- c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following: *i.*) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and *ii.*) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.
- d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.
- e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.
- f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



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

- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

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

See Attachment to Order of Conditions



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D. Findings Under Municipal Wetlands Bylaw or Ordinance

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

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

1. Municipal Ordinance or Bylaw

2. Citation

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

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

Amesbury Wetlands Ordinance

AWO

1. Municipal Ordinance or Bylaw

2. Citation

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

The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):

See Attachment to Order of Conditions



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E. Signatures

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

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

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

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

Signatures

[Handwritten signatures of three individuals]

☒ by hand delivery on

7.30.15
Date

☐ by certified mail, return receipt requested, on

Date

F. Appeals

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

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

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



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G. Recording Information

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

Amesbury
Conservation Commission

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

To:

Amesbury
Conservation Commission

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

68 Lake Attitash Road
Project Location

002-1124
MassDEP File Number

Has been recorded at the Registry of Deeds of:

Essex South
County

Book

Page

for: Ellen Hallissey
Property Owner

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

Book

Page

In accordance with the Order of Conditions issued on:

Date

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

Instrument Number

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

Document Number

Signature of Applicant

ATTACHMENT TO ORDER OF CONDITIONS

Applicant: Ellen Hallissey
Site Address: 68 Lake Attitash Road
DEP File: 002-1124

Pursuant to the Massachusetts Wetlands Protection Act (M.G.L. Chapter 131, Section 40) and Regulation (310 CMR 10.00-10.60), and the Amesbury Wetlands Ordinance and its implementing regulations:

Pursuant to the Massachusetts Wetlands Protection Act (M.G.L. Chapter 131, Section 40) and Regulation (310 CMR 10.00-10.60), and the Amesbury Wetlands Ordinance and its implementing regulations:

FINDINGS

A Notice of Intent (NOI) was submitted by the property owner on May 11, 2015 for the proposed installation of a seasonal dock and replacement of existing stairs on Bank to Lake Attitash. The public hearing was opened on June 1, 2015 and was continued to and approved at the July 20, 2015 public meeting of the Amesbury Conservation Commission. This Order of Conditions was issued on July 30, 2015.

This Order permits: The installation of a seasonal dock as specified in the approved plan.

See Appendix and Exhibit for detailed narrative of approved work; approved plans; and additional information including storage.

Approved Plans: Site Plan of Land in Amesbury, Massachusetts to accompany the Notice of Intent for Ellen Hallissey, 68 Lake Attitash Road, Amesbury, Massachusetts. Dated May 15, 2014 and revised June 13, 2014.

SPECIAL CONDITIONS:

1. The work authorized hereunder shall be completed within **three years** from the date of this order.
2. 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 of Conditions ("Order").
3. This Order may be extended by the issuing authority for one or more periods of up to one year each upon application to the issuing authority at least **thirty days (30)** prior to the expiration date of the Order.
4. The work shall conform to the following approved site plans:
See Attachment to Order of Conditions.
5. The Amesbury Conservation Commission (ACC) reserves the right to impose additional conditions on this project including, but not limited to additional or modified erosion / siltation controls during construction, if it deems that site conditions warrant additional measures to mitigate potential impacts.

6. A copy of this Order of Conditions and the approved plan shall be available on site at all times when work is in progress.
7. All applicable state and local permits must be secured at the time of the pre-construction site visit for this Order of Conditions to be valid.
8. In conjunction with the sale of this property or any portion thereof, before a Certificate of Compliance has been issued, the applicant or current landowner shall submit to the ACC a signed statement by the buyer that he/she is aware of an outstanding Order of Conditions on the property and has also received a copy of said Order.

PRE-CONSTRUCTION CONDITIONS:

9. This Order shall be **recorded by the applicant at the Essex South Registry of Deeds** immediately after the expiration of all appeal periods. No work shall be undertaken until the Final Order 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 registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is to be done. **The recording information shall be submitted to the Amesbury Conservation Commission or Department on the form at the end of this Order prior to commencement of the work. Any Order not recorded by the applicant before work commences may be recorded by the ACC at the applicant's expense.**
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 **"MA DEP, File Number 002-1124."**
11. Any changes in the submitted plans caused by the applicant, another Board's decision or resulting from this Order of Conditions must be submitted to the ACC for approval prior to implementation. If the ACC finds said changes to be significant, the ACC will call for another public hearing (at the expense of the applicant). Within 21 days of the close of said public hearing the ACC will issue an amended or new Order of Conditions. Any errors found in the plans or information submitted by the applicant shall be considered as changes. The proposed project may be still under review by other local or state boards or agencies. This may result in changes to the project plans or wetland impacts. If any such changes occur a revised plan and an explanation of the revisions shall be submitted to the ACC for review and approval prior to the start of construction. No work shall begin on a project until written approval has been granted by the ACC.
12. It is the responsibility of the applicant, owner, and/or successor(s) to ensure that all conditions of this Order of Conditions are complied with. The project engineer and contractors are to be provided with a copy of this Order of Conditions and referenced documents before commencement of construction.
13. Prior to the pre-construction meeting and commencement of any activity on this site, all erosion control devices approved under this Order shall be properly installed, as shown on the approved site plans as listed in this Attachment to Order of Conditions. The ACC and / or its Agent shall inspect and approve such installation at a pre-construction meeting. The erosion control devices must remain in place until the Commission or its Agent has authorized their removal. All workers must be instructed not to work beyond this limit.

14. Inform all contractors and subcontractors of the conditions and provisions of this Order. This Order shall be included in all construction contracts and subcontracts dealing with the approve project, and shall supersede other contract requirement applicable.

STORMWATER MANAGEMENT CONDITIONS:

15. All stormwater best management practices shall be maintained as specified in the Operation and Maintenance Plan submitted with the Notice of Intent and incorporated in the Order of Conditions.
16. Water quality down gradient of protected and jurisdictional resources shall not differ significantly following completion of the project from the pre-development conditions. There shall be no sedimentation into wetlands or water bodies from discharge pipes or surface runoff leaving the site.

DURING CONSTRUCTION:

17. Accepted engineering and Best Management Practices (BMPs) for construction standards shall be followed in the conduct of all work.
18. Erosion control devices shall be inspected regularly, and immediately after 0.5 inches of precipitation. Any entrapped silt shall be removed to an area outside the Buffer Zone and wetland resource areas. Additionally, silt fence and hay bales shall be replaced as necessary.
19. No alteration or activity shall occur beyond the limit of work as defined by the erosion control line on the approved plan.
20. No alteration or activity shall occur beyond the limit of work as defined by the erosion control barriers shown on the approved plan.
21. All stockpiles shall be greater than 50 feet to Lake Attitash and shall be enclosed by erosion control consisting of staked hay bales and trenched silt fence or silt socks. There shall be no stockpiling within the approved limit of work.
22. Equipment storage and refueling operations shall be situated in an upland area at a distance greater than 100 feet from the protected and jurisdictional resource area as identified on the approved plan.
23. Any damages caused as a direct result of this project to any wetland resource area shall be the responsibility of the applicant to repair, restore, and / or replace. Sedimentation or erosion into these areas shall be considered damage to the wetland and a serious violation. If the sediment reaches these areas, the Amesbury Conservation Commission shall be contacted and a plan for abatement of the problem with proposed restoration / mitigation measures shall be submitted for approval and implemented immediately after.
24. The Commission reserves the right to impose additional conditions on portions of this project to mitigate any impacts, which could result from wetland alteration or replication activities.

AFTER CONSTRUCTION:

25. Upon the completion of the project, the applicant shall submit the following to the Amesbury Conservation Commission to request a Certificate of Compliance:
 - a. WPA Form 8A- Request for Certificate of Compliance

- b. A letter from the applicant or their representative requesting the Certificate of Compliance with the following information:
 - i. Name and address of the current landowner;
 - ii. The name and address of the individual(s) or other entity to whom the Certificate of Compliance is to be issued;
 - iii. The street address and lot number (if applicable) for the project and the DEP File #;
 - iv. "As-built" plan(s).
- 26. Erosion control devices shall remain in place and functioning properly until all exposed soils have been stabilized with a vegetative cover and the Commission or its Agent has authorized the removal.
- 27. All site areas as identified in the above referenced plans are to be immediately planted on the completion of construction unless the ACC or its Agent deem otherwise due to unforeseen conditions. All plantings are to be of a native species approved by the ACC pursuant to the aforementioned approved plan.

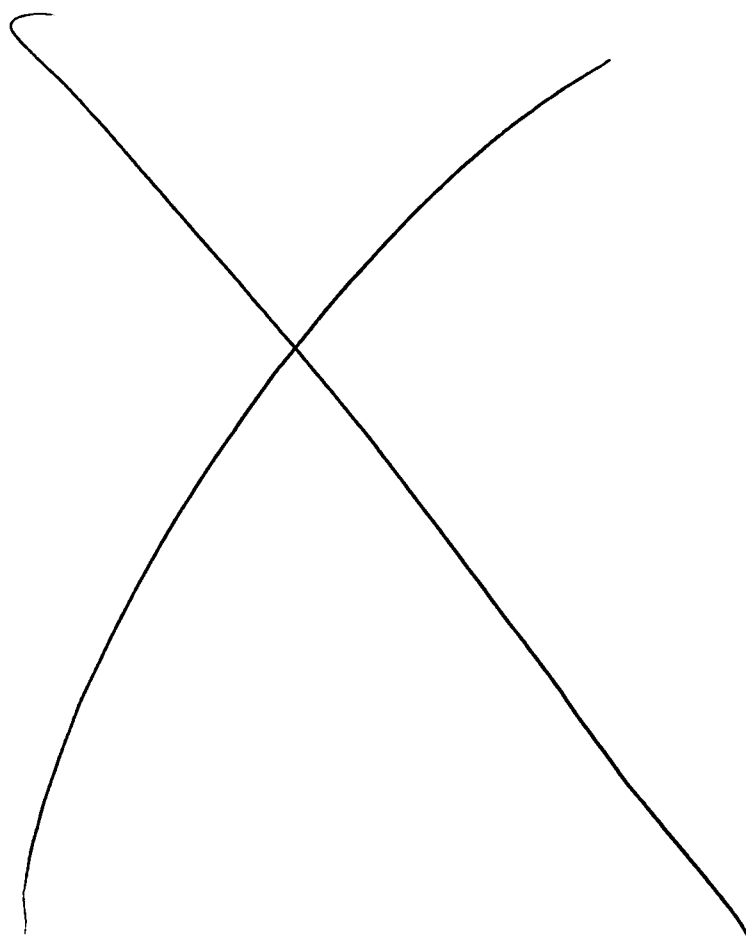
PERPETUAL CONDITIONS:

The following conditions are ongoing and do not expire with the issuance of the Certificate of Compliance:

- 28. Water quality to the adjacent wetland resource area(s) shall not differ following the completion of the project from the pre-development conditions.
- 29. Seasonal dock storage shall take place beyond 100 feet from jurisdictional resources.

Appendix

Work Description



Project Narrative

I would like to replace an old wooden dock that was on the property when I purchased the house in May, 2013. It was in 2 sections, each was 4' X 12'. The new dock will be aluminum, 3 sections, each 4' X 10'. Each section will have 2 legs with a footpad of 15" X 6" and will connect to the next section. There are cement block anchors in the water already, so I can use those to reinforce the dock.

In addition, I will be replacing the existing wooden stairs that go into the water.

Pictures

Site plan with dock drawn

2 google maps showing location of my home

2013 picture of both sections of old dock on land (2 arrows point to docks)

Close up of picture above (also marking neighbor's docks to avoid confusion)

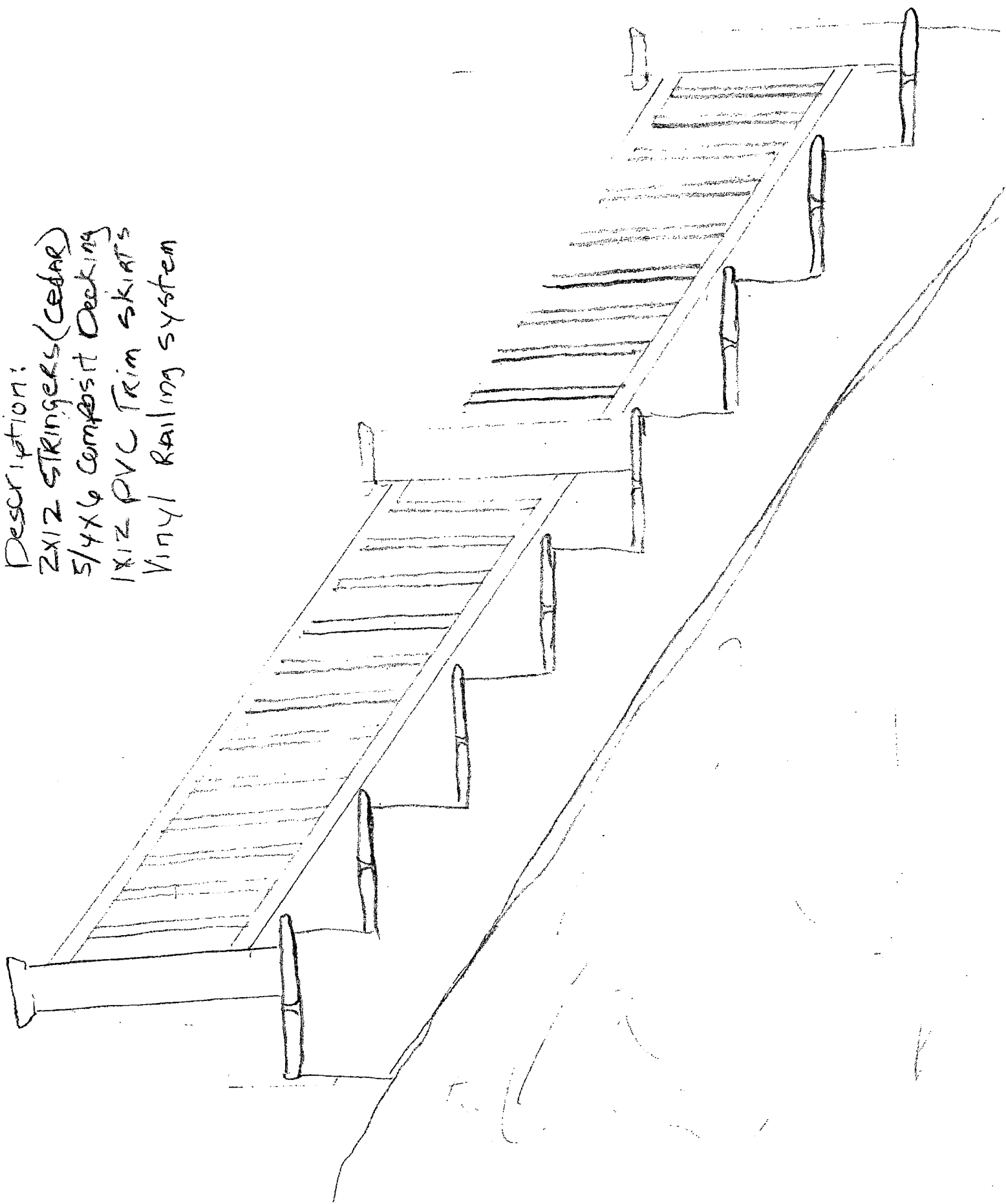
2015 picture of existing stairs

Close-up of picture above

Left cement block anchor to reinforce dock

Right cement block anchor to reinforce dock

Description:
2x12 Stringers (cedar)
5/4x6 Composite Decking
1x12 PVC Trim Skirts
Vinyl Railing system



ASSESSORS REFERENCE

-MAP #59 - LOT #14

ZONING DISTRICT

-R20 DISTRICT

DEED REFERENCE

-BOOK #32518 - PAGE #129 E.S.D.R.D.

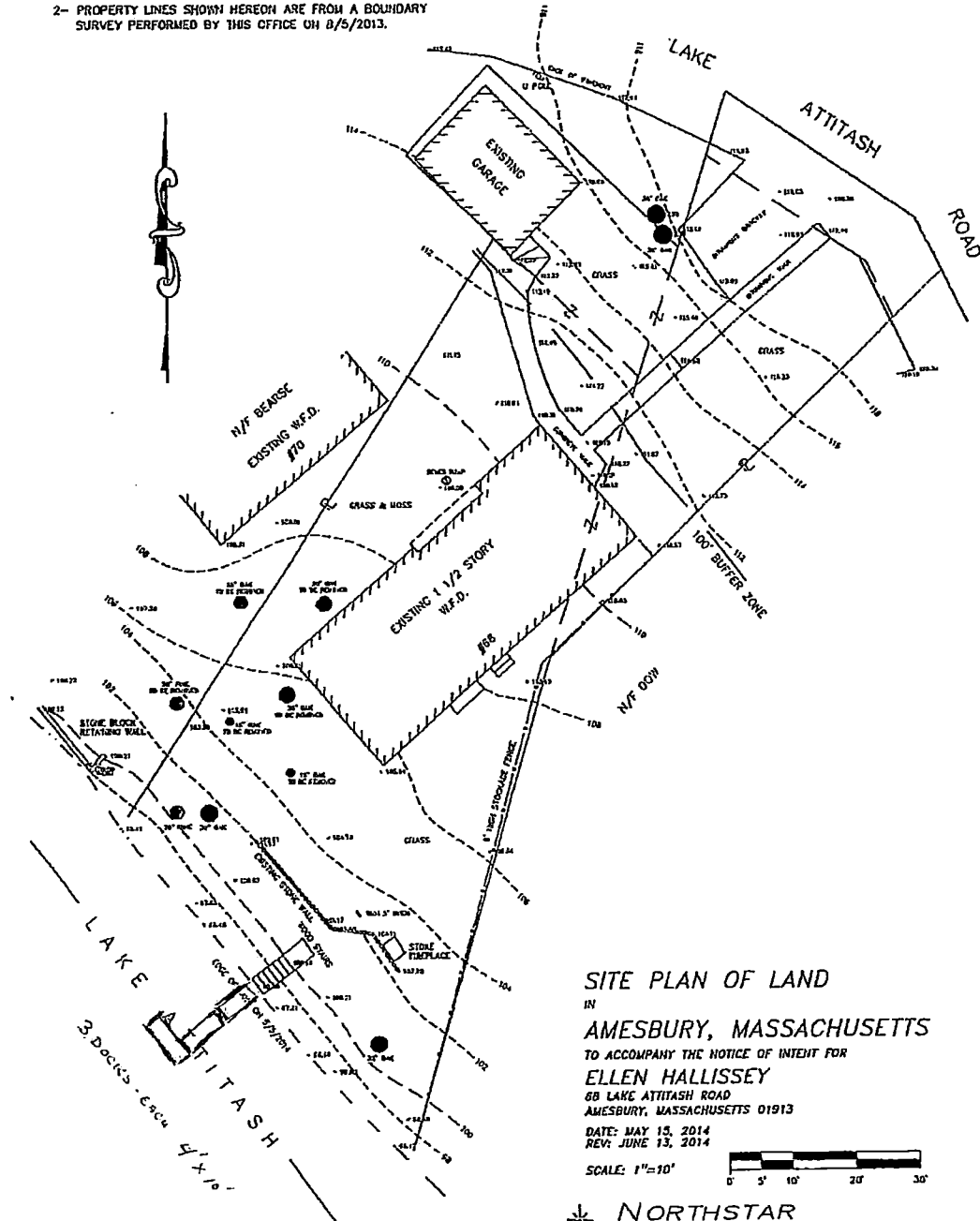
PLAN REFERENCES

-PLAN BOOK #63, PLAN #30 E.S.D.R.D.

-PLAN BOOK #75, PLAN #52 E.S.D.R.D.

NOTES:

- 1- TOPOGRAPHIC DATUM BASE N.A.V.D. 1988 U.S.L.
- 2- PROPERTY LINES SHOWN HEREON ARE FROM A BOUNDARY SURVEY PERFORMED BY THIS OFFICE ON 8/5/2013.



SITE PLAN OF LAND

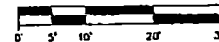
IN
AMESBURY, MASSACHUSETTS

TO ACCOMPANY THE NOTICE OF INTENT FOR
ELLEN HALLISSEY

68 LAKE ATTITASH ROAD
AMESBURY, MASSACHUSETTS 01913

DATE: MAY 15, 2014
REV: JUNE 13, 2014

SCALE: 1"=10'



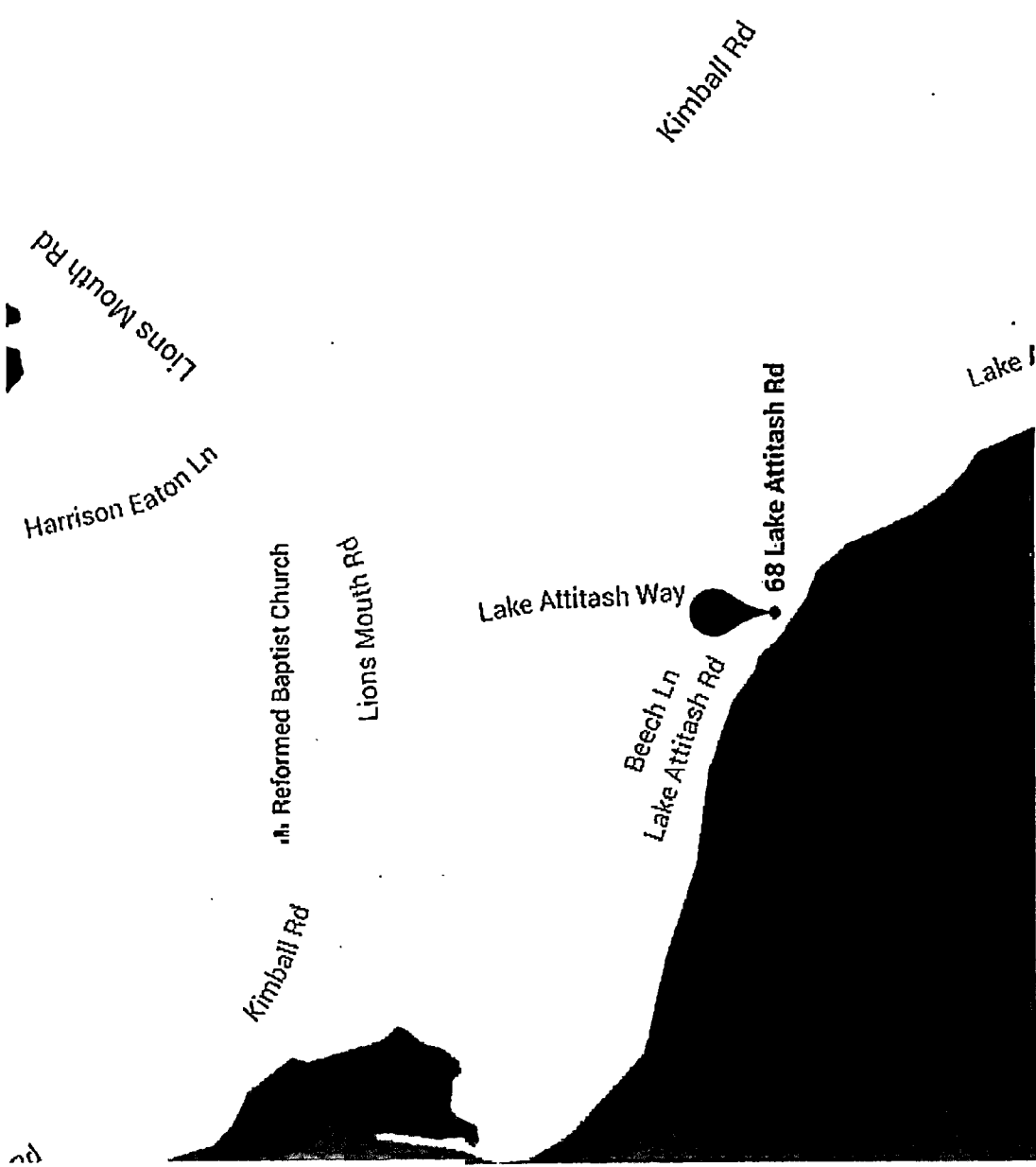
**NORTHSTAR
LAND SURVEY SERVICES**

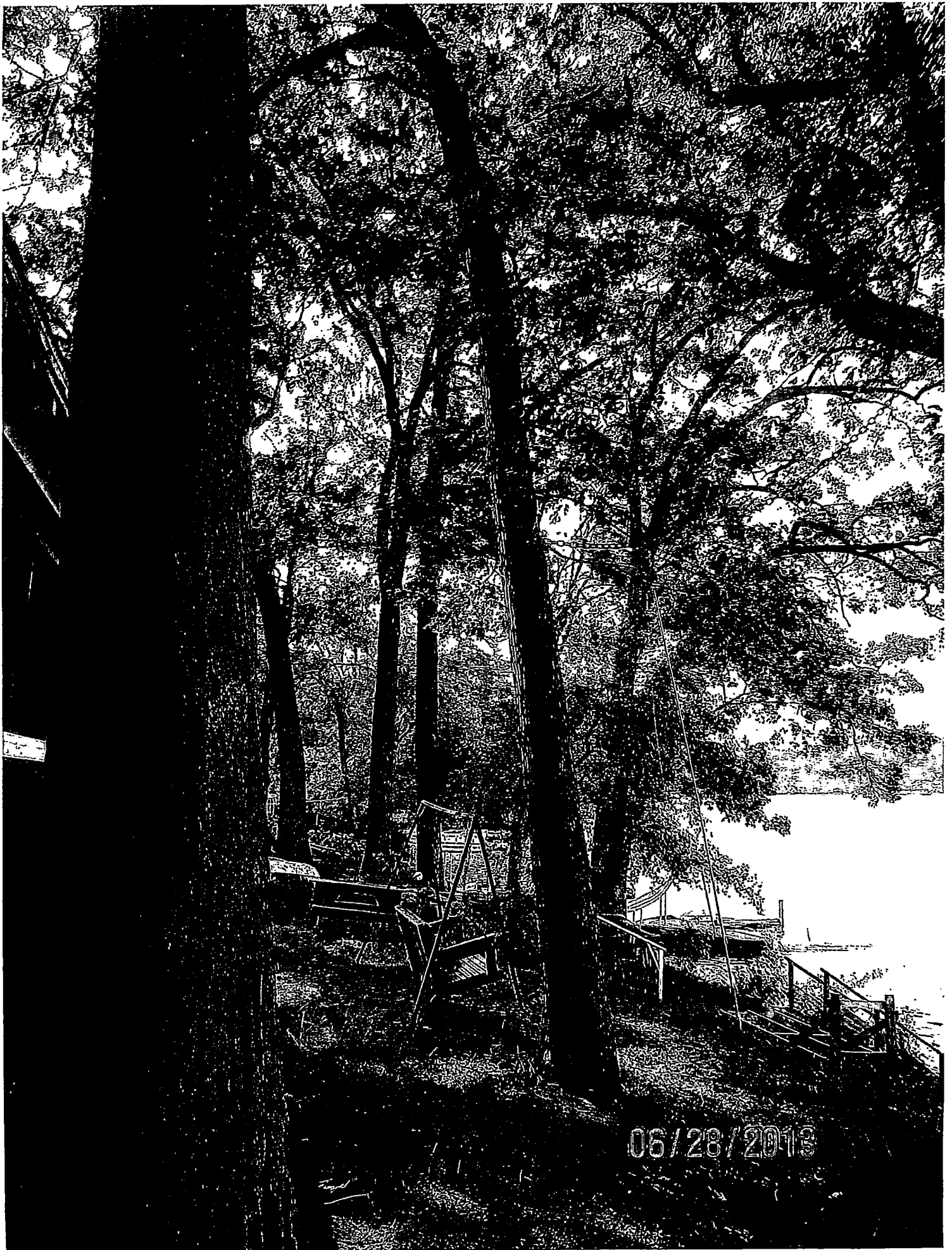
P.O. Box 313

AMESBURY, MA 01913

TEL: (978) 388-9900 FAX: (978) 388-9902

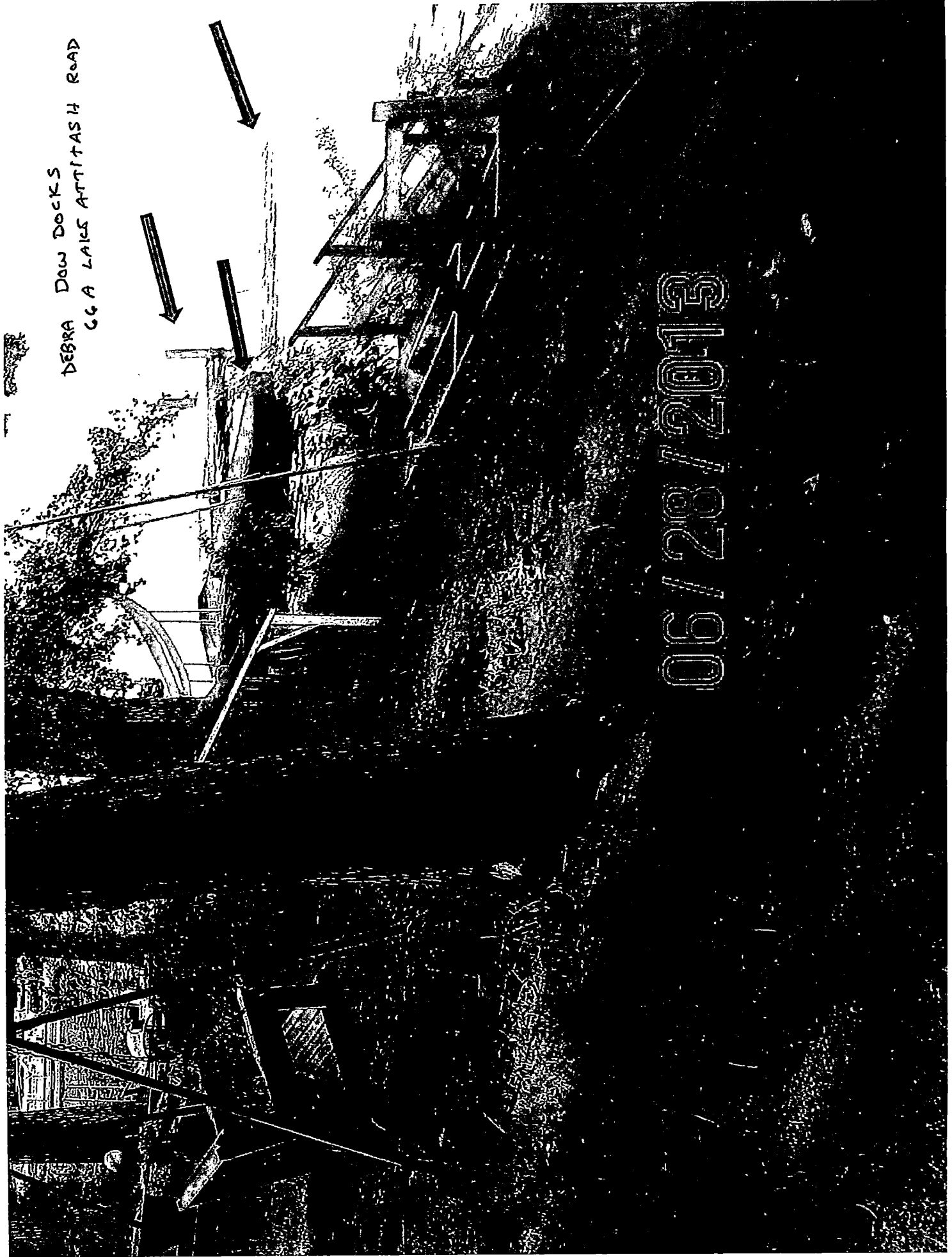
EMAIL: NORTHSTARLANDSURVEY@VERIZON.NET





06/28/2013

DEBRA DOW DOCKS
66 A LAKE ARTISTAS H ROAD



06/28/2013







05/06/2015 17:27



