

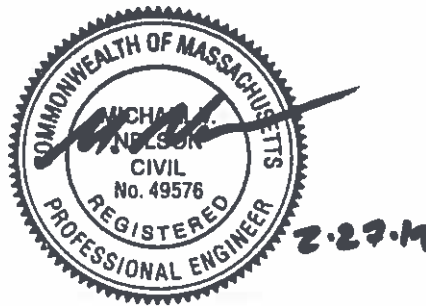
# NOTICE OF INTENT

Boston Conservation Commission  
Room 709  
Boston City Hall  
1 City Hall Square  
Boston, MA 02201

Subject Property:

BWSC Capital Improvement Plan  
Contract No. 17-308-001  
Lawn Avenue (and other Streets)  
East Boston, MA 02128

March 6, 2019



Applicant/Owner:

Boston Water and Sewer Commission  
980 Harrison Avenue  
Boston, MA 02119  
(617) 989-7000



# **TABLE OF CONTENTS**

## **D.E.P. Notice of Intent Filing**

- WPA Form 3 – Notice of Intent
- Wetland Transmittal Fee
- Project Narrative
- Stormwater Checklist Form
- Figure 1 – Site Location Map
- Figure 2 – Estimated Habitat of Rare Wildlife
- Figure 3 – MassDEP Wetland and Wetland Change Areas Map
- Figure 4A – FEMA Firmette Map (1)
- Figure 4B – FEMA Firmette Map (2)
- Figure 5 – Abutters Mailing List Map Generator
- Notification to Abutters
- Abutters List
- Affidavit of Service
- Illicit Discharge Compliance Statement
- Project Drawings

**Attachment One – Drainage Calculations**

**Attachment Two – Order of Conditions for DEP File No. 006-0012, Dated October 8, 2004, Amended March 4, 2005**

**Attachment Three – As-built Drawing Z116-56, dated 12/1/2007**

**Attachment Four – Photographs of Drainage Outfall DO-062 during rain event**

**Attachment Five – Boston Water and Sewer Commission’s “Capacity Management, Operations, and Maintenance (CMOM) Program Document” – relevant sections**

**Attachment Six - Boston Water and Sewer Commission Standard Construction Details**

**Attachment Seven - Massachusetts Environmental Policy Act Office Determination Letter**

**Attachment Eight - Notice of Activity and Use Limitation – Pages from Immediate Response Action Completion Report and Class A-3 Response Action Outcome (RTN #3-27161), Dated August 2012**

**Attachment Nine - Applicable Easements – Pre-existing**

**Attachment Ten - Area of Critical Environmental Concern – Rumney Marshes**

**Attachment Eleven - Site Representative Photographs**



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Boston

City/Town

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



**Note:**  
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

**A. General Information**

1. Project Location (Note: electronic filers will click on button to locate project site):

<u>Lawn Avenue (and other Streets)</u>	<u>East Boston</u>	<u>02128</u>
a. Street Address	b. City/Town	c. Zip Code
<u>Latitude and Longitude:</u>	<u>42.389048 N</u>	<u>70.995676 W</u>
	d. Latitude	e. Longitude
<u>3-C</u>	<u>N/A (Right of Ways)</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>Michael</u>	<u>Nelson</u>	
a. First Name	b. Last Name	
<u>Boston Water and Sewer Commission</u>		
c. Organization		
<u>980 Harrison Avenue</u>		
d. Street Address		
<u>Boston</u>	<u>MA</u>	<u>02119</u>
e. City/Town	f. State	g. Zip Code
<u>(617) 989-7425</u>	<u>N/A</u>	<u>nelsonm@bwsc.org</u>
h. Phone Number	i. Fax Number	j. Email Address

3. Property owner (required if different from applicant):  Check if more than one owner

<u>N/A</u>	<u>N/A</u>	
a. First Name	b. Last Name	
<u>Boston Water and Sewer Commission</u>		
c. Organization		
<u>980 Harrison Avenue</u>		
d. Street Address		
<u>Boston</u>	<u>MA</u>	<u>02119</u>
e. City/Town	f. State	g. Zip Code
<u>(617) 989-7000</u>	<u>(617) 989-7749</u>	<u>N/A</u>
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>N/A</u>	<u>N/A</u>	
a. First Name	b. Last Name	
<u></u>		
c. Company		
<u></u>		
d. Street Address		
<u></u>	<u></u>	<u></u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

<u>Fee Exempt</u>	<u>Fee Exempt</u>	<u>Fee Exempt</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

# WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Boston

City/Town

## A. General Information (continued)

### 6. General Project Description:

The relay and/or trenchless rehabilitation of approx. 5,832 linear feet of existing water main, the laying of 409 linear feet of new water main, and the relay and/or trenchless rehabilitation of approx. 4,063 linear feet of existing sewerage and drainage main. Of which, approx. 2,915 linear feet of work is in the 100-ft buffer zone and 12,787 square feet is within Land Subject to Coastal Storm Flowage

### 7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- 1.  Single Family Home
- 2.  Residential Subdivision
- 3.  Commercial/Industrial
- 4.  Dock/Pier
- 5.  Utilities
- 6.  Coastal engineering Structure
- 7.  Agriculture (e.g., cranberries, forestry)
- 8.  Transportation
- 9.  Other

### 7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

- 1.  Yes  No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

10.24(7)(b) construction, reconstruction, operation and maintenance of underground public utilities  
2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

### 8. Property recorded at the Registry of Deeds for:

<u>Suffolk</u>	<u>72602</u>
a. County	b. Certificate # (if registered land)
<u>359</u>	<u>2</u>
c. Book	d. Page Number

## B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 1.  Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- 2.  Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.





**Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands**

**WPA Form 3 – Notice of Intent**

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Boston

City/Town

**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet _____	2. linear feet _____
b. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	0 1. square feet _____	0 2. square feet _____
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet _____ 3. cubic yards dredged _____	2. square feet _____

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____ 3. cubic feet of flood storage lost _____	2. square feet _____ 4. cubic feet replaced _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet _____ 2. cubic feet of flood storage lost _____	3. cubic feet replaced _____

- f.  Riverfront Area
1. Name of Waterway (if available) - specify coastal or inland \_\_\_\_\_
2. Width of Riverfront Area (check one):
- 25 ft. - Designated Densely Developed Areas only
  - 100 ft. - New agricultural projects only
  - 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: 0 square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet _____	b. square feet within 100 ft. _____	c. square feet between 100 ft. and 200 ft. _____
----------------------------	-------------------------------------	--

5. Has an alternatives analysis been done and is it attached to this NOI?  Yes  No
6. Was the lot where the activity is proposed created prior to August 1, 1996?  Yes  No

3.  Coastal Resource Areas: (See 310 CMR 10.25-10.35)

**Note:** for coastal riverfront areas, please complete Section B.2.f. above.



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Boston

City/Town

**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:  
 Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	_____	
	1. square feet	
	_____	
	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	_____	_____
	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	_____	_____
	1. square feet	2. cubic yards dune nourishment
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____	
	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____	
	1. square feet	
h. <input checked="" type="checkbox"/> Salt Marshes	0	0
	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	_____	
	1. square feet	
	_____	
	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____	
	1. square feet	
k. <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	
	_____	
	1. cubic yards dredged	
l. <input checked="" type="checkbox"/> Land Subject to Coastal Storm Flowage	12,787	
	1. square feet	
4. <input type="checkbox"/> Restoration/Enhancement	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.2.b or B.3.h above, please enter the additional amount here.	
	N/A	
	_____	_____
	a. square feet of BVW	b. square feet of Salt Marsh
5. <input type="checkbox"/> Project Involves Stream Crossings		
	N/A	
	_____	_____
	a. number of new stream crossings	b. number of replacement stream crossings



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

## WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Boston

City/Town

### C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

#### Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to [http://maps.massgis.state.ma.us/PRI\\_EST\\_HAB/viewer.htm](http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm).

- a.  Yes  No **If yes, include proof of mailing or hand delivery of NOI to:**

Natural Heritage and Endangered Species Program  
Division of Fisheries and Wildlife  
1 Rabbit Hill Road  
Westborough, MA 01581

August 2017

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review\*

1.  Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

2.  Assessor's Map or right-of-way plan of site

2.  Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*

- (a)  Project description (including description of impacts outside of wetland resource area & buffer zone)
- (b)  Photographs representative of the site

\* Some projects not in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

\*\* MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

## WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Boston

City/Town

### C. Other Applicable Standards and Requirements (cont'd)

- (c)  MESA filing fee (fee information available at [http://www.mass.gov/dtwele/dfw/nhesp/regulatory\\_review/mesa/mesa\\_fee\\_schedule.htm](http://www.mass.gov/dtwele/dfw/nhesp/regulatory_review/mesa/mesa_fee_schedule.htm)). Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

*Projects altering 10 or more acres of land, also submit:*

- (d)  Vegetation cover type map of site
- (e)  Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following
1.  Project is exempt from MESA review.  
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, [http://www.mass.gov/dtwele/dfw/nhesp/regulatory\\_review/mesa/mesa\\_exemptions.htm](http://www.mass.gov/dtwele/dfw/nhesp/regulatory_review/mesa/mesa_exemptions.htm); the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
2.  Separate MESA review ongoing. a. NHESP Tracking # \_\_\_\_\_ b. Date submitted to NHESP \_\_\_\_\_
3.  Separate MESA review completed.  
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?  
a.  Not applicable – project is in inland resource area only      b.  Yes     No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
836 South Rodney French Blvd.  
New Bedford, MA 02744  
Email: [DMF.EnvReview-South@state.ma.us](mailto:DMF.EnvReview-South@state.ma.us)

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [DMF.EnvReview-North@state.ma.us](mailto:DMF.EnvReview-North@state.ma.us)

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Boston

City/Town

**C. Other Applicable Standards and Requirements (cont'd)**

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
- a.  Yes  No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.  
Rumney Marshes
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
- a.  Yes  No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
- a.  Yes  No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
- a.  Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
1.  Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
  2.  A portion of the site constitutes redevelopment
  3.  Proprietary BMPs are included in the Stormwater Management System.
- b.  No. Check why the project is exempt:
1.  Single-family house
  2.  Emergency road repair
  3.  Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

**D. Additional Information**

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

**Online Users:** Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1.  USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2.  Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.

Online Users:  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Boston

City/Town

**D. Additional Information (cont'd)**

3.  Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4.  List the titles and dates for all plans and other materials submitted with this NOI.

Boston Water and Sewer Commission Contract No. 17-308-001

a. Plan Title

Paul Southworth

Michael Nelson

b. Prepared By

c. Signed and Stamped by

February, 2019

1"=20"

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5.  If there is more than one property owner, please attach a list of these property owners not listed on this form.

6.  Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7.  Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8.  Attach NOI Wetland Fee Transmittal Form

9.  Attach Stormwater Report, if needed.

**E. Fees**

1.  Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

N/A

2. Municipal Check Number

N/A

3. Check date

N/A

4. State Check Number

N/A

5. Check date

N/A

6. Payor name on check: First Name

N/A

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

# WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number


Boston

City/Town

## F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

	2-25-19
1. Signature of Applicant	2. Date
<i>N/A</i>	
3. Signature of Property Owner (if different)	4. Date
<i>N/A</i>	
5. Signature of Representative (if any)	6. Date

### For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

### For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

### Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

## **NOTICE OF INTENT NARRATIVE**

### **BOSTON WATER AND SEWER COMMISSION CONTRACT NO. 17-308-001**

#### ***Introduction:***

The Boston Water and Sewer Commission (BWSC) is proposing to relay existing water mains on Bennington Street, Leverett Avenue, Lawn Avenue, Swan Avenue, Palermo Street, Austin Avenue, and Walley Street in East Boston. Additionally, BWSC is proposing to relay and/or rehabilitate existing sewerage and/or drainage mains on several of these same streets in conjunction with the proposed water work. Bennington Street and Walley Street are public ways of the City of Boston. Leverett Avenue, Lawn Avenue, Swan Avenue, Palermo Street, and Austin Avenue are private ways, but BWSC owns and has the responsibility to maintain water, sewerage, and drainage mains located beneath these private ways.

Portions of the proposed water, sewerage, and/or drainage work on these streets fall within a 100-yr (AE) flood zone as well as the 100-ft buffer zone of a bordering vegetated wetland or a salt marsh. Portions of the proposed water and drainage work fall within the boundaries of an Area of Critical Environmental Concern (ACEC) known as the Rumney Marshes. However, as the proposed work is a “Replacement Project” as defined by 301 CMR 11.02 MEPA Regulations and does not require a State Agency Action, the proposed work is not subject to MEPA review. A confirmation of this determination has been provided by the MEPA Office and can be found in Attachment Seven. The project is believed to be treated as a limited project subject to 310 CMR 10.24(7)(b) as the “construction, reconstruction, operation, and maintenance of underground public utilities”. Approximately fifty-linear-feet of the proposed water main relay on Austin Avenue passes over a MassDEP designated ‘Activity and Use Limitation’ area. The Activity and Use Limitation does not take effect as long as soil 8-feet or greater from grade is not disturbed. The excavation necessary to relay the portion of water main passing over the Activity and Use Limitation should only require approximately a 6.7-foot deep excavation and will not trigger the Activity and Use Limitation. Pages from the MassDEP’s “Notice of Activity and Use Limitation” are included in Attachment Eight. The Site Location Map is shown on Figure 1.

#### ***Project Description and Construction Sequence:***

To continue to provide fire protection and reliable potable water delivery to Boston residents for domestic use, BWSC is proposing to relay approximately 5,544-linear-feet of 8-inch to 12-inch water main on seven streets in East Boston. Most of these water mains were originally laid from 1887 to 1931 and several water main breaks have occurred in recent years. Approximately 288-linear-feet of existing 10-inch water main is proposed to be rehabilitated by means of cleaning and trenchless structural lining. This section of water main exists in a BWSC owned easement through private property held by the New England Casket Company and the



Massachusetts Bay Transportation Authority (MBTA). Semi-permanent structures have been built on top of the easement by the property owners and traditional excavation cannot occur.

BWSC is proposing to lay approximately 409-linear-feet of new water main on Palermo Street to create a redundant loop system. In the existing water main layout, a water main break occurring on Leverett Avenue or an approximately 880-linear-foot portion of Bennington Street would shut off the water delivery and fire protection to Leverett Avenue, Lawn Avenue, Swan Avenue, and Palermo Street until the break was located and repaired. By connecting the water system at the intersection of Palermo Street and Swan Avenue to the water system at the intersection of Palermo Street and Bennington Street with approximately 409-linear-feet of new 8-inch water main, a redundant loop would be formed. In this redundant loop, water delivery to Leverett Avenue, Lawn Avenue, Swan Avenue, and Palermo Street would be provided via two different connections to the larger water main on Bennington Street. Therefore, a water main break on either connection would impact water service and fire protection to far fewer residents as a back-up connection would exist. The excavation required to install this proposed water main will be approximately 4.5-feet-wide by 6.7-feet-deep to 7.0-feet-deep depending on the water main's diameter.

BWSC engineers have assessed the condition of sewerage and drainage conduits near the proposed water work through closed circuit television and is proposing the following replacement work. BWSC is proposing to relay approximately 1,062-linear-feet of existing drainage main and approximately 648-linear-feet of existing sewerage main. The conduits proposed for relaying include segments that are structurally unsound or have had previous point repairs that have since failed themselves. In addition to relaying, BWSC is proposing to rehabilitate approximately 2,353-linear-feet of existing sewerage and drainage mains with trenchless structural liners. The excavation required to install the proposed sewer and drainage relays will be approximately 5-feet-wide and between 5-feet-deep to 10.5-feet-deep depending on the grade above each individual conduit.

The existing drainage system servicing Leverett Avenue, Lawn Avenue, Swan Avenue and Palermo Street discharges through DO-062 at the boundary of the salt marsh. Drainage outfall DO-062 is located approximately 164-linear-feet from manhole 0+00 shown on Sheet 6 at the intersection of Lawn Avenue and Leverett Avenue. An as-built plan for drainage outfall DO-062 is provided as Attachment Three. The construction of drainage outfall DO-062 was granted an Order of Conditions by the Conservation Commission in 2004 under the DEP file number 006-1012. Special Condition No. 45 of this Order of Conditions included a "maintenance condition [that] is perpetual and shall not expire upon issuance of a Certificate of Compliance" regarding drainage outfall DO-062. A copy of the Order of Conditions for DEP file no. 006-0012 is provided as Attachment Two. In addition, as the granting of this Order of

Conditions and drainage outfall DO-062's subsequent construction occurred in 2004, it is believed that any future maintenance of drainage outfall DO-062 does not require the filing of a Notice of Intent pursuant to Wetlands Protection Act (WPA) 310 CMR 10.02 (3). Photographs showing the stormwater discharge during a rain event between tides are provided in Attachment Four.

BWSC is proposing the installation of two structures to assist with maintenance of the drainage system. The first structure is the installation of a square manhole in-line with the outlet pipe leading to drainage outfall DO-062 as shown on Sheet 6. BWSC is proposing to install this square manhole with a flap gate on the upstream invert to prevent the drainage system from filling with water under high tide dry-weather events. The second proposed structure is an octagonal dry well located off-line of the system approximately 36-linear-feet upstream from manhole 0+00 as shown on Sheet 6. Under the current condition, the drainage mains on Lawn Avenue sit filled with stagnating stormwater under dry weather periods. An BWSC Operation crew's ability to perform routine maintenance is greatly inhibited and prolonged when the drainage mains are filled. BWSC is proposing the installation of this dry well to drain the mains during these dry weather periods. If high groundwater levels are found during construction to render the function of this dry well ineffective, it will not be installed. If installed, the dry well is to include a flap gate on the upstream invert to prevent any possible back flow into the drainage mains.

Erosion controls and notification signage will be placed in accordance with the contract documents and the Boston Conservation Commission's Order of Conditions prior to construction. Erosion control barriers have been marked for placement at the edge of the existing roadway, or the at the property line if the proposed work is out of the roadway, as shown on sheets 3, 5, 6, 7, and 8.

The project is anticipated to commence in the Summer of 2019 following a public bid. All funding for the project is provided by the Boston Water and Sewer Commission's Capital Improvement Program Fund in the form of BWSC general revenue bonds and current year rate revenues.

***Impact to Resource Areas:***

Wetland delineation was determined by utilizing the *MassDEP Online Map Viewer* and site visits. The vegetation alone proved adequate to delineate the upland from the bordering vegetated wetland and the salt marsh. The results of the *MassDEP Online Map Viewer* are shown on Figure Three. Portions of the proposed work on Bennington Street, Leverett Avenue, Lawn Avenue, Swan Avenue, Palermo Street, and Austin Avenue all fall within the boundaries of

a 100-Year AE Flood Zone as determined by FEMA Map Community Panels # 25025C0019J and #25025C0081J. These map panels are provided as Figures 4A & 4B.

**Salt Marsh & Bordering Vegetated Wetland:** No work shall take place within the salt marsh or the bordering vegetated wetland beyond the routine maintenance of storm drainage outfall DO-062. This routine maintenance shall be performed in accordance with Special Condition #45 of the Order of Conditions for DEP File No. 006-1012 which granted a “maintenance condition [that] is perpetual and shall not expire upon issuance of a Certificate of Compliance”.

**Land Subject to Coastal Storm Flowage:** Approximately 12,656 square feet of Land Subject to Coastal Storm Flowage will be temporarily disturbed due to trenching activities necessary for water main relay, drainage main relay, and sewerage main relay. An additional 131 square feet of Land Subject to Coastal Storm Flowage will be disturbed due to trenching activities necessary for new water main laying. No flood storage will be lost upon the completion of construction activities. All trenches will be backfilled to their existing grades. Lastly, approximately 288 linear feet of trenchless water main structural lining and 460 linear feet of trenchless drainage main structural lining will take place beneath Land Subject to Coastal Storm Flowage.

***Impact to Buffer Zone:***

Portions of the water, sewerage, and drainage improvements proposed in BWSC Contract No. 17-308-001 fall within the 100-foot buffer zone of either a salt marsh or a bordering vegetated wetland. Roadways that feature work where this will occur are Bennington Street, Lawn Avenue, Swan Avenue, Palermo Street, and Austin Avenue. The proposed work on Bennington Street and Lawn Avenue involves the installation of public utilities outside of the existing roadway, but inside of the right-of-way. On Swan Avenue, Palermo Street, and Austin Avenue, all proposed work occurring within the 100-foot buffer zone involves the installation of underground public utilities and takes place within an existing roadway or driveway. Erosion and sedimentation controls are proposed to be installed and all trenches shall be covered at the end of each workday. In total, approximately 28% of the contracts total linear footage of mains including 1,552-linear-feet of the existing water main relay, 409-linear-feet of the new water main laying, 53-linear-feet of the existing water main cleaning and trenchless structural lining, 484-linear-feet of the existing drain relay, 460-linear-feet of the structural lining of existing drains, and 60-linear-feet of existing sewer relay occurs within the 100-foot buffer zone as shown on Sheets 1 and 3-8.

The existing conditions of the ground surface at grade will be replaced in kind for each area of the project. Bennington Street is a public way. Most of the work taking place within the buffer zone on Bennington Street occurs in a landscaped area off the roadway. Work taking place beneath existing asphalt paved roadways will be repaved. Work taking place within landscaped areas will be reseeded.

Leverett Avenue, Lawn Avenue, Swan Avenue, Palermo Street, and Austin Avenue are private ways that range from asphalt paved roadways of varying condition to unpaved gravel roads. As these are streets not maintained by the Boston Public Works Department, BWSC has no plans to grade or create new impervious area. The existing conditions of the ground surface at grade within the trench limits will be replaced in kind.

### ***Construction Oversight***

A pre-construction meeting will be held prior to construction that the Boston Conservation Commission is welcome to attend. Furthermore, copies of minutes, site photos, and progress reports will be provided to the Conservation Commission.

### ***Stormwater Management:***

The project is being classified as a redevelopment project under the Massachusetts Stormwater Handbook as a redevelopment project in accordance with Volume 2, Chapter 3 because the project is the “maintenance and improvement of [an] existing roadway, including ...improving drainage systems” and is the “development rehabilitation...on previously developed sites, provided the redevelopment results in no net increase in impervious area”. Thus, this redevelopment project is believed to be subject to the applicable Stormwater Management Standards only to the maximum extent practicable.

**Standard 1: No New Untreated Discharges:** There are no new untreated discharges. The existing outfalls downstream of the project sites do not erode or scour the wetlands and waters of the Commonwealth.

**Standard 2: Peak Rate Attenuation:** A Standard 2 waiver is requested as portions of the project are located in land subject to coastal storm flowage and downstream stormwater discharge is to a wetland subject to coastal flooding.

**Standard 3: Recharge:** The project is eligible as a limited project under 10.24(7)(b) and as a redevelopment project making the project subject to Stormwater Management Standard 3 only to the maximum extent practicable. The project proposes to relay existing underground utilities and does not increase the impervious area at grade. At minimum, post-development recharge does not decrease from pre-development recharge. If groundwater levels permit the installation of the octagonal dry well shown on Sheet 6, post-development recharge will exceed pre-development discharge.

**Standard 4: Water Quality:** The project is eligible as a limited project under 10.24(7)(b) and as a redevelopment project making the project subject to the pretreatment and structural

stormwater best management practice requirements of Stormwater Management Standard 4 only to the maximum extent practicable.

Deep sump catch basins credited with 25% TSS removal are replacing catch basins that do not currently have deep sumps. Hoods are being installed in all catch basins that do not currently possess one. The long-term maintenance plan of all proposed catch basins and manholes installed as a part of this project shall be governed by the BWSC's Capacity Management, Operations, and Maintenance (CMOM) Program. Relevant sections from the CMOM program regarding the preventative maintenance of these structures can be found in Attachment Five.

The street sweeping, sanding, salting, and/or plowing of Bennington Street is administered by Boston Public Works. The street sweeping, sanding, salting, and/or plowing of Leverett Avenue, Lawn Avenue, Swan Avenue, Palermo Street, and Austin Avenue are the responsibility of the private streets respective owners.

The development of a spill management plan is the responsibility of the to-be-determined Contractor. Contract specifications will include a special condition stating, "The Contractor shall be required to develop a spill management plan for any hazardous materials to be employed during the work. Specifically, the Contractor shall be prepared to effectively deal with the spillage of fuel or hydraulic fluids from equipment. A quick-absorbent material, such as "speedy dry" shall be stored in a dry and accessible area and will be used in the event that petroleum-based fluids are spilled or leaked. Equipment shall be inspected daily for leakage. Any other equipment requiring repair or fueling shall be repaired or fueled away from catch basins and other drainage structures."

An illicit discharge compliance statement can be found accompanying this Notice of Intent.

**Standard 5: Land Uses with Higher Potential Pollutant Loads (LUHPPLs):** The project site is not located in a land use with higher potential pollutant loads.

**Standard 6: Critical Areas:** A portion of the project takes place within the 'Rumney Marshes' Area of Critical Environmental Control (ACEC). The project does not trigger any other Massachusetts Environmental Policy Act (MEPA) review thresholds.

As a 'Replacement Project' as defined by 301 CMR 11.02(2), the review thresholds do not apply to this project pursuant to 301 CMR 11.01 (2)(b)3. In addition, as no State Agency Action is required, the MEPA Office has determined that this project is not subject to MEPA review. A copy of the MEPA Office's determination can be found in Attachment Seven.

The eventual discharge downstream of this project is to a critical area, and only BMPs that MassDEP has approved for stormwater discharges to or near the critical area are proposed.

**Standard 7: Redevelopments and Other Projects Subject to the Standards only to the**

**Maximum Extent Practicable:** The project is eligible as a limited project under 10.24(7)(b) and as a redevelopment project making the project subject to Stormwater Management Standards 2, 3, and the pretreatment and structural BMP requirements of Standards 4-6 to the maximum extent practicable.

**Standard 8: Construction Period Pollution Prevention and Erosion and Sedimentation Control:**

Erosion and sedimentation controls are shown on Sheets 3, 5, 6, 7, and 8. The to-be-determined Contractor shall be responsible for installing, inspecting, and maintaining all erosion and sedimentation controls as well as providing a contact number for the person(s) responsible for construction period operation and maintenance plan compliance.

A special condition included in the Contract specifications shall state “hay bale barriers shall be installed as shown on the plans and at all other areas as required by the Conservation Commission. Hay bale barriers shall be inspected immediately after each rainfall and at least daily during prolonged rainfall. Sediment deposits shall be removed promptly to ensure that adequate storage volume is maintained. The undermining of the erosion and sedimentation control barriers shall be avoided during cleaning. Failures and decompositions to the erosion and sedimentation controls shall be repaired immediately. The Contractor shall have extra hay bales on-site for repair purposes. Erosion and sedimentation controls shall only be removed once the site has been stabilized and all sediment deposits have been removed.

A Stormwater Pollution Prevention Plan will be submitted prior to land disturbance if required by the Conservation Commission.

**Standard 9: Construction Period Pollution Prevention and Erosion and Sedimentation Control:**

The long-term maintenance plan of all proposed catch basins, manholes, and mains installed as a part of this project shall be governed by the BWSC’s Capacity Management, Operations, and Maintenance (CMOM) Program. Relevant sections from the CMOM program regarding the preventative maintenance of these structures can be found in Attachment Five.

The use of all sewers is governed by Article II Use of Sewers of the “REGULATIONS GOVERNING THE USE OF SANITARY AND COMBINED SEWERS AND STORM DRAINS OF THE BOSTON WATER AND SEWER COMMISSION”, Adopted February 27, 1998 under the authority of Chapter 436 (Section 6) of the 1977 Acts and Resolves of Massachusetts and G.L. c. 83.

**Standard 10: Prohibition of Illicit Discharges:**

An Illicit Discharge Compliance Statement can be found accompanying this Notice of Intent.



Massachusetts Department of Environmental Protection  
 Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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



**A. Applicant Information**

1. Location of Project:

Lawn Avenue (and other Streets)	East Boston
a. Street Address	b. City/Town
N/A	Fee Exempt
c. Check number	d. Fee amount

2. Applicant Mailing Address:

Michael	Nelson	
a. First Name	b. Last Name	
Boston Water and Sewer Commission		
c. Organization		
980 Harrison Avenue		
d. Mailing Address		
Boston	MA	02119
e. City/Town	f. State	g. Zip Code
(617) 989-7425	N/A	nelsonm@bwsc.org
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

N/A	N/A	
a. First Name	b. Last Name	
Boston Water and Sewer Commission		
c. Organization		
980 Harrison Avenue		
d. Mailing Address		
Boston	MA	02119
e. City/Town	f. State	g. Zip Code
(617) 989-7000	(617) 989-7749	N/A
h. Phone Number	i. Fax Number	j. Email Address

**B. Fees**

Fee should be calculated using the following process & worksheet. **Please see instructions before filling out worksheet.**

**Step 1/Type of Activity:** Describe each type of activity that will occur in wetland resource area and buffer zone.

**Step 2/Number of Activities:** Identify the number of each type of activity.

**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

**Step 4/Subtotal Activity Fee:** Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

**Step 5/Total Project Fee:** Determine the total project fee by adding the subtotal amounts from Step 4.

**Step 6/Fee Payments:** To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**B. Fees (continued)**

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
			Fee Exempt

**Step 5/Total Project Fee:** Fee Exempt

**Step 6/Fee Payments:**

Total Project Fee:	<u>Fee Exempt</u>
State share of filing Fee:	<u>Fee Exempt</u>
City/Town share of filing Fee:	<u>Fee Exempt</u>
	a. Total Fee from Step 5
	b. 1/2 Total Fee less \$12.50
	c. 1/2 Total Fee plus \$12.50

**C. Submittal Requirements**

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
 Box 4062  
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and the city/town fee payment.

**To MassDEP Regional Office (see Instructions):** Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and a copy of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)





# Checklist for Stormwater Report

## A. Introduction

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



A Stormwater Report must be submitted with the Notice of Intent permit application to document compliance with the Stormwater Management Standards. The following checklist is NOT a substitute for the Stormwater Report (which should provide more substantive and detailed information) but is offered here as a tool to help the applicant organize their Stormwater Management documentation for their Report and for the reviewer to assess this information in a consistent format. As noted in the Checklist, the Stormwater Report must contain the engineering computations and supporting information set forth in Volume 3 of the [Massachusetts Stormwater Handbook](#). The Stormwater Report must be prepared and certified by a Registered Professional Engineer (RPE) licensed in the Commonwealth.

The Stormwater Report must include:

- The Stormwater Checklist completed and stamped by a Registered Professional Engineer (see page 2) that certifies that the Stormwater Report contains all required submittals.<sup>1</sup> This Checklist is to be used as the cover for the completed Stormwater Report.
- Applicant/Project Name
- Project Address
- Name of Firm and Registered Professional Engineer that prepared the Report
- Long-Term Pollution Prevention Plan required by Standards 4-6
- Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan required by Standard 8<sup>2</sup>
- Operation and Maintenance Plan required by Standard 9

In addition to all plans and supporting information, the Stormwater Report must include a brief narrative describing stormwater management practices, including environmentally sensitive site design and LID techniques, along with a diagram depicting runoff through the proposed BMP treatment train. Plans are required to show existing and proposed conditions, identify all wetland resource areas, NRCS soil types, critical areas, Land Uses with Higher Potential Pollutant Loads (LUHPPL), and any areas on the site where infiltration rate is greater than 2.4 inches per hour. The Plans shall identify the drainage areas for both existing and proposed conditions at a scale that enables verification of supporting calculations.

As noted in the Checklist, the Stormwater Management Report shall document compliance with each of the Stormwater Management Standards as provided in the [Massachusetts Stormwater Handbook](#). The soils evaluation and calculations shall be done using the methodologies set forth in Volume 3 of the [Massachusetts Stormwater Handbook](#).

To ensure that the Stormwater Report is complete, applicants are required to fill in the Stormwater Report Checklist by checking the box to indicate that the specified information has been included in the Stormwater Report. If any of the information specified in the checklist has not been submitted, the applicant must provide an explanation. The completed Stormwater Report Checklist and Certification must be submitted with the Stormwater Report.

<sup>1</sup> The Stormwater Report may also include the Illicit Discharge Compliance Statement required by Standard 10. If not included in the Stormwater Report, the Illicit Discharge Compliance Statement must be submitted prior to the discharge of stormwater runoff to the post-construction best management practices.

<sup>2</sup> For some complex projects, it may not be possible to include the Construction Period Erosion and Sedimentation Control Plan in the Stormwater Report. In that event, the issuing authority has the discretion to issue an Order of Conditions that approves the project and includes a condition requiring the proponent to submit the Construction Period Erosion and Sedimentation Control Plan before commencing any land disturbance activity on the site.



# Checklist for Stormwater Report

## B. Stormwater Checklist and Certification

The following checklist is intended to serve as a guide for applicants as to the elements that ordinarily need to be addressed in a complete Stormwater Report. The checklist is also intended to provide conservation commissions and other reviewing authorities with a summary of the components necessary for a comprehensive Stormwater Report that addresses the ten Stormwater Standards.

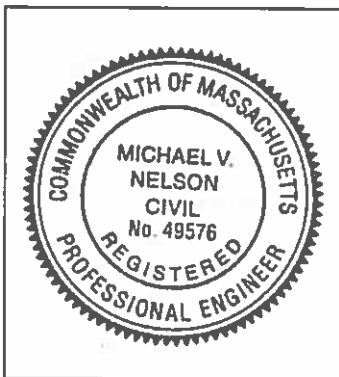
*Note:* Because stormwater requirements vary from project to project, it is possible that a complete Stormwater Report may not include information on some of the subjects specified in the Checklist. If it is determined that a specific item does not apply to the project under review, please note that the item is not applicable (N.A.) and provide the reasons for that determination.

A complete checklist must include the Certification set forth below signed by the Registered Professional Engineer who prepared the Stormwater Report.

### Registered Professional Engineer's Certification

I have reviewed the Stormwater Report, including the soil evaluation, computations, Long-term Pollution Prevention Plan, the Construction Period Erosion and Sedimentation Control Plan (if included), the Long-term Post-Construction Operation and Maintenance Plan, the Illicit Discharge Compliance Statement (if included) and the plans showing the stormwater management system, and have determined that they have been prepared in accordance with the requirements of the Stormwater Management Standards as further elaborated by the Massachusetts Stormwater Handbook. I have also determined that the information presented in the Stormwater Checklist is accurate and that the information presented in the Stormwater Report accurately reflects conditions at the site as of the date of this permit application.

Registered Professional Engineer Block and Signature



*M. Nelson* 2.27.19  
Signature and Date

## Checklist

**Project Type:** Is the application for new development, redevelopment, or a mix of new and redevelopment?

- New development
- Redevelopment
- Mix of New Development and Redevelopment



# Checklist for Stormwater Report

---

## Checklist (continued)

**LID Measures:** Stormwater Standards require LID measures to be considered. Document what environmentally sensitive design and LID Techniques were considered during the planning and design of the project:

- No disturbance to any Wetland Resource Areas
- Site Design Practices (e.g. clustered development, reduced frontage setbacks)
- Reduced Impervious Area (Redevelopment Only)
- Minimizing disturbance to existing trees and shrubs
- LID Site Design Credit Requested:
  - Credit 1
  - Credit 2
  - Credit 3
- Use of "country drainage" versus curb and gutter conveyance and pipe
- Bioretention Cells (includes Rain Gardens)
- Constructed Stormwater Wetlands (includes Gravel Wetlands designs)
- Treebox Filter
- Water Quality Swale
- Grass Channel
- Green Roof
- Other (describe): The use of trenchless technologies to rehabilitate sewer and drain conduits

### Standard 1: No New Untreated Discharges

- No new untreated discharges
- Outlets have been designed so there is no erosion or scour to wetlands and waters of the Commonwealth
- Supporting calculations specified in Volume 3 of the Massachusetts Stormwater Handbook included.



# Checklist for Stormwater Report

## Checklist (continued)

### Standard 2: Peak Rate Attenuation

- Standard 2 waiver requested because the project is located in land subject to coastal storm flowage and stormwater discharge is to a wetland subject to coastal flooding.
- Evaluation provided to determine whether off-site flooding increases during the 100-year 24-hour storm.
- Calculations provided to show that post-development peak discharge rates do not exceed pre-development rates for the 2-year and 10-year 24-hour storms. If evaluation shows that off-site flooding increases during the 100-year 24-hour storm, calculations are also provided to show that post-development peak discharge rates do not exceed pre-development rates for the 100-year 24-hour storm.

### Standard 3: Recharge

- Soil Analysis provided.
- Required Recharge Volume calculation provided.
- Required Recharge volume reduced through use of the LID site Design Credits.
- Sizing the infiltration, BMPs is based on the following method: Check the method used.
  - Static
  - Simple Dynamic
  - Dynamic Field<sup>1</sup>
- Runoff from all impervious areas at the site discharging to the infiltration BMP.
- Runoff from all impervious areas at the site is *not* discharging to the infiltration BMP and calculations are provided showing that the drainage area contributing runoff to the infiltration BMPs is sufficient to generate the required recharge volume.
- Recharge BMPs have been sized to infiltrate the Required Recharge Volume.
- Recharge BMPs have been sized to infiltrate the Required Recharge Volume *only* to the maximum extent practicable for the following reason:
  - Site is comprised solely of C and D soils and/or bedrock at the land surface
  - M.G.L. c. 21E sites pursuant to 310 CMR 40.0000
  - Solid Waste Landfill pursuant to 310 CMR 19.000
  - Project is otherwise subject to Stormwater Management Standards only to the maximum extent practicable.
- Calculations showing that the infiltration BMPs will drain in 72 hours are provided.
- Property includes a M.G.L. c. 21E site or a solid waste landfill and a mounding analysis is included.

<sup>1</sup> 80% TSS removal is required prior to discharge to infiltration BMP if Dynamic Field method is used.



# Checklist for Stormwater Report

---

## Checklist (continued)

### Standard 3: Recharge (continued)

- The infiltration BMP is used to attenuate peak flows during storms greater than or equal to the 10-year 24-hour storm and separation to seasonal high groundwater is less than 4 feet and a mounding analysis is provided.
- Documentation is provided showing that infiltration BMPs do not adversely impact nearby wetland resource areas.

### Standard 4: Water Quality

The Long-Term Pollution Prevention Plan typically includes the following:

- Good housekeeping practices;
  - Provisions for storing materials and waste products inside or under cover;
  - Vehicle washing controls;
  - Requirements for routine inspections and maintenance of stormwater BMPs;
  - Spill prevention and response plans;
  - Provisions for maintenance of lawns, gardens, and other landscaped areas;
  - Requirements for storage and use of fertilizers, herbicides, and pesticides;
  - Pet waste management provisions;
  - Provisions for operation and management of septic systems;
  - Provisions for solid waste management;
  - Snow disposal and plowing plans relative to Wetland Resource Areas;
  - Winter Road Salt and/or Sand Use and Storage restrictions;
  - Street sweeping schedules;
  - Provisions for prevention of illicit discharges to the stormwater management system;
  - Documentation that Stormwater BMPs are designed to provide for shutdown and containment in the event of a spill or discharges to or near critical areas or from LUHPPL;
  - Training for staff or personnel involved with implementing Long-Term Pollution Prevention Plan;
  - List of Emergency contacts for implementing Long-Term Pollution Prevention Plan.
- A Long-Term Pollution Prevention Plan is attached to Stormwater Report and is included as an attachment to the Wetlands Notice of Intent.
  - Treatment BMPs subject to the 44% TSS removal pretreatment requirement and the one inch rule for calculating the water quality volume are included, and discharge:
    - is within the Zone II or Interim Wellhead Protection Area
    - is near or to other critical areas
    - is within soils with a rapid infiltration rate (greater than 2.4 inches per hour)
    - involves runoff from land uses with higher potential pollutant loads.
  - The Required Water Quality Volume is reduced through use of the LID site Design Credits.
  - Calculations documenting that the treatment train meets the 80% TSS removal requirement and, if applicable, the 44% TSS removal pretreatment requirement, are provided.



# Checklist for Stormwater Report

## Checklist (continued)

### Standard 4: Water Quality (continued)

- The BMP is sized (and calculations provided) based on:
  - The ½" or 1" Water Quality Volume or
  - The equivalent flow rate associated with the Water Quality Volume and documentation is provided showing that the BMP treats the required water quality volume.
- The applicant proposes to use proprietary BMPs, and documentation supporting use of proprietary BMP and proposed TSS removal rate is provided. This documentation may be in the form of the propriety BMP checklist found in Volume 2, Chapter 4 of the Massachusetts Stormwater Handbook and submitting copies of the TARP Report, STEP Report, and/or other third party studies verifying performance of the proprietary BMPs.
- A TMDL exists that indicates a need to reduce pollutants other than TSS and documentation showing that the BMPs selected are consistent with the TMDL is provided.

### Standard 5: Land Uses With Higher Potential Pollutant Loads (LUHPPLs) Not a LUHPPL

- The NPDES Multi-Sector General Permit covers the land use and the Stormwater Pollution Prevention Plan (SWPPP) has been included with the Stormwater Report.
- The NPDES Multi-Sector General Permit covers the land use and the SWPPP will be submitted *prior* to the discharge of stormwater to the post-construction stormwater BMPs.
- The NPDES Multi-Sector General Permit does *not* cover the land use.
- LUHPPLs are located at the site and industry specific source control and pollution prevention measures have been proposed to reduce or eliminate the exposure of LUHPPLs to rain, snow, snow melt and runoff, and been included in the long term Pollution Prevention Plan.
- All exposure has been eliminated.
- All exposure has *not* been eliminated and all BMPs selected are on MassDEP LUHPPL list.
- The LUHPPL has the potential to generate runoff with moderate to higher concentrations of oil and grease (e.g. all parking lots with >1000 vehicle trips per day) and the treatment train includes an oil grit separator, a filtering bioretention area, a sand filter or equivalent.

### Standard 6: Critical Areas

- The discharge is near or to a critical area and the treatment train includes only BMPs that MassDEP has approved for stormwater discharges to or near that particular class of critical area.
- Critical areas and BMPs are identified in the Stormwater Report.



# Checklist for Stormwater Report

## Checklist (continued)

### Standard 7: Redevelopments and Other Projects Subject to the Standards only to the maximum extent practicable

- The project is subject to the Stormwater Management Standards only to the maximum Extent Practicable as a:
- Limited Project
    - Small Residential Projects: 5-9 single family houses or 5-9 units in a multi-family development provided there is no discharge that may potentially affect a critical area.
    - Small Residential Projects: 2-4 single family houses or 2-4 units in a multi-family development with a discharge to a critical area
    - Marina and/or boatyard provided the hull painting, service and maintenance areas are protected from exposure to rain, snow, snow melt and runoff
    - Bike Path and/or Foot Path
  - Redevelopment Project
    - Redevelopment portion of mix of new and redevelopment.
  - Certain standards are not fully met (Standard No. 1, 8, 9, and 10 must always be fully met) and an explanation of why these standards are not met is contained in the Stormwater Report.
  - The project involves redevelopment and a description of all measures that have been taken to improve existing conditions is provided in the Stormwater Report. The redevelopment checklist found in Volume 2 Chapter 3 of the Massachusetts Stormwater Handbook may be used to document that the proposed stormwater management system (a) complies with Standards 2, 3 and the pretreatment and structural BMP requirements of Standards 4-6 to the maximum extent practicable and (b) improves existing conditions.

### Standard 8: Construction Period Pollution Prevention and Erosion and Sedimentation Control

A Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan must include the following information:

- Narrative;
  - Construction Period Operation and Maintenance Plan;
  - Names of Persons or Entity Responsible for Plan Compliance;
  - Construction Period Pollution Prevention Measures;
  - Erosion and Sedimentation Control Plan Drawings;
  - Detail drawings and specifications for erosion control BMPs, including sizing calculations;
  - Vegetation Planning;
  - Site Development Plan;
  - Construction Sequencing Plan;
  - Sequencing of Erosion and Sedimentation Controls;
  - Operation and Maintenance of Erosion and Sedimentation Controls;
  - Inspection Schedule;
  - Maintenance Schedule;
  - Inspection and Maintenance Log Form.
- A Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan containing the information set forth above has been included in the Stormwater Report.



# Checklist for Stormwater Report

## Checklist (continued)

### Standard 8: Construction Period Pollution Prevention and Erosion and Sedimentation Control (continued)

- The project is highly complex and information is included in the Stormwater Report that explains why it is not possible to submit the Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan with the application. A Construction Period Pollution Prevention and Erosion and Sedimentation Control has *not* been included in the Stormwater Report but will be submitted *before* land disturbance begins.
- The project is *not* covered by a NPDES Construction General Permit.
- The project is covered by a NPDES Construction General Permit and a copy of the SWPPP is in the Stormwater Report.
- The project is covered by a NPDES Construction General Permit but no SWPPP been submitted. The SWPPP will be submitted BEFORE land disturbance begins.

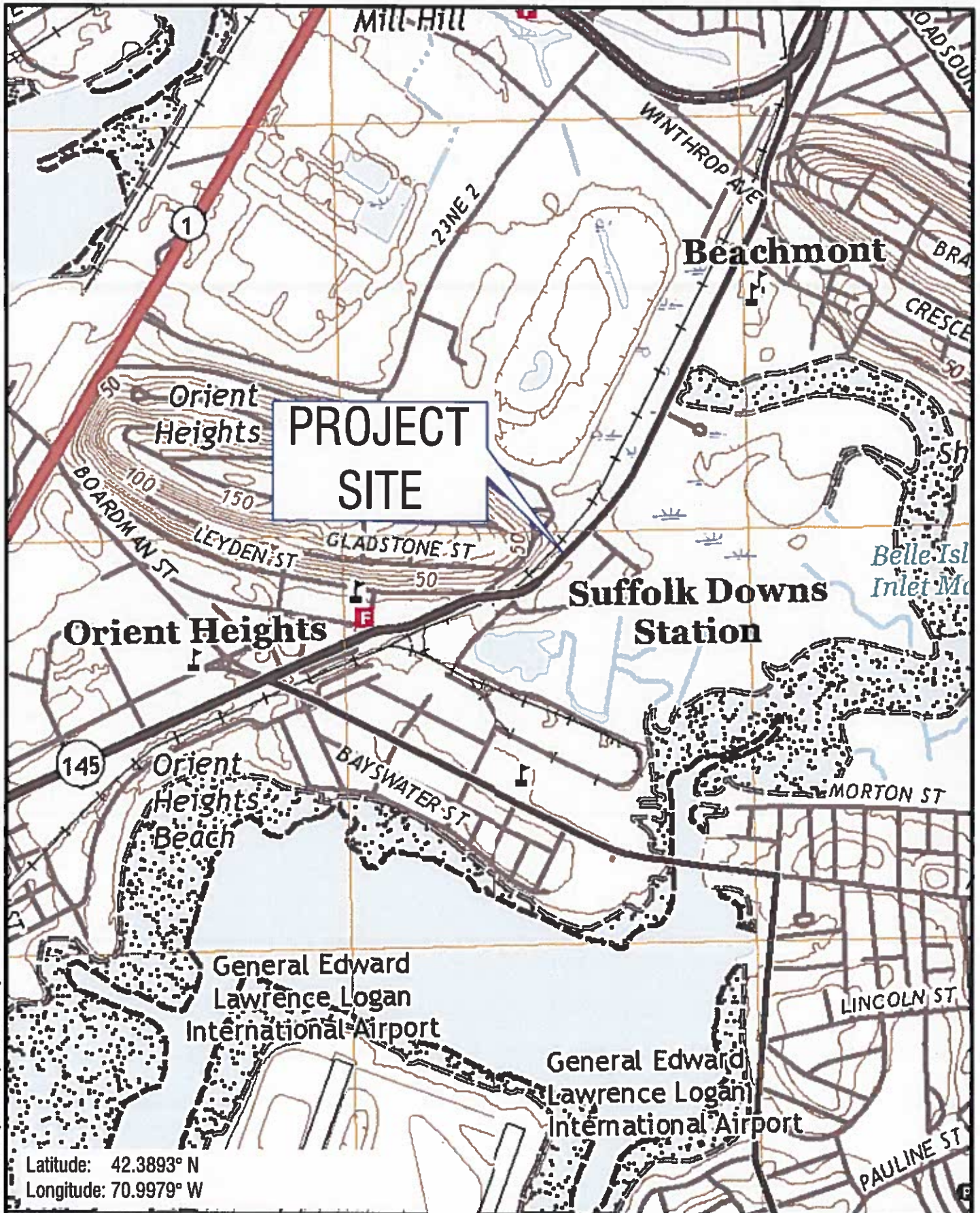
### Standard 9: Operation and Maintenance Plan

- The Post Construction Operation and Maintenance Plan is included in the Stormwater Report and includes the following information:
  - Name of the stormwater management system owners;
  - Party responsible for operation and maintenance;
  - Schedule for implementation of routine and non-routine maintenance tasks;
  - Plan showing the location of all stormwater BMPs maintenance access areas;
  - Description and delineation of public safety features;
  - Estimated operation and maintenance budget; and
  - Operation and Maintenance Log Form.
- The responsible party is *not* the owner of the parcel where the BMP is located and the Stormwater Report includes the following submissions:
  - A copy of the legal instrument (deed, homeowner's association, utility trust or other legal entity) that establishes the terms of and legal responsibility for the operation and maintenance of the project site stormwater BMPs;
  - A plan and easement deed that allows site access for the legal entity to operate and maintain BMP functions.

### Standard 10: Prohibition of Illicit Discharges

- The Long-Term Pollution Prevention Plan includes measures to prevent illicit discharges;
- An Illicit Discharge Compliance Statement is attached;
- NO Illicit Discharge Compliance Statement is attached but will be submitted *prior to* the discharge of any stormwater to post-construction BMPs.





**PROJECT  
SITE**

Latitude: 42.3893° N  
 Longitude: 70.9979° W

V:\eng\CD\_Proj\17-309-001\UTHER\Permitting\Comm\Figures\1\_Site\_Locus.dwg



**Boston Water and  
Sewer Commission**  
 980 HARRISON AVE., BOSTON, MA 02119  
 (617) 989-7000

USGS QUADRANGLES  
 BOSTON NORTH & LYNN, MA (2018)  
 SITE LOCUS  
 Scale: 1" = 2000'

DATE:  
 FEBRUARY 2019

FIGURE  
 1





LocalizedFilename: V:\eng\GISD\_Proj\17\_306-00\OTHER\Permitting\ConComm\Figures2\NHESP\_Layers.dwg  
 Plotted on: Wednesday, February 13, 2019 - 10:10 AM by Southworth, Paul



**Boston Water and Sewer Commission**

980 HARRISON AVE., BOSTON, MA 02119  
(617) 989-7000 www.bwsc.org

Estimated Habitat of Rare Wildlife  
& Priority Habitat of Rare Species  
REF: OLIVER-MassGIS NHESP Layers, Aug. 2017  
Scale: 1" = 1500

DATE:  
FEBRUARY 2019

FIGURE  
2





**PROJECT  
SITE**

Location\Filename: V:\env\GIS\Proj\17-306-0010\THEPER\Permitting\Con\Comm\Figures\3-MassDEP Wetland and Wetland Change Area Map.dwg  
 Plotted on: Wednesday, February 13, 2019 - 8:16 AM by Southworth, Paul



**Boston Water and  
Sewer Commission**  
 980 HARRISON AVE., BOSTON, MA 02119  
 (617) 989-7000 www.bwsc.org

Wetland and Wetland Change Area Map  
 Scale: 1" = 300 ft  
 MASSDEP Online Map Viewer

DATE:  
 FEBRUARY 2019

FIGURE  
 3











### Abutter Mailing List Generator -- City of Boston Assessing Department

Enter Select a Street Name  
  
[Find Addresses](#)

Click on Address to find a Parcel:

Enter a Parcel ID  
  
[Find a Parcel](#)

When you can see Parcels:  
[Click Here to Select a Parcel](#)

Buffer Parameters:  
 Distance:  Feet  
[Buffer and Select](#)

Click [here](#) to download a CSV file  
 (Open in Notepad, not in Excel) for  
 Mailing list.  
 Click [here](#) for an instruction to  
 convert a CSV file to Mailing  
 Labels using MS Word.

Note: We never versions of browser  
 to view this site such as IE 11+ or  
 Chrome 47+ etc.

Q Find a place

Map navigation: + - [Home] [Layers]

Measurement Result  
 Print CTRL to enable measuring

esri



**Boston Water and Sewer Commission**

980 HARRISON AVE., BOSTON, MA 02119  
 (617) 969-7000 www.bwsc.org

**ABUTTER MAILING LIST MAP GENERATOR  
 CITY OF BOSTON ASSESSING DEPARTMENT**

Scale: 1" = 1450 ft

DATE:  
 FEBRUARY 2019

FIGURE  
 5

**Notification to Abutters Under the Massachusetts Wetlands Protection Act**

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following:

- A. The name of the applicant is **Boston Water and Sewer Commission**
- B. The applicant has filed a Notice of Intent with the Conservation Commission for the municipality of **Boston** seeking permission to remove, fill, dredge, or alter an Area Subject to Protection Under the Wetlands Protection Act (General Laws Chapter 131, Section-40).
- C. The address of the lot where the activity is proposed is **Bennington Street, Leverett Avenue, Swan Avenue, Lawn Avenue, Palermo Street, Austin Avenue, East Boston, 02128**
- D. Copies of the Notice of Intent may be examined at **Boston Conservation Commission Office** between the hours of **9 AM and 4 PM on Monday-Friday**. For more information, call the **Boston Conservation Commission** at **(617) 635-3850**.
- E. Copies of the Notice of Intent may be obtained from the applicant, **Boston Water and Sewer Commission**, by calling the telephone number **(617) 989-7407** between the hours of **9 AM and 4 PM on Monday-Friday**.
- F. A **Public Hearing** regarding this Notice of Intent will be held on: **March 6, 2019 at 6:00 PM** in the **Piemonte Room on the 5<sup>th</sup> Floor of Boston City Hall**. Information regarding the date, time and place of the public hearing may be obtained from **Boston Conservation Commission** or the **Applicant**.

**NOTE:** Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in the **Boston Herald**.

**NOTE:** Notice of the public hearing, including its date, time, and place, will be posted in the City or Town Hall not less than forty-eight (48) hours in advance.

**NOTE:** You also may contact your local Conservation Commission or the nearest Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act. To contact MassDEP, call:

Northeast Region: (978) 694-3200

MassDEP Northeast Regional Office – Wilmington  
205B Lowell Street  
Wilmington, MA 01887

PARCEL ID	OWNER	ADDRESSEE	MLG_ADDRESS	MLG_CITYSTATE	MLG_ZIPCODE	LOC_ADDRESS	LOC_CITY	LOC_ZIPCODE
101547000	PARTEE GERARD ETAL		21 SWAN AV	EAST BOSTON MA	02128	21 SWAN AV	EAST BOSTON	02128
101393002	CLEAR CHANNEL OUTDOOR INC		89 MAPLE ST	STONEHAM MA	02180	1023 BENNINGTON ST	EAST BOSTON	02128
101399001	NEW ENG CASKET REALTY CORP		1141 BENNINGTON	EAST BOSTON MA	02128	AUSTIN AV	EAST BOSTON	02128
101393001	CITY OF BOSTON BY FCL		150 BARNES AV	EAST BOSTON MA	02128	150 BARNES AV	EAST BOSTON	02128
101399100	MASS BAY TRANSP AUTH		1023 BENNINGTON	EAST BOSTON MA	02128	1023 BENNINGTON ST	EAST BOSTON	02128
101399106	PARK PLACE CONDO TR		20 LEVERETT AV	EAST BOSTON MA	02128	20 LEVERETT AV	EAST BOSTON	02128
101399108	EDRISSI BAHAR	C/O BAHAR EDRISSI	20 LEVERETT AV UNIT 3-B	NEWTON CNTR MA	02459	20 LEVERETT AV Apt 3-B	EAST BOSTON	02128
101399114	TREPANIER RALPH D TS	C/O RALPH TREPANIER	52 CUMMINGS RD	E BOSTON MA	02128	20 LEVERETT AV Apt 4-B	EAST BOSTON	02128
101399116	GUILLÉN NORMA N		18 LEVERETT AV #7B	EAST BOSTON MA	02128	18 LEVERETT AV Apt 7-B	EAST BOSTON	02128
101399116	MINGOJA LOUIS R		18 LEVERETT AV #8B	EAST BOSTON MA	02128	18 LEVERETT AV Apt 8-B	EAST BOSTON	02128
101399120	SMITH BARBARA D		18 LEVERETT AV #10B	EAST BOSTON MA	02128	18 LEVERETT AV Apt 10-B	EAST BOSTON	02128
101399126	LUO HANQING	C/O HANQING LUO	14 LEVERETT AV #1-A	E BOSTON MA	02128	14 LEVERETT AV Apt 1-A	EAST BOSTON	02128
101399128	FROILAN KATHLEEN	C/O KATHLEEN FROILAN	14 LEVERETT AV #2-A	E BOSTON MA	02128	14 LEVERETT AV Apt 2-A	EAST BOSTON	02128
101399130	BURKE JOHN		14 LEVERETT AV #3-A	EAST BOSTON MA	02128	14 LEVERETT AV Apt 3-A	EAST BOSTON	02128
101399132	LAI KUN YONG	C/O YONG KUN LAI	14 LEVERETT ST #4-A	EAST BOSTON MA	02128	14 LEVERETT AV Apt 4-A	EAST BOSTON	02128
101399138	LEUNG TUNG PAK	C/O TUNG PAK LEUNG	16 LEVERETT AV #7-A	EAST BOSTON MA	02128	16 LEVERETT AV Apt 7-A	EAST BOSTON	02128
101399140	MARTINEZ JORGE E		16 LEVERETT AV #8-A	EAST BOSTON MA	02128	16 LEVERETT AV Apt 8-A	EAST BOSTON	02128
101399142	DIGEMIO JOSEPH	C/O JOSEPH DIGEMIO	16 LEVERETT AVE #9-A	EAST BOSTON MA	02128	16 LEVERETT AV Apt 9-A	EAST BOSTON	02128
101399148	TROYER PAMELA J		16 LEVERETT AV #12A	E BOSTON MA	02128	16 LEVERETT AV Apt 12-A	EAST BOSTON	02128
101399150	DELEO PAUL A JR	C/O PAUL A DELEO JR	693 BENNINGTON ST #3	EAST BOSTON MA	02128	12 LEVERETT AV Apt 7-C	EAST BOSTON	02128
101399154	LEVERETT REALTY TRUST	C/O PHILIP M BEAN	22 SWAN AVENUE	EAST BOSTON MA	02128	12 LEVERETT AV Apt 9-C	EAST BOSTON	02128
101399156	LYNCH KATHLEEN		12 LEVERETT AV #10C	E BOSTON MA	02128	12 LEVERETT AV Apt 10-C	EAST BOSTON	02128
101399158	DONES KEVEN	C/O KEVEN DONES	12 LEVERETT AV #11-C	EAST BOSTON MA	02128	12 LEVERETT AV Apt 11-C	EAST BOSTON	02128
101399162	TRIMBOLI ROSANNA	C/O ROSANNA TRIMBOLI	10 LEVERETT AV #1-C	EAST BOSTON MA	02128	10 LEVERETT AV Apt 1-C	EAST BOSTON	02128
101401000	METROPOLITAN DIST COMMISSION		BENNINGTON	EAST BOSTON MA	02128	BENNINGTON ST	EAST BOSTON	02128
101399164	FIORÉ CHRISTINE	C/O CHRISTINE FIORE	10 LEVERETT AV #2-C	EAST BOSTON MA	02128	10 LEVERETT AV Apt 2-C	EAST BOSTON	02128
101399172	CARBAJAL-ROSALES ADELAIDA	C/O ADELAIDA CARBAJAL ROSALES	10 LEVERETT AV #6C	EAST BOSTON MA	02128	10 LEVERETT AV Apt 6-C	EAST BOSTON	02128
101399102	BOSTON HOUSING AUTHORITY		52 CHAUNCY ST	BOSTON MA	02111	20 LEVERETT AV	EAST BOSTON	02128
101399104	GONZALEZ JONATHAN	C/O JONATHAN GONZALEZ	21 GERRISH AV #8	CHELSEA MA	02150	20 LEVERETT AV Apt 2-8	EAST BOSTON	02128
101399110	EDRISSI BAHAR	C/O BAHAR EDRISSI	20 LEVERETT AV #5B	EAST BOSTON MA	02128	20 LEVERETT AV Apt 5-8	EAST BOSTON	02128
101399112	CANN CHARLES I III		20 LEVERETT AV #6-B	EAST BOSTON MA	02128	20 LEVERETT AV Apt 6-8	EAST BOSTON	02128
101399118	RODRIGUEZ-LEBRON MARIA S	C/O MARIA S RODRIGUEZ-LEBRON	18 LEVERETT AV #9-B	EAST BOSTON MA	02128	18 LEVERETT AV Apt 9-8	EAST BOSTON	02128
101399122	SYMANK RANDAL	C/O RANDAL SYMANK	18 LEVERETT AVE #11B	EAST BOSTON MA	02128	18 LEVERETT AV Apt 11-8	EAST BOSTON	02128
101399124	CORRENTI JAMES		18 LEVERETT AV #12-B	EAST BOSTON MA	02128	18 LEVERETT AV Apt 12-B	EAST BOSTON	02128
101399002	NEW ENG CASKET REALTY CORP		1141 BENNINGTON	EAST BOSTON MA	02128	AUSTIN AV	EAST BOSTON	02128
101399134	SALEMME JOHN L		14 LEVERETT AV	EAST BOSTON MA	02128	14 LEVERETT AV Apt 5-A	EAST BOSTON	02128
101399136	BOSTON HOUSING AUTHORITY		52 CHAUNCY ST	BOSTON MA	02111	14 LEVERETT AV	EAST BOSTON	02128
101400000	GRAJALES HUMBERTO	C/O HUMBERTO GRAJALES TS	21 BENNINGTON ST #1	EAST BOSTON MA	02128	1233 BENNINGTON ST	EAST BOSTON	02128
101399144	KANE SCOTT E	C/O SCOTT E KANE	16 LEVERETT AV #10-A	EAST BOSTON MA	02128	16 LEVERETT AV Apt 10-A	EAST BOSTON	02128
101399146	HUANG GUAN N		16 LEVERETT AV #11-A	EAST BOSTON MA	02128	16 LEVERETT AV Apt 11-A	EAST BOSTON	02128
101399152	TWEED SHEILA		12 LEVERETT AV #8-C	EAST BOSTON MA	02128	12 LEVERETT AV Apt 8-C	EAST BOSTON	02128
101399160	DESTASIO RHONDA		12 LEVERETT AV #12-C	EAST BOSTON MA	02128	12 LEVERETT AV Apt 12-C	EAST BOSTON	02128
101399166	HALLAHAN MARY C	C/O MARY C HALLAHAN	52 WINTHROP ST	WINTHROP MA	02152	10 LEVERETT AV Apt 3-C	EAST BOSTON	02128
101399168	MAGNA ROBERT E		10 LEVERETT AV #4 C	EAST BOSTON MA	02128	10 LEVERETT AV Apt 4-C	EAST BOSTON	02128
101399170	GRIECO SANDRA E		10 LEVERETT AV #5-C	EAST BOSTON MA	02128	10 LEVERETT AV Apt 5-C	EAST BOSTON	02128
101402000	COMMONWLT OF MASS		1375 BENNINGTON	EAST BOSTON MA	02128	1375 BENNINGTON ST	EAST BOSTON	02128
101516001	SCATA CONCETTINA V	C/O CONCETTINA V SCATA	1183 BENNINGTON ST	EAST BOSTON MA	02128	1183 BENNINGTON ST	EAST BOSTON	02128
101519000	MATARAZZO LISA	C/O PAUL LOTTI	1193 BENNINGTON ST	EAST BOSTON MA	02128	1193 BENNINGTON ST	EAST BOSTON	02128
101518000	PETROLO MARIA ROSA	C/O MARIA ROSA PETROLO	147 ST ANDREW RD	EAST BOSTON MA	02128	1189 BENNINGTON ST	EAST BOSTON	02128
101537000	ZOLLA MARIA T ETAL		18 SWAN AV	EAST BOSTON MA	02128	SWAN AV	EAST BOSTON	02128
101539000	GIARDELLA JOSEPH C	C/O JOSEPH GIARDELLA	1 CENTRAL ST	NAHANT MA	01908	SWAN AV	EAST BOSTON	02128



PARCEL ID	OWNER	ADDRESSEE	MLG_ADDRESS	MLG_CITYSTATE	MLG_ZIPCODE	LOC_ADDRESS	LOC_CITY	LOC_ZIPCODE
101541004	SCOLARO PETER		10 PALERMO ST #2	EAST BOSTON MA	02128	10 PALERMO ST Apt 2	EAST BOSTON	02128
101549000	BELANGER PAUL		25 SWAN AVE	EAST BOSTON MA	02128	25 SWAN AV	EAST BOSTON	02128
101558000	CORRADO ROSE		20 PALERMO	EAST BOSTON MA	02128	20 PALERMO ST	EAST BOSTON	02128
101546005	SORRENTINO VITO S ETAL		19 SWAN AVE	EAST BOSTON MA	02128	19 SWAN AV	EAST BOSTON	02128
101556000	MONUTEAUX LUCILLE	C/O LUCILLE MONUTEAUX	4 LAWN AVE	EAST BOSTON MA	02128	4 LAWN AV	EAST BOSTON	02128
101563000	RICUPERO JOSEPH M		1216 BENNINGTON ST	EAST BOSTON MA	02128	BENNINGTON ST	EAST BOSTON	02128
101517000	DIGENIO MICHAEL A	C/O PATRICIA A DI GENIO	1185 BENNINGTON ST #	E BOSTON MA	02128	1185 BENNINGTON ST	EAST BOSTON	02128
101536000	DAMELIO CARMINE T JR ETAL		20 SWAN AV	EAST BOSTON MA	02128	20 SWAN AV	EAST BOSTON	02128
101540000	LOTTI AMERICO		1193 BENNINGTON ST	EAST BOSTON MA	02128	SWAN AV	EAST BOSTON	02128
101516000	ELEVEN 81 BENNINGTON ST RLTY	C/O ELEVEN 81 BENNINGTON ST RLTY LLC	493 MALDEN ST	REVERE MA	02151	1181 BENNINGTON ST	EAST BOSTON	02128
101520000	GIARDELLA JOSEPH C	C/O JOSEPH GIARDELLA	1 CENTRAL ST	NAHANT MA	01908	BENNINGTON ST	EAST BOSTON	02128
101541000	PALERMO ST CONDO TR		10 PALERMO ST	EAST BOSTON MA	02128	10 PALERMO ST	EAST BOSTON	02128
101541002	VENEZIA LAWRENCE D		10 PALERMO ST #1	EAST BOSTON MA	02128	10 PALERMO ST Apt 1	EAST BOSTON	02128
101548000	BUA EMILY R		23 SWAN AV	EAST BOSTON MA	02128	23 SWAN AV	EAST BOSTON	02128
101546000	ANTHONY ROBERT E		15 SWAN AV	EAST BOSTON MA	02128	15 SWAN AV	EAST BOSTON	02128
101550000	ASHE PATRICK V II	C/O PATRICK ASHE II	27 SWAN AVE	EAST BOSTON MA	02128	27 SWAN AV	EAST BOSTON	02128
101551000	MCNUTT NORMAN R JR		29 SWAN AVE	EAST BOSTON MA	02128	29 SWAN AV	EAST BOSTON	02128
101554000	DIORENZO ELEANORA	C/O ELEANORA DIORENZO	8 LAWN AVE	EAST BOSTON MA	02128	8 LAWN AV	EAST BOSTON	02128
101538000	PREZIOSO ANGELO		16 SWAN AVE	EAST BOSTON MA	02128	SWAN AV	EAST BOSTON	02128
101552000	MARTINEZ JORGE E	C/O JORGE E MARTINEZ	15 LEVERETT AV	EAST BOSTON MA	02128	15 LEVERETT AV	EAST BOSTON	02128
101555000	CORREA ALBA	C/O ALBA CORREA	6 LAWN AVE	EAST BOSTON MA	02128	6 LAWN AV	EAST BOSTON	02128
101557000	CONIGLIARO GAETANO ETAL		2 LAWN AV	EAST BOSTON MA	02128	2 LAWN AV	EAST BOSTON	02128
101562000	MASSACHUSETTS BAY		1240 BENNINGTON	EAST BOSTON MA	02128	1240 BENNINGTON ST	EAST BOSTON	02128
101553000	BARTOLOMI ANTHONY	LOIS A BARTOLOMI	19 LEVERETT AVENUE	EAST BOSTON MA	02128	19 LEVERETT AV	EAST BOSTON	02128

## AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act, 10.05 4(a)  
& The City of Boston Wetland By-Law Regulations

I, Michael Nelson, hereby certify under the pains and penalties of perjury that in 03/2019, I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection Act by Boston Water and Sewer Commission with the Boston Conservation Commission on 03/06/2019 for property located at Bennington Street, Leverett Avenue, Swan Avenue, Lawn Avenue, Palermo Street, and Austin Avenue, East Boston, 02128 shown on Assessors Map 3C – East Boston Neighborhood District

The form of the notification, and a list of the abutters to whom it was given and their addresses, are attached to this Affidavit of Service.

  
\_\_\_\_\_  
Name

2.27.19  
\_\_\_\_\_  
Date

## Illicit Discharge Compliance Statement

BWSC Capital Improvement Plan  
Contract No. 17-308-001  
Lawn Avenue (and other Streets)  
East Boston, MA 02128

March 6, 2019

This statement is provided in accordance with the provisions of the Massachusetts Stormwater Management Standard #10.

To the best of the applicant's/owner's knowledge, there are no illicit discharges to the site's stormwater management system.

All proposed uses on the site will not generate, store or discharge any pollutants to the groundwater and/or wetland resource areas.

Any illicit discharges identified during or after construction will be terminated immediately.



Michael Nelson, P.E.  
Boston Water and Sewer Commission

2.28.19

Date

**ATTACHMENT ONE**  
**Drainage Calculations**

Structure Location	From	To	Length (ft)	Runoff Coefficient		Storm Multiplier	Travel Time (min) <sup>1</sup>		Rainfall Intensity <sup>2</sup> (in/hr)	Drainage Area (acres)		Ordnance Discharge (cfs)	Pipe Size (in)	Slope (ft/ft)	Q <sub>out</sub> (cfs)	V <sub>out</sub> (ft/s)	Surface Elevation		Invert Elevation	DS Invert	DS Invert	Depth to T.O.P. US	Depth to T.O.P. DS	
				Sub Area	Total Area		In Pipe	Total Time		Sub Area	Total Area						At USMH	At DSMH						
Group 1	22 Swan	13 Swan	195	0.25	0.25	1	0.74	3.47	6.12	1.63	1.63	2.49	16	0.003	4.21	3.02	18.83	17.56	12.82	12.24	4.88	3.99		
	13 Swan	10 PAL	64	0.25	0.25	1	0.24	3.71	6.12	0.00	1.63	2.49	16	0.003	4.21	3.02	17.56	15.70	12.14	11.94	4.09	2.42	4.44	
	10 PAL	2 LAMN	318	0.25	0.25	1	1.21	4.92	6.12	2.10	3.72	5.70	20	0.003	7.64	3.77	15.70	16.76	11.61	10.66	2.42	4.44		
Group 2	2 LAMN	30PMH160	332	0.25	0.25	1	1.26	6.18	6.12	1.26	4.98	7.62	20	0.003	7.64	4.04	16.76	15.55	10.56	9.56	4.54	4.32		
	30PMH109	30PMH108	101	0.25	0.25	1	0.38	3.90	6.12	1.67	1.67	2.55	16	0.002	5.37	3.85	17.38	17.25	12.93	12.76	3.12	3.16		
Group 3	30PMH108	30PMH160	208	0.25	0.25	1	0.79	4.70	6.12	1.72	3.39	5.18	16	0.004	5.06	3.62	17.25	15.55	12.77	11.87	3.15	2.35		
	30PMH160	30PMH112	364	0.25	0.25	1	0.62	6.80	6.12	0.00	8.37	12.80	18	0.009	9.93	5.62	15.55	11.88	9.46	8.00	4.59	2.38		

<sup>1</sup> See "17-308-001 Belle Isle T<sub>1</sub>" for overland T<sub>1</sub> calculations  
<sup>2</sup> Design storm with T<sub>1</sub> of 7 minutes

NOAA Atlas 14	h/hr
50 Year, 7 Min Tc	8.55
25 Year, 7 Min Tc	7.36
10 Year, 7 Min Tc	6.12

1	Station	2	3	4	5	6	7	8	9	10	11	12	13	14	TW
		Tw	D <sub>o</sub>	Q <sub>o</sub>	L <sub>o</sub>	V <sub>o</sub>	V <sub>o</sub> <sup>2/3g</sup>	H <sub>o</sub>	Sf <sub>o</sub>	H <sub>i</sub>	H <sub>o</sub> sw	EG <sub>o</sub> (2+7)	EG <sub>o</sub> (10+11+12)	HGL (13-7)	D <sub>o</sub>
	30PMH160-30PMH112 (OCS)	10.69	18	9.93	164	5.62	0.49	1	0.01	1.47	0.02	11.18	12.67	12.18	Diameter of outlet pipe
	2 LAMN-30PMH160	N/A	20	7.64	332	4.04	0.25	N/A	0.00	1.00	0.01	12.67	13.69	13.43	Length of outlet pipe
	10 PAL-2 LAMN	N/A	20	7.64	318	3.77	0.22	N/A	0.00	0.96	0.01	13.69	14.66	14.44	Velocity at outlet (ft/s)
	13 SWAN-10 PAL	N/A	16	4.21	64	3.02	0.14	N/A	0.00	0.39	0.01	14.66	14.86	14.72	Friction slope (if applicable)
	22 SWAN-13 SWAN	N/A	16	4.21	195	3.02	0.14	N/A	0.00	0.59	0.01	14.86	15.45	15.31	Head loss due to friction (L <sub>o</sub> * Sf)
	30PMH160-30PMH112 (OCS)	10.69	18	9.93	164	5.62	0.49	1	0.01	1.47	0.02	11.18	12.67	12.18	Head loss due to MH, junctions, bends, etc.
	30PMH108-30PMH160	N/A	16	5.06	208	3.62	0.20	N/A	0.00	0.90	0.01	12.67	13.59	13.38	
	30PMH109-30PMH108	N/A	15	5.37	101	3.85	0.23	N/A	0.00	0.50	0.01	13.59	14.10	13.87	

**ATTACHMENT TWO**

**Order of Conditions for DEP File No. 006-0012**

**Original: October 8, 2004**

**Amended: March 4, 2005**



# CITY OF BOSTON

## THE ENVIRONMENT DEPARTMENT

Boston City Hall, Room 805 • Boston, MA 02201 • 617/635-3850 • FAX: 617/635-3435

October 8, 2004

Mr. Thomas Daley, P.E.  
Senior Design Engineer  
Boston Water & Sewer Commission  
980 Harrison Avenue  
Boston, MA 02119  
BY CERTIFIED MAIL # 7003 2260 0005 1881 4656

Re: DEP File No. 006-1012, Order of Conditions, Outfall Rehabilitation DO-062  
Leverett & Lawn Avenues, Belle Isle Marsh, East Boston

Dear Mr. Daley:

Pursuant to the Wetlands Protection Act, General Laws, Chapter 131, Section 40, I have enclosed the Order of Conditions for the above-referenced project. You must arrange to have the Order recorded in accordance with Condition #8 of this Order. Subject to compliance with Condition #3 of this Order, work on the project may not begin until the Conservation Commission receives from you the form on page 8 of the Order, which must be properly completed at the Suffolk County Registry of Deeds in Boston.

In accordance with Condition #11 of this Order, upon completion of the project, you must send to the Conservation Commission a request in writing that a Certificate of Compliance be issued to you stating that the work has been satisfactorily completed. In accordance with the Wetlands Protection Act Regulations (310 CMR 10.05(9)(d)), your request for a Certificate of Compliance shall be accompanied by a written certification from your land surveyor confirming that your project has been completed in substantial compliance with the plans submitted to the Commission and with these Conditions. Your Certificate of Compliance must be recorded with proof of the recording sent to the Conservation Commission, as required by the Wetlands Protection Act (310 CMR 10.05(9)(F)).

Please make certain that you review the permit Conditions with any contractor or workers who will be involved in the project, as specified in Condition #18. Furthermore, in accordance with Condition #22 a copy of the permit and all plans must be kept on-site for reference.

If you should have any questions regarding the enclosed Order of Conditions, please call me at (617) 635-4417.

Sincerely,

Chris Busch, Executive Secretary  
Boston Conservation Commission

Enclosures

cc: Carl Pastore, DCR  
James Sprague, DEP



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

DEP File Number:

006-1012

**A. General Information**

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



From: Boston  
 1. Conservation Commission

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

3. To: Applicant:

<u>Vincent</u> a. First Name	<u>Mannering</u> b. Last Name	<u>Boston Water and Sewer Commission</u> c. Company
<u>980 Harrison Avenue</u> d. Mailing Address		
<u>Boston</u> e. City/Town	<u>MA</u> f. State	<u>02119</u> g. Zip Code

4. Property Owner (if different from applicant):

<u>MA Department of Conservation and Recreation</u> c. Company
<u>MA Department of Conservation and Recreation</u> c. Company
<u>251 Causeway Street, 7<sup>th</sup> Floor</u> d. Mailing Address
<u>Boston</u> e. City/Town
<u>MA</u> f. State
<u>02114</u> g. Zip Code

5. Project Location:

<u>Intersection of Leverett and Lawn Avenues</u> a. Street Address	<u>East Boston</u> b. City/Town
<u>1005</u> c. Assessors Map/Plat Number	<u>0101401000</u> d. Parcel/Lot Number
Latitude and Longitude, if known (note: electronic filers will click for GIS locator):	<u>42.3890</u> e. Latitude
	<u>70.9955</u> f. Longitude

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

<u>Suffolk</u> a. County	<u>72602</u> b. Certificate (if registered land)
<u>358</u> c. Book	<u>2</u> d. Page

7. Dates: September 1, 2004 September 22, 2004 October 8, 2004  
 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):

<u>Waterworks Improvement, Installation of Drainage System in East Boston</u> a. Plan Title		
<u>Boston Water &amp; Sewer Commission</u> b. Prepared By	<u>Stephen P. Shea P.E.</u> c. Signed and Stamped by	
<u>August 12, 2004</u> d. Final Revision Date	<u>1" = 20'</u> e. Scale	

<u>f. Additional Plan or Document Title</u>	<u>g. Date</u>
---	----------------

9. Total WPA Fee Paid: N/A N/A N/A  
 a. Total Fee Paid b. State Fee Paid c. City/Town Fee Paid





# WPA Form 5 – Order of Conditions

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

## 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. 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:

- 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:

- 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 these interests, 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.

- 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).

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

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
3. <input type="checkbox"/> Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
4. <input type="checkbox"/> Bordering Vegetated Wetland	a. square feet	b. square feet	c. square feet	d. square feet
5. <input type="checkbox"/> Land Under Waterbodies and Waterways	a. square feet	b. square feet	c. square feet	d. square feet
	e. cu.yd dredged	f. cu.yd dredged		



**WPA Form 5 – Order of Conditions**

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

**B. Findings (cont.)**

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
6. <input type="checkbox"/> <b>Bordering Land Subject to Flooding</b> Cubic Feet Flood Storage	a. square feet	b. square feet	c. square feet	d. square feet
	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
7. <input type="checkbox"/> <b>Isolated Land Subject to Flooding</b> Cubic Feet Flood Storage	a. square feet	b. square feet		
	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
8. <input type="checkbox"/> <b>Riverfront area</b>	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	c. square feet	d. square feet		
Sq ft between 100-200 ft	e. square feet	f. square feet		

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

9. <input type="checkbox"/> <b>Designated Port Areas</b>	Indicate size under Land Under the Ocean, below			
10. <input type="checkbox"/> <b>Land Under the Ocean</b>	a. square feet	b. square feet		
	c. cu.yd dredged	d. cu.yd dredged		
11. <input type="checkbox"/> <b>Barrier Beaches</b>	Indicate size under Coastal Beaches and/or Coastal Dunes below			
12. <input type="checkbox"/> <b>Coastal Beaches</b>	a. square feet	b. square feet	c. c/y nourishmt.	d. c/y nourishmt.
13. <input type="checkbox"/> <b>Coastal Dunes</b>	a. square feet	b. square feet	c. c/y nourishmt.	d. c/y nourishmt.
14. <input type="checkbox"/> <b>Coastal Banks</b>	a. linear feet	b. linear feet		
15. <input type="checkbox"/> <b>Rocky Intertidal Shores</b>	a. square feet	b. square feet		
16. <input checked="" type="checkbox"/> <b>Salt Marshes</b>	25	25		
	a. square feet	b. square feet	c. square feet	d. square feet
17. <input type="checkbox"/> <b>Land Under Salt Ponds</b>	a. square feet	b. square feet		
	c. cu.yd dredged	d. cu.yd dredged		
18. <input type="checkbox"/> <b>Land Containing Shellfish</b>	a. square feet	b. square feet	c. square feet	d. square feet
19. <input type="checkbox"/> <b>Fish Runs</b>	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	a. cu.yd dredged	b. cu.yd dredged		
20. <input type="checkbox"/> <b>Land Subject to Coastal Storm Flowage</b>	a. square feet	b. square feet		



**WPA Form 5 – Order of Conditions**

006-1012

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

**C. General Conditions Under Massachusetts Wetlands Protection Act**

(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. 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.
7. 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.
8. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to this Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
9. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MA DEP"]

"File Number 006-1012"



**WPA Form 5 – Order of Conditions**

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

**C. General Conditions Under Massachusetts Wetlands Protection Act**

- 10. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before DEP.
- 11. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
- 12. The work shall conform to the plans and special conditions referenced in this order.
- 13. Any change to the plans identified in Condition #12 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
- 14. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
- 15. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
- 16. 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.
- 17. 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.

**Special Conditions:**

See Attachment A

---



---



---



---

If you need more space for additional conditions, select box to attach a text document

18. The proponent is hereby instructed to review such conditions with all contractors and workers involved in on site operations prior to any new construction. Any contractors and workers arriving after construction commences shall likewise be appraised of these conditions.

19. The proponent shall attach a copy of this Order to the contract documents associated with this project.

20. If at any time during the implementation of the project a fish kill or significant water quality problem occurs in the vicinity of the project, all site related activities impacting the water shall cease until the source of the problem is identified and adequate mitigating measures employed to the satisfaction of the Commission.

21. Where relevant, all facilities and equipment will be continually operated and maintained so as to comply with the conditions and the Act. The applicant, owner, successor or assigns shall be responsible for maintaining all on-site drainage structures and outfalls, assuring the lasting integrity of the surface cover on the site and site activities so as to prevent erosion, siltation, sedimentation, chemical contamination or other detrimental impact to the on-site and/or off-site resources areas. This condition shall be a maintenance condition, and shall not expire upon the issuance of a certificate of compliance.

22. A copy of this Order of Conditions, including all referenced documents and plans, and all other subsequent approvals and directives issued by the Boston Conservation Commission, shall be available for inspection at the work area.

23. The Commission reserves the right to impose additional conditions or require the submittal of additional information as necessary to protect the interests of the Act.

24. There shall be no discharge or spillage of fuel, oil, or any other pollutant from this project into the waters of the Belle Isle Marsh. Any equipment used in the resource area or buffer zone that uses fuel, oil or hydraulic fluid shall be inspected daily for leakage. Any equipment requiring repair shall be repaired outside of the resource area and the buffer zone.

25. The proponent and contractor shall develop a spill management plan for any hazardous materials that may be employed during work in the buffer zone or over the water. Specifically, the proponent should prepare to effectively deal with spillage of fuel or hydraulic fluids from equipment. A quick-absorbent material, such as "Speedy Dry" or equivalent, will be stored in a dry readily available area, and used in the event petroleum-based fluids are spilled or leaked. The spent material is then to be containerized and disposed of properly. An emergency fuel boom or absorbent pads shall be readily available in case any such spill threatens the water resources.

26. In advance of construction start-up on any section of this project, the applicant shall notify the Boston Conservation Commission and, at the request of the Conservation Commission, shall arrange an on-site conference of representatives of the Commission, the contractor, the project engineer and the applicant to ensure that all the conditions of this Order are understood. The Boston Conservation Commission shall be notified at least 48 hours in advance of the date upon which construction activities on the site are to proceed. All appropriate construction impact mitigation measures must be in place prior to initiation of stockpiling operations.

27. The proponent shall clean the work area at the end of each workday to prevent wind deposition of fugitive dust and accumulation of debris in the buffer zone or wetland resource areas. All stored excavate or fill shall not be located in wetland resource areas and covered when not in use. Special attention shall be given by the contractor to securing covers on stored excavate or fill over the weekend or during down time.

28. There shall be no overnight stockpiling or storage of construction material including unconsolidated material, piles, debris, petroleum products or hydraulic fluid within the 100-foot Buffer Zone or wetland



resource areas. All excavate removed during trenching shall be trucked from the area and not disposed of on site.

29. Only clean fill shall be used to back fill the trench.

30. Except when necessary for final fitting or precision cutting, no timber or construction materials shall be cut on or near the water. All sawdust and debris shall be collected and disposed of properly. No wood preservatives including, but not limited to, creosote and cuprinol shall be placed in the waters of the Belle Isle Marsh. The applicant shall not use creosote timber.

31. All materials that are disposed shall be disposed in accordance with applicable federal, state, and local laws. Bills of lading, manifests, or other proofs of proper disposal shall be supplied to Commission staff upon demand.

32. Should any item or material be lost, dropped, dumped, thrown overboard, sunk, misplaced, or left behind, regardless of whether it is within or outside of the project limits, the proponent must seek Commission approval of any remediation action requiring substantial impact to resources.

33. All unconsolidated, project-related materials shall be contained to prevent erosion into resource areas by using all practical precautions, including but not limited to placement of double staked hay bales and a silt fence to prevent erosion of these materials from upland portions of the work site into resource areas. These barriers shall installed around the perimeter of excavation, be inspected on a daily basis and maintained as necessary, with extra hay bales, silt fencing, and stakes stored on-site at all times. Erosion control barriers must be maintained in place until the disturbed areas have been stabilized.

34. All disturbed areas shall be stabilized as soon as possible. Disturbed areas within the buffer zone shall be secured by a biodegradable erosion control mats while vegetation establishes. If soils are disturbed for longer than 60 days, a temporary cover of rye or other grass shall be established. If the season is not appropriate for plant growth, then exposed surfaces shall be stabilized by straw, snow fence, or other U.S. Natural Resources Conservation Service - recommended methods. This condition shall be a maintenance condition, and shall not expire upon the issuance of a certificate of compliance.

35. A plan for the planting and restoration of disturbed vegetation shall be submitted for Commission staff for review and approval prior to the commencement of work. The plan must specify the species of plantings and a maintenance schedule to ensure establishment of the vegetation.

36. The applicant shall inform the Commission of any violation of this Order and any other project related spill or accident that may impact wetland resource areas as soon as possible and at least by the end of the business day, and shall take appropriate action to mitigate impacts from such spill or accident. The applicant or site supervisor shall notify the City of any emergency by calling Commission staff at (617) 635-4417 from 9:00 AM - 5:00 PM, Monday - Friday and, at all other times, by calling the Mayor's Office's 24-hour Hotline at (617) 635-4500 to contact the Director of the Environment Department. On the date of the issuance of this Order, the appropriate contact names are Chris Busch (Executive Secretary, Boston Conservation Commission) and Bryan Glascock (Acting Director, Environment Department).

37. Vehicles leaving the site shall be thoroughly cleaned/washed to avoid tracking of material on to the public way. Trucks entering and leaving the site shall have their loads completely covered in compliance with MGL Ch. 85 § 36.

38. On-site discharge of untreated, decanted water from construction dewatering to resource areas is prohibited. Settled particulate and residual water resulting from on-site fractionation shall be disposed off-site according to all federal, state, and local regulations. Residual water may also be discharged to a sanitary sewer that does not discharge to a receiving water body without treatment. If on-site discharge becomes necessary, the applicant must treat decanted water according to additional conditions determined by Commission staff.

39. The proposed activity is a limited project as described in 310 CMR 10.24(7)(b) and 310CMR 10.24(7)(c)3, "General Provisions" and shall adhere to the conditions applicable thereto. The contractor shall make considerable effort to avoid impacts to buffer zone vegetation. Disturbance of buffer zone vegetation must be limited to the minimum extend necessary for installation of the trench and outfall.

40. Any mitigation measures required by federal, state, or other local agencies that shall impact wetlands resource areas shall be submitted to Commission staff for review to determine what level of permitting or authorization will be necessary.

41. The Commission has jurisdiction and shall maintain jurisdiction over all construction period erosion and sedimentation control practices provided that discharges, including stormwater, authorized by an NPDES permit, if applicable, shall be subject to the terms of the NPDES permit which is incorporated herein by reference pursuant to 310 CMR 10.03 (4). The Applicant shall submit the NPDES permit, if applicable, which shall become part of this Order of Conditions. If a conflict arises between requirements of this Order and the requirements of the NPDES permit, the applicant shall submit a written review of the conflict to Commission staff, who will determine if a formal amendment of this Order of Conditions is warranted to resolve the conflict.

42. If applicable, the Applicant shall submit the Water Quality Certificate relative to the U.S. Army Corps of Engineers Section 10/401 permit to the Commission. The terms of the Water Quality Certificate shall be made part of this Order of Conditions. In no case shall they exempt the proponent from any other condition of this Order. If a conflict arises between requirements of this Order and the requirements of the Water Quality Certificate, the applicant shall submit a written review of the conflict to Commission staff, who will determine if a formal amendment of this Order of Conditions is warranted to resolve the conflict.

43. All vehicles and equipment used in the resource areas for construction of this project must be operated on swamp mats to prevent tire marks or ruts.

44. The proponent shall reestablish the reconfigure the existing pathway upland of the outfall and ensure that discharges from the outlet will not cause deterioration or erosion of the path. The pathway must be configured according to Massachusetts Department of Conservation and Recreation recommendations.

45. The proponent shall ensure the cleanliness of all catch basins on or adjacent to the project property. Catch basins shall be protected with hay bales and/ or silt sacks during the construction period. The proponent shall inspect and, as necessary, clean all catch basins at least weekly during construction and more frequently after a significant rain event. Upon completion of the project, the inspection and cleaning of catch basins shall occur twice a year. The applicant should conduct cleaning during dry seasons to prevent damage to area vegetation. The Operations and Maintenance Plan of the Stormwater Management Form referenced in this project's Notice of Intent (BWSC Interim Catch Basin Preventative maintenance Plan – Winter 2004) is incorporated into this maintenance condition by reference herein. The applicant shall also provide Commission staff a cleaning schedule and specify how the outfall will be accessed for cleaning, and the equipment to be used. Access ways and equipment shall not disturb or degrade resource areas or the pathway. This maintenance condition is perpetual and shall not expire upon issuance of a Certificate of Compliance.

46. The applicant shall ensure that excavated portions of Leverett and Lawn Avenues are returned to the condition and grade existing prior to the project. The applicant shall inspect re-paved areas one year after the conclusion of the project and make any necessary repairs.

47. The Request for Certificate of Compliance and all other submittals to the Boston Conservation Commission shall indicate the DEP File number 006-1012.



# WPA Form 5 – Order of Conditions

006-1012

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

## D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Furthermore, the \_\_\_\_\_ hereby finds (check one that applies):

Conservation Commission

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

a. Municipal Ordinance or Bylaw \_\_\_\_\_

b. 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.

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

a. Municipal Ordinance or Bylaw \_\_\_\_\_

b. Citation \_\_\_\_\_

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.

c. The special conditions relating to municipal ordinance or bylaw are as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If you need more space for additional conditions, select box to attach a text document

## E. Issuance

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

October 8, 2004

5

1. Date of issuance

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

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

2. Number of Signers \_\_\_\_\_

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

Signatures:

\_\_\_\_\_  
  
\_\_\_\_\_

\_\_\_\_\_  
  
\_\_\_\_\_





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

DEP File Number:  
006-1012

**E. Issuance (cont.)**

**Notary Acknowledgement**

Commonwealth of Massachusetts County of Suffolk

On this 22nd of September 2004  
 Day Month Year

Before me, the undersigned Notary Public, personally appeared

Stephen T. Kunian,  
 Name of Document Signer

proved to me through satisfactory evidence of identification, which was/were

Personally known  
 Description of evidence of identification

to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

As member of Boston Conservation Commission  
 City/Town

*Chris Busch*  
 Signature of Notary Public  
Chris Busch  
 Printed Name of Notary Public

Place notary seal and/or any stamp above

November 15, 2007  
 My Commission Expires (Date)

This Order is issued to the applicant as follows:

by hand delivery on \_\_\_\_\_  
 by certified mail, return receipt requested, on  
October 8, 2004  
 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 DEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Appendix E: 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.

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.



**WPA Form 5 – Order of Conditions**

006-1012

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

**G. Recording Information**

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

Boston  
Conservation Commission

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

To:

Conservation Commission

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

Project Location DEP File Number

Has been recorded at the Registry of Deeds of:

County Book Page

for:

Property Owner

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

Book Page

In accordance with the Order of Conditions issued on:

Date

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

Instrument Number

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

Document Number

Signature of Applicant

**Attachment A – Work Conditions, Negative Determination of Applicability  
Boston Water & Sewer Commission drainage work in Saratoga Street, East Boston**

1. Any changes made or intended in the submitted plans shall require the proponent to inquire to the Commission in writing as to whether the changes warrant further formal Commission review. Any errors in the plans or information submitted by the applicant shall be considered changes. If at any time during the implementation of the project a fish kill or significant water quality problem occurs in the vicinity of the project, all site related activities impacting the water shall cease until the source of the problem is identified and adequate mitigating measures employed to the satisfaction of the Commission.
2. The proponent and contractor shall develop a spill management plan for any hazardous materials which may be employed during work in the buffer zone or over the water. Specifically, the proponent should prepare to effectively deal with spillage of fuel or hydraulic fluids from equipment. A quick- absorbent material, such as "Speedy Dry" or equivalent, will be stored in a dry readily available area, and used in the event petroleum based fluids are spilled or leaked. The spent material is then to be containerized and disposed of properly. An emergency fuel boom or absorbent pads shall be readily available in case any such spill threatens the water resources.
3. The proponent shall clean the work area at the end of each workday to prevent wind deposition of fugitive dust and accumulation of debris in the buffer zone or in the water.
4. No equipment or unconsolidated material shall be stored in the buffer zone or over the water. Any equipment used in the resource area or buffer zone that uses fuel, oil and/or hydraulic fluid shall be inspected daily for leakage. Any equipment that requires repair shall be repaired outside of the resource area and the buffer zone. Any equipment that uses fuel, oil and/or hydraulic fluid shall be manned at all times while operational within the resource area or buffer zone.
5. All land side project related materials shall be contained to prevent erosion into the water by using all practical precautions, including but not limited to placement of sand bags or double staked hay bales and a silt fence to prevent erosion of these materials into the resource area. These barriers shall be inspected on a daily basis and maintained as necessary including removal of accumulated sediments. Erosion containment materials or systems shall be removed after the site is stabilized and after any accumulated sediments are removed.
6. All disturbed areas shall be stabilized as soon as possible.
7. Contaminated spoils shall be stored in containers to prevent migration into the environment. "Clean," unconsolidated material shall be contained with hay bales and covers to prevent migration into catch basins and wind deposition of dust.
8. Vehicles leaving the site shall be thoroughly cleaned/washed to avoid tracking of material on to the public way.
9. Trucks entering and leaving the site shall have their loads completely covered in compliance with M.G.L. Chapter 85 § 36.
10. The proponent shall ensure the cleanliness of all catch basins on their project property. Catch basins and drainage swales shall be protected with sand bags or hay bales and/ or silt sacks during the construction period.



# CITY OF BOSTON

## THE ENVIRONMENT DEPARTMENT

Boston City Hall, Room 805 • Boston, MA 02201 • 617/635-3850 • FAX: 617/635-3435

March 4, 2005

Mr. Thomas Daly, P.E.  
Senior Design Engineer  
Boston Water & Sewer Commission  
980 Harrison Avenue  
Boston, MA 02119  
BY CERTIFIED MAIL: 7003 2260 0005 1881 2089

Re: **DEP File No. 008-1012, Amended Order of Conditions, Boston Water & Sewer Commission  
Outfall Rehabilitation DO-062, Belle Isle Marsh, East Boston**

Dear Mr. Daly:

Enclosed please find the Amended Order of Conditions pursuant to the Wetlands Protection Act, General Laws, Chapter 131, Section 40, for the above referenced project.

You must arrange to have the Amended Order recorded in accordance with Condition #8 of this Order. Subject to compliance with Condition #3 of this Order, work on the project may not begin until the Conservation Commission receives from you the tear-off form on page 8 of the Order, which must first be properly filled out at the Suffolk County Registry of Deeds in Boston.

In accordance with Condition #11 of this Order, upon completion of the project, you must send to the Conservation Commission a request in writing that a Certificate of Compliance be issued to you stating that the work has been satisfactorily completed. In accordance with the Wetlands Protection Act Regulations (310 CMR 10.05(9)(d)), your request for a Certificate of Compliance shall be accompanied by a written certification from your land surveyor confirming that your project has been completed in substantial compliance with the plans submitted to the Commission and with these Conditions. Your Certificate of Compliance must be recorded with proof of the recording sent to the Conservation Commission, as required by the Wetlands Protection Act, 310 CMR 10.05(9)(F).

Please make certain that you review the permit Conditions with any contractor or workers who will be involved in the project, as specified in Condition #13. Furthermore, in accordance with Condition #19 a copy of the permit and all plans must be kept on site for reference.

If you should have any questions regarding the enclosed Amended Order of Conditions, please call me at (617) 635-4417.

Sincerely,

  
Chris Busch, Executive Secretary  
Boston Conservation Commission

Enclosure

cc: James Sprague, DEP  
Carl Pastore, DCR

D. Bryan Glascock, Director

 PRINTED ON RECYCLED PAPER



Thomas M. Menino, Mayor



**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

DEP File Number:  
006-1012

**A. General Information**

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



From: Boston  
 1. Conservation Commission

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

3. To: Applicant:

Vincent Manning Boston Water and Sewer Commission  
 a. First Name b. Last Name c. Company  
980 Harrison Avenue  
 d. Mailing Address  
Boston MA 02119  
 e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

MA Department of Conservation and Recreation  
 c. Company  
251 Causeway Street, 7<sup>th</sup> Floor  
 d. Mailing Address  
Boston MA 02114  
 e. City/Town f. State g. Zip Code

5. Project Location:

Intersection of Leverett and Lawn Avenues East Boston  
 a. Street Address b. City/Town  
1005 0101401000  
 c. Assessors Map/Plat Number d. Parcel/Lot Number  
Latitude and Longitude, if known (note: electronic filers will click for GIS locator): 42.3890 70.9955  
 e. Latitude f. Longitude

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

Suffolk 72602  
 a. County b. Certificate (if registered land)  
358 2  
 c. Book d. Page

7. Dates: September 1, 2004 September 22, 2004 October 8, 2004  
 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):

BWSC Water Works Improvements (2004 Capital Improvement Program) Contract No. 04-309-004) for Installation of Drainage System in East Boston (Sheet 1 of 1)  
Boston Water & Sewer Commission Stephen P. Shea P.E.  
 b. Prepared By c. Signed and Stamped by  
February 3, 2005 1" = 20'  
 d. Final Revision Date e. Scale

f. Additional Plan or Document Title g. Date

9. Total WPA Fee Paid: N/A N/A N/A  
 a. Total Fee Paid b. State Fee Paid c. City/Town Fee Paid



**WPA Form 5 – Order of Conditions**

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

**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. 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:

- 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:

- 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 these interests, 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.
- 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).

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

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
3. <input type="checkbox"/> Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
4. <input type="checkbox"/> Bordering Vegetated Wetland	a. square feet	b. square feet	c. square feet	d. square feet
5. <input type="checkbox"/> Land Under Waterbodies and Waterways	a. square feet	b. square feet	c. square feet	d. square feet
	e. cu.yd dredged	f. cu.yd dredged		





**B. Findings (cont.)**

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
6. <input type="checkbox"/> Bordering Land Subject to Flooding Cubic Feet Flood Storage	a. square feet _____	b. square feet _____	c. square feet _____	d. square feet _____
7. <input type="checkbox"/> Isolated Land Subject to Flooding Cubic Feet Flood Storage	e. cubic feet _____	f. cubic feet _____	g. cubic feet _____	h. cubic feet _____
8. <input type="checkbox"/> Riverfront area	a. total sq. feet _____	b. total sq. feet _____		
Sq ft within 100 ft	c. square feet _____	d. square feet _____		
Sq ft between 100-200 ft	e. square feet _____	f. square feet _____		

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

9. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
10. <input type="checkbox"/> Land Under the Ocean	a. square feet _____	b. square feet _____		
	c. cu.yd dredged _____	d. cu.yd dredged _____		
11. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
12. <input type="checkbox"/> Coastal Beaches	a. square feet _____	b. square feet _____	c. c/y nourishmt. _____	d. c/y nourishmt. _____
13. <input type="checkbox"/> Coastal Dunes	a. square feet _____	b. square feet _____	c. c/y nourishmt. _____	d. c/y nourishmt. _____
14. <input type="checkbox"/> Coastal Banks	a. linear feet _____	b. linear feet _____		
15. <input type="checkbox"/> Rocky Intertidal Shores	a. square feet _____	b. square feet _____		
16. <input checked="" type="checkbox"/> Salt Marshes	100 a. square feet _____	100 b. square feet _____	100 c. square feet _____	100 d. square feet _____
17. <input type="checkbox"/> Land Under Salt Ponds	a. square feet _____	b. square feet _____		
	c. cu.yd dredged _____	d. cu.yd dredged _____		
18. <input type="checkbox"/> Land Containing Shellfish	a. square feet _____	b. square feet _____	c. square feet _____	d. square feet _____
19. <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			
	a. cu.yd dredged _____	b. cu.yd dredged _____		
20. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	a. square feet _____	b. square feet _____		



**WPA Form 5 – Order of Conditions**

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

**C. General Conditions Under Massachusetts Wetlands Protection Act**

(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. 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.
7. 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.
8. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to this Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
9. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MA DEP"]

"File Number 006-1012"





**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**

DEP File Number:

006-1012

**C. General Conditions Under Massachusetts Wetlands Protection Act**

10. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before DEP.
11. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
12. The work shall conform to the plans and special conditions referenced in this order.
13. Any change to the plans identified in Condition #12 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
14. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
15. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
16. 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.
17. 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.

**Special Conditions:**

**See Attachment A**

---

---

---

---

If you need more space for additional conditions, select box to attach a text document



**WPA Form 5 – Order of Conditions**

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

**D. Findings Under Municipal Wetlands Bylaw or Ordinance**

1. Furthermore, the Conservation Commission hereby finds (check one that applies):
2.  that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw specifically:

a. Municipal Ordinance or Bylaw

b. 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.

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

a. Municipal Ordinance or Bylaw

b. Citation

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.

- c. The special conditions relating to municipal ordinance or bylaw are as follows:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If you need more space for additional conditions, select box to attach a text document

**E. Issuance**

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

March 4, 2005  
1. Date of Issuance

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

4

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

2. Number of Signers

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

Signatures:

[Signature] \_\_\_\_\_

[Signature] \_\_\_\_\_

Jane M. McAllan \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**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

DEP File Number:  
006-1012

**E. Issuance (cont.)**

**Notary Acknowledgement**

Commonwealth of Massachusetts County of Suffolk

On this 2nd Day of March 2005  
 Month Year

Before me, the undersigned Notary Public, personally appeared

Stephen T. Kunian,  
 Name of Document Signer

proved to me through satisfactory evidence of identification, which was/were

Personally known  
 Description of evidence of identification

to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

As member of Boston Conservation Commission  
 City/Town

Chris Busch  
 Signature of Notary Public  
 Chris Busch  
 Printed Name of Notary Public

Place notary seal and/or any stamp above November 15, 2007  
 My Commission Expires (Date)

This Order is issued to the applicant as follows:

by hand delivery on \_\_\_\_\_  
 by certified mail, return receipt requested, on March 4, 2005  
 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 DEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Appendix E: 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.

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.



**WPA Form 5 – Order of Conditions**

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

**G. Recording Information**

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

Boston  
Conservation Commission

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

To:

Conservation Commission

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

Project Location DEP File Number

Has been recorded at the Registry of Deeds of:

County Book Page

for:

Property Owner

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

Book Page

In accordance with the Order of Conditions issued on:

Date

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

Instrument Number

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

Document Number

Signature of Applicant

**Attachment A - Amended Special Conditions  
DEP File No. 006-1012, Boston Water and Sewer Commission  
Outfall Rehabilitation DO062, Belle Isle Marsh, East Boston**

**48. The special conditions (Attachment A) and the referenced plans, unless otherwise revised by the plans referenced in this Amended Order of Conditions ("Amended Order"), of the Amended Order of Conditions for DEP File No. 006-1012, issued on March 4, 2005 and the Final Order of Conditions, issued on October 8, 2004, by the Boston Conservation Commission, are hereby incorporated into this Amended Order and remain in full force and effect.**

**49. The proponent shall inspect the drywell and tidal channel yearly for accumulation of sediments which may inhibit the hydraulic capacity of the outfall and adequate tidal flushing of the channel. Prior to any maintenance of the tidal channel Commission staff shall be contacted to review the work and determine if any additional filings to the Commission are necessary. The drywell shall be maintained consistent with Special Condition No. 45.**

**50. Any disturbed wetland resource areas should be replaced with wetland soils, returned to existing contours and re-planted with native wetland vegetation, consistent with Special Condition No. 35.**

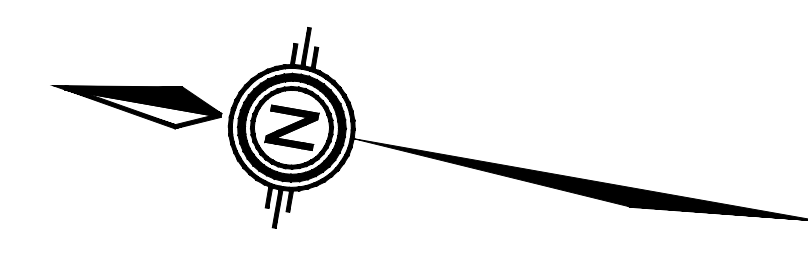
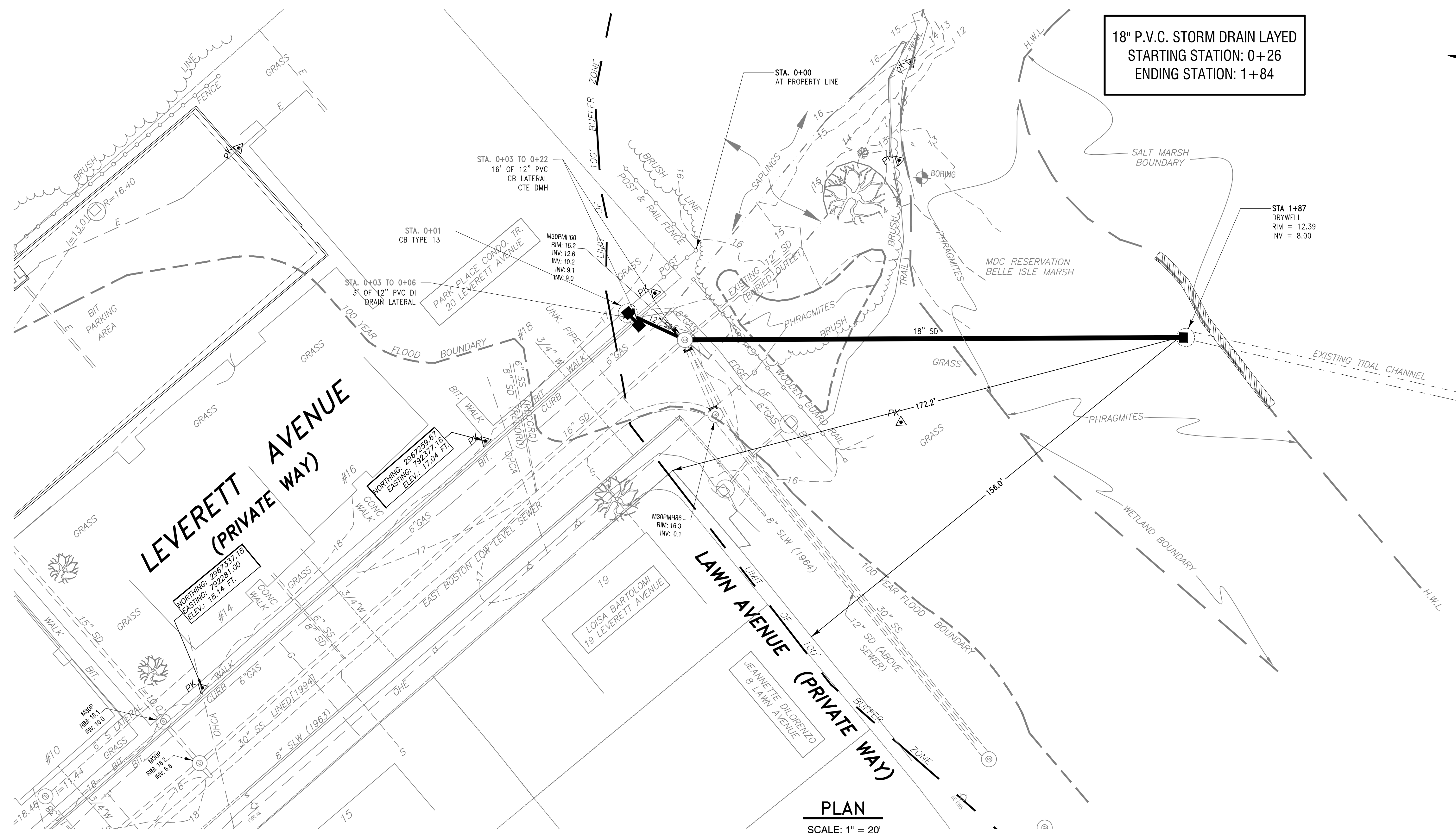
**ATTACHMENT THREE**

**As-built Drawing "Z116-56"**

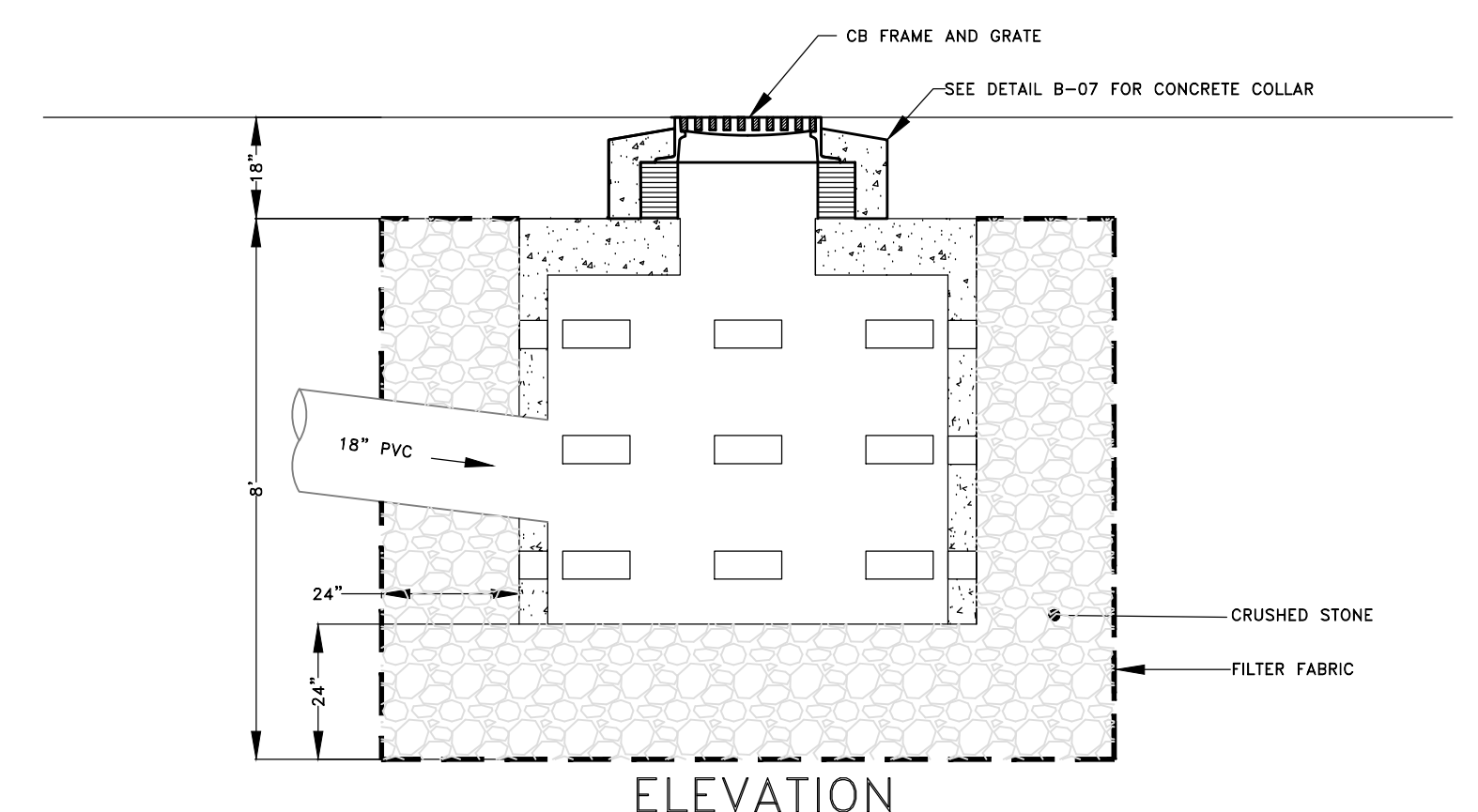
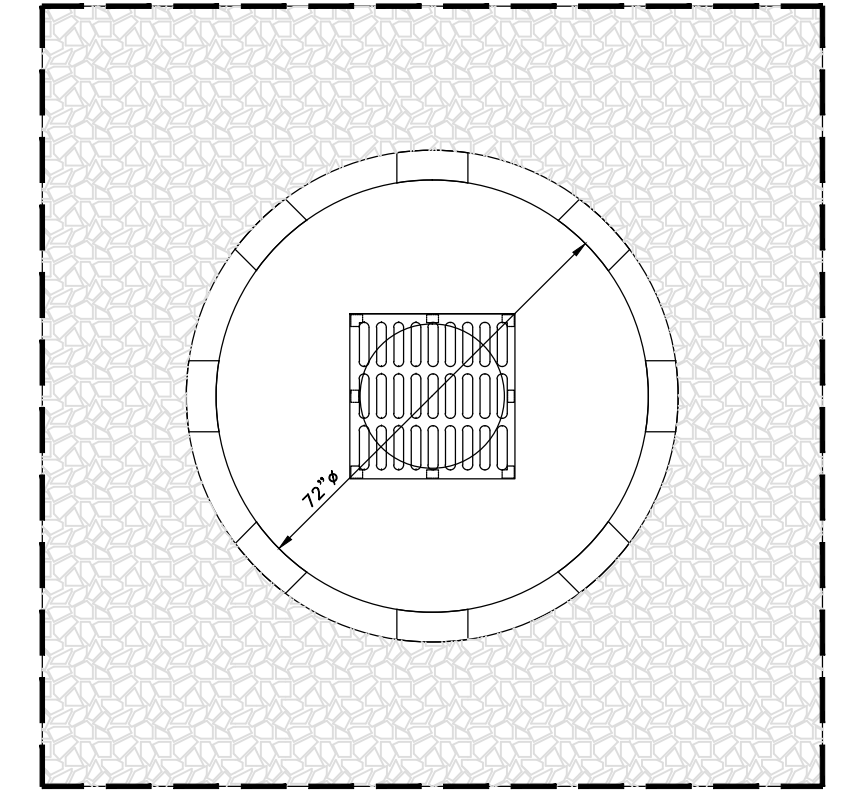
**Drainage Outfall DO-062**

**Dated: December 1, 2007**

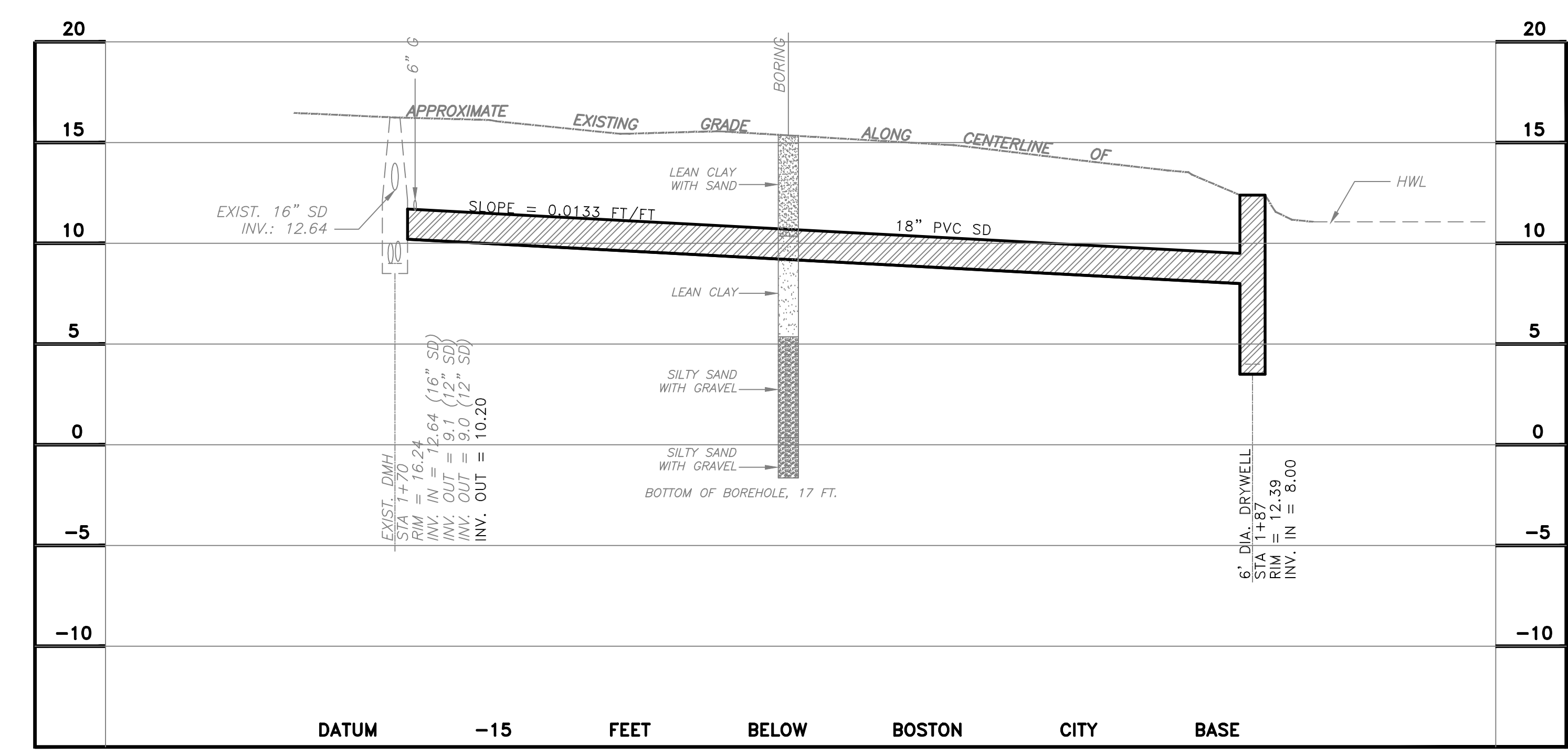




**NOTES:**  
 LANDSCAPING SHALL BE RESTORED IN ACCORDANCE WITH THE SPECIFICATIONS, DCR REQUIREMENTS AND BOSTON CONSERVATION COMMISSION ORDER OF CONDITIONS.



PRECAST DRYWELL DETAIL  
 SCALE: 3/8" = 1'



**PROFILE**  
 SCALE: HORIZ. 1" = 20'  
 VERT. 1" = 5'

BOSTON WATER AND SEWER COMMISSION  
**AS-BUILT PLAN**  
 PLAN # Z116-56 DATE 12/1/2007

CONTRACTOR: Albanese D&S, Inc.  
 SURVEY CREW: Coy, Azimi & Tuttle  
 SURVEY CREW: ASB\_LAWN AVE.tbk  
 BENCHMARK: EXIST. SMH #86 INV. ELEV. = 0.10

**INSTALLATION OF SEWER PIPES IN East Boston**  
 DATE: 11/26/2007

INSPECTOR: P. MacDONALD  
 ENGINEER: C. McGUIRE  
 DRAWN BY: T. Coy  
 DATE OF SURVEY: 9/27/2007

**BELLE ISLE MARSH EAST BOSTON**  
 DATE: 9/6/2006

Designed by: T. Daly  
 Drawn by: T. Nguyen  
 Checked by: E. Duggan

**BOSTON WATER AND SEWER COMMISSION**  
 CONTRACT NO. 05-309-007  
 ENGINEERING, CONSTRUCTION DIVISION  
 SEWERAGE WORKS IMPROVEMENTS  
 SHEET NO. 1 of 1

GIS BASE MAP USED FOR ROADWAY AND HOUSE LAYOUT. BWSC FACILITIES TOTAL STATION SURVEYED.

**ATTACHMENT FOUR**

**Photographs of Drainage Outfall DO-062**

**Discharging during Rain Event**

**November 20, 2018**

**Approximately 1:00 PM**











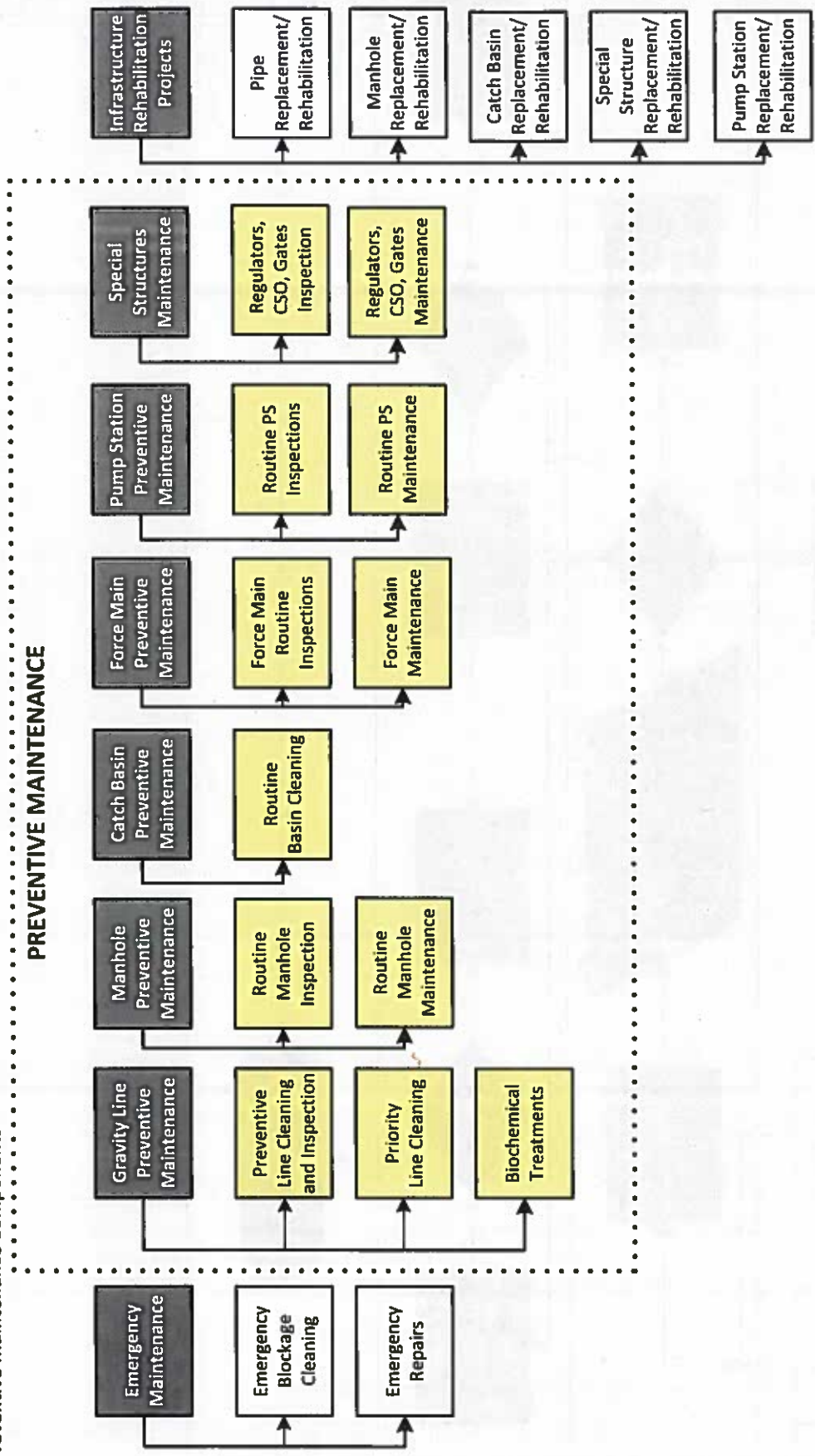
**ATTACHMENT FIVE**

**Boston Water and Sewer Commission  
Capacity Management, Operations, and Maintenance (CMOM)**

**Program Document- Relevant Sections**

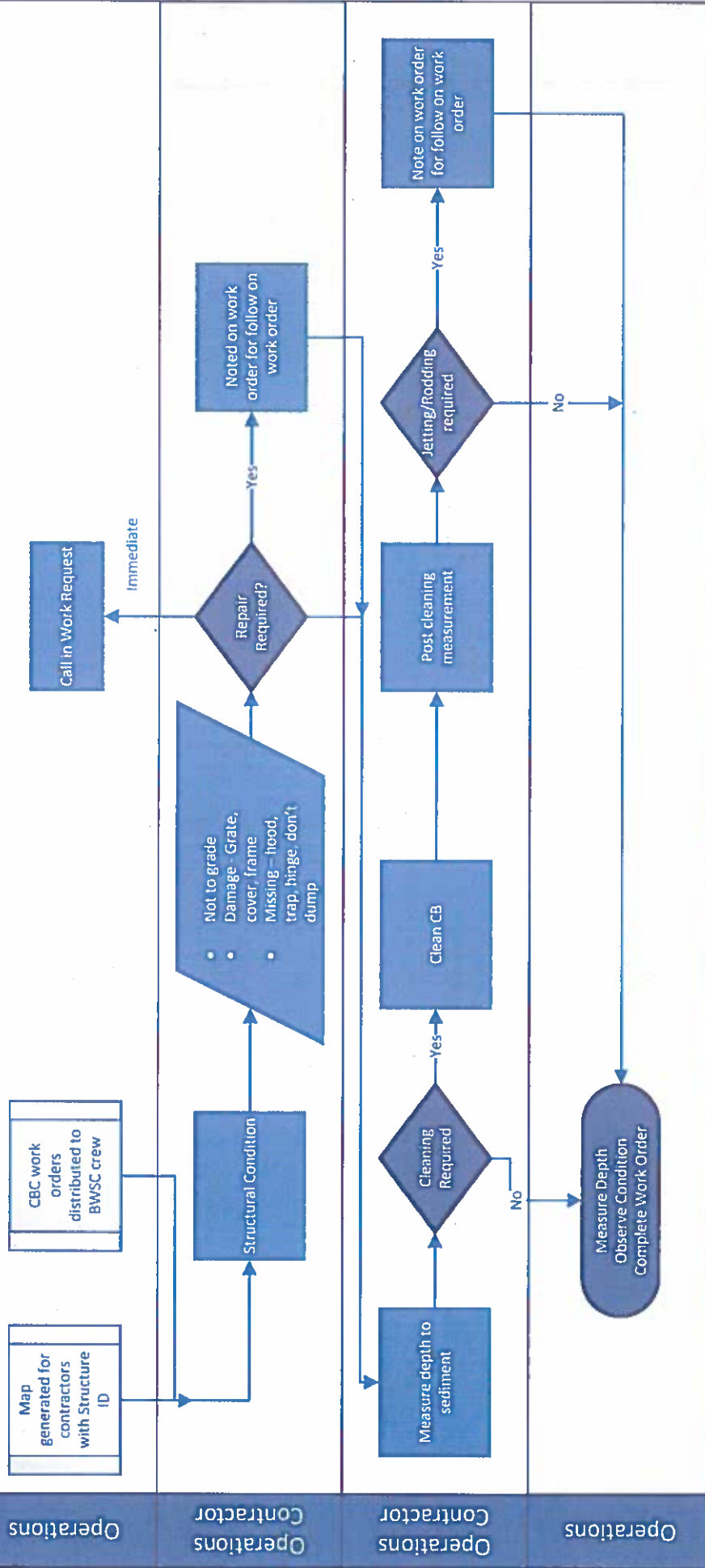
**Revised: May 2014**

FIGURE 4-1  
Preventive Maintenance Components



# Catch Basin Clean (CBC) – Preventive Maintenance

Phase



## 4.2.4 Manhole Inspections

### 4.2.4.1 Objective

The objective of performing manhole inspections is to assess structural condition and maintenance needs, as manholes are considered critical infrastructure.

Defective manholes can have a significant impact on the operation of the system. Sedimentation buildup can obstruct flow completely through manholes and pipes. Broken rings and joints can allow infiltration and inflow (I/I), as can unblocked high outlets and open Lovejoys, in common manholes. Poor cover fitting can lead to customer complaints and road hazards.

### 4.2.4.2 Process Description

The Commission is responsible for the operation and maintenance (O&M) of about 53,900 manholes. Special Structures under CMOM has a goal of inspecting manholes on a 10-year rotation; with the goal to inspect 10 percent of manholes (approximately 5,390 manholes) per year. The inspections performed will be Level 1 inspections, initially. Level 1 inspections will consist of visual observations of the subject structure to: (1) identify causes of problems that require immediate action, or (2) support routine O&M activities to meet regulatory reporting requirements.

A work order is developed in CASS WORKS once an inspection is scheduled. CASS WORKS will store a record of each inspection performed.

The manhole inspection information will eventually be collected in the field using a manhole inspection form preloaded on an electronic tablet or mobile device (see Figure 4-8). Manhole inspection data will be transferred to the SCREAM database for scoring and codes. The inspection data is run through a series of automated quality assurance/quality control (QA/QC) checks. If an inspection record fails a QA/QC check, the Operations System Manager is responsible for correcting the record or contacting the field staff for clarification. A record of the inspection is captured in CASS WORKS.

FIGURE 4-8  
Level 1 Inspections with Tablet

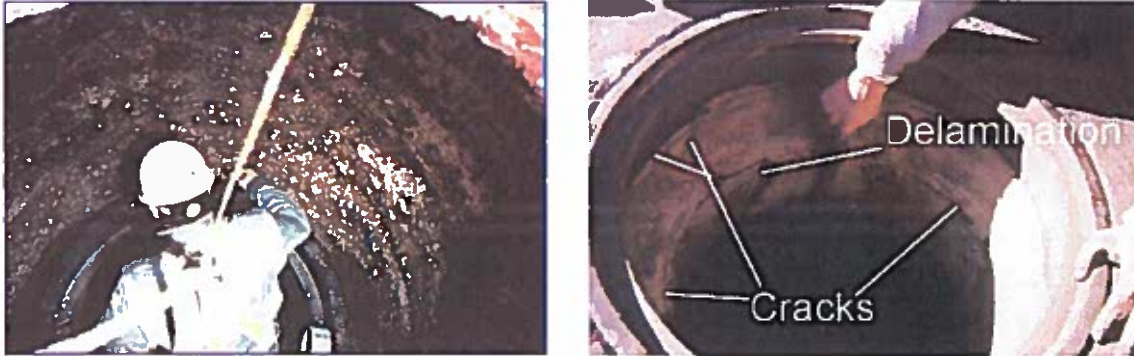


If noted on the inspection form, follow-up Level 2 detailed inspections will be performed. Level 2 asset inspections are performed on higher to highest risk assets as identified through the initial risk assessment process or from Level 1 findings. The goal of Level 2 inspections is to collect more detailed information on specific defects or structural problems required to support engineering decisions and priorities for long-term repair and/or rehabilitation needs. An example of a Level 2 manhole inspection is shown in Figure 4-9.



FIGURE 4-9

Level 2 Manhole for Inspection (left) and Assessing Defects (right)



Information collected during the Level 2 inspection will follow a similar process as the Level 1 inspections.

#### 4.2.4.3 Roles and Responsibilities

Special Structures under CMOM is responsible for performing manhole inspections. Manhole inspection data is imported into CASS WORKS and SCREAM following QA/QC procedures.

The CMOM Director and Senior Operations Manager of Special Structures are responsible for scheduling inspection activities, correcting field inspection entry errors, running scheduled reports, performing analysis of the field program, and for periodic updates to this process description.

#### 4.2.4.4 Reporting

Inspection reports should be generated monthly, quarterly, and annually. These monthly reports detail the number of Level 1 and Level 2 inspections performed. The reports are reviewed by the Senior Operations Manager of Special Structures and CMOM Director. Based on the information produced in the reports, the CMOM Director will schedule necessary non-emergency PM. Emergency and/or critical repairs identified at the time of the inspection will be referred to the Operations Department and scheduled immediately for resolution. Minor structural repairs will be scheduled for correction by the applicable Operations Department personnel and/or contracted resources. Significant structural, capacity, or design issues identified during inspections will be referred to the Engineering Department for inclusion in capital improvement projects.

The Commission will develop quarterly manhole defect summary reports, which summarize inspection rates, inspection progress, a summary of defects identified during inspections, and work order status for the structures identified needing follow-on maintenance.

A summary manhole defect report is produced after all inspection records pass the QA/QC process.

The Commission will develop and maintain an annual report which summarizes manhole defects identified during inspections, lists the capital repair and replacement recommendations, and evaluates the inspection process/program.

#### 4.2.4.5 Analyses

The Senior Operations Manager of Special Structures is responsible for identifying the priority and schedule of the Level 1 manhole inspections. The Senior Operations Manager of Special Structures will take into consideration recommendations from existing studies and input from the Operations department personnel regarding the Fat, Oil, and Grease (FOG) Program, Sanitary Sewer Overflow Emergency Response Plan (SSOERP), and other considerations. When applicable, manhole condition data will be collected during FOG investigations conducted in coordination with the SSOERP.

The CMOM Director will schedule necessary non-emergency PM. Emergency and/or critical repairs identified at the time of the inspection will be referred to the Operations Department and scheduled

immediately for resolution. Minor structural repairs will be scheduled for correction by the applicable Operations Department personnel and/or contracted resources. Significant structural, capacity, or design issues identified during inspections will be referred to the Engineering Department for inclusion in capital improvement projects. Analysis of the manhole inspection data will be performed monthly using SCREAM to assess the condition of the system. An analysis of the manhole inspection data is used to identify deficiencies in the Commission's systems, areas in need of immediate repair or replacement, and trends in the Commission's system.



## 4.2.9 Catch Basins

### 4.2.9.1 Objective

Catch basin (CB) cleaning and inspections (C&I), in conjunction with Commission repair/rehabilitation projects, benefit the capacity and operation of the system. The Commission inspects and maintains 30,933 CBs including approximately 4,000 drop inlets.

Catch basins are inlet chambers that provide sumps for the retention of sediment, grit, and debris. These basins are cleaned on a routine basis to prevent grit and sediment from filling the structure and passing untreated flow into the drainage or combined sewer system. Drop inlets do not have a sump but are inspected and cleaned with other basins to prevent street flooding. Cleaning methods include clamshell buckets (Figure 4-11), using vacuum trucks, or jet sprays. For the Commission, catch basins are its primary structural best management practice that through improved cleaning and maintenance can reduce and/or eliminate street flooding and improve water quality. CB-related problems such as street flooding and nuisance odors are given priority and assigned to Commission forces for immediate action. Most CB cleaning for preventive maintenance (PM) is assigned to contractors to complete.

### 4.2.9.2 Process Description

The Commission currently cleans CBs based on depth of sediment at the time of inspection. The Commission's current goal is to inspect each basin at least once per year. Areas where CBs have a high frequency of problems have been identified and are cleaned on more frequent schedules as part of storm preparation.

During CB inspections, depth of sediment and general condition data is now typically recorded for all catch basins, regardless of whether cleaning is required or not. Most CB inspection and cleaning data will eventually be collected using an electronic tablet or mobile device with a preloaded CB inspection/cleaning form. The electronic form is based on the Commission's original CASS WORKS Work Activity Work Orders for catch basin C&I. CB inspection and cleaning data is transferred to CASS WORKS following the quality assurance/quality control (QA/QC) process.

FIGURE 4-11

Opening Catch Basin (left) and Clamshell Bucket Mounted on a Truck used for Cleaning (right)



The Commission uses this data to schedule cleaning, other maintenance, and repairs. This data can ultimately be used to build efficiencies into the cleaning program, serve as supporting data for analyzing complaints and gauge the overall effectiveness of the program as it relates to collection system operation. Recorded data for work performed on each catch basin is quality assured before the information is permanently recorded in CASS WORKS. If warranted, a more detailed inspection is scheduled for the CB.

A CASS WORKS work order must be completed for each CB that is inspected or cleaned. At a minimum, the work order includes CB facility ID, complete address (number and street or street and nearest cross street),

inspector or operator's identification, date and depth to sediment before and after cleaning. CBs needing corrective maintenance (CM) are noted, for the following common defects or conditions:

- Not to grade catch basin frame
- Damaged grates and covers
- Deteriorated brickwork and concrete
- Broken or missing catch basin hoods
- Flooding conditions
- Missing 'Do Not Dump' stencil or casting

These and any other defects or problems are noted on the work order for follow-up work. Sediment is brought to Alford Street Station in Charlestown, MA, where trucks are weighed; debris is dewatered and disposed.

Bill stuffers are used to remind customers to remove leaves from CB grates in the fall and to remove snow from around and on top of grates in winter. In advance of a storm, the Commission contacts the media and Mayor's office to notify citizens to keep catch basins free from leaves, snow, and debris to avoid flooding conditions. Public notices are also posted on the Commission's website and Facebook page.

#### 4.2.9.3 Roles and Responsibilities

Closed-Circuit Television (CCTV)/Cleaning of CMOM is responsible for PM of catch basins including scheduling inspections and cleaning. CCTV/Cleaning of CMOM will typically use contracted resources to perform CB inspections and cleaning and supplement these resources with Commission forces and equipment when available.

The Commission is only responsible for cleaning CBs located on City of Boston public ways. CBs located on state parkways, parks department property, parking lots or private ways are not maintained by the Commission. Those respective owners are required to maintain their CBs. Street cleaning schedules are taken into account to aid in CB accessibility.

The Project Director of CCTV/Cleaning and CMOM Director are responsible for periodic updates to this process description.

#### 4.2.9.4 Reporting

The Commission will generate monthly CB inspection and cleaning reports. These monthly reports detail the number of CB inspections and cleanings performed. The reports are reviewed by the Project Director of CCTV/Cleaning and CMOM Director. Based on the information produced in the reports, the CMOM Director will periodically evaluate the current PM schedule. Emergency or critical repairs identified at the time of the inspection will be referred to Operations Department and scheduled immediately for resolution. Design issues identified during inspections or subsequent analysis will be referred to Engineering Department for inclusion in capital improvement projects.

The Commission should develop and maintain quarterly CB defect summary reports, which summarize inspection rates, inspection progress, a summary of defects identified during inspections, and work order status for the structures identified needing follow-up maintenance.

The Commission should develop and maintain an annual report, which summarizes CB defects identified during inspections, lists the capital repair and replacement recommendations, and evaluates the inspection and cleaning process/program.

#### 4.2.9.5 Analyses

The Project Director of CCTV/Cleaning is responsible for identifying the priority and schedule of the CB inspections. The Project Director of CCTV/Cleaning will take into consideration recommendations from existing studies and input from other Commission and contract personnel. The CMOM Director will schedule necessary non-emergency PM. Emergency and/or critical repairs identified at the time of the inspection will

be referred to the Operations Department and scheduled immediately for resolution. Minor structural repairs will be scheduled for correction by the applicable Operations Department personnel and/or contracted resources. Significant structural, capacity or design issues identified during inspections will be referred to the Engineering Department for inclusion in capital improvement projects.

Analysis of the CB cleaning and inspection data will be performed quarterly to assess the current PM schedule. Ongoing periodic analysis of the data may be used to assess the condition of the system and to identify maintenance requirements, deficiencies in the system, areas in need of immediate repair or replacement, and trends in the system.

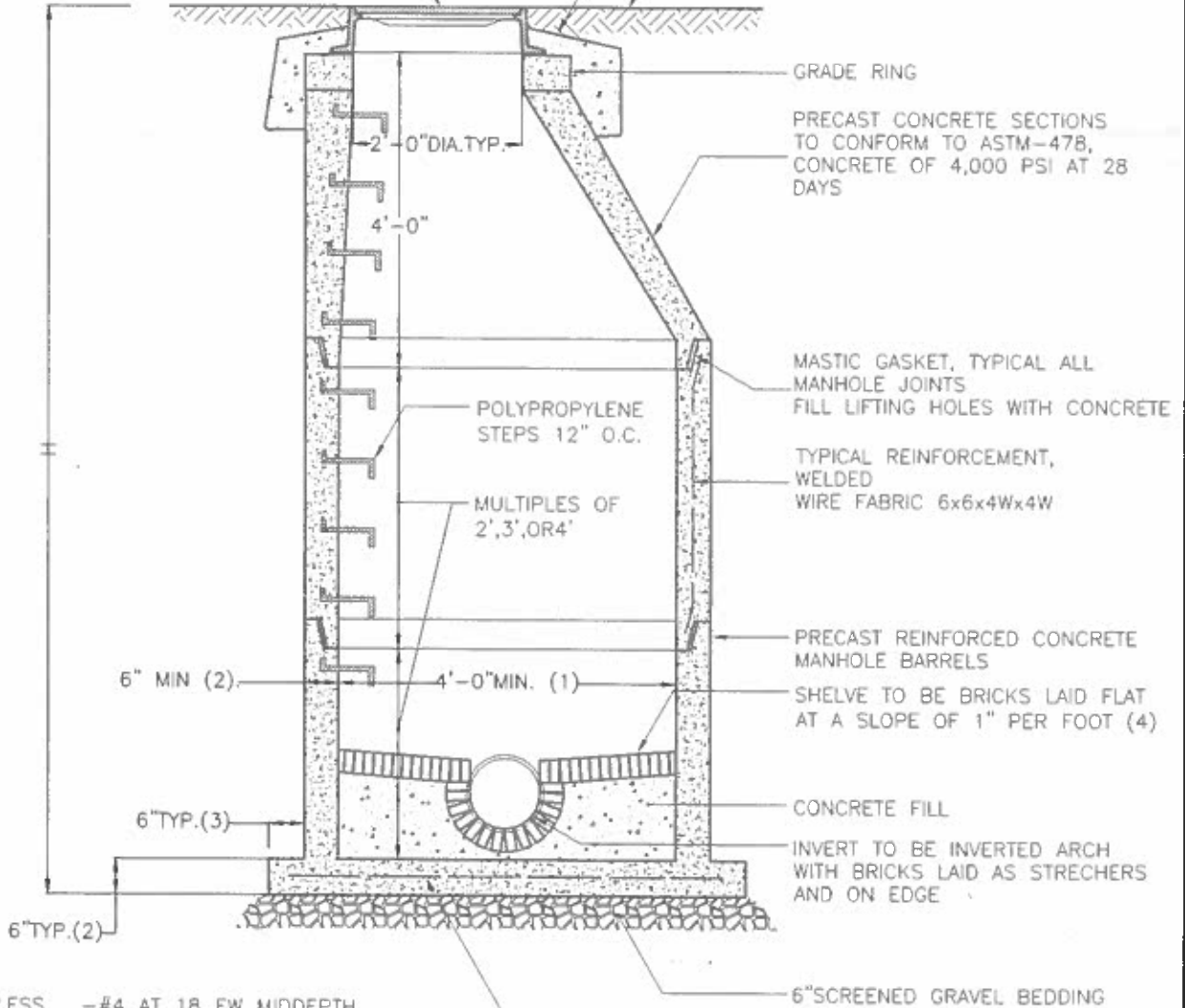
**ATTACHMENT SIX**  
**BWSC Construction Details**





TYPE "A" FRAME AND COVER TO BE MARKED EITHER "SEWER" OR "DRAIN" SEE DETAILS F1-D01 AND F1-D04

CONCRETE COLLAR SEE DETAIL B-03  
FINISHED GRADE

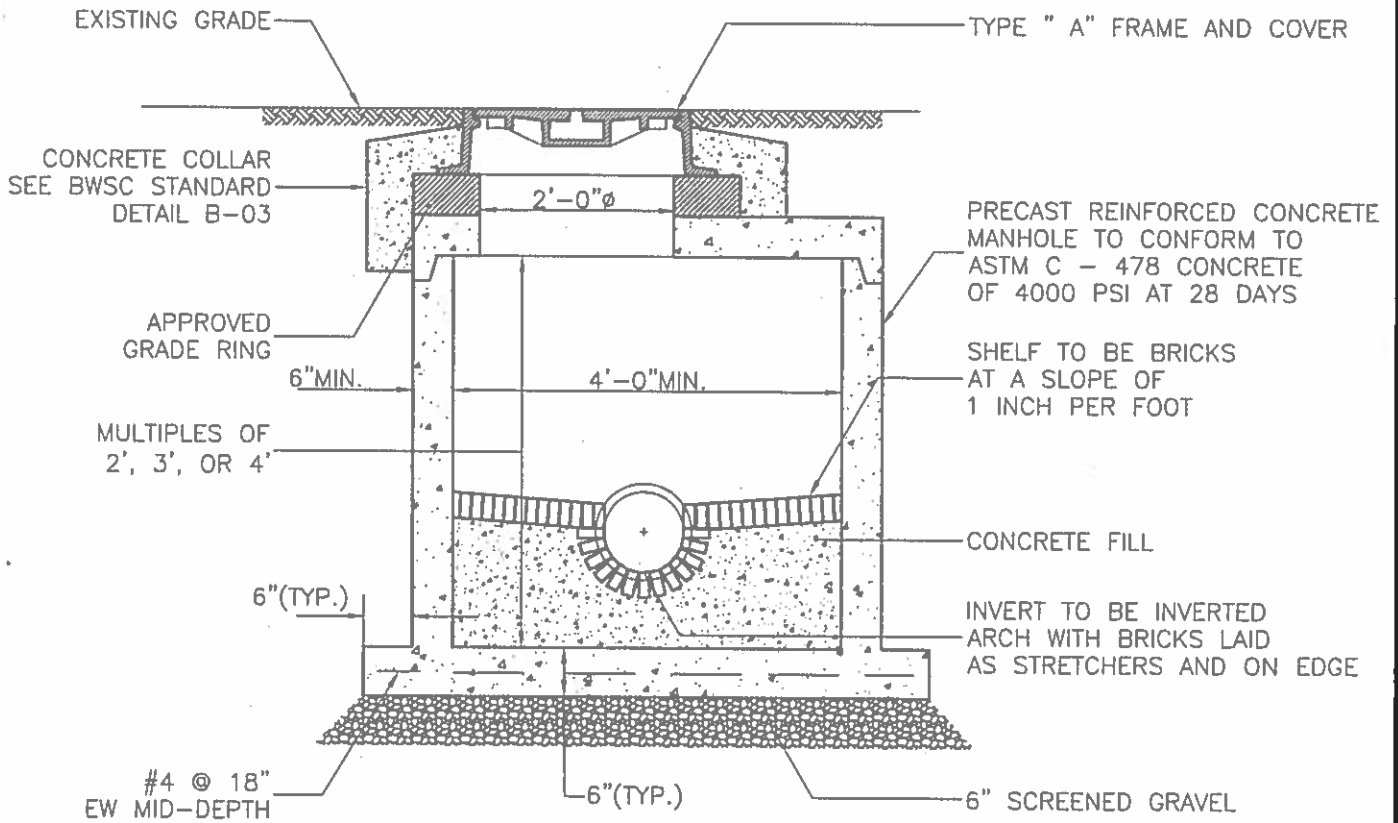


H= 10' OR LESS -#4 AT 18 EW MIDDEPTH  
 H= 10' TO 20' -#4 AT 12 EW MIDDEPTH  
 H= 20' TO 30' -#5 AT 12 EW MIDDEPTH  
 IN ADDITION TO WELDED WIRE FABRIC

**NOTES:**

1. 5'-0" DIAMETER FOR ALL MANHOLE DEPTHS GREATER THAN 20 FEET OR WHEN ORDERED BY THE ENGINEER
2. 6" MIN. WALL THICKNESS AND 7 INCH MIN. BASE THICKNESS WITH 5'-0" DIAMETER MANHOLES
3. 6 INCH LIP OPTIONAL UNLESS OTHERWISE NOTED
4. CONCRETE INVERT AND SHELF MAY BE SUBSTITUTED IN STORM DRAIN MANHOLES AS DIRECTED BY THE ENGINEER

Location/FileName: V:\eng\CAD\_STDI\Technical Details\B - Sewer Details\B-02 - Precast Concrete Manhole Details.dwg  
 Plotted on: Tuesday, January 15, 2013 - 12:52 PM by Donohoe, William



Location: V:\eng\CAD\_STD\Technical Details\B - Sewer Details\B-06 - Shallow Manhole.dwg  
 Plotted on: Tuesday, January 15, 2013 - 1:22 PM by Donohoe, William



**Boston Water and  
Sewer Commission**

880 HARRISON AVE., BOSTON, MA 02119  
(617) 989-7000 www.bwsc.org

**SHALLOW MANHOLE**

Scale: Not To Scale

DATE:  
June 30, 2012

DETAIL NO.  
**B-06**



**ATTACHMENT SEVEN**

**Massachusetts Environmental Policy Act Office  
Determination – Not Subject to MEPA Review**



---

**Southworth, Paul**

**From:** Schluter, Eve (ENV) <eve.schluter@state.ma.us>  
**Sent:** Friday, February 15, 2019 10:24 AM  
**To:** Southworth, Paul  
**Subject:** RE: Pre-filing meeting request

Hi Paul,

Projects are subject to MEPA review only if they require a State Agency Action and meet or exceed a related MEPA review threshold. Based on the information you provided, while the project will exceed a MEPA review threshold due to the work within the ACEC, it does not appear that there are any State Agency Actions. Agency Actions include public projects proposed or funded by a State Agency and private projects that require a Permit, include Financial Assistance or involve a Land Transfer from the State. So, MEPA review would not be required. However, if plans change or if there are any State Agency Actions associated with the project, MEPA review may be required and you should consult with our office further.

Please let me know if you have any questions.

Thanks, Eve

**Everose Schlüter**  
Assistant Director  
Massachusetts Environmental Policy Act Office  
Executive Office of Energy and Environmental Affairs (EEA)  
100 Cambridge St., Suite 900 (9th Floor)  
Boston MA, 02114  
p: 617-626-1131 | f: 617-626-1181  
[www.mass.gov/mepa](http://www.mass.gov/mepa)

---

**From:** Southworth, Paul [mailto:southworthp@BWSC.ORG]  
**Sent:** Thursday, February 14, 2019 10:29 AM  
**To:** Schluter, Eve (EEA)  
**Subject:** FW: Pre-filing meeting request

Eve,

It was a pleasure speaking with you this morning. Following up on our discussion, I would like to confirm that my project (described below) is not undertaken by a state agency for any environmental permits. My project does not receive any funding from the Commonwealth and does not involve any new land transfers from the Commonwealth.

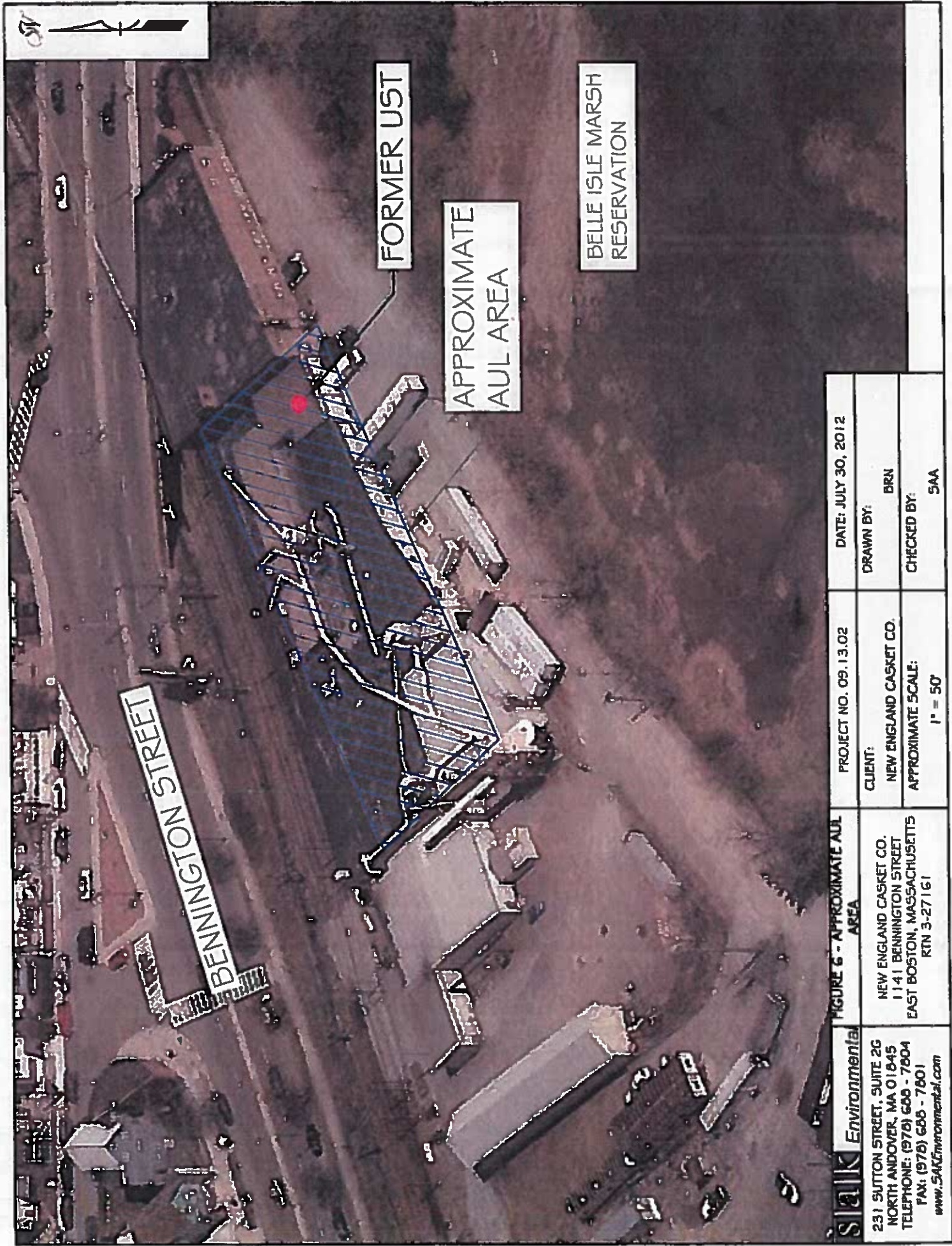
**ATTACHMENT EIGHT**

**Notice of Activity and Use Limitation**

**Austin Avenue (Behind 1141 Bennington Street)**

**Pages from 'Immediate Response Action Completion Report  
and Class A-3 Response Action Outcome (RTN #3-27161)**

**Dated: August 2012**



<b>SAK Environmental</b> 231 SUTTON STREET, SUITE 2G NORTH ANDOVER, MA 01845 TELEPHONE: (978) 686 - 7804 FAX: (978) 686 - 7801 www.SAKEnvironmental.com	<b>FIGURE 6 - APPROXIMATE AUL AREA</b>	
	PROJECT NO. 09.13.02 CLIENT: NEW ENGLAND CASKET CO. APPROXIMATE SCALE: 1" = 50'	DATE: JULY 30, 2012 DRAWN BY: BRN CHECKED BY: SAA





2012 00806832  
 Cert#: 87618 Bk: Pg: 0  
 Doc: NOT 08/06/2012 02:37 PM SF

23

Form 1075

**NOTICE OF ACTIVITY AND USE LIMITATION**  
 M.G.L. c. 21E, § 6 and 310 CMR 40.0000

Disposal Site Name: New England Casket Company, 1141 Bennington Street, East Boston, MA  
 DEP Release Tracking No: 3-0027161

This Notice of Activity and Use Limitation ("Notice") is made as of this 2nd day of August, 2012 by New England Casket Realty Corporation with an address at 1141 Bennington Street, East Boston, Massachusetts 02128, together with its successors and assigns (collectively "Owner").

WITNESSETH:

WHEREAS, the New England Casket Realty Corporation, is the owner in fee simple of those certain parcels of land located in East Boston, Suffolk County, Massachusetts, with the buildings and improvements thereon, pursuant to a deed recorded with the Suffolk County Registry of Deeds in Book 246, Page 10 and filed as Document No. 87618, Certificate of Title No. 50010 issued by the Land Registration Office of the Suffolk County Registry District.

WHEREAS, said parcels of land, which are more particularly bounded and described in Exhibit A, attached hereto and made a part hereof ("Property") is subject to this Notice of Activity and Use Limitation. The Property is shown on a plan recorded in the Suffolk County Registry of Deeds on Land Court Plan No. 18991A (1944).

WHEREAS, a portion of the Property ("Portion of the Property") is subject to this Notice of Activity and Use Limitation. The Portion of the Property is more particularly bounded and described in Exhibit A-1, attached hereto and made a part hereof. The Portion of the Property is shown on a plan recorded with the Suffolk County Registry of Deeds in Plan Book \_\_\_\_\_, Plan \_\_\_\_\_ and on a plan attached hereto and filed herewith for registration; Land Court Plan 18991A (1944)

WHEREAS, the Portion of the Property comprises all the disposal site as the result of a release of oil and/or hazardous material. Exhibit B is a sketch plan showing the relationship of the Portion of the Property subject to this Notice of Activity and Use Limitation to the boundaries of said disposal site existing within the limits of the Property and to the extent such boundaries have been established. Exhibit B is attached hereto and made a part hereof; and

WHEREAS, one or more response actions have been selected for the Portion of the Disposal Site in accordance with M.G.L. c. 21E ("Chapter 21E") and the Massachusetts Contingency Plan, 310 CMR 40.0000 ("MCP"). Said response actions are based upon (a) the restriction of human access to and contact with oil and/or hazardous material in soil and (b) the restriction of certain activities occurring in, on, through, over or under the Portion of the Property. The basis for such restrictions is set forth in an Activity and Use Limitation Opinion ("AUI. Opinion"), dated August 2, 2012 (which is attached hereto as Exhibit C and made a part hereof);

NOW, THEREFORE, notice is hereby given that the activity and use limitations set forth in said AUL Opinion are as follows:

**1. Activities and Uses Consistent with the AUL Opinion. The AUL Opinion provides that a condition of No Significant Risk to health, safety, public welfare or the environment exists for any foreseeable period of time (pursuant to 310 CMR 40.0000) so long as any of the following activities and uses occurs on that Portion of the Property:**

- (i) Excavation associated with construction and/or utility work or other activity which is likely to disturb soil at depths greater than eight (8) feet provided that activities are conducted in accordance with a Soil Management Plan and a Health and Safety Plan prepared and implemented in accordance with the Obligations (i) and (ii) of this Notice prior to the commencement of such activity;
- (ii) Such other activities or uses which, in the Opinion of an LSP, shall present no greater risk of harm to health, safety, public welfare or the environment than the activities and uses set forth in this Paragraph; and
- (iii) Such other activities and uses not identified in Paragraph 2 as being Activities and Uses Inconsistent with the AUL.

**2. Activities and Uses Inconsistent with the AUL Opinion. Activities and uses which are inconsistent with the objectives of this Notice of Activity and Use Limitation, and which, if implemented at the Portion of the Property, may result in a significant risk of harm to health, safety, public welfare or the environment or in a substantial hazard, are as follows:**

- (i) Excavation at depths greater than eight (8) feet associated with construction and/or utility work or other activity which is likely to disturb soil without the implementation of a Soil Management Plan and Health and Safety Plan in accordance with the Obligations and Conditions (i) and (ii) of this Notice.

**3. Obligations and Conditions Set Forth in the AUL Opinion. If applicable, obligations and/or conditions to be undertaken and/or maintained at the Portion of the Property to maintain a condition of No Significant Risk as set forth in the AUL Opinion shall include the following:**

- (i) A Soil Management Plan ("SMP") must be prepared by a LSP prior to the commencement of any activity which is likely to disturb soil at depths greater than eight feet within the AUL Area. The SMP should describe appropriate soil management, characterization, storage, transport and disposal procedures in accordance with the provisions of the MCP cited at 310 CMR. 40.0030 et. seq. Workers who may come in contact with soil must be appropriately trained on the requirements of the SMP. The SMP must remain available on-site throughout the course of a project. The SMP must be prepared in accordance with the guidelines discussed in the AUL Opinion attached hereto;

- (ii) A Health and Safety Plan ("HASP") must be prepared and implemented prior to the commencement of any activity which is likely to disturb soil at depths greater than eight (8) feet within the AUL Area. The HASP should be prepared or reviewed by a Certified Industrial Hygienist or other qualified individual appropriately trained in worker health and safety procedures and requirements. The plan should specify the type of personal protection, engineering controls, and environmental monitoring necessary, if any, including air monitoring procedures, to prevent worker and other potential receptor exposures to contaminated soil. Workers who may come in contact with the contaminated soil should be appropriately trained on the requirements of the Health and Safety Plan. The HASP must remain available on-site throughout the course of a project. The HASP must be prepared in accordance with the guidelines discussed in the AUL Opinion attached hereto; and
- (iii) Any soil at depths greater than eight (8) feet removed from this portion of the Property may not be relocated to any other area within or beyond the Property boundaries, unless such activity is first evaluated by an LSP who renders an Opinion which states that such activity poses no greater risk of harm to health, safety, public welfare, or the environment and ensures that a condition of No Significant Risk is maintained.
4. Proposed Changes in Activities and Uses. Any proposed changes in activities and uses at the Portion of the Property which may result in higher levels of exposure to oil and/or hazardous material than currently exist shall be evaluated by an LSP who shall render an Opinion, in accordance with 310 CMR 40.1080 *et seq.*, as to whether the proposed changes will present a significant risk of harm to health, safety, public welfare or the environment. Any and all requirements set forth in the Opinion to meet the objective of this Notice shall be satisfied before any such activity or use is commenced.
5. Violation of a Response Action Outcome. The activities, uses and/or exposures upon which this Notice is based shall not change at any time to cause a significant risk of harm to health, safety, public welfare, or the environment or to create substantial hazards due to exposure to oil and/or hazardous material without the prior evaluation by an LSP in accordance with 310 CMR 40.1080 *et seq.*, and without additional response actions, if necessary, to achieve or maintain a condition of No Significant Risk or to eliminate substantial hazards.

If the activities, uses, and/or exposures upon which this Notice is based change without the prior evaluation and additional response actions determined to be necessary by an LSP in accordance with 310 CMR 40.1080 *et seq.*, the owner or operator of the Portion of the Property subject to this Notice at the time that the activities, uses and/or exposures change, shall comply with the requirements set forth in 310 CMR 40.0020.

6. Incorporation Into Deeds, Mortgages, Leases, and Instruments of Transfer. This Notice shall be incorporated either in full or by reference into all future deeds, easements, mortgages, leases, licenses, occupancy agreements or any other instrument of transfer, whereby an interest in and/or a right to use the Property or a portion thereof is conveyed.



**ATTACHMENT NINE**  
**Applicable Easements**  
**Pre-Existing**

(A)



Cert No  
72602

# The Commonwealth of Massachusetts

BK ~~24~~ 359

Pg 2

No. 10354



Whereas, Boston Water & Sewer Commission

of -- Boston --, in the County of -- Suffolk -- and Commonwealth aforesaid, has applied to the Department of Environmental Protection for license to -- construct and maintain a storm water drainage outfall --

and has submitted plans of the same; and whereas due notice of said application has been given, as required by law, to the -- Mayor and City Council -- of the -- City of Boston; -----

NOW, said Department, having heard all parties desiring to be heard, and having fully considered said application, hereby, authorizes and licenses the said

-- Boston Water & Sewer Commission --, subject to the provisions of the ninety-first chapter of the General Laws, and of all laws, which are or may be in force applicable thereto, to -- construct and maintain a storm water drainage outfall --

in and over the tidewaters of -- Belle Isle Marsh -- in the -- City -- of -- Boston -- and in accordance with the locations shown and details indicated on the accompanying DEP License Plan No. 10354, (3 sheets).



2005 06705832  
Cert#: 72602 Bk: 359 Pg: 2

Plan No.  
706832

The structures hereby authorized shall be limited to the following uses: to provide conveyance of storm water.

SPECIAL CONDITIONS

This license shall have an unlimited term.

All work authorized herein shall be completed within five (5) years of the date of license issuance. Said construction period may be extended by the Department for one or more one year periods without public notice, provided that the Applicant submits to the Department thirty (30) days prior to the end of the construction period, a written request to extend the period and provides adequate justification for said extension.

Please see page 3 for additional conditions to this license.



Duplicate of said plan, number 10354 on file in the office of said Department, and original of said plan accompanies this License, and is to be referred to as a part hereof.

STANDARD WATERWAYS LICENSE CONDITIONS

1. Acceptance of this Waterways License shall constitute an agreement by the Licensee to conform to all terms and conditions stated herein.

2. This License is granted upon the express condition that any and all other applicable authorizations necessitated due to the provisions hereof shall be secured by the Licensee prior to the commencement of any activity or use authorized pursuant to this License.

3. Any change in use or any substantial structural alteration of any structure or fill authorized herein shall require the issuance by the Department of a new Waterways License in accordance with the provisions and procedures established in Chapter 91 of the Massachusetts General Laws. Any unauthorized substantial change in use or unauthorized substantial structural alteration of any structure or fill authorized herein shall render this Waterways License void.

4. This Waterways License shall be revocable by the Department for noncompliance with the terms and conditions set forth herein. This license may be revoked after the Department has given written notice of the alleged noncompliance to the Licensee and those persons who have filed a written request for such notice with the Department and afforded them a reasonable opportunity to correct said noncompliance. Failure to correct said noncompliance after the issuance of a written notice by the Department shall render this Waterways License void and the Commonwealth may proceed to remove or cause removal of any structure or fill authorized herein at the expense of the Licensee, its successors and assigns as an unauthorized and unlawful structure and/or fill.

5. The structures and/or fill authorized herein shall be maintained in good repair and in accordance with the terms and conditions stated herein and the details indicated on the accompanying license plans.

6. Nothing in this Waterways License shall be construed as authorizing encroachment in, on or over property not owned or controlled by the Licensee, except with the written consent of the owner or owners thereof.

7. This Waterways License is granted subject to all applicable Federal, State, County, and Municipal laws, ordinances and regulations including but not limited to a valid final Order of Conditions issued pursuant to the Wetlands Protection Act, G.L. Chapter 131, s.40.

8. This Waterways License is granted upon the express condition that the use of the structures and/or fill authorized hereby shall be in strict conformance with all applicable requirements and authorizations of the DEP.

9. This License authorizes structure(s) and/or fill on:

X Private Tidelands. In accordance with the public easement that exists by law on private tidelands, the licensee shall allow the public to use and to pass freely upon the area of the subject property lying between the high and low water marks, for the purposes of fishing, fowling, navigation, and the natural derivatives thereof.

Commonwealth Tidelands. The Licensee shall not restrict the public's right to use and to pass freely, for any lawful purpose, upon lands lying seaward of the low water mark. Said lands are held in trust by the Commonwealth for the benefit of the public.

a Great Pond of the Commonwealth. The Licensee shall not restrict the public's right to use and to pass freely upon lands lying seaward of the high water mark for any lawful purpose.

Navigable River or Stream. The Licensee shall not restrict the public's right to use and to pass freely, for any lawful purpose, in the waterway.


No restriction on the exercise of these public rights shall be imposed unless otherwise expressly provided in this license.

10. Unless otherwise expressly provided by this license, the licensee shall not limit the hours of availability of any areas of the subject property designated for public passage, nor place any gates, fences, or other structures on such areas in a manner that would impede or discourage the free flow of pedestrian movement thereon.

The amount of tidewater displaced by the work hereby authorized has been ascertained by said Department, and compensation thereof has been made by the said – Boston Water & Sewer Commission – by paying into the treasury of the Commonwealth – zero dollars and zero cents (\$0.00)– for each cubic yard so displaced, being the amount hereby assessed by said Department. (0.0 cu. yds. = \$0.00)

Nothing in this License shall be so construed as to impair the legal rights of any person. This License shall be void unless the same and the accompanying plan are recorded within 60 days from the date hereof, in the Registry of Deeds for the County of – Suffolk —

IN WITNESS WHEREAS, said Department of Environmental Protection have hereunto set their hands this twentieth day of July in the year two thousand and five

Program Chief  Department of Environmental Protection

THE COMMONWEALTH OF MASSACHUSETTS

~~This license is approved in consideration of the payment into the treasury of the Commonwealth by the said –~~

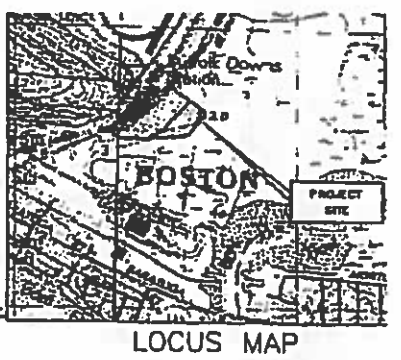
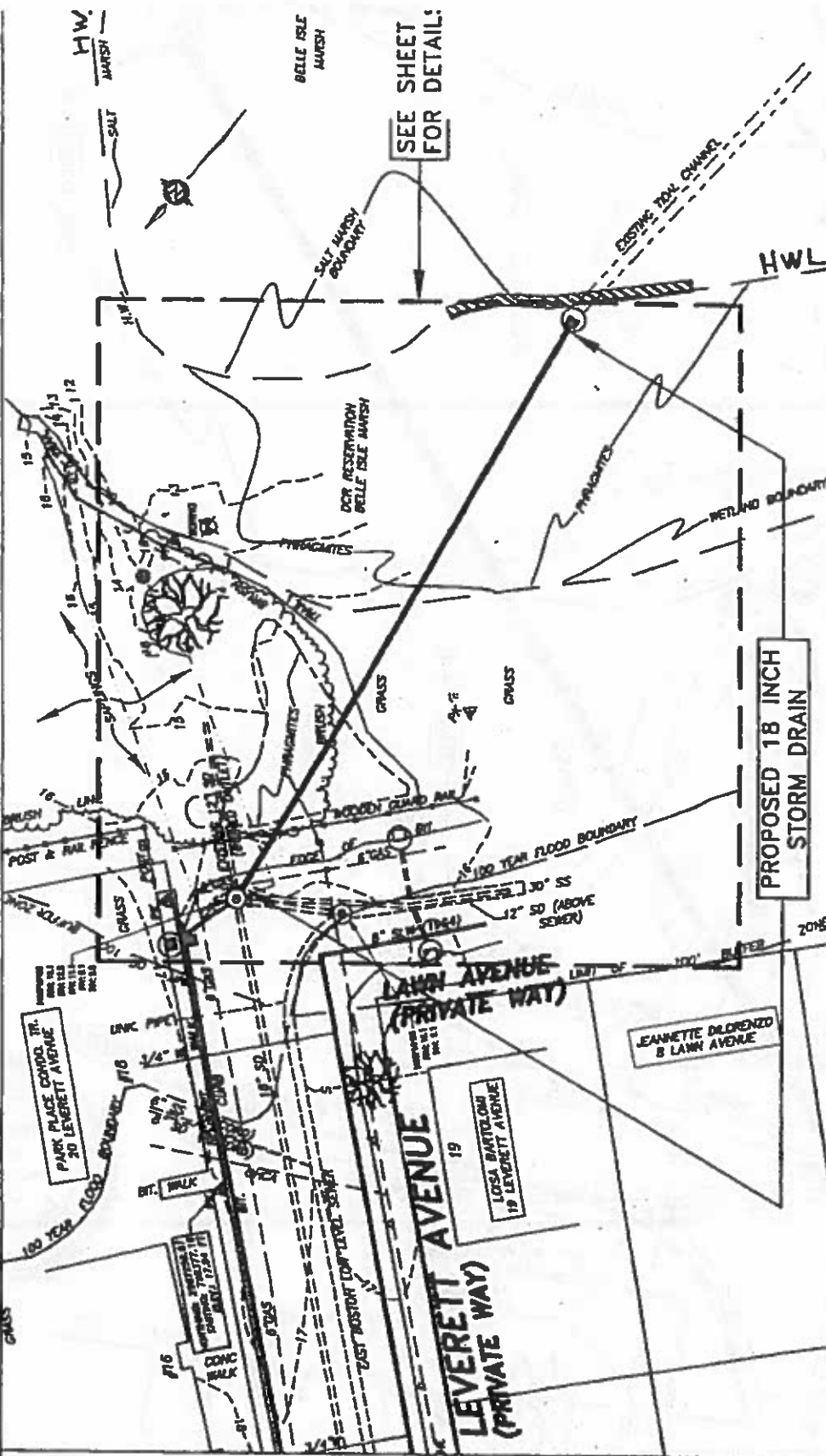
~~-- the further sum of --~~

~~the amount determined by the Governor as a just and equitable charge for rights and privileges hereby granted in the land of the Commonwealth.~~

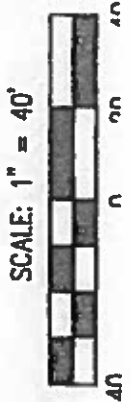
BOSTON,

~~Approved by the Governor.~~

~~Governor~~



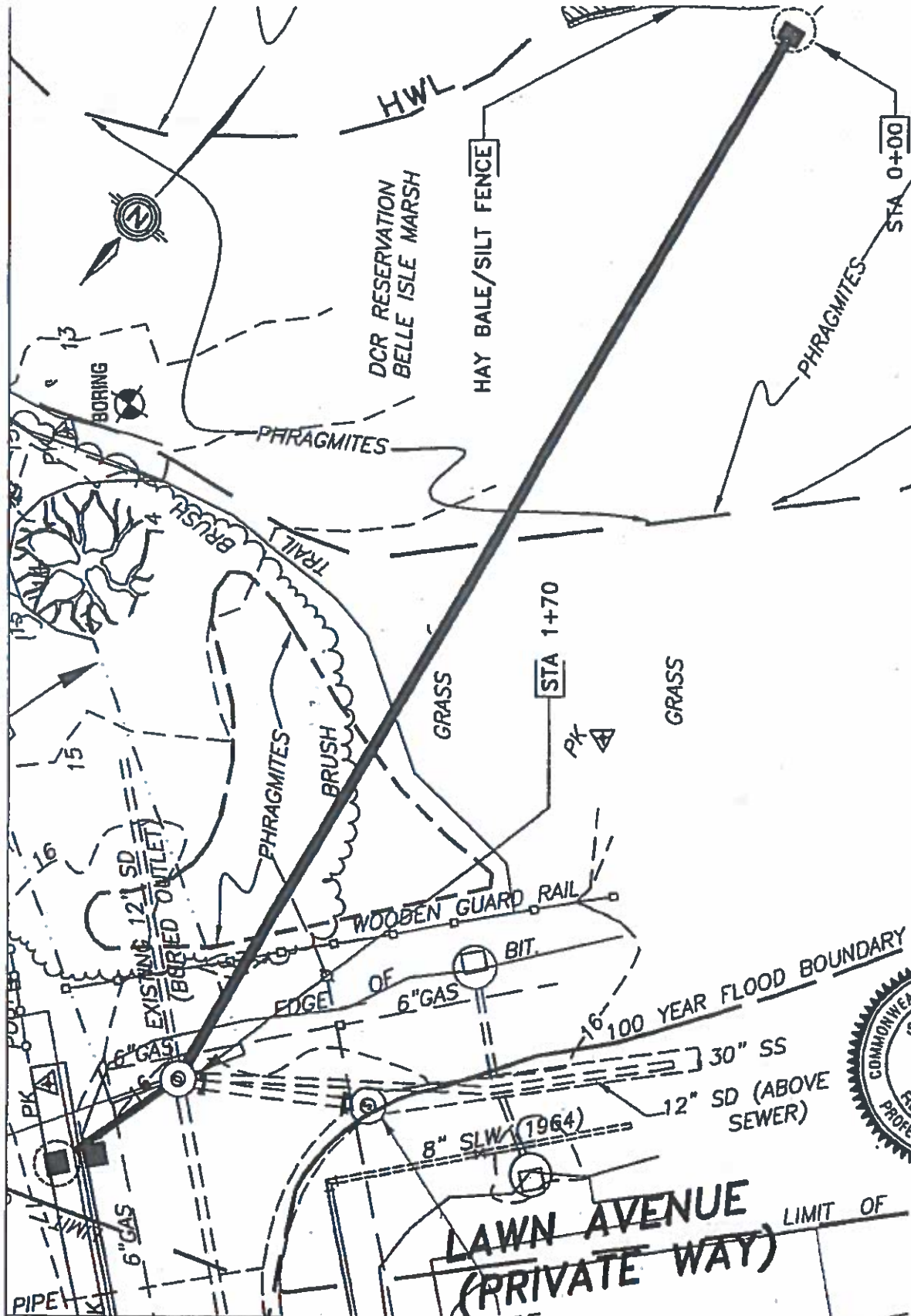
PLAN



PLAN ACCOMPANYING PETITION OF  
 BOSTON WATER & SEWER COMMISSION  
 TO INSTALL A DRAINAGE OUTFALL AT  
 BELLE ISLE MARSH, EAST BOSTON.

LICENSE PLAN NO. 10354  
 Approved by Department of Environmental Protection  
 of Massachusetts  
*Buel* JUL 20 2005





PLAN VIEW  
FOR PROFILE SEE SHEET 3

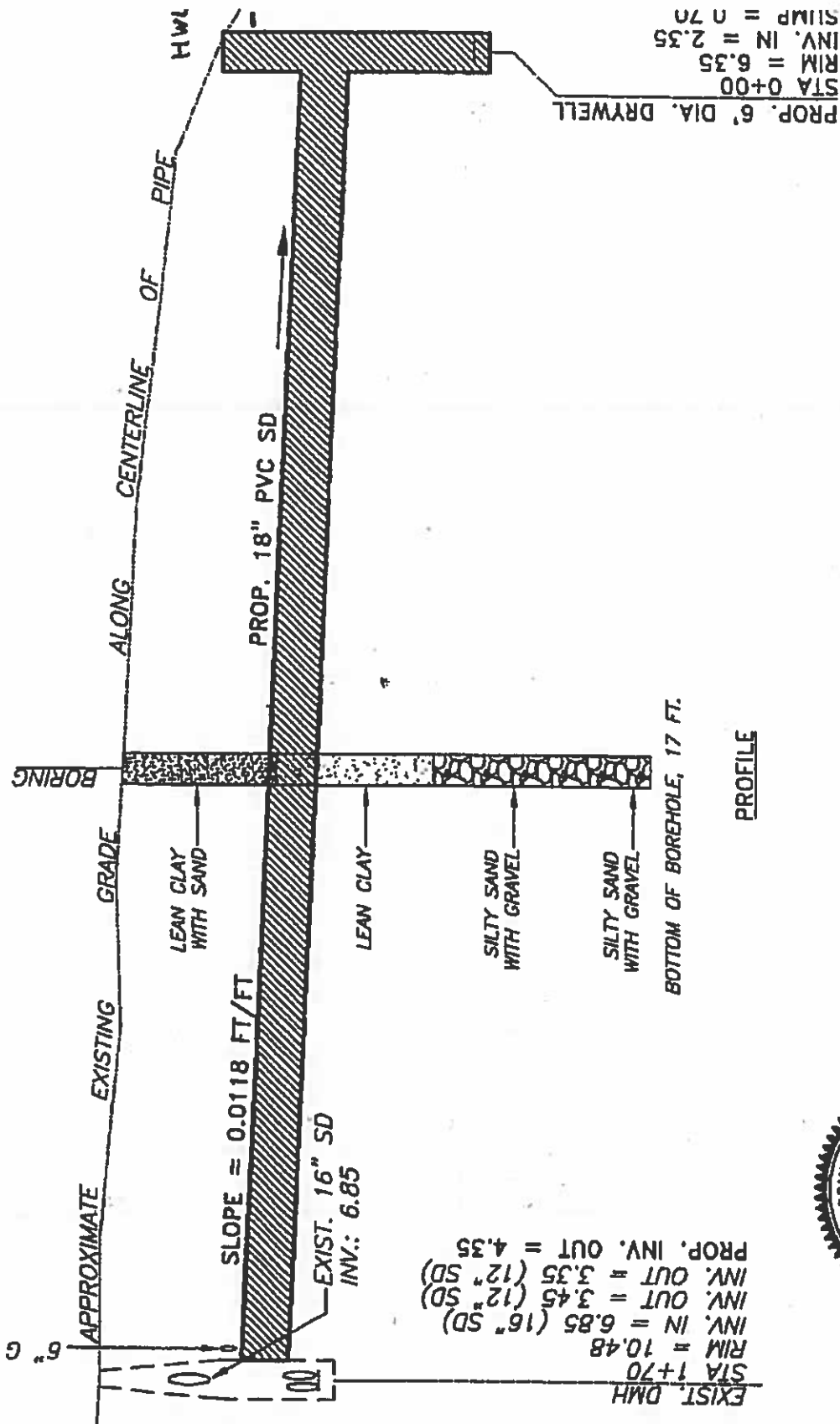


PLAN ACCOMPANYING PETITION OF BOSTON WATER & SEWER COMMISSION TO INSTALL A DRAINAGE OUTFALL AT BELLE ISLE MARSH, EAST BOSTON.

PROJECT PLAN NO. 10354  
Approved by Department of Environmental Protection  
Date:

JUL 20 2005

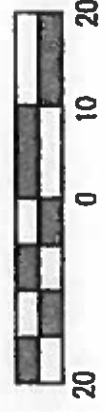
FEBRUARY, 2005  
SH 2 OF 3



SCALES

HORIZ.: 1" = 20'

VERT.: 1" = 5'



VERTICAL DATUM: NGVD



PLAN ACCOMPANYING PETITION OF  
 BOSTON WATER & SEWER COMMISSION  
 TO INSTALL A DRAINAGE OUTFALL AT  
 BELLE ISLE MARSH, EAST BOSTON.  
 FEBRUARY, 2005  
 SH. 3 OF 3

**LICENSE PLAN NO. 10354**  
 Approved by Department of Environmental Protection  
 Date: JUL 20 2005

Transfer Certificate of Title

No. 87618

From Certificate No. 50010, Originally Registered June 30, 1948

in Registration Book 246 Page 10 for the Registry District of Suffolk County.

This is to Certify that NEW ENGLAND CASKET REALTY CORPORATION, a Massachusetts corporation duly organized and having its usual place of business in

Boston in the County of Suffolk and Commonwealth of Massachusetts,

is the owner in fee simple

of that certain parcel of land situated in that part of Boston called East Boston in the County of Suffolk and Commonwealth of Massachusetts, bounded and described as follows: Northernly one hundred twenty-three and 22/100 (123.22) feet; Easterly twenty-five and 53/100 (25.53) feet, and Southeastery eighty and 23/100 (80.23) feet by the southerly, westerly and northwesterly lines of Bennington Street; Southeastery by Austin Avenue three hundred twelve and 49/100 (312.49) feet; and Southwesterly one hundred fifty-one and 76/100 (151.76) feet, and Northwesterly two hundred seventy-five and 70/100 (275.70) feet by land now or formerly of The Trustees of the First Narrow Gauge Trust Co.

All of said boundaries are determined by the Court to be located as shown on a plan drawn by Whitman & Howard, Civil Engineers, dated February 4, 1944, as modified and approved by the Court, filed in the Land Registration Office as plan No. 18991-A, a copy of a portion of which is filed with certificate of title No. 75116.

So much of the above described land as is included within the area marked Sewer Easement approximately shown on said plan is subject to sewer easements as set forth in a taking by the City of Boston, dated November 10, 1905, duly recorded in Book 3170 Page 212.

The above described land is subject to water pipe easements in said Austin Avenue as set forth in a grant made by the East Boston Co., et al to the City of Boston, dated September 23, 1912, duly recorded in Book 3582 Page 224.

The above described land is subject to the right to slope in said Bennington Street as set forth in a deed given by Edward Turner et al, Trustees to the City of Boston, dated August 31, 1900, duly recorded in Book 2705 Page 628.

So much of the above described land as by implication of law is included within the limits of said Austin Avenue, shown on said plan, is subject to the rights of all persons lawfully entitled thereto in and over the same, and there is appurtenant to said land the right to use the whole of said Austin Avenue to and from Bennington Street in common with others entitled thereto.

And it is further certified that said land is under the operation and provisions of Chapter 185 of the General Laws.

And that the title of said

NEW ENGLAND CASKET REALTY CORPORATION

to said land is registered under said Chapter, subject, however, to any of the circumstances mentioned in section forty-six of said Chapter, which may be subsisting, and subject also as aforesaid.

Address of owner: 114 1/2 Bennington Street, East Boston, Mass.

Witness, WILLIAM J. RANDALL, Esquire, Judge of the Land Court, at Boston, in said County of Suffolk, the thirty-first day of March in the year nineteen hundred and seventy-six at 3 o'clock and 40 minutes in the afternoon.

Attest, with the Seal of said Court.

Frederick L. Cheney, Assistant Register

PLAN OF LAND IN BOSTON (East)

Whitman & Howard,  
Civil Engineers

FEBRUARY 4, 1944



ST.

ASHLEY  
AVE.

BENNINGTON  
ST.

AVE.

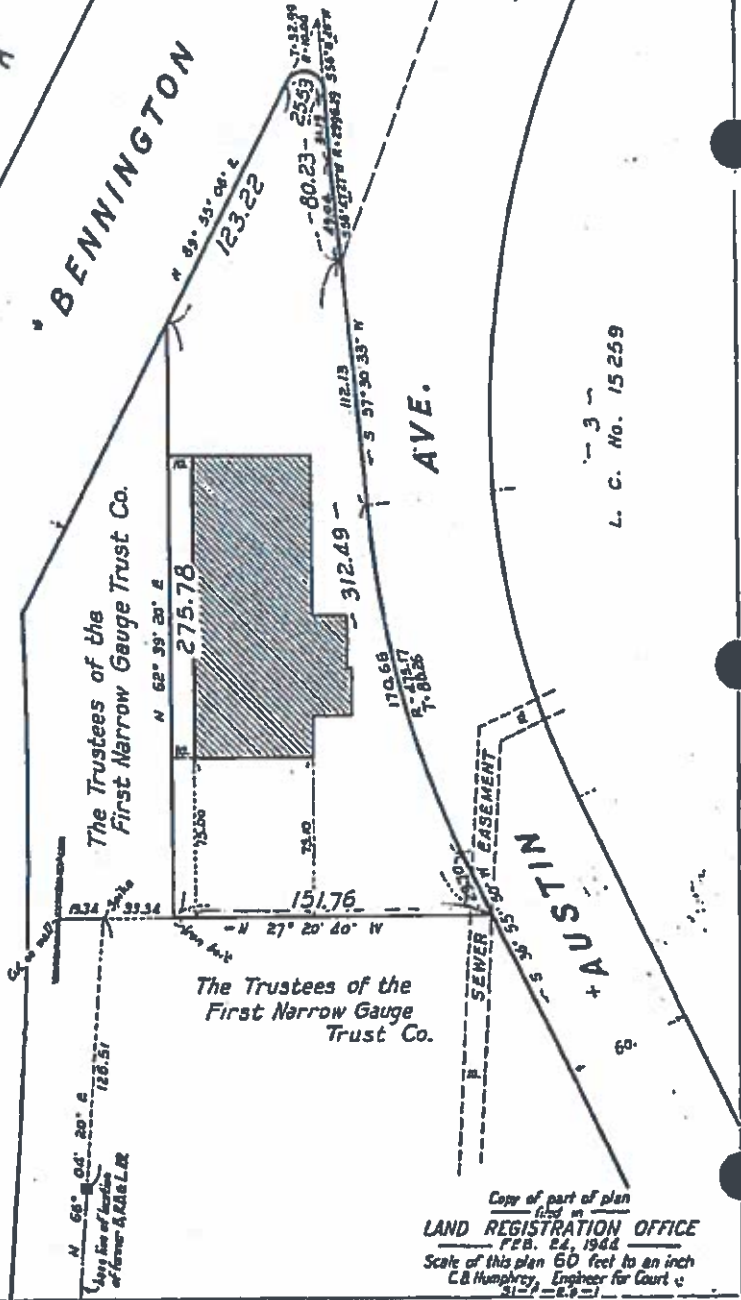
L. C. No. 15259

The Trustees of the  
First Narrow Gauge Trust Co.

The Trustees of the  
First Narrow Gauge  
Trust Co.

SEWER  
EASEMENT

AUSTIN



Copy of part of plan  
filed in  
**LAND REGISTRATION OFFICE**  
Feb. 24, 1944  
Scale of this plan 60 feet to an inch  
C. B. Humphrey, Engineer for Court

Original Certificate of Title.

No. 45136.

Entered pursuant to a decree of the Land Court, dated at Boston, in the County of Suffolk and Commonwealth of Massachusetts, the twenty-fifth day of January in the year nineteen hundred and forty-five, and numbered 18991 on the files of said Court.

Copy of Decree.

COMMONWEALTH OF MASSACHUSETTS,

**CANCELLED**

LAND COURT.

In the matter of the Partition of FRED TOBIA et al., by Document No. 182922  
June 30, 1945  
See Certificate No. 50009  
Registration Book 246 Page 9

numbered 18991 after consideration, the Court doth adjudge and decree that said FRED TOBIA and ELVIRA TOBIA, married to each other,  
and FREDERICK J. MAGRATH and MARY E. MAGRATH, married to each other,  
of Boston,

in the County of Suffolk and Commonwealth of Massachusetts,

are the owner in fee simple, said FRED and ELVIRA as tenants by the entirety of one undivided half part, and said FREDERICK and MARY as tenants by the entirety of one undivided half part, of that certain parcel of land situate in that part of Boston formerly East Boston,

in the County of Suffolk and Commonwealth of Massachusetts, bounded and described as follows:  
Northerly one hundred twenty-three and 22/100 (123.22) feet,  
Easterly twenty-five and 53/100 (25.53) feet, and  
Southeasterly eighty and 23/100 (80.23) feet by the southerly, westerly and northwesterly lines of Bennington Street;  
Southeasterly by Austin Avenue three hundred twelve and 49/100 (312.49) feet; and  
Southwesterly one hundred fifty-one and 76/100 (151.76) feet, and  
Northwesterly two hundred seventy-five and 78/100 (275.78) feet by land now or formerly of The Trustees of the First Narrow Gauge Trust Co.

All of said boundaries are determined by the Court to be located as shown on a plan drawn by Whitman & Howard, Civil Engineers, dated February 4, 1944, as modified and approved by the Court, filed in the Land Registration Office, a copy of a portion of which will be filed with the original certificate of title issued on this decree.

So much of the land hereby registered as is included within the area marked Sewer Easement approximately shown on said plan is subject to sewer easements as set forth in a taking by the City of Boston, dated November 10, 1906, duly recorded in Book 3170 Page 212.

The land hereby registered is subject to water pipe easements in said Austin Avenue as set forth in a grant made by the East Boston Co., et al to the City of Boston, dated September 23, 1912, duly recorded in Book 3682, Page 224.

The above described land is subject to the right to slope in said Bennington Street as set forth in a deed given by Edward Turner et al, Trustees to the City of Boston, dated August 31, 1900, duly recorded in Book 2705, Page 628.

So much of the land hereby registered as by implication of law is included within the limits of said Austin Avenue, shown on said plan, is subject to the rights of all persons lawfully entitled thereto in and over the same, and there is appurtenant to said land the right to use the whole of said Austin Avenue to said Bennington Street in common with others entitled thereto.

Address of Owners:  
F. J. & E. T. - 252 Orient Avenue, East Boston, Massachusetts  
F. J. M. & M. E. M. - 36 Waldemar Avenue, "



or less, Being the same premises conveyed to said Eldredge by said Cape Cod Five Cents Savings Bank by deed dated October 17, 1912 and herewith to be recorded. A strip of land about one foot wide running across the front of said lots and adjoining said Clarence Terrace, although included in the above description, is not covered by the covenants or warranties of this deed, but the grantor merely conveys by this instrument whatever rights he may have in said strip and in said Clarence Terrace. TO HAVE AND TO HOLD the granted premises, with all the privileges and appurtenances thereto belonging, to the said Cape Cod Five Cents Savings Bank and its successors and assigns, to their own use and behoof forever. AND I do hereby for myself and my heirs, executors, and administrators, COVENANT with the said grantee and its successors and assigns, that the granted premises are free from all incumbrances made or suffered by me, and that I will and my heirs, executors, and administrators shall, WARRANT AND DEFEND the same to the said grantee and its successors and assigns forever against the lawful claims and demands of all persons claiming by, through, or under me, but against none other. AND for the consideration aforesaid I, Mehitable B. Eldredge, wife of said Oliver E. Eldredge, do hereby release unto the said grantee and its successors and assigns all right of or to both DOWER AND HOMESTEAD in the granted premises, and all other rights and interests therein. IN WITNESS WHEREOF we the said Oliver E. Eldredge and Mehitable B. Eldredge hereunto set our hands and seals this eighteenth day of October in the year one thousand nine hundred and twelve. Oliver E. Eldredge, and a seal. Mehitable B. Eldredge, and a seal. Signed and sealed in the presence of COMMONWEALTH OF MASSACHUSETTS. Barnstable, ss. October 18, 1912. Then personally appeared the above-named Oliver E. Eldredge and acknowledged the foregoing instrument to be his free act and deed, before me— Joshua Crowell, Justice of the Peace.—October 28, 1912 at three o'clock and thirty-eight minutes P. M. Received, Entered and Examined.

EAST BOSTON  
COMPANY et al

to  
CITY OF  
BOSTON

KNOW ALL MEN BY THESE PRESENTS That we, the undersigned, owners of rights or interests in a strip of land called Austin Street, Ward 1 in Boston, in the State of Massachusetts, in consideration of valuable considerations to each of us paid by said City, the receipt whereof is hereby acknowledged, do hereby give, grant and convey to said City the right to lay its water pipes in said street and to do and perform in and upon said street all acts which may be convenient or necessary for laying, maintaining and repairing said pipes, and furnishing water

through the same. TO HAVE AND TO HOLD the same to the City of Boston and its assigns forever. AND WE HEREBY COVENANT AND AGREE with said City, each for himself, his heirs, executors, administrators and assigns that we will make no claim for damages caused by digging blasting or other work done in said street by said City, nor in any manner interfere with the laying, maintaining or repairing of said pipes, nor permit or allow without the written assent of the officer or board in charge of the Public Works Department of said City, any other person or corporation to enter upon or dig up the soil of said street within three feet of each side of said pipes. or to place or maintain within said limits any sewer, drain or pipe. IN TESTIMONY WHEREOF we hereto sign our names and set our common seal this 23rd day of September 1912. EAST BOSTON COMPANY By Joseph Weeks, Treas. Boston, Revere Beach & Lynn Railroad Company, by Melvin O. Adams, President and one seal. In presence of COMMONWEALTH OF MASSACHUSETTS. SUFFOLK ss, Sept. 25th 1912. Then personally appeared Melvin O. Adams above named, and acknowledged the foregoing instrument to be the free act and deed of said Railroad Corporation, Before me, Thomas Keel, Justice of the Peace.-----October 28, 1912 at three o'clock and fifty-two minutes P. M. Received, Entered and Examined.-----

KNOW ALL MEN BY THESE PRESENTS That we, the undersigned, owners of rights or interests in a strip of land called Vandyke Street and Vila Street, Ward 19, in Boston, in the State of Massachusetts, in consideration of valuable considerations to each of us paid by said City, the receipt whereof is hereby acknowledged, do hereby give, grant and convey to said City the right to lay its water pipes in said street and to do and perform in and upon said street all acts which may be convenient or necessary for laying, maintaining and repairing said pipes, and furnishing water through the same, TO HAVE AND TO HOLD the same to the City of Boston and its assigns forever. AND WE HEREBY COVENANT AND AGREE with said City, each for himself, his heirs, executors, administrators and assigns that we will make no claim for damages caused by digging, blasting or other work done in said street by said City, nor in any manner interfere with the laying, maintaining or repairing of said pipes, nor permit or allow without the written assent of the officer or board in charge of the Public Works Department of said City, any other person or corporation to enter upon or dig up the soil of said street within three feet of each side of said pipes, or to place or maintain within said limits any sewer, drain or

INFANTS  
HOSPITAL  
et al  
to  
CITY OF  
BOSTON

The word "function" is not in the original.

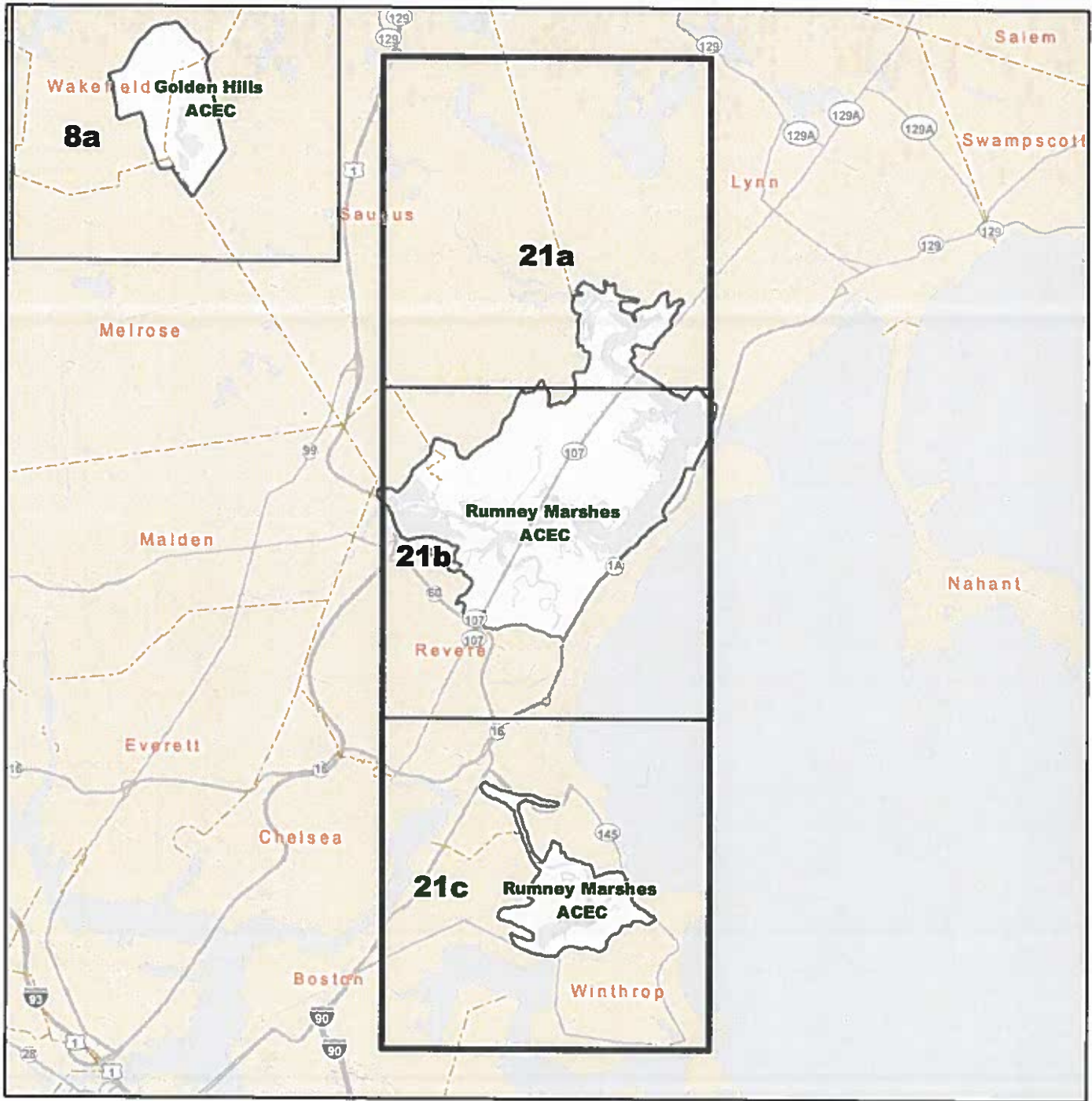
as sewer, sewage, or abatement-paid works, and except for placing or maintaining any structure on said lands not authorized in writing by the Mayor of said City; said lands are in that part of Boston formerly Dorchester and are bounded as follows. A parcel of land, more or less, being part of the parcel now known as Payson Avenue, bounded Southeast by Glendale Street six and 25/100 feet, Southwest by another part of said Payson Avenue two hundred fifty feet, Northwest by the parcel six feet, and Northeast by the same, two hundred forty nine feet, containing fourteen hundred ninety seven square feet more or less. The sewerage works to be constructed are as follows: Two hundred fifty linear feet of twelve inch pipe house sewer in the above described premises being part of the parcel now known as Payson Avenue, Northwest from Glendale Street for a distance of about two hundred fifty feet. This Board estimates that no person sustains damages in his estate by the taking for and construction of the sewerage works as aforesaid ordered, and awards no damages therefor. Salem D. Charles Williams, Jr. Street Commissioner. Approved: James T. Fitzgerald, Mayor of Boston, Mayor. November 14, 1906. At three o'clock and thirty five minutes P.M. Registered and Expired. *Wm. J. O'Connell*

The Board of Street Commissioners of the City of Boston November 10, 1906. Ordered, That this Board deeming it necessary do hereby order that the sewerage works hereinafter described be constructed, and do hereby take for said City for its sewerage works the lands, rights and easements hereinafter described. Said lands are shown on a plan marked "City of Boston Plan No. 158 Sewerage Works East Boston Sewer to and from East Boston March 19, 1906, William Jackson City Engineer prepared in the office of the Sewer Department of said City, and said lands, rights and easements, and said works to be constructed, are as follows. The right and easement is to be to pay and maintain sewerage works in the following described lands, reserving to the owners thereof the right to use the lands for any purpose except such as may

Ordered Unknown to City of Boston

**ATTACHMENT TEN**  
**Area of Critical Environmental Concern**  
**Rumney Marshes**





ACEC # **21** **Rumney Marshes ACEC - Index Map**

3 tiles (21a - 21c) ACEC Designated 8/22/88 2,790 Acres

Massachusetts Department of Conservation and Recreation  
 Areas of Critical Environmental Concern (ACEC) Program

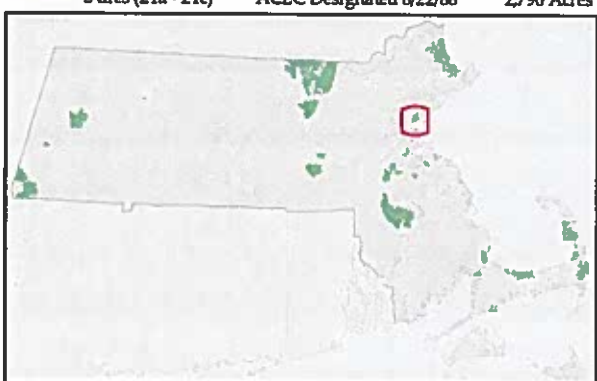
This index map shows the locations of the map tiles that are available as individual sections of 1:24,000 USGS maps. The map number is the ACEC number plus a sequential letter, e.g. "21a". Some smaller ACECs may have only one tile. Determine which tiles you want to view, note their map tile numbers, and open them individually from the ACEC website.

For more information:  
[www.mass.gov/dcr/stewardship/acec](http://www.mass.gov/dcr/stewardship/acec)

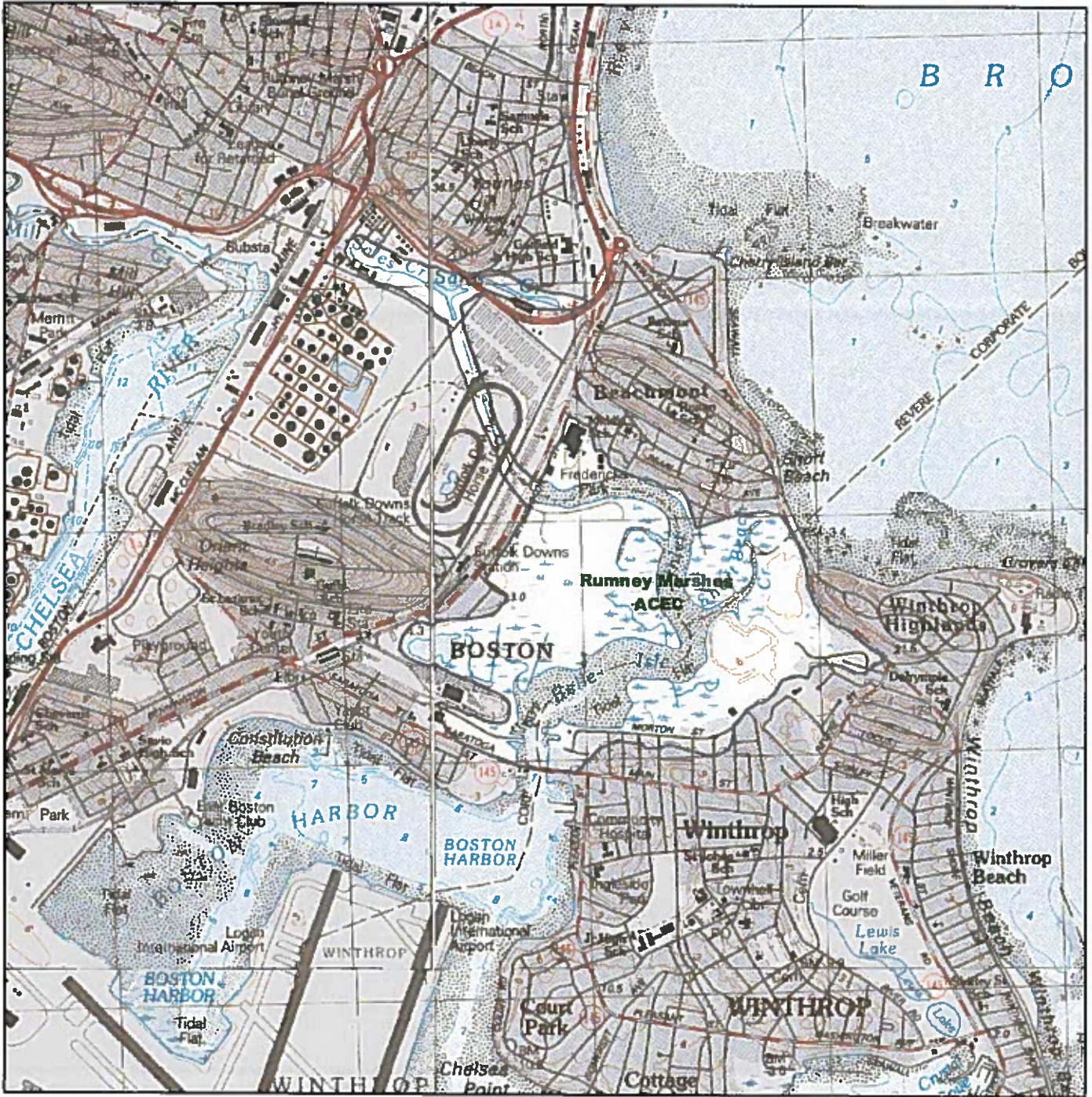
- Town Boundary
- ACEC Map Tiles
- ACECs
- ACEC Boundaries by Type**
- Road/Rail based
- River based
- Wetland based
- Floodplain based
- Tide based
- Contour based
- Political boundary
- Property line based
- Other
- Digital update required



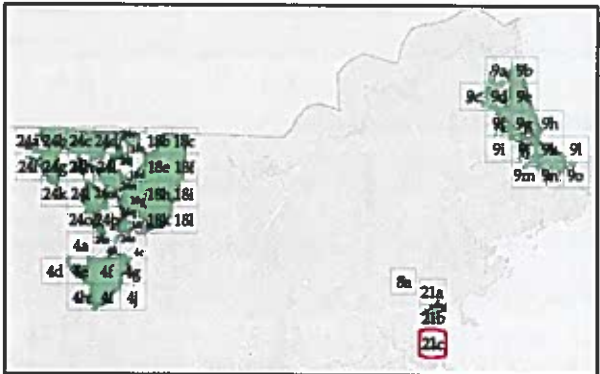
1 inch equals 1.2 miles







Map # **21b** **Rumney Marshes ACEC**  
 Map Tile 2 of 3 ACEC Designated 8/22/88 2,790 Acres



Massachusetts Department of Conservation and Recreation  
 Areas of Critical Environmental Concern (ACEC) Program

This map is intended to be used with the written boundary description contained in the ACEC designation document. The mapped boundary is not to be used by itself for definitive ACEC boundary delineation or regulatory interpretation. For review of site-specific projects within the ACEC boundary, determinations may need to be made in the field or in consultation with ACEC Program Staff.

For more information:

[www.mass.gov/dcr/stewardship/acec](http://www.mass.gov/dcr/stewardship/acec)

ACEC Boundaries by Type

- Road/Rail based
- River based
- Wetland based
- Floodplain based
- Tide based
- Contour based
- Political boundary
- Property line based
- Other

— Digital update required

Areas not within an ACEC are shaded with a gray mask.

dcr  
 Massachusetts



0.25

miles



## **ATTACHMENT ELEVEN**

### **Site Representative Photographs**

**-Bennington Street**

**-Swan Avenue**

**-Palermo Street**

**-Lawn Avenue**

**-Leverett Avenue**

**-Austin Avenue**



