

Receipt



Summary/Receipt

Your submission is complete. Thank you for using DEP's online reporting system. You can select "My eDEP" to see a list of your transactions.

[print receipt](#)

[Exit](#)

DEP Transaction ID: 969281

Date and Time Submitted: 11/3/2017 3:57:17 PM

Other Email :

Form Name: WPA Form 5 - OOC

Conservation Commission: WELLESLEY

Mass DEP File #: 324-0845

Applicant Name: BRIAN DEVELLIS

Signed by: Richard Howell

Ancillary Document Uploaded/Mailed

Worcester St_900_DRAFT_OOC_Exhibit_A

[My eDEP](#)



TOWN OF WELLESLEY MASSACHUSETTS
WETLANDS PROTECTION COMMITTEE
525 WASHINGTON STREET, WELLESLEY, MASSACHUSETTS 02482-5992

Richard Howell, Chair
Pete Jones, Vice Chair
John Adams, Secretary
Robert Collins
Tobias Stover

Julie Meyer, Wetlands Administrator
jmeyer@wellesleyma.gov
(781) 431-1019 x 2292

Via Certified Mail

November 3, 2017

Brian Devellis
Wellesley Sports Center, LLC
41 North Road, Suite 203
Bedford, MA 01730
718-431-1016

Re: Order of Conditions – MA DEP #324-845 –900 Worcester Street

Dear Mr. Devellis:

Please find enclosed an ORIGINAL signed Order of Conditions for the above referenced project. This document must be recorded at the Norfolk County Registry of Deeds and evidence of the recording must be submitted to the Wellesley Wetlands Protection Committee. Please read the document carefully as there are a number of conditions that must be adhered to before, during and after work on your project.

Pursuant to the discussion at the hearing and the attached Order, **this Order of Conditions must be recorded at the Norfolk Registry of Deeds prior to any work.**

If you need to make any changes from the approved plan, even if they are small, please contact me in advance for approval.

When work is **complete**, you **must file for a Certificate of Compliance**. If you have any questions, please feel free to contact our office.

Thank you,

Julie Meyer, Wetlands Administrator
Wellesley Wetlands Protection Committee
Town of Wellesley



Massachusetts Department of Environmental Protection

eDEP Transaction Copy

Here is the file you requested for your records.

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

Username: **WELLESLEYNRC**

Transaction ID: **969281**

Document: **WPA Form 5 - OOC**

Size of File: **146.87K**

Status of Transaction: **Submitted**

Date and Time Created: **11/3/2017:4:48:44 PM**

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



A. General Information

1. Conservation Commission WELLESLEY

2. Issuance a. OOC b. Amended OOC

3. Applicant Details

a. First Name	BRIAN	b. Last Name	DEVELLIS
c. Organization	WELLESLEY SPORTS CENTER, LLC		
d. Mailing Address	41 NORTH ROAD, SUITE 203		
e. City/Town	BEDFORD	f. State	MA
		g. Zip Code	01730

4. Property Owner

a. First Name		b. Last Name	
c. Organization	TOWN OF WELLESLEY		
d. Mailing Address	900 WORCESTER STREET		
e. City/Town	WELLESLEY	f. State	MA
		g. Zip Code	02482

5. Project Location

a. Street Address	900 WORCESTER STREET		
b. City/Town	WELLESLEY	c. Zip Code	02482
d. Assessors Map/Plat#	192	e. Parcel/Lot#	10
f. Latitude	42.30435N	g. Longitude	71.31838W

6. Property recorded at the Registry of Deed for:

a. County	b. Certificate	c. Book	d. Page
NORFOLK		32719	343

7. Dates

a. Date NOI Filed : 4/24/2017 b. Date Public Hearing Closed: 10/17/2017 c. Date Of Issuance: 11/3/2017

8. Final Approved Plans and Other Documents

a. Plan Title: **b. Plan Prepared by:** **c. Plan Signed/Stamped by:** **d. Revised Final Date:** **e. Scale:**
 SEE EXHIBIT A

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act

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

Check all that apply:

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

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



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 5 - Order of Conditions

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

Provided by MassDEP:
MassDEP File #:324-0845
eDEP Transaction #:969281
City/Town:WELLESLEY

Approved subject to:

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

Denied because:

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

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

Inland Resource Area Impacts:(For Approvals Only):				
Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	_____ a. linear feet	_____ b. linear feet	_____ c. linear feet	_____ d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
6. <input type="checkbox"/> Land under Waterbodies and Waterways	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
	_____ e. c/y dredged	_____ f. c/y dredged		
7. <input checked="" type="checkbox"/> Bordering Land Subject to Flooding	96425 _____	94425 _____		
Cubic Feet Flood Storage	52650 _____	30234 _____	56700 _____	37632 _____
	_____ e. cubic feet	_____ f. cubic feet	_____ g. cubic feet	_____ h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	_____ a. square feet	_____ b. square feet		
Cubic Feet Flood Storage	_____ c. cubic feet	_____ d. cubic feet	_____ e. cubic feet	_____ f. cubic feet
9. <input checked="" type="checkbox"/> Riverfront Area	2800 _____	2800 _____		



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 5 - Order of Conditions

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

Provided by MassDEP:
 MassDEP File #:324-0845
 eDEP Transaction #:969281
 City/Town:WELLESLEY

	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	<u>2800</u>	<u>2800</u>	<u> </u>	<u> </u>
	g. square feet	h. square feet	i. square feet	j. square feet

Coastal Resource Area Impacts:

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

22. Restoration/Enhancement (For Approvals Only)



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 5 - Order of Conditions

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

Provided by MassDEP:
MassDEP File #:324-0845
eDEP Transaction #:969281
City/Town:WELLESLEY

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

_____ a. square feet of BVW

_____ b. square feet of Salt Marsh

23.

Streams Crossing(s)

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

_____ a. number of new stream crossings

_____ b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects

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

" Massachusetts Department of Environmental Protection"



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 5 - Order of Conditions

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

Provided by MassDEP:
MassDEP File #:324-0845
eDEP Transaction #:969281
City/Town:WELLESLEY

[or 'MassDEP']

File Number : "324-0845"

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

NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS

19. The work associated with this Order(the "Project") is (1) is not (2) subject to the Massachusetts Stormwater Standards. If the work is subject to Stormwater Standards, then the project is subject to the following conditions;
 - a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Construction General Permit as required by Stormwater Standard 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
 - b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that: *i.* all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures; *ii.* as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized; *iii.* any illicit discharges to the stormwater management system have been removed, as per



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 5 - Order of Conditions

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

Provided by MassDEP:
MassDEP File #:324-0845
eDEP Transaction #:969281
City/Town:WELLESLEY

the requirements of Stormwater Standard 10; *iv.* all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition; *v.* any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

- c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 19(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following: *i.*) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and *ii.*) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.
- d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Multi-Sector General Permit.
- e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 19(f) through 19(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 19(f) through 19(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.
- f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.
- g) The responsible party shall:
 - 1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 - 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 - 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as



**Massachusetts Department of Environmental
Protection**

Bureau of Resource Protection - Wetlands

WPA Form 5 - Order of Conditions

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

Provided by MassDEP:
MassDEP File #:324-0845
eDEP Transaction #:969281
City/Town:WELLESLEY

defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.

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

Special Conditions:

SEE EXHIBIT A



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 5 - Order of Conditions

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

Provided by MassDEP:
MassDEP File #:324-0845
eDEP Transaction #:969281
City/Town:WELLESLEY

D. Findings Under Municipal Wetlands Bylaw or Ordinance

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

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

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

1. Municipal Ordinance or Bylaw _____

2. Citation _____

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

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

1. Municipal Ordinance or Bylaw ARTICLE 44

2. Citation _____

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

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



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 5 - Order of Conditions

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

Provided by MassDEP:
MassDEP File #:324-0845
eDEP Transaction #:969281
City/Town:WELLESLEY

E. Signatures

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

11/3/2017
1. Date of Original Order

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

5
2. Number of Signers

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

Signatures:

Toby Stover

Richard Howell

Robert Collins

Pete Jones

John Adams

by hand delivery on

by certified mail, return receipt requested, on

Date

Date

F. Appeals

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

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

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act



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
 & Town of Wellesley Wetlands Protection Bylaw Article 44

Provided by MassDEP:
324-0845
 MassDEP File #
969281
 eDEP Transaction #
Wellesley
 City/Town

E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.
 Please indicate the number of members who will sign this form.
 This Order must be signed by a majority of the Conservation Commission.

11/3/17
 1. Date of Issuance
5
 2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy must be mailed, hand delivered or filed electronically at the same time with the appropriate MassDEP Regional Office.

Signatures:

 _____	 _____
Richard Howell	Robert Collins
 _____	 _____
Peter Jones	Tobias Stover
 _____	
John Adams	

by hand delivery on

by certified mail, return receipt requested, on

Date

Date 11/3/17

F. Appeals

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

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

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



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 5 - Order of Conditions

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

Provided by MassDEP:
MassDEP File #:324-0845
eDEP Transaction #:969281
City/Town:WELLESLEY

Signature of Applicant

Rev. 4/1/2010

ORDER OF CONDITIONS

MA DEP # 324-0845

***Applicant: Wellesley Sports Center, LLC
Worcester Street Sports Complex***

900 Worcester Street

EXHIBIT A

Project:

Redevelopment of 900 Worcester Street (Route 9), the former home of St. James Church, as a 101,356 sf multi-use sports complex with off-street parking and infrastructure for the Town of Wellesley. The 7.85 acre site is presently partially developed and will be managed by Wellesley Sports Center, LLC of Bedford, Massachusetts. Facility requirements were determined through establishment of a Committee and through public outreach.

The 200' x 400' foot building is set with a first floor elevation of 137.10-feet and is ADA accessible. The site will contain 354 parking spaces, 2 ice rinks, swimming pool, track, and sports field. Accessory spaces include viewing area and locker, workout, therapy, and conferencing rooms. Circulation will be from Route 9; one entry shall reuse the existing entrance and the secondary entry will be on the east side of the lot. The rear of the building is the location of the mechanical area, concrete dumpster pad with an enclosed fence, and a 20' wide grass paver fire lane.

The southwest quadrant of the building is located within Bordering Land Subject to Flooding (BLSF), as well as in the buffer zone to an Isolated Wetland that is jurisdictional under the Wellesley Wetland Protection Bylaw.

The proposed westerly parking lot also lies within the BLSF and buffer zone to the ILSF.

A fire lane, constructed of stabilized turf, will pass both through the Isolated Wetland as well as the 100' Buffer Zone. The displaced wetland area will be replicated in the same general area, adjacent to the southwest corner of the building. A planting plan for the Replication Area will contain hummocks and hollows to maximize biodiversity within the new Wetland.

Municipal water will be used for ice rinks and the ice melt from Zamboni operations will be desalinated, contain no refrigerant, and shall be disposed via Town sewer lines.

Wetland Resource Areas Associated with the Site:

- Bordering Land Subject to Flooding (Boulder Brook, FEMA Flood Zone A)
- Isolated Land Subject to Flooding (Bylaw only)
- Isolated Vegetated Wetland (IVW) (Bylaw only)
 - 25' No-Disturbance Zone (Bylaw only)
 - Buffer Zone (Bylaw only)
- Riverfront Area
- Offsite: Boulder Brook, a Perennial Stream with associated Riverfront Area, Banks, and Land Under Water.
- Off Site: Bordering Vegetated Wetland
- Water Supply Protection District

ORDER OF CONDITIONS

MA DEP # 324-0845

***Applicant: Wellesley Sports Center, LLC
Worcester Street Sports Complex***

900 Worcester Street

EXHIBIT A

Applicant:

Wellesley Sports Center, LLC
41 North Road, Suite 203
Bedford, MA 01730

Representative:

Philip Cordeiro, P.E.
Branch Manager
Allen & Major Associates, Inc.
10 Main Street
Lakeville, MA 02347
(508) 923-1010

Mail to:

Laurence D. Shind, Esq.
Kertzman & Weil, LLP
40 Grove Street
Wellesley, MA 02482
(781) 237-8701

Property Owner:

Town of Wellesley
900 Worcester Street
Wellesley, MA 02481

Date of Issuance: November 3, 2017

Documents of Record:

Notice of Intent and supporting documents, prepared by Allen & Major Associates, Inc., date issued 4/19/17, received by the Natural Resources Commission on 4/20/17.

Plans

“Site Development Plans for Wellesley Sports Center,” drafted by Allen & Major Associates, Inc., stamped and signed by Paul G. Matos, issued for Notice of Intent 4/18/17, received 4/20/17:

Plan; Sheet 1; dated April 18, 2017; revised July 21, 2017; revised September, 07, 2017; revised October 3, 2017; prepared by Allen & Major Associates, Inc.; scale 1”=30’; stamped received by the Natural Resources Commission Office on October 4, 2017.

Plan; Sheet 2; dated April 18, 2017; prepared by Allen & Major Associates, Inc.; scale 1”=30’; stamped received by the Natural Resources Commission Office on 4/20/17.

Plan; Sheet 3; dated April 18, 2017; prepared by Allen & Major Associates, Inc.; scale 1”=30’; stamped received by the Natural Resources Commission Office on 4/20/17.

ORDER OF CONDITIONS

MA DEP # 324-0845

Applicant: Wellesley Sports Center, LLC
Worcester Street Sports Complex

900 Worcester Street

EXHIBIT A

“Abbreviations and Notes,” Plan Sheets ABB-I-ABB-2, issued 4/18/17, prepared by Allen & Major Associates, Inc.; stamped and signed by Philip L. Cordeiro, RPE No. 47083; not to scale.

“Grading & Drainage Plan,” Sheets C1 and C2; prepared by Allen & Major Associates, Inc.; stamped and signed by Philip L. Cordeiro, RPE No. 47083; scale 1”=30’; dated April 18, 2017; revised July 21, 2017; revised September 7, 2017; revised October 3, 2017; stamped received by the Natural Resources Commission Office on September 14, 2017 and October 4, 2017.

“Landscape Plan,” Sheets C-4 through C-6; C-4 Landscape Plan (Plan and Notes), C-5 Landscape (Planting Details), C-6 Landscape Plan (Plant Schedule and Notes), C-9 Landscape Plan (Buffer Zone Mitigation Statistics); prepared by Allen & Major Associates, Inc.; stamped and signed by Philip L. Cordeiro, RPE No. 47083; dated April 18, 2017; revised July 21, 2017; revised September 7, 2017, received by the Natural Resources Commission Office on September 14, 2017.
(add 7 and 8).

“Details,” Sheets D-1 and D-2; prepared by Allen & Major Associates, Inc.; stamped and signed by Philip L. Cordeiro, RPE No. 47083; dated April 18, 2017; revised July 21, 2017; revised September 7, 2017; revised October 3, 2017; stamped received by the Natural Resources Commission Office on on September 14, 2017 and October 4, 2017.

“Fig-1 Groundwater Flow Map,” Scales various. Unstamped. Checked by PLC, revision date 9/7/17, received by stamped received by the Natural Resources Commission Office on on September 14, 2017. (integrate these)

Profiles

- **“Profile,” Sheet No. 2 through 3**; prepared by Allen & Major Associates, Inc.; scale 1”=30’; stamped and signed by Philip L. Cordeiro, RPE No. 47083; scale 1”=30’; dated April 18, 2017; revised July 21, 2017; revised September 7, 2017; revised October 3, 2017; stamped received by the Natural Resources Commission Office on October 4, 2017.
- **"C2329-01 - Flood Storage Graphics,"** title of electronic file; **"C2329-01 - Support Cross Sections"**, internal title; profiles and plan views of 2-year, 10-year, 25-year, and 100-year storm flood elevations under porous asphalt, wetland, and retain-it chambers.

Peer Reviews

- **Comments for 900 Worcester Street Landscaping Plan**; email correspondence; by Cricket Vlass; to WPC Administrator Julie Meyer and DPW Tree Warden Mike Quinn; dated August 17, 2017.
- **Stormwater Peer Review Reports**, Prepared by Robert A. Gemma, PE, of MetroWest Engineering, Inc, dated 6/16/2017, 8/01/2017, 9/27/2017 and 10/05/2017.

ORDER OF CONDITIONS

MA DEP # 324-0845

Applicant: Wellesley Sports Center, LLC
Worcester Street Sports Complex

900 Worcester Street

EXHIBIT A

Responses to Peer Reviews

- **Response to Peer Review Comments**; dated July 20, 2017; revised October 3, 2017; prepared by Philip Cordeiro of Allen & Major Associates, Inc.; stamped received by the Natural Resources Commission Office on October 3, 2017.
- **"2017-09-13 Response to WPC and Landscape Review Comments,"** electronic transmittal file title; internal title: "Response to Landscape Review Comments and 2nd revision of plan drawings," 5 page narrative, signed and stamped by Philip L. Cordeiro, PE #47083.

Supplemental Reports

- **Geotechnical Engineering Report**; dated June 21, 2017; prepared by McArdele Gannon Associates, Inc. for PDA Associates, Inc.; received by the Natural Resources Commission Office on July 26, 2017.
Wildlife Habitat Assessment; dated July 12, 2017; prepared by P. Chase Bernier, CWB, of BSC Group.
Operation and Maintenance Report; dated July 2017; prepared by Allen & Major Associates, Inc.; stamped received by the Natural Resources Commission Office on July 26, 2017.
- **"C2329-01 - Revision 2 Drainage,"** electronic transmittal file name, internal title "Routing Diagram for 2329-01 - Existing-BLSF," dated 9/7/17; prepared by Allen & Major Associates, Inc.; stamped received by the Natural Resources Commission Office on 9/14/17. (drainage calculations)
- **Calculation Sheet**; dated July 21, 2017; revised October 3, 2017; prepared by Allen & Major Associates, Inc.; stamped received by the Natural Resources Commission Office on October 3, 2017.

Administrative Briefings

- **Notes** briefing WPC from 900 Worcester Meeting; attended by Philip Cordeiro, Allen & Major Associates, Larry Shind, and Wetlands Administrator, Julie Meyer; dated March 22, 2017.
- **900 Worcester Street Wetlands Protection Committee Briefing**; finalized by Robert Howell on June 30, 2017; reviewed by Robert Gemma on June 28, 2017; edited by Julie Meyer on June 29, 2017; dated July 6, 2017.
- **900 Worcester Street Office Updates**; email correspondence to the Wellesley Wetlands Protection Committee from Wetlands Administrator; dated July 14, 2017.

ZBA Memos

- **900 Worcester Street Sports Center Memorandum**; re Zoning Board of Appeals Site Plan Approval and Special Permit for Major Construction; sent to Lenore Mahoney,

ORDER OF CONDITIONS

MA DEP # 324-0845

***Applicant: Wellesley Sports Center, LLC
Worcester Street Sports Complex***

900 Worcester Street

EXHIBIT A

Zoning Board of Appeals; from Julie Meyer, Wetlands Administrator on behalf of WPC; dated August 1, 2017.

- **900 Worcester Street Sports Center Memorandum**; Zoning Board of Appeals Site Plan Approval; sent to Lenore Mahoney, Zoning Board of Appeals; from Julie Meyer, Wetlands Administrator; dated October 5, 2017.
- **Memo to Michael Zehner, Planning Director**, re: PSI-17-01, by George Saraceno, Town of Wellesley DPW Senior Town Engineer on 5/18/2017 and received by WPC on 6/27/17.
- MEMO SPR 900 Worcester Street Sports Complete Project GJS 10172017.

Misc.

- **Email from abutter to Planning Board and NRC**, author Barry Copplesone, authored and received on 6/9/17.
- **Certification of Participation** of an Adjudicatory Hearing, dated 10/5/2017, from John F. Adams, Jr. missed a single hearing on 7/31/17 and on 7/31/17 examined all the evidence and testimony received via an official audio recording (via speaker phone at meeting).
- **Meeting notes: 10/2: 900 Worcester Street peer review with DPW Engineers.**

Definitions:

Buffer Zone: A regulated wetland area under the Massachusetts Wetlands Protection Act and is located within 100-feet of an area specified in 310 CMR 10.02(1)(a). The area is a resource area under the Wellesley Wetlands Protection Bylaws.

Diameter at Breast Height (DBH): The diameter at a height of four and one-half (4.5) feet above the existing grade at the base of the tree.

Growing Season: One growing season is defined as the portion of the year when soil temperature (measured at 20 inches below the surface) is above biological zero (5°C or 41°F). The approximate dates for one growing season in Wellesley are April 30 through October 7.

Resource Area: Any area designated within the Massachusetts Wetlands Protection Act and/or the Wellesley Wetlands Protection Bylaws.

ORDER OF CONDITIONS

MA DEP # 324-0845

***Applicant: Wellesley Sports Center, LLC
Worcester Street Sports Complex***

900 Worcester Street

EXHIBIT A

Findings:

Existing Conditions:

The site consists of approximately $7.8 \pm$ acres of partially developed pavement and undeveloped woody, grassy, and landscaped areas. Currently no buildings are on the property. The site is the historical location of St. James Church. The northerly $\frac{2}{3}$ of the site features both the former St. James parking lot, and formerly landscaped areas associated with the church. The rear portion of the site is woodland and has not formerly been improved.

Location: The site is positioned between about 125 to about 167 feet above sea level within the Charles River Watershed. Boulder Brook is across Worcester Street which borders the site to the north. Wayne Office Park is the abutting property to the east. Bayview Road is at the top of a steep slope to the south at an elevation of about 160+ feet. A residential neighborhood consisting of 6 homes, 4 along Dale Street, lies to the west at an elevation of approximately 130 feet.

Topography: The northerly $\frac{2}{3}$ of the property is quite flat, with an elevation change of only about 5-feet, from elevation 135-feet at the northeast corner to elevation 130-feet along the westerly border. The site slopes and drains to an isolated wetland, a bowl or bathtub-like feature, located just to the south of the existing parking lot. South of the isolated wetland, the topography rises steeply to the southerly border, with an elevation change of over 40-feet, from 130-feet to 176-feet.

Habitat: Cultural grassland with landscaped trees to the northeast and southwest corners of the property. Northern successional forest to the south containing numerous snags (~16), ranging from 4-18 dbh, 15-40' high. Tree cavities (~7), large fallen branches are present in the woody area, which supports nut, fruit, and leaf and nectar-providing trees. Evidence of white-tailed deer, chipmunk, and bird species tolerant of urban development were observed during site visits from WPC and consultants.

Disturbance: The Buffer Zone and Resource Areas on site have been heavily degraded by additions of impervious pavement, urban fill and trash, and invasives. Vines such as porcelain berry and English ivy are covering trees in the woody portions. Fill, sand, trash, and other dumping is present within the southern wooded edge of the parking lot. There is an existing dry well on the east side of site.

Drainage: The site presently drains into an on-site isolated wetland with no outlet. Site drainage is thus self-contained. The site presently has the capacity to retain approximately 90,000 cubic feet of water between the isolated wetland and flat topographic areas.

ORDER OF CONDITIONS

MA DEP # 324-0845

***Applicant: Wellesley Sports Center, LLC
Worcester Street Sports Complex***

900 Worcester Street

EXHIBIT A

Soil and groundwater conditions: Soils on site are sands, sandy loams and loamy sands, with the sandier soils located on the easterly portion of the site and the loamy soils located on the westerly portion. High groundwater levels are persistent across the site, with groundwater varying from elevation 127-feet to 128-feet. Groundwater depths below the existing surface vary from between 2 and 3-feet.

Impervious Area: The site presently has about 3.27-acres of asphalt, impervious surfaces.

Proposed Conditions:

Summary: Complete site demolition and complete redevelopment of the former St. James Church site for commercial/industrial use. Components include a 101,356 sf sports complex with off-street parking, a building housing 2 ice rinks, a swimming pool, a “turf” field (true?), and accessory rooms and bleachers.

Topography: Overall, the site elevation will be raised approximately 2-feet to accommodate infiltration materials such as the gravel base under parking field and infiltration and floodwater chambers, and to develop positive drainage.

Habitat: Invasive species will be removed during construction and managed post-construction. New habitat will be created by allowing the native seedbank in the IVW and Buffer Zone to germinate, through additional shrub and tree plantings in the woodlands, and on the landscape islands and rain gardens.

Disturbance: Overall, impervious surface will increase from 3.27 acres to 5.44 acres, from 37% to 60% of the total site. The IVW will decrease in storage capacity to 41,000 cf.

Drainage: Site drainage has been designed to meet MA MS4 General Permit Regulations effective July 1, 2017 as well as MADEP Stormwater Management Standards. The project has been determined to be partial redevelopment and partial new development, with approximately 42% of the project being redevelopment and the remainder new development.

Site drainage is handled in three ways. Stormwater from the roof of the building is directed to a subsurface infiltration system located under the parking lot to the east of the building. This system is designed in full compliance with MassDEP Stormwater standards, Stormwater from the northerly and easterly parking lots are directed to deep sump catch basins and to either rain gardens or StormCeptors for treatment, then to subsurface storage chambers and ultimately to the Isolated Wetland. This system also fully complies with MADEP Stormwater Standards. The westerly parking will be constructed of porous asphalt. This system complies with MADEP Stormwater Standards to the maximum extent practicable, due to inability to fully meet the groundwater offset requirements.

ORDER OF CONDITIONS

MA DEP # 324-0845

***Applicant: Wellesley Sports Center, LLC
Worcester Street Sports Complex***

900 Worcester Street

EXHIBIT A

Available stormwater storage volume in the isolated wetland and subsurface storage chambers will be reduced from 90,000 CF, pre-development to 41,000 CF post-development, and maximum water levels in the isolated wetland will rise in the post-development condition by approximately 1-foot over the pre-development condition. Re-grading the berm on the northwest side of the isolated wetland will allow for the increase in water levels without a release of stormwater off site, although peak water levels will approach the top of the berm.

The stormwater management system shall protect water quality and groundwater, and reduce erosion and sedimentation into the IVW to the south. The drainage system will also contain all stormwater on-site not worsen offsite flooding conditions. Low-Impact Development (LID) techniques include the porous pavement parking area as well as two rain gardens.

Bordering Land Subject to Flooding: Construction of the building and parking lot will displace approximately 30,000 cubic feet (CF) of Bordering Land Subject to Flooding associated with Boulder Brook. The lost storage occurs between elevations 128.5-feet and 130.5. The project will compensate for this loss with open chambers constructed under the parking lot to the west of the building. The 366 concrete chambers will provide a cumulative storage volume of 37,632 CF, and equal or exceed the displaced storage volume on a foot per foot elevation basis.

The chambers allow Boulder Brook flood water to enter the chambers by means of three 12-inch culverts, with open-air inlets along Dale Street, with an inlet elevation of 129.5-feet. While this system conceptually satisfies the requirements for BLSF, the design conflicts with the proposed grading of the parking lot, as the three conduits are higher than the proposed parking lot elevation. This conflict must be corrected with revised plans. The plans as presently drafted cannot be built.

Wildlife Habitat:

The project will fill approximately 400 sf of the IVW to provide fire access around the rear of the building. 2,400 sf of replication will be provided as well as the management of invasive species and the planting of additional native shrubs. Some shading into the IVW and Buffer Zone will occur from the corner of the 30' high building. Around the northern edge of the IVW, soil elevations will increase as much as 1'0" as the northeastern slope of the IVW and Buffer Zone will be regraded to accommodate the fire lane, so trees that remain from the increased fill may not survive. Slopes as steep as 2:1 will be created and seeded with an upland and wetland seed mix.

ORDER OF CONDITIONS

MA DEP # 324-0845

***Applicant: Wellesley Sports Center, LLC
Worcester Street Sports Complex***

900 Worcester Street

EXHIBIT A

Wetland Delineation:

A delineation of the wetland resource areas was performed by Steve Ivas of Ivas Environmental and approved under an ORAD on August 21, 2014, MassDEP #324-0755. The Town of Wellesley Wetlands Protection Committee (WPC) finds that the delineation of wetland resource areas is accurate as shown on the NOI plans. Under the Massachusetts Wetlands Protection Act, Buffer Zone is not a resource area but is a regulated wetland area and is located within 100-feet of an area specified in 310 CMR 10.02(1)(a).

NOI under the Wellesley Wetlands Protection Bylaw:

A Notice of Intent under the Wetlands Protection Bylaw (Article 44) has been submitted with this filing for work in the Buffer Zone.

Compliance with Applicable Performance Standards by Resource Area:

General Conclusion:

The WPC has determined that the proposed project can be conditioned to comply with the applicable performance standards of the Massachusetts Wetlands Protection Act and the Wetlands Protection Regulations adopted on October 30, 2003 as revised through August 28, 2008. As such, this Order of Conditions is issued under the Act and the Town of Wellesley Bylaw Regulations that were in effect during the time of submittal of the application, April 18, 2017. The effective date of the most recent bylaw regulations is May 4, 2017.

For the project as approved the applicant shall be required to meet the performance standards for rainfall as articulated in the 24-hour precipitation values from TP-40. Any request for amendments to this order pertaining to stormwater management or Bordering Land Subject to Flooding (BLSF) will be reviewed under the current wetlands bylaw in force.

- Bordering Land Subject to Flooding: Bordering Land Subject to Flooding:
Approximately 94,425 sf of existing BLSF will be impacted by the project, with 30,234 CF of flood volume being displaced. Sub-surface chambers will compensate for the loss by providing 37,632 CF of compensatory storage. The WPC has noted discrepancies and inconsistencies in the plans that must be corrected and addressed prior to construction. The proposed work shall not affect the quality and peak flows of runoff from Boulder Brook.
- Isolated Vegetated Wetland: About 6,395 sf of current wetland will be unchanged as a result of the development. The Isolated Vegetated Wetland will not be reduced more than 10% in size or volume.
- Buffer Zone (Bylaw) -- 25' No Disturbance Zone: Work in the 25' No Disturbance Zone "shall not be permitted" but project proponents may seek a waiver from this regulation when "no practicable alternative exists." The Wetlands Protection Committee grants a

ORDER OF CONDITIONS

MA DEP # 324-0845

***Applicant: Wellesley Sports Center, LLC
Worcester Street Sports Complex***

900 Worcester Street

EXHIBIT A

waiver to work in the 25' No Disturbance Zone for purposes of the construction of a retaining wall and the corner of the proposed building slab and footing to support the wall. Other work will include the addition of porous pavers, piping, removal, pruning and planting of vegetation, and adding a sign. No other work shall occur in the 25' No Disturbance Zone. The limit of work will be shown on site with erosion control silt fence and straw wattles.

- Buffer Zone (Bylaw) -- 75' Limited Disturbance Zone: Work in the 75' Limited Disturbance Zone must meet a not “more likely than not to harm or eventually harm” jurisdictional Bylaw resource area performance standard. The WPC finds that the proposed work fulfills this performance standard for work in the Limited Disturbance Zone with the conditions set forth within this Order of Conditions, the project will not yield any long term negative impact to the buffer and its ability to serve the interests of the Act and Bylaw Regulations.
- Riverfront Area: Riverfront Area: The northeast corner of the site, approximately 2,800± sf, lies just within 200 feet of the banks of Boulder Brook, located on the northerly (opposite) side of Worcester Street (Rt. 9). The area is characterized by pavement, graded areas, and neglected grasslands. The applicant has shown that this project meets the criteria of new development within the Riverfront Area and is therefore subject to the performance standards of 310 CMR 10.58(4). The project complies with the applicable standards as:
 - a. The project complies with the applicable performance standards for all other applicable resource areas protected by the Act;
 - b. No work is proposed within specified habitat sites for rare vertebrate and/or invertebrate species. Additionally, the project will have no adverse impact on vernal pool habitat;
 - c. No other practicable or substantially equivalent economic alternative to the proposed project with less adverse effects on the interests of the Act appears to exist;
 - d. The project will have no significant adverse impact on the Riverfront Area’s ability to serve and protect the interests of the Act as:
 - less than 10% of the Riverfront Area of the site is proposed for alteration;
 - the project meets all MA DEP Stormwater Management Standards;
 - the capacity of the Riverfront Area to provide important wildlife habitat functions will not be impaired;
 - the project will not impair surface or groundwater quality via the incorporation of erosion and sediment controls.

ORDER OF CONDITIONS

MA DEP # 324-0845

***Applicant: Wellesley Sports Center, LLC
Worcester Street Sports Complex***

900 Worcester Street

EXHIBIT A

- Lands within 200 feet of Perennial Streams or Rivers (Bylaw): As the project has shown compliance with the new development standards for work proposed within the Riverfront Area as defined by the Act, the WPC has determined that the project complies with the performance standards of this resource area under the Bylaw. 2,800 square feet will be altered, and an alternatives analysis has been performed. The lot was created prior to August 1, 1996.

The WPC finds that the overall project will maintain the ability of the buffer zone and wetland resource areas to serve and protect the interests of the Act and the Bylaw, as well as, enhance the health and function of resource areas and buffer zones.

The applicant must meet the WPA performance standards for floodplain protection, including preserving and maintaining the water table, water recharge, and existing floodwater storage capacity. The WPC finds that the proposed project mitigation measures can be conditioned to protect the interests of the Wetlands Protection Act and the Wellesley Wetlands Protection Bylaw. As such, in addition to the General Conditions of the Order, the project must comply with the following General and Special Conditions:

GENERAL:

1. Except where modified by the following Conditions, all work shall be performed in accordance with the plans and the Notice of Intent referenced above. Where a conflict exists between the referenced plans and these Conditions, the Conditions will govern.
2. The WPC reserves the right to enter upon the premises to inspect the work for compliance with the Order of Conditions.
3. If the applicant intends to make any change in the work permitted hereunder, the applicant must submit a written request to the WPC with plans or a description that reflects the proposed changes. Upon review of said request, the WPC may require the applicant to submit a request for an Amendment to the Order of Conditions. No changes may be made before said written request is presented to the WPC and approval thereof is given in writing by the WPC. Changes needing approval include, but are not limited to additional landscaped areas, changes in elevation of structures, elimination or reduction in flood compensation chambers, roof infiltration chambers, drainage storage chambers, porous pavement, alteration of vegetation, alteration of approved construction sequence, regrading, and all other alterations within resource areas and buffer zones, and/or stormwater management systems.

ORDER OF CONDITIONS

MA DEP # 324-0845

***Applicant: Wellesley Sports Center, LLC
Worcester Street Sports Complex***

900 Worcester Street

EXHIBIT A

4. If any change is made, or plans altered or revised without prior approval of the WPC, additional conditions and/or enforcement actions may be imposed to protect the interests of the Wetlands Protection Act and the Wellesley Wetlands Protection Bylaw.
5. The WPC reserves the right to amend this Order of Conditions after a legally advertised public hearing if plans or circumstances are changed or if new conditions or information so warrant.
6. The term “applicant” as used in this Order of Conditions shall refer to the owner, any successor in interest or successor in control of the property referenced in the Notice of Intent, supporting documentation and this Order. The WPC shall be notified in writing within 30 days of all transfers of title of any portion of the property that take place prior to the issuance of the Certificate of Compliance.
7. The applicant shall, in accordance with 310 CMR 10.05(4)(e), obtain all permits, variances and approvals required by the Bylaws of the Town of Wellesley.
8. It is the responsibility of the applicant to complete any review required by all agencies with jurisdiction over the activity that is the subject of this Order of Conditions, and to procure all required permits or approvals before any work commences. These reviews, permits and approvals may include but are not limited to the following:
 - a) Review by the U.S. Army Corps of Engineers for any Category 2 or Individual Permit activity and procurement of any permits or approvals identified by the Corps;
 - b) Review by the Department of Environmental Protection (DEP) and procurement of any permits or approvals identified by DEP;
 - c) Review by the Massachusetts NHESP for any projects within estimated and/or priority habitat and any permits or approvals identified by the program; and
 - d) Review by the local planning boards, boards of health, zoning boards and building inspectors and procurement of any permits or approvals required by these boards or agencies.

PRECONSTRUCTION:

9. Before construction shall begin, the applicant shall **provide site cross-sections to scale** (ie. horizontal scale 1” = 10’, vertical scale 1” = 1’), show areas both existing and proposed, on a

ORDER OF CONDITIONS

MA DEP # 324-0845

**Applicant: Wellesley Sports Center, LLC
Worcester Street Sports Complex**

900 Worcester Street

EXHIBIT A

foot-by-foot basis that are displaced with fill or structures within the floodplain, in support of values provided in the latest calculations for the the flood storage chambers provided to the Committee and to the peer reviewer on October 3, 2017. The cross-sections should be taken at intervals not to exceed 25-feet and should clearly identify the existing and proposed grade, the flood hazard elevation, and provide the cut and fill elevations relative to the flood elevation.

10. At a period no less than a month prior to construction, the applicant's engineer shall provide details of the impervious **liner** that shall separate the drainage chambers from the flood storage chambers to the DPW and to WPC. This shall include location and materials, as well as installation details. The applicant shall come before the WPC with this detail and request a plan revision to include the information.
11. Prior to construction, the applicant's engineer shall submit to the DPW and to WPC revised plans that **resolve the conflict between the finish grading of the porous parking lot and the three inlet pipes** to the flood storage chambers. The WPC reserves the right to request its peer review consultant to review and comment on the proposed solution. Any resolution shall fully comply with the Performance Standards listed in 310 CMR 10.57 (4) (a).
12. Prior to construction, the applicant shall **submit to the WPC the final set** of Construction Plans along with a letter that identifies any changes between the permit set referenced in this order and the Construction Plans. The WPC reserves the right to require a new hearing if substantial plan changes have been made.
13. Plan details for the porous pavement shall be corrected to **specify a consistent bottom elevation for the entire pavement field**, not one that slopes in parallel with the finish grades. Plans shall be revised and submitted to the WPC and DPW to require construction of a uniform bottom of the stone reservoir at elevation 127.60-feet, or as agreed to in consultation with the WPC Peer review consultant. The porous pavement details should also **specify the location, elevation and discharge point for any sub-drains placed under the porous pavement**. The flowline, or invert of any such subdrains shall be no lower than elevation 129.0-feet so as to allow the required storage depth for the 100-year storm.
14. Revised plans shall be provided prior to construction for the main project entrance drive to **eliminate ponding of stormwater and/or the discharge of stormwater onto Worcester Street**, unless a valid permit is obtained from MassDOT. The WPC reserves the right to request its peer review consultant to review and comment on the revision.

ORDER OF CONDITIONS

MA DEP # 324-0845

***Applicant: Wellesley Sports Center, LLC
Worcester Street Sports Complex***

900 Worcester Street

EXHIBIT A

15. Applicant shall provide, before construction, details on the cross-drain pipes: diameter, slope, material, and inverts, that serve to connect floodwater from Boulder Brook to the underground tanks under the parking lot area.
16. Applicant shall provide, before construction, revised grading details, limits of work, and nearby inlets along Dale Street.
17. Revised plans shall include an overflow pipe from the Retain-it system to the replication area for the purposes of ensuring recharge of the new wetland.
18. Revised plans shall include a catchment area plan.
19. A peer reviewer shall be engaged by the WPC to review any plan changes from the approved plans, and advise the WPC and its Administrator. Reviews communicated to the Wetlands Administrator shall take place on a 3-week cycle starting immediately and retained for the duration of construction. The exact scope of work and budget shall be worked out between the applicant, the WPC, and the reviewer and shall be paid via escrow. If the ZBZ is reviewing the same plan as the WPC, a peer review engineer's services can be shared.
20. Erosion controls shall be installed at the site in accordance with the plans approved by this Order and/or per the direction of the WPC or its Administrator. Silt fencing or socks shall be entrenched 4-inches into the ground and double-staked. Erosion controls shall be installed in all stormwater catch basins located adjacent to the site that may receive stormwater runoff from the site in accordance with the plans approved by this Order and/or per the direction of the WPC or its Administrator. Usually silt sacks (not filter fabric) installed and properly maintained shall meet this latter requirement.
21. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words: "MA DEP Project 324-0845." This sign shall not be affixed to any living tree.
22. The applicant shall preserve and protect all sizeable trees with a DBH of 10" or greater within wetland resource areas during the demolition and/or construction phases of this project, as identified on the Landscape Plan. If a Tree Protection Plan is required under the Tree Protection Bylaw that includes trees in wetland resource areas, the applicant shall submit a copy of the Tree Protection Plan to the WPC. For all sizeable trees within wetland resource areas that are not protected under the Tree Protection Plan, the applicant shall include a tree protection plan that meets the standards of the WPC which are as follows:
 - The applicant shall install temporary construction fences around all of the trees with a DBH of ten (10) inches or greater and which are **within the limit of work**

ORDER OF CONDITIONS

MA DEP # 324-0845

***Applicant: Wellesley Sports Center, LLC
Worcester Street Sports Complex***

900 Worcester Street

EXHIBIT A

boundaries. The fences shall be placed as far out from the trunks of the trees as possible to protect the root systems, allowing at least 18 inches of space from the trunk for each inch of trunk diameter if practicable. For example, if a tree's diameter is 10 inches, then the fence should have a radius of 15 feet. The fence shall be kept clear of building materials, waste and excess soil. No digging, trenching or other soil disturbance shall be allowed in the fenced area.

23. After erosion controls and the MassDEP sign have been installed and trees have been protected, prior to the start of construction the applicant shall request that the WPC and/or its Administrator conduct a site inspection to ensure that all pre-construction conditions have been fulfilled. No work on the project may begin until the WPC or its Administrator so authorizes. Within three (3) days of making such a request, the Committee and/or its Administrator shall conduct the site inspection to ensure the DEP sign has been installed, erosion controls have been properly installed, and all other "Pre-Construction" conditions of this Order have been fulfilled.
24. All "Preconstruction" Conditions of the Order shall be satisfied prior to the start of construction. The WPC may grant a waiver from this Condition if or when a request has been made by the applicant in writing and unique circumstances warrant such a waiver. Other than the minimal work necessary to install the erosion controls, work on the project may not begin until the pre-construction meeting has occurred and the Committee or its Administrator indicate that the "Pre-Construction" conditions of this Order have been adequately met.
25. The applicant shall submit in writing, the names and contact information of the person(s) responsible at all times for compliance with this Order and for maintenance of erosion and sedimentation controls. Appropriate parties would be the contractor, project engineer and/or wetlands specialist, etc.

CONSTRUCTION:

26. A copy of the above referenced plans and this Order of Conditions must be provided to and reviewed with the contractor **prior to the commencement of work** and must be available at all times at the construction site for reference.
27. No work, disturbance, or alteration may occur on the resource area side of the erosion control barrier (which will also serve as a limit of work demarcation) unless permitted under this Order. No heavy equipment may operate beyond the limit of work at any time. No construction materials, stockpiled soil or fill, debris, brush, leaves, or other materials may be placed beyond the limit of work. The only exception to this condition is for work associated with the installation of wetland enhancement/restoration plantings as outlined in submitted plans and for the hand removal of trash and debris. Any stockpile of soil, sand, or similar

ORDER OF CONDITIONS

MA DEP # 324-0845

***Applicant: Wellesley Sports Center, LLC
Worcester Street Sports Complex***

900 Worcester Street

EXHIBIT A

materials within the Buffer Zone during restoration planting must be enclosed within a line of double-staked straw wattles and/or covered by a properly secured tarpaulin.

28. Daily general erosion control inspections are required to be conducted by the general contractor. Comprehensive erosion control inspections are required to be conducted by the general contractor on a weekly basis and after storm events measuring 0.25 inches or greater in a 24-hour period from the start of construction until the site is determined to be stabilized. Any defective or damaged erosion controls shall be immediately repaired or replaced. A brief monthly report indicating the dates of the weekly and post-precipitation inspections and any remedial actions taken as a result of such inspections shall be submitted to the Committee by the 1st of each month from the start of construction until the site is determined to be stabilized.
29. The applicants must keep at least 50 feet of extra silt fence and erosion control socks on site, with sufficient quantity of stakes in case there is a need for immediate repair of erosion controls or if sediment is found to be leaving the site at any location.
30. Silt sacks, if required for the project, shall be emptied at least once every two weeks and whenever silt and debris have collected to a level that is affecting the functionality of the silt sack and/or catch basins. Silt sacks shall be maintained in good working order and must be repaired or replaced when damaged.
31. The applicants must remove all silt caught by erosion control socks and siltation fencing at least once every two weeks and whenever the silt collects to a height greater than 1/2 the height of the barrier in any location. The applicant must immediately report to the WPC any sediment that goes beyond the erosion control line. The applicant must take whatever steps are necessary to prevent further damage to the resource area, and must then submit to the WPC a plan for remediation and/or restoration.
32. If dewatering is necessary, the applicant must submit a plan to the WPC identifying how dewatering will be accomplished, where water will be discharged and what measures will be used to protect adjacent resource areas. **No dewatering is allowed until the WPC or its Administrator has reviewed and approved said dewatering plan.** No dewatering may proceed until the WPC or its Administrator has inspected and approved the installation of the dewatering controls.
33. There shall be no stockpiling of soil, sand or similar unconsolidated material within 100 feet of the Isolated Vegetated Wetland unless otherwise authorized by these Conditions, by the Wetlands Protection WPC, or its Administrator. Any stockpile of soil, sand, or similar materials that is permitted within a buffer zone or resource area must be enclosed within a

ORDER OF CONDITIONS

MA DEP # 324-0845

***Applicant: Wellesley Sports Center, LLC
Worcester Street Sports Complex***

900 Worcester Street

EXHIBIT A

line of entrenched and staked erosion control socks or silt fence. In the event that all earthwork ceases for more than 30 days, all exposed soils must be stabilized with a temporary vegetative cover, straw mulch, or other method of erosion control accepted by the WPC.

34. Upon installation and prior to being buried, the project engineer or site manager shall inspect the stormwater management systems for compliance with this Order and the approved plans. The engineer shall submit a signed and stamped statement to the WPC noting that the system has been installed per plan and/or noting any deviations from the plans. If the project engineer does not inspect the stormwater systems prior to being buried, excavation of the system may be required to expose it for inspection.
35. No fueling or maintenance of vehicles shall be allowed within the Buffer Zone to the Isolated Vegetated Wetland or where leakage could enter the resource area unless otherwise authorized by the Conditions, the WPC or its Administrator.
36. No construction materials, stockpiled soil or fill, logs, slash, debris, brush, leaves or other materials shall be deposited within the resource areas or down-gradient of the limit of work except as specifically allowed by this Order.
37. Demolition materials and construction debris shall be removed from the site and be disposed of properly. Excavated materials not used for backfill shall be removed from the site and be disposed of properly. Upon completion of the project, all excess materials, including but not limited to soil, cut vegetation, and other landscape debris, generated from work associated with this project shall be removed from the site and be disposed of properly.
38. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, solid waste, or debris, including but not limited to lumber, asphalt, bricks, concrete, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
39. In accordance with the Erosion Control Plan sheet C-0, a temporary stabilized construction entrance shall be installed to limit the tracking of site materials onto Worcester Street and shall be the only one that is used. The entrance shall be replaced or maintained as needed to ensure its performance. At the end of each workday, the applicant or contractor shall mechanically or manually sweep any deposited sediments from the adjacent street. The details within the Operations and Maintenance Plan for maintaining it shall be followed.
40. All trees proposed to be removed as part of the project shall be removed carefully to avoid damaging the trees and other vegetation that are proposed to remain or the erosion control

ORDER OF CONDITIONS

MA DEP # 324-0845

***Applicant: Wellesley Sports Center, LLC
Worcester Street Sports Complex***

900 Worcester Street

EXHIBIT A

barrier at the limit of work.

41. Following the completion of construction and grading, all exposed soils within the resource area(s) and buffer zones must be stabilized with a permanent vegetative cover. Bark mulch or wood mulch will not be considered to provide a permanent stabilization on slopes with a gradient steeper than 3:1.
42. The proposed 2,400± square foot Wetland Replication Area shall be constructed in accordance with the NOI and approved Site Plan under the direct supervision of an approved wetland specialist who shall be a professional with experience in wetland replication, wetland hydrology and a working knowledge of botany. After the Wetland Replication Area and its associated side slopes have been graded and the appropriate substrate/top soil applied and graded, all woody materials to be planted shall be marked prior to planting with either an aluminum tag or short segment of flagging to allow for counting during annual monitoring. The consultant shall be retained to supervise and monitor construction of the wetland replication areas for a two-year period and provide reports to the WPC.
43. No plants listed on the latest Massachusetts Department of Agricultural Resources Prohibited Plant List may be brought onto or planted anywhere on the property as per Plant List at: <http://www.mass.gov/eea/agencies/agr/farm-products/plants/massachusetts-prohibited-plant-list.html>.
44. The WPC reserves the right to impose additional conditions on portions of this project to mitigate any impacts which could result from site erosion, or any noticeable degradation of surface water quality discharging from the site.

POST-CONSTRUCTION

45. Upon completion of construction and final soil stabilization, the Applicant shall submit the following to the WPC to request a Certificate of Compliance (COC):
 - A completed Request for Certificate of Compliance – WPA Form 8A;
 - An **as-built plan** showing all structures, grading and plantings, **signed and stamped** by a Professional Engineer, Registered Land Surveyor or Registered Landscape Architect; and
 - A letter **signed and stamped** by a Professional Engineer, Registered Land Surveyor or Registered Landscape Architect **certifying** either that all work has been completed “strictly in compliance” with the Order of Conditions or that all work has been completed “substantially in compliance” with the Order. If said letter certifies that the work has been completed “substantially in compliance”, then the letter must describe in detail any deviations from the Plans as approved

ORDER OF CONDITIONS

MA DEP # 324-0845

***Applicant: Wellesley Sports Center, LLC
Worcester Street Sports Complex***

900 Worcester Street

EXHIBIT A

by the WPC and their potential effect on the project and the wetland resource areas. A “substantially in compliance” letter without the detailing of deviations shall be found unacceptable by the WPC and will cause a Request for a Certificate of Compliance to be denied.

46. A baseline wetlands assessment reports on the quality and quantity of wildlife and plants shall be performed and submitted by a peer reviewer who represents the WPC, starting with a baseline evaluation and continued seasonally. The WPC shall require two (2) full growing seasons to determine that new plantings within the IVW, Buffer Zone, and Wetland Replication Area have successfully established and that existing plants have survived demolition, filling, and related construction activities. The WPC will not consider issuing a “Complete” Certificate of Compliance until two full seasons have elapsed. During this 2-year period, the applicant/property owner shall submit a report from a qualified wetlands consultant, chosen by the Committee, describing the quality and condition of the IVW, Buffer Zone, and the Wetland Replication Area, including the substrate, hydrology, and vegetation. Observations shall be made a) following installation (a baseline) b) near the end of each growing season and c) a final report on the status of the plantings as part of the Request for a Certificate of Compliance if this takes place after more than two growing seasons have elapsed. The report should include photographs and a narrative describing current conditions. Recommendations shall include any proposed remedial steps to be taken by the applicant following Committee review and approval if any one or more of the wetland resource areas (IVW, Buffer Zone, and Wetland Replication Area) do not meet the following standard for success: The WPC shall consider “successful establishment” of the plantings to mean that at least 75% of each class of plantings have survived, are in good health, and that the planting is free of invasive species. “Significant failure” shall be considered to be 25% failure of plantings and/or the colonization of the planting area by invasive species. Plantings that have “failed” are those that have died, are in poor health, or otherwise have failed to successfully establish. Replanting shall be required in case of significant failure for both new and existing plants.
47. Upon completion of the project, excess material including but not limited to soil, cut vegetation or other landscape debris generated from work associated with this project shall either be reused on site in areas that are outside of buffer zones and resource areas or be removed from the site and disposed of in a legal fashion.
48. With the approval of the WPC or its Administrator, erosion controls may be removed from the site when the surface is permanently stabilized. These must be removed before the issuance of a Certificate of Compliance.
49. Should new wetland resource areas be created as part of a mitigation plan for this project,

ORDER OF CONDITIONS

MA DEP # 324-0845

***Applicant: Wellesley Sports Center, LLC
Worcester Street Sports Complex***

900 Worcester Street

EXHIBIT A

such areas shall hereafter be subject to the Massachusetts Wetlands Protection Act (M.G.L. Ch. 131§ 40) and the current Wellesley Wetlands Protection Bylaw. This condition is ongoing and does not expire with the Order of Conditions or the issuance of a Certificate of Compliance.

50. There shall be no sedimentation into wetlands or water bodies from discharge pipes or surface runoff leaving the site.
51. Water chemistry entering IVW from parking lot infiltration shall be analyzed on a quarterly basis. Sampling location shall be near the discharge site into the IVW. A Proposed Baseline and Quarterly Surface Water Sampling Plan shall be submitted by a third-party consultant representing the WPC and paid for by the applicant via escrow account. The review period shall last not shorter than three years, starting quarterly with at least one time per year after a major storm, and with subsequent frequency to be determined by the WPC. Precise sampling locations shall be specified by the consultant. Field parameters shall include temperature, pH, dissolved oxygen (DO), turbidity, conductivity, lab parameters should be: dissolved salts, total dissolved solids, ORP, TP, TN, PAHs, heavy metals, BOD, alkalinity, hardness, nitrate, sodium and fecal coliform.
52. Spring sample period shall test for dissolved salts. If the analysis suggests that the IVW is experiencing a decrease in water quality as a result of the impact of the site, the applicant shall take corrective measures and present these plans to the WPC to review and monitor the results of these corrections.
53. A new wetland delineation shall be performed if the applicant should wish to submit an Amendment to the Order of Conditions.
54. There should be monthly vacuuming of the porous pavement portion of the parking area and seasonal vacuuming of the remainder of the lot in order to ensure long-term performance of the porous pavement. Sediment and fines shall be removed from the surface before it can migrate into the subsurface sand and stone layers. This maintenance shall be performed with a vacuum truck and logs of the work shall be submitted to DPW and to WPC at the end of each calendar year.
55. The trees on the site that are to be saved require a site visit by the DPW landscape consultant before, during, and after construction and shall be arranged in coordination with the WPC. A report of the condition of the trees to be saved shall be submitted by the DPW landscape consultant after a site inspection.

ORDER OF CONDITIONS

MA DEP # 324-0845

***Applicant: Wellesley Sports Center, LLC
Worcester Street Sports Complex***

900 Worcester Street

EXHIBIT A

CONDITIONS IN PERPETUITY

56. Wetlands and/or wetland buffer zones located on this property are subject to the Massachusetts Wetlands Protection Act (MGL Ch. 131, s. 40) and/or the Wellesley Wetlands Protection Bylaw. Any work within a wetland resource area or adjacent buffer zones that might fill, excavate, or otherwise alter that area, requires approval from the WPC, in accordance with the Act and the Bylaw. This Condition is ongoing and does not expire with the expiration of the Order of Conditions or the issuance of a Certificate of Compliance.
57. There shall be no dumping of lawn clippings, leaves, brush, logs, other yard or site waste, or other deleterious materials in the Wetland Resource Areas or within the Buffer Zone outside of the limit of pavement. This condition shall survive the issuance of a Certificate of Compliance for this project.
58. Fertilization of lawn and landscaped areas is a significant source of excess nutrient loading in downstream water bodies. No fertilization of any wetland resource area is allowed. Only organic fertilizers, such as leaf mulch, may be used on lawn and landscaped areas. This Condition is ongoing and does not expire with the expiration of the Order of Conditions or the issuance of a Certificate of Compliance.
59. No synthetic pesticides or herbicides may be applied within any wetland resource area including any Riverfront Area or within a wetland buffer zone. This Condition is ongoing and does not expire with the expiration of the Order of Conditions or the issuance of a Certificate of Compliance.
60. Only calcium-based deicing chemicals may be used on surfaces where runoff or drainage will discharge into wetland resource areas in a salt mix not to exceed 40% salt or 1 ton/acre on the entirety of the site. This Condition is ongoing and does not expire with the expiration of the Order of Conditions or the issuance of a Certificate of Compliance.
61. No sand shall be applied to porous pavement areas.
62. Porous pavement areas shall be identified by signage to discourage abuse/misuse.
63. Any salt stockpile area must be outside of the 100' Buffer Zone and be contained so as to prevent any contamination into the IVW. This site must be communicated to the WPC and approved before any stockpiling may occur.
64. Stormwater infiltration devices must be maintained per manufacturer specifications. This Condition is ongoing and does not expire with the expiration of the Order of Conditions or

ORDER OF CONDITIONS

MA DEP # 324-0845

***Applicant: Wellesley Sports Center, LLC
Worcester Street Sports Complex***

900 Worcester Street

EXHIBIT A

the issuance of a Certificate of Compliance.

65. The applicant is committed to maintaining the resource area as covered in the guidelines for invasives management, which shall be in perpetuity.
66. Snow removal must be specified in a Snow Management Plan to be submitted to the WPC and DPW. Currently allowed practices include plowing at the time of snowfall, the use of melters, and trucking excess snow off-site. Snow must not be disposed of in the Isolated Wetland or rain gardens, nor left to melt over the porous pavement. The use of anti-icing treatments pre-storm and deicing chemicals during and post-storm should be reviewed during the first season of use with the WPC and DPW and practices approved. All ingredients should be supplied to WPC and DPW for review and approval before use and when changes of product take place.
67. The on-site drainage systems, including pervious pavement and rain gardens, must be regularly serviced as required in the Operations and Maintenance Report (5.2 - Stormwater Management System Maintenance). The property owner is responsible for implementation of the plan and shall provide revised or supplements to the plan along with yearly maintenance logs to the DPW and to WPC at the end of each calendar year for review and approval. For changes to the approved plan submitted 7/20/17 and received 7/26/17, the property owner shall request from the WPC Administrative Approval, Minor Plan Change, or an Amendment to the Order of Conditions as the Committee deems necessary.