DEP File No: SE 69-505

City/Town: **Seekonk**
Applicant: **Frederick Dobras**

Form 5

Commonwealth of Massachusetts

ORDER OF CONDITIONS

Seekonk General Wetland Protection By-Laws

From **SEEKONK CONSERVATION COMMISSION** Issuing Authority.

To **Seekonk Mfg. Co., c/o Frederick Dobras**
(Name of person making request)

Frederick P. Dobras
(Name of property owner)

Address **87 Perrin Avenue, Seekonk, MA 02771**

Address Same

This Order is issued and delivered as follows:

_____ by hand delivery to applicant or representative making request on _____(date)

X by certified mail, return receipt requested on **11/05/02** (date)

This project is located at **87 Perrin Avenue, Seekonk, MA, Plat 31, Lots 469 & 472**

The property is recorded at the Registry of Deeds, Bristol County North.
Book _____ Page_____ Certificate (if registered) N/A

The Notice of Intent for this project was filed on **October 16, 2002** (date)

The public hearing was closed on **11/04/02** (date)

Findings

The Seekonk Conservation Commission has reviewed the above-referenced Notice of Intent and plans and has held a public hearing on the project. Based on the information available to the Conservation Commission at this time, the Conservation Commission has determined that the area on which the proposed work is to be done is significant to the following interests in accordance with the Presumptions of Significance set forth in the regulations for each Area Subject to Protection Under the Act (check as appropriate):

X Public water supply
X Private water supply
X Ground water supply

X Flood control
X Storm damage prevention
X Prevention of pollution

_ Land containing shellfish
_ Fisheries
X Protect. of Wildlife Habitat

General Conditions

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, by-laws 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 Massachusetts Wetlands Protection 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 and both that date and the special circumstances warranting the extended time period are set forth in this Order.

5. This Order may be extended by the issuing authority for one or more periods of **up to one year** each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.

6. Any fill used in connection with this project shall be clean fill, containing 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. No work shall be undertaken until any appeal proceedings have been completed.

8. **No work shall be undertaken until the Final Order has been recorded** in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Seekonk Conservation Commission on the form at the end of this Order prior to the commencement of the work.

9. Upon completion of the work described herein, the applicant shall forthwith request in writing that a Certificate of Compliance be issued stating that the work has been satisfactorily completed.

10. The work shall conform to the following plans and special conditions:

Plans: Seekonk Manufacturing

11. Any change to the plans identified in Condition #10 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.

12. The Agent or members of the Conservation Commission 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 for that evaluation.

13. 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.

14. Prior to the commencement of any work on the site:

a. The applicant shall inform the Seekonk Conservation Commission in writing of the name, address, business and home telephone number of the project supervisor who will be responsible for insuring on-site compliance with this Order.

b. The Seekonk Conservation Commission shall be notified of the date upon which construction activities on the site will commence at least 2 business days before work begins by letter or telephone (508) 336-2944.

c. The border of the resource areas on the site shall be clearly marked in the field by stakes or flags placed at 25 foot intervals. A continuous barrier shall be established between the work area and the designated Resource Areas, including those areas of proposed replication. The barrier shall consist of a hay/straw bale dike or acceptable alternative as specified on the approved plans.

15. The Seekonk Conservation Commission may, at their discretion, require an as-built plan, signed and stamped by a professional engineer or land surveyor registered in the Commonwealth of Massachusetts further to General Condition #11.

16. Failure to comply with General Condition #8, shall be deemed cause to revoke these Orders of Condition. As an alternative, the Commission may record this Order in the Registry and charge the applicant the cost of recording.

17. The limit of work shall be as shown on plan presented and approved at the meeting.

Issued by **Seekonk Conservation Commission**

Signatures _____ _____

_____ _____

_____ _____

_____ _____

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

On this 4th day of November 2002, before me personally appeared Richard C. Wallace to me known to be the person described in, and who executed, the foregoing instrument, and acknowledged that he/she executed the same as his/her free act and deed.

_____ **January 9, 2008**

(Notary Public/Justice of the Peace) Wahlene T. Siconio (My Commission Expires)

The applicant, the owner, and any person aggrieved by this Order, which the proposed work is to be done of the city or town in which such land is located, are hereby notified of their right to appeal this Order by filing an appeal in Superior Court and with the Town Clerk of Seekonk within 60 days of this decision.

Detach on dotted line and submit to the Seekonk Conservation Commission prior to commencement of work.

.....

To **Seekonk Conservation Commission** Issuing Authority.

Please be advised that the Order of Conditions for the project a **87 Perrin Avenue, Plat 31, Lots 469 & 472.** File Number **SE 69-508** has been recorded at the Registry of Deeds, Bristol County, North, and has been noted in the chain of title of the affected property in accordance with General Condition 8 on _____ 20__ .

If recorded land, the instrument number which identifies this transaction is ___.

If registered land, the document number which identifies this transaction is ___.

Signature_____ Applicant.