



State and local

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

DEP File Number:

69-507

Provided by DEP

**A. General Information**

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



From:

SEEKONK

Conservation Commission

This issuance is for (check one):

Order of Conditions

Amended Order of Conditions

To: Applicant:

Kevin Soares

Name

60 Sweeney Rd.

Mailing Address

Seekonk

City/Town

MA

State

02771

Zip Code

Property Owner (if different from applicant):

H. Charles Tapalian

Name

P. O. Box 6684

Mailing Address

Providence

City/Town

RI

State

02940

Zip Code

1. Project Location:

Richard Circle

Street Address

26

Assessors Map/Plat Number

Seekonk

City/Town

115

Parcel/Lot Number

2. Property recorded at the Registry of Deeds for:

Bristol

County

3170

Book

39-44

Page

N/A

Certificate (if registered land)

3. Dates:

10/16/02

Date Notice of Intent Filed

10/28/02

Date Public Hearing Closed

10/29/02

Date of Issuance

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

Site development & Sewage disposal system plan

Title

10/12/02

Date

5. Final Plans and Documents Signed and Stamped by:

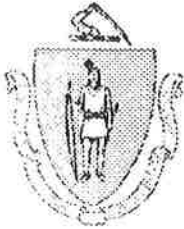
Nicole Letendre

Name

6. Total Fee:

\$250.00

(from Appendix B: Wetland Fee Transmittal Form)



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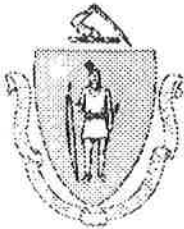
Provided by DEP

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**B. Findings (cont.)**

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

**"Massachusetts Department of Environmental Protection" [or, "MA DEP"]**  
**"File Number 69-507 "**
10. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before DEP.
11. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
12. The work shall conform to the plans and special conditions referenced in this order.
13. Any change to the plans identified in Condition #12 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
14. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.



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**B. Findings (cont.)**

Additional conditions relating to municipal ordinance or bylaw:

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

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

Date October 29, 2005

This Order must be signed by a majority of the Conservation Commission. The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office (see Appendix A) and the property owner (if different from applicant).

Signatures:

Richard C. Walker                      R. L. Hill  
Warren Leach  
Christopher Clegg

On 29th Day of October 2002 Month and Year

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.

Wahlene T. Siconio  
 Notary Public - Wahlene T. Siconio

January 9, 2008  
 My Commission Expires

This Order is issued to the applicant as follows:

- by hand delivery on                       by certified mail, return receipt requested, on

Date \_\_\_\_\_ Date October 29, 2002



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**D. Recording Information (cont.)**

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

To:

SEEKONK  
 Conservation Commission

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

Richard Circle  
 Project Location

SE 69-507  
 DEP File Number

Has been recorded at the Registry of Deeds of:

Bristol  
 County

Book

Page

for:

H. Charles Tapalian  
 Property Owner

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

Book

Page

In accordance with the Order of Conditions issued on:

Date

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

Instrument Number

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

Document Number

Signature of Applicant

## 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 Seckonk 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:

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.

