

File Anita

69-38

FORM 4

ORDER OF CONDITIONS

WETLANDS PROTECTION ACT

G.L. C. 131, s. 40

CITY/TOWN Seekonk, Mass. FILE NUMBER 69-38

BOARD: NAME Board of Selectmen ADDRESS 100 Peck Street
Seekonk, Mass.

CERTIFIED MAIL NUMBER None

PROJECT LOCATION: Rear of Fall River Avenue
Address

Recorded at Registry of Bristol County North Book 1288, Page 320

Certificate (if registered) None

REGARDING: Notice of Intent dated August 14, 1978

and plans titled and dated Sanitary Landfill, Fall River Ave., 6/28/78

THIS ORDER IS ISSUED ON (date) September 5, 1978

Pursuant to the authority of G.L. c. 131, s. 40, the Seekonk Conservation Commission has reviewed your Notice of Intent and plans identified above, and has determined that the area on which the proposed work is to be done is significant to one or more of the interests listed in G.L. c. 131, s. 40. The Commission hereby orders that the following conditions are necessary to protect said interests and all work shall be performed in strict accordance with them and with the Notice of Intent and plans identified above except where such plans are modified by said conditions.

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. This 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 and/or regulations.
4. The work authorized hereunder shall be completed within one (1) year from the date of this order unless it is for a maintenance dredging project subject to Section 5(9). The order may be extended by the issuing authority for one or more additional one-year periods upon application to the said issuing authority at least thirty (30) days prior to the expiration date of the order or its extension.

5. Any fill used in connection with this project shall be clean fill, containing no trash, refuse, rubbish or debris, including, without limiting the generality of the foregoing, lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles or parts of any of the foregoing.
6. No work may be commenced until all appeal periods have elapsed from the order of the Conservation Commission or from a final order by the Department of Environmental Quality Engineering.
7. No work shall be undertaken until the final order, with respect to the proposed project, has been recorded in the Registry of Deeds for the district in which the land is located within the chain of title of the affected property. The Document number indicating such recording shall be submitted on the form at the end of this order to the issuer of this order prior to commencement of work.
8. A sign shall be displayed at the site not less than two square feet or more than three square feet bearing the words, "Massachusetts Department of Environmental Quality Engineering. Number 69-38".
9. Where the Department of Environmental Quality Engineering is requested to make a determination and to issue a superseding order, the Conservation Commission shall be a party to all agency proceedings and hearings before the Department.
10. 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.
11. The work shall conform to the following described plans and additional conditions:
 - A. "Sanitary Landfill, Fall River Ave., Seekonk, Mass. by E. J. Flynn Engineers, Inc. Dated June 28, 1978" together with the stipulation that prior to filling operations in Phase I-A, a shallow ditch or swale must be constructed near the toe of the slope between the dumping site and the low area bordering on land belonging to Edna Martin to carry surface water runoff and prevent possible silting of the wetland.

The applicant, any person aggrieved by this order, any owner of land abutting the land upon which the proposed work is to be done, or any ten residents of the city or town in which such land is located, are hereby notified of their right to appeal this order to the Department of Environmental Quality Engineering provided the request is made in writing and by certified mail to the Department within ten (10) days from the issuance of this order.

Lucas Mayer
Ken R. Lyford
Paul M. [unclear]
Estellmache
Theresa M. Dear
[unclear]

ISSUED BY Seekonk Conservation Commission

On this 5th day of September

1978, before me personally to me

appeared [Signature] known to be the person described in, and who executed, the foregoing instrument and acknowledged that he executed the same as his free act and deed.

[Signature] My Commission expires Feb 7, 1980

DETACH ON DOTTED LINE AND SUBMIT TO THE ISSUER OF THIS ORDER PRIOR TO COMMENCEMENT OF WORK.

TO _____ (Issuing Authority)

PLEASE BE ADVISED THAT THE ORDER OF CONDITIONS FOR THE PROJECT AT Seekonk Ave

FILE NUMBER 69-38, HAS BEEN RECORDED AT THE REGISTRY OF Deeds

ON (DATE) 9/8/78 Book # 1842
Pg. 165
Doc # 14919

If recorded land, the instrument number which identifies this transaction is _____
If registered land, the document number which identifies this transaction is _____

Signed _____ Applicant