

Worcester South District Registry of Deeds Electronically Recorded Document

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Recording Information

Document Number	: 66516
Document Type	: CERT
Recorded Date	: June 24, 2020
Recorded Time	: 11:34:01 AM
Recorded Book and Page	: 62655 / 371
Number of Pages(including cover sheet)	: 7
Receipt Number	: 1237007
Recording Fee	: \$105.00

Worcester South District Registry of Deeds
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Grafton Conservation Commission

GRAFTON MEMORIAL MUNICIPAL CENTER
55 PROVIDENCE ROAD
GRAFTON, MASSACHUSETTS 01519
Phone: (508) 839-8300 ext. 1100 * FAX: (508) 839-4607
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Form 8B: Certificate of Compliance
Grafton Wetlands Protection Bylaw & Regulations

Rev. 5/16
Pg. 1 of 2

Grafton Wetlands Permit #: Project Location:

Assessor's Map #: Lot #:

To: Address:

This Certificate of Compliance is issued for work regulated by a Grafton Wetlands Bylaw
Permit issued by the Grafton Conservation Commission to
dated

Complete Certification: It is hereby certified that the work regulated by the above-referenced Grafton Wetlands Bylaw Permit has been satisfactorily completed.

Partial Certification: It is hereby certified that only the following portions of the work regulated by the above-referenced Grafton Wetlands Bylaw Permit have been satisfactorily completed. The project areas or work that have been completed and are released from this Grafton Wetlands Bylaw Permit are:

Invalid Grafton Wetlands Bylaw Permit: It is hereby certified that the work regulated by the above-referenced Grafton Wetlands Bylaw Permit never commenced. The Permit has lapsed and is therefore no longer valid. No future work subject to regulation under the Bylaw may commence without filing a new application and receiving a new Permit.

Ongoing Conditions: The following conditions of the Permit shall continue:

See attached

The applicant is responsible for ensuring that this Certificate of Compliance is recorded at the Registry of Deeds or the Land Court for the district in which the land is located. After recording, submit a copy of the page containing the registry bar code label to the Conservation Commission office.

The Permit was recorded in: Book: Page:



Grafton Conservation Commission

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30 PROVIDENCE ROAD
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Pg. 2 of 2

Grafton Wetlands Permit #: Project Location:

Issued by: **Grafton Conservation Commission**

Date of Issuance:

The signatures electronically inserted below represent the intent to sign the foregoing document in accordance with MGL Chapter 110G §9 and pursuant to the Commission's electronic signature authorization vote recorded on 6/11/2020 in Book 62574 and Page 216 at the Worcester Registry of Deeds.

Signatures:

Sandra Brock

Patrick Hueyell

Alicia Bergeron

Jonathan Nickerson

A Certificate of Compliance must be signed by a majority of the Conservation Commission.

EXHIBIT 'B'

SPECIAL CONDITIONS

Special Conditions:

1. This document shall be included in all construction contracts, subcontracts, and specifications dealing with the work proposed and shall supersede any conflicting contract requirements. The applicant shall ensure that all contractors, subcontractors and other personnel performing the permitted work are fully aware of the permit's terms and conditions. Thereafter, the contractor will be held jointly liable for any violation of this Order resulting from failure to comply with its conditions.
 2. If any changes are made in the above-described plan(s) which may or will alter an area subject to protection under the Wetlands Protection Act and the Town of Grafton bylaw, or any change(s) in activity subject to regulations under G.L. Ch. 131 §40, or the Town of Grafton local regulations, the applicant shall inquire from this Commission in writing, prior to their implementation in the field, whether the change(s) is significant enough to require the filing of a new Notice of Intent. Any errors in the plans or information submitted by the applicant shall be considered changes and the above procedures shall be followed.
 3. If any changes are made to plans referenced on Exhibit "B" of this Order of Conditions as a result of review/requirements by any other local or state agency, board or commission the applicant shall submit to the Conservation Commission, prior to the start of any work on the subject property, a final set of "Construction Plans", along with a written summary of the proposed changes, and a written request to the Conservation Commission to determine whether the proposed changes will require a new Notice of Intent or an amended Order of Conditions.
 - ⊗ 4. Conditions numbered 18, 19, 23, and 29 shall continue in force beyond the Certificate of Compliance, in perpetuity, and shall be referred to in all future deeds to this property on each Lot affected by the specific conditions(s), or any portion thereof, and in the Homeowner's Association Rules and Regulations, if any. To ensure notification to each owner regarding these perpetual conditions, a letter to be signed by each first owner out acknowledging receipt of a copy of said conditions, shall be submitted to the Grafton Conservation Commission prior to the issuance of a Certificate of Compliance. The Commission will further request the Building Inspector to obtain this signed acknowledgement prior to issuance of Occupancy Permit.
 5. This Order shall pertain to the roadways, utilities within the roadway layout, and associated drainage facilities. Individual dwelling units shall require individual Notices of Intent and Orders of Conditions. Offsite improvements shall require individual Notice(s) of Intent and Order(s) of Conditions. At the time of filing for offsite improvements, cumulative impacts will be reviewed in connection with this project and may require additional review, amendments and/or conditions in connection with this Order.
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the flagging and construction barriers as installed. No equipment is to enter or cross wetland resource areas at any time unless the location of disturbance is marked on the plans referenced in this Order and flagged in the field.

13. Loaming and seeding will occur immediately (within 7 days of final grading), weather permitting, on a house by house and road phase by road phase basis. Barren areas must be stabilized by hydroseeding and tackifier if work on the project is interrupted for more than 30 days, unless the 30 days are in the winter. If this winter condition should occur, the applicant shall request a determination from the Commission as to whether seeding or an alternative measure should be conducted. Seed stock to restore project denuded areas shall emphasize the natural flora and be of proven value to local wildlife.
 14. The Compensatory Storage replication shall be followed as specified in the Buffer Zone/BLSF Restoration Procedure dated May 25, 2005 submitted with the NOI except that the contractor is required to use "New England Conservation/Wildlife Mix" with application rate of 25 lbs/acrc, or as recommended, in place of NE Erosion Control Restoration Mix called for in the plan. The Commission reserves the right to require additional plantings to ensure in-kind replacement of vegetation within two full growing seasons. The preparation and planting of replication area shall be completed in conjunction with, or as soon as is practicable following, alteration of resource area being replaced, but in no event later than 30 days after alteration.
 15. The applicant shall be responsible to repair restore and/or replace any damage caused as a direct result of this project to any jurisdictional resource areas. Sedimentation or erosion into these areas shall be considered damage to wetland resource areas. If sediment reaches these areas the Commission shall be contacted immediately and the applicant shall submit a plan for abatement of the problem and proposed restoration/mitigation measures within ten days for approval by the Commission. The applicant shall implement the measures immediately upon approval.
 16. Equipment for fuel storage and refueling operations shall be located in an upland area greater than 100 feet from the limits of wetland resource areas.
 17. Prior to start of construction, the applicant will post a bond, surety, or other covenant acceptable to the Town of Grafton. The Conservation Commission may request the use of such bond, surety or covenant for the restoration of resource areas until issuance of the Certificate of Compliance and Final Release.
 18. No fertilizers, herbicides or pesticides are allowed outside of dwellings within the buffer zone. In accordance with terms set out by the applicant in the Draft Environmental Impact Report, the use of fertilizers will be limited on each lot within the development. This condition will not expire with the issuance of a Certificate of Compliance. The applicant shall include deed restrictions prohibiting the use of fertilizers, herbicides or pesticides outside of dwellings within the buffer zone and limiting the amount of fertilizer on each house lot, or portion thereof, outside the buffer zone to 27 lb/year or 3 lbs/1,000SF/year, whichever is less, of 10-10-10 fertilizer.
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19. A minimum 25-foot undisturbed buffer area shall be maintained along the upland edge of all resource areas during and after construction except as otherwise indicated on plans referenced herein. This condition does not expire with the issuance of a Certificate of Compliance.
 20. After completion of work, but prior to occupancy of dwelling units within the 100-foot buffer zone, the applicant shall permanently mark the edge of the wetland 25-foot no-disturb areas to ensure no further inadvertent encroachment into the wetland. Signs marking the 25-foot no-disturb buffer will be placed at intervals of not more than 20' apart. Each sign shall be a minimum of 4 inches in diameter and shall be constructed of rugged, weather-resistant material. Each sign shall be mounted on a secure post at a height of one to five feet above ground. Each sign shall be printed with the words: "PROTECTED NO-DISTURB WETLAND BUFFER." These signs are to ensure notification and recognition of and respect for, wetland boundaries. The applicant shall instruct all agents to explain these markers to buyers/lessees, assignees, landscapers, homeowner's association and all persons taking over the property from the applicant.
 21. A pre-construction meeting will take place with all parties involved. The applicant shall contact the Grafton Conservation Commission to schedule this meeting prior to construction.
 22. The NPDES Pollution Prevention Plan will be kept on site at all times. A copy of the NPDES facility permit notification and the SWPP Plan will be submitted to Conservation Commission prior to commencement of work on site.
 23. All areas shown on plans as outside of the "limit of disturbance" are to be left in natural state, except as otherwise permitted herein or in subsequent Order of Conditions issued by the Conservation Commission. This condition does not expire with the issuance of the Certificate of Compliance.
 24. Groundwater recharge shall not be concentrated to one area, but shall be distributed to multiple areas throughout the site. Roof runoff must be recharged on each individual lot except where setbacks for wells and septic systems cannot be met.
 25. Except as noted below, work will be sequenced according to the Phasing Plans and narrative referenced on EXHIBIT "B." At no time will land disturbance in excess of 6.5 cumulative acres be allowed at any given time for the roadway and infrastructure phases. At no time will land disturbance in excess of 5.0 cumulative acres be allowed at any given time for house lot phases. Previously disturbed areas must be stabilized (with either permanent or temporary stabilization measures) prior to disturbance of additional areas. Slopes steeper than 2:1 shall be stabilized with erosion control matting. Slopes greater than 3:1 will be stabilized with tackifier as well as seeding. Phasing sequences must be deemed temporarily or permanently stable, by the Grafton Conservation Commission, prior to stumping and grubbing subsequent phasing sequences.
 26. Temporary sediment trapping devices must not be removed until permanent stabilization is established in all contributory drainage areas. Stabilization must be established prior to converting sediment traps/basins into permanent (post-construction) stormwater management facilities. All facilities used as temporary measures shall be cleaned prior to being put into final operation.
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27. All temporary erosion and sediment control measures shall be removed after final site stabilization and prior to issuance of a Certificate of Compliance. Disturbed soil areas resulting from removal of temporary measures shall be permanently stabilized within 30 days of removal.
28. The applicant shall maintain all stormwater management facilities as described in the Operation and Maintenance Plan until Town accepts roads and drainage. The applicant shall submit annual reports to the Conservation Commission indicating maintenance performed and the contractor that performed the work until the issuance of a final Certificate of Compliance. All maintenance, including street sweeping, shall be performed by the applicant as set out in the Operation and Maintenance Plan until Town accepts roads and drainage.
29. No sodium-based deicing products will be used on roadways or common driveways. This condition will not expire with the issuance of a Certificate of Compliance. Applicant will install signs acceptable to Planning Board standards designating "No-Sodium Area."
30. A Monitoring Plan with action levels for nitrate, dissolved oxygen, phosphorus and temperature of Miscoe Brook is to be submitted to Conservation Commission for approval after 1 year of quarterly baseline testing. The first quarterly samples must be taken prior to commencement of construction. The Monitoring Plan must be submitted within 90 days of completion of first year's quarterly testing. Testing points will be at inlet at barn (adjacent to Adams Road and Highpoint Drive) and at least one other point to be approved by Conservation Commission.
31. Applicant shall notify Conservation Commission at such time that Conservation Restriction or Deed has been submitted to Selectboard for approval according to the terms of the Comprehensive Permit. Prior to the commencement of the construction on Phase III, a signed deed must be submitted to Town deeding open space, OR the Conservation Restriction documentation must be submitted to the Commonwealth of Massachusetts, Department of Conservation and Recreation.
32. No perchlorate blasting agents are to be used onsite or off-site in connection with this project.
33. Detailed construction plans for trails must be submitted to Conservation Commission for written approval prior to construction on any house lots. Construction of trails within Open Space must be completed prior to commencement of Phase III. Construction of balance of trails and placement of signs identifying trails will be placed at trail head and at intersection with roadways and are to be completed prior to or during construction of final phase but prior to the issuance of the Certificate of Compliance.
34. Prior to construction, applicant will submit Overall Project Plan sheet (1 of 25) with wetland flag numbers shown.

ATTEST: WORC. Anthony J. VigRotti, Register

ATTEST: WORC Kathryn A. Toomey, Register