

Middlesex South Registry of Deeds

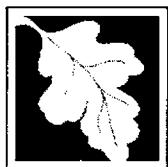
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Recording Information

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Middlesex South Registry of Deeds
Maria C. Curtatone, Register
208 Cambridge Street
Cambridge, MA 02141
617-679-6300
www.middlesexsouthregistry.com



**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
and Town of Boxborough Wetland Bylaw
and the Boxborough Wetland Bylaw

Provided by MassDEP:

113-0577

MassDEP File #

eDEP Transaction #

Boxborough (113)

City/Town

A. General Information

Please note:
this form has
been modified
with added
space to
accommodate
the Registry
of Deeds
Requirements

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



1. From: Boxborough
Conservation Commission

2. This issuance is for
(check one): Order of Conditions Amended Order of Conditions

3. To: Applicant:

Russel
a. First Name Dion
b. Last Name

Campanelli Trigate Boxborough

c. Organization

1 Campanelli Drive

d. Mailing Address

Braintree

e. City/Town

MA

02492

g. Zip Code

4. Property Owner (if different from applicant):

a. First Name b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

5. Project Location:

400 Beaver Brook Road Boxborough

a. Street Address b. City/Town

03 014

c. Assessors Map/Plat Number d. Parcel/Lot Number

Latitude and Longitude, if known: 42d 29m 55.32s -71d 32m 22.56s

d. Latitude e. Longitude



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A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):

Middlesex South

a. County

78084

c. Book

7. Dates: a. Date Notice of Intent Filed Jan. 4, 2023 Jan. 18, 2023
b. Date Public Hearing Closed c. Date of Issuance

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

'SITE DEVELOPMENT PLANS' (10 SHEETS)

a. Plan Title

Kelly Engineering Group

David Kelly, RPE #37942

b. Prepared By

c. Signed and Stamped by

Oct. 17, 2022

1" = 40'

d. Final Revision Date

e. Scale

'PLAN TO ACCOMPANY NOTICE OF INTENT' (1 SHEET)

Dec. 12, 2022

f. Additional Plan or Document Title

g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

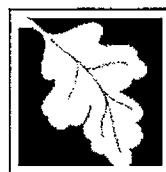
Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act).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

a. <input 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"/> Groundwater Supply	h. <input type="checkbox"/> Storm Damage Prevention	i. <input type="checkbox"/> Flood Control

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

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.



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B. Findings (cont.)

Denied because:

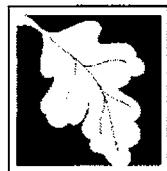
b. the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and 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 Act's interests, 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 310 CMR 10.02(1)(a) a. linear feet

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Restoration	Permitted Restoration
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 type="checkbox"/> Bordering Land Subject to Flooding	a. square feet	b. square feet	c. square feet	d. square feet
Cubic Feet Flood Storage	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	13,761(degraded)	13,761		
Sq ft within 100 ft	a. total sq. feet	b. total sq. feet		
Sq ft between 100-200 ft	c. square feet 13,761 g. square feet	d. square feet 13,761 h. square feet	e. square feet 38,127 i. square feet	f. square feet 38,127 j. square feet



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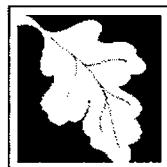
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B. Findings (cont.)

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

	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	a. square feet	b. square feet		
	c. c/y dredged	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	a. square feet	b. square feet	c. cu yd	d. cu yd
14. <input type="checkbox"/> Coastal Dunes	a. square feet	b. square feet	c. cu yd	d. cu yd
15. <input type="checkbox"/> Coastal Banks	a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	a. square feet	b. square feet		
17. <input type="checkbox"/> Salt Marshes	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	a. square feet	b. square feet	c. square feet	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			
	a. c/y dredged	b. c/y dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	a. square feet	b. square feet		
22. <input type="checkbox"/> Riverfront Area	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	g. square feet	h. square feet	i. square feet	j. square feet



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B. Findings (cont.)

* #23. 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 (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

23. Restoration/Enhancement *:

a. square feet of BVW

b. square feet of salt marsh

24. Stream Crossing(s):

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.
 - c. If the work is for a Test Project, this Order of Conditions shall be valid for no more than one year.
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. An Order of Conditions for a Test Project may be extended for one additional year only upon written application by the applicant, subject to the provisions of 310 CMR 10.05(11)(f).
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on _____ unless extended in writing by the Department.
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.



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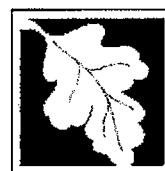
C. General Conditions Under Massachusetts Wetlands Protection Act

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 than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]

"File Number 113-577 "

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 MassDEP.
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.



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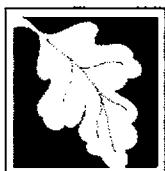
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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

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.
19. The work associated with this Order (the "Project")
 - (1) is subject to the Massachusetts Stormwater Standards
 - (2) is NOT subject to the Massachusetts Stormwater Standards

If the work is subject to the 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 Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 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 the requirements of Stormwater Standard 10;



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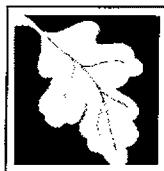
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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- 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 18(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 Pollution 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 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(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.



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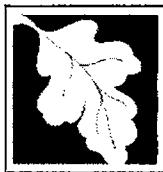
C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- 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 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.
- l) 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 (if you need more space for additional conditions, please attach a text document):

See Additional Conditions #20 – #55 on pages 10A – 10F.

- 20. For Test Projects subject to 310 CMR 10.05(11), the applicant shall also implement the monitoring plan and the restoration plan submitted with the Notice of Intent. If the conservation commission or Department determines that the Test Project threatens the public health, safety or the environment, the applicant shall implement the removal plan submitted with the Notice of Intent or modify the project as directed by the conservation commission or the Department.



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D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? Yes No
2. The Boxborough Conservation Commission hereby finds (check one that applies):

Conservation Commission

- a. that the proposed work 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 of Conditions is issued.

- b. that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

Boxborough Wetland Bylaw

See §3 below

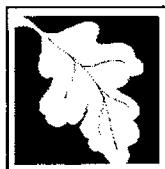
1. Municipal Ordinance or Bylaw

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 (if you need more space for additional conditions, attach a text document):

All Conditions #1 – #55 pertain to both the Massachusetts Wetlands Protection Act and the Boxborough Wetland Bylaw.



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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.

Jan. 18, 2023

1. Date of Issuance

Please indicate the number of members who will sign this form.

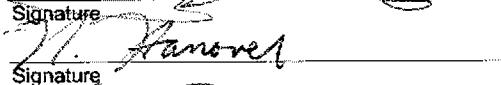
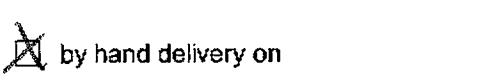
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This Order must be signed by a majority of the Conservation Commission.

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.

Boxborough Conservation Commission

Signature 
 Signature 
 Signature 
 Signature 
 Signature 
 Signature 
 Signature 

Sam Anderson

Printed Name

David Follett

Printed Name

Norm Hanover

Printed Name

Lucy Indge

Printed Name

David Koonce

Printed Name

Liz Markiewicz

Printed Name

Steve Schmitt

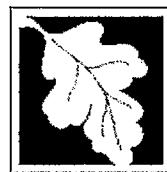
Printed Name

Printed Name

by hand delivery on
 Date Jan. 19 2023

by certified mail, return receipt requested, on

Date



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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 (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
and Town of Boxborough Wetland Bylaw

Provided by MassDEP:

113-0577

MassDEP File #

eDEP Transaction #

Boxborough (113)

City/Town

G. Recording Information

Prior to commencement of work, this Order of Conditions must be 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 subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

Boxborough Conservation Commission

Conservation Commission

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

To:

Boxborough Conservation Commission
Conservation Commission

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

400 Beaver Brook Road
Project Location

113-0577

MassDEP File Number

Has been recorded at the Registry of Deeds of:

Middlesex South
County

Book

Page

for: 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:

January 18, 2023
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



**Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands**

DEP File Number:

**Request for Departmental Action Fee
Transmittal Form**

Provided by DEP

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

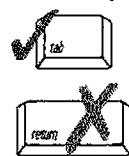
A. Request Information

1. Location of Project

a. Street Address _____ b. City/Town, Zip _____

c. Check number _____ d. Fee amount _____

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



2. Person or party making request (if appropriate, name the citizen group's representative):

Name _____

Mailing Address _____

City/Town _____ State _____ Zip Code _____

Phone Number _____ Fax Number (if applicable) _____

3. Applicant (as shown on Determination of Applicability (Form 2), Order of Resource Area Delineation (Form 4B), Order of Conditions (Form 5), Restoration Order of Conditions (Form 5A), or Notice of Non-Significance (Form 6)):

Name _____

Mailing Address _____

City/Town _____ State _____ Zip Code _____

Phone Number _____ Fax Number (if applicable) _____

4. DEP File Number:

B. Instructions

1. When the Departmental action request is for (check one):

- Superseding Order of Conditions – Fee: \$120.00 (single family house projects) or \$245 (all other projects)
- Superseding Determination of Applicability – Fee: \$120
- Superseding Order of Resource Area Delineation – Fee: \$120

**Massachusetts Department of Environmental Protection**

Bureau of Resource Protection - Wetlands

DEP File Number:

**Request for Departmental Action Fee
Transmittal Form**

Provided by DEP

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

B. Instructions (cont.)

Send this form and check or money order, payable to the *Commonwealth of Massachusetts*, to:

Department of Environmental Protection
Box 4062
Boston, MA 02211

2. On a separate sheet attached to this form, state clearly and concisely the objections to the Determination or Order which is being appealed. To the extent that the Determination or Order is based on a municipal bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.
3. Send a **copy** of this form and a **copy** of the check or money order with the Request for a Superseding Determination or Order by certified mail or hand delivery to the appropriate DEP Regional Office (see <https://www.mass.gov/service-details/massdep-regional-offices-by-community>).
4. 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.

Applicant: Russell Dion dba Campanelli Trigate Boxborough (the “Applicant”)
Project Address: 400 Beaver Brook Road (Map 3/Lot 14; the “Property”)
DEP File #113-0577

Summary: This filing requests Conservation Commission approval for work in 13,761 sf of degraded Riverfront Area (“RA”) to repave an existing parking area pursuant to the provisions of Stormwater Standard 7 (310 CMR 10.05(6)(k)7.) and 310 CMR 10.58(5)(a). Existing site stormwater management will be improved through a reduction of 33,000 sf of impervious surface, including a small reduction in pavement in RA, and enhancement of groundwater recharge. Approximately 38,127 sf of remaining undeveloped RA (nearly triple the area of degraded RA) will be improved/restored through the removal and control of invasive vegetation.

This Order of Conditions (aka this “Order”) is approved pursuant to the provisions of the Massachusetts Wetlands Protection Act, 310 CMR 10.00, and the Town of Boxborough Wetlands Bylaw with its implementing regulations, subject to the following Additional Conditions #20 – #55:

Additional Conditions – General

20. All proposed work shall be performed in accordance with the Notice of Intent filed November 22, 2022 and accompanying plans (the “Plans”): **‘SITE DEVELOPMENT PLANS’ (10 SHEETS)**, **‘PLAN TO ACCOMPANY NOTICE OF INTENT’ (1 SHEET)**, and **‘STORMWATER MANAGEMENT REPORT’**, final revision dates August 18, 2022, December 22, 2022, and July 1, 2022, respectively, prepared by Kelly Engineering Group, signed and stamped by David Noel Kelly (RPE #37942); and **‘Invasive Species Treatment and Monitoring Protocol’**, final revision date December 22, 2022, prepared by EcoTec, Inc., a copy of which is attached hereto as **EXHIBIT A**.
21. The Boxborough Conservation Commission (aka the “Commission”), Building Inspector, consultants acting as agents of the Commission, and the Department of Environmental Protection (“DEP”) reserve the right to enter and inspect the Property at all reasonable times, until the issuance of the Certificate of Compliance, to evaluate compliance with this Order of Conditions, the Wetlands Protection Act, 310 CMR 10.00, and the Town of Boxborough Wetlands Bylaw and its implementing regulations; may obtain any information, measurements, photographs, observations, and/or materials, and/or may require the submittal of any data or information deemed necessary by the Commission for that evaluation. Further, work shall be halted on the project if the Commission, agent or DEP determines that any of the work is not in compliance with this Order; in that case, work shall not resume until the Commission is satisfied that the work will comply and has so notified the Applicant in writing.
22. Prior to the issuance of the Certificate of Compliance, this Order of Conditions shall apply to any successor in control or successor in interest to the Property described in the Notice of Intent and accompanying plans; prior to the issuance of the Certificate of Compliance, this Order shall be referred to in all deeds to succeeding owners in all or any portion of the Property. (Perpetual Conditions shall continue beyond the issuance of the Certificate of Compliance; see Conditions #23 and #48 – #55 below.) The Conservation Commission shall be notified in writing of all pending transfers of title in all or any portion of the Property; the Applicant and all succeeding owners shall submit a draft deed to the Commission for review prior to closing on the transfer.
23. Conditions #48 – #55 below shall continue in force beyond the Certificate of Compliance in perpetuity and shall be referred to in all future deeds to the Property. The Conservation Commission shall be notified in writing of all pending transfers of title in all or any portion of the Property; the Applicant and all succeeding owners shall submit a draft deed to the Agent for review prior to closing on the transfer (see Condition #22 above).

Applicant: Russell Dion dba Campanelli Trigate Boxborough (the "Applicant")
Project Address: 400 Beaver Brook Road (Map 3/Lot 14; the "Property")
DEP File #113-0577

24. Upon completion of this project, the Applicant shall submit the following to the Conservation Commission in order to receive the Certificate of Compliance:

1. DEP WPA Form 8A Request for Certificate of Compliance.
2. a. A written statement from the Applicant certifying that the work has been conducted as shown on the plan(s) and documents referenced above, and as conditioned by the Commission.

 b. A written statement from a registered Professional Engineer of the Commonwealth certifying that the work has been conducted as shown on the plan(s) and documents referenced above, and as conditioned by the Commission.
3. An "As-Built" plan prepared for the public record, signed and stamped by a registered Professional Engineer or Land Surveyor of the Commonwealth. In addition to all new construction, the "As-Built" plan shall show the edge of flagged wetlands, boundaries of the 100-foot Buffer Zone, 100-foot and 200-foot Riverfront Areas, and the limit of permanent clearing.

Design and Pre-Construction Requirements

25. **No work shall commence on this project until the expiration of the 10-day appeal period, no requests for appeals having been filed with the Department of Environmental Protection, and a copy of the first page of the recorded Order of Conditions, bearing the time-stamped Registry of Deeds Book and Page Numbers, has been submitted to the Conservation Commission.**

26. **Prior to the start of any site work (disturbance of soil, cutting of vegetation, etc.), the Applicant's contractor shall contact the Conservation Commission to schedule an on-site meeting to review project plans, construction requirements, work sequence, etc.**

27. **Prior to the start of construction, copies of the NPDES Construction General Permit and associated Stormwater Pollution Prevention Plan (SWPPP) shall be forwarded via e-mail to the Conservation Commission.**

28. If there are any changes to the plans as submitted, the Applicant shall have the responsibility to submit revised plans showing all changes to the Conservation Commission for review. This includes changes required by the Commission and/or other Town and/or State agencies as well as those introduced by the Applicant. After reviewing the revised plans, the Commission will make a determination as to whether the changes require an Amendment to this Order of Conditions or the filing of a new Notice of Intent. No work may start before the Commission has completed its review and notified the Applicant in writing of its determination.

Erosion/Siltation/Sedimentation Controls

29. a. **Before the start of any site work (e.g. earth disturbance, clearing of vegetation, etc., including demolition/removal of existing structures), erosion control barriers and catch basin inlet protection (collectively "ECB"), consisting of staked 12-inch (12") diameter silt socks and silt sacks, respectively, shall be installed in the locations shown on SHEET 7, and SILT SOCK/SILT SACK DETAILS shown on SHEET 9, of the Plans.**

Applicant: Russell Dion dba Campanelli Trigate Boxborough (the “Applicant”)
Project Address: 400 Beaver Brook Road (Map 3/Lot 14; the “Property”)
DEP File #113-0577

b. After installation of ECB in Condition #29a above, but prior to the start of any further site work on the project, the Applicant’s contractor shall notify the Conservation Commission to conduct a site inspection. Work on the project shall be permitted to commence and proceed only with the Commission’s authorization pursuant to the site inspection.

Additional Pre-Construction Requirements

30. The Applicant shall inform the Conservation Commission in writing of the name, mailing address, e-mail address, business and home telephone numbers of the project supervisor who will be responsible for ensuring on-site compliance with this Order of Conditions. The Applicant shall also provide the names and contact information for all contractors and subcontractors.

Construction Management

31. Copies of all Stormwater Reports prepared in accordance with the requirements of the Stormwater Pollution Prevention Plan (the “SWPPP”; see Condition #27 above) shall be forwarded via e-mail to the Conservation Commission upon completion of each report.

32. A complete copy of this Order of Conditions, including its drawings, **Special Conditions**, and any amendments, shall be maintained at the work site whenever work is being performed. The Applicant shall have the responsibility to ensure that all on-site contractors, subcontractors and other personnel are fully aware of the terms and conditions of this Order and that no activity other than that authorized by this Order is permitted in areas under the jurisdiction of the Conservation Commission. A complete copy of this Order and the project plans shall be given to every contractor and subcontractor performing the work defined and described herein.

Limit of Work

33. The Limit of Work shall be the existing edge of pavement. Workers on site shall be informed that except as may otherwise be permitted by this Order of Conditions (e.g. management of invasive vegetation), **no activity** is permitted on the wetland side of the Limit of Work at any time, including, but not limited to, the use of machinery, storage of machinery or materials, stockpiling of soil or construction materials, and littering.

Erosion/Siltation/Sedimentation Controls

34. All erosion/siltation/sedimentation controls (“ECB”) shall be properly placed, secured, and inspected at the close of each workday, and, if possible, before heavy rainstorms. Any accumulation of soils/silt/sediment against ECB shall be removed if the depth reaches six inches (6”). Any barriers that have deteriorated or been damaged by construction accidents shall be immediately replaced or repaired as necessary. Any breakout of sediment due to a failure of ECB caused by an unforeseen heavy rain event, or any other uncontrollable emergency, shall be immediately reported to the Conservation Commission.

35. All ECB shall remain in place and be maintained in proper working order through regular cleaning, repair, and/or replacement, as necessary, during and after construction until all disturbed areas under the jurisdiction of this Order of Conditions have been permanently stabilized, inspected, and approved by the Conservation Commission. All ECB shall be removed prior to the issuance of the Certificate of Compliance (see Condition #46 below.)

Applicant: Russell Dion dba Campanelli Trigate Boxborough (the "Applicant")
Project Address: 400 Beaver Brook Road (Map 3/Lot 14; the "Property")
DEP File #113-0577

36. An adequate stockpile of erosion/siltation/sedimentation control materials shall be kept on site at all times for emergency or routine replacement and shall include materials to repair silt fences, hay bales, stone rip-rap filter dikes, or any other devices to be used during construction.
37. The Conservation Commission reserves the right to modify erosion/siltation/sedimentation controls based on experience at this site, or to otherwise 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.
38. Site grading and construction shall be scheduled to avoid periods of high surface water. Once begun, grading and construction shall move uninterrupted to completion to avoid erosion and siltation of wetlands.

Use and Storage of Motorized Vehicles/Machinery

39. Motorized vehicles or any other motorized machinery involved in the work shall be kept outside Wetland Resource Areas and 100-foot Buffer when not actually engaged in that work, including overnight and weekend storage.
40. No maintenance or refueling of motorized vehicles shall take place in Wetland Resource Areas or 100-foot Buffer including, but not limited to, fueling, lubricating, fluid replacement, maintenance, and washing/rinsing. If a spill occurs, contaminated soils shall be removed according to guidelines established by the Department of Environmental Protection, Bureau of Waste Site Cleanup. The remedial activities may be conducted in accordance with the provisions of an Immediate Response Action (IRA) or Remedial Abatement Measure (RAM) under the Massachusetts Contingency Plan. The Conservation Commission shall be provided written notice for approval of any remedial activities that are needed within the 100-foot Buffer Zone, Wetland Resource Areas, and/or Riverfront Area. Any damage to 100-foot Buffer Zone, Wetland Resource Areas and/or Riverfront Area caused as a direct result of this project shall be the Applicant's responsibility to repair, restore and/or replace.
41. Vehicles and equipment for fuel storage and refueling operations shall be parked in an upland area outside the 100-foot Buffer Zone.

Additional Construction Management Conditions

42. All construction materials, earth stockpiles, landscaping materials, slurry pits, waste products, refuse, debris, stumps, slash, and/or excavate shall be stored/stockpiled/collected only in areas as shown and labeled for that purpose on the Plans, or if no such areas are shown, shall be stored/stockpiled/collected outside all areas under the jurisdiction of the Conservation Commission (Wetland Resource Areas, 100-foot Buffer Zone, Riverfront Area) beneath cover and surrounded by erosion control barriers approved by the Commission to prevent contact with rainfall.
43. During construction, all solid and chemical waste shall be transported from the site and disposed of in compliance with Federal, State and local requirements for waste disposal.
44. During construction, all excavations, embankments, stockpiles, haul roads, plant sites and all other work areas within and without the project boundaries shall be maintained free from dust which might cause a hazard or nuisance to others. Dust control shall be performed as the work proceeds or

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Project Address: 400 Beaver Brook Road (Map 3/Lot 14; the "Property")
DEP File #113-0577

whenever a dust nuisance occurs.

45. No trash dumpsters shall be permitted within the 100-foot Buffer Zone during construction.
46. After erosion/siltation/sedimentation barriers are removed as permitted by the Conservation Commission, areas disturbed by the barriers shall be restored to match adjacent conditions.

Invasives Species Management

47. The '**Invasive Species Treatment and Monitoring Protocol**', a copy of which is attached hereto as **EXHIBIT A**, is incorporated herein, by reference, to this Order of Conditions, except that the Certificate of Compliance shall not be issued prior to the end of Year 5 of the **Treatment and Monitoring Schedule**, and the wetland scientist overseeing treatment and monitoring certifies in writing that invasive species are controlled and new invasions are limited.

Perpetual Conditions

The following Perpetual Conditions #48 – #55 shall remain in force permanently and will be recorded as such on the Certificate of Compliance.

Invasive Vegetation Management

48. Commencing in Year 7 (2029) of the **Treatment and Monitoring Schedule** and continuing in odd-numbered years thereafter in perpetuity: a qualified wetland scientist shall inspect the Property's Riverfront Area in mid-June (after leaf-out) and submit a report with any recommendations to the Commission by July 31 or October 31 of that year, depending upon the need for any follow-up treatment (see '**Invasive Species Treatment and Monitoring Protocol**' and Condition #47 above.)

Stormwater Infrastructure Operation and Maintenance

49. The **STORMWATER MANAGEMENT SYSTEM OPERATION AND MAINTENANCE PLAN & LONG-TERM POLLUTION PREVENTION PLAN** ("O&M Plan") included in the **STORMWATER MANAGEMENT REPORT** is incorporated herein, by reference, to this Order of Conditions. All inspection/maintenance logs shall be submitted via e-mail to the Conservation Commission at the frequencies specified in the O&M Plan immediately upon the logs' completion.

Additional Perpetual Conditions

50. The Conservation Commission shall be informed prior to any proposed further alterations within 100-foot Buffer Zone, Wetland Resource Areas, or Riverfront Area to determine whether the work requires approval of the Conservation Commission.
51. No fertilizers shall be used in Wetland Resource Areas, 100-foot Buffer Zone, or Riverfront Area.
52. Except in cases of threats to human health and safety, and/or as may be permitted by an Invasive Vegetation Management Plan approved in advance by the Conservation Commission and/or agent, no non-organic herbicides shall be used in 100-foot Buffer Zone, Wetland Resource Areas, or

Applicant: Russell Dion dba Campanelli Trigate Boxborough (the "Applicant")
Project Address: 400 Beaver Brook Road (Map 3/Lot 14; the "Property")
DEP File #113-0577

Riverfront Area. Except in cases of threats to human health and safety (stinging insects, for example), no non-organic pesticides shall be used in lawn care, or for any other exterior purpose on a regular basis, in 100-foot Buffer Zone, Wetland Resource Areas, or Riverfront Area.

53. No trash dumpsters shall be permitted within the 100-foot Buffer Zone post-construction. The Buffer Zone and Riverfront Area shall be kept free of litter.
54. There shall be no outside storage of chemicals, oil, fuel, fertilizers, or other potentially hazardous materials in 100-foot Buffer Zone, Wetland Resource Areas, or Riverfront Area.
55. No leaves, lawn clippings, or other residuals from groundskeeping operations, no Christmas trees, no pet waste, or refuse of any kind, shall be dumped in Wetland Resource Areas, 100-foot Buffer Zone, or Riverfront Area. It is the property owner's responsibility to so inform all lawn/landscape care providers.

EXHIBIT A

EcoTec, Inc.

ENVIRONMENTAL CONSULTING SERVICES
102 Grove Street
Worcester, MA 01605-2629
508-752-9666 – Fax: 508-752-9494

December 22, 2022

Mr. Russell Dion
Campanelli
One Campanelli Drive
Braintree, MA 02184

RE: Invasive Species Treatment and Monitoring Protocol, 400 Beaver Brook Road, Boxborough, Massachusetts
DEP File No.: 113-0577

Dear Mr. Dion:

EcoTec was retained by Campanelli to delineate the wetland resources that are located on or near the above-referenced site and to prepare this Invasive Species Treatment and Monitoring Protocol for the undeveloped Riverfront Area on the subject site located between the development and the property boundary. As shown on the attached Exhibit B, the area that will be subject to treatment and monitoring is $38,127\pm$ square feet or $0.88\pm$ acres in size. The invasive species treatment and monitoring detailed herein is proposed as partial mitigation for work within the Riverfront Area. At the hearing on this matter on December 21, 2022, the Commission indicated a preference for a five-year treatment program followed by bi-annual monitoring. This plan was prepared by John P. Rockwood, Ph.D., SPWS and was reviewed by Scott M. Morrison, PWS, RPSS, SE. Dr. Rockwood has prepared and provided oversight and monitoring of many such protocols for sites throughout Massachusetts. Mr. Morrison has received a Certificate in Invasive Plant Management in May 2019 from the University of Massachusetts Extension. Brief descriptions of our qualifications are attached to this letter.

EcoTec inspected the site on April 5, 2022 during delineation of the resources located to the southeast of the site. EcoTec made a brief inspection on December 22, 2022 to examine the area located along the parking lot edge. Based upon these inspections, there is a dense but confined patch of Japanese knotweed (*Polygonum cuspidatum*) located within the steep rip-rapped area at the parking lot edge; woody invasives including oriental bitter-sweet (*Celastrus orbiculata*), multiflora rose (*Rosa multiflora*), honeysuckle (*Lonicera sp.*), elaeagnus/olive (*Elaeagnus sp.*), and buckthorn (*Rhamnus sp.*) were noted within the area to be treated and monitored. Other woody invasives that may occur within the Removal Area will be treated under this protocol. Prior to implementation of this protocol, the boundary of the Removal Area will be clearly demarcated with stakes and flagging in the field by survey by the project surveyor. As is true with all such protocols, the level of effort is greatest in the first year with the required effort generally diminishing through time. The proposed treatment and monitoring protocol is detailed as follows.

Mr. Russell Dion
December 22, 2022
Page 2.

Japanese Knotweed Treatment:

Based upon the University of Massachusetts Weedinar Series from May 2021, the current preferred treatment protocol for Japanese knotweed consists of a two-phased approach conducted annually until control is achieved: (1) in mid-June the knotweed is cut with all cut materials (including the prior years' stalks) removed from the site with proper disposal; and (2) in mid-August (at least 8 weeks later) the knotweed sprouts are treated by foliar application of a glyphosate-based herbicide formulated for aquatic conditions (e.g., Accord, Rodeo, GlyphoMate 41, or Glyphosate 5.4). Any herbicide application on the site will be conducted by a Massachusetts Licensed Pesticide Applicator; oversight will be provided by a qualified wetland scientist. It has been determined that the prior preferred method of stem injection was exceptionally labor intensive and, depending upon the patch size, resulted in significant off-label/excessive use of herbicide. As this species reproduces asexually via rhizomes with more limited reproduction by seed, it is critical that any treatment protocol serves to deplete the rhizomes of carbohydrate stores: reduces or prevents photosynthesis and depletes energy stored in the rhizomes by forcing the plant to expend additional energy on regrowth. This method removes the prior years' growth, allows the plants to grow to a pre-flowering size prior to being cut and removed, forces the plants to deplete energy reserves by resprouting, and then treats a more limited biomass of smaller sprouts with a controlled foliar application of herbicide. As this area is located at a parking lot edge well away from the wetlands and river, this method is appropriate and should be effective in this area.

In summary, the tasks involved for this species are cutting and removal of prior years' materials and current years' growth in mid-June with proper off-site disposal of the cut/removed materials and the foliar application of herbicide to the new sprouts in mid-August, at least 8 weeks after initial cutting. Again, all herbicide application will be conducted only by a Massachusetts Licensed Herbicide Applicator. A qualified wetland scientist will provide oversight of the work and will provide the required monitoring documents to the Commission.

Woody Invasives Treatment:

As detailed above, there are several invasive woody species within the proposed Treatment Area. The proposed treatment method for these species is a "cut and blot" method for larger specimens with hand pulling of any observed sprouts or seedlings. The cut and blot method is highly effective and uses a minimal volume of concentrated herbicide to achieve results. The effort will be conducted by Massachusetts Licensed Pesticide Applicator with oversight provided by a qualified wetland scientist. The herbicide proposed to be used to prevent sprouting and to ensure that the roots are killed is a 25-30% solution of an approved glyphosate-based herbicide containing a marker dye. The treatment areas will be inspected and target specimens will be treated and removed. The stems of the woody target species will be cleanly cut with pruning shears or a hand saw four inches above the ground surface and the herbicide will be immediately applied to the cut stem using a wick applicator to avoid affecting non-target plants. The most important part of this work is cutting the woody plant near its base with immediate, proper herbicide application to ensure the root is killed. Woody plant stems that are cut but not treated will re-sprout. The stumps will not be pulled to avoid

EcoTec, Inc.

Mr. Russell Dion
December 22, 2022
Page 3.

unnecessary soil disturbance. Cut woody materials that contain seeds will be removed from the area and disposed of off-site. Cut vines that extend up into trees will be removed to the extent practicable without causing additional damage to the affected trees. The best results are achieved by treating the woody species late in the growing season, generally in the late summer/fall (i.e., September). The application of herbicide to cut woody stems in the spring while the sap is running should be avoided. Foliar application of herbicide for the treatment of woody invasives is not proposed and will not be allowed under this protocol.

Oversight and Monitoring Reports:

Oversight for this work and the preparation and submittal of required monitoring documents will be conducted by a qualified wetland scientist. Monitoring reports will be provided following the completion of work in any year by the deadline indicated in the Treatment and Monitoring Schedule below. Such reports will include the name of parties that conducted the work, the date(s) that work was conducted, the work that was conducted, the herbicide used, the species that were observed and treated, and any recommendations for future actions within the Treatment Area. Again, all herbicide application will be conducted by a Massachusetts Licensed Pesticide Applicator.

Treatment and Monitoring Schedule:

Year 1:

Mid-June 2023: Cut and Remove Japanese Knotweed
Mid-August 2023: Foliar Application of Aquatic Formulated Glyphosate Herbicide
September 2023: Cut and Blot Woody Invasives and Removal of Cut Materials with Seeds
By October 31, 2023: Provide Annual Summary Document to Commission

Year 2:

Mid-June 2024: Cut and Remove Japanese Knotweed
Mid-August 2024: Foliar Application of Aquatic Formulated Glyphosate Herbicide
September 2024: Cut and Blot Woody Invasives and Removal of Cut Materials with Seeds
By October 31, 2024: Provide Annual Summary Document to Commission

Year 3:

Mid-June 2025: Cut and Remove Japanese Knotweed
Mid-August 2025: Foliar Application of Aquatic Formulated Glyphosate Herbicide
September 2025: Cut and Blot Woody Invasives and Removal of Cut Materials with Seeds
By October 31, 2025: Provide Annual Summary Document to Commission

Obtain a Certificate of Compliance with On-going Condition regarding Year 4 and Year 5 of Treatment and On-going Bi-annual Monitoring

EcoTec, Inc.

Mr. Russell Dion
December 22, 2022
Page 4.

Year 4:

Mid-June 2026: Cut and Remove Japanese Knotweed
Mid-August 2026: Foliar Application of Aquatic Formulated Glyphosate Herbicide
September 2026: Cut and Blot Woody Invasives and Removal of Cut Materials with Seeds
By October 31, 2026: Provide Annual Summary Document to Commission

Year 5:

Mid-June 2027: Cut and Remove Japanese Knotweed
Mid-August 2027: Foliar Application of Aquatic Formulated Glyphosate Herbicide
September 2027: Cut and Blot Woody Invasives and Removal of Cut Materials with Seeds
By October 31, 2027: Provide Annual Summary Document to Commission

Year 7 (2029) and Odd Numbered Years Thereafter:

Mid-June Inspection (after leaf-out) with Summary Document with any recommendations to Commission by July 31 or October 31 of that year depending upon need for any follow-up treatment

EcoTec hopes that you find this information useful. If you have any questions, please feel free to contact me at any time.

Cordially,
ECOTEC, INC.



John P. Rockwood, Ph.D., SPWS
Principal Environmental Scientist



Scott M. Morrison, PWS, RPSS, SE
Senior Environmental Scientist

Attachments: Site Plan and Resumes (3 Pages)

18:BOXBOROUGH 400 BEAVER BROOK INVASIVES TREATMENT MONITORING PROTOCOL 12.22.2022

EcoTec, Inc.

EXHIBIT B

