

**Addendum No. 1
to the Bidding Documents**

**Bridge of Flowers Rehabilitation
Shelburne Falls Fire District
Shelburne Falls, MA**

Issued March 4, 2024

Under the provisions of Article 7 of Section 00200, Instructions to Bidders, Bidders are informed that the Bidding Documents for the above-mentioned Project are modified, corrected, and/or supplemented as follows. Addendum No. 1 becomes part of the Bidding Documents and Contract Documents.

Acknowledge receipt of this addendum by inserting its number on Page 00410-LS-3, Article 5.2 of the Bid form. Failure to acknowledge receipt of the Addendum may subject the Bidder to disqualification.

General

Item 1-1 Pre-Bid Attendance Sheet and Meeting Agenda

The Pre-Bid Attendance Sheet and Meeting Agenda have been attached to this addendum.

Item 1-2 Geotextile Fabric

Geotextile fabric for separation and subsurface drainage is to be Mirafi 160N or equal.

Item 1-3 Wisteria Removal

Wisteria vines are to be carefully removed from the bridge and overhead trellis, intact, under the guidance of the Bridge of Flowers Committee for their use.

Project Manual Changes

Item 1-4 Section 00800 – Buckland Order of Conditions

Add the attached Buckland Order of Conditions to Attachment B Town of Buckland Order of Conditions following Section 00800.

Bidding Period Questions & Responses

The following responses/clarifications are based on questions raised during the pre-bid meeting conducted on February 20, 2024, and during the bidding period. A list of attendees at the February 20, 2024, pre-bid meeting is attached along with the meeting agenda.

1. On sheet 7 it calls for (2) 1-1/4" GRC conduits (see attached) with (2) #8 conductors, (1) #10 conductor and (2) #14 conductors within one conduit and (2) #6 conductors and (1) #8

conductor within the other. In lieu of using (2) 1-1/4" Galvanized Rigid Conduits, can (1) Sch 80 PVC conduit be used for all the above conductors?

If the control cable and line voltage cable are run in the same conduit, there is potential for electrical interference between wiring types that may cause flickering lights. Please provide separate conduits.

2. Are photos of the shed electrical panel available?

See photos in Appendix A.

3. If handholes are needed or to be replaced in the planting bed can they be plastic?

Handholes in the planting bed where there is no foot traffic can be plastic.

4. Is there a planting plan to go with your irrigation plan? The drawings just show where the main irrigation line is going or is this all that is required of the contract? Please advise.

There is no planting plan. Irrigation system is intended to be design-build, see Specification Section 02810.

END OF ADDENDUM NO. 1

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Bridge of Flowers Rehabilitation

Pre-Bid Conference
Location: Shelburne Falls Fire District, 121 State Street, Shelburne Falls, MA 01370
Date: February 20, 2024 at 10:00 am

Name	Company	G.C.? (yes or no)	Address	Phone	Email
1. Zachariah Chornyak	Tighe & Bond	N	53 Southampton Rd, Westfield, MA 01085	P: 413-572-3279	zpchornyak@tighebond.com
2. Phil Seales	J.H. Maxwell	Yes	1801 EAST ST Framingham MA 01701	P: 413 499-3050	SETHMAXWELL@maxwelljhm.com
3. Brian Goolary	CYLE ELECTRIC	N	79 MEDICAL AVE. Haverhill, MA	P: 413. 275-8931	gray99001@lykleelectric.net
4. Shane Ruddy	E.T.+L. Corp.	Yes	P.O. Box 295 873 Great Rd. Stow, MA 01795	P: 978-897-4353	sruddy@etlcorp.com
5. Jeremy Golec	EJP	No	105 VERMONT ST SERRINGFIELD MA	P: 413-205-7601	Jeremy.Golec@EJPrescott.com
6. Justin Pottle	EJP	No	105 VERMONT ST SERRINGFIELD MA	P: 207-592-352	Justin.Pottle@EJPrescott.com
7. John Welch	MASS-WEST	Yes	50 W STATE ST CHATHAM MA 01033	P: 413-467-7111	John@masswestinc.com
8. Brian Callahan	SQR Corp	Yes	700 130-Audubon St Lowell MA	P: 478 771 8554	bcallahan@sqr.com
9. Prakash Sanyal	New England Infrastructure	yes	16 Grant Drive Wurtsboro MA	P: 776-298-3555	prakash@newenglandinfrastructure.com

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10 Brian Koshinsky CD Davenport Yes 130 Colman St 413 774 2080
 bskoshinsky@cd-davenport.com

Bridge of Flowers Rehabilitation

Pre-Bid Conference

Location: Shelburne Falls Fire District, 121 State Street, Shelburne Falls, MA 01370

Date: February 20, 2024 at 10:00 am

	Name	Company	G.C.? (yes or no)	Address	Phone	Email
10.	Estaham Johnson	Northern Construction	Yes	1520 Park St Palmer, MA	P: 413-289-1230	gjohnson@ NorthernConstruction.com
11.					P:	
12.					P:	
13.					P:	
14.					P:	
15.					P:	
16.					P:	
17.					P:	
18.					P:	

Bridge of Flowers Rehabilitation Shelburne Falls Fire District

LOCATION: Shelburne Falls Fire District, 121 State Street, Shelburne Falls, MA 01370

DATE: February 20, 2024

START TIME: 10:00 am

1. Introductions

- a. Sign-in sheet
- b. Owner & Engineer Introductions

2. Project Description

- a. Concrete repairs of isolated cracks and spalls, reconstruction of a section of north spandrel wall, recoating of bridge exterior, and the replacement of guardrail systems.
- b. Replacement of existing electrical and irrigation systems.
- c. Replacement of water main (including appurtenances on both approaches), as well as the temporary bypass. Replacement of fill materials and membrane waterproofing.
- d. Site restoration of any disturbed areas and walking surface within the limit of work. Installation of new walkway and garden beds.

3. Project Coordination/Work Constraints

- a. The existing water service must remain in operation throughout the construction period. Schedule and conduct activities to enable the existing facilities to operate continuously.
- b. Make temporary provisions for the use of sidewalks and maintain functioning gutters, stormwater systems, drainage ditches, and culverts. Maintain public access to businesses and residences including driveways and parking lots at all times.
- c. Review requirements of Section 01140, Work Restrictions.
- d. Provide for the disposal of waste off-site in accordance with all applicable laws.
- e. Review requirements of Section 01310, Coordination, for detailed coordination requirements and sequence of construction guidelines.

4. Preparation of Bid

- a. Refer to Section 00200, Instructions to Bidders.
- b. Submit 1 copy of complete Bid package (Section 00410 & other forms).
- c. Bid Security
- d. MassDOT prequalification is not required; however, similar project experience is required.

- e. Written questions must be received at least 5 business days prior to bid opening or the questions may not be answered.
- f. Addenda will be issued at least 3 business days prior to Bid opening.

5. Bidder Qualifications

- a. 5 years of experience, and at least 3 successfully completed water main replacement and concrete bridge rehabilitation projects of similar scope within the past 3 years.

6. Bid Opening – March 7, 2024 at 2:00 p.m. Submit bids to the Shelburne Falls Fire Department, 121 State Street, Shelburne Falls, MA 11370. Bids are valid for 30 days.

7. Contract Times (Section 00520, Agreement)

- a. Substantial Completion – On or before November 22, 2024
- b. Final Payment – On or before December 20, 2024
- c. Liquidated Damages - \$1000 per day

8. Hazardous Materials/Asbestos Abatement

- a. Existing caulking in concrete joints contains <1% asbestos materials. MassDEP classifies <1% asbestos materials as Asbestos Containing Waste Material. Refer to specification 13281 Asbestos Abatement for removal and disposal requirements.

9. Permits (Section 00800, Supplementary Conditions, Paragraph 7.08B)

- a. Shelburne Conservation Commission Order of Conditions
- b. Buckland Conservation Commission Order of Conditions
- c. Permits and licenses of a temporary nature necessary to perform the Work.
- d. Permits for disposal of construction waste, hazardous materials, and asbestos abatement.
- e. Other permits or licenses required for the Contractor's operations.
- f. Required elsewhere in the Contract Documents and not included herein.

10. Working Hours (Section 01140, Work Restrictions)

- a. Conduct work during weekdays, between the hours of 7:00 a.m. and 5:00 p.m. No equipment or machinery may be started at the site before 8:00 a.m. and all equipment must be shut off by 4:00 p.m.
- b. No work on official Owner holidays except under extenuating circumstances approved by the Owner.

11. Progress Payments (Section 00520 Agreement)

- c. Monthly payments – 5% retainage withheld

- d. Substantial Completion – reduce to 1% retainage or the Engineer’s estimate of the value of work to be completed or corrected as shown on the punch list of items to be completed or corrected prior to final payment

12.Final Payment (Article 15.06, Section 00700)

- a. Contractor submits final Application for Payment, including
 - Documentation required by Contract Documents, including evidence of insurance
 - Consent of surety to final payment
 - Satisfactory evidence that all title issues have been resolved such that title to all Work, material, and equipment has passed to Owner free and clear of any Liens or other title defects, or will so pass upon final payment
 - List of unsettled claims against Owner & Contractor
 - Release of liens
- b. Waiver of Claims

13.Correction Period (Article 15.08, Section 00700)

- a. 1-year after Substantial Completion



Massachusetts Department of Environmental Protection

eDEP Transaction Copy

Here is the file you requested for your records.

To retain a copy of this file you must save and/or print.

Username: **BUCKLANDCONCOMM**

Transaction ID: **1665725**

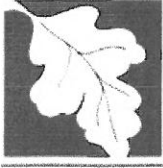
Document: **WPA Form 5 - OOC**

Size of File: **151.59K**

Status of Transaction: **In Process**

Date and Time Created: **1/25/2024:1:43:17 PM**

Note: This file only includes forms that were part of your transaction as of the date and time indicated above. If you need a more current copy of your transaction, return to eDEP and select to "Download a Copy" from the Current Submittals page.



A. General Information

1. Conservation Commission BUCKLAND

2. Issuance a. OOC b. Amended OOC

3. Applicant Details

a. First Name	REBEKAH	b. Last Name	MCDERMOTT
c. Organization	SHELBURNE FALLS FIRE DISTRICT		
d. Mailing Address	121 STATE STREET		
e. City/Town	SHELBURNE FALLS	f. State	MA
		g. Zip Code	01370

4. Property Owner

a. First Name	FREDERICK	b. Last Name	SALL
c. Organization			
d. Mailing Address	76 NORTH STREET		
e. City/Town	SHELBURNE FALLS	f. State	MA
		g. Zip Code	01370

5. Project Location

a. Street Address	BRIDGE OF FLOWERS - STATE STREET		
b. City/Town	BUCKLAND	c. Zip Code	01370
d. Assessors Map/Plat#	6-1	e. Parcel/Lot#	87
f. Latitude	42.60386N	g. Longitude	72.74107W

6. Property recorded at the Registry of Deed for:

a. County	b. Certificate	c. Book	d. Page
FRANKLIN		4443	332

7. Dates

a. Date NOI Filed : 11/2/2023 b. Date Public Hearing Closed: 1/8/2024 c. Date Of Issuance: 1/25/2024

8. Final Approved Plans and Other Documents

a. Plan Title:	b. Plan Prepared by:	c. Plan Signed/Stamped by:	d. Revised Final Date:	e. Scale:
BRIDGE OF FLOWERS OVER DEERFIELD RIVER REHABILITATION PROJECT	TIGHE & BOND, INC.		10/23/2023	

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act
 Following the review of the 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.

Check all that apply:

a. <input checked="" type="checkbox"/> Public Water Supply	b. <input type="checkbox"/> Land Containing Shellfish	c. <input checked="" type="checkbox"/> Prevention of Pollution
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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

Provided by MassDEP:
MassDEP File #:121-0115
eDEP Transaction #:1665725
City/Town:BUCKLAND

d. <input checked="" type="checkbox"/> Private Water Supply	e. <input checked="" type="checkbox"/> Fisheries	f. <input checked="" type="checkbox"/> Protection of Wildlife Habitat
g. <input checked="" type="checkbox"/> Ground Water Supply	h. <input checked="" type="checkbox"/> Storm Damage Prevention	i. <input checked="" type="checkbox"/> Flood Control

2. Commission hereby finds the project, as proposed, is:

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.

Denied because:

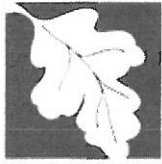
b. The proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect interests of the Act, and a 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 interests of the Act, 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 310CMR10.02(1)(a).
a. linear feet

Inland Resource Area Impacts:(For Approvals Only):

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	<u> </u> a. linear feet	<u> </u> b. linear feet	<u> </u> c. linear feet	<u> </u> d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
6. <input checked="" type="checkbox"/> Land under Waterbodies and Waterways	500 <u> </u> a. square feet	500 <u> </u> b. square feet	500 <u> </u> c. square feet	500 <u> </u> d. square feet
	0 <u> </u> e. c/y dredged	0 <u> </u> f. c/y dredged		
7. <input type="checkbox"/> Bordering Land Subject to Flooding	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
Cubic Feet Flood Storage	<u> </u> e. cubic feet	<u> </u> f. cubic feet	<u> </u> g. cubic feet	<u> </u> h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	<u> </u>	<u> </u>		



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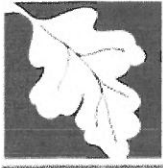
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	a. square feet	b. square feet		
Cubic Feet Flood Storage	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. <input checked="" type="checkbox"/> Riverfront Area	<u>2000</u>	<u>2000</u>		
	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	<u>2000</u>	<u>2000</u>		
	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	g. square feet	h. square feet	i. square feet	j. square feet

Coastal Resource Area Impacts:

Resource Area	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	<u> </u>	<u> </u>		
	a. square feet	b. square feet		
	<u> </u>	<u> </u>		
	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	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
14. <input type="checkbox"/> Coastal Dunes	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
15. <input type="checkbox"/> Coastal Banks	<u> </u>	<u> </u>		
	a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	<u> </u>	<u> </u>		
	a. square feet	b. square feet		
17. <input type="checkbox"/> Salt Marshes	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	<u> </u>	<u> </u>		
	a. square feet	b. square feet		
	<u> </u>	<u> </u>		
	c. c/y dredged	d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	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			
	<u> </u>	<u> </u>		
	c. c/y dredged	d. c/y dredged		



**Massachusetts Department of Environmental
Protection**

Bureau of Resource Protection - Wetlands

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eDEP Transaction #:1665725
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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 : "121-0115"

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 Mass DEP.
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.
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.

NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS

19. The work associated with this Order(the "Project") is (1) is not (2) subject to the Massachusetts Stormwater Standards. If the work is subject to 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 Pollutant Discharge Elimination System Construction General Permit as required by Stormwater Standard 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



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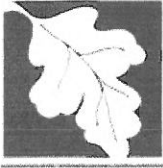
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treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet 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; *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 19(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 Pollutant 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 19(f) through 19(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 19(f) through 19(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.
- 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.



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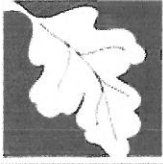
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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- 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:

SEE ATTACHED SPECIAL CONDITIONS DOCUMENT



D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? Yes No

2. The Conservation Commission hereby (check one that applies):

a. DENIES the proposed work which 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 or Conditions is issued. Which are necessary to comply with a municipal ordinance or bylaw:

b. APPROVES the proposed work, subject to the following additional conditions.

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:



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

Provided by MassDEP:
 MassDEP File #:121-0115
 eDEP Transaction #:1665725
 City/Town:BUCKLAND

E. Signatures

This Order is valid for three years from the date of issuance, unless otherwise specified pursuant to General Condition #4. If this is an Amended Order of Conditions, the Amended Order expires on the same date as the original Order of Conditions.

1/25/2024
 1. Date of Original Order

Please indicate the number of members who will sign this form. This Order must be signed by a majority of the Conservation Commission.

4
 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.

Signatures:

Steve Howland

Mary Knipe

Kim Erslev

Kathy Lytle

by hand delivery on

by certified mail, return receipt requested, on

Date

Date

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.

G. Recording Information

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



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 eDEP Transaction #:1665725
 City/Town:BUCKLAND

subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

BUCKLAND
 Conservation Commission

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

To:
BUCKLAND
 Conservation Commission

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

<u>BRIDGE OF FLOWERS - STATE STREET</u>	<u>121-0115</u>
Project Location	MassDEP File Number

Has been recorded at the Registry of Deeds of:

<u>County</u>	<u>Book</u>	<u>Page</u>
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for:
Property Owner FREDERICK SALL

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

<u>Book</u>	<u>Page</u>
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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

Rev. 4/1/2010

Bridge of Flowers WPA Form 5 – Order of Conditions 01_2024

Special Conditions

- 1) Before any work commences, and at a time when the ground conditions are visible, applicant will notify the Conservation Commission. The notification will include:
 - a. Confirmation of the OOC being filed at the Registry of Deeds by including Section G of the OOC form 5 unless this has been sent to the Con Com prior.
 - b. Confirmation that the DEP file number has been posted at the site in the required manner and sign size.
 - c. A written and signed statement to the effect that the OOC has been completely read and is understood by the applicant, and the applicant is responsible for ensuring all work on site is done, regardless of who performs the work, in accordance with this OOC. An email from the applicant is acceptable in place of a signature.

- 2) Once a contractor for this job has been selected and prior to starting construction the Conservation Commission will meet with the contractor for review of the following:
 - a. Written Stormwater Pollution Prevention Plan
 - b. Anti-Siltation measures, installation, and maintenance
 - c. Details of temporary excavation material storage and equipment parking locations
 - d. Any other areas of construction related concern to Conservation Commission members.

- 3) Erosion control and anti-siltation measures will remain in place until re-establishment of vegetation after all work is complete.

- 4) Stormwater management during the duration of this OOC shall include weekly inspection of silt sacks and barriers, conducted by the contractors or another person designated by the applicant. A similar inspection shall occur within 24 hours of a rain event in excess of ½" in 24 hours.

- 5) Any member of the Conservation Commission can enter the property at any time during the duration of the Order of Conditions, to inspect the work and the erosion and anti-siltation measures.

Appendix A

Electrical Photos

Photo 2: Miscellaneous Electrical Equipment

