



Town of Hinsdale

39 South St.
Hinsdale, MA 01235
413.655.2300

To: Massachusetts Department of Environmental Protection
Western Regional Office, Wetlands Division
436 Dwight St.
Springfield, MA 01103

From: Robert D. Graves, Town Administrator

RE: NOI for Herbicide Treatment of Plunkett Reservoir

Date: January 31, 2024

Please process the enclosed NOI for Herbicide Treatment of Plunkett Reservoir in Hinsdale.

Thank you.

Robert D. Graves

Notice of Intent for herbicide treatment of Plunkett Lake

Introduction: The Town of Hinsdale is submitting a Notice of Intent for the treatment of invasive plants species within Plunkett Lake under the Wetlands Protection Act Regulations. The reason for filing the Notice of Intent is because the Town inadvertently allowed the existing Order of Conditions, File #181-0086 to expire without an Extension.

The Town of Hinsdale is requesting a new Order of Conditions with the same existing special conditions as the previously expired Order. (Please see attached Special Conditions) The previous Order of Conditions was Amended and issued on August 19, 2021. (Please see Amended Order of Conditions issued 8-19-21)

Solitude Lake Management is under contract with the Town of Hinsdale to provide treatment for targeted nuisance and non-native species growth to control nutrient loading from invasive species to improve habitat. No fish mortalities or significant non-target impacts to other aquatic organisms were observed or reported (See Year end report Solitude Lake Management 2023)

In summary, The Town of Hinsdale goal is to control nuisance non native species to control nutrient loading to improve and protect wildlife habitat, and protect fisheries by improving water quality of Plunkett Lake.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

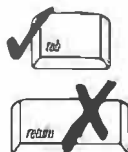
MassDEP File Number

Document Transaction Number

Hinsdale

City/Town

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



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

Off Michaels Road.

a. Street Address

Hinsdale

b. City/Town

01235

c. Zip Code

Latitude and Longitude:

73.128479

d. Latitude

42.425510

e. Longitude

f. Assessors Map/Plat Number

Map/Plat# 105 132/65

2. Applicant:

Robert

a. First Name

Graves

b. Last Name

Town of Hinsdale

c. Organization

39 South Street

d. Street Address

Hinsdale

e. City/Town

MA

f. State

01235

g. Zip Code

413-655-2300,

x355

413-655-8807

i. Fax Number

town.administrator@hinsdalema.gov

j. Email Address

3. Property owner (required if different from applicant):

☐ Check if more than one owner

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

a. First Name

b. Last Name

c. Company

d. Street Address

e.

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

Exempt

a. Total Fee Paid

b. State Fee Paid

c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Hinsdale

City/Town

A. General Information (continued)

6. General Project Description:

Plunkett Lake Herbicide Treatment

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. <input type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input checked="" type="checkbox"/> Other | |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☐ Yes ☒ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

a. County

b. Certificate # (if registered land)

c. Book

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

1. ☐ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
2. ☒ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 3 – Notice of Intent
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Hinsdale

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input checked="" type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet	2. square feet
	3. cubic yards dredged	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced

f. ☐ Riverfront Area

1. Name of Waterway (if available) - specify coastal or inland

2. Width of Riverfront Area (check one):

☐ 25 ft. - Designated Densely Developed Areas only

☐ 100 ft. - New agricultural projects only

☐ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

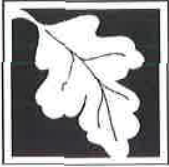
a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☐ Yes ☐ No

3. ☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Hinsdale

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet	
	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	1. square feet	2. cubic yards dune nourishment
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet	
h. <input type="checkbox"/> Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet	
	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet	
k. <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	
	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet	
4. <input type="checkbox"/> Restoration/Enhancement	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.2.b or B.3.h above, please enter the additional amount here.	
	a. square feet of BVW	b. square feet of Salt Marsh
5. <input type="checkbox"/> Project Involves Stream Crossings		
	a. number of new stream crossings	b. number of replacement stream crossings



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Hinsdale

City/Town

C. Other Applicable Standards and Requirements

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

a. ☐ Yes ☒ No

If yes, include proof of mailing or hand delivery of NOI to:

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

2021

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); OR complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

2. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

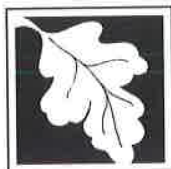
(a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) ☐ Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/ma-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Hinsdale

City/Town

C. Other Applicable Standards and Requirements (cont'd)

- (c) ☐ MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) ☐ Vegetation cover type map of site

- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries

- (f) OR Check One of the Following

1. ☐ Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. ☐ Separate MESA review ongoing.

a. NHESP Tracking #

b. Date submitted to NHESP

3. ☐ Separate MESA review completed.

Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a. ☐ Not applicable – project is in inland resource area only b. ☐ Yes ☐ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Bourne to Rhode Island border, and the Cape & Islands:

North Shore - Plymouth to New Hampshire border:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

- c. ☐ Is this an aquaculture project? d. ☐ Yes ☐ No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Hinsdale

City/Town

C. Other Applicable Standards and Requirements (cont'd)

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
a. ☐ Yes ☒ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
a. ☐ Yes ☒ No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
a. ☐ Yes ☒ No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
2. ☐ A portion of the site constitutes redevelopment
3. ☐ Proprietary BMPs are included in the Stormwater Management System.
b. ☐ No. Check why the project is exempt:
1. ☐ Single-family house
2. ☐ Emergency road repair
3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☐ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☐ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Hinsdale

City/Town

D. Additional Information (cont'd)

3. ☐ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☐ List the titles and dates for all plans and other materials submitted with this NOI.

a. Plan Title

b. Prepared By

c. Signed and Stamped by

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☐ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

E. Fees

1. ☒ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Hinsdale

City/Town

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant

2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

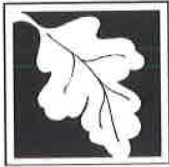
For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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



A. Applicant Information

1. Location of Project:

a. Street Address

b. City/Town

c. Check number

d. Fee amount

2. Applicant Mailing Address:

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

3. Property Owner (if different):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

B. Fees

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee: _____ a. Total Fee from Step 5

State share of filing Fee: _____ b. 1/2 Total Fee **less** \$12.50

City/Town share of filing Fee: _____ c. 1/2 Total Fee **plus** \$12.50

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

Recently
Amended Order



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:

181-0086

MassDEP File #

eDEP Transaction #

Hinsdale

City/Town

A. General Information

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

1. From: Hinsdale
Conservation Commission
2. This issuance is for (check one): a. ☐ Order of Conditions b. ☒ Amended Order of Conditions
3. To: Applicant:

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



- a. First Name Town of Hinsdale b. Last Name _____
- c. Organization 39 South Street
- d. Mailing Address Hinsdale
- e. City/Town MA f. State 01235 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:

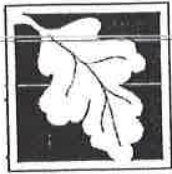
- a. Street Address Off Michaels Road b. City/Town Hinsdale

c. Assessors Map/Plat Number

d. Parcel/Lot Number

Latitude and Longitude, if known:

d. Latitude d m s e. Longitude d m s



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:
181-0086

MassDEP File #

eDEP Transaction #

Hinsdale

City/Town

A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
Berkshire
a. County
783
c. Book
b. Certificate Number (if registered land)
141 & 142
d. Page
7-27-2021
8-10-2021
7. Dates: a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance
8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
a. Plan Title
b. Prepared By
c. Signed and Stamped by
d. Final Revision Date
e. Scale
f. Additional Plan or Document Title
g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

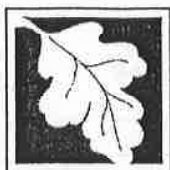
Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act).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

- a. ☐ Public Water Supply b. ☐ Land Containing Shellfish c. ☐ Prevention of Pollution
d. ☒ Private Water Supply e. ☐ Fisheries f. ☒ Protection of Wildlife Habitat
g. ☒ Groundwater Supply h. ☐ Storm Damage Prevention i. ☐ 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.



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:
181-0086

MassDEP File #

eDEP Transaction #

Hinsdale

City/Town

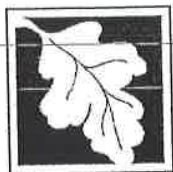
B. Findings (cont.)

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 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	<u>3,092,760</u> a. square feet	<u>3,092,760</u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
	<u> </u> e. c/y dredged	<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> a. square feet	<u> </u> b. square feet		
Cubic Feet Flood Storage	<u> </u> c. cubic feet	<u> </u> d. cubic feet	<u> </u> e. cubic feet	<u> </u> f. cubic feet
9. <input type="checkbox"/> Riverfront Area	<u> </u> a. total sq. feet	<u> </u> b. total sq. feet		
Sq ft within 100 ft	<u> </u> c. square feet	<u> </u> d. square feet	<u> </u> e. square feet	<u> </u> f. square feet
Sq ft between 100-200 ft	<u> </u> g. square feet	<u> </u> h. square feet	<u> </u> i. square feet	<u> </u> j. square feet



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:

181-0086

MassDEP File #

eDEP Transaction #

Hinsdale

City/Town

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. nourishment cu yd	d. nourishment cu yd
14. <input type="checkbox"/> Coastal Dunes	a. square feet	b. square feet	c. nourishment cu yd	d. nourishment 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



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:

181-0086

MassDEP File #

eDEP Transaction #

Hinsdale

City/Town

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 (BWV) or B.17.c (Salt Marsh) above, please enter the additional amount here.

23. ☐ Restoration/Enhancement *:

a. square feet of BWV

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 6-16-2022 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.



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:

181-0086

MassDEP File #

eDEP Transaction #

Hinsdale

City/Town

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 181-0086 "
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.



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:

181-0086

MassDEP File #

eDEP Transaction #

Hinsdale

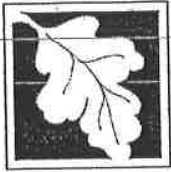
City/Town

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;



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:

181-0086

MassDEP File #

eDEP Transaction #

Hinsdale

City/Town

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.



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:

181-0086

MassDEP File #

eDEP Transaction #

Hinsdale

City/Town

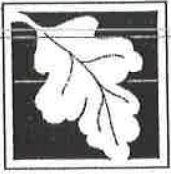
C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- 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 attached special conditions

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.



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:

181-0086

MassDEP File #

eDEP Transaction #

Hinsdale

City/Town

D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? ☐ Yes ☐ No
2. The _____ 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:

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):



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:

181-0086
MassDEP File #

eDEP Transaction #

Hinsdale
City/Town

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.

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

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

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

8-19-2021

1. Date of Issuance

3

2. Number of Signers

Richard Litchfield
Signature

Albert Koch
Signature

Raymond Hurstow
Signature

Signature

Signature

Signature

Signature

Signature

Richard Litchfield
Printed Name

Albert Koch
Printed Name

RAYMOND HURSTOW
Printed Name

Printed Name

Printed Name

Printed Name

Printed Name

Printed Name

☒ by hand delivery on

8-19-2021
Date

☐ by certified mail, return receipt requested, on

Date



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:

181-0086
MassDEP File #

eDEP Transaction #

Hinsdale
City/Town

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

Provided by MassDEP:

181-0086

MassDEP File #

eDEP Transaction #

Hinsdale

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.

Conservation Commission

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

To:

Conservation Commission

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

Project Location

MassDEP File Number

Has been recorded at the Registry of Deeds of:

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:

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 _____

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 _____

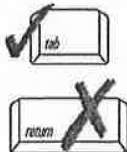
Zip Code _____

Phone Number _____

Fax Number (if applicable) _____

4. DEP File Number: _____

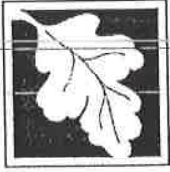
Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



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.

Plunkett Lake Herbicide Treatment

Special Conditions as Amended

1. The Herbicide currently identified for use is Reward (Diquat) Herbicides used for application are to be as species specific to Eurasian Milfoil as practical. In addition, it will reduce the density of Potamogeton richardsonii. The first treatment using Reward (Diquat) for Milfoil shall be done between June 1st and June 15th. Allow for a second treatment application to Plunkett Lake if necessary with approval from Hinsdale Conservation Commission. Post treatment survey before September 1st will be performed prior to second treatment. Approval of a new chemical for Tape Grass or other warm water specie with the approval of Hinsdale Conservation Commission. Any further treatment or chemical change can be allowed by review and approval of Hinsdale Conservation Commission.
2. The Herbicides are to be applied only by a state licensed applicator using only US EPA registered and state approved herbicides. Glyphosate is not allowed. Public Notice shall be published in the local newspaper 1 week prior to the Herbicide Treatment Application, and shore locations-especially right of ways, causeways, and major access entrance roads to Plunkett Lake 1 week prior to Herbicide Treatment application. Notification to abutters shall be done by the Town of Hinsdale sending official notification through the Town Website and Lake Management Newsletter. The Notification poster to be placed around the Lake shall be sent to the Hinsdale Conservation Commission prior to posting to be approved. Lake is to be closed to recreation-boating, swimming, fishing for the day of the application and at least 24 hours after application. Water is not to be used for domestic use at least 48 hours, drinking for 5 days, and water is not to be used for irrigation for at least 5 days after application is completed. In addition, animals should be restricted from Lake use for five days.
3. Record of composition and densities of vegetation in the treated areas shall be put on Pre-treatment survey maps and be provided to the Hinsdale Conservation Commission and MASS DEP Western Regional Office by the Herbicide Applicator as part of a Lake Management Plan database and received 1 week prior to the Herbicide Treatment Application. Herbicide Treatment shall not begin until the Pre-treatment Survey Maps are received.
4. Empty Herbicide containers shall be rinsed and disposed of off-site in accordance with manufacturer's recommendations and state regulations.

2023 Aquatic Vegetation Management Program

Plunkett Reservoir

Hinsdale, MA

Prepared by: Solitude Lake Management
590 Lake Street
Shrewsbury, MA 01545

Prepared for: Town of Hinsdale Select Board
c/o Town Administrator
39 South Street
Hinsdale, MA 01235
% town.administrator@hinsdalema.gov

Prepared on: November 17, 2023

In accordance with the existing aquatic plant management contract between SÖLitude Lake Management and the Town of Hinsdale for Plunkett Reservoir, the following document provides the 2023 survey and treatment results, as well as management recommendations for next season.

All management activities were consistent with the Order of Conditions (DEP# 181-86) and the License to Apply Chemicals issued by the MA DEP – Office of Watershed Management (WM04-0000748).

2023 Management Program Summary:

- | | |
|-----------------------|------------|
| • Early Season Survey | 06/01/2023 |
| • Herbicide Treatment | 06/12/2023 |
| • Interim Survey | 07/13/2023 |
| • Late-Season Survey | 08/24/2023 |

PRE-MANAGEMENT SURVEY

On June 1st, SÖLitude Biologists conducted a pre-management survey at Plunkett Reservoir. The purpose of this survey was to document and analyze the distribution of aquatic vegetation within the waterbody, specifically Eurasian watermilfoil (*Myriophyllum spicatum*) and curly-leaf pondweed (*Potamogeton crispus*), to determine the efficacy of previous management and provide treatment recommendations for the upcoming season.



Eurasian watermilfoil was found in two distinct patches on the western side of the Reservoir. Curly-leaf pondweed was found in two large patches in trace to dense amounts (see **Figure 1**). Observed vegetation species can be found in the following **Table 1**.

Table 1. Vegetative species observed during surveys on Plunkett Reservoir.

Common Name	Scientific Name
Bladderwort	<i>Utricularia spp.</i>
Cattails	<i>Typha sp.</i>
Clasping-leaf Pondweed	<i>Potamogeton perfoliatus</i>
Common Reed	<i>Phragmites australis</i>
Eurasian Watermilfoil	<i>Myriophyllum spicatum</i>
Filamentous Algae	
Large-leaf Pondweed	<i>Potamogeton amplifolius</i>
Macroalgae	<i>Chara/ Nitella spp.</i>
Ribbon-leaf Pondweed	<i>Potamogeton epihydrus</i>

Red text indicates invasive species.

HERBICIDE APPLICATION SUMMARY

An herbicide treatment for targeted nuisance and non-native growth was conducted on June 12th. Prior to treatment, a notice was posted on the Town's website, and the lake shoreline was posted with signs warning of the treatment and the subsequent, temporary water-use restrictions. For 24 hours following the treatment, the lake was closed for all activities. Per label instructions, irrigation was restricted for five days and domestic use was restricted for three days.

Corresponding to the pre-treatment survey (Figure 1), A total of 3 areas equaling approximately 12 acres were treated with Tribune (diquat) herbicide. Herbicide usage depended on the presence of target vegetation. Treatment was performed using an Airboat equipped with a calibrated spray system, which applied a subsurface treatment to avoid aerial drift. GPS was used to provide and document real-time tracking of the treatment boat to ensure that the herbicide was evenly applied throughout the designated areas. The areas of target species identified during the pre-management survey were treated with herbicide during this event.

No fish mortalities or significant non-target impacts to other aquatic organisms were observed or reported.



INTERIM SURVEY

On July 13th, an interim survey was conducted to determine the efficacy of the treatment. Neither curly-leaf pondweed nor Eurasian watermilfoil was observed during this survey (see **Figure 2** for aquatic vegetation observations).

Several of the same native species from the early-season survey listed in Table 1 were again observed, in addition to tapegrass (*Vallisneria americana*), slender naiad (*Najas flexilis*), small pondweed (*Potamogeton pusillus*), big-leaf pondweed (*Potamogeton amplifolius*), water stargrass (*Heteranthera dubia*), and an additional macroalgae (*Chara* spp.).

LATE-SEASON SURVEY

On August 24th, SOLitude Biologists performed a final, late-season survey to assess the overall management success and document the late-season aquatic vegetation assemblage. Eurasian watermilfoil was only observed near the inlet to the Reservoir. Curly-leaf pondweed was not observed during this survey, but invasive brittle naiad (*Najas minor*) was observed. The growing season for brittle naiad appears to be during this late-season survey and as such, a focus should be placed on this species to track its spread and plan management as necessary.

Native vegetation observed included many of the species listed in Table 1, as well as the addition of common waterweed (*Elodea canadensis*). Tapegrass was observed at nuisance densities along much of the shoreline (see **Figure 3** for all vegetation observed).

ADDITIONAL SURVEY OBSERVATIONS

SOLitude was contacted in early September by a resident of Plunkett Reservoir, Mr. Fred Wang, who shared his observations with us in order to incorporate into this report. **Figure 4** illustrates his personal observations that there were several areas of Eurasian watermilfoil that experienced regrowth after the treatment. Several small and one large area of watermilfoil were hand-pulled in order to remove these patches and keep them from spreading to other locations.

MANAGEMENT RECOMMENDATIONS

Based on the results of the late-season survey and the additional survey by Fred Wang, the treatment, while successful at initially knocking down the target species, did allow for some watermilfoil re-growth to appear later in the summer. Although initial control was vastly improved and less overall regrowth was observed this year, late season watermilfoil regrowth has been consistently noted in recent years. Since diquat is a contact herbicide (does not kill the root systems), this is expected to some degree but seems to be a particular issue at Plunkett Reservoir. We recommend considering the use of a systemic herbicide for future treatments of watermilfoil. ProcettaCOR[®] is the best systemic option based on the size and characteristics of the current watermilfoil infestation.

Pre, interim and post management surveys should continue to be conducted to document the distribution of nuisance and non-native aquatic species, in order to best determine the timing for treatment and finalize treatment plans. Although not conducted this past season,, we recommend budgeting for a mid-season treatment to target tapegrass and spiny naiad

2023 Year-End Report

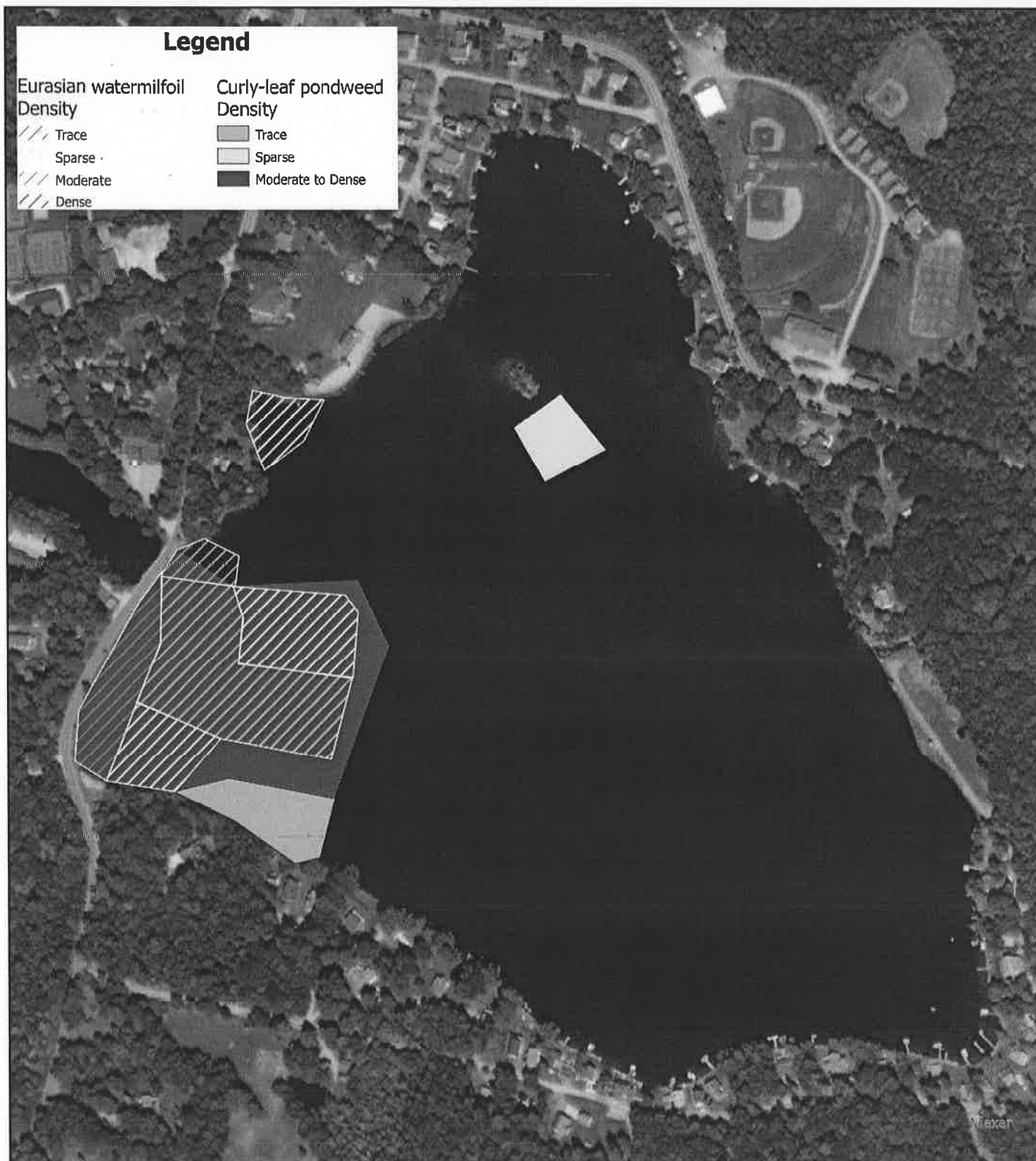
Plunkett Reservoir – Hinsdale, MA



if needed. These species grow in mid-late June-July and can grow in tall, dense patches, impeding recreational activities.

We look forward to working with you again in the 2024 season.

FIGURE 1: Pre-Management Survey Invasive Vegetation Density and Distribution



Plunkett Pond
Hinsdale/Peru, MA

Plunkett Pond

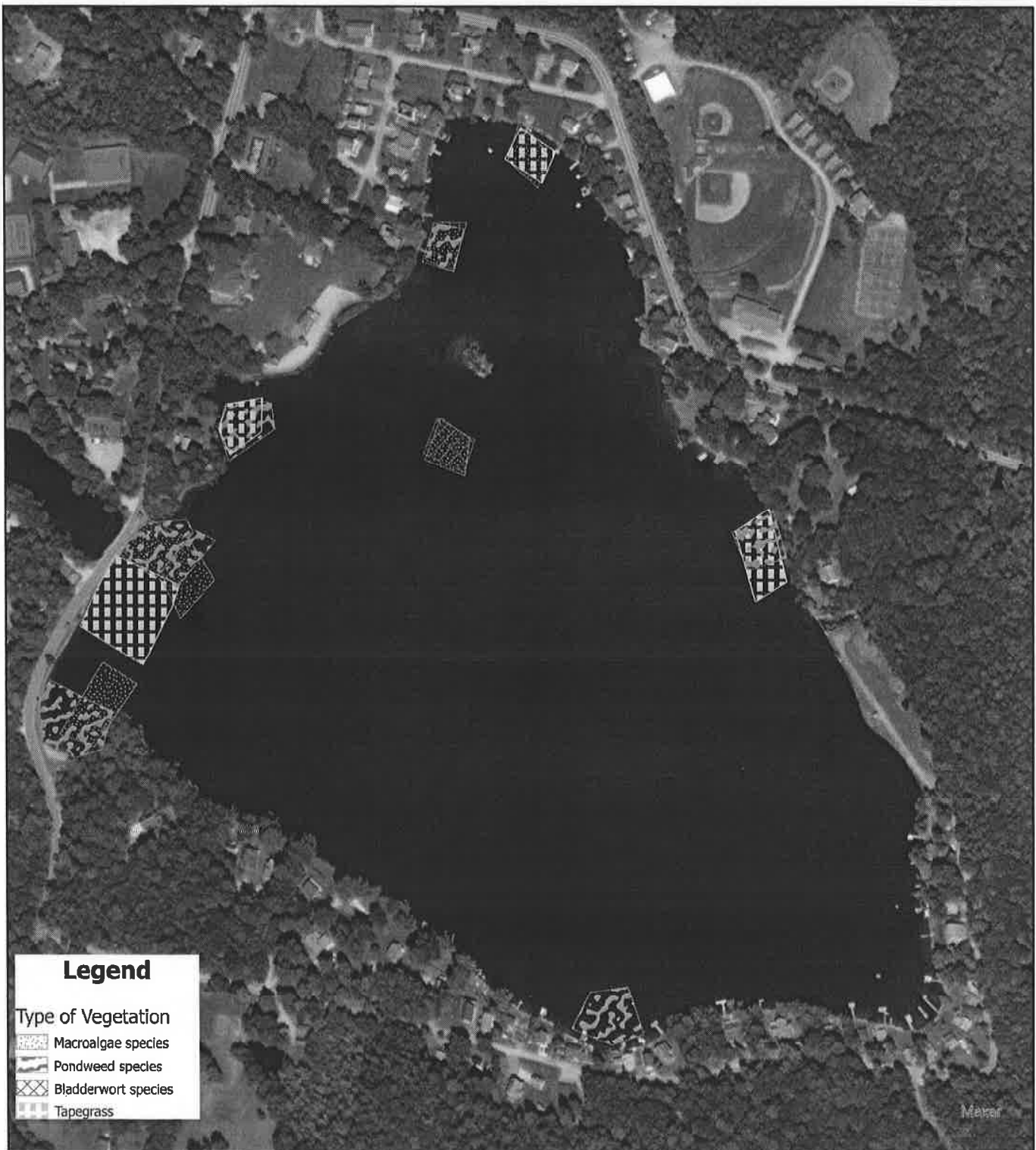
0 145 290 580
Feet



Survey Date: 06/01/2023
Map Date: 06/06/2023
Prepared by: KV
Office: Shrewsbury, MA

1:4,207

FIGURE 2: Interim Vegetation
Survey July 13, 2023



Plunkett Pond
Peru/Hinsdale, MA

Plunkett Pond

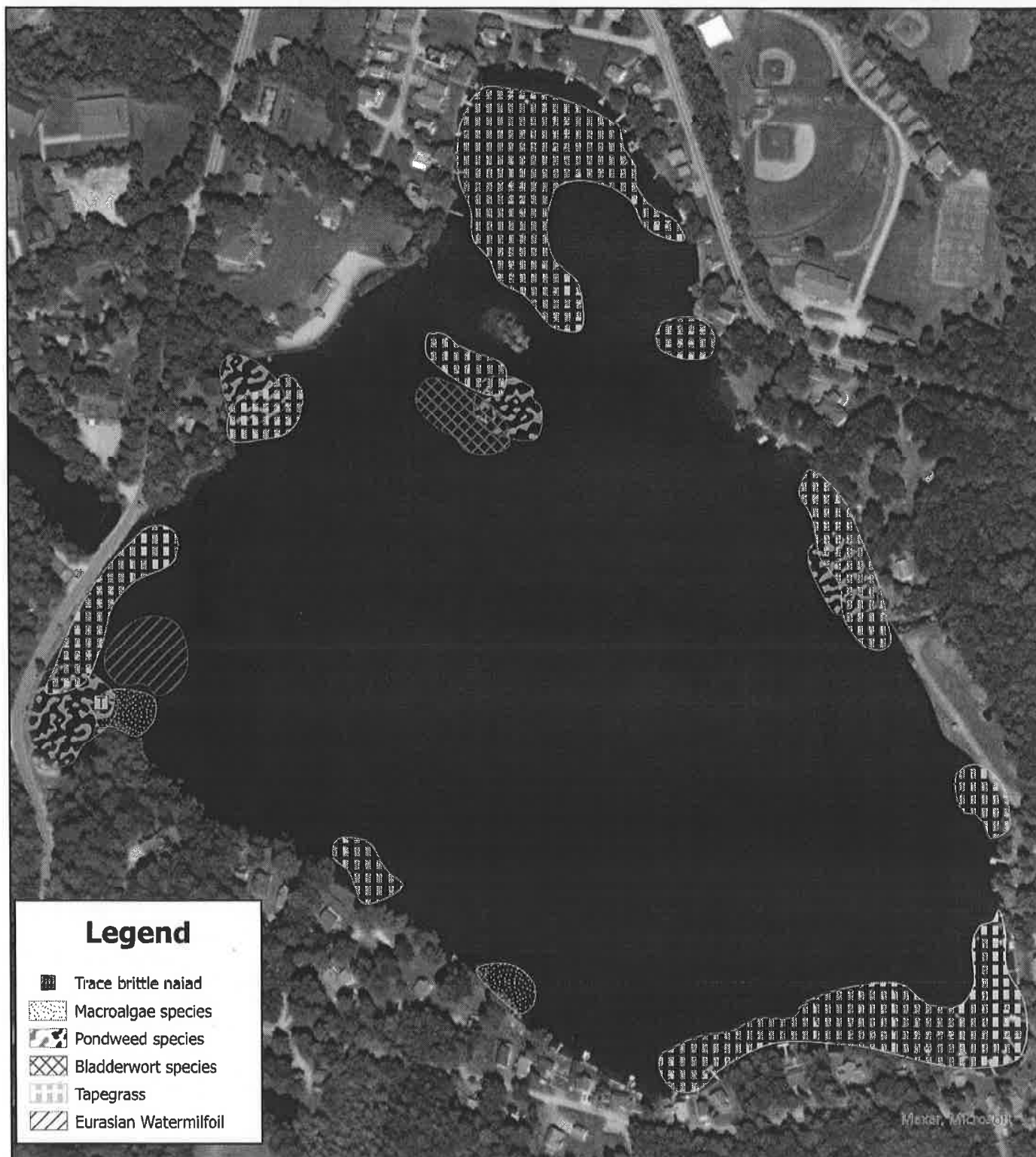
1:4,267

0 105 210 420
Feet

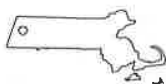


Map Date: 7/25/2023
File: Plunkett23_IntVeg
Prepared by: KV
Office: Shrewsbury, MA

FIGURE 3: Post Vegetation Survey
August 24, 2023



Plunkett Reservoir
Peru/Hinsdale, MA



Plunkett Reservoir

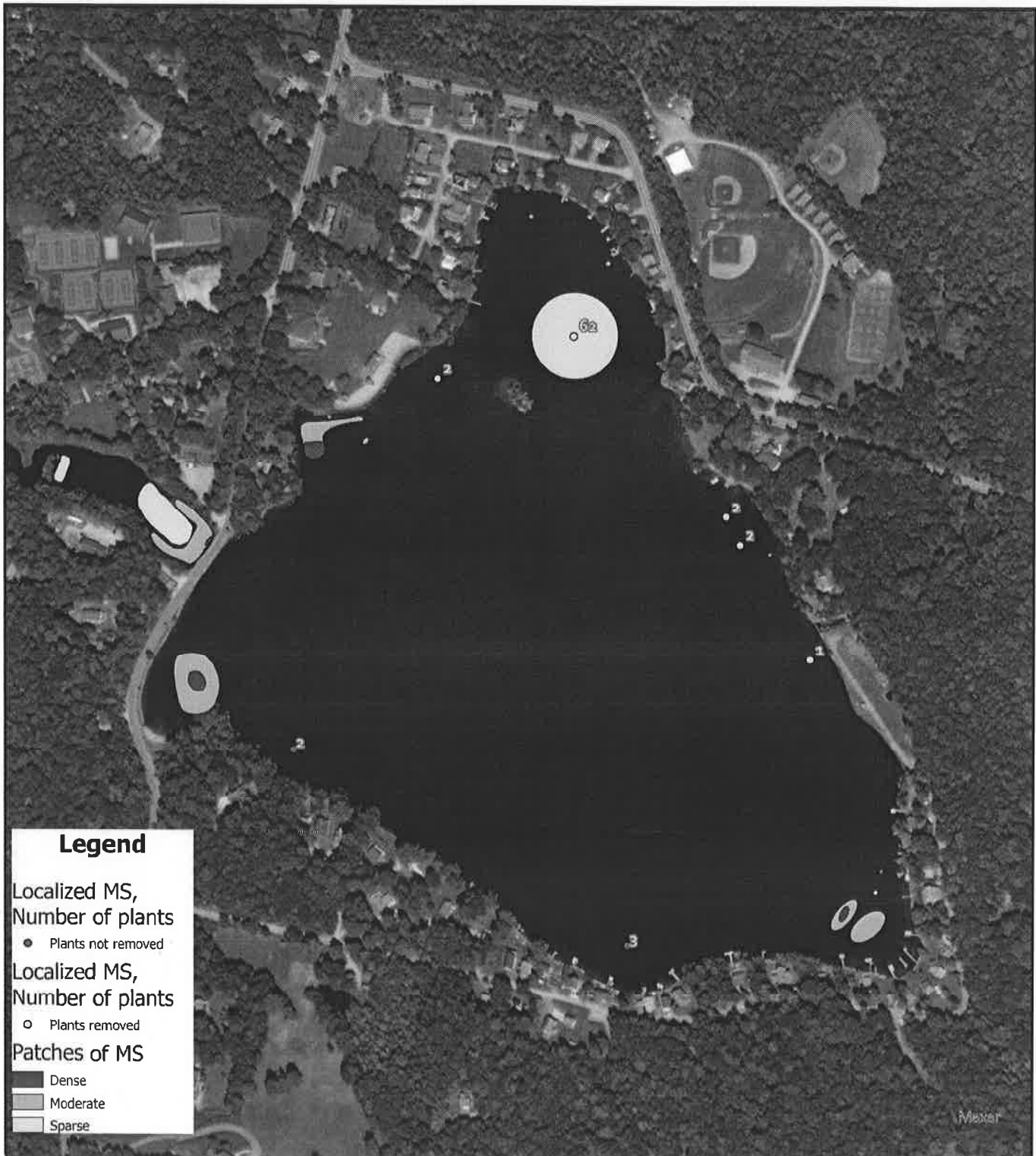
0 210 420 Feet

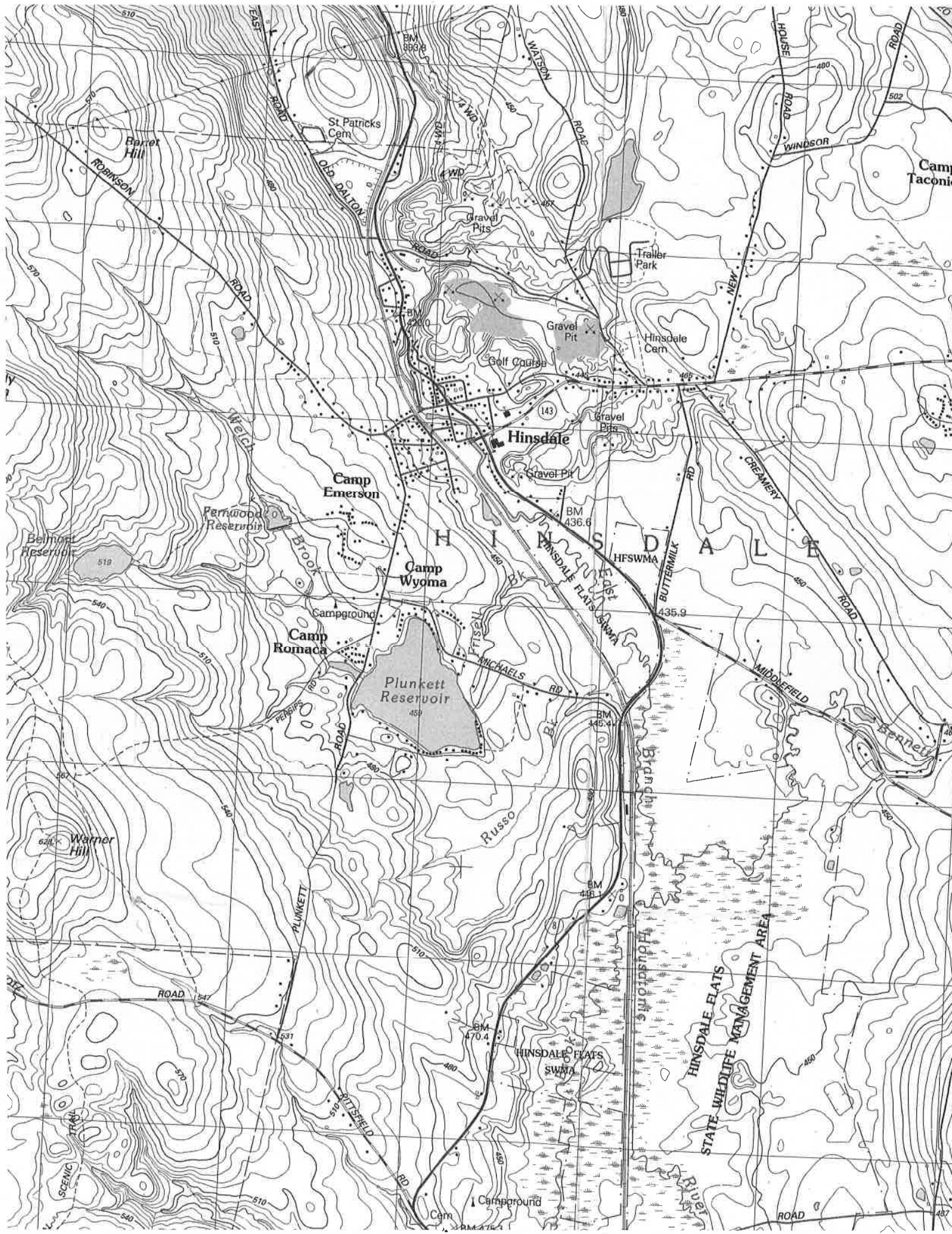
1:3,827



Survey Date: 08/24/2023
Prepared by: SB
Office: SHREWSBURY, MA

FIGURE 4: Additional Observations of Eurasian Watermilfoil
August 28, 2023







Town of Hinsdale

Affidavit

Town Administrator
39 South Street
Hinsdale, MA 01235

Town.administrator@hinsdalema.gov
413-655-2300, x355

Commonwealth of Massachusetts

)
) S.S.
)

County of Berkshire

I, Robert D. Graves, Town Administrator of Hinsdale, in Berkshire County, Massachusetts, MAKE OATH AND SAY THAT:

1. A Notice of Intent (NOI) was filed on January 31, 2024, with the Hinsdale Conservation Commission under the Massachusetts Wetlands Protection Act by the Town Administrator on behalf of the Town of Hinsdale.
2. The reason for filing the Notice of Intent is that the Town inadvertently allowed the existing Order of Conditions, File #181-0086, to expire without an Extension.
3. The Town respectfully requests a new Order of Conditions with the same existing special conditions as the previously expired Order. The previous Order of Conditions was last Amended on August 19, 2021. (Please see the Amended Order of Conditions issued 8-19-21, attached).
4. Solitude Lake Management, Inc. is under contract with the Town to provide treatment for targeted nuisance and non-native species growth to control nutrient loading from invasive species to improve habitat. No fish mortalities or significant non-target impacts to other aquatic organisms were observed or reported (see Solitude's 2023 Aquatic Vegetation Management Program's 2023 Year End Report to the Hinsdale Select Board, attached).
5. In accordance with the second paragraph of the Massachusetts Wetlands Protection Act and 310 CMR 10.05(4)(a) of the Wetlands Regulations, all abutters have been notified by U.S. mail. The certification of that mailing is attached.

COMMONWEALTH OF
MASSACHUSETTS

COUNTY OF BERKSHIRE

SUBSCRIBED AND SWORN BEFORE ME,
On January 31, 2024

Clarissa Mitchell
Signature

(Seal)

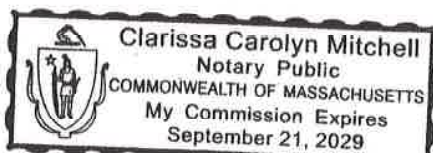
NOTARY PUBLIC

My commission Expires:

September 21, 2029


Signature

Robert D. Graves
Hinsdale Town Administrator



ALMA R. ARLOS REALTY TRUS
90 LEXINGTON AVE APT 1
CAMBRIDGE, MA 02138

BAZANCHUK, MARY K.O.
549 STARK RD
CENTER CONWAY, NH 03813

BOWEN, LEONA
467 RIMMON HILL RD
BEACON FALLS, CT 06403

BREITMAIER, GUNTER P. & L
35 SHORE DRIVE
HINSDALE, MA 01235

BREITMAIER, GUNTER P. & L
35 SHORE RD
HINSDALE, MA 01235

BRUCE, DUANE F & CHRISTIN
P.O. BOX 1215
HINSDALE, MA 01235

CADEN, TERRY M. &
20 ROSE DR
HINSDALE, MA 01235

CAMP ROMACA
P.O. BOX 110399
LAKEWOOD RANCH, FL 34211-0005

CAMP ROMACA
PO BOX 110399
LAKEWOOD RANCH, FL 34211-0005

CAMP TANGLELAKE, INC.
PO BOX 808
HINSDALE, MA 01235

CAMPBELL, VALERIE J.
PO BOX 111
110 MICHAELS ROAD
HINSDALE, MA 01235-0111

CAMPBELL, VALERIE J. &
PO BOX 111
HINSDALE, MA 01235

COLE FAMILY NOMINEE TRUST
41 MORGAN ST
WINDHAM, NH 03087

COLLINS, GARRETT, F. Jr T
5033 63RD STREET
WOODSIDE, NY 11377

COLLINS, MICHAEL GARRETT
PO BOX 922
HINSDALE, MA 01235

COLLINS, PHILLIP G
PO BOX 922
HINSDALE, MA 01235

CONROW TIMOTHY, FELDMAN,
89 OAK HILL RD
PITTSFIELD, MA 01201

COOTER SUSAN A
49 CROW LANE
SPRINGFIELD, MA 01109

COSCIA, GREGORY P
31 STONEHENGE ROAD
PITTSFIELD, MA 01201

COUGHLAN, DONNA M
162 MICHAELS ROAD
HINSDALE, MA 01235

CROSS, CONSTANCE W.
74 ROSE DR
PO BOX 841
HINSDALE, MA 01235

DAWN L. FRISSELL NOMINEE
35 BONNIE DR
PO BOX 74
HINSDALE, MA 01235

DAWN L. FRISSELL NOMINEE
35 BONNIE DR
PO BOX 74
HINSDALE, MA 01235-0074

DD REALTY TRUST
P O BOX 289
HINSDALE, MA 01235-2021

DDD NOMINEE TRUST
101 MICHAELS RD
HINSDALE, MA 01235

DDD NOMINEE TRUST
ATTN MORTGAGE DEPT
101 MICHAELS RD
HINSDALE, MA 01235

DECELLES, LAWRENCE P. & K
10 STRAWBERRY LN
WESTFORD, MA 01886

DEWEY, WILLIAM F. & JUDY
108 RENEE DR
DALTON, MA 01226

DINICOLA, GARY D
55 ELMORE DRIVE
DALTON, MA 01226

DUQUETTE, JENNIFER M.
P.O. BOX 289
HINSDALE, MA 01235

ESBIG CAROL
47 LEIGH STREET
FRAMINGHAM, MA 01701-4317

EULIAN DIANE L
43 ROSE DRIVE
HINSDALE, MA 01235

EULIAN, DIANE L.
43 ROSE DR
HINSDALE, MA 01235

EULIAN, DIANE L.
43 ROSE DRIVE
HINSDALE, MA 01235

EULIAN, WILLIAM J. JR.
61 ROSE DR
HINSDALE, MA 01235

FERRI, VINCENT & COLLEEN
22 INTERVALE ROAD
SMITHFIELD, RI 02917

FERRI, VINCENT J. & COLLE
22 INTERVALE ROAD
SMITHFIELD, RI 02917

FERRIS, ROBERT M
15 BONNIE DRIVE
HINSDALE, MA 01235

GARRETT F. COLLINS JR NOM
PO BOX 922
HINSDALE, MA 01235

GOIDEL, ERIC M
8 ROSCOE COURT
GREENVALE, NY 11548

GRECHAN, JUDITH ELLEN
73 ROSE RD
HINSDALE, MA 01235

HORTON FAMILY IRREVOCABLE
211 MONSEN RD
CONCORD, MA 01742

HORTON, JOSEPH M & SUSAN
817 MAPLE STREET
MANCHESTER, NH 01304

JUNE A JONES LIVING TRUST
1734 HARALSON DR
MECHANICSBURG, PA 17055

KARDASEN RICHARD D
P.O. BOX 306
HINSDALE, MA 01235

KARDASEN, RICHARD
P.O. BOX 306
HINSDALE, MA 01235

KORTE, SUSAN M & ROBIN L
3079 POINCIANA DRIVE
NAPLES, FL 34105

LAMONTAGNE, KRISTIN E
90 BURLINGAME HILL
ADAMS, MA 01220

LANGE KELLY, DIORIO KATHY
135 SOUTH SHORE ROAD
HINSDALE, MA 01235

LAPLANTE ROBERT & LESLIE
35 ROSE DR
HINSDALE, MA 01235

LEE, HEATHER M.
2727 REVERE STREET
#4017
HOUSTON, TX 77098

LEE, NANCY-JEAN RIZZO
53 SILVER ST
PO BOX 1593
LANESBORO, MA 01237-1593

LOGUE, WILLIAM J III
547 ELM ST
WESTFIELD, NJ 07090

MARCUS, LEE
313 SAINT MARKS AVENUE APT 3U
BROOKLYN, NY 11238

MCCORKINDALE, JEFFREY
30 HIGH MEADOW CIRCLE
EAST LONGMEADOW, MA 01028

MOUGIN, GARY F.
4671 TURNBERRY LAKE DRIVE 202
ESTERO, FL 33928

NELSON, ERIC C. & PRISCIL
198 HALE ST
BEVERLY, MA 01915

OUIMETTE JAMES W & JODI M
PO BOX 248
HINSDALE, MA 01235

PEYROUSE JANE V
33 COLUMBUS AVE
SOMERVILLE, MA 02143

PLUTA, JOHN J.
235 SOUTH SHORE RD
PO BOX 652
HINSDALE, MA 01235

PLUTA, JOHN J.
235 SOUTH SHORE RD
PO BOX 652
HINSDALE, MA 01235-0652

PRESTEGAARD, DANIEL & LAU
8 PETER COOPER RD
APT 4B
NEW YORK, NY 10010-6716

PRICE, ALLAN W. & JUDITH
96 DICKENSON AVE
PITTSFIELD, MA 01201

QUILLARD, JAMES & THERESA
126 MICHAELS RD
PO BOX 224
HINSDALE, MA 01235

RICCHI, PATRICK
169 FIRST ST
PITTSFIELD, MA 01201

RICE, PAUL B.
288 SOUTH SHORE RD
PO BOX 2054
HINSDALE, MA 01235-0384

RUSSIAN, SANDRA
2 CONESTOGA RD
LEXINGTON, MA 02421

RYAN, CHRISTOPHER
50-26 64 ST
WOODSIDE, NY 11377

SCELSI FAMILY NOMINEE TRU
2074 BRONSON RD
FAIRFIELD, CT 06824

TABB FAMILY TRUST
4 JUNIPER LN
NEWTON, NH 03858-4403

THE LEE E. WALTON 2009 RE
111 DEPOT ST
DALTON, MA 01226

TOWN OF HINSDALE
39 SOUTH ST
HINSDALE, MA 01235

TUPPER JAMES L & ANNA
20 CHERRY STREET
WRENTHAM, MA 02093

VINER JEFFERY K.
P.O. BOX 686
HINSDALE, MA 01235

WAGENBACH STEPHEN J
2074 BRONSON RD
FAIRFIELD, CT 06824

WALCZYK, PAULA M.
201 WASHINGTON MOUNTAIN
ROAD
DALTON, MA 01226

WALCZYK, STANLEY B. & PAU
201 WASHINGTON MOUNTAIN
ROAD
DALTON, MA 01226

WALSH, VINCENT C. & SARAH
18 DELL PLACE
SPRINGFIELD, MA 01118

WALTON, DOROTHY
PO BOX 86
HINSDALE, MA 01235

WALTON, TODD W. & MELINDA
71 SOUTH SHORE RD
PO BOX 786
HINSDALE, MA 01235-0786

WALTON, WAYNE H.
P.O. BOX 256
DALTON, MA 01227-0256

WANG, FREDERICK CS
352 RUSSETT RD
CHESTNUT HILL, MA 02467-3646

WHITNEY THOMAS E
13340 LAGO VISTA DR
WINTER GARDEN, FL 34787

WILLIAM J EULIAN REVOCABL
61 ROSE DR
HINSDALE, MA 01235

ALI, BASHIR F
399.5 MAIN ST
DALTON, MA 01226



Jan 31, 2024

Notification to Abutters as required by law

By Certificates of Mailing

Greetings:

You are receiving this notification because you have been identified as the owner of land abutting another parcel of land for which certain activities are proposed. Those activities require a permit under the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40).

- A. A Notice of Intent was filed with the **Hinsdale Conservation Commission** on **Jan 31, 2024** seeking permission to remove, fill, dredge, or alter an area subject to protection under M.G.L. c. 131 §40. The following is a description of the proposed activity/activities:

- * A Notice of Intent (NOI) was filed on January 31, 2024, with the Hinsdale Conservation Commission under the Massachusetts Wetlands Protection Act by the Town Administrator on behalf of the Town of Hinsdale.
- * The reason for filing the Notice of Intent is that the Town inadvertently allowed the existing Order of Conditions, File #181-0086, to expire without an Extension.
- * The Town of Hinsdale requests a new Order of Conditions with the same existing special conditions as the previously expired Order. (Please see attached Special Conditions) The previous Order of Conditions was Amended and issued on August 19, 2021. (See the Amended Order of Conditions issued 8-19-21).

- B. **Applicant:** Robert D. Graves on behalf of the Town of Hinsdale.

- C. **Address:** Off of Michaels Road;
MA_Loc_ID = :M_66051_909600; Assessor's Map ObjectID = 4693

- D. **Related Documents:** Copies of the Notice of Intent are available from the Hinsdale Conservation Commission's webpage (<https://www.hinsdalemass.com/conservation-commission>), or from Clarissa Mitchell in the Select Board Office, located in the Hinsdale Town Hall, 39 Main Street, Hinsdale, MA. Office hours are M-Th 9 - 3 pm and Fr 9 - 1 pm, or by phone at (413) 655-2300, x345; email is select.board@hinsdalema.gov

- F. Information regarding the exact date, time, and location of the public hearing regarding this **Notice of Intent** may be obtained from the Hinsdale Conservation Commission page on the Town's website, www.hinsdalemass.com/conservation-commission.

Sincerely,


Bob Graves
Town Administrator

69 pieces

104-022-000	M 55947_909948	104-022-000	31 BONNIE DR	ALI, BASHIR F	399.5 MAIN ST	DALTON	MA	01226
105-002-000	M 55708_909446	0 SOUTH SHORE RD	0 SOUTH SHORE RD	ALMA R. ARLOS REALTY TRUST	90 LEXINGTON AVE APT 1	CAMBRIDGE	MA	02138
105-028-000	M 56394_909278	249 SOUTH SHORE RD	249 SOUTH SHORE RD	BAZANCHUK, MARY K.O.	549 STARK RD	CENTER CONWAY	NH	03813
105-051-000	M 56009_909257	120 SOUTH SHORE RD	120 SOUTH SHORE RD	BOWEN, LEONA	467 RIMMON HILL RD	BEACON FALLS	CT	06403
105-064-000	M 56167_909246	0 SOUTH SHORE RD	0 SOUTH SHORE RD	BREITMAIER, GUNTER P. & LOUISE M.	35 SHIMON RD	HINSDALE	MA	01235
105-006-000	M 56841_909386	55 SOUTH SHORE RD	55 SOUTH SHORE RD	BRUCE, DUANE F & CHRISTINE	P.O. BOX 1215	HINSDALE	MA	01235
104-034-000	M 55912_910096	20 ROSE DR	20 ROSE DR	CADEN, TERRY M. &	P.O. ROSE DR	HINSDALE	MA	01235
106-003-000	M 56662_909801	0 LONGVIEW AVE	0 LONGVIEW AVE	CAMP ROMACA	P.O. BOX 110399	LAKEWOOD RANCH	FL	34211-0005
104-006-000	M 56143_909919	0 MICHAELS RD	0 MICHAELS RD	CAMP TANGLELAKE, INC.	PO BOX 808	HINSDALE	MA	01235
104-010-000	M 56105_909999	110 MICHAELS RD	110 MICHAELS RD	CAMPBELL, VALERIE J.	PO BOX 111	HINSDALE	MA	01235-0111
105-022-000	M 56256_909287	198 SOUTH SHORE RD	198 SOUTH SHORE RD	COLE FAMILY NOMINEE TRUST	41 MORGAN ST	WINDHAM	NH	03087
106-001-000	M 55575_909473	0 LONGVIEW AVE	0 LONGVIEW AVE	COLLINS, PHILLIP G	PO BOX 922	HINSDALE	MA	01235
105-035-000	M 56383_909401	301 SOUTH SHORE RD	301 SOUTH SHORE RD	CONROW TIMOTHY, FELDMAN, PATRICIA C.	89 OAK HILL RD	PITTSFIELD	MA	01201
104-002-000	M 56284_909744	212 MICHAELS RD	212 MICHAELS RD	COOTER SUSAN A	49 CROW LANE	SPRINGFIELD	MA	01109
104-011-000	M 56160_909856	162 MICHAELS RD	162 MICHAELS RD	COUGHLAN, DONNA M	162 MICHAELS ROAD	HINSDALE	MA	01235
104-029-000	M 56093_910016	74 ROSE DR	74 ROSE DR	CROSS, CONSTANCE W.	74 ROSE DR	HINSDALE	MA	01235
104-042-000	M 55882_910004	0 BONNIE DR	0 BONNIE DR	DAWN L. FRISSELL NOMINEE TRUST	35 BONNIE DR	HINSDALE	MA	01235
104-042-000	M 56390_910054	101 MICHAELS RD	101 MICHAELS RD	DDD NOMINEE TRUST	101 MICHAELS RD	HINSDALE	MA	01235
105-011-000	M 56003_909310	115 SOUTH SHORE RD	115 SOUTH SHORE RD	DECELLES, LAWRENCE P. & KARI F	10 STRAWBERRY LN	HINSDALE	MA	01235
105-053-000	M 56401_909217	0 SOUTH SHORE RD	0 SOUTH SHORE RD	DEWEY, WILLIAM F. & JUDY L	108 RENEE DR	WESTFORD	MA	01886
105-050-000	M 56966_909154	96 SOUTH SHORE RD	96 SOUTH SHORE RD	DINICOLA, GARY D	55 ELMORE DRIVE	DALTON	MA	01226
104-003-000	M 56235_909769	190 MICHAELS RD	190 MICHAELS RD	DUQUETTE, JENNIFER M.	P.O. BOX 289	HINSDALE	MA	01235
104-021-000	M 55950_909972	29 BONNIE DR	29 BONNIE DR	ESBIG CAROL	47 LEIGH STREET	HINSDALE	MA	01235
104-017-000	M 55968_910045	0 ROSE DR	0 ROSE DR	EULIAN, DIANE L.	43 ROSE DRIVE	FRAMINGHAM	MA	01701-4317
104-012-000	M 56082_910024	0 ROSE DR	0 ROSE DR	EULIAN, WILLIAM J. JR.	61 ROSE DR	HINSDALE	MA	01235
105-038-000	M 56445_909570	0 MICHAELS RD	0 MICHAELS RD	FERRI, VINCENT & COLLEEN	22 INTERVALE ROAD	HINSDALE	MA	01235
104-018-000	M 56955_910023	15 BONNIE DR	15 BONNIE DR	FERRIS, ROBERT M	15 BONNIE DRIVE	SMITHFIELD	RI	02917
406-112-000	M 55555_909384	0 LONGVIEW AVE	0 LONGVIEW AVE	GARRETT F. COLLINS JR NOMINEE TRUST	PO BOX 922	HINSDALE	MA	01235
104-016-000	M 56999_910040	40 ROSE DR	40 ROSE DR	GOIDEL, ERIC M	8 ROSCOE COURT	GREENVALE	NY	11548
104-041-000	M 56091_910057	73 ROSE DR	73 ROSE DR	GRECHAN, JUDITH ELLEN	73 ROSE RD	HINSDALE	MA	01235
105-023-000	M 56300_909283	215 SOUTH SHORE RD	215 SOUTH SHORE RD	HORTON FAMILY IRREVOCABLE TRUST	211 MONSEN RD	CONCORD	MA	01742
105-003-000	M 55761_909413	575 LONGVIEW AVE	575 LONGVIEW AVE	HORTON, JOSEPH M & SUSAN	817 MAPLE STREET	MANCHESTER	NH	01304
105-031-000	M 56398_909320	277 SOUTH SHORE RD	277 SOUTH SHORE RD	JUNE A JONES LIVING TRUST	1734 HARALSON DR	MECHANICSBURG	PA	17055
104-032-000	M 55918_910029	16 BONNIE DR	16 BONNIE DR	KORTE, SUSAN M & ROBIN L	3079 POINCIANA DRIVE	NAPLES	FL	34105
105-034-000	M 56385_909386	299 SOUTH SHORE RD	299 SOUTH SHORE RD	LAMONTAGNE, KRISTIN E	90 BURLINGAME HILL	ADAMS	MA	01220
105-014-000	M 56061_909286	135 SOUTH SHORE RD	135 SOUTH SHORE RD	LANGE KELLY, DORIO KATHY & BRIAN	135 SOUTH SHORE ROAD	HINSDALE	MA	01235
104-035-000	M 55960_910086	35 ROSE DR	35 ROSE DR	LAPLANTE ROBERT & LESLIE	35 ROSE DR	HINSDALE	MA	01235
104-008-000	M 56119_909968	122 MICHAELS RD	122 MICHAELS RD	LEE, HEATHER M.	2727 REVERE STREET	HOUSTON	TX	77098
104-014-000	M 56035_910032	54 ROSE DR	54 ROSE DR	LEE, NANCY-JEAN RIZZO	53 SILVER ST	LANESBORO	MA	01237-1593
105-021-000	M 56211_909285	187 SOUTH SHORE RD	187 SOUTH SHORE RD	LOGUE, WILLIAM J III	547 ELM ST	WESTFIELD	NJ	07090
104-033-000	M 55924_910053	12 BONNIE DR	12 BONNIE DR	MARCUS, LEE	313 SAINT MARKS AVENUE APT 3U	BROOKLYN	NY	11238
105-024-000	M 56321_909281	221 SOUTH SHORE RD	221 SOUTH SHORE RD	MCCORKINDALE, JEFFREY	30 HIGH MEADOW CIRCLE	EAST LONGMEADOW	MA	01028
105-025-000	M 56338_909278	227 SOUTH SHORE RD	227 SOUTH SHORE RD	MOUGIN, GARY F.	4671 TURNBERRY LAKE DRIVE 202	ESTERO	FL	33928
105-020-000	M 56184_909282	175 SOUTH SHORE RD	175 SOUTH SHORE RD	NELSON, ERIC C. & PRISCILLA	198 HALE ST	BEVERLY	MA	01915
105-018-000	M 56147_909270	165 SOUTH SHORE RD	165 SOUTH SHORE RD	OUIMETTE JAMES W & JODI M	PO BOX 248	HINSDALE	MA	01235
105-052-000	M 55975_909285	110 SOUTH SHORE RD	110 SOUTH SHORE RD	PEYROUSE JANE V	33 COLUMBUS AVE	SOMERVILLE	MA	02143
105-026-000	M 56356_909277	235 SOUTH SHORE RD	235 SOUTH SHORE RD	PLUTA, JOHN J.	235 SOUTH SHORE RD	HINSDALE	MA	01235-0652
105-013-000	M 56038_909294	125 SOUTH SHORE RD	125 SOUTH SHORE RD	PRESTEGAARD, DANIEL & LAURA	8 PETER COOPER RD	NEW YORK	NY	10010-6716
105-004-000	M 55806_909398	45 SOUTH SHORE RD	45 SOUTH SHORE RD	PRICE, ALLAN W. & JUDITH A	96 DICKENSON AVE	PITTSFIELD	MA	01201
104-007-000	M 56128_909949	126 MICHAELS RD	126 MICHAELS RD	QUILLARD, JAMES & THERESA	126 MICHAELS RD	HINSDALE	MA	01201
104-031-000	M 55915_910014	25 BONNIE DR	25 BONNIE DR	RICCHI, PATRICK	169 FIRST ST	PITTSFIELD	MA	01201
105-039-000	M 56490_909340	288 SOUTH SHORE RD	288 SOUTH SHORE RD	RIE, PAUL B.	288 SOUTH SHORE RD	HINSDALE	MA	01235-0384
104-047-000	M 55779_909765	447 LONGVIEW AVE	447 LONGVIEW AVE	RUSSIAN, SANDRA LE	2 CONESTOGA RD	LEXINGTON	MA	02421
406-092-000	M 55595_909551	0 LONGVIEW AVE	0 LONGVIEW AVE	RYAN, CHRISTOPHER	50-26 64 ST	WOODSIDE	NY	11377
105-060-000	M 56449_909257	0 SOUTH SHORE RD	0 SOUTH SHORE RD	SCELSI FAMILY NOMINEE TRUST	2074 BRONSON RD	FAIRFIELD	CT	06824
105-059-000	M 56423_909230	0 SOUTH SHORE RD	0 SOUTH SHORE RD	TABB FAMILY TRUST	4 JUNIPER LN	NEWTON	NH	03858-4403
105-007-000	M 55879_909405	63 SOUTH SHORE RD	63 SOUTH SHORE RD	THE LEE E. WALTON 2009 REVOC. TRUST	111 DEPOT ST	DALTON	MA	01226
105-005-000	M 55820_909393	49 SOUTH SHORE RD	49 SOUTH SHORE RD	TUPPER JAMES L & ANNA	20 CHERRY STREET	WRENTHAM	MA	02093
104-030-000	M 55911_909995	30 BONNIE DR	30 BONNIE DR	VINER JEFFERY K.	P.O. BOX 686	HINSDALE	MA	01235

105-029-000	M_66402_909293	105-029-000	265 SOUTH SHORE RD	WAGENBACH STEPHEN J	2074 BRONSON RD	FAIRFIELD	CT 06824
105-036-000	M_66373_909439	105-036-000	305 SOUTH SHORE RD	WALCZYK, STANLEY B. & PAULA M.	201 WASHINGTON MOUNTAIN ROAD	DALTON	MA 01226
104-001-000	M_66318_909714	104-001-000	230 MICHAELS RD	WALSH, VINCENT C. & SARAH ANN	18 DELL PLACE	SPRINGFIELD	MA 01118
105-033-000	M_66389_909363	105-033-000	291 SOUTH SHORE RD	WALTON, DOROTHY	PO BOX 86	HINSDALE	MA 01235
105-008-000	M_65887_909348	105-008-000	71 SOUTH SHORE RD	WALTON, TODD W. & MELINDA R.	71 SOUTH SHORE RD	HINSDALE	MA 01235-0786
105-054-000	M_65832_909203	105-054-000	0 SOUTH SHORE RD	WALTON, WAYNE H.	P.O. BOX 256	DALTON	MA 01227-0256
105-009-000	M_65940_909344	105-009-000	87 SOUTH SHORE RD	WALTON, WAYNE H.	P.O. BOX 256	DALTON	MA 01227-0256
104-019-000	M_65950_910001	104-019-000	19 BONNIE DR	WANG, FREDERICK CS	352 RUSSETT RD	CHESTNUT HILL	MA 02467-3646
105-012-000	M_66017_909303	105-012-000	117 SOUTH SHORE RD	WHITNEY THOMAS E	13340 LAGO VISTA DR	FL 34787	FL 34787
104-040-000	M_66059_910066	104-040-000	61 ROSE DR	WILLIAM J EULIAN REVOCABLE TRUST	61 ROSE DR	HINSDALE	MA 01235



U.S. POSTAGE PAID
HINSDALE, MA
01235
JAN 31 24
AMOUNT
\$11.60
R2304M115345-01



U.S. POSTAGE PAID
HINSDALE, MA
01235
JAN 31 24
AMOUNT
\$28.42
R2304M115345-01

