

Original



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 7 - Extension Permit for Orders of Conditions

181-0156

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

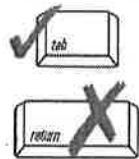
Provided by DEP

A. General Information



Bk: 7211 Pg: 186 Doc: EXTN
Page: 1 of 3 06/13/2022 12:41 PM

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



1. Applicant:
Town of Hinsdale
Name
39 South Street
Mailing Address
Hinsdale MA 01235
City/Town State Zip Code
2. Property Owner (if different):
Name
Mailing Address
City/Town State Zip Code

B. Authorization

The Order of Conditions (or Extension Permit) issued to the applicant or property owner listed above on:

2-15-2006 Date Issued by: Hinsdale Conservation Commission
for work at: Longview Avenue Street Address n/a Assessor's Map/Plat Number n/a Parcel/Lot Number

recorded at the Registry of Deeds for:

Berkshire Middle County 5708 Book 140 Page
Certificate (if registered land)

is hereby extended until: 06-19-2025 Date 12-11-2018 Date the Order was last extended (if applicable)

This date can be no more than 3 years from the expiration date of the Order of Conditions or the latest extension. Only unexpired Orders of Conditions or Extension may be extended.

This Extension Permit must be signed by a majority of the Conservation Commission and a copy sent to the applicant and the appropriate DEP Regional Office (https://www.mass.gov/service-details/massdep-regional-offices-by-community).



B. Authorization (cont.)

3-8-2022

Issue Date (mm/dd/yyyy)

Signatures:

Richard Litchfield

Signature

Raymond Houston

Signature

Caleb Mitchell

Signature

Signature

Signature

Signature

Signature

Signature

Richard Litchfield

Printed Name

Raymond Houston

Printed Name

Caleb Mitchell

Printed Name

Printed Name

Printed Name

Printed Name

Printed Name

Printed Name



WPA Form 7 – Extension Permit for Orders of Conditions

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

C. Recording Confirmation

The applicant shall record this document in accordance with General Condition 8 of the Order of Conditions (see below), complete the form attached to this Extension Permit, have it stamped by the Registry of Deeds, and return it to the Conservation Commission.

Note: General Condition 8 of the Order of Conditions requires the applicant, prior to commencement of work, to record the final Order (or in this case, the Extension Permit for the Order of Conditions) 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, it shall be noted in the Registry's Granter Index under the name of the owner of the land upon which the proposed work is to be done. In the case of registered land, it shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done.

Detach this page and submit it to the Conservation Commission prior to the expiration of the Order of Conditions subject to this Extension Permit.

To:

Conservation Commission

Please be advised that the Extension Permit to the Order of Conditions for the project at:

Project Location

DEP File Number

has been recorded at the Registry of Deeds of:

County

for:

Property Owner

and has been noted in the chain of title of the affected property in accordance with General Condition 8 of the original Order of Conditions on:

Date

Book

Page

If recorded land the instrument number which identifies this transaction is:

Instrument Number

If registered land, the document number which identifies this transaction is:

Document Number

Signature of Applicant

181-0156

Official Receipt for Recording in:

Middle Berkshire Registry of Deeds
44 Bank Row
Pittsfield, Massachusetts 01201

Issued To:
TOWN OF HINSDALE CONSERVATION COMM
39 SOUTH STREET
HINSDALE MA 01235

Recording Fees

Document Description	Number	Book/Page	Recording Amount
EXTN	00997800	7211 186	\$105.00
			\$105.00

Collected Amounts

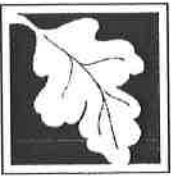
Payment Type	Amount
Check	\$105.00
	\$105.00

Total Received :	\$105.00
Less Total Recordings:	\$105.00
Change Due :	\$.00

Thank You
PATRICIA M. HARRIS - Register of Deeds

By: Stephanie Parise

Receipt# Date Time
0177849 06/13/2022 12:41p



WPA Form 7 – Extension Permit for Orders of Conditions

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

B. Authorization (cont.)

3-8-2022

Issue Date (mm/dd/yyyy)

Signatures:

Richard Litchfield

Signature

Raymond Howton

Signature

Caleb Mitchell

Signature

Signature

Signature

Signature

Signature

Signature

Richard Litchfield

Printed Name

Raymond Howton

Printed Name

Caleb Mitchell

Printed Name

Printed Name

Printed Name

Printed Name

Printed Name

Printed Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 7 – Extension Permit for Orders of Conditions

181-156

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

Provided by DEP

A. General Information



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



1. Applicant:

Town of Hinsdale Hinsdale
Name

39 South Street
Mailing Address

Hinsdale
City/Town

MA
State

01235
Zip Code

2. Property Owner (if different):

Name

Mailing Address

City/Town

State

Zip Code

B. Authorization

The Order of Conditions (or Extension Permit) issued to the applicant or property owner listed above on:

02-15-06
Date

Issued by:

Hinsdale

Conservation Commission

for work at:

Longview Avenue
Street Address

n/a

Assessor's Map/Plat Number

n/a

Parcel/Lot Number

recorded at the Registry of Deeds for:

Berkshire Middle
County

n/a
Book

5708

n/a
Page 140

Certificate (if registered land)

is hereby extended until:

06-19-2022
Date

02-09-10
Date the Order was last extended (if applicable)

This date can be no more than 3 years from the expiration date of the Order of Conditions or the latest extension. Only unexpired Orders of Conditions or Extension may be extended.

This Extension Permit must be signed by a majority of the Conservation Commission and a copy sent to the applicant and the appropriate DEP Regional Office (<http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

Signatures:

Cynthia Conroy Cynthia Conroy
Kristy Cederholm Kristy Cederholm
Duane Bruce Duane Bruce

12-11-2018
Date



WPA Form 7 – Extension Permit for Orders of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

C. Recording Confirmation

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Note: General Condition 8 of the Order of Conditions requires the applicant, prior to commencement of work, to record the final Order (or in this case, the Extension Permit for the Order of Conditions) 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, it shall be noted in the Registry's Granter Index under the name of the owner of the land upon which the proposed work is to be done. In the case of registered land, it shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done.

Detach this page and submit it to the Conservation Commission prior to the expiration of the Order of Conditions subject to this Extension Permit.

To:

Hinsdale
Conservation Commission

Please be advised that the Extension Permit to the Order of Conditions for the project at:

Plunkett Lake Retention
Project Location

181-156
DEP File Number

has been recorded at the Registry of Deeds of:

Berkshire Middle
County

for:

Town of Hinsdale, MA
Property Owner



Bk: 6443 Pg: 320 Doc: EXTN
Page: 1 of 3 07/24/2019 01:35 PM

and has been noted in the chain of title of the affected property in accordance with General Condition 8 of the original Order of Conditions on:

Date

Book

Page

If recorded land the instrument number which identifies this transaction is:

Instrument Number

If registered land, the document number which identifies this transaction is:

Document Number

Signature of Applicant

Special Conditions for File #181-156

All sediment removal to be done according to submitted plan area. Mechanical equipment will operate only from Longview Avenue.

Removed material to be immediately placed into dump truck and removed from site when truck is full.

Work can only be performed after winter drawdown of Lake is complete. Winter drawdown elevation is 1497. Additionally, the ground must be in a frosted/froze condition to permit work to be done.

Areas to be dredged will be marked with stakes and all positioning will compute to quantities listed in the plan area.

The Town of Hinsdale must appoint a project monitor to oversee the work from beginning to end of project.

Removed material to be stored at Town recycling facility for dewatering purposes. Exact site is to the right of existing paint shed.

No work whatsoever is to be performed in or to the sides of the existing flow channel.

Staked haybales will be placed in front of settling pond side of culvert.

Dredging Plunkett



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

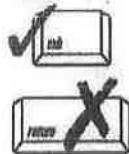
WPA Form 5 - Order of Conditions

181-156

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

A. General Information

Important:
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From: Hinsdale
1. Conservation Commission

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

3. To: Applicant:

Town of Hinsdale
a. First Name _____ b. Last Name _____ c. Company _____
39 South Street
d. Mailing Address _____
Hinsdale MA 01235
e. City/Town _____ f. State _____ g. Zip Code _____

4. Property Owner (if different from applicant):

a. First Name _____ b. Last Name _____ c. Company _____
d. Mailing Address _____
e. City/Town _____ f. State _____ g. Zip Code _____

5. Project Location:

Longview Avenue Hinsdale
a. Street Address _____ b. City/Town _____
c. Assessor's Map/Plat Number _____ d. Parcel/Lot Number _____
Latitude and Longitude, if known (note: electronic filers will click for GIS locator):
e. Latitude _____ f. Longitude _____

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

Berkshire
a. County _____ b. Certificate (if registered land) _____
783 140
c. Book _____ d. Page _____

7. Dates: 6-1-05 2-14-06 2/15/06
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):

Plunkett Lake Settling Pond
a. Plan Title _____
Weston & Sampson Engineers Inc.
b. Prepared By _____ c. Signed and Stamped by _____
d. Final Revision Date _____ e. Scale _____
Letter Report-Hand Auger Sediment Sample Results by Weston & Sampson 1-13-06
f. Additional Plan or Document Title _____ g. Date _____



WPA Form 5 – Order of Conditions

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

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. 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.

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 these interests, 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).

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

3. Buffer Zone Impacts: Shortest distance between limit of project disturbance and wetland boundary (if available)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	a. square feet 5,000	b. square feet 5,000	c. square feet	d. square feet
6. <input checked="" type="checkbox"/> Land Under Waterbodies and Waterways	a. square feet 95 e. cu.yd dredged	b. square feet 95 f. cu.yd dredged	c. square feet	d. square feet



WPA Form 5 – Order of Conditions

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

B. Findings (cont.)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
7. <input type="checkbox"/> Bordering Land Subject to Flooding	a. square feet	b. square feet	c. square feet	d. square feet
Cubic Feet Flood Storage	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	a. square feet	b. square feet		
Cubic Feet Flood Storage	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. <input 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

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

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. cu.yd dredged	d. cu.yd 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. c/y nourishmt.	d. c/y nourishmt.
14. <input type="checkbox"/> Coastal Dunes	a. square feet	b. square feet	c. c/y nourishmt.	d. c/y nourishmt.
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. cu.yd dredged	d. cu.yd 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. cu.yd dredged	b. cu.yd dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Passage	a. square feet	b. square feet		



WPA Form 5 – Order of Conditions

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

C. General Conditions Under Massachusetts Wetlands Protection Act

(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.
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.
6. 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.
7. 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.
8. 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 this 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.
9. 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, "MA DEP"]

"File Number 181-156"



C. General Conditions Under Massachusetts Wetlands Protection Act

10. 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 DEP.
11. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
12. The work shall conform to the plans and special conditions referenced in this order.
13. Any change to the plans identified in Condition #12 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.
14. 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.
15. 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.
16. 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.
17. 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.
18. All work associated with this Order is required to comply with the Massachusetts Stormwater Policy Standards.

Special Conditions:

See attached special conditions

If you need more space for additional conditions, select box to attach a text document

Special Conditions for File #181-156

All sediment removal to be done according to submitted plan area. Mechanical equipment will operate only from Longview Avenue.

Removed material to be immediately placed into dump truck and removed from site when truck is full.

Work can only be performed after winter drawdown of Lake is complete. Winter drawdown elevation is 1497. Additionally, the ground must be in a frosted/froze condition to permit work to be done.

Areas to be dredged will be marked with stakes and all positioning will compute to quantities listed in the plan area.

The Town of Hinsdale must appoint a project monitor to oversee the work from beginning to end of project.

Removed material to be stored at Town recycling facility for dewatering purposes. Exact site is to the right of existing paint shed.

No work whatsoever is to be performed in or to the sides of the existing flow channel.

Staked haybales will be placed in front of settling pond side of culvert.



D. Findings Under Municipal Wetlands Bylaw or Ordinance:

1. Is a municipal wetlands bylaw or ordinance applicable? Yes No
2. The Conservation Commission hereby finds (check one that applies):
3. that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw specifically:

a. Municipal Ordinance or Bylaw

b. 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.

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

a. Municipal Ordinance or Bylaw

b. Citation

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.

- c. The special conditions relating to municipal ordinance or bylaw are as follows:

If you need more space for additional conditions, select box to attach a text document



E. Issuance

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

2/15/06
 1. Date of Issuance

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

2
 2. Number of Signers

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.

Signatures:

Edward M. Fiedorick
Robert L. Long

Notary Acknowledgement

Commonwealth of Massachusetts County of _____

On this 15th Day of _____

Bellingham
February Month 2006 Year
Edward M. Fiedorick
 Name of Document Signer

Before me, the undersigned Notary Public, personally appeared

proved to me through satisfactory evidence of identification, which was/were

Edward M. Fiedorick
 Description of evidence of identification

to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

As member of _____ City/Town _____ Conservation Commission



Place notary seal and/or any stamp above

Katherine B. Kirchner
 Signature of Notary Public
Katherine B. Kirchner
 Printed Name of Notary Public
March 22, 2007
 My Commission Expires (Date)

This Order is issued to the applicant as follows:

by hand delivery on

Date 2/15/06

by certified mail, return receipt requested, on

Date _____



WPA Form 7 – Extension Permit for Orders of Conditions

181-0156
Provided by DEP

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

A. General Information

Important:
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Town of Hinsdale

Name

39 South Street

Mailing Address

Hinsdale

City/Town

MA

State

01235

Zip Code

2. Property Owner (if different):

Name

Mailing Address

City/Town

State

Zip Code

B. Authorization

The Order of Conditions (or Extension Permit) issued to the applicant or property owner listed above on:

2-15-2006

Date

Issued by:

Hinsdale

Conservation Commission

for work at:

Longview Avenue

Street Address

n/a

Assessor's Map/Plat Number

n/a

Parcel/Lot Number

recorded at the Registry of Deeds for:

Berkshire Middle

County

5708

Book

140

Page

Certificate (if registered land)

is hereby extended until:

06-19-2025

Date

12-11-2018

Date the Order was last extended (if applicable)

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