

May 4, 2023

Massachusetts Department of Environmental Protection
Northeast Regional Office
1501 Presidential Way
Woburn, MA 01801

Ref: DEP File No. 006-1930
Request for Superseding Order of Conditions
550 Morton St., Dorchester, City of Boston

To MassDEP NERO:

For DEP 006-1930, an Order of Conditions issued by the City of Boston Conservation Commission for an artificial turf field and related project elements proposed at 550 Morton St. in Dorchester, City of Boston, please find enclosed:

- Statement of Issues
- Signed Petition by Morton St. Ten Residents
- Copy of Fee Transmittal Form
- Copy of Fee payment

Morton St. Ten Residents can be contacted via email at aalanaf@gmail.com

Thank you for your attention in this matter.

Signed,
Aalana Feaster on behalf of Morton Street 10-Residents Group

cc: City of Boston Conservation Commission
Applicant Brooke Charter School

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MassDEP NERO

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Ten Residents' objections to the Order of Conditions issued by the Commission for the proposed 550 Morton St. project are listed below. Residents additionally provide reasons as to why the Order does not contribute to natural resource interests identified in the Wetlands Protection Act and is inconsistent with the WPA's implementing regulations.

Finally, Residents respectfully request that MassDEP make findings and determinations as to whether the proposed artificial field project is consistent with requirements for protection of environmental justice communities as established by the Climate Road Map Act, Chapter 8 of the Acts, 2021 and the Executive Office of Energy and Environmental Affairs's (EEA) EJ Policy and Executive Order 552. That Order requires that EEA agencies including MassDEP develop strategies to "proactively promote environmental justice in all neighborhoods in ways that are tailored to their agencies' mission."

**THE ORDER DOES NOT CONTRIBUTE TO NATURAL RESOURCE
PROTECTION INTERESTS IDENTIFIED IN THE WETLANDS PROTECTION
ACT AND IS INCONSISTENT WITH WPA'S IMPLEMENTING REGULATIONS.**

1. The Boston Conservation Commission failed to evaluate and make supported findings that the clear-cutting of approximately 70 trees forming part of an integrated natural system would not significantly alter WPA jurisdictional resources at the 550 Morton St site. Specifically, the Commission did not address how the removal of these 70 trees would remove shade, drastically reduce evapotranspiration (therefore increasing flooding and runoff into jurisdictional wetlands), and increase nutrient loading.
2. The Boston Conservation Commission failed to evaluate and make supported findings that the artificial turf field and associated maintenance requirements as proposed by the applicant would not have adverse impacts on WPA jurisdictional wetland resources at the 550 Morton St site.
3. The Commission failed to adequately evaluate how the proposed project would alter site hydrology and adversely impact jurisdictional resources at the site. The applicant proposes replacing the existing 100% pervious natural "green infrastructure" upland and wetland system with hardscape channels and an engineered storage and infiltration system. The Conservation Commission may not substitute requirements of the Boston Water and Sewer Commission for its own independent analysis and application of WPA requirements. It is important to note that the US Environmental Protection Agency (EPA) defines artificial turf as an impervious surface."¹ This addition of **88,958** square feet of impervious surface will alter the hydrology of the adjacent wetlands and waters.
4. Additionally, the Commission failed to evaluate and make supported findings that the turf materials proposed and its maintenance requirements would not have adverse impacts on bordering and downstream waters of the Commonwealth, namely the Canterbury Brook.

¹ <https://www3.epa.gov/region1/npdcs/stormwater/ma/2016fpd/appendix-a-2016-ma-sms4-gp-mod.pdf>

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The City of Boston Conservation Commission issued an Order of Conditions April 24, 2023 for proposed construction of an artificial turf field and related project elements on a 181,750 sq ft lot of natural, undeveloped land at 550 Morton St., Dorchester, City of Boston.

The Morton St. land is an ecologically important site, with significant natural resource areas protected under the Wetlands Protection Act (WPA.) The property is located in an environmental justice (EJ) community as designated by the Commonwealth. The proposed project would remove approximately 70 trees and install artificial turf within the Canterbury Brook urban watershed.

In issuing the subject Order of Conditions, the Boston Conservation Commission failed to protect WPA jurisdictional resources located in the Morton St. environmental justice community.

The Order issued by the Boston Conservation Commission is inconsistent with 310 CMR 10.00 and does not contribute to the protection of interests identified in M.G.L. c. 131, § 40.

The Commission improperly determined that conditions listed in the Order for the proposed project would meet applicable performance standards for resource areas at 550 Morton St., which areas the Order identifies as being:

- a. Riverfront Area
- b. Waterfront Area
- c. Bordering Vegetated Wetland (BVW)
- d. Inland Land Subject to Flooding (ILSW)
- e. Land Under Water (LUW)
- f. Inland Bank
- g. 100 ft Buffer Zone to Bordering Vegetated Wetland
- h. 100 ft Buffer Zone to Inland Bank

The Commission failed to require the applicant to provide the complete, accurate, and relevant information required under the regulations. As a result, the Order is not based on information sufficient to support its conclusions and Commission resource protection duties under M.G.L. c. 131, § 40. Moreover, the Commission *incorrectly* interpreted direction from Massachusetts Department of Environmental Protection (MADEP) employees regarding the Commission's jurisdiction over microplastics and per-and polyfluoroalkyl substances (PFAS) leaching into adjacent wetlands and waters; specifically, the Commission stated that, "Wetlands Program at DEP NERO does not consider PFAS to be a wetlands related matter, and given that the WPA does not mention PFAS or other related chemicals, believes that PFAS is outside the purview of the Commission and DEP on appeal." This is incorrect, and reliance on this interpretation resulted in the Commission failing to take into account the alteration of wetlands and waters due to PFAS and microplastic contamination.

As provided by Morton St. Ten Residents now file with MassDEP this request for a Superseding Order of Conditions.

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Specifically, artificial turf and its infill result in the shedding of artificial turf blades,² and other microplastics.³ These microplastics will alter the wetlands and waters adjacent to the site.

5. The Boston Conservation Commission improperly deferred to a time post-Order approval that the applicant provide technical information concerning the proposed artificial turf field and its maintenance requirements. By such improper deferral, the Commission and members of the public including Morton St Ten Residents and their experts were prevented from evaluating this proposed artificial turf field and its associated maintenance requirements.

6. The Boston Conservation Commission Order of Conditions failed to require that any / all imported soil or fill required for the proposed project be certified by the contractor / supplier to be PFAS free; the Commission's Order further failed to require that the applicant independently test and confirm in writing that any / all such imported soil or fill required for the proposed project is PFAS free.

7. The Commission failed to evaluate and make any findings that the proposed loss of urban upland habitat, and soil biome would not cause any adverse impacts on WPA jurisdictional resources and therefore must be mitigated or conditioned in an Order.

8. The Commission failed to make any inquiries into whether jurisdictional resources would be harmed, impaired, or altered by the installation of any playfield lighting, walkway lighting, or security lighting contemplated for the artificial field project.

9. The Commission failed to make any meaningful inquiry into project alternatives, such as utilizing the school's newly installed field right behind its building, or addressing school playfield needs at existing nearby locations, such as Harambee Park and White Stadium at Franklin Park. The City of Boston facility has expressly designated these sites for youth athletics.

The applicant failed to prepare, and the Commission failed to require, a complete and accurate "No Build" alternative which fairly describes the benefits of natural lands and green infrastructure / natural systems.

10. The Boston Conservation Commission did not follow basic procedural requirements with respect to the accurate and complete information necessary for a sufficient application under the WPA. Notwithstanding the clear requirements of the Act, and written request of residents and other, the Commission:

a. Failed to reconcile why Massachusetts Department of Transportation was listed as the property owner in the Notice of Intent, with accompanying owner's signature by "Ryan McNeil" at part F. WPA Form 3, with ownership only to be subsequently changed to Lena New Boston in the Order.

WPA Form 3. Part F. Signatures and Submittal Requirements includes the statement:

² <https://www.youtube.com/watch?v=A8OLBfWmt7g&t=2s>

³ <https://www.diva-portal.org/smash/get/diva2:1549783/FULLTEXT01.pdf>

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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).

WPA Form 3 Part F. was signed by the following:

Mark Loring: Applicant 2/27/2023

Ryan McNeail: Property Owner (if different) 2/28/2023

John Schmid: Representative (if any) 2/27/2023

Form 3 indicates that there is more than one property owner, but the referenced attachment is not provided - it may be that the Lena New Boston ownership was indicated on the attachment if said attachment was provided.

b. The Commission failed to require an Authorized agent letter, providing confirmation from property owner Lena New Boston, LLC that they consent to and authorize the application and referenced work, and acknowledging that all applicable terms of the Order shall be binding upon them as the underlying owner.

Morton St. residents are not able to find any evidence in the project record before the Commission that the landowner accepts responsibility for all applicable terms of the Order, including for example "the landowner is responsible for BMP maintenance" 19.c)

There is no document submitted by the nominal applicant, or required by the Commission whether an amended NOI or separate confirming letter signed by any authorized representative of the apparent actual property owner acknowledging ownership, authorizing the NOI application, or accepting any obligation of applicable conditions of the Order.

Neither applicant Brooke nor the listed engineering firm may bind apparent owner Lena without Lena's consent, which is nowhere provided. This is based on Residents' diligent search of the materials before the Commission, and which the Commission did not require to be produced before issuing the Order.

MassDOT has not provided any explanation of the apparent confirmation of property ownership certified in the NOI at WPA Form 3. Part F.

Morton St. Residents are prepared to conclude that the NOI certifications were inadvertently inaccurate, but do place responsibility on the Boston Conservation Commission for failing to acknowledge and address this discrepancy when it was brought to the Commission's attention by residents.

c. Failed to require a complete and accurate listing of all permits and approvals required for the project, as the NOI did not list, for example, review by the City's Parks Commission, and the Conservation Restriction or easement shown on the approved plan as a project requirement. The applicant and Commission provided only after-the-fact written acknowledgement in the Order of

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Conditions concerning the CR and / or easement requirements, and improperly deferred this requirement to a time post-approval.

(Both the applicant and the City have denied that the project is subject to Parks Commission review under Boston Municipal Code 7-4.11, notwithstanding written confirmation by Mass Audubon President David J. O'Neill that Mass Audubon owns conservation land which Residents have measured as being within 100 feet of the 550 Morton St. site and thus subject to Parks Commission review.)

These apparent decisions to "hide the ball" and not disclose relevant information known to both the Commission and the applicant and required for disclosure under the WPA is material to Morton St Resident environmental concerns and in violation of WPA requirements.

Residents note with regret that the above-listed inaccuracies and omission of material information has been a consistent pattern for the 550 Morton St. proposed project among the applicant and City of Boston entities alike - placing on Residents the burden of seeking out basic information which should ordinarily be readily and willingly disclosed .

This burden itself is a manifestation of environmental injustice and Residents now seek full and accurate project information disclosure with MassDEP through a Superseding order of Conditions.

SUMMARY OF CONCERNS re BOSTON CONSERVATION COMMISSION ORDER

The Wetland Protection Act provides that if the conservation commission finds that 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 M.G.L. c. 131, § 40, it may issue an Order prohibiting the work. The Order shall specify the information which is lacking and why it is necessary.

Boston Conservation Commission failure to make necessary inquiries for ALL relevant information necessary "to describe the site, the work or the effect of the work on the interests identified in M.G.L. c. 131, § 40" renders the Order issued by the Commission fundamentally defective.

Further, the Commission shall issue an Order denying an application where the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. The Commission improperly determined that the listed conditions for the 550 Morton St. proposed project would meet the applicable performance standards.

The Commission's failure to consider the shedding of microplastics and the leaching of PFAS into the wetlands and waters adjacent to the site as an "alteration" of resource areas is concrete evidence that the full impacts from the proposed project were not evaluated. 310 CMR 10.04 defines "alter" as a "change the condition of any Area Subject to Protection under M.G.L. c. 131, § 40...includ[ing]...the changing of ...chemical characteristics of the receiving water." Artificial turf fields shed hundreds of pounds of microplastics annually, and new fields have been shown to

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leach 12 parts per trillion (ppt) of PFAS6 into surrounding areas.⁴ As artificial turf fields weather from rain, abrasion, and exposure to ultraviolet light, even more chemicals will leach off. The addition of PFAS and other chemicals from the proposed artificial turf field falls within the meaning of the term “alter” in the Wetlands Protection Act. Therefore, failure to quantify or even consider this impact indicates that the Commission is not protecting groundwater supply, fisheries, wildlife habitat, or preventing pollution, as required by the Wetlands Protection Act. Indeed, the Commission found in its Order of Conditions that the areas in which the work is proposed is significant to all nine interests articulated in the Wetlands Protection Act (see Figure 1).

Figure 1

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act

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

Check all that apply:

a. <input checked="" type="checkbox"/> Public Water Supply	b. <input checked="" type="checkbox"/> Land Containing Shellfish	c. <input checked="" type="checkbox"/> Prevention of Pollution
d. <input checked="" type="checkbox"/> Private Water Supply	e. <input checked="" type="checkbox"/> Fisheries	f. <input checked="" type="checkbox"/> Protection of Wildlife Habitat
g. <input checked="" type="checkbox"/> Ground Water Supply	h. <input checked="" type="checkbox"/> Storm Damage Prevention	i. <input checked="" type="checkbox"/> Flood Control

Given that the EPA recently stated that there is “no dose below which [PFOS and PFOA] is considered safe,”⁵ and we are seeing PFOA in many turf samples, it is critical that the Commission evaluate the impacts of PFOA and other PFAS on the resource areas on site. Indeed, Condition 49 of the Commission’s Order of Conditions states that “No hazardous material shall be introduced or discharged into *or toward* wetland resource areas” (emphasis added). The Commission erred when it did not require the applicant to disclose which hazardous substances contained in 301 CMR 41.00 are in the artificial turf field, and how much will leach into the resource areas. However, it is clear from work done in other municipalities that PFAS6 do leach off these artificial turf fields, and they must be considered an alteration under the Wetlands Protection Act.

Thus, Residents respectfully now seek review by MassDEP of the proposed 550 Morton St. project.

550 MORTON ST PROJECT CONTEXT

The 550 Morton St site is one of the most ecologically significant sites in the City of Boston; this significance is only heightened by virtue of its location in an urban, environmental justice community.

⁴ https://www.mvcommission.org/sites/default/files/docs/2021-02-26%20%28TurfAnalysisReport_FINAL%29.pdf, page 16

⁵ <https://www.federalregister.gov/documents/2023/03/29/2023-05471/pfas-national-primary-drinking-water-regulation-rulemaking#addresses>

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The site's ecological significance derives from its combination of upland, meadow, wetland, urban stream, and mature tree canopy features, which together form an intact, interconnected natural system.

Unaccountably and in direct variance with clear, well-established evidence of natural resource values, the applicant stated in the Notice of Intent that the 550 Morton St. site is simply "wooded and undeveloped and of no use to the community." NOI Alternatives Analysis. p.4 / PDF p. 34/385.

The 550 Morton St. site is part of a larger ecosystem that includes Mass Audubon conservation land within 100 feet of the property - and thus subject to Boston Parks Commission review - applicant and City of Boston Conservation Commission and Environment Department representations and omissions notwithstanding.

The Commonwealth of Massachusetts owns a 156,355 sq ft parcel of natural land directly to the south and east of 550 Morton St. - City of Boston Assessor Parcel Number 1405196150. The Canterbury Brook runs through this land after emerging from an underground culvert at Harvard St. The Brook is bordered on both sides by trees and understory and is a designated "water of the Commonwealth" under the Wetlands Protection Act.

This state land is designated "Canterbury Brookside I" urban wild in the City of Boston Open Space inventory.

Residents respectfully request inquiry by MassDEP as to whether proposed actions at the 550 Morton St. site such as introduction of chemicals and other harmful materials from the proposed artificial turf field and alternation of site hydrology may impair waters of the Commonwealth.

**PROJECT HISTORY WITH RESPECT TO THE MASSACHUSETTS
ENVIRONMENTAL PROTECTION ACT (MEPA)**

Morton St. Ten Residents requested an Advisory Opinion from the MEPA office, which was issued on September 2, 2022. The advisory ruling found that MEPA review was not required at that time because, while "Agency Action" was required, the Project did not meet or exceed any MEPA review thresholds under 301 CMR 11.03.

Residents thereafter filed a Fail-Safe Petition for MEPA review, which was denied on March 20, 2023.

Residents next requested the Morton St. matter and its MEPA applicability be placed on the Environmental Justice Council agenda for discussion. This request remains pending as of the date of this filing.

**MASSDEP ANALYSIS OF THE PROPOSED PROJECT UNDER THE CLIMATE
ROADMAP ACT & EEA'S ENVIRONMENTAL JUSTICE POLICY AND EXECUTIVE
ORDER 552.**

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Residents respectfully request that MassDEP make findings and determinations under the requirements for protection of environmental justice communities as established by the Climate Road Map Act, Chapter 8 of the Acts, 2021 and EEA's EJ Policy and Executive Order 552.

That Order requires that EEA agencies including MassDEP develop strategies to "proactively promote environmental justice in all neighborhoods in ways that are tailored to their agencies' mission."

As noted above, the MEPA office found that the proposed project does not meet or exceed review thresholds which would trigger MEPA review.

Longstanding, disparate environmental impacts in environmental justice communities have led to an existing baseline of substantial cumulative adverse impacts - including cumulative impacts on resources regulated by MassDEP under the Wetlands Protection Act and other laws and regulations.

Thus while an individual project's incremental impacts may not exceed a MEPA review threshold, these impacts may add to an already existing substantial, disparate, and harmful impact in an environmental justice community.

The enhanced analysis provisions of the Roadmap Act and directives to MassDEP under EEA's EJ Policy and Executive Order 552 are applicable to MassDEP review of the proposed project.

The 550 Morton St proposed project site is located in an environmental justice community. The proposed project involves project loss of urban tree canopy, creation of a heat island, use of artificial turf, and other project elements which are reasonably likely to cause harm and contribute to an existing substantial level of adverse, disparate environmental impacts within MassDEP jurisdiction.

Accordingly, MassDEP review of the project within the framework established by the Roadmap Act and EEA directives is appropriate and necessary.

MORTON ST. TEN RESIDENTS

Morton St. Ten Residents include residents of the City of Boston, where the subject project is proposed. One or more petitioners participated in Boston Conservation Commission consideration of the Notice of Intent and Order of Conditions for the proposed artificial turf field and related project elements at 550 Morton St. Dorchester, City of Boston.

JURISDICTION

The Massachusetts Department of Environmental Protection has jurisdiction to consider this request for a Superseding Order of Conditions, under MGL and as Ten Residents' request has been filed within ten business days of issuance of the order on April 24, 2023 (WPA Form 5 - 7c).

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The required filing fee has been submitted separately to the Commonwealth via the Request for Departmental Action Fee Transmittal Form. Copies of the Form and fee payment have been provided to the Department.

A copy of this request has been sent via Certified Mail to the Boston Conservation Commission and separately to the applicant.

CONCLUSION

For these reasons and for others which may be introduced, Morton St. Ten Residents respectfully request that the Massachusetts Department of Environmental Protection:

- A. Accept residents petition Requesting a Superseding Order of Conditions
- B. Require or as appropriate independently perform a comprehensive, accurate evaluation of the following, with findings and conditions based on substantial evidence:
 - 1. Evaluation of whether clear-cutting of approximately 70 trees forming part of an integrated natural system will significantly alter WPA jurisdictional resources at the 550 Morton St site.

As part of this analysis, require the applicant at their sole expense to complete an analysis of heat island impacts, natural habitat loss, shade and wind buffering changes, hydrological changes, and all other related ecosystem benefits of existing site trees and as applicable under the WPA. A simple numeric accounting of trees “before/after” project, or limiting heat impact analysis to comparing the proposed artificial turf material with a material with purported greater heat impacts, does not constitute substantial evidence required to support an Order of Conditions.

- 2. Evaluation of whether the artificial turf field and associated maintenance requirements as proposed by the applicant will have adverse alterations to WPA jurisdictional wetland resources at the 550 Morton St site.

As part of this analysis, require the applicant to provide a complete and accurate technical description of the artificial turf material proposed, including the hazardous chemicals contained in the artificial turf system, and its maintenance and replacement requirements performed by an independent expert and not by the product supplier. Special attention must be paid to the leaching of PFAS and microplastics into the adjacent wetlands and waters.

- 3. Analysis of how the proposed project will alter site hydrology and whether such evaluation will adversely impact jurisdictional resources at the site, as the applicant proposes replacing the existing 100% pervious natural “green infrastructure” upland and wetland system with hardscape channels and an engineered storage and infiltration system.
 - 4. As part of an overall hydrological and local watershed analysis, evaluate whether the turf materials proposed and its associated maintenance requirements may significantly impact bordering and downstream waters of the Commonwealth beyond the site, namely the Canterbury Brook, the Mass Audubon Wetlands and the Charles River Watershed.

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5. Require a complete and accurate site maintenance plan, not deferred to a time post-Order approval, which plan must include technical information concerning the proposed artificial turf field and its maintenance requirements, as well as any / all herbicide, weed-abatement, poison or other wildlife control measures intended - including site fencing which may hinder wildlife migration.
6. Determine the extent of anticipated fill and need for imported soils and materials, and require the that any / all imported soil or fill for the proposed project be certified by the contractor / supplier to be PFAS free, and that applicant independently test and confirm in writing that any / all such imported soil or fill required for the proposed project is PFAS free.
7. Determine whether the proposed loss of urban upland habitat, and soil biome would not cause any adverse impacts on WPA jurisdictional resources and therefore must be mitigated or conditioned in an Order.
8. Determine whether jurisdictional resources will be harmed, impaired, or altered by the installation of any playfield lighting, walkway lighting, or security lighting contemplated for the artificial field project. The lighting impact / lighting trespass analysis must be based on quantitative data and independent analysis, not information provided by a lighting supplier.
9. Require analysis of feasible project alternatives, including addressing school playfield needs at existing nearby locations, such as the schools existing “new” field, Harambee Park, and White Stadium at Franklin Park, which the City of Boston facility expressly designated for youth athletics. Alternatives analysis must include a complete and accurate evaluation of the “No Build” alternative, and a “Land Conservation” alternative, addressing benefits of natural land for both passive recreation, natural habitat, stormwater management, and urban heat island cooling.
10. Enforce all procedural requirements with respect to the accurate and complete information necessary for a sufficient application under the WPA:
 - a. Reconcile why Massachusetts Department of Transportation was listed as the property owner in the Notice of Intent, with accompanying owner’s signature by “Ryan McNeil” at part F. WPA Form 3, with ownership only to be subsequently changed to Lena New Boston in the Order. WPA Form 3. Part F. Signatures and Submittal Requirements includes the statement:

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).

WPA Form 3 Part F. was signed by the following:

Mark Loring: Applicant 2/27/2023
Ryan McNeail: Property Owner (if different) 2/28/2023
John Schmid: Representative (if any) 2/27/2023

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b.1 Require an Authorized agent letter, providing confirmation from property owner Lena New Boston, LLC, stating that they consent to and authorize the application and referenced work, and acknowledging that all applicable terms of the Order shall be binding upon them as the underlying owner.

b.2 Require a baseline, existing conditions site map prepared to Land Court standards, clearly indicating the various property boundaries and ownerships as referenced in the NOI and Order of Conditions.

Additionally, require reconciliation of 550 Morton St. lot size, as City of Boston records for parcel number 1405196970 state 181,750 sq ft. while applicant NOI states 195,847 sq. ft. The Order of Conditions WPA Form 5 at A.5.d General Information Project Location confirms the City of Boston parcel number as 1405196970.

b3. Require a proposed project site plan prepared to Land Court standards, which, among other things, will show property boundaries, WPA jurisdictional boundaries, and all proposed easements and access points required for the proposed project.

c. Require a complete and accurate listing of all permits and approvals required for the project, including review by the City's Parks Commission, and the Conservation Restriction or easement shown on the approved plan as a project requirement. 3. Conduct at least 1 site visit, widely noticed and carried out in accordance with prevailing public health requirements;

C. If applicable, direct that a peer review analysis of a revised application be conducted at applicant expense;

D. In addition to evaluation under WPA requirements applicable to the Boston Conservation Commission, evaluate the proposed project and make findings and determinations concerning the project under the procedural and substantive requirements of the Climate Roadmap Act and EEA's EJ Policy and Executive Order 552 as applicable to MassDEP.

E. In making its inquiry and issuance of any findings and determinations apply the standard of review appropriate for a private project proposed on undeveloped, ecologically significant land in an Environmental Justice community.

Thank You

REQUEST FOR DEPARTMENTAL ACTION

ORDER of CONDITIONS: DEP 006-1931

We the undersigned City of Boston residents appeal to the Massachusetts Department of Environmental Protection, for review of the Order of Conditions issued by the City of Boston Conservation Commission for DEP 006-1931. Supporting materials are enclosed. *and to issue a Superseding Order*

Project: New Artificial Turf Field and Related Project Elements

Street Address: 550 Morton St., Mattapan, City of Boston

MassDEP Number: DEP 006-1931

Chulun Tsao

Signature

Ashara Feaster

Printed Name

22 Senator Bolling Circle, Dorchester, MA 02124

Street Address

Carmencita K. Feaster

Signature

Carmencita K. Feaster

Printed Name

22 Senator Bolling Circle, Dorchester Center, MA 02124

Street Address

Sarah E. Freeman

Signature

Sarah E. Freeman

Printed Name

22 Arborway, Jamaica Plain, MA 02130

Street Address

Louise S Johnson

Signature

Louise S Johnson

Printed Name

20 Malcolm Rd Jamaica Plain, Ma 02130

Street Address

Jill Havens

Signature

Jill Havens

Printed Name

20 Malcolm Rd. Jamaica Plain, MA 02130

Street Address

Kay Mathew

Signature

KAY MATHAW

Printed Name

62 ALDWORTH ST. JAMAICA PLAIN, MA 02130

Street Address

REQUEST FOR DEPARTMENTAL ACTION

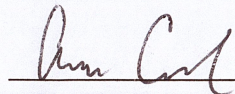
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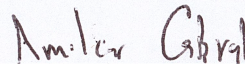
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Street Address: 550 Morton St., Mattapan, City of Boston

MassDEP Number: DEP 006-1931



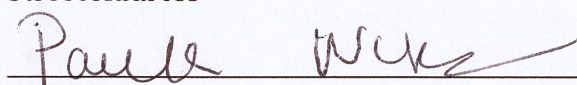
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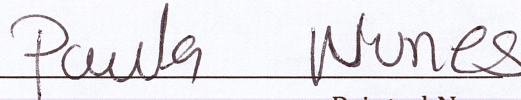
Printed Name

20 Senator Bolling Circle Boston, MASS. 02124

Street Address



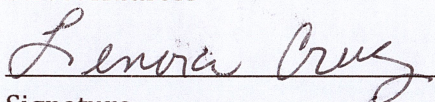
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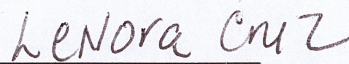
Printed Name

20 Senator Bolling Circle, Boston, MASS, 02124

Street Address



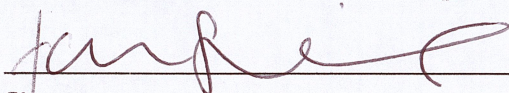
Signature



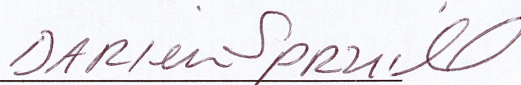
Printed Name

23 Senator Bolling Cir Dorchester MA 02124

Street Address



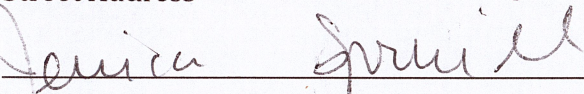
Signature



Printed Name

21 Senator Bolling Circle Dorchester MA 02124

Street Address



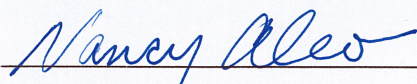
Signature



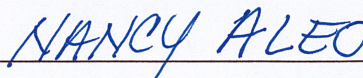
Printed Name

21 Senator Bolling Circle Dorchester MA. 02124

Street Address



Signature



Printed Name

55 STELLA Rd ROSLINDALE, MA 02131

Street Address

REQUEST FOR DEPARTMENTAL ACTION

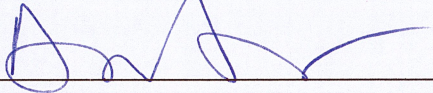
ORDER of CONDITIONS: DEP 006-1931

We the undersigned City of Boston residents appeal to the Massachusetts Department of Environmental Protection, for review of the Order of Conditions issued by the City of Boston Conservation Commission for DEP 006-1931. Supporting materials are enclosed.

Project: New Artificial Turf Field and Related Project Elements

Street Address: 550 Morton St., Mattapan, City of Boston

MassDEP Number: DEP 006-1931


Signature _____ Printed Name Dorothee Alsentzer

4 Remington St. , Dorchester , MA 02124
Street Address _____

Signature _____ Printed Name _____

Street Address _____

Signature _____ Printed Name _____

Street Address _____

Signature _____ Printed Name _____

Street Address _____

Signature _____ Printed Name _____

Street Address _____

Signature _____ Printed Name _____

Street Address _____



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
**Request for Departmental Action Fee
Transmittal Form**

DEP File Number: **4**

Provided by DEP

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

A. Request Information

1. Location of Project

a. Street Address 550 Morton Street
b. City/Town, Zip Dorchester, MA 02124
c. Check number #109
d. Fee amount \$245

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

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

Name Aalana Feaster - Morton Street 10-Residents Group
Mailing Address 22 Senator Bolling Circle
City/Town Dorchester State MA Zip Code 02124
Phone Number 617-201-8728 Fax Number Email Address aalanafe@gmail.com

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 Brooke Charter School
Mailing Address 190 Cummins Highway
City/Town Roslindale State MA Zip Code 02131
Phone Number 617-325-7977 Fax Number Email Address

4. DEP File Number:

DEP File NO: 006-1930

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

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

Department of Environmental Protection
Box 4062
Boston, MA 02211

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

DEP File Number: **4**

**Request for Departmental Action Fee
Transmittal Form**

Provided by DEP

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

B. Instructions (cont.)

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.

AALANA R FEASTER
22 SENATOR BOLLING CIR.
BOSTON, MA 02124-2343

5-7017/2110

109

DATE 5/3/23

PAY TO THE
ORDER OF

Commonwealth of Massachusetts
Two hundred forty five dollars \$ 245.00

Security Features
Included
Details on Back.



100 DOLLARS

Citizens Bank®

PLATINUM

MEMO

Appeal Dep: 006-1930 *Aalana Feaster*

MP

⑆ 210701751 ⑆ 339912055 ⑆

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