

Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

Northeast Regional Office • 150 Presidential Way Woburn, MA 01801 • 978-694-3200

Maura T. Healey  
Governor

Kimberley Driscoll  
Lieutenant Governor

Rebecca L. Tepper  
Secretary

Bonnie Heiple  
Commissioner

August 5, 2025

10-Resident Group  
c/o Aalana Feaster  
22 Senator Bolling Circle  
Dorchester, MA 02124

RE: WETLANDS/BOSTON  
DEP File #006-1931  
550 Morton Street  
Superseding Order of Conditions  
**CORRECTION PER REMAND**

Dear Resident Group:

The Northeast Regional Office (NERO) of the Massachusetts Department of Environmental Protection, Wetlands Program (MassDEP) has completed its review of the above-referenced filing in preparation to issuing a Superseding Order of Conditions (SOC). Pursuant to the provisions of the Wetlands Protection Act under Massachusetts General Laws, Chapter 131, Section 40 (the Act) and the regulations set out at 310 CMR 10.00 (the Regulations), MassDEP is issuing the enclosed SOC approving the project based upon: 1) information contained in the file to date and plans submitted; 2) information gathered during the June 16, 2023 site inspection by MassDEP; and 3) reasons MassDEP has deemed necessary to protect the statutory interests identified in the Act and its Regulations.

The existing project site is approximately 181,750 square feet (4.172 acres), located on the corner of Morton Street and American Legion Highway in Boston, and is surrounded by private residences on Osprey Road to the northeast and private residences on Senator Bolling Circle to the southwest. The site is currently undeveloped and contains wooded areas on the north and south sides of the site as well as along Morton Street. The middle of the site contains a grass field.

The project, as described in the Notice of Intent (NOI), proposes the construction of a new community artificial turf field with associated walkways, bathroom building, seating, storage area, driveway, utilities, landscape plan, and stormwater management systems. Approximately 27,708 square feet of the project is located within the Buffer Zone to Bordering Vegetated Wetlands (BVW) and approximately 377 square feet of the proposed sidewalk will be

**This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.**

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located within the 25-foot Riverfront Area (RA), pursuant to 310 CMR 10.58(2)(a)3.a. The proposal also requires the removal of 70 trees for construction of the project. According to the “Tree Removal plan” (identified as “L101” in the NOI plans), approximately fifteen (15) trees will be removed within the Act’s jurisdiction. The NOI includes plans for replanting approximately eighty-three (83) new native tree species to replace the trees that will be removed and a planting schedule. This plan also includes tree pruning and removal of invasive vines found on existing trees located along Morton Street to support their survival and longevity. The NOI also stated that the wetland resource areas located on the project site were evaluated and confirmed by the Boston Conservation Commission (the Commission) under an Order of Resource Area Delineation (ORAD, DEP File #006-1755), dated January 21, 2021. The ORAD affirmed the presence of BVW, ILSF, RA, Inland Bank, and LUW.

On April 24, 2023, the Commission issued an Order of Conditions (OOC) approving the project. In this decision, the Commission found that the proposed work could be conditioned to meet the performance standards set forth in the Act and the Regulations. The OOC states that the following wetland resource areas are located on the project site; RA, BVW, Isolated Land Subject to Flooding (ILSF), Inland Bank, and Land Under Water (LUW).

On May 4, 2023, MassDEP received a request from a ten (10) Resident Group seeking the issuance of an SOC denying the project based on their opinion that the proposed project and the OOC issued by the Commission were inconsistent with the Act and its Regulations. The specific concerns that were raised included: the failure of the Commission to evaluate and make supported findings that the clear cutting of approximately seventy (70) trees would not significantly alter the “WPA jurisdictional resources” at the site; the Commission failed to evaluate and make supported findings that the artificial turf field would not have an adverse impact on jurisdictional wetland resource areas; and, the Commission failed to evaluate how the project would alter site hydrology and adversely impact jurisdictional resource areas.

On June 16, 2023, MassDEP conducted a site inspection. In attendance were the appellants with their representative, members of the Commission, State Representative Russell Holmes, and the applicant and its representatives and consultants.

MassDEP’s review of the file and site inspection confirms that the project site contains the following Areas Subject to Protection of the Act: BVW; Inland Bank associated with Canterbury Brook, which is a perennial stream; LUW; ILSF; and RA. These areas are significant to the statutory interests listed on the attached form and as articulated in the Regulations for each resource area.

Based on MassDEP’s review, only portions of the project are located within the Act’s jurisdiction. A section of the proposed artificial turf field, utilities, proposed walkways, porous pavement driveway, and a section of the field’s stormwater infiltration system, and one discharge point are located within the Buffer Zone to both BVW and Inland Bank. Approximately 377 square feet of impacts will occur in the RA associated with a section of the proposed sidewalk located adjacent to the American Legion Highway. No portion of the project is located within the BVW, ILSF, Inland Bank, or LUW.

On September 19, 2023, based on review of the information in the record and observations made at the site visit, MassDEP issued a letter requesting additional information and plan revisions. MassDEP stated that in accordance with 310 CMR 10.05(6)(k)(m), any footpaths, bike paths, and/or other paths for pedestrian and/or non-motorized vehicle access, must meet the Stormwater Management Standards to the maximum extent practicable. Upon review of the project plans and Stormwater Report, it did not appear that the proposed walkways shown on the "Site Utility Plan, sheet C-3," included stormwater management systems to treat and manage stormwater runoff to the maximum extent practicable. MassDEP also noted that the proposed driveway adjacent to the artificial turf field was planned to be constructed of porous pavement. While porous pavement can provide peak flow attenuation, recharge, and 80% Total Suspended Solids (TSS) removal, it is required to be setback at least 100 feet from a surface water. Therefore, an alternative Best Management Practice (BMP) needed to be selected, or the driveway relocated. Finally, MassDEP observed on the plan titled, "Site preparation Plan, Sheet L100," that it appeared clearing and grubbing of existing vegetation will occur within the 25-foot RA. MassDEP requested that the existing vegetation in this area be maintained and/or replaced with native vegetation to preserve a corridor of undisturbed vegetation.

On October 30, 2023, the applicant's representative submitted a response to MassDEP's information request letter. The response states that the project team: revised the cross-slope of the sidewalk and added a French drain system adjacent to the walkway along the easterly side of the field, which is connected to the underdrainage system that is part of the field's stormwater recharge system; sloped the concrete slabs at the dugouts towards the field and extended the underdrain beneath the field to capture this runoff as part of the stormwater recharge system; and sloped the walkway towards the grass pavers and added a drywell in the sidewalk to capture stormwater that could not be graded towards the grass pavers. This drywell was added to address MassDEP's comments and a separate drainage area (identified as DA-7 on Plan Sheet L100) was added to the HydroCAD model and drainage report. Revisions are shown on the "Site Utility Plan," sheet C-3, final revision date October 25, 2023. The operation and maintenance plan was updated to reflect the addition of the drywell and the change from porous pavement to grass pavers. Finally, the letter states that no clearing or grubbing will occur in the RA and that the plans have been updated to reflect this request.

On December 20, 2023, the applicant's project team submitted a revised plan for the proposed driveway by eliminating the grassed pavers and leaving the driveway as stabilized lawn consisting of a graded stone base, loam, and seed.

Documents in the NOI also state that, "the turf field consists of the plant-based infill material. This plant-based infill material is hydrophilic in nature and readily absorbs and retains water." The NOI includes a statement from the manufacturer, Controlled Products, which states that "there are no polyfluoroalkyl substances (PFAS) in their synthetic turf."

To provide an opportunity for the public to participate in environmental, energy, and climate change decisions, MassDEP exercised its discretion and provided an additional public comment period for any interested parties to submit comments to MassDEP's Wetlands Program concerning the proposed project. MassDEP drafted an Environmental Justice Public Involvement Plan ("EJ PIP") Fact Sheet (translated in Spanish and Haitian Creole) and included

a website link in the Fact Sheet where individuals could view all the basic documents pertaining to this project: <https://www.mass.gov/lists/brooke-charter-school>. The public comment period concluded on March 18, 2024. MassDEP received and reviewed 150 comment letters and issued emails to each writer acknowledging receipt of their comment letter. Of the 150 comment letters, 145 were written in support of the proposed field and amenities. The remaining five (5) letters were written by individuals who were not supportive of the proposed project. MassDEP developed responses to the comments received which are also posted on the weblink referenced above.

On July 10, 2024, MassDEP issued a SOC approving the project based on its opinion that the project as proposed and conditioned met the performance standards pursuant to 310 CMR 10.58(4)(d)(2) for work within the 25' RA, met all Standards to the maximum extent practicable pursuant to 310 CMR 10.05(6)(k) for stormwater management and was also consistent with the provisions under 310 CMR 10.53(4) for work within a Buffer Zone to a wetland resource area.

On July 24, 2024, MassDEP's SOC was appealed by a 10-Resident Group to the Office of Appeals and Dispute Resolution (OADR).

On December 31, 2024, MassDEP requested OADR to place the Adjudicatory Hearing proceedings on hold to allow MassDEP the opportunity to address work on the project site located within Bordering Land Subject to Flooding (BLSF) and its compliance with performance standards under 310 CMR 10.57(4) of the Regulations.

The Presiding Officer issued a Remand Order on January 10, 2025, returning the matter to NERO for a further SOC review, specifically for the purpose of NERO considering the BLSF identified on the Federal Emergency Management Act (FEMA) map relative to its issuance of a determination in accordance with the Act and the Regulations.

To provide an additional opportunity for the public to participate in environmental, energy, and climate change decisions, MassDEP again exercised its discretion and provided an additional public comment period for any interested parties to submit comments to MassDEP's Wetlands Program concerning the work proposed in BLSF. MassDEP drafted an Environmental Justice Public Involvement Plan (EJ PIP) Fact Sheet that was also translated into Spanish and Haitian Creole and included a website link in the Fact Sheet where individuals could view all the basic documents pertaining to the BLSF and the Remand of the SOC for this project: <https://www.mass.gov/lists/brooke-charter-school>. The public comment period concluded on June 2, 2025. MassDEP received and reviewed 22 comment letters and issued emails to each writer acknowledging receipt of their comment letter. All 22 comment letters were written in non-support of the proposed field and amenities. MassDEP developed responses to the comments received which are now also posted on the weblink referenced above and enclosed with this cover letter and SOC.

On March 5, 2025, the Commission confirmed that during its review of the NOI, the Commission requested that the Applicant include an evaluation of those portions of the project located in an area of BLSF per the preliminary FEMA flood map, dated June 19, 2020. This preliminary FEMA map did not include a water surface elevation for the flood plain for Zone A.



Portions of the project located within the preliminary flood plain map included portions of the artificial turf field, walkways, landscaped areas, fencing, benches, lighting, the proposed driveway, and sections of the underground storm drainage system with level spreader. In response to the Commission's request, the Applicant's engineering firm submitted a study, dated February 15, 2023, which concluded that based on a comparison of existing and proposed water surface elevations the work proposed in BLSF would have a negligible increase (< 1 inch) along the Canterbury Brook and no increase directly adjacent to the project site.

Based on this report and plan dated July 21, 2022, approximately 55,982 square feet are in BLSF, including a portion of the turf field, access driveway, portions of proposed walkways and sidewalk.

Pursuant to 310 CMR 10.57(4), if in the judgement of the issuing authority a project will cause an increase or will contribute to an increase in the extent and level of flood waters during peak flows, compensatory flood storage shall be provided. Based on review of the study conducted by the Applicant's engineering firm, it is MassDEP's opinion that the project as designed will not require compensatory flood storage.

Based on the entire record and consideration of all issues raised through the appeal, it is MassDEP's opinion that the project as proposed and conditioned meets the performance standards pursuant to 310 CMR 10.58(4)(d)(2) for work within the 25 foot RA, meets all Standards to the maximum extent practicable pursuant to 310 CMR 10.05(6)(k) for stormwater management and meets performance standards under 310 CMR 10.57. The project is also consistent with provisions under 310 CMR 10.53(4) for work proposed in a Buffer Zone to wetland resource areas.

It is MassDEP's opinion that the enclosed SOC allowing the project serves to protect the interests of the Act and its Regulations. Please be advised that it is MassDEP's responsibility to address only those interests identified in the Act. However, MassDEP reserves the right, should there be further proceedings in this case, to raise additional issues and present further evidence as may be appropriate. Should any party dispute these findings, please consult the language in the Order that specifies your rights and procedures for appeal.

Should you have any questions, please contact me at [jill.provencal@mass.gov](mailto:jill.provencal@mass.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Jill Provencal", is written over the printed name.

Jill Provencal  
Section Chief

Wetlands Program - NERO

cc: Mark Loring, c/o Brooke Charter School, 190 Cummins Highway, Roslindale, MA 02131  
Boston Conservation Commission, Boston City Hall, Room 805, Boston, MA 02201  
John Schmid, c/o Nitsch Engineering, Inc., 2 Center Plaza, Suite 430, Boston, MA 02108





**Massachusetts Department of Environmental Protection**  
Bureau of Water Resources – Wetlands Program  
**Corrected Superseding Order of Conditions**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

MassDEP File #

006-1931

## A. General Information

1. From: Northeast Regional Office  
Massachusetts Department of Environmental Protection (MassDEP/the Department)
2. This issuance is for (check one): a. ☒ Superseding Order of Conditions  
b. ☐ Amended Superseding Order of Conditions
3. To: Applicant:
- |                              |               |              |
|------------------------------|---------------|--------------|
| <u>Mark</u>                  | <u>Loring</u> |              |
| a. First Name                | b. Last Name  |              |
| <u>Brooke Charter School</u> |               |              |
| c. Organization              |               |              |
| <u>190 Cummings Highway</u>  |               |              |
| d. Mailing Address Line 1    |               |              |
| <u>Boston</u>                | <u>MA</u>     | <u>02131</u> |
| e. City/Town                 | f. State      | g. Zip Code  |
4. Property Owner (if different from applicant):
- |                                   |                  |              |
|-----------------------------------|------------------|--------------|
| <u>Jerry</u>                      | <u>Rappaport</u> |              |
| a. First Name                     | b. Last Name     |              |
| <u>Lena New Boston, LLC</u>       |                  |              |
| c. Organization                   |                  |              |
| <u>53 State Street, Suite 500</u> |                  |              |
| d. Mailing Address Line 1         |                  |              |
| <u>Boston</u>                     | <u>MA</u>        | <u>02109</u> |
| e. City/Town                      | f. State         | g. Zip Code  |
5. Project Location:
- |                              |                      |
|------------------------------|----------------------|
| <u>550 Morton Street</u>     | <u>Boston</u>        |
| a. Street Address            | b. City/Town         |
| <u>1405196970</u>            | <u>2B-9</u>          |
| c. Assessors Map/Plat Number | d. Parcel/Lot Number |
| <u>42.29003N</u>             | <u>71.19497W</u>     |
| e. Latitude                  | f. Latitude          |
- Latitude and Longitude, if known:



## A. General Information (cont'd)

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

Suffolk County

a. County

40864

c. Book

b. Certificate (if registered land)

221

d. Page

7. Dates:

March 10, 2023

a. Date NOI Received

April 24, 2023

b. Date Local Order Issued

June 16, 2023

c. Date of SOC Site Visit

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

See Special Condition #20

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, the Department 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 Department hereby finds the project, as proposed, is (check one):

**Approved** subject to:

- a. ☒ the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. The Department 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.





## B. Findings (cont'd)

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

3. <input checked="" type="checkbox"/> Buffer Zone Impacts: Shortest distance between limit of project disturbance and wetland boundary (if available)				a. linear feet
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	b. square feet	c. square feet	d. square feet
6. <input type="checkbox"/> Land Under Waterbodies and Waterways	a. square feet	b. square feet	c. square feet	d. square feet
7. <input checked="" type="checkbox"/> Bordering Land Subject to Flooding Cubic Feet Flood Storage	e. c/y 55,982 a. square feet	f. c/y dredged 55,982 b. square feet	0 c. square feet	0 d. square feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding Cubic Feet Flood Storage	e. cubic feet a. square feet	f. cubic feet b. square feet	g. cubic feet	h. cubic feet
9. <input checked="" type="checkbox"/> Riverfront area Sq feet within 25 feet	c. cubic feet a. total sq. 377 c. square feet	d. cubic feet b. total sq. 377 d. square feet	e. cubic feet e. square feet	f. cubic feet f. square feet
	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"/> Buffer Zone Impacts: Shortest distance between limit of project disturbance and wetland boundary (if available)		a. linear feet		
11. <input type="checkbox"/> Designated Port Areas - Indicate size under Land Under the Ocean, below				
	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
12. <input type="checkbox"/> Land Under the Ocean	a. square feet	b. square feet		
	c. c/y	d. c/y dredged		
13. <input type="checkbox"/> Barrier Beaches - Indicate size under Coastal Beaches and/or Coastal Dunes below.				



## B. Findings (cont'd)

- |  |                       |                          |                       |                        |
|--|-----------------------|--------------------------|-----------------------|------------------------|
| 14. <input type="checkbox"/> Coastal Beaches   | a. <u>square feet</u> | b. <u>square feet</u>    | c. <u>c/y</u>         | d. <u>c/y nourish.</u> |
| 15. <input type="checkbox"/> Coastal Dunes   | a. <u>square feet</u> | b. <u>square feet</u>    | c. <u>c/y</u>         | d. <u>c/y nourish.</u> |
| 16. <input type="checkbox"/> Coastal Banks   | a. <u>linear feet</u> | b. <u>linear feet</u>    |                       |                        |
| 17. <input type="checkbox"/> Rocky Intertidal Shores   | a. <u>square feet</u> | b. <u>square feet</u>    |                       |                        |
| 18. <input type="checkbox"/> Salt Marshes  | a. <u>square feet</u> | b. <u>square feet</u>    | c. <u>square</u>      | d. <u>square feet</u>  |
| 19. <input type="checkbox"/> Land Under Salt Ponds   | a. <u>square feet</u> | b. <u>square feet</u>    |                       |                        |
|  | c. <u>c/y</u>         | d. <u>c/y dredged</u>    |                       |                        |
| 20. <input type="checkbox"/> Land Containing Shellfish   | a. <u>square feet</u> | b. <u>square feet</u>    | c. <u>square</u>      | d. <u>square feet</u>  |
| 21. <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. <u>c/y</u>         | b. <u>c/y dredged</u>    |                       |                        |
| 22. <input type="checkbox"/> Land Subject to Coastal Storm Flowage   | a. <u>square feet</u> | b. <u>square feet</u>    |                       |                        |
| 23. <input type="checkbox"/> Riverfront area   | a. <u>total sq.</u>   | b. <u>total sq. feet</u> |                       |                        |
| Sq feet within 100 feet  | c. <u>square feet</u> | d. <u>square feet</u>    | e. <u></u>            | f. <u>square feet</u>  |
| Sq feet between 100-200 feet   | g. <u>square feet</u> | h. <u>square feet</u>    | i. <u>square feet</u> | j. <u>square feet</u>  |

## C. General Conditions Under Massachusetts Wetlands Protection Act

### Brief Project Description of Permitted Activities:

Construction of a new community artificial turf field with associated walkways, bathroom building, seating, storage area, driveway, utilities, landscape plan, and stormwater management systems.





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

(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. If this Order constitutes an Amended Superseding Order of Conditions, this Amended Superseding Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Superseding Order will expire on \_\_\_\_\_ unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
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 Department 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, "MA DEP"]

"File                      006-1931                      "

Number



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

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 DEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Department of Environmental Protection.
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 Department in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Department.
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 Department, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

**NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS**

19. **The work associated with this Order (the “Project”) is (1) ☒ is not (2) ☐ subject to the Massachusetts Stormwater Standards. If the work is subject to 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.





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

- 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;
  - iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;
  - v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.
- c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 19(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMPs 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, and acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 19(f) through 19(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 19(f) through 19(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.
- f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



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

- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
  2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
  3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

**Special Conditions (See attached sheet(s) or below for additional Special Conditions numbered 20 through 53 .**

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## D. Findings Under Municipal Wetlands Bylaw or Ordinance

To the extent that the Order is based on a municipal bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no jurisdiction to supersede the local by-law order.

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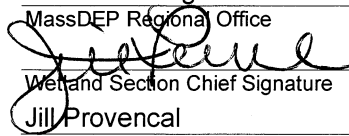
## E. Issuance

This Order is valid for three years from the date of issuance, unless otherwise specified as a special condition pursuant to General Conditions # 4 or # 6.

Issued by: **Massachusetts Department of Environmental Protection:**

Northeast Regional Office

MassDEP Regional Office



Wetland Section Chief Signature

Jill Provencal

Wetland Section Chief Printed Name

August 5, 2025

Date

This Order is issued to the applicant as follows:

☐ by Hand delivery on

☒ by certified mail on:

Date

August 5, 2025

Date



## **F. Appeal Rights and Time Limits**

The applicant, the landowner, the conservation commission, any person aggrieved by the Superseding Order, Determination or other Reviewable Decision as defined at 310 CMR 10.04, who previously participated in the proceedings leading to this Reviewable Decision, the conservation commission, or any ten (10) residents of the city or town where the land is located if at least one resident was previously a participant in the permit proceeding, are hereby notified of their right to appeal this Reviewable Decision pursuant to M.G.L. c.30A, § 10, provided the request is made by certified mail or hand delivery to the Department, along with the appropriate filing fee and a MassDEP Fee Transmittal Form within ten (10) business days of the date of issuance of this Superseding Order or Determination, and addressed to:

Case Administrator  
Office of Appeals and Dispute Resolution  
Department of Environmental Protection  
100 Cambridge Street, Suite 900  
Boston, MA 02114

A copy of the request (hereinafter also referred to as Appeal Notice) shall at the same time be sent by certified mail or hand delivery to the Conservation Commission, the applicant, the person that requested the Superseding Order or Determination, and the issuing office of the MassDEP at:

MassDEP – Northeast Region  
Wetlands Program  
150 Presidential Way, Suite 300  
Woburn, MA 01801

In the event that a ten-resident group requested the Superseding Order or Determination, the Appeal Notice shall be served on the designated representative of the ten-resident group, whose name and contact information is included in this Reviewable Decision (when relevant).

### **Contents of Appeal Notice**

An Appeal Notice shall comply with the Department's Rules for Adjudicatory Proceedings, 310 CMR 1.01(6) and 310 CMR 10.05(7)(j), and shall contain the following information:

- a) the MassDEP Wetlands File Number, name of the applicant, landowner if different from applicant, and address of the project;
- b) the complete name, mailing address, email address, and fax and telephone numbers of the party filing the Appeal Notice; if represented by consultant or counsel, the name, fax and telephone numbers, email address, and mailing address of the representative; if a ten residents group, the same information for the group's designated representative;
- c) if the Appeal Notice is filed by a ten (10) resident group, then a demonstration of participation by at least one resident in the previous proceedings that led to this Reviewable Decision;
- d) if the Appeal Notice is filed by an aggrieved person, then a demonstration of participation in the previous proceeding that led to this Reviewable Decision and sufficient written facts to demonstrate status as a person aggrieved;
- e) the names, telephone and fax numbers, email addresses, and mailing addresses of all other interested parties, if known;



## **F. Appeal Rights and Time Limits (cont.)**

- f) a clear and concise statement of the alleged errors contained in the Department's decision and how each alleged error is inconsistent with 310 CMR 10.00 and does not contribute to the protection of the interests identified in the Wetlands Protection Act, M.G.L. c.131, § 40, including reference to the statutory or regulatory provisions that the party filing the Appeal Notice alleges has been violated by the Department's Decision, and the relief sought, including any specific desired changes to the Department's decision;
- g) a copy of the Department's Reviewable Decision that is being appealed and a copy of the underlying Conservation Commission decision if the Reviewable Decision affirms the Conservation Commission decision;
- h) a statement that a copy of the request has been sent by certified mail or hand delivery to the applicant and the conservation commission; and
- i) if asserting a matter that is Major and Complex, as defined at 310 CMR 10.04(1), a statement requesting that the Presiding Officer make a designation of Major and Complex, with specific reasons supporting the request.

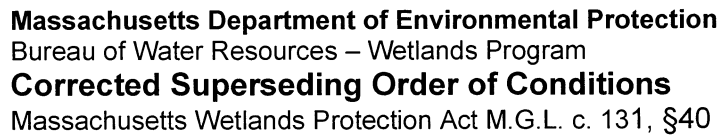
### **Filing Fee and Address**

A copy of the Appeal Notice along with a MassDEP Fee Transmittal Form and a valid check or money order payable to the Commonwealth of Massachusetts in the amount of one hundred dollars (\$100) must be mailed to:

Commonwealth of Massachusetts  
Department of Environmental Protection  
Commonwealth Master Lockbox  
P.O. Box 4062  
Boston, Massachusetts 02211

The request will be dismissed if the filing fee is not paid unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city or town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory hearing filing fee pursuant to 310 CMR 4.06(2) for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file an affidavit setting forth the facts believed to support the claim of undue financial hardship together with the hearing request as provided above.





006-1931

**SUPERSEDING ORDER OF CONDITIONS  
SPECIAL CONDITIONS**

**550 Morton Street  
Boston, MA  
DEP File No. 006-1931**

20. All work shall conform to the Notice of Intent, plans, reports, and special conditions:
- a. FIG 1.1 “Existing Drainage Areas,” prepared by Warner Larson Landscape Architects and Nitsch Engineering, Inc., scale: 1” = 20’, dated July 21, 2022.
  - b. FIG 1.2 “Existing Drainage Areas,” prepared by Warner Larson Landscape Architects and Nitsch Engineering, Inc., scale: 1” = 20’, dated July 21, 2022.
  - c. FIG 2.1 “Proposed Drainage Areas,” prepared by Warner Larson Landscape Architects and Nitsch Engineering, Inc., scale 1” = 20’, dated July 21, 2023, last revision date October 25, 2023.
  - d. FIG 2.2 “Proposed Drainage Areas,” prepared by Warner Larson Landscape Architects and Nitsch Engineering, Inc., dated July 21, 2023, last revision date October 25, 2023.
  - e. C-0 “Flood Study Contour,” prepared by Warner Larson Landscape Architects and Nitsch Engineering, Inc., dated July 21, 2023, last revision date October 25, 2023, signed and stamped by John M. Schmid, P.E. December 19, 2023.
  - f. C-1 “Civil Notes, Legend, and Abbreviations,” prepared by Warner Larson Landscape Architects and Nitsch Engineering, Inc., dated July 21, 2022, last revision date October 25, 2023, signed and stamped by John M. Schmid, P.E. December 19, 2023.
  - g. C-2 “Erosion and Sedimentation Control Plan,” prepared by Warner Larson Landscape Architects and Nitsch Engineering, Inc., dated July 21, 2022, last revision date October 25, 2023, signed and stamped by John M. Schmid, P.E. December 19, 2023.
  - h. C 2.1 “Erosion and Sedimentation Control Plan,” prepared by Warner Larson Landscape Architects and Nitsch Engineering, Inc., dated July 21, 2022, last revision date October 25, 2023, signed and stamped by John M. Schmid, P.E. December 19, 2023.
  - i. C-3 “Site Utility Plan,” prepared by Warner Larson Landscape Architects and Nitsch Engineering, Inc., dated July 21, 2022, last revision date October 25, 2023, signed and stamped by John M. Schmid, P.E. December 19, 2023.
  - j. C-3.1 “Site Utility Plan,” prepared by Warner Larson Landscape Architects and Nitsch Engineering, Inc., dated July 21, 2022, last revision date October 25, 2023, signed and stamped by John M. Schmid, P.E. December 19, 2023.
  - k. C-3.2 “Site Utility Plan,” prepared by Warner Larson Landscape Architects and Nitsch Engineering, Inc., dated July 21, 2022, last revision date October 25, 2023, signed and stamped by John M. Schmid, P.E. December 19, 2023.
  - l. C-4 “Erosion and Sedimentation Control Details,” prepared by Warner Larson Landscape Architects and Nitsch Engineering, Inc., dated July 21, 2022, last revision date October 25, 2023, signed and stamped by John M. Schmid, P.E. December 19, 2023.

- m. C-5 “Civil Details,” prepared by Warner Larson Landscape Architects and Nitsch Engineering, Inc., dated July 21, 2022, last revision date October 25, 2023, signed and stamped by John M. Schmid, P.E. December 19, 2023.
  - n. C-6 “Civil Details,” prepared by Warner Larson Landscape Architects and Nitsch Engineering, Inc., dated July 21, 2022, last revision date October 25, 2023, signed and stamped by John M. Schmid, P.E. December 19, 2023.
  - o. “Operation and Maintenance Plan,”
  - p. “Stormwater Report,” prepared by Nitsch Engineering, Inc., dated September 21, 2022, including changes cited in the 2023-10-23 Hydro Cad Report.
  - q. L100, “Site Preparation Plan,” prepared by Warner Larson Landscape Architects, dated March 29, 2023, signed and stamped by David J. Warner.
  - r. L101 “Tree Removal,” prepared by Warner Larson Landscape Architects, dated September 18, 2022, signed and stamped by David J. Warner.
  - s. L300 “Grading Plan,” prepared by Warner Larson Landscape Architects, dated March 29, 2023, signed and stamped by David J. Warner.
  - t. L400 “Planting Plan,” prepared by Warner Larson Landscape Architects, dated March 29, 2023, signed and stamped by David J. Warner.
  - u. L401 “Planting Schedule and Legend,” prepared by Warner Larson Landscape Architects, dated March 29, 2023, signed and stamped by David J. Warner.
  - v. L500 “Details-MassDOT, prepared by Warner Larson Landscape Architects, dated March 29, 2023, signed and stamped by David J. Warner.
  - w. L501 “Details,” prepared by Warner Larson Landscape Architects, dated March 29, 2023, signed and stamped by David J. Warner.
  - x. L502 Details,” prepared by Warner Larson Landscape Architects, dated March 29, 2023, signed and stamped by David J. Warner.
  - y. “Existing Resource Area Mark Up,” prepared by Warner Larson Landscape Architects and Nitsch Engineering, Inc., dated July 21, 2022.
  - z. “Existing Conditions Plan of Land,” sheets 1-4, prepared by Feldman Geospatial, dated January 12, 2023.
  - aa. “Bordering Land Subject to Flooding Study,” prepared by Nitsch Engineering, Inc., dated February 15, 2023.
  - bb. “Olmsted Green, Tree Inventory and Management Plan,” dated 2021, prepared by Bartlett Tree Experts.
  - cc. “Morton Street Inventory, Tree Inventory Report,” dated 2022, prepared by Bartlett Tree Experts.
  - dd. “Notice of Intent, for Olmstead Green Community Field,” prepared by Nitsch Engineering, Inc., dated March 1, 2023.
  - ee. Letter from Controlled Products providing confirmation that no PFAS is contained in their synthetic turf.
  - ff. “Brooke Charter School – Mattapan Community Field, Synthetic Turf Summary,” prepared by Warner Larson Landscape Architects, dated March 28, 2023.
21. This Superseding Order of Conditions (Superseding Order) supersedes all previous Orders issued for the project, DEP File #006-1931. All work shall conform to the plans and documentation referenced above unless otherwise specified in the Superseding Order. In case of a conflict, the conditions of this Superseding Order shall prevail.

22. A copy of this Superseding Order shall be included in all construction contracts and shall supersede any conflicting requirements.
23. A copy of this Superseding Order as well as the plans and reports referenced in Special Condition No. 20 shall be available on site while activities regulated by this Superseding Order are being performed. In addition to the owners, all contractors and subcontractors shall be held responsible for compliance with this Superseding Order.
24. No work shall commence on-site until all appeal periods have elapsed and this Superseding Order has been recorded with the Registry of Deeds and MassDEP has been formally notified via the form provided at the end of this Superseding Order.
25. This Superseding Order shall apply to any successor or assigns in interest or control and any other party engaging in activity on the property identified in the Notice of Intent. The applicant shall notify MassDEP in writing within 30 days of all transfers of title of any portion of property that takes place prior to the issuance of a Certificate of Compliance.
26. Any proposed or executed change in the plans approved under this Superseding Order shall require the applicant to inquire of MassDEP in writing whether the change is substantial enough to require the filing of a new Notice of Intent. A copy shall be sent at the same time to the Boston Conservation Commission (the Commission). Any errors in the plans or information submitted by the applicant shall be considered changes and the above procedures shall be followed.
27. Members and agents of MassDEP and the Commission shall have the right to enter and inspect the premises to evaluate compliance with the conditions contained in this Superseding Order and may require the submittal of any data deemed necessary by MassDEP for that evaluation.
28. The applicant shall retain a wetland scientist who will serve as the project's Environmental Monitor (EM). This person shall have a minimum of five (5) years of experience and be competent in wetland ecology, stormwater management systems and expertise with erosion control and general construction practices. Prior to the pre-construction meeting, the applicant shall provide MassDEP, and a copy sent to the Commission, with the name(s), address(es) and telephone number(s) of EM and their alternate including their qualifications and contact information. The EM or their backup shall be available on a 24-hour basis.
29. The EM shall be responsible for overseeing all activities within the 100-foot Buffer Zone, Bordering Land Subject to Flooding and Riverfront Area on the project site.
30. The EM shall monitor the site during and/or immediately after precipitation events of 0.5" or greater in a 24-hour period, or immediately after a winter snowmelt. The EM shall have the authority to modify existing erosion and sedimentation controls or require



additional controls if he/she deems it necessary. The EM shall have the authority to stop construction for erosion control purposes and shall immediately notify MassDEP and the Commission if any discharges to a wetland resource area occur.

31. Prior to the pre-construction meeting, the applicant shall provide MassDEP with a contact list containing the telephone number, address and email for the project supervisor, site contractor(s) and their back-up contacts.
32. Prior to the pre-construction meeting, the applicant shall submit a detailed construction schedule to MassDEP with a copy provided to the Commission. Work shall not commence until MassDEP has reviewed and approved the construction sequence.
33. Prior to the start of work on site, except for the installation of erosion controls, there shall be a pre-construction meeting between the applicant, the project supervisor, the contractor(s) performing the work, the EM, a representative from the Commission and MassDEP to ensure the requirements of the Superseding Order are understood. Arrangements for the meeting shall be made with MassDEP at least two (2) weeks prior to any activity. Please contact Jill Provencal, MassDEP Wetlands Program at [jill.provencal@mass.gov](mailto:jill.provencal@mass.gov).
34. The EM shall submit *weekly* reports to MassDEP with copies sent to the Commission immediately upon the start of work. These reports shall summarize the site activities that are within the 100-foot Buffer Zone, Bordering Land Subject to Flooding and Riverfront Area and confirm that all activities are in compliance with the conditions of this Superseding Order. The reports shall include, but are not limited to, a description of construction status and activities; overall site conditions; erosion and sedimentation controls; dewatering activities, if necessary, and reports of any erosion, sedimentation, or pollution problems and how they were corrected, along with recommendations on how to prevent similar problems in the future. The EM shall immediately report any unauthorized discharges of sediments to MassDEP and the Commission, and the applicant shall take immediate steps to correct the problem.
35. Upon completion of construction, the EM shall submit *monthly* reports to MassDEP with copies sent to the Commission to indicate whether the site is in compliance with the conditions of this Superseding Order. These monthly reports shall be submitted until such time that disturbed areas are stabilized against erosion or that erosion is no longer a concern due to seasonal conditions and the applicant submits a written request to MassDEP to temporarily cease monitoring. The monthly monitoring reports shall include but are not limited to a description of overall site conditions; the condition of erosion and sedimentation controls; stormwater functions; and actions taken to address problems and any other recommendations for site management. The EM shall immediately report any unauthorized discharges of sediments to MassDEP, and the applicant shall take immediate steps to correct the problem.
36. At the start of work, additional erosion control materials shall be available on site (stored under cover) for emergency and routine replacement.



37. Erosion controls shall serve as the limit of work and shall be maintained in good repair until disturbed areas have been fully stabilized with vegetation or other means acceptable to MassDEP. At no time shall sediments be deposited in a wetland resource area.
38. MassDEP shall be immediately notified of any unauthorized discharges of sediments into the wetland resource areas, and the applicant shall take immediate steps to correct the problem. MassDEP reserves the right to require additional erosion controls and/or damage prevention controls that are deemed necessary.
39. Erosion controls shall remain in place until MassDEP approves their removal.
40. Wetland flags shall be maintained at all times and replaced if they are missing until a Certificate of Compliance has been issued.
41. All soil stockpiles to be stored longer than 24 hours shall be located outside of any wetland resource area and be surrounded by erosion controls. If exposed soils are left idle for longer than 14 days, they shall be temporarily stabilized using an appropriate seed mix and tackifier.
42. If dewatering activities are needed, discharges from dewatering shall not cause scouring or erosion of the BVW, Isolated Land Subject to Flooding (ILSF), Bordering Land Subject to Flooding, Bank, Land Under Water and Riverfront Area.
43. Existing trees to remain within the work area shall not be damaged. Protective measures including, but not limited to, perimeter fencing, and trunk protection shall be installed by a certified Arborist and no soil compaction shall be permitted within drip lines. The Applicant must submit a plan detailing the tree protection measures for MassDEP to review and approve prior to construction.
44. All reports shall be sent to:

Jill Provencal  
MassDEP Wetlands Program - NERO  
150 Presidential Way, Suite 300  
Woburn, MA 01801  
or via email to [jill.provencal@mass.gov](mailto:jill.provencal@mass.gov)

and shall reference the DEP File No. 006-1931. A Certificate of Compliance will not be issued until this condition has been met.

45. All heavy equipment shall be stored beyond the limits of the delineated wetland resource areas and confined to the upland side of the erosion controls.
46. Excess soils, rock and debris excavated or generated during the course of this project shall be removed from the site and disposed in a legal manner. Records of the destination

of all materials, including excess fill and loam, to be removed from the site shall be kept on file and shall be provided to MassDEP and the Commission upon request.

47. At no time during or after construction shall fill or other material be placed, slump into or fall beyond the limit of grading as shown on the plan. The applicant and its EM shall be responsible for inspecting and maintaining all slopes and shall immediately notify the MassDEP and the Commission if slumping, erosion, or encroachment occurs.
48. Any plant material that is treated, cut, or collected must be removed from the project site and disposed of off-site in accordance with all local, state and federal regulations and standards.
49. Storing, servicing, or cleaning of equipment, including but not limited to fueling, changing, adding, or applying lubricants or hydraulic fluids, or washing/rinsing of trucks or equipment shall be performed outside the 100-foot Buffer Zone, Riverfront Area and Bordering Land Subject to Flooding unless prior authorization is obtained from MassDEP.
50. There shall be no discharge or spillage of fuel, oil or other pollutants, including sediments, onto any part of the site. The applicant shall take all reasonable precautions to prevent the release of pollutants by ignorance, accident, or vandalism.
51. Any new or reconstructed catch basins, or any new or replacement sections of sidewalk or pavement adjacent to surface drains on the project site, must have a permanent plaque within one foot of the structure that states "Don't Dump – Drains to Canterbury Brook."
52. Immediately upon completion of construction, all exposed soils shall be seeded with appropriate vegetation or otherwise stabilized by a method acceptable to MassDEP. Where necessary, loam and seed shall be held in place using jute matting or other biodegradable materials for permanent stabilization against soil erosion. All materials not to remain on the site shall be removed and disposed of in a legal manner.
53. Upon completion of the project, the applicant shall request a Certificate of Compliance (WPA Form 8A) from MassDEP and shall submit the following information with the request:
  - a. A written statement prepared and signed by a professional engineer registered in the Commonwealth of Massachusetts certifying compliance with the approved plans referenced above and this Superseding Order and setting forth deviations if any exist.
  - b. An as-built site plan prepared and stamped by a registered professional engineer in the Commonwealth of Massachusetts showing the location and grades of the project, including, but not limited to, the artificial turf field, all walkways, sidewalk, driveway, and stormwater management system(s). The as-built plan shall also include the wetland flags and the date(s) of survey.