



Fort Point Associates, Inc.

Urban Planning Environmental Consulting Project Permitting

A TETRA TECH COMPANY

August 31, 2022

Nick Moreno
Boston Conservation Commission
City Hall Plaza, Room 709
Boston, MA 02201

RE: DEP File No: 006-1556 Request for Certificate of Compliance
The Mark
99 Sumner Street, East Boston, MA

Dear Mr. Moreno,

On behalf of DIV Sumner Street, LLC, please find enclosed a Request for Certificate of Compliance for the completed project at 99 Sumner Street, East Boston, located along the Boston Harbor. This request is for construction of one mixed-use building, a Harborwalk and public amenities, and shoreline stabilization improvements. The Conservation Commission issued an Order of Conditions in November 2017 and issued an amended Order of Conditions in November 2018. All the improvements have been completed in accordance with the submitted plans as expressed in the enclosed engineer's affidavit.

If you have any questions or concerns, or need additional information, please contact me at (617) 279-4387 or at kmoore@fpa-inc.com.

Sincerely,

Katie Moore
Senior Environmental Planner
Fort Point Associates, Inc.

Cc: Sloan Elsesser, The Davis Companies
Rebecca Lee, Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
Jamie Fay, Fort Point Associates, Inc.

Encl: WPA Form 8A: Request for Certificate of Compliance (006-1556)
99 Sumner Street Affidavit to Accompany Request for Certificate of Compliance DEP
File No. 006-1556, Richard E. Latini, PE, Howard Stein Hudson, August 25,
2022
Condominium Site Plan, Kevin J. Kiernan, PLS, Brennan Consulting, September 5,
2021 (1 sheet)

N. Moreno
August 31, 2022
Page 2

As-built Utility Plan, Joseph E Danubio III, PE, A-Plus Construction Services Corp.,
June 11, 2021 (4 sheets)
Order of Conditions DEP File No. 006-1556, November 1, 2017
Amended Order of Conditions DEP File No. 006-1556, November 7, 2018
Abutters List
Certificate of Translation
Affidavit of Service
Abutter Notifications

WPA FORM 8A



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 8A – Request for Certificate of Compliance
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

006-1556
 Provided by DEP

A. Project Information

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



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

DIV Sumner Street, LLC c/o TDC Development Group, LLC`
 Name

125 High Street, 21st Floor
 Mailing Address

Boston MA 02110
 City/Town State Zip Code

(617) 451-1300
 Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:

DIV Sumner Street, LLC
 Applicant

Order: November 1, 2017 Amended: November 7, 2018 006-1556
 Dated DEP File Number

3. The project site is located at:

99 Sumner Street Boston
 Street Address City/Town

Assessors Map/Plat Number 0105403000
 Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

Property Owner (if different)

Suffolk 60455 314
 County Book Page

Certificate (if registered land)

5. This request is for certification that (check one):

the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.

the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



WPA Form 8A – Request for Certificate of Compliance

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

A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

Yes

If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

99 SUMNER STREET
AFFIDAVIT



August 25, 2022

Boston Conservation Commission
Boston City Hall, Room 709
Boston, MA 02201

**Re: 99 Sumner Street, East Boston
Affidavit to Accompany
Request for Certificate of Compliance
DEP File No. 006-1556**

Dear Commission Members:

The undersigned has reviewed the Plans and Amended Order of Conditions approved by the Commission, pursuant to which the development at 99 Sumner Street, East Boston, Massachusetts has been built. The undersigned hereby certifies to the best of his knowledge, information and belief that the Project has been built as of the date hereof in substantial compliance with the Plans, as follows:

1. Howard Stein Hudson (HSH) has reviewed the following documents:
 - Amended Order of Conditions dated November 7, 2018
 - Plans entitled “99 Sumner Street, Notice of Intent Revised Plan Set,” consisting of 13 sheets, and dated October 16, 2018 (Final Approved Plans).
 - As-built plan entitled “The Mark at DeNormandie Wharf, Condominium Site Plan, 99-111 Sumner Street, East Boston, Massachusetts (Suffolk County),” prepared by Brennan Consulting, and dated September 5, 2021.
 - As-built plan entitled “DeNormandie Wharf, As-Built Utility Plan,” prepared by A-Plus Construction Services Corp., and dated June 11, 2021.
2. HSH visited the site multiple times during construction, most recently on August 16, 2022, to observe the completed construction.
3. The following deviations from the Final Approved Plans are noted (refer to Exhibit A):

Sheet C2.00 Proposed Site Plan

- a. The bike racks off the southeasterly side of the building have been relocated from the furnishing zone to the back of sidewalk.



- b. Bench has been added along the Harborwalk.

Sheet C3.00 Grading & Drainage Plan

- a. Two area drains were installed instead of a trench drain off the northwesterly side of the building. The area drains are located in a landscaped area and are less susceptible to clogging than the proposed trench drain and we believe constitute an improvement over the approved design.

We believe the deviations noted are minor and there are no material changes from the Final Approved Plans and Amended Order of Conditions. Therefore, we respectfully request that the Commission consider issuing a Certificate of Compliance for the Project.

Sincerely,

Richard E. Latini, P.E.
Registration No. 41033

Encl.: Exhibit A

drawing by:	RLM
drawing checked by:	RL
drawing scale:	1" = 20'
drawing date:	10/16/18
project number:	16126.00

No.	Description	Date

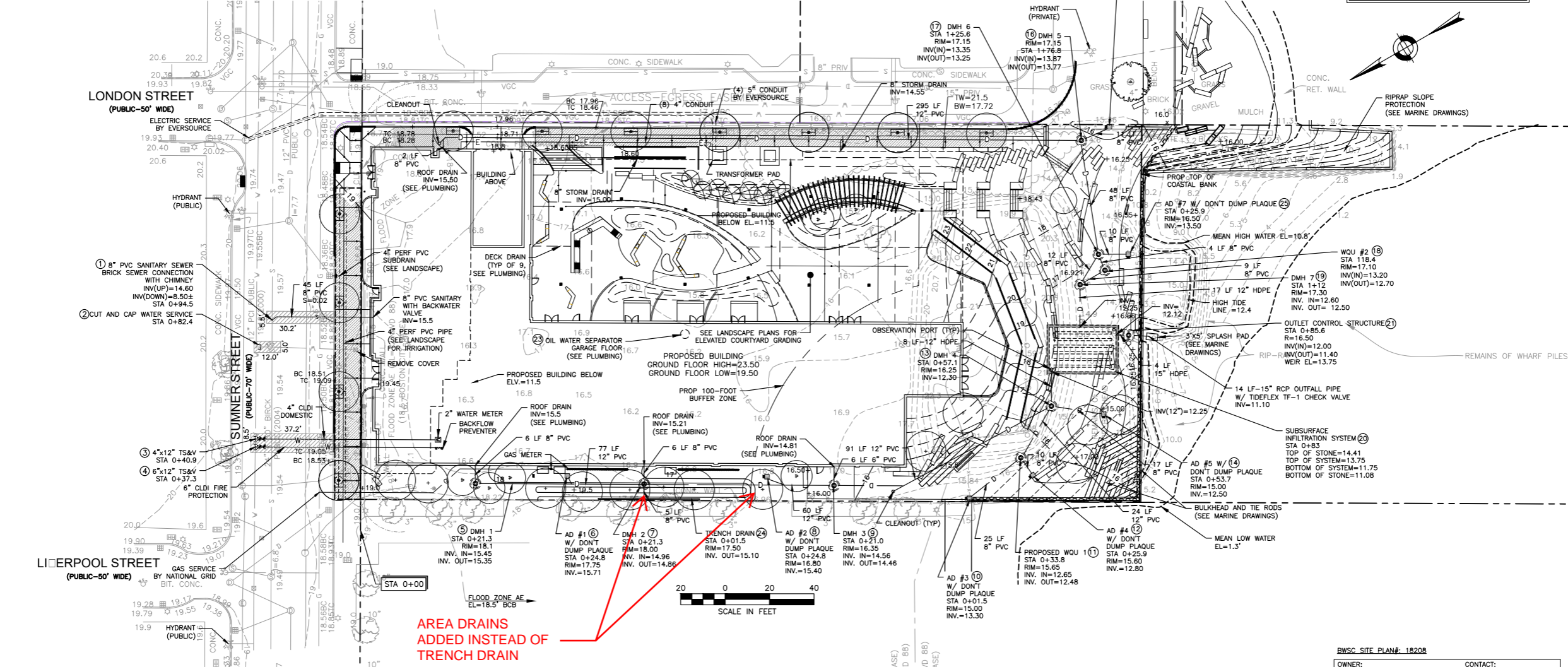
GENERAL NOTES

- EXISTING CONDITIONS INFORMATION IS BASED ON A PLAN ENTITLED "TOPOGRAPHIC PLAN, 99-111 SUMMER STREET, BOSTON (EAST BOSTON), MASS. PREPARED BY FELDMAN LAND SURVEYORS AND DATED JANUARY 6, 2017.
- THE ACCURACY AND COMPLETENESS OF UNDERGROUND UTILITIES AS SHOWN ON THE PLANS ARE NOT GUARANTEED. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE EXACT LOCATION, SIZE, TYPE, ETC. OF ALL UNDERGROUND UTILITIES THAT MAY BE AFFECTED BY THE WORK. AT LEAST 72 HOURS BEFORE EXCAVATION BEGINS THE CONTRACTOR IS REQUIRED TO CALL DIG SAFE AT (888)344-7233.
- ELEVATIONS SHOWN REFER TO BOSTON CITY BASE (B.C.B.).
- THE CONTRACTOR SHALL FIELD VERIFY CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION AND REPORT ANY DISCREPANCIES TO ENGINEER.
- WHERE AN EXISTING UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, THE LOCATION, ELEVATION, AND SIZE OF THE UTILITY SHALL BE ACCURATELY DETERMINED WITHOUT DELAY BY THE CONTRACTOR AND THE INFORMATION FURNISHED TO THE ENGINEER FOR RESOLUTION OF THE CONFLICT.
- THE CONTRACTOR SHALL MAKE ALL ARRANGEMENTS FOR THE ALTERATION AND ADJUSTMENT OF ELECTRIC, TELEPHONE, AND ANY OTHER PRIVATE UTILITIES BY THE UTILITY COMPANIES AT NO ADDITIONAL COST TO THE OWNER. IF THE CONTRACTOR ADJUSTS UTILITY COVERS IT SHALL BE DEEMED PART OF THE WORK AND THERE WILL BE NO ADDITIONAL COMPENSATION.
- ALL UTILITY COMPANIES, PUBLIC AND PRIVATE, MUST BE NOTIFIED, INCLUDING THOSE IN CONTROL OF UTILITIES NOT SHOWN ON THIS PLAN, (SEE CHAPTER 37D, ACTS OF 1983, MASSACHUSETTS) PRIOR TO DESIGNING, EXCAVATING, BLASTING, INSTALLING, BACKFILLING, GRADING, PAVEMENT RESTORATION, OR REPAVING.
- NO EXISTING PUBLIC UTILITY STRUCTURES SHALL BE ABANDONED AND/OR DISMANTLED WITHOUT AUTHORIZATION FROM THE ENGINEER. CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES EXCEPT THOSE NOTED TO BE ABANDONED OR REMOVED & DISPOSED.
- THE CONTRACTOR SHALL DISPOSE OF ALL WASTE MATERIAL IN ACCORDANCE WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS AT HIS OWN EXPENSE, OUTSIDE OF THE PROJECT LIMITS.
- ALL WATER, SEWER, AND DRAIN WORK SHALL BE PERFORMED ACCORDING TO THE REQUIREMENTS AND STANDARD DETAILS OF THE BOSTON WATER AND SEWER COMMISSION.
- BWSC OPERATIONS (617-989-7276) MUST BE NOTIFIED 48 HOURS IN ADVANCE PRIOR TO THE INSTALLATION OF WATER AND FIRE SERVICES AND, IF NEEDED, SHUTTING DOWN OF THE MAIN.
- A PREREQUISITE FOR FILING A GENERAL SERVICE APPLICATION WITH THE BOSTON WATER AND SEWER COMMISSION FOR NEW CONSTRUCTION IS THE ROUGH CONSTRUCTION SIGN-OFF DOCUMENT FROM THE CITY OF BOSTON'S INSPECTION SERVICES DEPARTMENT.
- IF WATER USE FROM HYDRANT IS PROPOSED THE CONTRACTOR MUST APPLY FOR A HYDRANT METER PERMIT FROM THE BSWC AND PAY ALL COSTS INCLUDING DEPOSIT, RENTAL, AND WATER USAGE FEES.
- ALL METER INSTALLATIONS REQUIRE THE INSTALLATION OF A METER TRANSMISSION UNIT (MTU) AS PART OF BSWC'S AUTOMATIC READING (AMR) SYSTEM.

GENERAL NOTES (CONT)

- ALL METERS 2-INCHES OR LESS WILL BE SUPPLIED BY BSWC.
- ALL CONSTRUCTION WORK PERFORMED ON THE BSWC'S UTILITIES MUST BE INSPECTED BY A BSWC CONSTRUCTION INSPECTOR. AS-BUILT PLANS SHALL BE SUBMITTED TO THE BSWC FOLLOWING THE COMPLETION OF THE INSTALLATIONS. THE CONTRACTOR SHALL PREPARE AS-BUILT PLAN (ELECTRONICALLY) OF THE UTILITY SYSTEM WORK FOR SUBMITTAL TO BSWC, AND IS INCIDENTAL TO THE WORK.
- ANY CONSTRUCTION Dewatering REQUIRES A DRAINAGE DISCHARGE PERMIT FROM THE BSWC AND A NPDES PERMIT FROM THE EPA.
- SANITARY SEWER AND STORM DRAIN MUST BE A MINIMUM OF 10 FEET APART FROM ANY NEW OR EXISTING WATER SERVICES.
- AT LOCATIONS WHERE SANITARY AND STORM PIPE CROSS WITH LESS THAN 18" CLEARANCE, MAINTAIN 6-INCH MINIMUM CLEARANCE AND ENCASE IN CONCRETE PER DETAIL.
- PIPE MATERIALS (UNLESS OTHERWISE NOTED): STORM DRAIN: SDR-35 PVC, HDPE, RCP CLASS IV SANITARY SEWER: SDR-35 PVC, WATER PIPE: CLDI CLASS 56 (ZINC COATED), PERFORATED PIPE: HDPE ASHSTO M252 TYPE 5.

LEGEND	
AD	AREA DRAIN
DD	DECK DRAIN
OCS	OUTLET CONTROL STRUCTURE
CB	CATCH BASIN
DI	DROP INLET
DMH	DRAIN MANHOLE
HDPE	HIGH-DENSITY POLYETHYLENE
RCP	REINFORCED CONCRETE PIPE
CLDI	CEMENT LINE DUCTILE IRON
CI	CAST IRON
WQU	WATER QUALITY UNIT
RHD	ROOF DRAIN
MHW	MEAN HIGH WATER
D	STORM DRAIN
E	ELECTRIC DUCT/BANK
G	GAS LINE
S	SANITARY SEWER
W	WATER LINE



AREA DRAINS
 ADDED INSTEAD OF
 TRENCH DRAIN

ITEM NO.	DESCRIPTION OF SERVICE	BWSC INSPECTOR/DATE	COMMENT
1	8" SANITARY CONNECTION		
	DYE TEST		
2	CUT AND CAP WATER		
3	4" CLDI DOMESTIC		
4	6" CLDI FIRE PROTECTION		
5	DMH 1		
6	AD 1		
7	DMH 2		
8	AD 2		
9	DMH 3		
10	AD 3		
11	WQU 1		
12	AD 4		

ITEM NO.	DESCRIPTION OF SERVICE	BWSC INSPECTOR/DATE	COMMENT
13	DMH 4		
14	AD 5		
15	AD 6		
16	DMH 5		
17	DMH 6		
18	WQU 2		
19	DMH 7		
20	INFILTRATION SYSTEM		
21	OUTLET CONTROL STRUCTURE		
22	DON'T DUMP PLAQUES (6)		
23	OIL/WATER SEPARATOR		
24	TRENCH DRAIN		
25	AD 7		

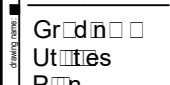
DRAINAGE CALCULATIONS:
 EXISTING TOTAL SITE AREA = 67,082 SF
 EXISTING IMPERVIOUS AREA = 871 SF
 PROPOSED IMPERVIOUS AREA = 48,787 SF
 REQUIRED STORAGE VOLUME = (.25/12x IMPERVIOUS AREA) = (.25/12x48,787) = 1,016 CF

PROPOSED INFILTRATION SYSTEM #1
 PIPE STORAGE = PIPE AREA x PIPE LENGTH = $\pi(1') \times 226 = 712$ CF

STONE STORAGE
 STONE VOLUME = LENGTHxWIDTHxHEIGHT = 32.67 FT x 24.33 FT x 3.33 = 2,647 CF
 PIPE DISPLACEMENT = 712
 STONE STORAGE = (STONE VOLUME - PIPE DISPLACEMENT)xVOID RATIO = (2,647 CF - 712 CF)x0.3 = 580 CF

PROPOSED TOTAL STORAGE VOLUME = 712 CF + 580 = 1,292 CF
 1,292 CF PROPOSED > 1,016 CF REQUIRED

EXHIBIT A
 PAGE 2 OF 2



CONDOMINIUM SITE PLAN

I HEREBY CERTIFY:
 THAT THIS PLAN WAS MADE FROM AN INSTRUMENT SURVEY ON THE GROUND BETWEEN JUNE 21 & 24, 2021 AND SEPTEMBER 27, 2021. ALL STRUCTURES ARE AS SHOWN HEREON.
 THAT THE BUILDING SHOWN HEREON CONFORM TO THE SETBACK REQUIREMENTS OF THE ZONING ORDINANCE OF THE CITY OF BOSTON WHEN CONSTRUCTED.
 THAT THE PROPERTY LINES SHOWN ARE THE LINES DIVIDING EXISTING OWNERSHIP AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND NO NEW LINES FOR THE DIVISION OF EXISTING OWNERSHIP OR FOR NEW STREETS OR WAYS ARE SHOWN.
 THAT THIS PLAN FULLY AND ACCURATELY DEPICTS THE LOCATION AND DIMENSION OF THE BUILDING AS BUILT.
 THAT THIS PLAN WAS PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

BRENNAN CONSULTING
 KEVIN J. KIERNAN
 #40033
 12/21/2021
 PROFESSIONAL LAND SURVEYOR

12/21/2021
 DATE

- LEGEND**
- SBDH BOUND W/DRILL HOLE FOUND
 - ⊙ DH DRILL HOLE
 - ⊕ ELECTRIC MANHOLE
 - ⊖ MANHOLE
 - ⊙ DMH DRAIN MANHOLE
 - ⊖ AD AREA DRAIN
 - ⊖ WC WATER VALVE
 - ⊖ CLEANOUT
 - ⊖ CO LIGHTPOLE
 - ⊖ HANDRAIL
 - ⊖ METAL FENCE
 - ⊖ WOODEN FENCE
 - ⊖ AD AREA DRAIN
 - ⊖ SW BOTTOM WALL
 - ⊖ CONC. D CONCRETE
 - ⊖ EQUIP EQUIPMENT
 - ⊖ N.T.S. NOT TO SCALE
 - ⊖ INVERT
 - ⊖ RCP REINFORCED CONCRETE PIPE
 - ⊖ TW TOP OF WALL
 - [184.40] BUILDING DIMENSION
 - ▨ PORTION OF THE PROPERTY SUBJECT TO THE NOTICE OF ACTIVITY AND USE LIMITATION

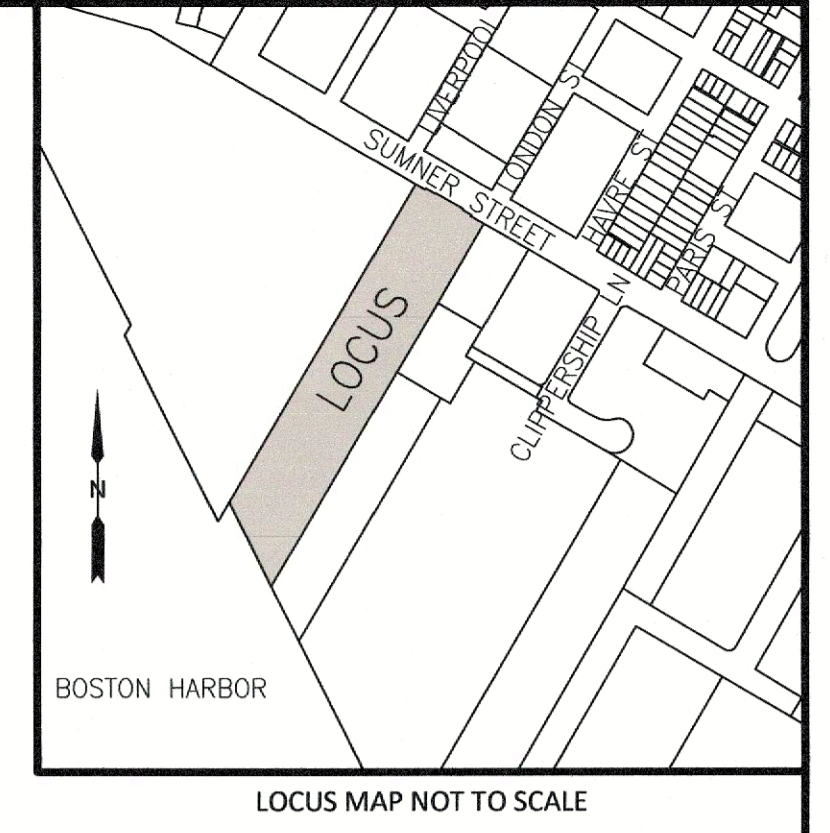
RECORD OWNER:
 DIV SUMNER STREET, LLC
 125 HIGH STREET, 21ST FLOOR
 BOSTON, MASSACHUSETTS 02110
 PARCEL 0150403000
 - DEED BOOK 54143 PAGE 280

REFERENCES:
 SUFFOLK REGISTRY OF DEEDS
 - PLAN BOOK 32632 PAGE END
 - PLAN 783 OF 2006

BOSTON CITY OF ENGINEERS:
 - L-11493
 - L-10284
 - L-7544
 - L-11578

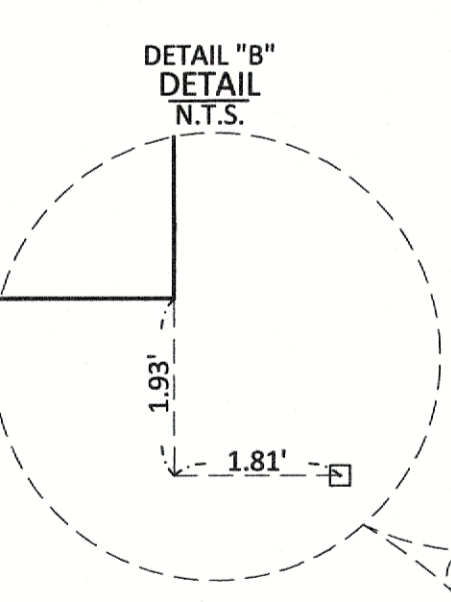
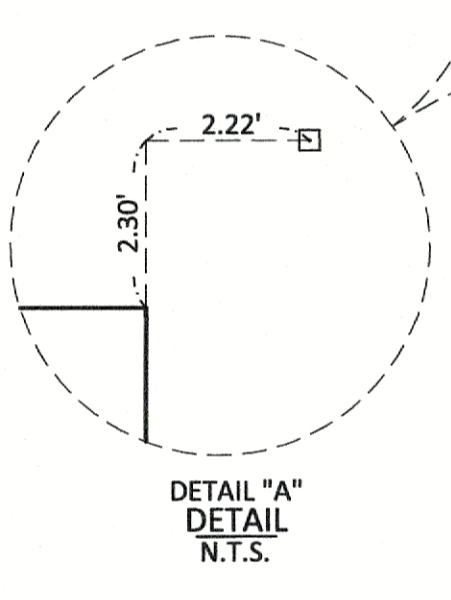
UNRECORDED:
 - PLAN ENTITLED "CERTIFIED PLOT PLAN, 99 SUMNER STREET, EAST BOSTON, MASSACHUSETTS" PREPARED BY BRENNAN CONSULTING DATED MARCH 2, 2020

NOTE:
 1. MEAN HIGH WATER EL.=10.8(BCB) COMPILED FROM A PLAN ENTITLED "TOPOGRAPHIC PLAN, 99-111 SUMNER STREET, BOSTON (EAST BOSTON), MASS." PREPARED BY FELDMAN LAND SURVEYORS DATED JANUARY 6, 2017.

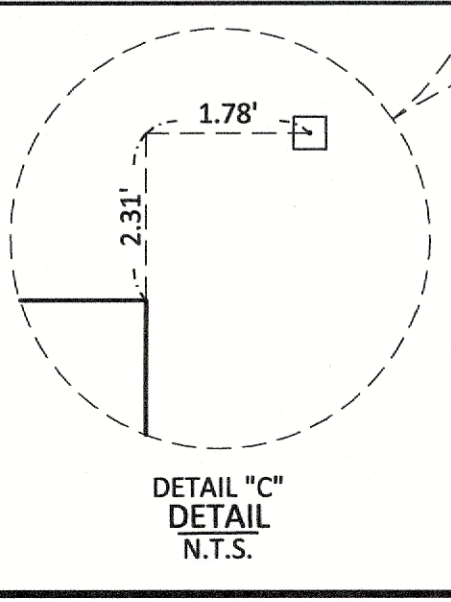


RESERVED FOR REGISTRY USE

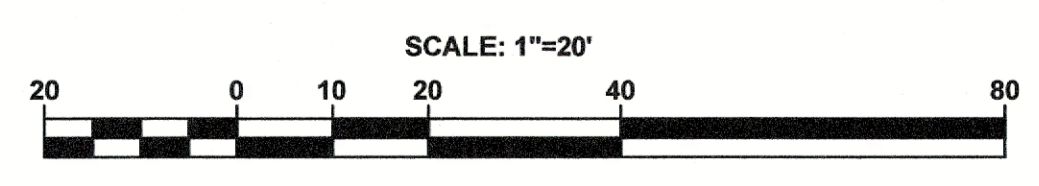
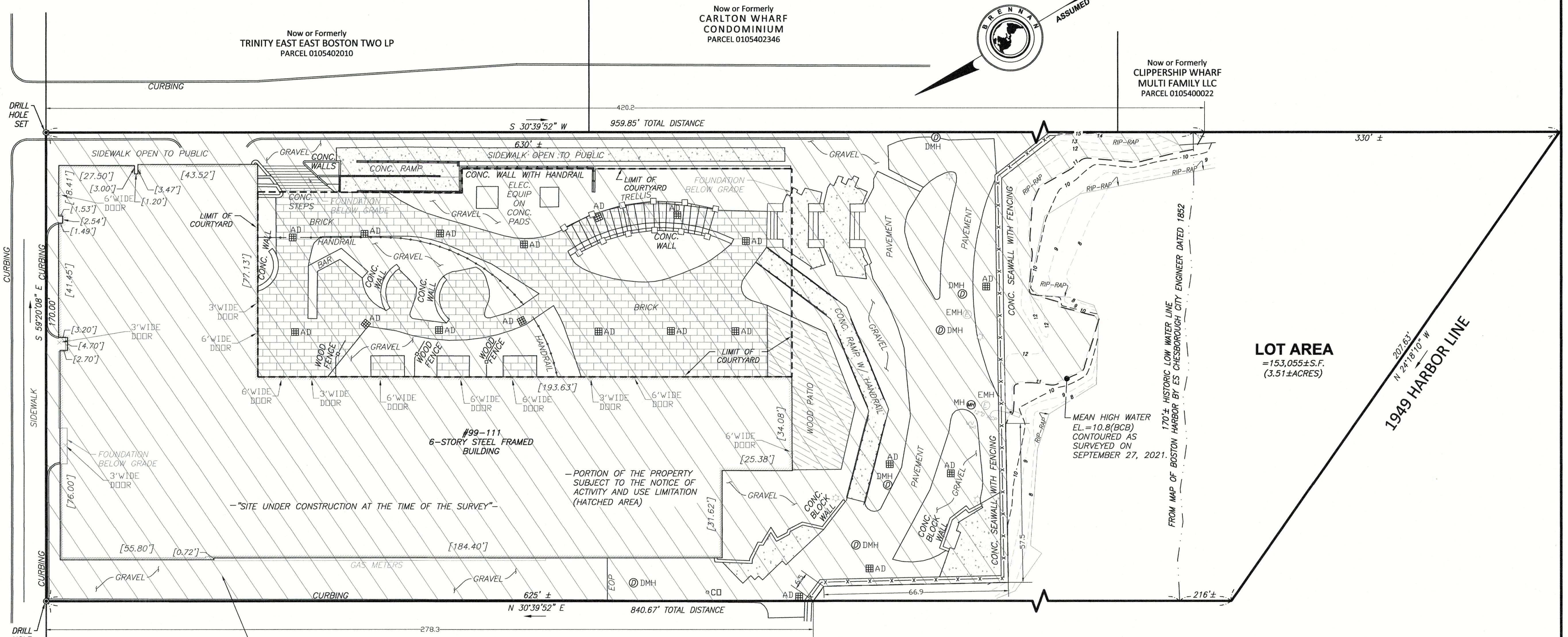
LONDON STREET (PUBLIC)



LIVERPOOL STREET (PUBLIC)



SUMNER STREET (PUBLIC 70' WIDE)



THE MARK AT DeNORMANDIE WHARF CONDOMINIUM SITE PLAN
 99-111 SUMNER STREET
 EAST BOSTON, MASSACHUSETTS (SUFFOLK COUNTY)

PREPARED FOR
DAVIS COMPANIES
 SCALE: 1" = 20' DATE: SEPTEMBER 5, 2021
Brennan Consulting
 ENGINEERING TRANSPORTATION SURVEYING
 24 RAY AVENUE, BURLINGTON, MA
 PHONE: (781) 273-3434 WWW.BRENNANCONSULTS.COM

NO.	DATE	DESCRIPTION	BY	CHK'D
2	10/7/21	MHWL/AUL EDITS PER CLIENT AND ATTORNEY	PO	KJK
1	8/30/21	ADD MHWL, AUL	JG	KJK

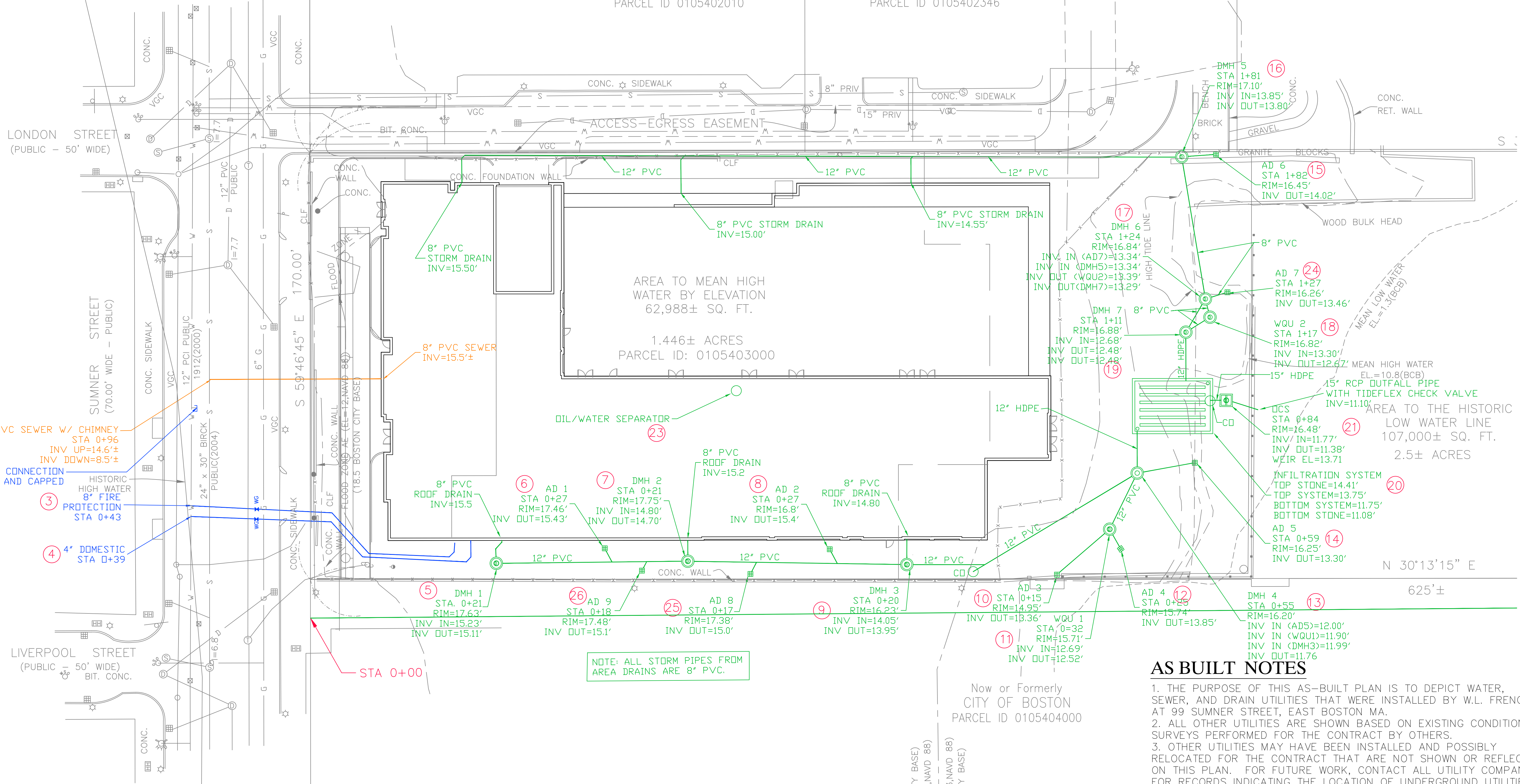
REVISIONS

RESEARCH:	JLB	COMP:	JLB	CADD:	JG	JOB NO.	19914B
FIELD CHIEF:	WE	APPROVED:	KJK	PM:	JLB	SHEET NO.	1 OF 1
FILE: P:\19914B\SURVEY\DWG\PLANS_WORKSHEETS\CONDD SITE PLAN							

AS-BUILT UTILITY PLAN

Now or Formerly
TRINITY EAST BOSTON TWO
LP
PARCEL ID 010540210

Now or Formerly
CARLTON WHARF
CONDOMINIUM
PARCEL ID 0105402346



AREA TO MEAN HIGH WATER BY ELEVATION
62,988± SQ. FT.
1.446± ACRES
PARCEL ID: 0105403000

AREA TO THE HISTORIC LOW WATER LINE
107,000± SQ. FT.
2.5± ACRES

NOTE: ALL STORM PIPES FROM AREA DRAINS ARE 8" PVC.

AS BUILT NOTES

1. THE PURPOSE OF THIS AS-BUILT PLAN IS TO DEPICT WATER, SEWER, AND DRAIN UTILITIES THAT WERE INSTALLED BY W.L. FRENCH AT 99 SUMNER STREET, EAST BOSTON MA.
2. ALL OTHER UTILITIES ARE SHOWN BASED ON EXISTING CONDITIONS SURVEYS PERFORMED FOR THE CONTRACT BY OTHERS.
3. OTHER UTILITIES MAY HAVE BEEN INSTALLED AND POSSIBLY RELOCATED FOR THE CONTRACT THAT ARE NOT SHOWN OR REFLECTED ON THIS PLAN. FOR FUTURE WORK, CONTACT ALL UTILITY COMPANIES FOR RECORDS INDICATING THE LOCATION OF UNDERGROUND UTILITIES. GAS AND ELECTRIC UTILITIES WERE INSTALLED BY OTHERS.
4. PROPOSED BUILDINGS, WALKWAYS, DRIVEWAYS, PARKING AREAS, WALLS, SIDEWALKS, AND OTHER FEATURES ARE DEPICTED AS SHOWN ON THE SITE DESIGN DRAWINGS AND ARE ONLY SHOWN FOR REFERENCE PURPOSES ONLY.

AS BUILT PLAN CERTIFICATION

I certify that these plans were prepared in accordance with the Boston Water and Sewer Commission ("Commission") minimum standards for As-built plans. The undersigned further certifies that the survey measurements, materials, sizes, field conditions and related utility information are based on both a field survey and/or the latest plan of record available.

Date: 6/11/2021

Joseph E. Danubio III, PE
A-PLUS CONSTRUCTION SERVICES CORP.

P. E. Number: 47168
Expiration Date: June 30, 2022

Construction Timetable

Actual Construction Start Date: May 31, 2019 Actual Construction Completion Date: June 4, 2021

Item No.	Description of Service	Qty	BWSC Inspector/Date	Comments
1	8" SANITARY CONNECTION	1	Ron Davis 10.24.19	
	DYE TEST	1	Rave K 05.28.21	
2	CUT AND CAP WATER	1	Anthony Leone 10.10.19	
3	6" CLDI FIRE PROTECTION	1	Ron Davis 8.30.19	
4	4" CLDI DOMESTIC	1	Ron Davis 10.21.19	
5	DMH 1	1	Ron Perry 5.19.21	
6	AD 1	1	Ron Perry 5.19.21	
7	DMH 2	1	Ron Perry 5.19.21	
8	AD 2	1	Ron Perry 5.19.21	
9	DMH 3	1	Ron Perry 5.19.21	
10	AD 3	1	Ron Perry 5.19.21	
11	WQU 1	1	CLOSED	
12	AD 4	1	Ron Perry 5.19.21	

Item No.	Description of Service	Qty	BWSC Inspector/Date	Comments
13	DMH 4	1	CLOSED	
14	AD 5	1	Ron Perry 5.19.21	
15	AD 6	1	Ron Perry 5.19.21	
16	DMH 5	1	CLOSED	
17	DMH 6	1	Ron Davis 5.21.21	
18	WQU 2	1	CLOSED	
19	DMH 7	1	Ron Davis 5.21.21	
20	INFILTRATION SYSTEM	1	CLOSED	
21	OUTLET CONTROL STRUCTURE	1	CLOSED	
22	DON'T DUMP PLAQUES (9)	1	Thomas Krabey 6.01.21	
23	OIL/WATER SEPARATOR	1	Ron Davis 9.18.19	
24	AD 7	1	Ron Perry 5.19.21	
25	AD 8	1	Ron Perry 5.19.21	
26	AD 9	1	Ron Perry 5.19.21	

BWSC SITE PLAN# 18208

OWNER:
DIV SUMNER STREET, LLC
125 HIGH STREET
BOSTON, MA 02110

CONTACT:
STEPHEN DAVIS
TEL: 617-536-4808

PROPERTY ADDRESS:
99 SUMNER STREET
BOSTON (EAST BOSTON), MASSACHUSETTS 02128

WARD: 01
PARCELS: 0105403000
LAND USE CODE: COMMERCIAL
EXISTING WATER ACCOUNTS: N/A

ESTIMATED WASTEWATER FLOW: 17,090 GPD

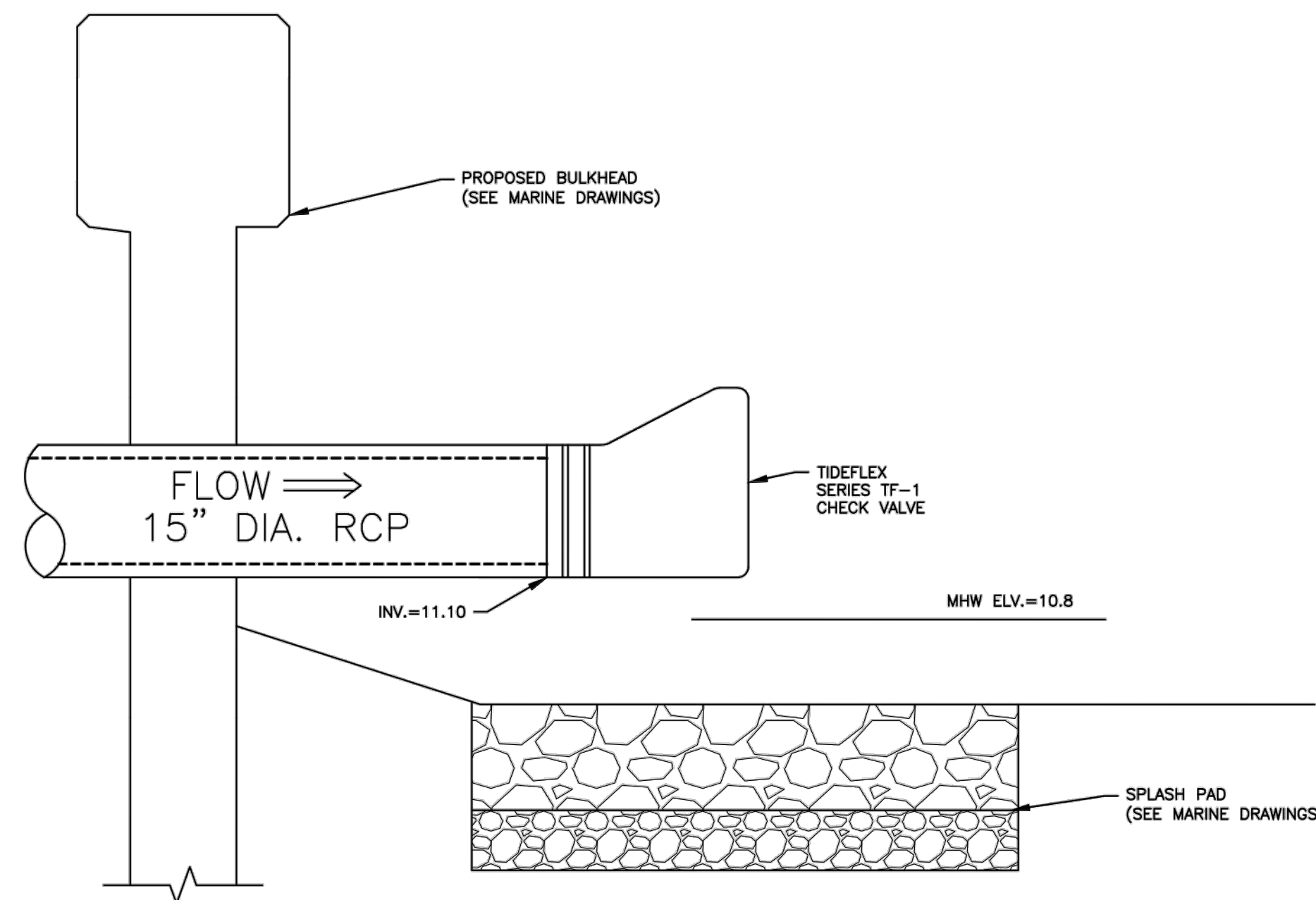
PROJECT SITE AREA: 1.45 ACRES

Project Information:
DeNORMANDIE WHARF
Boston, MA

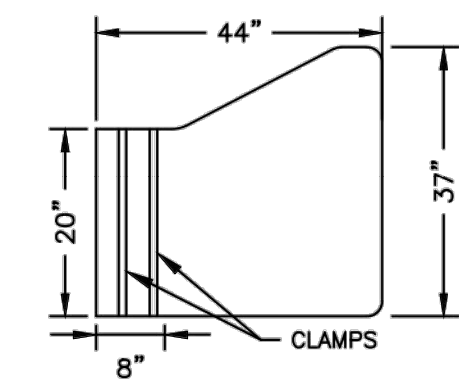
Prepared by:
W.L. FRENCH
REGISTERED PROFESSIONAL ENGINEER
14 STERLING RD
BILLERICA, MA.

drawing by: JD
drawing checked by: JED
drawing scale: 1"=20'
drawing date: 6/11/2021
drawing revisions:
project number: 0000
rev. description date

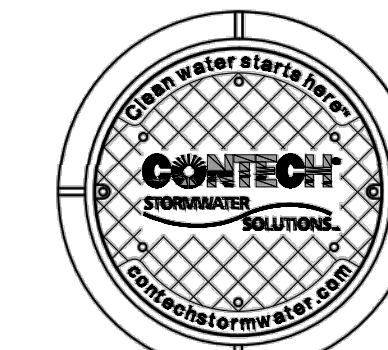
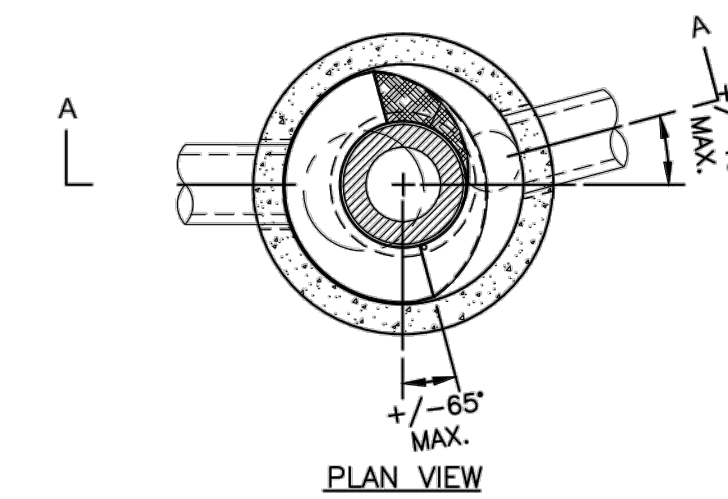
AS-BUILT UTILITY PLAN
AB-1



OUTFALL PIPE
NOT TO SCALE

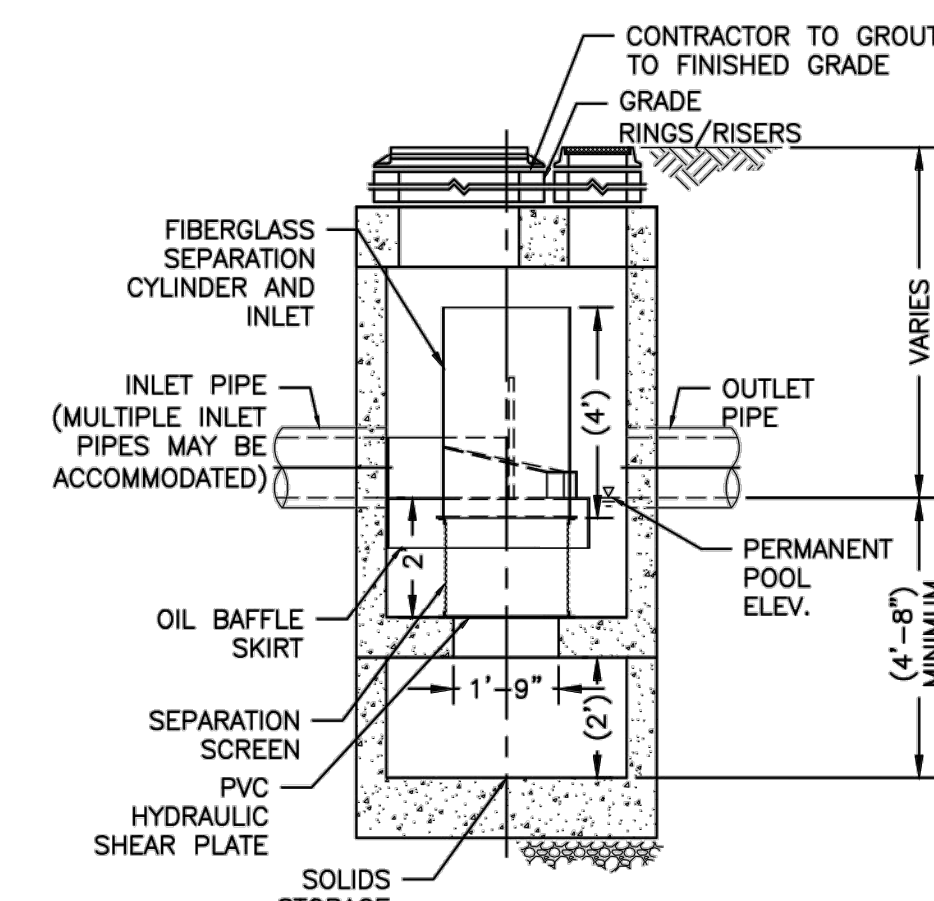


TIDEFLEX CHECK VALVE
NOT TO SCALE



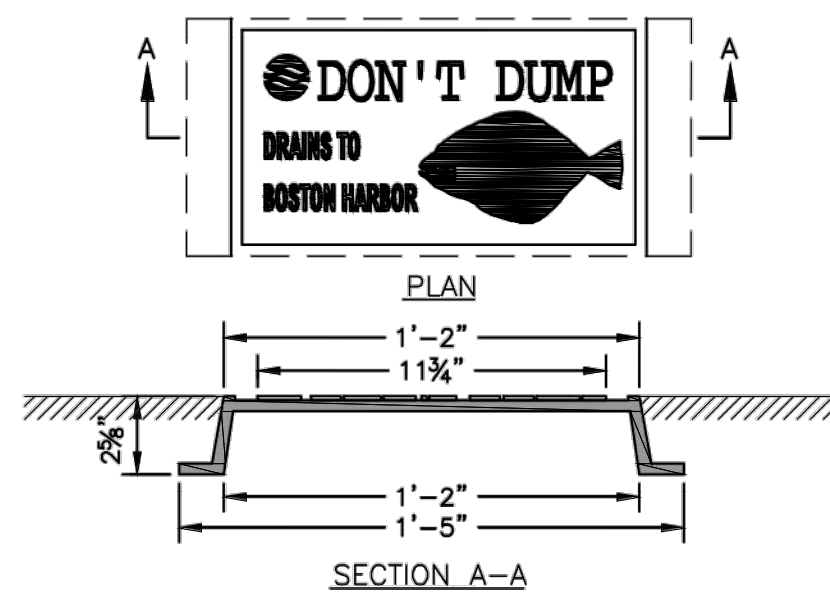
FRAME AND COVER

- GENERAL NOTES**
1. CDS2015-4 RATED TREATMENT CAPACITY IS 1.4 CFS. MAXIMUM HYDRAULIC INTERNAL BYPASS CAPACITY IS 10.0 CFS.
 2. CONTECH TO PROVIDE ALL MATERIALS UNLESS NOTED OTHERWISE.
 3. DIMENSIONS MARKED WITH () ARE REFERENCE DIMENSIONS. ACTUAL DIMENSIONS MAY VARY.
 4. FOR FABRICATION DRAWINGS WITH DETAILED STRUCTURE DIMENSIONS AND WEIGHTS, PLEASE CONTACT YOUR CONTECH STORMWATER SOLUTIONS REPRESENTATIVE.
 5. www.contechstormwater.com
 6. CDS WATER QUALITY STRUCTURE SHALL BE IN ACCORDANCE WITH ALL DESIGN DATA AND INFORMATION CONTAINED IN THIS DRAWING.
 7. STRUCTURE AND CASTINGS SHALL MEET AASHTO H220.
 8. PVC HYDRAULIC SHEAR PLATE IS PLACED ON SHELF AT BOTTOM OF SCREEN CYLINDER. REMOVE AND REPLACE AS NECESSARY DURING MAINTENANCE CLEANING.

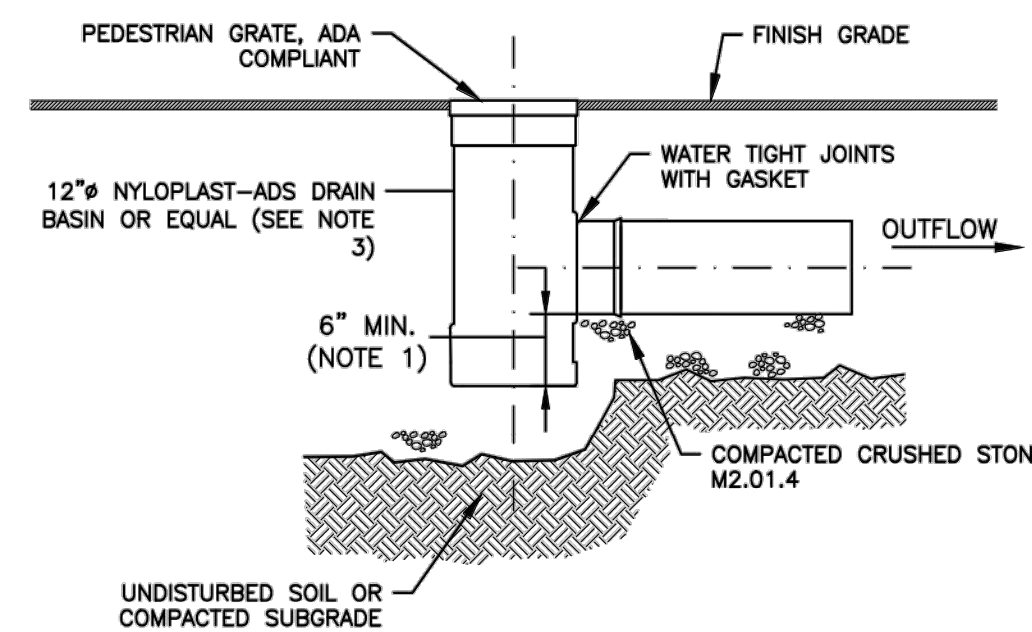


SECTION A-A
WATER QUALITY UNIT 1 (WQU-1) - CDS 2015_4
NOT TO SCALE

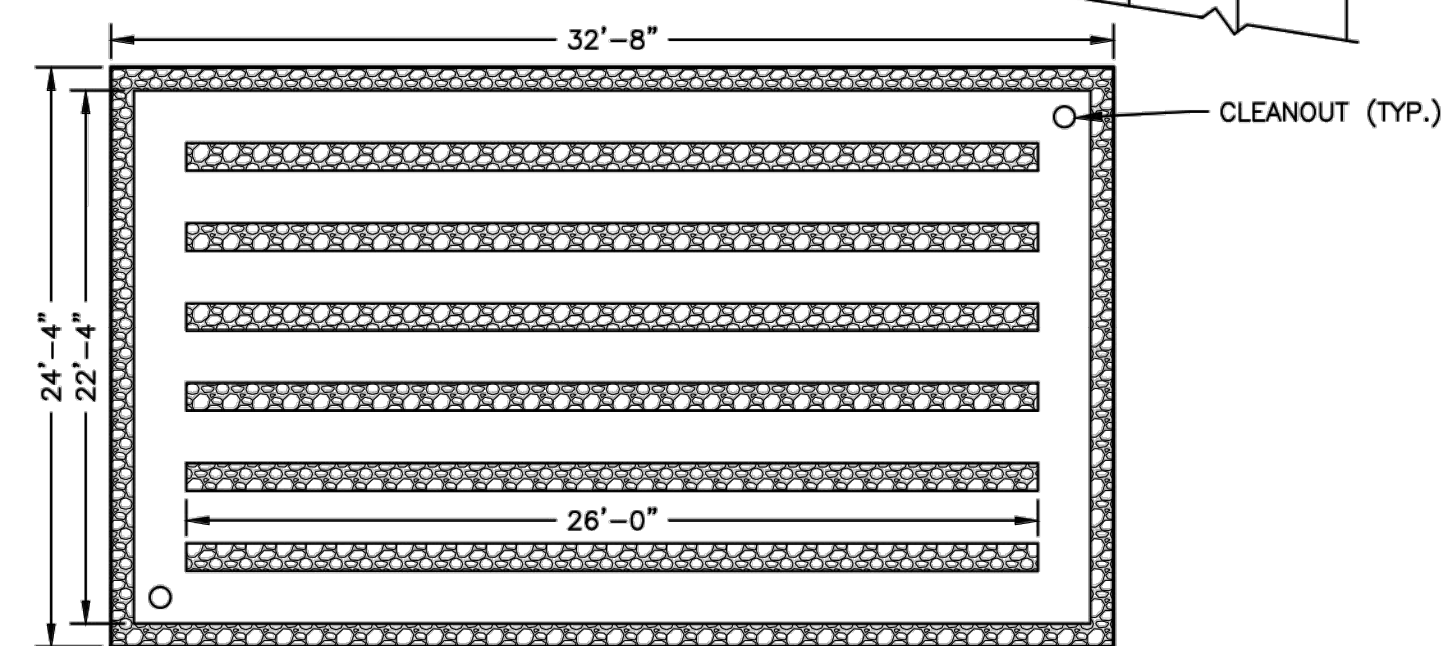
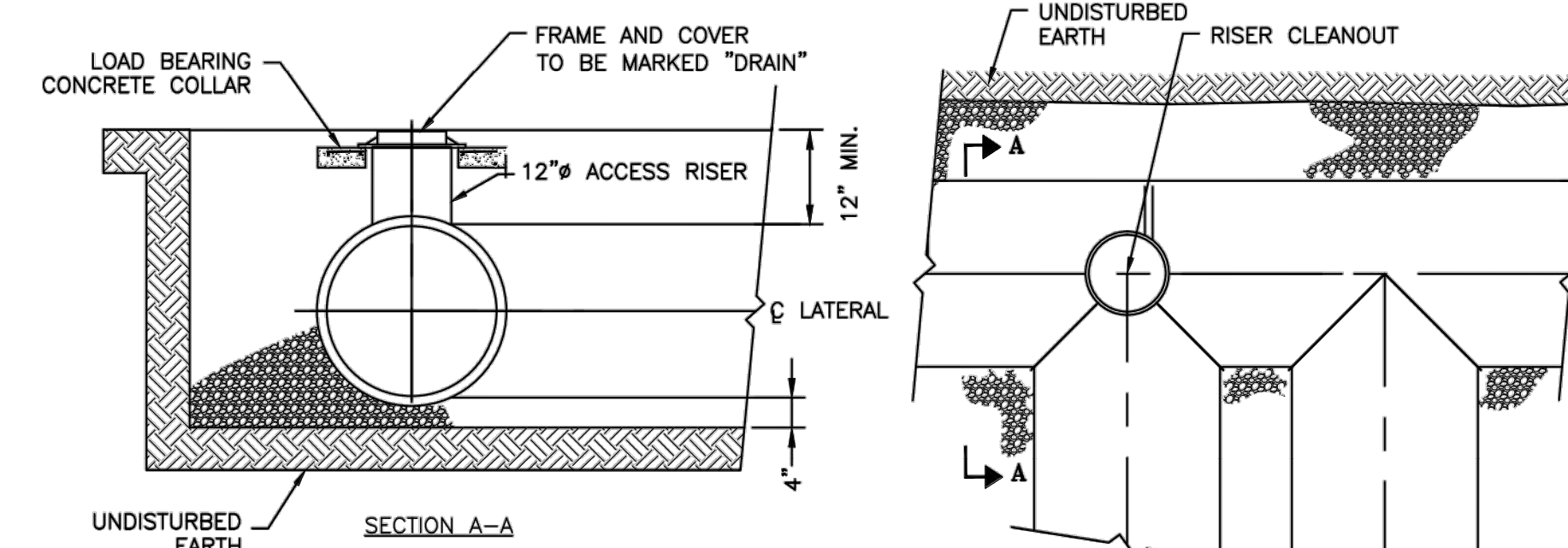
- INSTALLATION NOTES**
1. ANY SUB-BASE, BACKFILL DEPTH, AND/OR ANTI-FLOTATION PROVISIONS ARE SITE-SPECIFIC DESIGN CONSIDERATIONS AND SHALL BE SPECIFIED BY ENGINEER OF RECORD.
 2. CONTRACTOR TO PROVIDE EQUIPMENT WITH SUFFICIENT LIFTING AND REACH CAPACITY TO LIFT AND SET THE CDS MANHOLE STRUCTURE (LIFTING CLUTCHES PROVIDED).
 3. CONTRACTOR TO ADD JOINT SEALANT BETWEEN ALL STRUCTURE SECTIONS, AND ASSEMBLE STRUCTURE.
 4. CONTRACTOR TO PROVIDE, INSTALL, AND GROUT PIPES. MATCH PIPE INVERTS WITH ELEVATIONS SHOWN.
 5. CONTRACTOR TO TAKE APPROPRIATE MEASURES TO ASSURE UNIT IS WATER TIGHT, HOLDING WATER TO FLOWLINE INVERT MINIMUM. IT IS SUGGESTED THAT ALL JOINTS BELOW PIPE INVERTS ARE GROUTED.



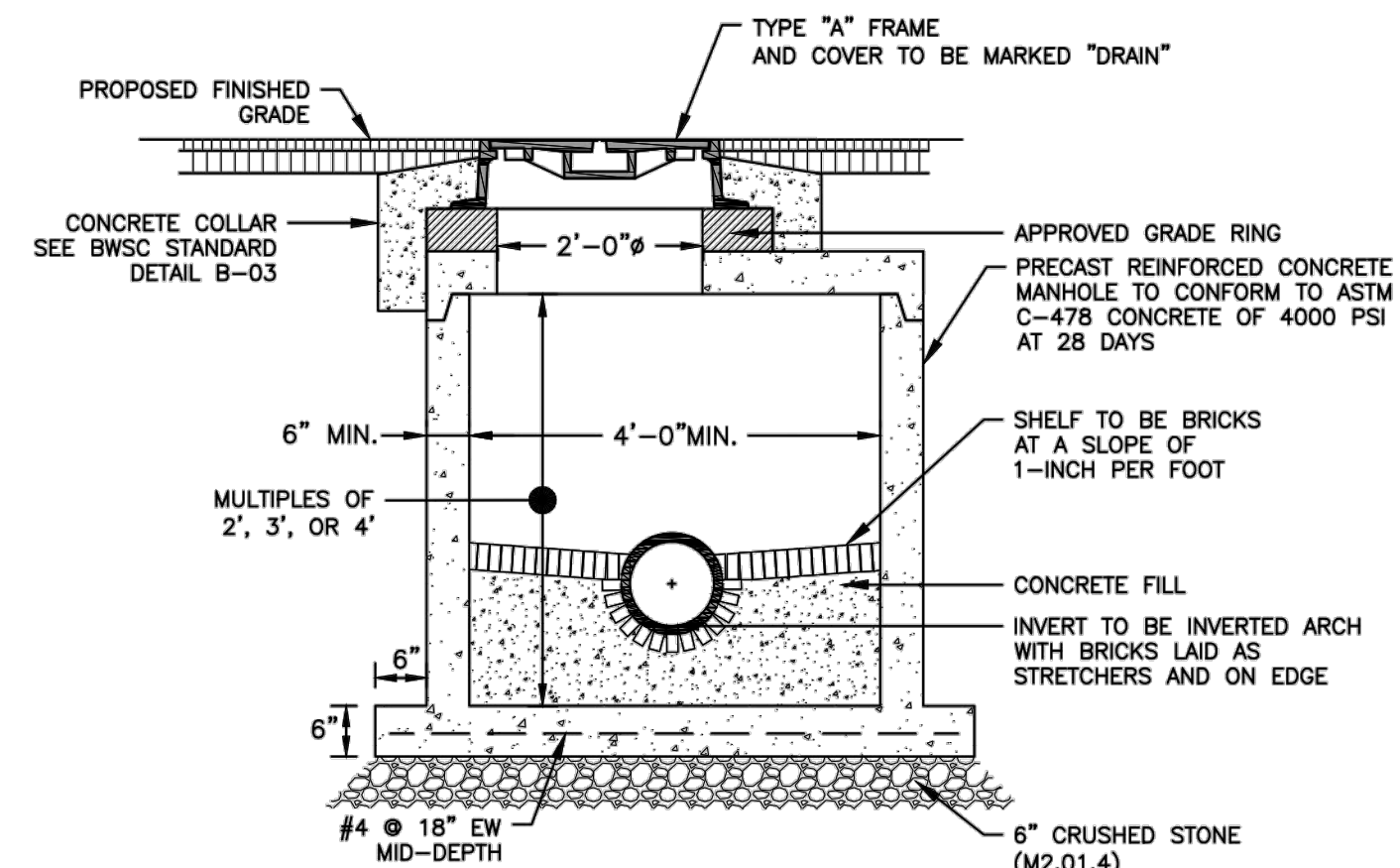
NOTE:
CATCH BASIN SIGNS TO BE PROVIDED BY THE BOSTON WATER AND SEWER COMMISSION (BWSC).
8" X 14" CATCH BASIN SIGN (F1-D23)
NOT TO SCALE



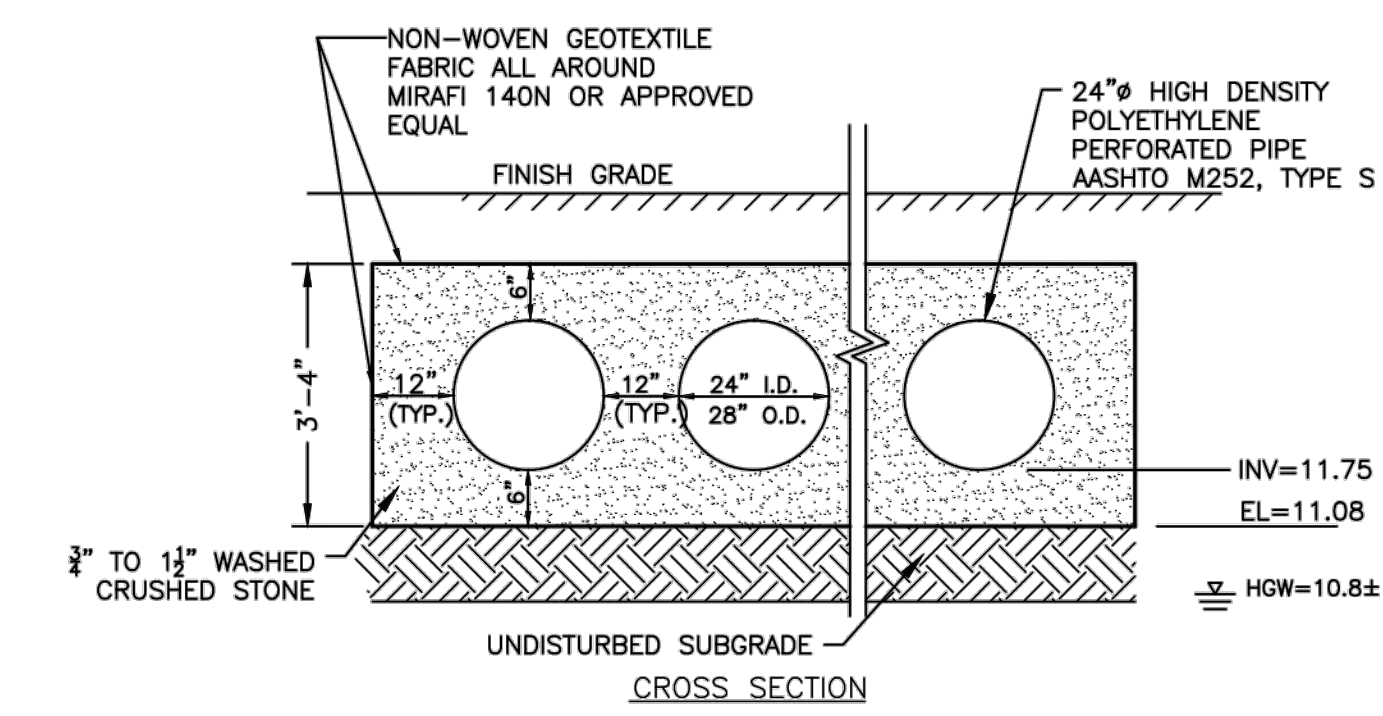
AREA DRAIN
NOT TO SCALE



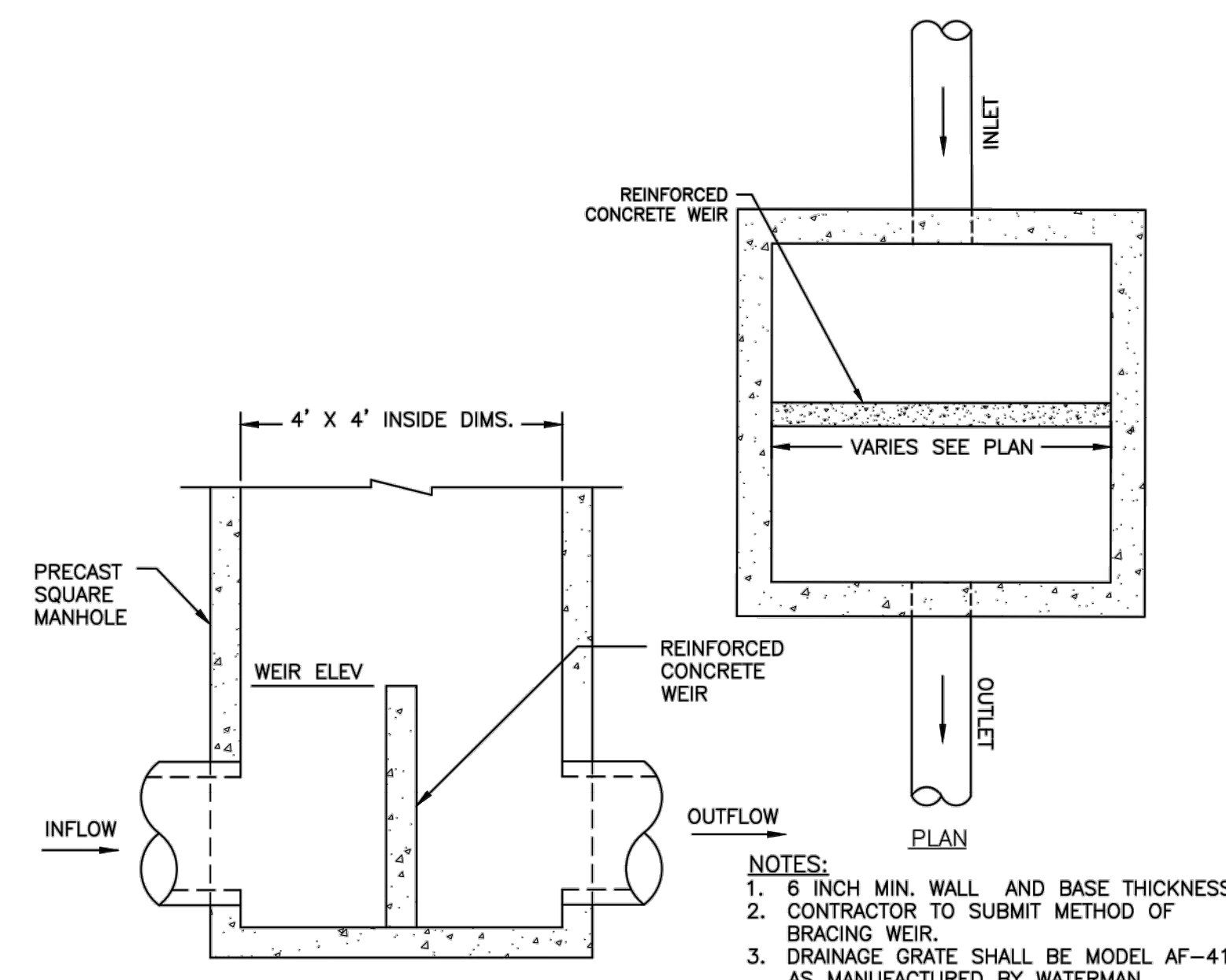
PLAN VIEW



PRECAST CONCRETE MANHOLE
NOT TO SCALE



CROSS SECTION
INFILTRATION SYSTEM
NOT TO SCALE



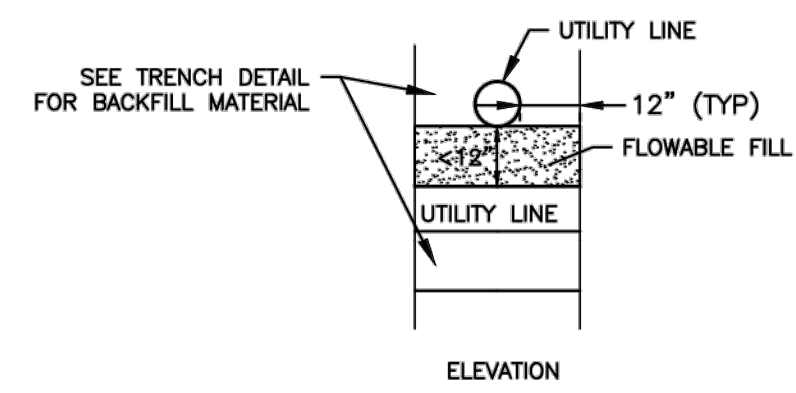
SECTION
OUTLET CONTROL STRUCTURE/BYPASS MANHOLE
NOT TO SCALE

- NOTES:**
1. 6 INCH MIN. WALL AND BASE THICKNESS
 2. CONTRACTOR TO SUBMIT METHOD OF BRACING WEIR.
 3. DRAINAGE GRATE SHALL BE MODEL AF-41 AS MANUFACTURED BY WATERMAN INDUSTRIES OR APPROVED EQUAL

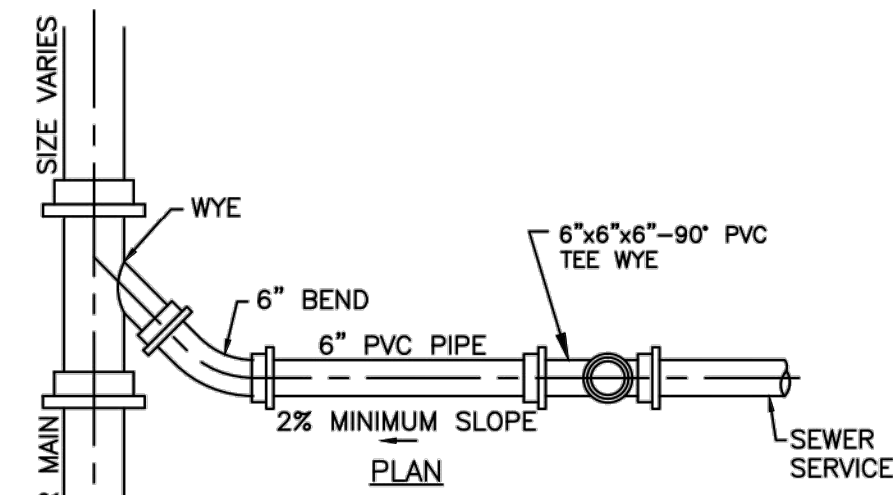
Project Information:
DeNORMANDIE WHARF
 Boston, MA
CRANSHAW CONSTRUCTION
 Prepared by:

 W.L. FRENCH
 14 STERLING RD
 BILLERICA, MA.
 Drawing by: JD
 Drawing checked by: JED
 Drawing scale: 1"=20'
 Drawing date: 6/11/2021
 Drawing revisions:
 Project number: 0000
 rev. description date
 Registration:

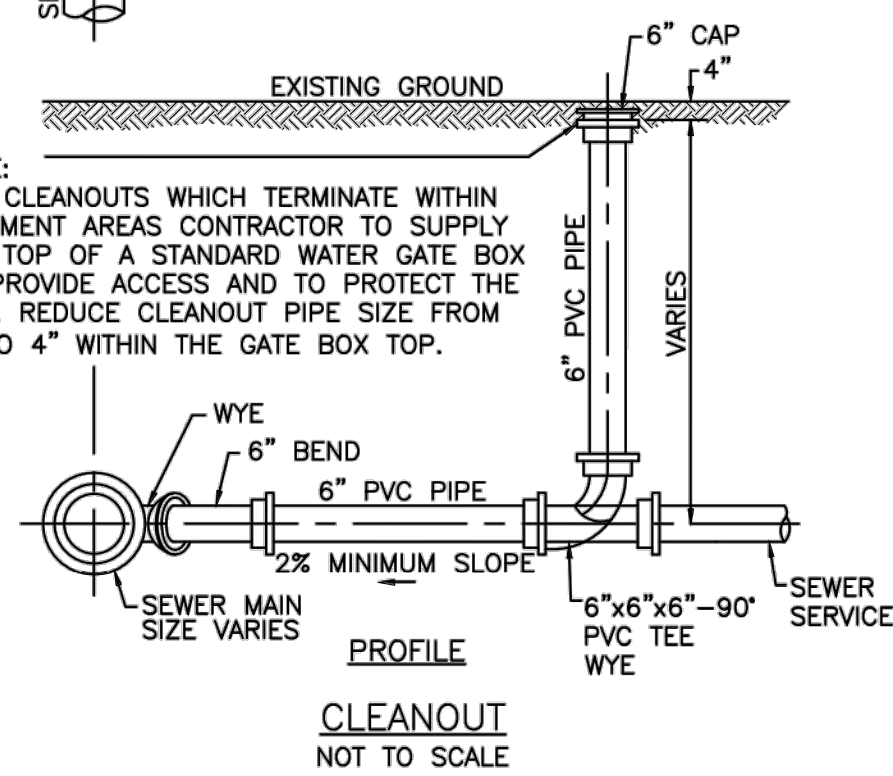
AS-BUILT UTILITY PLAN
AB-2



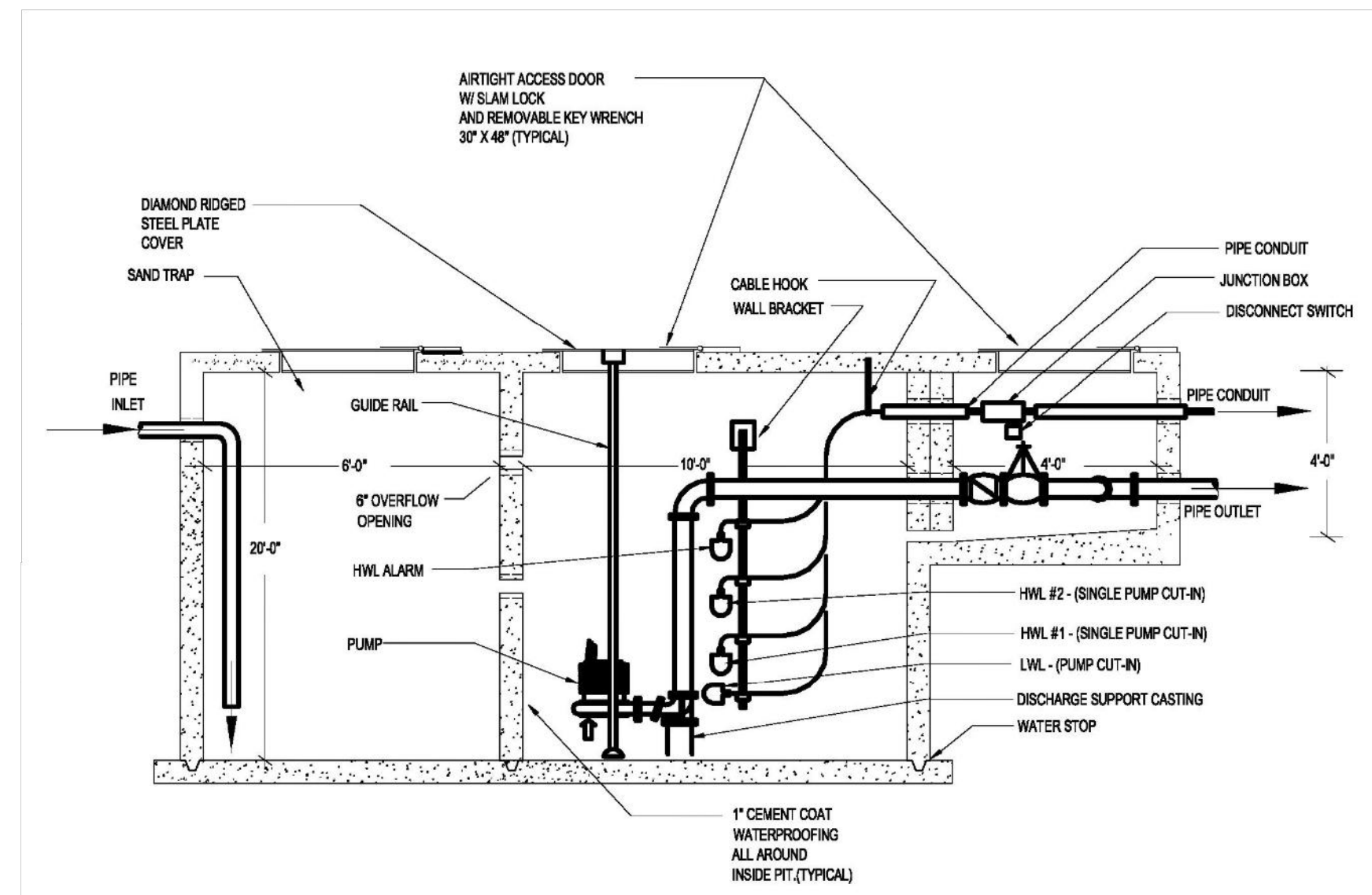
NOTES:
1. FLOWABLE FILL TO BE USED WHERE LESS THAN 12" OF SEPARATION BETWEEN UTILITIES IS PROVIDED.
UTILITY CROSSING
NOT TO SCALE



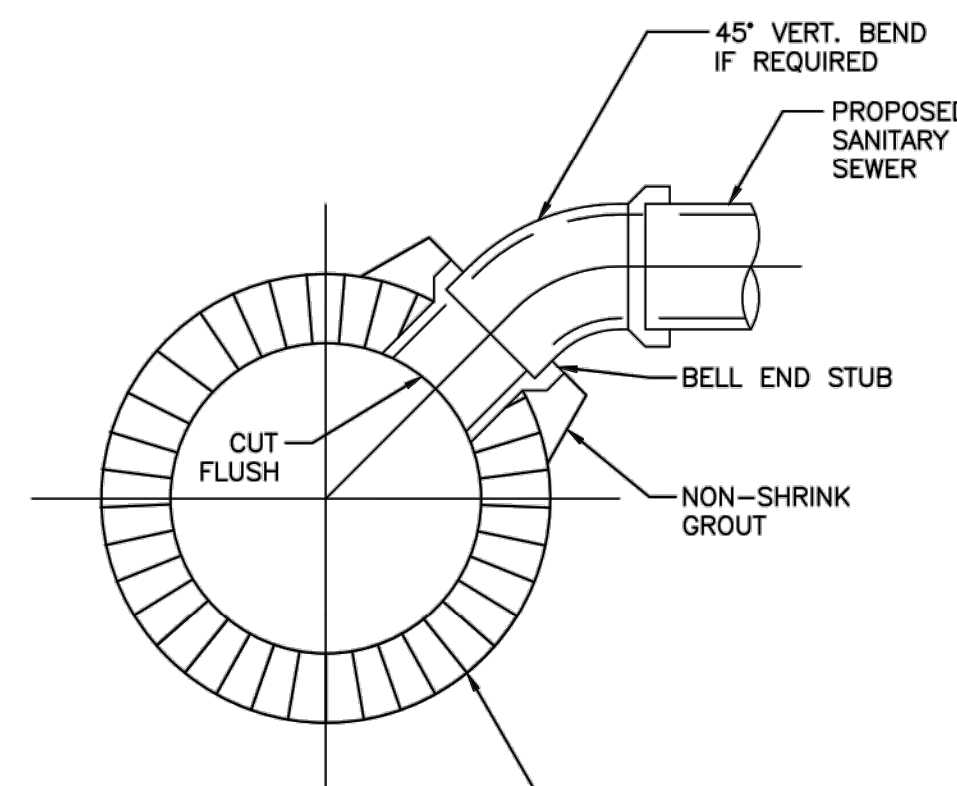
NOTE:
FOR CLEANOUTS WHICH TERMINATE WITHIN PAVEMENT AREAS CONTRACTOR TO SUPPLY THE TOP OF A STANDARD WATER GATE BOX TO PROVIDE ACCESS AND TO PROTECT THE PIPE. REDUCE CLEANOUT PIPE SIZE FROM 6" TO 4" WITHIN THE GATE BOX TOP.



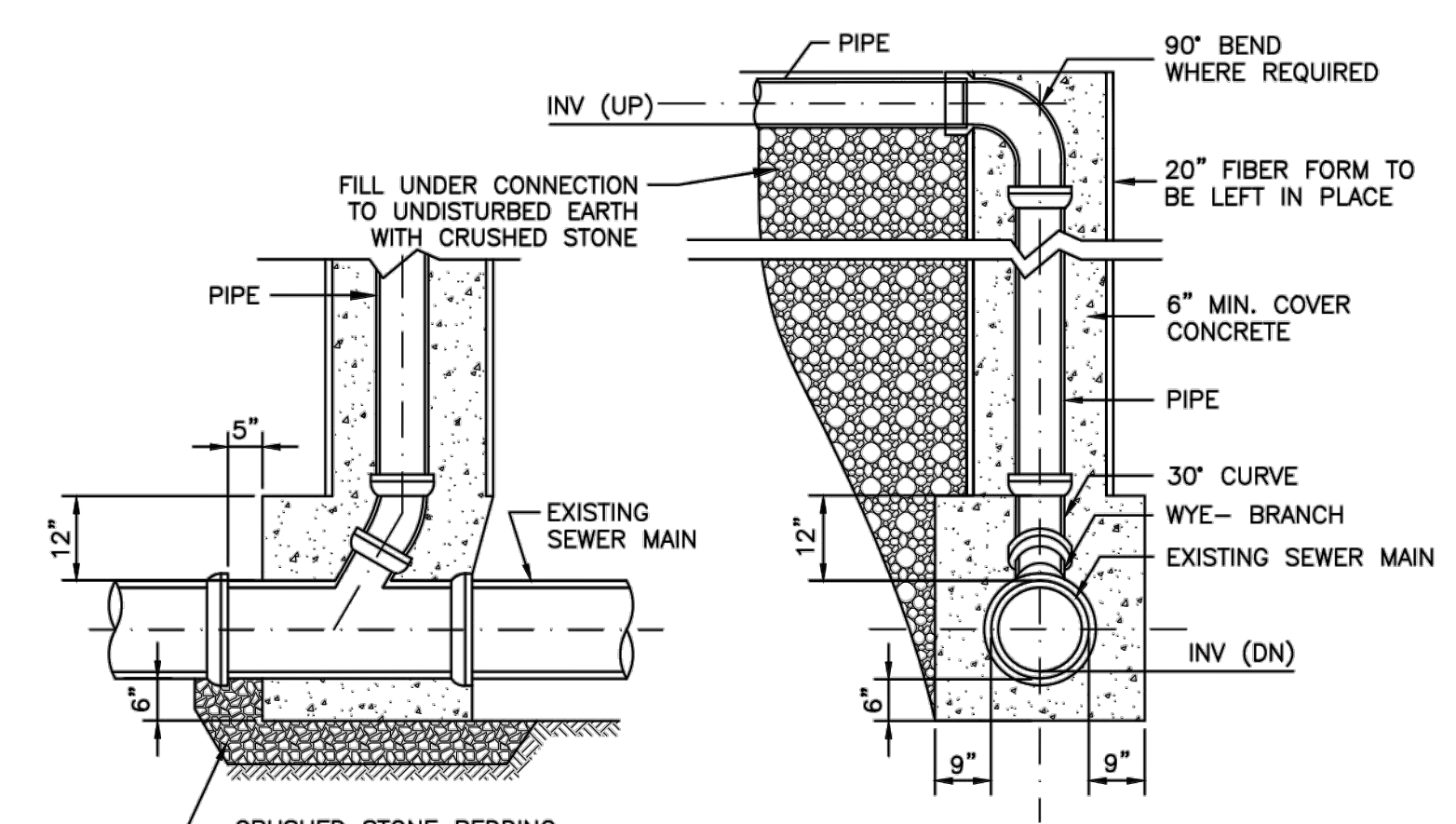
CLEANOUT
NOT TO SCALE



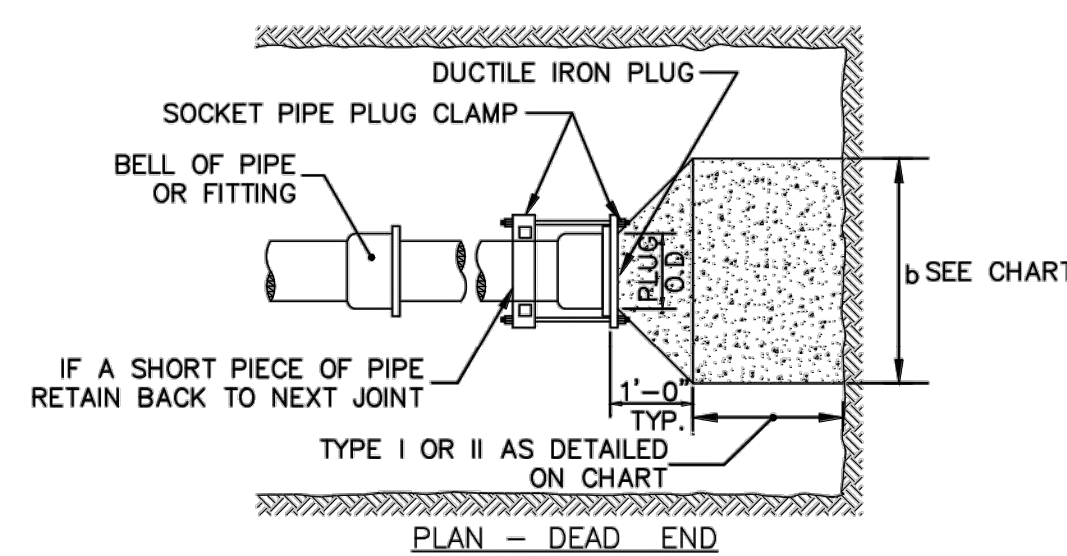
OIL WATER SEPARATOR
NOT TO SCALE



CONNECTION TO BRICK SEWER
NOT TO SCALE

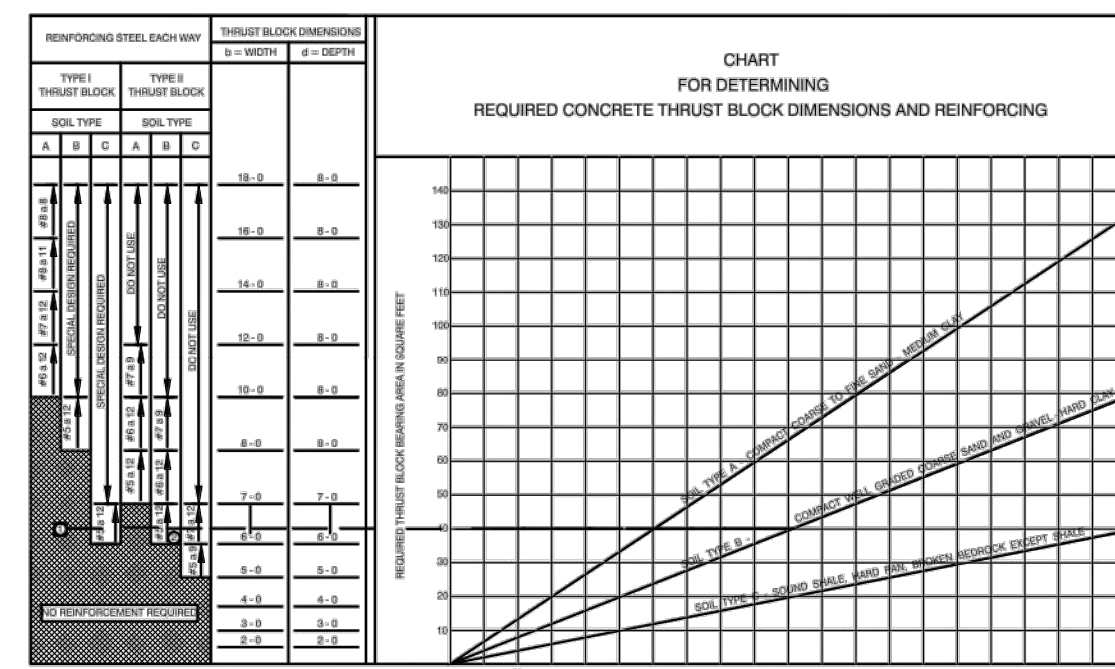


CHIMNEY DETAIL (B-15)
NOT TO SCALE

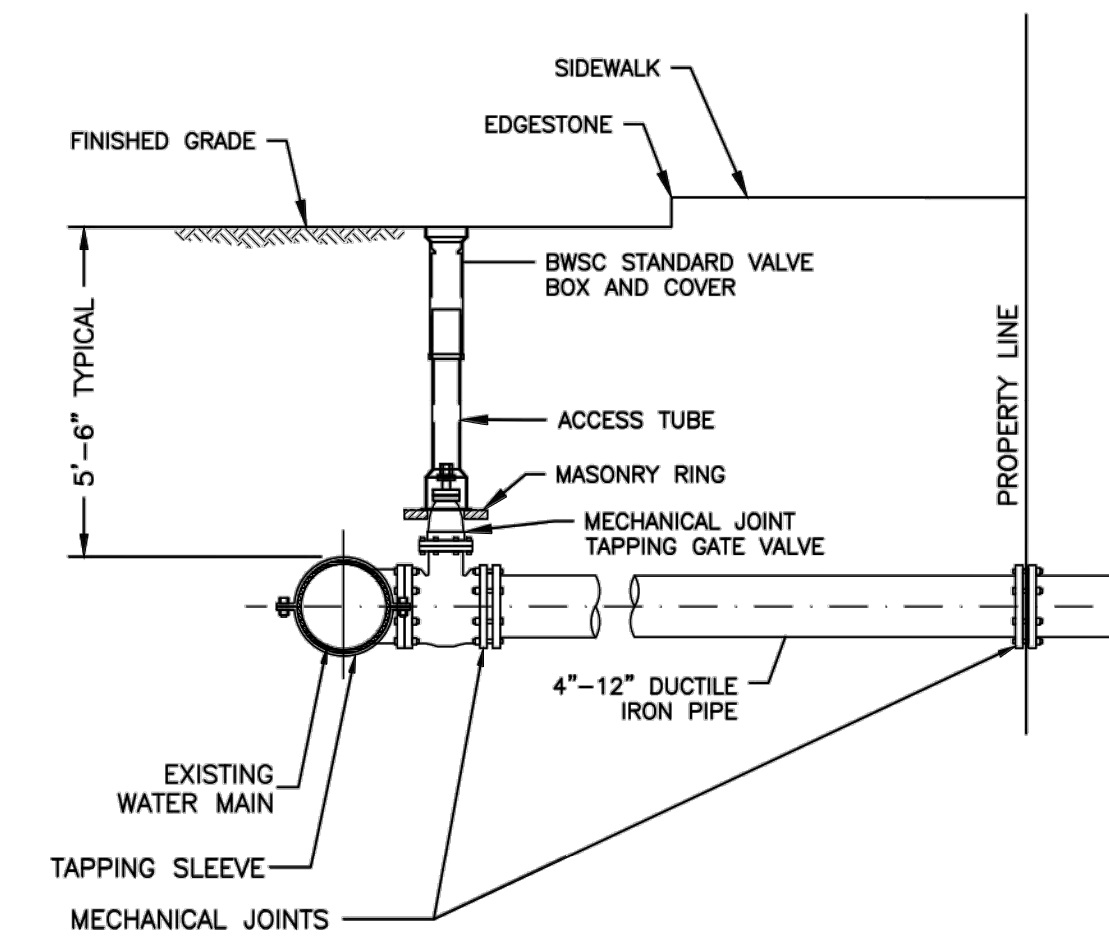


THRUST BLOCK (A-01a)
NOT TO SCALE

PIPE SIZE (IN)	THRUST BLOCK DIMENSION (IN)
4"	10.0
6"	12.0
8"	14.0
10"	16.0
12"	18.0
14"	20.0
16"	22.0
18"	24.0
20"	26.0
24"	30.0
30"	36.0
36"	42.0
42"	48.0
48"	54.0
54"	60.0
60"	66.0
72"	78.0
84"	90.0
96"	102.0
108"	114.0
120"	126.0

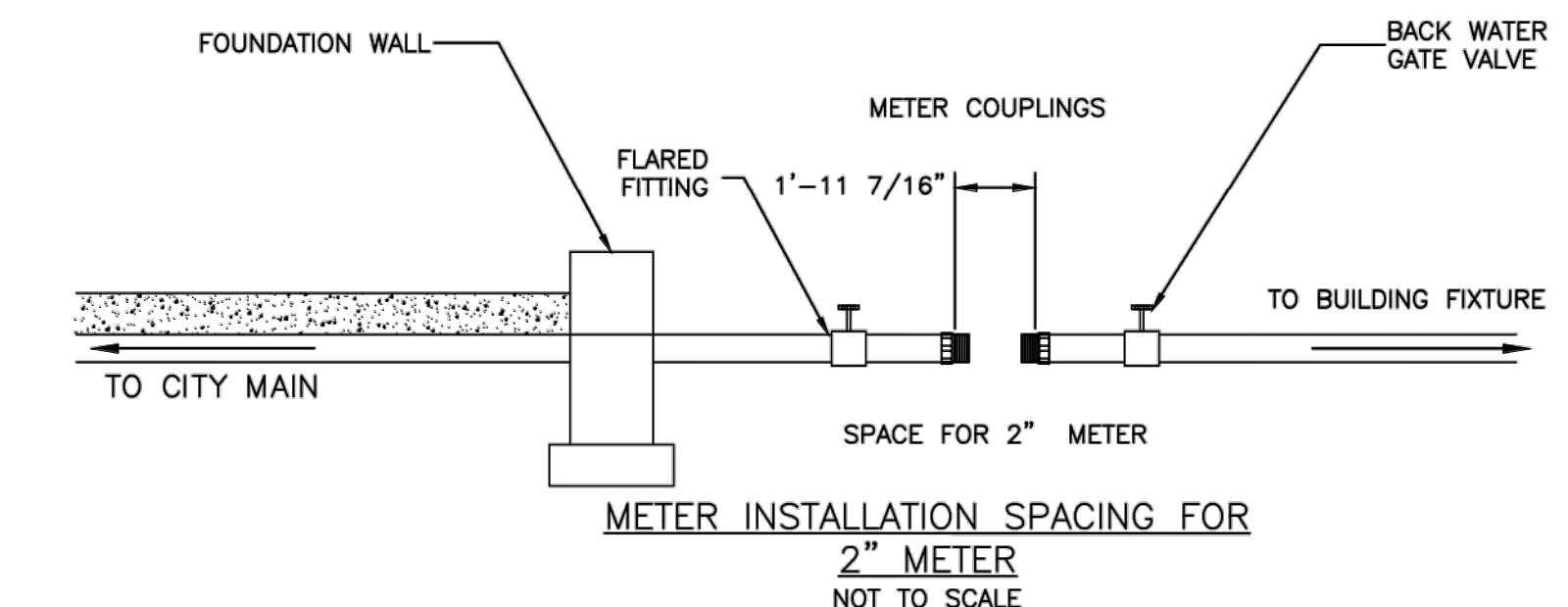


THRUST BLOCK DIMENSIONS (A-01c)
NOT TO SCALE



NOTES:
1. CONCRETE THRUST BLOCK TO BE USED ONLY WHERE IT WILL BEAR ON UNDISTURBED EARTH.
2. USE RESTRAINED JOINT FITTINGS OR TIE RODS WHERE CONCRETE THRUST BLOCK IS UNACCEPTABLE.
3. SIZE OF BLOCK OR MEGALUG TO BE DESIGNED FOR SPECIFIC CONDITIONS.

TAPPING SLEEVE & VALVE (A-09)
NOT TO SCALE



METER INSTALLATION SPACING FOR 2\"/>

DeNORMANDIE WHARF

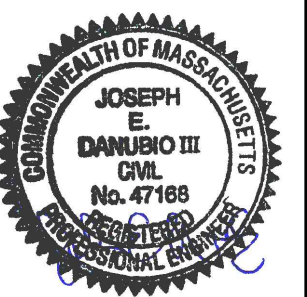
Boston, MA

CRANSHAW CONSTRUCTION



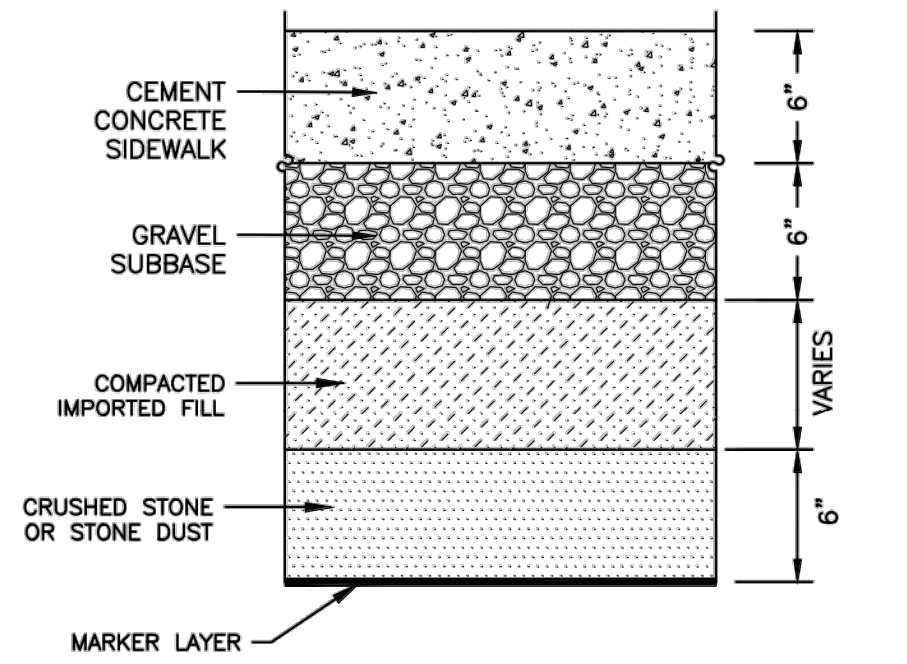
W.L. FRENCH
14 STERLING RD
BILLERICA, MA.

drawing by: JD
drawing checked by: JED
drawing scale: 1"=20'
drawing date: 6/11/2021
drawing revisions:
project number: 0000
rev. description date



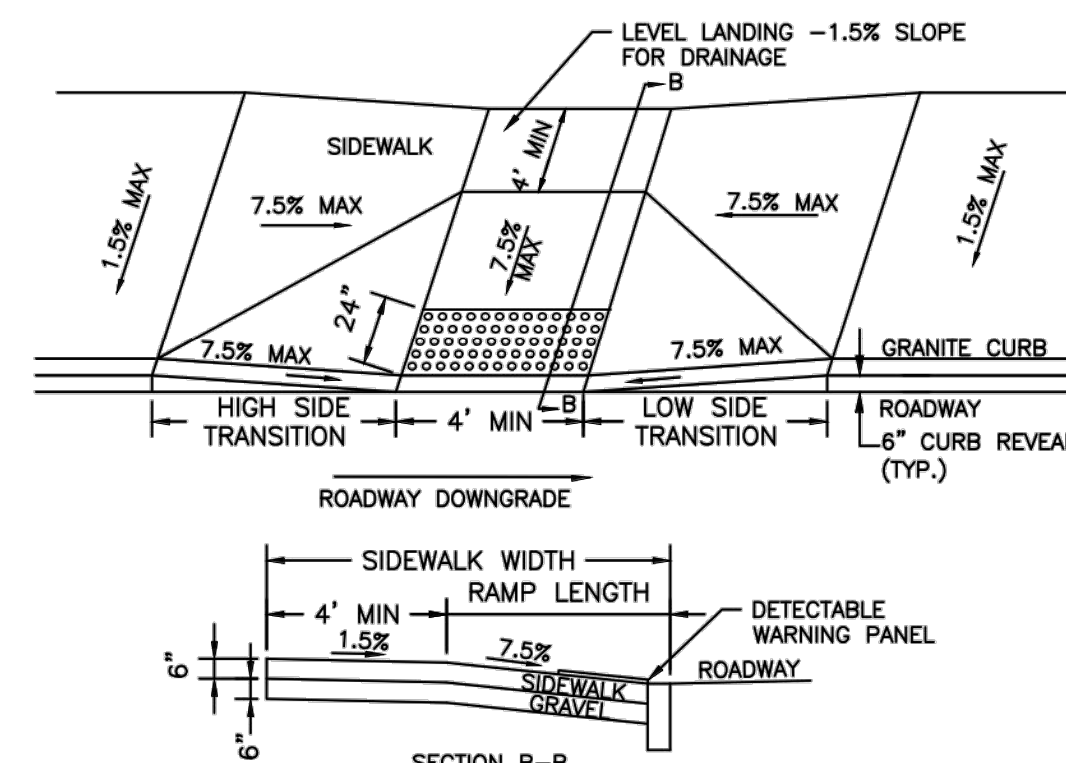
AS-BUILT
UTILITY PLAN

AB-3

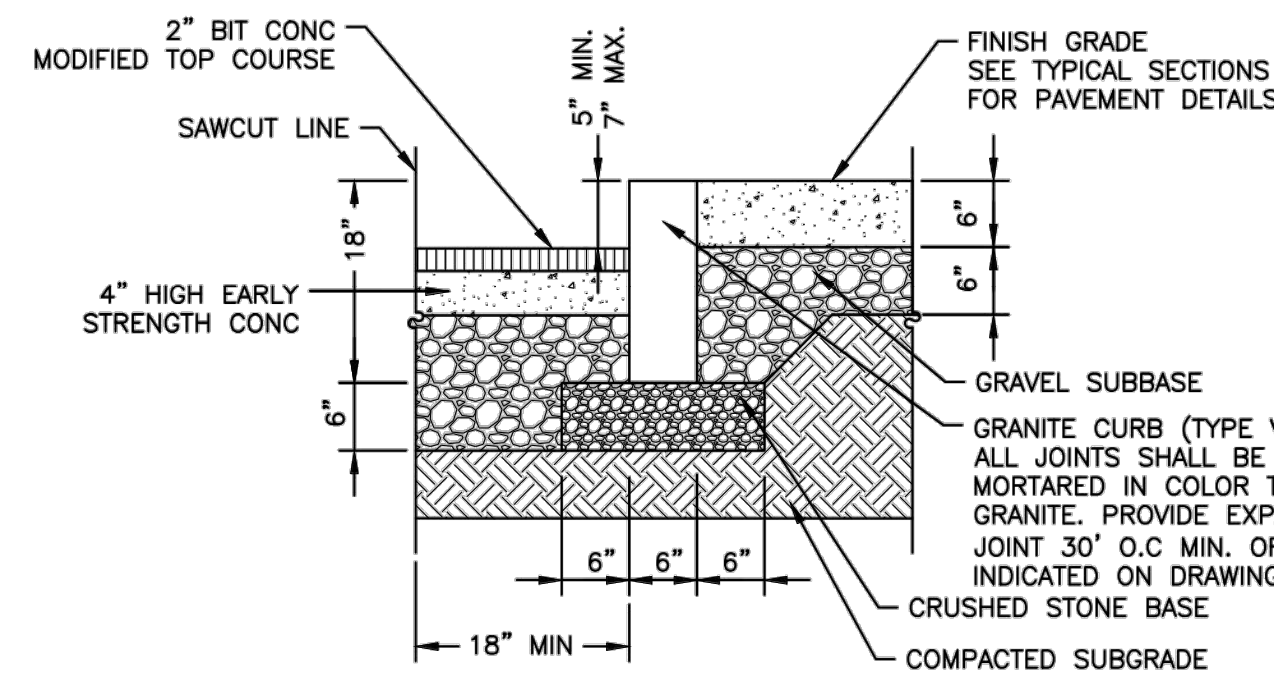


- NOTES:**
1. CONCRETE SHALL BE 4,000 PSI.
 2. SIDEWALKS ARE TO BE RAKED FINISH WITH 3/8 INCH TROWEL JOINTS.
 3. THIS DETAIL IS APPLICABLE FOR SIDEWALKS WITHIN THE STREET RIGHT-OF-WAY.

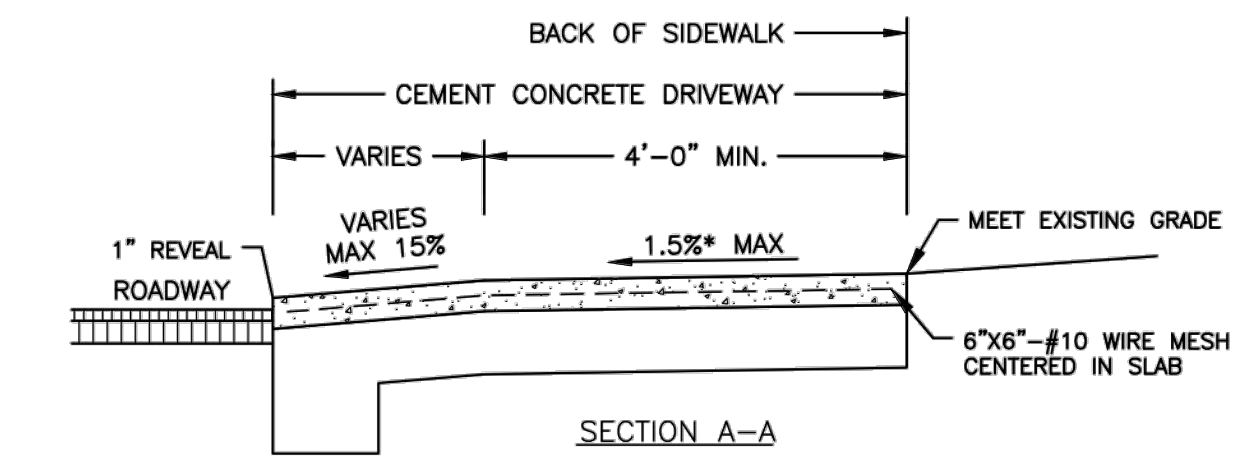
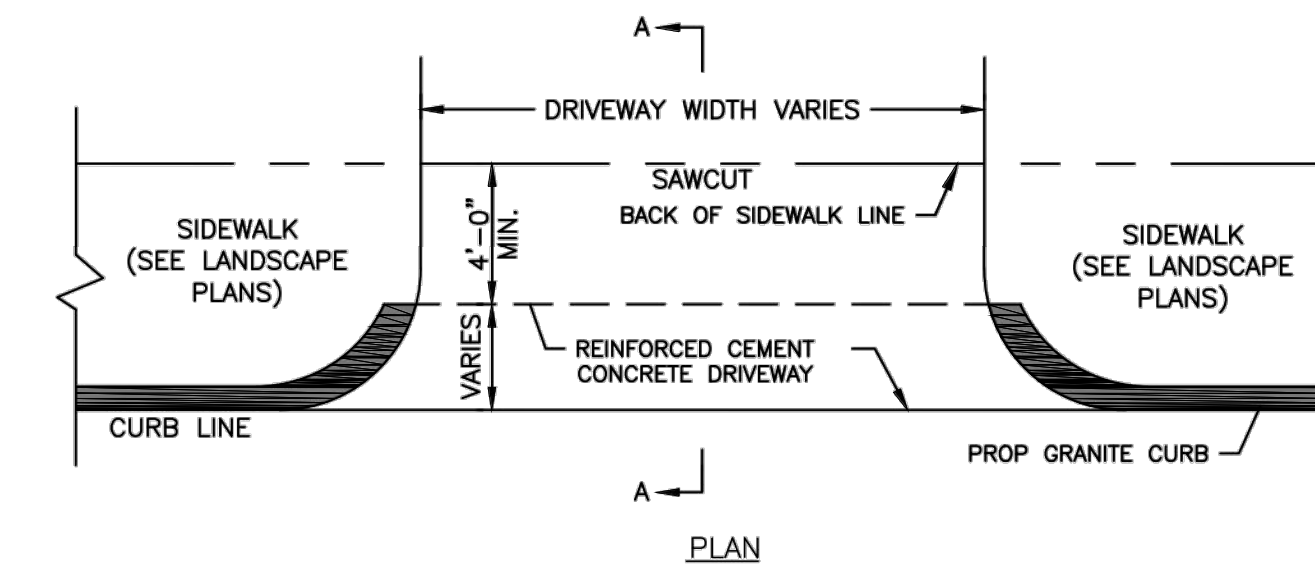
CEM CONC SIDEWALK SECTION DETAIL
NOT TO SCALE



PEDESTRIAN RAMPS - SIDEWALK WIDTH 6.5' AND GREATER
NOT TO SCALE

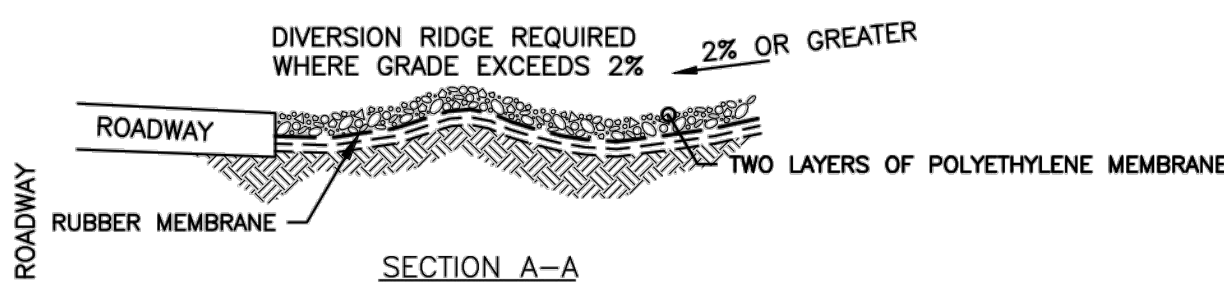
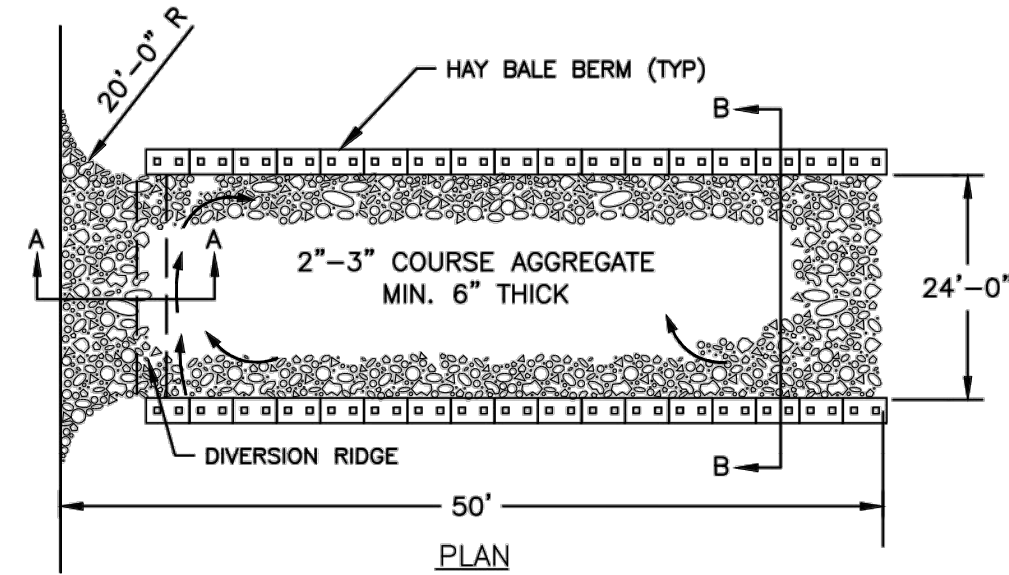


VERTICAL GRANITE CURB AT STREET
NOT TO SCALE



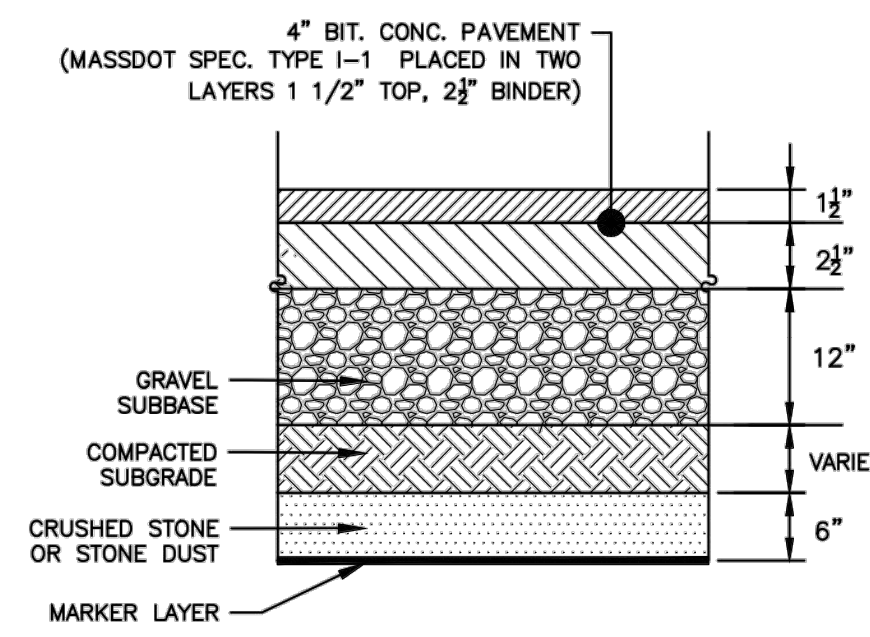
- NOTES:**
- * CONSTRUCTION TOLERANCE \pm 0.5%
 - SEE MASSDOT CONSTRUCTION STANDARD M/E 107.8.0

DRIVEWAY CONSTRUCTION DETAIL
NOT TO SCALE

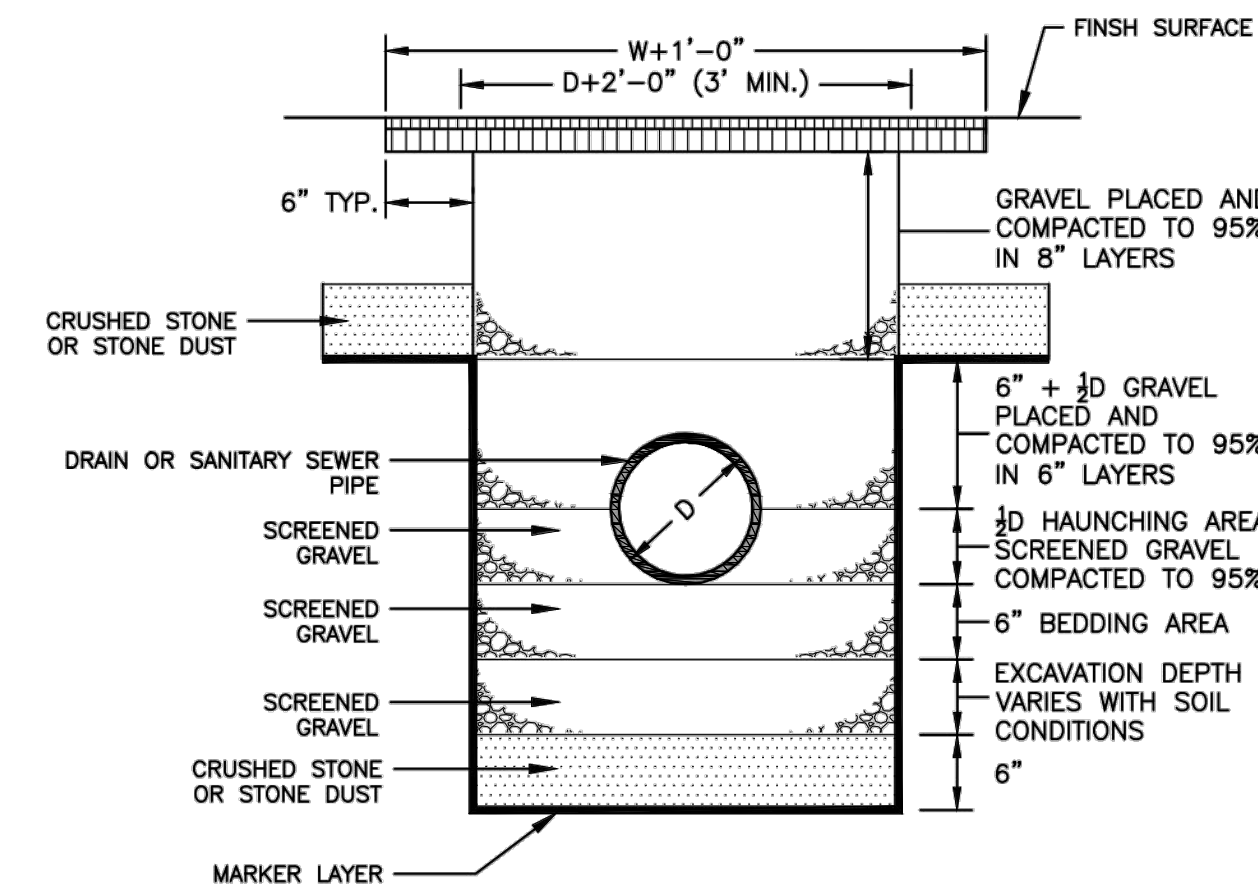


- NOTES:**
1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.
 2. WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY.
 3. TEMPORARY CONSTRUCTION ENTRANCE SHALL BE APPLIED WHERE NECESSARY TO KEEP PUBLIC WAYS FREE OF SEDIMENT INCLUDING STAGING AREAS

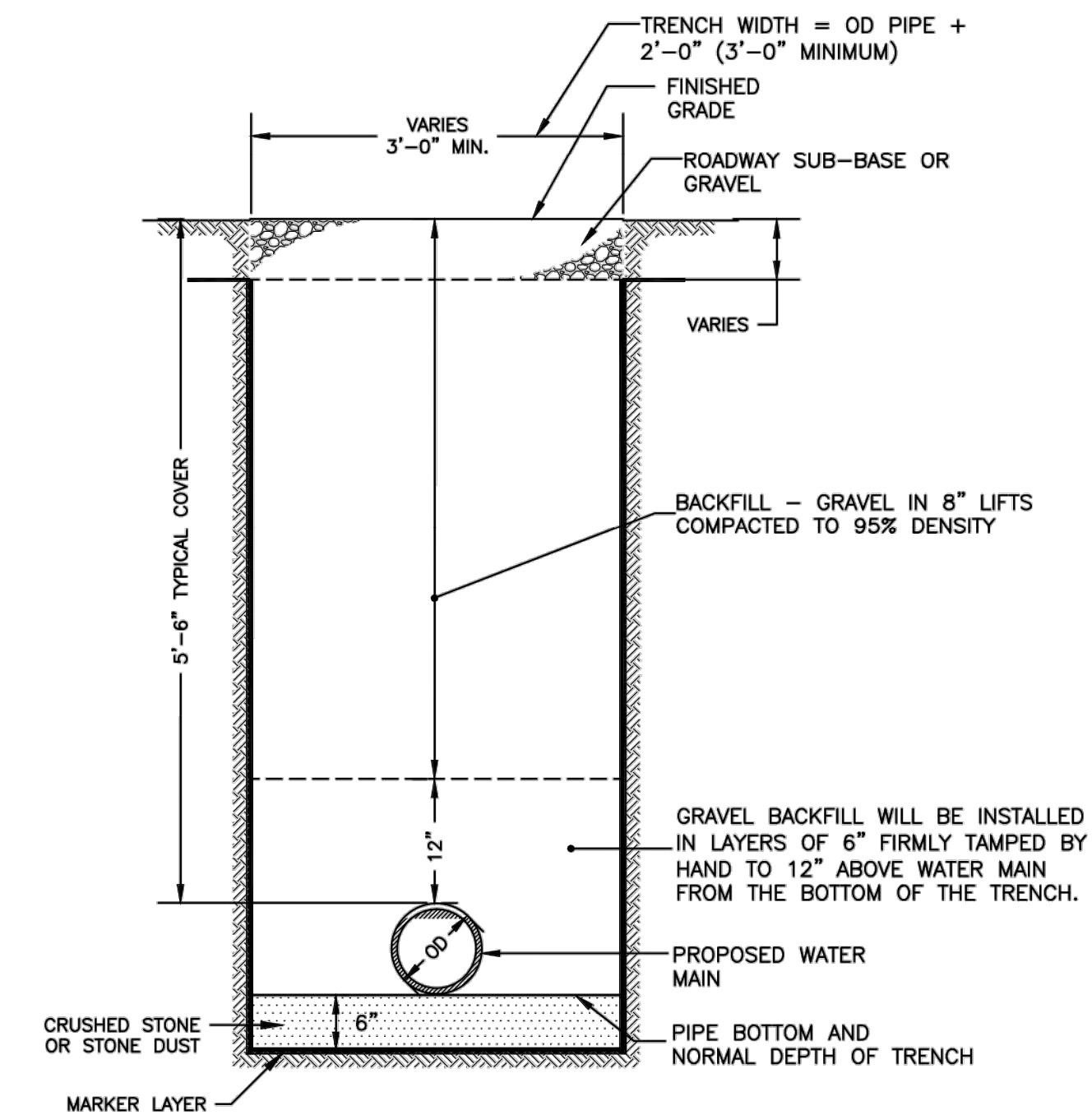
TEMP. CONSTRUCTION ENTRANCE
NOT TO SCALE



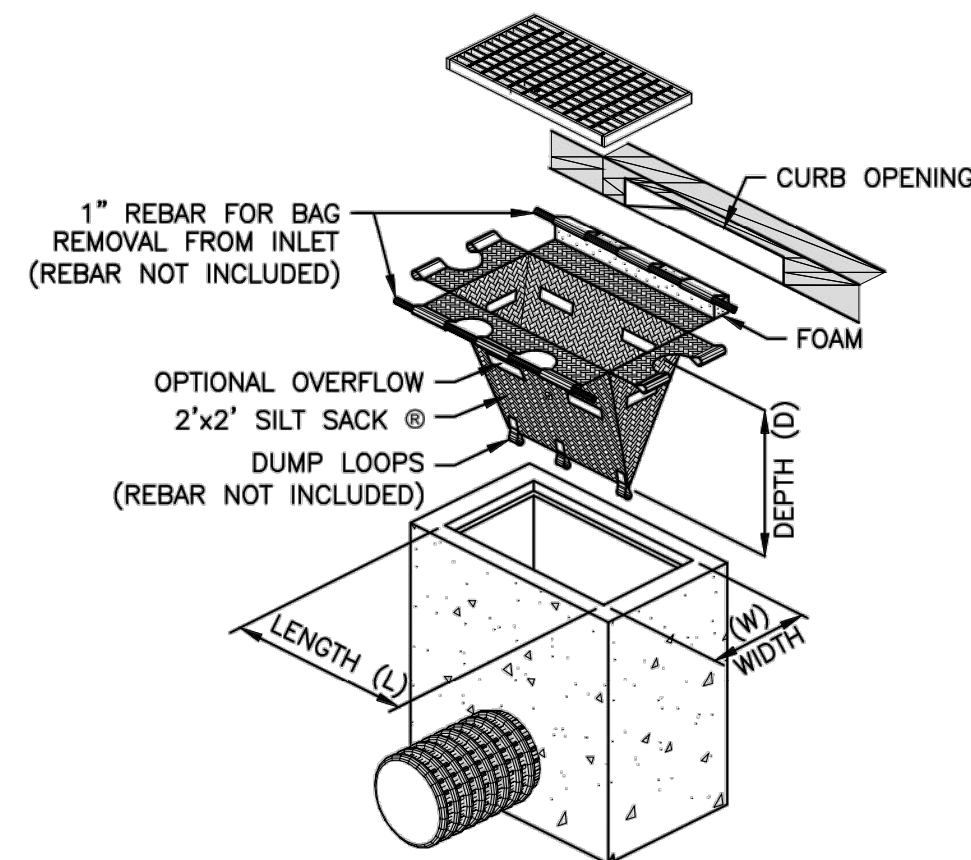
FULL DEPTH ROADWAY SECTION DETAIL
NOT TO SCALE



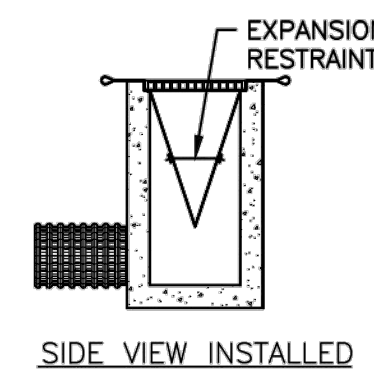
TRENCH DETAIL - DRAIN & SANITARY SEWER (B-08)
NOT TO SCALE



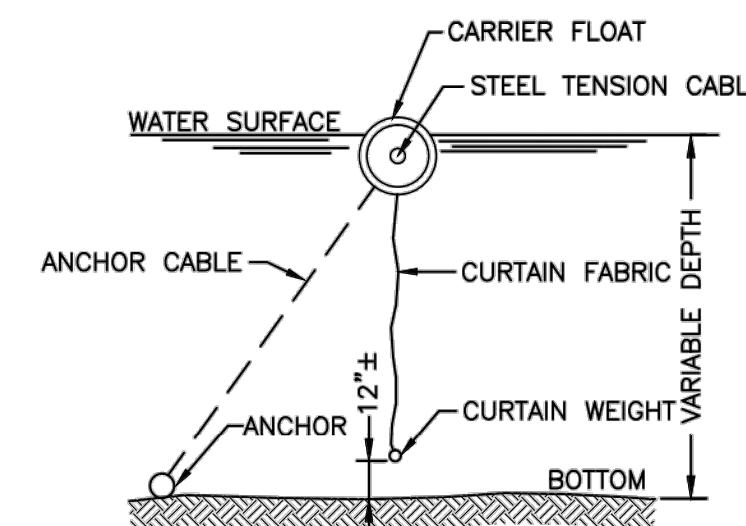
TRENCH DETAIL - WATER MAIN (A-05)
NOT TO SCALE



CATCH BASIN FILTER

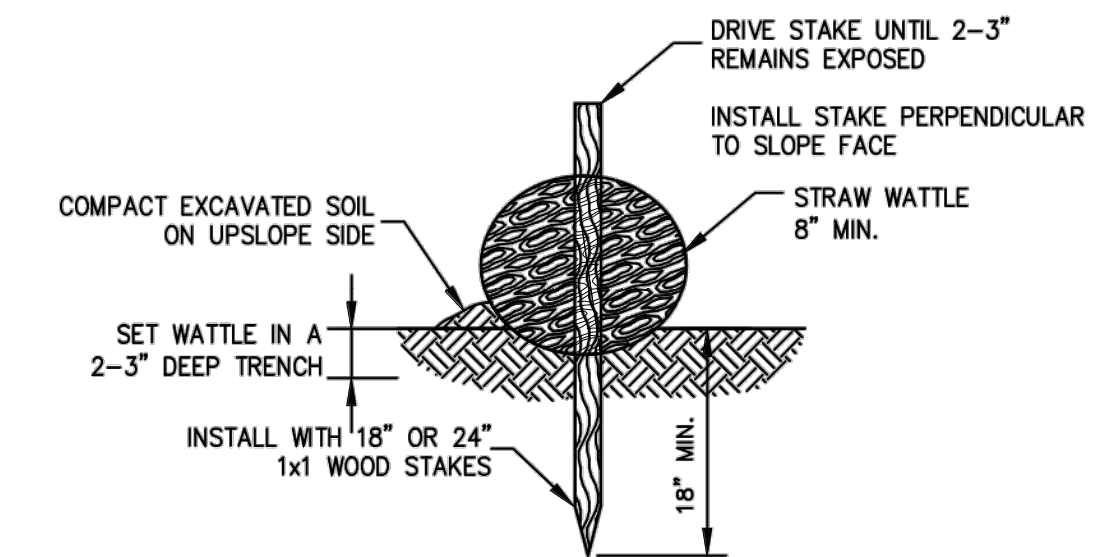


TEMPORARY INLET PROTECTION
NOT TO SCALE



- NOTE:**
- THE SILT CURTAIN SHOULD BE MAINTAINED UNTIL THE CONSTRUCTION AREA IS STABILIZED AND TURBIDITY IS REDUCED TO ACCEPTABLE LEVELS.

TURBIDITY BOOM FLOATATION SILT CURTAIN
NOT TO SCALE



- NOTES:**
1. BEGIN AT THE LOCATION WHERE THE WATTLE IS TO BE INSTALLED BY EXCAVATING A 2-3\"/>
 2. PLACE THE WATTLE IN THE TRENCH SO THAT IT CONTOURS TO THE SOIL SURFACE. COMPACT SOIL FROM THE EXCAVATED TRENCH AGAINST THE WATTLE ON THE UPSLOPE SIDE. ADJACENT WATTLES SHOULD TIGHTLY ADJUT.
 3. SECURE THE WATTLE WITH 18-24\"/>

FILTER BERM
NOT TO SCALE

DeNORMANDIE WHARF

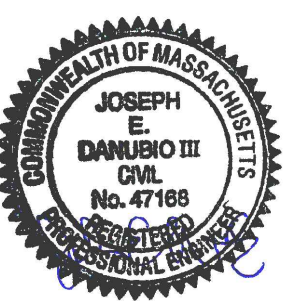
Boston, MA

CRANSHAW CONSTRUCTION



W.L. FRENCH
14 STERLING RD
BILLERICA, MA.

drawing by:	JD
drawing checked by:	JED
drawing scale:	1"=20'
drawing date:	6/11/2021
drawing revisions:	
project number:	0000
rev. description	date



AS-BUILT
UTILITY
PLAN

AB-4

**ORDER OF CONDITIONS
DEP FILE NO. 006-1556**



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 MassDEP File #:006-1556
 eDEP Transaction #:969473
 City/Town:BOSTON

A. General Information

1. Conservation Commission BOSTON
 2. Issuance a. OOC b. Amended OOC

3. Applicant Details

a. First Name STEPHEN b. Last Name DAVIS
 c. Organization DIV SUMNER STREET LLC C/O TDC DEVELOPMENT GROUP LLC
 d. Mailing Address 125 HIGH STREET, 21ST FLOOR
 e. City/Town BOSTON f. State MA g. Zip Code 02110

4. Property Owner

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

5. Project Location

a. Street Address 99 SUMNER STREET
 b. City/Town BOSTON c. Zip Code 02128
 d. Assessors NA e. Parcel/Lot# 0105403000
 Map/Plat#
 f. Latitude 42.36924N g. Longitude 71.04289W

6. Property recorded at the Registry of Deed for:

a. County b. Certificate c. Book 5A143 d. Page 280

7. Dates

a. Date NOI Filed : 11/1/2017 b. Date Public Hearing Closed: 10/18/2017 c. Date Of Issuance: 11/1/2017

8. Final Approved Plans and Other Documents

a. Plan Title: b. Plan Prepared by: c. Plan Signed/Stamped by: d. Revised Final Date: e. Scale:

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

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

Approved subject to:

a. The following conditions which are necessary in accordance with the performance standards set forth in the



2017 00104717

Bk: 58843 Pg: 153 Page: 1 of 18
 Recorded: 11/27/2017 12:10 PM
 ATTEST: Stephen J. Murphy, Register
 Suffolk County Registry of Deeds

Page 1 of 11 * ELECTRONIC COPY



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 MassDEP File #:006-1556
 eDEP Transaction #:969473
 City/Town:BOSTON

wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

Denied because:

- b. The proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. The information submitted by the applicant is not sufficient to describe the site, the work or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**

3. **Buffer Zone Impacts:** Shortest distance between limit of project disturbance and the wetland resource area specified in 310CMR10.02(1)(a). _____ a. linear feet

Inland Resource Area Impacts:(For Approvals Only):				
Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	_____ 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
	_____ e. c/y dredged	_____ f. c/y dredged		
7. <input type="checkbox"/> Bordering Land Subject to Flooding	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
Cubic Feet Flood Storage	_____ e. cubic feet	_____ f. cubic feet	_____ g. cubic feet	_____ h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	_____ a. square feet	_____ b. square feet		
Cubic Feet Flood Storage	_____ c. cubic feet	_____ d. cubic feet	_____ e. cubic feet	_____ f. cubic feet
9. <input type="checkbox"/> Riverfront Area	_____ a. total sq. feet	_____ b. total sq. feet		
Sq ft within 100 ft	_____	_____		



Massachusetts Department of Environmental Protection
Protection
Bureau of Resource Protection - Wetlands
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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File #:006-1556
eDEP Transaction #:969473
City/Town: BOSTON

Sq ft between 100-200 ft

c. square feet	d. square feet	e. square feet	f. square feet
_____	_____	_____	_____
g. square feet	h. square feet	i. square feet	j. square feet
_____	_____	_____	_____

Coastal Resource Area Impacts:				
Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas				
Indicate size under Land Under the Ocean, below				
11. <input checked="" type="checkbox"/> Land Under the Ocean				
	190			
	a. square feet	b. square feet		
	0			
	c. c/y dredged	d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches				
Indicate size under Coastal Beaches and/or Coastal Dunes below				
13. <input checked="" type="checkbox"/> Coastal Beaches				
	2800		0	
	a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
14. <input type="checkbox"/> Coastal Dunes				
	a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
15. <input checked="" type="checkbox"/> Coastal Banks				
	100			
	a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores				
	a. square feet	b. square feet		
17. <input type="checkbox"/> Salt Marshes				
	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds				
	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish				
	a. square feet	b. square feet	c. square feet	d. square feet
20. <input type="checkbox"/> Fish Runs				
Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above				
	c. c/y dredged	d. c/y dredged		
21. <input checked="" type="checkbox"/> Land Subject to Coastal Storm Flowage				
	60930			
	a. square feet	b. square feet		

22. Restoration/Enhancement (For Approvals Only)

If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c & d or B.17.c & d above, please entered the additional amount here.



**Massachusetts Department of Environmental
Protection**
Bureau of Resource Protection - Wetlands
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Provided by MassDEP:
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eDEP Transaction #:969473
City/Town:BOSTON

a. square feet of BVW

b. square feet of Salt Marsh

23.

Streams Crossing(s)

If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. the work is a maintenance dredging project as provided for in the Act; or
 - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
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 Order of Conditions, this Amended Order of Conditions does not exceed the issuance date of the original Final Order of Conditions.
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 Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work..
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

" Massachusetts Department of Environmental Protection"
[or 'MassDEP']
File Number : "006-1556"



**Massachusetts Department of Environmental
Protection**

Bureau of Resource Protection - Wetlands

WPA Form 5 - Order of Conditions

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

Provided by MassDEP:
MassDEP File #:006-1556
eDEP Transaction #:969473
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11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before Mass DEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS

19. The work associated with this Order(the "Project") is (1) is not (2) subject to the Massachusetts Stormwater Standards. If the work is subject to Stormwater Standards, then the project is subject to the following conditions;
 - a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Construction General Permit as required by Stormwater Standard 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
 - b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that: *i.* all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or 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



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inspected to ensure that they are not damaged and that they are in proper working condition; v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

- c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 19(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following: i.) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and ii.) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.
- d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Multi-Sector General Permit.
- e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 19(f) through 19(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 19(f) through 19(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.
- f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.
- g) The responsible party shall:
 1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- 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.



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- 1) 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 ATTACHMENT



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D. Findings Under Municipal Wetlands Bylaw or Ordinance

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

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

a. DENIES the proposed work which cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw specifically:

1. Municipal Ordinance or Bylaw _____ 2. Citation _____

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order or Conditions is issued. Which are necessary to comply with a municipal ordinance or bylaw:

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

1. Municipal Ordinance or _____ 2. Citation _____
Bylaw

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

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



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Provided by MassDEP:
6-1550
MassDEP File #

eDEP Transaction #
Boston
City/Town

E. Signatures

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

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

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

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

11/11/17
1. Date of Issuance
4
2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy must be mailed, hand delivered or filed electronically at the same time with the appropriate MassDEP Regional Office.



Signatures:

[Signature]
[Signature]
[Signature]
[Signature]

by hand delivery on

by certified mail, return receipt requested on

Date

Date

11/6/2017

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request of Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



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(M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.

G. Recording Information

This Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

BOSTON
Conservation Commission

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

To:
BOSTON
Conservation Commission

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

99 SUMNER STREET
Project Location

006-1556
MassDEP File Number

Has been recorded at the Registry of Deeds of:

County	Book	Page
for:		
Property Owner		

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

Book Page

In accordance with the Order of Conditions issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number



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Signature of Applicant

Richard McCready
President

Rev. 4/1/2010

October 4, 2017

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DIV Sumner Street, LLC c/o TDC Development Group LLC, Mixed Use Development, 99 Sumner Street
East Boston, Boston Harbor (LUO, Coastal Bank, Coastal Beaches, LSCSF)

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20. The term "Applicant" as used in this Order of Conditions refers to the owner, any successor in interest or successor in control of the property referenced in the Notice of Intent, supporting documents and this Order of Conditions. The Commission must be notified in writing within 30 days of all transfers of title of any portion of property that take place prior to the issuance of the Certificate of Compliance.
21. The property that is the subject of this Order and upon which the project is located will be referred hereinafter as "the subject property" or the "project site".
22. A member of the Conservation Commission or its agent may enter and inspect the property and the activities that are the subjects of this Order of Conditions (OOC) at all reasonable times, with or without probable cause or prior notice, and until a Certificate of Compliance (COC) is issued, for the limited purpose of evaluating compliance with this OOC.
23. The Applicant is hereby instructed to review such conditions with all contractors and workers involved in on-site operations prior to the commencement of construction on this project. Any contractors and workers arriving after construction commences must also be apprised of these conditions.
24. The Applicant must attach a copy of this Final Order of Conditions (hereinafter "the Order") to the contract documents associated with this project.
25. The Commission reserves the right to impose additional conditions or require the submittal of additional information as necessary to protect the interests of the Act.
26. If at any time during the implementation of the project a fish kill or significant water quality problem occurs in the vicinity of the project, all site-related activities impacting the water must cease until the source of the problem is identified and adequate mitigating measures employed to the satisfaction of the Boston Conservation Commission (hereinafter "the Commission").
27. Where relevant, all facilities and equipment will be continually operated and maintained so as to comply with the conditions and the Massachusetts Wetlands Protection Act (hereinafter "the Act"). The Applicant, owner, successor or assigns will be responsible for maintaining all on-site drainage structures and outfalls, assuring the lasting integrity of the surface cover on the site and site activities so as to prevent erosion, siltation, sedimentation, chemical contamination or other detrimental impact to the on-site and/or off-site wetland resource areas. This condition is a **maintenance** condition, and will not expire upon the issuance of a Certificate of Compliance.
28. A copy of the Order, including all referenced documents and plans, and all other subsequent approvals and directives issued by the Commission, must be available for inspection at the work area.
29. All project-generated discharges, including stormwater, authorized by a NPDES permit, will be subject to the terms of the NPDES permit which is incorporated herein by reference pursuant to 310 CMR 10.03 (4). The Applicant must submit the NPDES permit to the Commission.
30. The Applicant will submit the Water Quality Certificate issued by the Massachusetts Department of Environmental Protection, pursuant to Section 401 and 404 of the federal Clean Water Act, to the Commission. The terms of the Water Quality Certificate will be made part of this Order of Conditions. In no case will they exempt the Applicant from any other condition of this Order. If a conflict arises between requirements of this Order and the requirements of the Water Quality Certificate the Applicant will request an amendment of this Order of Conditions to address the condition causing the conflict.
31. There may be no discharge or spillage of fuel, oil, or any other pollutant from this project into adjacent wetland resource areas or 100-foot Buffer Zone (hereinafter "buffer zone") associated with those resource areas. Any equipment used in any wetland resource area or buffer zone that uses fuel, oil or hydraulic fluid must be inspected daily for leakage. Any equipment that requires repair must be repaired outside of any wetland resource area or buffer zone. Any equipment that uses fuel, oil and/or hydraulic fluid must be staffed at all times while operational within wetland resource areas or buffer zone. Equipment must not be re-fueled within any wetland resource areas.

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32. The Applicant and/or their contractor will develop a spill management plan for any hazardous materials that may be employed during work in the buffer zone or over the water. Specifically, the Applicant should prepare to effectively deal with spillage of fuel or hydraulic fluids from equipment. A quick-absorbent material, such as "Speedy Dry" or equivalent, must be stored in a dry, readily available area at the work site, and on any project related vessels, for use in the event petroleum-based fluids are spilled or leaked. The contractor must have an oil-sorbent boom at the project site and deploy the boom immediately upon observing any petroleum sheen on the watershed. The spent material should be containerized and disposed of properly.
33. The Applicant must inform the Commission of any violation of this Order and any other project-related spill or accident that may impact wetland resource areas as soon as possible and at least by the end of the business day, and must take appropriate action to mitigate impacts from such spill or accident. The Applicant or site supervisor must notify the City of any emergency by calling Commission staff at 617-635-3850 from 9:00 AM - 5:00 PM, Monday - Friday and, at all other times, by calling the Mayor's Office's 24-hour Hotline at 617-635-4500. On the date of the issuance of this Order, the appropriate contact is Amelia Croteau, Conservation Agent: amelia.croteau@boston.gov
34. The Applicant must submit for Commission staff review and approval an Oil Spill Prevention, Control and Countermeasure Plan, which must specify the containment measures and notification protocol to be implemented should a fuel spill occur. The fuel tanks must also have a leak detection system. The plan should include the continued maintenance of emergency fuel booms at the facility. The approved plan will be incorporated into this Order by reference herein, and will not expire upon issuance of a Certificate of Compliance.
35. Anti-degradation provisions of the Massachusetts Surface Water Quality Standards protect all waters including wetlands. The project contractor must take all steps necessary to assure that the proposed activities will be conducted in a manner which will avoid violations of said standards.
36. Any mitigation measures required by federal, state, or other local agencies that may impact wetlands resource areas must be submitted to Commission staff for review to determine what level of permitting or authorization will be necessary.
37. All project-related correspondence and submittals to the Boston Conservation Commission regarding this Final Order must indicate the DEP File number: 006-1556.

Prior to Construction

38. Prior to construction start up, the Applicant must submit final plans stamped by a registered professional engineer to Commission staff. Commission staff will determine if there have been significant revisions made to the plans referenced in this Order that may require further Commission review.
39. In advance of construction start-up on any section of this project, the Applicant must notify the Commission and, at the request of the Commission, may arrange an on-site conference of representatives of the Commission, the contractor, the project engineer and the Applicant to ensure that all the conditions of this Order are understood. The Commission must be notified at least 48 hours in advance of the date upon which construction activities on the site are to proceed. All appropriate construction impact mitigation measures must be in place prior to initiation of work on the project site.
40. The Applicant and/or their contractor must provide to the Commission written notification of the name, title, address and telephone numbers of the person or persons designated by the Applicant to be responsible for compliance with the Order on-site. An emergency telephone number must be provided in the event that action is required during non-working hours.
41. The project supervisor overseeing daily operations at the site must read this Order and sign a copy of each page, indicating that each condition has been read and understood. These signed pages must be submitted to Commission staff.

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42. Before work at this site commences, the Applicant or their contractor must submit a final erosion and sediment control plan for review and approval by Commission staff. Final plans showing the points of discharge, wheel wash stations, sedimentation tanks and basins, oil separating equipment and other engineering structures should be provided to the Commission with a certified engineer's stamp and signature. To satisfy this condition the Applicant may submit a Storm Water Pollution Prevention Plan (SWPPP) required under the NPDES Construction General Permit for Storm Water Discharges for Construction Activities. The approved plan will be a condition of this Order by reference herein.
43. Prior to the commencement of construction and site clearing, an erosion and sediment control barrier must be installed along the limit of activity between all work areas and wetland resource areas. Hay bales or straw bales should be double staked (where possible) with bales butted against each other. If straw wattles or filter sox are used, they should be anchored in place. If specified, geotextile siltation fence should be installed no further than twelve (12) inches from the down-gradient side of the barrier. These barriers must be inspected daily and after significant rain events (greater than 0.5 inches of precipitation) and maintained as necessary, including the removal of accumulated sediments. The contractor will ensure that additional erosion and sediment control materials are available for immediate installation to replace those that are damaged or degraded. Erosion control measures should be removed upon completion of work and after disturbed areas are stabilized. The geotextile fence will constitute a limit-of-work line, beyond which no work or clearing of vegetation may occur.
44. The contractor must submit a construction materials and equipment staging plan 30 days prior to construction for Commission staff review and approval. Project related staging areas will be subject to all conditions herein. Staging areas located outside the project footprint, as indicated on the approved project plan of record, and within wetland resource areas and the buffer zone may be subject to further Commission review.
45. The Applicant must submit to Commission staff notice of approval by the Boston Water and Sewer Commission (BWSC) of the plans for this project. Any modifications required by BWSC to the plans approved by this Order must be detailed in writing with this submittal so that Commission staff can determine if further conditions are required.
46. Before construction commences, the Applicant must submit to the Commission for its review and approval a landscaping plan that provides native coastal bank vegetation along the Harborwalk; finished details for the Harborwalk and a maintenance plan for these structures and amenities. These submittals will be incorporated into this Order by reference herein.
47. Before construction commences, the Applicant must submit to Commission staff evidence of notification of this proposed project to the Boston Parks and Recreation Commission, to determine if the city ordinance requiring review and approval by the Park Commission of projects within 100 feet of any park within the City of Boston applies to this proposed project.
48. The Applicant must design the stormwater drainage system to include infiltration of rooftop runoff and parking lot drainage or submit a certification from a registered professional engineer that infiltration is not technically feasible. The revised plans or certification must be approved by the Boston Water and Sewer Commission and then submitted to Commission staff before construction commences.
49. The Applicant must submit a construction and post-construction snow management plan for Commission staff review and approval. Snow from landside areas may not be plowed or otherwise deposited into the waters of the Boston Harbor or adjacent coastal beaches or banks. Snow must be stockpiled on paved surfaces that direct melted snow water to catch basins. Deicing material and sand must be stored and contained in areas that will not allow for their migration into wetland resource areas. Prior to April 1st, all sand and salt from winter application must be removed from the site. The approved snow management plan will be a perpetual **maintenance** condition that will not expire upon issuance of a Certificate of Compliance.

During Construction

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50. The Applicant, owner, successor or assigns must regularly remove and dispose of debris on all wetland resources areas on the project site. This is a perpetual **maintenance** condition that will not expire upon issuance of a Certificate of Compliance.
51. The Applicant must maintain the project site free of trash and debris during any down time or hiatus in the project during the term of this Order.
52. The Applicant and/or their contractor must clean the work area at the end of each workday to prevent wind deposition of fugitive dust and accumulation of debris in the buffer zone or wetland resource areas. All stored excavate or fill must be contained with appropriate best management practices when not in use. Special attention should be given by the contractor to securing covers on stored excavate, fill, dumpsters and roll-off containers over the weekend or during down time.
53. Disposal of all construction materials, demolition debris and excess fill must be done in accordance with applicable federal, state, and local laws. Proof of proper disposal must be provided in the form of copies of bills of lading, disposal receipts or manifests to Commission staff upon request.
54. All practical best management practices must be implemented during in-water or waterside demolition/construction activities to minimize turbidity and other water quality impacts, including but not limited to a floating boom with an attached silt curtain to contain work areas. The silt curtain should be maintained in good operating condition, should rest on the mud line at all times, and should have adequate shore-line anchors, tie-downs or other mechanisms to ensure proper position and performance. Any visible plume of turbid water caused by project activity outside the area contained by the silt curtain will constitute inadequate performance and require immediate adjustment and/or repositioning of the curtain. Deployment of the curtain should occur in such a way that it will not interfere with water traffic. The boom may be removed when work directly requiring the use of a boom has been completed. The contractor must also have an oil sorbent boom at the project site and deploy the boom immediately upon observing any petroleum sheen on the watersheet.
55. All project-related materials must be contained from migration into wetland resource areas and all practical precautions must be used during any water-based demolition/construction work. The Applicant and/or their contractor will be responsible for the removal of any project-related debris, material, machinery or equipment lost, dumped, thrown into, or otherwise entering any wetland resource area, regardless of whether it is within or outside of the project limits. The Applicant must seek Commission approval for any remedial action involving substantial impacts to wetland resource areas.
56. The contractor must have a boat available for the collection and removal of project-related trash and debris within wetland resource areas and on the watersheet. The contractor will contain and collect all floating debris that results from the project and collect it along with solid waste including trash. The collected debris and trash will be placed into containers and periodically removed for proper disposal. The boat should also be used to check the boom.
57. All vessels working at this site must be maintained in seaworthy condition. Should any vessel or barge associated with the project sink the Commission must be informed immediately. The proposed work and placement of barges should be coordinated with vessels that navigate in the affected waterways. All vessels and floating equipment must be anchored or moored when not in use and have proper lighting per U.S. Coast Guard requirements. Barges must be anchored with spuds or tied off to a secure structure; under no circumstances should construction equipment on the barge be utilized for purposes of anchoring. Project-related vessels may not rest upon tidal flats.
58. All deck gear and equipment stored on project-related vessels must be secured at the end of each workday and inspected for any leakage. All project-related vessels must have a spill kit containing sorbent materials on the vessel at all times. All material stored on project related vessels must be contained so as not to enter the resource area. Petroleum product and hydraulic fluids must be stored within leak-proof lockers secured to the deck of the vessel.

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59. Piles must be extracted entirely by pulling. If there is a structural reason for cutting the piles, then the contractor must cut them at the mud line, and the Applicant must submit to Commission staff a letter from a registered, professional engineer certifying the reason therefor. The Applicant must also submit a plan stamped by a registered engineer indicating the location of piles that remain below the mud line.
60. On-site discharge of untreated, decanted water from construction dewatering to resource areas is prohibited. If on-site discharge becomes necessary, the Applicant must submit a plan indicating dewatering methodology, water quality monitoring measures, and staging location of dewatering equipment for Commission staff review and approval. Any approved dewatering must treat decanted water according to additional conditions deemed necessary by Commission staff.
61. The Applicant, owner, successor or assigns will ensure the cleanliness of all catch basins on the project site or affected by project related activity. Catch basins will be protected with hay bales and/ or silt sacks during the construction period. The Applicant must inspect and, as necessary, clean all catch basins at least weekly during construction and more frequently after a significant rain event. Upon completion of the project, the inspection and cleaning of catch basins on the subject property must occur twice a year: once between March 1st and April 30th and once between November 1st and November 30th of each year, and more often if necessary. This **maintenance** condition is perpetual and will not expire upon issuance of a Certificate of Compliance.
62. The Applicant must provide the Commission with copies of the Operations and Maintenance Log for all stormwater BMP's on the subject site yearly. Copies must be provided for a minimum of three years after completion of construction and specify dates of inspections, repairs, replacement, maintenance and cleaning actions, and names of individuals or contractors conducting said maintenance.
63. Repair or replacement of stormwater infrastructure may not commence in advance of a forecasted rain event.
64. All sheet flow from areas where vehicles drive or park must be directed toward catch basins that meet Boston Water and Sewer Commission specifications.
65. Any new or reconstructed catch basins, or any new or replaced 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 Boston Harbor."
66. Trucks entering and leaving the site must have their loads completely covered in compliance with M.G.L. Chapter 85 § 36. Vehicles that accumulate soil or any unconsolidated material on their tires due to exposed ground conditions at the site must be thoroughly washed to avoid tracking of material onto the public way.
67. The contractor must have designated washout areas for concrete equipment that will be comprised of impermeable material and sized to contain project concrete wastes and wash water. Washout areas may not be located in the vicinity of storm drain inlets, stormwater conveyance, surface waters or wetlands.
68. Excavation equipment may access the inter-tidal area only during periods of low tide.
69. There may be no parking of contractor or laborer vehicles in any resource area or associated buffer zone without proper stormwater controls or best management practices installed.
70. Construction activity will be confined within the limits of work as represented on the final plan of record. There may be no staging of construction materials, storage of construction equipment, clearing or disturbance to land beyond the limit of work.
71. There may be no overnight stockpiling or storage of construction material including unconsolidated material, piles, debris, petroleum products or hydraulic fluids (or equipment containing these products or fluids) within the 100 foot buffer zone, 25 feet of the coastal bank.. Erosion and sediment control containment measures must be installed and maintained between wetland resource areas and any

October 4, 2017

Attachment – Special Conditions

DIV Sumner Street, LLC c/o TDC Development Group LLC, Mixed Use Development, 99 Sumner Street
East Boston, Boston Harbor (LUO, Coastal Bank, Coastal Beaches, LSCSF)
DEP File No. 006-1556

- stored construction materials or staged construction equipment. Under no circumstances may the project contractor store, stage or locate unconsolidated material or construction equipment not directly associated with the project and subject site within resource areas or the buffer zone. At the request of the Applicant, Commission staff may authorize construction lay-down areas within the buffer zone for storage of equipment *during the construction period only*.
72. The Applicant or their contractor must keep a daily log summarizing all construction and demolition activities of this project on every day that such activity occurs, noting turbidity conditions, occurrence of fish kills, debris removal from resource areas and evaluations of measures employed to reduce turbidity and other impacts to the water and wetland resources. The condition of all drainage, erosion controls and sedimentation structures must be noted in the daily log, as well as the performance of maintenance activities on such structures. The contractor must provide Commission staff with a draft construction inspection form prior to commencement of work on the project site. This log must be kept at the work area and made available upon demand by Commission staff.
 73. All land-side areas disturbed during construction must be stabilized as soon as possible upon completion of construction. Loaming and seeding should occur within (5 - 30) days of final grading. Disturbed resource areas landward of the high water line and buffer zone mark should be secured by a biodegradable erosion control mats while vegetation establishes. Barren areas should be stabilized with a temporary cover of rye or other grass if work on the project is interrupted for more than 30 days. If the season is not appropriate for plant growth, then exposed surfaces may be stabilized by straw, snow fence, or other U.S. Natural Resources Conservation Service - recommended methods. The Applicant or their contractor will ensure a mature cover of vegetation is established on previously disturbed or exposed areas.
 74. The contractor will conduct construction sequencing such that areas cleared of ground vegetation and earth materials are exposed for a minimum of time before they are covered, seeded, or otherwise stabilized to prevent erosion.
 75. There may be no dumping of leaves, grass clippings, brush, fill or other debris into wetland resource areas. This condition is perpetual and will not expire upon issuance of a certificate of compliance.
 76. All equipment and unconsolidated materials must be removed from the buffer zone and Land Subject to Coastal Storm Flowage (Special Flood Hazard Areas subject to inundation by the 1% annual chance flood) in advance of any forecasted coastal flooding event.
 77. Prior to the issuance of a certificate of compliance, the Applicant shall submit for Commission staff review and approval a maintenance and protocol plan, written by a wetland scientist, for maintaining the living shoreline to ensure its functionality. The area shall be established as a salt marsh and maintained as such per said plan by the property owner. Said plan shall also include instructions for how the property owner shall address debris management to fulfill Special Condition 75. Said plan can be included as a section of the required Chapter 91 Open Space Management Plan.
 78. Prior to the issuance of a certificate of compliance, the Applicant shall submit a stormwater operations, maintenance, and management plan that addresses, in detail, the required maintenance for the proposed proprietary water quality units (hydrodynamic separators) on site. The plan shall include a specific inspection and cleaning schedule detailing how many times a year the Stormceptor's will be inspected and what the criteria are for cleaning the equipment.
 79. Prior to the start of construction, the Applicant shall submit to Commission Staff for their review and approval, a detailed installation plan for the proposed living shoreline.
 80. The Applicant is required to construct the living shore prior to any construction of the building and install the plantings during the 2018 growing season.
 81. Six months prior to the expiration of the Order of Conditions, the Applicant is required to come back before the Commission with a detailed report, signed by a certified wetland scientist that details the status of the living shoreline. Said scientist shall be present at the Commission's regular meeting to

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Attachment – Special Conditions

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present their findings. If the Conservation Commission determines that the living shoreline is not sufficiently established, a new Notice of Intent for repairs or reconstruction may be required.

Additional Conditions

82. Exterior trash receptacles must be secured to the ground and must be covered or designed to prevent pollution of adjacent resource areas by vandalism or wind-blown litter. Trash receptacles will be emptied daily from Memorial Day to Columbus Day, if needed; and at least weekly during all other months. This is a perpetual maintenance condition that will not expire upon issuance of a Certificate of Compliance.
83. Storage areas outside of the existing structure should be indicated on the plan as well as enclosure and containment measures. If applicable, the Applicant must comply with all standards of the City of Boston Public Works Department Regulations regarding dumpsters (City of Boston Code, Ordinances, Title 14, section 264a.). Dumpsters must be constructed and maintained so as to be leak proof and must be equipped with a close fitting permanently attached cover which must remain fully closed except for loading and unloading. The dumpster enclosure must be inspected daily and maintained free of loose debris and trash.
84. Following the completion of state and local review processes, the Applicants must submit final design plans, including landscaping and signage details and any modifications or additions to the project, to Commission staff to determine if further Commission review is required to ensure the consistency with the plans approved hereby and with drainage plans on abutting properties approved by the Commission prior to the date hereof.
85. This Order of Conditions supersedes in their entirety, (i) that certain Order of Conditions (DEP File 6-763), recorded with the Suffolk County Registry of Deeds in Book 22641, page 129, and (ii) that certain Order of Conditions (DEP File 006-1058), recorded with said Registry in Book 38826, page 46, as affected by an Extension thereof recorded with said Registry at Book 44352, Page 125.

Project Description from NOI:
SEE NOI

AMENDED ORDER OF
CONDITIONS
DEP FILE NO. 006-1556

18

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File #:006-1556
eDEP Transaction #:1062764
City/Town:BOSTON

A. General Information

1. Conservation Commission **BOSTON**
2. Issuance a. OOC b. Amended OOC **(58843/153)**

3. Applicant Details

a. First Name **STEPHEN** b. Last Name **DAVIS**
c. Organization **DIV SUMNER STREET LLC C/O TDC DEVELOPMENT GROUP LLC**
d. Mailing Address **125 HIGH STREET, 21ST FLOOR**
e. City/Town **BOSTON** f. State **MA** g. Zip Code **02110**

4. Property Owner

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

5. Project Location

a. Street Address **99 SUMNER STREET**
b. City/Town **BOSTON** c. Zip Code **02128**
d. Assessors **NA** e. Parcel/Lot# **0105403000**
Map/Plat# _____
f. Latitude **42.36924N** g. Longitude **71.04289W**

6. Property recorded at the Registry of Deed for:

a. County _____ b. Certificate _____ c. Book **54143** d. Page **280**

7. Dates

a. Date NOI Filed : **11/1/2017** b. Date Public Hearing Closed: **11/7/2018** c. Date Of Issuance: **11/7/2018**

8. Final Approved Plans and Other Documents

a. Plan Title: **PROPOSED SITE PLAN, SHEET C-200**
b. Plan Prepared by: **CUBE 3** c. Plan Signed/Stamped by: **RICHARD LATINI, P.E.** d. Revised Final Date: **10/16/2018** e. Scale: **1" = 20'**

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

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



2018 00102542

Bk: 60455 Pg: 314 Page: 1 of 18

Recorded: 11/28/2018 12:46 PM

ATTEST: Stephen J. Murphy, Register

Suffolk County Registry of Deeds

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Approved subject to:

a. The following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

Denied because:

b. The proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect interests of the Act, and a final Order of Conditions is issued. A description of the performance standards which the proposed work cannot meet is attached to this Order.

c. The information submitted by the applicant is not sufficient to describe the site, the work or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).

3. Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310CMR10.02(1)(a).

_____ a. linear feet

Inland Resource Area Impacts:(For Approvals Only):

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

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	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	g. square feet	h. square feet	i. square feet	j. square feet

Coastal Resource Area Impacts:

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input checked="" type="checkbox"/> Land Under the Ocean	190			
	a. square feet	b. square feet		
	0			
	c. c/y dredged	d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input checked="" type="checkbox"/> Coastal Beaches	941	0		
	a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
14. <input type="checkbox"/> Coastal Dunes				
	a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
15. <input checked="" type="checkbox"/> Coastal Banks	100			
	a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores				
	a. square feet	b. square feet		
17. <input type="checkbox"/> Salt Marshes				
	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds				
	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish				
	a. square feet	b. square feet	c. square feet	d. square feet
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	c. c/y dredged	d. c/y dredged		
21. <input checked="" type="checkbox"/> Land Subject to Coastal Storm Flowage	60930			
	a. square feet	b. square feet		

22. _____

Restoration/Enhancement (For Approvals Only)

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If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c & d or B.17.c & d above, please entered the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

23.

Streams Crossing(s)

If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. the work is a maintenance dredging project as provided for in the Act; or
 - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
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 Order of Conditions, this Amended Order of Conditions does not exceed the issuance date of the original Final Order of Conditions.
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 Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work..
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

" Massachusetts Department of Environmental Protection"

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[or 'MassDEP']

File Number : "006-1556"

11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before Mass DEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS

19. The work associated with this Order (the "Project") is (1) is not (2) subject to the Massachusetts Stormwater Standards. If the work is subject to Stormwater Standards, then the project is subject to the following conditions;
 - a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Construction General Permit as required by Stormwater Standard 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
 - b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that: *i.* all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or 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

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the requirements of Stormwater Standard 10; *iv.* all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition; *v.* any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

- c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 19(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following: *i.*) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and *ii.*) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.
- d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Multi-Sector General Permit.
- e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 19(f) through 19(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 19(f) through 19(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.
- f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.
- g) The responsible party shall:
 1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- 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

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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.

- 1) 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 ATTACHMENT

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D. Findings Under Municipal Wetlands Bylaw or Ordinance

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

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

a. DENIES the proposed work which cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw specifically:

1. Municipal Ordinance or Bylaw _____ 2. Citation _____

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order or Conditions is issued. Which are necessary to comply with a municipal ordinance or bylaw:

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

1. Municipal Ordinance or Bylaw _____ 2. Citation _____

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

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



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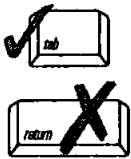
E. Signatures

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

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.
Please indicate the number of members who will sign this form.
This Order must be signed by a majority of the Conservation Commission.

11/7/2018
1. Date of Issuance
5
2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy must be mailed, hand delivered or filed electronically at the same time with the appropriate MassDEP Regional Office.



Signatures:

Amy Das
Michael W. Pappalardo

Aldo Spin
John De...
Michael Richmond

by hand delivery on

by certified mail, return receipt requested, on

Date

Date

11/8/2018

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request of Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File #:006-1556
eDEP Transaction #:1062764
City/Town:BOSTON

(M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.

G. Recording Information

This Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

BOSTON
Conservation Commission

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

To:
BOSTON
Conservation Commission

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

99 SUMNER STREET 006-1556
Project Location MassDEP File Number

Has been recorded at the Registry of Deeds of:

_____ County _____ Book _____ Page

for: _____ Property Owner

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

_____ Book _____ Page

In accordance with the Order of Conditions issued on:

_____ Date

If recorded land, the instrument number identifying this transaction is:

_____ Instrument Number

If registered land, the document number identifying this transaction is:

_____ Document Number

▣ **Massachusetts Department of Environmental
Protection**
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File #:006-1556
eDEP Transaction #:1062764
City/Town:BOSTON

Signature of Applicant

Rev. 4/1/2010

November 7, 2018

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20. The term "Applicant" as used in this Order of Conditions refers to the owner, any successor in interest or successor in control of the property referenced in the Notice of Intent, supporting documents and this Order of Conditions. The Commission must be notified in writing within 30 days of all transfers of title of any portion of property that take place prior to the issuance of the Certificate of Compliance.
21. The property that is the subject of this Order and upon which the project is located will be referred hereinafter as "the subject property" or the "project site".
22. A member of the Conservation Commission or its agent may enter and inspect the property and the activities that are the subjects of this Order of Conditions (OOC) at all reasonable times, with or without probable cause or prior notice, and until a Certificate of Compliance (COC) is issued, for the limited purpose of evaluating compliance with this OOC.
23. The Applicant is hereby instructed to review such conditions with all contractors and workers involved in on-site operations prior to the commencement of construction on this project. Any contractors and workers arriving after construction commences must also be apprised of these conditions.
24. The Applicant must attach a copy of this Final Order of Conditions (hereinafter "the Order") to the contract documents associated with this project.
25. The Commission reserves the right to impose additional conditions or require the submittal of additional information as necessary to protect the interests of the Act.
26. If at any time during the implementation of the project a fish kill or significant water quality problem occurs in the vicinity of the project, all site-related activities impacting the water must cease until the source of the problem is identified and adequate mitigating measures employed to the satisfaction of the Boston Conservation Commission (hereinafter "the Commission").
27. Where relevant, all facilities and equipment will be continually operated and maintained so as to comply with the conditions and the Massachusetts Wetlands Protection Act (hereinafter "the Act"). The Applicant, owner, successor or assigns will be responsible for maintaining all on-site drainage structures and outfalls, assuring the lasting integrity of the surface cover on the site and site activities so as to prevent erosion, siltation, sedimentation, chemical contamination or other detrimental impact to the on-site and/or off-site wetland resource areas. This condition is a **maintenance** condition, and will not expire upon the issuance of a Certificate of Compliance.
28. A copy of the Order, including all referenced documents and plans, and all other subsequent approvals and directives issued by the Commission, must be available for inspection at the work area.
29. All project-generated discharges, including stormwater, authorized by a NPDES permit, will be subject to the terms of the NPDES permit which is incorporated herein by reference pursuant to 310 CMR 10.03 (4). The Applicant must submit the NPDES permit to the Commission.
30. If there is a Water Quality Certificate issued by the Massachusetts Department of Environmental Protection, pursuant to Section 401 and 404 of the federal Clean Water Act, applicable to the project, the Applicant will submit a copy of that Water Quality Certificate to the Commission. The terms of any such Water Quality Certificate will be made part of this Order of Conditions. In no case will they exempt the Applicant from any other condition of this Order. If a conflict arises between requirements of this Order and the requirements of a Water Quality Certificate the Applicant will request an amendment of this Order of Conditions to address the condition causing the conflict.
31. There may be no discharge or spillage of fuel, oil, or any other pollutant from this project into adjacent wetland resource areas or 100-foot Buffer Zone (hereinafter "buffer zone") associated with those resource areas. Any equipment used in any wetland resource area or buffer zone that uses fuel, oil or hydraulic fluid must be inspected daily for leakage. Any equipment that requires repair must be repaired outside of any wetland resource area or buffer zone. Any equipment that uses fuel, oil and/or hydraulic fluid must be staffed at all times while operational within wetland resource areas or buffer zone. Equipment must not be re-fueled within any wetland resource areas.

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32. The Applicant and/or their contractor will develop a spill management plan for any hazardous materials that may be employed during work in the buffer zone or over the water. Specifically, the Applicant should prepare to effectively deal with spillage of fuel or hydraulic fluids from equipment. A quick-absorbent material, such as "Speedy Dry" or equivalent, must be stored in a dry, readily available area at the work site, and on any project related vessels, for use in the event petroleum-based fluids are spilled or leaked. The contractor must have an oil-sorbent boom at the project site and deploy the boom immediately upon observing any petroleum sheen on the watershed. The spent material should be containerized and disposed of properly.
33. The Applicant must inform the Commission of any violation of this Order and any other project-related spill or accident that may impact wetland resource areas as soon as possible and at least by the end of the business day, and must take appropriate action to mitigate impacts from such spill or accident. The Applicant or site supervisor must notify the City of any emergency by calling Commission staff at 617-635-3850 from 9:00 AM - 5:00 PM, Monday - Friday and, at all other times, by calling the Mayor's Office's 24-hour Hotline at 617-635-4500. On the date of the issuance of this Order, the appropriate contact is Amelia Croteau, Conservation Agent: amelia.croteau@boston.gov
34. The Applicant must submit for Commission staff review and approval an Oil Spill Prevention, Control and Countermeasure Plan, which must specify the containment measures and notification protocol to be implemented should a fuel spill occur. The fuel tanks must also have a leak detection system. The plan should include the continued maintenance of emergency fuel booms at the facility. The approved plan will be incorporated into this Order by reference herein, and will not expire upon issuance of a Certificate of Compliance.
35. Anti-degradation provisions of the Massachusetts Surface Water Quality Standards protect all waters including wetlands. The project contractor must take all steps necessary to assure that the proposed activities will be conducted in a manner which will avoid violations of said standards.
36. Any mitigation measures required by federal, state, or other local agencies that may impact wetlands resource areas must be submitted to Commission staff for review to determine what level of permitting or authorization will be necessary.
37. All project-related correspondence and submittals to the Boston Conservation Commission regarding this Final Order must indicate the DEP File number: 006-1556.

Prior to Construction

38. Prior to construction start up, the Applicant must submit final plans stamped by a registered professional engineer to Commission staff. Commission staff will determine if there have been significant revisions made to the plans referenced in this Order that may require further Commission review.
39. In advance of construction start-up on any section of this project, the Applicant must notify the Commission and, at the request of the Commission, may arrange an on-site conference of representatives of the Commission, the contractor, the project engineer and the Applicant to ensure that all the conditions of this Order are understood. The Commission must be notified at least 48 hours in advance of the date upon which construction activities on the site are to proceed. All appropriate construction impact mitigation measures must be in place prior to initiation of work on the project site.
40. The Applicant and/or their contractor must provide to the Commission written notification of the name, title, address and telephone numbers of the person or persons designated by the Applicant to be responsible for compliance with the Order on-site. An emergency telephone number must be provided in the event that action is required during non-working hours.
41. The project supervisor overseeing daily operations at the site must read this Order and sign a copy of each page, indicating that each condition has been read and understood. These signed pages must be submitted to Commission staff.

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42. Before work at this site commences, the Applicant or their contractor must submit a final erosion and sediment control plan for review and approval by Commission staff. Final plans showing the points of discharge, wheel wash stations, sedimentation tanks and basins, oil separating equipment and other engineering structures should be provided to the Commission with a certified engineer's stamp and signature. To satisfy this condition the Applicant may submit a Storm Water Pollution Prevention Plan (SWPPP) required under the NPDES Construction General Permit for Storm Water Discharges for Construction Activities. The approved plan will be a condition of this Order by reference herein.
43. Prior to the commencement of construction and site clearing, an erosion and sediment control barrier must be installed along the limit of activity between all work areas and wetland resource areas. Hay bales or straw bales should be double staked (where possible) with bales butted against each other. If straw wattles or filter sox are used, they should be anchored in place. If specified, geotextile siltation fence should be installed no further than twelve (12) inches from the down-gradient side of the barrier. These barriers must be inspected daily and after significant rain events (greater than 0.5 inches of precipitation) and maintained as necessary, including the removal of accumulated sediments. The contractor will ensure that additional erosion and sediment control materials are available for immediate installation to replace those that are damaged or degraded. Erosion control measures should be removed upon completion of work and after disturbed areas are stabilized. The geotextile fence will constitute a limit-of-work line, beyond which no work or clearing of vegetation may occur.
44. The contractor must submit a construction materials and equipment staging plan 30 days prior to construction for Commission staff review and approval. Project related staging areas will be subject to all conditions herein. Staging areas located outside the project footprint, as indicated on the approved project plan of record, and within wetland resource areas and the buffer zone may be subject to further Commission review.
45. The Applicant must submit to Commission staff notice of approval by the Boston Water and Sewer Commission (BWSC) of the plans for this project. Any modifications required by BWSC to the plans approved by this Order must be detailed in writing with this submittal so that Commission staff can determine if further conditions are required.
46. Before construction commences, the Applicant must submit to the Commission for its review and approval a landscaping plan that provides native coastal bank vegetation along the Harborwalk; finished details for the Harborwalk and a maintenance plan for these structures and amenities. These submittals will be incorporated into this Order by reference herein.
47. Before construction commences, the Applicant must submit to Commission staff evidence of notification of this proposed project to the Boston Parks and Recreation Commission, to determine if the city ordinance requiring review and approval by the Park Commission of projects within 100 feet of any park within the City of Boston applies to this proposed project.
48. The Applicant must design the stormwater drainage system to include infiltration of rooftop runoff and parking lot drainage or submit a certification from a registered professional engineer that infiltration is not technically feasible. The revised plans or certification must be approved by the Boston Water and Sewer Commission and then submitted to Commission staff before construction commences.
49. The Applicant must submit a construction and post-construction snow management plan for Commission staff review and approval. Snow from landside areas may not be plowed or otherwise deposited into the waters of the Boston Harbor or adjacent coastal beaches or banks. Snow must be stockpiled on paved surfaces that direct melted snow water to catch basins. Deicing material and sand must be stored and contained in areas that will not allow for their migration into wetland resource areas. Prior to April 1st, all sand and salt from winter application must be removed from the site. The approved snow management plan will be a perpetual **maintenance** condition that will not expire upon issuance of a Certificate of Compliance.

During Construction

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50. The Applicant, owner, successor or assigns must regularly remove and dispose of debris on all wetland resources areas on the project site. This is a perpetual **maintenance** condition that will not expire upon issuance of a Certificate of Compliance.
51. The Applicant must maintain the project site free of trash and debris during any down time or hiatus in the project during the term of this Order.
52. The Applicant and/or their contractor must clean the work area at the end of each workday to prevent wind deposition of fugitive dust and accumulation of debris in the buffer zone or wetland resource areas. All stored excavate or fill must be contained with appropriate best management practices when not in use. Special attention should be given by the contractor to securing covers on stored excavate, fill, dumpsters and roll-off containers over the weekend or during down time.
53. Disposal of all construction materials, demolition debris and excess fill must be done in accordance with applicable federal, state, and local laws. Proof of proper disposal must be provided in the form of copies of bills of lading, disposal receipts or manifests to Commission staff upon request.
54. All practical best management practices must be implemented during in-water or waterside demolition/construction activities to minimize turbidity and other water quality impacts, including but not limited to a floating boom with an attached silt curtain to contain work areas. The silt curtain should be maintained in good operating condition, should rest on the mud line at all times, and should have adequate shore-line anchors, tie-downs or other mechanisms to ensure proper position and performance. Any visible plume of turbid water caused by project activity outside the area contained by the silt curtain will constitute inadequate performance and require immediate adjustment and/or repositioning of the curtain. Deployment of the curtain should occur in such a way that it will not interfere with water traffic. The boom may be removed when work directly requiring the use of a boom has been completed. The contractor must also have an oil sorbent boom at the project site and deploy the boom immediately upon observing any petroleum sheen on the watersheet.
55. All project-related materials must be contained from migration into wetland resource areas and all practical precautions must be used during any water-based demolition/construction work. The Applicant and/or their contractor will be responsible for the removal of any project-related debris, material, machinery or equipment lost, dumped, thrown into, or otherwise entering any wetland resource area, regardless of whether it is within or outside of the project limits. The Applicant must seek Commission approval for any remedial action involving substantial impacts to wetland resource areas.
56. The contractor must have a boat available for the collection and removal of project-related trash and debris within wetland resource areas and on the watersheet. The contractor will contain and collect all floating debris that results from the project and collect it along with solid waste including trash. The collected debris and trash will be placed into containers and periodically removed for proper disposal. The boat should also be used to check the boom.
57. All vessels working at this site must be maintained in seaworthy condition. Should any vessel or barge associated with the project sink the Commission must be informed immediately. The proposed work and placement of barges should be coordinated with vessels that navigate in the affected waterways. All vessels and floating equipment must be anchored or moored when not in use and have proper lighting per U.S. Coast Guard requirements. Barges must be anchored with spuds or tied off to a secure structure; under no circumstances should construction equipment on the barge be utilized for purposes of anchoring. Project-related vessels may not rest upon tidal flats.
58. All deck gear and equipment stored on project-related vessels must be secured at the end of each workday and inspected for any leakage. All project-related vessels must have a spill kit containing sorbent materials on the vessel at all times. All material stored on project related vessels must be contained so as not to enter the resource area. Petroleum product and hydraulic fluids must be stored within leak-proof lockers secured to the deck of the vessel.

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59. Piles must be extracted entirely by pulling. If there is a structural reason for cutting the piles, then the contractor must cut them at the mud line, and the Applicant must submit to Commission staff a letter from a registered, professional engineer certifying the reason therefor. The Applicant must also submit a plan stamped by a registered engineer indicating the location of piles that remain below the mud line.
60. On-site discharge of untreated, decanted water from construction dewatering to resource areas is prohibited. If on-site discharge becomes necessary, the Applicant must submit a plan indicating dewatering methodology, water quality monitoring measures, and staging location of dewatering equipment for Commission staff review and approval. Any approved dewatering must treat decanted water according to additional conditions deemed necessary by Commission staff.
61. The Applicant, owner, successor or assigns will ensure the cleanliness of all catch basins on the project site or affected by project related activity. Catch basins will be protected with hay bales and/ or silt sacks during the construction period. The Applicant must inspect and, as necessary, clean all catch basins at least weekly during construction and more frequently after a significant rain event. Upon completion of the project, the inspection and cleaning of catch basins on the subject property must occur twice a year: once between March 1st and April 30th and once between November 1st and November 30th of each year, and more often if necessary. This maintenance condition is perpetual and will not expire upon issuance of a Certificate of Compliance.
62. The Applicant must provide the Commission with copies of the Operations and Maintenance Log for all stormwater BMP's on the subject site yearly. Copies must be provided for a minimum of three years after completion of construction and specify dates of inspections, repairs, replacement, maintenance and cleaning actions, and names of individuals or contractors conducting said maintenance.
63. Repair or replacement of stormwater infrastructure may not commence in advance of a forecasted rain event.
64. All sheet flow from areas where vehicles drive or park must be directed toward catch basins that meet Boston Water and Sewer Commission specifications.
65. Any new or reconstructed catch basins, or any new or replaced 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 Boston Harbor."
66. Trucks entering and leaving the site must have their loads completely covered in compliance with M.G.L. Chapter 85 § 36. Vehicles that accumulate soil or any unconsolidated material on their tires due to exposed ground conditions at the site must be thoroughly washed to avoid tracking of material onto the public way.
67. The contractor must have designated washout areas for concrete equipment that will be comprised of impermeable material and sized to contain project concrete wastes and wash water. Washout areas may not be located in the vicinity of storm drain inlets, stormwater conveyance, surface waters or wetlands.
68. Excavation equipment may access the inter-tidal area only during periods of low tide.
69. There may be no parking of contractor or laborer vehicles in any resource area or associated buffer zone without proper stormwater controls or best management practices installed.
70. Construction activity will be confined within the limits of work as represented on the final plan of record. There may be no staging of construction materials, storage of construction equipment, clearing or disturbance to land beyond the limit of work.
71. There may be no overnight stockpiling or storage of construction material including unconsolidated material, piles, debris, petroleum products or hydraulic fluids (or equipment containing these products or fluids) within the 100 foot buffer zone, 25 feet of the coastal bank.. Erosion and sediment control containment measures must be installed and maintained between wetland resource areas and any

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stored construction materials or staged construction equipment. Under no circumstances may the project contractor store, stage or locate unconsolidated material or construction equipment not directly associated with the project and subject site within resource areas or the buffer zone. At the request of the Applicant, Commission staff may authorize construction lay-down areas within the buffer zone for storage of equipment *during the construction period only*.

72. The Applicant or their contractor must keep a daily log summarizing all construction and demolition activities of this project on every day that such activity occurs, noting turbidity conditions, occurrence of fish kills, debris removal from resource areas and evaluations of measures employed to reduce turbidity and other impacts to the water and wetland resources. The condition of all drainage, erosion controls and sedimentation structures must be noted in the daily log, as well as the performance of maintenance activities on such structures. The contractor must provide Commission staff with a draft construction inspection form prior to commencement of work on the project site. This log must be kept at the work area and made available upon demand by Commission staff.
73. All land-side areas disturbed during construction must be stabilized as soon as possible upon completion of construction. Loaming and seeding should occur within (5 - 30) days of final grading. Disturbed resource areas landward of the high water line and buffer zone mark should be secured by a biodegradable erosion control mats while vegetation establishes. Barren areas should be stabilized with a temporary cover of rye or other grass if work on the project is interrupted for more than 30 days. If the season is not appropriate for plant growth, then exposed surfaces may be stabilized by straw, snow fence, or other U.S. Natural Resources Conservation Service - recommended methods. The Applicant or their contractor will ensure a mature cover of vegetation is established on previously disturbed or exposed areas.
74. The contractor will conduct construction sequencing such that areas cleared of ground vegetation and earth materials are exposed for a minimum of time before they are covered, seeded, or otherwise stabilized to prevent erosion.
75. There may be no dumping of leaves, grass clippings, brush, fill or other debris into wetland resource areas. This condition is perpetual and will not expire upon issuance of a certificate of compliance.
76. All equipment and unconsolidated materials must be removed from the buffer zone and Land Subject to Coastal Storm Flowage (Special Flood Hazard Areas subject to inundation by the 1% annual chance flood) in advance of any forecasted coastal flooding event.
77. Prior to the issuance of a certificate of compliance, the Applicant shall submit a stormwater operations, maintenance, and management plan that addresses, in detail, the required maintenance for the proposed proprietary water quality units (hydrodynamic separators) on site. The plan shall include a specific inspection and cleaning schedule detailing how many times a year the Stormceptor's will be inspected and what the criteria are for cleaning the equipment.

Additional Conditions

78. Exterior trash receptacles must be secured to the ground and must be covered or designed to prevent pollution of adjacent resource areas by vandalism or wind-blown litter. Trash receptacles will be emptied daily from Memorial Day to Columbus Day, if needed; and at least weekly during all other months. This is a perpetual maintenance condition that will not expire upon issuance of a Certificate of Compliance.
79. Storage areas outside of the existing structure should be indicated on the plan as well as enclosure and containment measures. If applicable, the Applicant must comply with all standards of the City of Boston Public Works Department Regulations regarding dumpsters (City of Boston Code, Ordinances, Title 14, section 264a.). Dumpsters must be constructed and maintained so as to be leak proof and must be equipped with a close fitting permanently attached cover which must remain fully closed except for loading and unloading. The dumpster enclosure must be inspected daily and maintained free of loose debris and trash.

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80. Following the completion of state and local review processes, the Applicants must submit final design plans, including landscaping and signage details and any modifications or additions to the project, to Commission staff to determine if further Commission review is required to ensure the consistency with the plans approved hereby and with drainage plans on abutting properties approved by the Commission prior to the date hereof.
81. This Amended Order of Conditions supersedes in its entirety, (i) that certain Order of Conditions (DEP File 6-763), recorded with the Suffolk County Registry of Deeds in Book 22641, page 129, (ii) that certain Order of Conditions (DEP File 006-1058), recorded with said Registry in Book 38826, page 46, as affected by an Extension thereof recorded with said Registry at Book 44352, Page 125, and (iii) that certain Order of Conditions (DEP File 006-1556), recorded with said Registry in Book 58843, page 153.

Project Description from NOI:

SEE NOI

ABUTTERS LIST

ABUTTERS LIST

The following table lists abutters of the Project within 300 feet of the property line, as gathered from the City of Boston Assessing Department.

Parcel Number	Property Address	Owner	Owner's Mailing Address
105402300	113 Sumner Street #23, East Boston, MA 02128	Abdulasrar Abdulqahar	113 Sumner Street #23, East Boston, MA 02128
105613000	9 Havre Street, East Boston, MA 02128	Mengting Zhang	C/O Menting Zhang PO Box 498, Belmont, MA 02478
105402300	113 Sumner Street, East Boston, MA 02128	Carlton Wharf Condo Trust	113 Sumner Street, East Boston, MA 02128
105400020	25 -65 Lewis Street, East Boston, MA 02128	Clippership Wharf Primary Condominium Trust	20 City Sq 2nd Floor, Boston, MA 02129
105402300	113 Sumner Street #52, East Boston, MA 02128	Drake Hoffman	113 Sumner Street #52, East Boston, MA 02128
105612000	7 Havre Street, East Boston, MA 02128	Corine Keohane	7 Havre Street, East Boston, MA 02128
105402300	113 Sumner Street #41, East Boston, MA 02128	Mina Aioub	113 Sumner Street #41, East Boston, MA 02128
105609460	4 -28 London Street, East Boston, MA 02128	Maverick Revitalization Corp	4 -28 London Street, East Boston, MA 02128
105402300	113 Sumner Street #63, East Boston, MA 02128	Aida Jovani	113 Sumner Street #63, East Boston, MA 02128

Parcel Number	Property Address	Owner	Owner's Mailing Address
105402300	113 Sumner Street #13, East Boston, MA 02128	James M Glynn	113 Sumner Street #13, East Boston, MA 02128
105402300	113 Sumner Street #55, East Boston, MA 02128	Lisa A Drayton	113 Sumner Street #55, East Boston, MA 02128
105652000	156 -158 Sumner Street, East Boston, MA 02128	Elise Pashigian	156 Sumner Street, East Boston, MA 02128
105402300	113 Sumner Street #44, East Boston, MA 02128	Vivian Lu Guo	C/O Jeff Guo 597 School Street, Carlisle, MA 01741
105402300	113 Sumner Street #71, East Boston, MA 02128	Victor Cheung	113 Sumner Street #71, East Boston, MA 02128
105652020	154 Sumner Street, East Boston, MA 02128	Eric S Williams	154 Sumner Street, East Boston, MA 02128
105402300	113 Sumner Street #45, East Boston, MA 02128	Lauren Daly	113 Sumner Street #45, East Boston, MA 02128
105402300	113 Sumner Street #34, East Boston, MA 02128	Sarandos Markopoulos	113 Sumner Street #34, East Boston, MA 02128
105402300	113 Sumner Street #31, East Boston, MA 02128	Maria F Medeiros	113 Sumner Street #31, East Boston, MA 02128
105402300	113 Sumner Street #11, East Boston, MA 02128	Angela Radez	113 Sumner Street #11, East Boston, MA 02128
105400020	25 -65 Lewis Street, East Boston, MA 02128	Clippership Wharf	Clippership Wharf Multifamily LLC 20 City Sq 2nd Floor, Boston, MA 02129

Parcel Number	Property Address	Owner	Owner's Mailing Address
105402300	113 Sumner Street #53, East Boston, MA 02128	Claudia M Castillo-Dicampo	113 Sumner Street #53, East Boston, MA 02128
105401000	125 Sumner Street, East Boston, MA 02128	Clippership Apartments LP	2 Marginal Street, Boston, MA 02128
105609250	60 -82 Sumner Street, East Boston, MA 02128	Maverick Revitalization Corp	Sumner Street, East Boston, MA 02128
105402300	113 Sumner Street #42, East Boston, MA 02128	Seema Ramnarain	113 Sumner Street #42, East Boston, MA 02128
105402300	113 Sumner Street #21, East Boston, MA 02128	Emily Shields	113 Sumner Street #21, East Boston, MA 02128
105402300	113 Sumner Street #64, East Boston, MA 02128	Olga Elizarova	113 Sumner Street #64, East Boston, MA 02128
105403000	99 -111 Sumner Street, East Boston, MA 02128	DIV Sumner Street LLC	C/O Davis Companies 125 High St 21st Floor, Boston, MA 02110
105609600	6 -24 Havre Street, East Boston, MA 02128	Maverick Revitalization Corp	Havre Street, East Boston, MA 02128
105402300	113 Sumner Street #61, East Boston, MA 02128	John Samuel Lombard	113 Sumner Street #61, East Boston, MA 02128
105402300	113 Sumner Street #32, East Boston, MA 02128	Aiko Sogabe	113 Sumner Street #32, East Boston, MA 02128
105402300	113 Sumner Street #43, East Boston, MA 02128	Saul A Granados	113 Sumner Street #43, East Boston, MA 02128

Parcel Number	Property Address	Owner	Owner's Mailing Address
105402300	113 Sumner Street #24, East Boston, MA 02128	Jakira Rogers	113 Sumner Street #24, East Boston, MA 02128
105402300	113 Sumner Street #72, East Boston, MA 02128	Kristin M Langone	113 Sumner Street #72, East Boston, MA 02128
105610000	152 Sumner Street, East Boston, MA 02128	Joseph Tirone	27 Water Street, Saugus, MA 01906
105402300	113 Sumner Street #35, East Boston, MA 02128	Eleni Zhaka	113 Sumner Street #35, East Boston, MA 02128
105609480	90 -112 Sumner Street, East Boston, MA 02128	Maverick Revitalization Corp	90 -112 Sumner Street, East Boston, MA 02128
105402300	113 Sumner Street #25, East Boston, MA 02128	Ezequiel Ortiz	113 Sumner Street #25, East Boston, MA 02128
105402300	113 Sumner Street #12, East Boston, MA 02128	Guo Jian Chen	113 Sumner Street #12, East Boston, MA 02128
105611000	5 Havre Street, East Boston, MA 02128	Gloria Ruiz	5 Havre Street, East Boston, MA 02128
105400020	25 Lewis Street Commercial Unit, East Boston, MA 02128	Clippership Wharf Multifamily LLC	20 City Sq, 2nd Floor, Boston, MA 02129
105401010	133 Sumner Street, East Boston, MA 02128	Clippership Condominium LLC	C/O Winn Companies Six Faneuil Hall Marketplace, 5th Floor, Boston, MA 02109
105404000	Sumner St, East Boston, MA 02128	City Of Boston	85 Sumner Street, East Boston, MA 02128

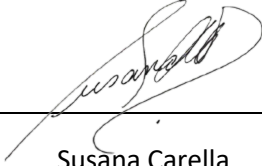
Parcel Number	Property Address	Owner	Owner's Mailing Address
105402300	113 Sumner Street #54, East Boston, MA 02128	Melissa R Par	113 Sumner Street #54, East Boston, MA 02128
105609010	3 -17 New Street, East Boston, MA 02128	Maverick Revitalization Corp	C/O Maverick Revitalization CP 3 - 17 New Street, East Boston, MA 02128
105402010	115 -123 Sumner Street, East Boston, MA 02128	Trinity East Boston Two LP Mass LPS	40 Court Street, Boston, MA 02108
105402300	113 Sumner Street #65, East Boston, MA 02128	Beralda Kokoshi	113 Sumner Street #65, East Boston, MA 02128
105402300	113 Sumner Street #22, East Boston, MA 02128	Jorge Ivan Gallo	113 Sumner Street #22, East Boston, MA 02128
105402300	113 Sumner Street #51, East Boston, MA 02128	Sergey Mezentsev	113 Sumner Street #51, East Boston, MA 02128
105402300	113 Sumner Street #62, East Boston, MA 02128	Manuel E Guerrero	113 Sumner Street #62, East Boston, MA 02128
105402300	113 Sumner Street #33, East Boston, MA 02128	Marina Lopez	113 Sumner Street #33, East Boston, MA 02128

CERTIFICATE OF
TRANSLATION

CERTIFICATE OF TRANSLATION

I, Susana Carella, hereby certify that I am competent in both the Spanish and English languages, and that I translated the required information and read the attached document, Notification to Abutters Boston Conservation Commission into Spanish. And that is true and accurate to the best of my abilities.

Date: August 15, 2022



Susana Carella

27 Prescott Ave #1

Chelsea, MA 02150

+1(617) 851-3180

AFFIDAVIT OF SERVICE



**AFFIDAVIT OF SERVICE
FOR ABUTTER NOTIFICATION**

**Under the Massachusetts Wetlands Protection Act
and Boston Wetlands Ordinance**

I, Emily Hunter, hereby certify under pains and penalties of perjury that that at least one week prior to the public hearing, I gave notice to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, section 40, and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:

A Request for a Certificate of Compliance was filed under the Massachusetts Wetlands Protection Act and/or the Boston Wetlands Ordinance by DIV Sumner Street, LLC for construction of one mixed-use building, a Harborwalk and public amenities, and shoreline stabilization improvements located at 99 Sumner Street, East Boston, MA 02128

The Abutter Notification For, the list of abutters to whom it was given, and their addresses are attached to this Affidavit of Service.

Emily Hunter
Name

8/30/2022
Date

ABUTTER NOTIFICATIONS



BABEL NOTICE

English:

IMPORTANT! This document or application contains **important information** about your rights, responsibilities and/or benefits. It is crucial that you understand the information in this document and/or application, and we will provide the information in your preferred language at no cost to you. If you need them, please contact us at cc@boston.gov or 617-635-3850.

Spanish:

¡IMPORTANTE! Este documento o solicitud contiene **información importante** sobre sus derechos, responsabilidades y/o beneficios. Es fundamental que usted entienda la información contenida en este documento y/o solicitud, y le proporcionaremos la información en su idioma preferido sin costo alguno para usted. Si los necesita, póngase en contacto con nosotros en el correo electrónico cc@boston.gov o llamando al 617-635-3850.

Haitian Creole:

AVI ENPÒTAN! Dokiman oubyen aplikasyon sa genyen **enfòmasyon ki enpòtan** konsènan dwa, responsablite, ak/oswa benefis ou yo. Li enpòtan ke ou konprann enfòmasyon ki nan dokiman ak/oubyen aplikasyon sa, e n ap bay enfòmasyon an nan lang ou prefere a, san ou pa peye anyen. Si w bezwen yo, tanpri kontakte nou nan cc@boston.gov oswa 617-635-3850.

Traditional Chinese:

非常重要！這份文件或是申請表格包含關於您的權利，責任，和／或福利的重要信息。請您務必完全理解這份文件或申請表格的全部信息，這對我們來說十分重要。我們會免費給您提供翻譯服務。如果您有需要請聯系我們的郵箱 cc@boston.gov 電話# 617-635-3850..

Vietnamese:

QUAN TRỌNG! Tài liệu hoặc đơn yêu cầu này chứa **thông tin quan trọng** về các quyền, trách nhiệm và/hoặc lợi ích của bạn. Việc bạn hiểu rõ thông tin trong tài liệu và/hoặc đơn yêu cầu này rất quan trọng, và chúng tôi sẽ cung cấp thông tin bằng ngôn ngữ bạn muốn mà không tính phí. Nếu quý vị cần những dịch vụ này, vui lòng liên lạc với chúng tôi theo địa chỉ cc@boston.gov hoặc số điện thoại 617-635-3850.

Simplified Chinese:

非常重要！这份文件或是申请表格包含关于您的权利，责任，和／或福利的重要信息。请您务必完全理解这份文件或申请表格的全部信息，这对我们来说十分重要。我们会免费给您提供翻译服务。如果您有需要请联系我们的邮箱 cc@boston.gov 电话# 617-635-3850.

Cape Verdean Creole:

INPURTANTI! Es dukumentu ó aplikason ten **informason inpur tanti** sobri bu direitus, rasponsabilidadi i/ó benefisius. Ê krusial ki bu intendi informason na es dukumentu i/ó aplikason ó nu ta da informason na língua di bu preferênsia sen ninhun kustu pa bó. Si bu prisiza del, kontata-nu na cc@boston.gov ó 617-635-3850.

Arabic:

مهم! يحتوي هذا المستند أو التطبيق على معلومات مهمة حول حقوقك ومسؤولياتك أو فوائدك. من الأهمية أن تفهم المعلومات الواردة في هذا المستند أو التطبيق. سوف نقدم المعلومات بلغتك المفضلة دون أي تكلفة عليك. إذا كنت في حاجة إليها، يرجى الاتصال بنا على cc@boston.gov أو 617-635-3850.

Russian:

ВАЖНО! В этом документе или заявлении содержится **важная информация** о ваших правах, обязанностях и/или льготах. Для нас очень важно, чтобы вы понимали приведенную в этом документе и/или заявлении информацию, и мы готовы бесплатно предоставить вам информацию на предпочитаемом вами языке. Если Вам они нужны, просьба связаться с нами по адресу электронной почты cc@boston.gov, либо по телефону 617-635-3850.

Portuguese:

IMPORTANTE! Este documento ou aplicativo contém **Informações importantes** sobre os seus direitos, responsabilidades e/ou benefícios. É importante que você compreenda as informações contidas neste documento e/ou aplicativo, e nós iremos fornecer as informações em seu idioma de preferência sem nenhum custo para você. Se precisar deles, fale conosco: cc@boston.gov ou 617-635-3850.

French:

IMPORTANT ! Ce document ou cette demande contient des **informations importantes** concernant vos droits, responsabilités et/ou avantages. Il est essentiel que vous compreniez les informations contenues dans ce document et/ou cette demande, que nous pouvons vous communiquer gratuitement dans la langue de votre choix. Si vous en avez besoin, veuillez nous contacter à cc@boston.gov ou au 617-635-3850.



Notification to Abutters
Boston Conservation Commission

In accordance with the Massachusetts Wetlands Protection Act, Massachusetts General Laws Chapter 131, Section 40, and the Boston Wetlands Ordinance, you are hereby notified as an abutter to a project filed with the Boston Conservation Commission.

- A. **DIV Sumner Street, LLC** has filed a Request for a Certificate of Compliance with the Boston Conservation Commission under the Wetlands Protection Act (General Laws Chapter 131, section 40) and Boston Wetlands Ordinance.
- B. The address of the lot where the activity occurred is **99 Sumner Street, East Boston, Massachusetts 02128**.
- C. The project involved **construction of one mixed-use building, a Harborwalk and public amenities, and shoreline stabilization improvements**.
- D. Copies of the Request for Certificate of a Compliance may be obtained by contacting the Boston Conservation Commission at **CC@boston.gov**.
- E. Copies of the Request for Certificate of a Compliance may be obtained from the **Applicant's Representative** at **(617) 279-4381** between the hours of **9 AM and 5 PM, Monday through Friday**.
- F. In accordance with the Commonwealth of Massachusetts Executive Order Suspending Certain Provisions of the Open Meeting Law, the public hearing will take place virtually at <https://zoom.us/j/6864582044>. If you are unable to access the internet, you can call 1-929-205-6099, enter Meeting ID 686 458 2044 # and use # as your participant ID.
- G. Information regarding the date and time of the public hearing may be obtained from the **Boston Conservation Commission** by emailing **CC@boston.gov** or calling **(617) 635-3850** between the hours of **9 AM to 5 PM, Monday through Friday**.

NOTE: Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in the Boston Herald.

NOTE: Notice of the public hearing, including its date, time, and place, will be posted on www.boston.gov/public-notices and in Boston City Hall not less than forty-eight (48) hours in advance. If you would like to provide comments, you may attend the public hearing or send written comments to CC@boston.gov or Boston City Hall, Environment Department, Room 709, 1 City Hall Square, Boston, MA 02201

NOTE: If you would like to provide comments, you may attend the public hearing or send written comments to CC@boston.gov or Boston City Hall, Environment Department, Room 709, 1 City Hall Square, Boston, MA 02201

NOTE: You also may contact the Boston Conservation Commission or the Department of Environmental Protection Northeast Regional Office for more information about this application or the Wetlands Protection Act. To contact DEP, call: the Northeast Region: (978) 694-3200.

NOTE: If you plan to attend the public hearing and are in need of interpretation, please notify staff at CC@boston.gov by 12 PM the day before the hearing.

Notificación a Propietarios y/o Vecinos Colindantes
Comisión de Conservación de Boston

De conformidad con la Ley de Protección de los Humedales de Massachusetts, Capítulo 131, Sección 40 de las Leyes Generales de Massachusetts y la Ordenanza sobre los Humedales de Boston, por la presente queda usted notificado como propietario o vecino colindante de un proyecto presentado ante la Comisión de Conservación de Boston.

- A. **DIV Sumner Street, LLC** ha presentado una solicitud de certificado de conformidad ante la Comisión de Conservación de Boston en virtud de la Ley de Protección de los Humedales (Leyes Generales, capítulo 131, sección 40) y de la Ordenanza sobre los Humedales de Boston.
- B. La dirección del lote en el que se realizó la actividad es **99 Sumner Street, East Boston, Massachusetts 02128.**
- C. El proyecto consistió en **la construcción de un edificio de uso mixto, un paseo marítimo y servicios públicos, y mejoras en la estabilización de la costa.**
- D. Se pueden obtener copias de la Solicitud de Certificado de Conformidad comunicándose con la Comisión de Conservación de Boston en **CC@boston.gov**.
- E. Se pueden obtener copias de la Solicitud de Certificado de Conformidad llamando al **Representante del Solicitante** al **(617) 279-4387** entre las horas de **9 AM y 5 PM, de lunes a viernes.**
- F. De acuerdo con la Orden Ejecutiva de la Mancomunidad de Massachusetts que suspende ciertas disposiciones de la Ley de Reuniones Abiertas, la audiencia pública se llevará a cabo virtualmente en <https://zoom.us/j/6864582044>. Si no puede acceder al internet, puede llamar al 1-929-205-6099, introducir el número de identificación de la reunión 686 458 2044 # y utilizar # como identificación de participante.
- G. **La Comisión de Conservación de Boston** puede facilitarle información sobre la fecha y la hora de la audiencia pública enviando un correo electrónico a **CC@boston.gov** o llamando al **(617) 635-3850** en horario de **9 AM a 5 PM, de lunes a viernes.**

NOTA: El aviso de la audiencia pública, incluyendo su fecha, hora y lugar, se publicará con al menos cinco (5) días de antelación en el Boston Herald.

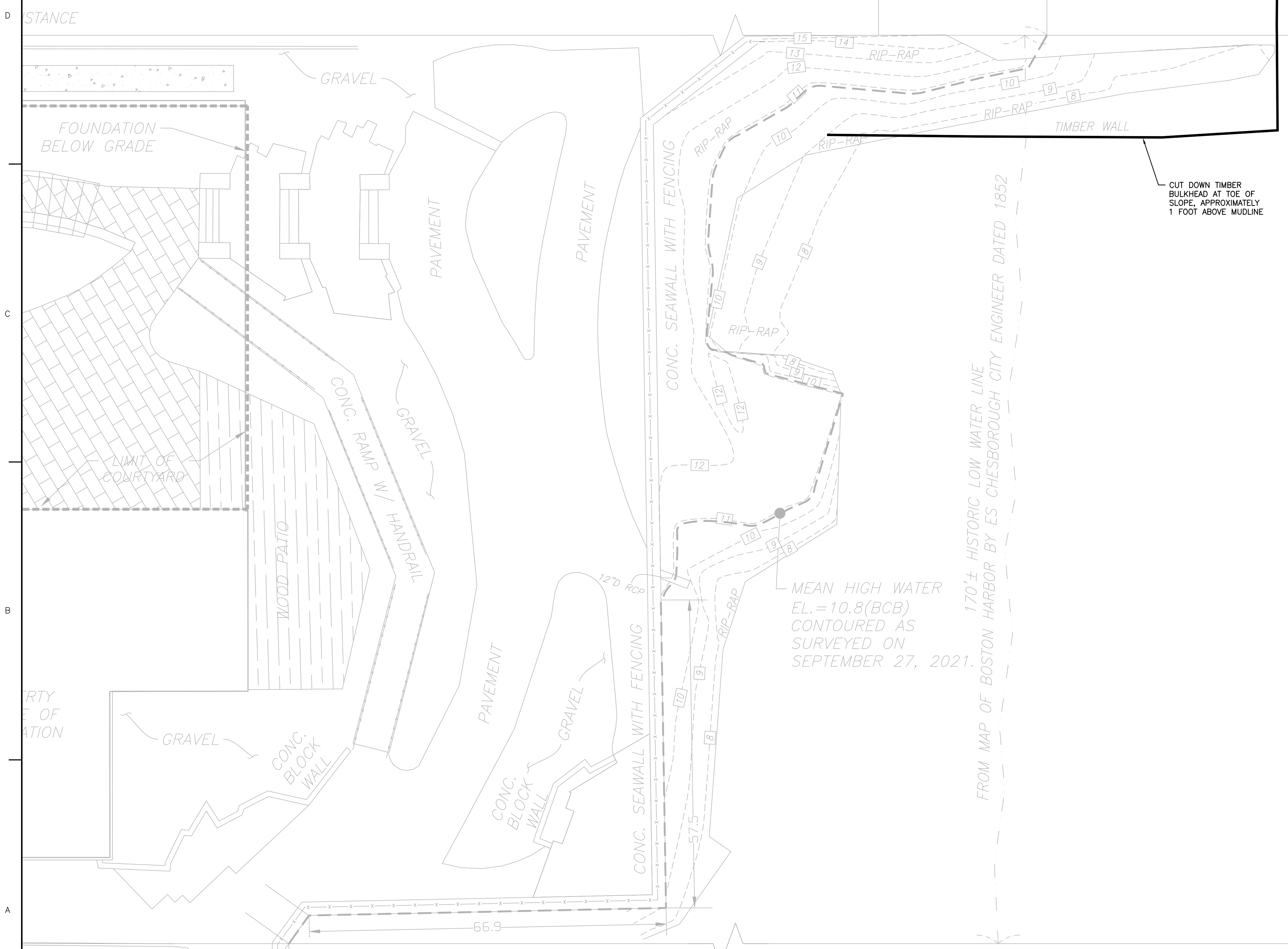
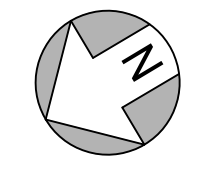
NOTA: El aviso de la audiencia pública, incluyendo su fecha, hora y lugar, se publicará en www.boston.gov/public-notices y en el Ayuntamiento de Boston con no menos de cuarenta y ocho (48) horas de antelación. Si desea formular observaciones, puede asistir a la audiencia pública o enviarlas por escrito a CC@boston.gov o a Boston City Hall, Environment Department, Room 709, 1 City Hall Square, Boston, MA 02201.

NOTA: También puede comunicarse con la Comisión de Conservación de Boston o con la Oficina Regional del Noreste del Departamento de Protección Ambiental para obtener más información sobre esta solicitud o la Ley de Protección de Humedales. Para comunicarse con el DEP, llame a la Región Noreste: (978) 694-3200.

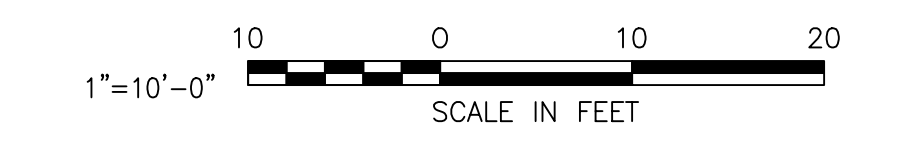
NOTA: si tiene previsto asistir a la audiencia pública y necesita servicios de interpretación, sírvase informar al personal en CC@boston.gov antes de las 12 PM del día anterior a la audiencia.

K:\2713-16.00 SUMNER ST (HODGE BOILER) - DAVIS COMPANIES\CADD\CURRENT WORKING DWGS\271316.00 SK-03 CUT DOWN BULKHEAD PLAN.DWG Oct 31, 2022 - 8:26am

Now or Formerly
CLIPPERSHIP WHARF
MULTI FAMILY LLC
PARCEL 0105400022



PLAN
SCALE: 1"=10'-0"



170'± HISTORIC LOW WATER LINE
FROM MAP OF BOSTON HARBOR BY ES CHESBOROUGH CITY ENGINEER DATED 1852

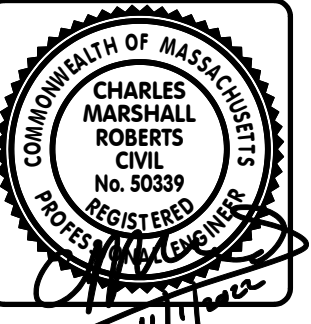
MEAN HIGH WATER
EL. = 10.8 (BCB)
CONTOURED AS
SURVEYED ON
SEPTEMBER 27, 2021.

CUT DOWN TIMBER
BULKHEAD AT TOE OF
SLOPE, APPROXIMATELY
1 FOOT ABOVE MUDLINE

DRAWING BASED ON:
THE MARK AT DENORMANDIE WHARF CONDOMINIUM SITE
PLAN, DATED SEPTEMBER 5, 2021 BY BRENNAN
CONSULTING AND UPDATED ON OCTOBER 27, 2022.

FOR PERMITTING ONLY

CHILDS ENGINEERING
34 WILLIAM WAY, BELLINGHAM, MA 02019 U.S.A.
Phone: (508) 966-9092
E-mail: mail@childseng.com



Mark	Description	Date	Appr.

Designed by:	CMR	Date:	10/31/22
Drawn by:	TEQ	Check by:	CMR
Reviewed by:	CMR	Design file no.:	271316 SK-03
		Scale:	X"=1'-0"

Denormandie Wharf
99-111 Summer Street
Boston, MA
LOCATION OF
CUT DOWN BULKHEAD

Sheet
reference
number:
SK-03
Sheet 1 of 1