



WPA Form 8A – Request for Certificate of Compliance

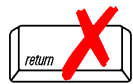
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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:(current Title holder):

Cynthia and Even Jones
Name
c/o Griffin Law LLC 12 Oak Street Suite D
Mailing Address
Nantucket MA - State 02554
City/Town Zip Code
508-228-2281
Phone Number

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

Clarence Lovelace
Applicant
March 22, 2007 Dated SE48-2019 (formerly SE48-200) DEP File Number

3. The project site is located at:

21 Berkeley Avenue Nantucket
Street Address City/Town
54 160 Lot 4
Assessors Map/Plat Number Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:EVAN & CYNTHIA A. JONES (name on Order)

Evan and Cynthia A. Jones
Property Owner (if different)
Nantucket Document No. 120796
County Book Page
COT 22423
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).

PLEASE NOTE: 21 Berkeley Avenue Map 54 Parcel 151, 152, 160 (Parcel 160 being the parcel for the Order of Conditions SE48-2019) filed a later Notice of Intent and Order of Conditions and Cert of Compliance was issued and recorded that included Map 54 Parcel 160.

Notice of Intent Filed 10.18.07
Date Order Issued 2.29.08 (Bk 1149 P 143) & Amended Order Issued 8.15.08 (Bk 1149 P 255)
Compliance Cert issued 6.24.11 (Doc No. 133956 on COT 22423)

- the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.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

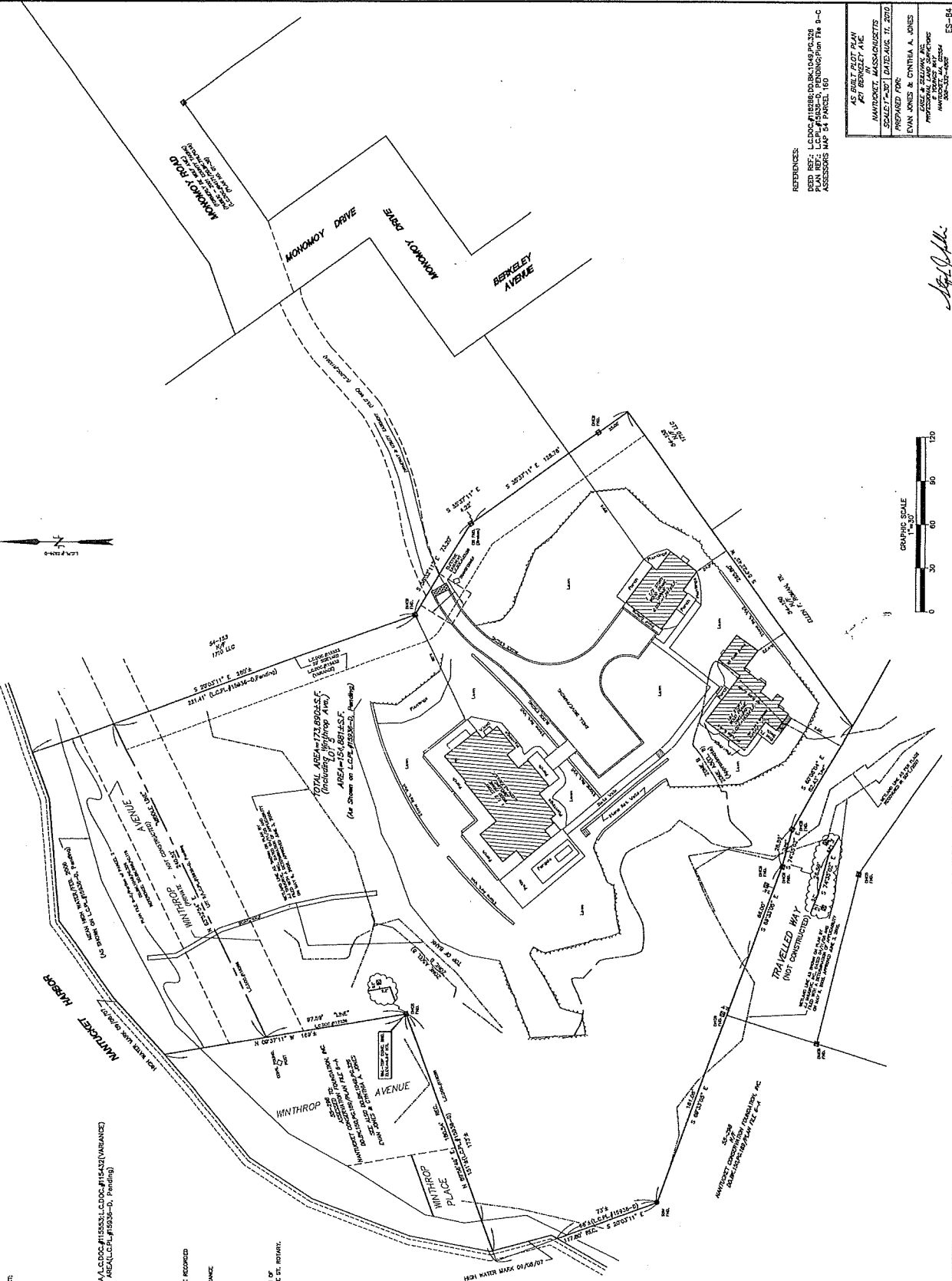
Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or 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>).

OVERLAY DISTRICT: WINTHROP JUNIOR SUBDIVISION PRESTON DISTRICT
 DISTRICT: LUG 1 - LIMITED USE GENERAL 1
 ZONING MAP: WINTHROP JUNIOR SUBDIVISION PRESTON DISTRICT
 MINIMUM LOT SIZE = 40,000 SQ. FT.
 MINIMUM FRONT YARD SETBACK = 10 FT.
 MINIMUM SIDE YARD SETBACK = 5 FT.
 MINIMUM REAR YARD SETBACK = 10 FT.
 MAX. GROUND COVER RATIO = 5% OF REGISTERED LAND AREA (L.C.P.#15533-L.C.D.#1542Z)(VARIANCE)
 EXISTING C.C.R. = 4.5% ± OF REGISTERED LAND AREA (L.C.P.#15533-L.C.D.#1542Z)(VARIANCE)

THE PROPOSED SHOWN ON THIS PLAN ARE
 ON THE BASIS OF A SURVEY MADE AND CONDUCTED
 BY THE ENGINEER AND SURVEYOR AND THE ENGINEER
 HAS NOT CONDUCTED A VISUAL INSPECTION OF THE
 PROPOSED CONSTRUCTION.

LOT SHOWN HEREON HAS THE EVIDENT OF AND IS SUBJECT TO A VARIANCE RECORDED
 IN THE CITY RECORDS UNDER THE TITLE OF WINTHROP JUNIOR SUBDIVISION PRESTON DISTRICT
 THE LOT SHOWN HEREON IS SUBJECT TO DEED RESTRICTIONS RECORDED IN
 THE CITY RECORDS UNDER THE TITLE OF WINTHROP JUNIOR SUBDIVISION PRESTON DISTRICT
 DEED RESTRICTIONS SHOULD BE RECORDED IN THE CITY RECORDS
 DATE MAP PREPARED AND ARE APPROPRIATE.

FOR INFORMATION USE INTERESTED PARTIES THE BEST AVAILABLE
 ELEVATIONS SHOWN HEREON ARE ON HALF-TREE LEVEL, 1984 DATUM. ORIGIN OF
 ELEVATION IS FROM THE INTERSECTION OF THE CENTERLINE OF THE HIGHWAY AND
 THE CENTERLINE OF THE HIGHWAY.



REFERENCES:
 DEED REF.: L.C.D.#15286, DD, BK, 1549, PG. 329
 A WINTHROP JUNIOR SUBDIVISION PRESTON DISTRICT
 ASSESSED MAP #4 PARCEL 160

PREPARED FOR:
 EVAN JONES & CONNOR A. JONES
 1000 STATE STREET
 WINTHROP, MASSACHUSETTS 01890



Evan Jones



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
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And the Town of Nantucket Bylaw Chapter 136

Lovelace
DEP File Number:

~~SE48-200~~ 2019



Cert: 22423 Doc: OOC
Registered: 06/25/2007 01:24 PM

A. General Information



From: Nantucket
1. Conservation Commission

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

3. To: Applicant:

Clarence Lovelace
a. First Name b. Last Name c. Company
113 Essex Meadows
d. Mailing Address
Essex CT 16426-0000
e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

Evan + Cynthia A. Jones
a. First Name b. Last Name c. Company
11013 Cripplegate Road
d. Mailing Address
Potomac MD 20854-0000
e. City/Town f. State g. Zip Code

5. Project Location:

21 Berkeley Avenue Nantucket
a. Street Address b. City/Town
54 160 Lot 4
c. Assessors Map/Plat Number d. Parcel/Lot Number
Latitude and Longitude, if known (note: electronic
filers will click for GIS locator): e. Latitude f. Longitude

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

Nantucket 22423
a. County b. Certificate (if registered land)
1049 326
c. Book d. Page

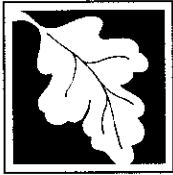
7. Dates: February 23, 2007 March 7, 2007 March 22, 2007
a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance

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

Plan of Land in Nantucket
a. Plan Title
John J. Shugrue Inc. John J. Shugrue
b. Prepared By c. Signed and Stamped by
February 23, 2007 1"=40'
d. Final Revision Date e. Scale

f. Additional Plan or Document Title g. Date

9. Total WPA Fee Paid: \$110.00 \$42.50 \$67.50
a. Total Fee Paid b. State Fee Paid c. City/Town Fee Paid



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B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

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

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Public Water Supply | <input checked="" type="checkbox"/> Land Containing Shellfish | <input checked="" type="checkbox"/> Prevention of Pollution |
| <input checked="" type="checkbox"/> Private Water Supply | <input checked="" type="checkbox"/> Fisheries | <input checked="" type="checkbox"/> Protection of Wildlife Habitat |
| <input checked="" type="checkbox"/> Groundwater Supply | <input checked="" type="checkbox"/> Storm Damage Prevention | <input checked="" type="checkbox"/> Flood Control |
| <input checked="" type="checkbox"/> Recreation (Bylaw) | <input checked="" type="checkbox"/> Erosion and Sediment | <input checked="" type="checkbox"/> Public Safety |

This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- 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:

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

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

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
1. <input type="checkbox"/> Bank	a. _____ linear feet	b. _____ linear feet	c. _____ linear feet	d. _____ linear feet
2. <input type="checkbox"/> Bordering Vegetated Wetland	a. _____ square feet	b. _____ square feet	c. _____ square feet	d. _____ square feet
3. <input type="checkbox"/> Land Under Waterbodies and Waterways	a. _____ square feet e. _____ cu.yd dredged	b. _____ square feet f. _____ cu.yd dredged	c. _____ square feet	d. _____ square feet



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B. Findings (cont.)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
1. <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
2. <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
3. <input type="checkbox"/> Riverfront area	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	c. square feet	d. square feet		
Sq ft between 100-200 ft	e. square feet	f. square feet		

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

4. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
5. <input type="checkbox"/> Land Under the Ocean	a. square feet	b. square feet		
	c. cu.yd dredged	d. cu.yd dredged		
6. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
7. <input type="checkbox"/> Coastal Beaches	a. square feet	b. square feet	c. c/y nourishmt.	d. c/y nourishmt.
8. <input type="checkbox"/> Coastal Dunes	a. square feet	b. square feet	c. c/y nourishmt.	d. c/y nourishmt.
9. <input type="checkbox"/> Coastal Banks	a. linear feet	b. linear feet		
10. <input type="checkbox"/> Rocky Intertidal Shores	a. square feet	b. square feet		
11. <input type="checkbox"/> Salt Marshes	a. square feet	b. square feet	c. square feet	d. square feet
12. <input type="checkbox"/> Land Under Salt Ponds	a. square feet	b. square feet		
	c. cu.yd dredged	d. cu.yd dredged		
13. <input type="checkbox"/> Land Containing Shellfish	a. square feet	b. square feet	c. square feet	d. square feet
14. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	a. cu.yd dredged	b. cu.yd dredged		
15. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	a. square feet	b. square feet		



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B1. Additional Conditions (Issued by the Town of Nantucket)

The Town of Nantucket Conservation Commission has found it necessary to include these additional conditions as a standard part of every Order. If the condition applies, then the corresponding box will be checked:

- 1. Pursuant to General Condition Number 8, this Order of Conditions must be registered with the Registry of Deeds for Nantucket, and proof of recording shall be submitted to the Commission prior to the commencement of any work approved in this Order.
- 2. No work approved under this Order shall take place until all administrative appeal periods from the Order have elapsed, or, if an appeal has been filed, until all proceedings have been completed.
- 3. The landowner, applicant, and/or the contractor will notify the Commission in writing five days prior to the start of work. The letter shall state the name, address, and telephone number of the project supervisor who will be responsible for insuring onsite compliance with this Order. (All erosion/sedimentation control devices shall be installed BEFORE the start of work.)
- 4. Prior to any activity at the site, a snow fence, siltation fence or a line of straw bales shall be staked as shown on the plan of record or as authorized by the Commission. After the fence or straw bales are installed, notice shall be given to the Nantucket Conservation Commission. **No work shall begin on the site for 72 hours after said notice is given; so as to allow Commission members time to inspect all siltation devices.** The snow fence, siltation fence, or straw bale line erected to prevent siltation, erosion, filling of the wetland, and trap windblown debris during construction, will also serve as a limit of the activity for work crews. It shall remain in good repair during all phases of construction, and it shall not be removed until all soils are stabilized and revegetated or until permission to remove it is given by the Commission.
- 5. An as-built plan, signed and stamped by a registered professional engineer or land surveyor in the Commonwealth of Massachusetts, and having the same scale as the final approved plans, shall be submitted to the Commission at the same time as a written request for a Certificate of Compliance, and shall specify how, if at all, the completed plan differs from the final approved plan. The as-built plan shall include, but not be limited to, the following: any/culvert inverts for inflow and outfalls; pipe slope, size, and composition; location of any other drainage structures and their composition; limits of fill or alteration; location of all structures and pavement within 100 feet of the wetland; the edge of the wetland; the grade contours within 100 feet of the wetland.
- 6. Members, employees, and agents of the Commission shall have the right to enter and inspect the premises to evaluate compliance with the conditions and performance standards stated in this Order, the Massachusetts Wetlands Protection Act, and pertinent Massachusetts regulations (310CMR10:00 through 10:99). The Commission may require the submittal of any data deemed necessary by the Commission for that evaluation.
- 7. The applicant, owners, successors, or assignees shall be responsible for maintaining any on-site drainage structures and outfalls, assuring the lasting integrity of vegetative cover on the site, and monitoring of site activities so as to prevent erosion, siltation, sedimentation, chemical contamination, or other detrimental impact to any on-site or off-site resource area. It shall be the responsibility of the property owner of record to ensure compliance with the maintenance conditions required by this Order.



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B1. Additional Conditions (cont.)



The Town of Nantucket Conservation Commission has found it necessary to include these additional conditions as a standard part of every Order. If the condition applies, then the corresponding box will be checked:

- 8. This document shall be included in all construction contracts and subcontracts dealing with the work proposed and shall supersede other contract requirements.
- 9. A complete copy of this permit, including its drawings, Special Conditions, and any Amendments shall be available at the work site whenever work is being performed. The permittee shall provide a copy of this permit to all contractors, subcontractors, and other personnel performing work relating to this project in order to assure full knowledge and compliance with the permit's terms and conditions.
- 10. Natural vegetation between the wetland edge and upland edge of the Undisturbed Buffer shall be left intact. Within 48 hours of project completion, weather permitting, all disturbed areas shall be replanted as previously approved by the Commission. There shall be at least a 25-foot undisturbed buffer on the upland side of the wetland boundary. This shall be an ongoing Condition that shall survive the expiration of this permit and shall be so noted on the Certificate of Compliance.
- 11. To minimize adverse effects on wildlife and water resources, the use of any pesticide or fertilizer requires explicit permission to be granted by the Commission. This shall be an ongoing Condition that shall survive the expiration of this permit, and shall be so noted on the Certificate of Compliance.
- 12. In all cases, no part of any structure, including decks, stairs, cantilevers, etc., may be closer than 50 feet from the approved wetland boundary. This shall be an ongoing Condition that shall survive the expiration of this permit and shall be so noted on the Certificate of Compliance.
- 13. Any refuse material found on the site shall be disposed of at an approved landfill and in no case may these materials be buried or disposed of in or near a wetland.
- 14. This Order of Conditions shall apply to any successor in interest or successor in control of the property.
- 15. No underground petroleum product storage tanks are allowed within 100 feet of any wetland or within any velocity (V) flood zone as indicated on the most recent FEMA floodplain maps.
- 16. No work under this Order of Conditions may proceed until the applicant has filed all necessary permits and applications with:
Board of Health, ZBA, HDC, Building Inspector, Army Corps of Engineers, DEP, Waterways, MNH, etc.
- 17. All construction and alterations must comply with the above referenced plans and the Conditions of this Order. Any changes intended to be made in the plans or in the work shall require the applicant to file a new Notice of Intent, or to inquire of the Commission in writing whether the change is substantial enough to require a new filing. No change in plan or work under this filing is permissible without a new Notice of Intent, or permission from the Commission.



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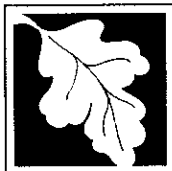


C. General Conditions Under Massachusetts Wetlands Protection Act

(Only applicable to approved projects)

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. the work is a maintenance dredging project as provided for in the Act; or
 - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
7. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
8. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to this Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
9. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MA DEP"]
SE48-2019



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C. General Conditions Under Massachusetts Wetlands Protection Act

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

Special Conditions:



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D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Furthermore, the Nantucket hereby finds (check one that applies):
Conservation Commission
2. that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw specifically:

_____ a. Municipal Ordinance or Bylaw _____ b. Citation

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

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

_____ a. Municipal Ordinance or Bylaw _____ b. Citation

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

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

FINDINGS and ADDITIONAL CONDITIONS

Clarence Lovelace

DEP FILE NUMBER SE48-2019

ASSESSOR'S MAP 54, PARCEL 160 Lot 4

21 Berkeley Avenue

UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT

(MGL CHAPTER 131, SECTION 40)

AND THE WETLANDS BYLAW OF THE TOWN OF NANTUCKET

(CHAPTER 136)

This Order of Conditions permits the replacement of an existing failed septic system by connecting to municipal sewer. Work includes replacement of septic tank with a sewer lift station within the buffer zone to a vegetated wetland.

FINDINGS

1. Applicant Name Clarence Lovelace. DEP File Number SE48-2019.
2. This Order of Conditions is being issued in accordance with the information submitted in the Notice of Intent dated 2/23/2007 and the Plan of Record dated 2/23/2007 stamped by John Shugrue.
3. Area subject to protection/regulation is a vegetated wetland and its buffer zone.
4. This Order is in accordance with a vote by the Nantucket Conservation Commission to close the public hearing on 3/7/2007 and a vote to issue Orders taken by the Commission on 3/7/2007.
5. This Order permits the replacement of an existing failed onsite sewage disposal system by connecting to a municipal sewer. Work includes replacement of septic tank with sewer lift station within the buffer zone to a vegetated wetland.

In addition to the above referenced GENERAL CONDITIONS the Commission has found it necessary to include the following Additional Conditions pursuant to MGLCh131s40 and the Town of Nantucket Wetlands Protection Bylaw, Chapter 136. The above listed General Conditions and Findings are automatically part of this Order of Conditions.

ADDITIONAL CONDITIONS

18. All proposed and/or repaired lawn area shall be covered with 6" of an organic topsoil and seeded as soon as weather permits.
19. The existing septic tank shall be pumped and relocated or disposed of outside of the jurisdiction of the Conservation Commission.

WAIVERS UNDER THE NANTUCKET WETLANDS BYLAW/REGULATIONS:

No waivers are required for the work permitted by this Order of Conditions.



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E. Issuance



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

March 9, 2007

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

1. Date of Issuance

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

6
2. Number of Signers

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

Signatures:

[Signature]
Virginia Andrews
[Signature]
Clark Whitcomb
[Signature]
Robert Rudin
[Signature]
Sarah Oktay

[Signature]
Ernest Steinauer
[Signature]
David Gray Sr.
[Signature]
Diane Holdgate

Notary Acknowledgement

Commonwealth of Massachusetts County of

Nantucket

On this 7th Day of _____

March 2007
Month Year

Before me, the undersigned Notary Public, personally appeared

The Above Commissioners
Name of Document Signer

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

Personally Known (Virginia Andrews)
Description of evidence of identification

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

As member of Nantucket
City/Town

Conservation Commission

[Signature]
Margaret R. Fantozzi

Place notary seal and/or any stamp above

Margaret R. Fantozzi

September 01, 2011

This Order is issued to the applicant as follows:

by hand delivery on

by certified mail, return receipt requested, on

March 9, 2007
Date

Date



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
And the Town of Nantucket Bylaw Chapter 136

Lovelace
DEP File Number:

SE48-200-2019



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 DEP 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.

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.

Section G, Recording Information is available on the following page.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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Lovelace
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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 Page 7 of this form shall be submitted to the Conservation Commission listed below.

Conservation Commission

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

To:

Conservation Commission

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

Project Location

DEP File Number

Has been recorded at the Registry of Deeds of:

County

Book

Page

for:

Property Owner

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

Book

Page

In accordance with the Order of Conditions issued on:

Date

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

Instrument Number

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

Document Number

Signature of Applicant

DOC No: 00120796

HANTUCKET COUNTY LAND COURT
REGISTRY DISTRICT

** RECEIVED FOR REGISTRATION **

On: Jun 25, 2007 at 01:24P

Document Fee: 75.00 Rec Tot: 1475.00

CERTIFICATE No: 22423