Town of Mashpee

Planning Board

16 Great Neck Road North Mashpee, MA 02649

Meeting of the Mashpee Planning Board Wednesday, December 6, 2023; 7:00 PM Mashpee Town Hall - Waquoit Meeting Room 16 Great Neck Road North, Mashpee, MA 02649 *Broadcast Live on Local Channel 8*

Streamed Live on the Town of Mashpee Website: https://www.mashpeema.gov/channel-8

Call Meeting to Order

Pledge of Allegiance

Approval of Minutes

Review of Meeting Minutes from November 15, 2023

Public Comment

Public Hearings

7:10 PM (Continued from 08/02/2023)

Applicant:

Southworth Mashpee Properties LLC

Location: 275 Quinaquisset Avenue (Map 69 Parcel 32)

Request: Applicant proposes to modify the Willowbend Country Club Special Permit to

construct a 14-unit single family cottage community immediately contiguous to the Willowbend Golf Course. With these changes the total unit count for the Willowbend project would be increased to 287 if the Board authorizes the annexation of 275 Quinaquisset into the Willowbend Special Permit as allowed. 287 dwelling units is the maximum number of dwelling units authorized under the Special Permit. All units will be connected to and served by the existing privately owned wastewater treatment plant which serves the entire Willowbend

project.

7:20 PM (Continued from 08/02/2023)

Southworth Mashpee Properties LLC Applicant:

Location: Willowbend Permit Area

Applicant proposes to modify the Willowbend Special Permit by amending the Request:

> condition limiting the number of bedrooms allowed in the project. Currently Willowbend is allowed 853 bedrooms. Willowbend proposes to remove this

condition or increase the maximum allowance.

New Business

- Vote to set special joint meeting on Monday, December 18, 2023 with Select Board to review and adopt the updated Housing Production Plan.
- Raze and Replace Bylaw discussion and possible vote to invite the Zoning Board of Appeals, Conservation Commission and the Board of Health to convene a joint session on the subject.

Old Business

Review updated draft implementation table of the Local Comprehensive Plan Update





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Board Engineer Report

Project Reviews and Inspections

Chairwoman's Report

Water Quality Issues

Town Planner Report

- Harbor Management Planning Committee Update
- Housing Production Plan Update

Board Member Committee Reports

• Cape Cod Commission, Charter Review Committee, Community Preservation Committee, Design Review, Plan Review, Environmental Oversight Committee, Historic District Commission

Correspondence

- 32 Crescent Road MassDEP Waterways License Application No. 23-WW01-0123-APP
- Child's River Culvert on Rt. 151 MassDEP Waterways License Application No. 23-WW01-0115-AAP
- October 2023 Discharge Monitoring Report for South Cape Village N = 5.1
- Town of Barnstable
- Town of Falmouth Notices
- Town of Sandwich Notices

Additional Topics (not reasonably anticipated by Chair)

<u>Adjournment</u>

MASHPEE TOWN CLERK WOU 30 123 AMS: 13



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Mashpee Planning Board
Minutes of Meeting
Wednesday, November 15, 2023 at 7:00PM
Mashpee Town Hall - Waquoit Meeting Room
16 Great Neck Road North
Mashpee, Ma 02649

Broadcast Live on Local Channel 8
Call-in Conference Number: (508)-539-1400 x 8585
Streamed Live on the Town of Mashpee website
https://www.mashpeema.gov/channel-8

Present: Chair Karen Faulkner, Mary Waygan, Dennis Balzarini, Mike Richardson, Dale

Oakley

Also Present: Evan Lehrer – Town Planner

Absent: Robert (Rob) Hansen

CALL TO ORDER

Chairwoman Faulkner called the meeting of the Planning Board to order at 7:00PM. The Pledge of Allegiance was recited.

APPROVAL OF MEETING MINUTES - November 01, 2023

There were no comments regarding the meeting minutes for November 01, 2023.

MOTION:

Mr. Richardson made a motion to approve the meeting minutes for November 01, 2023. Seconded by Mr. Balzarini. All in favor.

PUBLIC COMMENT

Colton Atkinson- He had a couple ideas to consider for the next bylaw revisions. One would be to have an EV incentive or requirement for charging stations being added in homes. If someone were to update a garage or build new, a level two charger could be installed. Charging infrastructure will be something the town will need to worry about in the near future. His next idea is more in the wheelhouse of the LCP, but in discussing the residential tax exemption on Monday, it was said they would need to go to the state legislature to get the amount capped. If you have a lower valued house you will receive a substantially less tax reduction than people with more expensive homes, our community has both \$400,000 and



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\$10,000,000 homes. The people paying the most are getting the most benefit from this. We could consider looking at flat rates or covering minimum charge for water district.

Lynne Barbee- She has been heavily interested in the LCP process. She took the time to go through what was in the packet and made comments. She redlined items, but will not comb through every detail. Starting with housing, Goal H4, create affordable housing. Is the town going to promote this or are we going to create the promotion of housing? She doesn't understand Policy H1 and how that would work. H2 is form based code, she knows people talk about it, she is not sure what it means. If we use that language there needs further explanations and why it would be better than what we have now. On H6 she would hope to say actively engage and regularly fund the Affordable Housing Trust. Let's encourage the meeting of the trust. What does it mean to develop incentives for affordable senior housing? She doesn't disagree, it just raises questions. Some of these items should be explained more in the document. The Affordable Housing Coordinator should be a member of the Affordable Housing Trust. H13 states assess ways for the private sector to contribute. We want to encourage or promote, saying assessing ways is vague and doesn't elaborate on what the goal would be.

Economic Development under ED3, consider increasing Kids Klub childcare program, sounds wonderful, but how does that work? It's unusual to have a town run childcare program. She would love to see it quadrupled. ED4 says evaluate use conflicts in fisheries and sounds like awkward language. Are there competing issues within the development of fisheries? ED5 states to promote business, which then promotes living wages, but how does the Town do that? It's a great goal, but we should be able to explain how we can actually facilitate these items better. Would that be by way of tax breaks? ED9 notes to increase access to childcare for Mashpee's workforce. Does that mean within the Kids Klub organization or other incentives for home based childcare? Also, what in our current bylaws prevent homebased childcare? ED2 says minimize homelessness, we might want to say address homelessness or create programs to address homelessness.

Under Sustainability S6, maintain dams in good condition, it's an important goal, but maybe we work with state and local resources to help maintain. She is unsure the town has the wherewithal to maintain dams on their own. She likes S5 and hopes that will lead to a bottle ban. Under Natural Resources NR4, it states to limit construction in land under ocean to maintain a restored habitat. This is not a clear sentence to her. In all of the housing chapter there is nothing under the water column for housing. It comes in under Natural Resources, it seems to her water should be a wider issue. NR17 notes to explore the use of district of critical planning concern, which means something to a Town Planner, but that doesn't mean anything to her. We want people to read and absorb this document. Land Use mentions form based code. She read the tree bylaw. There is more form based code under Heritage Preservation.



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HP6, the adopted demolition delay bylaw has a "*" so it will most likely be explained. She is happy to come up with better verbs if agreed one is needed.

Marge Hecht- Chairwoman Faulkner read an excerpt from the letter submitted by Ms. Hecht. It states that form based code was not a concept supported by this community during the LCP process, it was opposed. The LCP implementation plan provides an overview of the process, that vision did not include form based code. It was not useful. Design wasn't the problem, it was not then and isn't now. No more large development projects! If the Planning Department would find it useful for form based code for future projects they should draft one and present. The main goals of the community were not recognized by the consultants. Ms. Faulkner noted there was a copy of the letter in the packet.

NEW BUSINESS

Review updated draft implementation table of the Local Comprehensive Plan Update Ms. Waygan commented about the visioning workshops on Built Systems, Community Systems, and Natural Systems. The Town Planner has these workshops consolidated on spreadsheets. The Consultant and Town Planner gave the Board a list and we met in May and redlined it. It was a dump of anything that was left out of the workshops, it got put into this redlined packet. If you said something at one of those workshops it would be in here.

Mr. Lehrer commented generally yes, but if one single person contributed an idea, not necessarily a majority, it was not always entered.

Ms. Waygan noted when she relined that document she went through all the charts and made sure the comments were in that version. There is the vision, goals, policies, and actions. Every action should be linked to a policy, every policy to a goal, and every goal linked to the overall vision statement.

Mr. Lehrer stated the last review was in May, if the chart is scrutinized some red lined items were not in there, they were removed for obvious redundancy purposes.

Ms. Waygan noted there is room for development.

Mr. Lehrer referenced Ms. Barbee's comment about verbiage. It is difficult to be granular with actions. It's often assessing a concept and analyzing the potential for an action. Ultimately, it's up to staff, boards, committees, and commissions to identify what the appropriate pathway is and the overall desirability or urgency within the Town. The structure of the table needs to be put together in totality then opened to the public before it goes to Town Meeting. The draft before you is not what is being submitted, there is more work to be done. There are no levels of priority assigned to any actions.



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Ms. Faulkner also stated the actions are not in any priority, these are things we need to consider doing.

Mr. Balzarini would like to prioritize items so that does not become a point of contention.

Ms. Waygan stated under time frame there are items, we should list all short time frames first and medium time frames second, and then it would self-sort.

Mr. Oakley stated some environmental actions would benefit from being a priority.

Mr. Lehrer made a clarifying comment about form based code. This is the Planning Board's plan as well as the Town. Form based code is simply one tool to effectuate goals and objectives defined in this plan. We are not pigeonholing into one mechanism, it would be his recommendation to pursue as another tool. He doesn't think form based code is contrary to development patterns that have been prioritized through discussion. There have always been a misunderstanding about this approach back when Mashpee Commons tried to introduce it. Form based code can work at any density.

Ms. Faulkner always felt form based code was hard to understand as it regulates physical form and character of new development. What would form based code over by the former Zachary's look like as opposed to cleaning it up and making it look nice?

Mr. Lehrer stated right now you have zoning districts with certain uses, single, no mixture, defined by use and dimensional criteria. Many critiques about what we have now is it creates inconsistent development patterns. There is a different point A and B with not much cohesion between public and private realm. For example at Andy's market, it is not a walkable pattern, you would drive between all the uses. Mashpee doesn't use floor area ratio. It is an interesting way to describe a set of differences that can occur. We use lot coverage. Form based code would divide the town into variable districts. Instead of uses, it prescribes building types. Use is not something that is considered as prominently as is conventional zoning. You would not want to seek heavy industrial next to residential hence why prohibitions are in place. The community defines what is acceptable per district with a predictable pattern between the town and developers. We would prioritize redevelopment over new development and focus on commercial areas for redevelopment.

Ms. Waygan noted form based code regulates exterior, what it looks like, not uses inside. There is a big need in town for preexisting non-conforming. There is also a big need for design standards in that area. It might be a good place to start. The Cape Cod Commission is doing their Regional Housing Strategy and they are working on these design standards. They are so general and we can at least adopt them as step one.



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Mr. Lehrer liked the drafts that Ms. Waygan is referring to, describing every scenario in which form based code works. Convention zoning has solid design guidelines. Form based code is a regulatory mechanism. Form based code can work in the most rural setting or most dense metropolis, it is up to Planning to define.

Ms. Waygan stated she is on the Charter Review Committee and they each took a section of the Charter and concentrated on it. She offered to split this up and manage it similarly.

Housing & Land Use: Ms. Waygan

Sustainability: Mr. Lehrer

Transportation Circulation: Mr. Balzarini

<u>Growth Management and Economic Development</u>: Ms. Faulkner <u>Municipal Buildings, Facilities, and Services</u>: Mr. Richardson

Heritage and Preservation & Water and Coastal Resources: Mr. Oakley

Mr. Lehrer needs 30 days for the draft to circulate in the community. Warrant articles are due in February for May Town Meeting. Talking this out loud, it pains him to say it, but he suggests finishing this document by July 1st so that it is ready for adoption at October Town Meeting.

Ms. Waygan proposed review of Housing and Sustainability for next meeting, she is hopeful to cover two per meeting.

Review and approval of 2024 meeting schedule

MOTION:

Ms. Waygan made a motion to approve the recommended meeting schedule where the Board canceled the meeting of July 3, 2024, with no meeting June 19, 2024 or October 2, 2024. Seconded by Mr. Richardson. All in favor.

Review and approval of Consulting Engineer Invoices

Ockway Highlands

MOTION:

Mr. Richardson made a motion to approve the invoice 2023-2140 for the amount of \$3,951.52. Seconded by Ms. Waygan. All in favor.

Sherwin Williams

MOTION:

Mr. Richardson made a motion to approve the invoice 2023-2139 for the amount of \$2,776.08. Seconded by Ms. Waygan. All in favor.

Tudor Terrace



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MOTION:

Mr. Richardson made a motion to approve the invoice 2023-2142 for the amount of \$1,371.14. Seconded by Ms. Waygan. All in favor.

Willow Circle

MOTION:

Mr. Richardson made a motion to approve the invoice 2023-2143 for the amount of \$517.88. Seconded by Ms. Waygan. All in favor.

CHAIRWOMAN'S REPORT

Water Quality Issues

There is a letter from the Town Manager that explains the special election November 28th, polls are open from 7:00a.m. to 8:00p.m. This is regarding the vote on the bonds to fund the wastewater collection treatment and other associated costs. The Town Manager's website can be referenced for further details.

TOWN PLANNER REPORT

Harbor Management Planning Committee Update

Mr. Lehrer did not attend, they have not met in some time. They are in production mode and coming into the closure of year one of development of that plan, he has no further update.

Housing Production Plan

The Affordable Housing Committee was not able to meet. Mr. Lehrer had a productive meeting with the Chair of the AHC and Tribal representatives from the Tribal Housing Commission. In the Housing Production Plan there was discussion about marketing and tenant selection and the local preference policy, the Town will be seeking legal opinion relative to the inability to do local preference as defined. He left feeling positive. The needs assessment has been completed and the survey is now closed. They have met on goals and strategies and committee members will offer comments before the Planning Board will do the same. He reached out to the Town manager for a joint meeting. He will receive the draft and he will deliver it to the Board. More to come soon.

BOARD MEMBER COMMITTEE REPORTS

Cape Cod Commission- The Regional Housing Strategy and the Assistant Town Manager wanted to engage with local stakeholders, there was a mapping exercise to identify ideal sites for affordable housing. They did a decent job, and made some progress relative to that work. They know our HPP is coming forward, hopefully they don't issue theirs before ours is done. We are working with different resources to



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effectuate strategies inclusive of design criteria and mixed use

production.

Charter Review Committee-

Meet November 27th in the same place. They took public comment and now they are sorting through and pinpointing. There were edits made such as changing Selectman to Select Board, there was also

a lot of discussion about preamble.

Community Preservation

Committee-

There are 3 applications that are in the packet. The Heritage Park demo and rebuild ask is \$74,000, the total cost is \$110,000. Pickeral Cove is a land acquisition, there is a working group from CPC alongside Mr. Lehrer and the land owners to solidify the desire to sell and any restrictions. This is open space and there needs to be public access to figure out trails, there is some hesitation to beach access. Mr. Richardson advocated to acquire all the lots. There is an application for the Mashpee Natural Resources and the Ashumet Pond nutrient deactivation. It is polluted by JBCC and the base has pledged to cover half the cost. The request is for

\$675,000. It's also a program reimbursement where the Town has to pay and the base would reimburse half. Falmouth should also be

involved, their staff is supportive to contributing, and formal

approval could come from CPC application for their town. This aid would last 15 years. The plume that has phosphorous is at the tail end, as well as the PFAs area. They start by taking water out and treating it for PFAs and that process will take out phosphorus. They are thinking this will be the last application, there were two prior. Dunkin' sign was approved by Dino's, they need a new form of the

building, need to know existing condition of area.

Environmental Oversight

Committee- Next meeting is November 27, 2023

Plan Review- No Meeting

Historic District

Design Review-

Commission – Meeting soon

ADJOURNMENT

Mr. Richardson made a motion to adjourn the meeting of the Planning Board at 8:12p.m. Seconded by Mr. Balzarini. All in favor.

Next Meeting: Wednesday, December 06, 2023 @ 7:00PM



Town of Mashpee

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Respectfully Submitted,

Christine M. MacDonald Board Secretary

LIST OF DOCUMENTS

Additional documents may be available in the Planning Department.

- 33 Sturgis Lane MassDEP Waterways License Application No. 23-WW-PRE-0073-AAP
- Town of Barnstable
- Town of Falmouth Notices
- Town of Sandwich Notices

PHN 7:10 PM: 275 QUINAQUISSET



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Mashpee Planning Board Public Hearing Notice

Pursuant to Massachusetts General Laws, Chapter 40A Section 11, the Mashpee Planning Board will hold a public hearing on Wednesday, March 1, 2023 at 7:10PM at the Mashpee Town Hall, 16 Great Neck Road North, to consider an application from Southworth Mashpee Properties LLC, property owner, to modify the Willowbend Country Club Special Permit. The applicant proposes to construct a 14-unit single family cottage community immediately contiguous to the Willowbend Golf Course at 275 Quinaquisset Avenue (Map 69 Block 32). The existing single-family dwelling is proposed for demolition. With these changes the total unit count for the Willowbend project would be increased to 287 if the Board authorizes the annexation of 275 Quinaquisset into the Willowbend Special Permit as allowed. 287 dwelling units is the maximum number of dwelling units authorized under the Special Permit. All units will be connected to and served by the existing privately owned wastewater treatment plant which serves the entire Willowbend project.

Submitted by:

Mary E. Waygan Mashpee Planning Board

Publication dates: Friday, February 10, 2023

Friday, February 17, 2023

Cranberry Point At Willowbend Site Construction Plans

Mashpee, Massachusetts



Owner:

Southworth Mashpee Properties, LLC 130 Willowbend Drive Mashpee, MA 02649 (508)-539-5316

Applicant:

Southworth Mashpee Properties, LLC 130 Willowbend Drive Mashpee, MA 02649 Phone (508)-539-5316

Engineer/Surveyor:

BAXTER NYE ENGINEERING & SURVEYING Registered Professional Engineers and Land Surveyors 1597 Falmouth Road Centerville, MA 02632 Phone (508) 771-7502 Fax (508) 771-7622 ATTN: Matthew Eddy, P.E.

Job Number: 2014-009 QUIN

Plan Sheet Index

No.	Drawing Title
C0.0	Cover Sheet
C1.0	Legend and General Notes
CPP1.0	Certified Plot Plan
C2.0	Existing Conditions Plan
C3.0	Master Layout Plan
C3.1	Site Layout Plan - Sheet 1 of 2
C3.2	Site Layout Plan - Sheet 2 of 2
C3.3	Sight Distance Plan
C3.4	Truck Turning Template Plan
C4.0	Grading & Drainage Plan - Sheet 1 of 2
C4.1	Grading & Drainage Plan - Sheet 2 of 2
C4.2	Grading Inset & Drainage Details
C4.3	Drainage Notes
C5.0	Utility Plan - Sheet 1 of 2
C5.1	Utility Plan - Sheet 2 of 2
C5.2	Proposed Driveway and Utility Profiles
C6.0	Master Mitigation Plan
C7.0	Details Plan
C7.1	Details Plan

BAXTER NYE **ENGINEERING &** SURVEYING Registered Professional Engineers and Land Surveyors 1597 Falmouth Road Centerville, MA 02632 Phone - (508) 771-7502 Fax - (508) 771-7622 www.baxter-nye.com STAMP CONSULTANT CONSULTANT PREPARED FOR: Southworth Mashpee Properties, LLC PROJECT TITLE SHEET TITLE

130 Willowbend Drive Mashpee, MA 02649

ENGINEERING & SURVEYIN

STAMP

Cranberry Point 275 Quinaquisset Avenue Mashpee, MA 02649

\triangle	JKL	3/24/2023	PER PLANNING BOARD COMMENTS	
		DATE	DESCRIPTION	
CHEET TITLE				

Cover Sheet

SHEET NO

CO.0

DATE: JANUARY 16, 2023

SCALE: NO SCALE

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£	© PI 6"PD 6"PD W 6"PD PF LP HP GB ×27.21 TOC ×27.15 BOC 21.25 ✓ 21.25	AND HAY BALE CHECK DAM POINT OF INTERSECTION FLARED END SECTION (FES) WITH STONE PROTECTION PERIMETER DRAIN PAVED WATERWAY (PWW) WITH STONE PROTECTION DRAINAGE FLOW DIRECTION JUTE MAT IN SWALE TREES SHRUB OP LP LOW POINT HP HIGH POINT GB GRADE BREAK 27.21 TOC 27.15 BOC 21.25 SPOT ELEVATION W/LEADER × 21.25 SPOT ELEVATION BORING LOCATION TEST PIT LOCATION
E	© PI 6"PD 6"PD W 6"PD PF LP HP GB ×27.21 TOC ×27.15 BOC 21.25 ✓ 21.25	POINT OF INTERSECTION FLARED END SECTION (FES) WITH STONE PROTECTION PERIMETER DRAIN PAVED WATERWAY (PWW) WITH STONE PROTECTION DRAINAGE FLOW DIRECTION JUTE MAT IN SWALE TREES SHRUB PP LP LOW POINT HP HIGH POINT GB GRADE BREAK 27.21 TOC 27.15 BOC TOP & BOTTOM ELEVATION SPOT ELEVATION W/LEADER × 21.25 SPOT ELEVATION BORING LOCATION

ABBREVIATIONS ABANDON ADJUST APPROXIMATI BITUMINOUS BERM BITUMINOUS CURB BOTTOM OF CURB BOTTOM OF SLOPE BOTTOM OF WALL CONCRETE CURB CAPE COD BERM COBBLESTONE EDGING EROSION CONTROL BLANKET **ELEVATION ELEV** ELEVATION EDGE OF GRAVEL EDGE OF LAWN EDGE OF PAVEMENT EXIST EQUAL FOUNDATION FINISHED FLOOR ELEVATION GRADE BREAK GRANITE CURB GRANITE EDGING HANDICAP HOT MIX ASPHALT HIGH POINT LANDSCAPE AREA LANDSCAPE AREA MONOLITHIC CONCRETE CURB MHB/EP LP MASS HIGHWAY BOUND/ ESCUTCHEON PIN LEAD PLUG NOT TO SCALE PRECAST CONCRETE CURB PROP PROPOSED PAVED WATER WAY REMOVE REMOVE AND RESET REMOVE AND STACK SLOPED GRANITE EDGING SLOPED GRANITE CURE TIE INTO EXISTING GRADE TOP OF CURB TOP OF FOUNDATION TYPICAL LINLESS OTHERWISE NOTED VERIFY IN FIELD BY CONTRACTOR VERTICAL GRANITE CURB ASPHALT COATED CORRUGATED METAL PIPE ACCMP CORRUGATED ALUMINUM PIPE CAST IRON PIPE CORRUGATED METAL PIPE HIGH DENSITY POLYETHYLENE CORRUGATED PLASTIC PIPE - SMOOTH INTERIOR CURB STOP FOR WATER LINE DUCTILE IRON PIPE

FRAME AND COVER

FRAME AND GRATE

INTERCEPTOR DRAIN

INVERT ELEVATION

PERFORATED DRAIN

ROOF DRAIN

SEWER CLEANOUT

STORM DRAIN

TELEPHONE

UTILITY POLE

VERIFY IN FIELD

VITRIFIED CLAY PIPE

SEWER

POLYVINYL CHLORIDE PIPE

REINFORCED CONCRETE PIPE

HYDRANT

GENERAL CONSTRUCTION NOTES * (ALL REFERENCES TO "CONTRACTOR" SHALL MEAN THE GENERAL CONTRACTOR OR HIS

SUB-CONTRACTORS.)

1. ALL WORK & MATERIALS SHALL BE IN ACCORDANCE WITH MASSDOT, HIGHWAY DIVISION, STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES (MASSDOT-SSHB). AS CURRENTLY AMENDED. UNLESS OTHERWISE NOTED. IF THERE ARE CONFLICTS IN ANY OF THE SPECIFICATIONS OR PROJECT DOCUMENTS.

THE HIGHER STANDARD SHALL APPLY. ALL WORK UNDER THESE DOCUMENTS SHALL ALSO CONFORM TO ALL CODES AND STANDARDS, AS CURRENTLY AMENDED, WHICH ARE APPLICABLE TO THIS PROJECT. ALL WORK SHALL FURTHER CONFORM TO SPECIFIC REQUIREMENTS, SPECIFICATIONS, ORDINANCES AND INTERPRETATIONS OF LOCAL AUTHORITIES

HAVING JURISDICTION OVER THE PROJECT. DETERMINATION OF APPLICABLE CODES AND STANDARDS AND OF THE AUTHORITIES HAVING JURISDICTION, SHALL BE THE RESPONSIBILITY OF EACH CONTRACTOR, AS SHALL BE THE ANALYSIS OF ALL SUCH CODES AND STANDARDS IN REGARD TO THEIR APPLICABILITY TO THE PROJECT FOR SECURING ALL APPROVALS AND PERMITS.

ALL WORK WITHIN THESE PLANS SHALL BE PERFORMED AND PROVIDED BY THE CONTRACTOR IN ACCORDANCE WITH THE CONSTRUCTION DETAILS PROVIDED IN THIS PLAN SET WHETHER OR NOT THE DETAIL NUMBER IS SPECIFICALLY REFERENCED.

EXCEPT WHERE THE PROJECT DOCUMENTS INCLUDE MORE STRINGENT REQUIREMENTS, APPLICABLE CONSTRUCTION INDUSTRY STANDARDS HAVE THE SAME FORCE AND EFFECT AS IF BOUND HERETO. SUCH STANDARDS ARE MADE A PART OF THE PROJECT DOCUMENTS BY REFERENCE.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL QUANTITY ESTIMATES AND VERIFYING, TO HIS OWN SATISFACTION, THAT ALL QUANTITIES ARE ACCURATE FOR ALL CONSTRUCTION MATERIALS. INCLUDING CUT & FILL ESTIMATES WHICH THE CONTRACTOR MAY PREPARE BASED ON INFORMATION CONTAINED WITHIN THESE PLANS.

3. 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

4. THE CONTRACTOR SHALL MAKE ALL ARRANGEMENTS WITH THE APPROPRIATE UTILITY COMPANIES FOR OBTAINING CONSTRUCTION PERMITS AND PERFORMING ALL NEW CONSTRUCTION, RELOCATION, ALTERATION AND ADJUSTMENT OF GAS. FLECTRIC (INCLUDING UTILITY POLES). TELEPHONE, CABLE, FIRE ALARM. WATER, SANITARY SEWER, STORM DRAIN, AND ANY OTHER UTILITIES, BOTH PUBLIC AND PRIVATE, AS REQUIRED.

CONTRACTOR, AND THE INFORMATION FURNISHED TO THE ENGINEER FOR RESOLUTION OF THE CONFLICT.

5. THE LOCATION OF EXISTING UNDERGROUND SYSTEMS, INFRASTRUCTURE, UTILITIES, CONDUITS, WELLS, AND LINES ARE SHOWN IN AN APPROXIMATE WAY ONLY, MAY NOT BE LIMITED TO THOSE SHOWN HEREIN, AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER, THE ENGINEER, OR THEIR REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION, BOTH HORIZONTALLY AND VERTICALLY, OF ALL EXISTING UTILITIES, CONDUITS, LINES, WELLS, AND OTHER BURIED INFRASTRUCTURE AND SYSTEMS BEFORE THE START OF ANY WORK. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO LOCATE THE INFRASTRUCTURE, UTILITIES, CONDUITS AND LINES EXACTLY. THE CONTRACTOR SHALL PRESERVE ALL UNDERGROUND INFRASTRUCTURE AND UTILITIES AS REQUIRED. THE CONTRACTOR MUST CALL "DIG SAFE" (AT 1-888-DIG-SAFE) AT LEAST 72 HOURS BEFORE THE START OF

6. THE CONTRACTOR SHALL BE RESPONSIBLE TO CALL AT LEAST 24 HOURS AHEAD FOR INSPECTIONS BY THE APPROPRIATE AUTHORITY IN ACCORDANCE WITH THE TOWN REQUIREMENTS, AS APPLICABLE.

7. THE CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES, PUBLIC AND PRIVATE, INCLUDING THOSE IN CONTROL OF UTILITIES NOT SHOWN ON THIS PLAN, (SEE CHAPTER 370, ACTS OF 1963, MASSACHUSETTS)

8. BAXTER NYE ENGINEERING & SURVEYING ASSUMES NO RESPONSIBILITY FOR DAMAGES INCURRED AS A RESULT OF UTILITIES OMITTED OR INACCURATELY SHOWN.

9. THE TERM "PROPOSED" (PROP.) MEANS WORK TO BE CONSTRUCTED USING NEW MATERIALS OR. WHERE APPLICABLE, RE-USING EXISTING MATERIALS IDENTIFIED AS "REMOVE AND RESET" (R&R).

10. UPON AWARD OF CONTRACT, CONTRACTOR SHALL MAKE ALL NECESSARY CONSTRUCTION NOTIFICATIONS AND APPLY FOR AND OBTAIN ALL NECESSARY PERMITS, PAY ALL FEES AND POST ALL BONDS ASSOCIATED WITH SAME, AND COORDINATE WITH THE ENGINEER AS REQUIRED.

11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THAT THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS DO NOT CONFLICT WITH ANY KNOWN EXISTING INFORMATION OR OTHER PROPOSED IMPROVEMENTS. IF ANY CONFLICTS ARE DISCOVERED, THE CONTRACTOR MUST NOTIFY THE OWNER OR ENGINEER IMMEDIATELY UPON DISCOVERY AND AT LEAST 72 HOURS PRIOR TO INSTALLATION OF ANY PORTION OF THE AFFECTED WORK.

12. THE CONTRACTOR SHALL REFER TO ARCHITECTURAL AND STRUCTURAL DRAWINGS FOR ALL BUILDING DIMENSIONS AND CONSTRUCTION. BUILDING DIMENSIONS SHOWN HEREIN ARE FOR COORDINATION WITH OTHER SITE WORK ONLY AND SHOULD NOT BE USED TO STAKE OUT BUILDINGS. SITE CONTRACTOR SHALL STAKE OUT THE EXTERIOR BUILDING CORNERS FROM THE LATEST ARCHITECTURAL PLANS. THE CONTRACTOR SHALL NOTIFY BAXTER NYE ENGINEERING & SURVEYING OF ANY DISCREPANCIES BETWEEN SITE PLAN DIMENSIONS AND ARCHITECTURAL BUILDING PLANS BEFORE PROCEEDING WITH ANY PORTION OF SITE WORK WHICH MAY BE EFFECTED SO THAT PROPER ADJUSTMENTS TO THE SITE LAYOUT CAN BE MADE IF NECESSARY.

13. PRIOR TO THE START OF CONSTRUCTION THE CONTRACTOR SHALL SUBMIT A SCHEDULE OF OPERATIONS TO THE OWNER AND ITS REPRESENTATIVE. THE CONTRACTOR SHALL NOTIFY AND COORDINATE WITH THE OWNER, ITS ENGINEER OR REPRESENTATIVE.

14. THE CONTRACTOR SHALL CONTACT THE ENGINEER TO SCHEDULE A PRE-CONSTRUCTION MEETING AT LEAST TWO (2) WEEKS PRIOR TO COMMENCING CONSTRUCTION.

15. THE CONTRACTOR SHALL MAKE SUBMITTALS TO THE ENGINEER FOR APPROVAL BEFORE ANY FABRICATION OR DELIVERY OF PRODUCTS OR MATERIALS.

16. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR JOB SITE SAFETY AND ALL CONSTRUCTION MEANS AND METHODS. BAXTER NYE ENGINEERING & SURVEYING, DOES NOT ASSUME ANY RESPONSIBILITY IN

JOB SITE SAFETY FOR CONSTRUCTION METHODS USED. ALL FEDERAL, STATE, AND LOCAL OSHA REQUIREMENTS AND REGULATIONS SHALL BE FOLLOWED BY ALL PERSONNEL ON THE JOB SITE AT ALL 17. THE CONTRACTOR SHALL REMOVE ALL STUMPS, RUBBISH, AND DEBRIS FROM THE PROJECT SITE.

STORAGE OF THESE ITEMS WILL NOT BE PERMITTED ON THE PROJECT SITE. THE CONTRACTOR SHALL LEAVE THE SITE IN A SAFE, CLEAN, AND LEVEL CONDITION AT THE COMPLETION OF THE SITE CLEARANCE

18. ALL UNSUITABLE MATERIALS ENCOUNTERED WITHIN THE LIMIT OF WORK SUB GRADES SHALL BE REMOVED, AS DIRECTED BY THE ENGINEER OR OWNERS REPRESENTATIVE, TO NATURAL STABLE GROUND BY THE CONTRACTOR. UNSUITABLE MATERIALS INCLUDE TOPSOIL, LOAM, PEAT, ALL ORGANIC MATERIAL, SNOW, ICE, CONSTRUCTION RUBBLE, TRASH, AND OTHER DELETERIOUS DEBRIS.

19. TREES AND SHRUBS WITHIN THE LIMITS OF GRADING SHALL BE REMOVED AND RESET ONLY UPON APPROVAL OF THE ENGINEER OR OWNERS REPRESENTATIVE.

20. AREAS OUTSIDE THE LIMITS OF PROPOSED WORK DISTURBED BY THE CONTRACTOR'S OPERATIONS, WITHOUT PRIOR APPROVAL BY THE OWNER OR ITS REPRESENTATIVE, SHALL BE RESTORED BY THE CONTRACTOR TO THEIR ORIGINAL CONDITION AT THE CONTRACTOR'S EXPENSE.

21. EXISTING SUBSURFACE ROCK IS NOT SHOWN ON THE PLANS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO MAKE THEIR OWN DETERMINATION AS TO THE LOCATION OF SUBSURFACE ROCK.

SHALL BE REMOVED AND REPLACED.

22. THE CONTRACTOR SHALL PROTECT ALL UNDERGROUND DRAINAGE, SEWER, AND UTILITY FACILITIES FROM EXCESSIVE VEHICULAR LOADS DURING CONSTRUCTION. ANY FACILITIES DAMAGED BY

CONSTRUCTION LOADS SHALL BE REPAIRED BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE. 23. ALL EXISTING SIGNS WITHIN THE PROJECT LIMITS SHALL BE RETAINED UNLESS NOTED OTHERWISE.

24. JOINTS BETWEEN NEW BITUMINOUS CONCRETE ROADWAY PAVEMENT AND SAWCUT EXISTING PAVEMENT SHALL BE SEALED WITH BITUMEN AND BACKSANDED. ALL JOINTS TO EXISTING PAVEMENT SHALL BE SAWCUT TRUE AND STRAIGHT. ALL CRACKED OR INADEQUATE PAVEMENT AND/OR SUBBASE MATERIAL

25. ALL PROPOSED WALKWAYS WILL BE HANDICAPPED ACCESSIBLE. ALL PROPOSED SLOPES ON WALKWAYS SHALL BE LESS THAN 5% AND ALL CROSS SLOPES < 2%. THESE ARE MAXIMUM SLOPES WITH NO TOLERANCE. ALL WORK WILL BE IN ACCORDANCE WITH THE MOST CURRENT REQUIREMENTS OF THE U.S. ACCESS BOARD, AMERICANS WITH DISABILITIES ACT & COMMONWEALTH OF MASSACHUSETTS, ARCHITECTURAL ACCESS BOARD.

26. FINAL LAYOUT AND STAKING OF ALL PROPOSED FEATURES AND GRADING SHALL BE REVIEWED IN THE FIELD AND APPROVED BY THE OWNERS REPRESENTATIVE PRIOR TO ANY SITE PREPARATION OR CONSTRUCTION. THE CONTRACTOR SHALL NOT ADJUST OR MODIFY THE LAYOUT AND STAKING OF ANY PROPOSED FEATURES WITHOUT FINAL APPROVAL FROM THE OWNERS REPRESENTATIVE AND ANY GOVERNMENTAL AGENCY WHICH MAY HAVE JURISDICTION OVER CONTEMPLATED CHANGE.

27. ALL ELECTRICAL (BOTH PRIMARY AND SECONDARY), TELEPHONE, DATA/COM AND FIRE DEPARTMENT CONDUITS AND APPURTENANT FEATURES REQUIRED BY THE APPLICABLE UTILITY COMPANY ARE TO BE INSTALLED BY THE ELECTRICAL CONTRACTOR. TRENCHING, BACKFILLING, CONCRETE WORK, MANHOLE AND RELATED STRUCTURES AND STREET REPAIR SHALL BE PERFORMED BY THE GENERAL CONTRACTOR/SITE CONTRACTOR. ALL ASSOCIATED COSTS FOR COMPLETE EXECUTION OF THIS WORK SHALL BE INCLUDED IN THE CONTRACTORS PRICING.

28. RIM ELEVATIONS OF DRAINAGE AND SANITARY SEWER MANHOLES ARE APPROXIMATE. FINAL ELEVATIONS ARE TO BE SET FLUSH AND CONSISTENT WITH GRADING PLANS. ADJUST ALL OTHER RIM ELEVATIONS OF MANHOLES, GAS GATES, WATER GATES AND OTHER UTILITIES TO FINISHED GRADE WITHIN THE LIMITS OF THE SITE WORK.

29. ALL AREAS DISTURBED DURING CONSTRUCTION SHALL BE REPLACED IN KIND. SURFACES NOT OTHERWISE TREATED SHALL BE STABILIZED AS LAWNS. ALL LAWN AREAS SHALL HAVE A MODIFIED LOAM BORROW PLACED, SEEDED, FERTILIZED, LIMED AND MULCHED UNTIL GRASS STAND IS ESTABLISHED AND SURFACE IS STABILIZED. THE MODIFIED LOAM BORROW SHALL HAVE A MINIMUM DEPTH OF 6" AND SHALL BE PLACED FLUSH WITH THE TOP OF ADJACENT CURB, EDGING, BERM, OR OTHER SURFACE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR AREAS UNTIL VEGÉTATION HAS BÉEN PERMANENTLY ESTABLISHED. SLOPES IN EXCESS OF 3:1 SHALL BE FURTHER STABILIZED WITH EROSION CONTROL BLANKETS (ECB) OF CURLEX OR EQUAL.

30. THE CONTRACTOR SHALL WATER, MOW, FERTILIZE OR OTHERWISE MAINTAIN ALL SODDED AND SEEDED OR OTHERWISE STABILIZED AREAS UNTIL GRASS STANDS OR OTHER VEGETATED METHODS ARE ESTABLISHED TO THE SATISFACTION OF THE OWNER OR THEIR REPRESENTATIVE.

31. THE CONTRACTOR SHALL RESET ALL MONUMENTATION DISTURBED DURING CONSTRUCTION AT NO ADDITIONAL COST TO THE OWNER. THE CONTRACTOR SHALL PROVIDE A SURVEY BY A PLS TO ENSURE THAT THE MONUMENTATION IS RESET TO ITS ORIGINAL LOCATION. MONUMENTS INCLUDE, BUT ARE NOT LIMITED TO, TOWN BOUNDS, MASS HIGHWAY BOUNDS, PROPERTY LINE MONUMENTS, IRON RODS, STAKES, CONCRETE BOUNDS, GRANITE BOUNDS AND STONE WALLS WITH DRILL

EXCAVATION SAFETY:

ALL EXCAVATION MUST FOLLOW OSHA, MASSACHUSETTS AND LOCAL REGULATIONS FOR SAFETY. ALL TRENCH EXCAVATION EXCEEDING 3 FEET OF DEPTH WILL REQUIRE A TRENCH PERMIT FROM THE LOCAL

DRAWINGS STATEMENT:

THE CONTRACTOR WILL PREPARE AS-BUILT DRAWINGS, STAMPED BY A MA LICENSED PROFESSIONAL ENGINEER (PE) CERTIFYING THAT: "TO THE BEST OF THEIR KNOWLEDGE, JUDGEMENT AND BELIEF, THE CONSTRUCTED WORK IS IN GENERAL CONFORMANCE WITH THE PLANS."

INSPECTIONS/TESTING:

1. CONTRACTOR IS RESPONSIBLE TO COORDINATE WITH THE ENGINEER ON ALL NECESSARY INSPECTIONS. THE CONTRACTOR SHALL NOTIFY THE ENGINEER AT LEAST TWO (2) BUSINESS DAYS AHEAD OF REQUIRED

2. AT A MINIMUM, THE FOLLOWING INSPECTIONS/TESTING WILL BE REQUIRED. IF ISSUES ARISE DURING CONSTRUCTION THE CONTRACTOR SHALL NOTIFY THE ENGINEER AS ADDITIONAL INSPECTIONS BEYOND WHAT IS NOTED MAY BE NEEDED

- A. INSTALLATION OF SEDIMENT AND EROSION CONTROLS AT LIMIT OF WORK PRIOR TO COMMENCING CONSTRUCTION.
- B. DRAINAGE AND STORMWATER MANAGEMENT:
- BOTTOM OF EXCAVATION FOR EACH STORMWATER MANAGEMENT (SWM) FACILITY. DURING INSTALLATION OF STRUCTURES TO SEE A CROSS SECTION VIEW OF INSTALLATION • AT COMPLETION OF INSTALLATION OF EACH SWM FACILITY PRIOR TO BACKFILL.
- C. GRAVEL BORROW SUBBASE UNDER ALL PAVED AND CONCRETE SURFACES (UNLESS OTHERWISE WITNESSED BY A TESTING AGENCY.)

AT FINAL SHAPING OF STONE WEIRS, OUTFALLS AND EARTH BERMS

- D. BN WILL NEED TO WITNESS REPRESENTATIVE INSTALLATION OF VERTICAL AND SLOPED CURBING.
- E. BN SHALL BE PROVIDED FOR REVIEW ALL TESTING AGENCY LABORATORY MATERIAL AND ON-SITE TESTING RESULTS AS REQUIRED UNDER THE PROJECT DOCUMENTS FOR COMPLETE REQUIREMENTS, INCLUDING BUT NOT LIMITED TO:
 - SANDY TOPSOIL SIEVE ANALYSIS AND MATERIAL CHARACTERISTICS PER SPEC FOR SWM - ALL COMPACTION TESTING RESULTS FOR BACKFILL.
 - GRAVEL BORROW MATERIAL UNDER PAVING, SIDEWALK, SITE SLABS, PADS, ETC. AS TO DEPTH OF MATERIAL PLACEMENT AND COMPACTION TESTING RESULTS.

 BITUMINOUS CONCRETE PLACEMENT AND COMPACTION TESTING RESULTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING MATERIAL SAMPLES TO AND COORDINATING

F. BN WILL NEED TO WITNESS A REPRESENTATIVE UTILITY INSTALLATION BEFORE BACKFILL FOR:

- CONTRACTOR SHALL CONTACT BN THREE BUSINESS DAYS PRIOR TO ALLOW BN TO TAKE AS-BUILT SHOTS ON PIPE BENDS, PIPE TOP FOR AS-BUILT REQUIREMENTS - THE WATER SYSTEM SHALL BE INSPECTED BY A THIRD PARTY APPROVED WATER INSPECTOR PAID FOR BY THE CONTRACTOR. ACCEPTANCE REPORTS AND AS-BUILT TIE CARDS FOR THE WATER SYSTEM (INCLUDING TIES TO ALL BENDS, TEES, ETC.) SHALL BE PREPARED BY THE 3RD PARTY INSPECTOR AND PROVIDED TO THE

INSTALLATION OF PIPE AND PIPE BEDDING, AND SMH PRIOR TO BACKFILLING. CONTRACTOR SHALL PROVIDE ALL REQUIRED TESTING FOR ACCEPTANCE OF THI SEWER SYSTEM. UNACCEPTABLE TEST/INSPECTION RESULTS WILL RESULT IN THE CONTRACTOR REPAIRING THE CONDITION AT NO ADDITIONAL EXPENSE TO THE OWNER. - CONTRACTOR TO PROVIDE BN WITH APPROVED TESTING REPORTS.

SANITARY SEWER TESTING SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND SHALL

ALL SEWERS AND APPURTENANT WORK, IN ORDER TO BE ELIGIBLE FOR ACCEPTANCE BY THE ENGINEER, SHALL BE SUBJECTED TO TESTS THAT WILL DETERMINE THE DEGREE OF WATER

TIGHTNESS AND HORIZONTAL AND VERTICAL ALIGNMENT. THOROUGHLY CLEAN AND/OR FLUSH ALL SEWER LINES TO BE TESTED, IN A MANNER AND TO

THE EXTENT ACCEPTABLE TO THE ENGINEER, PRIOR TO INITIATING TEST PROCEDURES. 3. TESTING GRAVITY SEWER PIPING:

 a. LOW-PRESSURE AIR TEST. b. INFILTRATION TEST.

WITH THE TESTING AGENCY AS REQUIRED.

4. HYDROSTATIC TESTING PRESSURE PIPING

ENGINEER FOR RECORD.

5. DEFLECTION TESTING PLASTIC PIPING. a. DEFLECTION TESTING PER ACCEPTED STANDARDS (RIGID BALL, "GO-NO GO MANDREL). MAX ALLOWABLE DEFLECTION IS 5% OF ORIGINAL PIPE DIAMETER. PIPES HOLDING WATER

MAY RESULT IN FAILING INSPECTION. CAMERA VIDEO INSPECTION.

SEALING AND TESTING PRECAST SANITARY SEWER MANHOLES. FRAMES AND COVERS 8. WATER TIGHT TESTS PRIOR TO BACKFILLING OF WET WELL AND TANKS PER ACCEPTABLE

ALL TESTING SHALL BE PERFORMED PRIOR TO ACCEPTANCE OF THE SEWER SYSTEM.

H. THE CONTRACTOR SHALL NOTIFY AND COORDINATE A SITE MEETING WITH THE ENGINEER PRIOR TO PLACING FINAL PAVING COURSE. LAYOUT AND FINAL REQUIRED DIMENSIONS ARE TO BE REVIEWED AT THIS MEETING PRIOR TO PAVING OPERATION. REQUIREMENTS SHALL BE PER MASSDOT STANDARD SPECIFICATIONS.

I. FINAL STABILIZATION AND PLANTINGS PRIOR TO REMOVING ANY SEDIMENT AND EROSION CONTROL DEVICES.

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CONSULTANT

CONSULTANT

PREPARED FOR

Southworth Mashpee Properties, LLC

130 Willowbend Drive Mashpee, MA 02649

PROJECT TITLE Cranberry Point

275 Quinaquisset Avenue | Mashpee, MA 02649

\triangle	JKL	3/24/2023	PER PLANNING BOARD COMMENTS	
		DATE	DESCRIPTION	
SHEET TITLE				

General Notes & Legend Plan

SHEET NO

SCALE: NO SCALE

DRAWN BY: **JKL**

DATE: JANUARY 16, 2023

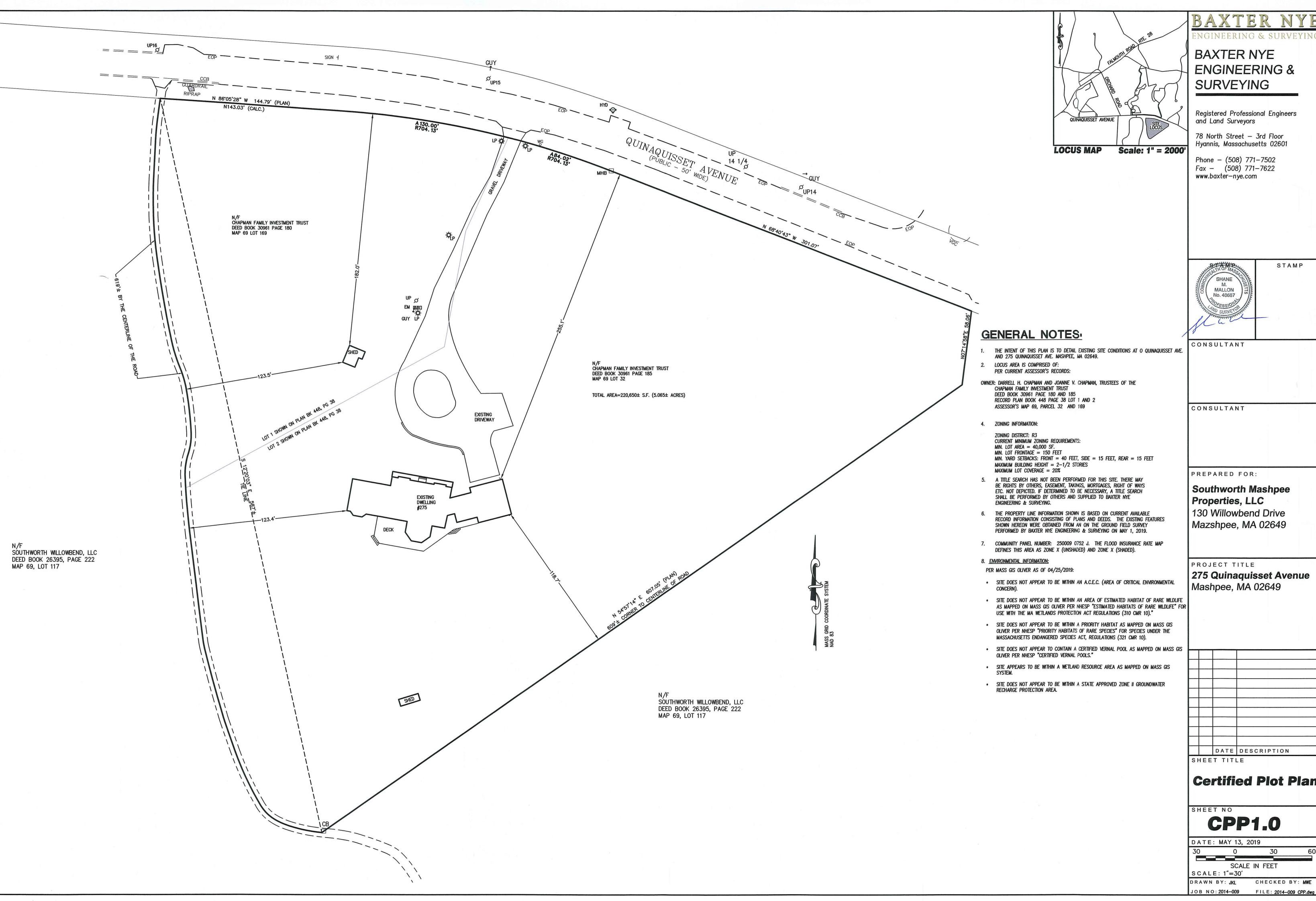
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JOB NO: **2014-009**

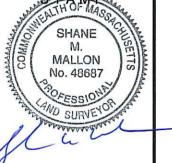


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Southworth Mashpee Properties, LLC

Mazshpee, MA 02649

275 Quinaquisset Avenue Mashpee, MA 02649

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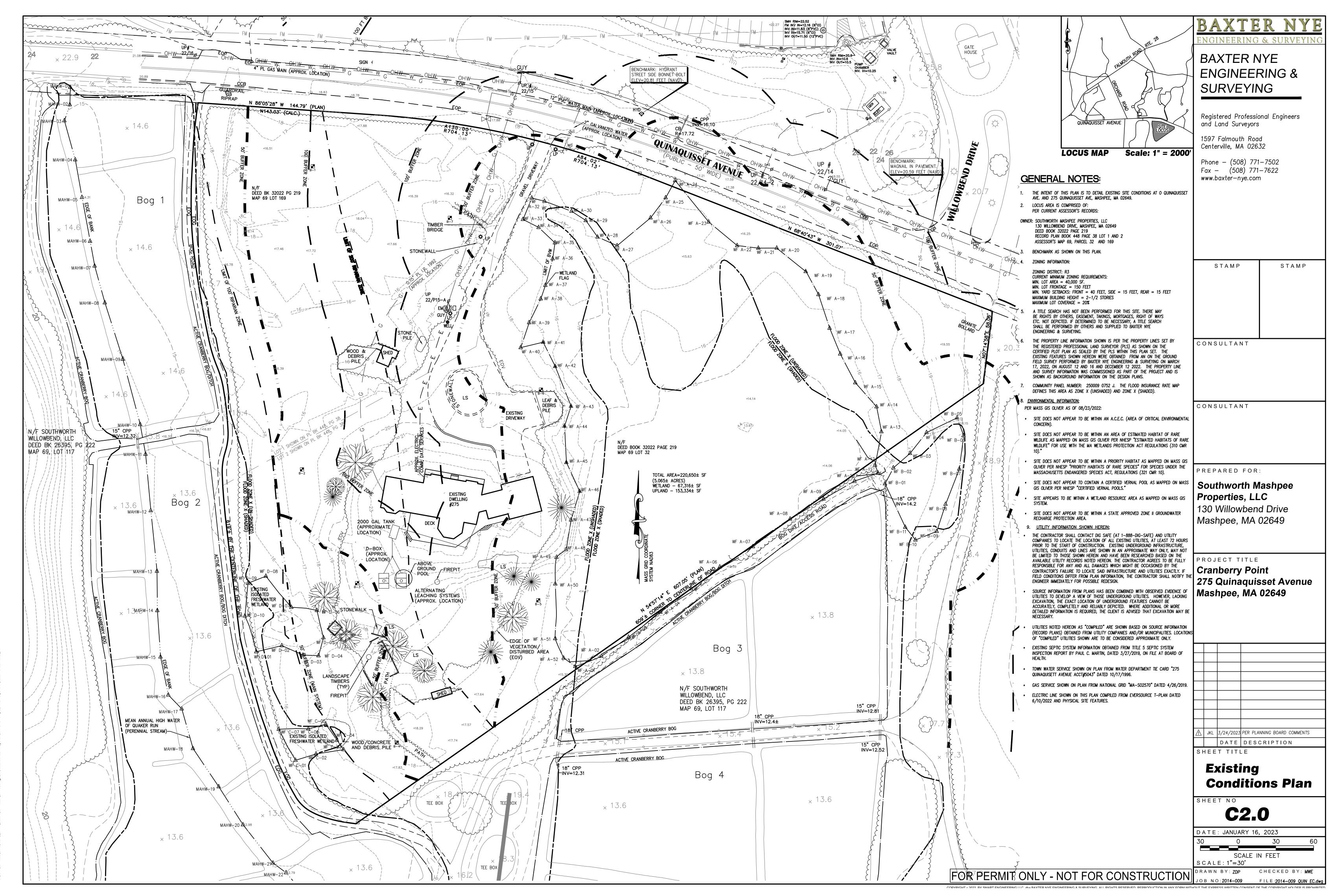
Certified Plot Plan

DATE: MAY 13, 2019

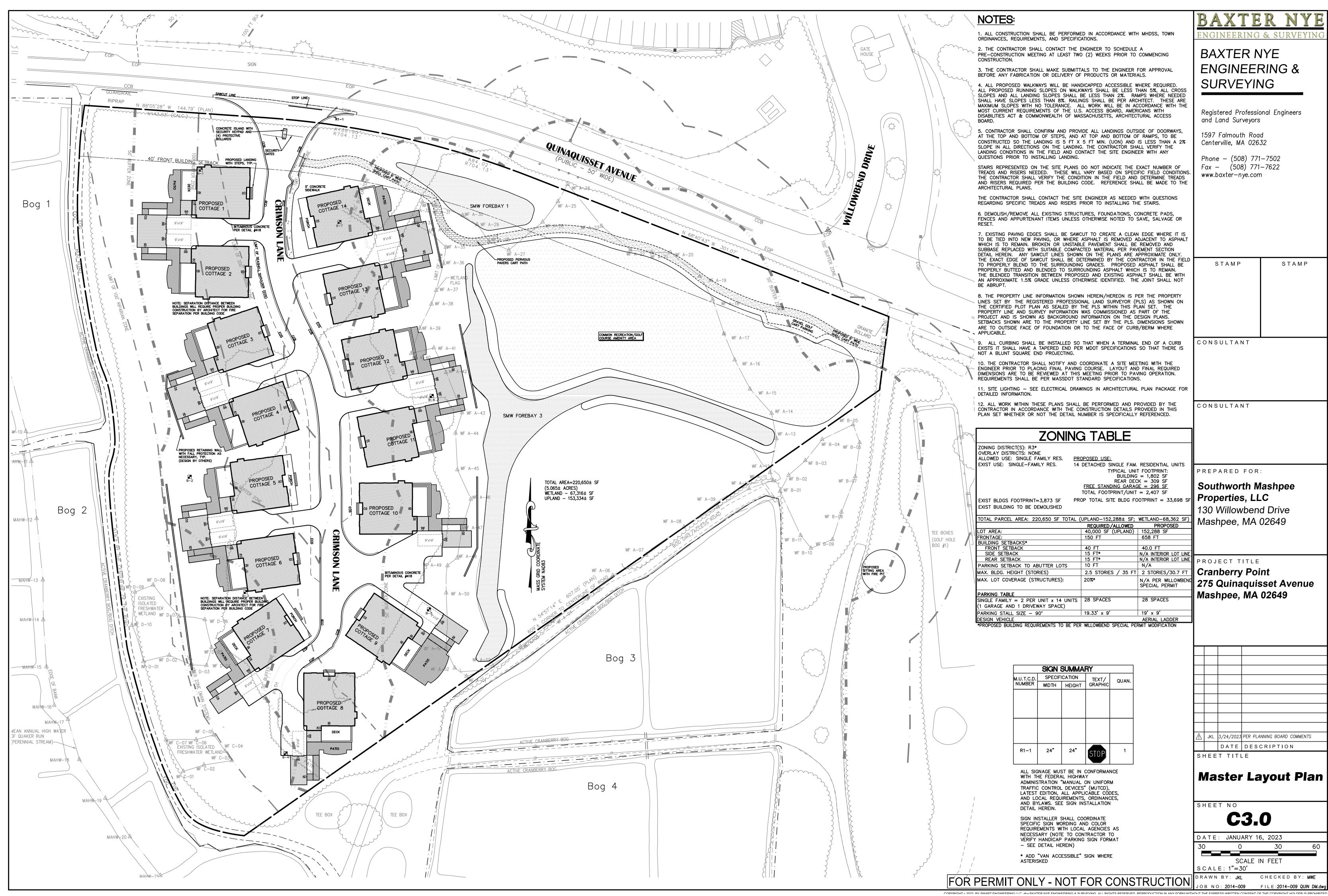
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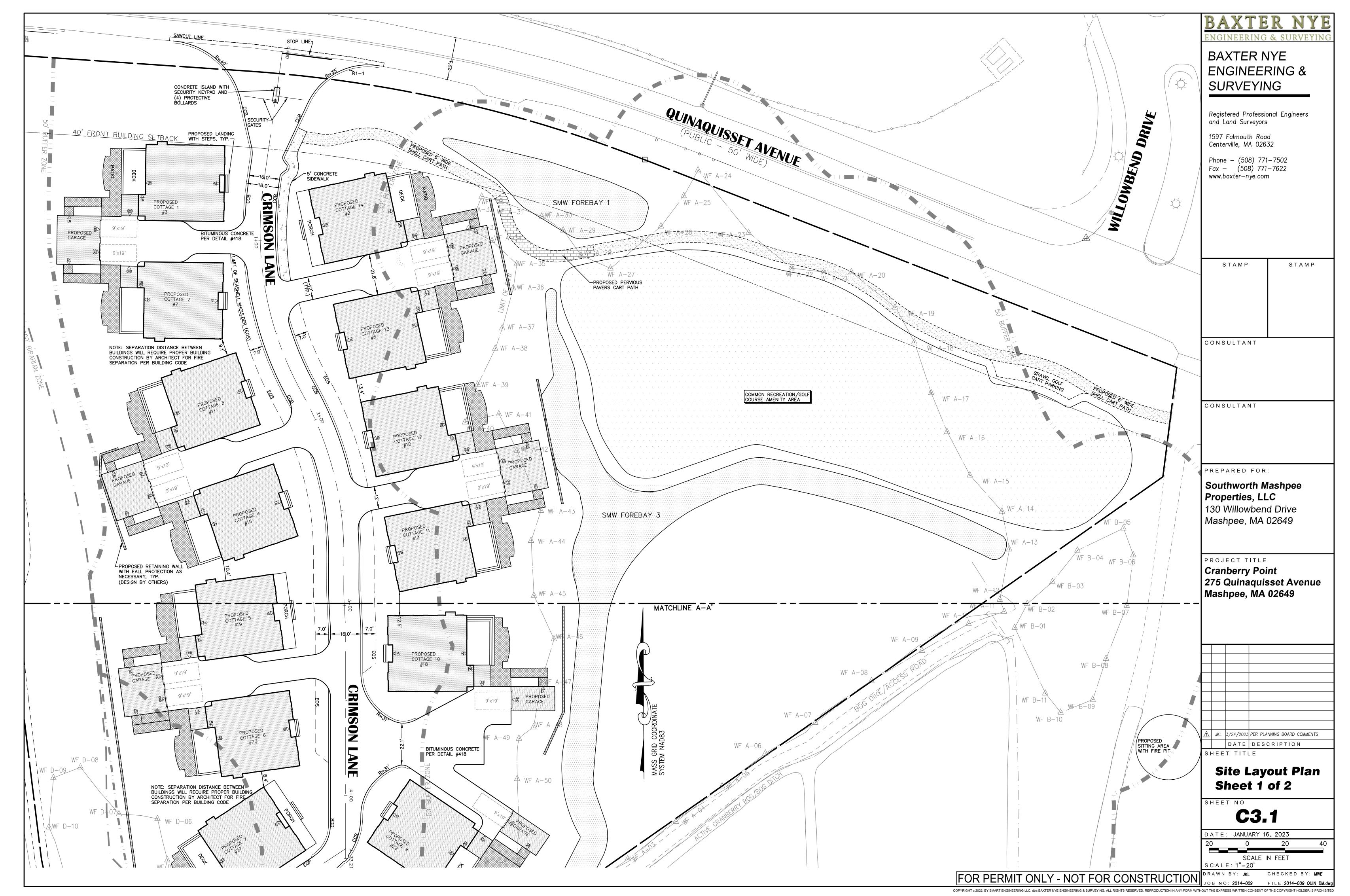
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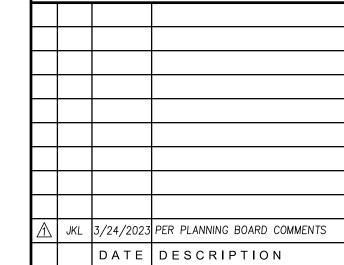
CONSULTANT

PREPARED FOR:

Southworth Mashpee Properties, LLC 130 Willowbend Drive

Mashpee, MA 02649

PROJECT TITLE Cranberry Point 275 Quinaquisset Avenue Mashpee, MA 02649



SHEET TITLE

Sight Distance Plan

SHEET NO

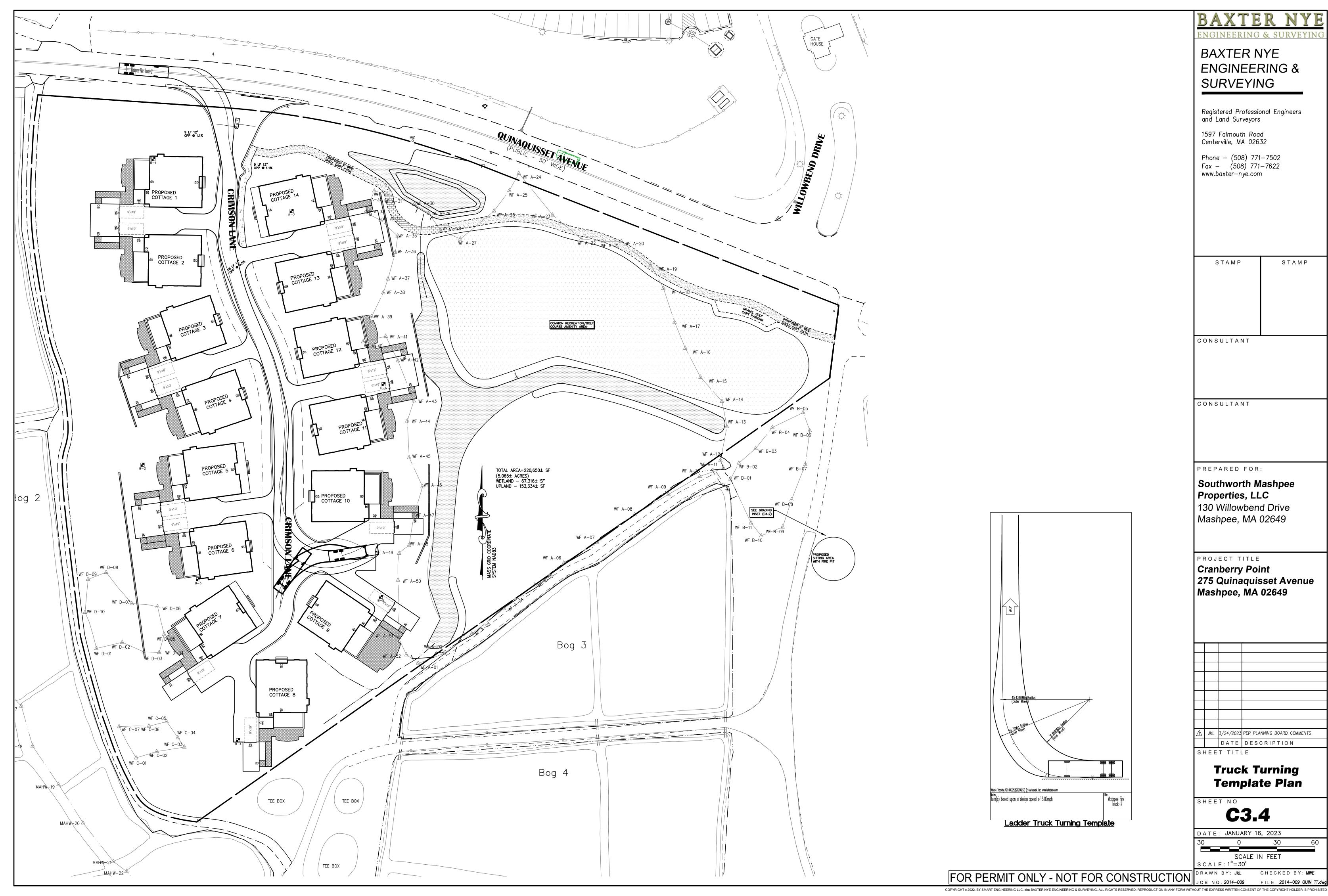
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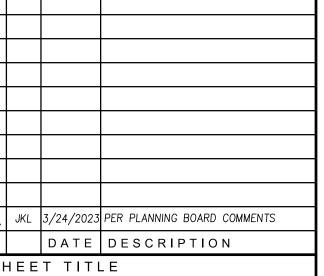
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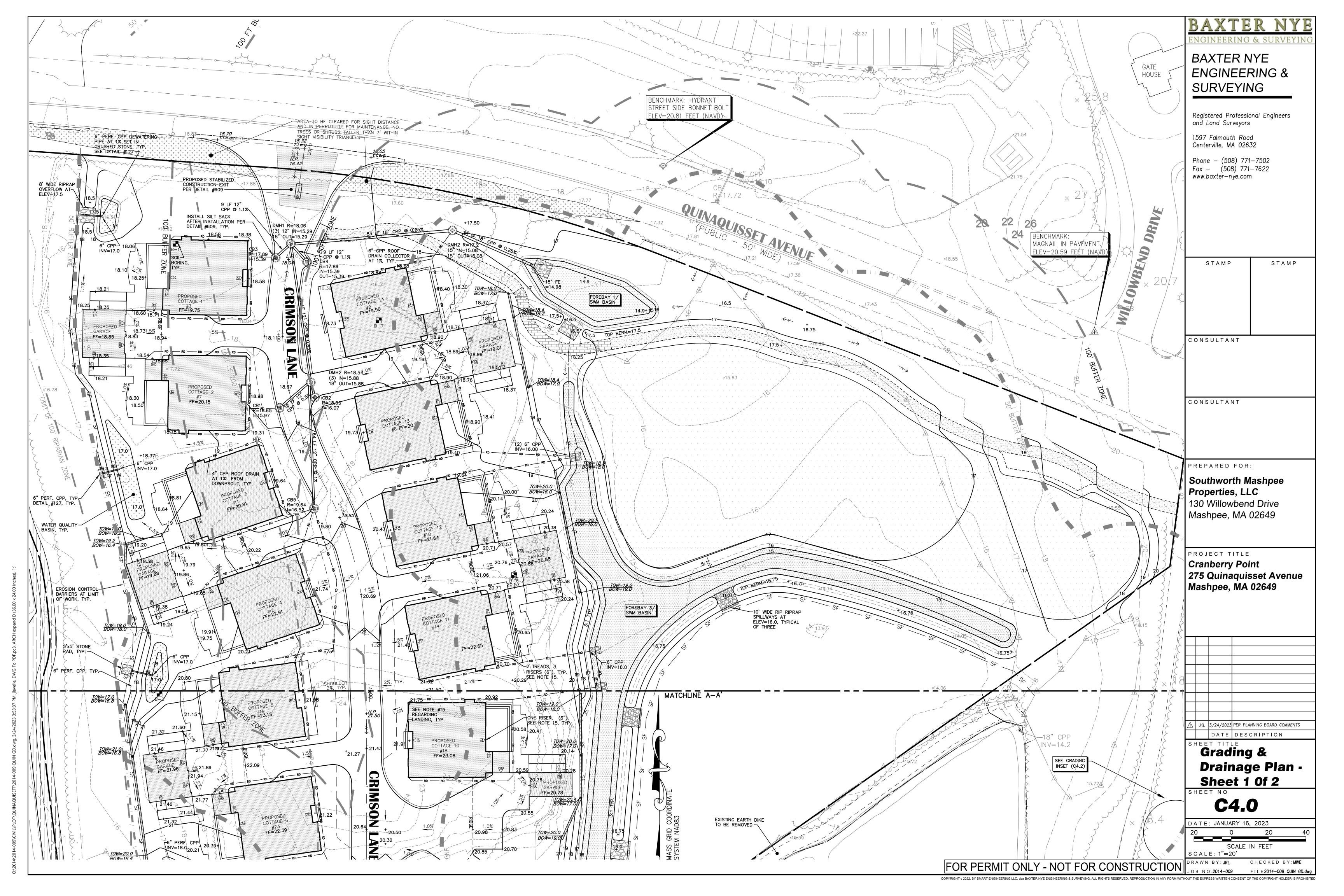
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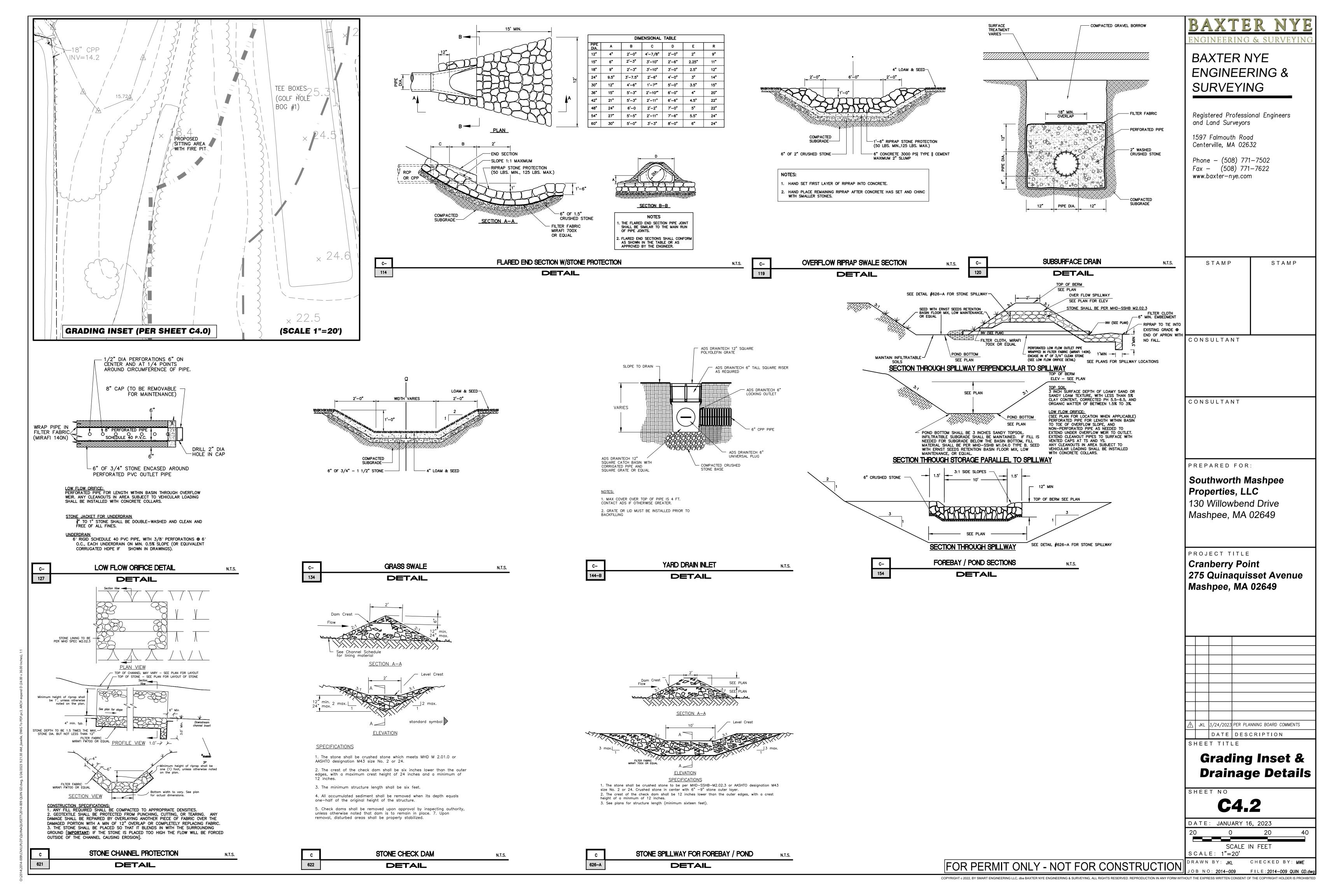
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SWM SPECIFICATIONS

ALL MATERIALS AND WORK SHALL BE IN ACCORDANCE WITH THE MASSDOT/MASSHIGHWAY STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES (MHDSS), SPECIFIC ON-SITE SOIL SPECIFICATIONS IF A GEOTECHNICAL REPORTS WAS PERFORMED, AND THE PLANS HEREIN. WHERE CONFLICTS OF INFORMATION EXIST, THE MORE RESTRICTIVE SHALL APPLY. ALL REFERENCES TO ASTM AND AASHTO SPECIFICATIONS APPLY TO THE MOST RECENT VERSION.

(NOTE: THE CONTRACTOR SHALL BE RESPONSIBLE TO FULLY UNDERSTAND THIS INFORMATION AND INTENT OF THE SWM FACILITIES AND SHALL REVIEW THIS INFORMATION WITH THE ENGINEER AS NEEDED.

SITE PREPARATION AND GRADING:

AREAS DESIGNATED FOR BORROW AREAS, EMBANKMENT, AND STRUCTURAL WORKS SHALL BE CLEARED, GRUBBED AND STRIPPED OF TOPSOIL. ALL TREES, VEGETATION, ROOTS AND OTHER OBJECTIONABLE MATERIAL SHALL BE REMOVED. CHANNEL BANKS AND SHARP BREAKS SHALL BE SLOPED TO NO STEEPER

AREAS TO BE COVERED BY THE INFILTRATION AREA, BASIN OR RESERVOIR WILL BE CLEARED OF ALL TREES, BRUSH, LOGS, FENCES, RUBBISH AND OTHER OBJECTIONABLE MATERIAL UNLESS OTHERWISE DESIGNATED ON THE PLANS. TREES, BRUSH AND STUMPS SHALL BE CUT APPROXIMATELY LEVEL WITH THE GROUND SURFACE FOR DRY STORMWATER MANAGEMENT PONDS, A MINIMUM OF A 50-FOOT RADIUS AROUND THE INLET STRUCTURE SHALL BE CLEARED. ALL CLEARED AND GRUBBED MATERIAL SHALL BE DISPOSED OF OUTSIDE AND BELOW THE LIMITS OF THE DAM, BASIN AND RESERVOIR AS DIRECTED BY THE OWNER OR HIS REPRESENTATIVE

THE CONTRACTOR SHALL ENSURE ALL SWM AREAS WHICH ARE DESIGNED FOR INFILTRATION SHALL HAVE THEIR EXISTING INFILTRATABLE SUBSOIL CONDITIONS UNCHANGED AT THE HEREIN SPECIFIED ELEVATIONS FOR THE STORMWATER MANAGEMENT FACILITY. THE INFILTRATABLE LAYER BELOW THE DESIGN ELEVATION SHALL NOT BE MINED, ALTERED OR AFFECTED FROM CONSTRUCTION IN ANY WAY. WITHIN BASIN FOOTPRINTS, BOTTOMS, AND NON-EMBANKMENT (NON-DAM) SIDESLOPES, NO UNSUITABLE OR LESS PERVIOUS MATERIAL SHALL BE PLACED OVER THESE LAYERS WHICH COULD AFFECT THE INFILTRATION RATE, UNLESS OTHERWISE SPECIFICALLY IDENTIFIED BY THE ENGINEER. IF SUBGRADE FILL IS NEEDED FOR SWM INFILTRATION BOTTOM AND NON-EMBANKMENT (NON-DAM) SIDE SLOPE AREAS. THE FILL SHALL MEET THE SPECIFICATIONS OF MHD-SSHB M.1.04.0 TYPE B. FILL IN AREAS OF INFILTRATION SHALL NOT BE OVERLY COMPACTED. INFILTRATION AREAS SHALL BE PROTECTED FROM EXCESSIVE CONSTRUCTION EQUIPMENT MOVEMENT AND SEDIMENT/EROSION RUNOFF SO AS TO PRESERVE THE INFILTRATION CHARACTERISTICS. THE CONTRACTOR
SHALL BE RESPONSIBLE TO FULLY UNDERSTAND THIS INFORMATION AND INTENT OF THE SWM FACILITIES AND
SHALL REVIEW THIS INFORMATION WITH THE ENGINEER AS NEEDED.

TOPSOIL OR PLANTING MATERIAL REQUIRED FOR SEEDING, SOD OR VEGETATION GROWTH ON THE BASIN BOTTOM AND NON-EMBANKMENT SIDESLOPES, SHALL BE PLACED IN ONLY A THREE (3) INCH SURFACE DEPTH OF LOAMY SAND OR SANDY LOAM TOPSOIL (EXCESSIVE TOPSOIL SHALL NOT BE PLACED WHERE INFILTRATION IS USED). THE TOPSOIL SHALL NOT INHIBIT THE INFILTRATION RATE OF THE FACILITY. THE TOPSOIL SHALL BE LESS THAN 5% CLAY CONTENT (AND <5% MATERIALS PASSING THE #200 SIEVE), CORRECTED PH 5.5-6.5, AND ORGANIC MATTER OF BETWEEN 1.5% TO 3%.

THREE (3) INCHES OF HARDWOOD MULCH SHALL BE PLACED AROUND REQUIRED SHRUBS AND OTHER SPECIFIÈD LANDSCAPE PLANTINGS, MULCH SHALL BE PLACED ACROSS THE BOTTOM OF BIO-RETENTION AREAS IF SPECIFIED IN THE PLAN DETAILS. WHERE A PLANTING PLAN OR SCHEDULE IS NOT IDENTIFIED FOR THE SWM FACILITIES, THEN THE BOTTOM AND SIDE SLOPES OF SWM BASINS AND BIORETENTION FACILITIES SHALL BE STABILIZED AND SEEDED AS FOLLOWS:

- BOTTOM AND SIDE SLOPES OF BASINS/FACILITES SHALL BE SEEDED AND STABILIZED WITH ERNST SEEDS RETENTION BASIN FLOOR MIX, LOW MAINTENANCE, OR EQUAL.
- GENERAL SLOPES SHALL BE SEEDED AND STABILIZED WITH "NEW ENGLAND EROSION
- CONTROL/RESTORATION SEED MIX".
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING EROSION, CLEANOUT OF SEDIMENT FROM EROSION, AND RESEEDING AS NEEDED UNTIL FULL STABILIZATION IS ACHIEVED. THIS SHALL BE REQUIRED THROUGH TWO GROWING SEASONS.

NO OTHER MATERIALS UNLESS SPECIFICALLY IDENTIFIED AND REVIEWED BY THE ENGINEER, SHALL BE PLACED ON THE BASIN BOTTOM.

EARTH FILL FOR EMBANKMENTS ONLY:

MATERIAL - THE FILL MATERIAL SHALL BE TAKEN FROM APPROVED DESIGNATED BORROW AREAS. IT SHALL BE FREE OF ROOTS, STUMPS, WOOD, RUBBISH, STONES GREATER THAN 6". FROZEN OR OTHER OBJECTIONABLE MATERIALS. FILL MATERIAL FOR THE CENTER OF THE DAM EMBANKMENT AND CUT OFF TRENCH WHICH ARE TO BE IMPERMEABLE SHALL CONFORM TO UNIFIED SOIL CLASSIFICATION GC, SC, CH OR CL. CONSIDERATION MAY BE GIVEN TO THE USE OF OTHER MATERIALS IN THE EMBANKMENT IF DESIGN AND CONSTRUCTION ARE SUPERVISED BY A GEOTECHNICAL ENGINEER.

PLACEMENT - AREAS ON WHICH FILL IS TO BE PLACED SHALL BE SCARIFIED PRIOR TO PLACEMENT OF FILL FILL MATERIALS SHALL BE PLACED IN MAXIMUM 8 INCH THICK (BEFORE COMPACTION) LAYERS AND ARE TO BE CONTINUOUS OVER THE ENTIRE LENGTH OF THE FILL. THE MOST PERMEABLE BORROW MATERIAL SHALL BE PLACED IN THE DOWNSTREAM PORTIONS OF THE DAM EMBANKMENT. THE PRINCIPAL SPILLWAY MUST BE INSTALLED CONCURRENTLY WITH FILL PLACEMENT AND NOT EXCAVATED INTO THE EMBANKMENT.

COMPACTION - THE MOVEMENT OF THE HAULING AND SPREADING EQUIPMENT OVER THE EMBANKMENT FILL SHALL BE CONTROLLED SO THAT THE ENTIRE SURFACE OF EACH LIFT SHALL BE TRAVERSED BY NOT LESS THAN ONE TREAD TRACK OF THE EQUIPMENT OR COMPACTION SHALL BE ACHIEVED BY A MINIMUM OF FOUR COMPLETE PASSES OF A SHEEPSFOOT, RUBBER TIRED OR VIBRATORY ROLLER (COMPACTION OF 95% STANDARD PROCTOR SHALL BE ACHIEVED). FILL MATERIAL SHALL CONTAIN SUFFICIENT MOISTURE SUCH THAT THE REQUIRED DEGREE OF COMPACTION WILL BE OBTAINED WITH THE EQUIPMENT USED. THE FILL MATERIAL SHALL CONTAIN SUFFICIENT MOISTURE SO THAT IF FORMED INTO A BALL IT WILL NOT CRUMBLE YET NOT BE SO WET THAT WATER CAN BE SQUEEZED OUT.

A MINIMUM REQUIRED DENSITY SHALL NOT BE LESS THAN 95% OF MAXIMUM DRY DENSITY WITH A MOISTURE CONTENT WITHIN ±2% OF OPTIMUM. EACH LAYER OF FILL SHALL BE COMPACTED AS NECESSARY TO OBTAIN THAT DENSITY, AND IS TO BE TESTED AND CERTIFIED BY A GEOTECHNICAL ENGINEER AT THE TIME OF CONSTRUCTION. ALL COMPACTION IS TO BE DETERMINED BY AASHTO METHOD T-99.

STRUCTURE BACKFILL

BACKFILL ADJACENT TO PIPES OR STRUCTURES SHALL BE OF THE TYPE AND QUALITY CONFORMING TO THAT SPECIFIED FOR THE ADJOINING FILL MATERIAL. THE FILL SHALL BE PLACED IN HORIZONTAL LAYERS NOT TO EXCEED FOUR INCHES IN THICKNESS AND COMPACTED BY HAND TAMPERS OR OTHER MANUALLY DIRECTED COMPACTION EQUIPMENT. THE MATERIAL NEEDS TO FILL COMPLETELY ALL SPACES UNDER AND ADJACENT TO THE PIPE. AT NO TIME DURING THE BACKFILLING OPERATIONS SHALL DRIVEN EQUIPMENT BE ALLOWED OVER OR WITHIN 4 FEET OF A CONCRETE STRUCTURE OR PIPE, UNLESS THERE IS A COMPACTED FILL OF 24" OR GREATER OVER THE STRUCTURE OR PIPE.

RIP-RAP

ROCK RIPRAP SHALL MEET THE REQUIREMENTS OF MHDSS.

THE RIPRAP SHALL BE PLACED TO THE REQUIRED THICKNESS IN ONE OPERATION. THE ROCK SHALL BE DELIVERED AND PLACED IN A MANNER THAT WILL INSURE THAT THE RIPRAP IN PLACE SHALL BE REASONABLY HOMOGENEOUS WITH THE LARGER ROCKS UNIFORMLY DISTRIBUTED AND FIRMLY IN CONTACT ONE TO ANOTHER WITH THE SMALLER ROCKS FILLING THE VOIDS BETWEEN THE LARGER ROCKS. FILTER CLOTH SHALL BE PLACED UNDER ALL RIPRAP AND SHALL MEET THE REQUIREMENTS OF MHDSS.

CHAMBERS

ALL CHAMBERS (PLASTIC AND CONCRETE) SHALL BE HANDLED AND INSTALLED IN STRICT ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS, GUIDELINES, AND REQUIREMENTS.

PIPE CONDUITS

ALL PIPES SHALL BE CIRCULAR IN CROSS SECTION.

POLYVINYL CHLORIDE (PVC) PIPE-

REINFORCED CONCRETE PIPE-

ALL OF THE FOLLOWING CRITERIA SHALL APPLY FOR REINFORCED CONCRETE PIPE:

1. MATERIALS - REINFORCED CONCRETE PIPE SHALL HAVE BELL AND SPIGOT JOINTS WITH RUBBER GASKETS AND SHALL EQUAL OR EXCEED ASTM C-361. THIS BEDDING SHALL CONSIST OF HIGH SLUMP CONCRETE PLACED UNDER THE PIPE AND UP THE SIDES OF THE PIPE AT LEAST 10% OF ITS OUTSIDE DIAMETER WITH A MINIMUM THICKNESS OF 3 INCHES, OR AS SHOWN ON THE DRAWINGS.

2. BEDDING - ALL REINFORCED CONCRETE PIPE CONDUITS SHALL BE LAID IN A CONCRETE BEDDING FOR THEIR ENTIRE LENGTH.

3. LAYING PIPE - BELL AND SPIGOT PIPE SHALL BE PLACED WITH THE BELL END UPSTREAM. JOINTS SHALL BE MADE IN ACCORDANCE WITH RECOMMENDATIONS OF THE MANUFACTURER OF THE MATERIAL. AFTER THE JOINTS ARE SEALED FOR THE ENTIRE LINE, THE BEDDING SHALL BE PLACED SO THAT ALL SPACES UNDER THE PIPE ARE FILLED. CARE SHALL BE EXERCISED TO PREVENT ANY DEVIATION FROM THE ORIGINAL LINE AND GRADE OF THE PIPE. THE FIRST JOINT MUST BE LOCATED WITHIN 2 FEET FROM THE RISER.

4. BACKFILLING SHALL CONFORM TO "STRUCTURE BACKFILL".

5. OTHER DETAILS (ANTI-SEEP COLLARS, VALVES, ETC.) SHALL BE AS SHOWN ON THE DRAWINGS.

ALL OF THE FOLLOWING CRITERIA SHALL APPLY FOR POLYVINYL CHLORIDE (PVC) PIPE:

1. MATERIALS - PVC PIPE SHALL BE PVC-1120 OR PVC-1220 CONFORMING TO ASTM D-1785 OR ASTM

2. JOINTS AND CONNECTIONS TO ANTI-SEEP COLLARS SHALL BE COMPLETELY WATERTIGHT.

3. BEDDING — THE PIPE SHALL BE FIRMLY AND UNIFORMLY BEDDED THROUGHOUT ITS ENTIRE LENGTH. WHERE ROCK OR SOFT, SPONGY OR OTHER UNSTABLE SOIL IS ENCOUNTERED, ALL SUCH MATERIAL SHALL BE REMOVED AND REPLACED WITH SUITABLE EARTH COMPACTED TO PROVIDE ADEQUATE SUPPORT.

4. BACKFILLING SHALL CONFORM TO "STRUCTURE BACKFILL".

5. OTHER DETAILS (ANTI-SEEP COLLARS, VALVES, ETC.) SHALL BE AS SHOWN ON THE DRAWINGS.

<u>CONCRETE</u> CONCRETE SHALL MEET THE REQUIREMENTS OF MHDSS.

ROCK RIPRAP ROCK RIPRAP SHALL MEET THE REQUIREMENTS OF MHDSS.

THE RIPRAP SHALL BE PLACED TO THE REQUIRED THICKNESS IN ONE OPERATION. THE ROCK SHALL BE DELIVERED AND PLACED IN A MANNER THAT WILL INSURE THE RIPRAP IN PLACE SHALL BE REASONABLY HOMOGENEOUS WITH THE LARGER ROCKS UNIFORMLY DISTRIBUTED AND FIRMLY IN CONTACT ONE TO ANOTHER WITH THE SMALLER ROCKS FILLING THE VOIDS BETWEEN THE LARGER ROCKS. FILTER CLOTH SHALL BE PLACED UNDER ALL RIPRAP AND SHALL MEET THE REQUIREMENTS OF MHDSS.

ANY CLEANOUTS IN AREA SUBJECT TO VEHICULAR LOADING SHALL BE INSTALLED WITH CONCRETE COLLARS.

LOW FLOW ORIFICE (IF IDENTIFIED ON PLAN AS NEEDED): PERFORATED PIPE FOR LENGTH WITHIN BASIN TO UPSTREAM SIDE TOE OF OVERFLOW SLOPE, AND

NON-PERFORATED PIPE AS NEEDED TO EXTEND UNDER OVERFLOW WEIR TO OUTLET. EXTEND CLEANOUT PIPES TO SURFACE WITH VENTED CAPS AT TEES AND WYES.

CARE OF WATER DURING CONSTRUCTION

ALL WORK ON PERMANENT STRUCTURES SHALL BE CARRIED OUT IN AREAS FREE FROM WATER. THE CONTRACTOR SHALL CONSTRUCT AND MAINTAIN ALL TEMPORARY DIKES, LEVEES, COFFER DAMS, DRAINAGE CHANNELS, AND STREAM DIVERSIONS NECESSARY TO PROTECT THE AREAS TO BE OCCUPIED BY THE PERMANENT WORKS. THE CONTRACTOR SHALL ALSO FURNISH, INSTALL, OPERATE AND MAINTAIN ALL NECESSARY PUMPING AND OTHER EQUIPMENT REQUIRED FOR REMOVAL OF WATER FROM THE VARIOUS PARTS OF THE WORK AND FOR MAINTAINING THE EXCAVATIONS, FOUNDATION AND OTHER PARTS OF THE WORK FREE FROM WATER AS REQUIRED OR DIRECTED BY THE ENGINEER FOR CONSTRUCTING EACH PART OF THE WORK. AFTER HAVING SERVED THEIR PURPOSE, ALL TEMPORARY PROTECTIVE WORKS SHALL BE REMOVED OR LEVELED AND GRADED TO THE EXTENT REQUIRED TO PREVENT OBSTRUCTION IN ANY DEGREE WHATSOEVER OF THE FLOW OF WATER TO THE SPILLWAY OR OUTLET WORKS AND SO AS NOT TO INTERFERE IN ANY WAY WITH THE OPERATION OR MAINTENANCE OF THE STRUCTURE. STREAM DIVERSIONS SHALL BE MAINTAINED UNTIL THE FULL FLOW CAN BE PASSED THROUGH THE PERMANENT WORKS. THE REMOVAL OF WATER FROM THE REQUIRED EXCAVATIONS AND THE FOUNDATION SHALL BE ACCOMPLISHED IN A MANNER AND TO THE EXTENT THAT WILL MAINTAIN STABILITY OF THE EXCAVATED SLOPES AND BOTTOM OF REQUIRED EXCAVATIONS AND WILL ALLOW SATISFACTORY PERFORMANCE OF ALL CONSTRUCTION OPERATIONS. DURING THE PLACING AND COMPACTING OF MATERIAL IN REQUIRED EXCAVATIONS, THE WATER LEVEL AT THE LOCATIONS BEING REFILLED SHALL BE MAINTAINED BELOW THE BOTTOM OF THE EXCAVATION AT SUCH LOCATIONS WHICH MAY REQUIRE DRAINING THE WATER TO SUMPS FROM WHICH THE WATER SHALL BE PUMPED.

ALL BORROW AREAS SHALL BE GRADED TO PROVIDE PROPER DRAINAGE AND LEFT IN A SIGHTLY CONDITION. ALL EXPOSED SURFACES OF THE EMBANKMENT, SPILLWAY, SPOIL AND BORROW AREAS, AND BERMS SHALL BE STABILIZED BY SEEDING, LIMING, FERTILIZING AND MULCHING IN ACCORDANCE WITH MHDSS OR AS SHOWN ON THE ACCOMPANYING DRAWINGS.

EROSION AND SEDIMENT CONTROL

CONSTRUCTION OPERATIONS WILL BE CARRIED OUT IN SUCH A MANNER THAT EROSION WILL BE CONTROLLED AND WATER AND AIR POLLUTION MINIMIZED. STATE AND LOCAL LAWS CONCERNING POLLUTION ABATEMENT WILL BE FOLLOWED. DETAIL EROSION AND SEDIMENT CONTROL MEASURES TO BE EMPLOYED DURING THE CONSTRUCTION PROCESS SHALL BE IN ACCORDANCE WITH THE SEDIMENT EROSION CONTROL PLAN HEREIN AND GENERALLY ACCEPTED PRACTICES.

STORMWATER MANAGEMENT FACILITIES SHALL BE PROTECTED FROM SEDIMENT AND SILTATION AT ALL TIMES. JUST PRIOR TO COMPLETION, THE SITE SUBCONTRACTOR SHALL PERFORM A FINAL INSPECTION AND CLEANING OF THE STORM WATER MANAGEMENT SYSTEM. ALL SEDIMENT AND SILTATION SHALL BE REMOVED FROM THE BASINS, FOREBAYS, ETC. AND THESE AREAS SHALL BE SHAPED TO FINAL CONTOURS AND ELEVATION PER THE PLANS. ALL REPAIRS SHALL BE MADE AS NECESSARY TO THE SATISFACTION OF THE ENGINEER PRIOR TO PLACING FINAL TOPSOIL, MULCH, VEGETATION, SEEDING, ETC.

EXCAVATION/FILL NOTES:

1. SIDE SLOPES OF TRENCH EXCAVATIONS DEEPER THAN 4 FEET SHOULD BE FLATTENED (AS REQUIRED BY SITE CONDITIONS) TO AT LEAST 1H:1V OR SUPPORTED WITH TRENCH BOX OR SIMILAR DEVICE. ALL WORK SHALL BE PERFORMED SAFELY AND IN ACCORDANCE WITH OSHA AND MOSHA REQUIREMENTS. CONTRACTOR SHALL OBTAIN TRENCH PERMIT AS REQUIRED.

2. AFTER REMOVAL OF TOPSOIL AND INADEQUATE MATERIALS, GENERAL FILL SUBGRADE SHOULD BE PROOF-ROLLED WITH A LOADED 10-WHEEL TANDEM-AXLE DUMP TRUCK. THE PROOF-ROLLING SHOULD BE PERFORMED AS DIRECTED BY A GEOTECHNICAL ENGINEER. NO FILL SHOULD BE PLACED UNTIL THE SUBGRADE IS APPROVED BY A GEOTECHNICAL ENGINEER. BORROW MATERIALS FOR FILL OPERATIONS FOR GENERAL SITE GRADING SHOULD MEET AASHTO DESIGNATION A-2-4 (CLASS III) OR MORE GRANULAR AND BE APPROVED BY A GEOTECHNICAL ENGINEER. ALL FILLS SHOULD BE CONSTRUCTED IN 8" LOOSE LIFTS AND COMPACTED AS FOLLOWS, UNLESS OTHERWISE NOTED IN PROJECT SPECIFICATIONS:

- FILLS SUPPORTING FOUNDATIONS AND FLOOR SLABS, 95% OF ASTM D-1557 (AASHTO T-180) - TOP 24 INCHES OF ROADWAY SUBGRADE AND SUBBASE, 95% OF ASTM D-1557 (AASHTO T-180) - RETAINING WALLS AND FILLS WITHIN ROADWAY (BELOW TOP 24 INCHES OF SUBGRADE AND SUBBASE), 92% OF ASTM D-1557 (AASHTO T-180)

- FILLS IN GREEN SPACE, 90% OF ASTM D-1557 (AASHTO T-180) - FILLS UNDER AND AROUND STRUCTURES, MANHOLES, TANKS, VAULTS, ETC. AND PIPE EMBEDMENT (BEDDING, HAUNCHING AND INITIAL BACK FILL), 95% OF ASTM D-1557 (AASHTO T-180)

GRADING AND DRAINAGE NOTES:

1. THE PROJECT ELEVATIONS ARE BASED ON THE NAVD VERTICAL DATUM.

2. DEBRIS, STUMPS, EXCESS, AND UNSUITABLE MATERIALS FROM THE CLEARING & DEMOLITION OPERATIONS SHALL BE REMOVED FROM THE SITE AND DISPOSED OF IN A LEGAL MANNER BY THE CONTRACTOR.

3. DISTURBED AREAS SHALL BE PROTECTED AT ALL TIMES TO CONTROL SEDIMENT TRANSPORT BEYOND THE LIMIT OF WORK.

4. DISTURBED AREAS SHALL BE TREATED WITH WATER DURING EXCAVATION, OR APPROVED ALTERNATIVE, TO

5. THE SITE SUBCONTRACTOR SHALL PROVIDE ALL EXCAVATION, BACKFILL AND COMPACTION NECESSARY TO ACHIEVE THE FINISH GRADES SHOWN ON THE PLANS AND FOR INSTALLATION OF BUILDING STRUCTURES, PAVING. STORMWATER MANAGEMENT AND ALL UTILITIES (INTERIOR AND EXTERIOR). SITE CONTRACTOR TO REFER TO SITÉ ELECTRICAL, MEP AND LANDSCAPE PLANS FOR ADDITIONAL INFORMATION AND DETAIL. EXISTING PAVING EDGES SHALL BE SAWCUT TO CREATE A CLEAN EDGE WHERE IT IS TO BE TIED INTO NEW PAVING, OR WHERE ASPHALT IS REMOVED ADJACENT TO ASPHALT WHICH IS TO REMAIN. BROKEN OR UNSTABLE PAVEMENT SHALL BE REMOVED AND SUBBASE REPLACED WITH SUITABLE COMPACTED MATERIAL PER PAVEMENT SECTION DETAIL HEREIN. ANY SAWCUT LINES SHOWN ON THE PLANS ARE APPROXIMATE ONLY. THE EXACT EDGE OF SAWCUT SHALL BE DETERMINED BY THE CONTRACTOR IN THE FIELD TO PROPERLY BLEND TO THE SURROUNDING GRADES. PROPOSED ASPHALT SHALL BE PROPERLY BUTTED AND BLENDED TO SURROUNDING ASPHALT WHICH IS TO REMAIN. THE BLENDED TRANSITION BETWEEN PROPOSED AND EXISTING ASPHALT SHALL BE ACCOMPLISHED WITH AN APPROXIMATE 1.5% GRADE UNLESS OTHERWISE IDENTIFIED. THE JOINT SHALL NOT

6. ALL PIPE OUTFALLS, CURB OPENINGS, STONE WEIRS, AND OTHER DRAINAGE OVERFLOW AND OUTLET AREAS SHALL HAVE RIPRAP EXTENDED FROM THE OUTLET TO THE BOTTOM OF SLOPE WITH A MINIMUM 10 FT x 10 FT RIPRAP LEVEL SPREADER, UNLESS OTHERWISE SPECIFICALLY DETAILED. ALL STONE OUTFALLS SHALL BE PROPERLY SHAPED SO THE RUNOFF IS CONTAINED WITH THE STONE LINING. SEE TYPICAL DETAILS FOR ADDITIONAL INFORMATION.

7. ALL DISTURBED AREAS NOT OTHERWISE TREATED SHALL BE STABILIZED WITH 4" LOAM, SEED. & MULCH. THE CONTRACTOR SHALL BE RESPONSIBLE FOR AREAS UNTIL VEGETATION HAS BEEN PERMANENTLY ESTABLISHED. SLOPES IN EXCESS OF 3:1 AND AREAS THAT SHOW SIGNS OF EROSION FROM CONCENTRATED FLOWS SHALL BE FURTHER STABILIZED WITH EROSION CONTROL BLANKETS (ECB) OF CURLEX DOUBLE NET -CURLEX II .98 BY AMERICAN EXCELSIOR COMPANY OR EQUAL. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE REQUIRED ECB'S AND PROPERLY STABILIZE ALL AREAS OF THE SITE.

8. ALL DRAINAGE STRUCTURES AND PIPING SHALL BE DESIGNED AND INSTALLED FOR H-20 LOADING. SETTING OF CATCH BASINS AND MANHOLE STRUCTURES SHALL BE ADJUSTED WITH CONCENTRIC OR OFFSET TOPS AS NEEDED FOR MINOR ADJUSTMENTS TO AVOID CONFLICTS WITH UNDERGROUND UTILITIES OR OTHER STRUCTURES. THE GRATE OR MANHOLE COVER SHALL ALSO BE ADJUSTED OVER THE STRUCTURE TO NOT CONFLICT WITH STEPS INSIDE THE STRUCTURE.

9. A 10 FOOT MINIMUM SEPARATION SHALL BE MAINTAINED BETWEEN ALL SWM INFILTRATION FACILITIES AND SANITARY SEWER LINES AND MANHOLES.

10. CPP - HIGH DENSITY POLYETHYLENE CORRUGATED PIPE WITH SMOOTH INTERIOR WALL TO MEET ADS N-12 PIPE SPECIFICATION OR EQUAL. CPP PIPE USE SHALL BE ALLOWED AS NOTED, WITH A DIAMETER UP TO AND INCLUDING 24". BACKFILLING CPP MUST FOLLOW MANUFACTURER'S RECOMMENDATIONS AND SPECIAL CARE MUST BE EXERCISED (SEE ADS PRODUCT NOTE 3.115).

11. ALL COTTAGES ROOF DOWNSPOUTS SHALL BE TIED INTO ROOF DRAINS. REFER TO ARCHITECTURAL PLANS FOR ALL LOCATIONS OF DOWNSPOUTS. CONTRACTOR SHALL PROVIDE TIE-INS TO ALL DOWNSPOUT LOCATIONS. ROOF DRAINS TO BE AT LEAST 4" CPP AT 1% SLOPE MINIMUM WITH 1 FOOT MINIMUM COVER, TYPICAL, UNLESS OTHERWISE NOTED ON THE PLAN. GARAGES SHALL BE PROVIDED WITH STONE DRIP STRIPS ALONG FOUNDATION OUT PAST ROOF LINES TO CONTROL ALL GARAGE ROOF RUNOFF.

12. ALL GRADING WORK SHALL BE DONE IN A WORKMANLIKE MANNER ACCOMPLISHED TO CREATE POSITIVE DRAINAGE AND ELIMINATE ANY PUDDLING OR PONDING. WHERE NOT OTHERWISE NOTED OR DEFINED ON THE PLAN, ALL CUT AND FILL SHALL BE BLENDED TO DAYLIGHT AT EXISTING GRADE WITH A 3:1 SLOPE.

13. THE CONTRACTOR SHALL NOTIFY THE ENGINEER WITH ANY GRADE ISSUES OR QUESTIONS PRIOR TO PERFORMING THE FINISH GRADING WORK.

14. ALL PROPOSED WALKWAYS WILL HAVE RUNNING SLOPES OF LESS THAN 5% AND ALL CROSS SLOPES < 2%, U.O.N. THESE ARE MAXIMUM SLOPES WITH NO TOLERANCE. ALL WORK WILL BE IN ACCORDANCE WITH THE MOST CURRENT REQUIREMENTS OF THE U.S. ACCESS BOARD, AMERICANS WITH DISABILITIES ACT & COMMONWEALTH OF MASSACHUSETTS, ARCHITECTURAL ACCESS BOARD, WHERE REQUIRED.

15. CONTRACTOR SHALL CONFIRM AND PROVIDE ALL LANDINGS OUTSIDE OF DOORWAYS, AT THE TOP AND BOTTOM OF STEPS, AND AT TOP AND BOTTOM OF RAMPS, TO BE CONSTRUCTED SO THE LANDING IS 5 FT X 5 FT MIN. (UON) AND IS LESS THAN A 2% SLOPE IN ALL DIRECTIONS ON THE LANDING. THE CONTRACTOR SHALL VERIFY THE LANDING CONDITIONS IN THE FIELD AND CONTACT THE SITE ENGINEER WITH ANY QUESTIONS PRIOR TO INSTALLING LANDING.

STAIRS REPRESENTED ON THE SITE PLANS DO NOT INDICATE THE EXACT NUMBER OF TREADS AND RISERS NEEDED. THESE WILL VARY BASED ON SPECIFIC FIELD CONDITIONS. THE CONTRACTOR SHALL VERIFY THE CONDITION IN THE FIELD AND DETERMINE TREADS AND RISERS REQUIRED PER THE BUILDING CODE. REFERENCE SHALL BE MADE TO THE ARCHITECTURAL PLANS. THE CONTRACTOR SHALL CONTACT THE SITE ENGINEER AS NEEDED WITH QUESTIONS REGARDING SPECIFIC TREADS AND RISERS PRIOR TO INSTALLING THE

16. BOTTOM OF WALL (BOW) OR TOP OF WALL (TOW) ELEVATIONS FOR RETAINING WALLS NOTED ON THE PLAN ARE APPROXIMATE FLEVATIONS WHERE THE WALL IS EXPECTED TO DAYLIGHT WITH EXISTING GRADE. STRUCTURAL RETAINING WALL DESIGN IS DONE BY OTHERS AND THE BOW OR TOW EXISTING GROUND ELEVATIONS FOR WHERE THE WALL WOULD DAYLIGHT TO EXISTING GRADES SHALL BE VERIFIED AS NEEDED FOR THE STRUCTURAL DESIGN. THE ACTUAL BOW OR TOW ELEVATION AT THE PROPOSED WALL(S) MAY DIFFER FROM CONTOURS SHOWN ON THE PLANS ESPECIALLY AT STEEP SLOPES AREAS.

17. STORMWATER MANAGEMENT FACILITIES SHALL BE PROTECTED FROM SEDIMENT AND SILTATION AT ALL TIMES. JUST PRIOR TO COMPLETION, THE SITE SUBCONTRACTOR SHALL PERFORM A FINAL INSPECTION AND CLEANING OF THE STORMWATER MANAGEMENT SYSTEM. ALL SEDIMENT AND SILTATION SHALL BE REMOVED FROM THE BASINS, FOREBAYS, ETC. AND THESE AREAS SHALL BE SHAPED TO FINAL CONTOURS AND ELEVATION PER THE PLANS. ALL REPAIRS SHALL BE MADE AS NECESSARY TO THE SATISFACTION OF THE ENGINEER PRIOR TO PLACING FINAL TOPSOIL, MULCH, VEGETATION, SEEDING, ETC.

18. ANY DEWATERING OPERATION, WHEN REQUIRED AS PART OF THE CONSTRUCTION PROCESS, SHALL ENSURE ALL DEWATERING OCCURS THROUGH A PROPER DEWATERING BASIN (STONE, FILTER FABRIC AND HAYBALES OR OTHER ACCEPTABLE MEANS) PRIOR TO DISCHARGE FROM THE SITE.

19. ALL WORK WITHIN THESE PLANS SHALL BE PERFORMED AND PROVIDED BY THE CONTRACTOR IN ACCORDANCE WITH THE CONSTRUCTION DETAILS PROVIDED IN THIS PLAN SET WHETHER OR NOT THE DETAIL NUMBER IS SPECIFICALLY REFERENCED.

20. FOUNDATION DRAINS ARE REQUIRED. REFER TO STRUCTURAL AND ARCHITECTURAL PLANS (SEE DETAIL

CONSTRUCTION SEQUENCE

1. INSTALL SILT FENCING AND WATTLES TO ESTABLISH THE LIMIT OF WORK AROUND THE PERIMETER OF THE PROJECT AND ANY AREAS WHICH HAVE GROUND DISTURBANCE BASED ON THE PROJECT WORK AND CONTRACTORS STAGING AREAS. SILT FENCE, WATTLES AND OTHER PERIMETER CONTROL SHALL BE INSTALLED TO PREVENT TRANSPORT OF SEDIMENT OUTSIDE OF THE PROJECT AREA. SILT FENCE AND OTHER EROSION CONTROLS MAY BE REQUIRED BEYOND WHAT IS SPECIFICALLY SHOWN ON THE PLANS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR AND PROVIDE ALL THE NECESSARY EROSION CONTROLS TO PREVENT SEDIMENT AND OTHER DELETERIOUS RUNOFF MATERIAL FROM LEAVING THE PROJECT AREA DURING CONSTRUCTION.

. INSTALL TEMPORARY CONSTRUCTION ENTRANCE/EXIT STONE AREAS WHERE EVER CONSTRUCTION TRAFFIC ENTERS OR EXITS THE PROJECT AREA.

3. DISCHARGES FROM DEWATERING OF EXCAVATIONS SHALL NOT BE DIVERTED DIRECTLY INTO ANY WETLANDS OR EXISTING STORM DRAINS WITHOUT PRETREATMENT VIA SEDIMENT BASINS AND/OR SETTLING BASINS.

4. INSTALL HAY BALE AND/OR STONE CHECK DAMS ALONG CENTER OF SWALES/FLOW LINES AT 100' O.C., AS

5. CLEAR AND GRUB SITE WITHIN THE LIMIT OF WORK.

6. ESTABLISH ROUGH SUB GRADES OF SITE FOR ROAD AND BUILDING PADS. THE SOILS FROM WETLAND AREA SHALL BE SAVED FOR REUSE IN MITIGATION PLANS. INSTALL SEDIMENT BASINS IN AREAS OF FOREBAYS TO CONTAIN LARGER RUNOFF FLOWS DURING CONSTRUCTION.

7. WHERE BASINS ARE USED AS SEDIMENT BASINS DURING CONSTRUCTION, THE BASIN GROUND ELEVATION SHALL BE KEPT ONE FOOT ABOVE THE FINAL BASIN ELEVATION. THESE BASINS SHALL THEN BE CLEANED AND EXCAVATED TO FINAL ELEVATIONS UPON COMPLETION OF THE CONSTRUCTION PROJECT.

8. PERFORM BUILDING, DRAINAGE, UTILITY AND SITE CONSTRUCTION. INSTALL BASE COURSE PAVING AS SOON AS PRACTICAL.

9. INSPECT AND MAINTAIN EROSION CONTROL MEASURES AFTER RAINFALL EVENTS AND A MINIMUM OF ONCE

10. REMOVE SEDIMENT BUILDUP AT EROSION CONTROL DEVICES AS NEEDED. REDISTRIBUTE MATERIAL OVER SITE IN CONFORMANCE WITH EARTHWORK SPECIFICATIONS.

11. ONCE ALL DRAINAGE STRUCTURES ARE INSTALLED, INSTALL SILT SAC OR FILTER FABRIC AND STONE/HAY

BALES AROUND ALL NEW STRUCTURES AND MAINTAIN THEM UNTIL PAVEMENT IS IN PLACE AND CONTRIBUTING DRAINAGE AREAS ARE STABLIZED. ALL OUT FALLS SHALL BE STABILIZED WITH STONE PROTECTION AS REQUIRED WHETHER GRAPHICALLY SHOWN ON THE PLAN OR NOT. 12. ALL CUT AND FILL SLOPES SHALL BE TEMPORARILY STABILIZED WITH TOP SOIL, SEED AND MULCH OR

CURLEX AS REQUIRED IF CONSTRUCTION ACTIVITY CEASES ON SAID SLOPES FOR A PERIOD OF 7 DAYS OR GREATER. ALL SLOPES SHALL BE PERMANENTLY STABILIZED AS REQUIRED IMMEDIATELY UPON COMPLETION OF FINAL GRADING.

13. COMPLETE FINISH GRADING, LANDSCAPING AND FINAL STABILIZATION OF SITE. PLACE FINAL PAVING

14. REMOVE SEDIMENT FROM ALL BASINS, DRAINAGE STRUCTURES, DRAIN MANHOLES, PIPES AFTER COMPLETION OF CONSTRUCTION. REMOVE AND REGRADE TEMPORARY BERMS, SWALES, CHECK DAMS, ETC. STABILIZE DISTURBED AREAS.

15. CLEAN OUT ALL SEDIMENT FROM SWM FOREBAYS/BASINS AND OUTLET STRUCTURES. REGRADE TO FINAL CONTOURS PER DESIGN. STABILIZE ALL SLOPES AS REQUIRED. REPLACE AND/OR CLEAN FILTER FABRIC AND STONE AT SWM FOREBAYS. ALL AREAS CONTRIBUTING RUNOFF TO THE PROPOSED INFILTRATION DEVICES/BASINS SHALL BE STABILIZED PRIOR TO THE REMOVAL OF SEDIMENT AND EROSION CONTROL DEVICES PROTECTING THESE AREAS.

16. UPON ESTABLISHMENT OF PERMANENT GROUND COVER AND APPROVAL BY THE ENGINEER, REMOVE WATTLES & SILT FENCE. STABILIZE ALL AREAS WHERE WATTLES WHERE REMOVED.

OPERATION/MAINTENANCE PLAN

1. THIS OPERATION AND MAINTENANCE PLAN SHALL BE PERFORMED BY THE GENERAL CONTRACTOR DURING CONSTRUCTION OPERATIONS AND BY THE OWNER ONCE THE FACILITIES ARE COMPLETED AND PUT INTO

2. PERSONNEL ASSOCIATED WITH THE CONSTRUCTION OF THIS PROJECT SHALL BE INFORMED THAT THE MAINTENANCE OF SILTATION CONTROLS TAKES PRECEDENCE OVER NORMAL CONSTRUCTION ACTIVITIES. ADJACENT PROPERTIES AND STREETS SHALL BE PROTECTED FROM EROSION OR SILTATION CONDITIONS.

3. INSPECTION AND MAINTENANCE, AS OUTLINED HEREIN, SHALL BE PERFORMED FOUR TIMES WITHIN THE FIRST YEAR OF OPERATION. THENCE, INSPECTIONS AND MAINTENANCE SHALL BE CONDUCTED ON A SEMIANNUAL BASIS (2 TIMES A YR.) AND AFTER ALL LARGE STORMS. AN INSPECTION REPORT SHALL BE MAINTAINED.

4. ACCUMULATED DEBRIS IN CATCH BASINS, SEDIMENT FOREBAYS, AND DRAINAGE BASINS SHALL BE REMOVED BEFORE IT EXCEEDS 12 INCHES IN DEPTH AND DISPOSED OF PROPERLY. BROKEN OR DAMAGED GAS TRAPS/HOODS SHALL BE IMMEDIATELY REPAIRED OR REPLACED TO ENSURE ADEQUATE FUNCTION.

5. A VISUAL INSPECTION SHALL BE MADE AT ALL ACCESS MANHOLES, CATCH BASINS, OUTFALLS, LEACHING BASINS. PIPES AND DRAINAGE CHANNELS FOR THE ENTIRE STORM DRAINAGE SYSTEM. THE GENERAL CONDITION OF THESE STRUCTURES SHOULD BE REVIEWED AND ACCUMULATED DEBRIS SHALL BE REMOVED. THE CONDITION OF ALL OUTLETS SHALL BE NOTED AND A DESCRIPTION OF THE DRAINAGE STRUCTURES SHALL BE INCLUDED IN THE REPORT. DELETERIOUS MATERIALS SHALL BE REMOVED FROM THESE STRUCTURES AND THE DRAINAGE CHANNELS IN ORDER FOR THE SYSTEM TO FUNCTION PROPERLY.

6. ALL OUTLETS, DRAINING CHANNELS, AND SLOPES SHALL BE KEPT STABILIZED. ANY EROSION SHALL BE

7. ACCUMULATED SEDIMENT SHALL BE REMOVED FROM THE SWM BASINS BEFORE IT EXCEEDS 1' IN DEPTH, OR AT LEAST ONCE EVERY 5 YEARS. THE SPILLWAYS OUTLETS SHALL BE CLEANED AND INSPECTED FOR PROPER FUNCTIONING. ALL DEBRIS OR DELETERIOUS MATERIAL SHALL BE REMOVED FROM OUTLET STRUCTURES. BASIN SLOPES SHALL BE MAINTAINED WITH A GRASS STAND OF AT LEAST 3". GRASS SHALL BE MOWED AT LEAST TWICE A YEAR AND CLIPPINGS SHALL NOT BE LEFT IN BASIN. ANY TREES OR OTHER WOODY VEGETATION GROWING IN EMBANKMENTS OR NEAR OUTLET CONTROL STRUCTURES SHALL BE REMOVED.

8. THE FOLLOWING MINIMUM INFORMATION SHALL BE RECORDED:

* DATE OF INSPECTION REPORT

REPAIRED IMMEDIATELY.

* GENERAL CONDITION OF THE ENTIRE SYSTEM * CORRECTIVE ACTIONS TAKEN TO ENSURE ADEQUATE FUNCTION AND WHEN PERFORMED.

* A COPY OF THESE REPORTS SHALL BE FURNISHED TO THE PLANNING BOARD UPON REQUEST.

9. MAINTENANCE OF THE STORMWATER MANAGEMENT FACILITIES SHALL BE IN ACCORDANCE WITH THE EXECUTED INSPECTION AND MAINTENANCE AGREEMENT FOR PRIVATE STORMWATER MANAGEMENT FACILITIES AND SHALL BE THE RESPONSIBILITY OF THE OWNER AND THE ASSIGNEES.

OWNER SIGNATURE			DATE			
(OWNER UNDERSTANDS RE	ESPONSIBILITIES OF	OPERATION A	AND MAINTENANCE	REQUIREMENTS (OF STORMW	ATER
MANAGEMENT SYSTEMS)						

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Registered Professional Engineers and Land Surveyors

1597 Falmouth Road Centerville, MA 02632

Phone - (508) 771-7502 Fax - (508) 771-7622 www.baxter-nye.com

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CONSULTANT

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CONSULTANT

PREPARED FOR:

Southworth Mashpee Properties, LLC

130 Willowbend Drive Mashpee. MA 02649

PROJECT TITLE | Cranberry Point

Mashpee, MA 02649

275 Quinaquisset Avenue

Λ	JKL	3/24/2023	PER PLANNING BOARD COMMENTS
		DATE	DESCRIPTION

Drainage Notes

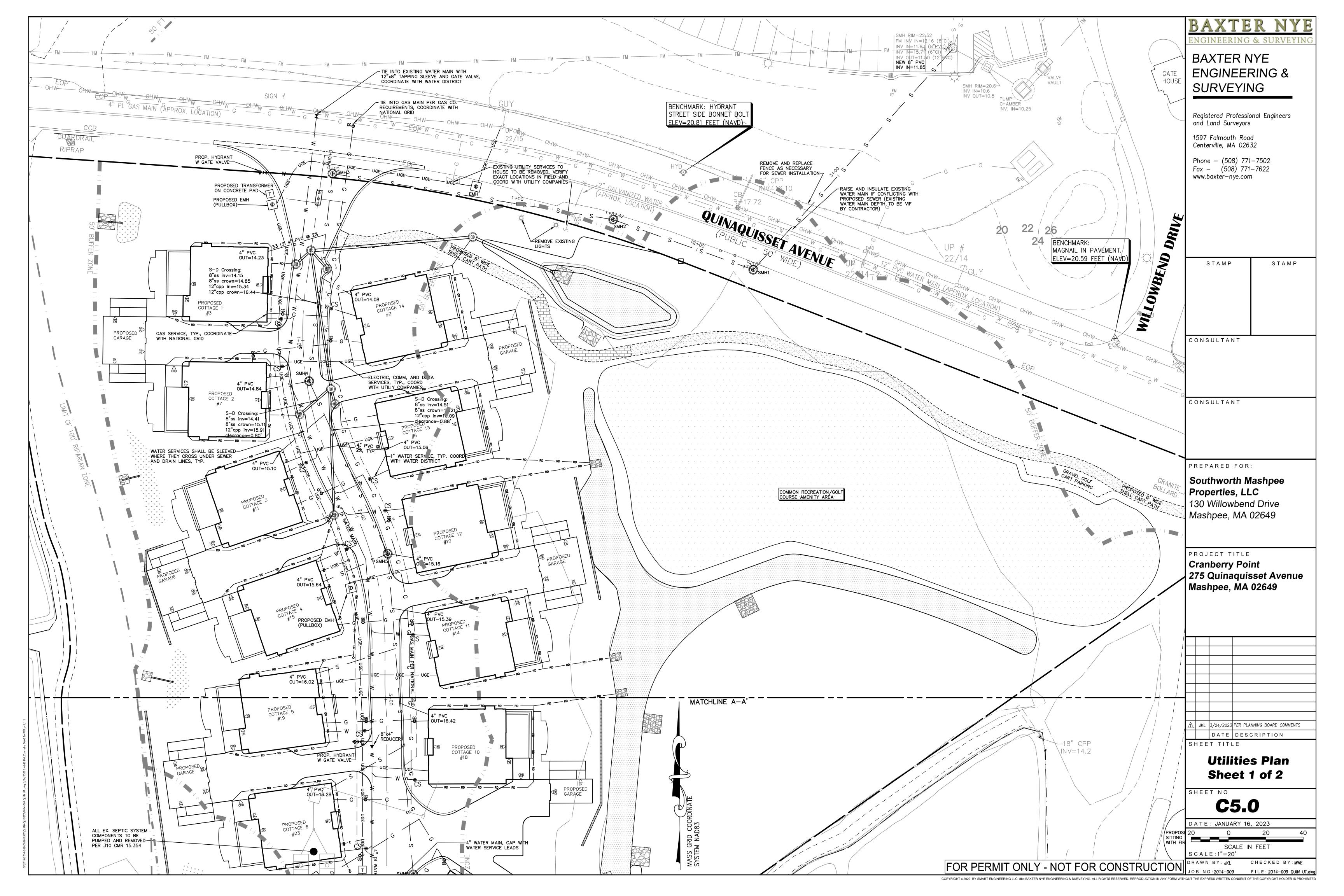
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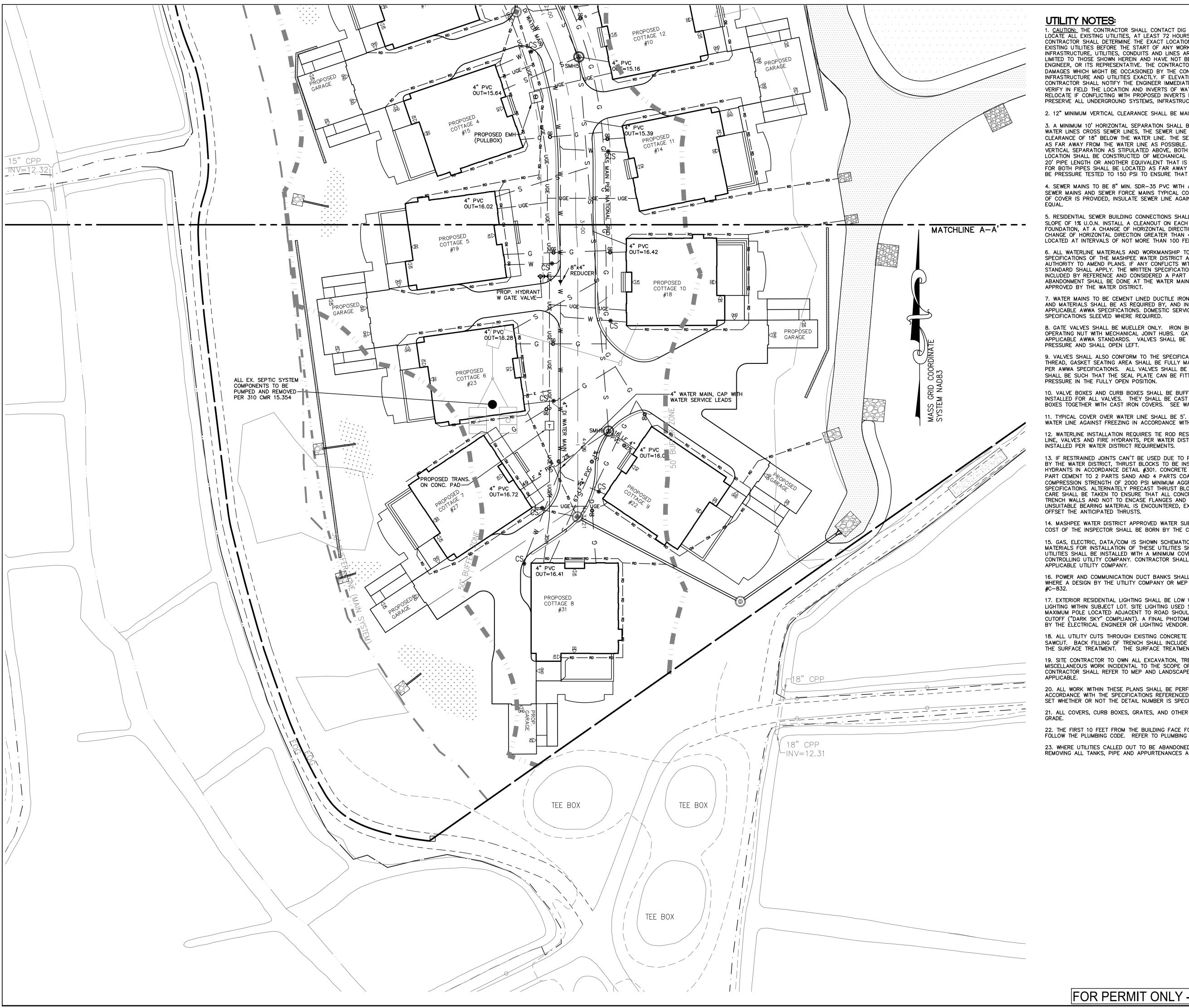
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DATE: JANUARY 16, 2023

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1. CAUTION: THE CONTRACTOR SHALL CONTACT DIG SAFE (AT 1-888-DIG-SAFE) AND UTILITY COMPANIES TO LOCATE ALL EXISTING UTILITIES, AT LEAST 72 HOURS PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION, BOTH HORIZONTALLY AND VERTICALLY, OF ALI EXISTING UTILITIES BEFORE THE START OF ANY WORK. THE LOCATION OF EXISTING UNDERGROUND SYSTEMS, INFRASTRUCTURE, UTILITIES, CONDUITS AND LINES ARE SHOWN IN AN APPROXIMATE WAY ONLY, MAY NOT BE LIMITED TO THOSE SHOWN HEREIN AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER, THE ENGINEER, OR ITS REPRESENTATIVE. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO LOCATE SAID SYSTEMS. INFRASTRUCTURE AND UTILITIES EXACTLY. IF ELEVATION INFORMATION DIFFERS FROM PLAN INFORMATION. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY FOR POSSIBLE REDESIGN. AT UTILITY CROSSINGS, VERIFY IN FIELD THE LOCATION AND INVERTS OF WATER, ELECTRIC, GAS, TELEPHONE & DATA/COMM AND RELOCATE IF CONFLICTING WITH PROPOSED INVERTS PER THE ENGINEERS DIRECTION. THE CONTRACTOR SHALL PRESERVE ALL UNDERGROUND SYSTEMS, INFRASTRUCTURE AND UTILITIES AS REQUIRED.

2. 12" MINIMUM VERTICAL CLEARANCE SHALL BE MAINTAINED BETWEEN ALL UTILITY CROSSINGS.

3. A MINIMUM 10' HORIZONTAL SEPARATION SHALL BE MAINTAINED BETWEEN WATER AND SEWER LINES. WHERE WATER LINES CROSS SEWER LINES, THE SEWER LINE SHALL BE LOCATED WITH A MINIMUM VERTICAL CLEARANCE OF 18" BELOW THE WATER LINE. THE SEWER LINE JOINTS SHALL BE LOCATED EQUIDISTANT AND AS FAR AWAY FROM THE WATER LINE AS POSSIBLE. WHEN IT IS IMPOSSIBLE TO ACHIEVE HORIZONTAL AND/OR VERTICAL SEPARATION AS STIPULATED ABOVE, BOTH THE WATER LINE AND SEWER LINE AT THE CROSSING LOCATION SHALL BE CONSTRUCTED OF MECHANICAL JOINT CEMENT-LINED DUCTILE IRON PIPE FOR ONE FULL 20' PIPE LENGTH OR ANOTHER EQUIVALENT THAT IS WATERTIGHT AND STRUCTURALLY SOUND. THE JOINTS FOR BOTH PIPES SHALL BE LOCATED AS FAR AWAY FROM THE CROSSING AS POSSIBLE. BOTH PIPES SHOULD BE PRESSURE TESTED TO 150 PSI TO ENSURE THAT THEY ARE WATERTIGHT.

4. SEWER MAINS TO BE 8" MIN. SDR-35 PVC WITH A MIN. SLOPE OF 0.50% UNLESS OTHERWISE NOTED. SEWER MAINS AND SEWER FORCE MAINS TYPICAL COVER OVER SEWER LINE SHALL BE 6'. IF LESS THAN 4' OF COVER IS PROVIDED, INSULATE SEWER LINE AGAINST FREEZING IN ACCORDANCE WITH DETAIL #205 OR

5. RESIDENTIAL SEWER BUILDING CONNECTIONS SHALL BE 4" MIN. SCHEDULE 40 PVC, U.O.N., AT A MIN. SLOPE OF 1% U.O.N. INSTALL A CLEANOUT ON EACH SERVICE LINE AT DISTANCE OF 10'± (U.O.N.) OFF THE FOUNDATION, AT A CHANGE OF HORIZONTAL DIRECTION GREATER THAN 45° OR WHERE MORE THAN ONE CHANGE OF HORIZONTAL DIRECTION GREATER THAN 45° OCCURS WITHIN 40 FEET. CLEANOUTS SHOULD BE LOCATED AT INTERVALS OF NOT MORE THAN 100 FEET.

6. ALL WATERLINE MATERIALS AND WORKMANSHIP TO CONFORM TO THE RULES, REGULATIONS AND SPECIFICATIONS OF THE MASHPEE WATER DISTRICT AS AMENDED TO PRESENT. WATER DISTRICT HAS AUTHORITY TO AMEND PLANS. IF ANY CONFLICTS WITH THE CONTRACT DOCUMENT OCCUR THE HIGHER STANDARD SHALL APPLY. THE WRITTEN SPECIFICATIONS OF THE MASHPEE WATER DISTRICT ARE HEREBY INCLUDED BY REFERENCE AND CONSIDERED A PART OF THE CONTRACT DOCUMENTS. ALL WATER LINE ABANDONMENT SHALL BE DONE AT THE WATER MAIN, NOT LEAVING A STUB LINE, UNLESS OTHERWISE

7. WATER MAINS TO BE CEMENT LINED DUCTILE IRON PIPE CLASS 52, U.O.N. ALL CONSTRUCTION METHODS AND MATERIALS SHALL BE AS REQUIRED BY, AND IN ACCORDANCE WITH THE LOCAL WATER DEPARTMENT AND APPLICABLE AWWA SPECIFICATIONS. DOMESTIC SERVICE TO BE 200 PSI CTS PLASTIC LINE U.O.N., TO DIVISION SPECIFICATIONS SLEEVED WHERE REQUIRED.

8. GATE VALVES SHALL BE MUELLER ONLY. IRON BODY, BRONZE MOUNTED, DOUBLE DISC, WITH TWO INCH OPERATING NUT WITH MECHANICAL JOINT HUBS. GATE VALVES SHALL CONFORM IN EVERY RESPECT TO ALL APPLICABLE AWWA STANDARDS. VALVES SHALL BE DESIGNED FOR 200 PSI WORKING AND 300 PSI TEST

9. VALVES SHALL ALSO CONFORM TO THE SPECIFICATIONS OF THE AWWA AS TO SIZE STEM, PITCH OF THREAD, GASKET SEATING AREA SHALL BE FULLY MACHINED TO THE FIXED DIMENSIONS AND TOLERANCES AS PER AWWA SPECIFICATIONS. ALL VALVES SHALL BE PROVIDED WITH "O" RINGS. THE DESIGN OF THE VALVE SHALL BE SUCH THAT THE SEAL PLATE CAN BE FITTED WITH NEW "O" RINGS WHILE THE VALVE IS UNDER

10. VALVE BOXES AND CURB BOXES SHALL BE BUFFALO OR PIONEER AND SHALL BE FURNISHED AND INSTALLED FOR ALL VALVES. THEY SHALL BE CAST IRON, TAR COATED, SLIDING TYPE ADJUSTABLE VALVE BOXES TOGETHER WITH CAST IRON COVERS. SEE WATER DIVISION REGULATIONS.

11. TYPICAL COVER OVER WATER LINE SHALL BE 5'. IF LESS THAN 4' OF COVER IS PROVIDED, INSULATE WATER LINE AGAINST FREEZING IN ACCORDANCE WITH DETAIL #205 OR EQUAL.

12. WATERLINE INSTALLATION REQUIRES TIE ROD RESTRAINED JOINTS TO BE USED AT ALL BENDS, ENDS OF LINE, VALVES AND FIRE HYDRANTS, PER WATER DISTRICT REQUIREMENTS. RESTRAINED JOINTS TO BE

13. IF RESTRAINED JOINTS CAN'T BE USED DUE TO PHYSICAL CONSTRAINTS, ONLY AS SPECIFICALLY APPROVED BY THE WATER DISTRICT, THRUST BLOCKS TO BE INSTALLED AT ALL BENDS, ENDS OF LINE, VALVES AND FIRE HYDRANTS IN ACCORDANCE DETAIL #301. CONCRETE THRUST BLOCKS AS REQUIRED, CONCRETE SHALL BE 1 PART CEMENT TO 2 PARTS SAND AND 4 PARTS COARSE AGGREGATE. CONCRETE CLASS "C" WITH A 28 DAY COMPRESSION STRENGTH OF 2000 PSI MINIMUM AGGREGATE SIZE OF 1-1/2". THRUST BLOCKS SIZED PER SPECIFICATIONS. ALTERNATELY PRECAST THRUST BLOCKS TO DISTRICT SPECIFICATIONS MAY BE UTILIZED. CARE SHALL BE TAKEN TO ENSURE THAT ALL CONCRETE THRUST BLOCKS BEAR AGAINST UNDISTURBED TRENCH WALLS AND NOT TO ENCASE FLANGES AND BOLTS ON MECHANICAL JOINT FITTINGS. WHERE UNSUITABLE BEARING MATERIAL IS ENCOUNTERED, EXCAVATE AND PLACE SUFFICIENT CONCRETE BALLAST TO

14. MASHPEE WATER DISTRICT APPROVED WATER SUBCONTRACTOR AND THIRD PARTY INSPECTOR REQUIRED.

15. GAS, ELECTRIC, DATA/COM IS SHOWN SCHEMATICALLY HEREON. ALL LABOR, WORK, EQUIPMENT AND MATERIALS FOR INSTALLATION OF THESE UTILITIES SHALL BE OWNED AND PERFORMED BY THE CONTRACTOR. UTILITIES SHALL BE INSTALLED WITH A MINIMUM COVER OF 3 FEET U.O.N. OR OTHERWISE DIRECTED BY THE CONTROLLING UTILITY COMPANY. CONTRACTOR SHALL COORDINATE ALL FINAL LAYOUTS AND DETAILS WITH

16. POWER AND COMMUNICATION DUCT BANKS SHALL BE INSTALLED IN ACCORDANCE WITH DETAIL #C-832. WHERE A DESIGN BY THE UTILITY COMPANY OR MEP ENGINEERS ARE PROVIDED. THOSE SHALL SUPERCEDE

17. EXTERIOR RESIDENTIAL LIGHTING SHALL BE LOW WATTAGE TYPE AND DIRECTED SO AS TO KEEP ALL LIGHTING WITHIN SUBJECT LOT. SITE LIGHTING USED SHALL BE LOW WATTAGE LED STREET LANTERNS ON 15' MAXIMUM POLE LOCATED ADJACENT TO ROAD SHOULDERS OR WALKWAYS. LIGHTING FIXTURES TO BE FULL 90° CUTOFF ("DARK SKY" COMPLIANT). A FINAL PHOTOMETRIC AND LIGHTING SCHEDULE PLAN SHALL BE PREPARED

18. ALL UTILITY CUTS THROUGH EXISTING CONCRETE OR BITUMINOUS CONCRETE PAVED SURFACES SHALL BE SAWCUT. BACK FILLING OF TRENCH SHALL INCLUDE 12" IN DEPTH FLOWABLE FILL TO THE BASE COURSE OF THE SURFACE TREATMENT. THE SURFACE TREATMENT SHALL THEN BE REPLACED IN KIND.

19. SITE CONTRACTOR TO OWN ALL EXCAVATION, TRENCHING, & BACKFILLING FOR ALL UTILITIES AND MISCELLANEOUS WORK INCIDENTAL TO THE SCOPE OF THE PROJECT AND CONTRACT DOCUMENTS. CONTRACTOR SHALL REFER TO MEP AND LANDSCAPE PLANS BY OTHERS FOR ADDITIONAL INFORMATION AS

20. ALL WORK WITHIN THESE PLANS SHALL BE PERFORMED AND PROVIDED BY THE CONTRACTOR IN ACCORDANCE WITH THE SPECIFICATIONS REFERENCED AND CONSTRUCTION DETAILS PROVIDED IN THIS PLAN SET WHETHER OR NOT THE DETAIL NUMBER IS SPECIFICALLY REFERENCED.

21. ALL COVERS, CURB BOXES, GRATES, AND OTHER FINISH SURFACES SHALL BE RESET TO THE NEW FINISH

22. THE FIRST 10 FEET FROM THE BUILDING FACE FOR STORM DRAIN, SEWER AND WATER PIPING SHALL FOLLOW THE PLUMBING CODE. REFER TO PLUMBING PLANS BY OTHERS AS APPLICABLE.

23. WHERE UTILITIES CALLED OUT TO BE ABANDONED OR REMOVED AS NEEDED, CONTRACTOR SHALL OWN REMOVING ALL TANKS, PIPE AND APPURTENANCES AS NEEDED WHERE WITHIN THE PROPOSED AREA OF WORK.

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CONSULTANT

CONSULTANT

Southworth Mashpee Properties, LLC

130 Willowbend Drive Mashpee, MA 02649

PROJECT TITLE Cranberry Point 275 Quinaquisset Avenue Mashpee, MA 02649

JKL	3/24/2023	PER PLANNING BOARD COMMENTS			
	DATE	DESCRIPTION			
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Utilities Plan Sheet 2 of 2

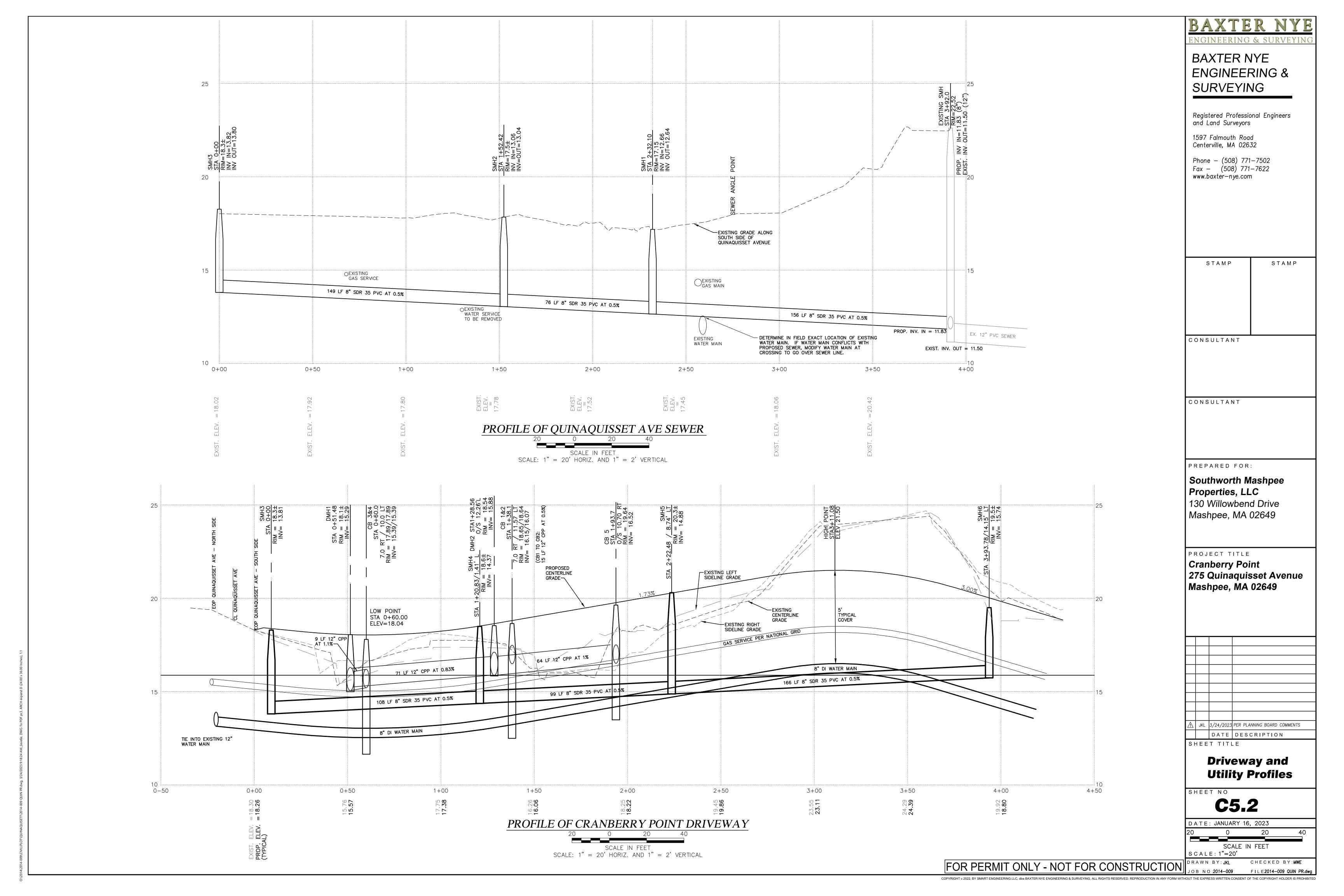
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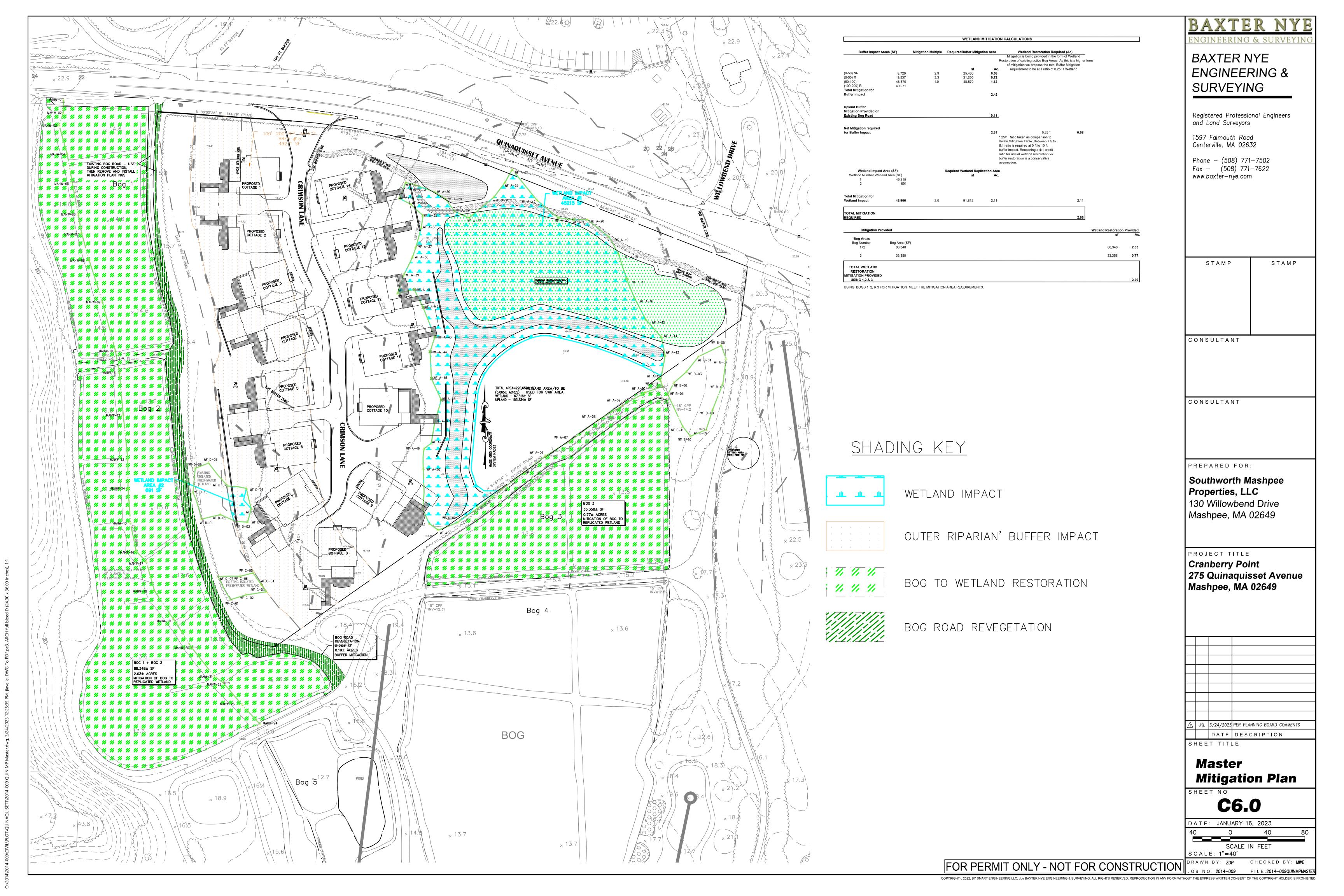
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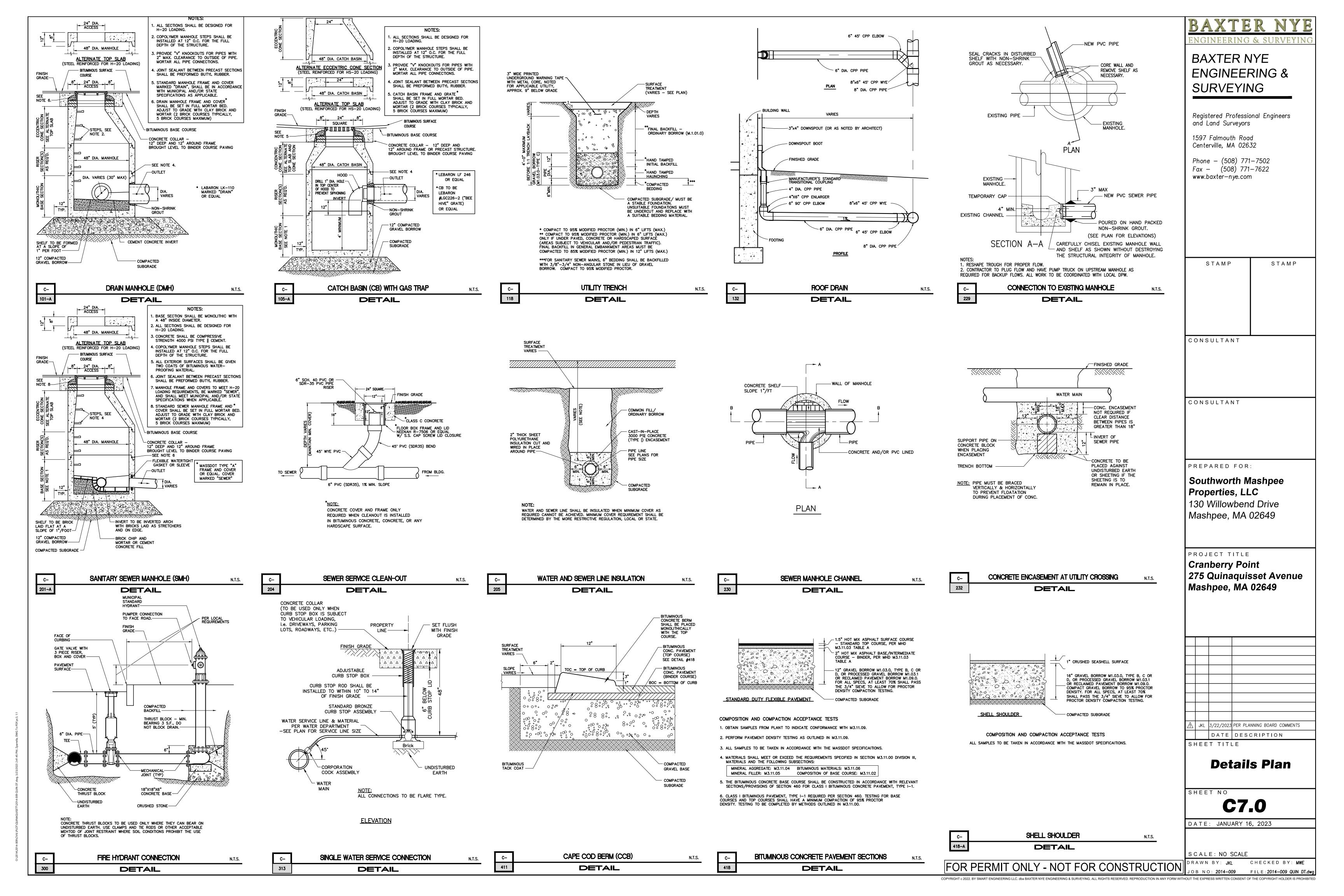
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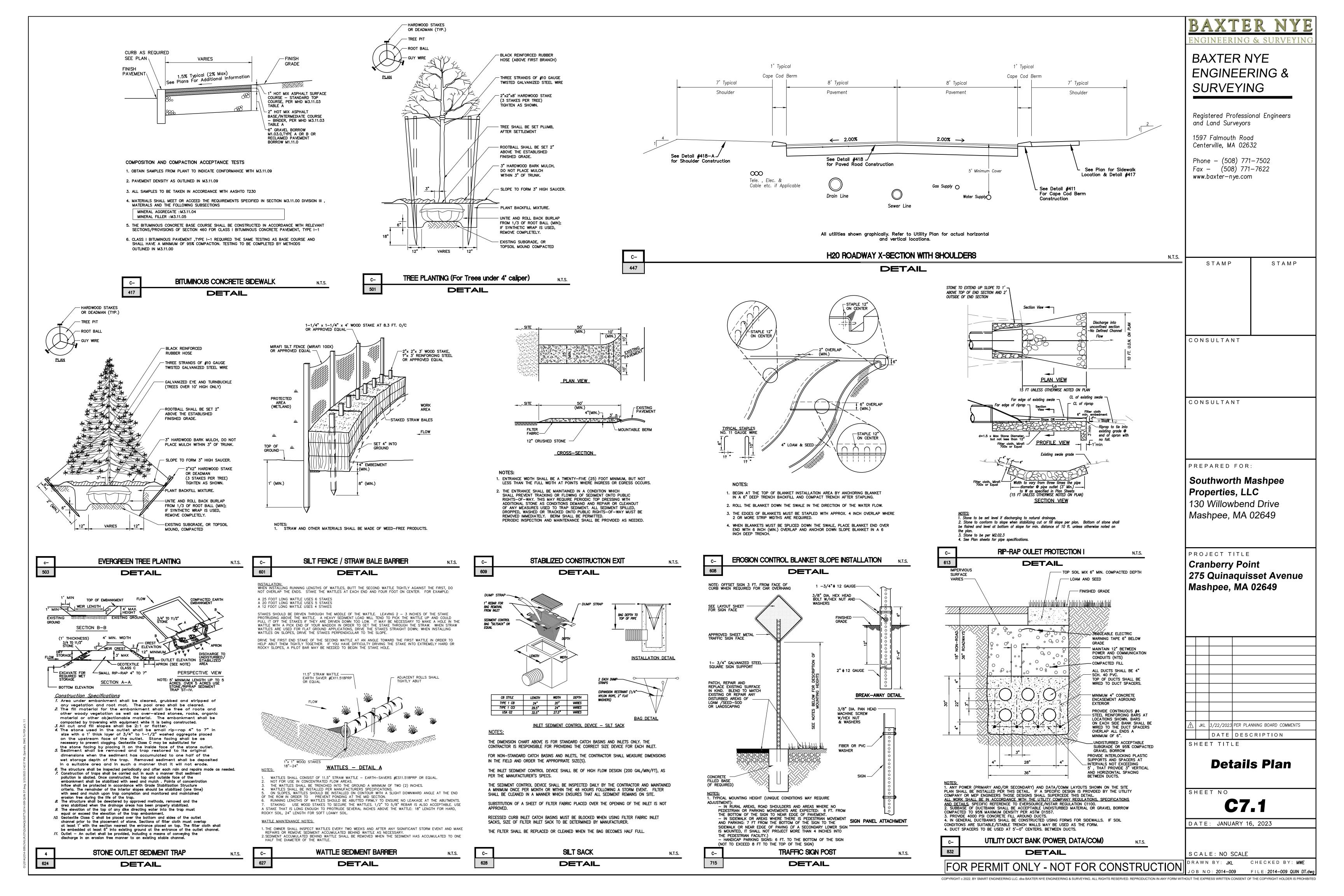
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PHN 7:20 PM: WILLOWBEND PERMIT AREA



16 Great Neck Road North Mashpee, Massachusetts 02649

Mashpee Planning Board Public Hearing Notice

Pursuant to Massachusetts General Laws, Chapter 40A Section 11 and the Town of Mashpee Zoning Bylaws Section 174-24(C)(9), the Mashpee Planning Board will hold a public hearing on Wednesday, June 21, 2023 at 7:20 PM at the Mashpee Town Hall, 16 Great Neck Road North, to consider an application from Southworth Mashpee Properties LLC, property owner, to modify the Willowbend Country Club Special Permit. This application requests that the existing condition in the November 1991 Special Permit modification decision affirming the limit of the total number of bedrooms within the Willowbend project area to 853 be amended

Submitted by:

Mary E. Waygan Mashpee Planning Board

Publication dates: Friday, June 2, 2023

Friday, June 9, 2023

Date: October 18, 2023

To: Mashpee Planning Board From: Karen Faulkner, Chair

Re: Report of August 22, 2023 Zoom Meeting

On July 21, 2023 Attorney for Southworth Mashpee Properties, LLC, Donald Pinto, Jr. wrote our Town Counsel a letter stating their legal position with respect to issues related to the Willowbend Special Permit Modification and challenges the Town could encounter. Essentially, the letter was threatening litigation against our Town. At the behest of our Town Counsel, Patrick Costello, I was asked to participate in a Zoom meeting with Town Planner, Evan Lehrer, attorney Donald Pinto, Jr., representing Southworth Mashpee Properties, LLC, attorney Jack McElhinney, local counsel for Southworth Mashpee Properties, LLC and Troy Miller, Chief Development Officer for Southworth Mashpee Properties, LLC. Town Counsel's purpose for calling this Zoom meeting was to make Town Planner and me aware of the legal issues Don Pinto was challenging. Further, Town Counsel wanted Town Planner to request an executive session of the Planning Board to discuss the strengths and weaknesses of various legal arguments, as well as legal strategies to protect the Town's interests.

To the best of my recollection, the following is a recitation of what was said during the Zoom meeting:

- 1. Attorney Pinto outlined his legal arguments as per his July 31, 2023 letter to Town Counsel, copy of letter attached.
- Town Counsel then responded as to the legitimacy of the bedroom cap as a density limitation as a function of zoning, which was the purpose and intent of the original 1991 permit as issued by the Planning Board at that time.
- 3. Town Planner summarized the estimate of the existing number of bedrooms as well as the projections for new bedrooms based on open building permits and planned units.
- 4. Town Planner opined that he did not think the Planning Board would be comfortable modifying the bedroom count solely on the Wastewater Treatment Plant capacity.
- 5. I affirmed Town Counsel's interpretation of the 853 bedroom cap as a density limitation as a function of zoning.
- 6. Attorney Jack McElhinney and Troy Miller both spoke, but I do not recall them saying anything substantive.
- 7. No negotiations took place.
- 8. Nothing resulting from the August 22nd Zoom meeting has biased my understanding of Southworth's application and my duty to act impartially.

Enclosure: Donald Pinto, Jr. letter of July 31, 2023

PIERCE ATWOOD 3

July 31, 2023

Patrick Costello Mashpee Town Counsel Louison, Costello, Condon & Pfaff, LLP 10 Post Office Square, Suite 1330 Boston, MA -2109

Re: Willowbend Special Permit Modification

Dear Pat:

Donald R. Pinto, Jr.

100 Summer Street Suite 2250 Boston, MA 02110

617.488.8175 voice 617.824.2020 fax dpinto@pierceatwood.com www.pierceatwood.com

Southworth Mashpee Properties LLC has engaged me to provide advice and assistance with its pending application to the Mashpee Planning Board to modify the 1987 special permit for Willowbend Country Club, including any appeals or other court actions that may ensue. I'm working with Troy Miller, Southworth's Chief Development Officer, and Jack McElhinney, Southworth's local counsel, on this matter and am writing this letter on their behalf as well as my own. The purpose of this letter is to open a constructive dialogue on legal issues the Planning Board has raised in connection with Southworth's application, in hopes of reaching a resolution that works for all and avoids the time and expense of litigation.

Though I'm new to this particular controversy I've been poring over the background materials and have reviewed video recordings of the recent Planning Board hearings. I understand that the Board views the reference in the 1991 special permit modification to "the maximum number of 853 bedrooms . . . originally contemplated" as a cap that remains in force even though the Board, for a period of over 30 years, not only has never treated it as such, but has never once (until now) even mentioned it, granting modification after modification of the permit without regard to the total number of bedrooms at the project. Southworth has reasonably and in good faith relied on the Board's longstanding course of conduct in <u>not</u> treating that 1991 language as a still-enforceable bedroom cap as it invested millions of dollars developing, permitting, and selling to third parties scores of lots at Willowbend.

As the 1991 modification indicates, the 853-bedroom figure didn't start out as a cap. It was simply a function of the original Willowbend developers'

PORTLAND, ME BOSTON, MA PORTSMOUTH, NH PROVIDENCE, RI AUGUSTA, ME STOCKHOLM, SE WASHINGTON. DC

proposal to build a total of 338 units under the town's then-operative (1985) cluster development bylaw, which purported to limit the number of bedrooms in each residential unit. Importantly, under the 1985 bylaw, the original developer could have developed well over 400 units. The number of bedrooms was capped at 853 because that was the figure used to design the capacity of the private sewage treatment plant that was proposed as part of the MEPA review of the project in 1987. In 1991, the Planning Board agreed to a proposed reduction in the number of units to 287 "provided that the maximum number of 853 bedrooms (excluding dens, studies and family rooms) originally contemplated shall not be exceeded." The Board acknowledged that in referring to a maximum of 853 bedrooms it was "interpret[ing] the bedroom limit contained within Section 9.322 [of the cluster bylaw] as a density limit which was intended to establish a maximum number of bedrooms within the development when applied in conjunction with the maximum number of units established under the permit." In that context, the condition ensured that the size of the development could not exceed the design capacity of the sewage treatment plant as permitted by DEP.

Southworth's position is that if the 853-bedroom figure ever was enforceable as a cap on the number of bedrooms at Willowbend, it plainly no longer is. While the Board's 1991 interpretation of the language of Section 9.322 as "a density limit which was intended to establish a maximum number of bedrooms within the development" may be plausible, such a limit would be unenforceable. It's settled law that, other than reasonable bulk restrictions (such as maximum floor-area ratios), zoning can't be used to regulate the interior of single-family homes. G.L. c. 40A, § 3, titled "Subjects which zoning may not regulate . . . ," states in relevant part, "No zoning ordinance or bylaw shall regulate or restrict the interior area of a single family residential building" The reason for this prohibition is that the police power on which all zoning regulation is based is limited to the protection of public health, safety, and welfare; regulation of the interior layout of a single-family home doesn't implicate these concerns. See Barney & Casey Co. v. Town of Milton, 324 Mass. 440, 445 (1949) (where application of zoning regulation to a particular parcel has "no real or substantial relation to the public safety, public health or public welfare," it will be struck down). A zoning bedroom limit is especially problematic because it can effectively limit the number of children a family can have.

Of course, limits on the number of bedrooms in a single-family home <u>can</u> be imposed and enforced by local Boards of Health and, for larger systems, by DEP, under Title 5 of the State Environmental Code. However, as Southworth has emphasized at the recent hearings, the Willowbend sewage treatment plant has far more capacity than is currently needed, even at times

Patrick J. Costello, Esq. July 31, 2023 Page 3

of peak flows, even with well more than 853 bedrooms already connected. There's been no suggestion that, when the development is fully built out to 287 units, the plant even then will approach its design capacity. DEP closely monitors the plant and has approved all applications for sewer extension permits to date. DEP would not grant an approval if there was any reason for concern over the plant's function or capacity.

Even if the 853-bedroom figure was enforceable as a cap in 1991, as a result of the Planning Board's consistent conduct over a span of more than 30 years and Southworth's reasonable, good-faith reliance on the Board's nonenforcement of that provision, I believe a court presented with all the facts will conclude that the Board is estopped from enforcing it now. The elements of equitable estoppel are (1) a representation or conduct amounting to a representation intended to induce a course of conduct on the part of the person to whom the representation is made; (2) an act or omission by the person to whom the representation is made in reasonable reliance on the representation, and (3) detriment to the person who relied on the representation. Bongaards v. Millen, 440 Mass. 10, 15 (2003). Pertinent to the current situation, silence may satisfy the first element where it constitutes a representation of consent. Reading Co-Op. Bank v, Suffolk Constr. Co., Inc., 464 Mass. 543, 556 (2013). Moreover, "The linchpin for equitable estoppel is equity - fairness." Silverwood Partners, LLC v. Wellness Partners, LLC, 91 Mass. App. Ct. 856, 863 (2017).

While as a general rule equitable estoppel isn't applied to government acts, there's an important caveat to that rule: estoppel is not applied "where to do so would frustrate a policy intended to protect the public interest." Weston Forest and Trail Ass'n, Inc. v. Fishman, 66 Mass. App. Ct. 654, 660 (2006). Here, given the Planning Board's three decades of non-enforcement of the 853-bedroom figure as a cap, Southworth's longstanding and substantial reliance on the Board's consistent non-enforcement, and, most importantly, the lack of any connection between the Board's sudden decision to enforce the supposed cap and any policy intended to protect the public interest, there is no reason for a court not to hold the Board estopped from now enforcing an 853-bedroom cap. As regards fairness, I understand that over the years Southworth has, at the Town's request and with the Planning Board's consent - and with no legal obligation to do so - connected to the Willowbend sewage treatment plant three developments that were on septic systems (one of which was failing) and that were not subject to the special permit. In the aggregate, these developments add a substantial number of bedrooms, and thus flow, to the plant. Given this background, the Planning Board's attempt to now enforce the 853-bedroom figure as a cap and thereby thwart the build-out of the remaining developable parcels at Willowbend is especially unfair.

Patrick J. Costello, Esq. July 31, 2023 Page 4

One final point. When I watched the video recording of the Planning Board's June 21, 2023 hearing, I noted the enthusiasm of some Board members for attempting to document the total number of bedrooms currently at Willowbend by knocking on doors and asking homeowners to allow town officials into their homes to count bedrooms. Unless a homeowner were to provide their informed consent, this type of administrative search - like any search of someone's home - requires a warrant issued by a judge upon a showing of probable cause to search that particular dwelling. Camara v. Municipal Court, 387 U.S. 523, 534 (1967); City of Boston v. Ditson, 4 Mass. App. Ct. 323, 327-329 (1976). Because the point of such an exercise would be to determine how many bedrooms there are at the development as a whole, no probable cause could or would exist to search any individual home. Besides this constitutional problem, the whole notion of counting bedrooms is pointless: there's no dispute that the 853-bedroom figure was surpassed likely years ago - with the Planning Board's tacit approval, and in the meantime many non-Willowbend bedrooms have been connected to the sewage treatment plan at the Town's request. Whether there are currently 853, or 953, or any greater number of bedrooms at Willowbend is irrelevant. The only possible relevance of that number is to the capacity of the sewage treatment plant, and regular monitoring by Southworth - overseen by DEP shows the plant is operating well and has a large amount of capacity to spare. For these reasons, Southworth is unwilling to participate in, or contribute financially to, any effort to count or document the number of bedrooms at Willowbend.

As our goal is to open a constructive dialogue on these issues, Southworth's management would appreciate if you would consult with the Planning Board and get back to us with your thoughts. If you think it would be productive we're open to a sit-down with counsel, a representative or two of Southworth, and representatives of the Planning Board and other interested Town officials, to discuss these issues and how to resolve them without litigation. We look forward to hearing from you.

Very truly yours,

Donald R. Pinto, Jr.

DRP/gmy cc: Troy Miller

Jack McElhinney, Esq.

"Preserving public trust and providing professional services"

Rodney C. Collins Town Manager 508-539-1401 rccollins@mashpeema.gov



Office of the Town Manager Mashpee Town Hall 16 Great Neck Road North Mashpee, MA 02649

September 21, 2023

Mashpee Planning Board Chair Karen Faulkner Town Hall 16 Great Neck Road North Mashpee, MA 02649

Dear Madam Chair:

It has been brought to my attention that a letter addressed to Town Counsel has been questioned. The letter was dated July 31, 2023 and was addressed to Town Counsel. The letter (See attached) was sent by Attorney Donald R. Pinto, Jr. and referenced the Willowbend Special Permit Modification. Attorney Pinto represents Southworth Mashpee Properties, LLC. I was made aware of the letter on July 31, 2023 via email. (See attached)

A zoom meeting was arranged for August 22nd between the Town Planner, yourself, Town Counsel and Attorney Pinto. Town Counsel understood the matter in question involved a public hearing that had been continued. My understanding is Town Counsel wanted to make you and the Town Planner aware of legal aspects, especially regarding the issues that may be challenged. Town Counsel further wanted to formally request an executive session with the entire Planning Board for the purposes of discussing the strengths and weaknesses of legal arguments, as well as legal strategy in protecting the Town's interests.

Town Counsel expected the possibility of an executive session to be discussed at your September 6th meeting. However, it was not placed on the agenda for the September 6th meeting and so the matter lingered. On September 20, 2023, the Planning Board met and as I understand it, have no appetite for an executive session without a written explanation from Town Counsel to justify such action. I have further received an email from Planning Board member Mary Waygan, expressing concerns about any ex-parte communications. I trust that Town Counsel's actions were legal and in good faith in an effort to protect the Town's interests. However, I am extremely concerned about the transparency of the process at this point and the public perception that could follow.

I fully understand that legal strategy is a legitimate purpose to enter executive session. Yet the threat of litigation appears premature because the Planning Board has not even rendered a decision. I also do not want any parties to think that they can circumvent a regulatory authority by threatening legal action directly to Town Counsel.

The purpose of this letter is to inform you that I have spoken to Town Counsel today. I informed him there will be no executive session. Upon review of the enclosed letter from Attorney Pinto, if the Planning Board wishes to consult with Legal Counsel, the board may obviously make the request known to the Town Planner and I will make the Town Attorney available for consultation at the board's request.

I also understand the board's frustration that the letter was dated July 31 but the entire Planning Board was not discussing it until September 21. After meeting with the Town Planner earlier today, I have no explanation. Yet it is fair to presume that I will be discussing with staff the importance of resolving outstanding issues in a reasonable and timely manner, regardless of the outcome.

Sincerely,

RODNEY C. COLLINS

Town Manager

Attachments

Cc: Town Planner

Town Attorney

Re: Willowbend

Rodney C. Collins < rccollins@mashpeema.gov>

Mon 7/31/2023 3:48 PM

To:Patrick Costello <pcostello@lccplaw.com>;Wayne E. Taylor <wtaylor@mashpeema.gov>

Hi Pat,

I am not trying to answer your question with a question but I want to get your professional opinion. My take on this letter is the Southworth Group is trying to work out an agreement to avoid litigation. However, I am concerned that such discussions would usurp the Planning Board's authority.

I also don't generally take too kindly to the threat of litigation. However, the letter is not overly aggressive so I would seek to resolve if we can. My other concern is that Willowbend knew or should have known they had reached the bedroom limit. The only excuse they have given us is that the Town didn't say anything in recent years. That is like blaming the beat cop for standing beside a store being burglarized and the cop didn't stop the burglar because he thought it was the owner. When the burglar gets finally caught, he blames the cop.

Is it legal for an executive session with the Planning Board? If so, is that how you would recommend that we proceed?

Rodney C. Collins | Town Manager

Town of Mashpee

16 Great Neck Road North, Mashpee, MA 02649

Office: 508.539.1401 | Fax: 508.539.1142



"Preserving public trust and providing professional services."

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Warning: The content of this message and any response may be considered a Public Record pursuant to Massachusetts General Law.

From: Patrick Costello <pcostello@lccplaw.com>

Sent: Monday, July 31, 2023 12:32 PM

To: Rodney C. Collins <rccollins@mashpeema.gov>; Wayne E. Taylor <wtaylor@mashpeema.gov>; Terrie Cook

<tmcook@mashpeema.gov>
Subject: Fwd: Willowbend

Attention!: : Links contained herein may not be what they appear to be. . Please verify the link before clicking! Ask IT if you're not sure.

See below/ attached. Please advise what, if any, action you want me to take in this regard.

Pat

Patrick J. Costello

Louison, Costello, Condon & Pfaff, LLP

Ten Post Office Square, Suite 1330

Boston, MA 02109

Office: 617-439-0305 Cell: 617-901-1639 Fax: 617-439-0325 pcostello@lccplaw.com

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Begin forwarded message:

From: Donald Pinto <dpinto@pierceatwood.com>

Date: July 31, 2023 at 12:17:22 PM EDT

To: Patrick Costello <pcostello@lccplaw.com>

Cc: Troy Miller <tmiller@southworthdevelopment.com>, imcelhin@aol.com

Subject: Willowbend

Hi Pat, I hope you've been well. Attached is a copy of a letter on behalf of Southworth Mashpee Properties LLC concerning Willowbend and recent proceedings before the Mashpee Planning Board. I've put a paper copy of the letter in the mail to you today. I look forward to working with you on this matter. Regards, Don Pinto

Donald Pinto

PIERCE ATWOOD LLP

100 Summer Street 22nd Floor

PH 617.488.8175 FAX 617.824.2020

Boston, MA 02110

dpinto@PierceAtwood.com

BIO → TWITTER → Admitted in MA

This e-mail was sent from Pierce Atwood. It may contain information that is privileged and confidential. If you suspect that you were not intended to receive it please delete it and notify us as soon as possible.

CORRESPONDENCE

Rec'd Planning

DEPARTMENT OF ENVIRONMENTAL PROTECTION WATERWAYS REGULATION PROGRAM

Notice of License Application Pursuant to M. G. L. Chapter 91 Waterways License Application Number 23-WW01-0123-APP Brian Brochu

NOTIFICATION DATE: November 10, 2023

Public notice is hereby given of the waterways application by Brian Brochu to construct and maintain a pier and float at 32 Crescent Road, in the municipality of Mashpee, in and over the waters of Johns Pond. The proposed project has been determined to be water-dependent.

The Department will consider all written comments on this Waterways application received within 30 days subsequent to the "Notification Date". Failure of any aggrieved person or group of ten citizens or more, with at least five of the ten residents residing in the municipality(s) in which the license or permitted activity is located, to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c).

Project plans and documents for the Waterways application are on file for public viewing electronically at: https://eeaonline.eea.state.ma.us/EEA/PublicApp/ (enter "32 Crescent Road" in the Search Page as the Location Address). If you need assistance, please contact cally.harper@mass.gov or if you do not have access to email, please leave a voicemail at (617) 549-3598 and you will be contacted with information on alternative options.

Written comments must be addressed to: Cally Harper, Environmental Analyst, DEP Waterways Regulation Program, 20 Riverside Drive, Lakeville, MA 02347.

I HEREBY CERTIFY THAT THIS PLAN DOES CONFORM WITH THE REQUIREMENTS FOR RECORDING OF PLANS IN THE REGISTRY OF DEEDS.

RAUL LIZARDI-RIVERA, P.E.

DRAWING INDEX

SHEET

TITLE

COVER SHEET

2

OVERALL SITE PLAN

3

PROPOSED SEASONAL PIER & FLOAT PROPOSED PIER PROFILE, BENT

SECTION & FLOAT DETAIL

PLAN LEGEND

111111111111 OBSERVED WATER LEVEL ON 3/21/23 (EL. 37.5 NAVD88)

W — MEAN ANNUAL FLOOD LEVEL (EL. 38.5 NAVD88)

 NHESP - ESTIMATED HABITAT - NHESP - PRIORITY HABITAT

---- EXISTING CONTOUR GRADES, NAVD88

FEMA FLOOD ZONE BOUNDARY

NO PRIOR CHAPTER 91 AUTHORIZATIONS FOR THIS PROPERTY

NOTES:

- 1. LOCATIONS ARE BASED ON AN "ON THE GROUND" INSTRUMENT SURVEY.
- HORIZONTAL DATUM: NAD83
- VERTICAL DATUM: NAVD88
- 4. ZONE DESIGNATION OF MINIMAL HAZARD ZONE X BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP NO. 25001C0519J, WITH A MAP EFFECTIVE DATE OF JULY 16, 2014.
- 5. POND WATER DEPTH ARE BASED ON ELEVATION MEASUREMENT FROM THE POND BOTTOM IN NAVD88 IN RELATION TO THE POND MEAN ANNUAL FLOOD LEVEL ELEVATION OF 38.5' NAVD88.
- 6. ABUTTER INFORMATION OBTAINED FROM A TOWN OF MASHPEE BOARD OF ASSESSORS CERTIFIED ABUTTERS LIST DATED 5/3/2023

COVER SHEET SHEET 1 OF 4 JULY 14, 2023

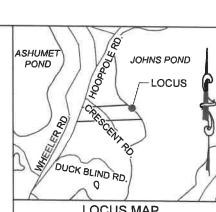
PLAN ACCOMPANYING PETITION OF BRIAN BROCHU TO CONSTRUCT & MAINTAIN A SEASONAL PIER AND FLOAT IN AND OVER THE WATERS OF JOHNS POND AT 32 CRESCENT ROAD. MASHPEE, BARNSTABLE COUNTY, MASSACHUSETTS

DEP FILE # XXXX

WHEALTH OF MASSE RAUL LIZARDHRIVERA CIVIL

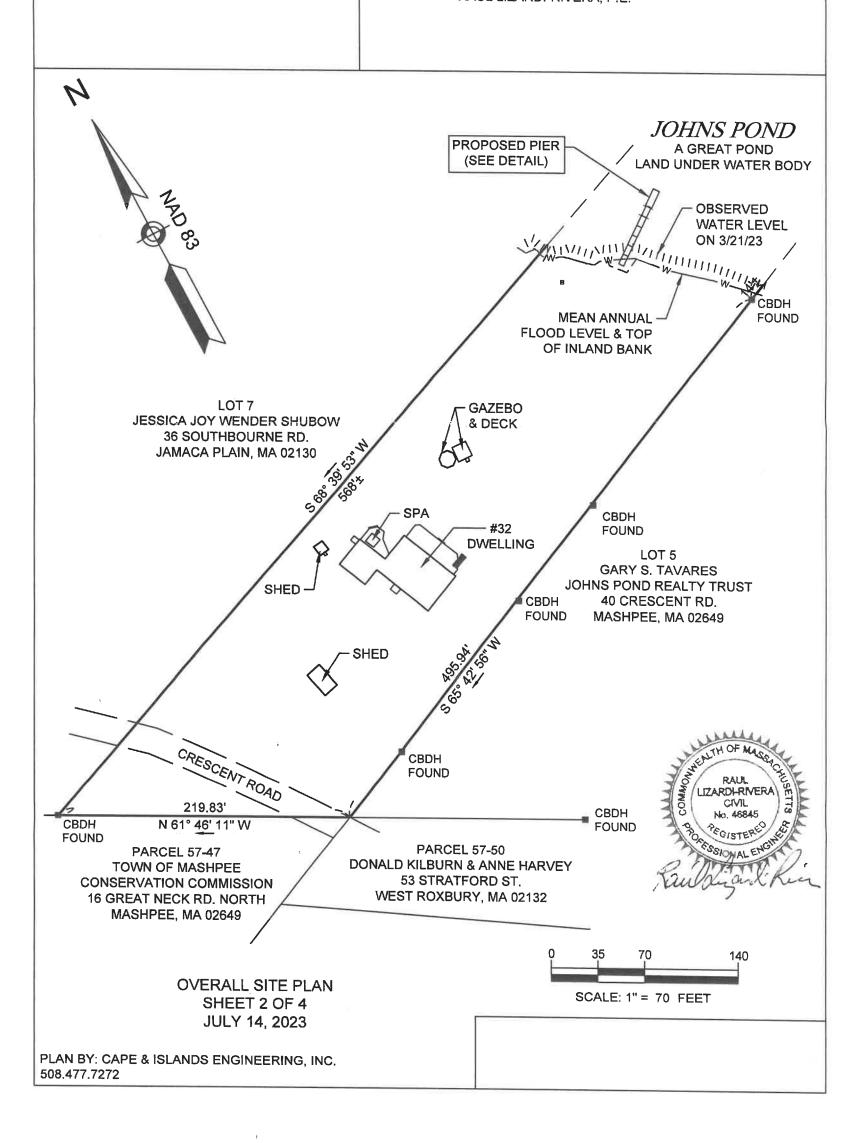
PLAN BY: CAPE & ISLANDS ENGINEERING, INC.

508.477.7272



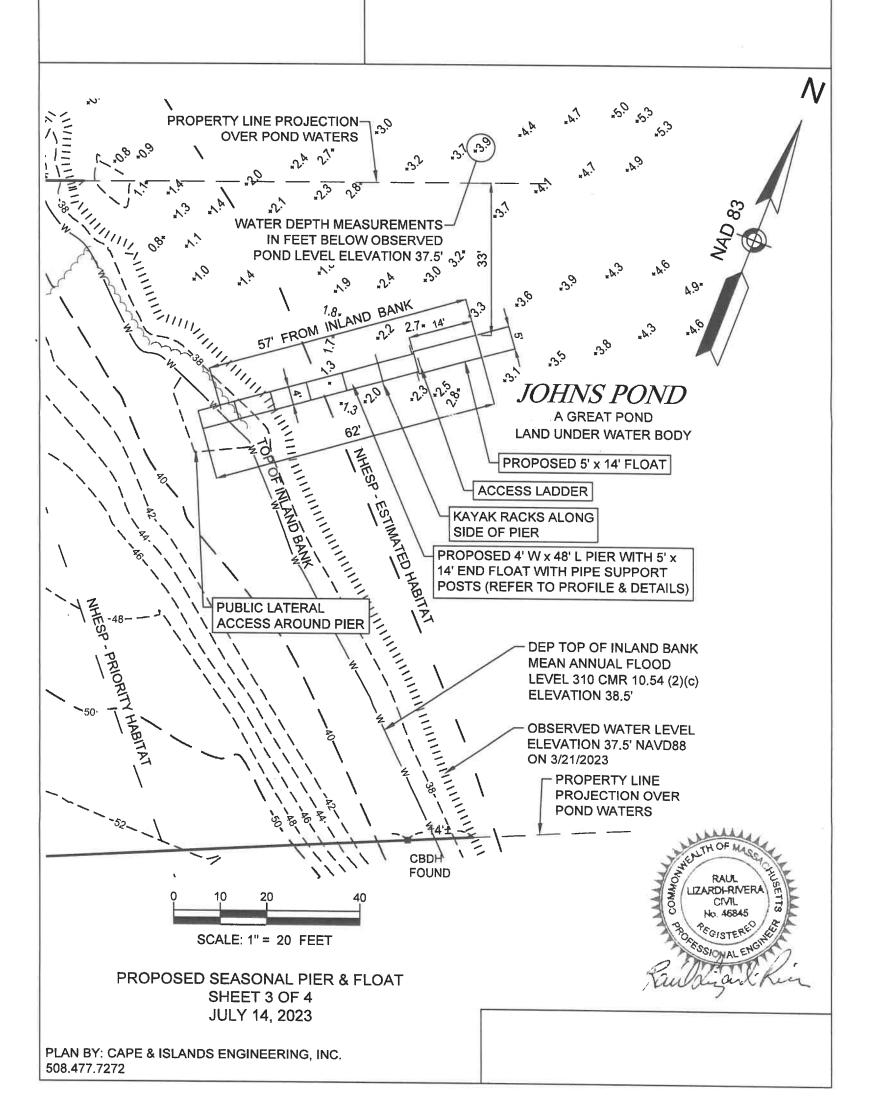
LOCUS MAP SCALE: 1"=2000' I HEREBY CERTIFY THAT THIS PLAN DOES CONFORM WITH THE REQUIREMENTS FOR RECORDING OF PLANS IN THE REGISTRY OF DEEDS.

RAUL LIZARDI-RIVERA, P.E.



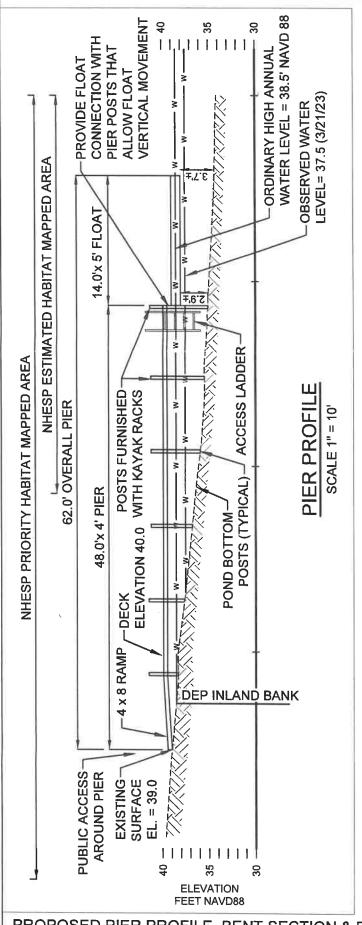
I HEREBY CERTIFY THAT THIS PLAN DOES CONFORM WITH THE REQUIREMENTS FOR RECORDING OF PLANS IN THE REGISTRY OF DEEDS.

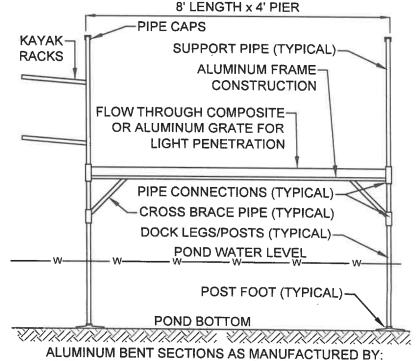
RAUL LIZARDI-RIVERA, P.E.



I HEREBY CERTIFY THAT THIS PLAN DOES CONFORM WITH THE REQUIREMENTS FOR RECORDING OF PLANS IN THE REGISTRY OF DEEDS.

RAUL LIZARDI-RIVERA, P.E.





ALUMINUM BENT SECTIONS AS MANUFACTURED BY: FWM INC., OR SHORE MASTER OR APPROVED EQUAL

PIER BENT SECTION NOT TO SCALE

14' LENGTH

UV-PROTECTED POLYETHYLENE FLOAT AS MANUFACTURED BY: FWM INC., OR APPROVED EQUAL

FLOAT SHALL BE REMOVED FROM THE WATER AND STORED IN AN UPLAND LOCATION DURING THE OFF SEASON

SECURE FLOAT IN PLACE WITH **CONNECTION TO PIER POSTS**

FLOAT PLAN VIEW DETAIL

NOT TO SCALE



WIDTH

ູລ

PROPOSED PIER PROFILE, BENT SECTION & FLOAT DETAIL

SHEET 4 OF 4 JULY 14, 2023

PLAN BY: CAPE & ISLANDS ENGINEERING, INC. 508.477.7272



Massachusetts Department of Environmental Protection Chapter 91 Waterways Water-Dependent, Nonwater Dependent, Amendment Application Municipal Planning Board Notification

Note to Permittee: This form should be submitted, with the top portion completed, to the municipal Planning Board along with the complete application and project plans.

I own of Mashpee Department of Pu	<u>blic Works c/o Catherine Laurei</u>	<u>nt: 350 Meetinghouse</u>	Road; Mashpee; MA
02469			
Name of Permittee			
160' west of the intersection of			
Route 151 and Old Brickyard Road			
	Childs River	M	ashpee
Project Address	Name of Waterway	Citỳ/Town	

Description of project and use or change in use (this field is not limited to the one line shown).

The Town of Mashpee and the Massachusetts Department of Transportation - Highway Division (MassDOT) are proposing to reconstruct and widen Nathan Ellis Highway (Route 151). In addition to roadway improvements, a shared use path will be provided on the north side of Route 151 and a sidewalk for portions of the south side of Route 151. The Project corridor extends approximately 2.2 miles from the Falmouth Town Line (approximately 400 feet east of the intersection of Route 151 with County Road/Ashument Road) east to the Mashpee Rotary at Route 28/Great Neck Road. Although Route 151 has a State-route number, this section of roadway is Town-owned and maintained.

The Project consists of two phases. Phase 1 includes the section of Route 151 to the east and Phase 2 includes the section to the west. Phase 1 has completed the design process and is currently under construction. Phase 1 extends along Route 151 from approximately 1,400 feet west of the Old Barnstable Road intersection to the Mashpee Rotary. Phase 2 is currently under design and extends along Route 151 from the Falmouth Town Line to just west of Old Barnstable Road. Both phases of the project have been permitted with an Order of Conditions. Superseding Order of Conditions, MEPA Certification, and Section 106 Clearance. A Preconstruction Notification (PCN) and Chapter 91 License are being sought for work under Phase 2.

The Project involves a 3-foot long extension of the existing 5.5-foot diameter culvert on the north side and removal of a 4-foot section on the south side. This work is associated with the Childs River crossing under Route 151, which includes impacts to the Childs River below ordinary high water (OHW); thereby requiring Chapter 91 authorization. This application applies to Project activities occurring below OHW associated with the culvert modifications. The Applicants have applied for or received authorization for all other applicable state and federal authorizations, excluding the PCN which is still in process.

The overall purpose of the Project is to improve pedestrian, bicycle, and vehicular mobility and safety along the Project corridor, while minimizing environmental, historic, and economic impacts to the area, in accordance with MassDOT's Healthy Transportation Policy. The need for the project is directly related to the increase in mobility demands with the expansion of local commercial and retail uses, particularly at Mashpee Commons. Improved bicycle/pedestrian facilities along this corridor is desired to increase non-vehicular travel by providing an alternative means of mobility for residents, workers, and visitors traveling in the corridor. The project will also provide general transportation improvements including: new pavement, drainage improvements, upgrades to intersection operations and road signs, new pavement markings, and enhanced streetscape conditions.



Massachusetts Department of Environmental Protection Chapter 91 Waterways Water-Dependent, Nonwater Dependent, Amendment Application Municipal Planning Board Notification

To be completed by the municipal Planning Board representative.

"I hereby certify that the project described above and more fully detailed in the Permittee's Waterways License application and plans have been submitted by the Permittee to the municipal Planning Board."

Evan Lehrer		11	116/2023
Print Name of Municipal Planning Board Representative		Date	10000
0000	Community Development		
SETT	Director/Town Planner		Mashpee
Signature of Municipal Planning Board Representative	Title		City/Town

Note: Any Planning Board recommendation shall be submitted in accordance with 310 CMR 9.13(5). Comments pertaining to this Application shall be submitted in accordance with 310 CMR 9.13(4); any comments submitted after the close of the public comment period shall not constitute a basis for standing in any appeal pursuant to 310 CMR 9.13(4) and/or 310 CMR 9.17.

I CERTIFY THAT THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

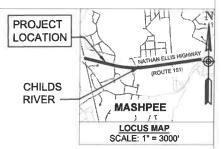
PROFESSIONAL ENGINEER

DATE

DRAWING INDEX

SHEET NO. DESCRIPTION

- COVER SHEET
- 2 EXISTING CONDITIONS PLAN
- 3 ABUTTER INFORMATION
- 4 PROPOSED PLAN VIEW
- 5 SECTION VIEW
- 6 VOLUME IMPACT DIAGRAMS
- 7 PROPERTY OWNERSHIP PLAN



PLAN LEGEND

MEAN ANNUAL/ORDINARY HIGH WATER (MAHW/OHW. EL.38.0± NAVD88)

NOTES

- THE EXISTING CONDITIONS SURVEY IS BASED UPON MOBILE LIDAR DATA ACQUIRED BY SURVEYING AND MAPPING CONSULTANTS ON NOVEMBER 13, 2013 AND SUPPLEMENTAL FIELD SURVEYS TO LOCATE WETLAND BOUNDARY FLAGS AND UTILITY STRUCTURES. TOPOGRAPHY DERIVED FROM THE LIDAR DATA HAS BEEN SUPPLEMENTED WITH TOWN OF MASHPEE GIS DATA
- ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) BASED UPON NGS BENCHMARKS P56, G56 AND M56.
- THE PROJECT AREA IS LOCATED WITHIN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. FEMA MAP NUMBER 25001C0732J, ZONE X, EFFECTIVE DATE JULY 16, 2014.
- 4. MAHW/OHW LINE DELINEATED BY LEC ENVIRONMENTAL CONSULTANTS, INC. IN THE FIELD AND SURVEYED BY DAWOOD ENGINEERING, INC.
- 5. MAHW LINE AND OHW LINE ARE COINCIDENT IN THE FIELD.
- 6. THE PROJECT IS LOCATED IN A NON-TIDAL AREA.
- THE MAHW/OHW ELEVATION HAS BEEN INTERPOLATED FROM LOCATION OF WETLAND FLAGS, SURVEY POINTS AND TOPOGRAPHY.

COVER SHEET

SHEET 1 OF 7

SEPTEMBER 05, 2023

PLAN ACCOMPANYING PETITION OF MASSACHUSETTS
DEPARTMENT OF TRANSPORTATION TO CONSTRUCT AND
THE TOWN OF MASHPEE TO MAINTAIN THE CHILDS RIVER
CULVERT IN THE TOWN OF MASHPEE, MASSACHUSETTS.

DEP FILE # XXXX

I CERTIFY THAT THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS. PROFESSIONAL ENGINEER DATE PROPERTY OWNERSHIP INFORMATION YEBBA, NICHOLAS & ELISABETTA TR 1 20 COMMERCIAL DRIVE APPROXIMATE LIMITS WRENTHAM, MA 02093 OF CHILDS RIVER **MAP 72 LOT 1** BOOK 211213 PAGE CTF **BEYOND PROJECT** WALKER, ERIC SURVEY PO BOX 2550 1941 COUNTY LAYOUT MASHPEE, MA 02649 EXIST. PAVED ROADWAY MAP 72 LOT 88 BOOK 214837 PAGE CTF SEE SHEET 3 OF 7 FOR ABUTTER PROPERTY LINE (TYP) INFORMATION. OCO BRICANDA EXIST. CHILDS RIVER CULVERT SOME (A1) NATHAN ELLIS HIGHWAY **A6** ① OHW **(A5)** (EL. 38.0±); ROUTE 151) **(A4)** CHILDS RIVER 2 OHW (EL. 38.0±) 80) BRICKYARD F **A2 A3** 0 OLD , APPROXIMATE LIMITS OF CHILDS RIVER **BEYOND PROJECT** SURVEY PROPERTY LINE 100 200 (TYP) SCALE: 1" = 100' **EXISTING CONDITIONS PLAN** SHEET 2 OF 7 **SEPTEMBER 05, 2023**

I CERTIFY THAT THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

PROFESSIONAL ENGINEER

DATE

	ABUTTER INFORMATION					
IĐ	NAME	ADDRESS				
A1 PLAYSTEAD LLC EYNON, DERYK A. & GINA M. C/O ANDERSON, DANIEL P. & ANDERSON, JESSICA DENISE		100 HAMMOND STREET WALTHAM, MA 02451 MAP 71 LOT 55 BOOK 32990 PAGE 158				
		25 FAIRNENY WAY, MASHPEE, MA 02649 MAP 72 LOT 104 BOOK 31427 PAGE 106				
А3	TOWN OF MASHPEE	16 GREAT NECK ROAD NORTH, MASHPEE, MA 02649 MAP 72 LOT 97 BOOK 12705 PAGE 236				
A4	MURPHY, CAMERON & C/O MURPHY, CAMERON	27 FAIRNENY WAY, MASHPEE, MA 02649 MAP 72 LOT 103 BOOK 32279 PAGE 169				
A5	TOWN OF MASHPEE	16 GREAT NECK ROAD NORTH, MASHPEE, MA 02649 MAP 71 LOT 116 BOOK 12916 PAGE 271				
A6	TOWN OF MASHPEE	16 GREAT NECK ROAD NORTH, MASHPEE, MA 02649 MAP 71 LOT 149 BOOK 12709 PAGE 163				

ABUTTER INFORMATION
SHEET 3 OF 7
SEPTEMBER 05, 2023

I CERTIFY THAT THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS. PROFESSIONAL ENGINEER DATE PROP REMOVAL OF - OHW CHILDS SEDIMENT (DREDGE IN (EL. 38.0±) RIVER **INLAND WATERWAYS)** 1941 COUNTY LAYOUT REM HEADWALL, PROP PROP WOOD RAIL **CULVERT MODIFICATIONS FENCE ON WALL** (STRUCTURE AND DREDGING PROP CONCRETE IN INLAND WATERWAYS) **GRAVITY** PROP TEMP SHEETING LEFT-IN-PLACE **RETAINING WALL** (DREDGE AND PROP WALL FOUNDATION **BACKFILL** LIMIT (STRUCTURE) IN INLAND WATERWAYS) ROUTE 151 PROP TEMP SUPPORT OF EXCAVATION PROP 12" DI INV EL. 38.25' AT WALL PROP WOOD RAIL FENCE **EXIST** ON WALL CULVERT PROP REM HEADWALL CONCRETE PROP CULVERT **GRAVITY** MODIFICATIONS RETAINING 32 PROP REMOVAL WALL OF SEDIMENT (DREDGE IN INLAND WATERWAYS) **OHW** 1941 COUNTY (EL. 38.0±) LAYOUT SCALE: 1" = 20" IMPACT SUMMARY (NORTH SIDE) STRUCTURE IN INLAND WATERWAYS = 125 SF DREDGING IN INLAND WATERWAYS = 73 SF NOTE PROPOSED TEMPORARY STREAM BYPASS SYSTEM AND SANDBAGS TO BE UTILIZED TO CONSTRUCT CULVERT MODIFICATIONS IMPACT SUMMARY (SOUTH SIDE)
DREDGING IN INLAND WATERWAYS = 381 SF IN THE DRY. PROPOSED PLAN VIEW SHEET 4 OF 7 **SEPTEMBER 05, 2023**

I CERTIFY THAT THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS. PROFESSIONAL ENGINEER DATE PROP RIVER BED (REMOVAL OF DRAINAGE PIPE SEDIMENT TO EL. 36.0) - CONCRETE FOOTING (TYP.) - CRUSHED STONE FOR BRIDGE FOUNDATION (TYP.) - EXIST.GRADE EXIST. HEADWALL -INVERT EL. 35.02 PROP, CULVERT REPLACEMENT EXIST. CULVERT REMOVAL (4-FT) OHW EL. 38.0± APPROX.-EXIST. RIVER BED (TYP) 1941 COUNTY LAYOUT 1.-6 PROP. CULVERT EXTENSION
PROP. CULVERT REPLACEMENT

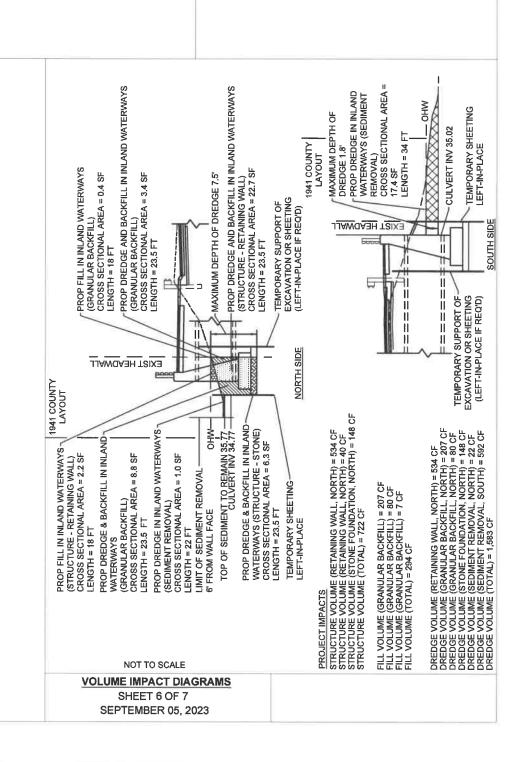
PROP. EXIST. HEADWALL

EXIST. HEADWALL EXCAVATION SHOWN - LIMITS & DEPTH TO BE DETERMINED BY CONTRACTOR (TYP.) CULVERT SECTION ±72'-0"
EXIST CULVERT TO REMAIN CONCEPTUAL SHEETING AND SUPPORT OF 87'-0" TEMPORARY SUPPORT OF EXCAVATION OR SHEETING LEFT-IN-PLACE (IF REQ'D)(TYP.) 1941 COUNTY LAYOUT 1.-6 1-FT OF SEDIMENT TO REMAIN INVERT EL. 34.77 LOHW EL. 38.0± INSPECTION) TEMPORARY SHEETING LEFT-IN-PLACE (TYP.) WATER SURFACE EL. 39.5± (FROM 11/11/19 (J. P.) CONCRETE GRAVITY WALL NOT TO SCALE **SECTION VIEW** SHEET 5 OF 7 **SEPTEMBER 05, 2023**

I CERTIFY THAT THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

PROFESSIONAL ENGINEER

DATE



I CERTIFY THAT THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS. PROFESSIONAL ENGINEER DATE APPROXIMATE LOCATION OF CHILDS RIVER **BEYOND PROJECT SURVEY (TYP)** OHW (EL. 38.0±) PROP TEMP **EASEMENT** (TYP) YEBBA, NICHOLAS & ELISABETTA TR 20 COMMERCIAL DRIVE WRENTHAM, MA 02093 **MAP 72 LOT 1** BOOK 211213 PAGE CTF 1941 POUNTY LAVOUT CHILDS RIVER CULVERT CHILDS PROP TEMP EASEMENT -RIVER (TYP) OHW WALKER, ERIC (EL. 38.0±) PO BOX 2550 MASHPEE, MA 02649 APPROXIMATE LOCATION OF MAP 72 LOT 88 CHILDS RIVER BEYOND BOOK 214837 PAGE CTF PROJECT SURVEY (TYP) LEGEND: IMPACT AREA SCALE: 1" = 40' **PROPERTY OWNERSHIP PLAN** SHEET 7 OF 7 **SEPTEMBER 05, 2023**

Mass.gov Licensing and Permitting Portal

res

Does the project exceed the MEPA review thresholds for waterways

standards?:

If yes, please provide MEPA Certification number: 16261 If yes, please provide the date of the secretary certificate: 09/25/2020

Is the Project site in an Environmental Justice Community?: No

Which Wetlands Protection Act process document are you attaching?: WPA Order of Conditions

Has there ever been a waterways jurisdictional determination issued for this project site?:

Does your project require a 401 water quality certificate? If yes, please attach No if currently available, a copy of '401 Water Quality Certificate' in the

document section.

Are you seeking a Variance? If yes, please attach a supporting evidence of compliance with 310 CMR 9.21, 'Variance Supplement' in the document

No

Is the project located within the Designated Port Area? If yes, please review the standards at 310 CMR 9.12 and 9.32.

Is the project located within an area subject to State Approved Municipal Harbor Plan? If yes, please attach supporting evidence of compliance with applicable MHP, 'MHP Supplement' in the document section.:

No

Are you seeking a CWD (consolidated written determination) in accordance with 310 CMR 9.14(4)? If yes, please attach a document 'CWD Supplement' in the document section .:

Does your project involve dredging?:

7.5

Dredging Information

Please select the type: Improvement dredging

What is the volume of the material to be dredged? (cubic yards): 59 What is the area of the dredge foot print? (square feet): 454

What is the maximum dredge depth including over-dredge (referenced to Mean Low Water)?:

Describe dredge spoil disposal location/method:

Soil to be removed from the project area will be evaluated prior to off-site management for potential contamination with hazardous materials. No soil will be disposed of off-site without proper assessment by the contractor and approval from the MassDOT Resident Engineer. Any stockpiling of soil will be performed in compliance with MassDOT Policy Directive P-22-001, Off-Site Stockpiling of Soil from MassDOT Construction Projects. This directive limits the allowable locations for off-site stockpiling of soil generated during MassDOT projects and includes various requirements that must be satisfied by the contractor prior to off-site

stockpiling.

Is the dredge spoil compatible for beach nourishment?:

No

No

Yes

Dredging Method

Hydraulic: Mechanical:

Other: No

Documents

Documents: Required Documents: 1. Chapter 91 Plans 2. List of Environmental Regulatory Programs 3. MEPA Certificate 4.

WPA Order of Conditions

List of Documents

When uploading file document(s) the maximum file size allowed is 50 MB.

The 'File Name' (including file extension) MUST NOT exceed 75 characters in length.

The document 'Description' MUST NOT exceed 50 characters in length.

Documents that exceed any of these limits will be removed by the system, and cannot be retrieved, which may delay the review process.

.bat;.bin;.dll;.exe;.js;.msi;.sql;.vbs;ade;adp;chm;cmd;com;cpl;hta;ins;isp;jar;jse;lib;lnk;mde;msc;msp;mst;php;pif;scr;sct;shb;sys;vb;v be;vxd;wsc;wsf;wsh are disallowed file types to upload.

Mass.gov Licensing and Permitting Portal

Туре	Size	Latest Update	Description	Action
WPA Order of Conditions	1004.24 KB	07/27/2023	OOC for Route 151 Corri read more	Actions ▼
Other	92.68 KB	07/27/2023	MA DMF Consultation Letter	Actions ▼
MEPA Certificate	2.07 MB	07/27/2023	MEPA Certificate	Actions ▼
List of Environmental Regulatory Programs	15.72 KB	07/27/2023	List of envir read more	Actions ▼
WPA Order of Conditions	8.17 MB	09/08/2023	SOOC for Rte151 Corridor	Actions ▼
	WPA Order of Conditions Other MEPA Certificate List of Environmental Regulatory Programs WPA Order of	WPA Order of Conditions 1004.24 KB Other 92.68 KB MEPA Certificate List of Environmental Regulatory Programs WPA Order of 8 17 MB	WPA Order of Conditions 1004.24 KB 07/27/2023 Other 92.68 KB 07/27/2023 MEPA Certificate 2.07 MB 07/27/2023 List of Environmental Regulatory Programs 15.72 KB 07/27/2023 WPA Order of 8.17 MB 09/08/2023	WPA Order of Conditions 1004.24 KB 07/27/2023 OOC for Route 151 Corri read more Other 92.68 KB 07/27/2023 MA DMF Consultation Letter MEPA Certificate 2.07 MB 07/27/2023 MEPA Certificate List of Environmental Regulatory Programs WPA Order of 8 17 MB 09/08/2023 SOOC for Rte151

Special Fee Pro	USIOI	ኅ

Exemption:

Yes

Exemption Type:

City/Town/County Government

Application Submitter

Individual CHRIS VONDERWEIDT Topsham, ME, 04008 United States

Telephone #:207-406-5484

E-mail:christopher.vonderweidt@stantec.com

 $I\,hereby\,certify\,that\,the\,information\,submitted\,in\,this\,application\,is\,true\,and\,accurate\,to\,the\,best\,of\,my\,knowledge.$

All applicants and property owners must sign the "Proof of Signature" which will be provided after initial review by the Department. All future application correspondence may be signed by the Application Submitter.

By checking this box, I agree to the above certification.

Date:

Continue Application »

Save and resume later

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Other

100 HAMMOND STREET WALTHAM, MA 02451 MAP 71 LOT 55 BOOK PLAYSTEAD LLC 32990 PAGE 158

EYNON, DERYK A. & GINA M. C/O ANDERSON, DANIEL P. & 25 FAIRNENY WAY, MASHPEE, MA 02649 MAP 72 LOT 104 BOOK

ANDERSON, JESSICA DENISE 31427 PAGE 106

16 GREAT NECK ROAD NORTH, MASHPEE, MA 02649 MAP 72 LOT 97 TOWN OF MASHPEE BOOK 12705 PAGE 236

27 FAIRNENY WAY, MASHPEE, MA 02649 MAP 72 LOT 103 BOOK MURPHY, CAMERON & C/O MURPHY, CAMERON 32279 PAGE 169

16 GREAT NECK ROAD NORTH, MASHPEE, MA 02649 MAP 71 LOT 116 TOWN OF MASHPEE

BOOK 12916 PAGE 271

16 GREAT NECK ROAD NORTH, MASHPEE, MA 02649 MAP 71 LOT TOWN OF MASHPEE 149 BOOK 12709 PAGE 163

Additional Contacts Info

Please provide the Name of the Permittee(s) exactly as it should be listed in Town of Mashpee Department of Public Works the license/permit that will be recorded at the Registry of Deeds (the name(s) listed here need to match the name(s) listed on the plans or the license may be rejected by the Registry of Deeds):

I hereby attest that I have listed all the Permittees in the Application Contacts Yes section (each Permittee entered as a separate contact - do not list 2 names in 1 field):

Is the project site within a right of way?:

Are you submitting evidence of legal authority to apply in lieu of the Property No Owner's Signature? If yes, please attach a document Evidence of Legal Authority' in the document section:

I hereby attest that I have listed all the Property Owners in the Application Yes Contacts section:

I hereby attest that I have listed all the Abutters in the above Contact table

Application Type

Please select the application type you are applying for:

Primary Project Location

Childs River | 0 Route 151 (Nathan Ellis Highway) Mashpee MA 02649

Project Information

Brief Description of Project (e.g., dock, seawall, boat ramp, Harborwalk – if a MassDOT Project File No. 611986 to be processed under longer narrative is to be provided, please upload a separate document):

MassDOT/MassDEP ISA: The The Town of Mashpee and the Massachusetts Department of Transportation - Highway Division (MassDOT) are proposing to reconstruct and widen Nathan Ellis Highway (Route 151). In addition to roadway improvements, a shared use path will be provided on the north side of Route 151 and a sidewalk for portions of the south side of Route 151. The Project corridor extends approximately 2.2 miles from the Falmouth Town Line (approximately 400 feet east of the intersection of Route 151 with County Road/Ashument Road) east to the Mashpee Rotary at Route 28/Great Neck Road. Although Route 151 has a State-route number, this section of roadway is Townowned and maintained. The Project consists of two phases. Phase 1 includes the section of Route 151 to the east and Phase 2 includes the section to the west. Phase 1 has completed the design process and is currently under construction. Phase 1 extends along Route 151 from approximately 1,400 feet west of the Old Barnstable Road intersection to the Mashpee Rotary. Phase 2 is currently under design and extends along Route 151 from the Falmouth Town Line to just west of Old Barnstable Road. Both phases of the project have been permitted with an Order of Conditions, Superseding Order of Conditions, MEPA Certification, and Section 106 Clearance. A Preconstruction Notification and Chapter 91 License are being sought for work under Phase 2. The Project involves a 3-foot long extension of the existing 5.5-foot diameter

culvert on the north side and removal of a 4-foot section on the south side. This work is associated with the Childs River crossing under Route 151, which includes impacts to the Childs River below ordinary high water (OHW); thereby requiring Chapter 91 authorization. This application applies to Project activities occurring below OHW associated with the culvert modifications. The Applicants have applied for or received authorization for all other applicable state and federal authorizations, excluding the PCN which is still in process. The overall purpose of the Project is to improve pedestrian, bicycle, and vehicular mobility and safety along the Project corridor, while minimizing environmental, historic, and economic impacts to the area, in accordance with MassDOT's Healthy Transportation Policy. The need for the project is directly related to the increase in mobility demands with the expansion of local commercial and retail uses, particularly at Mashpee Commons. Improved bicycle/pedestrian facilities along this corridor is desired to increase non-vehicular travel by providing an alternative means of mobility for residents, workers, and visitors traveling in the corridor. The project will also provide general transportation improvements including: new pavement, drainage improvements, upgrades to intersection operations and road signs, new pavement markings, and enhanced streetscape conditions.

The Childs River crossing at Route 151 is located 160 feet west of the intersection of Route 151 and Old Brickyard Road. Ordinary High Water (OHW) is associated with the Childs River, flowing from Johns Pond in a southerly direction underneath Route 151 through a 5.5± foot diameter wide by 85± foot long culvert. The Route 151 culvert has approximately 3+ feet of accumulated sand, silt, and organic infill, which reduces the hydraulic opening by approximately 55%. Typical stream width ranges from 3-6 feet, increasing in width immediately north of the culvert. OHW heights vary between 1-4+ feet in height along the stream channel that was originally a man-made herring ditch excavated in the 1870s. The Childs River north of Old Barnstable Road, including the Route 151 culvert, no longer functions for diadromous fish migration, according to the Massachusetts Division of Fisheries and Wildlife (DFW) and Mashpee Herring Warden.

Permanent and temporary Resource Area disturbances occurring at the Childs River crossing include a 3-foot-long extension (north side) and 4-foot removal (south side) of the existing 5.5± s.f. diameter culvert under Route 151, as well as proposed concrete gravity retaining walls at both ends of the culvert. Under culvert maintenance, approximately 2± feet of accumulated material will be cleaned from the culvert to improve hydrology and stream flow. The material will be properly disposed of off-site and/or repurposed onsite. At least one-foot of the bottom substrate will be left within the culvert. The maintenance work will result in approximately 427± s.f. of temporary disturbance to land below OHW (inside the culvert) and has not been included in the proposed impact area calculations. Natural stream conditions will be restored on the south side of the Childs River crossing. Approximately 4± linear feet of the culvert south of Route 151 will be removed, concurrent with construction of the new retaining wall and installation of a new outlet. Thus, approximately 8± linear feet of Bank/OHW will be restored by daylighting the culvert. Sandbags will be installed within the stream for water control to accommodate the culvert extension in the dry. As necessary, a stream bypass system will be installed to allow flow downstream. Preliminary discussions with the Division of Fisheries and Wildlife (DFW) indicated that there would not be a Time of Year Restriction (TOYR) for in-stream work, as the Childs River north of Old Barnstable Road, including the Route 151 culvert no longer functions for diadromous fish migration. Excluding the culvert clean-out/maintenance, the volume of material to be dredged below OHW totals 59 c.y. The area of the dredge footprint is 454 s.f. The structure volume of material placed back for construction of the retaining wall on the north side is 27 c.y. The fill volume of material placed back for the placement of granular backfill is 11 c.y. The proposed work activities will not impair the water carrying capacity of the existing channel, groundwater or surface water quality, or capacity of the river to provide wildlife habitat functions. While the culvert extension cannot meet all Stream Crossing Standards due to the existing culvert conditions, a natural stream bottom will be maintained within the 3-foot long, 5.5± foot diameter extension. Furthermore, approximately 22± s.f. of area below OHW will be restored.

No

Brief Description of Project Location - Non-Traditional Address (e.g., 'west end Toronto Avenue right-of-way at Gloucester Harbor' DO NOT complete this field if your project has a traditional address - enter N/A):

Proposed Use/Activity description:

Is this site subject to 21E?:



State Offices & Courts State Topics State Vertical

Accessibility FAQs



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EEA ePLACE Portal

Announcements Logged in as: CHRIS VONDERWEIDT Collections (0) Reports (3) ▼ Account Management Logout

Need Help? For technical assistance in using this web application, please call the ePLACE Help Desk Team at (844) 733-7522 or (844) 73-ePLAC between the hours of 7:30 AM-5:00 PM Monday-Friday, with the exception of all Commonwealth and Federally observed holidays. If you prefer, you can also e-mail us at ePLACE_helpdesk@mass.gov. For assistance with non-technical questions, please contact the issuing Agency directly using the links below.

Contact:

Energy and Environmental Affairs, MASSDEP Energy and Environmental Affairs, MDAR Energy and Environmental Affairs, DCR

Convenience Fee: Please note there will be a convenience fee for all online credit card transactions. There is also a nominal fee for online payment by check.

Home

DEP Applications

WW01 - Water-Dependent License/Permit Application

Application Information

3 Documents

4 Special Fee Provision

5 Review

6 Application Submitted

Step 5: Review

Continue Application »

Save and resume later

Please review the information below prior to submission. After the application has been submitted, you will not be able to make changes. To make changes after submittal you must contact the Department directly.

Review and Certification

Edit Application

Permittee

Individual
Catherine Laurent
Town of Mashpee Department of Public Works, 350 Meetinghouse Road
Mashpee, MA, 02649
United States
Telephone #:508-539-1420
E-mail:claurent@mashpeema.gov

Use Login Information: No

Application Contacts

Showing 1-3 of 3

Contact Type	Name	Organization Name	Contact Person	Action
Application Prepared By	CHRIS VONDERWEIDT		4-1	Edit/View
Property Owner	Eric Walker			Edit/View
Property Owner	Nicholas & Elisabetta Yebba			Edit/View

List of Abutters

LIST OF ABUTTERS

Full Legal Name Abutting Property Address

Rec'd Planning

DEPARTMENT OF ENVIRONMENTAL PROTECTION WATERWAYS REGULATION PROGRAM

Notice of Chapter 91 License/Permit Application Number 23-WW01-0115-APP

Applicant: Town of Mashpee Department of Public Works

Project Location: Child's River Culvert on Route 151 (Nathan Ellis Highway), adjacent to the intersection of

Route 151 and Old Brickyard Road, Child's River, Town of Mashpee, Barnstable County

Notification Date: November 15, 2023

Public Comments Deadlines: As specified below

Public notice is hereby given of the Chapter 91 Waterways License Application by the Town of Mashpee Department of Public Works for the culvert extension and maintenance work, including the installation of appurtenant fill and structures and improvement dredging at the Child's River culvert on Route 151 (Nathan Ellis Highway) adjacent to the intersection of Route 151 and Old Brickyard Road. The Department has determined that the proposed project is a Water-Dependent Use project.

Written comments on the **Chapter 91 Permit** Application must be sent **within fifteen (15) days of the Notification Date** and written comments on the **Chapter 91 License** Application must be sent **within thirty (30) days of the Notification Date** to: Ryan.Morrison@mass.gov or Waterways Regulation Program c/o Ryan Morrison at 100 Cambridge Street, Suite 900, Boston, MA, 02114

The Department will consider all written comments on this Waterways Permit and License Application by the respective Public Comments Deadline. Failure of any aggrieved person or group of ten (10) citizens or more to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c). The group of citizens must include at least five (5) citizens who are residents of the municipality in which the proposed project is located. A public hearing may be held upon request by the Municipal Official.

Project plans and documents for the Waterways application are on file for public viewing electronically at: https://eeaonline.eea.state.ma.us/EEA/PublicApp/ (enter 23-WW01-0115-APP in the Search Page in the field for Record ID). If you need assistance, please contact Ryan.Morrison@mass.gov or if you do not have access to email, please leave a message at (617) 292-5929 for alternative options.

It is recommended that documents and correspondence be filed electronically with the email address above when possible. Alternatively, comments may be mailed to Ryan Morrison c/o MassDEP Waterways Regulation Program, 100 Cambridge Street, 9th Floor, Boston, MA 02114.



eDEP Transaction Copy

Here is the file you requested for your records.

To retain a copy of this file you must save and/or print.

Username: EBELAIR

Transaction ID: 1622465

Document: Groundwater Discharge Monitoring Report Forms

Size of File: 1689.43K

Status of Transaction: Submitted

Date and Time Created: 11/22/2023:1:34:55 PM

Note: This file only includes forms that were part of your transaction as of the date and time indicated above. If you need a more current copy of your transaction, return to eDEP and select to "Download a Copy" from the Current Submittals page.



Bureau of Resource Protection - Groundwater Discharge Program

Groundwater Permit

DISCHARGE MONITORING REPORT

n	668 1. Permit Number
	2. Tax identification Number
	2023 QUARTERLY 4 3. Sampling Month & Frequency

A. Facility Information

Important:When

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





•	i i delitej ilitori	
	1. Facility name, addre	ss:

SOUTH CAPE VILLAGE			
a. Name			
672 FALMOUTH ROAD/RTE. 28			
b. Street Address			
MASHPEE	MA	02649	
c. City	d. State	e. Zip Code	
2. Contact information:			
MYLES OSTROFF			
a. Name of Facility Contact Person			
6174311097	myles@	chartweb.com	
b. Telephone Number	c. e-mail a	ddress	
3. Sampling information:			
10/3/2023	RI ANAL	RI ANALYTICAL	
a. Date Sampled (mm/dd/yyyy)	b. Laborato	ory Name	
BRENT PLANT			
c. Analysis Performed By (Name)			

B. Form Selection

1. Please select Form Type and Sampling Month & Frequency

	Discharge Monitoring Report - 2023 Quarterly 4	•
	All forms for submittal have been completed.	
2.	This is the last selection.	
3	Delete the selected form	



Bureau of Resource Protection - Groundwater Discharge Program

Groundwater Permit

DISCHARGE MONITORING REPORT

668	
1. Permit Number	

Tax identification Number
 2023 QUARTERLY 4

3. Sampling Month & Frequency

D. Contaminant Analysis Information

- For "0", below detection limit, less than (<) value, or not detected, enter "ND"
- TNTC = too numerous to count. (Fecal results only)
- NS = Not Sampled

1. Parameter/Contaminant	2. Influent	3. Effluent	4. Effluent Method
Units			Detection limit
TOTAL PHOSPHORUS AS P		6.7	0.010
MG/L		J	
ORTHO PHOSPHATE		5.9	0.020
MG/L			



Bureau of Resource Protection - Groundwater Discharge Program

Groundwater Permit

DISCHARGE MONITORING REPORT

668		
1. Pe	mit Number	
2. Ta	identification N	umber
2023	OCT MONTHL	Υ.
3. Sa	mpling Month &	Frequency

A. Facility Information

Important:When

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





1. Facility name, address:			
SOUTH CAPE VILLAGE			
a. Name			
672 FALMOUTH ROAD/RTE. 28			
b. Street Address			
MASHPEE	MA	02649	
c. City	d. State	e. Zip Code	
2. Contact information:			
MYLES OSTROFF			
MYLES OSTROFF	myles@	chartweb.com	
MYLES OSTROFF a. Name of Facility Contact Person	myles@ c. e-mail a		

RI ANALYTICAL

b. Laboratory Name

B. Form Selection

BRENT PLANT

a. Date Sampled (mm/dd/yyyy)

c. Analysis Performed By (Name)

10/3/2023

1. Please select Form Type and Sampling Month & Frequency

	Discharge Monitoring Report - 2023 Oct Monthly	•
	All forms for submittal have been completed.	
2.	This is the last selection.	
3.	Delete the selected form.	



Bureau of Resource Protection - Groundwater Discharge Program

Groundwater Permit

DISCHARGE MONITORING REPORT

668	
1. Permit Number	

2023 OCT MONTHLY
3. Sampling Month & Frequency

2. Tax identification Number

D. Contaminant Analysis Information

- For "0", below detection limit, less than (<) value, or not detected, enter "ND"
- TNTC = too numerous to count. (Fecal results only)
- NS = Not Sampled

1. Parameter/Contaminant	2. Influent	3. Effluent	4. Effluent Method
Units			Detection limit
BOD	180	ND	3.0
MG/L		,	
TSS	490	ND	2.0
MG/L		,	
TOTAL SOLIDS	990		
MG/L	,		
AMMONIA-N	21		
MG/L	-		
NITRATE-N		0.19	0.050
MG/L		,	
TOTAL NITROGEN(NO3+NO2+TKN)		5.1	0.50
MG/L		,	
OIL & GREASE		1.3	0.50
MG/I			



Bureau of Resource Protection - Groundwater Discharge Program

Groundwater Permit

MONITORING WELL DATA REPORT

668 1 Perm	nit Number	
	dentification Number OCT MONTHLY	
	pling Month & Frequency	

A. Facility Information

Important:When

filling out forms on 1 the computer, use only the tab key to move your cursor - do not use the return key.





1. Facility name, address:			
SOUTH CAPE VILLAGE			
a. Name			
672 FALMOUTH ROAD/RTE. 28			
b. Street Address			
MASHPEE	MA	02649	
c. City	d. State	e. Zip Code	
2. Contact information:			
Contact information: MYLES OSTROFF a. Name of Facility Contact Person			
MYLES OSTROFF	myles@)chartweb.com	
MYLES OSTROFF a. Name of Facility Contact Person	myles@ c. e-mail)chartweb.com	
MYLES OSTROFF a. Name of Facility Contact Person 6174311097)chartweb.com	

b. Laboratory Name

B. Form Selection

JAMIE STEWART

a. Date Sampled (mm/dd/yyyy)

c. Analysis Performed By (Name)

1. Please select Form Type and Sampling Month & Frequency

	Monitoring Well Data Report - 2023 Oct Monthly	•
	All forms for submittal have been completed.	
2.	This is the last selection.	
3.	Delete the selected form.	



Bureau of Resource Protection - Groundwater Discharge Program

Groundwater Permit

MONITORING WELL DATA REPORT

1. Permit Number

2. Tax identification Number

2023 OCT MONTHLY

3. Sampling Month & Frequency

C. Contaminant Analysis Information

- For "0", below detection limit, less than (<) value, or not detected, enter "ND"
- TNTC = too numerous to count. (Fecal results only)
- NS = Not Sampled
- DRY = Not enough water in well to sample.

Parameter/Contaminan	t P-1	P-2	P-4	P-6		
Unit	s Well #: 1	Well #: 2	Well #: 3	Well #: 4	Well #: 5	Well #: 6
PH	6.2	DRY	6.3	6.5		
S.U.						
STATIC WATER LEVEL	18.9	DRY	47.8	51		
FEET						
SPECIFIC CONDUCTANCE	1137	DRY	737	1059		
UMHOS/C						



Bureau of Resource Protection - Groundwater Discharge Program

Groundwater Permit

DAILY LOG SHEET

668 1. Permit Number	
2. Tax identification Number	
2023 OCT DAILY	
3. Sampling Month & Frequency	

A. Facility Information

Important:When

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





1. Facility name, address:	

MA	02649		
d. State	e. Zip Code		
MYLES OSTROFF			
a. Name of Facility Contact Person			
myles@	myles@chartweb.com		
c. e-mail	address		
WHITE	WHITEWATER		
b. Labora	b. Laboratory Name		
	myles@c. e-mail	d. State e. Zip Code myles@chartweb.com c. e-mail address WHITEWATER	

B. Form Selection

1. Please select Form Type and Sampling Month & Frequency

	Daily Log Sheet - 2023 Oct Daily	•
	All forms for submittal have been completed.	
2.	This is the last selection.	
3.	— Delete the selected form.	



Bureau of Resource Protection - Groundwater Discharge Program

Groundwater Permit

DAILY LOG SHEET

668

1. Permit Number

2. Tax identification Number

2023 OCT DAILY
3. Sampling Month & Frequency

C. Daily Readings/Analysis Information

Date	Effluent Flow GPD	Reuse Flow GPD	Irrigation Flow GPD	Turbidity	Influent pH	Effluent pH	Chlorine Residual (mg/l)	UV Intensity (%)
1	10768							
2	8355					7.3		
3	12780					7.3		
4	10514					7.3		
5	8473					7.5		
6	10644					7.4		
7	10644							
8	10644							
9	8671					7.3		
10						7.2		
11						7.2		
12	7750					7.3		
13	10199					7.3		
14	10200							
15	10200							
16	10997					6.8		
17	11322					6.8		
18	11072					6.8		
19	4607					6.8		
20	10866					6.8		
21	10867							
22	10867							
23	10867					7.5		
24	8734					7.7		
25	10610					7.5		
26	10509					7.5		
27	9885					7.9		
28	9884							
29	9885							
30	6415					7.6		
31	8777					7.6		



Bureau of Resource Protection - Groundwater Discharge Program

Groundwater Permit

MONITORING WELL DATA REPORT

	668 . Permit Number
2	. Tax identification Number
-	2023 QUARTERLY 4 . Sampling Month & Frequency

A. Facility Information

Important:When

filling out forms on 1 the computer, use only the tab key to move your cursor - do not use the return key.





1. Facility name, address:			
SOUTH CAPE VILLAGE			
a. Name			
672 FALMOUTH ROAD/RTE. 28			
b. Street Address			
MASHPEE	MA	02649	
c. City	d. State	e. Zip Code	
MYLES OSTROFF			
MYLES OSTROFF	myles@	chartweb.com	
a. Name of Facility Contact Person	myles@ c. e-mail a		
MYLES OSTROFF a. Name of Facility Contact Person 6174311097			
MYLES OSTROFF a. Name of Facility Contact Person 6174311097 b. Telephone Number	c. e-mail a		
MYLES OSTROFF a. Name of Facility Contact Person 6174311097 b. Telephone Number 3. Sampling information:	c. e-mail a	address	

B. Form Selection

c. Analysis Performed By (Name)

1. Please select Form Type and Sampling Month & Frequency

	Monitoring Well Data Report - 2023 Quarterly 4	-
	All forms for submittal have been completed.	
2.	This is the last selection.	
3	Delete the selected form	



Bureau of Resource Protection - Groundwater Discharge Program

Groundwater Permit

MONITORING WELL DATA REPORT

6	6	8

1. Permit Number

2. Tax identification Number

2023 QUARTERLY 4

3. Sampling Month & Frequency

C. Contaminant Analysis Information

• For "0", below detection limit, less than (<) value, or not detected, enter "ND"

• TNTC = too numerous to count. (Fecal results only)

- NS = Not Sampled
- DRY = Not enough water in well to sample.

Parameter/Contaminan	t P-1	P-2	P-4	P-6		
Unit	s Well #: 1	Well #: 2	Well #: 3	Well #: 4	Well #: 5	Well #: 6
NITRATE-N	1.8	DRY	5.4	3.0		
MG/L TOTAL NITROGEN(NO3+NO2+TKI MG/L	4.2	DRY	13.0	3.0		
TOTAL PHOSPHORUS AS P	0.49	DRY	2.7	2.4		
ORTHO PHOSPHATE MG/L	ND	DRY	1.5	2.4		



Bureau of Resource Protection - Groundwater Discharge Program

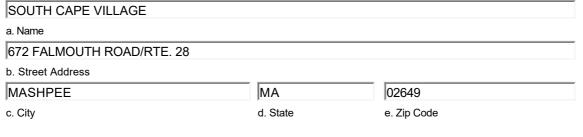
Groundwater Permit

Permit Number	
	Number

2. Tax identification Number

Facility Information

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







Any person signing a document under 314 CMR 5.14(1) or (2) shall make the following certification

If you are filing electronic-ally and want to attach additional comments, select the check box.

Certification

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that ther are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

ELIZABETH BELAIR	11/22/2023
a. Signature	b. Date (mm/dd/yyyy)

FACILITY WAS IN FULL COMPLIANCE WITH ALL PERMIT REQUIREMENTS FOR THE MONTH

Reporting Package Comments

Received By

NOV 17 2023

TOWN OF BARNSTABLE PLANNING BOARD

NOTICE OF PUBLIC HEARING

MONDAY, DECEMBER 11, 2023, AT 7:00 P.M.

JAMES H. CROCKER, JR. HEARING ROOM

BARNSTABLE TOWN HALL, 2ND FLOOR, 367 MAIN STREET, HYANNIS, MA

Planning Dept.

SPECIAL PERMIT NO. 2023-05 LOUIS N. VINIOS, TRUSTEE, J&P HYANNIS TRUST 378,380,382 AND 384 BARNSTABLE ROAD AND 425 IYANNOUGH ROAD, HYANNIS

To all persons deemed interested in the Planning Board acting under the General Laws of the Commonwealth of Massachusetts, Chapter 40A, Section 9, and all amendments thereto and the Town of Barnstable Zoning Ordinances you are hereby notified of a Public Hearing to consider a request for a Special Permit Application No. 2023-05.

The Applicant and Owner Louis N. Vinios, Trustee, J & P Hyannis Trust has requested relief from Section 240-24.1.5.B Use Provisions, Table 1. The application proposes retail use and food and beverage services use. Retail use and food and beverage services use are permitted in the Highway Commercial Zoning District by Special Permit. The subject property is located at 378,380,382 and 384 Barnstable Road and 425 Iyannough Road, Hyannis, Massachusetts, shown on Assessor's Map 311 Parcel 026 and Map 328 Parcel 070, zoned Highway Commercial Zoning District and split Groundwater Prtection Overlay District and Wellhead Protection Overlay District.

The Planning Board meeting shall take place in person at the James-H. Crocker, Jr. Hearing Room, Barnstable Town Hall, 2nd floor, 367 Main Street, Hyannis, MA.

The meeting will be televised via Channel 18 and may be viewed via the Channel 18 website at http://streaming85.townofbarnstable.us/CablecastPublicSite/.

Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to Karen.pina@town.barnstable.ma.us, so that they may be accessible for viewing.

Copies of the Special Permit application are available for review by calling 508-862-4064 or emailing Karen.pina@town.barnstable.ma.us or on the Town of Barnstable webpage, www.town.barnstable.ma.us under Planning Board, "meeting materials".

Barnstable Patriot November 24 & December 1, 2023

Stephen Robichaud, Chair Barnstable Planning Board



Nov 15 2023
Planning Dept.

59 TOWN HALL SQUARE, FALMOUTH, MA 02540 508-495-7460 – FAX 508-495-7463

BOARD OF APPEALS NOTICE OF PUBLIC HEARING

Being all persons deemed affected by the Board of Appeals under Section 11 of Chapter 40A of the Massachusetts General Laws you are hereby notified that:

Application #093-23 Falmouth Southerly, LLC, 25 Recreation Park Drive, suite 204, Hingham, MA.: Applied to the Zoning Board of Appeals for a Comprehensive Permit pursuant to Chapter 40B to construct three hundred (300) units of rental apartments, throughout five (5) separate buildings, a clubhouse and amenities. The subject properties are "0" & 375 Sandwich Road, East Falmouth, MA.

Map 27 Section 06 Parcel 011 Lot(s) 000 - # 375 Sandwich Road Map 27 Section 06 Parcel 031 Lot(s) 000 - # 0 Sandwich Road

A public hearing will be given on this application, at the Lawrence School Auditorium, 113 Lakeview Avenue, Falmouth on Thursday, November 30, 2023 at 6:00PM.

You are invited to be present.

By Order of the Board of Appeals, Chairman, James T. Morse





BOARD of APPEALS

100 Route 6A Sandwich, MA 02563 Phone: 508 833 8001 Fax: 508 833 8006

E-mail: planning@sandwichmass.org

TOWN OF SANDWICH PUBLIC HEARING NOTICE BOARD OF APPEALS

The Sandwich Board of Appeals will hold a Public Hearing on the application of SCKD Properties LLC, Matthew Arguin, Property Owner, for a Special Permit under Section 2200 of the Sandwich Protective Zoning By-Law for property located at 125 Route 6A, Sandwich, MA, Assessor's Map #82 Parcel #84 for the purpose of operating a design-build contractor business. The Public Hearing will be held on November 28, 2023 at the Sand Hill School Community Center, 16 Dewey Ave, Sandwich, MA at 6:00 p.m. The public record information can be viewed at the Planning & Development office.

James Killion, Chair Sandwich Board of Appeals Publication: Sandwich Enterprise

Publication Dates: November 10 and November 17, 2023

Received By

NOV 15 2023

Planning Dept.



59 TOWN HALL SQUARE, FALMOUTH, MA 02540 508-495-7460 – FAX 508-495-7463

BOARD OF APPEALS NOTICE OF PUBLIC HEARING

Received By

NOV 2 0 2023

Planning Dept.

Being all persons deemed affected by the Board of Appeals under Section 11 of Chapter 40A of the Massachusetts General Laws you are hereby notified that:

Application #094-23 G. L. Tucker LLC, 237 Acapesket Road, East Falmouth, MA.: Applied to the Zoning Board of Appeals for a modification of special permit # 115-88 pursuant to section(s) 240-6.6B of the Code of Falmouth to raze the existing, detached garage and rebuild a garage / barn with habitable space on the 2nd floor on subject property known as 237 Acapesket Road, East Falmouth, Ma.

Map 40 Section 03 Parcel 012 Lot(s) 286

A public hearing will be given on this application, in the Select Board's Meeting Room, Town Hall, on Thursday, December 7, 2023 at 6:30PM You are invited to be present.

By Order of the Board of Appeals, Chairman, James T. Morse



59 TOWN HALL SQUARE, FALMOUTH, MA 02540 508-495-7460 – FAX 508-495-7463

BOARD OF APPEALS NOTICE OF PUBLIC HEARING

Received By

NOV 2 0 2023

Planning Dept.

Being all persons deemed affected by the Board of Appeals under Section 11 of Chapter 40A of the Massachusetts General Laws you are hereby notified that:

Application #092-23 John J. and Theresa M. Kim, 33 Kentwood Street, Brookline, MA.: Filed an appeal with the Falmouth Town Clerk pursuant to M.G.L. c.40A § 8 & 15 and 240-12.4A(1)(b) of the Code of Falmouth appealing the Building Commissioner's determination. The subject property is 0 Stowers Street (lot 202), Teaticket, MA.

Map 39 Section 11 Parcel 006 Lot(s) 202

A public hearing will be given on this application, in the Select Board's Meeting Room, Town Hall, on Thursday, December 7, 2023 at 6:00PM
You are invited to be present.

By Order of the Board of Appeals, Chairman, James T. Morse



59 TOWN HALL SQUARE, FALMOUTH, MA 02540 508-495-7460 – FAX 508-495-7463

BOARD OF APPEALS NOTICE OF PUBLIC HEARING

Received By

NOV 2 0 2023

Planning Dept.

Being all persons deemed affected by the Board of Appeals under Section 11 of Chapter 40A of the Massachusetts General Laws you are hereby notified that:

Application #091-23 Bac V. Nguyen, 62 Old Bayberry Lane, East Falmouth, Ma.: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-6.6 B. of the Code of Falmouth to construct a detached accessory apartment on subject property known as 62 Old Bayberry Lane, East Falmouth, Ma.

Map 33 Section 09 Parcel 003 Lot(s) 518

A public hearing will be given on this application, in the Select Board's Meeting Room, Town Hall, on Thursday, December 7, 2023 at 6:00PM
You are invited to be present.

By Order of the Board of Appeals, Chairman, James T. Morse



59 TOWN HALL SQUARE, FALMOUTH, MA 02540 508-495-7460 – FAX 508-495-7463

Received By

BOARD OF APPEALS NOTICE OF PUBLIC HEARING

NOV 2 0 2023

Planning Dept.

Being all persons deemed affected by the Board of Appeals under Section 11 of Chapter 40A of the Massachusetts General Laws you are hereby notified that:

Application #095-23 Jeanette Marques, 21 Russell Street, Acushnet, MA.: Filed an appeal with the Falmouth Town Clerk pursuant to M.G.L. c.40A § 8 & 15 and 240-12.4A(1)(b) of the Code of Falmouth appealing the Building Commissioner's Notice of Violation and Cease and Desist Order. The subject property is 594 Palmer Avenue, Falmouth, MA.

Map 35 Section 01A Parcel 008B Lot(s) 000

A public hearing will be given on this application, in the Select Board's Meeting Room, Town Hall, on Thursday, December 7, 2023 at 6:00PM
You are invited to be present.

By Order of the Board of Appeals, Chairman, James T. Morse



59 TOWN HALL SQUARE, FALMOUTH, MA 02540 508-495-7460 - FAX 508-495-7463

Received By

BOARD OF APPEALS NOTICE OF PUBLIC HEARING

NOV 2 7 2023

Planning Dept.

Being all persons deemed affected by the Board of Appeals under Section 11 of Chapter 40A of the Massachusetts General Laws you are hereby notified that:

Application #097-23 William C. Roberts, 12 Washington Street, Wellesley, MA.: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-11.4A(1)i and 240-6.6B of the Code of Falmouth to construct a detached, three-car garage with habitable space above, in the front yard, more than 50' from the front property line. The subject property is 384 Acapesket Road, East Falmouth, MA.

Map 40 Section 08 Parcel 003 Lot(s) 383

A public hearing will be given on this application, in the Select Board's Meeting Room, Town Hall, on https://example.com/Thursday.neember 14, 2023 at 6:00PM
You are invited to be present.

By Order of the Board of Appeals, Chairman, James T. Morse



59 TOWN HALL SQUARE, FALMOUTH, MA 02540 508-495-7460 – FAX 508-495-7463

BOARD OF APPEALS NOTICE OF PUBLIC HEARING

Received By

NOV 27 2023

Planning Dept.

Being all persons deemed affected by the Board of Appeals under Section 11 of Chapter 40A of the Massachusetts General Laws you are hereby notified that:

Application #096-23 Melissa Odell and Vincent Thomas Odell, Jr., 177 Berrywood Drive, Severna Park, MD.: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-10.2A, 240-11.4A(1)I and 240-12.1 of the Code of Falmouth to raze and rebuild the existing dwelling and detached garage. The subject property is 54 Sam Turner Road, Hatchville, MA.

Map 16 Section 03 Parcel 015 Lot(s) 000

A public hearing will be given on this application, in the Select Board's Meeting Room, Town Hall, on Thursday, December 14, 2023 at 6:00PM You are invited to be present.

By Order of the Board of Appeals, Chairman, James T. Morse



59 TOWN HALL SQUARE, FALMOUTH, MA 02540 508-495-7460 - FAX 508-495-7463

Received By

BOARD OF APPEALS NOTICE OF PUBLIC HEARING

NOV 27 2023

Planning Dept.

Being all persons deemed affected by the Board of Appeals under Section 11 of Chapter 40A of the Massachusetts General Laws you are hereby notified that:

Application #098-23 Michael J. and Kara W. Levoshko, 90 Charmark Circle, Middleboro, MA.: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-10.2A. and 240-11.3A(4) of the Code of Falmouth to remove a portion of the existing dwelling, remove front porch and construct an attached garage addition with habitable space above, exceeding 20% lot coverage by structures. The subject property is 70 Philadelphia Street, East Falmouth, Ma.

Map 39A Section 10 Parcel 000 Lot(s) 061

A public hearing will be given on this application, in the Select Board's Meeting Room, Town Hall, on <a href="https://doi.org/10.2007/nc.2007

By Order of the Board of Appeals, Chairman, James T. Morse

Town of Sandwich THE OLDEST TOWN ON CAPE COD



Board of Appeals

100 Route 6A Sandwich, MA 02563 Phone: 508-833-8001

Fax: 508-833-8006

E-mail: planning@sandwichmass.org

TOWN CLERK TOWN OF SANDWICH

NOV 16 2023

Special Permit

MCertificate of Approval

ZHOM MP MG RECEIVED & RECORDED

Petition #

23-22

Name of Applicant:

Diane C. Madden Trust, Parke Madden Trustee

Address:

111 Main Street

Certificate of Title:

203212

On November 14, 2023, the Board of Appeals voted to approve a special permit from Section 1330 & 2540 of the Sandwich Zoning By-law for property located at 111 Main Street, as shown on Assessor's Map 81, Parcel 129, for the purpose of allowing a second principal dwelling on a lot.

The Board of Appeals certifies that the decision attached hereto is a true and correct copy of its decision to approve a special permit and that copies of said decision, and of all plans referred to in the decision, have been filed with the Board of Appeals and the Town Clerk.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section 11 provides that no special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the town clerk that twenty days have elapsed after the decision has been filed in the office of the town clerk and no appeal has been filed or that, if such appeal has been filed, that it has been dismissed or denied, is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The owner or applicant shall pay the fee for such recording or registering. A copy of that registered decision shall be returned to the Planning & Development office as proof of filing.

Any person aggrieved by this decision may appeal to the Superior Court or Land Court as in Section 17 of Chapter 40A, M.G.L. by filing a NOTICE OF ACTION AND COMPLAINT with the Town Clerk within twenty (20) days of the date of filing of this decision.

Board of Appeals Member

Date

Received By

NOV 2 0 2023

Planning Dept.

PROCEDURAL HISTORY

- 1. Application from Section 1330 & 2540 of the Zoning By-Law for property located at 111 Main Street was filed by Atty. Rebecca Moore representative for the Diane C. Madden Trust on October 16, 2023.
- 2. After proper notice was given, the public hearing was opened on November 14, 2023 and closed on November 14, 2023.
- 3. The application was accompanied by a plan entitled:

SUBDIVISION OF PLAN OF LAND IN SANDWICH Newell B. Snow, Surveyor November 30, 1963

- 4. The Board reviewed the application and all other materials submitted prior to the close of the public hearing. The Board received and gave due consideration to the testimony given at the public hearing.
- 5. The following members attended the public hearing:

James Killion
Christopher Neeven
Erik Van Buskirk
Chase Terrio
Mary Foley
Kevin Kirrane

FINDINGS

The Zoning Board of Appeals finds that:

- The Board of Appeals finds that this application meets the requirements of Section 9, M.G.L. Chapter 40A
- 2. Subject property is located within the R-1 Zoning District.
- 3. Subject property has 3.76 acres.
- 4. Subject property has approximately 420 feet of frontage on Main Street.
- 5. Subject property currently has one principal dwelling and one cottage/barn.
- 6. The applicants are seeking to designate the existing cottage/barn as a second primary dwelling.
- 7. The applicant submitted a Title 5 Official Inspection Form dated August 17, 2023 that identifies a septic system for the cottage/barn but states it has not appeared to have been used.
- 8. Applicant's representative states that the cottage/barn is capable of supporting year round occupation.
- 9. Section 1330 requirements:

- a) The Board of Appeals does not find that there are conditions peculiar to this case but not generally true for similar permitted uses on other sites in the same district:
- b) The Board of Appeals finds that nuisance, hazard or congestion will not be created:
- c) The Board of Appeals finds that there will not be substantial harm to the neighborhood;
- d) The Board of Appeals finds that there is no derogation from the intent of the bylaw such that the districts' objectives will be satisfied.

Motion:

I, James Killion, move to adopt these findings as the findings of the Board of Appeals.

Second:

Chase Terrio

Vote:

James Killion Yes
Christopher Neeven Yes
Erik Van Buskirk Yes
Chase Terrio Yes
Kevin Kirrane Yes

CONDITIONS:

At the public hearing, the Board of Appeals considered potential conditions of approval for the special permit. The Board of Appeals voted that the following conditions of approval shall be imposed upon any approval of a special permit and that these conditions are reasonable and that the applicant and its successor-in-interest shall be bound by these conditions:

- 1. Failure to comply with all the conditions set forth in this decision shall terminate the grant of this special permit.
- 2. Pursuant to the requirements of Sandwich Protective Zoning By-law Section 1330, the grant of special permit shall expire upon:
 - (a) Transfer of ownership, prior to initiation of substantial construction on or occupancy of the site unless such transfer is authorized in this permit, or
 - (b) If no substantial construction or occupancy takes place within (3) three years of special permit approval, excluding such time required to pursue or await the determination of an appeal referred to in MGL C 40A, Section 17.

- 3. The special permit shall not take effect until it is recorded at the Barnstable County Registry of Deeds and a copy of the recorded special permit is provided to the Board of Appeals.
- 4. This special permit shall allow for a maximum of two principal dwellings on the subject property.
- 5. The dwellings shall be serviced by a septic system that meets the approval of the Health Department and the standards of occupation.

Motion:

I, James Killion, move to impose the above conditions of approval upon any

approval of the special permit.

Second:

Christopher Neeven

Vote:

James Killion Yes
Christopher Neeven Yes
Erik Van Buskirk Yes
Chase Terrio Yes

Kevin Kirrane Yes

DECISION:

After reviewing the application, the plan and other materials submitted and after giving due consideration to testimony given at the public hearing, the Board hereby approves the special permit application for property located at 111 Main Street, as shown on Assessor's Map 81, Parcel 129 for the purpose of two principal dwellings on the same lot.

Motion:

I, James Killion, move to approve the special permit application.

Second:

Christopher Neeven

Vote:

James Killion Yes
Christopher Neeven Yes
Erik Van Buskirk Yes
Chase Terrio Yes
Kevin Kirrane Yes

Town of Sandwich THE OLDEST TOWN ON CAPE COD



Board of Appeals

100 Route 6A Sandwich, MA 02563 Phone: 508-833-8001 Fax: 508-833-8006

E-mail: planning@sandwichmass.org

Special Permit Amendment Certificate of Approval

Petition #:

23-21

Applicant/Property Owner(s):

Tsakalos Realty Trust

Property Address:

290 Route 130

Map. Parcel:

22-191

Registry of Deeds #:

Book 7467 Page 312

TOWN CLERK TOWN OF SANDWICH

NOV 16 2023

RECEIVED & RECORDED

On November 14, 2023, the Board of Appeals voted to approve a special permit amendment from section 1330 & 4500 of the Sandwich Zoning By-law for property located at 290 Route 130, as shown on Assessor's Map 22, Parcel 191, for the purpose of creating a mixed use cluster development.

The Board of Appeals certifies that the decision attached hereto is a true and correct copy of its decision to approve a special permit and that copies of said decision, and of all plans referred to in the decision, have been filed with the Board of Appeals and the Town Clerk.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section 11 provides that no special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the town clerk that twenty days have elapsed after the decision has been filed in the office of the town clerk and no appeal has been filed or that, if such appeal has been filed, that it has been dismissed or denied, is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The owner or applicant shall pay the fee for such recording or registering. A copy of that registered decision shall be returned to the Planning & Development office as proof of filing. Any person aggrieved by this decision may appeal to the Superior Court or Land Court as in Section 17 of Chapter 40A, M.G.L. by filing a NOTICE OF ACTION AND COMPLAINT with the Town Clerk within twenty (20) days of the date of filing of this decision.

Board of Appeals Member

Date

Received By

NOV 2 0 2023

Planning Dept.

PROCEDURAL HISTORY

- 1. An application was filed on October 4, 2023 under section 4500 of the Zoning By-Law for property located at 290 Route 130.
- 2. After proper notice was given, the public hearing was opened on November 14, 2023 and closed on November 14, 2023.
- 3. The application was accompanied by a Plot Plan entitled:

SITE PLAN SHOWING EXISTING BUILDINGS

AND PROPOSED IMPROVEMENTS

COTUIT AND FALMOUTH ROADS, SANDWICH, MA

Eagle Surveying and Engineering, Inc.

Dated: October 22, 1994 and revised April 15, 1994 and August 23, 2023

- 4. The Board reviewed the application and all other materials submitted prior to the close of the public hearing. The Board received and gave due consideration to the testimony given at the public hearing.
- 5. The following members attended the public hearing:

Christopher Neeven Erik Van Buskirk Chase Terrio Mary Foley

FINDINGS

The Zoning Board of Appeals finds that:

- 1. The Board of Appeals finds that this application meets the requirements of Section 9, M.G.L. Chapter 40A.
- 2. Subject property is located within the B-2 Zoning District.
- 3. The property consists of 4.26 acres with 600 ft. of frontage on Route 130.
- 4. The applicant wishes to amend special permit petition #87-08, which created building one to include 5,600 s.f. in second floor for office space and retail space of 14,182 s.f. on first floor.
- 5. The applicant is seeking to convert the office space into 10 residential rental units with at least three units meeting the prescribed affordability restrictions.
- 6. The Board finds that the applicant is seeking to create 10 residential rental units with eight being approximately 600 s.f. and 2 being approximately 700 s.f.
- 7. The Board finds that 290 Route 130 is a Major Commercial Complex.
- 8. The Board finds the average bedroom count for the 10 units does not exceed 1.5.
- 9. The Board finds that the rental units will be located on the second floor.
- 10. Under Section 3120, 20 parking spaces are required, two spaces per unit. The applicant shall provide 31 spaces.
- 11. The Board finds unit size and configuration of the apartments meets the intent of the by-law to increase affordable rental stock within the Town of Sandwich.

12. Applicant states that 3 units shall be affordable.

13. Section 1330 requirements:

- a) The Board of Appeals does not find that there are conditions peculiar to this case but not generally true for similar permitted uses on other sites in the same district:
- b) The Board of Appeals finds that nuisance, hazard or congestion will not be created:
- c) The Board of Appeals finds that there will not be substantial harm to the neighborhood;
- d) The Board of Appeals finds that there is no derogation from the intent of the bylaw such that the districts' objectives will be satisfied.

Motion:

I, Christopher Neeven, move to adopt these findings as the findings of the Board of Appeals.

Second:

Chase Terrio

Vote:

Christopher Neeven Yes
Erik Van Buskirk Yes
Chase Terrio Yes
Mary Foley Yes

CONDITIONS:

At the public hearing, the Board of Appeals considered potential conditions of approval for the special permit. The Board of Appeals voted that the following conditions of approval shall be imposed upon any approval of a special permit and that these conditions are reasonable and that the applicant and its successor-in-interest shall be bound by these conditions:

- 1. Failure to comply with all the conditions set forth in this decision shall terminate the grant of this special permit.
- 2. Pursuant to the requirements of Sandwich Protective Zoning By-law Section 1330, the grant of special permit shall expire upon:
 - a) Transfer of ownership, prior to initiation of substantial construction on or occupancy of the site unless such transfer is authorized in this permit, or
 - b) If no substantial construction or occupancy takes place within (3) three years of special permit approval, excluding such time required to pursue or await the determination of an appeal referred to in MGL C 40A, Section 17.
- 3. The special permit shall not take effect until it is recorded at the Barnstable County Registry of Deeds and a copy of the recorded special permit is provided to the Board of Appeals.

- 4. The applicant will provide 3 affordable units. The units shall be restricted to families earning low to moderate income as defined by the Massachusetts Department of Executive Office of Housing and Livable Communities (EOHLC).
- 5. The applicant shall place a deed restriction that will be recorded against the property to require permanent affordability of all affordable units prior to or simultaneously with the recording of the special permit.
- 6. No occupation of any unit shall occur unless and until the affordable units have been determined as eligible for inclusion upon occupancy of the unit on the Town's Subsidized Housing Inventory as maintained by EOHLC or any successor agency.
- 7. The applicant must secure a Monitoring Agent prior to the occupancy of the units.

Motion:

I, Christopher Neeven, move to impose the above conditions of approval

upon any approval of the special permit.

Second:

Chase Terrio

Vote:

Christopher Neeven Yes
Erik Van Buskirk Yes
Chase Terrio Yes
Mary Foley Yes

DECISION:

After reviewing the application, the plan and other materials submitted and after giving due consideration to testimony given at the public hearing, the Board hereby approves the special permit amendment for property located at 290 Route 130, as shown on Assessor's Map 22, Parcel 191, for the purpose of creating 10 rental units in a mixed use cluster development.

Motion:

I, Christopher Neeven, move to approve the special permit amendment.

Second:

Chase Terrio

Vote:

Christopher Neeven Yes
Erik Van Buskirk Yes
Chase Terrio Yes
Mary Foley Yes

Town of Sandwich THE OLDEST TOWN ON CAPE COD



Board of Appeals

100 Route 6A Sandwich, MA 02563 Phone: 508-833-8001

Fax: 508-833-8006

E-mail: planning@sandwichmass.org

Special Permit Certificate of Approval

23-23

Petition #

Current Property Owner(s):

Applicant:

Property Address:

Map, Parcel:

Registry of Deeds:

JL Real Estate Group LLC

Geovany Rivera

15 Jan Sebastian Drive Unit 2C

27-033-02C

Book 33468 Page 284

TOWN CLERK TOWN OF SANDWICH

NOV 16 2023

2 HO4 M P M9 RECEIVED & RECORDED

On November 14, 2023, the Board of Appeals voted to approve a special permit from Sections 1330 & 2200 of the Sandwich Zoning By-law for property located at 15 Jan Sebastian Drive Unit 2C, as shown on Assessor's Map 27, Parcel 033-2C, for the purpose of operating a motor vehicle wholesale and used car sales accessory to motor vehicle sales.

The Board of Appeals certifies that the decision attached hereto is a true and correct copy of its decision to approve a special permit and that copies of said decision, and of all plans referred to in the decision, have been filed with the Board of Appeals and the Town Clerk.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section 11 provides that no special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the town clerk that twenty days have elapsed after the decision has been filed in the office of the town clerk and no appeal has been filed or that, if such appeal has been filed, that it has been dismissed or denied, is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The owner or applicant shall pay the fee for such recording or registering. A copy of that registered decision shall be returned to the Planning & Development office as proof of filing.

Any person aggrieved by this decision may appeal to the Superior Court or Land Court as in Section 17 of Chapter 40A, M.G.L. by filing a NOTICE OF ACTION AND COMPLAINT with the Town Clerk within twenty (20) days of the date of filing of this decision.

Board of Appeals Member

11/16/2023

Received By

NOV 2 0 2023

Planning Dept.

PROCEDURAL HISTORY

- 1. An application for a Special Permit for 15 Jan Sebastian Drive Unit 2C was filed on October 24, 2023 under sections 1330 & 2200 of the zoning bylaw.
- 2. After proper notice was given, the public hearing was opened on November 14, 2023 and closed on November 14, 2023.
- 3. The application was accompanied by a plan entitled:

MODIFICATION PLAN D&R CONDOMINIUM SANDWICH, MASS Dated: June 1986

- 4. The Board reviewed the application and all other materials submitted prior to the close of the public hearing. The Board received and gave due consideration to the testimony given at the public hearing.
- 5. The following members attended the public hearing:

James Killion
Christopher Neeven
Erik Van Buskirk
Chase Terrio
Mary Foley
Kevin Kirrane

FINDINGS

The Zoning Board of Appeals finds that:

- 1. The Board of Appeals finds that this application meets the requirements of Section 9, M.G.L. Chapter 40A.
- 2. The Board of Appeals finds that the subject property lies within the FLEX zoning district and Water Resource Overlay zoning district.
- 3. The Board of Appeals finds that the subject property has shared access frontage on Jan Sebastian Drive.
- 4. The Board of Appeals finds that the applicant wishes to use unit 2C for motor vehicle wholesale and used car sales accessory to motor vehicle sales.
- 5. The Board of Appeals finds that unit 2C has been used for motor vehicle service and repair and the applicant will continue that use to prepare vehicles for sale.
- 6. The Board of Appeals finds that unit 2C has up to 3 parking spaces associated to it.
- 7. Section 1330 requirements:
 - a) The Board of Appeals does not find that there are conditions peculiar to this case but not generally true for similar permitted uses on other sites in the same district;

- b) The Board of Appeals finds that nuisance, hazard or congestion will not be created:
- c) The Board of Appeals finds that there will not be substantial harm to the neighborhood;
- d) The Board of Appeals finds that there is no derogation from the intent of the bylaw such that the districts' objectives will not be satisfied.
- 8. The applicant has submitted an application to the Town of Sandwich for approval of a class 2 used car dealer license.

Motion:

I, James Killion, move to adopt these findings as the findings of the Board of Appeals.

Second:

Christopher Neeven

Vote:

James Killion Yes
Christopher Neeven Yes
Erik Van Buskirk Yes
Chase Terrio Yes
Mary Foley Yes

CONDITIONS:

At the public hearing, the Board of Appeals considered potential conditions of approval for the special permit. The Board of Appeals voted that the following conditions of approval shall be imposed upon any approval of a special permit and that these conditions are reasonable and that the applicant and its successor-in-interest shall be bound by these conditions:

- 1. Failure to comply with all the conditions set forth in this decision shall terminate the grant of this special permit.
- 2. Pursuant to the requirements of Sandwich Protective Zoning By-law Section 1330, the grant of special permit shall expire upon:
 - a) Transfer of ownership, prior to initiation of substantial construction on or occupancy of the site unless such transfer is authorized in this permit, or
 - b) If no substantial construction or occupancy takes place within (3) three years of special permit approval, excluding such time required to pursue or await the determination of an appeal referred to in MGL C 40A, Section 17.
- 3. The special permit shall not take effect until it is recorded at the Barnstable County Registry of Deeds and a copy of the recorded special permit is provided to the Board of Appeals.
- 4. Limit of 12 vehicles or watercraft on site at any one time.

Motion:

I, James Killion, move to impose the above conditions of approval upon any approval of the special permit.

Second:

Christopher Neeven

Vote:

James Killion Yes
Christopher Neeven Yes
Erik Van Buskirk Yes
Chase Terrio Yes
Mary Foley Yes

DECISION:

After reviewing the application, the plan and other materials submitted and after giving due consideration to testimony given at the public hearing, the Board hereby approves the special permit application for property located at 15 Jan Sebastian Drive Unit 2C, as shown on Assessor's Map 27, Parcel 033-2C, for the purpose of operating a motor vehicle wholesale and used car sales accessory to motor vehicle sales.

Motion:

I, James Killion, move to approve the special permit application.

Second:

Christopher Neeven

Vote:

James Killion Yes
Christopher Neeven Yes
Erik Van Buskirk Yes
Chase Terrio Yes
Mary Foley Yes