



Direct Dial: 781.904.2707
Email: michelle.abruzzo@mclane.com
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Woburn, MA 01801-7419
T 781.904.2700
F 781.904.2701

July 17, 2023

VIA FEDERAL EXPRESS and EMAIL ctirone@ci.reading.ma.us

Mr. Chuck Tirone
Conservation Administrator
Reading Conservation Commission
16 Lowell Street
Reading, MA 01867

Re: 123 Lilah Lane, Reading, MA – Outstanding Orders of Conditions (DEP File Number 270-196 and 270-171) and Request for Certificates of Compliance

Dear Mr. Tirone:

Enclosed please find two WPA Form 8A – Requests for Certificates of Compliance, as they relate to 123 Lilah Lane, Reading, Massachusetts together with a check made payable to the Town of Reading in the amount of \$100.00, representing the fees to submit same. Also enclosed are copies of the Outstanding Orders for your reference.

Kindly include these requests on the Agenda for July 26, 2023, and advise if counsel for The Harriet Backus Trust of 2016 should attend that hearing at your earliest convenience.

If you have any questions, please feel free to contact me.

Thank you.

Very truly yours,

Michelle D. Abruzzese
Paralegal

mda:

Enclosures

cc: Client
John F. Weaver, Esquire



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 8A – Request for Certificate of Compliance

270-171

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

Provided by DEP

READING WETLAND PROTECTION BYLAWS SECTION 7.1

A. Project Information

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



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

1. This request is being made by:

Harriet Backus, Trustee of The Harriet Backus Trust of 2016

Name
c/o Robert Moses, 28 union Street

Mailing Address

Lebanon
City/Town
781-904-2707 - Michelle at McLane Middleton Professional Association

NH
State

03766
Zip Code

Phone Number

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

Rivers Development Corporation

Applicant

October 29, 1987
Dated

270-171
DEP File Number

3. The project site is located at:

123 Lilah Lane
Street Address
055.0-0-0000-0026.0

Reading, MA
City/Town

Assessors Map/Plat Number

Parcel/Lot Number

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

123 Lilah Lane, Reading, MA
Property Owner (if different)

Middlesex
County

19147
Book

478
Page

Certificate (if registered land)

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

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

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

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 8A – Request for Certificate of Compliance

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

Provided by DEP

READING WETLAND PROTECTION BYLAWS SECTION 7.1

A. Project Information (cont.)

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

- Yes If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.
- No

B. Submittal Requirements

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



Commonwealth of Massachusetts

DEGE File No. 270-171 (To be provided by DEGE)

City/Town Reading

Applicant Rivers

Order of Conditions Massachusetts Wetlands Protection Act G.L. c. 131, §40

From Reading Conservation Commission

To Rivers Development Corporation same as applicant (Name of Applicant) (Name of property owner)

Address 24 Gould St. READING Address same as applicant MASS 01867

This Order is issued and delivered as follows:

- by hand delivery to applicant or representative on (date)
by certified mail, return receipt requested on 3/14/88 (date)

The project is located at end of Liah and Sanborn Lanes

The property is recorded at the Registry of Middlesex South

Book 15052, 15843 Page 140,438

Certificate (if registered)

MARGINAL REFERENCE REQUESTED BOOK 15052 PAGE 140

The Notice of Intent for this project was issued on 10/28/87 (date)

The public hearing was closed on 2/24/88 (date)

Findings

The Reading Conservation Commission has reviewed the above-referenced Notice of Intent and plans and has held a public hearing on the project. Based on the information available to the Reading Con. Com. at this time, the Reading Con. Com. has determined that the area on which the proposed work is to be done is significant to the following interests in accordance with the Presumptions of Significance set forth in the regulations for each Area Subject to Protection Under the Act (check as appropriate):

- Public water supply, Private water supply, Ground water supply, Flood control, Storm damage prevention, Prevention of pollution, Land containing shellfish, Fisheries, Protection of wildlife habitat

5-1

Effective 11/1/87

MARGINAL REFERENCE REQUESTED BOOK 15843 PAGE 438

Therefore, the Reading Con Com hereby finds that the following conditions are necessary, in accordance with the Performance Standards set forth in the regulations, to protect those interests checked above. The Reading Con Com orders that all work shall be performed in accordance with said conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications or other proposals submitted with the Notice of Intent, the conditions shall control.

General Conditions

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. This Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state or local statutes, ordinances, by-laws or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - (a) the work is a maintenance dredging project as provided for in the Act; or
 - (b) the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance and both that date and the special circumstances warranting the extended time period are set forth in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. Any fill used in connection with this project shall be clean fill, containing no trash, refuse, rubbish or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles or parts of any of the foregoing.
7. No work shall be undertaken until all administrative appeal periods from this Order have elapsed or, if such an appeal has been filed, until all proceedings before the Department have been completed.
8. No work shall be undertaken until the Final Order has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is to be done. The recording information shall be submitted to the Reading Con Com on the form at the end of this Order prior to commencement of the work.
9. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words, "Massachusetts Department of Environmental Quality Engineering.
File Number 270-171".
10. Where the Department of Environmental Quality Engineering is requested to make a determination and to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before the Department.
11. Upon completion of the work described herein, the applicant shall forthwith request in writing that a Certificate of Compliance be issued stating that the work has been satisfactorily completed.
12. The work shall conform to the following plans and special conditions:

Plans:

Title	Dated	Signed and Stamped by:	On File with:

Special Conditions (Use additional paper if necessary)

Please refer to pages 5-3B to 5-3E

Plans: Sanborn Village Phase IV- houses

Title: "Key Plan", Sanborn Village Phase IV, Wetland Protection Act Submission Plan in Reading, Ma. dated: November 25, 1987. Sheet 1. Signed and stamped by: Frederick D. Dewsnap, Jr. No. 23493 Registered. Frederick Deecher Dewsnap, No. 30318, Registered Professional Land Surveyor.

Sanborn Village Phase IV, Wetland Protection Act Submission Plan in Reading, Ma. dated: December 8, 1987, revision January 25, 1988. sheet 5. signed and stamped by Frederick D. Dewsnap, Jr. No. 23493, Registered Professional Engineer.

Sanborn Village Phase IV, Wetland Protection Act Submission Plan in Reading, Ma. dated: December 8, 1987. Signed and stamped by Frederick D. Dewsnap, JR. , Registered Professional Engineer, NO. 23493. sheet 6.

Wetland Protection Act Submission Plans in Reading, Ma. dated: December 8, 1987. sheet 7. Signed and stamped by Frederick D. Dewsnap, Jr., Registered Professional Engineer, NO. 23493.

(Leave Space Blank)

85

E-3



TOWN OF READING
GENERAL BY-LAWS
ARTICLE 32

* partial
copy

ORDER OF CONDITIONS

TO: Rivers Development Corporation
24 Gould St.
Reading, Ma. 01867

FILE NUMBER: 1987-12
DATE OF ISSUANCE: 3/14/88

PROJECT LOCATION: end of Lilah and Sanborn Lanes

TITLE REFERENCE: REGISTRY OF Middlesex South BOOK 15052, 15843 PAGE 140, 438
CERTIFICATE

Pursuant to the authority of the Town of Reading General By-laws, Section 32, the Reading Conservation Commission has reviewed your Notice of Intent and plans and has determined that the area on which the proposed work is to be done is significant to one or more of the interests listed in this section. The Reading Conservation Commission hereby orders that the following conditions are necessary to protect said interests and all work shall be performed in strict accordance with them and with the Notice of Intent and plans identified herein except where such plans are modified by said conditions.

MIDDLESEX COUNTY REGISTERED

BOOK 15052 PAGE 140

CONDITIONS

BOOK 15052 PAGE 140

BOOK 15843 PAGE 438

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. This Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state or local statutes, ordinances, by-laws and/or regulations.
4. The work authorized hereunder shall be completed within one (1) year from the date of issuance of this Order. The Order may be extended by the issuing authority for one or more additional one-year periods upon application to the said issuing authority at least thirty (30) days prior to the expiration date of the Order or its extension.

5. Any fill used in connection with this project shall be clean fill, containing no trash, refuse, rubbish or debris, including, without limiting the generality of the foregoing, lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles or parts of any of the foregoing.
6. No work shall be undertaken until the final Order, with respect to the proposed project, has been recorded in the Registry of Deeds for the district in which the land is located within the chain of title of the affected property. No work shall be undertaken until evidence has been provided to the Reading Conservation Commission that this recording has been accomplished.
7. Upon completion of the work described herein, the applicant shall forthwith request, in writing, that a Certificate of Compliance be issued stating that the work has been satisfactorily completed.
8. The work shall conform to the following described plans and additional Residential Sanborn Village Phase IV houses

Please refer to pages 2B to 2F.
 Title: "Key Plan", Sanborn Village Phase IV, Wetland Protection Act Submission Plan in Reading, Ma. dated: November 25, 1987. Sheet 1. Signed and stamped by: Frederick D. Dewsnap, Jr. No. 23493 Registered. Frederick Decher Dewsnap, No. 30318, Registered Professional Land Surveyor.

Sanborn Village Phase IV, Wetland Protection Act Submission Plan in Reading, Ma. dated: December 8, 1987, revision January 25, 1988. sheet 5. signed and stamped by Frederick D. Dewsnap, Jr. No. 23493, Registered Professional Engineer.

Sanborn Village Phase IV, Wetland Protection Act Submission Plan in Reading, Ma. dated: December 8, 1987. Signed and stamped by Frederick D. Dewsnap, JR., Registered Professional Engineer, NO. 23493. sheet 6.

Wetland Protection Act Submission Plans in Reading, Ma. dated: December 8, 1987. sheet 7. Signed and stamped by Frederick D. Dewsnap, Jr., Registered Professional Engineer, NO. 23493.

Form 7



Commonwealth
of Massachusetts

DEOE File No. 270-171
(To be provided by DEOE)

City/Town Reading

Applicant Rivers Development Corp.

Town No. 1987-12

Extension Permit
Massachusetts Wetlands Protection Act
G.L. c. 131, §40
and the Town of Reading By-law, Article 32

10.00

From: Town of Reading Conservation Commission Issuing Authority

663

To: Rivers Development Corporation 24 Gould Street, Reading, MA 01867
(Name) (Address)

MSD 03/27/90 09:36:02

The Order of Conditions (or Extension Permit) issued on July 13, 1988 (date)
to Rivers Development Corporation (name) for work at Sanborn Village Phase IV
(Lots) (address) is hereby extended for a period of One year(s) from the
date it expires.

This Extension Permit will expire on July 13, 1990 * (date)

This document shall be recorded in accordance with General Condition 8 of the Order of Conditions.

* This Extension Permit is applicable to the Order of Conditions issued under the
Town of Reading Article 32 only. Extension(s) issued under Ch131 s40 are on a
separate form with no reference to Article 32 and are valid for a period of three
years from the date of issuance of the Order of Conditions or Extension Permit.

MARGINAL REFERENCE REVISIONS
BOOK 19147 PAGE 478 ✓

(Leave Space Blank)

88

Issued by The Town of Reading Conservation Commission

Signature(s) Josua V. Nicholson

M. Clifton Proctor

Rebecca Langley

Camille W. Anthony

When issued by the Conservation Commission this Extension Permit must be signed by a majority of its members.

On this 26th day of July 19 89 before me personally appeared Camille W. Anthony to me known to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed.

Harold Victor Hulse May 14, 1993
Notary Public Harold Victor Hulse My commission expires

RECEIVED
TOWN OF READING
PLANNING DEPARTMENT
MAY 14 1993

Detach on dotted line and submit to the _____ prior to commencement of work.

To _____ Issuing Authority

Please be advised that the Extension Permit to the Order of Conditions for the project at _____
File Number _____ has been recorded at the Registry of _____ and

has been noted in the chain of title of the affected property in accordance with General Condition 8 of the original order of conditions on _____ 19 _____ if recorded land, the instrument number which identifies this transaction is _____

_____ if registered land, the document number which identifies this transaction is _____ Applicant

Signature _____

Box 215
Latnam

310 CMR 10.99

Form 7



Commonwealth of Massachusetts

RGB# 1987-12

DEP File No. 270-171

(To be provided by DEP)

City Town READING

Applicant The Bank for Savings

1-2

Extension Permit
Massachusetts Wetlands Protection Act
G.L. c. 131, §40
And Reading General Bylaws, Section 5.7

From: Reading Conservation Commission Issuing Authority
To: The Bank for Savings 399 Main Street, Box 1
Malden, MA 02148-0909
(Name) (Address)

The Order of Conditions (or Extension Permit) issued on 7-19-88 under DEP# 270-171 (date) to Rivers Development Corp. (name) for work at Sanborn Village Phase IV Subdivision (address) is hereby extended for a period of One (1) year from the date it expires, and the Extension Permit issued on 7-26-89 under RGB# 1987-12 is hereby extended retroactive to its expiration date.
This Extension Permit will expire on JULY 19, 1992 (date)

This document shall be recorded in accordance with General Condition 8 of the Order of Conditions.
This document is issued on: November 1, 1991.

MARGINAL REFERENCE REQUESTED
BOOK 19147 PAGE 475

(Leave Space Blank)

MSD 12/04/91 12:17:17 293 10.00

Issued by READING

Signature(s) *Emilia D. Proctor*

Jennifer K. Lachman *James E. Bellar*

Joan Y. Nickerson

M. Clifton Proctor

When issued by the Conservation Commission this Extension Permit must be signed by a majority of its members.

On this 30th day of October 1991, before me personally appeared M. Clifton Proctor to me known to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed.

Harold Victor Hulse May 14, 1993
Notary Public Harold Victor Hulse My commission expires

Detach on dotted line and submit to the Reading Conservation Commission prior to commencement of work.

To Conservation Commission Issuing Authority

Please be advised that the Extension Permit to the Order of Conditions for the project at Sanborn Village Phase IV

File Number DEP# 270-171 has been recorded at the Registry of MIDDLESEX SOUTH and

RGB# 1987-12 has been noted in the chain of title of the affected property in accordance with General Condition 8 of the original order of conditions on

_____ 19_____ if recorded land, the instrument number which identifies this transaction is

_____ if registered land, the document number which identifies this transaction is _____

Signature _____ Applicant



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 8A – Request for Certificate of Compliance

270-196

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

Provided by DEP

READING WETLAND PROTECTION BYLAWS SECTION 7.1

A. Project Information

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



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

1. This request is being made by:
Harriet Backus, Trustee of The Harriet Backus Trust of 2016

Name
c/o Robert Moses, 28 Union Street

Mailing Address

Lebanon
City/Town

New Hampshire
State

03766
Zip Code

781-904-2707 - Michelle at McLane Middleton Professional Association

Phone Number

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

Applicant

March 15, 1989

Dated

270-196

DEP File Number

3. The project site is located at:
123 Lilah Lane

Street Address

Reading, MA

City/Town

055.0-0000-0026.0

Assessors Map/Plat Number

Parcel/Lot Number

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

123 Lilah Lane, Reading, MA

Property Owner (if different)
Middlesex

19809

County

Book

410

Page

Certificate (if registered land)

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

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

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

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 8A – Request for Certificate of Compliance

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

Provided by DEP

READING WETLAND PROTECTION BYLAWS SECTION 7.1

A. Project Information (cont.)

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

- Yes If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.
- No

B. Submittal Requirements

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

111

310 CMR - 280.28

10/16/87 (Effective 11/1/87)

BOOK 15584 PAGE 487

BOOK 15584 PAGE 493

MARGINAL REFERENCE REQUESTED
BOOK 15584 PAGE 499

Findings

The Reading Conservation Commission has reviewed the above-referenced photos of the site and plans and has held a public hearing on the project. Based on the information available to the Commission at this time, the Commission has determined that the work on which the proposed work is to be done is significant to the following purposes in accordance with the provisions of Regulations set forth in the regulations for each Area Subject to Protection Under the Act (check as appropriate):

- Public water supply
- Private water supply
- Ground water supply
- Flood control
- Storm damage prevention
- Prevention of pollution
- Land containing shellfish
- Fisheries
- Protection of wildlife habitat

The public hearing was closed on 04-12-89 (date)

The Notice of Intent for this project was filed on 03-15-89 (date)

Certificate # 15584-499
Page 15584-493
Book 15584-487

The property is recorded at the Registry of Deeds at Middlesex South

The project is located at End of Lialah Lane (Lialah Lane Extension)

by certified mail, return receipt requested on April 27, 1989 (date)

The Order is issued and delivered as follows:
Address: 17 Deborah Drive, Reading, MA 01867

To: Guy and Valeria Bardancino (Name of Applicant)

From: Town of Reading Conservation Commission

Massachusetts Wetlands Protection Act
G.L.c. 131, §40
and Article 32

Town No. 1989-4
Reading, GUY

270-196



10.99: continued

*partial copy

310 CMR: DEPARTMENT OF ENVIRONMENTAL QUALITY ENGINEERING

011

819809 P410

MSD 05/18/89 12:51:27 300 19.00

310 CMR: DEPARTMENT OF ENVIRONMENTAL QUALITY ENGINEERING

10.98: continued

Therefore, the Reading Con. Com. hereby finds that the following conditions are necessary, in accordance with the Performance Standards set forth in the regulations, to protect those interests checked above. The Reading Con. Com. orders that all work shall be performed in accordance with said conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications or other proposals submitted with the Notice of Intent, the conditions shall control.

General Conditions

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory requirements, shall be deemed cause to revoke or modify this Order.
2. This Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state or local statutes, ordinances, by-laws or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - (a) the work is a maintenance dredging project as provided for in the Act; or
 - (b) the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance and both that date and the special circumstances warranting the extended time period are set forth in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. Any fill used in connection with the project shall be clean fill, containing no gravel, refuse, rubbish or debris, including but not limited to lumber, bricks, plaster, wire, kelp, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles or parts of any of the foregoing.
7. No work shall be undertaken until all administrative appeal periods from this Order have elapsed or, if such an appeal has been filed, until all proceedings before the Department have been completed.
8. No work shall be undertaken until the Final Order has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is to be done. The recording information shall be submitted to the Coil. Com. on the form at the end of this Order prior to commencement of the work.
9. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words, "Massachusetts Department of Environmental Quality Engineering, File Number 270-196".
10. Where the Department of Environmental Quality Engineering is requested to make a determination and to issue a Superceding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before the Department.
11. Upon completion of the work described herein, the applicant shall forthwith request in writing that a Certificate of Compliance be issued stating that the work has been satisfactorily completed.
12. The work shall conform to the following plans and special conditions:

B-2

310 CMR: DEPARTMENT OF ENVIRONMENTAL QUALITY ENGINEERING

10.99: continued

Plan:	Title	Dated	Signed and Stamped by:	On File with:
	<u>Exhibit A</u>	<u>12-03-88</u>	<u>Howard G. Buttrick</u>	<u>Reading Con. Com</u>
	<u>Exhibit B</u>	<u>02-28-89</u>	<u>-----</u>	<u>Reading Con. Com</u>
	<u>Exhibit C</u>	<u>02-28-89</u>	<u>Guy Bardacino</u>	<u>Reading Con. Com.</u>
	<u>Exhibit D</u>	<u>02-28-89</u>	<u>-----</u>	<u>Reading Con. Com.</u>

Special Conditions (Use additional paper if necessary)

see attached pages 5-3-1 through 5-3-7

(Leave Blank)

5-3A

113

310 CMR: DEPARTMENT OF ENVIRONMENTAL QUALITY ENGINEERING

10.99: continued

Issued By Town of Reading Conservation Commission

Signature(s) Jean Y. Waldman
Rebecca Doyle
Darryl M. Foy
M. Clifton Proctor

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

On this 26th day of April, 1989 before me personally appeared M. Clifton Proctor to me known to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed.

Harold Victor Huber May 11, 1993
Notary Public: Harold Victor Huber My commission expires

The applicant, the owner, any person approved by this Order, any owner of land abutting the land upon which the proposed work is to be done or any tax residents of the city or town in which such land is located are hereby notified of their right to request the Department of Environmental Quality Engineering to issue a Subsequent Order, providing the request is made by certified mail or hand delivery to the Department within ten days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and the applicant.

Detach on dotted line and submit to the _____ prior to commencement of work.

To _____, Sealing Authority

Please be advised that the Order or Conditions for the project of _____

File Number _____ has been recorded at the Registry of _____ and

has been noted in the chain of title of the affected property in accordance with General Condition 6 on _____ 19____

if recorded and, the instrument number which identifies this transaction is _____

if registered land, the document number which identifies this transaction is _____

Signature _____

Reading, MA
15
114

E-12

310 CMR: DEPARTMENT OF ENVIRONMENTAL QUALITY ENGINEERING

10.99: continued

*partial
copy



DEQE Form No. 270-196
(To be provided by DEQE)
City/Town Reading
Assistant Bardascino, Guy
Town No. 1989-4

MSD 12/14/90 12:59:18 312 29.06

Order of Conditions
Massachusetts Wetlands Protection Act
G.L. c. 131, §40
and Article 32

From Town of Reading Conservation Commission

To Guy and Valerie Bardascino Same
(Name of Applicant) (Name of property owner)

Address 17 Deborah Drive Address Same
Reading, MA 01867

This Order is issued and delivered as follows:

- by hand delivery to applicant or representative on _____ (date)
- by certified mail, return receipt requested on April 27, 1989 (date)

This project is located at End of Lilah Lane (Lilah Lane Extension)

The property is recorded at the Registry of Middlesex South

Book 15584-493 Page _____
15584-487
15584-499

Certificate (if registered) _____

The Notice of Intent for this project was filed on 03-15-89 (date)

The public hearing was closed on 04-12-89 (date)

Findings

The Reading Conservation Commission has reviewed the above-referenced Notice of Intent and plans and has held a public hearing on the project. Based on the information available to the Commission at this time, the Commission has determined that the area on which the proposed work is to be done is significant to the following interests in accordance with the Presumptions of Significance set forth in the regulations for each Area Subject to Protection Under the Act (check as appropriate):

- Public water supply
- Private water supply
- Ground water supply
- Flood control
- Storm damage prevention
- Prevention of pollution
- Land containing shellfish
- Fisheries
- Protection of wildlife habitat

Effective 11/1/87

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10.99: continued

Therefore, the Reading Con. Com. hereby finds that the following conditions are necessary, in accordance with the Performance Standards set forth in the regulations, to protect those interests checked above. The Reading Con. Com. orders that all work shall be performed in accordance with said conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications or other proposals submitted with the Notice of Intent, the conditions shall control.

General Conditions

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. This Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state or local statutes, ordinances, by-laws or regulations.
4. The work authorized hereunder shall be completed within three years from the date of the Order unless either of the following apply:
 - (a) the work is a maintenance dredging project as provided for in the Act; or
 - (b) the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance and both that date and the special circumstances warranting the extended time period are set forth in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. Any fill used in connection with this project shall be clean fill, containing no trash, refuse, rubbish or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles or parts of any of the foregoing.
7. No work shall be undertaken until all administrative appeal periods from this Order have elapsed or, if such an appeal has been filed, until all proceedings before the Department have been completed.
8. No work shall be undertaken until the Final Order has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is to be done. The recording information shall be submitted to the CON. COM. on the form at the end of this Order prior to commencement of the work.
9. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words, "Massachusetts Department of Environmental Quality Engineering, File Number 270-196".
10. Where the Department of Environmental Quality Engineering is requested to make a determination and to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before the Department.
11. Upon completion of the work described herein, the applicant shall forthwith request in writing that a Certificate of Compliance be issued stating that the work has been satisfactorily completed.
12. The work shall conform to the following plans and special conditions:

310 CMR: DEPARTMENT OF ENVIRONMENTAL QUALITY ENGINEERING

10.99: continued

Plans:	Title	Dated	Signed and Stamped by:	On File with:
Exhibit A		12-03-88	Howard C. Buttrick	Reading Con. Com
Exhibit B		02-28-89	-----	Reading Con. Com
Exhibit C		02-28-89	Guy Bardascino	Reading Con. Com.
Exhibit D		02-28-89	-----	Reading Cop. Com.

Special Conditions (Use additional paper if necessary)

see attached pages 5-3-1 through 5-3-7

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8-2A

10/16/87 (Effective 11/1/87)

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Date: 04-19-89

Page: 5-3-1

Project: Guy and Valerie Bardascino, End of Lilah Lane

MGL Ch.131 s40

DEGE File #: 270-196

Reading General By-Laws, Article 32

File Number: 1989-4

Findings:

The project as proposed is within the Town of Reading Aquifer Protection District and within the 100 foot Buffer Zone and will involve the construction of a single family house, swimming pool and pool deck(s), patios, and driveway, and the installation of catch basins and a discharge pipe to carry run-off from the proposed impervious surfaces to the existing detention pond for this phase of the Sanborn Village development, and associated filling and grading. Run-off calculations indicate that design parameters for the detention basin can accommodate the proposed introduced volume. It has also been confirmed that the total impervious surface for this lot does not violate the zoning by-law for building within the aquifer protection district.

This project as proposed has been found to be significant to the following sections in the Massachusetts State Wetlands Protection Act Regulations, 310 CMR 10, Ch.131 s40: 10.55(1), 10.57(1)(a), and 10.59.

It is the determination of the Commission that the proposed work can be adequately conditioned to protect the interests of the wetlands protection Act, Ch.131, s40 and the Reading General By-Laws, Article 32. The Reading Conservation Commission approves the proposed project subject to the following conditions:

- 1 A copy of this Order of Conditions, as well as construction plans, shall be on site upon commencement of any site work for contractors to view and adhere. It shall be the responsibility of the owners of the property and any successor(s) in title to inform all contractors and subcontractors of the applicable conditions and provisions of this Order concerning their work.
- 2 Any departures from, or changes to the plans, specifications, and submitted data, other than as described in this Order of Conditions which will result in any effect upon the interests of the Act or of Article 32, must be approved in writing by the Reading Conservation Commission prior to implementation. Where the Commission deems that a change is major or substantial, a new public hearing may be required. Any errors in the plan or information submitted by the applicant shall be considered changes, and the above procedure shall be followed.

ORIGIN ID:BEDA (781) 904-2707
MICHELLE D. ABRUZZESE, PARALEGAL
MCLANE LAW FIRM
300 TRADECENTER
SUITE 7000
WOBURN, MA 01801
UNITED STATES US

SHIP DATE: 17JUL23
ACTWGT: 1.00 LB
CAD: 101237853/INET4640

BILL SENDER

TO **CHUCK TIRONE, CONSERV ADMINISTRATOR**
READING CONSERVATION COMMISSION
16 LOWELL STREET

583J4/6AE4/9AE3

READING MA 01867

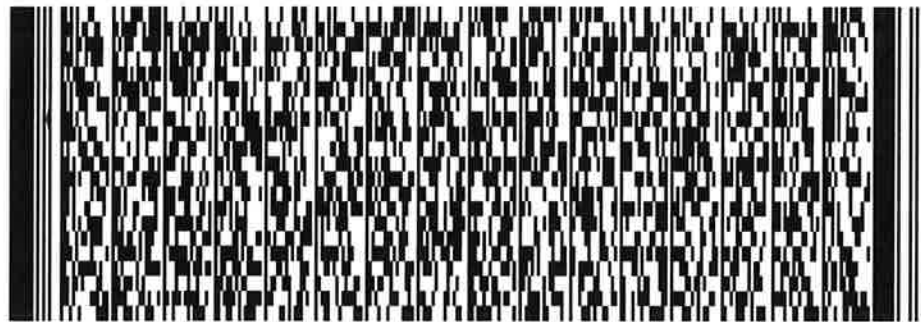
(781) 942-6616

REF: 125120-HARRIET BACKUS TRUST

INV:

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DEPT:



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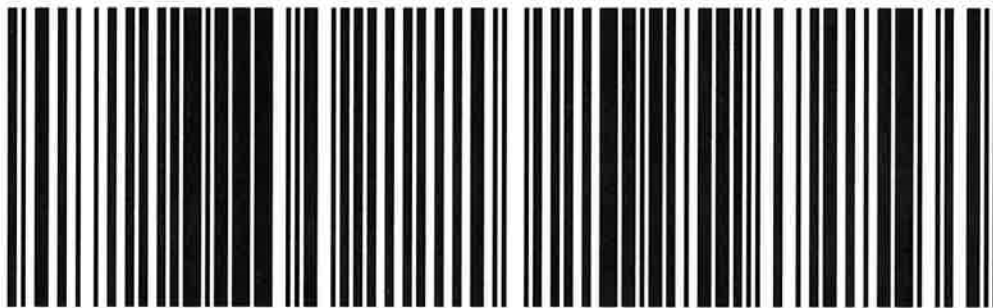
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PRIORITY OVERNIGHT

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