

ORDER OF CONDITIONS
WETLANDS PROTECTION ACT
G.L. c. 131, s. 40

TOWN OF WEYMOUTH

FILE NUMBER 81-181

TO: NAME RICHARD S. THAYER

ADDRESS 246 Commercial St.

CERTIFIED MAIL NUMBER

Weymouth, MA 02188

PROJECT LOCATION:	LOT	BLOCK	SHEET
Address	5	199	16

Recorded at Registry of Norfolk, Book 5953, Page 380.

Certificate (If registered)

REGARDING:

Notice of Intent dated February 11, 1982

and plans titled and dated 2/5/82

THIS ORDER IS ISSUED ON (date) March 10, 1982

*Exts to 1926
ATTACHED*

Pursuant to the authority of G.L. c. 131, s. 40, the WEYMOUTH CONSERVATION COMMISSION has reviewed your Notice of Intent and plans identified above, 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 G.L. c. 131 s. 40. The WEYMOUTH 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 above except where such plans are modified by said conditions.

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 and/or regulations.
4. The work authorized hereunder shall be completed within one (1) year from the date of this order unless it is for a maintenance dredging project subject to Section 5(9). 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 may be commenced until all appeal periods have elapsed from the order of the WEYMOUTH CONSERVATION COMMISSION or from a final order by the Department of Environmental Quality Engineering.
7. No work shall be undertaken until the final order, with respect to the proposed project, has been recorded in the Norfolk Registry of Deeds. The Document number indicating such recording shall be submitted on the form at the end of this order to the WEYMOUTH CONSERVATION COMMISSION prior to commencement of work.
8. A sign shall be displayed at the site not less than two square feet or more than three square feet bearing the words, "Massachusetts Department of Environmental Quality Engineering Number 81-181".
9. Where the Department of Environmental Quality Engineering is requested to make a determination and to issue a superseding order, the Weymouth Conservation Commission shall be a party to all agency proceedings and hearings before the Department.
10. The WEYMOUTH CONSERVATION COMMISSION shall receive a minimum of 48 hours advance notice as to when construction will commence.
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. A written statement signed by a professional engineer, architect or land surveyor certifying compliance with this order shall accompany said request for the Certificate.
12. The work shall conform to the following described plans and additional conditions:
with drawings submitted by Jeffrey Holt Thayer Assoc., 246 Commercial St. Weymouth 02188 dated 2/5/82 and Notice of Intent/Environmental Data Form dated 2/11/82 (10 Pages).
13. Dredging will be no deeper than six feet (6') below mean low water, plus a one foot (1') over depth.
14. No dredging shall be carried out between the period February 15 to April 15th, during the migration of Rainbow Smelt.
15. Dredge material should be disposed of at a site approved by the Army Corps of Engineers.
16. If this area is determined to be land containing shellfish, the following three (3) conditions shall apply:
 - (a) That the shellfish in the area to be dredged be relocated in a manner and to a location suitable and approved by DMF and the shellfish constable.
 - (b) Siltation curtains designed and employed so as to preclude the transport of sediment from the dredging site onto other areas of the shellfish bed shall be employed where physical conditions permit.
 - (c) If turbidity will impact other shellfish beds, no dredging shall be allowed during the larval setting stage.
17. The Condominium Association shall provide holding tank pump-out services at the dock.
18. All filling and site grading shall conform to the above referenced plans.
19. An on-site sewage retention tank shall be installed outside of the proposed structures, designed with a minimum 5-day holding capacity, unless otherwise required by the Sewer Div., Dept. of Public Works of the Town of Weymouth. The tank shall be designed and certified to be impervious and shall include check valves and provisions for emptying by sewage disposal truck. Design approval shall be required by the Conservation Commission and Sewer Division of the Dept. of Public Works of the Town of Weymouth.
20. This Order of Conditions shall supersede the 4/24/81 Order of Conditions/File #81-165.

The applicant, any person aggrieved by this order, any owner of land abutting the land by which the proposed work is to be done, or any ten residents of the city or town in which such land is located, are hereby notified of their right to appeal this order to the Department of Environmental Quality Engineering provided the request is made in writing and by certified mail to the Department within ten (10) days from the issuance of this order.

ISSUED BY WEYMOUTH CONSERVATION COMMISSION

William D. Millett
Howard W. Ewins
George J. Bennett
Joseph F. Kelleher
Michael S. McDermott

WEYMOUTH CONSERVATION COMMISSION

On this 11th day of March 19 82, before me personally appeared William Millett, Acting Chairman to me known to be the person described in, and who executed, the foregoing instrument and acknowledged that he executed the same as his free act and deed.

Franklin J. Foye

My Commission expires _____ My Commission Expires May 19, 1983

DETACH ON DOTTED LINE AND SUBMIT TO THE ISSUER OF THIS ORDER PRIOR TO COMMENCEMENT OF WORK.

TO WEYMOUTH CONSERVATION COMMISSION (Issuing Authority)

PLEASE BE ADVISED THAT THE ORDER OF CONDITIONS FOR THE PROJECT AT _____, FILE NUMBER _____, HAS BEEN RECORDED AT THE REGISTRY OF _____, ON (Date) _____.

If recorded land, the instrument number which identifies this transaction is _____.
If registered land, the document number which identifies this transaction is _____.

Signed _____
Applicant

TOWN OF WEYMOUTH

CONSERVATION COMMISSION

Form 7



Commonwealth of Massachusetts

DEQE File No. 81-181 (To be provided by DEQE) City/Town WEYMOUTH Applicant J. Holt Thayer

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

From: WEYMOUTH CONSERVATION COMMISSION Issuing Authority To: Jeffrey Holt Thayer 248 Commercial St., Weymouth MA 02188 (Name) (Address)

The Order of Conditions (or Extension Permit) issued on March 10, 1982 (date) to Jeffrey Holt Thayer (name) for work at 248 Commercial St. Weymouth, MA (address) is hereby extended for a period of one year(s) from the date it expires.

This Extension Permit will expire on August 10, 1986 (date)

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

This is the fourth Extension permit issued for the same project.

(Leave Space Blank)

TOWN OF WEYMOUTH

CONSERVATION COMMISSION

Form 7



Commonwealth of Massachusetts

DEQE File No. 81-181 (To be provided by DEQE) City/Town WEYMOUTH Applicant Richard S. Thayer

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

From: WEYMOUTH CONSERVATION COMMISSION Issuing Authority

To: Jeffery Holt Thayer (Name) 246 Commercial St., Weymouth, MA 02188 (Address)

The Order of Conditions (or Extension Permit) issued on March 10, 1982 (date) to Richard S. Thayer (name) for work at 246 Commercial St. (address) is hereby extended for a period of One year(s) from the date it expires.

This Extension Permit will expire on August 10, 1985 (date)

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

(Leave Space Blank)

Issued by the WEYMOUTH CONSERVATION COMMISSION

Signature(s) Howard W. Evers

John C. Feigler

Mary Beth Gurnell

Michael T. Capre

Joseph A. Hayes

Joseph A. Hayes

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

On this 26th day of July, 1984, before me personally appeared Howard Evers, Chairman, 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.

Franklin Fryer
Notary Public

FRANKLIN FRYER, Notary Public
My Commission Expires May 4, 1990

My commission expires

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

To the Weymouth Conservation Commission Issuing Authority

Please be advised that the Extension Permit to the Order of Conditions for the project at 246 Commercial St. (Thayer)

File Number 81-181 has been recorded at the Registry of Norfolk Co., Dedham, MA 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 _____

Signature _____ Applicant

TOWN OF WEYMOUTH

CONSERVATION COMMISSION

Form 7



Commonwealth of Massachusetts

DEQE File No.

81-181

(To be provided by DEQE)

City/Town

WEYMOUTH

Applicant

Jeff Thayer

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

From: WEYMOUTH CONSERVATION COMMISSION Issuing Authority

To: JEFFREY THAYER (Name) SAME (Address)

The Order of Conditions (or Extension Permit) issued on Aug. 10, 1982 (date) to Jeffrey Thayer (name) for work at 246 Commercial St. Weymouth (address) is hereby extended for a period of One year(s) from the date it expires.

This Extension Permit will expire on August 10, 1984 (date)

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

(Leave Space Blank)

COMMONWEALTH OF MASSACHUSETTS

G.L. 131 s. 40

WETLANDS PROTECTION ACT

EXTENSION OF ORDER OF CONDITIONS

File # 81-181

Applicant: Jeffrey Thayer
246 Commercial St.
Weymouth, MA 02188

Date Order issued: March 10, 1982
Project/Location: Commercial St./Wey.
Lot-Block-Sheet: L.5/B1,199/Sh.16

This document, issued by the WEYMOUTH CONSERVATION COMMISSION, extends the Order of Conditions issued to the above applicant for the period of one year. from the date of termination of the last Order issued in regard to this project or extension of same, whichever is the later date. This is the first extension of the original Order. The new expiration date will be August 10, 1983.

Weymouth Conservation Commission
(Issuing Authority)

[Signature]
[Signature]

[Signature]
Howard W. Evors

On this 15th day of July 1982, before me appeared personally Howard Evors, Vice-Chairman to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same of his free act and will.

[Signature]
Notary Public

ANNE McCURDY, NOTARY PUBLIC
MY COMMISSION EXPIRES OCT 15, 1987
[Signature]
My commission expires