Curley & Hansen	LETTER OF TRANSMITTA
Registered Land Surveyors 150 Pond Street Avon, Massachusetts 02322 Tel. / Fae. (508) 580-2117 Non Carrend Commission 65 Edst Moin 87 Avon, Mo. 07322 We are sending you attached und Change Order Other	DATE: MOVZS, 7070 JOB =
COPTES DATE NUMBER 7 REPUBLIT CAROTTAL DVAL	DESCRIPTION O AMEND GROER OF 1-5 Nº 8 KOTVERNÉ" WAY
FOR BIDS DUE	
REWARKS:	RESPONDANT BULSIE

Curley & Hansen

Professional Land Surveyors

160 Pond Street

Avon, MA 02322

Tel. / Fax. (508) 580-2117

Email: chpls@msn.com

Town of Avon Conservation Commission # 65 East Main Street Avon, Ma. 02322 Nov. 23, 2020

William P. Self, P.L.S.

RE: #'s 8A & 8B Katherine's Way, Avon, Ma. - Request to Amend the Order of Conditions (Recorded April 23, 2019 at Norfolk Registry of Deeds Book: 36742 Page: 324) DEP File #: SE 099-0173

Dear Commissioners:

The Commission has issued an Order of Conditions for the proposed construction of a duplex dwelling with related septic systems, driveways, utilities, and grading. During the construction, additional minor work listed below has been done having no adverse effect on any wetland interests protected under the Massachusetts Wetlands Protection Act ("MWPA"). However, in order to ensure that the project plan is accurate so that a Certificate of Compliance may be issued, the applicant is requesting that the Commission amend the Order of Conditions to reference the revised plan and authorize the additional work.

- 1. The limits of the mitigation area shown on the original plan dated February 5, 2019 (revised through October 31, 2019) was changed in minor respects but the total mitigation area remains the same.
- 2. The installation of (2) 500 gallon underground propane storage tanks for service to the units # 8A and # 8B (both being single family residential dwellings). The underground propane storage tank for unit # 8A was installed by the gas company just inside the 100' buffer zone area by about 12'+/- in the proposed lawn area. The work was reviewed and approved by the Town Fire Department. Under 310 CMR 10.02(2)(b), we feel that this would be considered a minor exempt activity. However, in an abundance of caution and to avoid dispute, we request that the Order of Conditions be amended to approve the work. The underground propane storage tank inside the 100' buffer zone area would not have any adverse effect on the interests protected under the MWPA and does not affect the disturbed area that was already calculated for site mitigation.
- 3. An additional 8'+/- stone swale was also installed outside of the 100' buffer zone area along the property line at the rear of the driveways for unit # 8B and abutting unit at # 10A Katherine's Way.

Please place this request on the agenda for the public hearing on December 10, 2020, and issue public notice. This office will notify abutters and also ensure that the legal advertisement is published.

Thank you for consideration in this matter. Please do not hesitate to contact this office with any questions or comments.

William P. Self, PLS

Sincerely

Curley & Hansen Surveyors

Curley & Hansen

Professional Land Surveyors # 160 Pond Street Avon, Ma. 02322 (508) 580-2117

Notification to Abutters under the Wetland Protection Act

In accordance with the second paragraph of Massachusetts General Law Chapter 131, Section 40, you are hereby notified of the following:

- A. The name of the applicant is Terry Edwards
- B. The applicant has filed a Request for Amended Order of Conditions with the Avon Conservation Commission for alteration of an Area Subject to Protection under the Wetlands Protection Act. The work is within the 100' Buffer Zone of a Bordering Vegetated Wetland for the proposed construction of a Duplex Dwelling with associated grading and site work.
- C. The address of the lot where the activity is proposed is # 8 Katherine's Way, Avon, Ma. 02322

Copies of the Request for Amended Order of Conditions may be viewed at: Avon Conservation Commission

Town Hall

65 East Main Street
Avon, Ma. 02322

Please call the Conservation Commission's Office at (508) 588-0414 (ext. 1023) and leave a message to arrange a date and time to review the filing.

- D. Copies of the **Request for Amended Order of Conditions** may be obtained by calling **Curley & Hansen Surveyors** at (508) 580-2117 between the hours of 8:00 AM and 4:30 PM Monday through Friday. This is the applicant's engineer.
- E. Information regarding the date, time, and place of the public hearing may be obtained from the Avon Conservation Commission by calling (508) 588-0414 (ext. 1023) and leaving a message.
- NOTE: Notice of the public hearing, including its date, time, and place will be published at least five (5) days in advance in **The Enterprise.**
- NOTE: Notice of the public hearing, including its date, time, and place will be posted at the **Avon Town Hall** not less than forty-eight (48) hours in advance.
- NOTE: You may also contact your local conservation commission or the nearest **Department of Environmental Protection** (**D.E.P.**) Regional Office for more information about this application or the Wetlands Protection Act. To contact D.E.P., call:

Southeast Region: 1-508-946-2700 Central Region: 1-508-792-7650 Northeast Region: 1-978-661-7600 Western Region: 1-413-784-1100

NOTICE OF PUBLIC HEARING CONSERVATION COMMISSION AVON, MASSACHUSSETTS

In accordance with Massachusetts General Laws,
Chapter 131, Section 40 and the Town of Avon
Local By-Law, the Avon Conservation Commission
will hold a public hearing on Thursday December 10, 2020
at 7:00 PM at the Avon Town Offices located at # 65 East Main
Street, Avon, Ma. on a Request for an Amended Order of
Conditions filed by Terry Edwards of # 80 South Street,
Avon, Ma. 02322. The applicant proposes the construction
of a duplex home (including garages) with associated grading and
site amenities at property located at # 8 Katherine's Way (Lot # 20A)
Avon, Ma. (Shown as Assessors Map: B1 Block: 2 Plot: 15)

The hearing will provide an open forum for discussion. This meeting will be done remotely via the "ZOOM" platform. Residents can visit the Town Website (www.avon-ma.gov) for up to date information on how to access the meeting.

300' CERTIFIED ABUTTERS LIST 8A AND 8B KATHERINE'S WAY

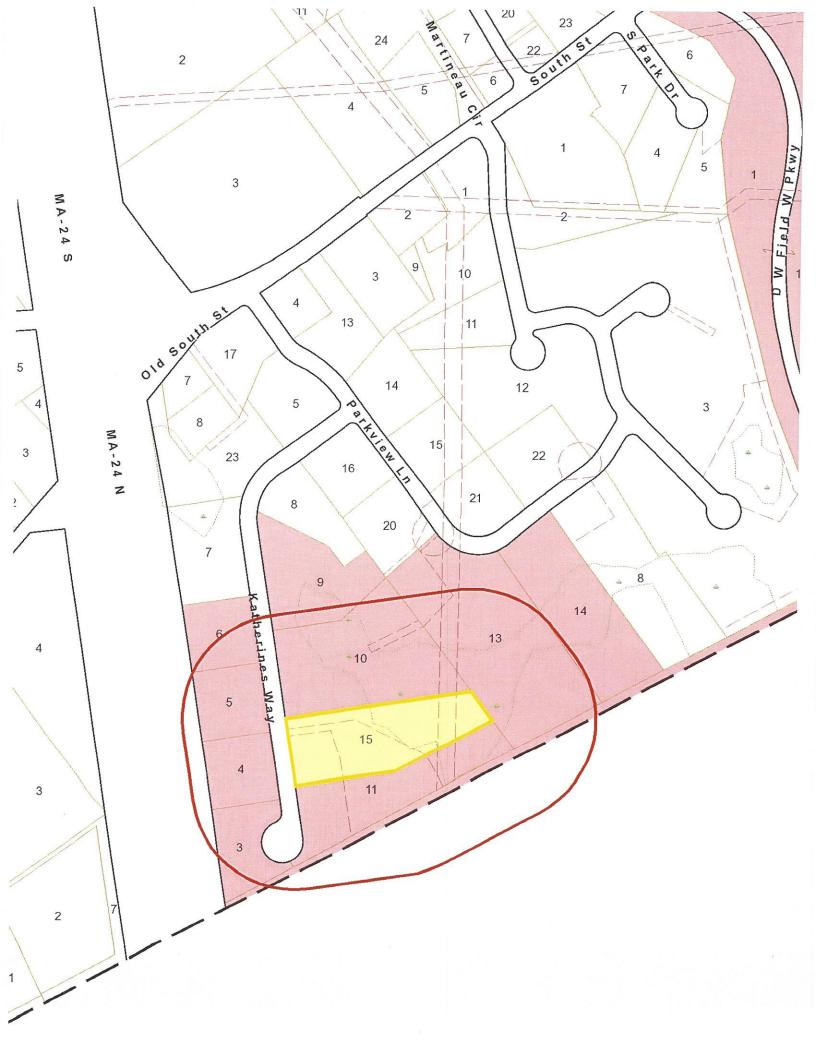
AVON, MA FOR:

CURLEY AND HANSEN LAND SURVEYORS B1-2-15-8A AND B1-2-15-8B

Bear of Assessors

Ban J. Aullina, As of 10/31/20

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ECR

Environmental Consulting & Restoration, LLC



November 12, 2020

Town of Avon Conservation Commission 65 East Main Street Avon, MA 02322

RE: Mitigation Completion Report, #8A&8B and #10A&10B Katherine's Way, Avon

Dear Members of the Conservation Commission:

Environmental Consulting & Restoration, LLC (ECR) is pleased to inform the Avon Conservation Commission that the mitigation project at #8A&8B and #10A&10B Katherine's Way in Avon (the Site) has been completed. ECR overviewed the mitigation project consisting of the removal of non-native invasive plants, stabilization of the yard slope, and the planting of native vegetation. The mitigation project following the mitigation plan to the extent possible and includes some additional areas and changes. The following mitigation activities were completed at the site:

- Removal of non-native invasive plants around the stormwater basin. The existing Black Locust, Autumn Olive, and Japanese Knotweed plant were cut and removed from the site. The cut stums of the Black Locust and Autumn Olive plants were also painted with herbicide to prevent stump sprouting. Once these invasive plants were removed, the access road around the basin was mowed. This work now allows access around the stormwater basin and removes these invasive plants.
- 2. Removal of Common Reed from the stormwater basin The existing Common Reed (Phragmites australis) plants that were beginning to dominate the stormwater basin were treated with herbicide, cut, and removed from the site. The remaining native vegetation consisting of Cattails, sedges, etc. were left within the basin. This work now allows for better stormwater capacity within the basin and removes the invasive pest. Please note that monitoring and end of growing season herbicide treatments are under contract for 2021 and 2022 to maintain the stormwater basin free of Common Reed.
- Stabilization of the slope from the back yards The slope from the back of the yards was loamed, covered with jute netting, and planted with native shrub and herbaceous plug plants per the mitigation plan. This involved planting the following

Shrub Seedling	Number
Pasture Rose (ROSA CAROLINA TUBELING)	32
Inkberry (ILEX GLABRA TUBELING)	32
Meadowsweet (SPIRAEA LATIFOLIA TUBELING)	_
Northern Arrowood (VIBURNUM DENTATUM TUBELING)	32
Lowbush Blueberry (VACCINIUM ANGUSTIFOLIUM TUBELING)	32
	32

ECR

Environmental Consulting & Restoration, LLC



Herbaceous Seedling	Number
Switch Grass (PANICUM VIRGATUM 2" PLUG)	50
Broom Sedge (ANDROPOGON VIRGINICUS 2" PLUG)	64 5 686 7 0.0
Gray Goldenrod (SOLIDAGO NEMODALIO 27 PLUG)	50
Gray Goldenrod (SOLIDAGO NEMORALIS 2" PLUG)	50
Oxeye Sunflower (HELIOPSIS HELIANTHOIDES 2" PLUG)	50
Purple Coneflower (ECHINACEA PURPUREA 2" PLUG)	50

4. Native Shrub Planting – An additional area of planting along the toe of the slope from the back-yard area was completed. This involved planting 30 native shrubs and seeding the area with a native seed mix. The 30 shrubs consisted of a mix of Black Chokeberry, Sweet Pepperbush, Highbush Blueberry, Meadowsweet, and Witch Hazel. This area was added to increase the amount of completed mitigation so that it is similar to the area proposed on the approved mitigation plan.

As a result of the completed activities described above, ECR calculates that approximately 40,745 square feet of mitigation area was completed at this site. This completed amount exceeds the required amount of approximately 30,000 square feet as required per the project. For more information, please refer to the Photograph Pages attached.

The completed mitigation work at the site follows the approved mitigation plan with variations described above. The overall project results in a betterment to the environment by removing invasive vegetation and adding a variety of new native vegetation. Upon review of this report, please contact me if you have any questions or require additional information, please contact me at (617) 529 - 3792 or brad@ecrwetlands.com.

Sincerely, Environmental Consulting & Restoration, LLC



Brad Holmes, PWS, MCA Manager



Photograph #1 - View across the stabilized slope at the back yard of the site, which was covered with jute netting and planted with seedlings of shrubs and herbaceous plants. Notice the planting strip along the base of the slope.



Photograph #2 – View of the planting strip along the base of the slope from the backyard area. This planting strip was loamed, planted with 30 native shrubs, and seeded with a conservation seed mix.



Photograph #3 – View of the northern access road around the stormwater basin where invasive plants were cut and removed and the access road mowed.



Photograph #4 – View of the southern access road around the stormwater basin where invasive plants were cut and removed and the access road mowed.



Photograph #5 – View of the interior of the stormwater basin where Phragmites was removed and the stone berm recovered.



Photograph #6 – View of the interior of the stormwater basin where Phragmites was removed. Native vegetation was left in place consisting mainly of Cattails.



Photograph #7 – Example of the jute netting placed on the slope of the back yards. Plug plants were planted among the jute netting and then the slope was seeded.

Environmental Consulting & Restoration, LLC

MITIGATION PROTOCOL

TO:

Curley & Hansen Land Surveyors

FROM:

Brad Holmes

DATE:

January 3, 2020

RE:

Katherine Way, Avon

As a follow up to our December 12th meeting, please include this proposed Mitigation Protocol with your files on the mitigation project proposed at #8 and #10 Katherine Way in Avon (the Site). This Mitigation Protocol details the proposed timeline and maintenance schedule for the proposed mitigation project at the site. As discussed with the Commission, the proposed mitigation plan includes the removal of nonnative invasive vegetation and the planting of native vegetation at the site. The mitigation project is

Winter 2020

- 1. Cut/mow the Common Reed (Phragmites australis) within the stormwater basin. This task is in preparation of a summer treatment. The cutting allows better access and treatment for the applicator and also stresses the plant so that the herbicide treatment is more effective.
- 2. Cut and remove the Black Locust (Robinia pseudoacacia) trees and saplings

Spring 2020

- 1. Finalize grading on the proposed native planting area to include top dressing with loam and
- 2. Planting of the shrub seedlings and herbaceous plants to occur in late spring as well as seeding with the Conservation/Wildlife seed mix.

Summer 2020

- Herbicide treatment of the Phragmites by licensed herbicide applicator.
- 2. Herbicide treatment of the Japanese Knotweed (Polygonum cuspidatum) by licensed
- 3. Flush cut the stumps of Black Locust and paint with herbicide by licensed herbicide
- Cutting of the dead Phragmites and Japanese Knotweed in late summer.

Fall 2020

- 1. Review of the plant health within the native planting area. Included in this task is replacement of dead plants, reseeding (if necessary) and hand pulling of new non-native invasive plant growth (if necessary).
- 2. Prepare and submit monitoring report with photographs to the Conservation Commission. Included in this task is a Request for Partial Certificate of Compliance to document compliance with the Order of Conditions.

Summer/Fall 2021

1. Review of the plant health within the native planting area. Included in this task is replacement of dead plants, reseeding (if necessary) and hand pulling of new non-native invasive plant growth (if necessary).

Environmental Consulting & Restoration, LLC



- 2. Follow up treatment of Phragmites in the stormwater basin by licensed herbicide applicator.
- Prepare and submit monitoring report with photographs to the Conservation Commission.

Summer/Fall 2022

- 1. Review of the plant health within the native planting area. Included in this task is replacement of dead plants, reseeding (if necessary) and hand pulling of new non-native invasive plant growth (if necessary).
- 2. Follow up treatment of Phragmites in the stormwater basin by licensed herbicide applicator.
- 3. Prepare and submit monitoring report with photographs to the Conservation Commission. Included in this monitoring report will be a Request for a Final Certificate of Compliance to complete the Order of Conditions.

This proposed project would be overviewed by a wetland specialist with continued coordination with the Conservation Commission. Upon review of this protocol, please contact me at (617) 529 - 3792 or brad@ecrholmes.com with any questions or requests for additional information. We are happy to further discuss with the Commission at the next available meeting.

Thank you. Brad Holmes, Professional Wetland Scientist #1464, Massachusetts Certified Arborist #2130 Manager



Massachusetts Department of Environmental Protection Bureau of Resource Protection - Wetlands

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

DEP File Number:

Provided by DEP

A. Project Information Important: 1. This request is being made by: When filling out forms on the Terry Edwards computer, use Name only the tab #80 South Street key to move Mailing Address your cursor do not use the Avon Ma. 02322 return key. City/Town State Zip Code N/A Phone Number 2. This request is in reference to work regulated by a final Order of Conditions issued to: Terry Edwards Applicant Mar. 14, 2019 099-0173 Dated **DEP File Number** Upon completion The project site is located at: of the work authorized in #8 Katherines Way Avon an Order of Street Address City/Town Conditions, the Assessors Map: B1 Block: 2 Plot: 15 property owner Assessors Map/Plat Number must request a Parcel/Lot Number Certificate of The final Order of Conditions was recorded at the Registry of Deeds for: Compliance from the issuing Terry Edwards authority stating Property Owner (if different) that the work or Norfolk 36742 324 portion of the County Book work has been Page satisfactorily Certificate (if registered land) completed. 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).

* See attached Mitigation Completion Plan dated Nov. 12, 2020 that has been submitted for a

the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the

request for Amended Order of Conditions

work regulated by it was never started.



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 8A - Request for Certificate of Compliance

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

DEP File Number:

Provided by DEP

A. Project Information (cont.)

6.	an a	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-officefor-your-city-or-town.html).

Curley & Hansen

Professional Land Surveyors

160 Pond Street Avon, MA 02322 Tel. / Fax. (508) 580-2117

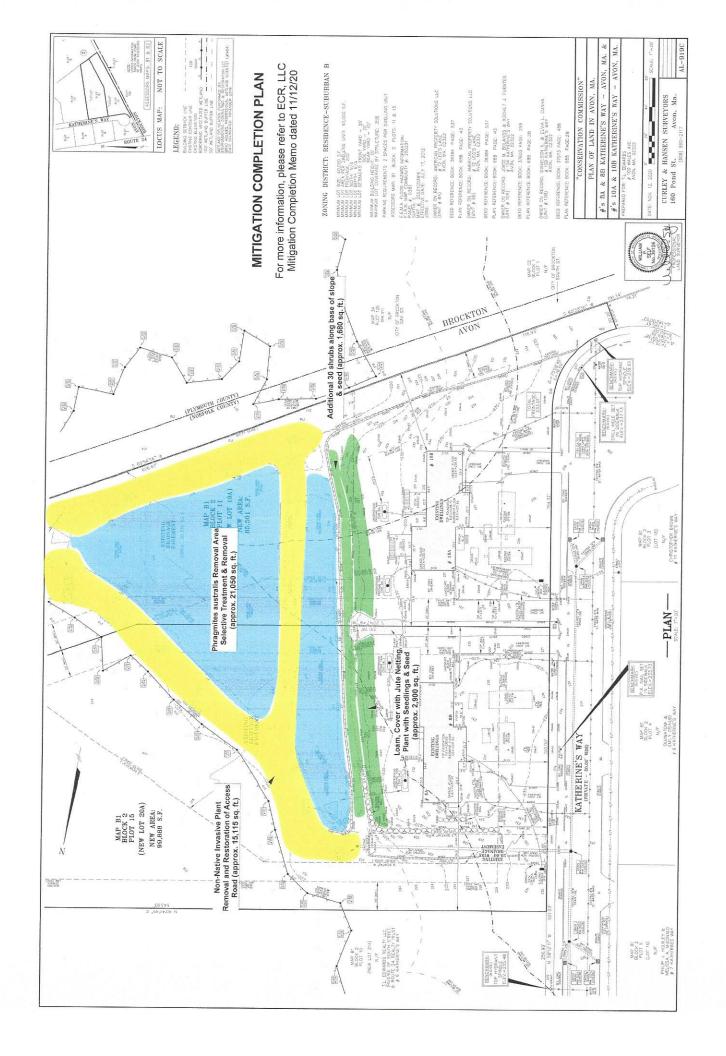
William P. Self, P.L.S.

Nov. 23, 2020

I certify that the project located at # 8 Katherine's Way, Avon, Ma. (Order of Conditions recorded at Norfolk County Registry of Deeds Book: 36742 Page: 324, Recording date: April 23, 2019, File #: SE 099-0173) has been completed and is in substantial compliance with the Mitigation Completion Plan dated Nov. 12, 2020 submitted by Curley & Hansen Surveyors.

Respectfully,

William P. Self P.L.S. Curley & Hansen Surveyors



After recording, please return to: David P. Frenette, Esq. 130 Liberty St., Ste. 10 Brockton, MA 02301

RECEIVED AND RECORDING MORPOLK COUNTY REGISTRY OF DEEDS DEDHAM, MA

CERTIFY

Trillian PO Formall WILLIAM P. O'DONNELL, REGISTER MASSACHUSETTS STATE EXCISE TAX Norfolk Resistry of Deeds Date: 09-24-2020 a 12:27pm Ctl4: 524 Doc4: 101155 Fee: \$684.00 Cons: \$150,000.00

QUITCLAIM DEED & GRANT OF EASEMENT

T.L. EDWARDS REALTY, LLC, Trustee of the South Street & Route 24 Realty Trust u/d/t dated June 25, 2003 and recorded at the Norfolk County Registry of Deeds at Book 19426 Page 14, having an address of 80 South Street, Avon, Norfolk County, MA 02322, for consideration paid and in full consideration of One Hundred Fifty Thousand and 00/100 (\$150,000.00) Dollars, grant to AMERICAN PROPERTY SOLUTIONS, LLC, a Massachusetts liability company located at 12 Leo's Lane, Avon, MA 02322, with *quitclaim covenants*:

The premises with the buildings thereon known as 8 Katherine's Way, Avon, Massachusetts, and shown as New Lot 20A on a Revised Plan to the "Parkview Estates II" Plan of Land in Avon, MA, Plots 10, 11, 12 and 15 Katherine's Way, prepared for T. L. Edwards, 100 Wales Avenue, Avon, MA 02322, by Curley & Hansen Surveyors, 160 Pond Street, Avon, MA 02322, dated March 21, 2019. New Lot 20A contains 99,888 square feet (2.29 acres). Said plan recorded in the Norfolk County Registry of Deeds at Book 688 Page 43.

The Grantor and its successors and/or assigns reserve the right to access the drainage easement, as shown on said plan, for maintenance, care and compliance with an Order of Conditions issued by the Town of Avon.

Subject to an existing 50-foot wide AGT High Pressure Gas Pipeline Easement to Algonquin Gas Company as shown on said plan.

American Property Solutions, LLC is joining in this deed for the sole purpose of granting to the Grantor, T.L. Edwards Realty, LLC, the right of access to a drainage easement, as shown on said plan, for the maintenance, care and compliance with an Order of Conditions issued by the Town of Avon.

Grantor hereby waives any and all rights of homestead to the premises and further state under pains and penalties of perjury that they know of no other parties who are entitled to homestead rights therein.

Meaning and intending to describe and convey a portion of the Deed dated June 25, 2003 and recorded with the Norfolk County Registry of Deeds at Book 19426, Page 23.

WITNESS our hands and seals this 17th day of September 2020.

South Street & Route 24 Realty Trust

T.L. Edwards Realty, LLC, Trustee By Terry L. Edwards, Manager

T.L. Edwards Realty, LLC, Trustee By Katherine Edwards, Manager

American Property Solutions, LLC By Stephen M. Edwards, Manager

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, ss

On this 17th day of September 2020, before me, the undersigned Notary Public, personally appeared Terry L. Edwards and Katherine Edwards, as Managers of the T.L. Edwards Realty, LLC, Trustees as aforesaid, proved to me through satisfactory evidence of identification, which were Massachusetts drivers' licenses, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

David P. Frenette, Notary Public My commission expires: 10/16/20

NOTAR

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, ss

On this 17th day of September 2020, before me, the undersigned Notary Public, personally appeared Stephen M. Edwards, as Manager of American Property Solutions, LLC, proved to me through satisfactory evidence of identification, which was a Massachusetts driver's license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

KAREN G. ALMQUIST
Notary Public
COMMONWEALTH OF MASSACHUSETTS
My Commission Expires
September 13, 2024

Karen G. Almquist, Notary Public My commission expires: 9/13/2024

