

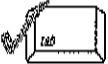


WPA Form 4B – Order of Resource Area Delineation

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 and
The Andover Wetlands Protection Bylaw

A. General Information

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



Note: Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

From: Andover
1. Conservation Commission

2. This Issuance is for (check one):

- a. Order of Resource Area Delineation
- b. Amended Order of Resource Area Delineation

3. Applicant:

Robert Fay

a. First Name

b. Last Name

Sarepta Therapeutics

c. Organization

215 First Ave

d. Mailing Address

Cambridge

e. City/Town

MA

f. State

02142

g. Zip Code

4. Property Owner (if different from applicant):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

5. Project Location:

100 Federal Street

a. Street Address

Andover

b. City/Town

01810

c. Zip Code

143

d. Assessor's Map/Plat Number

7C

e. Parcel/Lot Number

Latitude and Longitude
(in degrees, minutes, seconds):

42d41m17.85s

f. Latitude

-71d12m06.24s

g. Longitude

6. Dates: March 2, 2018

a. Date ANRAD filed

August 21, 2018

b. Date Public Hearing Closed

August 30, 2018

c. Date of Issuance

7. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

Exhibit Plan Showing Modifications to Original Resource Delineation
"Partial" prepared by John G. Crowe Associates, Inc.

a. Title

August 6, 2018

b. Date

c. Title

d. Date

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B. Order of Delineation

1. The Conservation Commission has determined the following (check whichever is applicable):

a. **Accurate:** The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

1. Bordering Vegetated Wetlands

2. Other resource area(s), specifically:

a. _____

b. **Modified:** The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):

1. Bordering Vegetated Wetlands

BVW Flags A-12 through A-19; B-1 through B-4; Flags D4A through D8; and Flags F-22 through F-27.

Remaining portions of the wetland boundaries currently under review will be approved through issuance of an Amendment to the ORAD.

2. Other resource area(s), specifically:

a. _____

c. **Inaccurate:** The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

1. Bordering Vegetated Wetlands

2. Other resource area(s), specifically:

a. _____

3. The boundaries were determined to be inaccurate because:

a. _____



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
**WPA Form 4B – Order of Resource Area
Delineation**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 and
The Andover Wetlands Protection Bylaw

Provided by MassDEP:

090-1304

MassDEP File Number

eDEP Transaction Number

Andover

City/Town

C. Findings

This Order of Resource Area Delineation determines that the boundaries of those resource areas noted above, have been delineated and approved by the Commission and are binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, § 40) and its regulations (310 CMR 10.00). This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation.

This Order must be signed by a majority of the Conservation Commission. The Order must be sent by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

D. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office to issue a Superseding Order of Resource Area Delineation. When requested to issue a Superseding Order of Resource Area Delineation, the Department's review is limited to the objections to the resource area delineation(s) stated in the appeal request. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order of Resource Area Delineation will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order or Determination, or providing written information to the Department prior to issuance of a Superseding Order or Determination.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, § 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.

PARTIAL ORAD - Special Conditions, Findings, and Notations

100 Federal Street

DEP FILE NO. 090-1304 SPECIAL CONDITIONS

1 FINDING - NOTICE OF JURISDICTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT, M.G.L.C. 131, S. 40. The Andover Conservation Commission hereby finds that all or part of the property is subject to jurisdiction under the Massachusetts Wetlands Protection Act, M.G.L.C. 131, s. 40. The owner is hereby notified of his or her responsibility to comply with the provisions of that statute. This condition shall remain in effect in perpetuity and shall survive the issuance of a Certificate of Compliance.

2 FINDING – ANDOVER WETLAND PROTECTION BYLAW. The Conservation Commission finds that all conditions set forth in this partial ORAD are necessary to protect the interest described in the Andover Wetland Protection Bylaw. This condition shall remain in effect in perpetuity and shall survive the issuance of a Certificate of Compliance.

3 FINDINGS:

3a) The site contains Bordering Vegetated Wetlands (BVW). This partial ORAD is issued for the following BVW wetland flag series only, as shown on the approved “partial” plan noted below in 3b.

- Flags A-12 through A-19;
- Flags B-1 through B-4;
- Flags D4A through D8; and
- Flags F-21 through F-27

3b) These four wetland flag series listed above in 3a, and their connecting wetland lines, are shown on the approved “partial” plan, “*Exhibit Plan Showing Modifications to Original Resource Delineation “Partial” Plan* dated August 6, 2018 and prepared by John G. Crowe Associates, Inc.

4 NOTATION: Remaining portions of the wetland boundaries on this property currently under review will be approved through issuance of an Amendment to this partial ORAD.

5 SPECIAL CONDITION: This partial ORAD does not permit any work or activities that will dredge, fill, alter, or disturb jurisdictional wetland resource areas and/or buffer zones as shown on the “*Proposed Addition Site Plan*” dated July 10, 2018 and prepared by John G. Crowe Associates, Inc. This includes impacts to wetland buffers due to construction activities and/or discharging stormwater to wetland resource areas prior to appropriate pre-treatment in accordance with all applicable regulations.



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Provided by MassDEP:
 090-1304
 MassDEP File Number

 eDEP Transaction Number

 Andover
 City/Town

E. Signatures

August 30, 2018
 Date of Issuance

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

[Signature]
 Signature of Conservation Commission Member
[Signature]
 Signature of Conservation Commission Member

 Signature of Conservation Commission Member

 Signature of Conservation Commission Member

5
 Number of Signers
[Signature]
 Signature of Conservation Commission Member
[Signature]
 Signature of Conservation Commission Member
[Signature]
 Signature of Conservation Commission Member

This Order is valid for three years from the date of issuance.

If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, which expires on _____ unless extended in writing by the issuing authority.

This Order is issued to the applicant and the property owner (if different) as follows:

2. By hand delivery on

 a. Date

3. By certified mail, return receipt requested on
August 30, 2018
 a. Date