

For Registry of Deeds Use Only



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

Provided by MassDEP:

090-1397

MassDEP File Number

eDEP Transaction Number

Andover

City/Town

**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:

Thomas Congoran  
a. First Name b. Last Name

300 600 Federal Holdings, LLC  
c. Organization

10 Post Office Square, Suite 800 So  
d. Mailing Address

Boston MA 02109  
e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

300 600 Federal Holdings LLC 300 600 Federal Holdings LLC  
a. First Name b. Last Name

10 Post Office Sq. Ste 800  
c. Organization

10 Post Office Sq. Ste 800  
d. Mailing Address

Boston MA 02109  
e. City/Town f. State g. Zip Code

5. Project Location:

300 Federal Street Andover 01810  
a. Street Address b. City/Town c. Zip Code

144 3  
d. Assessors Map/Plat Number e. Parcel/Lot Number

Latitude and Longitude (in degrees, minutes, seconds): 42.6d85m32s -71.20d18m70s  
f. Latitude g. Longitude

6. Dates: June 7, 2022  
a. Date ANRAD filed b. Date Public Hearing Closed c. Date of Issuance



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## A. General Information (cont.)

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

_____	_____
a. Title	b. Date
_____	_____
c. Title	d. Date

## 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. The Commission approves ANRAD Plan Overall (1 of 3) and ANRAD (2 of 3 and 3 of 3) prepared by Beals Associates, inc with the Date of July 15 and Revised Aug 22, 2022 – and that the Commission makes the Finding of Fact that the ANRAD is compliant with the Wetland Protection Act and its Regulations; the Andover Bylaw and its Regulations.

This finding only applies to the flag series WF 101 through WF 106;WF 200-221and WF 302-311

- 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
  - 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:
    - \_\_\_\_\_
    - \_\_\_\_\_



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## B. Order of Delineation (cont.)

- 3.  The boundaries were determined to be inaccurate because:

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## 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 <https://www.mass.gov/service-details/massdep-regional-offices-by-community>).

## 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.



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**E. Signatures**

Oct. 24, 2022  
 Date of Issuance

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

4  
 1. Number of Signers

October 18, 2022

Signatures

*Donald Cooper*  
 Signature of Conservation Commission Member

Donald Cooper  
 Printed Name

*Ellen Townson*  
 Signature of Conservation Commission Member

Ellen Townson  
 Printed Name

\_\_\_\_\_  
 Signature of Conservation Commission Member

Ruby Brown  
 Printed Name

\_\_\_\_\_  
 Signature of Conservation Commission Member

Miranda Chave  
 Printed Name

*Jon Honea*  
 Signature of Conservation Commission Member

Jon Honea  
 Printed Name

\_\_\_\_\_  
 Signature of Conservation Commission Member

Floyd Greenwood  
 Printed Name

*Alix Driscoll*  
 Signature of Conservation Commission Member

Alix Driscoll  
 Printed Name

\_\_\_\_\_  
 Signature of Conservation Commission Member

Printed Name

**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 \_\_\_\_\_

a. Date

October 24, 2022



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**Recording Information**

Prior to commencement of work, this Order of Resource Area Delineation must be 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 subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Resource Area Delineation. The recording information on this page shall be submitted to the Conservation Commission listed below.

Andover  
 Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:  
 Andover  
 Conservation Commission

Please be advised that the Order of Resource Area Delineation for the Project at:

300 Federal Street  
 Project Location

090-  
 MassDEP File Number

Has been recorded at the Registry of Deeds of:

Essex North  
 County

Book Page

For: Property Owner

and has been noted in the chain of title of the affected property in:

Book Page

In accordance with the Order of Resource Area Delineation issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant