

THE CITY OF WALTHAM
MASSACHUSETTS

PURCHASING DEPARTMENT

**DEMOLITION OF THE
WAYSIDE TRAIL, CITY OF WALTHAM PORTION.**

ADDENDUM NO. 1

Oct 29, 2018

CHANGES, CORRECTIONS AND CLARIFICATIONS

The attention of bidders submitting proposals for the above subject project is called to the following addendum to the specifications. The items set forth herein, whether of omission, addition, substitution or clarification are all to be included in and form a part of the proposal submitted.

ITEM 1: BID IS CANCELLED

Mass DEP Determined that there are some issues with the Waltham's Conservation Commission Order of Conditions (OOC). Mass Dep has requested the suspension/cancellation of the project. See Attached

End of Addendum 1



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

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2018 OCT 29 PM 1:40

Department of Environmental Protection

Northeast Regional Office • 205B Lowell Street, Wilmington MA 01887 • 978-694-3200

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Catherine Cagie
Planning Department
City of Waltham
119 School Street
Waltham, MA 02451

October 26, 2018

RE: WETLANDS/WALTHAM
DEP FILE #316-0744
Wayside Trail
1265 Main Street to Beaver Street
NOTICE OF APPEAL

Dear Ms. Cagie:

Under the provisions of the Wetlands Protection Act, Massachusetts General Laws, Chapter 131, section 40 (the Act), and upon its own initiative, the Northeast Regional Office of the Massachusetts Department of Environmental Protection, **Wetlands Program (MassDEP)**, hereby **appeals the Order of Conditions (OOC) for the project referenced above. This appeal is made within ten (10) business days of the Conservation Commission's OOC, which was received electronically on October 23, 2018, and in accordance with the regulations at 310 CMR 10.05(7). MassDEP is assuming jurisdiction over this project and will make a determination as to whether the areas on which the proposed work is to be conducted area significant to the statutory interests identified in the Act.**

It is MassDEP's opinion that the project proposal and the OOC do not contribute to the protection of the interests identified in the Act, and that the OOC is inconsistent with the Act's regulations, 310 CMR 10.00. Specifically, MassDEP is concerned that the project does not meet the performance standards for Bordering Land Subject to Flooding (BLSF) in accordance with 310 CMR 10.57(4). MassDEP also has concerns regarding the project's conformance with the Stormwater Management Standards set forth in 310 CMR 10.05(6)(k). This opinion is based on a review of the Notice of Intent, dated August 2018, the OOC and the plans referenced in the OOC.

A site inspection with MassDEP will be scheduled shortly and all parties will be notified in writing in advance of the site visit.

No activity shall commence on any portion of the project site subject to the jurisdiction of M.G.L. Chapter 131, Section 40, until MassDEP issues a SOC and all appeal periods have elapsed, or in the alternative, MassDEP withdraws its appeal.

If you have any questions please contact me at (978) 694-3258.

Sincerely,

Rachel Freed

Rachel Freed
Deputy Regional Director
Bureau of Water Resources - NERO

cc: Julie Toole, Conservation Commission, 119 School Street, Waltham, MA 02451
Dan Driscoll, MassDCR, 251 Causeway Street, Suite 700, Boston, MA 02114
John Shevlin, Pare Corp., 8 Blackstone Valley Place, Lincoln RI 02865