

TOWN OF HOLLISTON
ZONING BOARD OF APPEALS
TOWN HALL

HOLLISTON, MASSACHUSETTS 01746

APPLICATION FOR GRANT OF A SPECIAL PERMIT

Date Filed: 7-14-20

Applicant's Name: HERBERT BROCKETT JR

Applicant's Address: 760 CENTRAL ST

Applicant's Phone Number: 774-217-0451

Owner's Name: HERBERT BROCKETT JR

Owner's Address: 260 CENTRAL ST

The Owner hereby appoints _____ to act as his/her/its agent for the purposes of submitting and processing this application for a special permit.

The Owner's title to the land that is the subject matter of this application is derived

under deed from INDEPENDANT BITUMINOUS CO., dated OCT 29, 1985

And recorded in MIDDLESEX Registry of Deeds, Book 11,347, Page 34

Or Land Court Certificate of Title No. _____, registered in

District Book _____, Page _____

The land is shown in the Assessor's records as Lot 0048.0 on Map 12, Block 0004

And has an address of or is located at 175 LOWLAND ST

in the I zoning district.

Under the provisions of Section VI-D (2) to vary the terms of Section I-B and the following, the Applicant hereby petitions the Board of Appeals:

Nature and subject matter of Special Permit: TO CONTINUE TO PARK TRUCKS AND EQUIPMENT AND STORE MATERIALS ON THE LOT AT 105 LOWLAND ST. THIS HAS BEEN GOING ON FOR 35 YEARS.

Section of Zoning Bylaw that permits this use by grant of Special Permit:

G-3, G-6

Previous Zoning Information (To be completed by Inspector of Buildings):

SEE ATTACHED LETTER 7/20/20 CC

The Applicant presents the following evidence that supports the grant of the special Permit:

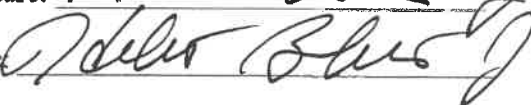
a. The use is in harmony with the general purpose and intent of the bylaw because: OUTDOOR STORAGE OF EQUIPMENT & MATERIALS, PROCESSING OF WOOD CHIPS TO RECYCLE THEM TO A USEFUL MULCH PRODUCT. RECYCLING EVENT HAPPENS 1 TO 2 TIMES A YEAR FOR A MAXIMUM OF 2 DAYS EACH EVENT, USUALLY 1 DAY

b. The general or specific provisions of a grant of a special permit, as set forth in the zoning bylaw are satisfied because: THIS IS AN INDUSTRIAL ZONED LOT, THE ACTIVITIES ON THIS LOT ARE IN KEEPING WITH AN INDUSTRIAL AREA.

Will the proposed use include the storage or process of any hazardous substances?

Yes ☒ (Please attach additional information.) No ☐ WASTE OIL

Applicant's Signature: 

Owner's Signature: 

Nature and subject matter of Special Permit: **PARKING OF TRUCKS AND EQUIPMENT, CONSTRUCTION MATERIALS, LOAM & FILL, WOODCHIPS AND STUMP MATERIAL**

Section of Zoning Bylaw that permits this use by grant of Special Permit:

G-3, G-6

The Applicant presents the following evidence that supports the grant the Special Permit:

THIS IS INDUSTRIAL ACTIVITY BEING DONE IN AN INDUSTRIAL ZONED AREA.

a. The use is in harmony with the general purpose and intent of the bylaw because:

IT IS ALLOWED IN THIS AREA BY ZONING

b. The general or specific provisions of a grant of a special permit, as set forth in the zoning bylaw are satisfied because:

IT IS AN APPROPRIATE USE FOR THIS AREA

Applicant's Signature:

Debra Blus J

Owner's Signature:

Debra Blus J



TOWN OF HOLLISTON

Building Department

703 Washington St. 01746

508-429-0606

7/20/20

Re: Application for Grant of a Special Permit: 175 Lowland St (aka 0 Lowland St, aka 150 Lowland St) - Previous Zoning Info

Dear members of the Zoning Board of Appeals,

In 1978, Independent Bituminous Co. was granted a Special Permit to fill wetlands for use as a truck parking lot. It is assumed that the truck parking use was accessory to or in conjunction with the principal use of the neighboring property as an asphalt plant held in common ownership with the subject parcel.

In 1985, HEB Land Development purchased the property from Independent Bituminous Co. and over the following years the permitted use as a truck parking lot was expanded to include storage of landscaping materials, storage containers, heavy equipment, loam, woodchips and stumps. Under the 1982 edition of Holliston Zoning Bylaw, which was in effect in when Mr. Brockert (HEB Development) purchased the property in 1985, a Special Permit was required for "Outdoor Storage of building or other materials or equipment not covered elsewhere in this by-law" per section III.49. Additionally, processing of earth and landscape materials on site would have also required a Special Permit under "General Industrial uses including manufacturing, storage, processing, fabrication, packaging and assembly" per Section III.42. No permits were applied for or issued during Mr. Brockert's ownership of the property.

This past year, while researching the various industrial properties on Lowland Street I determined that Mr. Brockert's use of the property at 175 Lowland St was not in compliance with the current (or previous) Zoning Bylaws. Unlike non-conforming structures, which gain protected status under MGL 40A section 7 after 10 years of existence, non-conforming uses that were not established legally (either prior to Zoning Regulations or via a prior Special Permit/Variance) have no protection or "grandfather" status under Mass General Law. It is for this reason that I directed Mr. Brockert to apply to the Zoning Board of Appeals to properly permit the existing and continued usage of his property at 175 Lowland St.

Sincerely,

Christopher Canney
Inspector of Buildings

To whom it may concern,

I am applying for a special permit to bring up to date my present land uses .

Some History.

In 1978 a special permit was granted to Independent Bituminous Co., the company I bought the land from, for filling in wetlands for the purpose of parking trucks. The conservation commission from that time period was authorized by the ZBA to write the order of conditions for that permit. That order of conditions was transferred to me after I bought the land. I have operated on the basis of having the necessary paperwork to allow me to park on the land. (Please see attached information.)

During this thirty five year period I have had permission from two previous building inspectors and a previous conservation commission to use this property as it was then and is now being used. At no time in that period has there ever been a negative determination that has said that I must stop doing what I am doing on this land. I believe I have been a good and responsible neighbor, for there has never been a history of any environmental issues or neighborhood complaints that I know of throughout the years.

It is a unique piece of property in that it is a filled wetland. The land was filled with a clay fill material which was the discarded portion of sand processing from the former Holliston Sand Co. located across the street. The impervious nature of the fill makes it non- suitable for septic use. The underlying grass like peat material makes it structurally unsound to support a building. I bought the land as a non build able lot. Because it will not support a building it can only be used for something like a parking area or storage area.

Present Use.

This land is presently used for the storage of construction materials and for parking of trucks and equipment. There are earthen products that are stored on this lot as well. Small amounts of fill and loam from work sites are stored here until another job site needs the same such materials. There is a pile of stumps that slowly accumulate until there is enough stumps to hire a large truck and haul them away. This happens once a year. There are wood chips and a mulch product that are stored on the lot in concrete block bins.

The wood chips are a by- product generated by the Tree Specialists Company of Holliston. Their primary business is tree work The wood chips are recycled by mixing a percentage of leaves with the wood chips and ground to a smaller size in a large machine called a Tub grinder.

The wood chips are processed by separate company. They are an independent business and they provide a service we call a "grind". The process of the recycling "grind" only happens one or two times a year. The duration of the "grind" is generally one day but depending on how fast it goes through the machine it can run into a second day.

This finished mulch product is hauled to various sites primarily by their small trucks. It is generally not hauled in a steady fashion, one load here and one load there , usually on different days. (Please see attached photo of the concrete block bins.

I sift or screen the loam that I bring here to remove the stones and roots from it. The number of days that screening process happens might be in the order of ten to fifteen days a year. It is generally done for half day periods at a time.

Added Information.

I realized many years ago the challenge it presents a small business to find a suitable place to park equipment and store materials. In most cases you can not do this at your home. I believe it is a made to order spot for small business people like myself and others to park and store materials on. This land supports four other Holliston small business people as well as myself . We all live in Holliston, pay taxes in Holliston and are responsible citizens.

Although there are some visual resemblances to the operation going on next door to me , there are no other similarities to that operation. There is nothing being done on this land most of the time. There are no days of continuous truck traffic, there is no activity 90 % of the time, there is no continuous noise every day. The noise exception being the the once to twice a year “grind” as refereed to in this application.

I have been here for many years with no problems to the neighborhood. I hope you can view me through this lens as present day Lowland St. issues have brought new attention to the area.

Thank you,

Herb Brockert

FIRE DEPT

Re: [Holliston MA] 105 lowland St (Sent by Herb brockert, Herbcsc@yahoo.com)

From: Michael Cassidy (cassidym@holliston.k12.ma.us)

To: herbcsc@yahoo.com

Date: Saturday, June 27, 2020, 08:44 AM EDT

Hi, Herb

Based on your description, you are a very small quantity generator of waste oil. You would need to capture and store in accordance with the attached technical assistance bulletin from the state. If the special permit were granted by the town, you would also need to obtain an EPA Hazardous Waste Identification Number from MassDEP. Lastly, you would want a record of the waste oil being transported to the individual with the waste oil furnace (a receipt) do demonstrate its final disposition.

- Chief

-----Original Message-----

From: Contact form at Holliston MA

Sent: Saturday, June 27, 2020 5:52 AM

To: cassidym@holliston.k12.ma.us

Subject: [Holliston MA] 105 lowland St (Sent by Herb brockert, Herbcsc@yahoo.com)

Hello mcassidy,

Herb brockert (Herbcsc@yahoo.com) has sent you a message via your contact form (<https://www.townofholliston.us/users/mcassidy/contact>) at Holliston MA.

If you don't want to receive such e-mails, you can change your settings at <https://www.townofholliston.us/user/95/edit>.

Message:

Hi Chief,

I am applying for a special permit for storage of equipment and materials on Lowland St. I have a 55 gallon drum I use to keep waste oil in. I usually generate about 1/2 a drum a year or 25 gallons or so. I give it to a person with a waste oil furnace at this time. Is this an acceptable way of disposing of the oil? What are your requirements regarding this oil that will satisfy the question on the application regarding hazardous waste? That is the only hazardous substance I have. Thank you, Herb Brockert



waste_oil_management.pdf
334.1kB

HOLLISTON ZONING BOARD OF APPEALS
MINUTES OF MEETING
MARCH 15, 1978

8:15 P.M. Hearing:

THE PETITION OF INDEPENDENT BITUMINOUS CO., INC., by Atty. John J. Hughes, 21 Charles Street, Holliston, Ma. for a Special Permit under the provisions of Section VI-D, (2), to vary the terms of Section I-B and Section V-I to allow the filling of land at the locus for the parking of trucks. The locus is at 165 LOWLAND STREET, HOLLISTON, MA. in the Industrial Zoning District. The record owner of the premises is Benjamin Montenegro.

Chairman John Losch called the hearing to order at 8:15 P.M. with Clerk Jean R. Heavner reading the Petition. The Legal Notice was published in the South Middlesex Daily News on March 1, and March 8, 1978 as required by Law. Chairman Losch informed all present that the list of notified abutters and town officials was on record with the Board and open for public inspection following the hearing. The third member sitting on this petition was Peter T. Mitchell.

PRESENTATION:

Attorney John J. Hughes presented the petition before the Board and detailed the background of this request going back to when this petition was before the Board on June 15, 1977 and ultimately was denied by the Board without prejudice. Mr. Hughes referred to various correspondence between himself/client and the local Conservation Commission (see exhibit marked "A").

Mr. Hughes explained that Schofield Brothers has drawn up a plan pursuant to the guidelines in the Conservation Commission's memo. Plan is marked "B".

Mr. Hughes explained that this "ditch" will act as a siltation basin and as run-off capacity storage area for Bogastow Brook. A lock has been designed by the engineer (Dean Schofield) and located where the ditch and the brook meet.

The Board questioned the provisions made to have this ditch cleaned (dug) out periodically. C.C. Chairman John Powell felt that this should be done and the C.C. would add this to their conditions when Independent Bituminous comes before them on the Wetland business. He said a maint. schedule would be set up.

Mr. Powell told the Board that the C.C. will accept the judgement of the engineer (Schofield) in this case.

Nate Potter of the C.C. stated that ditch would probably have to be dug out every 10 to 15 years and the C.C. is responsible in seeing that this is done.

RECORDED IN FAVOR: No One.

HZBA
INDEPENDENT BITUMINOUS PETITION CONT.
MARCH 15, 1978
PAGE -2-

RECORDED IN OPPOSITION: No One.

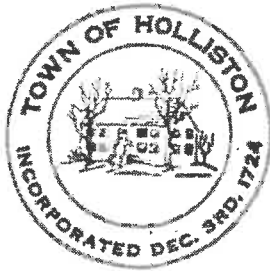
THE HEARING ADJOURNED AT 8:30 P.M. and the petition was taken under advisement by the Board.

Town officials present were: Fire Chief John Feehely, Dept Fire Chief Donald Rawson, Selectman George DeCristoforo, Industrial Dev. Comm. member Herbert Breckert, School Committeeman Joseph Damigella, Park Commissioner Harry Damigella. Land Use Study Chairperson Laurie Ledeen, Conservation Commission Chairman John Powell, and C.C. member Nate Petter.

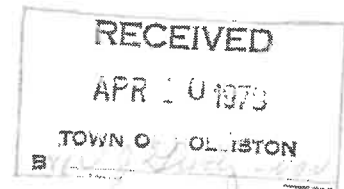
Respectfully submitted,

Nancy L. Norris

Nancy L. Norris
Secretary



TOWN OF HOLLISTON
ZONING BOARD OF APPEALS
TOWN HALL
HOLLISTON, MASSACHUSETTS 01746



Middlesex, ss.

April 10, 1978

Re: Independent Bituminous Co. Inc.
105 Lowland Street

LEGAL NOTICE
TOWN OF HOLLISTON
The Holliston Zoning Board of Appeals will hold a public hearing on **WEDNESDAY, MARCH 15, 1978, at 8:15 P.M.** at the Town Hall, Holliston, Ma., to hear the Petition of **INDEPENDENT BITUMINOUS CO., INC.** by Atty. John J. Hughes, 21 Charles Street, Holliston, Ma. The Petitioner seeks a Special Permit under the provisions of Section VI-B (2), to vary the terms of Section I-B and Sections V-1 to allow the filling of land at the locus for the parking of trucks. The site is located within the confines of the Wetlands and Flood Plain Protection Zone. The premises is located at 105 LOWLAND STREET, HOLLISTON, MA., as shown on the Assessor's Atlas Map as Sheet 9, Block 3 and Lot 5 in the Industrial Zoning District.
3/1, 3/8
Holliston Zoning Board of Appeals
Jean R. Heavner
Clerk

A public hearing on the Petition was held on Wednesday, March 15, 1978 at 8:15 P.M. at the Town Hall. Notice of the hearing was sent to all persons required by Law and deemed by the Board to be affected by the subject matter of the Petition. Notice of the hearing was also published in the South Middlesex Daily News on March 1, and March 8, 1978 as required by Law.

Attorney John J. Hughes appeared before the Board and set forth the details of the Petition.

ATTACHMENTS:

Petition

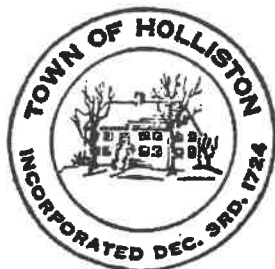
Proposed Plan

Filed with the original Decision in the Office of the Town Clerk.
Filed with the original Decision in the office of the Town Clerk.

PRESENTATION:

Attorney John J. Hughes presented a petition to the Board for Independent Bituminous Co., Inc. requesting a Special Permit to fill in wetlands located on their property at 105 Lowland Street.

Attorney Hughes refreshed the memory of the Board by detailing the situation when this same petition was denied by the Board without prejudice in 1977. Specifically, the subject area is a sometimes muddy area which, in past times, has been used as a dump. Atty. Hughes gave the Board copies of correspondence between Independent Bituminous and the Holliston Conservation Commission establishing that they have been working jointly toward a satisfactory solution to the problem.



TOWN OF HOLLISTON

ZONING BOARD OF APPEALS

TOWN HALL

HOLLISTON, MASSACHUSETTS 01746

Independent Bituminous Co.

April 10, 1978

Page -2-

The plan presented to the Board involved a ditch that would act as a siltation basin and a run-off capacity storage area for Bogastowe Brook, with a lock located where the ditch and brook meet. This was designed and engineered by Schofield Brothers.

Mr. Curtis N. Petter of the local Conservation Commission was present and stated that the Conservation Commission has no objection and is willing to accept the judgement of the engineer (Schofield).

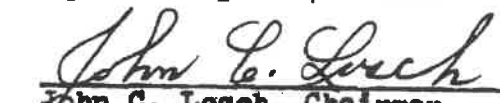
DECISION:

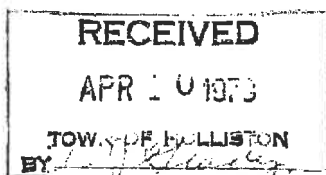
The Board voted to grant Independent Bituminous Co., Inc a Special Permit to fill in the wetlands area, as approved by the Conservation Commission, located at 105 Lowland Street, Holliston, as shown on the attached drawing.

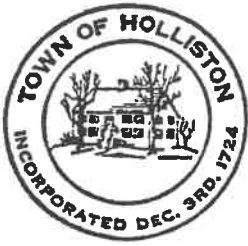
The Board does not feel it necessary to impose any conditions on this Special Permit as the Conservation Commission will impose and enforce conditions which they deem necessary and appropriate.

The Board finds that granting this Special Permit will not be detrimental to the established or future character of the neighborhood or the Town, but on the contrary, will improve the unsightly appearance of this area.

Upon a motion duly made and seconded by those members sitting, namely, John C. Losch, Jean R. Heavner and Peter T. Mitchell, it was unanimously Voted to grant the requested Special Permit.


John C. Losch, Chairman





TOWN OF HOLLISTON
CONSERVATION COMMISSION

NOTICE OF PUBLIC HEARING

Notice is hereby given of a Public Hearing in accordance with the General Laws of Massachusetts, Chapter 131, Section 40, titled Wetlands Protection Act, as amended, and the Town of Holliston Wetlands Protection By-Law, on the petition of
H.E.B. Land Development Corp.

for the purpose of extension of Order of Conditions, File
185-50 issued to Independent Bituminous Co.

Such proposed action will take place on property located at
Lowland Street

This hearing will be held in the Lower Town Hall, Holliston,
at 9:30 p.m. on April 6, 1987.

Ed Mullaney, Clerk

Please send tear sheets to the Holliston Conservation Commission,
P.O. Box 520, Holliston, MA 01746

Please send bill to: same

Proctor

100

Form 7



Commonwealth
of Massachusetts

DEQE File No.

185/50

(To be provided by DEQE)

City/Town Holliston

Applicant H.E.B.

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

From: Holliston Conservation Commission Issuing Authority

To: H.E.B. Land Development Corp. 760 Central Street
(Name) (Address)

The Order of Conditions (or Extension Permit) issued on 7/27/87 (date)
to H.E.B. Corp. (name) for work at 205 Lowland St.
Holliston (address) is hereby extended for a period of one year(s) from the
date it expires.

This Extension Permit will expire on April 1, 1988 (date)

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

.....
(Leave Space Blank)

1125

25.00

ADDRESS OF THE GRANTED PREMISES: Lot 1, Lowland St., Holliston, Mass. 01746, 12/12/85 02:51 PM 505 RE

INDEPENDENT BITUMINOUS CO., INC.

a corporation duly established under the laws of the Commonwealth of Massachusetts
and having its usual place of business at Holliston

Middlesex County, Massachusetts

for consideration paid, and in full consideration of \$15,000.00

grants to HEB Land Development Corporation, a Corporation duly organized
under the laws of the Commonwealth of Massachusetts,
of 360 Central Street, Holliston, Massachusetts with quitclaim returns

the land in said Holliston on the northwesterly side of Lowland Street
shown as Lot 1 on a plan entitled "Plan of Land in Holliston,

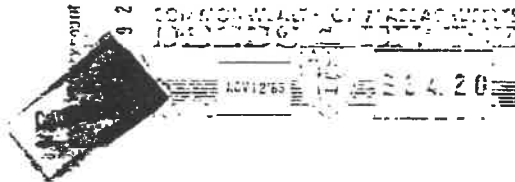
~~XXXXXXXXXXXXXXXXXXXX~~

Scale 1" = 40', March 2, 1982, Schofield Brothers Inc., Registered
Land Surveyors, 1071 Worcester Road, Framingham, Mass." with
additions made March 5, 1982, which plan is recorded as Plan No.
438 of 1982 in the Middlesex South District Registry of Deeds in
Book 14605 Page 520.

Containing 2 acres + 30,080 sq. feet, more or less, according to
said plan.

For title reference see deeds of Eric J. Stenholm recorded with said
District Deeds in Book 11347, Page 34 and Benjamin P. Montenegro in
Book 11347, Page 36, both deeds executed on June 27, 1967.

This conveyance does not represent all or substantially all of the
assets of Independent Bituminous Co., Inc. in the Commonwealth of
Massachusetts.



In witness whereof, the said INDEPENDENT BITUMINOUS CO., INC.

has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by Robert Gabriel,

its President/
Treasurer hereto duly authorized, this 29th

day of October in the year one thousand nine hundred and eighty five

Signed and sealed in presence of

William J. Lee

by

Independent Bituminous Co. Inc.
Robert Gabriel, President

The Commonwealth of Massachusetts

NOTARIAL

ss.

October 29 1985

Then personally appeared the above named Robert Gabriel, President & Treasurer

and acknowledged the foregoing instrument to be the free act and deed of the Independent Bituminous Co. Inc.

before me,

[Signature]
Notary Public - Justice of the Peace
My commission expires
My Commission Expires Sept 6, 1987

CHAPTER 183 SEC. 6 AS AMENDED BY CHAPTER 497 OF 1969

Every deed presented for record shall contain or have endorsed upon it the full name, residence and post office address of the grantee and a recital of the amount of the full consideration thereof in dollars or the nature of the other consideration therefor, if not delivered for a specific monetary sum. The full consideration shall mean the total price for the conveyance without deduction for any liens or encumbrances assumed by the grantee or remaining thereon. All such endorsements and recitals shall be recorded as part of the deed. Failure to comply with this section shall not affect the validity of any deed. No register of deeds shall accept a deed for recording unless it is in compliance with the requirements of this section.

Building Inspector

ORDER

WETLAND PROTECTION ACT

G.L. C. 131 s. 40

FILE NUMBER: 185-50

PROJECT LOCATION: 205 Lowland St.

TO: Independent Bituminous Co., Inc.

CERT. MAIL NO:

RE: NOTICE OF INTENT AND PLANS DATED:

4/6/78

DATE OF PUBLIC HEARING:

5/15/78

DATE OF RECEIPT BY
CONSERVATION COMMISSION: 5/1/78

205
Pursuant to the authority of G.L. C. 131 s. 40, the Holliston Conservation Commission has considered your notice of intent and plans submitted therewith, and has determined that the area on which the proposed work is to be done is significant to one or more of the interests described in the said act. The Holliston Conservation Commission hereby orders that the following conditions are necessary and all work must be performed in strict accordance with said conditions and with the Notice of Intent and Plans, unless 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 otherwise stated below pursuant to Regulation 6.7. 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 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.

"D"

6. No work may be commenced until all appeal periods have elapsed from the order of the 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 Registry of Deeds for the district in which the land is located within the chain of title of the affected property. Copy to be furnished to issuer of this Order showing book and page prior to commencement of work.
8. 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. Written request for Certificate of Compliance shall be accompanied by "as built" plans.
9. 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 _____".
10. Where the Department of Environmental Quality Engineering is requested to make a determination and to issue a superseding order, the Conservation Commission shall be a party to all agency proceedings and hearings before the Department.
11. The work shall conform to the following described plans and additional conditions. All construction shall conform in each and every respect to the plan entitled "Plan Showing Drainage Improvements on land in Holliston, Massachusetts" prepared by Schofield Brothers, Inc., dated December 30, 1977.
12. Prior to commencement of filling of wetlands area, all trash, debris, refuse and rubbish (excepting bituminous materials shall be removed to the satisfaction of the Conservation Commission.
13. The applicant shall prepare a duly executed and notarized Conservation Restriction, in recordable form, encompassing at a minimum the drainage ditch, a four-foot wide set-back area on each side of the drainage ditch, and the outlet structure leading into Bogastow Brook, which restriction shall run to the Holliston Conservation Commission, and which instrument shall be delivered to the Holliston Conservation Commission upon completion of the work shown on the plan.
14. Any change made or intended to be made in the plans shall require the applicant to file a new Notice of Intent or to inquire of the Commission in writing whether the change is substantial enough to require a new filing.
15. Members and agents of the Holliston Conservation Commission shall have the right to enter upon and inspect the premises to evaluate compliance with these conditions and to require the submittal of any data reasonably

(over)

deemed necessary by the Commission for such evaluation.

- 636
3039
16. Accepted engineering and construction standards and procedures shall be followed in the completion of this project. Particular care shall be taken during all phases of construction to eliminate or minimize siltation or sedimentation impacts on Bogastow Brook, in accordance with the "Guidelines for Soil and Water Conservation," published by USDA Soil Conservation Service in April 1975.
 17. The drainage ditch structure shall be lined with stone on bottom and sides throughout its length.
 18. Certain conditions listed below are on-going and do not expire at the end of one year, or with the issuance of the Certificate of Compliance:
 - (a) the entire drainage system shall be maintained free from debris so as to allow free flow and storage of water.
 - (b) the outlet structure shall be regularly inspected and maintained free of sediment and debris so as to insure an acceptable quality of outflow into Bogastow Brook.
 - (c) the four-foot set-back strips on each side of the drainage ditch shall be maintained free and clear of trash, refuse, rubbish and debris.
 19. This Order of Conditions shall apply to any successor in interest or successor in control.