



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

DEVAL L. PATRICK  
Governor

TIMOTHY P. MURRAY  
Lieutenant Governor

IAN A. BOWLES  
Secretary

LAURIE BURT  
Commissioner

Berkeley Green II, LLC  
C/o Carol Wasserman  
ESS Group, Inc:  
888 Worcester Street, Suite 240  
Wellesley, MA 02482

RE: **ISSUANCE OF CHAPTER 91 WATERWAYS LICENSE** **JUL X 6 2010**  
**Waterways License Application No. W10-2974-N, License No. 12813**  
**Rivergreen Technology Park, Everett**

Dear Ms. Wasserman:

The Department of Environmental Protection hereby issues the above-referenced Waterways license, enclosed, authorizing you to perform certain activities pursuant to M.G.L. c. 91, the Public Waterfront Act and its regulations 310 CMR 9.00. Any change in use or alteration of any structure or fill not authorized by this license shall render this license void.

**RECORDING OF THE LICENSE**

This License must be recorded at the Middlesex County Registry of Deeds or, if registered land, with the Land Registration Office within sixty (60) days from the date of license issuance. Failure to record this license within sixty (60) days of the date of issuance will render this license void pursuant to 310 CMR 9.18.

A Waterways License Recordation Notice Form has been enclosed for your use in notifying the Department of the recording information for this License. Failure to notify the Department of the recording of this license is a violation of 310 CMR 9.00 and is subject to enforcement action by the Department.

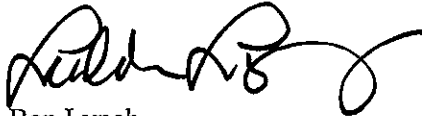
**REQUEST CERTIFICATE OF COMPLIANCE**

Pursuant to 310 CMR 9.19, once the proposed project is completed you must file a Request for a Certificate of Compliance form, BRP WW05, within sixty (60) days of completion but in no event later than five (5) years from the License's issuance date. The license for any project for which such a request is not filed and certificate issued may be revoked pursuant to 310 CMR 9.26.

RE: ISSUANCE OF CHAPTER 91 WATERWAYS LICENSE  
Waterways License Application No. W10-2974-N License No. 12813  
Rivergreen Technology Park, Everett

Please feel free to contact Alex Strycky of the Waterways Regulation Program, (617) 292-5616, if you have any questions pertaining to the recording of your Waterways license or Certificate of Compliance.

Sincerely,

  
for Ben Lynch  
Program Chief  
Waterways Regulation Program

cc: City of Everett- Mayor, Planning Board, Conservation Commission, Harbormaster

Mike Girvan, Program Coordinator  
Waterways Regulation Program  
Department of Environmental Protection  
1 Winter Street, 5th Floor  
Boston, Massachusetts 02108

**RE: NOTIFICATION OF RECORDING THE WATERWAYS LICENSE**  
**Waterways License No. 12813**  
**Waterway Malden River**  
**Municipality Everett**  
**County Middlesex County**

Dear Mr. Girvan:

This is to notify you that the above referenced Waterways license was recorded with the appropriate Registry of Deeds or Land Court, as appropriate, for this project location and to provide your office with the following recording information.

**Date of Recording:** \_\_\_\_\_

**County Registry of Deeds:** \_\_\_\_\_

**Book number** \_\_\_\_\_ **and page number(s)** \_\_\_\_\_

**Land Court:** \_\_\_\_\_

**Land Court Lot #** \_\_\_\_\_ **Plan #** \_\_\_\_\_

**Certificate Document Number** \_\_\_\_\_

Sincerely,

\_\_\_\_\_, Chapter 91 Waterways Licensee

**License is void if not recorded within sixty (60) days of issuance.**

# The Commonwealth of Massachusetts



No. 12813

*Whereas,* Berkeley Green II, LLC

of -- Boston--, in the County of -- Suffolk-- and Commonwealth aforesaid, has applied to the Department of Environmental Protection to --construct and maintain three buildings and associated publicly accessible roadways, parking, pathways, and parkland; -----

and has submitted plans of the same; and whereas due notice of said application, and of the time and place fixed for a hearing thereon, has been given, as required by law, to the --Mayor-- of the -- City-- of -- Everett. -----

NOW, said Department, having heard all parties desiring to be heard, and having fully considered said application, hereby, subject to the approval of the Governor, authorizes and licenses the said -----

-- Berkeley Green II, LLC--, subject to the provisions of the ninety-first chapter of the General Laws, and of all laws which are or may be in force applicable thereto, to -- construct and maintain three buildings and associated publicly accessible roadways, parking, pathways, and parkland -----

in and over filled tidelands of -- the Malden River -- in the -- City -- of -- Everett-- and in accordance with the locations shown and details indicated on the accompanying DEP License Plan No. 12813 (13 sheets).

The uses of structures and fill authorized hereby shall be limited to the following: multi-use industrial, office, research and development, publicly accessible open space, and accessory uses thereto.

Existing fill on the site was authorized by the following Waterways authorizations: DPW170 (1921); DPW829 (1927); DPW1434 (1932); DPW1880 (1937); DPW2566 (1942); DPW4647 (1947).

This License is valid for a term of 30 years from the date of issuance. By written request of the Licensee for a new amendment, the Department may grant a renewal for the term of years not to exceed that authorized in this License.

This license is subject to the following Special Conditions and Standard Conditions:

Special Condition 1: The Licensee shall construct and maintain in good repair the following publicly accessible parkland, pathways, signage, and landscaping, and related facilities, as shown on the final license plans. Said facilities and landscaping shall be constructed and opened to the public in accordance with the schedule detailed in Special Condition 2, and shall be maintained and managed in accordance with Special Condition 3. The required signage and interpretive materials shall be provided in accordance with Special Condition 4.

- a) As shown on the final license plans, a 10 foot-wide public pathway, with seating, trash receptacles, bicycle racks, and landscaping, extending from the northern portion of the property at Air Force Road west of the City of Everett Park; south along the seaward portion of the site; and continuing east along the perimeter of the site and connecting to the sidewalk along Air Force Road at the eastern corner of the site. The seating, bicycle racks, trash receptacles, and landscaping shall be provided adjacent to the pathway and shall not reduce its width. Signage shall be provided at both ends of the walkway indicating that it is open to the public.
- b) As shown on the final licenses plans, an approximately 640 square foot seating/viewing area and gazebo open to the public, with benches, trash receptacles, and interpretive materials. At least seven benches, as well as seating under the gazebo, shall be provided.
- c) As shown on the final license plans, at least ten parking spaces shall be dedicated to users of the on-site public open space facilities.
- d) Signage at the Air Force Road entrances of the walkway notifying the public about the availability of the waterfront open space and walkway.

Special Condition 2: In accordance with the MEPA Final Record of Decision (dated November 16, 2009) and Certificate on the Single Environmental Impact Report (dated February 12, 2010) issued for this project, the open space facilities required in Special Condition 1 shall be provided in the following sequence in order to allow for cleanup of contaminated soil at the site:

- a. Prior to the issuance of the Certificate of Occupancy for any building on the site, including buildings that are not within c. 91 jurisdiction, the Licensee shall provide the “scenic overlook” including regrading, landscaping, and construction of paved surfaces of the area in the vicinity of the gazebo shown in detail on sheet 4C of the final License Plans, but not the gazebo, benches, bicycle racks, trash receptacles, or signage. This area shall be made open to the public upon the issuance of a Certificate of Occupancy for either Building 4 or 5 on filled tidelands as shown on the final License Plans.
- b. Prior to issuance of a Certificate of Occupancy for Building 4 on filled tidelands, the portion of the walkway from Air Force Road to the “scenic overlook” and adjacent to Building 4, including related amenities, shall be constructed and open to the public. If the remainder of the walkway adjacent to Building 5 is not constructed, then a temporary connection through the site from the “scenic overlook” to Air Force Road shall be provided until the remainder of the walkway is completed. The gazebo, benches, trash receptacles, signage, interpretive materials, and bicycle racks required along this portion of the walkway and waterfront open space shall also be constructed and open to the public prior to the issuance of a Certificate of Occupancy for Building 4 on filled tidelands.
- c. Prior to issuance of a Certificate of Occupancy for Building 5 on filled tidelands, the portion of the walkway from Air Force Road to the “scenic overlook” and adjacent to Building 5, including related amenities, shall be constructed and open to the public. If the

remainder of the walkway adjacent to Building 4 is not constructed, then a temporary connection through the site from the “scenic overlook” to Air Force Road shall be provided until the remainder of the walkway is completed. The gazebo, benches, trash receptacles, signage, interpretive materials, and bicycle racks required along this portion of the walkway and waterfront open space shall also be constructed and open to the public prior to the issuance of a Certificate of Occupancy for Building 5 on filled tidelands.

- d. Parking spaces for users of the on-site public open space facilities shall be provided no later than the issuance of a Certificate of Occupancy for either Buildings 4 or 5 on filled tidelands.

Special Condition 3: The facilities authorized in Special Condition 1 shall be available to the general public, free of charge, between dawn and dusk. It is the Licensee’s intent to convey the public facilities authorized by Special Condition 1 to the City of Everett, in the form of a Conservation Restriction, the terms and conditions of which shall comply with the requirements of M.G.L. c. 184, §§ 31 and 32 and the Massachusetts Department of Conservation and Recreation (DCR). Reasonable rules for use of the publicly accessible facilities may be developed by the Licensee to protect public health and safety, and private property; to ensure public use and enjoyment by minimizing use conflicts; and to maintain consistency with the terms and conditions of such Conservation Restriction and DCR guidelines and policies. The exercise by the public of free on-foot passage in accordance with this condition shall be considered a permitted use to which the limited liability provisions of M.G.L. c. 21, section 17(a) shall apply.

Special Condition 4: In accordance with Special Condition 1, the Licensee shall place and maintain in good repair signage of an adequate size and legibility. Said signage shall: notify the public of the availability of the publicly accessible waterfront pathways and related facilities, free parking for users of the waterfront park; state the hours of access; state that the pathways, other public amenities, and restrooms were required by the Department of Environmental Protection; and state the Waterways license number of the project, and the location on the site where a copy of the license may be inspected by the public. Prior to placement of said signage and interpretive materials, the Licensee shall submit a draft signage plan to the Department for its review and approval. Said plan shall identify the text and design of each sign and exhibit, as well as the proposed location of the signs and exhibits. Said signage shall be generally consistent with all local laws, regulations and the Department’s sign specifications, as may be modified. Said signage specified in this condition shall be constructed and completed prior to the issuance of a Certificate of Occupancy in accordance with the requirements of Special Condition 2.

Special Condition 5: At least one building situated on filled tidelands authorized herein shall have a free public restroom open to the public during the business hours of the building.

Special Condition 6: The Licensee shall provide to the Department a copy of each Certificate of Occupancy for buildings located at least in part on filled tidelands within ten (10) days of the issuance of same.

Special Condition 7: All new structures authorized herein shall be constructed within 5 years of the date of issuance of this License. This period may be extended upon written request to the Department at least 60 days in advance of the deadline specified herein. No later than sixty (60) days after the completion of construction, but in any case no longer than 5 years after issuance of this License, the Licensee shall apply to the Department for a Certificate of Compliance pursuant to the Waterways Regulations, and provide the Department with an as-built plan stamped and signed by a registered professional engineer licensed to do business in the Commonwealth.

Special Condition 8: Any structural alteration or change in use from that explicitly authorized herein and contained on the final license plan, shall require the prior review of the Department to determine whether additional licensing is required pursuant to MGL Chapter 91, the Public Waterfront Act, and 310 CMR 9.00, the Waterways Regulations.

Special Condition 9: The Licensee shall ensure that passive recreational use by the general public of the facilities described in Special Condition 1 is fully and safely allowed on the site pursuant to any Activity and Use Limitations (AULs) that may be adopted in full compliance with the Massachusetts Contingency Plan, 310 CMR 40.0000. Such passive recreational use shall include non-invasive site activities and uses associated with public open space, including but not limited to bike riding, picnicking, walking (including use of powered devices required by physically impaired individuals), jogging, sun bathing, bird-watching, and informal athletic activities such as ball or disc tossing. Use of the public open space areas for active sports or other recreational activities that have the potential to disturb or erode the land surface will be prohibited. The Licensee shall ensure that the on-site areas specified in this License as publicly accessible open spaces, are fully remediated to levels appropriate for passive recreation as described herein. Any AUL adopted by the Licensee shall fully allow for such public open space and passive recreational uses.

Please see page five (5) for the standard conditions to this license.

Duplicate of said plan, number 12813 is on file with the Department, and original of said plan (13 Sheets) accompanies this License, and is made a part hereof.

## STANDARD WATERWAYS LICENSE CONDITIONS

1. Acceptance of this Waterways License shall constitute an agreement by the Licensee to conform with all terms and conditions stated herein.
  2. This License is granted upon the express condition that any and all other applicable authorizations necessitated due to the provisions hereof shall be secured by the Licensee prior to the commencement of any activity or use authorized pursuant to this License.
  3. Any change in use or any substantial structural alteration of any structure or fill authorized herein shall require the issuance by the Department of a new Waterways License in accordance with the provisions and procedures established in Chapter 91 of the Massachusetts General Laws. Any unauthorized substantial change in use or unauthorized substantial structural alteration of any structure or fill authorized herein shall render this Waterways License void.
  4. This Waterways License shall be revocable by the Department for noncompliance with the terms and conditions set forth herein. This License may be revoked after the Department has given written notice of the alleged noncompliance to the Licensee and those persons who have filed a written request for such notice with the Department and afforded them a reasonable opportunity to correct said noncompliance. Failure to correct said noncompliance after the issuance of a written notice by the Department shall render this Waterways License void and the Commonwealth may proceed to remove or cause removal of any structure or fill authorized herein at the expense of the Licensee, its successors and assigns as an unauthorized and unlawful structure and/or fill.
  5. The structures and/or fill authorized herein shall be maintained in good repair and in accordance with the terms and conditions stated herein and the details indicated on the accompanying license plans.
  6. Nothing in this Waterways License shall be construed as authorizing encroachment in, on or over property not owned or controlled by the Licensee, except with the written consent of the owner or owners thereof.
  7. This Waterways License is granted subject to all applicable Federal, State, County, and Municipal laws, ordinances and regulations including but not limited to a valid final Order of Conditions issued pursuant to the Wetlands Protection Act, G.L. Chapter 131, s.40.
  8. This Waterways License is granted upon the express condition that the use of the structures and/or fill authorized hereby shall be in strict conformance with all applicable requirements and authorizations of the DEP, Division of Water Pollution Control.
  9. This License authorizes structure(s) and/or fill on:
    - Private Tidelands. In accordance with the public easement that exists by law on private tidelands, the licensee shall allow the public to use and to pass freely upon the area of the subject property lying between the high and low water marks, for the purposes of fishing, fowling, navigation, and the natural derivatives thereof.
    - Commonwealth Tidelands. The Licensee shall not restrict the public's right to use and to pass freely, for any lawful purpose, upon lands lying seaward of the low water mark. Said lands are held in trust by the Commonwealth for the benefit of the public.
    - a Great Pond of the Commonwealth. The Licensee shall not restrict the public's right to use and to pass freely upon lands lying seaward of the high water mark for any lawful purpose.
- No restriction on the exercise of these public rights shall be imposed unless otherwise expressly provided in this license.
10. Unless otherwise expressly provided by this License, the licensee shall not limit the hours of availability of any areas of the subject property designated for public passage, nor place any gates, fences, or other structures on such areas in a manner that would impede or discourage the free flow of pedestrian movement thereon.



The amount of tidewater displaced by the work hereby authorized has been ascertained by the Department, and compensation thereof has been made by the said — Berkeley Green II, LLC— by paying into the treasury of the Commonwealth -- ten dollars and zero cents (\$10.00) -- for each cubic yard so displaced, being the amount hereby assessed by said Department (\$0.00)

Nothing in this License shall be so construed as to impair the legal rights of any person.

This License shall be void unless the same and the accompanying plan are recorded within 60 days from the date hereof, in the Registry of Deeds for the County of Middlesex.

IN WITNESS WHEREAS, said Department of Environmental Protection have hereunto set their hands this 6th day of July in the year two thousand and ten.

Program Chief *Ben Lynch* Department of Environmental Protection  
*For Ben Lynch*

~~THE COMMONWEALTH OF MASSACHUSETTS~~

~~This license is approved in consideration of the payment into the treasury of the Commonwealth by the said---- Berkeley Green II, LLC----of the further sum of ---N/A ---the amount determined by the Governor as a just and equitable charge for rights and privileges hereby granted in the land of the Commonwealth.~~

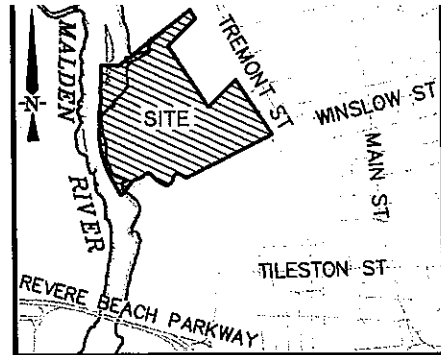
~~BOSTON~~

~~Approved by the Governor.~~

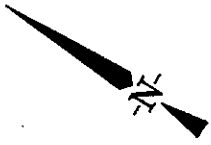
~~Governor~~



*Janet Carter Bernardo*



**SITE LOCUS**  
SCALE: 1" = 2,000'±



(LC-S32'36'35"E)  
S32'53'38"E  
98.51'

NOW OR FORMERLY  
BOSTON & MAINE RAILROAD

(LC-S32'36'35"E)  
S32'53'38"E  
688.94'

NOW OR FORMERLY  
MASS. ELECTRIC  
BK 10115 PG 1  
BK 173 PG 221  
(LC 12055A)

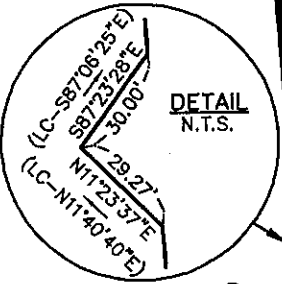
(LC-N52'53'35"E)  
N52'36'32"E  
600.00'

(LC-S44'53'34"W)  
S44'36'31"W  
409.71'

NOW OR FORMERLY  
CITY OF EVERETT  
BK 1254 PG 66  
(LC 1855R)  
(LC-S32'36'35"E)  
S32'53'38"E  
762.30'

(LC-N44'53'34"E)  
N44'36'31"E  
409.71'

NOW OR FORMERLY  
FTM COR.  
BK 1128 PG 176  
(LC 1855H)



**NOW OR FORMERLY  
BERKELEY GREEN II LLC.**  
BK 1345 PG 21  
(LC 1855R)  
**AREA = 40.48± ACRES**

NOW OR FORMERLY  
EVERETT  
INDUSTRIAL  
TRUST  
MASTER DEED  
BK C16 PG 8  
(LC 1855L)

NOW OR FORMERLY  
HAROLD  
STROGOFF  
IRON AND  
METAL CORP.  
BK 844 PG 47  
(LC 1855N)

NOW OR FORMERLY  
EDWARD M.  
STROGOFF TR.  
BK 1248 PG 142  
(LC 1855N)

(LC-S86'48'25"E)  
S87'05'28"E  
1180.1±

(LC-N05'27'25"W)  
N05'44'28"W (TIE LINE)  
600.46'

(LC-N52'36'32"E)  
N52'36'32"E  
101.00'

(LC-N52'53'35"E)  
N52'53'35"E  
1461.50' (TIE LINE)

(LC-N36'56'22"E)  
N36'56'22"E  
1461.50' (TIE LINE)

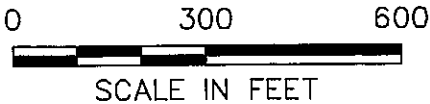
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N57'13'25"E  
1461.50' (TIE LINE)

(LC-S54'52'24"E)  
S54'52'24"E  
1015.19' (TIE LINE)

(LC-S55'09'27"E)  
S55'09'27"E  
1015.19' (TIE LINE)

(LC-S63'32'25"W)  
S63'32'25"W  
993.00'

(LC-S63'32'25"W)  
S63'32'25"W  
993.00'



SCALE IN FEET

SHEET 1 OF 13

**PLOT PLAN**

PLANS ACCOMPANYING PETITION OF THE BERKELEY GREEN II LLC TO AUTHORIZE CONSTRUCTION, OPERATION, AND MAINTENANCE OF SITE IMPROVEMENTS WITHIN PRIVATE FILLED TIDELANDS AT THE RIVERGREEN TECHNOLOGY PARK - EVERETT, MASSACHUSETTS  
PLANS SHOW EXISTING STRUCTURES AND FILL, INCLUDING STRUCTURES AND FILL UNDER EXISTING VALID LICENSES.

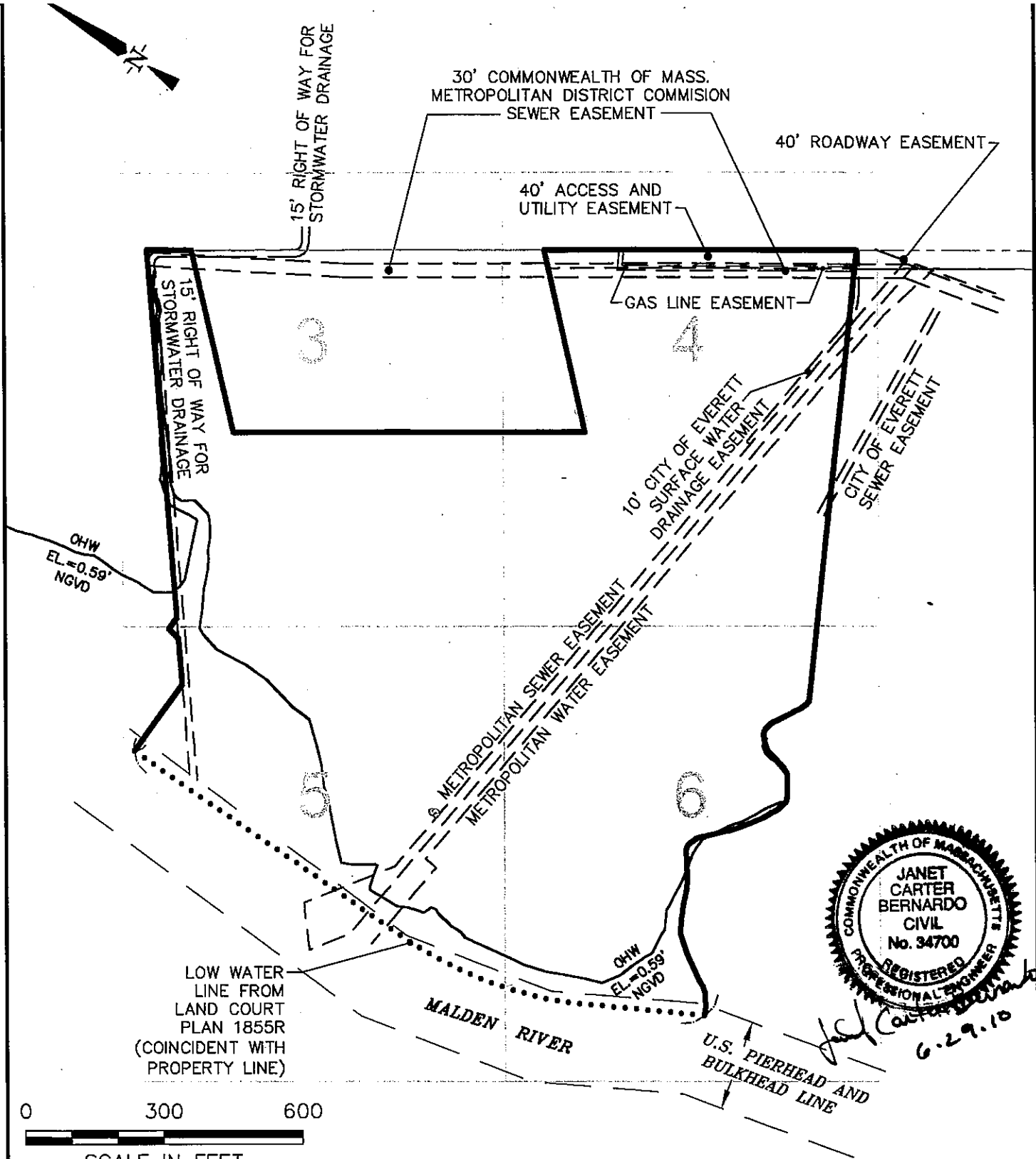
PREPARED BY: E.S. GROU

LICENSE PLAN NO. **12813**

Approved by Department of Environmental Protection of Massachusetts

**JUL X 6 2010**





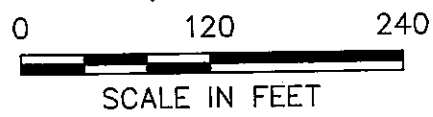
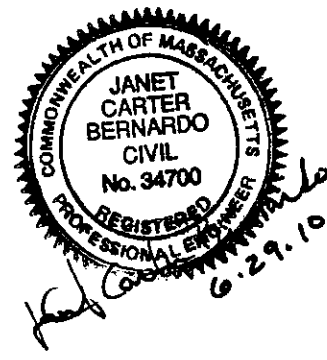
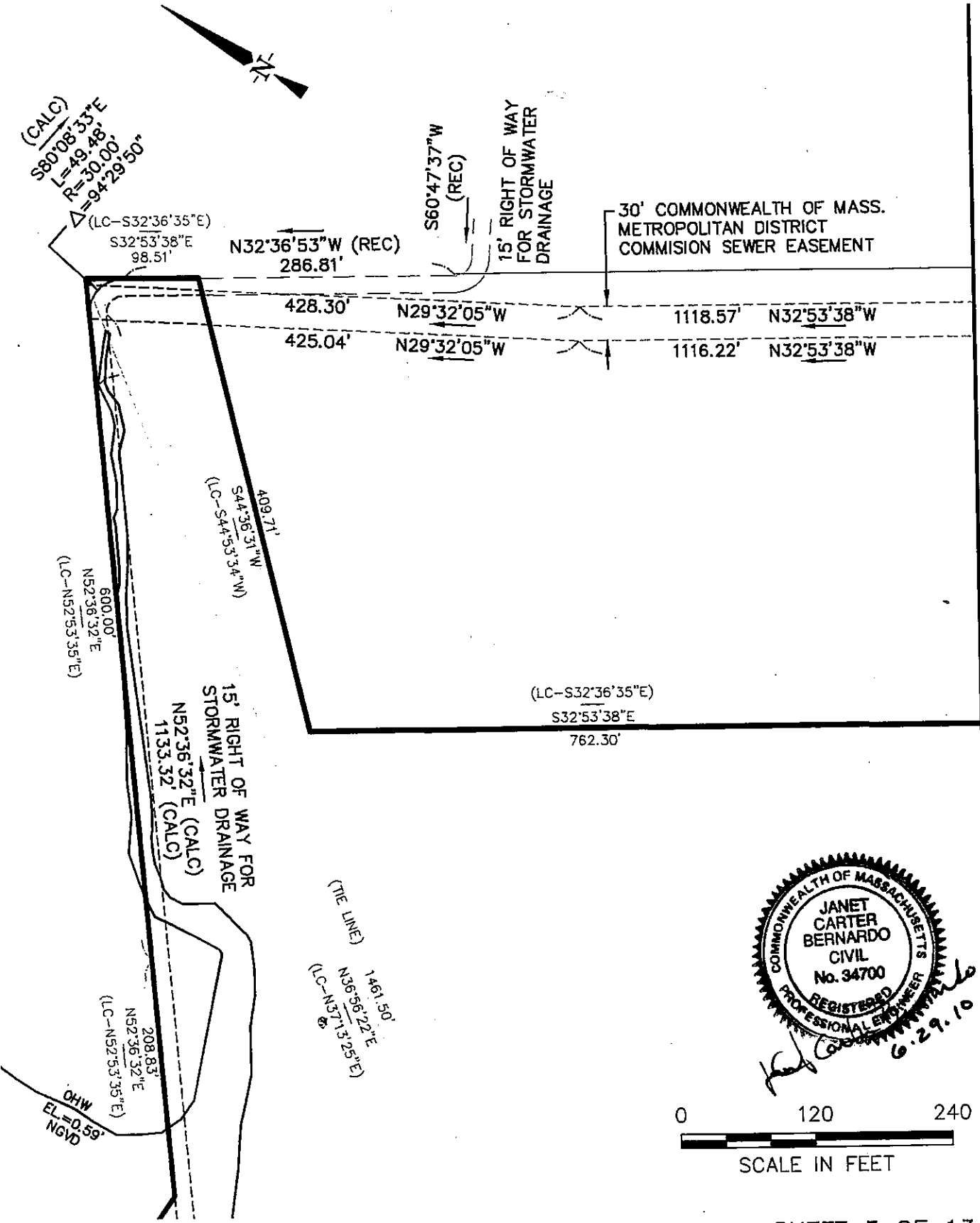
COMMONWEALTH OF MASSACHUSETTS  
 JANET CARTER BERNARDO  
 CIVIL  
 No. 34700  
 REGISTERED PROFESSIONAL ENGINEER  
*Janet Carter Bernardo*  
 6.29.10

SHEET 2 OF 13

**EASEMENT KEY PLAN**

PLANS ACCOMPANYING PETITION OF THE BERKELEY GREEN II LLC TO AUTHORIZE CONSTRUCTION, OPERATION, AND MAINTENANCE OF SITE IMPROVEMENTS WITHIN PRIVATE FILLED TIDELANDS AT THE RIVERGREEN TECHNOLOGY PARK - EVERETT, MASSACHUSETTS  
 PLANS SHOW EXISTING STRUCTURES AND FILL, INCLUDING STRUCTURES AND FILL UNDER EXISTING VALID LICENSES.  
 PREPARED BY: ESS GROUP, INC.  
 JUNE, 2010  
 THIS PLAN IS FOR PERMITTING PURPOSES ONLY.

LICENSE PLAN NO. **12813**  
 Approved by Department of Environmental Protection  
 Date: **JUL X 6 2010**



SHEET 3 OF 13

**EASEMENT DETAIL PLAN**

NS ACCOMPANYING PETITION OF THE BERKELEY GREEN LLC TO AUTHORIZE CONSTRUCTION, OPERATION, AND MAINTENANCE OF SITE IMPROVEMENTS WITHIN PRIVATE FILLED TIDELANDS AT THE ERGREEN TECHNOLOGY PARK - EVERETT, MASSACHUSETTS. PLANS SHOW EXISTING STRUCTURES AND FILL, INCLUDING STRUCTURES AND FILL UNDER EXISTING VALID LICENSES. PREPARED BY: ESS GROUP, INC.

LICENSE PLAN NO. **12813**  
 Approved by Department of Environmental Protection  
 Date;

**JUL X 6 2010**

JUNE, 2010

30' COMMONWEALTH OF MASS.  
METROPOLITAN DISTRICT COMMISSION  
SEWER EASEMENT

40' ROADWAY  
EASEMENT

LC S32°36'35"E (REC)  
S32°50'12"E (CALC)

LC S63°18'25"W (REC)  
S63°13'04"W (CALC)

10' GAS LINE  
EASEMENT

S32°53'38"E  
(LC-S32°36'35"E)  
688.94'

40' ACCESS AND  
UTILITY EASEMENT

L=92.57' (REC)  
R=134.39' (REC)

409.71'  
N44°36'31"E  
(LC-N44°53'34"E)

10' CITY OF EVERETT SURFACE  
WATER DRAINAGE EASEMENT

993.00'  
S63°15'22"W  
(LC-S63°32'25"W)

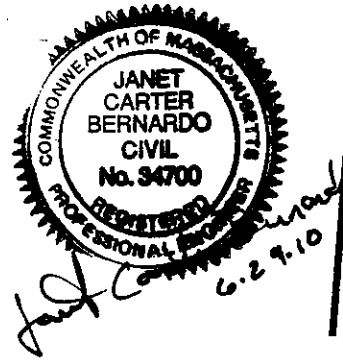
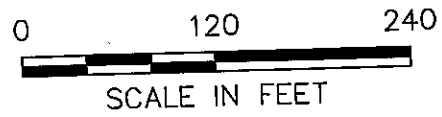
CITY OF EVERETT  
SEWER EASEMENT

1546.80' N82°36'40"W  
(CALC)

1632.87' (CALC)

1431.44' N82°36'40"W  
(CALC)

METROPOLITAN SEWER EASEMENT  
METROPOLITAN WATER EASEMENT

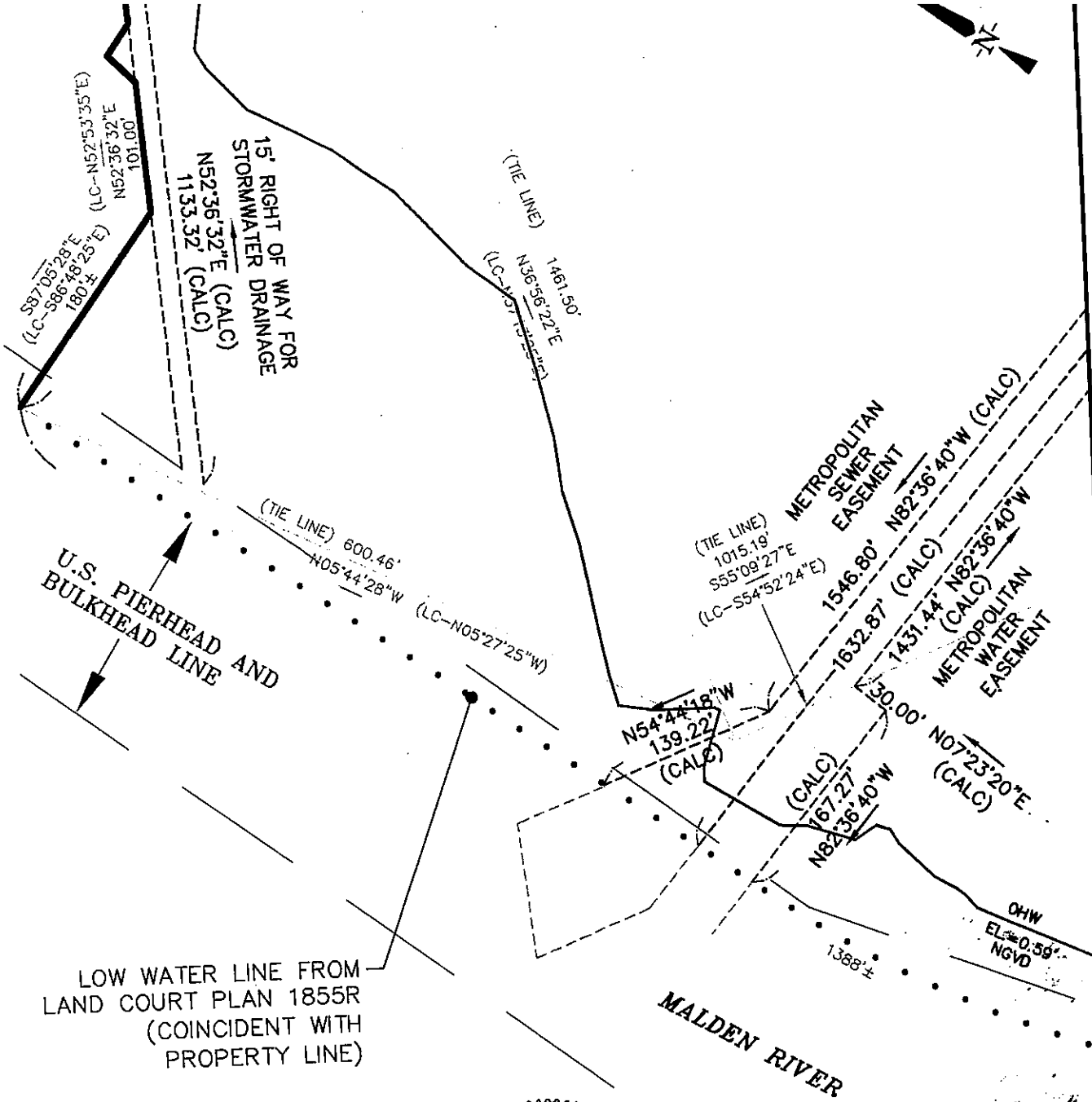


SHEET 4 OF 13

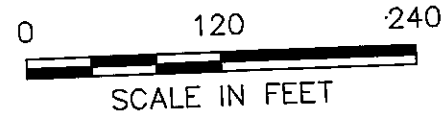
**EASEMENT DETAIL PLAN**

PLANS ACCOMPANYING PETITION OF THE BERKELEY GREEN II LLC TO AUTHORIZE CONSTRUCTION, OPERATION, AND MAINTENANCE OF SITE IMPROVEMENTS WITHIN PRIVATE FILLED TIDELANDS AT THE RIVERGREEN TECHNOLOGY PARK - EVERETT, MASSACHUSETTS  
PLANS SHOW EXISTING STRUCTURES AND FILL, INCLUDING STRUCTURES AND FILL UNDER EXISTING VALID LICENSES.  
PREPARED BY: ESS GROUP, INC.  
JUNE, 2010  
THIS PLAN IS FOR PERMITTING PURPOSES ONLY.

LICENSE PLAN NO. **12813**  
Approved by Department of Environmental Protection  
Date: **JUL X 6 2010**



LOW WATER LINE FROM LAND COURT PLAN 1855R (COINCIDENT WITH PROPERTY LINE)



**COMMONWEALTH OF MASSACHUSETTS**  
**JANET CARTER BERNARDO**  
**CIVIL**  
**No. 34700**  
**REGISTERED PROFESSIONAL SURVEYOR**  
*Janet Carter Bernardo*  
*6-29-10*

SHEET 5 OF 13

**EASEMENT DETAIL PLAN**  
PLANS ACCOMPANYING PETITION OF THE BERKELEY GREEN II LLC TO AUTHORIZE CONSTRUCTION, OPERATION, AND MAINTENANCE OF SITE IMPROVEMENTS WITHIN PRIVATE FILLED TIDELANDS AT THE RIVERGREEN TECHNOLOGY PARK - EVERETT, MASSACHUSETTS  
PLANS SHOW EXISTING STRUCTURES AND FILL, INCLUDING STRUCTURES AND FILL UNDER EXISTING VALID LICENSES.  
PREPARED BY: ESS GROUP, INC.  
JUNE 2010

**LICENSE PLAN NO. 12813**  
Approved by Department of Environmental Protection  
Date;  
**JUL X 6 2010**

METROPOL  
SEWER  
EASEMENT  
1546.80' N82°36'40"W  
1632.87' (CALC)  
1431.44' N82°36'40"W  
METROPOLITAN  
WATER  
EASEMENT  
(C)

1015.19'  
S55°09'27"E  
(LC-S54°52'24"E) (TIE LINE)

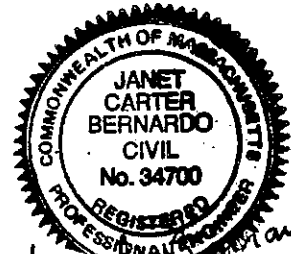
993.00'  
S63°15'22"W  
(LC-S63°32'25"W)

LOW WATER LINE FROM  
LAND COURT PLAN 1855R  
(COINCIDENT WITH  
PROPERTY LINE)

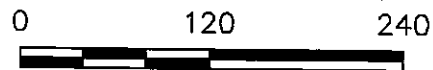
OHW  
EL.=0.59'  
NGVD

U.S. PIERHEAD AND  
BULKHEAD LINE

MALDEN RIVER



*Janet Carter Bernardo*  
6.29.10



SCALE IN FEET  
SHEET 6 OF 13

**EASEMENT DETAIL PLAN**

PLANS ACCOMPANYING PETITION OF THE BERKELEY GREEN  
LLC TO AUTHORIZE CONSTRUCTION, OPERATION, AND  
MAINTENANCE OF SITE IMPROVEMENTS WITHIN  
PRIVATE FILLED TIDELANDS AT THE  
BERKELEY GREEN TECHNOLOGY PARK - EVERETT, MASSACHUSETTS  
PLANS SHOW EXISTING STRUCTURES AND FILL, INCLUDING  
STRUCTURES AND FILL UNDER EXISTING VALID LICENSES.  
PREPARED BY: ESS GROUP, INC.  
JUNE, 2010  
THIS PLAN IS FOR PERMITTING PURPOSES ONLY.

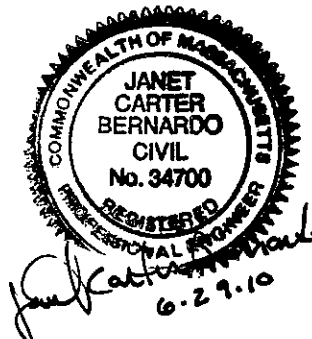
LICENSE PLAN NO. **12813**  
Approved by Department of Environmental Protection  
Date;  
**JUL X 6 2010**

## PLAN REFERENCES

1. "PLAN OF LAND IN EVERETT, MA AND MEDFORD, MA, BY TOOMY-MUNSON & ASSOCIATES, INC. DATED JULY 26, 2001. (FILED IN LAND COURT ON DEC. 19, 2001 AS PLAN NO. 1855F)
2. "PLAN NO. 1 OF PORTIONS OF LANDS OF GENERAL ELECTRIC CO. EVERETT AND MEDFORD, MASS. BEING SUBDIVISION IN LAND COURT CASE NO. 1855. PREPARED BY WHITMAN AND HOWARD, CIVIL ENGINEERS DATED JANUARY 1941.
3. "TAKING PLAN FOR SURFACE DRAINAGE TREMONT STREET TO SAUGUS BRANCH R.R. EVERETT DATED NOV. 1898 BY C. HARRISON CITY ENGINEER. (RECORDED AS PLAN NO. 33 IN BOOK 115 MIDDLESEX REGISTRY OF DEEDS, SO. DIST.)
4. TAKING PLAN FOR SURFACE WATER DRAINAGE WEST OF TREMONT STREET EVERETT DATED NOV. 18, 1904 BY C. HARRISON CITY ENGINEER. (RECORDED AS PLAN NO. 5 IN BOOK 153 MIDDLESEX REGISTRY OF DEEDS, SO. DIST.)
5. "COMMONWEALTH OF MASSACHUSETTS PLAN OF LAND IN EVERETT, MA BY HOWARD A. CARSON CHIEF ENGINEER DATED OCTOBER 28, 1891. (RECORDED AS PLAN NO. 73 MIDDLESEX REGISTRY OF DEEDS SO. DIST.)
6. "TAKING PLAN RIGHT OF WAY FOR STORM WATER DRAINAGE ON LAND OF GENERAL ELECTRIC CO. AND BOSTON & MAINE R.R., SAUGUS BRANCH DIVISION, WESTERLY TO MALDEN RIVER, EVERETT, MASS. BY CHRISTOPHER HARRISON, CITY ENGINEER DATED SEPTEMBER, 1915. (RECORDED AS PLAN NO. 22 IN BOOK 261 MIDDLESEX REGISTRY OF DEEDS SO. DIST.)
7. "PLAN SHOWING TAKING OF LAND BY THE CITY OF EVERETT FOR CONSTRUCTION AND MAINTENANCE OF SEWER AS LAID OUT BY THE CITY ENGINEER, AND FILED AT MIDDLESEX REGISTRY OF DEEDS BY C.W. MASON CITY ENGINEER DATED AUG. 20, 1896. (RECORDED AS PLAN NO. 21 IN BOOK 99 MIDDLESEX REGISTRY OF DEEDS, SO. DIST.)
8. "THE COMMONWEALTH OF MASSACHUSETTS METROPOLITAN DISTRICT COMMISSION SEWERAGE DIVISION PLAN OF LAND IN EVERETT AND MALDEN DATED JULY, 1957. (RECORDED AS PLAN NO. 1310 MIDDLESEX REGISTRY OF DEEDS SO. DIST.)
9. "EXHIBIT B - BOUNDARIES OF DISPOSAL SITE SUBJECT TO THE AUL - GE AIRCRAFT ENGINES, 71 NORMAN STREET / 3 AIR FORCE ROAD, EVERETT, MASSACHUSETTS" PREPARED BY BROWN AND CALDWELL, RECORDED WITH DOCUMENT NUMBER 1147583.

## NOTES

1. THE PLAN REFERENCES ABOVE WERE PREPARED BY WSP-SELLS, INC. ON A PLAN ENTITLED: "EXISTING CONDITIONS SURVEY", AIR FORCE ROAD, EVERETT, MA ON FEBRUARY 5, 2009.
2. LOCUS PARCEL IS SUBJECT TO AN A.U.L. (ACTIVITY AND USE LIMITATION) AS SHOWN ON PLAN REFERENCE NUMBER 9.



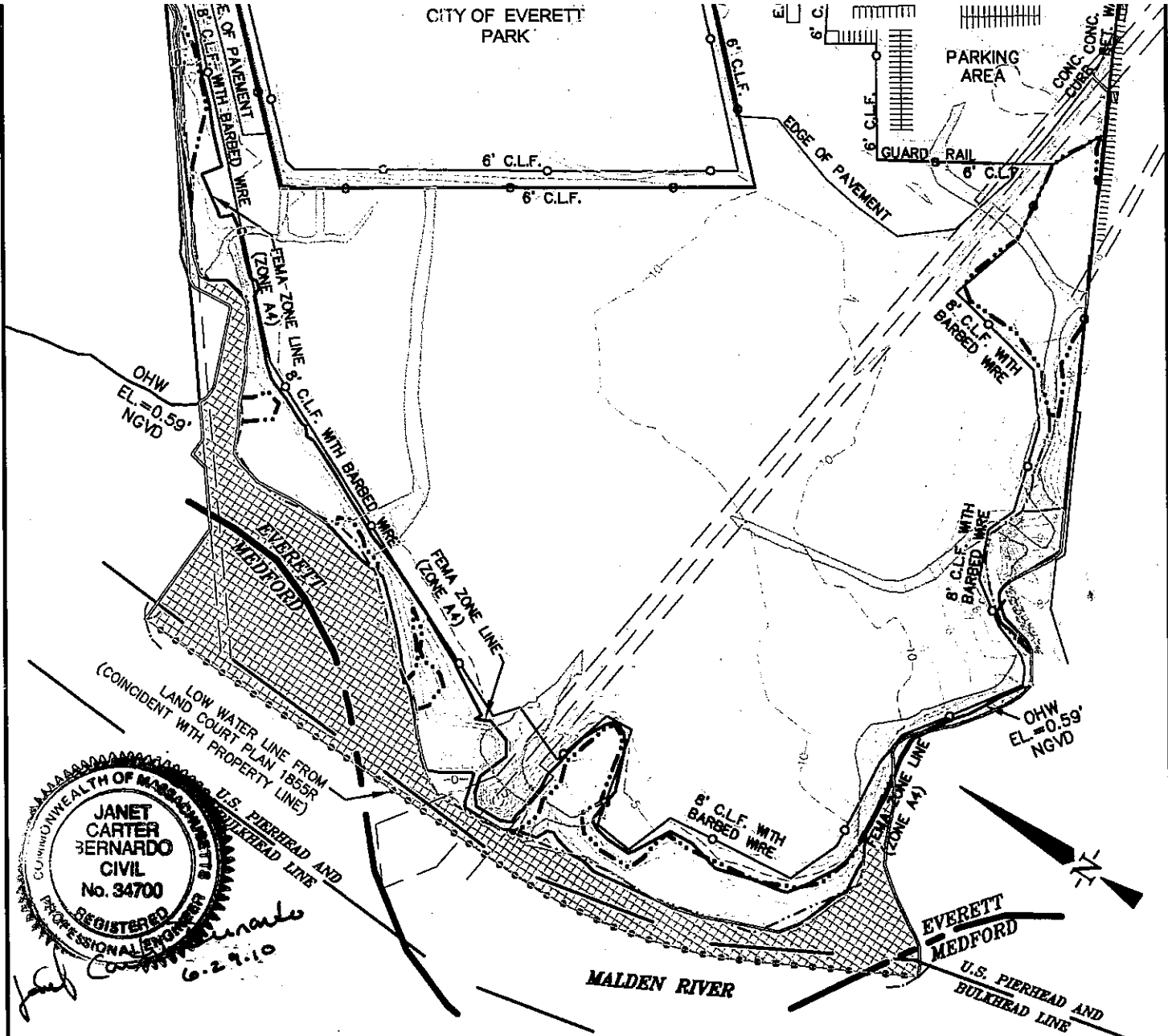
SHEET 7 OF 13

### EASEMENT DETAIL PLAN




PLANS ACCOMPANYING PETITION OF THE BERKELEY GREEN II LLC TO AUTHORIZE CONSTRUCTION, OPERATION, AND MAINTENANCE OF SITE IMPROVEMENTS WITHIN PRIVATE FILLED TIDELANDS AT THE RIVERGREEN TECHNOLOGY PARK - EVERETT, MASSACHUSETTS  
PLANS SHOW EXISTING STRUCTURES AND FILL, INCLUDING STRUCTURES AND FILL UNDER EXISTING VALID LICENSES.  
PREPARED BY: ESS GROUP, INC.  
JUNE, 2010  
THIS PLAN IS FOR PERMITTING PURPOSES ONLY.

LICENSE PLAN NO. **12813**  
Approved by Department of Environmental Protection  
Date: **JUL X 6 2010**

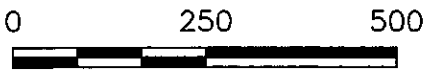




COMMONWEALTH OF MASSACHUSETTS  
 JANET CARTER BERNARDO  
 CIVIL  
 No. 34700  
 REGISTERED PROFESSIONAL ENGINEER  
 6.2.10

- LEGEND:**
-  HISTORIC FILLED TIDELANDS ABOVE OHW
  -  HISTORIC TIDELANDS BELOW OHW
  -  ORDINARY HIGH WATER (OHW)  
EL.=0.59'(NGVD)

**NOTE:**  
 ORDINARY HIGH WATER (OHW) AND HISTORIC FILLED TIDELANDS WERE COMPILED FROM INFORMATION RECEIVED FROM MASS DEP ON JULY 23, 2009. PLAN REFERENCE: T-2190 PUBLISHED IN 1894 BY THE U.S. COAST AND GEODETIC SURVEY.

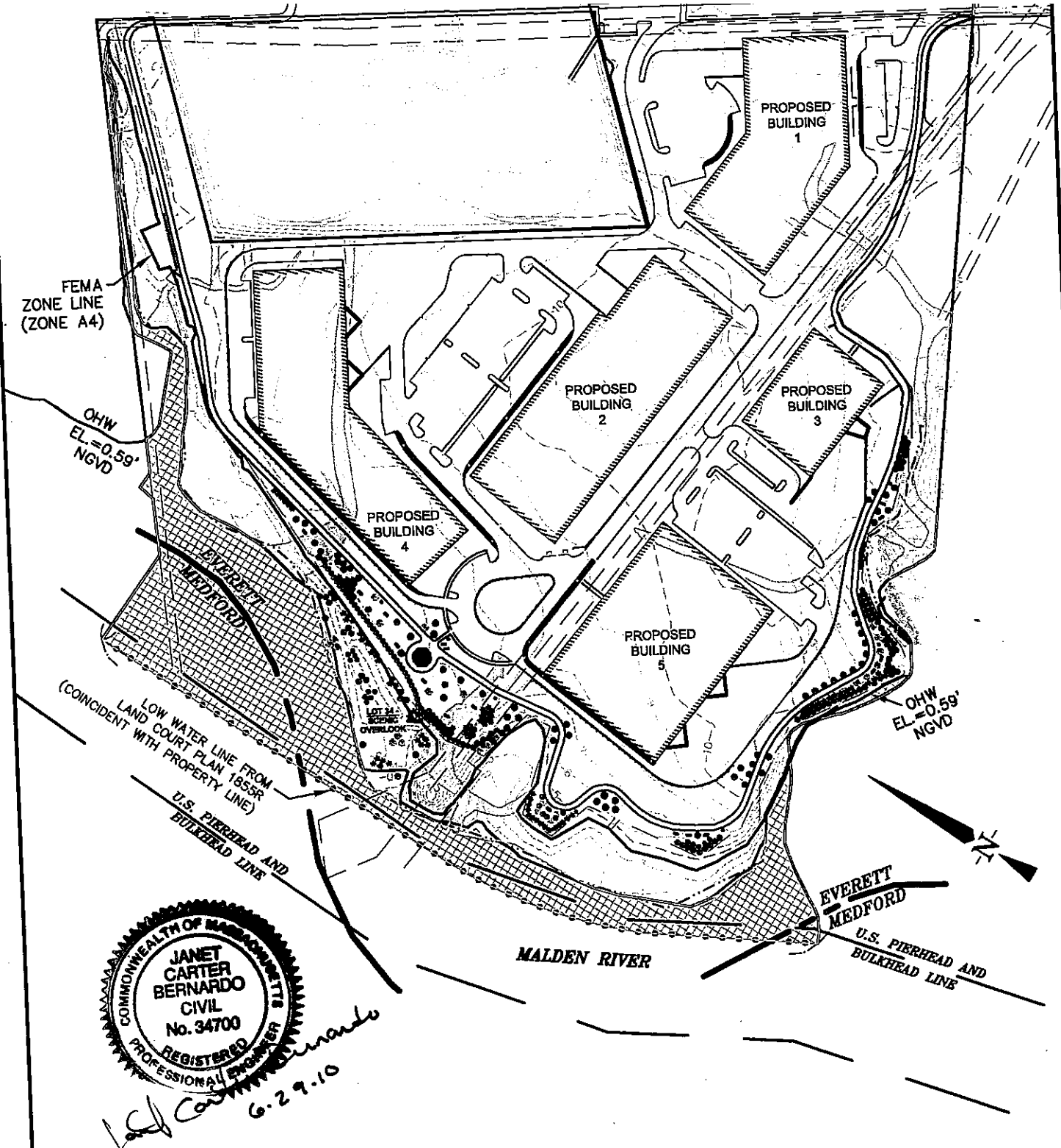


SCALE IN FEET

SHEET 8 OF 13

**EXISTING CONDITIONS**  
 PLANS ACCOMPANYING PETITION OF THE BERKELEY GREEN II LLC TO AUTHORIZE CONSTRUCTION, OPERATION, AND MAINTENANCE OF SITE IMPROVEMENTS WITHIN PRIVATE FILLED TIDELANDS AT THE RIVERGREEN TECHNOLOGY PARK - EVERETT, MASSACHUSETTS  
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 Date: **JUL X 6 2010**



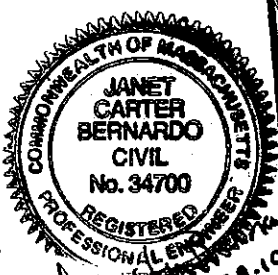
*Janet Carter Bernardo*  
6.29.10

SCALE IN FEET

SHEET 9 OF 13

**PROPOSED CONDITIONS KEY PLAN**  
 PLANS ACCOMPANYING PETITION OF THE BERKELEY GREEN  
 II LLC TO AUTHORIZE ALTERATION OF STRUCTURES  
 WITHIN PRIVATE FILLED TIDELANDS AT THE  
 RIVERGREEN TECHNOLOGY PARK  
 EVERETT, MASSACHUSETTS  
 PLANS SHOW EXISTING STRUCTURES AND FILL, INCLUDING  
 STRUCTURES AND FILL UNDER EXISTING VALID LICENSES.  
 PREPARED BY: ESS GROUP, INC.  
 JUNE, 2010  
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 Date; **JUL X 6 2010**



CITY OF EVERETT  
PARK

MATCHLINE SHT. 11

PROPOSED 10' WIDE  
MULTI-PURPOSE  
OVERWALK (FUTURE  
CONNECTION TO  
EVERETT WALKWAY)

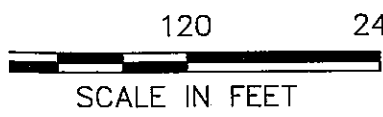
FEMA  
ZONE LINE  
(ZONE A4)

PROPOSED  
BUILDING  
4

OHW  
EL = 0.59'  
NGVD

MATCHLINE SHT 12

OHW  
EL = 0.59'  
NGVD



EVERETT  
MEDFORD

TYPICAL

SHEET 10 OF 13

PROPOSED CONDITIONS DETAIL PLAN  
PLANS ACCOMPANYING PETITION OF THE BERKELEY GREEN  
II LLC TO AUTHORIZE CONSTRUCTION, OPERATION, AND  
MAINTENANCE OF SITE IMPROVEMENTS WITHIN  
PRIVATE FILLED TIDELANDS AT THE  
EVERGREEN TECHNOLOGY PARK - EVERETT, MASSACHUSETTS  
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JUNE, 2010

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MATCHLINE SHT 10



PROPOSED BUILDING 1

PROPOSED BUILDING 2

PROPOSED BUILDING 3

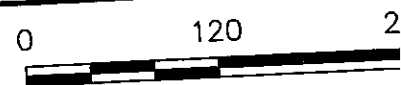
PROPOSED RIVERGREEN DRIVE (PUBLIC - 40' WIDE)

MATCHLINE SHT 12

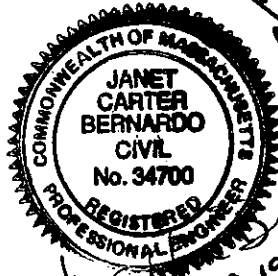
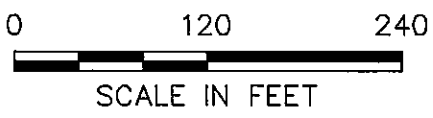
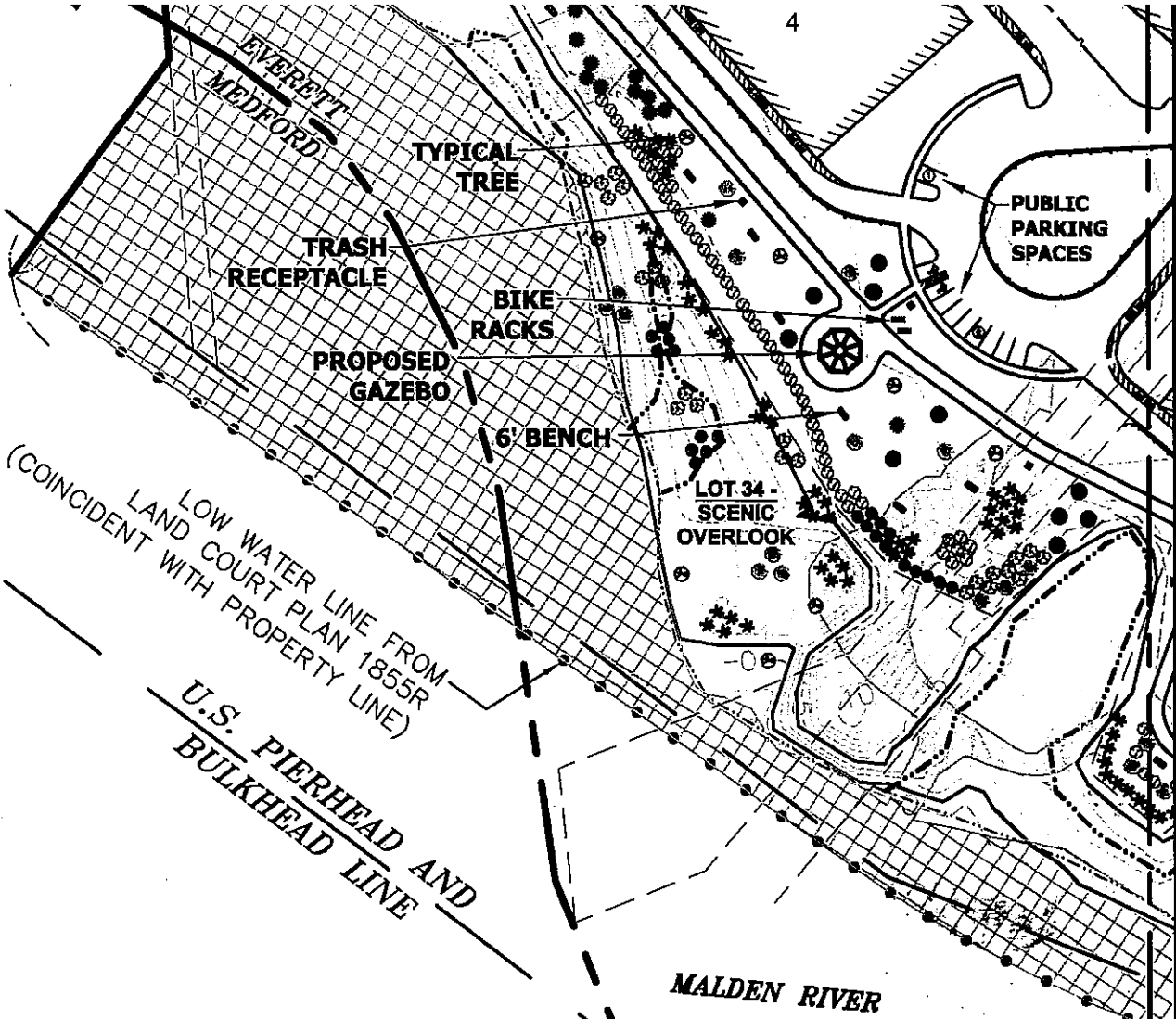
MATCHLINE SHT 13

SHEET 11 OF 1

**PROPOSED CONDITIONS DETAIL PLAN**  
 PLANS ACCOMPANYING PETITION OF THE BERKELEY GREEN II LLC TO AUTHORIZE CONSTRUCTION, OPERATION, AND MAINTENANCE OF SITE IMPROVEMENTS WITHIN PRIVATE FILLED TIDELANDS AT THE RIVERGREEN TECHNOLOGY PARK - EVERETT, MASSACHUSETTS  
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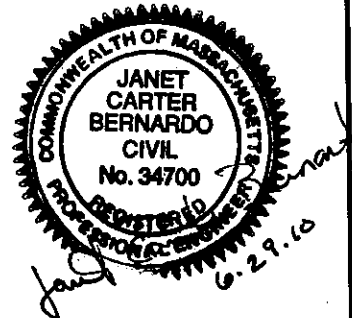
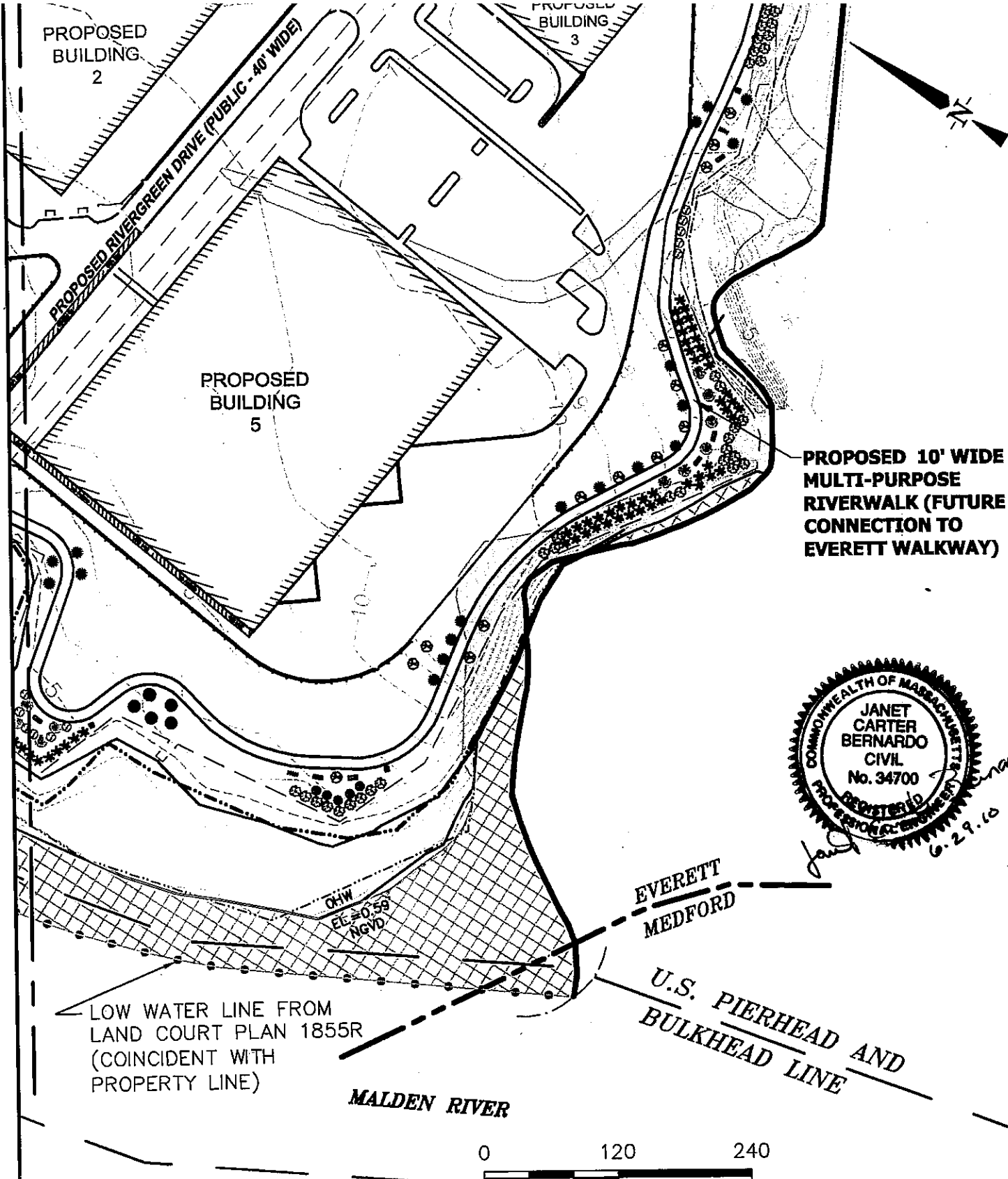


*Janet Carter Bernardo*  
 6-29-10

SHEET 12 OF 13

**PROPOSED CONDITIONS DETAIL PLAN**  
 PLANS ACCOMPANYING PETITION OF THE BERKELEY GREEN II LLC TO AUTHORIZE CONSTRUCTION, OPERATION, AND MAINTENANCE OF SITE IMPROVEMENTS WITHIN PRIVATE FILLED TIDELANDS AT THE RIVERGREEN TECHNOLOGY PARK - EVERETT, MASSACHUSETTS  
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