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WILLIAM R. EDES
wedes@dtm-law.com

April 30, 2024

Via Hand Delivery

Robert Rosa, Chair
Rockland Zoning Board of Appeals
242 Union Street
Rockland, MA 02370

Re: Application for Section 6 Finding
Applicant: 246 E. Water Realty, LLC; Kanhaiyo Corporation
Owner: Steven S. Minasidis Realty Trust

Dear Chair Rosa:

As you know, this office represents 246 E. Water Realty, LLC and Kanhaiyo Corporation (collectively the "Applicant") with respect to its Application for Section 6 Finding pursuant to Section 415-24(b) of the Town of Rockland Zoning Bylaw (the "Bylaw") to (i) continue the existing convenience store use, including the sale of Beer and Wine under new ownership pursuant to an Asset Purchase Agreement, (ii) eliminate the preexisting nonconforming vehicle service/repair use, and (iii) expand the existing convenience store use into the interior space currently used for vehicle service/repair at 246 E. Water Street, Rockland (the "Premises"), also identified as Parcel ID 40-87-0.

In response to the discussion before the Board on April 2, 2024, enclosed please find the following supplemental exhibits:

1. Revised Plan Set prepared by Lala Associates Engineers LLC;
2. Photos of the site showing compliance by the current owner with condition 8 of the 2002 Section 6 Finding and removal of the waste oil tank;
3. Additional copy of the 2002 Section 6 Finding;
4. A copy of the Activity and Use Limitation ("AUL") on the property and the termination of the same; and
5. Quitclaim Deed and Plan showing the origin of the ten-foot right of way.

Regarding the AUL, it was recorded in 1999 and in condition 3(i) required the owner to maintain a paved surface on all areas of the Premises not located under building foundations. The AUL was later terminated in 2003. As such, the findings of the Board in the 2002 Section 6 Finding were correct that the owner was required pursuant to the AUL to pave additional portions of the Premises, including the areas which fall within the ten (10') foot buffer in the rear of the Premises. As such, we respectfully suggest that the Applicant be allowed to place the parking ten

feet (10') from the rear property line and enforce the buffer with the addition of half wine barrel planters along the edge of the buffer, as shown and proposed on sheet C1 of the enclosed plan set.

As an explanation for Exhibit 5, submitted herewith, the right of way was granted to the then owners of Lot 10 and 11 on the enclosed 1914 plan over Lot 9 (a portion of the Premises). No purpose or restrictions are recited in the grant; as such, it would be presumed to be for pedestrian and vehicular access to the benefitted property.

An electronic copy of the above documents will be submitted to the Board via email. We look forward to appearing before the Board to continue our discussion of the Application. Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'W. Edes', with a long horizontal flourish extending to the right.

William R. Edes, Esq.
DTM Law, P.C.

Enclosure(s)

Exhibit 1

See Attached Revised
Plan Set

Exhibit 2



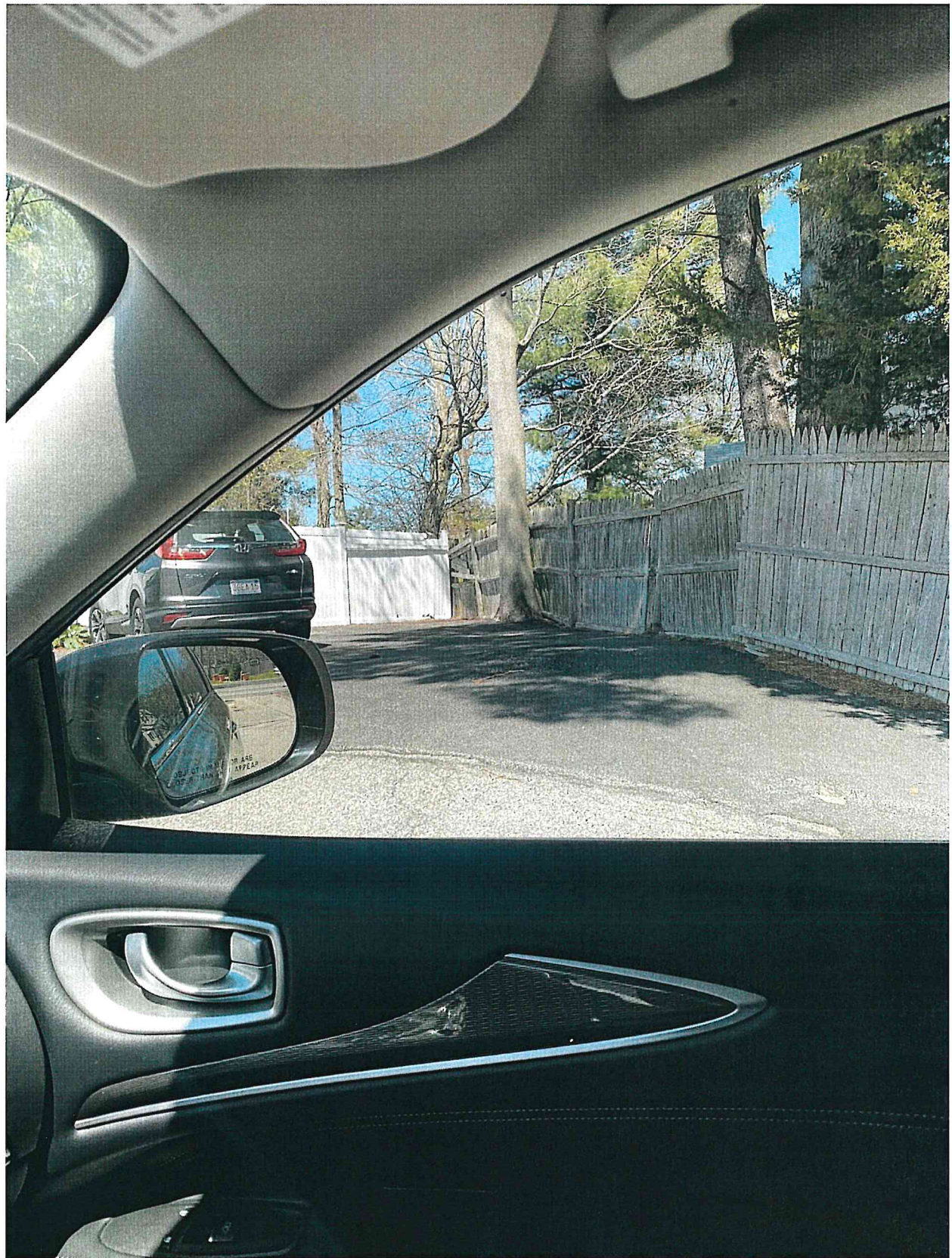


Exhibit 3

Steve's Auto Service
246 East Water St mail
Rockland, MA, 02370 1

11842
Received & Recorded
PLYMOUTH COUNTY
REGISTRY OF DEEDS
21 JAN 2003 11:39AM
JOHN R. BUCKLEY, JR.
REGISTER
Bk 23985 Pg 344-348

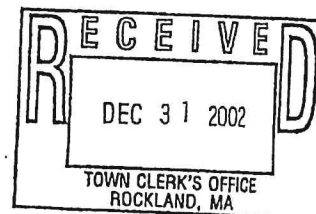


ROCKLAND ZONING BOARD OF APPEALS

242 UNION STREET
ROCKLAND, MASSACHUSETTS 02370

(781) 871-1874
(781) 871-0386 fax

M.R. BOOK 19268
PAGE 41



A public hearing was held on November 13, 2002 and then continued to December 18, 2002 in the H. Bernard Monahan Memorial Hearing Room, Town Hall, 242 Union Street, Rockland on the petition of **Steven S. Minasidis** of 80 Walter St., Roslindale, MA for a dimensional variance from the requirements of the Zoning By-Law to allow: **the selling of convenience store food products and deli products such as cold cuts, cheeses, etc.** Said property is located at 246 East Water Street.

Motion made by the Board to amend the ad to read that Petitioner is seeking a Section 6 finding and not a dimensional variance.

ATTENDANCE: Chairman Robert Manzella, Anton Materna, Stanley Cleaves, Peter McDermott, Rita Howes and Associate Members James Hannigan, Barry Ashton and Gregory Tansey. (Absent was Town Counsel).

MEMBERS VOTING: Robert Manzella, Stanley Cleaves, Peter McDermott, Rita Howes and Barry Ashton.

DISCUSSION: The Board heard testimony from the Petitioner that he is seeking to operate a convenience store with food and deli products in the back portion of the gas station/ auto repair business. The Petitioner testified that the surrounding neighbors are very much in favor of this expansion of the business, as many years ago there was a convenience store at this location. The Petitioner and the Board discussed in length about the parking area and how many cars could fit on the lot. The Board asked the Petitioner at the end of the hearing on November 13, 2002 to provide them with a certified site plan showing the parking areas, buffers, dimensions of existing structure, distances from structures to all property lines, limits of asphalt, all set-backs, required back-up distance, location of dumpster, location of gas pumps and tank field, access and egress from Liberty and East Water Street, fences, etc. The Board heard testimony that his fiancée would be the only person running the deli part of the store since she had to be Health certified with Board of Health regulations.

A TRUE RECORD, ATTEST

Mary Pat Kazanek
MARY PAT KAZANEK TOWN CLERK

Page 2 – Decision of Steve Minasidis – December 18, 2002

The Board discussed the hours of business for gas/pump station and deli hours. The Board discussed with the Petitioner the hours of delivery trucks to the business. The Board heard from the Petitioner that he believes a traffic signal will be at the intersection of Liberty Street and East Water in the near future. The Board had concerns about where customers will be parking while they enter the convenience/deli store. The Board stated that there shall be no parking in front of the building near the gas pumps while in the store, unless the customer was getting gas for their vehicle, or on the Liberty Street side of the building. Mr. Minasidis stated that he would enforce the parking conditions. The Board heard testimony from the Petitioner that he has an office up stairs in the attic and that this is the only space that he shall occupy in the attic. The Board heard that there are presently 2 employees now at the business, but would be increased to 3 when the deli opens up for business. The Board found that there has been additional lighting added to the premises since Mr. Minasidis purchased the property. The Board found that DEP ordered a 21E on this site and the owner has put a lot of money into the expense of complying with DEP standards. The Board found that the parking lot was expanded after DEP asked the owner to asphalt the area around the station.

DECISION: The Board voted as per Chapter 40A Section 6, to allow the expansion of a non-conforming use to sell deli and convenience store food products. The Board voted the Special Permit with conditions:

- 1). Repair hours: Monday – Saturday 8:00 A.M. - 6:00 P.M.
- 2). Gas hours: Monday – Friday 6:00 A.M. – 9:00 P.M.
Saturday/Sunday 7:00 A.M. – 9:00 P.M.
- 3). Deli hours: Monday –Saturday 6:00 A.M. – 7:00 P.M.
Sunday will be closed.
- 4). Dumpster area will be fenced in by 6' stockade fence.
- 5). No banners are to be on the property.
- 6). Lighting will be directed away from the neighbor's dwellings
- 7). There will be no additional signs on the property.

Page 3 – Decision of Steve Minasidis – December 18, 2002

- 8). There will be no parking on the Liberty Street side of the building. Wooden Wine barrels (cut in half) shall be placed within the 10-foot buffer zone approximately 10 feet apart for the full width of the building, and there shall be flowers planted and properly maintained.
- 9). Parking areas will be lined and marked as on the plan presented to the Board on December 18, 2002.
- 10). There will be no parking on the sidewalk. The Petitioner will notify his customers and will enforce this condition.
- 11). This Special Permit is subject to a yearly review by the ZBA for compliance and / or complaints.

VOTE ON DECISION: Mr. Ashton made a motion to grant the Special Permit with conditions. Mr. Cleaves seconded the motion. The vote of the Board was unanimous (5-0).

REASON FOR DECISION: Upon motion duly made and seconded, the Board found that the Petitioner is seeking to add a convenience store with a deli to his gas/repair station. The Board also found that the petitioner is seeking a Section 6 finding which is due to change/alter/expansion of existing non-conforming use. The Board heard testimony that about 25 years ago, this property did have a convenience store with the selling of gas/repair station. The Board had concerns about the parking and asked the Petitioner to provide a certified site plan to address a list of items that were stated in the Discussion portion of this decision. After the Board reviewed all items asked they voted to grant the Special Permit with conditions stated above under Decision. The Board found that there is a turning radius for back-up on parking lots 1 and 2. The Board found parking for customers, employees and repair of customer cars on the plan. The Board found that the employees would be a mechanic, gas attendant and deli employee. The Board found that the expansion of the non-conforming gas/repair station would not be more detrimental to the public good or derogate from the intent or purpose of the Zoning By-law and would be in harmony with the surrounding neighborhood.

THIS DECISION, ALONG WITH THE CERTIFICATION FROM THE TOWN CLERK, THAT NO APPEAL HAS BEEN FILED, MUST BE RECORDED WITH THE PLYMOUTH COUNTY REGISTRY OF DEEDS PRIOR TO OBTAINING A BUILDING PERMIT AND PROOF OF RECORDING MUST BE FILED WITH THE BUILDING INSPECTOR.

NOTE:

- This decision may be appealed to the District Court, Housing Court, Land Court or Superior Court pursuant to Chapter 40A, Section 17. Said appeal must be filed within twenty (20) days after this decision is filed with the Town Clerk.
- Chapter 40A, Section II, states that in part, that no variance or special permit shall take effect until the Town Clerk certifies that twenty (20) days have elapsed, and no appeal has been filed.
- This Board certifies that copies of this decision have been filed with the Planning Board as well as with the Town Clerk.

FOR THE ZONING BOARD OF APPEALS



**Robert A. Manzella
Chairman**

Exhibit 4

310 CMR DEPARTMENT OF ENVIRONMENTAL PROTECTION

Form 1075

NOTICE OF ACTIVITY AND USE LIMITATION
MGL c. 21E & 6 and 310 CMR 40.000

Disposal Site Name : 246 East Water Street, Rockland, Massachusetts

DEP Release Tracking Number _ 4 14505 _

This Notice of Activity and Use Limitation (Notice) is made as of this 21 day of

April 1999, by Kostas Papoulidis, Agent for Maria Papoulidis, Trustee of: 246 East Water Street Trust

WITNESSETH:

Whereas Kostas Papoulidis, Agent for Maria Papoulidis, Trustee of 246 East Water Street Trust, 246 East Water Street, Rockland, Massachusetts is the owner in fee simple of that certain parcel of land located at 246 East Water Street, Rockland, Massachusetts, with buildings and improvements thereon (property).

Whereas, said parcel of land, which is more particularly bounded and described in Exhibit A, attached, hereto and made a part hereof (Property) is subject to the Notice of Activity and Use Limitation. The Property is shown on a plan (recorded and registered herewith) recorded and registered in Plymouth County Registry of Deeds at Book 6306 Page 122.

Whereas the Property is more specifically subject to this Notice of Activity and Use Limitation. The Property is more particularly bounded and described in Exhibit A-1 attached hereto and made a part hereof. The Property is shown on a plan (to be recorded/registered herewith) recorded and/or registered in Plymouth County Registry of Deeds/Land Registration Office in Plan Book Map 40 Page 6088.

Whereas the Property comprises all of a disposal site as the results of a release of oil and/or hazardous materials. Exhibit B is a sketch plan shown in the relationship of the Property subject to this Notice of Activity and Use Limitation to the boundaries of said disposal site. (To the extent such boundaries have been established). Exhibit B is attached hereto and made a part hereof and;

Whereas, one or more response actions have been selected for (the Disposal Site) (Portion of the Disposal Site) in accordance with MGL Ch. 21E (Chapter 21E) and the Massachusetts Contingency Plan 310 CMR 40.000 (MCP). Said response actions are based upon (a) the restriction of human access to and contact with oil and/or hazardous materials in soil and (b) the restriction of certain activities occurring in, on through, over or under the (Property) Portion of the Property). The basis for such restrictions is set forth in an Activity and Use Limitation Opinion (AUL Opinion) dated April 21, 1999. (Which is attached hereto as Exhibit 3 and made a part hereof);

Now therefore, notice is hereby given that the Activity and Use Limitations set forth in said AUL Opinion are as follows:

1. **Permitted Activities and Uses Set Forth in the AUL Opinion.** The AUL Opinion provides that a Condition of No Significant Risk to health, safety, public welfare of the environment exists for any foreseeable period of pursuant to 310 CMR 40.000 so long as any of the following activities and uses occur on the (Property) (Portion of the Property)
 - (i) Commercial and/or Industrial Warehouse Storage and Distribution slab on grade construction and paved surface
 - (ii) Auto Maintenance and Repair slab on grade construction and paved surfaces
 - (iii) Professional Offices slab on grade construction and paved surfaces
 - (iv) Vehicle Parking on paved surfaces
 - (v) Commercial Uses, storefronts, restaurants, slab on grade construction and paved surfaces
 - (vi) Industrial Uses slab on grade construction and paved surfaces
 - (vii) Residential Uses slab on grade construction and paved surfaces
 - (viii) Such activities or uses which in the opinion of the licensed Site Professional (LSP shall present no greater risk of harm to health, safety, public welfare or the environment than the activities and uses set forth in this paragraph.

Mail: Environmental Impact Services

Kelly Maman,

Return to: ETS, 175 Waverly Ave, Newton, Ma. 02458

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

Form 1075: Continued

2. **Activities and Uses Inconsistent with the AUL Opinion.** Activities and Uses which are inconsistent with the objectives of this Notice of Activity and Use Limitation, and which if implemented at the (Property)(Portion of the Property), may result in a Significant Risk of harm to health, safety, public welfare of the environment or in a substantial hazard, are as follows:
- (i) Agricultural/Gardening
 - (ii) Recreational/Parks
 - (iii) Schools and Day Care Centers
3. **Obligations and Conditions Set Forth in the AUL Opinion.** If applicable, obligations and/or conditions to be undertaken and/or maintained at the (Property)(Portion of the Property) to (select one) (maintain a conditions of No Significant Risk) (eliminate a substantial hazard) as set forth in the AUL Opinion shall include the following:
- (i) Maintain a paved surface on all areas not located under building foundation;
 - (ii) No excavation of soil without MCP Compliance;
 - (iii) Any offsite disposal of PAH contaminated soils must adhere to the MCP;
 - (iv) Construction of slab on grade structures only
4. **Proposed changes in Activities and Uses:** Any proposed changes in activities and uses at the (Property)(Portion of the Property) which may result in higher levels of exposure to oil and/or hazardous material than currently exist shall be evaluated by an LSP who shall render an Opinion, in accordance with 310 CMR 40.1080 et seq., as to whether the proposed changes will (select one) (present a significant risk of harm to health, safety, public welfare or the environment) (will invalidate the conclusion that no substantial hazards remain). Any and all requirements set forth in the Opinion to meet the objective of this Notice shall be satisfied before any such activity or use is commenced.
5. **Violation of a Response Action Outcome:** The Activities, uses and/or exposures upon which this Notice is based shall not change at any time to cause a significant risk of harm to health, safety, public welfare, or the environment or to create substantial hazardous due to exposure to oil and/or hazardous materials without the prior evaluation by an LSP in accordance with 310 CMR 40.1080 et seq., and without additional response actions, if necessary, to achieve or maintain a conditions of No Significant Risk or to eliminate substantial hazards. If the activities, uses and/or exposures upon which this Notice is based change without the prior evaluation and additional response actions determined to be necessary by an LSP in accordance with 310 CMR 40.1080 et seq., the owner or operator of the (Property)(Portion of the Property) subject to this Notice at the time that the activities, uses and/or exposures change, shall comply with the requirements set forth in 310 CMR 40.0020.
6. **Incorporation Into Deeds, Mortgages, Leases and Instruments of Transfer:** This notice shall be incorporated either in full or by reference into all deeds, easements, mortgages, leases, licenses, occupancy agreements or any other instrument of transfer, whereby an interest in and/or a right to use the Property or a portion thereof is conveyed.

Owner hereby authorized and consents to the filing and recordation and/or registration of this Notice, said Notice to become effective when executed under seal by the undersigned LSP, and recorded and/or registered with the appropriate Registry (ies) of Deeds and/or Land Registration Offices.

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

Form 1025 continued

WITNESS the execution hereof under seal this 21 day of April, 19 99

COMMONWEALTH OF MASSACHUSETTS

X Kostas Papoulidis ss

4-21 19 99

Then personally appeared the above named Kostas Papoulidis and acknowledged the foregoing to be his/her free act and deed before me.

Beth M. Gardiff
Notary Public:
My Commission Expires: May 3, 2002

5-3-2002

The undersigned LSP hereby certifies that he/she executed the aforesaid Activity and Use Limitation Opinion attached hereto as Exhibit C and made a part hereof and that in his/her Opinion this Notice of Activity and Use Limitation is consistent with the terms set forth in said Activity and Use Limitation Opinion.

Date: 4/21/99



COMMONWEALTH OF MASSACHUSETTS

R. Kelly Maman ss

4, 21 19 99

This person appeared the above named R. Kelly Maman and acknowledged the foregoing to be his/her free act and deed before me.

Beth M. Gardiff
Notary Public
My Commission Expires May 3, 2002

5.3.2002

Upon recording return to: Environmental Impact Services
175 Waverly Avenue, Newton, Mass. 02458

Exhibit A

Massachusetts

No. 0011-9362

QUIT CLAIM DEED

THIS INDENTURE WITNESSETH That
 SUN REFINING AND MARKETING COMPANY, a Pennsylvania corporation,
 formerly Sun Oil Company of Pennsylvania, a Pennsylvania corporation,
 successor by merger to Sun Oil Company, a New Jersey corporation,
 Ten Penn Center, 1801 Market Street, Philadelphia, Pennsylvania
 19103-1699.

GRANTOR, for and in consideration of the sum of
 NINETY THOUSAND DOLLARS (\$90,000.00)
 the receipt whereof is hereby acknowledged, grants with Quitclaim
 Covenants to MARIA PAPOULIDIS, Trustee of the 246 E. Water Street
 Realty Trust dated August 22, 1985 recorded herewith, Plymouth County
 Registry of Deeds,

GRANTEE, the heirs or successors and assigns of the Grantee,

ALL of its right, title and interest in and to that certain parcel of
 real estate situate in the Town of Rockland, County of Plymouth and
 State of Massachusetts, to wit:

Beginning at Brass Rod in the Easterly sideline of Liberty
 Street, said point being the Northwesterly corner of the
 described premises and also being the Southwesterly corner
 of land of Joseph G. Kelley and Claire M. Kelley; thence
 running North 82°-35'-30" East, 92.74' by land of Kelley to
 a Brass Rod at land of Russell F. Anderson and Marcia
 Anderson; thence turning and running South 21°-43'-00" West,
 54.95' by land of Anderson to a Drill Hole in a large rock;
 thence turning and running South 39°-12'-15" East, 67.96' by
 land of Anderson to a Brass Rod in the Northwesterly
 sideline of East Water Street; thence turning and running
 South 51°-50'-10" West, 74.50' in the Northwesterly sideline
 of East Water Street to a Plymouth County Highway Bound;
 thence turning and running by a curve to the right having a
 radius of 25.00', an arc distance of 53.02' to a Plymouth
 County Highway Bound. (The curve at this point is not
 tangent to the following described line); thence turning and
 running North 7°-24'-30" West, 122.04 feet in the Easterly
 sideline of Liberty Street to the point of beginning.

The above described parcel contains an area of 11,299 sq.
 ft. and is subject to a 10' right-of-way from East Water
 Street along a portion of the Easterly property line. For a
 more particular description, reference is made to a plan
 entitled "Plan of Land, Liberty and East Water Streets,
 Rockland, Plymouth County, Massachusetts", prepared for Sun
 Oil Company. Scale: 8' to an inch, September 30, 1969, by
 Perkins Engineering, Inc., Rockland, Massachusetts; and
 including all right, title, and interest of the grantor, in
 and to all lands lying in the streets, roads & alleys
 abutting said premises.

DEED REFERENCE: Quit Claim Deed dated December 10, 1969,
 from Frances A. Calvi to Sun Oil Company, a New Jersey
 Corporation, recorded Plymouth County Registry of Deeds on
 December 10, 1969 in Book 3566, Page 11.

Subject to easements, restrictions and conditions of record, easements or
 restrictions visible upon the ground and any state of facts which an
 accurate survey would disclose.

Grantee's Address: 575 Union Street, Braintree, Mass.

KMW31 1



Exhibit A

BOOK 6306 PAGE 123

Mass. Q.C.

No. 0011-9362

TO HAVE AND TO HOLD the above described premises, with all the privileges and appurtenances thereunto belonging to the Grantee, the heirs or successors and assigns of the Grantee to their own use and behoof forever.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed and its corporate seal to be affixed hereto by David E. Knoll, Vice President, duly authorized the 10th day of June, 1985.

ATTEST:

SUN REFINING AND MARKETING COMPANY

Charles G. Schanz
Assistant Secretary

David E. Knoll
Vice President



THE COMMONWEALTH OF PENNSYLVANIA, COUNTY OF PHILADELPHIA SS

Then personally appeared the above named David E. Knoll and Charles G. Schanz Vice President and Assistant Secretary and acknowledged the foregoing instrument to be the free act and deed of the Sun Refining and Marketing Company before me,

Richard E. [Signature]
Notary Public
My Commission Expires [Date]



KMWD31 2

REC'D SEP 12 1985 AT 2-29 PM AND RECORDED

Exhibit B



Massachusetts Department of Environmental Protection
Bureau of Waste Site Cleanup

BWSC-114

ACTIVITY & USE LIMITATION (AUL) OPINION FORM

Pursuant to 310 CMR 40.1070 - 40.1084 (Subpart J)

Release Tracking Number

4-14505

COMPLETE THIS FORM AND ATTACH AS AN EXHIBIT TO THE AUL DOCUMENT TO BE RECORDED AND/OR REGISTERED WITH THE REGISTRY OF DEEDS AND/OR LAND REGISTRATION OFFICE.

A. LOCATION OF DISPOSAL SITE AND PROPERTY SUBJECT TO AUL:

Disposal Site Name: 246 East Water Street
Street: 246 East Water Street Location Aid: _____
City/Town: Roxbury, Mass ZIP Code: _____
Address of property subject to AUL, if different than above. Street: _____
City/Town: _____ ZIP Code: _____

B. THIS FORM IS BEING USED TO: (check one)

- ☒ Provide the LSP Opinion for a Notice of Activity and Use Limitation, pursuant to 310 CMR 40.1074 (complete all sections of this form).
- ☐ Provide the LSP Opinion for an Amended Notice of Activity and Use Limitation, pursuant to 310 CMR 40.1081(4) (complete all sections of this form).
- ☐ Provide the LSP Opinion for a Termination of a Notice of Activity and Use Limitation, pursuant to 310 CMR 40.1083(3) (complete all sections of this form).
- ☐ Provide the LSP Opinion for a Grant of Environmental Restriction, pursuant to 310 CMR 40.1071, (complete all sections of this form).
- ☐ Provide the LSP Opinion for an Amendment of Environmental Restriction, pursuant to 310 CMR 40.1081(3) (complete all sections of this form).
- ☐ Provide the LSP Opinion for a Release of Environmental Restriction, pursuant to 310 CMR 40.1083(2) (complete all sections of this form).

C. LSP OPINION:

I attest under the pains and penalties of perjury that I have personally examined and am familiar with this submittal, including any and all documents accompanying this submittal. In my professional opinion and judgment based upon application of (i) the standard of care in 309 CMR 4.02(1), (ii) the applicable provisions of 309 CMR 4.02(2) and (3), and (iii) the provisions of 309 CMR 4.03(5), to the best of my knowledge, information and belief,

> if Section B indicates that a Notice of Activity and Use Limitation is being registered and/or recorded, the Activity and Use Limitation that is the subject of this submittal (i) is being provided in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000 and (ii) complies with 310 CMR 40.1074(1)(b);

> if Section B indicates that an Amended Notice of Activity and Use Limitation is being registered and/or recorded, the Activity and Use Limitation that is the subject of this submittal (i) is being provided in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000 and (ii) complies with 310 CMR 40.1080(1) and 40.1081(1);

> if Section B indicates that a Termination of a Notice of Activity and Use Limitation is being registered and/or recorded, the Activity and Use Limitation that is the subject of this submittal (i) is being provided in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000 and (ii) complies with 310 CMR 40.1083(3)(a);

> if Section B indicates that a Grant of Environmental Restriction is being registered and/or recorded, the Activity and Use Limitation that is the subject of this submittal (i) is being provided in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000 and (ii) complies with 310 CMR 40.1071(1)(b);

> if Section B indicates that an Amendment to a Grant of Environmental Restriction is being registered and/or recorded, the Activity and Use Limitation that is the subject of this submittal (i) is being provided in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000 and (ii) complies with 310 CMR 40.1080(1) and 40.1081(1);

> if Section B indicates that a Release of Grant of Environmental Restriction is being registered and/or recorded, the Activity and Use Limitation that is the subject of this submittal (i) is being provided in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000 and (ii) complies with 310 CMR 40.1083(3)(a).

I am aware that significant penalties may result, including, but not limited to, possible fines and imprisonment, if I submit information which I know to be false, inaccurate or materially incomplete.

- ☐ Check here if the Response Action(s) on which this opinion is based, if any, are (were) subject to any order(s), permit(s) and/or approval(s) issued by DEP or EPA. If the box is checked, you MUST attach a statement identifying the applicable provisions thereof.

SECTION C IS CONTINUED ON THE NEXT PAGE.



Massachusetts Department of Environmental Protection
Bureau of Waste Site Cleanup

BWSC-114

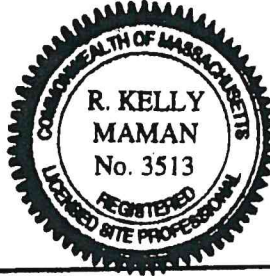
ACTIVITY & USE LIMITATION (AUL) OPINION FORM

Pursuant to 310 CMR 40.1070 - 40.1084 (Subpart J)

Release Tracking Number

Y-14505

C. LSP OPINION: (continued)

LSP Name: R. Kelly Maman LSP #: 3513 Stamp: 
Telephone: 617 962 9535 Ext.: _____
FAX: 617 527 8781
LSP Signature: [Signature]
Date: 9/21/99

YOU MUST COMPLETE ALL RELEVANT SECTIONS OF THIS
FORM OR DEP MAY FIND THE DOCUMENT TO BE INCOMPLETE.

← END OF INSTRUMENT →

TERMINATION OF NOTICE OF ACTIVITY AND USE LIMITATION

Disposal Site Name: Fast Fill Service Station
 DEP Release Tracking No.(s) 4-14505 4-12831

WHEREAS, a Notice of Activity and Use Limitation has been recorded with the Plymouth County Registry of Deeds in Book 17824 Page 259-266 and/or registered with the Land Registration Office of the _____ County Registry District as Document No. _____ [as amended by Amendment to a Notice of Activity and Use Limitation dated _____, recorded with the _____ County Registry of Deeds in Book _____ Page _____, and/or registered with the Land Registration Office of the _____ County Registry District as Document No. _____] (said Notice of Activity and Use Limitation and any amendments thereto are collectively referred to herein as "Notice");

WHEREAS, said Notice sets forth limitations on use and activities, conditions and obligations affecting certain [vacant] land situated in Rockland (Town/City), Plymouth County, Massachusetts [with the buildings and improvements thereon], said land being more particularly bounded and described in Exhibit A attached hereto and made a part hereof ("Property");

WHEREAS, said limitations are consistent with the terms of an Activity and Use Limitation Opinion ("AUL Opinion") dated 6/14/99, signed and sealed by Kelly Maman, holder of a valid license issued by the Board of Registration of Waste Site Cleanup Professionals, pursuant to M.G.L. c. 21A, §§ 19 through 19J (the holder being referred to as "LSP") attached to said Notice of Activity and Use Limitation as Exhibit C and made a part thereof, in order to (select one) [maintain at the Property a condition of No Significant Risk] [eliminate a substantial hazard] (said conditions and terms being defined in 310 CMR 40.0000); and

WHEREAS, said Notice is being terminated because additional response actions are necessary to support the conclusion that [a condition of No Significant Risk has been achieved at the property][all substantial hazards have been eliminated at the property];

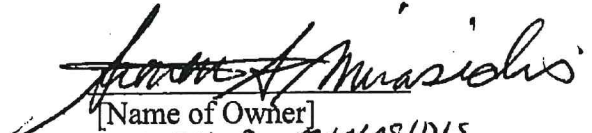
NOW, THEREFORE, I/We, Steven S Minasidis of Rockland (City/Town) Plymouth County, MA (State), being the owner(s) of said Property, do hereby terminate said Notice.

(Owner) authorizes and consents to the filing and recordation/and or registration of this Termination of Notice of Activity and Use Limitation, said Termination to become effective when recorded and/or registered with the appropriate Registry of Deeds and/or Land Registration Office.]

Received & Recorded
 PLYMOUTH COUNTY
 REGISTRY OF DEEDS
 15 OCT 2003 12:59PM
 JOHN R. BUCKLEY, JR.
 REGISTER
 Bk 26799 Pg 322-323

Property Address - 286 East Water St.
 Rockland, Mass.

WITNESS the execution hereof under seal this 24 day of September, 192003.

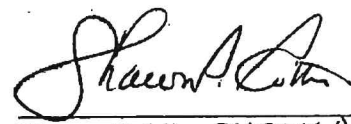

[Name of Owner]
STEVEN S. MINASIDIS.

[COMMONWEALTH OF MASSACHUSETTS]
[STATE OF _____]

Plymouth, ss

9/24, 192003.

Then personally appeared the above named Steven S. MINASIDIS and acknowledged the foregoing to be [his]/[her] free act and deed before me,


Notary Public: SHAWN P. COLTON
My Commission Expires: 12/04/03.

Upon recording, return to:

(Name and Address of Owner)

mail to
Steve's Auto Service
246 East Water St.
Rockland Mass.
02330

Exhibit 5

COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss. December 22, 1949. Then personally appeared the above named David Y. Worcester, Jr. and acknowledged the foregoing instrument to be his free act and deed, before me
 Frederick J. Roche Notary Public
 My commission expires Feb. 2, 1951.
 Rec'd Dec. 23, 1949 at 9:55 A.M. & recorded.

Calvi
 et ux
 to
 Anderson
 et ux

We, HERMAN G. CALVI and FRANCES A. CALVI, husband and wife, both of Rockland, Plymouth County, Massachusetts, being married, for consideration paid, grant to RUSSELL F. ANDERSON and MARCIA ANDERSON, husband and wife, as tenants by the entirety and not as tenants in common, both of South Braintree Norfolk County, Massachusetts, with QUITCLAIM COVENANTS the land in said ROCKLAND, situated on East Water Street, with the buildings thereon, being lots numbered ten (10) and eleven (11) on "Plan of House Lots in Rockland, Mass. Surveyed for George W. Kelley" on file with Plymouth Deeds, Plan Book 2, page 421, bounded and described as follows: Southeasterly, by East Water Street, one hundred sixty-nine (169) feet; northeasterly by lot #12 on said plan, one hundred thirty (130) feet, more or less; northwesterly by two courses, one hundred thirty-four (134) feet; southwesterly by lot #9 on said plan, sixty-seven and 5/10 (67.5) feet, more or less. Being a portion of the premises conveyed to us as tenants by the entirety, of John H. Lamb et ux, dated June 14, 1947, recorded with Plymouth County Deeds, Book 1964, Page 278. Together with a right of way ten feet wide running northwesterly from East Water Street, being the southeasterly ten foot strip of lot #9 on said plan. We, Herman G. Calvi & Frances A. Calvi, husband & wife, release to said grantee all rights of tenancy by the curtesy, dower and homestead and other interests therein. WITNESS our hands and seals this twenty-sixth day of August 1949.

I.R. Stamps
 \$11.00
 Cancelled

Herman G. Calvi
 Frances A. Calvi

THE COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss. August 26, 1949. Then personally appeared the above named Herman G. Calvi and Frances A. Calvi and acknowledged the foregoing instrument to be their free act and deed, before me
 Malcolm B. Norcross Notary Public
 My commission expires February 12, 1954.
 Rec'd Dec. 23, 1949 at 9:55 A.M. & recorded.

Anderson
 et ux
 to
 Brockton
 Sav. Bk.

Discharge
Pl. 3570
Pg. 416

We, RUSSELL F. ANDERSON and MARCIA ANDERSON, husband and wife, both of South Braintree, Norfolk County, Massachusetts, being married, for consideration paid, hereby grant unto the BROCKTON SAVINGS BANK, a corporation duly established under the laws of the Commonwealth of Massachusetts and having a usual place of business in Brockton, in the County of Plymouth and said Commonwealth, with MORTGAGE COVENANTS to secure the payment of EIGHTY-SEVEN HUNDRED DOLLARS with interest thereon, as provided in our note of even date, and the observance and performance of all of the covenants and agreements of this mortgage and of said note: The land, with the buildings thereon, situated in ROCKLAND, Plymouth County, Massachusetts, situated on East Water Street, being lots numbered ten (10) and eleven (11) on "Plan of House Lots in Rockland, Mass. Surveyed for George W. Kelley" on file with Plymouth Deeds, Plan Book 2, page 421, bounded and described as follows: southeasterly by East Water Street, one hundred sixty-nine (169) feet; northeasterly by lot #12 on said plan, one hundred thirty (130) feet, more or less; northwesterly by two courses, one hundred thirty-four (134) feet; southwesterly by lot #9 on said plan, sixty-seven and 5/10 (67.5) feet, more or less. For our title see deed to us as tenants by the entirety of Herman G. Calvi et ux, dated August 26, 1949, to be recorded herewith. Together with a right of way ten feet wide running northwesterly from East Water Street, being the southeasterly ten foot strip of

