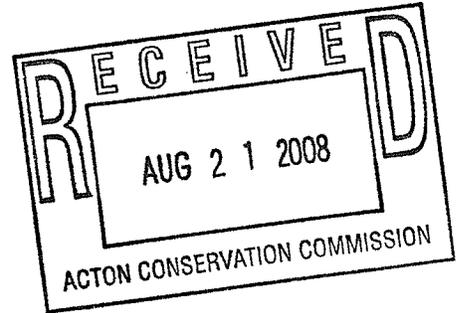


Acton Survey & Engineering, Inc.
P.O. Box 666, 97 Great Rd. #6 • Acton, MA • 01720
Phone: (978) 263-3666 • Fax: (978) 635-0218
Email: actonsurvey@verizon.net

August 20, 2008

Acton Conservation Commission
472 Main Street
Acton, MA 01720

Re: 6 Proctor Street – Driveway Improvements
Request for Determination of Applicability
Proctor Street Realty Trust - 6707



Dear Commission Members:

We are filing a RDA to allow for improvements to be made for the single family driveway serving the Bertolami residence at 6 Proctor Street.

The present driveway is well shaded and subject to icing for extended periods in the winter and the existing overhead power lines and other cable utilities are frequently felled by tree limbs. Due to the layout of the driveway vehicles have left the paved surface and have become stuck.

Site observations reveal that there are isolated areas subject to flooding and non-bordering vegetated wetlands in areas within 100 feet of the proposed alterations that are not encompassed by the wetlands derived from Mass GIS data. We did not attempt to delineate and locate these areas as they are properly defined by soil data and the professional services required to delineate and locate these areas would be unnecessarily burdensome.

Utilities are to be placed underground and where existing culverts exist they will be installed in concrete encased conduits placed under riprap outlets that are to be installed to possible erosion that might occur during peak runoff conditions. Riprap is also to be installed at inlets to reduce the possibility for scour.

The driveway pavement will be crossed sloped to disperse runoff along the full length of the driveway to decrease erosion potential and enhance recharge opportunities.

Three foot shoulders will be established on both sides of the driveway and will consist of a 1:1 topsoil/sand mixture that will be free draining and will provide for the establishment of grass and will support wheel traffic under most conditions. The shoulders will allow for direct recharge of snow melt under most conditions and will be increased in width in areas where the turning movements of large vehicles may require more room.

Trees will be cleared from 5 to 8 feet beyond the shoulders to allow more sunlight to reach the driveway and decrease the obstruction of the driveway by falling trees and

limbs. With an increase in sunlight the need to use sand and deicing chemicals required to maintain reasonably safe driving conditions will be decreased.

The proposed alterations will not result in alterations to a wetland resource area; will serve to protect the environment by dispersing runoff, provide additional safety for vehicles utilizing the driveway decrease driveway icing conditions and will have no adverse impact to the Interests of the Act and the Purposes of your Bylaw.

If we may provide you with additional information prior to the hearing pertaining to matter or if you should find this filing deficient in any manner please contact us.

Thank you for any consideration you may give this matter.

Very truly yours,
Mark T. Donohoe, PE

for: 
Acton Survey & Engineering, Inc.

cc: Leo Bertolami
DEP CERO

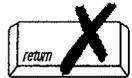


WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. General Information

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:

Proctor Street Realty Trust

Name

E-Mail Address

6 Proctor Street

Mailing Address

Acton

City/Town

MA
State

01720
Zip Code

978-263-2000

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Acton Survey & Engineering, Inc.

Firm

Seth Donohoe

Contact Name

seth.actonsurvey@verizon.net
E-Mail Address

PO Box 666

Mailing Address

Acton

City/Town

MA
State

01720
Zip Code

978-263-3666

Phone Number

978-635-0218

Fax Number (if applicable)

B. Determinations

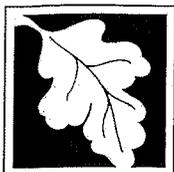
1. I request the Acton make the following determination(s). Check any that apply:
Conservation Commission

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance** or **bylaw** of:

Acton

Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. General Information

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:

Leo Bertolami
Name
6 Proctor Street
Mailing Address
Acton MA 01720
City/Town State Zip Code
978-263-2000
Phone Number
E-Mail Address
Fax Number (if applicable)

2. Representative (if any):

Acton Survey & Engineering, Inc.
Firm
Seth Donohoe
Contact Name
seth.actonsurvey@verizon.net
E-Mail Address
PO Box 666
Mailing Address
Acton MA 01720
City/Town State Zip Code
978-263-3666
Phone Number
978-635-0218
Fax Number (if applicable)

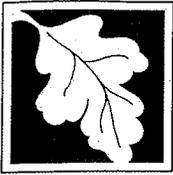
B. Determinations

1. I request the Acton Conservation Commission make the following determination(s). Check any that apply:

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance or bylaw** of:

Acton
Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

6 Proctor Street	Acton
Street Address	City/Town
F-5	11-8
Assessors Map/Plat Number	Parcel/Lot Number

b. Area Description (use additional paper, if necessary):

Existing driveway accessing a single family home.

c. Plan and/or Map Reference(s):

Request for Determination of Applicability - 6 Proctor Street	8/19/8
Title	Date
_____	_____
Title	Date
_____	_____
Title	Date
_____	_____

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

Replacement of existing pavement, removal of overhead utilities and widening of driveway for safety and ice control



WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

C. Project Description (cont.)

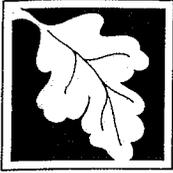
b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

Erosion and sedimentation controls are provided at the limit of work, the buffer zone does not contain rare wildlife habitat, stormwater is managed according to standards established by the Department, and a 50 foot wide area of undisturbed vegetation will remain between the project and wetland.

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Leo Bertolami
Name

6 Proctor Street
Mailing Address

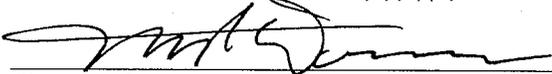
Acton
City/Town

MA
State

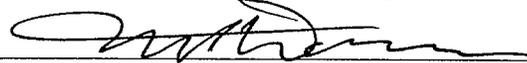
01720
Zip Code

Signatures:

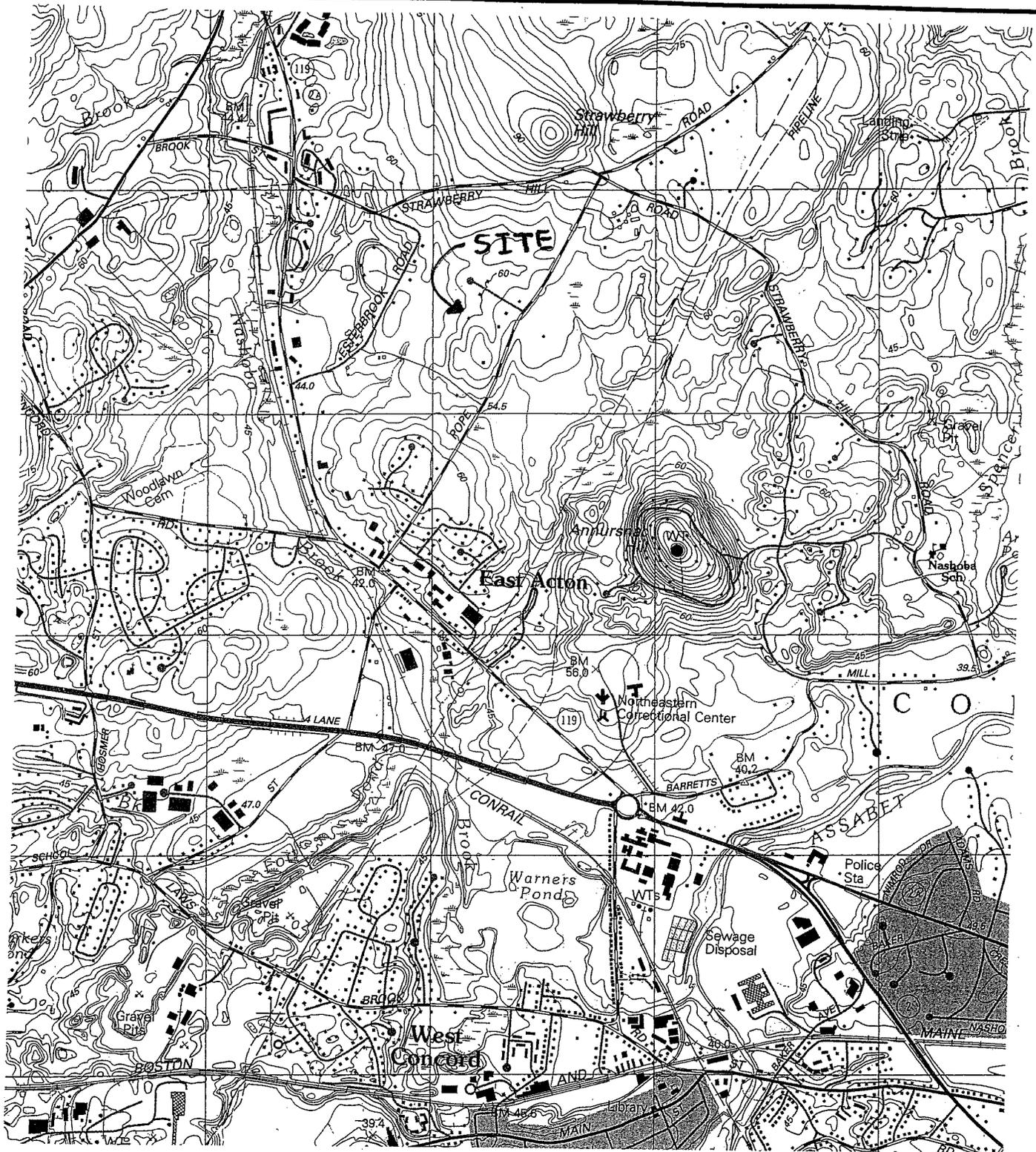
I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.


Signature of Applicant **MARK E. DONDORA, AS AUTHORIZED AGENT**

8-21-8
Date


Signature of Representative (if any)

8-21-8
Date



USGS MAP

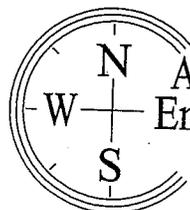
6 PROCTOR STREET
 ACTON, MA 01720

PREPARED FOR:
PROCTOR STREET REALTY TRUST

SCALE: 1/25000 AUGUST 20, 2008

1988 USGS Maynard Topographic Quadrangle

 Approximate Site Boundary



**Acton Survey &
 Engineering, Inc.**

Since 1967

97 GREAT ROAD
 P.O. BOX 666
 ACTON, MA 01720
 PH. (978) 263-3666
 FAX (978) 635-0218

**NOTIFICATION TO ABUTTERS
UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT
AND THE TOWN OF ACTON WETLANDS BYLAW**

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40 and the Town of Acton Bylaws, you are hereby notified of the following:

The Applicant: Proctor Street Realty Trust

Address 6 Proctor Street, Acton, MA 01720 Phone 978-263-2000

has filed a Notice of Intent with the Acton Conservation Commission seeking permission to remove, fill, dredge or alter an Area Subject to Protection under the Wetlands Protection Act.

Applicant's Representative: Acton Survey & Engineering, Inc.

Address PO Box 666, 97 Great Rd #6, Acton, MA 01720 Phone 978-263-3666

The address of the property where the activity is proposed 6 Proctor Street

Town Atlas Plate/Map F-5 Parcel/Lot 11-8

Project Description Repaving and widening of the existing driveway.

Copies of the Notice of Intent may be examined at the Conservation Office, Acton Town Hall, 472 Main Street, Acton between the hours of 9:00 A.M. and 4:30 P.M. Monday through Friday. For more information please call the Conservation Office at 978-264-9631.

A Public Hearing will be held at the Acton Town Hall, 472 Main Street, on Wednesday,
September 3, 2008 at 8:45 P.M.
(date)

The notice of the public hearing will be published at least five (5) days in advance in the Acton edition of the *Beacon* newspaper or *Metrowest Daily News*.

NOTE: You may also contact your local conservation commission or the nearest Department of Environmental Protection Regional Office* for the information about this application or, the Wetlands Protection Act. Acton is in the Central Region. To contact DEP, call:

***DEP Central Region: 508-792-7650
627 Main Street, Worcester MA 01608**



Town of Acton
 472 Main Street
 Acton, MA 01720
 Telephone (978) 264-9622
 Fax (978) 264-9630

Brian McMullen
 Assistant Assessor

Locus: 6 PROSPECT ST
 Parcel: F5-11-8

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City	ST	ZIP
81 STRAWBERRY HILL RD	F5-6	SUBSICK LINDA C		81 STRAWBERRY HILL RD	ACTON	MA	01720
7 PROCTOR ST	F5-11-4	RYAN STEPHEN J TRUSTEE	C/O COUTURE PAUL + COUTURE	17 PROCTOR ST	ACTON	MA	01720
98 POPE RD	F5-11-6	GRANT BRUCE H	GRANT ANNETTE H	98 POPE RD	ACTON	MA	01720
8 PROCTOR ST	F5-11-7	KLOPPENBURG WILLIAM	KLOPPENBURG LAURIANN	8 PROCTOR STREET	ACTON	MA	01720
5 PROCTOR ST	F5-11-9	RESOR GRIFFITH L III	PAMELA P	5 PROCTOR ST	ACTON	MA	01720
4 PROCTOR ST	F5-11-11	LONBERG FRANKLIN		4 PROCTOR ST	ACTON	MA	01720
128 POPE RD	F5-11-15	BOLGER JOSEPH M	BOLGER MARIE L	128 POPE RD	ACTON	MA	01720
112 POPE RD	F5-24-9	NOSKOWITZ DAVID	NOSKOWITZ PATRICIA RAO	112 POPE ROAD	ACTON	MA	01720
104 POPE RD	F5-24-11	KIM DONG WOO	KIM HAE KYUNG	104 POPE RD	ACTON	MA	01720
106 POPE RD	F5-24-12	SHANE HOWARD C	SHANE KATHRYN D	106 POPE RD	ACTON	MA	01720
124 POPE RD	F5-25	GIANSANTE JOHN P	NANCY D	124 POPE RD	ACTON	MA	01720
120 POPE RD	F5-25-1	TIANO JOSEPH D	JANET D	120 POPE RD	ACTON	MA	01720
138 POPE RD	F5-51	SAMONS SOREL	NIEMANN DANIEL	138 POPE RD	ACTON	MA	01720
142 POPE RD	F5-53	BUSIEK JESSICA SHANE	BUSIEK DON K	142 POPE RD	ACTON	MA	01720

Abutters and owners of land directly opposite on any public or private street or way and abutters to the abutters within three hundred feet of the property line all as they appear on the most recent applicable tax list.

HEARING NOTICES FOR ALL SPECIAL PERMITS MUST BE SENT TO THE PLANNING BOARD, TOWN HALL IN THE FOLLOWING TOWNS:

Boxborough, MA 01729 Maynard, MA 01754 Concord, MA 01742 Littleton, MA 01460
 Carlisle, MA 01741 Stow, MA 01775 Westford, MA 01886 Sudbury, MA 01776

Kimberly Boyd
 Assessing Clerk
 Action Assessors Office
 17-Aug-08