

**Stamski and McNary, Inc.**

Engineering - Planning - Surveying

80 Harris Street Acton, MA 01720 (978) 263-8585

[www.stamskiandmcnary.com](http://www.stamskiandmcnary.com)

## Notice of Intent

Under the Massachusetts Wetland Protection Act,  
G.L. c. 131, s. 40 &

Town of Acton Wetland Protection Bylaw - Chap. F

for

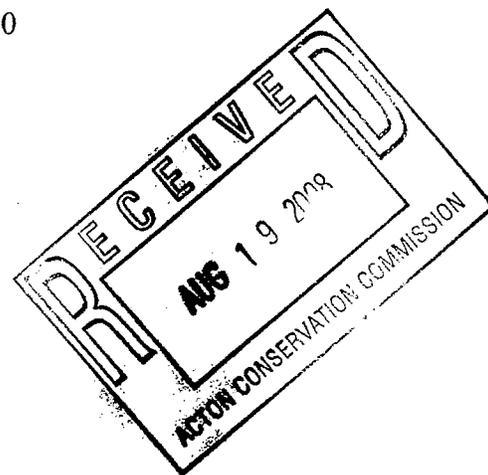
**108 Nonset Path  
Acton, MA 01720**

Applicant:

North Acton Treatment Corp..  
530 Great Road  
Acton, MA 01720

Date:

August 19, 2008



SM-4366

Notice of Intent – WPA Form 3

Certified Abutters List / Affidavit / Notice to Abutters

Attachments:

- A. Project Narrative
- B. U.S.G.S. Map
- C. Design Plans by EarthTech.

**Notice of Intent - WPA Form 3**



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands

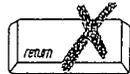
Provided by MassDEP:

**WPA Form 3 – Notice of Intent**

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

MassDEP File Number \_\_\_\_\_  
 Document Transaction Number  
 Acton  
 City/Town

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



**Note:**  
 Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

**A. General Information**

1. Project Location (**Note:** electronic filers will click on button to locate project site):

108 Nonset Path \_\_\_\_\_ Acton \_\_\_\_\_ 01720  
 a. Street Address b. City/Town c. Zip Code  
 Latitude and Longitude: 42d 31m 14s \_\_\_\_\_ 71d 25m 31s \_\_\_\_\_  
 d. Latitude e. Longitude  
 B5 \_\_\_\_\_ 25-4 \_\_\_\_\_  
 f. Assessors Map/Plat Number g. Parcel /Lot Number

2. Applicant:

\_\_\_\_\_ a. First Name \_\_\_\_\_ b. Last Name  
 North Acton Treatment Corp.  
 c. Organization  
 530 Great Road  
 d. Street Address  
 Acton \_\_\_\_\_ MA \_\_\_\_\_ 01720  
 e. City/Town f. State g. Zip Code  
 978-263-1125 \_\_\_\_\_  
 h. Phone Number i. Fax Number j. Email Address

3. Property owner (required if different from applicant):  Check if more than one owner

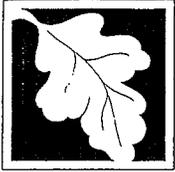
Robert \_\_\_\_\_ Peters, Trustee \_\_\_\_\_  
 a. First Name b. Last Name  
 Blackstone Realty Trust  
 c. Organization  
 1474 Butterfield Ct.  
 d. Street Address  
 Marco Island \_\_\_\_\_ FL \_\_\_\_\_ 34145  
 e. City/Town f. State g. Zip Code  
 \_\_\_\_\_  
 h. Phone Number i. Fax Number j. Email address

4. Representative (if any):

George \_\_\_\_\_ Dimakarakos \_\_\_\_\_  
 a. First Name b. Last Name  
 Stamski and McNary, Inc.  
 c. Company  
 80 Harris Street  
 d. Street Address  
 Acton \_\_\_\_\_ MA \_\_\_\_\_ 01720  
 e. City/Town f. State g. Zip Code  
 978-263-8585 \_\_\_\_\_ 978-263-9883 \_\_\_\_\_  
 h. Phone Number i. Fax Number j. Email address  
 gd@stamskiandmcnary.com

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$500 \_\_\_\_\_ \$237.50 \_\_\_\_\_ \$262.50 (+\$100 bylaw fee) \_\_\_\_\_  
 a. Total Fee Paid b. State Fee Paid c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

Replacement of sewer pump station within the 100 foot buffer zone of a bordering vegetated wetland.

7a. Project Type Checklist:

- 1. Single Family Home, 2. Residential Subdivision, 3. Limited Project Driveway Crossing, 4. Commercial/Industrial, 5. Dock/Pier, 6. Utilities, 7. Coastal Engineering Structure, 8. Agriculture, 9. Transportation, 10. Other

7b. Is any portion of the proposed activity eligible to be treated as a limited project subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. Yes No If yes, describe which limited project applies to this project:

2. Limited Project

8. Property recorded at the Registry of Deeds for:

Middlesex (south district)

a. County

13640

c. Book

b. Certificate # (if registered land)

99

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 1. Buffer Zone Only - Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
2. Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area

Size of Proposed Alteration

Proposed Replacement (if any)

a. Bank

1. linear feet

2. linear feet

b. Bordering Vegetated Wetland

1. square feet

2. square feet

c. Land Under Waterbodies and Waterways

1. linear feet

2. linear feet

3. cubic yards dredged



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## B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

| <u>Resource Area</u>  | <u>Size of Proposed Alteration</u>                                | <u>Proposed Replacement (if any)</u>                 |
|---|---|--|
| d. <input type="checkbox"/> Bordering Land<br>Subject to Flooding | 1. square feet _____<br>3. cubic feet of flood storage lost _____ | 2. square feet _____<br>4. cubic feet replaced _____ |
| e. <input type="checkbox"/> Isolated Land<br>Subject to Flooding  | 1. square feet _____<br>2. cubic feet of flood storage lost _____ | 3. cubic feet replaced _____                         |
| f. <input type="checkbox"/> Riverfront Area                       | 1. Name of Waterway (if available) _____                          |  |

2. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: \_\_\_\_\_ square feet

4. Proposed alteration of the Riverfront Area:

|                            |                                     |  |
|----------------------------|-------------------------------------|--|
| a. total square feet _____ | b. square feet within 100 ft. _____ | c. square feet between 100 ft. and 200 ft. _____ |
|----------------------------|-------------------------------------|--|

5. Has an alternatives analysis been done and is it attached to this NOI?  Yes  No

6. Was the lot where the activity is proposed created prior to August 1, 1996?  Yes  No

3.  Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

| <u>Resource Area</u>                              | <u>Size of Proposed Alteration</u>                             | <u>Proposed Replacement (if any)</u>   |
|---|--|--|
| a. <input type="checkbox"/> Designated Port Areas | Indicate size under Land Under the Ocean, below                |  |
| b. <input type="checkbox"/> Land Under the Ocean  | 1. square feet _____<br>2. cubic yards dredged _____           |  |
| c. <input type="checkbox"/> Barrier Beach         | Indicate size under Coastal Beaches and/or Coastal Dunes below |  |
| d. <input type="checkbox"/> Coastal Beaches       | 1. square feet _____   | 2. cubic yards beach nourishment _____ |
| e. <input type="checkbox"/> Coastal Dunes         | 1. square feet _____   | 2. cubic yards dune nourishment _____  |



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City/Town \_\_\_\_\_

## B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

|   | Size of Proposed Alteration   | Proposed Replacement (if any)                |
|---|---|--|
| f. <input type="checkbox"/> Coastal Banks                         | 1. linear feet _____  |  |
| g. <input type="checkbox"/> Rocky Intertidal Shores               | 1. square feet _____  |  |
| h. <input type="checkbox"/> Salt Marshes                          | 1. square feet _____  | 2. sq ft restoration, rehab., creation _____ |
| i. <input type="checkbox"/> Land Under Salt Ponds                 | 1. square feet _____  |  |
|   | 2. cubic yards dredged _____  |  |
| j. <input type="checkbox"/> Land Containing Shellfish             | 1. square feet _____  |  |
| k. <input type="checkbox"/> Fish Runs                             | Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above   |  |
|   | 1. cubic yards dredged _____  |  |
| l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage | 1. square feet _____  |  |
| 4. <input type="checkbox"/> Restoration/Enhancement               | If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here. |  |

\_\_\_\_\_ a. square feet of BVW

\_\_\_\_\_ b. square feet of Salt Marsh

## C. Other Applicable Standards and Requirements

### Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to <http://www.mass.gov/dfwele/dfw/nhosp/nhregmap.htm>.

a.  Yes  No **If yes, include proof of mailing or hand delivery of NOI to:**

Natural Heritage and Endangered Species Program  
Division of Fisheries and Wildlife  
Route 135, North Drive  
Westborough, MA 01581

Oct 1, 2006

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.C, and include requested materials with this Notice of Intent (NOI); OR complete Section C.1.d, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*



**C. Other Applicable Standards and Requirements (cont'd)**

1. c. Submit Supplemental Information for Endangered Species Review \*

- 1.  Percentage/acreage of property to be altered:
  - (a) within wetland Resource Area \_\_\_\_\_  
percentage/acreage
  - (b) outside Resource Area \_\_\_\_\_  
percentage/acreage
- 2.  Assessor's Map or right-of-way plan of site
- 3.  Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*
  - (a)  Project description (including description of impacts outside of wetland resource area & buffer zone)
  - (b)  Photographs representative of the site
  - (c)  MESA filing fee (fee information available at:  
<http://www.mass.gov/dfwele/dfw/nhesp/nhenvmesa.htm>)  
 Make check payable to "Natural Heritage & Endangered Species Fund" and **mail to NHESP** at above address  
  
*Projects altering 10 or more acres of land, also submit:*
  - (d)  Vegetation cover type map of site
  - (e)  Project plans showing Priority & Estimated Habitat boundaries

d. OR Check One of the Following

- 1.  Project is exempt from MESA review.  
 Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <http://www.mass.gov/dfwele/dfw/nhesp/nhenvexemptions.htm>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
- 2.  Separate MESA review ongoing.

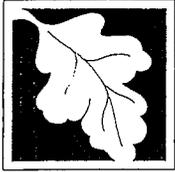
\_\_\_\_\_ a. NHESP Tracking Number

\_\_\_\_\_ b. Date submitted to NHESP

- 3.  Separate MESA review completed.  
 Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see [www.nhosp.org](http://www.nhosp.org) regulatory review tab). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

\*\* MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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C. Other Applicable Standards and Requirements (cont'd)

2. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

a. [ ] Not applicable - project is in inland resource area only

b. [ ] Yes [ ] No If yes, include proof of mailing or hand delivery of NOI to either:

South Shore - Cohasset to Rhode Island, and the Cape & Islands:

North Shore - Hull to New Hampshire:

Division of Marine Fisheries - Southeast Marine Fisheries Station Attn: Environmental Reviewer 838 South Rodney French Blvd. New Bedford, MA 02744

Division of Marine Fisheries - North Shore Office Attn: Environmental Reviewer 30 Emerson Avenue Gloucester, MA 01930

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

3. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

a. [ ] Yes [x] No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). Note: electronic filers click on Website.

b. ACEC

4. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?

a. [ ] Yes [x] No

5. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?

a. [ ] Yes [x] No

6. Is this project subject to provisions of the MassDEP Stormwater Management Standards?

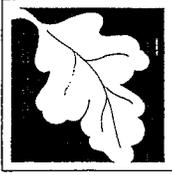
a. [ ] Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:

- 1. [ ] Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
2. [ ] A portion of the site constitutes redevelopment
3. [ ] Proprietary BMPs are included in the Stormwater Management System.

b. [x] No. Check why the project is exempt:

- 1. [ ] Single-family house
2. [ ] Emergency road repair
3. [ ] Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

Online Users: Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.



# WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Acton

City/Town

## D. Additional Information

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

**Online Users:** Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1.  USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2.  Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.
3.  Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.
4.  List the titles and dates for all plans and other materials submitted with this NOI.

North Acton Treatment Corporation, Clubhouse Pumping Station NO.3, Conservation Commission, Acton, Massachusetts, July 2008

EarthTech

b. Prepared By

August 18, 2008

d. Final Revision Date

James R. Barsanti

c. Signed and Stamped by

1"=20'

e. Scale

f. Additional Plan or Document Title

g. Date

5.  If there is more than one property owner, please attach a list of these property owners not listed on this form.
6.  Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7.  Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8.  Attach NOI Wetland Fee Transmittal Form
9.  Attach Stormwater Report, if needed.

## E. Fees

1.  Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

6508

2. Municipal Check Number

6507

4. State Check Number

North Acton Treatment Corp.

6. Payor name on check: First Name

8/4/2008

3. Check date

8/4/2008

5. Check date

North Acton Treatment Corp.

7. Payor name on check: Last Name



# WPA Form 3 – Notice of Intent

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

MassDEP File Number \_\_\_\_\_

Document Transaction Number \_\_\_\_\_

ACTON  
City/Town

## F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

[Handwritten Signature]  
1. Signature of Applicant

8/4/08  
2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

### For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

### For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

### Other:

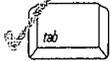
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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



**A. Applicant Information**

1. Applicant:

|                               |               |                  |             |
|-------------------------------|---------------|------------------|-------------|
| a. First Name                 |               | b. Last Name     |             |
| North Acton Development Corp. |               |                  |             |
| c. Organization               |               |                  |             |
| 530 Great Road                |               |                  |             |
| d. Mailing Address            |               |                  |             |
| Acton                         |               | MA               | 01720       |
| e. City/Town                  |               | f. State         | g. Zip Code |
| 978-263-1125                  |               |                  |             |
| h. Phone Number               | i. Fax Number | j. Email Address |             |

2. Property Owner (if different):

|                         |               |                  |             |
|-------------------------|---------------|------------------|-------------|
| Robert                  |               | Peters, Trustee  |             |
| a. First Name           |               | b. Last Name     |             |
| Blackstone Realty Trust |               |                  |             |
| c. Organization         |               |                  |             |
| 1474 Butterfield Ct.    |               |                  |             |
| d. Mailing Address      |               |                  |             |
| Marco Island            |               | FL               | 34145       |
| e. City/Town            |               | f. State         | g. Zip Code |
|                         |               |                  |             |
| h. Phone Number         | i. Fax Number | j. Email Address |             |

3. Project Location:

|                   |  |              |
|-------------------|--|--------------|
| 108 Nonset Path   |  | Acton        |
| a. Street Address |  | b. City/Town |

**B. Fees**

The fee should be calculated using the following six-step process and worksheet. **Please see Instructions before filling out worksheet.**

**Step 1/Type of Activity:** Describe each type of activity that will occur in wetland resource area and buffer zone.

**Step 2/Number of Activities:** Identify the number of each type of activity.

**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

**Step 4/Subtotal Activity Fee:** Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

**Step 5/Total Project Fee:** Determine the total project fee by adding the subtotal amounts from Step 4.

**Step 6/Fee Payments:** To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**B. Fees (continued)**

| Step 1/Type of Activity | Step 2/Number of Activities | Step 3/Individual Activity Fee | Step 4/Subtotal Activity Fee |
|-------------------------|-----------------------------|--------------------------------|------------------------------|
| Category 2              | 1                           | 500                            | 500                          |
|                         |                             |                                |                              |
|                         |                             |                                |                              |
|                         |                             |                                |                              |
|                         |                             |                                |                              |
|                         |                             |                                |                              |
|                         |                             |                                |                              |
|                         |                             |                                |                              |
|                         |                             |                                |                              |

**Step 5/Total Project Fee:** \_\_\_\_\_

**Step 6/Fee Payments:**

|                                 |   |
|---------------------------------|---|
| Total Project Fee:              | \$500.00  |
| State share of filing Fee:      | a. Total Fee from Step 5<br>\$237.50  |
| City/Town share of filling Fee: | b. 1/2 Total Fee less \$12.50<br>\$262.50 (+\$100 bylaw)<br>c. 1/2 Total Fee plus \$12.50 |

**C. Submittal Requirements**

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
 Box 4062  
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and the city/town fee payment.

**To MassDEP Regional Office (see Instructions):** Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and a copy of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

**Certified Abutters List / Affidavit / Notice to Abutters**



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

Brian McMullen  
 Assistant Assessor

Locus: 108 NONSET PA  
 Parcel ID: B5-25-4

| Location        | Parcel ID | Owner                            | Co-Owner               | Mailing Address        | City       | ST | Zip   |
|-----------------|-----------|----------------------------------|------------------------|------------------------|------------|----|-------|
| 50 NAGOG PK     | B4-4      | SEACHANGE INTERNATIONAL INC      |                        | 50 NAGOG PK            | ACTON      | MA | 01720 |
| 56 NONSET PA    | B4-9      | WICKS BURFORD C                  |                        | 68 NONSET PA           | ACTON      | MA | 01720 |
| 72 NONSET PA    | B4-14     | NAGOG WOODS COMMUNITY CORP       | VILLAGE OF NAGOG WOODS | 72 NONSET PATH         | ACTON      | MA | 01720 |
| 63 NAGOG PK     | B5-18     | AVALON ACTON INC                 |                        | 2900 EISENHOWER AVENUE | ALEXANDRIA | VA | 22314 |
| 100 NAGOG PK    | B5-19     | LB FEBRUARY 2005 NAGOG PK DR LLC |                        | 399 PARK AVENUE        | NEW YORK   | NY | 10022 |
| 125 NAGOG PK    | B5-19-2   | KOLL BREN FUND VI LIP            | C/O JONES LANG LASALLE | 125 NAGOG PK           | ACTON      | MA | 01720 |
| 80 NONSET PA TH | B5-25-1   | NAGOG WOODS COMMUNITY CORP       |                        | VILLAGE OF NAGOG WOODS | ACTON      | MA | 01718 |
| 88 NONSET PA    | B5-25-2   | NAGOG WOODS COMMUNITY CORP       | VILLAGE OF NAGOG WOODS | 88 NONSET PATH         | ACTON      | MA | 01718 |
| 102 NONSET PA   | B5-25-3   | NAGOG WOODS COMMUNITY CORP       |                        | VILLAGE OF NAGOG WOODS | ACTON      | MA | 01718 |

The owner of land sharing a common boundary or corner with the site of the proposed activity (100 feet) in any direction, including land located directly across a street, way, creek, river, stream, brook or canal. The above are as they appear on the most recent applicable taxes.

*Kimberly Hoyt*  
 Kimberly Hoyt  
 Assessing Clerk  
 Acton Assessors Office  
 24-Jul-08

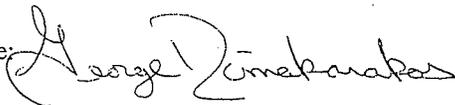
AFFIDAVIT OF SERVICES  
Under the Massachusetts Wetlands Protection Act  
(to be submitted to the Massachusetts Department of  
Environmental Protection and the Conservation Commission  
when filing a Notice of Intent )

I, George Dimakarakos, hereby certify under the pains and penalties of perjury that on 8/19/08 I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:

A Notice of Intent filed under the Massachusetts  
Wetlands Protection Act by North Acton Treatment  
Corp. with the Acton Conservation Commission for  
property located at 108 Nonset Path.

The form of the notification, and a list of the abutters to whom it was given and their addresses, are attached to this Affidavit of Service.

Name:



Date: 8/19/08

**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: North Acton Treatment Corp.

Address 530 Great Road Phone 978-263-1125

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: Stamski and McNary, Inc

Address 80 Harris Street Phone 978-263-8585

The address of the property where the activity is proposed 108 Nonset Path

Town Atlas Plate/Map B5 Parcel/Lot 25-4

Project Description Replacement of sewer pump station within the 100 foot buffer zone of a  
Bordering Vegetated Wetland.

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 8:15 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**

**Attachment A**  
**Project Narrative**

# Project Narrative

## 108 Nonset Path

### **Wetland Resources**

The potential for regulated wetlands and related areas on the site was investigated in accordance with the Massachusetts Wetlands Protection Act (MGL Ch. 131 s. 40) and its associated regulations (310 CMR 10.00), the Rivers Protection Act (and amendment to the Wetlands Protection Act (WPA) under Chapter 258 of the Acts of 1996), and the Town of Acton Wetland Protection Bylaw. A bordering Vegetated Wetland was delineated by B&C Associates and is shown on the plan. The wetland resource area on the site are presumed to be significant to the interest of the WPA, which include protection of public and private water supply, protection of groundwater supply, flood control, storm damage prevention, prevention of pollution, and protection of wildlife habitat. Additionally, the resource areas are significant to the interest of the local wetland bylaw, including those mentioned above and the following: erosion and sedimentation control, water quality, water pollution control, surface water protection, fisheries, and freshwater shellfish.

### **Existing Conditions**

The site is located at 108 Nonset Path in Acton Massachusetts and currently contains a number of utilities and a sewage pump station adjacent to Nonset Path. The area is presently cleared with grass cover and wooded between the work area and a Bordering Vegetated Wetland (BVW). Essentially the entire work area has been altered with construction of the sewer, utilities, and clearing.

### **Proposed Work within the Buffer Zone.**

The proposed includes replacing an aged pumping station and associated utility connections within the 100 foot buffer zone. The pump station is part of the collection system associated with the sewage treatment plant within Nagog Park. The attached design plans include erosion control measures, a demolition plan for the existing components and details illustrating the proposed replacement system. In general, the work will occur within a previously disturbed area that contains a number of utilities and the existing sewage pump station and is presently cleared with grass cover. The limit of work will not encroach on the existing tree line. The existing pump station is approximately 32 feet from the BVW. The proposed pump station will be minimally closer to the BVW, but still within the existing clearing, at 21 feet from the BVW.

### **Waiver Request:**

Pursuant to Section 1.5 of the Rules and Regulations and Section F4.6 of the Wetland Bylaw, we hereby request a waiver to allow the pump station to be constructed approximately 21 feet from the BVW.

#### Justification for Waiver:

The proposed pump station will be only marginally closer to the BVW than the existing pump station. The proposed sequence of work is intended to install the wet well and pumping station first, without disturbing the existing system. Because the work is in close proximity to the asbestos-

cement pipes, it will need to be as far as possible from the existing gravity lines and pumping station. The sequence of construction for the proposed wastewater pumping station is intended to keep the existing system operational until final transfer of flows is achieved and avoid as much as reasonably possibly any bypass pumping due to breakage of said pipes or transfer of flow.

**Waiver is in the Public Interest:**

There are 6 single family homes, a clubhouse, a small industrial building of about 5,000 square feet and the 33 condominiums of Nagog Woods Condo II (consisting of a total of 83 bedrooms) that are serviced by this pump station. Keeping the pump station operational is vital for the users.

**Consistent with the Intent of the Bylaw:**

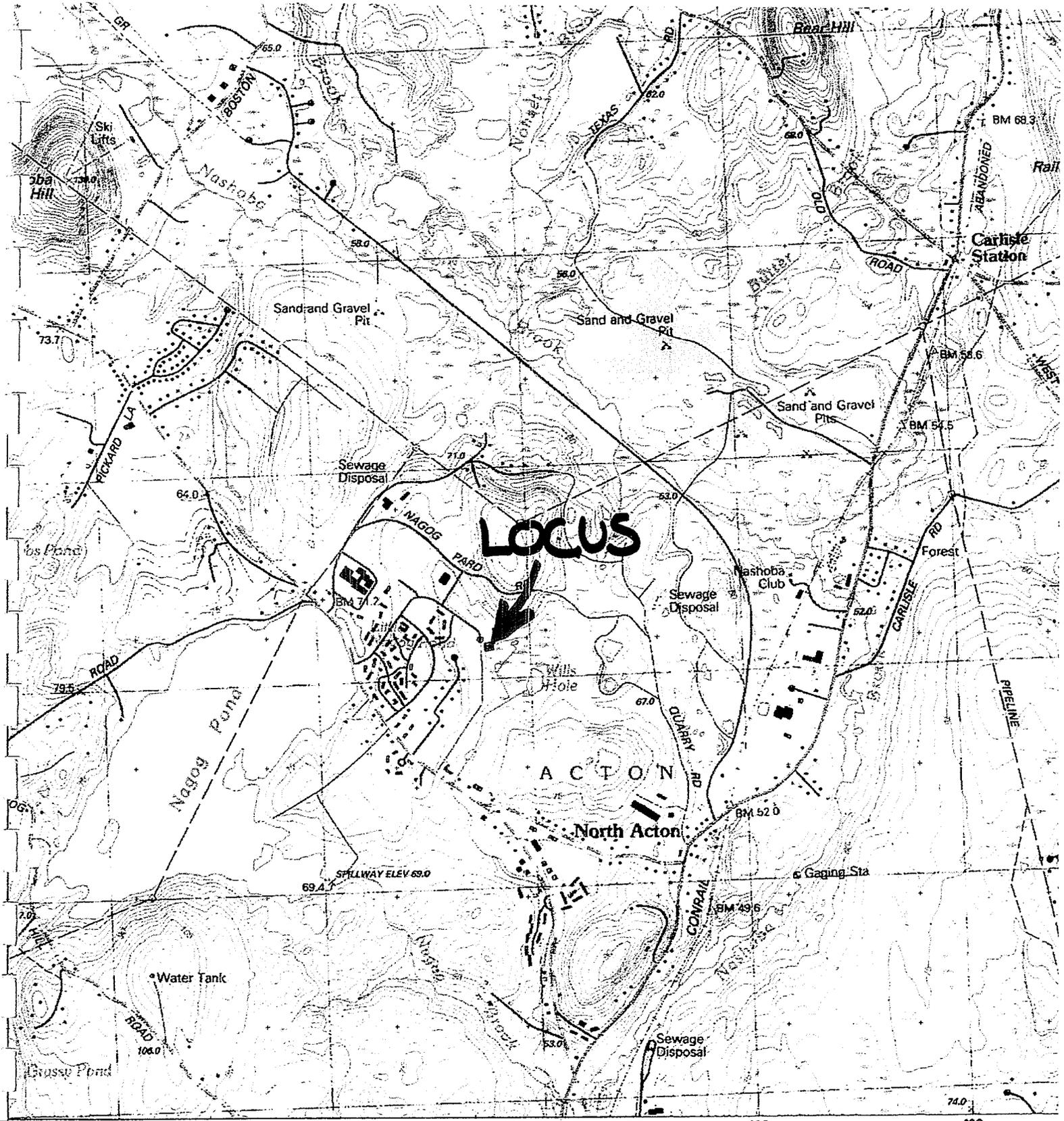
The purpose of the Bylaw is to protect the wetlands, vernal pools, adjoining buffer zones, banks, lands subject to flooding and riverfront areas (collectively, "the resource areas") of the Town of Acton by controlling activities deemed to have a significant impact upon wetland interests. Said wetland interests include (but are not limited to) the following: public or private water supply, groundwater, flood control, erosion control, storm damage prevention, water pollution prevention, fisheries, protection of endangered or threatened species, and wildlife habitat (collectively, the interests protected by this Bylaw.) The work will occur in a disturbed area that will be returned to its current state after construction. Replacement of the existing pump station will ensure that the downstream resource areas will be protected by having state of the art equipment in place. Therefore, all of the interests of the bylaw will be protected.

**Construction Sequence:**

The proposed sequence of work is intended to install the wet well and pumping station first, without disturbing the existing system. The pumping station would be installed first then outside piping would be installed. Following that, the contractor would connect into the existing 6" AC forcemain to the new pumping station. Isolation valves would then be used to shut off flow that could go into the new pumping station and allow it to flow in its existing path. Following that the contractor would tap into the existing 8" gravity line via a "doghouse" manhole" and divert the flow via an 8" PVC gravity sewer to the newly installed pumping station which would be ready to receive the wastewater flow.

Because the work is in close proximity to the asbestos-cement pipes, it will need to be as far as possible from the existing gravity lines and pumping station. The sequence of construction for the proposed wastewater pumping station is intended to keep the existing system operational until final transfer of flows is achieved and avoid as much as reasonably possibly an bypass pumping due to breakage of said pipes or transfer of flow.

**Attachment B**  
**U.S.G.S. Map**



Name: BILLERICA  
 Date: 8/4/108  
 Scale: 1 inch equals 2000 feet

Location: 042° 31' 14.7" N 071° 25' 19.2" W

**Attachment C**

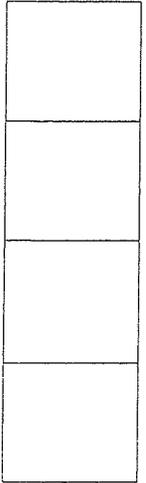
**Design Plans by EarthTech**

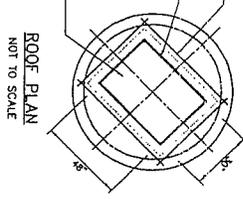
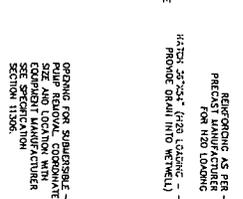
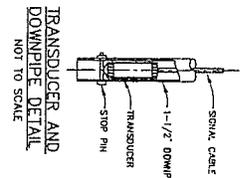
# NORTH ACTON TREATMENT CORPORATION CLUBHOUSE PUMPING STATION NO. 3 CONSERVATION COMMISSION

ACTON, MASSACHUSETTS  
JULY 2008

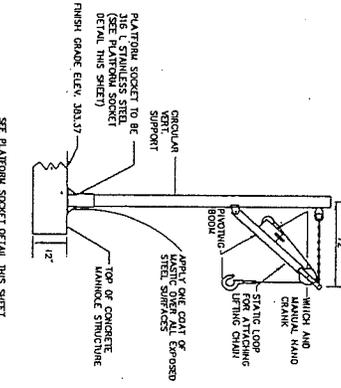


| SHEET |   |
|-------|---|
| 1     | COVER                                     |
| 2     | PROPOSED AND DEMOLITION PLANS             |
| 3     | PUMPING STATION PLAN, SECTION AND DETAILS |
| 4     | ENVIRONMENTAL DETAILS                     |

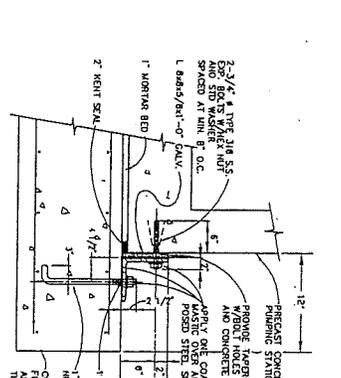




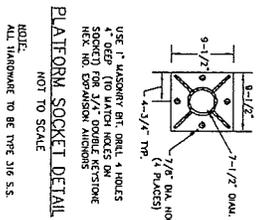
**WELL PLAN**  
NOT TO SCALE



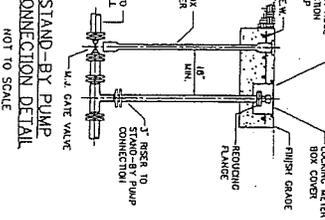
**PORTABLE PUMP HOIST**  
NOT TO SCALE



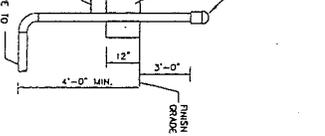
**HOLD-DOWN ANCHORAGE DETAIL**  
NOT TO SCALE



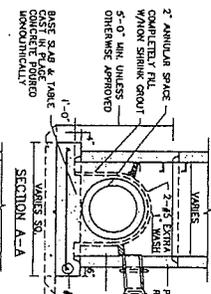
**PLATFORM SOCKET DETAIL**  
NOT TO SCALE



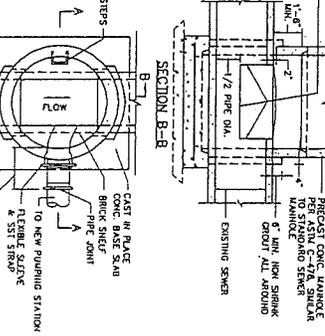
**STAND-BY PUMP CONNECTION DETAIL**  
NOT TO SCALE



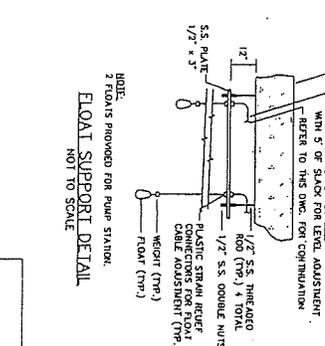
**VENT DETAIL**  
NOT TO SCALE



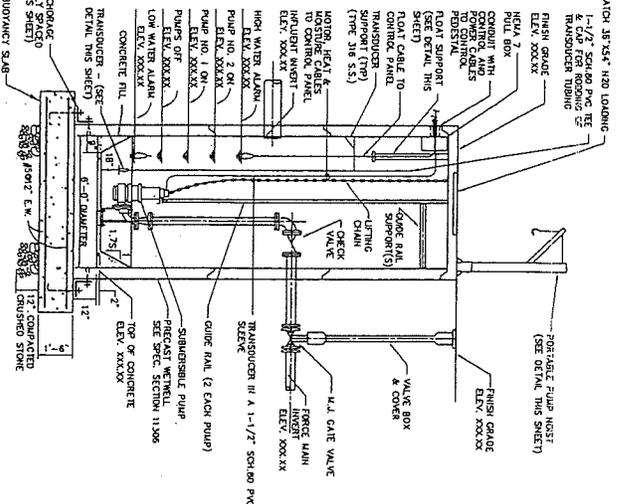
**SECTION A-A**  
NOT TO SCALE



**SECTION B-B**  
NOT TO SCALE



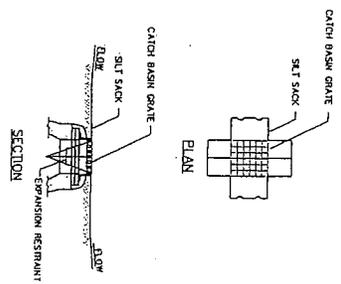
**DOORHOUSE™ S&H DETAIL**  
NOT TO SCALE



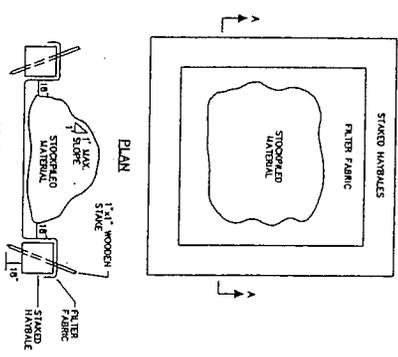
FOR PERMIT REVIEW ONLY  
 NOT FOR CONSTRUCTION PURPOSES

- NOTES:
1. INSTALL SILT SACK IN ALL CATCH BASINS BEFORE CONCRETING WORK.
  2. GRATE TO BE PLACED OVER SILT SACK.
  3. SILT SACK SHALL BE INSPECTED PERIODICALLY AND AFTER ALL PERMITTED FLOW AS NEEDED.

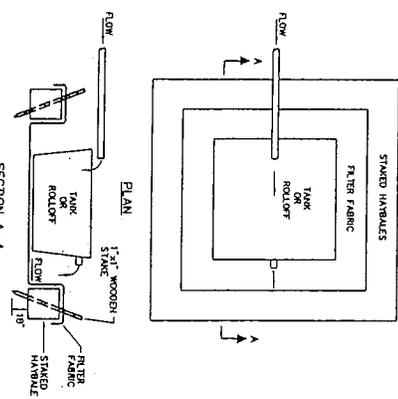
**SILT SACK SEDIMENT TRAP**  
NOT TO SCALE



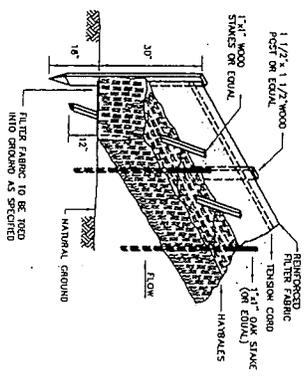
**PLAN OF TEMPORARY STOCKPILE AREA**  
NOT TO SCALE



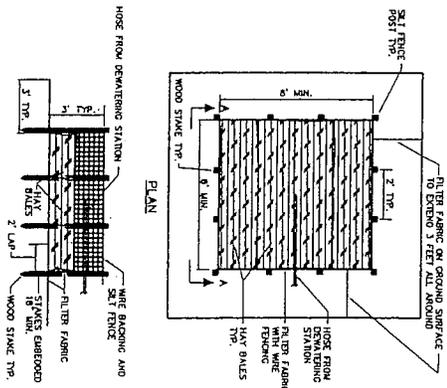
**SEDIMENTATION BASIN FOR DEWATERING OPERATIONS**  
NOT TO SCALE



**SILTATION / EROSION CONTROL BARRIER**  
NOT TO SCALE



**SEDIMENTATION BASIN**  
NOT TO SCALE



FOR PERMIT REVIEW ONLY  
NOT FOR CONSTRUCTION PURPOSES

|  |      |  |      |                 |      |                                     |  |
|--|------|--|------|-----------------|------|-------------------------------------|--|
| PROJECT SHEET DATE (P/1)<br>PROJECT NO. 98577<br>SHEET NO. 4 |      | NORTH ACTON TREATMENT CORPORATION<br>CLUBHOUSE PUMPING STATION NO. 3<br>ACTON, MASSACHUSETTS<br>CONSERVATION COMMISSION<br>ENVIRONMENTAL DETAILS |      | PREPARED BY<br> |      | VERY SCALE IF PLAN SHEET IS REDUCED |  |
| DATE   | CHK. | DATE   | CHK. | DATE            | CHK. | DESCRIPTION                         |  |
|  |      |  |      |                 |      |                                     |  |

