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Stantec

March 3, 2009

Acton Conservation Commission
472 Main Street
Acton, MA 01720



Attention: Terry Maitland, Conservation Commission Chair

**Reference: Water Main Replacement Project
Request for Determination of Applicability**

Dear Mr. Maitland:

On behalf of the Acton Water District, enclosed is a Request for Determination of Applicability (RDA) to replace approximately 1,350 linear feet of water main within Taylor Road in Acton, MA and tie in services, hydrants and 6-inch lines to the existing 12-inch water main in Main Street. The first part of the project entails replacing approximately 3,000 linear feet of water main within Coughlin Street, Huckleberry Lane, and Taylor Road.

The second portion of the project entails abandoning in place the existing 6-inch and 8-inch water main on Main Street between the Conant I Pump Station and Nagog Hill Road. A second 12-inch cast iron transmission water main was installed in this section of Main Street in 1971. Both water mains are still active, however the 6-inch main has been the source of several leaks in recent years. In order to fully abandon the smaller water mains, the following work will need to be completed within the right of way of the road in Main Street: connect the existing 6-inch a.c. water main at Post Office Square and the 6-inch a.c. water main to 524-530 Main Street to the 12-inch water main, disconnect the 8-inch a.c. water main at the Conant I pump station at the 12-inch main, and remove a hydrant. The extent of the second portion of the project includes reconnecting all existing water services (approximately 9) on the 6-inch and 8-inch water mains to the 12-inch water mains and removing all hydrants on the smaller mains and install new hydrants (approximately 5) in their place on the 12-inch main.

Only the portion within Taylor Road and portions of Main Street are within the jurisdictional area of the Wetlands Protection Act. In accordance with the Massachusetts Wetlands Protection Act, "no person shall remove, fill, dredge or alter any bank, riverfront area, freshwater wetland...other than in the course of maintaining, repairing or replacing, but not substantially changing or enlarging, an existing and lawfully located structure or facility used in the service of the public and used to provide electric, gas, water, telephone, telegraph and other telecommunication services without filing written notice of his intention to so remove..." While the Acton Water District will be replacing the existing 6-inch water main with an 8-inch in some

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places, this two inch change in water main size is not a substantial enlargement as the size of the trench to install a 6 or 8-inch main is the same width, 5 feet.

Also note that the water main replacement will occur within the road right-of-way and will only disturb existing pavement. Erosion control barriers are shown on the plans and will be installed adjacent to jurisdictional areas in order to protect resource areas from sedimentation during construction.

The Acton Water District is requesting that the Conservation Commission issue a Negative Determination of Applicability for this work and determine that the installation of the replacement water main is exempt from the Massachusetts Wetlands Protection Act. Also enclosed is a copy of the first page of the Massachusetts Wetlands Protection Act, a site locus, a NHESP map, and project plans. Please review this material and contact our office with any questions.

Sincerely,

STANTEC CONSULTING SERVICES INC.



Rebecca L. Jenkins

Project Engineer

Tel: (978) 692-1913

Fax: (978) 692-4578

rebecca.jenkins@stantec.com

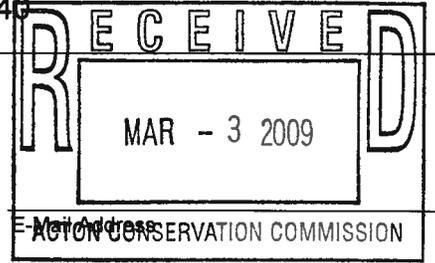
Attachments: RDA form, MWPA (relevant page), site locus, NHESP map, and project plans

c. Christopher Allen - Acton Water District
DEP – Central Region



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:

Acton Water District
Name
693 Massachusetts Avenue, P.O. Box 9
Mailing Address
Acton
City/Town
978-263-9107
Phone Number

MA 01720
State Zip Code
978-264-0148
Fax Number (if applicable)

2. Representative (if any):

Stantec Consulting Services Inc.
Firm
Rebecca Jenkins, Project Engineer
Contact Name
5 LAN Drive, Suite 300
Mailing Address
Westford
City/Town
978-692-1913
Phone Number

rebecca.jenkins@stantec.com
E-Mail Address
MA 01886
State Zip Code
978-692-4578
Fax Number (if applicable)

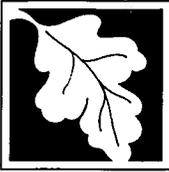
B. Determinations

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:

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):

<u>Taylor Road and Main Street</u>	<u>Acton</u>
Street Address	City/Town
<u>N/A: Road right-of-way</u>	<u>N/A: Road right-of-way</u>
Assessors Map/Plat Number	Parcel/Lot Number

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

Please refer to enclosed letter, plans and figures. The Acton Water District is planning to replace approximately 3,000 LF of water main on Coughlin Street, Huckleberry Lane, and Taylor Road. Approximately 1,350 LF of water main is within Taylor Road of which a portion is within the resource area. Four connections on Main Street is within the resource area. This work will occur within the road right-of-way and will not disturb either existing pavement and/or gravel/grassed road shoulders. The project site (by Conant I Pump Station at Sta. 48+80) does contain mapped estimated or priority habitat areas as indicated on the most recent NHESP map.

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

<u>Figure 1 Site Locus and Figure 2 NHESP Map</u>	<u>March 2009</u>
Title	Date
<u>C102 Coughlin Street & Taylor Road , C103 Main Street & Nagog Hill Road, and C104 Main Street</u>	<u>March 2009</u>
Title	Date
<u>C501 Water Details and C502 Erosion Control Details</u>	<u>March 2009</u>
Title	Date

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

As shown on the enclosed plans, the project will involve the installation of replacement water main within portions of the paved roadway. Installing utility lines involves excavating a trench, installing the needed utility, backfilling the area and restoring the area to original grade and surface conditions. Erosion control barriers will be installed as shown on the plans to prevent any sediment from running into resource areas during construction. This work is a maintenance activity and all disturbed areas will return to pre-existing conditions.

In accordance with the Massachusetts Wetlands Protection Act, "no person shall remove, fill, dredge or alter any bank, riverfront area, freshwater wetland... other than in the course of maintaining, repairing or replacing, but not substantially changing or enlarging, an existing and lawfully located structure or facility used in the service of the public and used to provide electric, gas, water, telephone, telegraph and other telecommunication services without filing written notice of his intention to so remove..." While the Acton Water District will be replacing the existing 6 inch water main with an 8 inch main in some places, this two-inch change in water main size is not a substantial enlargement as the size of the trench to install a 6 or 8 inch main is the same width - 5 feet.

Thus, the applicant is requesting that the Acton Conservation Commission issue a negative determination of applicability and determine that the installation of the replacement water main is exempt from the Massachusetts Wetlands Protection Act.



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).

Paragraph 1 of the Massachusetts Wetlands Protection Act (see attached copy) states, "no person shall remove, fill, dredge or alter any bank, riverfront area, freshwater wetland...other than in the course of maintaining, repairing or replacing, but not substantially changing or enlarging, an existing and lawfully located structure or facility used in the service of the public and used to provide electric, gas, water, telephone, telegraph and other telecommunication services without filing written notice of his intention to so remove..."

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.

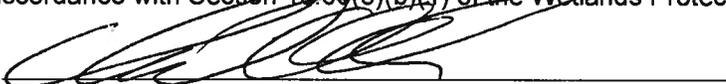
Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

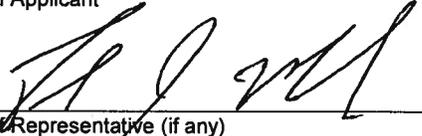
Name and address of the property owner:

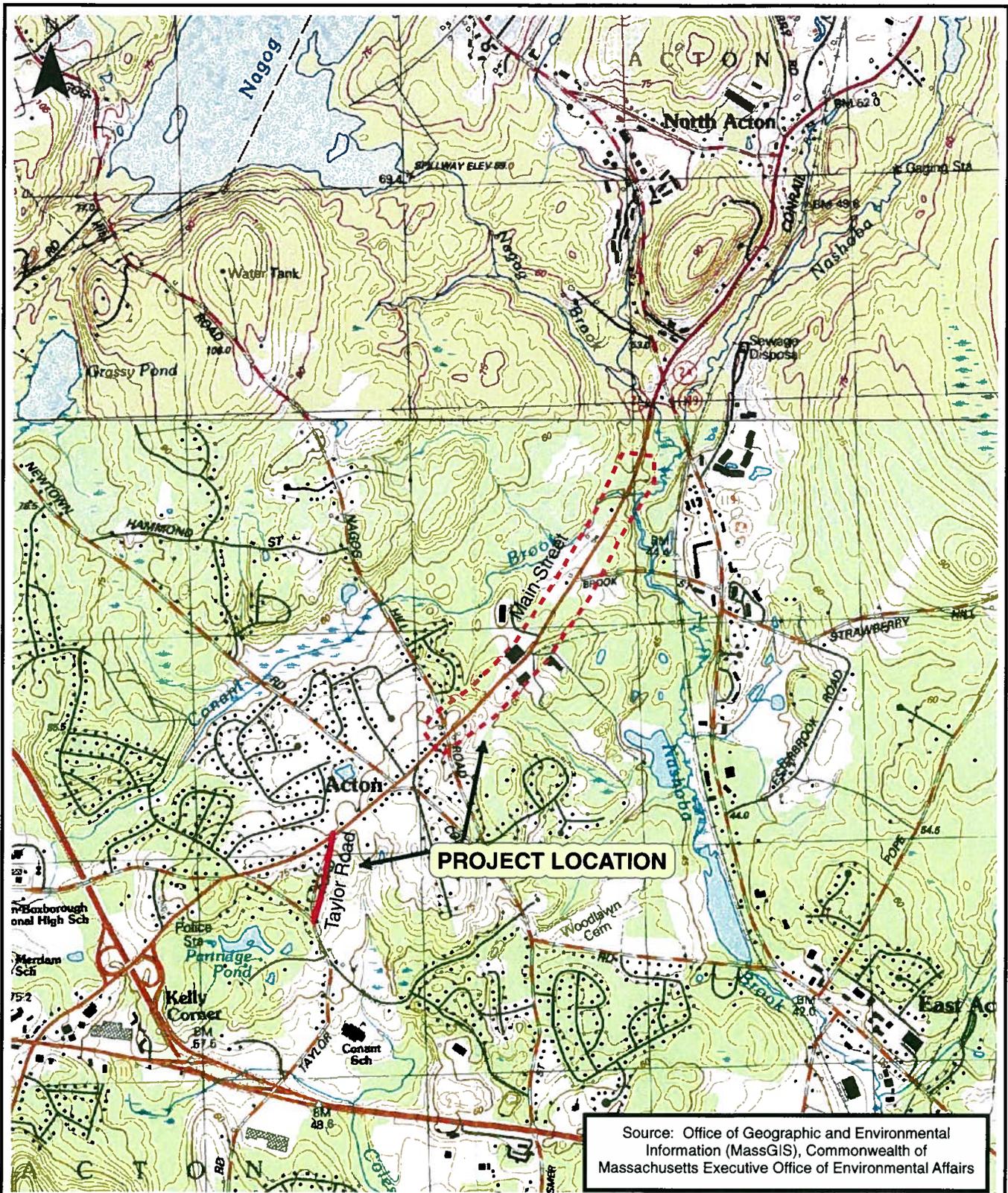
Town of Acton
 Name
 472 Main Street
 Mailing Address
 Acton
 City/Town
 MA
 State
 01720
 Zip Code

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
 3/3/2009
 Date

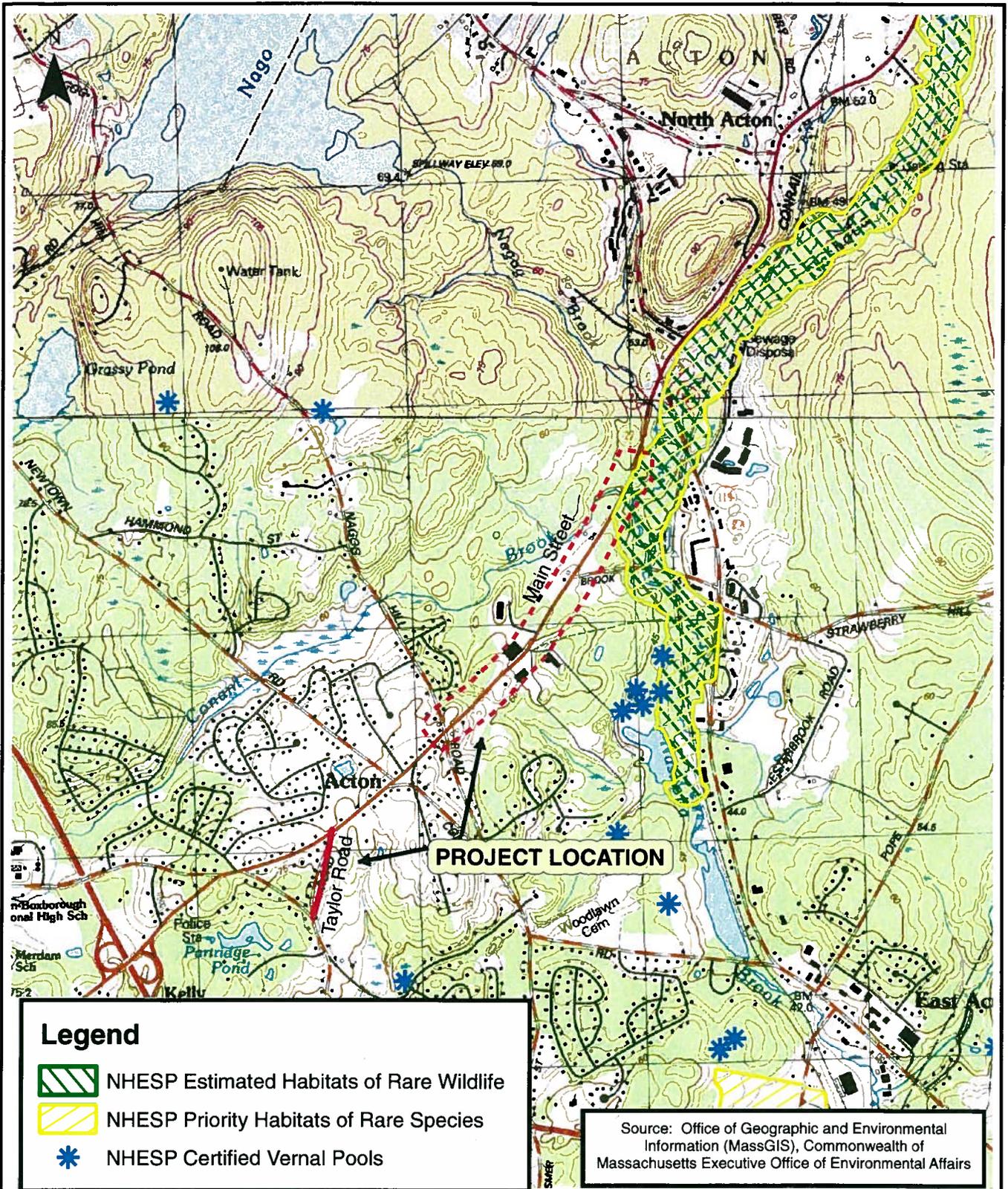

 Signature of Representative (if any)
 3/3/09
 Date



ACTON WATER DISTRICT
TAYLOR ROAD & MAIN STREET WATER MAIN REPLACEMENT
SITE LOCUS
FIGURE 1

ACTON MASSACHUSETTS

Project No. 19511881
Proj. Mgr. TJM
Scale 1" = 2,000'
Date MARCH 2009



Legend

-  NHESP Estimated Habitats of Rare Wildlife
-  NHESP Priority Habitats of Rare Species
-  NHESP Certified Vernal Pools

Source: Office of Geographic and Environmental Information (MassGIS), Commonwealth of Massachusetts Executive Office of Environmental Affairs



ACTON WATER DISTRICT
 TAYLOR ROAD & MAIN STREET WATER MAIN REPLACEMENT
NHESP MAP
FIGURE 2

Project No. 19511881
 Proj. Mgr. TJM
 Scale 1" = 2,000'
 Date MARCH 2009

ACTON

MASSACHUSETTS

A