

Stamski and McNary, Inc.

Engineering - Planning - Surveying

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

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

53 River Street
Acton, MA 01720



Applicant/Owner: River Street Nominee Trust
53 River Street
Acton, MA 01720

Date: June 11, 2009

SM-3672

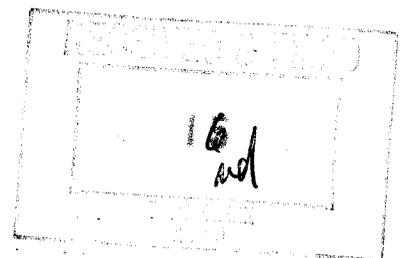


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Notice of Intent – WPA Form 3

Certified Abutters List / Affidavit / Notice to Abutters

Attachments:

- A. U.S.G.S. Map
- B. Massachusetts Natural Heritage Atlas 13th edition, page 67, Effective: October 1, 2008
- C. DEP Bordering Vegetated Wetlands Delineation Field Data Form
- D. ENSTRAT Report Section 7.2 – Soil Sampling, Analyses, and Results
- E. Soil Remediation Plan by Stamski and McNary, Inc. dated June 11, 2009

Project Narrative

Project Narrative

53 River Street

Project Description

The proposed project is to remove soil that has become contaminated due to the industrial uses historically performed on the site. The work will occur strictly over previously disturbed areas. The contaminated soil will be removed from the site to be properly disposed and replaced with clean fill. Upon completion, the site will be returned to its existing condition on the surface. The applicant also requests confirmation of all Wetland Resource Areas on the property.

Existing Site Conditions

The site is located at 53 River Street in Acton, Massachusetts and is approximately 6.42 acres in size and has been previously developed. Fort Pond Brook runs through the middle of the site, running west to east, and is obstructed by the Cement Dam located on site. The site presently contains an industrial building, 2-story shed and trailer, a vast amount of impervious pavement and soil stockpiles. Localized contaminated soil above acceptable limits exists to the east of the 2-story shed. Soil testing performed by Enstrat indicate the contamination is isolated to this area of the site. Fort Pond Brook runs from the Cement Dam along the south of the existing building and a manmade raceway with two existing culverts are located to the north of the existing building. Fort Pond Brook has a Bank and a 200-foot Riverfront Area that extends across a majority of the site. There is FEMA 100yr flood plain associated with Fort Pond Brook and Bordering Vegetated Wetland (BVW) located on site. The BVW projects a 100-foot Buffer Zone onto the site. Further details on resource areas located on site are described below.

Riverfront Area

The entire site is located within the Riverfront Area, approximately 232,669 square feet. The Riverfront Area is defined by a 200' horizontal projection of the mean annual high water line of Fort Pond Brook located to the south of the proposed work

Bank

There is a bank associated with Fort Pond Brook, as well as a bank associated with the existing raceway. The bank was determined by field survey and confirmed by B & C Associates.

Bordering Vegetated Wetlands

Bordering Vegetated Wetland runs through the middle of the site located immediately adjacent to Fort Pond Brook. The BVW boundaries were field delineated by B & C Associates.

Proposed Site Conditions

Post-construction, the site will return to its existing state on the surface. The contaminated soil will have been removed and replaced with clean fill. This will eliminate the ongoing potential environmental hazard.

Buffer Zone

Work within the Buffer Zone will include excavating approximately 1,500 square foot area 15' from the Bordering Vegetated Wetlands in a previously disturbed area. The actual area and depth required to clean out all contaminated soil cannot be determined until the hole has been opened. The contaminated soil will be immediately hauled off site. Once the contaminated soil is removed and replaced with clean fill, the site will be returned to its existing condition. A filtermitt siltation barrier will be utilized to prevent any erosion from disturbed surfaces or stockpiled soil from reaching the Wetlands.

Riverfront Area

As the entire site is within the Riverfront Area, the excavation will occur over this previously developed resource area. The extent and nature of the work is as previously described in the Buffer Zone section of this report. The proposed filtermitt siltation barrier will mitigate any potential sedimentation occurring from the disturbed surface or stockpiled soil.

Project Purpose

The purpose of the project is to resolve an environmental hazard. Contaminated soil poses a threat to the Resource Areas on site. Removing the soil and replacing it with clean fill will prevent any potential damage that could result from not addressing the situation.

Alternative Analysis of Riverfront Area

The entire site is located in the Riverfront Area. As such, only two alternatives are available for consideration.

Alternative #1 – Remove Contaminated Soil

The alternative removes the contaminated soil as proposed. Temporary site disturbance is unavoidable but necessary to eliminate the environmental hazard. This will be a great improvement in site conditions.

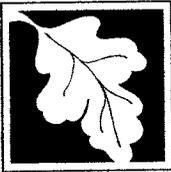
Alternative #2 – Leave Contaminated Soil in Place

The second alternative would be to leave the site as is. There would be no alteration of the previously disturbed site. The contaminated soil would be allowed to remain in the Resource Areas.

Summary

Removing contaminated soil would significantly improve conditions of this industrial site within Resource Areas. The complete removal and replacement of the contaminated soil would only require work in the Buffer Zone and Riverfront Area. This work, with proper erosion control measures, will not harm any other Resource Areas. Only improvement of site conditions will result from the proposed project. Wetland Resource Area delineation confirmation is also being sought herewith.

Notice of Intent - WPA Form 3

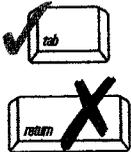


Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 3 – Notice of Intent
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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):

53 River Street
 a. Street Address
 Latitude and Longitude: 42d27'38.2"
 H-3A
 f. Assessors Map/Plat Number
 Acton
 b. City/Town
 47
 g. Parcel /Lot Number
 01720
 c. Zip Code
 71d26'45.3"
 e. Longitude

2. Applicant:

Richard
 a. First Name
 River Street Nominee Trust
 c. Organization
 53 River Street
 d. Street Address
 Acton
 e. City/Town
 (978)263-8227
 h. Phone Number
 MA
 f. State
 01720
 g. Zip Code
 Lazaro
 b. Last Name
 i. Fax Number
 j. Email Address

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

 a. First Name

 b. Last Name

 c. Organization

 d. Street Address

 e. City/Town

 f. State

 g. Zip Code

 h. Phone Number

 i. Fax Number

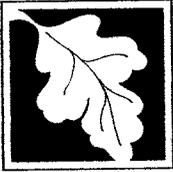
 j. Email address

4. Representative (if any):

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

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

\$750.00
 a. Total Fee Paid
 \$362.50
 b. State Fee Paid
 \$387.50 (+150 Bylaw Fee)
 c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

Cleanup of contaminated soil. Soil to be removed off site and replaced with clean fill.

7a. Project Type Checklist:

- | | |
|---|---|
| 1. <input type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Limited Project Driveway Crossing | 4. <input type="checkbox"/> Commercial/Industrial |
| 5. <input type="checkbox"/> Dock/Pier | 6. <input type="checkbox"/> Utilities |
| 7. <input type="checkbox"/> Coastal Engineering Structure | 8. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) |
| 9. <input type="checkbox"/> Transportation | 10. <input checked="" type="checkbox"/> 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

a. County

26950

c. Book

b. Certificate # (if registered land)

466

d. Page Number

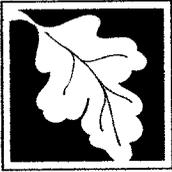
B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 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.
- 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.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet	2. square 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 Subject to Flooding	1. square feet _____ 3. cubic feet of flood storage lost _____	2. square feet _____ 4. cubic feet replaced _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet _____ 2. cubic feet of flood storage lost _____	3. cubic feet replaced _____
f. <input checked="" type="checkbox"/> Riverfront Area	Fort Pond Brook 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:

232,669
square feet

4. Proposed alteration of the Riverfront Area:

<u>1,468 +/-</u> a. total square feet	<u>592 +/-</u> b. square feet within 100 ft.	<u>876 +/-</u> 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 _____ 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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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
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 BWV	b. square feet of Salt Marsh
5. <input type="checkbox"/> Project Involves Stream Crossings		
	_____	_____
	a. number of new stream crossings	b. number of replacement stream crossings

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/nhESP/regulatory_review/priority_habitat/online_viewer.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**

b. Date of map _____



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

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).*

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/nhosp/regulatory_review/ mesa/ mesa_fee_schedule.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/nhosp/regulatory_review/ mesa/ mesa_exemptions.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 #

_____ b. Date submitted to NHESP

* Some projects not in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/dfwele/dfw/nhosp/nhosp.htm>, 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)

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

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:

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

North Shore - Hull to New Hampshire:

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 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 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 No

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

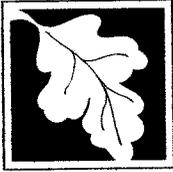
a. Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:

- 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. No. Check why the project is exempt:

- 1. Single-family house

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



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

- 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.

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.

Soil Remediation Plan

a. Plan Title

Stanski and McNary, Inc.

Joseph March

b. Prepared By

c. Signed and Stamped by

June 11, 2009

1"=40'

d. Final Revision Date

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.



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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:

1073 (1074 BYLAW FEE)

2. Municipal Check Number

1072

4. State Check Number

RIVER ST. NOMINEE TRUST

6. Payor name on check: First Name

6/11/09

3. Check date

6/11/09

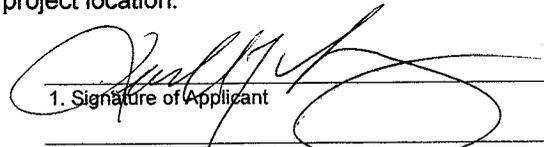
5. Check date

7. Payor name on check: Last Name

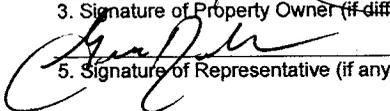
F. Signatures and Submittal Requirements

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.

1. Signature of Applicant 

3. Signature of Property Owner (if different)

5. Signature of Representative (if any)  STAMSKI AND McMAHON INC

2. Date 6/11/09

4. Date

6. Date 6/11/09

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.

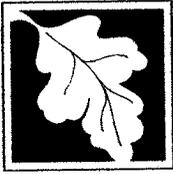
For MassDEP:

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:

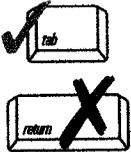
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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.



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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:

Richard _____ Lazaro _____
 a. First Name b. Last Name
 River Street Nominee Trust _____
 c. Organization
 53 River Street _____
 d. Mailing Address
 Acton _____ MA _____ 01720 _____
 e. City/Town f. State g. Zip Code
 (978)263-8227 _____
 h. Phone Number i. Fax Number j. Email Address

2. Property Owner (if different):

_____ _____
 a. First Name b. Last Name

 c. Organization

 d. Mailing Address
 _____ _____ _____
 e. City/Town f. State g. Zip Code
 _____ _____ _____
 h. Phone Number i. Fax Number j. Email Address

3. Project Location:

53 River Street _____ Acton _____
 a. Street Address b. City/Town

B. Fees

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

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.

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:
Parcel ID: 53 RIVER ST
H3.A-47

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City	ST	Zip
53 SCHOOL ST	H3.A-28	NASH MARK O		53 SCHOOL ST	ACTON	MA	01720
55 SCHOOL ST	H3.A-29	HETHERINGTON I LEE	HETHERINGTON SARAH V	55 SCHOOL ST	ACTON	MA	01720
20 RIVER ST	H3.A-30	MOONEY GAIL F		20 RIVER STREET	ACTON	MA	01720
65 SCHOOL ST	H3.A-31	HANSON CHARLES D		65 SCHOOL ST	ACTON	MA	01720
69 SCHOOL ST	H3.A-32-69	DRAKE KAREN C K		69 SCHOOL ST	ACTON	MA	01720
71 SCHOOL ST	H3.A-32-71	MOSSESIAN DMITRI		71 SCHOOL ST	ACTON	MA	01720
75 SCHOOL ST	H3.A-33	PERSHING III JOHN		75 SCHOOL ST	ACTON	MA	01720
87 SCHOOL ST	H3.A-34	MALYNKO OLGA		87 SCHOOL ST	ACTON	MA	01720
105 SCHOOL ST	H3.A-36	HONN DAVID	HONN KAREN LEIGH DAVIS	105 SCHOOL ST	ACTON	MA	01720
5 RIVER ST	H3.A-38	MBTA	ATTN VANESSA MERRITT	PO BOX 845142	BOSTON	MA	02284-5142
11 RIVER ST	H3.A-39	HETHERINGTON I LEE	HETHERINGTON SARAH V	55 SCHOOL STREET	ACTON	MA	01720
24 RIVER ST	H3.A-40	DEARBORN FRANK K	SUSAN M	320 LIBERTY SQUARE ROAD	BOXBORO	MA	01719
81 SCHOOL ST	H3.A-41	IANNINI CRAIG F	IANNINI ALEXANDRA L	81 SCHOOL ST	ACTON	MA	01720
50 RIVER ST	H3.A-42	FRIEND JOHN F	FRIEND KAREN	85 SCHOOL ST	ACTON	MA	01720
56 RIVER ST	H3.A-43	BACHMAN TODD	BACHMAN KATHRYN ACERBO	50 RIVER ST	ACTON	MA	01720
62 RIVER ST	H3.A-44	HWANG KYUNGTAE	YANG EUNMI	56 RIVER ST	ACTON	MA	01720
65 RIVER ST	H3.A-45	VANHEERDEN JEANETTE I	DESANY JESSICA	62 RIVER ST	ACTON	MA	01720
22 HIGH ST BEHIND	H3.A-48	GANONG ROBERT A	DEBRA SCHULTHEISS ALESBURY	65 RIVER ST	ACTON	MA	01720
125 AUDUBON DR	H3.A-59-125	ALESBURY DEBRA SCHULTHEISS TRST	DEBRA SCHULTHEISS ALESBURY	22 HIGH STREET	ACTON	MA	01720
126 AUDUBON DR	H3.A-59-126	GAFFNEY ISABEL TRUSTEE	ISABEL GAFFNEY FAMILY LIVING	T 125 AUDUBON DR	ACTON	MA	01720
127 AUDUBON DR	H3.A-59-127	COURTOGLOUS PAUL T	COURTOGLOUS BARBARA G	THE HUNTINGTON AT NASHUA APTMT L 309	NASHUA	NH	03082
128 AUDUBON DR	H3.A-59-128	LAWTON GARY E	LAWTON SARAH	127 AUDUBON DR	ACTON	MA	01720
130 AUDUBON DR	H3.A-59-130	ROMER WILLIAM M TRUSTEE	HARDY MOLLY B TRUSTEE	ROMER-HARDY INVESTMENT TRU	ACTON	MA	01720
132 AUDUBON DR	H3.A-59-132	GASKILL NAOMI T ET AL	GASKILL NAOMI T LIFE ESTATE	130 AUDUBON DR	ACTON	MA	01720
2 BREWSTER LN	H3.B-19-2	CAGGIANO SR JOSEPH J	CAGGIANO JACQUELINE M	132 AUDUBON DR	ACTON	MA	01720
3 BREWSTER LN	H3.B-19-3	HAYES IOLA L		2 BREWSTER LN	ACTON	MA	01720
4 BREWSTER LN	H3.B-19-4	SCHOCH JEAN B		3 BREWSTER LN	ACTON	MA	01720
5 BREWSTER LN	H3.B-19-5	BARSTOW MARILYN L		98 PROSPECT ST	ACTON	MA	01720
6 BREWSTER LN	H3.B-19-6	CRAIG JOANNA G	JGC REALTY TRUST	5 BREWSTER LANE	ACTON	MA	01720
7 BREWSTER LN	H3.B-19-7	ARAGUREN MIGUEL TRUSTEE	ARAGUREN MONICA A TRUSTEE	REALTY TRUST OF 6 BREWSTE	ACTON	MA	01720
		SAWYER SOFIA	7 BREWSTER LANE	7 BREWSTER LANE	ACTON	MA	01720

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, Evan Stidham, hereby certify under the pains and penalties of perjury that on 6/16/09 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 River Street Nominee
Trust with the Acton Conservation Commission for
property located at 53 River Street.

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:

E. Stidham

Date:

6/16/09

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: River Street Nominee Trust
Address 53 River Street Phone: (978) 263-8227

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; Acton MA 01720 Phone: (978) 263-8585

The address of the property where the activity is proposed 53 River Street

Town Atlas Plate/Map H3.A Parcel/Lot 47

Project Description: Removal of contaminated soil. Soil to be disposed off site and replaced with clean fill. Work to occur within 100' Buffer Zone of a Bordering Vegetated Wetland and within the Riverfront Area of Fort Pond Brook.

Copies of the Notice of Intent may be examined at the Conservation Office, Acton Town Hall, 472 Main Street, Acton. Between the hours of 8:00 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,
July 1st, 2009 at 7:30 P.M. P.M.
(date)

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

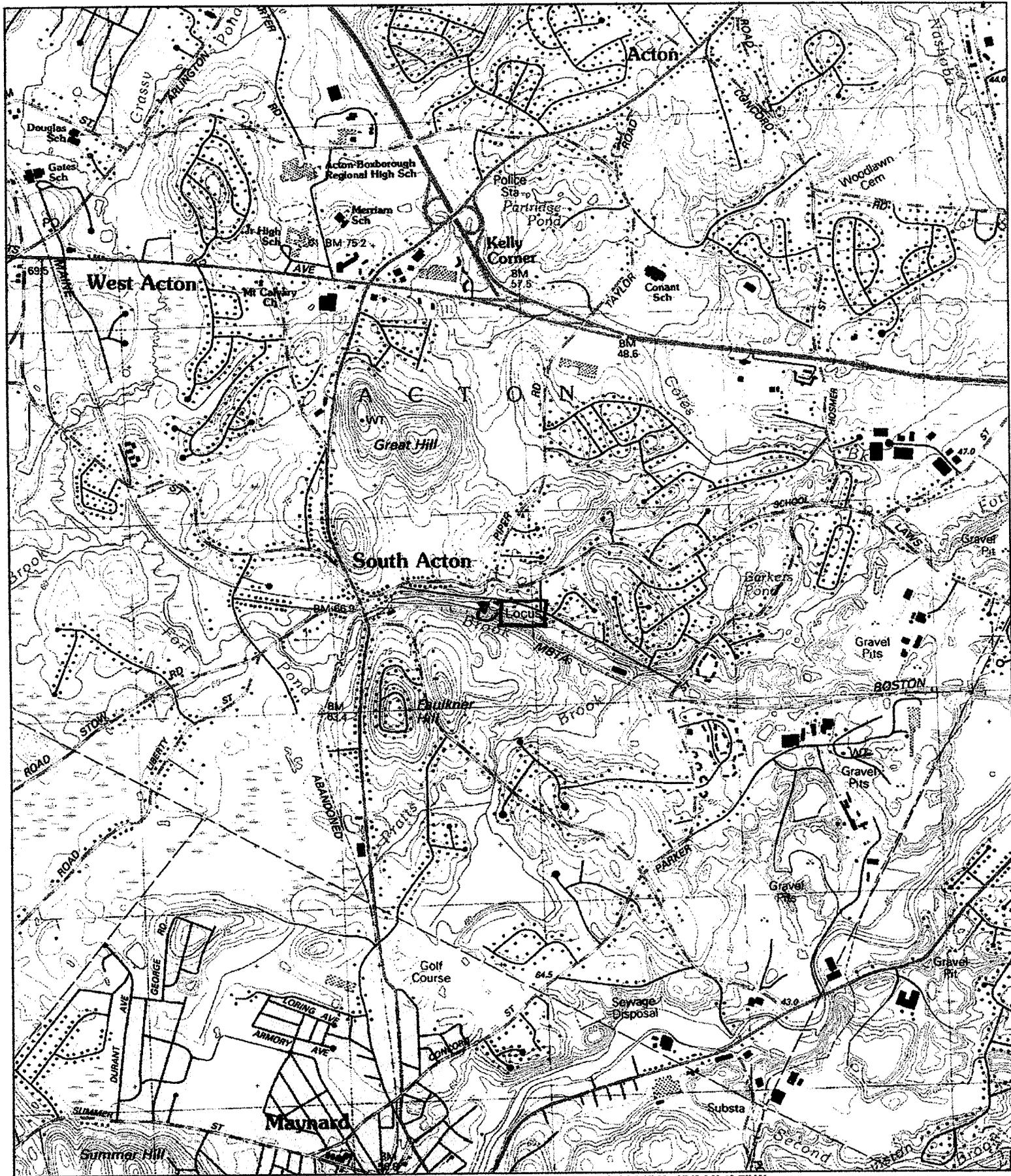
NOTE: You may also contact your local conservation commission or the nearest Department of Environmental Protection Regional Office for the information about this application or, the Wetlands Protection Act. Acton is in the Central Region. To contact DEP, call:

*Central Region: 508-792-7650
Southeast Region: 508-946-2700

Northeast Region: 978-694-3200
Western Region: 413-784-1100

Attachment A

U.S.G.S. Map



Locus - 042° 27' 35.6" N, 071° 26' 48.7" W

<Default> - 1 Markers, Length = 0 feet

Name: MAYNARD
 Date: 10/8/108
 Scale: 1 inch equals 2000 feet

Location: 042° 27' 38.2" N 071° 26' 45.3" W
 Caption: 53 River Street
 Acton, MA 01720
 SM-3672

Attachment B

Massachusetts Natural Heritage Atlas 13th Edition



Attachment C

DEP Bordering Vegetated Wetland Delineation Field Data Form

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: _____ Prepared by: B & C Associates Inc. Project location: 53 River Street, Acton DEP File #: _____

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
- Method other than dominance test used (attach additional information)

Section I. Vegetation Observation Plot Number: 1 Transect Number: A Date of Delineation: 9/19/05

A. Sample Layer and Plant Species (by common/scientific name)	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category *
Herbaceous:				
Beggar-ticks	10.5	38%	Yes	FACW+
Poison Ivy	10.5	38%	Yes	FAC
Upright Woodsorrel	3.0	11%	No	UPL
Woodbine	3.0/27.0	11%	No	FACU
Shrubs:				
Black Locust	10.5	38%	Yes	FACU-
Silky Dogwood	10.5	38%	Yes	FACW
Japanese Barberry	3.0	11%	No	FACU
Norway Maple	3.0/27.0	11%	No	UPL
Saplings:				
Norway Maple	38.0/38.0	100%	Yes	UPL
Lianas:				
Fox Grape	20.5/20.5	100%	Yes	FACU
Overstory:				
Red Oak	982.4	79%	Yes	FACU-
American Elm	151.5	12%	No	FACW-
American Hophornbeam	56.8	5%	No	FACW-
Pignut Hickory	56.6/1247.3	5%	No	FAC-

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion: Number of dominant wetland indicator plants: 3 Number of dominant non-wetland Indicator plant: 4

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? NO

**Section II. Indicators of Hydrology
Hydric Soil Interpretation**

1. Soil Survey

Is there a published soil survey for this site? **YES**

title/date: Middlesex County 3/91

map number: 1

soil type mapped: Charlton-Hollis-Rock outcrop complex

hydric soil inclusions:

Are field observations consistent with soil survey? **YES**

Remarks:

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
A	0-4"	10 YR 3/3	
B	4-10"	10 YR 4/4	

Remarks: Refusal @ 10"

3. Other: 19'9" to Wetland Flag # 2
21'7" to Wetland Flag # 3

Conclusion: Is soil hydric? **NO**

Other Indicators of Hydrology: (check all that apply and describe)

- Site inundated: _____
- Depth to free water in observation hole: _____
- Depth to soil saturation in observation hole: _____
- Water marks: _____
- Drift lines: _____
- Sediment deposits: _____
- Drainage patterns in BWI: _____
- Oxidized rhizospheres: _____
- Water-stained leaves: _____
- Recorded data (stream, lake, or tidal gauge; aerial photo; other): _____
- Other: _____

Vegetation and Hydrology Conclusion

- Number of wetland indicator plants Yes No
- ≥ number of non-wetland indicator plants Yes No
- Wetland hydrology present:
- hydric soil present
- other indicators of hydrology present
- Sample location is in a BWI**

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: _____ Prepared by: B & C Associates Inc. Project location: 53 River Street, Acton DEP File #: _____

Check all that apply:
 Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
 Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
 Method other than dominance test used (attach additional information)

Section I. Vegetation Observation Plot Number: 2 Transect Number: A Date of Delineation: 9/19/05

A. Sample Layer and Plant Species (by common/scientific name)	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category *
Herbaceous:				
Beggar-ticks	20.5	34%	Yes	FACW+
Smartweed	10.5	17%	Yes	FACW
Bugleweed	10.5	17%	Yes	OBL
Reed Canary Grass	10.5	17%	Yes	FACW+
Sensitive Fern	3.0	5%	No	FACW
Upright Woodsorrel	3.0	5%	No	UPL
Monkey-flower	3.0/61.0	5%	No	OBL
Shrubs:				
Black Locust	38.0	78%	Yes	FACU-
Silky Dogwood	10.5/48.5	22%	Yes	FACW
Saplings:				
None				
Lianas:				
Fox Grape	10.5/10.5	100%	Yes	FACU
Overstory:				
Red Oak	530.8	71%	Yes	FACU-
American Elm	122.8	17%	No	FACW-
Pignut Hickory	56.6	8%	No	FAC-
American Hophornbeam	32.9/743.1	4%	No	FACW-

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion: Number of dominant wetland indicator plants: 5 Number of dominant non-wetland Indicator plant: 3

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? YES

**Section II. Indicators of Hydrology
Hydric Soil Interpretation**

1. Soil Survey

Is there a published soil survey for this site? **YES**

title/date: Middlesex County 3/91

map number: 1

soil type mapped: Raypol silt loam

hydric soil inclusions:

Are field observations consistent with soil survey? **YES**

Remarks:

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
A	0-18"	10 YR 2/2	
B	18-24"	10 YR 4/2	10 YR 4/6

Remarks:

3. Other: 17'0" to Wetland Flag # 2
26'5" to Wetland Flag # 3
13'1" Downgradient from A1

Conclusion: Is soil hydric? **YES**

Other Indicators of Hydrology: (check all that apply and describe)

Site inundated: _____

Depth to free water in observation hole: _____

Depth to soil saturation in observation hole: **0"**

Water marks: _____

Drift lines: _____

Sediment deposits: _____

Drainage patterns in BVW: _____

Oxidized rhizospheres: _____

Water-stained leaves: _____

Recorded data (stream, lake, or tidal gauge; aerial photo; other): _____

Other: _____

Vegetation and Hydrology Conclusion

Number of wetland indicator plants Yes No
 ≥ number of non-wetland indicator plants

Wetland hydrology present:
 hydric soil present

other indicators of hydrology
 present

Sample location is in a BVW

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: _____ Prepared by: B & C Associates Inc. Project location: 53 River Street, Acton DEP File #: _____

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
- Method other than dominance test used (attach additional information)

Date of Delineation: 9/21/05

Section I. Vegetation Observation Plot Number: 1 Transect Number: B

A. Sample Layer and Plant Species (by common/scientific name)

	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category *
Herbaceous: Poison Ivy	20.5/20.5	100%	Yes	FAC
Shrubs: European Buckthorn	20.5	49%	Yes	FAC
Beaked Hazelnut	10.5	25%	Yes	FACU-
Old Field Raspberry	10.5/41.5	25%	Yes	FACU-
Saplings: Red Maple	20.5	49%	Yes	FAC
Black Oak	10.5	25%	Yes	UPL
American Elm	10.5/41.5	25%	Yes	FACW-
Lianas: None				
Overstory: Red Oak	552.6	50%	Yes	FACU-
Red Maple	289.6	26%	Yes	FAC
American Elm	179.0	16%	No	FACW-
White Ash	56.6	5%	No	FACU
Black Birch	23.9/1101.9	2%	No	FACU

Toxicodendron radicans

Rhamnus frangula
Corylus cornuta
Rubus alumnus

Acer rubrum
Quercus velutina
Ulmus americana

Quercus rubra
Acer rubrum
Ulmus americana
Fraxinus americana
Betula lenta

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants: 5 Number of dominant non-wetland indicator plant: 4

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? YES

Section II. Indicators of Hydrology
Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? YES

title/date: Middlesex County 3/91

map number: 1

soil type mapped: Udorthents-Urban land Complex

hydric soil inclusions:

Are field observations consistent with soil survey? YES

Remarks:

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color	Recorded data (stream, lake, or tidal gauge; aerial photo; other):
O ₁	1-0"			
A	0-11"	10 YR 2/2		
Other: _____				

Remarks: Refusal @ 12"

3. Other: 14'4" to Wetland Flag # 114
 11'1" to Wetland Flag # 113

Conclusion: Is soil hydric? NO

Other Indicators of Hydrology: (check all that apply and describe)

- Site inundated: _____
- Depth to free water in observation hole: _____
- Depth to soil saturation in observation hole: _____
- Water marks: _____
- Drift lines: _____
- Sediment deposits: _____
- Drainage patterns in BWV: _____
- Oxidized rhizospheres: _____
- Water-stained leaves: _____

Vegetation and Hydrology Conclusion

- Number of wetland indicator plants Yes No
 ≥ number of non-wetland indicator plants
- Wetland hydrology present: hydric soil present
- other indicators of hydrology present
- Sample location is in a BWV**

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: _____ Prepared by: B & C Associates Inc. Project location: 53 River Street, Acton DEP File #: _____

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
- Method other than dominance test used (attach additional information)

Section I. Vegetation Observation Plot Number: 2 Transect Number: B Date of Delineation: 9/21/05

A. Sample Layer and Plant Species (by common/scientific name)

	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category *
Herbaceous:				
Sensitive Fern	38.0	55%	Yes	FACW *
Bugleweed	10.5	15%	No	OBL *
Smartweed	10.5	15%	No	FACW *
Beggar-ticks	10.5/69.5	15%	No	FACW+ *
Shrubs:				
European Buckthorn	10.5	78%	Yes	FAC *
Buttonbush	3.0/13.5	22%	Yes	OBL *
Saplings:				
Red Maple	10.5/10.5	100%	Yes	FAC *
Lianas:				
None				
Overstory:				
Red Oak	552.6	51%	Yes	FACU- *
Red Maple	289.8	27%	Yes	FAC *
American Elm	179.0	17%	No	FACW- *
White Ash	56.6/1078.0	5%	No	FACU *

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants: _____ 5 Number of dominant non-wetland indicator plant: 1

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? YES

**Section II. Indicators of Hydrology
Hydric Soil Interpretation**

1. Soil Survey

Is there a published soil survey for this site? **YES**

title/date: Middlesex County 3/91

map number: 1

soil type mapped: Raypol silt loam

hydric soil inclusions:

Are field observations consistent with soil survey? **YES**

Remarks:

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
O _A	0-17"	10 YR 2/1	

Remarks: Refusal @ 17"

3. Other: 18'3" to Wetland Flag # 113
22'2" to Wetland Flag # 114
16'2" Downgradient from B1

Conclusion: Is soil hydric? **YES**

Other Indicators of Hydrology: (check all that apply and describe)

- Site inundated: _____
- Depth to free water in observation hole: 16"
- Depth to soil saturation in observation hole: 0"
- Water marks: _____
- Drift lines: _____
- Sediment deposits: _____
- Drainage patterns in BWV: _____
- Oxidized rhizospheres: _____
- Water-stained leaves: _____
- Recorded data (stream, lake, or tidal gauge; aerial photo; other): _____
- Other: _____

Vegetation and Hydrology Conclusion

- | | | |
|--|-------------------------------------|--------------------------|
| Number of wetland indicator plants | Yes | No |
| ≥ number of non-wetland indicator plants | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wetland hydrology present: | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| hydric soil present | | |
| other indicators of hydrology present | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Sample location is in a BWV | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

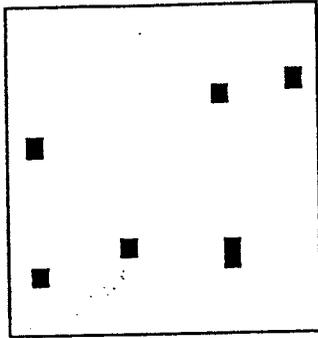
Hydric Soil Indicators

Most hydric soils have a soil horizon with a chroma of 0, 1, or 2 below the A-horizon. These are referred to as low-chroma colors. (Reminder: the Munsell Soil Color Charts are used to determine soil colors.) Generally, when evaluating mineral soils for low-chroma colors or other evidence of saturation, look for indicators directly below the A-horizon and within the top 12 inches of the soil surface. In areas where the O-horizon is less than 8 inches thick, soil depths are measured from the bottom of the O-horizon. When the O-horizon is 8 inches or greater (for histosols and soils with histic epipedons), such depths are measured from the soil surface. The soil surface is the top of the mineral soil; or, for soils with an O-horizon, the soil surface is measured from the top of the O-horizon. Fresh leaf or needle fall that has not undergone observable decomposition (the litter layer) is excluded from soil and may be separately described.

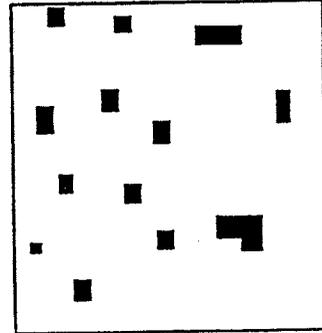
The following is a list of some hydric soil indicators - any of which can be used to identify the presence of wetland hydrology:

- ◆ Histosols (organic soils). Histosols are soils with at least 16 inches of organic material measured from the soil surface.
- ◆ Histic epipedons. These are soils with 8 to 16 inches of organic material measured from the soil surface.
- ◆ Sulfidic material. A strong "rotten egg" smell generally is noticed immediately after the soil test hole is dug.
- ◆ Gleyed soils. Soils that are predominantly neutral gray, or occasionally greenish or bluish gray in color within 12 inches from the bottom of the O-horizon. (The Munsell Soil Color Charts have special pages for gleyed soils.)
- ◆ Soils with a matrix chroma of 0 or 1 and values of 4 or higher within 12 inches from the bottom of the O-horizon.
- ◆ Within 12 inches from the bottom of the O-horizon, soils with a chroma of 2 or less and values of 4 or higher in the matrix, and mottles with a chroma of 3 or higher.
- ◆ Within 12 inches from the bottom of the O-horizon, soils with a matrix chroma of 3 and values of 4 or higher, with 10 percent or more low-chroma mottles, as well as indicators of saturation (i.e., mottles, oxidized rhizospheres, concretions, nodules) within 6 inches of the soil surface.

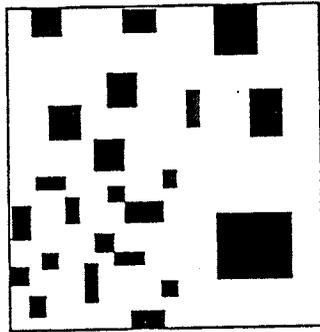
Charts for Estimating Percent Redoximorphic Features



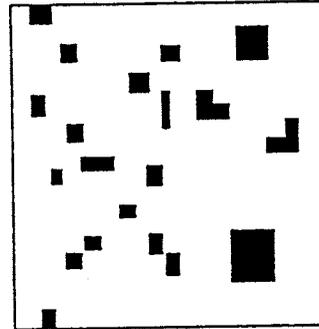
2%



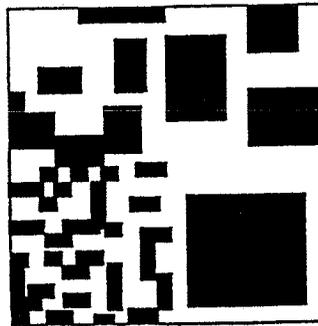
5%



20%



10%



50%

ABUNDANCE
0-2 FTw
2-20 common
20+ minor

Attachment D

ENSTRAT Report

Section 7.2

Soil Sampling, Analyses, and Results

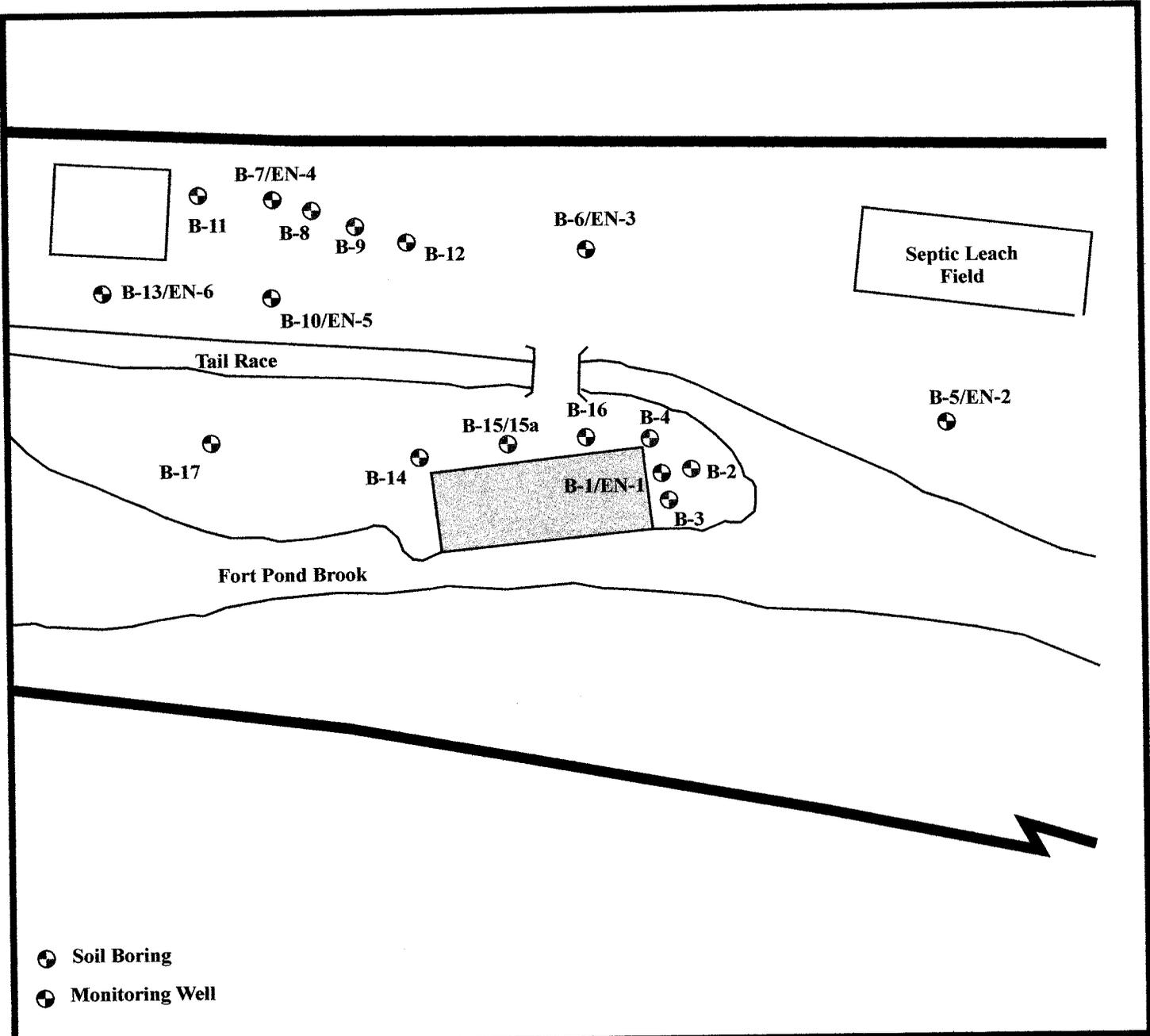
7.2 Soil Sampling, Analyses, and Results

Soil samples obtained during drilling activities were screened for Volatile Organic Compounds (VOCs) using a Thermo Environmental Instruments, Inc. 580S Organic Vapor Meter (OVM) photoionization detector (PID). This PID is equipped with a 10.6 electron-volt lamp and was calibrated to an isobutylene standard and adjusted with a response factor to benzene prior to screening. The sensitivity of the instrument to VOCs other than the calibration gas varies. However, most priority pollutant VOCs are ionized at this potential and will generate a response on the instrument. The samples were tested via the headspace scan technique and an outline of this method is included in the Appendices.

Subsurface materials encountered during the advancement of the soil borings consisted primarily of fill materials from the surface to approximately five feet below grade (fbg). Native materials beyond five fbg consisted primarily of sand, gravel and some silt. Groundwater was encountered between six and eight fbg. Apparent bedrock refusal was encountered at approximately seven fbg in boring B-4, 7.5 fbg in boring B-5, 7.5 fbg in boring B-6, and four fbg in boring B-17. Apparent concrete refusal was encountered just below the surface in borings B-15 and B-15a. Olfactory indications of petroleum products and PID responses were observed in several soil samples collected during this subsurface evaluation. A slight petroleum odor was observed and a PID response of 6.2 parts per million by volume (ppmv) was detected in soil sample B-1 (7-10'). This sample was collected immediately underneath the former UST located east of the Site building and was submitted for Extractable Petroleum Hydrocarbon (EPH) analysis with Polycyclic Aromatic Hydrocarbons (PAHs) laboratory analysis at Alpha Analytical Laboratories in Westborough, Massachusetts. Additionally, strong petroleum odors and stained soil were observed and elevated PID responses ranging from 68 ppmv to 155 ppmv were detected in soil samples collected from borings advanced east of the gravel shed and former woolen mill building (B-7, B-8, B-9, and B-10). Soil samples with the highest PID readings B-8 (3-6') and B-9 (3-6') were submitted to Alpha for EPH with PAH and Volatile Petroleum Hydrocarbon (VPH) analyses. Soil Boring Logs are provided in the Appendices.

All concentrations detected via laboratory analysis are required to be compared to Reportable Concentrations for S-1 soils (RCS-1), as set forth in the MCP (310 CMR 40.0000). The Site meets the RCS-1 criteria based on residences being located within 500 feet. All positive results of the laboratory analysis of the three soil samples submitted for laboratory analysis are listed in Table 1 of the Appendices. When these positive results are compared to the established RCS-1 reporting standards, it is determined that a low level of the C₁₁-C₂₂ Aromatic Hydrocarbons was detected in the B-1 sample. This concentration is well below the established RCS-1 standard. However, elevated concentrations of PAHs and EPH carbon ranges were detected in the B-8 and B-9 samples. Several of the PAHs and two EPH carbon ranges were above the RCS-1 standard in sample B-8 and one PAH was detected above the RCS-1 standard in sample B-9.

E N S T R A T
STRATEGIC ENVIRONMENTAL SERVICES



PROJECT NUMBER: 2008-161	LOCATION: Property on 53 River Street Acton, Massachusetts	NORTH: 	APPROX. SCALE: 1"~65'
FIGURE NUMBER: 3	FIGURE NAME: Boring and Monitoring Well Locations	DESIGNED BY: BML	DATE: 9/08

Attachment E
Soil Remediation Plan