

# BEALS ASSOCIATES INC.

2 THIRTEENTH STREET CHARLESTOWN, MA 02129  
PHONE: 617-242-1120 FAX: 617-242-1190

December 30, 2009

Acton Conservation Commission  
472 Main Street  
Acton, Massachusetts 01720

*VIA: Regular Mail*

**RE: Slope Restoration and Stabilization  
Old Mill Development Trust  
40 Sudbury Road  
Acton, Massachusetts 01742  
DEP File # 85-1023**

Dear Members of the Commission:

On behalf of ALC Corp, General Partner of FTN Limited Partnership we are hereby submitting a Request for a Partial Certificate of Compliance for the site work approved under the Order of Conditions issued on July 6, 2009 (DEP File # 85-1023) which was required to repair the earthen slope failure on the property located at 40 Sudbury Road, Acton and 54 Old Powdermill Road, Concord, Massachusetts.

The repair work on the slope was completed during the first week of October 2009 and was documented by periodic reports from both the Environmental Monitor and the Geo-Technical Monitor during the construction phase of the project. An as-built of the finished grading has been completed and is attached to this submission. The slope has been covered with erosion control matting and has been seeded and planted as per the approved plans.

Beals Associates, Inc. respectfully requests that the Commission issue a partial Certificate of Compliance in order to satisfy the requirements of the lending institution that will be involved with the approved 40B project to be built on the site.

The following materials are included in this submittal:

**One original and four (4) copies of the Request for a Certificate of Compliance**

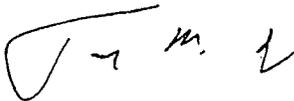
**One original and four (4) copies of an Engineer's Certification that the project was built according to the approved plans.**

**Five (5) full-sized copies of a plan entitled "Plan to Accompany Notice of Intent for #48 Old Powder Mill Road, Concord and 40 Sudbury Road, Acton, Massachusetts, As-Built Site Plan", prepared by Beals Associates, Inc., dated Oct. 13, 2009.**

We would be pleased to meet with the Commission at the public hearing scheduled for January 6, 2010, to discuss the completed project in detail and are available at the convenience of the Commission and its staff to conduct an inspection of the completed work in the field. Please feel free to contact our office should you have any questions or require additional information.

Sincerely,

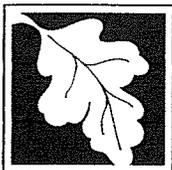
Beals Associates, Inc.

A handwritten signature in black ink, appearing to read "Todd M. Lobo". The signature is stylized with a large initial "T" and a flourish at the end.

Todd M. Lobo, P.E.

cc: Gerald Doherty, FTN, LLC

C-472.07 Acton



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

DEP File Number:

**WPA Form 8A – Request for Certificate of Compliance**

85-1023

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

Provided by DEP

**A. Project Information**

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



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

Beals Associates, Inc.

Name

2 Thirteenth St.

Mailing Address

Charlestown

City/Town

MA

State

02129

Zip Code

617-242-1120

Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:

ALC Corp, General Partner of =FTN Limited Partnership

Applicant

July 6, 2009

Dated

85-1023

DEP File Number

3. The project site is located at:

40 Sudbury Rd.

Street Address

J-3

Assessors Map/Plat Number

Acton

City/Town

59

Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

Property Owner (if different)

Middlesex South

County

53170

Book

192

Page

Certificate (if registered land)

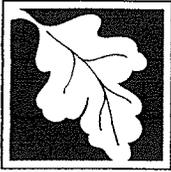
5. This request is for certification that (check one):

the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.

the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

The slope has been reconstructed and stabilized and the sand delta has been removed from the wetland resource. The toe of the slope has been regraded, planted and seeded.

the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



**WPA Form 8A – Request for Certificate of Compliance**

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

Provided by DEP

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**A. Project Information (cont.)**

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

Yes      If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

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**B. Submittal Requirements**

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/dep/about/region/findyour.htm>).

