

Stamski and McNary, Inc.

Engineering - Planning - Surveying

80 Harris Street Acton, MA 01720

ph: 978 263 8585 fax: 978 263 9883

Notice of Intent

Under the Massachusetts Wetland Protection Act,
G.L. c. 131, s. 40 &
Town of Acton Wetlands Protection Bylaw

for

**Robbins Brook Senior Living Community
Main Street
Acton, MA**

Applicant/Owner: **RRV, LLC**
c/o Bob Pace
253 Main Street
Nashua, NH 03060

Date: March 25, 2010

SM-2294D

Table of Contents

Project Narrative

WPA Form 3 – Notice of Intent

Certified Abutters List

Attachments:

- A. U.S.G.S. Locus Map
- B. Order of Conditions DEP File #085-0937 / Order of Resource Area Delineation
- C. Massachusetts Natural Heritage Atlas 13th edition, Effective October 1, 2008
- D. Assessor's Map / Photograph Representative of the Site
- E. Operation and Maintenance Plan
- F. Grading and Erosion Control Plans (Sheets 8-10 of 15), Utility Plans (Sheets 11-13 of 15) and Detail Sheet (Sheet 14 of 15) by Stamski and McNary, Inc. all revised 3/23/10
- G. Drainage Calculations dated 3/6/06 (on file, see previous submittal DEP File #085-0937)

Project Narrative

for

**Robbins Brook Senior Living Community
Acton, MA**

Project Narrative

Project Description

The purpose of the project is to complete the work approved under an expired Order of Conditions (DEP File #085-0937). The project will provide additional elderly housing to the existing Full Service Retirement Community known as Robbins Brook. A portion of the proposed work is located within 200-foot Riverfront Area, as well as the 100-foot Buffer Zone of a Bordering Vegetated Wetland (BVW). The un-finished work involves the installation of a foundation drain, slide gate valves, guard rail, appurtenances, utilities, removal of an existing dwelling and soil absorption system, as well as general grading to achieve final proposed grades.

Resource Area Descriptions

The work being performed will be within the 200-foot Riverfront Area associated with Nashoba Brook, as well as within the 100-foot Buffer Zone of a BVW.

Compliance with General Performance Standards for BVW 310 CMR 10.55(4)(a-e):

The General Performance Standards for a Bordering Vegetated Wetland have been met since the proposed activity does not involve removing, filling, dredging or altering of a BVW. Siltation controls will be provided to prevent sedimentation of the BVW.

Compliance with Town of Acton Wetland Protection Bylaw:

The Wetland Setbacks for New Activities section 3.2(1) have been met since the proposed activity, installation of a foundation drain, meets the 0-foot-setback for wetland dependant structures. Siltation barriers have been shown on the on plans, as required by Erosion Prevention Installation section 3.5.

Protection of Rare Species 310 CMR 10.58(4)(b):

The site status has changed since the last filing and now falls within 2008 Priority Habitats of Rare Species and also Estimated Habitats of Rare Wildlife and within 2008 Priority Habitats of Rare Species. The Notice of Intent Packet is also being submitted to MESA for a streamlined review. The work is proposed on previously altered and developed land.

Practicable and Substantially Equivalent Economic Alternatives 310 CMR 10.58(4)(c):

As stated in the project description, the purpose of the project is to provide additional elderly housing to the existing Full Service Retirement Community known as Robbins Brook. The work within the Riverfront Area includes:

- Utility Construction.
- Foundation Drain.
- Grading associated with units 77-80.
- Tree Removal behind units 77-80.
- Removal of existing dwelling
- Removal of existing leach area.

The following alternatives are available in lieu of the proposed design.

Alternatives for the location of the foundation drain consist of other low points that meet the elevation low enough for drainage. The other areas that meet this elevation requirement are also within the Riverfront area and would require greater alteration than the proposed location.

The alternative to tree removal and grading behind units 77-80 would consist of moving units 77-80 away from the Riverfront Area along with their associated backyards. The Town of Acton Zoning Bylaw requires 20' minimum side lot line setback, 20' driveway, 20' width for interior driveways with two-way traffic, and 5' sidewalk widths. Adhering closely to these setbacks for units 81-84, their associated driveways and the interior driveway and sidewalks, Units 77-80, with their associated backyards, are already located the maximum distance from the Riverfront area.

No Significant Adverse Impact 310 CMR 10.58(4)(d):

The proposed Riverfront alteration for the site is 10,320 square feet of the 124,785 square of Riverfront area. This relates to 8.3% of the Riverfront Area, which is less than the 10% maximum allowed alteration of Riverfront Area on a site. The foundation drain pipe, as well as the Utility construction, is permitted since installations of necessary linear site-related utilities are allowed, provided the area is restored to its natural conditions.

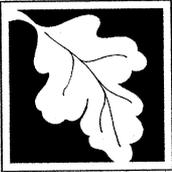
Redevelopment Within Previously Developed Areas: Restoration and Mitigation 310 CMR 10.58(5):

The removal of the existing dwelling and existing leach area will result in an improvement over existing conditions. Additionally, the proposed work will not be located closer to the river than the existing conditions.

WPA Form 3- Notice of Intent

for

**Robbins Brook Senior Living Community
Acton, MA**



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):

900 Main Street
a. Street Address

Acton
b. City/Town

01720
c. Zip Code

Latitude and Longitude:
042d 31'24.6"N
d. Latitude

071d 24'23.0"W
e. Longitude

C5
f. Assessors Map/Plat Number

6, 8, 12
g. Parcel /Lot Number

2. Applicant:

Bob
a. First Name

Pace
b. Last Name

RRV, LLC.
c. Organization

253 Main Street
d. Street Address

Nashua
e. City/Town

NH
f. State

03060
g. Zip Code

(339) 502-6426
h. Phone Number

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

Dimakarakos
b. Last Name

Stamski and McNary, Inc.
c. Company

80 Harris Street
d. Street Address

Acton
e. City/Town

MA
f. State

01720
g. Zip Code

(978) 263-8585
h. Phone Number

(978) 263-9883
i. Fax Number

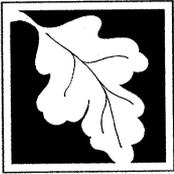
gd@stamskiandmcnary.com
j. Email address

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 (& \$150.00 Bylaw Fee)
c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

The completion of work associated with an expired Order of Condition, DEP File #085-0937. The work involves the installation of a foundation drain outfall, slide gate assembly in two basins, and general re-grading. The work will take place with Riverfront Area and the 100' Buffer Zone of a BWV.

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

44911 & 44951

c. Book

b. Certificate # (if registered land)

466 & 103

d. Page Number

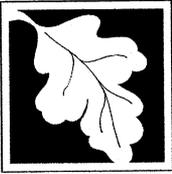
B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 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.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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 3. cubic yards dredged	2. square feet



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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	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	Nashoba 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:

124,785
square feet

4. Proposed alteration of the Riverfront Area:

<u>10,320</u>	<u>365</u>	<u>9955</u>
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.

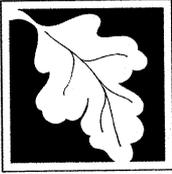
- 5. Has an alternatives analysis been done and is it attached to this NOI? Yes No
- 6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

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.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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

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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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 BVW	_____ 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

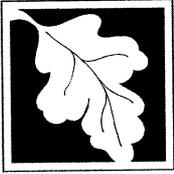
C. Other Applicable Standards and Requirements

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**

Oct. 1, 2008
b. Date of map



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

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City/Town

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

1.3% / 0.32 ac.

percentage/acreage

(b) outside Resource Area

17.5% / 4.22 ac.

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 "Commonwealth of Massachusetts - NHESP" 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.)

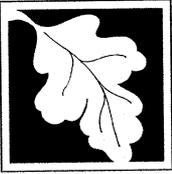
2. Separate MESA review ongoing.

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

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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:

North Shore - Hull to New Hampshire:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694

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)

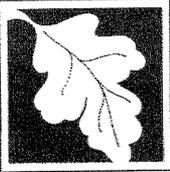
2. A portion of the site constitutes redevelopment

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.

Amendment to Full Service Retirement Community Site Plan Special Permit for Robbins Brook

a. Plan Title

Stamski and McNary, Inc.

Joseph March

b. Prepared By

c. Signed and Stamped by

March 23, 2010

1"=40'

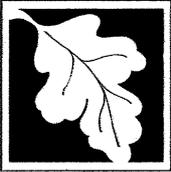
d. Final Revision Date

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:

2. Municipal Check Number	1776	3. Check date	3/22/10
4. State Check Number	1774	5. Check date	3/22/10
6. Payor name on check: First Name	STEPHEN	7. Payor name on check: Last Name	VAZZA

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		2. Date	3/22/10
3. Signature of Property Owner (if different)		4. Date	3/22/10
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.

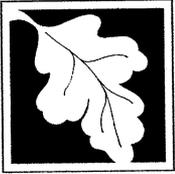
For MassDEP:

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:

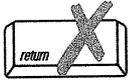
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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:

Bob Pace
 a. First Name b. Last Name
RRV, LLC
 c. Organization
253 Main Street
 d. Mailing Address
Nashua NH 03060
 e. City/Town f. State g. Zip Code
(339) 502-6426
 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:

Main Street Map C5 Parcels 6, 8, 12 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.

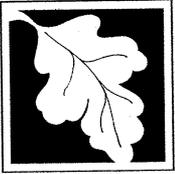
Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

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
Activity not in Category 1,3,4,5, or 6	1	\$500.00	\$500.00
Riverfront Area	1	0.5 * Fee	\$250.00

Step 5/Total Project Fee: \$750.00

Step 6/Fee Payments:

Total Project Fee:	<u>\$750.00</u>
State share of filing Fee:	a. Total Fee from Step 5 <u>\$362.50</u>
City/Town share of filing Fee:	b. 1/2 Total Fee less \$12.50 <u>\$387.50 (\$150.00)</u>
	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

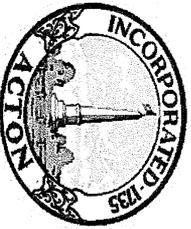
- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and the city/town fee payment.

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

for

**Robbins Brook Senior Living Community
Acton, MA**



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

Brian McMullen
 Assistant Assessor

Locus: ROBBINS BROOK
 Parcel ID:

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City	ST	Zip
924 MAIN ST	B5-35	NASHOBA SPORTSMANS CLUB		P.O. BOX 2333	ACTON	MA	01720
920 MAIN ST	B5-39-1	GOSSELS WERNER F	LAINÉ REALTY TRUST	17 BENNETT ROAD	WAYLAND	MA	01778
930 MAIN ST	B6-14	MAIN ST ACTON REALTY VENTURES LLC		852 MAIN ST	ACTON	MA	01720
915 MAIN ST	C5-9	TOWN OF ACTON	FREDERICKS JO ELLEN	472 MAIN STREET	ACTON	MA	01720
905 MAIN ST	C5-13	MARY L JOYAL L/E	BENNETT TRUST	905 MAIN ST	ACTON	MA	01720
898 MAIN ST	C5-20-1	GOSSELS WERNER F TRUSTEE		BOX 122	WAYLAND	MA	01778
901 MAIN ST	C5-21	HILDRETH DONALD R		901 MAIN ST	ACTON	MA	01720
897 MAIN ST	C5-22	NOCIVELLI JOHN J		897 MAIN STREET	ACTON	MA	01720
895 MAIN ST	C5-30	WEEKS CHARLES H	WEEKS SARA L	895 MAIN STREET	ACTON	MA	01720
9 LEDGE ROCK WY	C5-38-1	REX LUMBER CO		840 MAIN STREET	ACTON	MA	01720
864 MAIN ST	C5-40	RRM 864 MAIN ST LLC	C/O ROBERT MORAN	864 MAIN ST 198 GREAT RD	ACTON	MA	01720
4 EASTERN RD	C5-40-4	EASTERN ROAD REALTY LLC		27 OLD EAST STREET	CARLISLE	MA	01741
2 EASTERN RD	C5-40-5	BERGIN THOMAS F JR	RUTH ANN	128 WEST PLAIN ST	WAYLAND	MA	01778
3 EASTERN RD UNIT A	C5-40-3A	KILBURN ERIC C		3 EASTERN RD UNIT A	ACTON	MA	01720
3 EASTERN RD UNIT B	C5-40-3B	ACTON GARAGE STORAGE, INC.		PO BOX 985	ACTON	MA	01720
877 MAIN ST	C5-43	WHITAKER JACK		875 MAIN ST	ACTON	MA	01720
21 HARTLAND WY	C5-6-166	RRV LLC		94 WEST ELM ST	PEMBROKE	MA	02359
23 HARTLAND WY	C5-6-167	RAND JAMES C TRUSTEE	RAND ADRA L TRUSTEE	J RAND + A RAND TRUS 231	ACTON	MA	01720
31 HARTLAND WY	C5-39-268	NEVOLA JANICE		31 HARTLAND WY	ACTON	MA	01720
33 HARTLAND WY	C5-39-269	FRIEDMAN JACQUELINE		33 HARTLAND WY	ACTON	MA	01720
41 HARTLAND WY	C5-39-270	DEYOE JANICE A	DEYOE DOUGLAS W	41 HARTLAND WY	ACTON	MA	01720
43 HARTLAND WY	C5-39-271	BKBRM LLC		43 HARTLAND WY	ACTON	MA	01720
45 HARTLAND WY	C5-39-272	HIGGINS PATRICIA W		45 HARTLAND WY	ACTON	MA	01720
47 HARTLAND WY	C5-39-273	JONES ROBERT	JONES PATRICIA	47 HARTLAND WY	ACTON	MA	01720
39 HARTLAND WY	C5-39-274	MARCHAND RICHARD TRUSTEE	MARCHAND ANNE TRUSTEE	MARCHAND FAMILY TRUST	ACTON	MA	01720
37 HARTLAND WY	C5-39-275	KORNFIELD GEORGE R	KORNFIELD HULEN S	37 HARTLAND WY	ACTON	MA	01720
35 HARTLAND WY	C5-39-276	NAJJAR JOSEPH N	NAJJAR MARY L	35 HARTLAND WY	ACTON	MA	01720
16 PRESTON WY	C5-656	ANTONELLI VIRGINIA A	C/O PARILLO ARLENE	16 PRESTON WY	ACTON	MA	01720
14 PRESTON WY	C5-657	SIMMONS WARREN A	SIMMONS BEVERLY M	14 PRESTON WY	ACTON	MA	01720

Locus: ROBINS BROOK
Parcel ID:

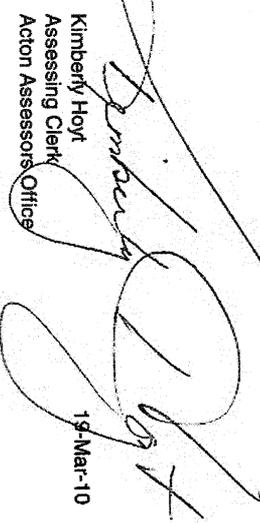
Location	Parcel ID	Owner	Co-Owner	Mailing Address	City	ST	Zip
12 PRESTON WY	C5-658	RRV LLC		94 WEST ELM ST	PEMBROKE	MA	02359
10 PRESTON WY	C5-659	RRV LLC		94 WEST ELM ST	PEMBROKE	MA	02359
8 PRESTON WY	C5-660	VUOLO ANTHONY R	VUOLO JANICE M	8 PRESTON WY	ACTON	MA	01720
6 PRESTON WY	C5-661	FLOOD H W	FLOOD JEANNE B	6 PRESTON WY	ACTON	MA	01720
1 DEVON DR	C5-2001	BAUER W NEIL	BAUER RICKY ANN	1 DEVON DR	ACTON	MA	01720
3 DEVON DR	C5-2002	GOODWIN MARY D		3 DEVON DR	ACTON	MA	01720
5 DEVON DR	C5-2003	GORE GENEVEVE		5 DEVON DR	ACTON	MA	01720
7 DEVON DR	C5-2004	FLYNN MARGARET A		7 DEVON DR	ACTON	MA	01720
9 DEVON DR	C5-2005	HILL BRAIN H	HILL STEPHANIE L	9 DEVON DR	ACTON	MA	01720
11 DEVON DR	C5-2006	KILEY REGINA M		11 DEVON DR	ACTON	MA	01720
15 DEVON DR	C5-2007	15 DEVON DRIVE LLC		149 HEALD RD	CARLISLE	MA	01741
17 DEVON DR	C5-2008	HENRY R AMISTADI TRUSTEE	KNIGHT LYNN A TRUSTEE	AMISTADI REALTY TRUST	17 D ACTON	MA	01720
19 DEVON DR	C5-2009	REDDY ARUNDATHI B		19 DEVON DR	ACTON	MA	01720
21 DEVON DR	C5-2010	KING SANDRA		21 DEVON DR	ACTON	MA	01720
26 HARTLAND WY	C5-2011	STUTMAN IRIS L TRUSTEE	STUTMAN-1 NOMINEE TRUST	26 HARTLAND WY	ACTON	MA	01720
24 HARTLAND WY	C5-2012	SMITH JANE W		24 HARTLAND WY	ACTON	MA	01720
22 HARTLAND WY	C5-2013	JACK ROBERT W	JACK BETTY T	22 HARTLAND WY	ACTON	MA	01720
20 HARTLAND WY	C5-2014	KLEIN ALISON B		PO BOX 638	SPARTA	NJ	07871
18 HARTLAND WY	C5-2015	COOK JAMES M + EUNICE E TRUSTEES	JAMES M COOK DECLARATION OF EUNICE M COOK DECLARATION	16 HARTLAND WY	ACTON	MA	01720
16 HARTLAND WY	C5-2016	ROTHRAUF MARGARET M		16 HARTLAND WY	ACTON	MA	01720
14 HARTLAND WY	C5-2017	MCLELLAN LAURA	MCLELLAN RONALD T	PO BOX 227	MCLELLAN I BREWSTER	MA	02631
12 HARTLAND WY	C5-2018	FINNEGAN DEBORAH L	FINNEGAN ROBERT J	12 HARTLAND WY	ACTON	MA	01720
10 HARTLAND WY	C5-2019	FIFIELD BARBARA P TRUSTEE	FIFIELD IRREVOCABLE TRUST	10 HARTLAND WY	ACTON	MA	01720
4 TINSDALE DR	C5-2020	RIEP FRITS W	RIEP GAIL L	4 TINSDALE DR	ACTON	MA	01720
6 TINSDALE DR	C5-2021	FOLLEN HENRY A JR	FOLLEN KARIN M	6 TINSDALE DR	ACTON	MA	01720
1 TINSDALE DR	C5-2022	PORTYRATA GERALD W	PORTYRATA MARILYN R	1 TINSDALE DR	ACTON	MA	01720
3 TINSDALE DR	C5-2023	CARLSON DORIS G		3 TINSDALE DR	ACTON	MA	01720
5 TINSDALE DR	C5-2024	HUBCHEN MARY ANNE		5 TINSDALE DR	ACTON	MA	01720
7 TINSDALE DR	C5-2025	SWEENEY BEVERLY G TRUSTEE		7 TINSDALE DR	ACTON	MA	01720
36 HARTLAND WY	C5-2026	ANWAR MUHAMMAD DR	ANWAR ASMAT J	36 HARTLAND WY	ACTON	MA	01720
34 HARTLAND WY	C5-2027	RIDLEY ANNE H	C/O DAVID RIDLEY	55 BANNOCK ST	DENVER	CO	80223
32 HARTLAND WY	C5-2028	HOFFMAN SUNNER M	HOFFMAN DOLORES W	32 HARTLAND WY	ACTON	MA	01720
30 HARTLAND WY	C5-2029	TAYLOR MARY E		30 HARTLAND WY	ACTON	MA	01720
22 DEVON DR	C5-2030	LARSON DENNIS S	LARSON LINDA M	22 DEVON DR	ACTON	MA	01720
24 DEVON DR	C5-2031	FRIES JOHN E JR TRUSTEE	FRIES ANNE K TRUSTEE	FRIES NOMINEE TRUST	24 DE ACTON	MA	01720
10 DEVON DR	C5-2032	ACTON SENIOR LIVING LLC	C/O WCP INVESTMENT MANAGER	55 POST RD WEST	STE 320 WESTPORT	CT	06880
27 HARTLAND WY #101	C5-2033-1	SCHECHEMER MELISSE C		27 HARTLAND WY #101	ACTON	MA	01720
27 HARTLAND WY #102	C5-2033-2	TRAMPOSCH ELIZABETH L		27 HARTLAND WY #102	ACTON	MA	01720
27 HARTLAND WY #103	C5-2033-3	ALSPAUGH MARLOWE A		27 HARTLAND WY #103	ACTON	MA	01720
27 HARTLAND WY #104	C5-2033-4	BENEDICT SALLY P		27 HARTLAND WY #104	ACTON	MA	01720
27 HARTLAND WY #106	C5-2033-5	FREYA FANNING & COMPANY LLC		400 ESSEX ST	DEVERLY FARMS	MA	01915

Locus: ROBINS BROOK
Parcel ID:

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City	ST	Zip
27 HARTLAND WY #107	C5-2033-6	DWORSACK IRENE C	PERKIN REALTY TRUST	27 HARTLAND WY #107	ACTON	MA	01720
27 HARTLAND WY #108	C5-2033-7	PERKIN CYRIL TRUSTEE	DADARRIA RUBY	27 HARTLAND WY #108	ACTON	MA	01720
27 HARTLAND WY #109	C5-2033-8	DADARRIA MICHAEL E	DADARRIA RUBY	19 CRAIGTIDE WY	CENTERVILLE	MA	02632-3551
27 HARTLAND WY #201	C5-2033-9	TANG NINA S	MUNSON MARGARET T	27 HARTLAND WY #201	ACTON	MA	01720
27 HARTLAND WY #202	C5-2033-10	MUNSON LAWRENCE S	MUNSON MARGARET T	27 HARTLAND WY #202	ACTON	MA	01720
27 HARTLAND WY #203	C5-2033-11	ZINS JEAN MARIE + BARRON MELVIN M	ZINS FAM TRUSTEES, JEAN MARIE ZINS FAM	27 HARTLAND WY #203	ACTON	MA	01720
27 HARTLAND WY #204	C5-2033-12	FREYA FANNING & COMPANY LLC		400 ESSEX ST	BEVERLY FARMS	MA	01915
27 HARTLAND WY #205	C5-2033-13	HOUSTON ANNE S	HOUSTON KENNETH M	27 HARTLAND WY #205	ACTON	MA	01720
27 HARTLAND WY #206	C5-2033-14	FREYA FANNING & COMPANY LLC		400 ESSEX ST	BEVERLY FARMS	MA	01915
27 HARTLAND WY #207	C5-2033-15	FREYA FANNING & COMPANY LLC		400 ESSEX ST	BEVERLY FARMS	MA	01915
27 HARTLAND WY #208	C5-2033-16	MCLAUGHLIN MARY M		27 HARTLAND WY #208	ACTON	MA	01720
27 HARTLAND WY #209	C5-2033-17	HENNEBERRY CLAIRE L		27 HARTLAND WY #209	ACTON	MA	01720
27 HARTLAND WY #210	C5-2033-18	KAPLAN ARNOLD		13235 PALMERS CREEK TERRA	LAKEWOOD RANCH	FL	34202-5006
27 HARTLAND WY #301	C5-2033-19	POWERS JUDITH ANNE		27 HARTLAND WY #301	ACTON	MA	01720
27 HARTLAND WY #304	C5-2033-20	PAOLINO ALLISON M		44 STONEYMEADE WY	ACTON	MA	01720
27 HARTLAND WY #305	C5-2033-21	BURKE MARY		27 HARTLAND WY #305	ACTON	MA	01720
27 HARTLAND WY #306	C5-2033-22	FREYA FANNING & COMPANY LLC		400 ESSEX ST	BEVERLY FARMS	MA	01915
27 HARTLAND WY #309	C5-2033-23	YATES JOHN W	YATES ROSE	27 HARTLAND WY #309	ACTON	MA	01720
27 HARTLAND WY #310	C5-2033-24	FREYA FANNING & COMPANY LLC		400 ESSEX ST	BEVERLY FARMS	MA	01915

MBTA C/O TRANSIT REALTY ASSOC, LLC ATTN: VANESS MERRITT 77 FRANKLIN ST 9TH FL BOSTON MA 02110

The owner of land sharing a common boundary or corner with the site of the proposed activity (immediate) 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.


19-Mar-10
Kimberly Hoyt
Assessing Clerk
Acton Assessors Office

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, Benjamin Ewing, hereby certify under the pains and penalties of perjury that on 3/29/10 I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the D.E.P. 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 RRV, LLC with the
Acton Conservation Commission for property located
at (Map C5, Parcels 6, 8, & 12).

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:

Benjamin Ewing

Date: 3/29/10

NOTIFICATION TO ABUTTERS
UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT

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

The Applicant: RRV, LLC.

Address: 780 Dedham Street Suite 400, Canton, MA 02021 Phone: (339) 502-6426

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: 900 Main Street

Town Atlas Plate/Map: C-5 Parcel/Lot: 6, 8, 12

Project Description: The completion of work associated with an expired Order of Condition, DEP File #085-0937. The work involves the installation of a foundation drain outfall, slide gate assembly in two basins, and general re-grading. The work will take place with Riverfront Area and the 100' Buffer Zone of a BVW.

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,

April 21, 2010 at 7:20 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:

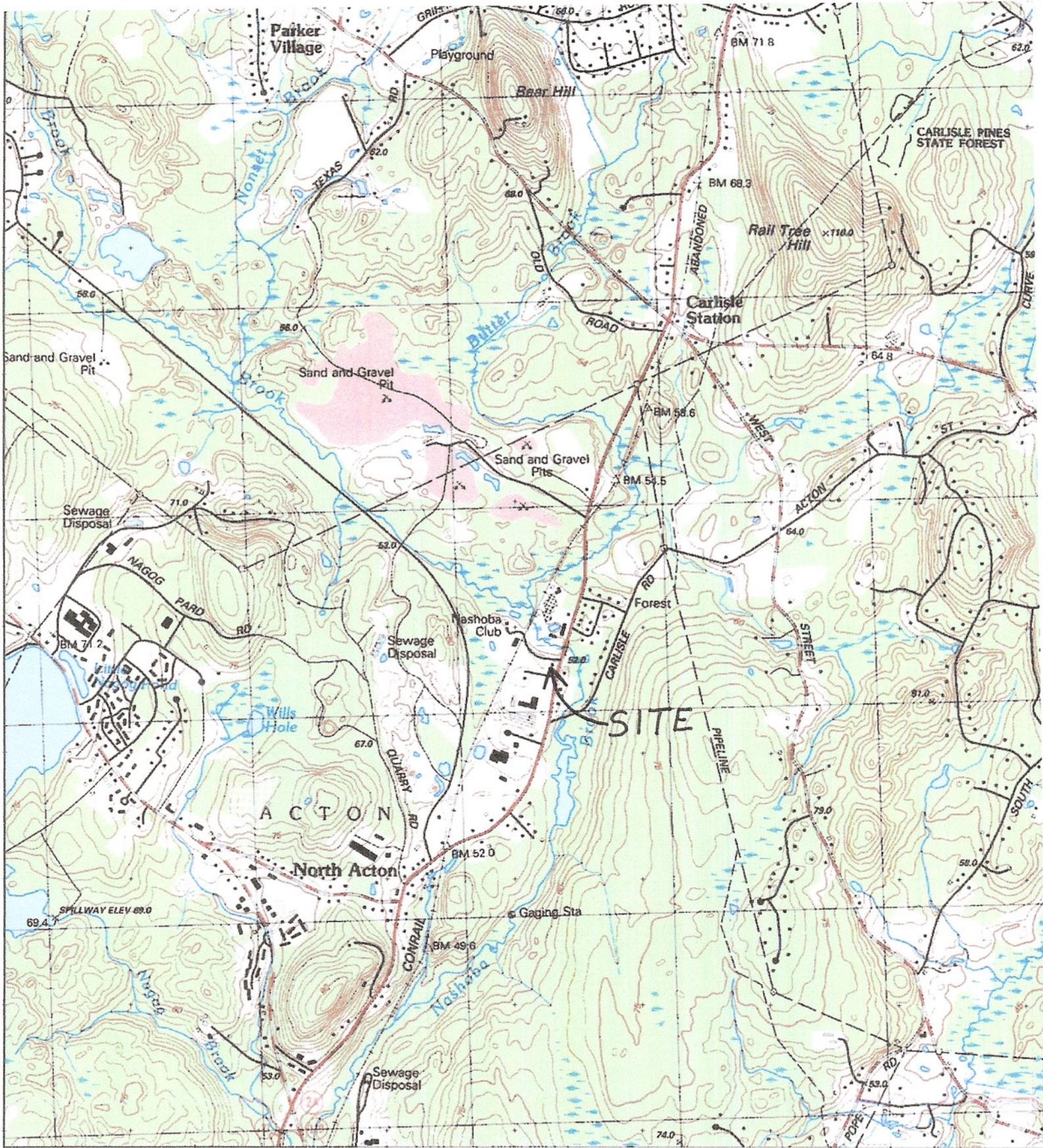
***Central Region: 508-792-7650**
Southeast Region: 508-946-2700

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

Attachment A
U.S.G.S. Locus Map

for

Robbins Brook Senior Living Community
Acton, MA



Name: BILLERICA
 Date: 2/10/106
 Scale: 1 inch equals 2000 feet

Location: 042° 31' 24.6" N 071° 24' 23.0" W
 Caption: Locus Map For Robbins Brook Senior Living Community
 Acton MA 01720
 SM-2294C

Attachment B
Order of Conditions DEP File #085-937 /
Order of Resource Area Delineation

for

Robbins Brook Senior Living Community
Acton, MA



A. General Information

From: ACTON
1. Conservation Commission

2. This issuance is for (check one): a. Order of Conditions b. Amended Order of Conditions

3. To: Applicant:
 Stephen Vazza RRV, LLC
 a. First Name b. Last Name c. Company
 780 Dedham Street, Suite 400
 d. Mailing Address
 Canton MA 02021
 e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):
 1) Applicant 2) Virginia A. Antonelli
 a. First Name b. Last Name c. Company
 906 Main Street
 d. Mailing Address
 Acton MA 01720
 e. City/Town f. State g. Zip Code

5. Project Location:
 906 Main Street Acton
 a. Street Address b. City/Town
 C-5 1) 6 & 8 2) 12
 c. Assessor Map/Plat Number d. Parcel/Lot Number
 Latitude and Longitude, if known (note: 042 31'24.6"N 071 24'23.0W
 electronic filers will click for GIS locator): e. Latitude f. Longitude

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
 Middlesex South
 a. County b. Certificate (if registered land)
 1) 44951 2) 38456 1) 97 2) 271
 c. Book d. Page

7. Dates: June 1, 2006
 a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance

8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
 Grading & Erosion Control Plan, Utility Plan, Detail Sheet (Full Service Retirement Community) Sheets 8 - 15
 a. Plan Title
 Stamski & McNary
 b. Prepared By c. Signed and Stamped by
 January 30, 2006
 d. Final Revision Date e. Scale
 Operation & Maintenance Plan
 f. Additional Plan or Document Title g. Date



B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:
 Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act. Check all that apply:

a. Public Water Supply b. Land Containing Shellfish c. Prevention of Pollution
 d. Private Water Supply e. Fisheries f. Protection of Wildlife Habitat
 g. Groundwater Supply h. Storm Damage Prevention i. Flood Control

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:
 a. the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

Denied because:
 b. the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect these interests, and a final Order of Conditions is issued. A description of the performance standards which the proposed work cannot meet is attached to this Order.
 c. the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

3. Buffer Zone Impacts: Shortest distance between limit of project disturbance and wetland boundary (if available)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	a. square feet	b. square feet	c. square feet	d. square feet
6. <input type="checkbox"/> Land Under Waterbodies and Waterways	a. square feet e. cu.yd dredged	b. square feet f. cu.yd dredged	c. square feet	d. square feet



B. Findings (cont.)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
7. <input type="checkbox"/> Bordering Land Subject to Flooding	a. square feet	b. square feet	c. square feet	d. square feet
Cubic Feet Flood Storage	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	a. square feet	b. square feet		
Cubic Feet Flood Storage	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. <input type="checkbox"/> Riverfront area	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	g. square feet	h. square feet	i. square feet	j. square feet

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

10. Designated Port Areas Indicate size under Land Under the Ocean, below

11. Land Under the Ocean
 a. square feet b. square feet
 c. cu.yd dredged d. cu.yd dredged

12. Barrier Beaches Indicate size under Coastal Beaches and/or Coastal Dunes below

13. Coastal Beaches
 a. square feet b. square feet c. cty nourishmt. d. cty nourishmt.

14. Coastal Dunes
 a. square feet b. square feet c. cty nourishmt. d. cty nourishmt.

15. Coastal Banks
 a. linear feet b. linear feet

16. Rocky Intertidal Shores
 a. square feet b. square feet

17. Salt Marshes
 a. square feet b. square feet c. square feet d. square feet

18. Land Under Salt Ponds
 a. square feet b. square feet
 c. cu.yd dredged d. cu.yd dredged

19. Land Containing Shellfish
 a. square feet b. square feet c. square feet d. square feet

20. Fish Runs Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above
 a. cu.yd dredged b. cu.yd dredged

21. Land Subject to Coastal Storm Flowage
 a. square feet b. square feet



C. General Conditions Under Massachusetts Wetlands Protection Act

(only applicable to approved projects)

- Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
- The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
- This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
- The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - the work is a maintenance dredging project as provided for in the Act; or
 - the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
- This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
- Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
- This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
- No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to this Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
- A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MA DEP"]

"File Number 85-937"



C. General Conditions Under Massachusetts Wetlands Protection Act

- Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before DEP.
- Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
- The work shall conform to the plans and special conditions referenced in this order.
- Any change to the plans identified in Condition #12 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
- The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
- This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
- Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
- All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls if it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.
- All work associated with this Order is required to comply with the Massachusetts Stormwater Policy Standards.

Special Conditions:

If you need more space for additional conditions, select box to attach a text document



D. Findings Under Municipal Wetlands Bylaw or Ordinance

- Is a municipal wetlands bylaw or ordinance applicable? Yes No
- The ACTON Conservation Commission hereby finds (check one that applies):
- that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw specifically:
 - Municipal Ordinance or Bylaw _____
 - Citation _____

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.
- that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:
 - ACTON WETLAND PROTECTION BYLAW CHAPTER F
Municipal Ordinance or Bylaw _____
 - Citation _____

The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

If you need more space for additional conditions, select box to attach a text document

c. The special conditions relating to municipal ordinance or bylaw are as follows:
SEE ORDER OF CONDITIONS ISSUED UNDER THE ACTON WETLAND PROTECTION BYLAW

CHAPTER F.



E. Issuance

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

Please indicate the number of members who will sign this form:

This Order must be signed by a majority of the Conservation Commission.

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

1. Date of Issuance _____

2. Number of Signers _____

Signatures:

Notary Acknowledgement

Commonwealth of Massachusetts County of Middlesex South

On this _____ of _____ Day _____ Month _____ Year

Before me, the undersigned Notary Public, personally appeared _____ Name of Document Signer

proved to me through satisfactory evidence of identification, which was/were

KNOWN TO ME

Description of evidence of identification

to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

As member of ACTON City/Town Conservation Commission

Signature of Notary Public
Andrea H. Ristine
Printed Name of Notary Public
February 27, 2009
My Commission Expires (Date)

Place notary seal and/or any stamp above

This Order is issued to the applicant as follows:

by hand delivery on _____ by certified mail, return receipt requested, on _____

Date _____ Date _____



F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request of Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant. Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order or Determination, or providing written information to the Department prior to issuance of a Superseding Order or Determination.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, § 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.

Section G, Recording Information is available on the following page.



G. Recording Information

This Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on Page 7 of this form shall be submitted to the Conservation Commission listed below.

ACTON
 Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

ACTON
 Conservation Commission

Please be advised that the Order of Conditions for the Project at:

906 Main Street, Acton 85-937
 Project Location DEP File Number

Has been recorded at the Registry of Deeds of:

Middlesex South Book Page
 County

for:

Property Owner

and has been noted in the chain of title of the affected property in:

Book Page

In accordance with the Order of Conditions issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant



DEP File No. 85-937
 Applicant RRV, LLC

**Order of Conditions
 Wetlands Protection Bylaw
 Chapter F**

From the ACTON CONSERVATION COMMISSION Issuing Authority

To RRV, LLC (Stephen Vazza) 1) Applicant 2) Virginia A. Antonelli
(Name of person making request) (Name of property owner)

Address 780 Dedham Street, Suite 400 Address 906 Main Street, Acton MA 01720
Canton MA 02021

This Order is issued and delivered as follows:

- by hand delivery to person making request on _____ (date)
- by certified mail, return receipt requested on _____ (date)

This project is located at 906 Main Street, Acton

The property is recorded at the Registry of Middlesex South

Book 1) 44951 2) 38456 Page 1) 97 2) 271

Certificate (if registered) _____

The Notice of Intent for this project was filed on June 1, 2006 (date)

The public hearing was closed on June 21, 2006 (date)

Findings

The ACTON CONSERVATION COMMISSION has reviewed the above-references Notice of Intent and plans and has held a public hearing on the project. Based on the information available to the ACTON CONSERVATION COMMISSION at this time, the ACTON CONSERVATION COMMISSION has determined that the area on which the proposed work is to be done is significant to the following interests in accordance with the Presumptions of Significance set forth in the regulations for each Area Subject to Protection under the Act (check as appropriate):

- | | | |
|---|---|---|
| <input type="checkbox"/> Public water supply | <input type="checkbox"/> Flood Control | <input type="checkbox"/> Land containing shellfish |
| <input type="checkbox"/> Private water supply | <input checked="" type="checkbox"/> Storm damage prevention | <input type="checkbox"/> Fisheries |
| <input checked="" type="checkbox"/> Ground water supply | <input checked="" type="checkbox"/> Prevention of pollution | <input type="checkbox"/> Protection of Wildlife Habitat |

Total filing fee submitted under Acton Wetlands Protection Bylaw \$ 315.00

Therefore, the ACTON CONSERVATION COMMISSION hereby finds that the following conditions are necessary, in accordance with the Performance Standards set forth in the regulations, to protect those interests checked above. The ACTON CONSERVATION COMMISSION orders that all the work shall be performed in accordance with the said conditions and with the Notice of Intent references above. To the extent that the following conditions modify or differ from the plans, specifications or other proposals submitted with the Notice of Intent, the conditions shall control.

General Conditions

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state or local statutes, ordinances, by-laws or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - (a) the work is a maintenance dredging project as provided for in the Act; or
 - (b) the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. Any fill used in connection with this project shall be clean fill, containing no trash, refuse, rubbish or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles or parts of any of the foregoing.
7. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
8. No work shall be undertaken until the Final order has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of registered land, the Final order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the ACTON CONSERVATION COMMISSION on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of the work.
9. A sign shall be displayed at the site not less than two square feet or more than three square feet in the size bearing the words, "Massachusetts Department of Environmental Protection, File Number 85-937."
10. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before DEP.
11. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
12. The work shall conform to the plans and special conditions referenced in this order.
13. Any change to the plans identified in Condition #12 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
14. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.

15. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
 16. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
 17. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.
- ** PLEASE READ THE FOLLOWING GENERAL CONDITIONS REQUIRED BY THE TOWN OF ACTON WETLANDS BYLAW ****
18. No work shall be undertaken until the Order of Conditions has been reviewed and is clearly understood by the Contractor or his agent. It is the Applicant's responsibility to see that the Contractor clearly understands all items herein.
 19. This Order of Conditions shall apply to any successor in interest or successor in control.
 20. Members and agents of the Conservation Commission shall have the right to enter and inspect the premises to evaluate compliance with the Order and to require the submittal of any data deemed necessary by the Commission for that evaluations.
 21. All drainage facilities and related structures and equipment shall be continually operated and maintained so as to comply with this Order of Conditions. The operation and maintenance of the facilities and structures shall be on-going and will not expire at the end of one year or with the issuance of the Certificate of Compliance.
 22. Any change made, or intended to be made, in the plans shall require the applicant to file a new Notice of Intent, or to inquire of the Commission, in writing, whether the change is substantial enough to require a new filing.
 23. The Conservation Commission shall have the right to file this Order of Conditions in the Registry of Deeds should the applicant fail to do so within 60 days.
 24. Accepted engineering and construction standards and procedures shall be followed in the completion of this project.
 25. The Commission shall be notified in writing 10 days prior to the commencement of any site work. Failure to so notify the Commission shall result in the issuance of an Enforcement Order.
 26. The Petitioner is advised that this Order in no way absolves him of responsibility to other property owners upon whose land he discharges water directly or indirectly.
 27. Erosion control measures consisting of staked haybales unless otherwise approved by the Commission shall be installed during the first phase of construction and the Commission shall be notified of their placement and no work shall begin before inspection by the Commission.
 28. Any materials collected by the erosion control measures shall be removed and properly disposed of.
 29. All work shall be completed as quickly as possible to minimize the duration of exposure of disturbed areas. If work is suspended for a significant period of time (i.e. as during winter months), then temporary stabilization methods must be employed and maintained during the period of inactivity.
 30. No salt or other deicing chemicals shall be used on roadways and parking areas on the site.
 31. This order applies only to the work described in the Notice of Intent and shown on the plans referenced in Condition 12. A Determination of Applicability Form must be filed for any additional work on site in areas governed by the Town of Acton Wetlands Protection Bylaw.
 32. All disturbed areas shall be top-soiled six inches and seeded.

33. Violation of any condition of this Order may result in the issuance of an Enforcement Order. Such Enforcement Order, if issued, will require the immediate cessation of all work until a hearing is held; such hearing will be held not more than 10 days from the issuance of the Enforcement Order.
34. The work authorized hereunder by the Acton Wetlands Protection Bylaw shall be completed within three years from the date of this Order unless the Order is renewed prior to expiration.
35. A fifty (50) foot setback of natural vegetation shall be maintained up-gradient from the wetland.
36. No construction, either temporary or permanent shall occur within seventy-five (75) feet of the edge of wetlands. This shall include driveways; roadways; residential, commercial or industrial structures, etc.
37. There shall be no use of fertilizers, pesticides, herbicides or chemicals of any kind within the fifty (50) foot no construction zone.
38. There shall be no underground storage of gasoline, oil or other fuels or hazardous materials within the one-hundred (100) foot buffer zone.
39. The Commission reserves the right to impose additional conditions to mitigate any actual or potential impacts resulting from the permitted work.
40. All haybales placed for siltation prevention must be removed from the site within 30 days of the stabilization of the area of activity.
41. The work shall conform to the following plans and special conditions:

Plans:

Title	Dated	Signed and Stamped by:	on file with:
Operation & Maintenance Plan			Acton Conservation
Grading & Erosion Control Plan, Utility Plan, Detail Sheet (Full Service Retirement Community) Sheets 8 - 15 1/30/06			Acton Conservation

(Leave Space Blank)

Issued by the ACTON Conservation Commission

Signature(s)

[Signature] [Signature]
[Signature] [Signature]
[Signature] [Signature]

This Order must be signed by a majority of the Acton Conservation Commission.

On this 27th day of June, 2006, before me, the undersigned notary public, personally appeared [Signature] proved to me through satisfactory evidence of identification, which were known to me to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose as Commissioner for the Acton Conservation Commission.

[Signature] February 27, 2009
 Notary Public - Andreea H. Ristine My Commission Expires

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land upon which the proposed work is to be done, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the Department of Environmental Protection to issue a Superseding Order, providing the request is made by certified mail or hand delivery to the Department, with the appropriate filing fee and Fee Transmittal Form as provided in 310 CMR 10.03(7) within ten days from the date of issuance of this determination. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and the applicant.

Detach on dotted line and submit to the ACTON CONSERVATION COMMISSION prior to commencement of work.

To ACTON CONSERVATION COMMISSION Issuing Authority

Please be advised that the Order of Conditions for the project at 906 Main Street, Acton

File Number 85-937 has been recorded at the Registry of Middlesex South and

has been noted in the chain of title of the affected property in accordance with General Condition 8 on _____ 19 ____.

If recorded land, the instrument number which identifies this transaction is _____

If registered land, the document number which identifies this transaction is _____

Signature _____ Applicant



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 4B – Order of Resource Area Delineation

85-754

Provided by DEP

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

A. General Information

From:

ACTON
Conservation Commission

This Issuance is for (check one):

- Order of Resource Area Delineation
- Amended Order of Resource Area Delineation

To: Applicant:

Acton Assisted Living LLC
Name
400 Crown Colony Drive
Mailing Address
Quincy MA 02169
City/Town State Zip Code

Property Owner (if different from applicant):

MIG Group, LLC
Name
21 Alpine Drive
Mailing Address
Chelmsford MA 01824
City/Town State Zip Code

1. Project Location:

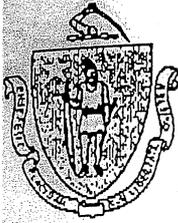
<u>900 & 808 Main Street</u> Street Address	<u>Acton</u> City/Town
<u>C-5</u> Assessor's Map/Plat Number	<u>6 & 8</u> Parcel/Lot Number

2. Title and Date of Final Plans and Other Documents:

<u>Abb. Notice of Resource Area Delineation Plan</u> Title	<u>May 21, 2001</u> Final Date (or Revised Date, if applicable)
---	--

3. Dates:

<u>June 5, 2001</u> Date Notice of Intent Filed	<u>August 15, 2001</u> Date Public Hearing Closed	<u>August 20, 2001</u> Date of Issuance
--	--	--



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 4B – Order of Resource Area Delineation

85-754

Provided by DEP

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

B. Order of Delineation

The Conservation Commission has determined the following (check whichever is applicable):

Accurate: The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

Bordering Vegetated Wetlands

Other Resource Area(s), specifically:

This delineation does not include a determination on the presence of the potential vernal pool and remains open for a future determination. The Applicant's engineer understands and accepts that additional investigation may prove that this pool meets the standards for a State Certified Vernal Pool.

Modified: The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):

Bordering Vegetated Wetlands

Other Resource Area(s), specifically:

Inaccurate: The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

Bordering Vegetated Wetlands

Other Resource Area(s), specifically:

The boundaries were determined to be inaccurate because:



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 4B – Order of Resource Area Delineation
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by DEP

B. Order of Delineation (cont.)

This Order of Resource Area Delineation determines the boundaries of those resource areas noted above and is binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, § 40) and its regulations (310 CMR 10.00) regarding such boundaries. This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation.

This Order must be signed by a majority of the Conservation Commission. The Order must be sent by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate DEP Regional Office (see Appendix A)

Signatures:

[Handwritten signatures]

This Order is valid for three years from the date of issuance.

This Order is issued to the applicant and the property owner (if different) as follows

by hand delivery on

by certified mail, return receipt requested on

Date

Date

C. Appeals

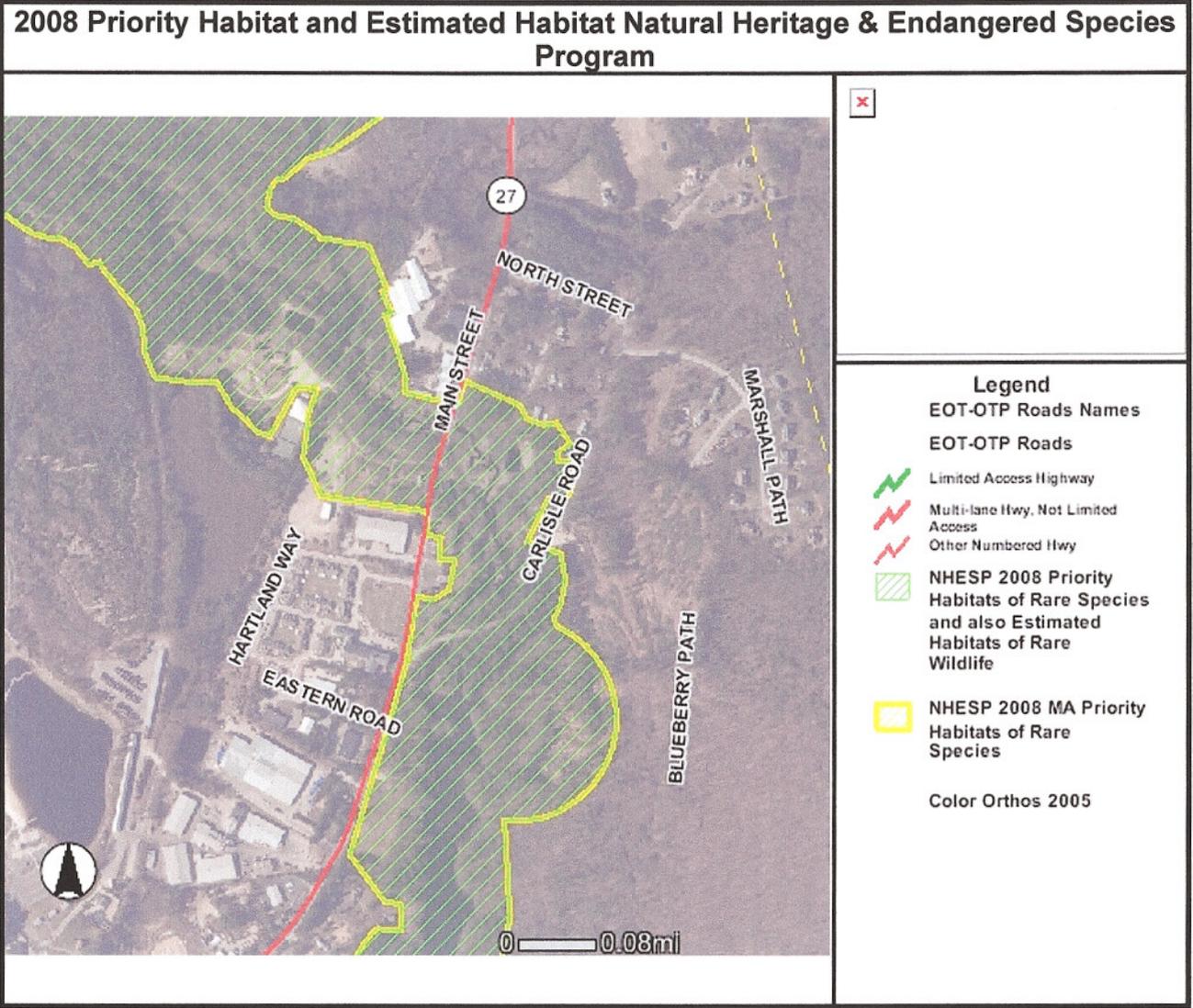
The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office (see Appendix A) to issue a Superseding Order of Resource Area Delineation. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Appendix E: Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, § 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.

Attachment C
Massachusetts Natural Heritage Atlas 13th Edition
Effective October 1, 2008

for

Robbins Brook Senior Living Community
Acton, MA



Attachment D
Assessor's Map /
Photograph Representative of the Site

for

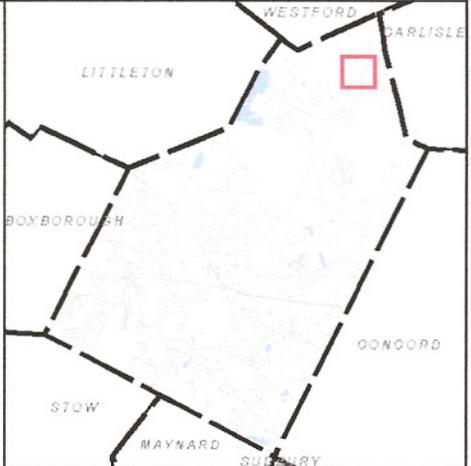
Robbins Brook Senior Living Community
Acton, MA



Property Information
Property ID
Location

**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

This data set/map is for planning purposes only and should not be used for larger scale analysis. The Town of Acton shall not be held liable for any use of the data or images shown on this map, nor is any warranty of accuracy expressed. All uses of this data set/map are subject to field verification.



STRUCTURES

-  BUILDING
-  DECK
-  FOUNDATION
-  FUEL TANK
-  MOBILE
-  PORCH
-  RUINS
-  SMOKESTACK
-  WATERTANK

-  PARCELS

DEP WETLANDS

-  WET AREAS
-  PONDS

-  DEP RIVERS & STREAMS

-  TOWN BOUNDARIES



Attachment E
Operation and Maintenance Plan

for

Robbins Brook Senior Living Community
Acton, MA

Operation and Maintenance Plan

1. BMP Owner: Acton Assisted Living, LLC
400 Crown Colony Drive
Quincy, MA 02169
2. Parties responsible for operation/maintenance: same as above
3. Schedule for inspection and maintenance:

Deep Sump and Hooded Catch Basins:

- The deep sumps for all catch basins shall be inspected after every major storm event and cleaned as necessary, with a minimum of four cleanings per year.

Clay-Lined Basins:

- The clay-lined basins shall be inspected after every major storm for the first three months after construction. The clay-lined basins shall be inspected twice yearly thereafter.
- The grass in the basins shall be mowed and grass clippings, organic matter, and accumulated trash and debris removed twice per year during the growing season to prevent clogging. Deep tilling can be used to break up a clogged surface area. Any tilled areas should be revegetated immediately.
- Eroded or barren spots shall be reseeded immediately after inspection to prevent erosion and accumulation of sediment.
- Sediment shall be removed from the basins as needed, and at least once every 10 years. This procedure shall not take place until the floor of the basin is thoroughly dry.

Infiltration Basins:

- The infiltration basins shall be inspected after every major storm for the first three months after construction. The infiltration basin shall be inspected twice yearly thereafter. These inspections shall be conducted during wet weather to determine if the basins are meeting the targeted detention times.
- The grass in the basins shall be mowed and grass clippings, organic matter, and accumulated trash and debris removed twice per year during the growing season to prevent clogging. Deep tilling can be used to break up a clogged surface area. Any tilled areas should be revegetated immediately.
- Eroded or barren spots shall be reseeded immediately after inspection to prevent erosion and accumulation of sediment.
- Sediment shall be removed from the basins as needed, and at least once every 10 years. This procedure shall not take place until the floor of the basin is thoroughly dry.

Slide Gates:

- Slide gate valves are to be installed at the inlets of Infiltration Basins #6 and #7 as indicated in the detail for the Infiltration basins.
- The purpose of the slide gate valves is to prevent contamination of the groundwater through the infiltration beds by providing a mechanism that blocks the flow of stormwater into the infiltration basins in the event of a hazardous spill.
- In the event of a hazardous spill the operator of the slide gate valves shall push the handle attached to the blockage plate downward in a vertical motion until the blockage plate is in position. When the threat of contamination has been removed, the handle shall be raised to allow stormwater to flow in to the infiltration basin.

Attachment F
Grading and Erosion Control Plans
Utility Plans
Detail Sheet
Revised: March 23,2010

for

Robbins Brook Senior Living Community
Acton, MA