

**Stamski and McNary, Inc.**  
Engineering - Planning - Surveying  
1000 Main Street Acton, MA 01720 (978) 263-8585

## **Notice of Intent**

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

and

The Town of Acton Wetland Protection Bylaw

**for**

**294 Main Street  
Acton, MA 01720**

**Applicant:** 294 Main Street LLC.  
P.O. Box 2350  
Acton, MA 01720

**Owner:** James L. Press  
294 Main Street  
Acton, MA 01720

**Date:** December 20, 2010

SM-4703

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- NOI Wetland Fee Transmittal Form
- Certified Abutters List / Affidavit / Notice to Abutters

### Attachments:

- A. U.S.G.S. Map
- B. WPA Form 4B – Order of Resource Area Delineation
- C. Massachusetts Natural Heritage Atlas 13<sup>th</sup> edition, Effective: October 1, 2008
- D. Site Plan (3 Sheets) by Stamski and McNary, Inc. dated: December 21, 2010
- E. Stormwater Report ( under separate cover)

## **Project Narrative**

## **PROJECT NARRATIVE**

### **294 Main Street**

#### **Wetland Resources**

The potential for regulated wetlands and related areas on the site was investigated in accordance with the Massachusetts Wetlands Protection Act (MGL Ch. 131 s. 40) and its associated regulations (310 CMR 10.00), the Rivers Protection Act (and amendment to the Wetlands Protection Act (WPA) under Chapter 258 of the Acts of 1996), and the Town of Acton Wetland Protection Bylaw. The Acton Conservation Commission issued an Order of Resource Area Delineation on November 17, 2010. While the Bordering Vegetated Wetland is located on an abutting property, the BVW projects a 100 foot Buffer Zone onto the site. There is also a potential Vernal Pool located off property within the BVW that projects a 100 foot Buffer Zone onto the site as well.

#### **Existing Conditions**

The site is located at 294 Main Street in Acton, Massachusetts and is approximately 0.74 acres located in the Residence AA zoning district. There is currently a single-family dwelling on the property. There are mature trees located to the west, north and east of the existing dwelling and a pocket of combination tree/lawn located along Main Street. There is a wetland located off the property to the east. The remaining lot coverage is comprised of a dwelling, driveway, lawn and a small gravel area.

Under current conditions, runoff from the entire site runs uncontrolled from the west to the east towards wetland located off site. There is a potential vernal pool located to the east on the abutting lot, within this wetland.

#### **Bordering Vegetated Wetlands**

There is a Bordering Vegetated Wetland (BVW) located off the site to the east. The BVW boundary was field delineated by B & C Associates and confirmed by the Acton Conservation Commission in an Order of Resource Delineation dated: November 17, 2010 (attached).

#### **Proposed Site Conditions**

The proposed project is the removal of an existing single family dwelling and the construction of three two-family structures. A portion of three of the six units will be within the 100 foot Buffer Zone of a BVW, along with associated shared driveway and utilities.

Runoff from the majority of the driveway will be directed to a Rain Garden for treatment and recharge. Overflow from the Rain Garden, as well as roof runoff from four of the six units will be directed to a sub-surface infiltration trench for further treatment and recharge. There will also be an infiltration trench and drip edge to capture runoff from a small portion of the driveway and roof runoff from unit 6, respectively.

## **Buffer Zone**

The offsite BVW projects a 100 foot Buffer Zone onto the site. A significant portion of the existing dwelling and driveway and all of the existing sewage disposal system is located within the 100 foot Buffer Zone. Three of the units will be located within the 100 foot Buffer Zone, but greater than 75 feet from the BVW. The proposed driveway will be located no closer than existing conditions (66'). There will be no on-site sewage disposal system as the proposed dwellings will be connected to the town sewer system. The existing disturbance nonconformity setback to the potential vernal pool will be maintained as well.

The Town of Acton Wetland Bylaw prohibits certain activities within the Buffer Zone as well as other setback areas. The following outlines the prohibition and the projects respective compliance:

### Wetland Protection Bylaw Section 3.2 and Chapter F 8.3 Wetland Setbacks for New Activities

*0-foot setback for wetland-dependent structures (drain outfalls, weirs, etc), fences, and structures necessary for upland access where reasonable alternative access is unavailable.*

The proposed Rain Garden will be located approximately 35 feet from the BVW at the closest point and greater than 80 feet from the potential vernal pool. The Rain Garden is located in a previously disturbed area where the current sewage disposal system is located. The outfalls of the sub-surface Infiltration Trench and foundation drains will be approximately 65 feet from the BVW and 85 feet from the potential vernal pool.

*75-foot no-build setback to the edge of driveways, roadways and structures.*

All of the units have been proposed greater than 75 feet from the BVW and greater than 100 feet from the potential vernal pool. Units 5 and 6 are the closest proposed units to the BVW, they are approximately 76 feet from the BVW to the structure and meet separation requirements of the Bylaw. Unit 1 will be approximately 96' from the BVW and units 2, 3, and 4 will be greater than 100 feet from the BVW.

### Wetland Protection Bylaw Section 3.3 and Chapter F 8.3 Wetland Setbacks for Existing Structures

*No new activity shall be commenced and no new structure shall be located closer to the edge of a Wetland Resource Area than existing non-conforming like Activity or structures...*

The existing driveway is located approximately 66 feet from BVW at the closest point, which is at the entrance from Main Street. The driveway is not presently in

compliance with Section 3.2. The proposed driveway will make use of the existing entrance and be expanded away from the BVW. No new activity shall be commenced which will be located closer to the edge of a Wetland Resource Area than existing no-conforming like activities.

### **Summary**

No direct impacts to the Bordering Vegetated Wetland and potential vernal pool are proposed. Work will occur within the 100 foot Buffer Zone of the BVW. All Structures will be located greater than 75 feet from the BVW and proposed driveway will not be located closer the existing like activity.

**Notice of Intent - WPA Form 3**



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

# WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Acton

City/Town

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



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

## A. General Information

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

<u>294 Main Street</u>	<u>Acton</u>	<u>01720</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	<u>042d 28'34.8"N</u>	<u>071d 27'10.7"W</u>
	d. Latitude	e. Longitude
<u>F-3</u>	<u>80</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>Stephen</u>	<u>Steinberg</u>	
a. First Name	b. Last Name	
<u>294 Main St. LLC.</u>		
c. Organization		
<u>P.O. Box 2350</u>		
d. Street Address		
<u>Acton</u>	<u>MA</u>	<u>01720</u>
e. City/Town	f. State	g. Zip Code
<u>(978) 263-3989</u>	<u>(978) 263-0403</u>	<u>actonmgt@verizon.net</u>
h. Phone Number	i. Fax Number	j. Email Address

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

<u>James</u>	<u>Press</u>	
a. First Name	b. Last Name	
c. Organization		
<u>294 Main Street</u>		
d. Street Address		
<u>Acton</u>	<u>MA</u>	<u>01720</u>
e. City/Town	f. State	g. Zip Code
<u>(978) 590-5965</u>	<u>(978) 266-1073</u>	<u>jim.press@ntscorp.com</u>
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>Benjamin</u>	<u>Ewing</u>	
a. First Name	b. Last Name	
<u>Stamski and McNary, Inc.</u>		
c. Company		
<u>1000 Main Street</u>		
d. Street Address		
<u>Acton</u>	<u>MA</u>	<u>01720</u>
e. City/Town	f. State	g. Zip Code
<u>(978) 263-8585</u>	<u>(978) 263-9883</u>	<u>bre@stamskiandmcnary.com</u>
h. Phone Number	i. Fax Number	j. Email address

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

<u>\$2,100.00</u>	<u>\$1,037.50</u>	<u>\$1,062.50 (Plus \$420.00 Bylaw)</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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## A. General Information (continued)

6. General Project Description:

The Construction of a portion of 2 two family structures and associated driveway and utilites within the 100' Buffer Zone of a Bordering Vegetated Wetland.

7a. Project Type Checklist:

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

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

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

2. Limited Project

8. Property recorded at the Registry of Deeds for:

Middlesex South

a. County

28756

c. Book

b. Certificate # (if registered land)

553

d. Page Number

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

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

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

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <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)

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____ 3. cubic feet of flood storage lost _____	2. square feet _____ 4. cubic feet replaced _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet _____ 2. cubic feet of flood storage lost _____	3. cubic feet replaced _____
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) _____	
2. Width of Riverfront Area (check one):		
<input type="checkbox"/> 25 ft. - Designated Densely Developed Areas only		
<input type="checkbox"/> 100 ft. - New agricultural projects only		
<input type="checkbox"/> 200 ft. - All other projects		
3. Total area of Riverfront Area on the site of the proposed project:		_____ square feet
4. Proposed alteration of the Riverfront Area:		
a. total square feet _____	b. square feet within 100 ft. _____	c. square feet between 100 ft. and 200 ft. _____
5. Has an alternatives analysis been done and is it attached to this NOI?		<input type="checkbox"/> Yes <input type="checkbox"/> No
6. Was the lot where the activity is proposed created prior to August 1, 1996?		<input type="checkbox"/> Yes <input type="checkbox"/> 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.

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

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 BWV _____	b. square feet of Salt Marsh _____
5. <input type="checkbox"/> Project Involves Stream Crossings		
	a. number of new stream crossings _____	b. number of replacement stream crossings _____

## C. Other Applicable Standards and Requirements

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

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to [http://www.mass.gov/dfwele/dfw/nhesp/regulatory\\_review/priority\\_habitat/online\\_viewer.htm](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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## C. Other Applicable Standards and Requirements (cont'd)

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

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

1.  Percentage/acreage of property to be altered:

(a) within wetland Resource Area

\_\_\_\_\_ percentage/acreage

(b) outside Resource Area

\_\_\_\_\_ percentage/acreage

2.  Assessor's Map or right-of-way plan of site

3.  Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*\*

(a)  Project description (including description of impacts outside of wetland resource area & buffer zone)

(b)  Photographs representative of the site

(c)  MESA filing fee (fee information available at: [http://www.mass.gov/dfwele/dfw/nhesp/regulatory\\_review/mesa/esa\\_fee\\_schedule.htm](http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/esa_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/nhesp/regulatory\\_review/mesa/esa\\_exemptions.htm](http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/esa_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/nhesp/nhesp.htm>, regulatory review tab). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

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



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

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

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

a.  Not applicable – project is in inland resource area only

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

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

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?

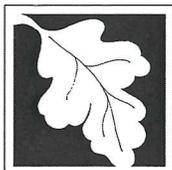
a.  Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:

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

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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.

Site Plan for Sarah Jane Court

a. Plan Title

Stamski and McNary, Inc.

b. Prepared By

12/21/2010

d. Final Revision Date

Joseph March, P.E., P.L.S.

c. Signed and Stamped by

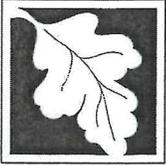
1"=20'

e. Scale

f. Additional Plan or Document Title

g. Date

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



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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:

1009 (\$1062.50)	1010 (\$420.00)	12/16/2010
2. Municipal Check Number		3. Check date
1008 (\$1039.50)		12/16/2010
4. State Check Number		5. Check date
29A MAIN ST LLC		
6. Payor name on check: First Name		7. Payor name on check: Last Name

## F. Signatures and Submittal Requirements

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

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

<i>Stephen P. Platenberg, Mgr.</i>	12/17/10
1. Signature of Applicant	2. Date
<i>James P. New</i>	12/17/10
3. Signature of Property Owner (if different)	4. Date
	6. Date
5. Signature of Representative (if any)	

### 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.

**NOI Wetland Fee Transmittal Form**



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

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



**A. Applicant Information**

1. Applicant:

a. First Name \_\_\_\_\_ b. Last Name \_\_\_\_\_  
 c. Organization 294 MAIN ST. LLC.  
 P.O. Box 2350  
 d. Mailing Address \_\_\_\_\_  
 Acton \_\_\_\_\_ MA \_\_\_\_\_ 01720  
 e. City/Town \_\_\_\_\_ f. State \_\_\_\_\_ g. Zip Code \_\_\_\_\_  
 (978) 263-2989 978 263-0403 ACTON.MGT@VERIZON.NET  
 h. Phone Number X2 i. Fax Number \_\_\_\_\_ j. Email Address \_\_\_\_\_

2. Property Owner (if different):

a. First Name James b. Last Name Press  
 c. Organization \_\_\_\_\_  
 294 Main Street  
 d. Mailing Address \_\_\_\_\_  
 Acton \_\_\_\_\_ MA \_\_\_\_\_ 01720  
 e. City/Town \_\_\_\_\_ f. State \_\_\_\_\_ g. Zip Code \_\_\_\_\_  
 978 590 5965 978 266 1073 JIM.PRESS@NTSCORP.COM  
 h. Phone Number \_\_\_\_\_ i. Fax Number \_\_\_\_\_ j. Email Address \_\_\_\_\_

3. Project Location:

a. Street Address 294 Main Street b. City/Town Acton

**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
Cat. 3(B) Apartment/Condo Bulding	2	\$1,050.00	\$2,100.00

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

**Step 6/Fee Payments:**

Total Project Fee:	\$2,100.00
State share of filing Fee:	\$1,037.50
City/Town share of filling Fee:	\$1,062.50 (plus \$420.00 Bylaw Fee)

**C. Submittal Requirements**

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

Department of Environmental Protection  
 Box 4062  
 Boston, MA 02211

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

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

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



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

Brian McMullen  
 Assistant Assessor

Locus: 294 MAIN ST  
 Parcel ID: F3-80

Location	Parcel ID	Owner	Co-Owner	Mailing Address	Mailing Address 2	City	ST	Zip
9 CHARTER RD	F3-31	TOWN OF ACTON		472 MAIN ST		ACTON	MA	01720
300 MAIN ST	F3-74	ACTON HISTORICAL SOCIETY INC.		PO BOX 2389		ACTON	MA	01720
295 MAIN ST	F3-89	E&A NORTHEAST LTD PRTN	C/O EDENS & AVENT	900 NATIONAL BANK	1901 MAIN STREET	COLUM	SC	29202
289 MAIN ST	F3-95	CUMBERLAND FARMS INC	ATT: CFI TAX DEPT	100 CROSSING BLVD		FRAMIN	MA	01702
288 MAIN ST #1	F3-88-1	BRAVO BUILDERS COMPANY LLC	C/O FRAMPTON CHARLES & PATTERSON MEREDITH	288 MAIN ST #1		ACTON	MA	01720
288 MAIN ST #2	F3-88-2	BRAVO BUILDERS COMPANY LLC	C/O TROTZ SETH R	288 MAIN ST #2		ACTON	MA	01720
288 MAIN ST #3	F3-88-3	BRAVO BUILDERS COMPANY LLC	C/O TAN ELIZA	288 MAIN ST #3		ACTON	MA	01720
288 MAIN ST #4	F3-88-4	BRAVO BUILDERS COMPANY LLC		288 MAIN ST		ACTON	MA	01720
288 MAIN ST #5	F3-88-5	BRAVO BUILDERS COMPANY LLC		288 MAIN ST		ACTON	MA	01720
285 MAIN ST	F3-94	HOGLE ROBERT M	HOGLE TINA M	285 MAIN ST		ACTON	MA	01720

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.

Kristen Caouette Oct 13 2010

Acton Assessors Office

**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: 294 Main Street LLC

Address: P.O. Box 2350, Acton, MA 01720 Phone: (978) 263-2989

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: 1000 Main Street; Acton MA 01720 Phone: (978) 263-8585

The address of the property where the activity is proposed: 294 Main Street

Town Atlas Plate/Map: F-3 Parcel/Lot: 80

Project Description: The construction of a portion of two duplex building and associated driveway and utilities within the 100 foot Buffer Zone of a Bordering Vegetated Wetland.

Copies of the Notice of Intent may be examined at the Conservation Office, Acton Town Hall, 472 Main Street, Acton. Between the hours of 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,  
January 5, 2011 at 7:30 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-

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 12/23/10 I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:

A Notice of Intent filed under the Massachusetts  
Wetlands Protection Act by 294 Main Street LLC.  
with the Acton Conservation Commission for  
property located 294 Main Street.

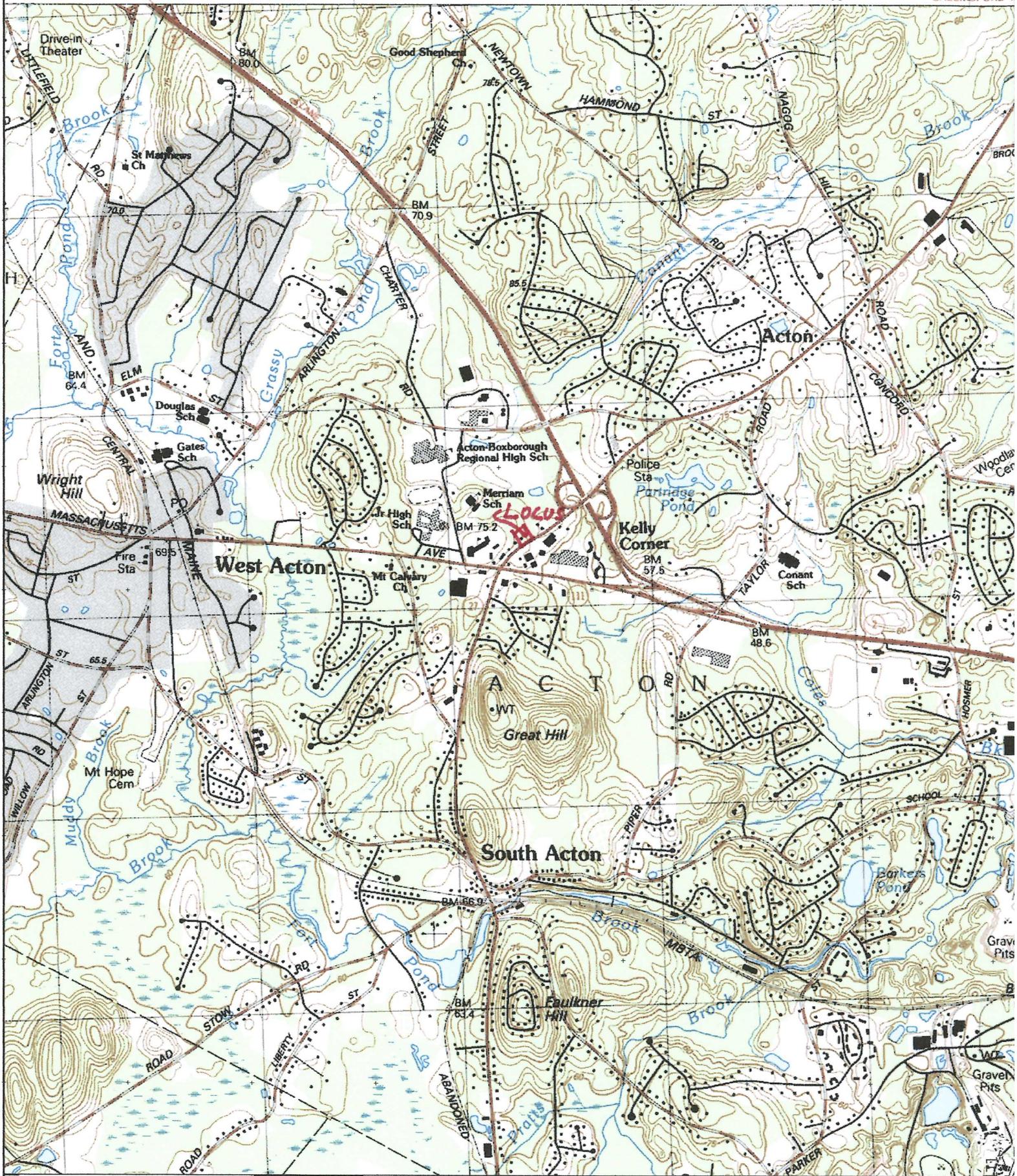
The form of the notification, and a list of the abutters to whom it was given and their addresses, are attached to this Affidavit of Service.

Name:



Date: 12/23/10

**Attachment A**  
**U.S.G.S. Map**



<Default> - 1 Markers, Length = 0 feet

X - 042° 28' 34.8" N, 071° 27' 10.7" W

Name: MAYNARD  
 Date: 12/15/110  
 Scale: 1 inch equals 2003 feet

Location: 042° 28' 28.0" N 071° 27' 13.3" W  
 Caption: 294 Main Street  
 Acton, MA 01720  
 SM-4703

**Attachment B**  
**WPA Form 4B – Order of Resource**  
**Area Delineation**



**WPA Form 4B – Order of Resource Area  
Delineation**

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

Provided by MassDEP:  
85-1049  
MassDEP File Number  
eDEP Transaction Number  
ACTON  
City/Town

**A. General Information**

From: ACTON  
1. Conservation Commission  
2. This Issuance is for (check one):  
a.  Order of Resource Area Delineation  
b.  Amended Order of Resource Area Delineation  
3. Applicant:  
Stephen Steinberg  
a. First Name b. Last Name  
Acton Management, Inc.  
c. Organization  
PO Box 2350  
d. Mailing Address  
Acton MA 01720  
e. City/Town f. State g. Zip Code  
4. Property Owner (if different from applicant):  
James Press  
a. First Name b. Last Name  
c. Organization  
294 Main Street  
d. Mailing Address  
Acton MA 01720  
e. City/Town f. State g. Zip Code  
5. Project Location:  
294 Main Street Acton 01720  
a. Street Address b. City/Town c. Zip Code  
F-3  
d. Assessors Map/Plat Number e. Parcel/Lot Number  
Latitude and Longitude 42.4763 74.4524  
(in degrees, minutes, seconds): f. Latitude g. Longitude  
6. Dates: October 2, 2010 November 17, 2010 November 17, 2010  
a. Date ANRAD filed b. Date Public Hearing Closed c. Date of Issuance  
7. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:  
Resource Area Delineation Plan November 3, 2010  
a. Title b. Date  
c. Title d. Date



**WPA Form 4B – Order of Resource Area  
Delineation**

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

Provided by MassDEP:  
85-1049  
MassDEP File Number  
eDEP Transaction Number  
ACTON  
City/Town

**B. Order of Delineation**

1. The Conservation Commission has determined the following (check whichever is applicable):  
a.  **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):  
1.  Bordering Vegetated Wetlands  
2.  Other resource area(s), specifically:  
a. BWV Flags WF-1 thru WF-2 as indicated on 11/3/2010 plan and BWV delineation and potential vernal pool as marked and inspected on site 11/3/2010 & 11/11/2010 @ 300 Main St.  
b.  **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):  
1.  Bordering Vegetated Wetlands  
2.  Other resource area(s), specifically:  
a. \_\_\_\_\_  
c.  **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):  
1.  Bordering Vegetated Wetlands  
2.  Other resource area(s), specifically:  
\_\_\_\_\_



**WPA Form 4B – Order of Resource Area  
Delineation**

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

Provided by MassDEP:  
85-1049  
MassDEP File Number  
eDEP Transaction Number  
ACTON  
City/Town

**C. Findings**

This Order of Resource Area Delineation determines that the boundaries of those resource areas noted above, have been delineated and approved by the Commission and are 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). 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 <http://www.mass.gov/dep/about/region/findyour.htm>).

**D. 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 Resource Area Delineation. When requested to issue a Superseding Order of Resource Area Delineation, the Department's review is limited to the objections to the resource area delineation(s) stated in the appeal request. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed 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.

Any appellants seeking to appeal the Department's Superseding Order of Resource Area Delineation 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 bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.



**WPA Form 4B – Order of Resource Area  
Delineation**

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

Provided by MassDEP:  
85-1049  
MassDEP File Number  
eDEP Transaction Number  
ACTON  
City/Town

**E. Signatures**

Please indicate the number of members who will sign this form. \_\_\_\_\_  
Signature of Conservation Commission Member  
Date of Issuance \_\_\_\_\_  
-3- Number of Signers

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

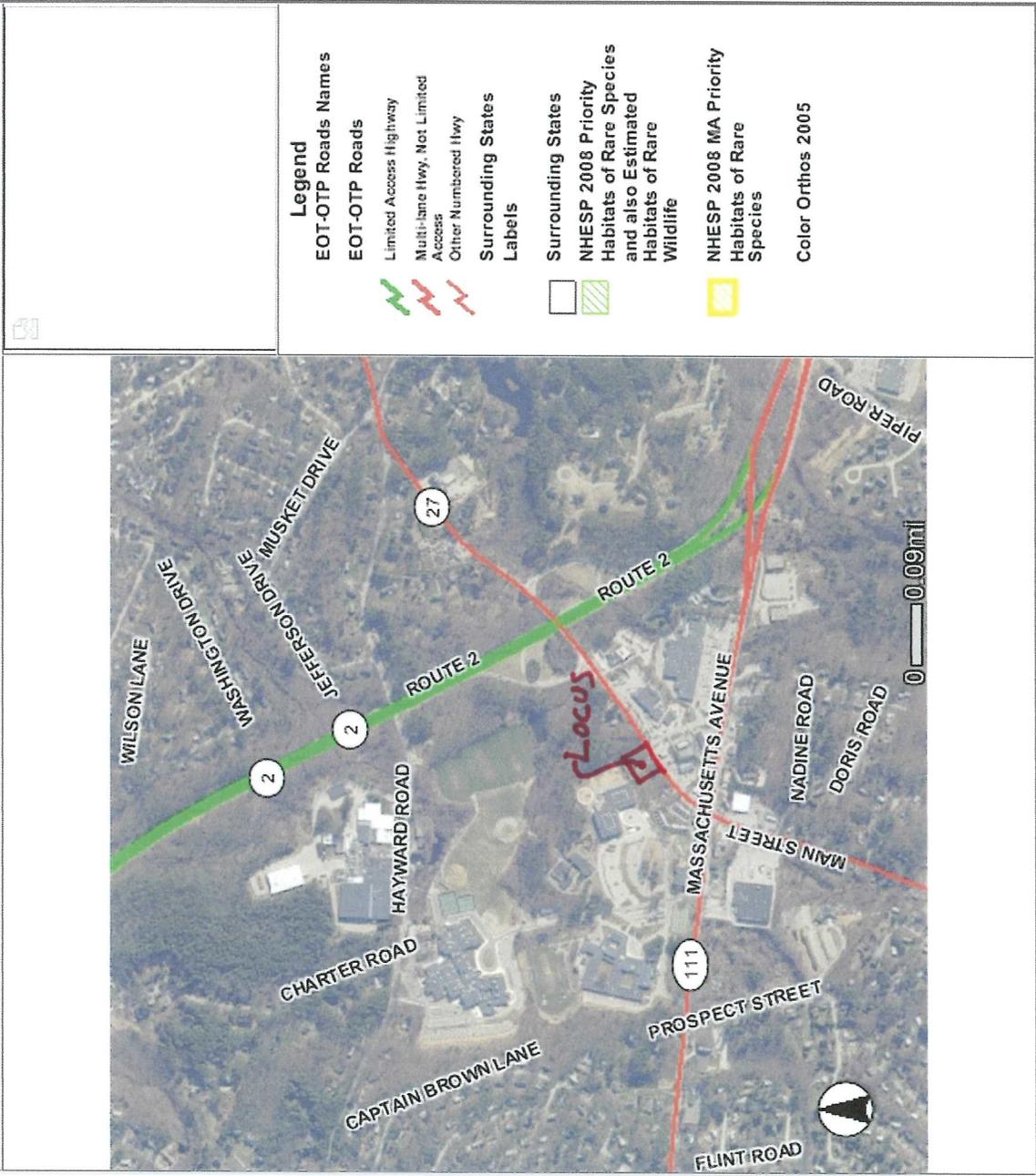
If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, which expires on \_\_\_\_\_ unless extended in writing by the issuing authority.

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

2.  By hand delivery on \_\_\_\_\_  
a. Date  
3.  By certified mail, return receipt requested on \_\_\_\_\_  
a. Date 12-2-2010

**Attachment C**  
**Massachusetts Natural Heritage Atlas 13<sup>th</sup> Edition**

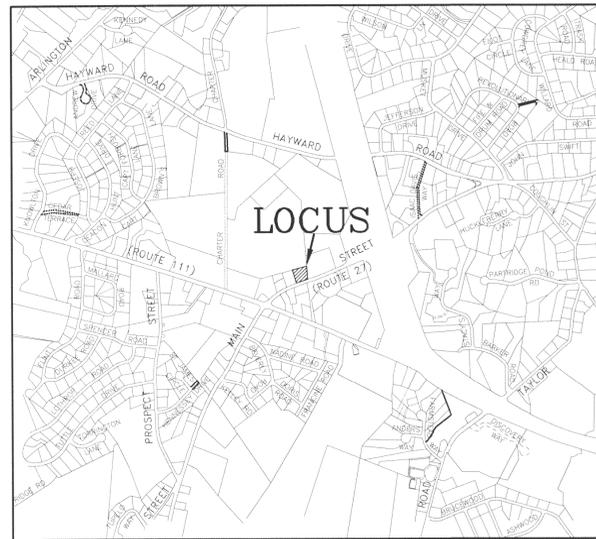
# 2008 Priority Habitat and Estimated Habitat Natural Heritage & Endangered Species Program



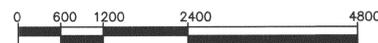
- Legend**
- EOT-OTP Roads Names**
  - EOT-OTP Roads**
    - Limited Access Highway
    - Multi-lane Hwy. Not Limited Access
    - Other Numbered Hwy
  - Surrounding States**
  - Labels**
  - Surrounding States**
  - NHESP 2008 Priority Habitats of Rare Species and also Estimated Habitats of Rare Wildlife**
  - NHESP 2008 MA Priority Habitats of Rare Species**
  - Color Orthos 2005**

**Attachment D**  
**Site Plan**

# SITE PLAN FOR SARAH JANE COURT ACTON, MASSACHUSETTS



**LOCUS PLAN**  
SCALE: 1"=1,200'



**INDEX:**

- SHEET 1 OF 3 - TITLE SHEET, MASTER PLAN, NATURAL FEATURES AND EXISTING CONDITIONS PLAN
- SHEET 2 OF 3 - SITE DEVELOPMENT, EROSION AND SEDIMENTATION CONTROL PLAN
- SHEET 3 OF 3 - DETAIL SHEET

**ZONING DISTRICT:**

R-AA (RESIDENCE AA)  
GROUNDWATER PROTECTION DISTRICT ZONE 4

**APPLICANT:**

294 MAIN ST., LLC  
P.O. BOX 2350  
69 GREAT ROAD  
ACTON, MA 01720

**REFERENCE**

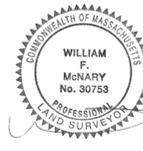
MIDDLESEX REGISTRY OF DEEDS  
SOUTH DISTRICT  
DEED BOOK 28756 PAGE 553  
PLAN No. 1030 OF 1955  
TOWN ATLAS - ACTON, MASSACHUSETTS  
MAP F-3 PARCEL 80

**ENGINEER/SURVEYOR:**

STAMSKI AND MCNARY, INC.  
1000 MAIN STREET  
ACTON, MASSACHUSETTS 01720  
(978) 263-8585

**RECORD OWNER:**

JAMES L. PRESS  
294 MAIN STREET  
ACTON, MASSACHUSETTS

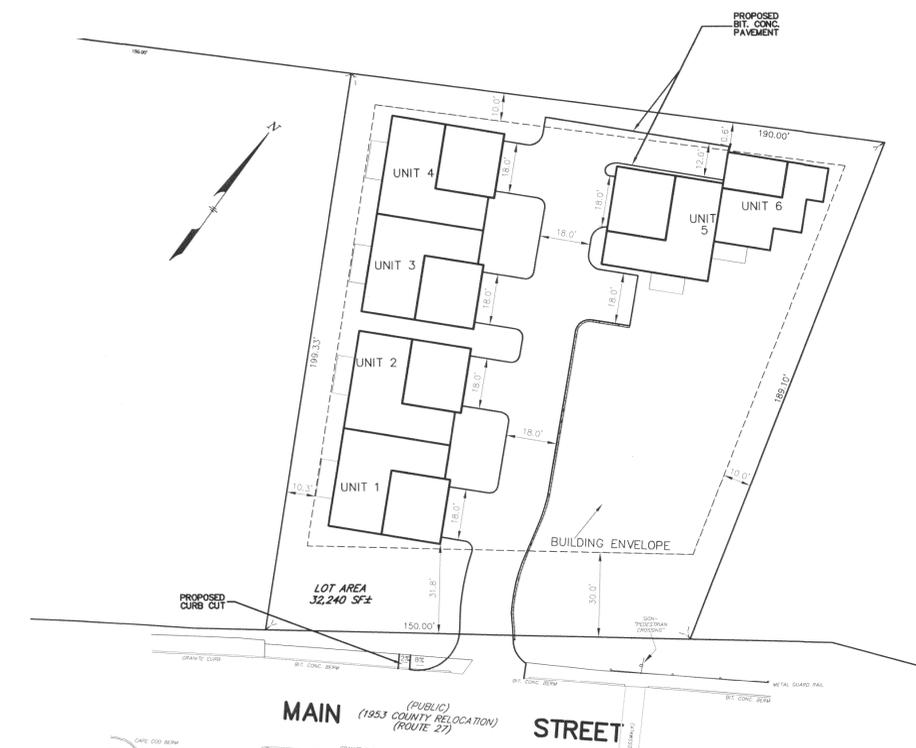


**LAND USE DATA**

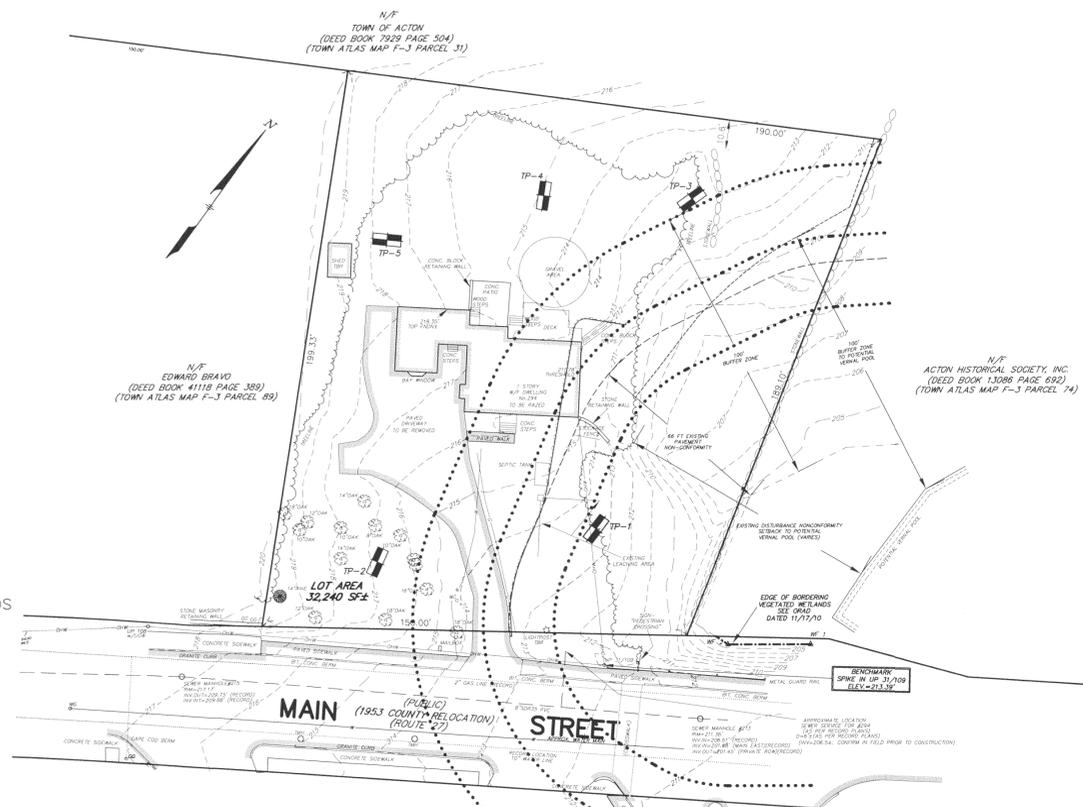
ZONING REQUIREMENTS (RAA)	PROPOSED	
MIN LOT AREA	10,000 SF	32,240 SF
MIN LOT FRONTAGE	100 FT	150.00 FT
MIN LOT WIDTH	50 FT	> 150 FT
MIN FRONT YARD	30 FT	32 FT
MIN SIDE & REAR YARD	10 FT	11 FT
MIN OPEN SPACE	35% (11,284 SF)	67% (17,290 SF)
MAX FLOOR AREA RATIO	NR	NR
MAX BUILDING HEIGHT	36 FT	< 36 FT
MAX DENSITY	15 UNITS/AC	8 UNITS/AC

PARKING REQUIREMENTS	
RESIDENTIAL: 2 SPACES PER UNIT (6 UNITS)	= 12
TOTAL	= 12+
TOTAL SPACES PROPOSED: 12+	



**LAYOUT PLAN**  
SCALE: 1"=30'



**EXISTING CONDITIONS AND DEMOLITION PLAN**  
SCALE: 1"=30'

**LEGEND**

- TREELINE
- STONEWALL
- EXISTING CONTOUR
- EDGE OF BORDERING VEGETATED WETLANDS
- WET FLAG
- FENCE
- TREE
- EXISTING UTILITY POLE
- NOW OR FORMERLY

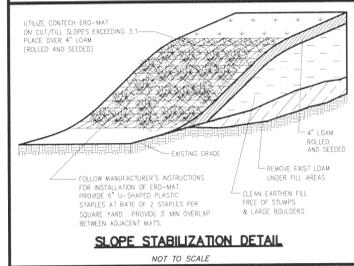
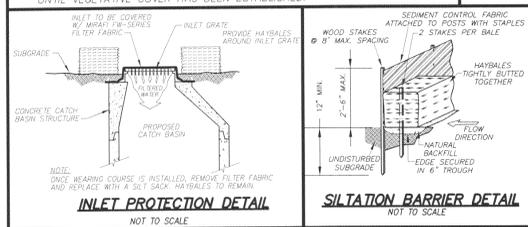
**DATUM:**

ELEVATIONS SHOWN ON THIS PLAN REFER TO N.G.V.D. OF 1929.  
BENCHMARK USED: MONEL RIVET SET IN SOUTHEAST CORNER OF STONE STEP AT THE ENTRANCE TO THE SOUTH SIDE OF MCCARTHY TOWNE SCHOOL.  
ELEVATION=241.31.

DATE: DECEMBER 21, 2010

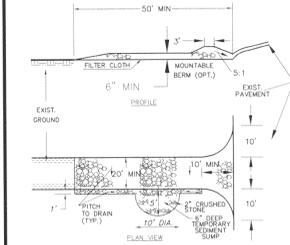
**EROSION AND SEDIMENTATION CONTROL NOTES**

1. SEDIMENT AND EROSION CONTROL MEASURES SHALL BE IMPLEMENTED PRIOR TO ANY CONSTRUCTION ON THE SITE.
2. HAYBALES AND SILT FENCE SHALL BE PLACED IN ALL AREAS AS SHOWN ON ALL THE PLANS AND IN ANY OTHER AREAS AS DETERMINED NECESSARY DURING CONSTRUCTION.
3. ALL SOIL STOCKPILES SHALL HAVE EROSION CONTROL MEASURES AROUND THEIR EDGES AT ALL TIMES.
4. TEMPORARY SEDIMENTATION BASINS SHALL BE USED TO CONTROL RUNOFF.
5. ALL CATCH BASINS SHALL BE COVERED WITH SILTATION FABRIC DURING CONSTRUCTION. CATCH BASIN RIMS ARE TO BE SET AT BINDER GRADE UNTIL IT IS TIME TO APPLY THE PAVEMENT WEARING COURSE.
6. ALL CUT AND FILL SLOPES SHALL BE IMMEDIATELY COVERED WITH 4" OF LOAM AND SEEDED DURING THE GROWING SEASON (APRIL 1 TO NOVEMBER 1) OR COVERED WITH HAYMULCH DURING THE NON-GROWING SEASON (NOVEMBER 1 TO APRIL 1). IN AREAS SUBJECT TO THE WETLANDS PROTECTION ACT, THE HAYMULCH AND/OR REQUIRED MEASURES SHALL REMAIN IN PLACE UNTIL PERMANENT VEGETATION IS REESTABLISHED.
7. UNLESS OTHERWISE INDICATED, ALL DISTURBED AREAS SHALL RECEIVE 4" OF LOAM AND BE SEEDED TO PREVENT EROSION.
8. ALL CATCH BASIN SUMPS AND MANHOLES SHALL BE CLEANED OUT AFTER CONSTRUCTION.
9. THE HAYBALES AND SILT FENCE SHALL BE MAINTAINED UNTIL VEGETATIVE COVER HAS BEEN SUITABLY ESTABLISHED, GRADED SLOPES ARE STABLE, AND THE CONSERVATION COMMISSION APPROVES THEIR REMOVAL.
10. ALL SLOPES STEEPER THAN 3:1 SHALL BE COVERED WITH EROSION CONTROL FABRIC.
11. INSPECTION/MAINTENANCE:  
12. THE DEVELOPER IS RESPONSIBLE TO CLEAN UP ANY SEDIMENT OR DEBRIS WHICH ERODES FROM THE SITE INTO THE WETLANDS IMMEDIATELY UPON DISCOVERY.
13. THE DEVELOPER IS RESPONSIBLE TO CLEAN UP ANY SEDIMENT OR DEBRIS WHICH ERODES FROM THE SITE INTO STREETS OR PRIVATE PROPERTY AND TO REMOVE SEDIMENT OR DEBRIS THAT ENTERS ANY EXISTING DRAINAGE SYSTEM INCLUDING CATCH BASIN SUMPS, PIPE LINES, MANHOLES, AND DITCHES.
14. THE CONTRACTOR SHALL FOLLOW STANDARD PRACTICE AND LOAM AND SEED ALL DISTURBED AREAS FOLLOWING CONSTRUCTION. A MAINTENANCE AND OPERATION PLAN SHALL BE IN PLACE AT ALL TIMES ON THE SITE.
15. OPERATOR PERSONNEL MUST INSPECT THE CONSTRUCTION SITE AT LEAST EVERY 7 DAYS AND WITHIN 24 HOURS OF A RAINFALL OF 0.5 INCHES OR MORE. DISTURBED AREAS THAT HAVE BEEN STABILIZED MUST BE INSPECTED AT LEAST ONCE PER MONTH.
16. THE HAYBALES AND SILT FENCE SHALL REMAIN IN PLACE AND FUNCTIONAL UNTIL VEGETATIVE COVER HAS BEEN ESTABLISHED.



**GENERAL NOTES**

1. ALL ELEVATIONS SHOWN REFER TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929. BENCHMARK USED: MONEL RIVET SET IN SOUTHEAST CORNER OF STONE STEP AT THE ENTRANCE TO THE SOUTH SIDE OF MCCARTHY TOWNE SCHOOL. ELEVATION=241.31.
2. ALL UNDERGROUND UTILITIES SHOWN HERE WERE COMPILED ACCORDING TO AVAILABLE RECORD PLANS FROM VARIOUS UTILITY COMPANIES AND PUBLIC AGENCIES AND ARE APPROXIMATE ONLY. ACTUAL LOCATIONS MUST BE DETERMINED IN THE FIELD BEFORE EXCAVATING, BLASTING, INSTALLING, BACKFILLING, GRADING, PAVEMENT RESTORATION OR REPAIRING. ALL UTILITY COMPANIES, PUBLIC AND PRIVATE, MUST BE CONTACTED INCLUDING THOSE IN CONTROL OF UTILITIES NOT SHOWN ON THIS PLAN. SEE CHAPTER 370, ACTS OF 1963 MASS. WE ASSUME NO RESPONSIBILITY FOR DAMAGE INCURRED AS A RESULT OF UTILITIES OMITTED OR INACCURATELY SHOWN. BEFORE PLANNING FUTURE CONNECTIONS, THE APPROPRIATE PUBLIC UTILITY ENGINEERING DEPARTMENT MUST BE CONSULTED. DIG-SAFE TELL. NO. (888) 344-7233.
3. ALL ROOF DRAINAGE FROM UNITS 1 THROUGH 4 SHALL BE PIPED TO THE SUBSURFACE INFILTRATION TRENCH.
4. ALL LIMITS OF WORK SHALL BE LOCATED IN THE FIELD PRIOR TO CONSTRUCTION.
5. ALL STUMPS AND OTHER CONSTRUCTION DEBRIS SHALL BE PROPERLY REMOVED FROM THE SITE.
6. ANY FILL MATERIAL USED SHALL BE FREE OF HAZARDOUS MATERIALS OR WASTE.
7. TRANSPORTATION OF FILL, EARTH, OR CONSTRUCTION DEBRIS TO OR FROM THE SITE SHALL BE RESTRICTED TO DAYTIME HOURS (9 AM TO 4 PM) MONDAY THROUGH FRIDAY.
8. SEWER PIPE WITHIN 10' OF THE BUILDINGS SHALL BE SCH 40 PVC. ALL OTHER SEWER PIPE SHALL BE SDR-35 PVC. ALL 6" SEWER PIPE SHALL BE LAID WITH A MINIMUM SLOPE OF 0.5% AND ALL 4" SEWER PIPE SHALL BE LAID WITH A MINIMUM SLOPE OF 1.0%.
9. THERE ARE NO PROPOSED LOCATIONS FOR UNDERGROUND STORAGE TANKS FOR FUELS OR OTHER CHEMICALS.
10. FINAL BUILDING FOOTPRINT SUBJECT TO BUILDING INSPECTOR REVIEW.
11. WATER LINES THAT CROSS SEWER LINES SHALL BE ENCASED IN CONCRETE FOR 10 FEET ON EITHER SIDE OF CROSSING UNLESS SEWER IS AT LEAST 18 INCHES BELOW WATER LINE.
12. ALL WATER PIPES, HYDRANTS, GATE VALVES AND OTHER APPURTENANCES SHALL BE INSTALLED IN ACCORDANCE WITH THE ACTON WATER SUPPLY DISTRICT REQUIREMENTS.
13. ALL TRENCHES AND NEW PAVEMENT JOINTS IN ALL PUBLIC WAYS SHALL BE PATCHED USING THE GRIND AND INLAY METHOD SUBJECT TO MORE DETAILED SPECIFICATIONS FROM THE ACTON ENGINEERING DEPARTMENT.
14. ANY PORTIONS OF THE ABANDONED SEPTIC SYSTEM ENCOUNTERED DURING EXCAVATION SHALL BE REMOVED FROM THE SITE.
15. ALL EXISTING MONUMENTS SHALL BE MARKED IN THE FIELD PRIOR TO CONSTRUCTION. ANY SURVEY MONUMENT DAMAGED OR DESTROYED DURING CONSTRUCTION SHALL BE RESET AND ITS NEW LOCATION CERTIFIED BY A REGISTERED LAND SURVEYOR.

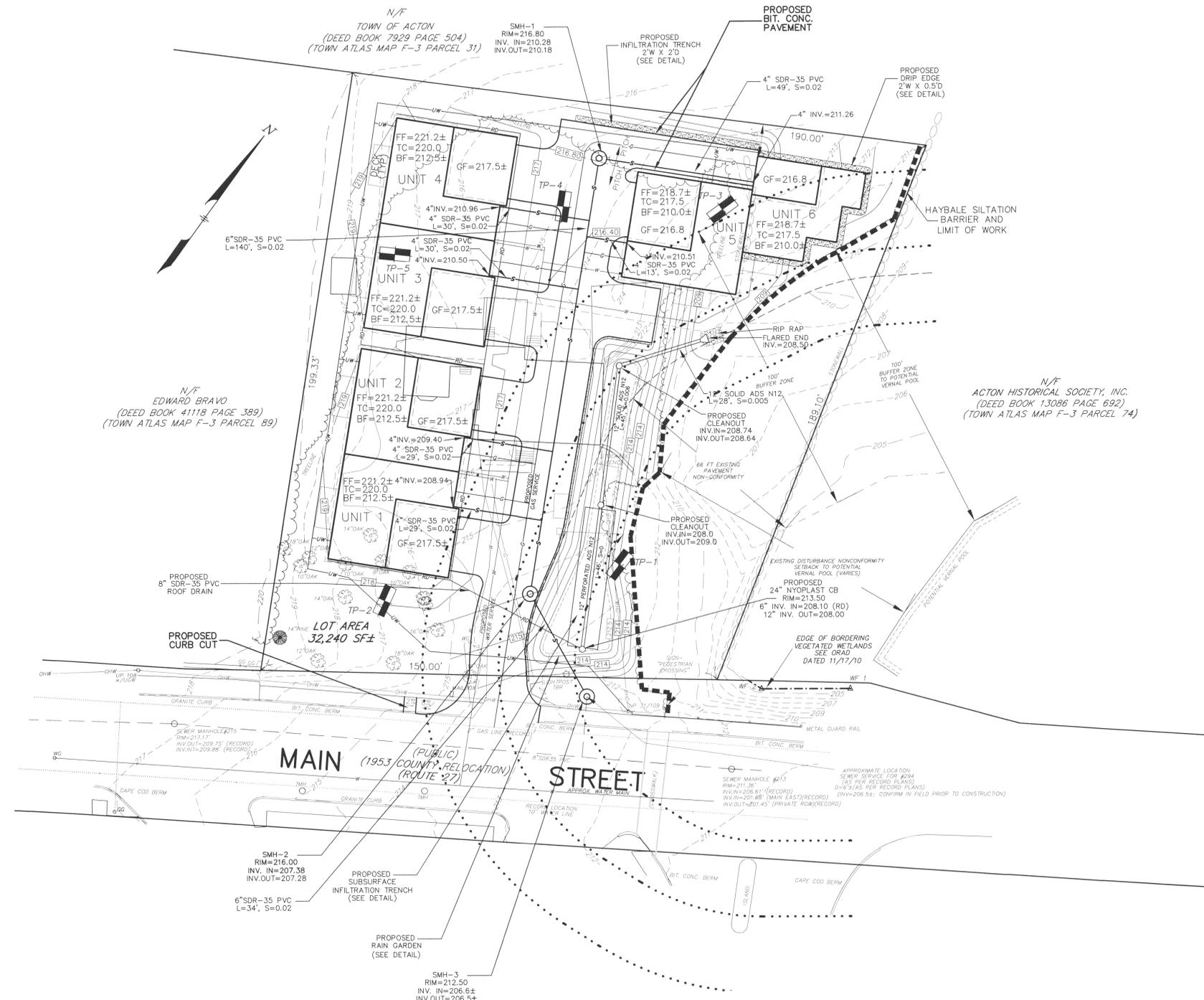


- CONSTRUCTION SPECIFICATIONS**
1. THE ENTRANCE OF THE PROPOSED ROAD SHALL INITIALLY HAVE 6" OF 2" CRUSHED STONE LAID DOWN AS A TRAFFIC SEPARATION CONTROL SURFACE AS SHOWN IN THE STABILIZED CONSTRUCTION ENTRANCE DETAIL. THIS STONE PAD SHALL BE PLACED OVER THE ROADWAY FOR A MINIMUM DISTANCE OF 50 FEET FROM THE EDGE OF PAVEMENT AND SHALL BE REMOVED AND REPLACED WITH ROADWAY GRAVEL PRIOR TO THE PLACEMENT OF PAVEMENT.
  2. STONE SIZE - USE 2" CRUSHED STONE.
  3. WIDTH - TWENTY TWO (22) FEET MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS OF INGRESS OR EGRESS.
  4. FILTER CLOTH - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO THE PLACEMENT OF STONE.
  5. SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED NEAR CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PROVIDED.
  6. MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS OF WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.
  7. WASHING - WHEELS SHALL BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTRANCE ONTO PUBLIC RIGHTS OF WAY. WHEN WASHING IS DONE IT SHALL BE DONE ON STABILIZED ENTRANCE WITH STONE AND WHICH DRAINS INTO THE SEWER DRAIN AS SHOWN.
  8. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

**STABILIZED CONSTRUCTION ENTRANCE**  
NOT TO SCALE

**LEGEND:**

- CB CATCH BASIN
- CP CONCRETE PAD
- DMH DRAIN MANHOLE
- D.H. DRILL HOLE
- EMH ELECTRIC MANHOLE
- GG GAS GATE
- G- GAS SERVICE (BURIED)
- GA GUY WIRE ANCHOR
- I.P. IRON PIPE
- LIGHTPOST
- MH MANHOLE
- N/F NOW OR FORMERLY
- OHW- OVERHEAD WIRES
- (REC.) RECORD
- SMH SEWER MANHOLE
- STONE WALL
- TMH TELEPHONE MANHOLE
- T- TELEPHONE SERVICE (BURIED)
- TREE
- ~ TREE LINE
- (TYP) TYPICAL
- UGW UNDERGROUND WIRES
- UP- UTILITY POLE
- WG WATER GATE
- W- WATER SERVICE (BURIED)
- RD- ROOF DRAIN
- FD- FOUNDATION DRAIN
- S- SEWER
- UW- UNDERGROUND UTILITIES
- FF = 100.0 FIRST FLOOR ELEVATION
- TC = 100.0 TOP OF CONCRETE ELEVATION
- BF = 100.0 BASEMENT FLOOR ELEVATION
- GF = 100.0 GARAGE FLOOR ELEVATION



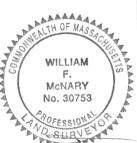
**SITE PLAN**  
**SARAH JANE COURT**  
**ACTON, MA**  
 (MIDDLESEX COUNTY)

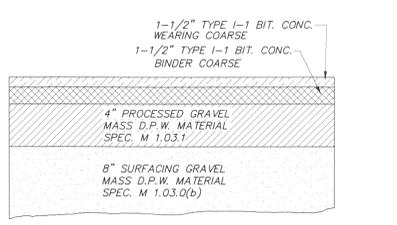
**SITE DEVELOPMENT,**  
**EROSION AND SEDIMENTATION**  
**CONTROL PLAN**

FOR: 294 MAIN ST, LLC  
 SCALE: 1"=40' JANUARY 21, 2010

**STAMSKI AND McNARY, INC.**  
 1000 MAIN STREET ACTON, MASS.  
**ENGINEERING - PLANNING - SURVEYING**  
 978-263-8585

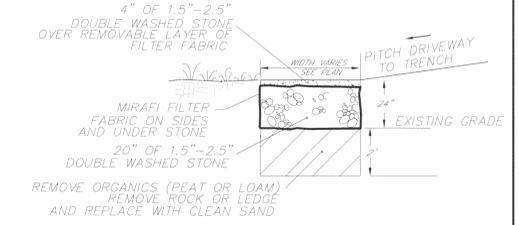
0 10 20 40 60 80 FT  
 SM-4703 (4703SITEB.DWG) SHEET 2 OF 3



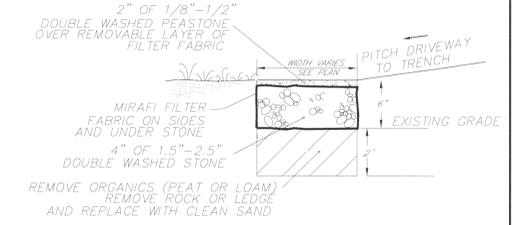


**NOTES:**  
 1. ALL GRAVEL IS TO BE COMPACTED TO 95% MAX. DRY DENSITY.  
 2. AREA UNDER GRAVEL BASE COURSE TO BE FREE OF ORGANIC MATERIAL, TRASH, ECT. FILL WHERE REQUIRED SHALL CONFORM TO MASS. D.P.W. 1.03.c. 6" MAX. STONE.  
 3. GRAVEL SHALL EXTEND 6" BEYOND ALL EDGE OF PAVEMENT LOCATIONS MATERIAL, TRASH, ECT. FILL WHERE REQUIRED SHALL CONFORM TO MASS. D.P.W. 1.03.c. 6" MAX. STONE

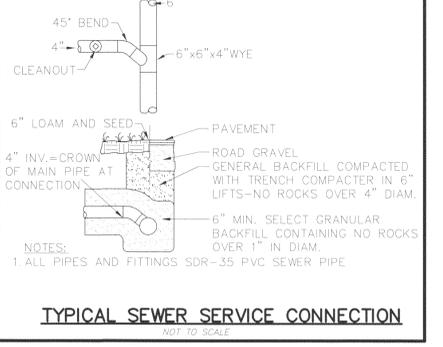
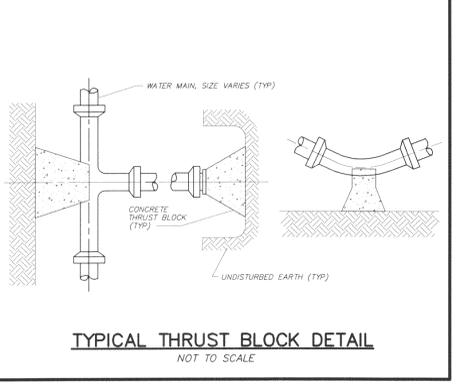
**PAVEMENT DETAIL**  
 NOT TO SCALE



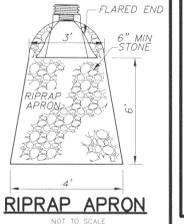
**INFILTRATION TRENCH DETAIL**  
 NOT TO SCALE



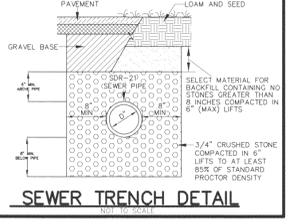
**DRIP EDGE DETAIL**  
 NOT TO SCALE



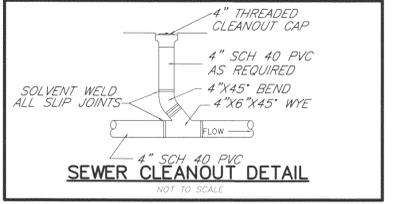
**TYPICAL SEWER SERVICE CONNECTION**  
 NOT TO SCALE



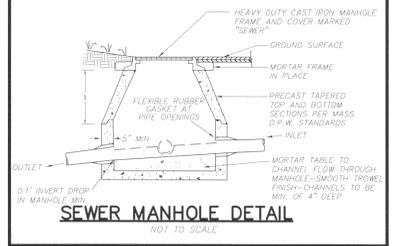
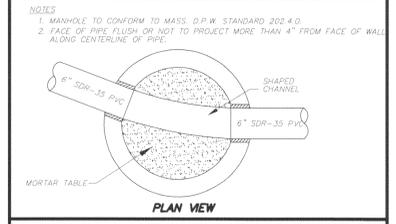
**RIPRAP APRON**  
 NOT TO SCALE



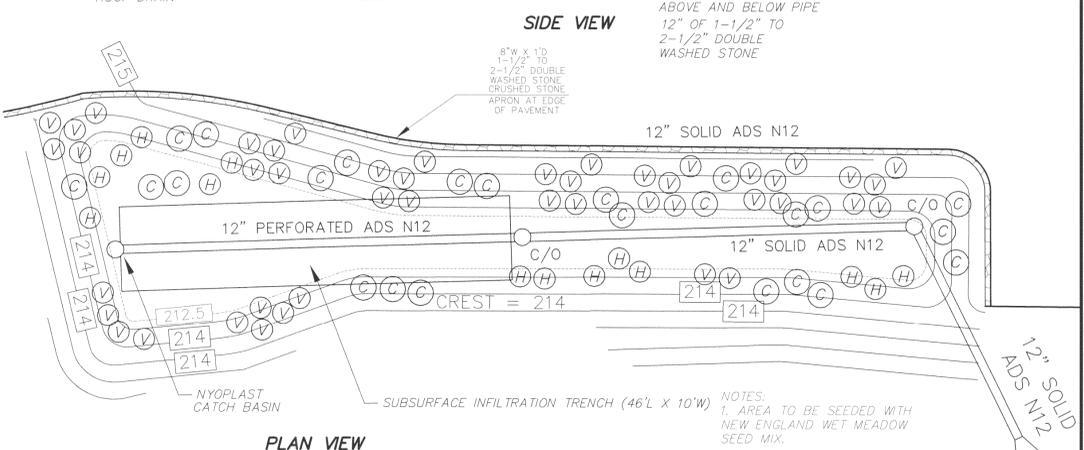
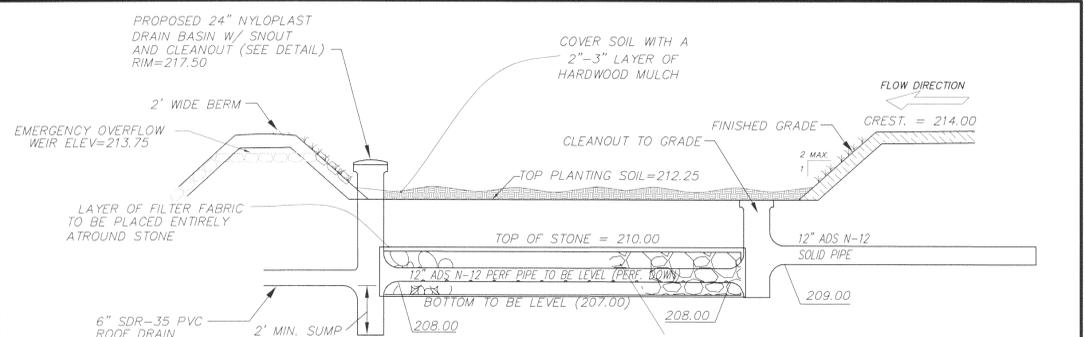
**SEWER TRENCH DETAIL**  
 NOT TO SCALE



**SEWER CLEANOUT DETAIL**  
 NOT TO SCALE



**SEWER MANHOLE DETAIL**  
 NOT TO SCALE



**PLANT LIST**

SYMBOL/BOTANICAL NAME	COMMON NAME	NO.	SIZE
H/HAMAMELIS VIRGINIANA	WITCH HAZEL	14	2'-3' HT
V/VINCA MINOR	COMMON PERIWINKLE	44	4'-6" HT
C/CORNUS SERICEA	REDSIOSIER DOGWOOD	24	10'-12' HT

**RAIN GARDEN DETAIL**  
 NOT TO SCALE

**DRAINAGE SYSTEM OPERATION AND MAINTENANCE PLAN**

THE IMPLEMENTATION, INSPECTION, AND REPAIR OF THE EROSION CONTROLS IS THE RESPONSIBILITY OF THE SITE CONTRACTOR DURING CONSTRUCTION.

THE INSPECTION AND OPERATION OF THE STORM WATER MANAGEMENT SYSTEM UPON COMPLETION OF CONSTRUCTION IS THE RESPONSIBILITY OF THE OWNER.

**SITE OWNER:**  
 294 MAIN ST, LLC  
 P.O. BOX 2350  
 ACTON, MA 01720  
 (OR ANY FUTURE OWNER)

**PARTIES RESPONSIBLE FOR LONG TERM OPERATION/MAINTENANCE:**  
 294 MAIN ST, LLC  
 P.O. BOX 2350  
 69 GREAT ROAD  
 ACTON, MA 01720  
 (OR ANY FUTURE OWNER)

**SCHEDULE FOR INSPECTION AND MAINTENANCE:**

**INFILTRATION TRENCH:**  
 THE INFILTRATION TRENCH SHALL BE INSPECTED ANNUALLY. THE FILTER FABRIC SHALL BE INSPECTED FOR EXCESSIVE SEDIMENT BUILD UP. IF APPRECIABLE AMOUNTS OF SEDIMENT ARE OBSERVED THE TOP LAYER OF STONE SHALL BE MOVED ASIDE AND THE FILTER FABRIC CLEANED OR REPLACED. THE TOP LAYER OF STONE SHALL THEN BE WASHED AND PLACED OVER THE FILTER FABRIC.

**STREET SWEEPING:**  
 THE DRIVEWAYS SHALL BE SWEEPED UPON THE COMPLETION OF CONSTRUCTION. DRIVEWAYS SHALL BE SWEEPED AT LEAST TWICE A YEAR, ONCE AT THE BEGINNING OF SPRING AND ONCE AT THE END OF AUTUMN. THE DRIVEWAYS SHALL ALSO BE SWEEPED UPON THE DISCOVERY OF ANY SIGNIFICANT AMOUNTS OF SEDIMENT.

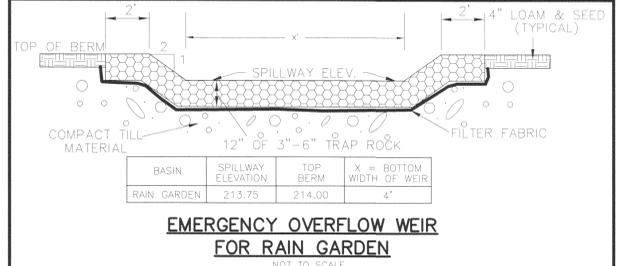
**SUBSURFACE RECHARGE AREAS**  
 THE SUBSURFACE RECHARGE AREA SHALL BE OPENED AND INSPECTED ANNUALLY. IF THE WATER LEVEL, AS OBSERVED IN THE INSPECTION PORTS, IS ABOVE THE BOTTOM OF THE INVERT OF THE 12" PIPE, THEN THE PIPE SHALL BE FLUSHED WITH A PRESSURE HOSE. IF AFTER 12 HOURS THE WATER LEVEL HAS NOT DROPPED, THEN CHECK THE OUTLET STRUCTURE FOR CLOGGING. THE SYSTEMS MAY NEED TO BE REPLACED. THIS INSPECTION SHOULD NOT BE DONE WITHIN 72 HOURS OF A RAIN EVENT.

**RAIN GARDEN**  
 THE GARDEN SHALL BE INSPECTED AFTER EVERY MAJOR STORM EVENT FOR THE FIRST THREE MONTHS AFTER CONSTRUCTION, AND INSPECTED AS STATED BELOW THEREAFTER. BIORETENTION AREAS REQUIRE CAREFUL ATTENTION WHILE PLANTS ARE BEING ESTABLISHED AND SEASONAL LANDSCAPING MAINTENANCE THEREAFTER.

- SEASONAL LANDSCAPING MAINTENANCE INCLUDES, BUT IS NOT LIMITED TO:
  - INSPECTING AND REMOVING TRASH MONTHLY
  - MULCHING ANNUALLY IN THE SPRING
  - REMOVING DEAD VEGETATION ANNUALLY IN THE SPRING OR FALL
  - REPLACING DEAD VEGETATION ANNUALLY IN THE SPRING
  - PRUNING ANNUALLY IN THE SPRING OR FALL
  - REPLACING ENTIRE MEDIA AND ALL VEGETATION AS NEEDED IN THE LATE SPRING OR EARLY SUMMER
  - RE-MULCH VOID AREAS AS NEEDED
- SIDE SLOPES OF THE CHANNEL SHALL BE INSPECTED FOR EROSION. ALL ERODED AREAS FOUND SHALL RECEIVE 6" OF LOAM AND SEED BE RESEDED PER ORIGINAL DESIGN PLAN. AREAS OF CONTINUED EROSION SHALL BE STABILIZED WITH 3" MINUS RIPRAP.
- IF THERE IS PONDING DUE TO CLOGGING, IMMEDIATELY ADDRESS THE REASONS FOR THE PONDING
- BECAUSE THE SOIL MEDIUM FILTERS CONTAMINANTS FROM THE RUNOFF, THE CATION EXCHANGE CAPACITY OF THE SOIL MEDIA WILL EVENTUALLY BE EXHAUSTED. THUS, IT IS NECESSARY TO REPLACE THE SOIL MEDIA TO PREVENT CONTAMINANTS FROM MIGRATING TO THE GROUNDWATER, AS NECESSARY. USING SMALL SHRUBS AND PLANTS INSTEAD OF LARGER TREES WILL MAKE IT EASIER TO REPLACE THE MEDIA WITH CLEAN MATERIAL WHEN NEEDED.

**EMERGENCY CONTACTS:**  
 IN THE EVENT OF A HAZARDOUS MATERIALS SPILL ON THE SITE THE FOLLOWING PARTIES SHALL BE CONTACTED:  
 FIRE DEPARTMENT: PH: 978-264-9645

**RECORDS:**  
 THE OWNER SHALL MAINTAIN AN INSPECTION LOG OF ALL ELEMENTS OF THE STORM WATER MANAGEMENT PLAN. THE OWNER SHALL MAINTAIN A MAINTENANCE LOG DOCUMENTING THE INSPECTION AND MAINTENANCE OF THE DRAINAGE STRUCTURES UNDER HIS CONTROL. A COPY OF THE EROSION CONTROL AND STORM WATER MAINTENANCE PLAN AND INSPECTION LOGS SHALL BE KEPT ONSITE AT ALL TIMES.



**EMERGENCY OVERFLOW WEIR FOR RAIN GARDEN**  
 NOT TO SCALE

BASIN	SPILLWAY ELEVATION	TOP BERM	X = BOTTOM WIDTH OF WEIR
RAIN GARDEN	213.75	214.00	4'

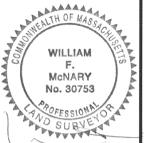
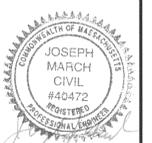
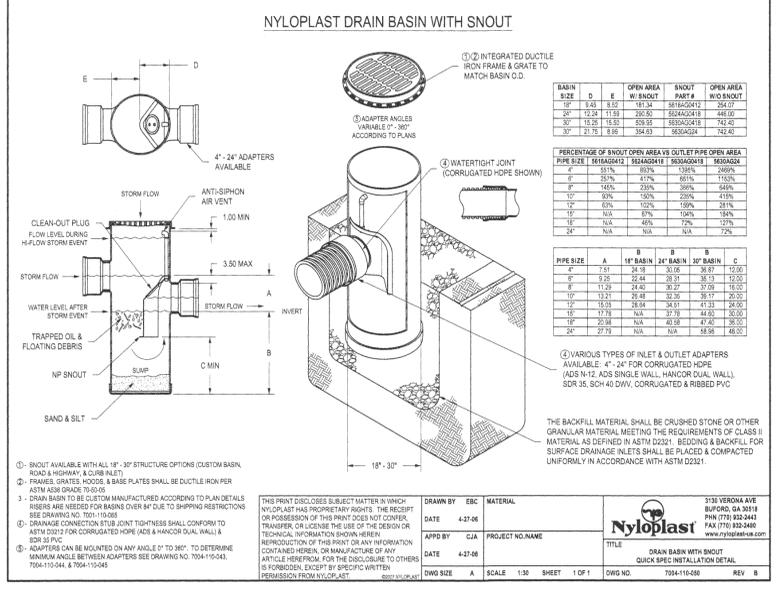
**SITE PLAN**  
 SARAH JANE COURT  
 ACTON, MA  
 (MIDDLESEX COUNTY)

**DETAIL SHEET**

FOR: 294 MAIN ST, LLC  
 SCALE: NTS JANUARY 21, 2010

**STAMSKI AND McNARY, INC.**  
 80 HARRIS STREET ACTON, MASS.  
 ENGINEERING - PLANNING - SURVEYING  
 978-263-8585

SM-4703 (4703SITEB.DWG) SHEET 30F 3



**From:** [George Dimakarakos](#)  
**To:** [Andrea Ristine](#)  
**Cc:** [Steve Steinberg](#)  
**Subject:** 294 Main Street Waiver of 21 day hearing period for NOI  
**Date:** Tuesday, January 04, 2011 1:41:02 PM

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Members of the Commission,

In light of the Town Clerk's failure to post the public meeting notice for the Commission's hearing tomorrow, we hereby waive the 21 day limitation for holding a public hearing to January 19, 2011, for the referenced project. We understand that the hearing will be held at 7:30 PM on the latter date.

George Dimakarakos, P.E.  
Stamski and McNary, Inc.  
1000 Main Street  
Acton, MA 01720  
ph: 978-263-8585 ext: 212  
fax: 978-263-9883  
email: [gd@stamskiandmcnary.com](mailto:gd@stamskiandmcnary.com)