

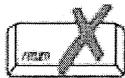
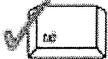


WPA Form 1- Request for Determination of Applicability

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

A. General Information

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



1. Applicant:

John & Mary Prendiville

Name

27 Elm Street

Mailing Address

Acton

City/Town

(978) 263-2455

Phone Number

E-Mail Address

MA

01720

State

Zip Code

Fax Number (if applicable)

2. Representative (if any):

FORESITE Engineering

Firm

Scott Hayes

Contact Name

16 Gleasondale Road, Suite 1-1

Mailing Address

Stow

City/Town

(978) 461-2350

Phone Number

scott@foresite1.com

E-Mail Address

MA

01775

State

Zip Code

(978) 841-4102

Fax Number (if applicable)

B. Determinations

1. I request the Acton Conservation Commission make the following determination(s). Check any that apply:

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance** or **bylaw** of:

Town of Acton

Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



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C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

Lot 23 Newtown Road	Acton
Street Address	City/Town
Map C-3	Parcel 16-2
Assessors Map/Plat Number	Parcel/Lot Number

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

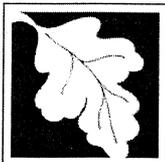
~~Undeveloped 7.36 acre residential lot in Acton and Littleton. Lot is wooded with bordering vegetated wetlands along its Newtown Road frontage, and other wetland resource areas traversing the lot further north from the street.~~

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

"Plan Showing Proposed Path of Access to Conduct Soil Tests"; prepared by FORESITE Eng. 1"=20'	December 14, 2010
Title	Date
_____	_____
Title	Date
_____	_____
Title	Date
_____	_____

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

~~Access to an upland area of Lot 23 that is outside the 100-ft buffer zone with earth excavating equipment (backhoe or excavator) for the purpose of conducting soil tests to determine the suitability of soils to support on site sewage disposal. Will requires passing through 35' - 40' of a wetland resource area with excavating machinery. The proposed path of access and the area to be tested are depicted on the attached plan. Path of access is approximate, and trees and other vegetation within wetlands and the buffer zone are to be retained to the extent practicable to pass through these areas. Tests are proposed to be conducted outside the 100-ft buffer zone and access is proposed to occur in the winter months while the ground surface is in a frozen condition to minimize impacts of the work.~~



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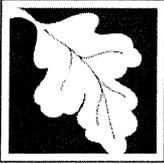
C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



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D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

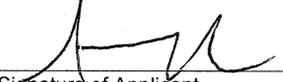
Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

John & Mary Prendiville	
Name	
27 Elm Street	
Mailing Address	
Acton	
City/Town	
MA	01720
State	Zip Code

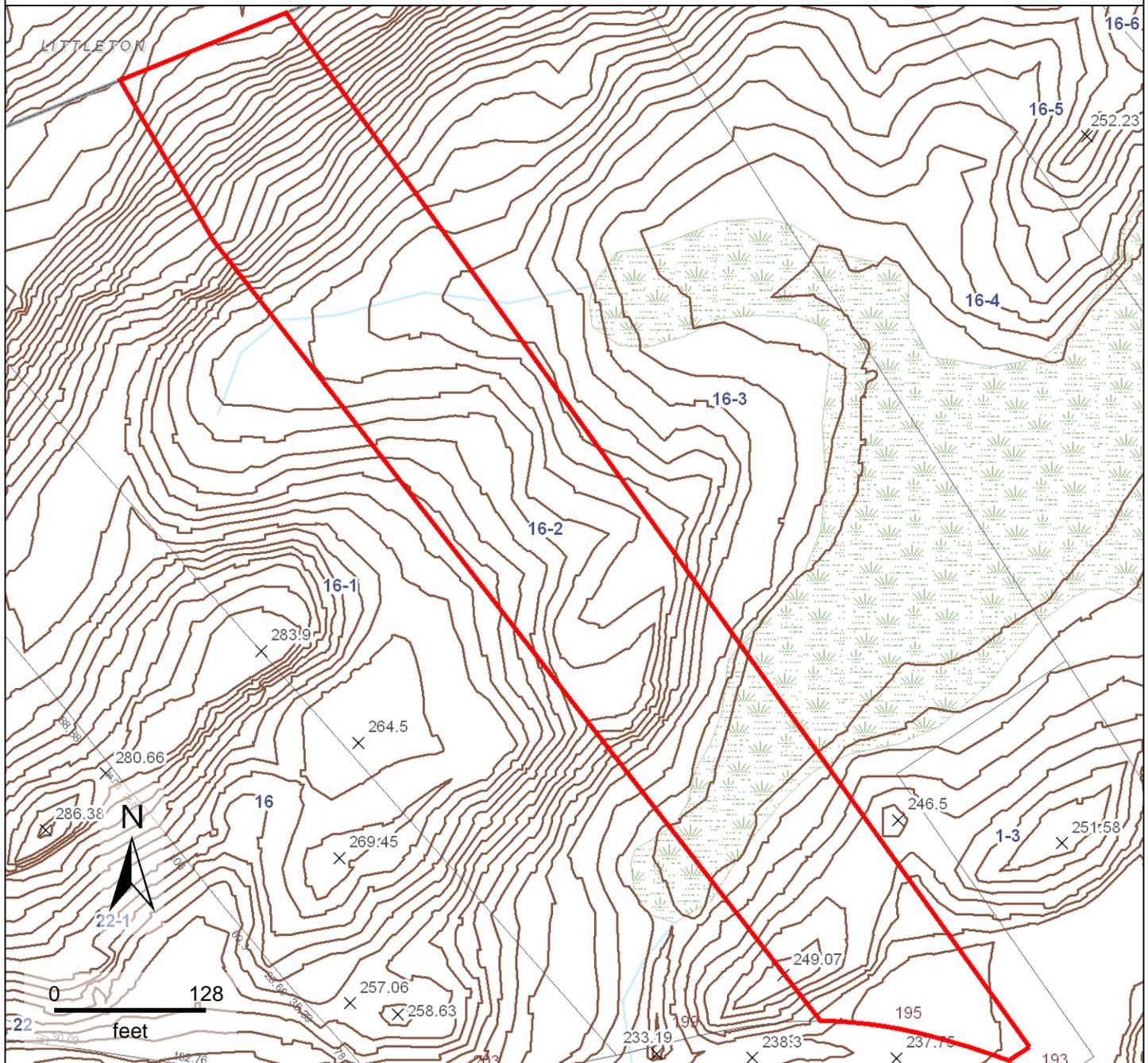
Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

	SCOTT HAYES, P.E. AGENT FOR OWNER	December 14, 2010
Signature of Applicant		Date

	SCOTT HAYES, P.E.	December 14, 2010
Signature of Representative (if any)		Date

NEWTOWN



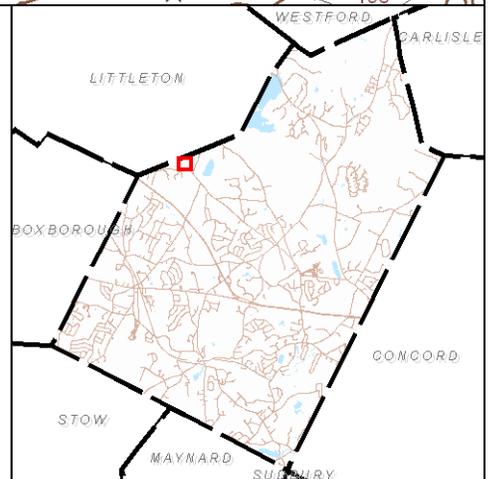
Property Information

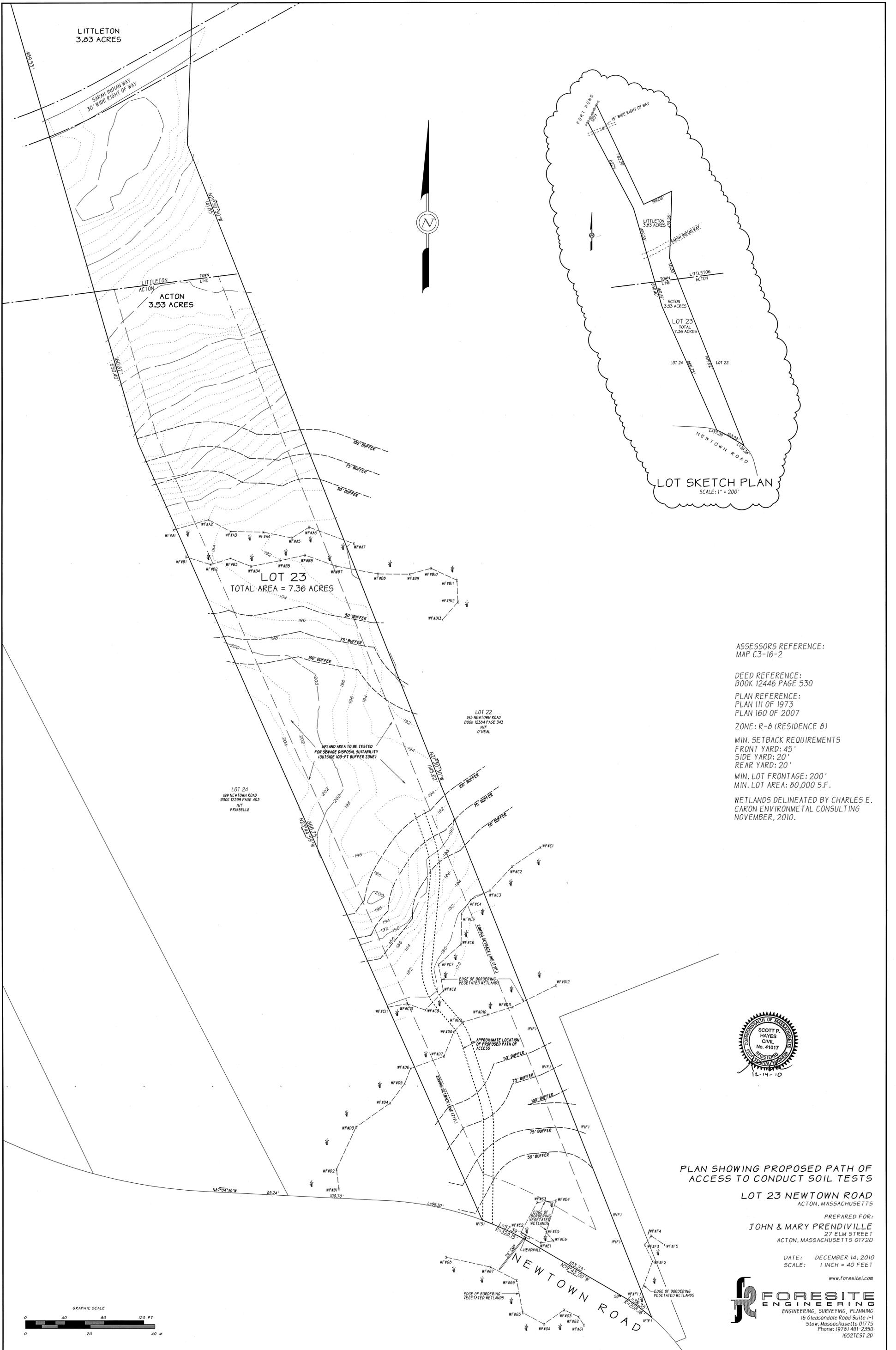
Property ID C3-16-2
 Location 195 NEWTOWN RD



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.





LITTLETON
3.83 ACRES

ACTON
3.53 ACRES

LOT 23
TOTAL AREA = 7.36 ACRES

LOT 24
192 NEWTOWN ROAD
BOOK 12399 PAGE 403
N/F
FRISSELLE

LOT 22
193 NEWTOWN ROAD
BOOK 12384 PAGE 343
N/F
O'NEAL

LOT SKETCH PLAN
SCALE: 1" = 200'

ASSESSORS REFERENCE:
MAP C3-16-2

DEED REFERENCE:
BOOK 12446 PAGE 530

PLAN REFERENCE:
PLAN 111 OF 1973
PLAN 160 OF 2007

ZONE: R-8 (RESIDENCE 8)

MIN. SETBACK REQUIREMENTS
FRONT YARD: 45'
SIDE YARD: 20'
REAR YARD: 20'
MIN. LOT FRONTAGE: 200'
MIN. LOT AREA: 80,000 S.F.

WETLANDS DELINEATED BY CHARLES E. CARON ENVIRONMENTAL CONSULTING NOVEMBER, 2010.



PLAN SHOWING PROPOSED PATH OF ACCESS TO CONDUCT SOIL TESTS

LOT 23 NEWTOWN ROAD
ACTON, MASSACHUSETTS

PREPARED FOR:
JOHN & MARY PRENDIVILLE
27 ELM STREET
ACTON, MASSACHUSETTS 01720

DATE: DECEMBER 14, 2010
SCALE: 1 INCH = 40 FEET

www.foresite1.com

