

# CIVIL SOLUTIONS, INC.

P.O. Box 107 • 285 Littleton Road, Suite 2, Westford, MA 01886 • Tel. (978) 692-5000 • Fax (978) 692-0386

January 28, 2011

Tom Tidman, Director  
Natural Resources  
472 Main Street  
Acton, MA 01720

**Re: 9 Evergreen Road, Acton, MA  
Notice of Intent**

Dear Mr. Tidman,

Please find attached four copies of a Notice of Intent for the above referenced property. The Notice of Intent addresses the scope of work which will need to be performed to complete the project.

Generally the project proposes the construction of a replacement sewage disposal system where the existing system has failed. Where work is proposed within the 100 foot buffer zone, a sediment and erosion control device has been proposed to mitigate potential adverse effects to the nearby wetland. The mitigating device planned for this site is the installation of straw wattles with siltation fencing.

Please review the enclosed report and attached plan. It is our understanding that a Public hearing has been scheduled for Wednesday, February 16, 2011 at 7:15 P.M... We would be pleased to answer any and all questions regarding this project at that time. We appreciate your time and fair consideration.

Very truly yours,  
CIVIL SOLUTIONS, INC.



Kevin J. Ritchie, P.E.

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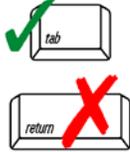


# WPA Form 3 – Notice of Intent

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>9 Evergreen Road</u> a. Street Address	<u>Acton</u> b. City/Town	<u>01720</u> c. Zip Code
Latitude and Longitude:		
<u>42 29 31.17 N</u> d. Latitude	<u>71 26 36.38 W</u> e. Longitude	
<u>Map E3</u> f. Assessors Map/Plat Number	<u>Parcel 47 &amp; 57</u> g. Parcel /Lot Number	

2. Applicant:

<u>Sally</u> a. First Name	<u>Mickunas</u> b. Last Name	
c. Organization		
<u>9 Evergreen Road</u> d. Street Address		
<u>Acton</u> e. City/Town	<u>MA</u> f. State	<u>01720</u> g. Zip Code
<u>978-263-9602</u> h. Phone Number	<u></u> i. Fax Number	<u></u> j. Email Address

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

<u>Sally</u> a. First Name	<u>Mickunas</u> b. Last Name	
c. Organization		
<u>9 Evergreen Road</u> d. Street Address		
<u>Acton</u> e. City/Town	<u>MA</u> f. State	<u>01720</u> g. Zip Code
<u>978-263-9602</u> h. Phone Number	<u></u> i. Fax Number	<u></u> j. Email address

4. Representative (if any):

<u>Kevin</u> a. First Name	<u>Ritchie</u> b. Last Name	
<u>Civil Solutions, Inc.</u> c. Company		
<u>P.O. Box 107, 285 Littleton Road, Suite 2</u> d. Street Address		
<u>Westford</u> e. City/Town	<u>MA</u> f. State	<u>01886</u> g. Zip Code
<u>(978) 692-5000</u> h. Phone Number	<u>(978) 692-0386</u> i. Fax Number	<u>civilsolutions@verizon.net</u> j. Email address

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

<u>\$110.00</u> a. Total Fee Paid	<u>\$42.50</u> b. State Fee Paid	<u>\$67.50</u> c. City/Town Fee Paid
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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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## A. General Information (continued)

6. General Project Description:

Replacement of an existing failed sewage disposal system.

7a. Project Type Checklist:

- |   |   |
|---|---|
| 1. <input checked="" 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 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 District

a. County

12684

c. Book

b. Certificate # (if registered land)

597

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. linear feet 3. cubic yards dredged	2. linear 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	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 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. <input type="checkbox"/> Coastal Resource Areas: (See 310 CMR 10.25-10.35)		

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

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

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



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

	Size of Proposed Alteration	Proposed Replacement (if any)
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

## 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/nhosp/nhregmap.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**

2008  
b. Date of map

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).*



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

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

- 1.  Percentage/acreage of property to be altered:
  - (a) within wetland Resource Area \_\_\_\_\_  
percentage/acreage
  - (b) outside Resource Area \_\_\_\_\_  
percentage/acreage
- 2.  Assessor's Map or right-of-way plan of site
- 3.  Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*
  - (a)  Project description (including description of impacts outside of wetland resource area & buffer zone)
  - (b)  Photographs representative of the site
  - (c)  MESA filing fee (fee information available at: <http://www.mass.gov/dfwele/dfw/nhosp/nhenvmesa.htm>)  
 Make check payable to "Natural Heritage & Endangered Species Fund" and **mail to NHESP** at above address  
  
*Projects altering 10 or more acres of land, also submit:*
  - (d)  Vegetation cover type map of site
  - (e)  Project plans showing Priority & Estimated Habitat boundaries

d. OR Check One of the Following

- 1.  Project is exempt from MESA review.  
 Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <http://www.mass.gov/dfwele/dfw/nhosp/nhenvexemptions.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 Number	b. Date submitted to NHESP
--------------------------	----------------------------
- 3.  Separate MESA review completed.  
 Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see [www.nhosp.org](http://www.nhosp.org) 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)

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  
838 South Rodney French Blvd.  
New Bedford, MA 02744

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
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.

**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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## 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.

- 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.)
- 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.
- 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.
- List the titles and dates for all plans and other materials submitted with this NOI.

Sewage Disposal System Plan

a. Plan Title

Civil Solutions, Inc.

b. Prepared By

November 22, 2010

d. Final Revision Date

Kevin J. Ritchie, P.E.

c. Signed and Stamped by

1" = 20'

e. Scale

f. Additional Plan or Document Title

g. Date

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

## E. Fees

- 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:

2608

2. Municipal Check Number

2609

4. State Check Number

Civil Solutions, Inc

6. Payor name on check: First Name

1/25/11

3. Check date

1/25/11

5. Check date

Civil Solutions, Inc

7. Payor name on check: Last Name



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## 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. Signature of Property Owner (if different)

4. Date

1-28-11

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.



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

**A. Applicant Information**

1. Applicant:

Sally \_\_\_\_\_ Mickunas \_\_\_\_\_  
 a. First Name b. Last Name

\_\_\_\_\_  
 c. Organization

9 Evergreen Road \_\_\_\_\_  
 d. Mailing Address

Acton \_\_\_\_\_ MA \_\_\_\_\_ 01720 \_\_\_\_\_  
 e. City/Town f. State g. Zip Code

978-263-9602 \_\_\_\_\_  
 h. Phone Number i. Fax Number j. Email Address

2. Property Owner (if different):

Sally \_\_\_\_\_ Mickunas \_\_\_\_\_  
 a. First Name b. Last Name

\_\_\_\_\_  
 c. Organization

9 Evergreen Road \_\_\_\_\_  
 d. Mailing Address

Acton \_\_\_\_\_ MA \_\_\_\_\_ 01720 \_\_\_\_\_  
 e. City/Town f. State g. Zip Code

978-263-9602 \_\_\_\_\_  
 h. Phone Number i. Fax Number j. Email Address

3. Project Location:

9 Evergreen Road \_\_\_\_\_ 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.



**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
Septic System Replacement	1	\$110.00	\$110.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
<b>Step 5/Total Project Fee:</b>			\$110.00
<b>Step 6/Fee Payments:</b>			
Total Project Fee:			\$110.00
State share of filing Fee:			\$42.50
City/Town share of filing Fee:			\$67.50
			a. Total Fee from Step 5
			b. 1/2 Total Fee <b>less</b> \$12.50
			c. 1/2 Total Fee <b>plus</b> \$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.)

## APPENDIX A

## EXISTING CONDITIONS

The subject property is located at 9 Evergreen Road in Acton, MA. Contained within the parcel is a single family dwelling and its associated utilities. The dwelling is presently serviced by an on-site subsurface sewage disposal system, which is located in the side yard. The existing system will not pass a Title 5 Inspection and therefore is being upgraded.

The parcel is comprised of approximately 48,275 square feet. Extending along the entire rear of the subject property is a bordering vegetated wetland. The wetland was flagged by Civil Solutions of Westford, MA. Extending 100 feet from the edge of the wetland is the 100 foot buffer zone. All available portions of the lot in which to site a sewage disposal system are located within the 100-foot buffer zone.

The surrounding area consists primarily of single family dwellings and light woods. The topography of the surrounding area can be described as fairly steep. The subject property is sloping across the front yard with a drop to the rear of the property. The side and rear yards slope down and away from the dwelling toward the wetland area.

Three deep observation holes were conducted in the side yard in the same vicinity as the existing leaching system. The front yard is not a practicable area due to the location of the existing driveway and the limited space. The test holes showed a seasonal high water table at 88 inches. The test holes also showed there to be limited soil in portions of the side yard. Fill was observed to a depth of 60 to 72 inches, where the soil changed to naturally occurring loamy sand. Due to the depth of fill in the yard, the percolation rate is based on the previously performed percolation test from this site which is a rate of 10 minutes per inch.

## **APPENDIX B**

## **PROPOSED IMPROVEMENTS**

The proposed project would be the construction of a replacement subsurface sewage disposal system. The proposed system is depicted on the Sewage Disposal System Plan in Appendix F.

The proposed sewage disposal system has been sited in the side yard of the existing dwelling in the same vicinity as the existing leaching system. The system is sited to maximize the offset to the wetland. Due to existing site conditions and constraints, a 53 foot offset from the edge of the wetland is proposed. Where the existing utilities on the site are required to be relocated, the limit of work associated with the construction of the new system is to be 41 feet from the edge of the wetland at its closest point.

A sediment and erosion control barrier composed of straw wattles and siltation fencing is to be placed along the limit of work throughout the side yard. Access for construction will be directly from Evergreen Road to the area of the proposed construction.

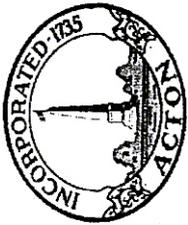
## APPENDIX C

## MITIGATING MEASURES

The construction of the proposed replacement sewage disposal system within the 100 foot buffer zone should have no adverse impact on the adjacent wetland. Provided that the Construction Sequence is followed and the Sedimentation and Erosion Control devices are implemented, the resource area should remain free of sediment.

The project components have been situated such that they will pose the least possible impact to the wetland while complimenting the existing landscape. To minimize any adverse impacts to the resource area, the following sequence of work should be utilized:

1. At least 72 hours prior to the onset of construction, Dig Safe (888) 344-7233 should be contacted to locate any and all subsurface utilities.
2. The contractor shall place straw wattles and siltation fencing in the areas shown on the Sewage Disposal System Plan in Appendix F. No work shall begin until the straw wattles and siltation fencing are in place.
3. After the straw wattles and siltation fencing are in place, the area for the proposed leaching facility shall be cleared and grubbed. Any excavated material shall be stockpiled as far as possible from the edge of the wetland.
4. The existing septic tank shall then be pumped, crushed and backfilled with clean material. The new septic tank and relocation of the utilities shall then be installed in the locations shown on the record plan.
5. The leaching field shall then be constructed as depicted on the Sewage Disposal System Plan in Appendix F.
6. After the system is constructed and the requisite inspections are performed, the system shall be backfilled and graded in accordance with the design plan.
7. Final landscaping shall then be done. All disturbed areas shall be stabilized via loam and seeding.
8. Once all areas have been fully stabilized, a certificate of compliance shall be requested from the Acton Natural Resources. After a certificate of compliance has been issued, the straw wattles and siltation fencing may be removed. Any sediment deposits found at that time shall be removed.



Town of Acton  
 472 Main Street  
 Acton, MA 01720  
 Telephone (978) 929-8621  
 Fax (978) 264-9630

Brian McMullen  
 Assistant Assessor

Locus: 9 Evergreen Road  
 Parcel ID: E3-47

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City	ST	Zip
13 EVERGREEN RD	E3-31	TESTA JOHN J	SALLY A	13 EVERGREEN ROAD	ACTON	MA	01720
12 BALSAM DR	E3-34	ANDERSON DONALD		12 BALSAM DRIVE	ACTON	MA	01720
11 EVERGREEN RD	E3-37	PIERSON DALE R ET UX TRUSTEES	PIERSON RUTH & DALE INVEST TRS	11 EVERGREEN RD	ACTON	MA	01720
10 BALSAM DR	E3-38	BOLEN JEFFREY D	BOLEN JILL K	10 BALSAM DR	ACTON	MA	01720
10 EVERGREEN RD	E3-45	GOLDSTEIN BERNARD	& DORIS	10 EVERGREEN RD	ACTON	MA	01720
4 LARCH RD BESIDE	E3-48	NASON ANNE E	C/O SCHICK MICHAEL S + KELLY A	4 LARCH RD	ACTON	MA	01720
10 BALSAM DR BESIDE	E3-48-1	BOLEN JEFFREY D	BOLEN JILL K	10 BALSAM DR	ACTON	MA	01720
8 EVERGREEN RD	E3-52	SHELHAMER JAMES N		8 EVERGREEN RD	ACTON	MA	01720
4 LARCH RD	E3-53	NASON ANNE F	C/O SCHICK MICHAEL S + KELLY A	4 LARCH RD	ACTON	MA	01720
6 EVERGREEN RD	E3-56	TREDENNICK J BEACHAM	TREDENNICK MERRITT K	6 EVERGREEN RD	ACTON	MA	01720
2 LARCH RD	E3-57	MICKUNAS JUOZAS JR	& SALLY	9 EVERGREEN RD	ACTON	MA	01720

The owner of land sharing a common boundary or corner with the site of the proposed activity (100 feet) 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.

*Daryl Powell*

Daryl Powell  
 Property Lister  
 Acton Assessors Office

12/3/2010

**NOTIFICATION TO ABUTTERS  
UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT  
AND THE TOWN OF ACTON WETLANDS BYLAW**

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

The Applicant: Sally Mickunas

Address 9 Evergreen Road, Acton, MA Phone 978-263-9602

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: Civil Solutions, Inc. - Kevin Ritchie

Address 285 Littleton Road, Westford, MA Phone 978-692-5000

The address of the property where the activity is proposed 9 Evergreen Road, Acton, MA

Town Atlas Plate/Map map E3 Parcel/Lot parcels 47 & 57

Project Description This project consists of replacing an existing failed sewage disposal system.

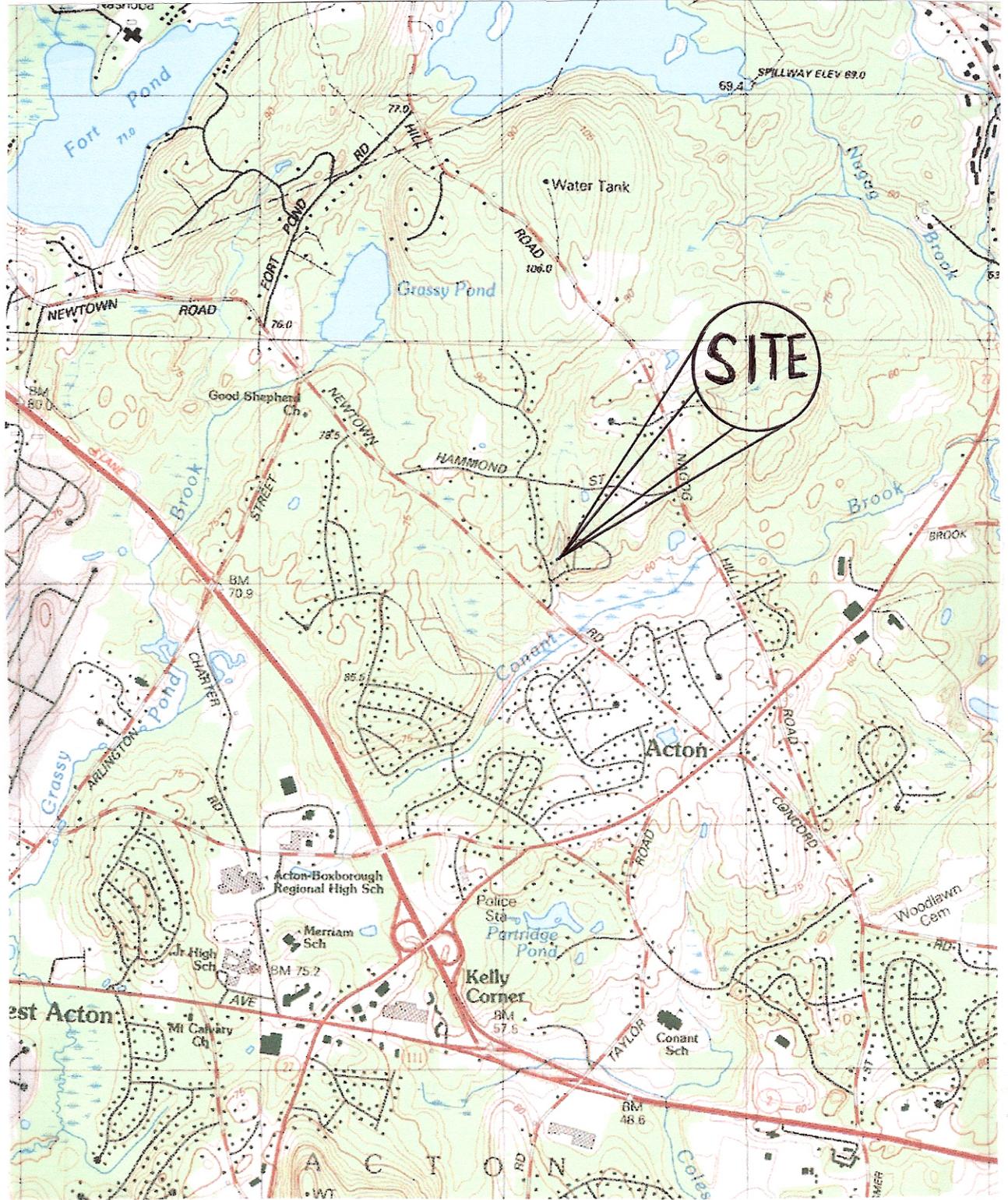
Copies of the Notice of Intent may be examined at the Conservation Office, Acton Town Hall, 472 Main Street, Acton between the hours of 9:00 A.M. and 4:30 P.M. Monday through Friday. For more information please call the Conservation Office at 978-929-6634.

A Public Hearing will be held at the Acton Town Hall, 472 Main Street, on Wednesday,  
February 16, 2011 at 7:15 P.M.  
(date)

The notice of the public hearing will be published at least five (5) days in advance in the Acton edition of 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:

**\*DEP Central Region: 508-792-7650  
627 Main Street, Worcester MA 01608**



## LOCUS PLAN

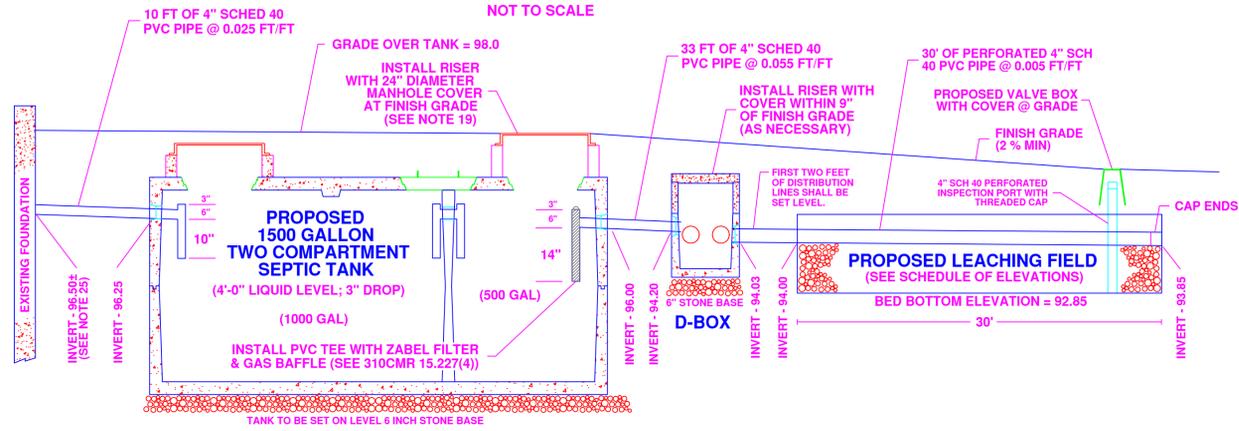
9 EVERGREEN ROAD  
ACTON, MASSACHUSETTS

JANUARY 28, 2011

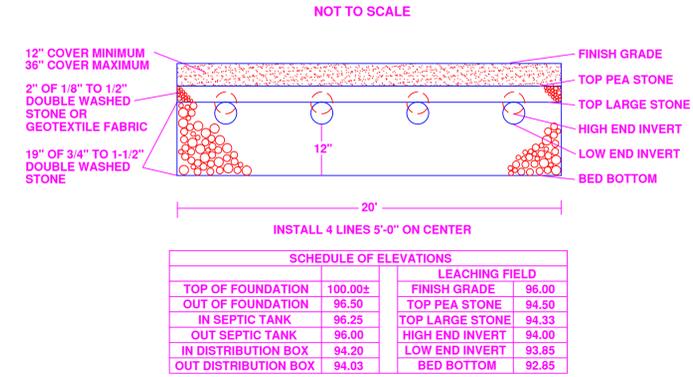
## CIVIL SOLUTIONS, INC.

P.O. BOX 107, 285 LITTLETON ROAD, WESTFORD, MA  
PHONE: (978) 692-5000 FAX: (978) 692-0386

## PROFILE AND DETAILS



## CROSS SECTION



## SOIL PROFILE DATA

TESTHOLE No. 1	TESTHOLE No. 2	TESTHOLE No. 3
DEPTH 0" ELEV. 93.41	DEPTH 0" ELEV. 94.48	DEPTH 0" ELEV. 95.77
FILL (to be removed)	FILL (to be removed)	FILL (to be removed)
60" SANDY LOAM 10YR5/6 B (to be removed) 88.41		72" SANDY LOAM 10YR5/6 B 89.77
72" LOAMY SAND 2.5Y3/3 C <sub>1</sub> 87.41		84" LOAMY SAND 2.5Y3/3 C <sub>1</sub> 88.77
		88" ESHW > 126" 88.44(ESHW)
86" LOAMY SAND 2.5Y3/3 C <sub>1</sub> 86.24	66" LOAMY SAND 2.5Y3/3 C <sub>1</sub> 88.98	
	86" LOAMY SAND 2.5Y3/3 C <sub>1</sub> 87.31	

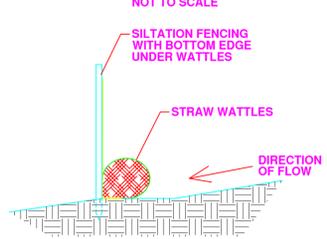
DATE: 11/3/2010  
ENG: KIRK FITZPATRICK, C.S.I.  
AGENT: JUSTIN SNAIR, ABOH

DATE: 11/3/2010  
ENG: KIRK FITZPATRICK, C.S.I.  
AGENT: JUSTIN SNAIR, ABOH

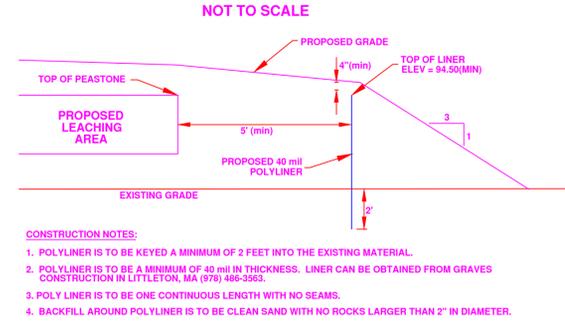
DATE: 11/3/2010  
ENG: KIRK FITZPATRICK, C.S.I.  
AGENT: JUSTIN SNAIR, ABOH

THE SOIL EVALUATOR FOR THIS SITE IS KIRK FITZPATRICK

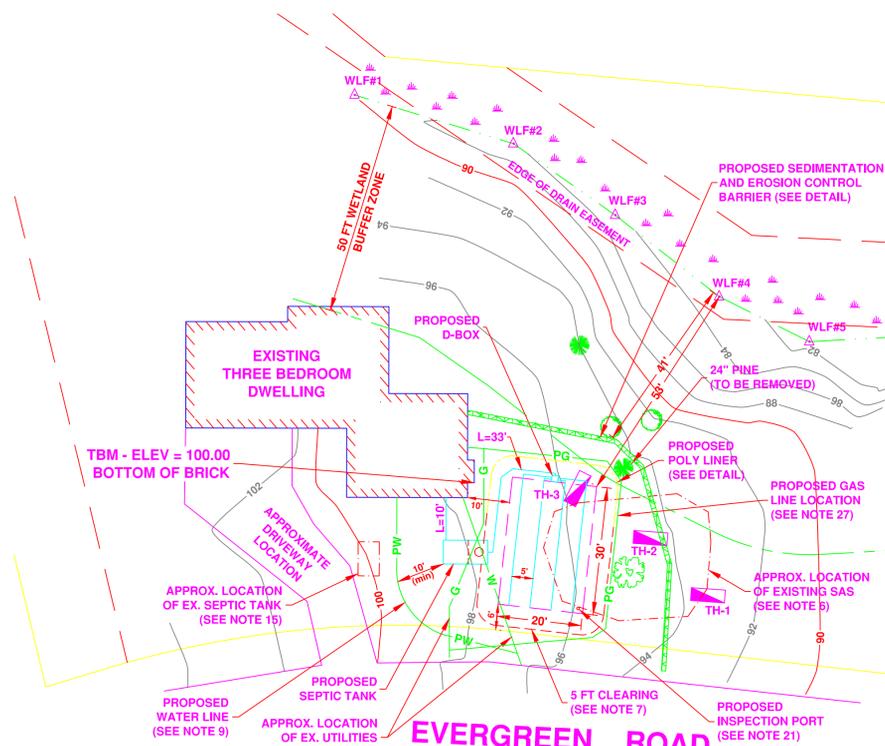
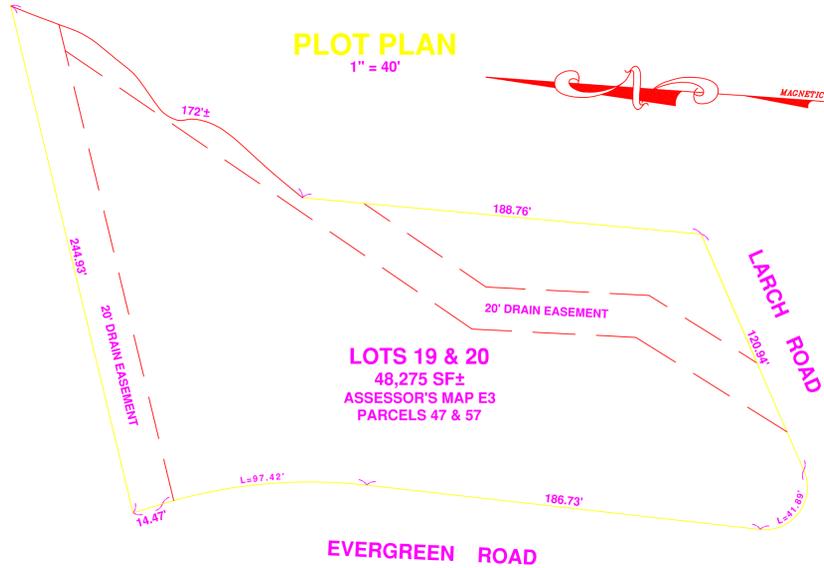
## SEDIMENT AND EROSION CONTROL DETAIL



## POLYLINER DETAIL



## PLOT PLAN



## LEGEND

(T.B.R.)	TO BE REMOVED
⊗	EXISTING STUMP
⊙	EXISTING TREE
⊛	LIGHT POST
80.00	EXISTING SPOT GRADE
80.00	PROPOSED SPOT GRADE
80	SOIL PROFILE TEST
80	PERCOLATION TEST
80	EXISTING CONTOUR
80	PROPOSED CONTOUR
W	EXISTING WATER LINE
G	EXISTING GAS LINE
~~~~~	BRUSHLINE/TREELINE
---	EDGE OF WETLAND
---	LIMIT OF 50 FT BUFFER ZONE

## SYSTEM CALCULATIONS

TITLE 5 DESIGN CAPACITY PROVIDED:  
3 BEDROOMS X 110 GAL/BEDROOM = 330 GAL/DAY

PROVIDED:  
PERCOLATION RATE: 10 MINUTES/INCH  
APPLICATION RATE: 0.60 GAL/SF

TOTAL LEACHING AREA: 30 FT (L) X 20 FT (W) = 600 SF  
TOTAL VOL APPLIED/DAY: 600 SF X 0.60 GAL/SF = 360 GAL

APPROVED CAPACITY: 3 BEDROOM

SEPTIC TANK SIZING:  
200% X 330 GPD = 660 GALLONS  
INSTALL NEW 1500 GALLON TWO COMPARTMENT SEPTIC TANK

## PERCOLATION TEST DATA

PERC No.	DATE:	RATE:
#1	7/10/1968	10 MPI

PERCOLATION TEST TAKEN FROM ACTON BOARD OF HEALTH RECORD INFORMATION.

## NOTES AND SPECIFICATIONS

- BOUNDARY LINE INFORMATION TAKEN FROM A PLAN ENTITLED "EVERGREEN HEIGHTS" SUBDIVISION PLAN OF LAND IN ACTON, MASS. BY JOSEPH W. MOORE, INC. DATED OCTOBER 1, 1960, RECORDED IN THE M.S.D.R.D. AS PLAN No. 152 OF 1962.
- TOPOGRAPHICAL INFORMATION TAKEN FROM A FIELD SURVEY PERFORMED BY THIS OFFICE.
- CONTRACTOR SHALL NOTIFY DISAFE (888) 344-7233 AT LEAST 72 HOURS PRIOR TO INITIATING WORK.
- CONTRACTOR SHALL NOTIFY THIS OFFICE 24 TO 48 HOURS PRIOR TO REQUIRED CONSTRUCTION INSPECTIONS.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ALL EXISTING SITE CONDITIONS AND ELEVATIONS PRIOR TO INITIATING CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER OF RECORD PRIOR TO THE ONSET OF CONSTRUCTION.
- CONTAMINATED SOIL WITHIN THE VICINITY OF THE PROPOSED LEACHING AREA SHOULD BE REMOVED BY THE CONTRACTOR. LOCATION OF EXISTING LEACHING SYSTEM SHOWN HEREON IS APPROXIMATE.
- WHERE FILL IS REQUIRED TO REPLACE UNSUITABLE OR IMPERVIOUS MATERIAL, THE EXCAVATION OF THE UNSUITABLE MATERIAL SHALL EXTEND A MINIMUM OF 5 FEET LATERALLY IN ALL DIRECTIONS BEYOND THE OUTER PERIMETER OF THE SOIL ABSORPTION SYSTEM TO A DEPTH OF NATURALLY OCCURRING PERVIOUS MATERIAL.
- FILL MATERIAL SHALL MEET THE SPECIFICATIONS ESTABLISHED IN 310 CMR 15.255.
- EXISTING OVERLAPPING IS SERVICED BY A MUNICIPAL WATER SUPPLY. THIS DESIGN REQUIRES RELOCATION OF THE EXISTING WATER SERVICE. IT SHALL BE THE RESPONSIBILITY OF THE OWNER/CONTRACTOR TO OBTAIN THE REQUISITE PERMITS TO RELOCATE THE WATER LINE.
- THIS SYSTEM IS NOT DESIGNED TO ACCOMMODATE GARBAGE DISPOSAL UNITS.
- RETURN WATER FROM HOME WATER FILTRATION SYSTEM SHALL NOT BE PIPED INTO THE SEPTIC SYSTEM.
- TANKS AND DISTRIBUTION BOX SHOWN HEREON ARE GRAPHICAL REPRESENTATIONS OF THE CONCRETE STRUCTURES REQUIRED, AND SHOULD NOT BE CONSIDERED CONSTRUCTION DRAWINGS. MANUFACTURER OF TANKS AND BOXES SHALL BE APPROVED BY THE ENGINEER OF RECORD AND THE BOARD OF HEALTH.
- ANY ALTERATION OF WETLANDS OR DISTURBANCE WITHIN THE 100 FOOT BUFFER ZONE SHALL REQUIRE A FILING WITH THE LOCAL CONSERVATION COMMISSION AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION. THIS DESIGN REQUIRES SUCH A FILING. EDGE OF WETLANDS SHOWN HEREON WERE DELINEATED BY THIS OFFICE ON NOVEMBER 3, 2010.
- THIS PLAN MAY ONLY BE REVISED WITH THE CONSENT OF THE LOCAL BOARD OF HEALTH AND THE ENGINEER OF RECORD.
- EXISTING SEPTIC TANK SHALL BE PUMPED, CRUSHED, AND BACKFILLED WITH CLEAN MATERIAL IN ACCORDANCE WITH 310 CMR 15.354 OR REMOVED AS NECESSARY.
- BASED ON RECORD INFORMATION AND A VISUAL SITE INSPECTION, THERE ARE NO KNOWN WELLS WITHIN 150 FEET OF THE PROPOSED SYSTEM.
- THE OUTLET TEE OF THE SEPTIC TANK SHALL BE EQUIPPED WITH A ZABEL A-1800 FILTER AVAILABLE FROM ZABEL (800) 251-5752 OR EQUIVALENT.
- THE DEPARTMENT OF ENVIRONMENTAL PROTECTION REQUIRES THAT THE EFFLUENT FILTER IN THE OUTLET TEE OF THE SEPTIC TANK BE SERVICED AT LEAST ONCE PER YEAR.
- THIS OFFICE RECOMMENDS THE USE OF A CAST IRON MANHOLE COVER ON THE SEPTIC TANK. IF A PLASTIC COVER IS USED, IT SHALL BE SECURELY FASTENED TO THE RISER ON THE TANK.
- COVERS OVER THE INLET AND OUTLET OF THE SEPTIC TANK SHALL BE MARKED TO INDICATE THAT AN EFFLUENT FILTER HAS BEEN INSTALLED IN THE OUTLET TEE.
- A FOUR INCH SCHEDULE 40 PERFORATED PIPE INSPECTION PORT IS TO BE INSTALLED IN THE LEACHING AREA. PIPE SHALL EXTEND TO THE BOTTOM OF THE STONE AND BE FITTED WITH A THREADED CAP ON THE TOP. INSPECTION PORT SHALL BE LOCATED WITHIN A VALVE BOX WITH THE COVER SET AT FINISH GRADE.
- ALL SYSTEM COMPONENTS SHALL BE MARKED WITH MAGNETIC MARKING TAPE OR A COMPARABLE MEANS IN ORDER TO LOCATE THEM ONCE BURIED.
- CIVIL SOLUTIONS SHALL NOT BE HELD RESPONSIBLE FOR THE LOCATIONS OF ANY SUBSURFACE UTILITIES. LOCATIONS OF SUBSURFACE UTILITIES SHOWN HEREON WERE PROVIDED BY OTHERS. SUBJECT PROPERTY MAY CONTAIN OTHER SUBSURFACE UTILITIES NOT SHOWN HEREON. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL UTILITIES PRIOR TO THE ONSET OF CONSTRUCTION.
- THIS PLAN WAS CREATED FOR THE PURPOSES OF SHOWING A PROPOSED SEWAGE DISPOSAL SYSTEM AND IS NOT INTENDED TO BE USED FOR THE REPRODUCTION OF PROPERTY LINES.
- THIS DESIGN REQUIRES ALTERATIONS TO THE INTERIOR PLUMBING. OWNER/CONTRACTOR SHOULD CONSULT A LICENSED PLUMBER FOR PRICING AND FEASIBILITY OF THE REQUIRED CHANGES.
- THIS DESIGN MAKES USE OF THE B HORIZON AS ALLOWED FOR UNDER MA DEP POLICY BIP-DWM-P00-4.
- THIS DESIGN REQUIRES RELOCATION OF THE EXISTING GAS SERVICE. IT SHALL BE THE RESPONSIBILITY OF THE OWNER/CONTRACTOR TO OBTAIN THE REQUISITE PERMITS TO RELOCATE THE GAS LINE.
- SUBJECT PROPERTY IS LOCATED IN THE AQUIFER PROTECTION AREA (ZONE 4) AS DEPICTED ON THE "GROUNDWATER PROTECTION DISTRICT MAP OF THE TOWN OF ACTON, JANUARY 1989."
- SEPTIC TANK SHALL HAVE ITS CONTENTS PUMPED OUT A MINIMUM OF ONCE EVERY TWO YEARS BY A SEPTAGE HAULER LICENSED BY THE TOWN OF ACTON.

## VARIANCES

- APPROVAL IS SOUGHT UNDER 310 CMR 15.405(a) TO REDUCE THE REQUISITE OFFSET FROM A LEACHING AREA TO A PROPERTY LINE (AT THE STREET) FROM 10 FEET TO 6 FEET.
- APPROVAL IS SOUGHT UNDER 310 CMR 15.405(b) TO REDUCE THE REQUISITE OFFSET FROM A LEACHING AREA TO A CELLAR WALL FROM 20 FEET TO 10 FEET.
- A VARIANCE IS HEREBY REQUESTED FROM ACTON BOARD OF HEALTH REGULATION 11-6.1.1 TO REDUCE THE REQUISITE OFFSET FROM A LEACHING AREA TO A WETLAND FROM 75 FEET TO 53 FEET.

## SEWAGE DISPOSAL SYSTEM PLAN

9 EVERGREEN ROAD  
ACTON, MASSACHUSETTS  
NOVEMBER 22, 2010

ASSESSOR'S MAP E3, PARCELS 47 & 57

CIVIL SOLUTIONS, INC.  
P.O. BOX 107, 285 LITTLETON ROAD, UNIT 2, WESTFORD, MA  
PHONE: (978) 692-5000 FAX: (978) 692-0386



DESIGN:  
KCF  
DRAWN:  
KCF  
CHECK:  
KJR

SHEET 1 OF 1 SCALE 1"=20' JOB NO. 10-068 DWG. NO. 10-068D

OWNER OF RECORD:  
SALLY MICKUNAS  
9 EVERGREEN ROAD  
ACTON, MA 01720  
PLAN PREPARED FOR:  
R.M. RATTIA CORPORATION  
81A WESTFORD ROAD  
AYER, MA 01432

#	DATE	REVISION	BY
1	1/04/2011	ACTON BOH REVIEW	KCF