

NOTICE OF INTENT

UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT
AND TOWN OF ACTON WETLANDS BYLAW

FOR:

95 NEWTOWN ROAD
MAP E-3, PARCEL 29
ACTON, MA

PREPARED FOR:

WESTCHESTER COMPANY, INC
30 NAGOG PARK DRIVE, SUITE 225
ACTON, MA

SUBMITTED TO:

ACTON CONSERVATION COMMISSION AND
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

PREPARED BY:



Acton Survey &
Engineering, Inc.

97 GREAT ROAD, UNIT 6
ACTON, MA 01720
(978) 263-3666

SITE DESCRIPTION

The site is located on the northwestern side of Newtown Road to the west of its intersection with Evergreen Road and can be described as being in an area of single family residences that are well offset from each other along Newtown Road. The spacing of the homes is indicative of constraints to development placed by the soils and shallow depths to ledge in the area.

The house lot was divided from a larger property containing house number 97 and due to the presence of wetlands adjacent to Newtown Road to the north of house 97 and shallow depths to ledge in the area to the south of the house, the soil absorption system [SAS] is required to be located to the area to northwest of the existing house. The homeowners did not want the new development to infringe on the appearance of house 97 and required the connection between the proposed house and SAS to be as shown.

Vegetation on the property and surrounding area consists of second growth forest with the type of canopy trees and shrub layer varying with changes in soil and moisture conditions. Pines, Oaks and Yellow Birches are prominent.

The site is located on a surficial geologic formation known as a ground moraine. Ground moraines consist of soil materials garnered by and directly deposited by glacial ice in a thin veneer over bedrock. The soil materials are called glacial till [till] and consist of ground rock fragments ranging from large boulders to silt size particles.

The depth of till at this site was found to range from less than three feet to over eight feet and to be sandy in nature.

WETLAND FINGER

Wetlands in the vicinity of the alterations were demarcated by Charles Caron of Caron Environmental in the fall of 2010 and were located by instrument surveys by Acton Survey and Engineering.

As noted by the Commission under an earlier filing, a wetland finger exists along the southern property of the site and was determined by Mr. Caron to have a connection to a bordering vegetated wetland to the south of house 93.

House 93 has been unoccupied for several years and it is believed that the wetland finger was formed during site grading several years ago. This office has not attempted to postulate the type of and impact of the alterations at house 93 as the resulting wetland has been deemed to be statutory and not to be altered.

All proposed alterations have been designed to be over fifty feet from wetlands and the house structure and driveway are to be located over 75 feet from wetlands.

STORMWATER MANAGEMENT

With the addition of the impervious surfaces related to the driveway and house, runoff from the site will increase unless facilities are constructed to store and recharge the increased in runoff.

Dripline recharge trenches are proposed around the perimeter of the house to collect and store roof runoff. Gutters must be provided on the sides of the house near the garage and roof runoff in this area will be collected by gutters and downspouts that are connected to subsurface chambers.

Runoff from the driveway will flow to a recharge trench installed adjacent to downhill side of the section that slopes to Newtown Road. The area near the driveway will be graded to a shallow swale that has been designed to enhance recharge and result in a playing surface.

The stormwater management calculations confirm that these devices have the capacity to store and recharge, within 24 hours, all runoff from the impervious surfaces from a 10 year, 24 hour storm event.

A cross drain is proposed near Newtown Road to insure that runoff can flow from the area to the north of the driveway to the south without causing a hazard to persons using the driveway.

INTERESTS OF THE ACT AND PURPOSES OF THE BYLAW

The subsurface sewage disposal system has been designed to conform to all applicable regulations and has been granted a construction permit.

The house, driveway and landscape elements have been designed to conform to all offsets to wetland areas required by Acton's regulations. The fifty feet of undisturbed areas bordering the wetlands will provide an adequate buffer between human activities associated with residential uses and the wetlands.

The proposed house is located on a 45,000 square foot lot and it has been assumed by the data associated with the formulation of Title 5 that such a development will not have any impact on public and private water supplies.

The proposed stormwater storage and recharge system will properly mitigate impacts to groundwater supplies and has been designed to have no adverse impacts to flood control works and prevent storm damage.

The offset of human activities from the wetlands and the preservation of the existing second growth woods adjacent to the wetlands will prevent pollution, protect the ability of the wetlands to protect downstream fisheries and wildlife utilizing the wetlands and adjacent upland.

The site design and erosion control methods detailed on the plans will not result in erosion and sedimentation during and after construction if properly executed.

SUMMARY

The proposed construction of the house and related facilities at 95 Newtown Road will have the same impact on the environment as residences and infrastructure constructed in excess of 100 feet from wetland areas and should be allowed to be constructed under an Order of Conditions properly controlling its construction and maintenance after construction.



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

A. General Information (continued)

6. General Project Description:

Construction of a single family home.

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

a. County

9814

c. Book

b. Certificate # (if registered land)

7

d. Page Number

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

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

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

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet



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

Resource Area, Size of Proposed Alteration, Proposed Replacement (if any)
d. [] Bordering Land Subject to Flooding
e. [] Isolated Land Subject to Flooding
f. [] Riverfront Area
2. Width of Riverfront Area (check one):
[] 25 ft. - Designated Densely Developed Areas only
[] 100 ft. - New agricultural projects only
[] 200 ft. - All other projects
3. Total area of Riverfront Area on the site of the proposed project:
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?
6. Was the lot where the activity is proposed created prior to August 1, 1996?

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.

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

Resource Area, Size of Proposed Alteration, Proposed Replacement (if any)
a. [] Designated Port Areas Indicate size under Land Under the Ocean, below
b. [] Land Under the Ocean
c. [] Barrier Beach Indicate size under Coastal Beaches and/or Coastal Dunes below
d. [] Coastal Beaches
e. [] Coastal Dunes



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

Table with columns: Description, Size of Proposed Alteration, Proposed Replacement (if any). Rows include Coastal Banks, Rocky Intertidal Shore, Salt Marshes, Land Under Salt Ponds, Land Containing Shellfish, Fish Runs, Land Subject to Coastal Storm Flowage, Restoration/Enhancement, and Project Involves 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)?

a. [] Yes [X] 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

13th Edition
b. Date of map



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

Provided by MassDEP:
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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/nhosp/regulatory_review/ mesa/ mesa_fee_schedule.htm).
Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address
Projects altering 10 or more acres of land, also submit:
 - (d) Vegetation cover type map of site
 - (e) Project plans showing Priority & Estimated Habitat boundaries

d. OR Check One of the Following

1. Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/ mesa/ mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
2. Separate MESA review ongoing. _____ a. NHESP Tracking # _____ b. Date submitted to NHESP

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/dfwele/dfw/nhosp/nhosp.htm>, regulatory review tab). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

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



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

3. Separate MESA review completed. Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
2. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

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

b. Yes No

If yes, include proof of mailing or hand delivery of NOI to either:

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

North Shore - Hull to New Hampshire:

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

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

3. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.

b. ACEC

4. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?

a. Yes No

5. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?

a. Yes No

6. Is this project subject to provisions of the MassDEP Stormwater Management Standards?

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

1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)

2. A portion of the site constitutes redevelopment

3. Proprietary BMPs are included in the Stormwater Management System.

b. No. Check why the project is exempt:

1. Single-family house

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



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

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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.

Notice of Intent Plan Sheet 1 of 2, 95 newtown Road

a. Plan Title

Acton Survey & Engineering, Inc.

b. Prepared By

February 23, 2011

d. Final Revision Date

Mark Donohoe, PE

c. Signed and Stamped by

1"=20'

e. Scale

Notice of Intent Plan Sheet 2 of 2, 95 Newtown Road

f. Additional Plan or Document Title

Feb 23, 2011

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.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number _____

Document Transaction Number
 Acton

City/Town _____

E. Fees

1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number	4591	3. Check date	2-23-11
4. State Check Number	4590	5. Check date	2-23-11
6. Payor name on check: First Name	Westchester Co		
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.

1. Signature of Applicant	<i>[Signature]</i>	2. Date	2-24-11
3. Signature of Property Owner (if different)	<i>[Signature]</i>	4. Date	Feb 24 2011
5. Signature of Representative (if any)	<i>[Signature]</i>	6. Date	3/2/11

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

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

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



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

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



A. Applicant Information

1. Applicant:

a. First Name _____ b. Last Name _____
 Westchester Company, Inc.
 c. Organization _____
 30 Nagog Park Drive, Suite 225
 d. Mailing Address _____
 Acton _____ MA _____ 01720
 e. City/Town _____ f. State _____ g. Zip Code _____
 978 -263-0428 978-263-0447
 h. Phone Number _____ i. Fax Number _____ j. Email Address _____

2. Property Owner (if different):

David & Margaret _____ Forrant _____
 a. First Name _____ b. Last Name _____
 c/o Douglas Byers
 c. Organization _____
 37 Spring Water Place
 d. Mailing Address _____
 ro _____ Nova Scotia, _____ B2N 5B1
 e. City/Town _____ f. State _____ g. Zip Code _____
 h. Phone Number _____ i. Fax Number _____ j. Email Address _____

3. Project Location:

95 Newtown 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.

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
	Construction of a single family home	1	\$500.00	\$500.00
Local	Bylaw Fee	1	\$100.00	\$100.00

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee:	<u>\$600.00</u>
	a. Total Fee from Step 5
State share of filing Fee:	<u>\$237.50</u>
	b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:	<u>\$362.50</u>
	c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

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

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

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

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



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

Brian McMullen
Assistant Assessor

Locus: 95 NEWTOWN RD
Parcel ID: E3-29

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City	ST	Zip
63 HAMMOND ST	E3-2	IVANOV ALEX	ELIZABETH	63 HAMMOND ST	ACTON	MA	01720
1 EVERGREEN WY	E3-3-1	DRECKSHAGE URI S	PURCELL ELIZABETH A	1 EVERGREEN WY	ACTON	MA	01720
97 NEWTOWN RD	E3-20	FORRANT DAVID W + MARGARET		97 NEWTOWN RD	ACTON	MA	01720
96 NEWTOWN RD	E3-27	BERESFORD DAVID M	MARGARET A	96 NEWTOWN RD	ACTON	MA	01720
100 NEWTOWN RD	E3-28	PLATT CAROLYN W		100 NEWTOWN RD	ACTON	MA	01720
98 NEWTOWN RD	E3-32	AL-ATRAQCHI WALEED	AL-ATRAQCHI DENISE	98 NEWTOWN RD	ACTON	MA	01720
91 NEWTOWN RD	E3-33	MINOT GROUP INC		124 NEWTOWN ROAD	ACTON	MA	01720
90 NEWTOWN RD	E3-51	SANKEY MARK A	SANKEY VICTORIA A	90 NEWTOWN 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.

Kristen Caouette

14-Feb-11

Acton Assessors Office

**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: Westchester Company, Inc.

Address 30 Nagog Park Drive, Suite 225 Phone 978-263-0428

has filed a Request for Determination of Applicability 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: Acton Survey & Engineering, Inc.

Address 97 Great Road, Suite 6 Phone 978-263-3666

The address of the property where the activity is proposed 95 Newtown Road

Town Atlas Plate/Map E3 Parcel/Lot 29

Project Description Construction of a single family home

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 978-264-9631.

A Public Hearing will be held at the Acton Town Hall, 472 Main Street, on Wednesday,
March 16, 2011 at 7:15 PM
(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**



Acton Survey &
Engineering, Inc.
P.O. Box 666 97 Great Rd. Suite 6
Acton, MA 01720-0666
(978) 263-3666 Fax (978) 635-0218
Email: actonsurvey@verizon.net

JOB 95 NEWTOWN RD 6733
SHEET NO. 1 OF 3
CALCULATED BY MTD DATE 2-22-11
CHECKED BY _____ DATE _____
SCALE _____

ASSUME INCREASE IN RUNOFF IS
FROM ADDITION OF IMPERVIOUS SURFACES

HOUSE 2300 SF
DRIVEWAY 3600 SF

SOILS NARRAGANSETT - HOLLIS HYDRO GROUP C

SOIL EVALUATIONS LOAMY SAND
PERCOLATION TEST 4 & 6 MIN/INCH
RECHARGE RATE 2.4"/HR

SEGREGATE ROOF & DRIVEWAY RUNOFF IN ANALYSIS

ROOF

PRECONSTRUCTION C = 74 WOODS 600M
10YR DIRECT RUNOFF 2.4 IN/24HRS

$$\text{VOLUME } 2300 \times \frac{2.4}{12} = 460 \text{ CF}$$

POST CONSTRUCTION C = 48 4.4 IN/24

$$\text{VOLUME } 2300 \times \frac{4.4}{12} = 840 \text{ CF}$$

INCREASE 380 CF

STORAGE DIRT 140 X 2 X 1 X 0.4 = 112 CF
CHAMBER 16 X 4 X 0.5 = 32 CF
w 144 CF

RECHARGE 140 X 2 + 16 X 4 = 294 SF
294 X $\frac{2.4}{12}$ X 24 HRS = 1171 CF

TOTAL STR = 1300 CF > 380 CF > 840 CF
OK



Acton Survey &
Engineering, Inc.

P.O. Box 666 97 Great Rd. Suite 6
Acton, MA 01720-0666
(978) 263-3666 Fax (978) 635-0218
Email: actonsurvey@verizon.net

JOB 95 NEWTOWN RD 6733

SHEET NO. 2 OF 3

CALCULATED BY MTO DATE 2-26-11

CHECKED BY _____ DATE _____

SCALE _____

DRIVEWAY

SECTION @ GARAGE FLOWS TO NE TREAT AS
ONE SYSTEM

PRE CONSTRUCTION $3600 \times \frac{2.4}{12} = 720 \text{ CF}$

POST $3600 \times \frac{4.4}{12} = 1320 \text{ CF}$

INCREASE 500 CF

STORAGE $L \times W \times D \times V.R.$
RT $90 \times 2 \times 2 \times 0.4 = 144 \text{ CF}$

RECHARGE $110 \times 2 \times \frac{2.4}{12} \times 24 = 864 \text{ CF}$

1008 CF

TOTAL STORAGE + RECHARGE = 1008 CF

$1008 \text{ CF} > 500 \text{ CF INCREASE}$

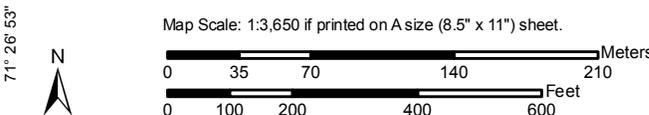
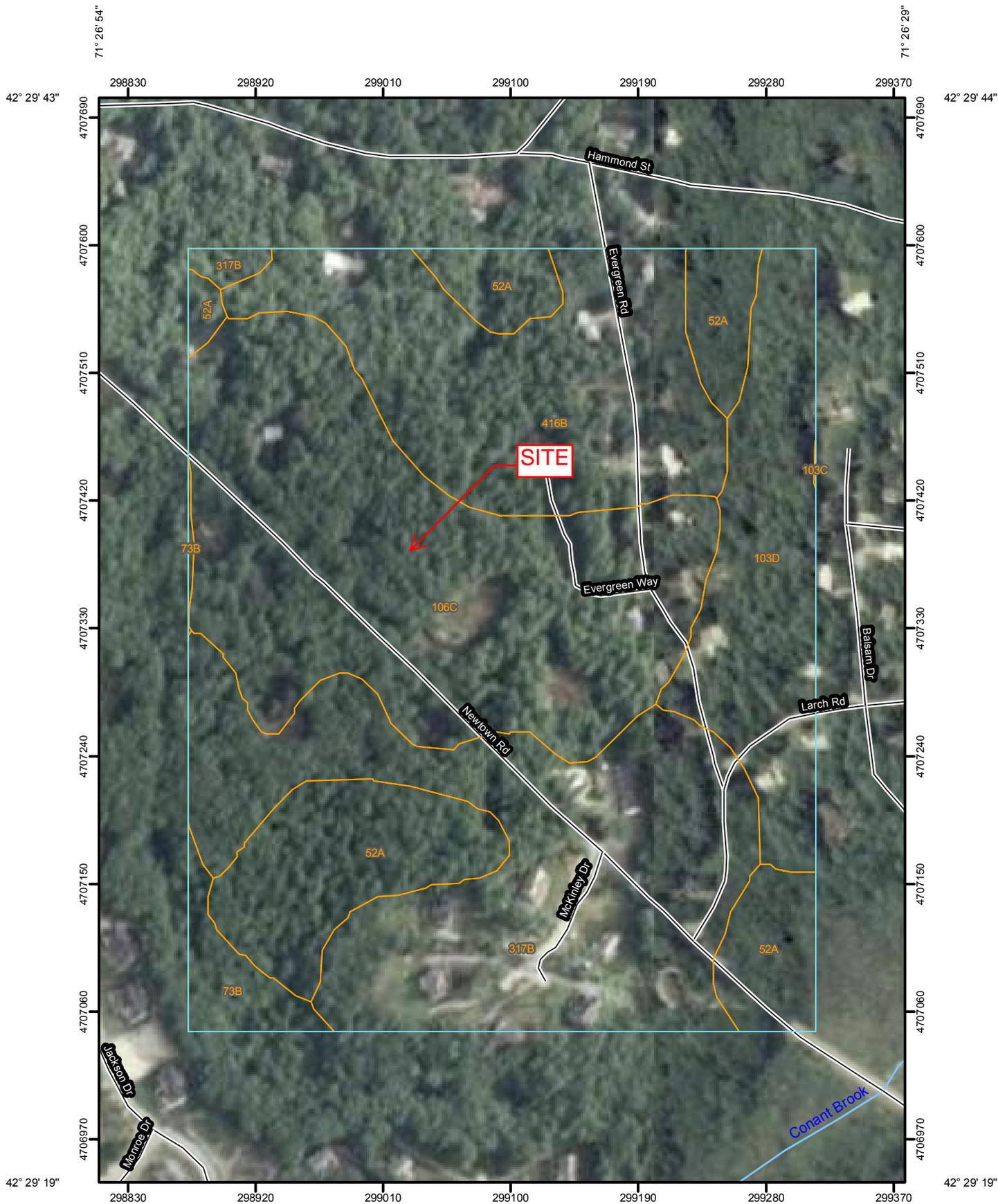
NOTE: POST CALCULATION RECHARGE TRENCH
WAS LENGTHEN TO 120' (TO RE @ RD)

ADDITIONAL RTS = $\frac{120}{90} \times 1008 = 1344 \text{ CF}$

$1344 \text{ CF} > 1320 \text{ CF}$

NO PUMP
FROM DRIVE
IN 10 YEAR
24 HOUR
STORM

Soil Map—Middlesex County, Massachusetts



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Units

Special Point Features

-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot
-  Spoil Area
-  Stony Spot

-  Very Stony Spot
-  Wet Spot
-  Other

Special Line Features

-  Gully
-  Short Steep Slope
-  Other

Political Features

-  Cities

Water Features

-  Oceans
-  Streams and Canals

Transportation

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

MAP INFORMATION

Map Scale: 1:3,650 if printed on A size (8.5" × 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:25,000.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
 Coordinate System: UTM Zone 19N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

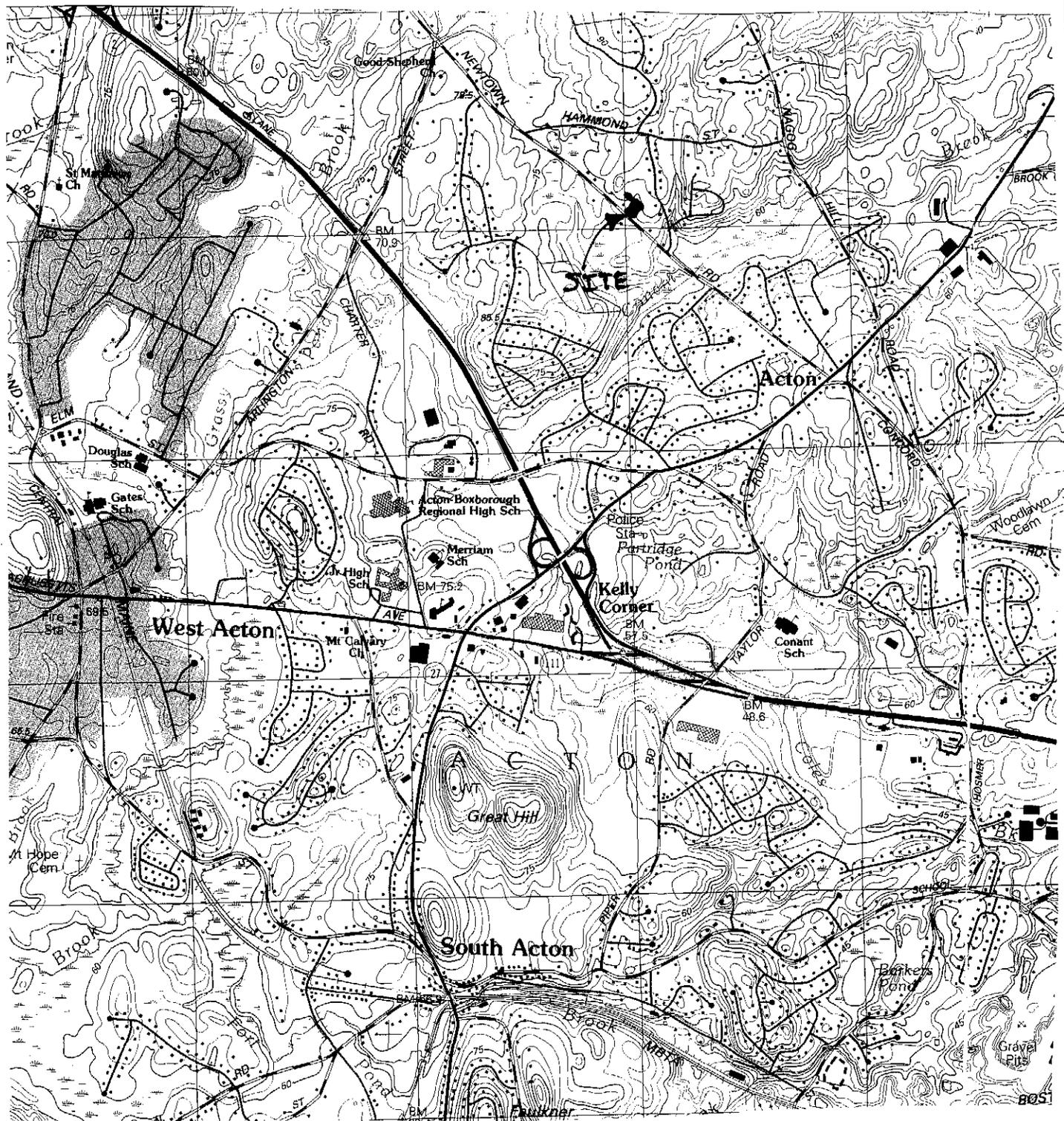
Soil Survey Area: Middlesex County, Massachusetts
 Survey Area Data: Version 12, Feb 26, 2010

Date(s) aerial images were photographed: 7/28/2003; 8/14/2003

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Middlesex County, Massachusetts (MA017)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
52A	Freetown muck, 0 to 1 percent slopes	8.6	14.3%
73B	Whitman fine sandy loam, 0 to 5 percent slopes, extremely stony	1.4	2.3%
103C	Charlton-Hollis-Rock outcrop complex, 8 to 15 percent slopes	0.0	0.0%
103D	Charlton-Hollis-Rock outcrop complex, 15 to 25 percent slopes	6.8	11.3%
106C	Narragansett-Hollis-Rock outcrop complex, 3 to 15 percent slopes	17.5	28.9%
317B	Scituate fine sandy loam, 3 to 8 percent slopes, extremely stony	15.8	26.2%
416B	Narragansett silt loam, 3 to 8 percent slopes, very stony	10.3	17.1%
Totals for Area of Interest		60.4	100.0%



USGS MAP

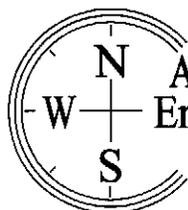
95 NEWTOWN ROAD
ACTON, MA 01720

PREPARED FOR:
WESTCHESTER COMPANY, INC

SCALE: 1:25000 MARCH 2, 2011

1987 MAYNARD QUADRANGLE

 Approximate Site Boundary

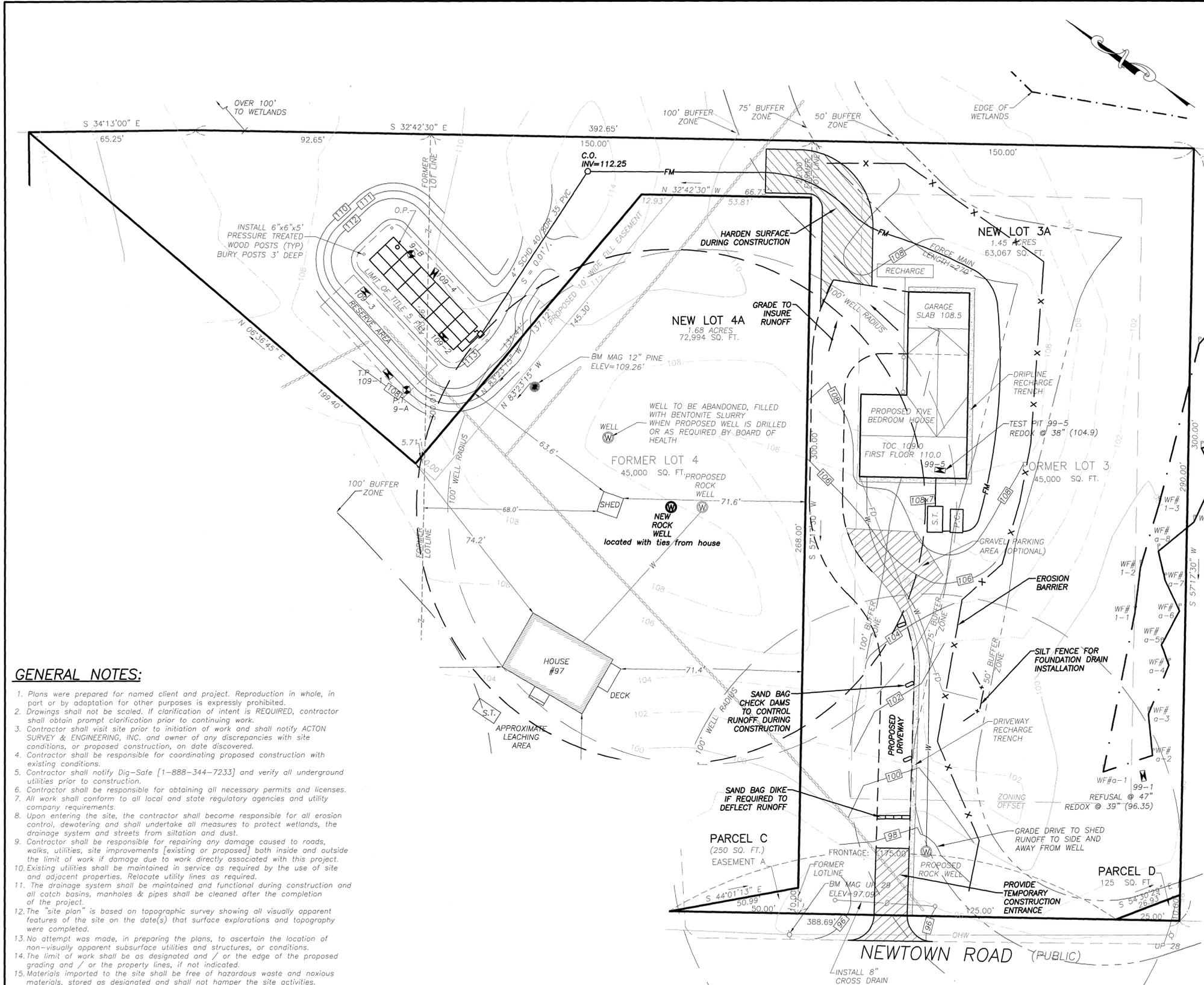


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EROSION & SEDIMENTATION CONTROL AND LANDSCAPE SENSITIVITY

GENERAL
 A rapid, well ordered construction process resulting in surfaces being disturbed for the minimum amount of time possible shall be the primary erosion control methodology utilized at this site.

Preventing the concentration of runoff will decrease erosion. The surface of Newtown Road is directly tributary to wetlands and earthen products shall not reach its surface.

ACCESS TO SITE
 Access shall be established at the location of the proposed driveway and a thirty (30) foot long tracking pad, or temporary construction entrance, shall be installed once that section of the driveway is graded to subgrade.

The driveway crosses a shallow swale and runoff from the swale shall flow through the tracking pad, or the driveway cross drain shown on the plans shall be installed immediately.

The tracking pad shall be maintained and replaced as necessary to insure that no earthen products reach Newtown Road.

CLEARING
 Prior to any clearing, except as necessary to obtain safe access to the site, the limit of work shall be demarcated and the Conservation Administrator notified.

Clearing within the 50 foot buffer to the wetlands is prohibited.

Felled trees shall be removed from the site during the work week in which they are felled, and limbs and brush shall be chipped to allow materials required for erosion control and stabilization to be generated on site.

Stumps shall be removed from the site during the work week they are generated.

EROSION CONTROL BARRIERS
 The erosion control barriers to be installed shown on the plan should be considered the minimum required and shall be supplemented if construction procedures that limit the potential for erosion are not implemented.

The barriers shall be installed prior to any site grading and shall be properly maintained and replaced as required to insure their effectiveness.

Any products of erosion entrapped in the barriers shall be promptly removed and their source abated.

GRADING
 It is during this portion of the construction process that the site will be most prone to erosion.

The driveway must be located over 75 feet from the wetlands. It can be located to limit disturbance of large trees and care should be taken during the grading operation to limit the disturbance of roots and the compaction of soil over roots.

Erosion barriers should be placed at areas that are tributary to a single point such as the shallow swale along the driveway, about 100 feet from Newtown Road, or other devices such as check dams or berms should be placed to intercept flow.

The driveway will also be graded to flow to the rear of the house and construction of the leaching area will require equipment and materials to move through this area. Grading shall result in the dispersal of runoff over a broad area, even if erosion barriers are in place. It is recommended that the surface of the driveway and the area up to the point where the lot lines are 22 feet apart be hardened by the placement of trap rock, and that special vigilance be given to maintaining the erosion barriers until all surfaces are erosion resistant.

Only limited grading shall be performed in the area east of the house, and shall result in runoff being uniformly distributed at all times.

All topsoil shall be retained and stockpiled so that materials are not subject to erosion and do not interfere with or concentrate runoff.

CONSTRUCTION OF LEACHING AREA
 The leaching area and necessary fill are over 100 feet from wetlands, but equipment and materials used in its construction must pass about 75 feet from wetlands. The leaching area construction should precede the house construction to allow staging in the area of the house, and should be completed in two weeks. Completion shall include the stabilization of all surfaces.

The area of the leaching system should be seeded with meadow grass as it must be maintained free of brush and trees. Wood chips/bark mulch is recommended for the force main route.

HOUSE CONSTRUCTION
 The foundation shall be excavated, poured, stripped, and backfilled within 10 working days. Excavated materials shall be stored so that they do not concentrate runoff.

The area to the south of the house shall be graded smooth so that runoff is dispersed and, with the exception of areas within 15 feet of the house, all disturbed areas shall be made erosion resistant. If the establishment of permanent vegetation is not possible, the area shall be planted with quick germination/temporary cover material.

House construction materials and equipment shall be stored in close proximity to the structure on its west and south sides.

The site shall be kept free of litter and debris and containers shall be kept on site and properly maintained. Liquids shall not be placed in the containers.

RECHARGE SYSTEMS
 Recharge systems consisting of a dripline recharge trench, a driveway recharge trench, and a chamber system are proposed to decrease runoff from the site. The effectiveness of these devices will be impaired if products of erosion enter the recharge works. Care should be taken to protect the recharge devices from the entrance of silt laden runoff.

STABILIZATION OF SURFACES
 Stabilization shall be an ongoing process and shall not be delayed until final landscaping.

Site construction should be phased, as possible, to allow plantings to occur during optimum periods - April 15 to June 15 and August 15 to October 15 for lawns.

Loam has a high erosion potential and should not be spread when seeding and germination are not expected to promptly occur.

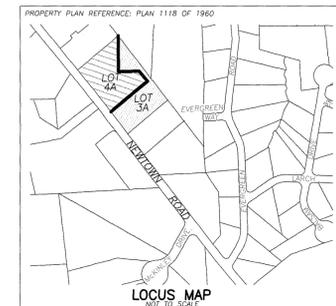
REMOVAL OF EROSION BARRIERS
 The project will not be considered complete until all erosion barriers and products of erosion are removed and all surfaces are in an erosion resistant state.

GENERAL NOTES:

- Plans were prepared for named client and project. Reproduction in whole, in part or by adaptation for other purposes is expressly prohibited.
- Drawings shall not be scaled. If clarification of intent is REQUIRED, contractor shall obtain prompt clarification prior to continuing work.
- Contractor shall visit site prior to initiation of work and shall notify ACTON SURVEY & ENGINEERING, INC. and owner of any discrepancies with site conditions, or proposed construction, on date discovered.
- Contractor shall be responsible for coordinating proposed construction with existing conditions.
- Contractor shall notify Dig-Safe [1-888-344-7233] and verify all underground utilities prior to construction.
- Contractor shall be responsible for obtaining all necessary permits and licenses.
- All work shall conform to all local and state regulatory agencies and utility company requirements.
- Upon entering the site, the contractor shall become responsible for all erosion control, dewatering and shall undertake all measures to protect wetlands, the drainage system and streets from siltation and dust.
- Contractor shall be responsible for repairing any damage caused to roads, walks, utilities, site improvements [existing or proposed] both inside and outside the limit of work if damage due to work directly associated with this project.
- Existing utilities shall be maintained in service as required by the use of site and adjacent properties. Relocate utility lines as required.
- The drainage system shall be maintained and functional during construction and all catch basins, manholes & pipes shall be cleaned after the completion of the project.
- The "site plan" is based on topographic survey showing all visually apparent features of the site on the date(s) that surface explorations and topography were completed.
- No attempt was made, in preparing the plans, to ascertain the location of non-visually apparent subsurface utilities and structures, or conditions.
- The limit of work shall be as designated and / or the edge of the proposed grading and / or the property lines, if not indicated.
- Materials imported to the site shall be free of hazardous waste and noxious materials, stored as designated and shall not hamper the site activities.
- Materials exported from the site shall become the property of the contractor and be disposed of in a legal manner.
- All existing and new utility structures shall be adjusted to finished grades. Setting of rims temporarily of binder course may be required.
- All water mains, water services and force mains shall have a five (5') foot minimum cover.
- All pavements shall be cut to a vertical face outside limits of prior disturbance and prior to installing adjacent new pavements. All new pavements shall be installed in a manner that is uniform, with watertight joints resulting.
- The project shall be complete when the site is found to be litter/debris free, erosion resistant, all erosion barriers are removed and pavements, catch basins, manholes and pipes are clean.
- The contractor shall clearly mark the limits of work in the field prior to the start of construction.
- Hauling of earth to or from the site shall be done between the hours of 9:00 a.m. and 4:00 p.m. on weekdays only.
- Any alterations within 100 feet of a wetland [200 feet of a stream] shall require a filing with the Conservation Commission. Dewatering shall be controlled as to not impact wetland resource areas.

LEGEND

- PROPERTY LINE
- EDGE OF WETLANDS
- 50' BUFFER ZONE
- 75' BUFFER ZONE
- 100' WETLAND BUFFER ZONE
- OHW
- OVERHEAD WIRES
- OBSERVATION HOLE (TEST PIT)
- PERCOLATION TEST
- S.T. SEPTIC TANK
- D.B. DISTRIBUTION BOX
- SPOT ELEVATIONS
- EXISTING 10' CONTOURS
- EXISTING 2' CONTOURS
- PROPOSED CONTOURS



NOTICE OF INTENT PLAN
SHEET 1 OF 2
 95 NEWTOWN ROAD
 ACTON, MASSACHUSETTS

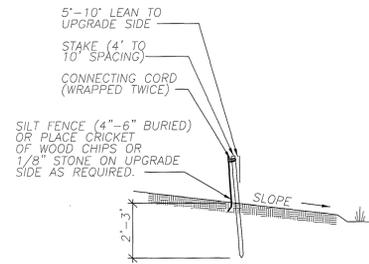
PREPARED FOR:
 WESTCHESTER COMPANY
 30 NAGOG PARK DR, SUITE 225
 ACTON, MA 01720

SCALE: 1"=20' DATE: FEBRUARY 23, 2011

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 Since 1967

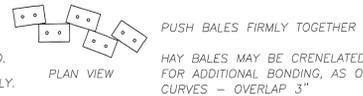
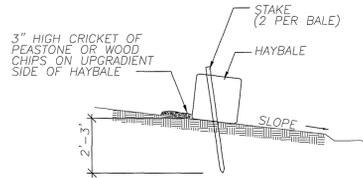
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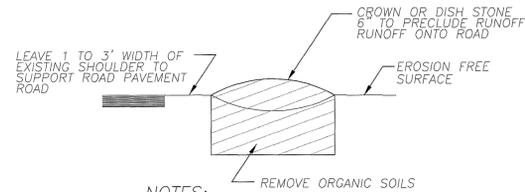
NOTES:

1. FENCES SHALL BE LOCATED AT LIMIT OF WORK, OR AS SHOWN ON PLANS.
2. PENETRATE OR "SNUG" GROUND WITH BOTTOM FOR ENTIRE LENGTH.
3. DO NOT INSTALL IN A MANNER WHICH WILL CONCENTRATE RUNOFF.
4. BACK FENCE WITH STAKED HAYBALES IN HIGH RISK AREAS.
5. MAINTAIN AND REMOVE FENCE AS REQUIRED.
6. REMOVE PRODUCTS OF EROSION FREQUENTLY.
7. CONTRACTOR SHALL INSURE THAT ALL DEWATERING ACTIVITY SHALL DISCHARGE WATER THAT IS CLEAN AND FREE OF SILT AND FINE SEDIMENTS PRIOR TO DISCHARGE TOWARDS WETLANDS.



EROSION CONTROL BARRIER DETAIL

(TWO ALTERNATIVES)
N.T.S.

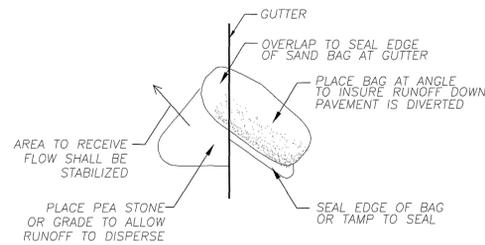


NOTES:

1. STONE SHALL BE 1"-3" IN SIZE AND INSTALLED TO REMOVE AND ENTRAP MATERIALS FROM TIRES AND NOT BE TRANSPORTED TO ROAD.
2. STONE SHALL EXTEND ACROSS FULL WIDTH OF ENTRANCE AND BE OF SUFFICIENT LENGTH TO PRECLUDE MUD FROM REACHING ROAD.
3. STONE SHALL BE REPLACED AS REQUIRED TO INSURE MUD REMOVAL.
4. CONSTRUCTION ENTRANCE SHALL BE A MINIMUM OF 30 FEET IN LENGTH.

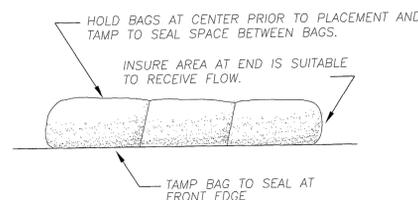
TEMPORARY CONSTRUCTION ENTRANCE

N.T.S.



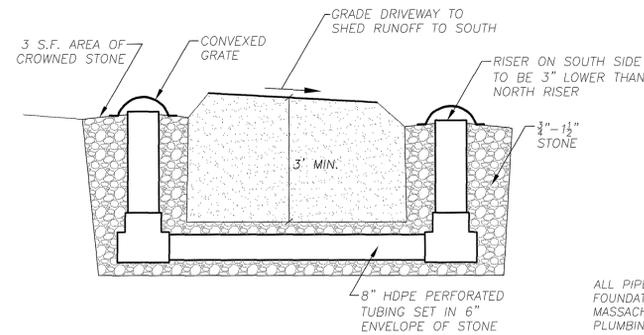
SAND BAG CHECK DAM DETAIL

N.T.S.



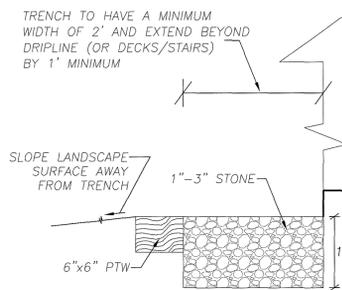
SAND BAG DIKE DETAIL

N.T.S.



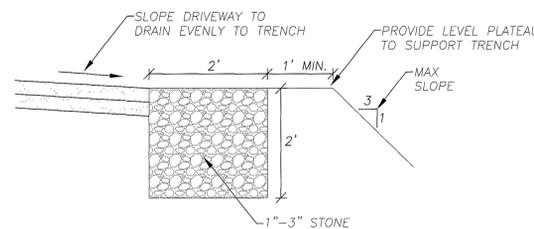
CROSS DRAIN DETAIL

N.T.S.



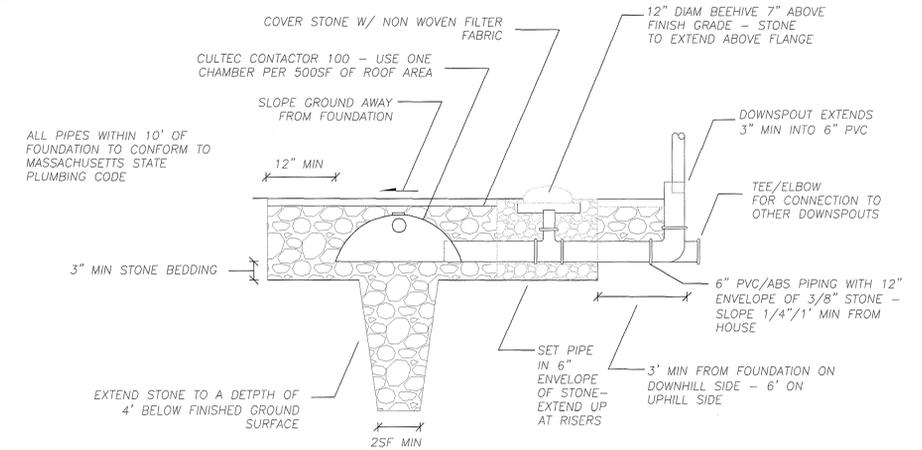
DRIPLINE RECHARGE TRENCH DETAIL

N.T.S.



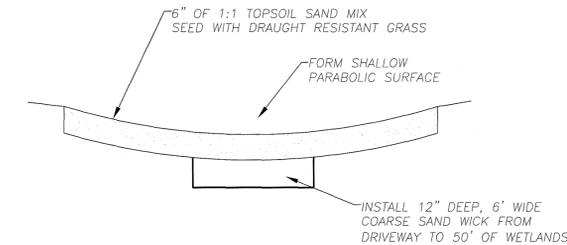
DRIVEWAY RECHARGE TRENCH DETAIL

N.T.S.



ROOF RECHARGE SYSTEM

N.T.S.



DETAIL OF SWALE

N.T.S.

NOTICE OF INTENT PLAN SHEET 2 OF 2

95 NEWTOWN ROAD
ACTON, MASSACHUSETTS

PREPARED FOR:
WESTCHESTER COMPANY, INC
30 NAGOG PARK DR, SUITE 225
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SCALE: 1"=20' DATE: FEBRUARY 23, 2011

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