

NOTICE OF INTENT

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

FOR:

50 JACKSON DRIVE
MAP E-3, PARCEL 23-8
ACTON, MA

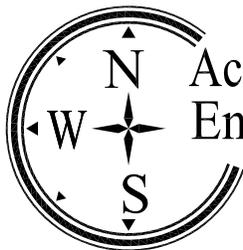
PREPARED FOR:

LAWRENCE BIGELOW
190 WEST CANTON STREET, #1
BOSTON, 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

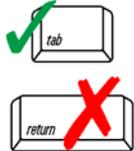


WPA Form 3 – Notice of Intent

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>50 Jackson Drive</u> a. Street Address	<u>Acton</u> b. City/Town	<u>01720</u> c. Zip Code
<u>Latitude and Longitude:</u>	<u>42d29'20.80"N</u> d. Latitude	<u>71d27'19.46"W</u> e. Longitude
<u>E-3</u> f. Assessors Map/Plat Number	<u>23-8</u> g. Parcel /Lot Number	

2. Applicant:

<u>Lawrence</u> a. First Name	<u>Bigelow</u> b. Last Name	
<u>c. Organization</u>		
<u>190 West Canton Street, #1</u> d. Street Address		
<u>Boston</u> e. City/Town	<u>MA</u> f. State	<u>02116</u> g. Zip Code
<u>617-959-4784</u> h. Phone Number	<u>i. Fax Number</u>	<u>j. Email Address</u>

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

<u>a. First Name</u>	<u>b. Last Name</u>	
<u>c. Organization</u>		
<u>d. Street Address</u>		
<u>e. City/Town</u>	<u>f. State</u>	<u>g. Zip Code</u>
<u>h. Phone Number</u>	<u>i. Fax Number</u>	<u>j. Email address</u>

4. Representative (if any):

<u>Mark</u> a. First Name	<u>Donohoe</u> b. Last Name	
<u>Acton Survey & Engineering, Inc.</u> c. Company		
<u>PO Box 666, 97 Great Road, Suite 6</u> d. Street Address		
<u>Acton</u> e. City/Town	<u>MA</u> f. State	<u>01720</u> g. Zip Code
<u>978-263-3666</u> h. Phone Number	<u>978-635-0218</u> i. Fax Number	<u>actonsurvey@actonsurvey.com</u> j. Email address

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

<u>\$600.00</u> a. Total Fee Paid	<u>\$237.50</u> b. State Fee Paid	<u>\$362.50</u> c. City/Town Fee Paid
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A. General Information (continued)

6. General Project Description:

Construction of a single family home and supporting infrastructure.

7a. Project Type Checklist:

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

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

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

2. Limited Project

8. Property recorded at the Registry of Deeds for:

Middlesex

a. County

52491

c. Book

b. Certificate # (if registered land)

567

d. Page Number

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

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

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

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

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



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

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):
3. Total area of Riverfront Area on the site of the proposed project:
4. Proposed alteration of the Riverfront Area:
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
b. Land Under the Ocean
c. Barrier Beach
d. Coastal Beaches
e. Coastal Dunes



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

	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet	
h. <input type="checkbox"/> Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet	
	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	a. square feet of BVW	b. square feet of Salt Marsh
5. <input type="checkbox"/> Project Involves Stream Crossings		
	a. number of new stream crossings	b. number of replacement stream crossings

C. Other Applicable Standards and Requirements

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/priority_habitat/online_viewer.htm.

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

MassGIS
(13th edition, 2008)

**Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
Route 135, North Drive
Westborough, MA 01581**



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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:

- Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
- A portion of the site constitutes redevelopment
- Proprietary BMPs are included in the Stormwater Management System.

b. No. Check why the project is exempt:

1. Single-family house

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



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

- 2. Emergency road repair
- 3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

- 1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
- 2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.
- 3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.
- 4. List the titles and dates for all plans and other materials submitted with this NOI.

Notice of Intent, 50 Jackson Drive

a. Plan Title

Acton Survey & Engineering, Inc.

b. Prepared By

July 26, 2011

d. Final Revision Date

Mark Donohoe, PE

c. Signed and Stamped by

1"=20'

e. Scale

Notice of Intent Details

f. Additional Plan or Document Title

7/28/11

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

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Acton

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E. Fees

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

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

2. Municipal Check Number	1289	3. Check date	7/28/11
4. State Check Number	1290	5. Check date	7/28/11
6. Payor name on check: First Name	Lawrence	7. Payor name on check: Last Name	Bigelow

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>Ramundo Bigelow</i>	2. Date	7/28/11
3. Signature of Property Owner (if different)	<i>[Signature]</i>	4. Date	
5. Signature of Representative (if any)	<i>MARV T. DUNNICK</i>	6. Date	8/11/11

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:

Lawrence Bigelow
 a. First Name b. Last Name

 c. Organization

190 West Canton Street
 d. Mailing Address

Boston MA 02116
 e. City/Town f. State g. Zip Code

617-959-4784 _____
 h. Phone Number i. Fax Number j. Email Address

2. Property Owner (if different):

 a. First Name b. Last Name

 c. Organization

 d. Mailing Address

 e. City/Town f. State g. Zip Code

 h. Phone Number i. Fax Number j. Email Address

3. Project Location:

50 Jackson Drive 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(2a)	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:	\$600.00
State share of filing Fee:	\$237.50
City/Town share of filing Fee:	\$362.50
	a. Total Fee from Step 5
	b. 1/2 Total Fee less \$12.50
	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.)

**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: Lawrence Bigelow

Address 190 West Canton Street #1, Boston, MA Phone 617-959-4784

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: Acton Survey & Engineering, Inc.

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

The address of the property where the activity is proposed 50 Jackson Drive

Town Atlas Plate/Map E-3 Parcel/Lot 23-8

Project Description Construction of a single family home and supporting infrastructure.

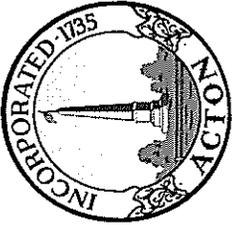
For more information please contact the Conservation Office at 978-929-6634 or email NR@acton-ma.gov. Copies of the Notice of Intent may be examined at the Conservation Office, Acton Town Hall, 472 Main Street, Acton between the hours of 9:00 A.M. and 4:30 P.M. Monday through Friday.

A Public Hearing will be held at the Acton Town Hall, 472 Main Street, on Wednesday,
August 17 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**



Town of Acton
472 Main Street
Acton, MA 01720
Telephone (978) 929-6621
Fax (978) 929-6340

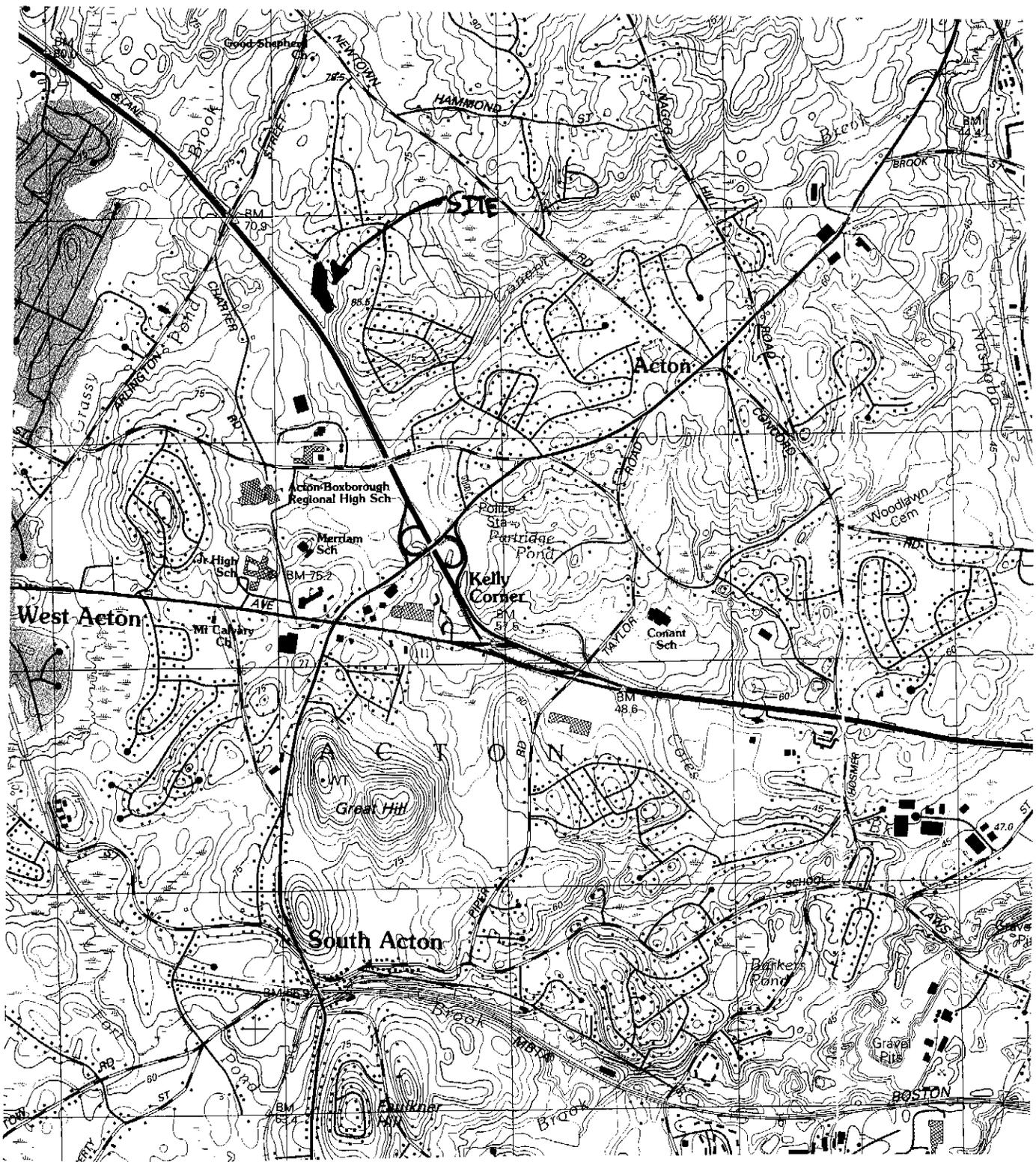
Brian McMullen
Assistant Assessor

Locus: 50 Jackson Drive
Parcel ID: E3-23-8

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City	ST	Zip
47 JACKSON DR	E3-23-1	HIGGINS JOSEPH W	HIGGINS MELANIE S	47 JACKSON DR	ACTON	MA	01720
45 JACKSON DR	E3-23-2	POTTER TERRY & LINDA L	POTTER REAL ESTATE TRUST	45 JACKSON DR	ACTON	MA	01720
44 JACKSON DR	E3-23-5	LEE DANIEL C	LEE CYNTHIA C	PO BOX 2708	ACTON	MA	01720
46 JACKSON DR	E3-23-6	BRADLEY CHARLES E	JUDITH M	46 JACKSON DR	ACTON	MA	01720
64 WASHINGTON DR	E3-41-2	BUSSE FRANZ	BUSSE MARGARET	64 WASHINGTON DR	ACTON	MA	01720
60 WASHINGTON DR RE	E3-81	COMMONWEALTH OF MASS		DEPT OF PUBLIC WORKS	BOSTON	MA	02108
97 CHARTER RD	E3-83-4	ABRAVINTHAN KAILAS	ARAVINTHAN YASODARA	97 CHARTER RD	ACTON	MA	01720
83 CHARTER RD	E3-85	HAARTZ CORPORATION THE		83 CHARTER 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
Property Lister
Acton Assessors Office
7/27/2011



USGS MAP

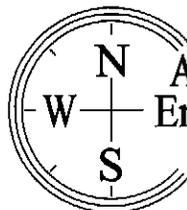
50 JACKSON DRIVE
ACTON, MA 01720

PREPARED FOR:
LAWRENCE BIGELOW

SCALE: 1:25000 JULY 28, 2011

1987 MAYNARD QUADRANGLE

 Approximate Site Boundary



Acton Survey &
Engineering, Inc.

Since 1967

97 GREAT ROAD
P.O. BOX 666
ACTON, MA 01720
PH. (978) 263-3666
FAX (978) 635-0218



Notice of Intent 50 Jackson Drive



Image from Town of Acton Geographic Information System
Approximate property lines indicated by red lines

50 Jackson Drive is a vacant lot located off the westerly end of Jackson Drive. The property gradually slopes to the west from a high point at the Jackson Drive cul-de-sac. Along the northerly property line there is a raised area containing a utility easement. The westerly portion of the property contains a telecommunications right of way and borders Route 2.

The applicant proposes to construct a single family home on an upland portion of the property approximately 160 feet from Jackson Drive. The site will be accessed by a paved driveway. The driveway will be graded to allow runoff to be diverted to a rain garden which will be located outside 100' buffer zone. The house will be serviced by a private septic system which will also be located outside the 100 foot buffer zone. Only a portion of the house and driveway will be located within the 100 foot buffer zone and all permanent structures will be offset greater than 75 feet from the wetlands.

The wetlands at the site have been delineated by David Crossman, Senior Wetland Biologist for B&C Associates. The DEP Bordering Vegetated Wetland Delineation Field Data Forms have been enclosed.

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: _____ Prepared by: B & C Associates Inc. Project location: 50 Jackson Drive, Acton DEP File #: _____

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
 Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
 Method other than dominance test used (attach additional information)

Section I. Vegetation Observation Plot Number: 1 Transect Number: A Date of Delineation: 7/11/11

A. Sample Layer and Plant Species (by common/scientific name)		B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category *	
Herbaceous:	Cinnamon Fern	<i>Osmunda cinnamomea</i>	10.5	64%	Yes	FACW *
	Red Oak	<i>Quercus rubra</i>	3.0	18%	No	FACU-
	Woodbine	<i>Parthenocissus quinquefolia</i>	3.0/16.5	18%	No	FACU
Shrubs:	White Pine	<i>Pinus strobus</i>	20.5	66%	Yes	FACU
	Highbush Blueberry	<i>Vaccinium corymbosum</i>	10.5/31.0	34%	Yes	FACW- *
Saplings:	Shagbark Hickory	<i>Carya ovata</i>	10.5	33%	Yes	FACU-
	White Pine	<i>Pinus strobus</i>	10.5	33%	Yes	FACU
	Black Birch	<i>Betula lenta</i>	10.5/31.5	33%	Yes	FACU
Lianas:	None					
Overstory:	Red Oak	<i>Quercus rubra</i>	998.2	56%	Yes	FACU-
	White Pine	<i>Pinus strobus</i>	571.6	32%	Yes	FACU
	White Oak	<i>Quercus alba</i>	71.6	4%	No	FACU-
	Red Maple	<i>Acer rubrum</i>	58.1	3%	No	FAC *
	American Elm	<i>Ulmus americana</i>	56.6	3%	No	FACW- *
	Shagbark Hickory	<i>Carya ovata</i>	32.9/1789.0	2%	No	FACU-

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants: 2 Number of dominant non-wetland Indicator plant: 6

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? NO

**Section II. Indicators of Hydrology
Hydric Soil Interpretation**

1. Soil Survey

Is there a published soil survey for this site? **YES**

title/date: Middlesex County 2/26/10

map number: 1

soil type mapped: Narragansett silt loam

hydric soil inclusions:

Are field observations consistent with soil survey? **YES**

Remarks:

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
A	0-12"	10 YR 2/2	

Remarks: Refusal @ 12"

3. Other: 43' 4" to Wetland Flag # 53
15' 8" to Wetland Flag # 54

Conclusion: Is soil hydric? **NO**

Other Indicators of Hydrology: (check all that apply and describe)

- Site inundated: _____
- Depth to free water in observation hole: _____
- Depth to soil saturation in observation hole: _____
- Water marks: _____
- Drift lines: _____
- Sediment deposits: _____
- Drainage patterns in BVW: _____
- Oxidized rhizospheres: _____
- Water-stained leaves: _____
- Recorded data (stream, lake, or tidal gauge; aerial photo; other):

- Other: _____

Vegetation and Hydrology Conclusion

	Yes	No
Number of wetland indicator plants ≥ number of non-wetland indicator plants	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wetland hydrology present: hydric soil present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
other indicators of hydrology present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sample location is in a BVW	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Submit this form with the Request for Determination of Applicability or Notice of Intent

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: _____ Prepared by: B & C Associates Inc. Project location: 50 Jackson Drive, Acton DEP File #: _____

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
 Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
 Method other than dominance test used (attach additional information)

Section I. Vegetation Observation Plot Number: 2 Transect Number: A Date of Delineation: 7/11/11

A. Sample Layer and Plant Species (by common/scientific name)		B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category *	
Herbaceous:	Cinnamon Fern	<i>Osmunda cinnamomea</i>	20.5	58%	Yes	FACW *
	Wild Sarsaparilla	<i>Aralia nudicaulis</i>	3.0	8%	No	FACU
	Red Oak	<i>Quercus rubra</i>	3.0	8%	No	FACU-
	Poison Ivy	<i>Toxicodendron radicans</i>	3.0	8%	No	FAC *
	Jack-in-the-Pulpit	<i>Arisaema atropurpureum</i>	3.0	8%	No	FACW-
	New England Grape	<i>Vitis novae-angliae</i>	3.0/35.5	8%	No	NI *
Shrubs:	White Pine	<i>Pinus strobus</i>	10.5	44%	Yes	FACU
	Highbush Blueberry	<i>Vaccinium corymbosum</i>	10.5	44%	Yes	FACW-
	Black Birch	<i>Betula lenta</i>	3.0/24.0	12%	No	FACU *
Saplings:	Red Maple	<i>Acer rubrum</i>	38.0	78%	Yes	FAC *
	White Pine	<i>Pinus strobus</i>	10.5/48.5	22%	Yes	FACU
Lianas:	None					
Overstory:	Red Oak	<i>Quercus rubra</i>	998.2	88%	Yes	FACU-
	White Oak	<i>Quercus alba</i>	71.6	6%	No	FACU-
	Red Maple	<i>Acer rubrum</i>	69.3/1139.1	6%	No	FAC *

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants: 3 Number of dominant non-wetland Indicator plant: 3

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? YES

**Section II. Indicators of Hydrology
Hydric Soil Interpretation**

1. Soil Survey

Is there a published soil survey for this site? **YES**

title/date: Middlesex County 2/26/10

map number: 1

soil type mapped: Whitman fine sandy loam

hydric soil inclusions:

Are field observations consistent with soil survey? **YES**

Remarks:

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
O _A	0-10"	10 YR 2/1	

Remarks: Refusal @ 10"

3. Other: 60' 0" to Wetland Flag # 53
13' 0" to Wetland Flag # 54
24' 2" Downgradient from A1

Conclusion: Is soil hydric? **YES**

Other Indicators of Hydrology: (check all that apply and describe)

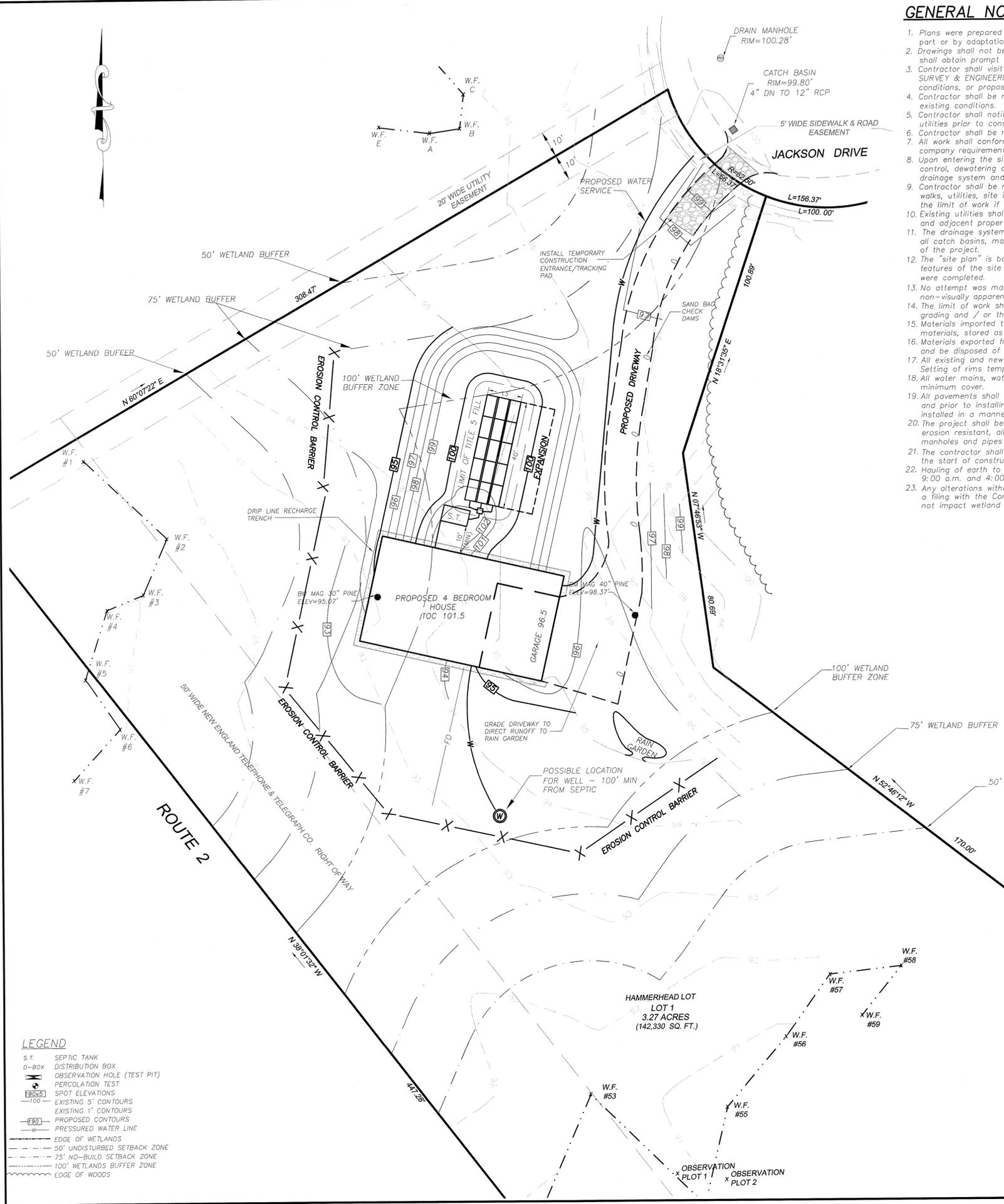
- Site inundated: _____
- Depth to free water in observation hole: _____
- Depth to soil saturation in observation hole: _____
- Water marks: _____
- Drift lines: _____
- Sediment deposits: _____
- Drainage patterns in BVW: _____
- Oxidized rhizospheres: _____
- Water-stained leaves: _____
- Recorded data (stream, lake, or tidal gauge; aerial photo; other):

- Other: _____

Vegetation and Hydrology Conclusion

	Yes	No
Number of wetland indicator plants ≥ number of non-wetland indicator plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wetland hydrology present: hydric soil present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
other indicators of hydrology present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sample location is in a BVW	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Submit this form with the Request for Determination of Applicability or Notice of Intent



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 at 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.

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 Jackson Drive 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 tracking pad shall be maintained and replaced as necessary to insure that no earthen products reach Jackson Drive.

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 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 rain garden 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.

Only limited grading shall be performed in the area south 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 is over 100 feet from wetlands, but equipment and materials used in its construction must pass about 75 feet from wetlands.

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 east and south sides as these areas are outside the 100' buffer zone.

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, and a rain garden 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.

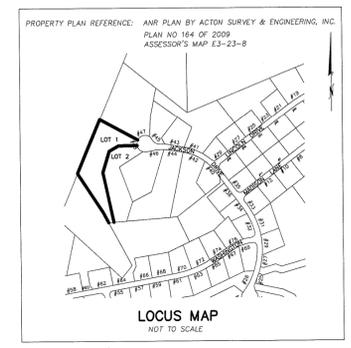
Loam has a high erosion potential and should not be spread when seeding and germination are not expected to promptly occur.

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.

LEGEND

S.T.	SEPTIC TANK
D-BOX	DISTRIBUTION BOX
○	OBSERVATION HOLE (TEST PIT)
⊕	PERCOLATION TEST
99.2	SPOT ELEVATIONS
100	EXISTING 5' CONTOURS
99	EXISTING 1' CONTOURS
99.0	PROPOSED CONTOURS
W	PRESSURED WATER LINE
---	EDGE OF WETLANDS
---	50' UNDISTURBED SETBACK ZONE
---	75' NO-BUILD SETBACK ZONE
---	100' WETLANDS BUFFER ZONE
---	EDGE OF WOODS



NOTICE OF INTENT

50 JACKSON DRIVE
ACTON, MASSACHUSETTS

PREPARED FOR:
LARRY BIGELOW
190 WEST CANTON STREET, #1
BOSTON, MA 02116

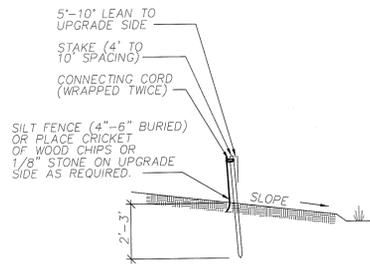
SCALE: 1"=20' DATE: JULY 26, 2011

Acton Survey & Engineering, Inc.
Since 1967

97 GREAT ROAD
P.O. BOX 666
ACTON, MA 01720
PH. (978) 263-3666
FAX (978) 635-0218

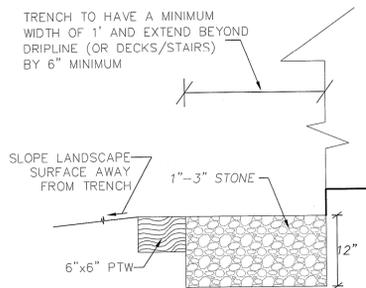
6697 NOI 1/2

WETLANDS WERE DELINEATED BY DAVID CROSSMAN, SENIOR WETLAND BIOLOGIST FOR B & C ASSOCIATES, INC.



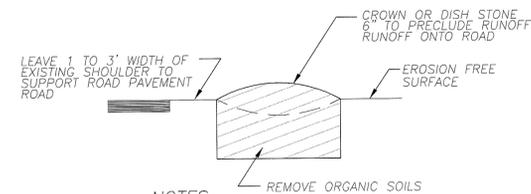
NOTES:

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.



DRIPLINE RECHARGE TRENCH DETAIL

N.T.S.



NOTES:

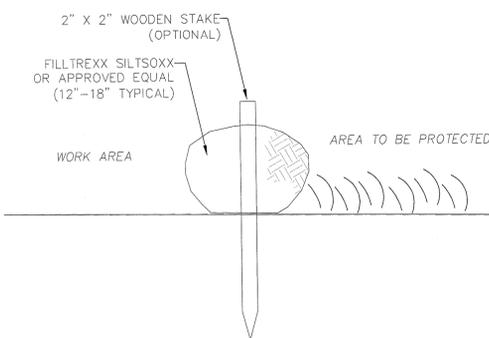
1. STONE SHALL BE 1-3" IN SIZE AND INSTALLED TO REMOVE AND ENTRAP MATERIALS FROM TIRES AND NOT BE TRANSPORTED TO ROAD.
2. STONE SHALL EXTEND ACROSS FULL WIDTH OF ENTRANCE AND BE OF SUFFICIENT LENGTH TO PRECLUDE MUD FROM REACHING ROAD.
3. STONE SHALL BE REPLACED AS REQUIRED TO INSURE MUD REMOVAL.
4. CONSTRUCTION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

TEMPORARY CONSTRUCTION ENTRANCE

N.T.S.

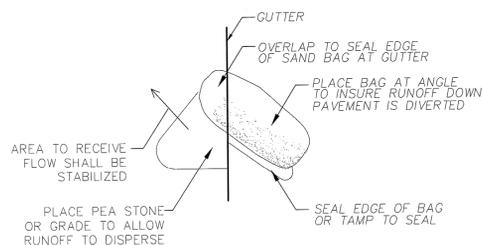
EROSION CONTROL BARRIER DETAIL

N.T.S.



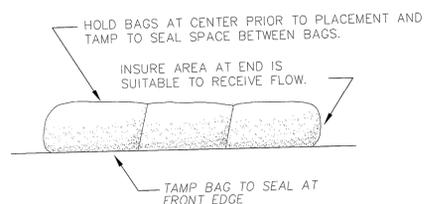
EROSION CONTROL SOCK DETAIL

N.T.S.



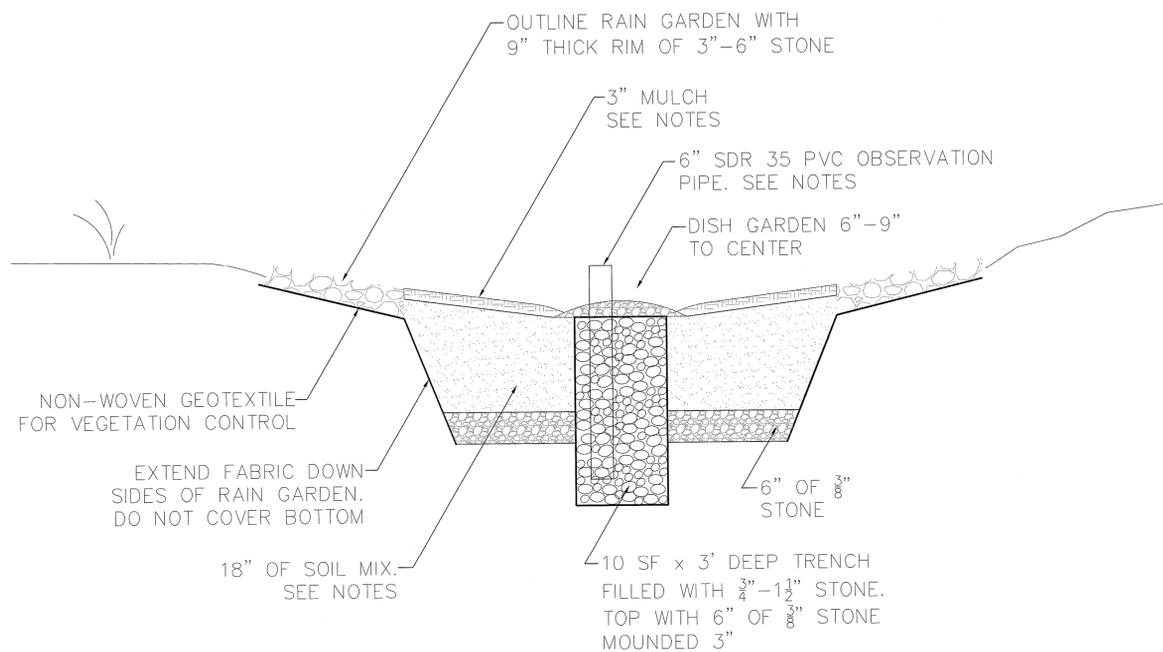
SAND BAG CHECK DAM DETAIL

N.T.S.



SAND BAG DIKE DETAIL

N.T.S.



RAIN GARDEN DETAIL

N.T.S.

RAIN GARDEN NOTES

1. Rain garden shall have a minimum area of 299 square feet and shall be dished 6 to 9 inches, including the finger like extension.
2. Garden is to be ringed with trap rock to make a transition between the dripline recharge trench and the garden. Trap rock shall be underlain with a geotextile fabric to inhibit growth of vegetation through ring.
3. Garden shall contain a minimum of 18 inches of planting mix consisting of 20% to 30 % sandy loam or loamy sand textured topsoil, 50% to 60% sand [meeting Title 5 criteria], and 20% to 30 % leaf compost.
4. Planting mix shall not be compacted, and shall have a pH of 5.5 to 6.5. Ground sulfur [available from Agway] may be added to lower pH.
5. Garden shall be planted with 3 to 4 foot tall Mapleaf Viburnum [Viburnum acerifolium] at a spacing of 4 feet on center.
6. After planting, the garden shall be mulched with a minimum of 3 inches of well rotted hemlock bark mulch and irrigated to assure root growth.
7. A 6 inch diameter SDR 35 PVC observation pipe shall extend to within 3 inches of the bottom of the stone filled trench and shall be capped 6 inches above the crown of the pea stone.

RAIN GARDEN MAINTENANCE

1. The rain garden is to become a naturalized area requiring little maintenance except for removal of litter from human sources.
2. The observation pipe should be observed during periods of high groundwater or after intense rainfall. If the water surface is observed at or near root level it should be monitored, as prolonged root inundation will injure the Mapleaf Viburnum. Remedial measures including replacing the rain garden might be required.
3. If skeletonizing of leaves is observed, the plants are probably under attack by viburnum leaf beetles. Attacks exceeding two or three years may kill the plants.
4. Control of the beetles is best accomplished by removing over-wintering egg sites on twigs and burning the twigs.
5. Spraying of mature adults will cause them to fly away or drop to the ground, but the use of a horticultural oil such as Pyola may have some impact.
6. The replacement of the viburnum with high bush blueberries, redosier or silky dogwood or other shade tolerant shrub may be used.

NOTICE OF INTENT DETAILS

50 JACKSON DRIVE
ACTON, MASSACHUSETTS

PREPARED FOR:
LARRY BIGELOW
190 WEST CANTON STREET, #1
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SCALE: 1"=20' DATE: JULY 26, 2011

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