

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

Notice of Intent

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

and

The Town of Acton Wetland Protection Bylaw

for

**3 Putter Drive
Acton, MA 01720**

Applicant: Robert Follett.
3 Putter Drive
Acton, MA 01720

Date: February 23, 2012

SM-4895

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Attachments:

- A. U.S.G.S. Map
- B. DEP Bordering Vegetated Wetland Delineation Field Data Form
- C. Massachusetts Natural Heritage Atlas 13th edition, Effective: October 1, 2008
- D. Wetland Permitting Plan by Stamski and McNary, Inc. dated: February 23, 2012

Project Narrative

PROJECT NARRATIVE

3 Putter Drive

Existing Conditions

The site is located at 3 Putter Drive in Acton, Massachusetts and is approximately 2.1 acres located in the Residence 4 zoning district. There is currently a single-family dwelling on the property. The majority of the site coverage is wooded with maintained lawn surrounding the existing dwelling.

Bordering Vegetated Wetlands

There is a Bordering Vegetated Wetland (BVW) located on site to the east of the existing dwelling. The BVW boundary was field delineated by B & C Associates on January 17, 2012.

Proposed Site Conditions and Buffer Zone

The proposed project is the renovation of the existing single family dwelling and the construction of a proposed deck. The renovations, including the rebuilding of the rear bump out, to the dwelling will not enlarge the existing footprint, currently approximately 58 feet from the Bordering Vegetated Wetland. The proposed deck will be located on the rear of the dwelling, approximately 70 feet from the BVW at the closest point. All activities will occur within existing lawn areas and a siltation fence is proposed to mark the limit of work.

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

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

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

The existing dwelling is located approximately 58 feet from the Bordering Vegetated Wetland at the closest point. The proposed renovations will not enlarge the existing footprint and the proposed deck will be located approximately 70 feet from the BVW, which is greater than existing conditions. Therefore, no new activity shall be commenced which will be located closer to the edge of a Wetland Resource Area than existing no-conforming like activities.

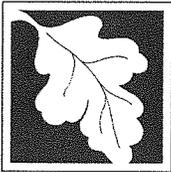
Potential Riverfront Area

There is an existing 36 inch culvert which discharges into a ditch within a utility easement which is shown as perennial on the USGS map. The potential Riverfront Area covers the entire western portion of the lot. The rebuilding of the existing structure will not enlarge the footprint and proposed deck is exempt from Riverfront Requirements 10.58(6)(b). The existing ditch was not investigated further as to whether riverine characteristics are present. Aside from the exempt deck construction, the purpose of the project is to renovate an existing portion of the house due to structural deficiencies. The alternative to renovation is to leave a structurally unsound portion of the house intact which does not meet the project purpose.

Summary

No direct impacts to the Bordering Vegetated Wetland are proposed. Work will occur within the 100 foot Buffer Zone of the BVW. All Structures will not be located closer the existing like activity to the BVW.

Notice of Intent - WPA Form 3



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

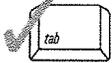
MassDEP File Number

Document Transaction Number

Acton

City/Town

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



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

A. General Information

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

<u>3 Putter Drive</u>	<u>Acton</u>	<u>01720</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	<u>042d26'41.6"N</u>	<u>071d26'38.1"W</u>
	d. Latitude	e. Longitude
<u>I-3</u>	<u>98</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>Robert</u>	<u>Follett</u>	
a. First Name	b. Last Name	
<u></u>	<u></u>	
c. Organization		
<u>3 Putter Drive</u>		
d. Street Address		
<u>Acton</u>	<u>MA</u>	<u>01720</u>
e. City/Town	f. State	g. Zip Code
<u>978-897-0845</u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email Address

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

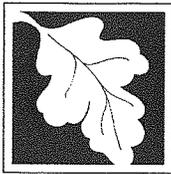
<u></u>	<u></u>	
a. First Name	b. Last Name	
<u></u>	<u></u>	
c. Organization		
<u></u>		
d. Street Address		
<u></u>	<u></u>	<u></u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

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

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

<u>\$110.00</u>	<u>\$42.50</u>	<u>\$67.50 (plus \$22.00 Bylaw fee)</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

The renovation of an existing single family dwelling and the construction of a proposed deck within the 100 foot buffer zone of a Bordering Vegetated Wetland.

7a. Project Type Checklist:

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

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

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

2. Limited Project

8. Property recorded at the Registry of Deeds for:

Middlesex South

a. County

41219

c. Book

b. Certificate # (if registered land)

407

d. Page Number

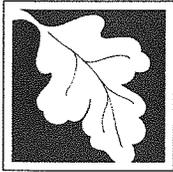
B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 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



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____	2. square feet _____
	3. cubic feet of flood storage lost _____	4. cubic feet replaced _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet _____	
	2. cubic feet of flood storage lost _____	3. cubic feet replaced _____

f. Riverfront Area
 1. Name of Waterway (if available) _____

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: _____ square feet

4. Proposed alteration of the Riverfront Area:

_____ a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft.

5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

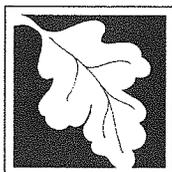
6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

3. Coastal Resource Areas: (See 310 CMR 10.25-10.35)

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

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

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



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

	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____	
	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____	
	1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____	_____
	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	_____	
	1. square feet	

	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____	
	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	

	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	
	1. square feet	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	_____	_____
	a. square feet of BWV	b. square feet of Salt Marsh
5. <input type="checkbox"/> Project Involves Stream Crossings		
	_____	_____
	a. number of new stream crossings	b. number of replacement stream crossings

C. Other Applicable Standards and Requirements

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

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

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

Oct. 1, 2008
b. Date of map

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.)

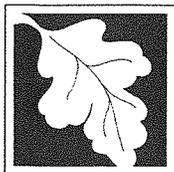
2. Separate MESA review ongoing.

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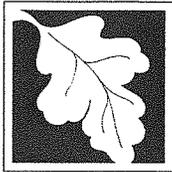
C. Other Applicable Standards and Requirements (cont'd)

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:
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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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.

Wetland Permitting Plan

a. Plan Title

Stamski and McNary, Inc.

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

b. Prepared By

c. Signed and Stamped by

2/23/2012

1"=20'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

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



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E. Fees

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

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

2. Municipal Check Number	3184	3. Check date	2/21/12
4. State Check Number	3183	5. Check date	2/21/12
6. Payor name on check: First Name	ROBERT	7. Payor name on check: Last Name	FOURTT

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>Natalie G. Elliott</i>	2. Date	2/21/2012
3. Signature of Property Owner (if different)	<i>Ben J</i>	4. Date	2/21/12
5. Signature of Representative (if any)		6. Date	

For Conservation Commission:

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

For MassDEP:

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

Other:

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

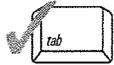
The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

NOI Wetland Fee Transmittal Form



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

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



A. Applicant Information

1. Location of Project:

3 Putter Drive _____ Acton _____
 a. Street Address _____ b. City/Town _____
 3193 _____ \$42.50 _____
 c. Check number _____ d. Fee amount _____

2. Applicant Mailing Address:

Robert _____ Follett _____
 a. First Name _____ b. Last Name _____

 c. Organization _____
 3 Putter Drive _____
 d. Mailing Address _____
 Acton _____ MA _____ 01720 _____
 e. City/Town _____ f. State _____ g. Zip Code _____
 978-340-5421 _____
 h. Phone Number _____ i. Fax Number _____ j. Email Address _____

3. 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 _____

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

B. Fees

Fee should be calculated using the following process & 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.

Certified Abutters List / Affidavit / Notice to Abutters



Town of Acton
472 Main Street
Acton, MA 01720
Telephone (978) 929-6621
Fax (978) 264-9630

Brian McMullen
Assessor

Locus: 3 PUTTER DR
Parcel ID: I3-98

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City	ST	Zip
1 PUTTER DR	J3-1-7	HERBERT MILTON H JR		1 PUTTER DR	ACTON	MA	01720
2 PUTTER DR	J3-1-11	THOMPSON CYNTHIA K		2 PUTTER DR	ACTON	MA	01720
4 PUTTER DR	J3-1-6	GIFFEN GARY	GIFFEN JENNIFER L	4 PUTTER DR	ACTON	MA	01720
5 PUTTER DR	I3-97	MORRIS JOHN J	MORRIS SUSAN S	5 PUTTER DR	ACTON	MA	01720
7 PUTTER DR	I3-96	SACRA DAVID C	SACRA JEAN M	7 PUTTER DR	ACTON	MA	01720
6 ROBERT RD	I3-132-26	HARTLEY THOMAS D	HARTLEY ELIZABETH M	6 ROBERT RD	ACTON	MA	01720
8 ROBERT RD	I3-132-24	HELLER JAMES E	HELLER MARY L	8 ROBERT RD	ACTON	MA	01720
10 ROBERT RD	I3-132-19	RAYMOND EDWARD J	RAYMOND KATHERINE	10 ROBERT RD	ACTON	MA	01720
12 ROBERT RD	I3-132-18	SCHATZ JOSEPH G	SCHATZ MARY R	12 ROBERT 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.

MARTY ABBOTT

FEB 8 2012

Acton Assessors Office

AFFIDAVIT OF SERVICES
Under the Massachusetts Wetlands Protection Act
(to be submitted to the Massachusetts Department of
Environmental Protection and the Conservation Commission
when filing a Notice of Intent)

I, Benjamin Ewing, hereby certify under the pains and penalties of perjury that on 2/23/12 I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:

A Notice of Intent filed under the Massachusetts
Wetlands Protection Act by Robert Follett with the
Acton Conservation Commission for property located
3 Putter Drive.

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

Name: Benjamin Ewing

Date: 2/23/12

NOTIFICATION TO ABUTTERS
UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT

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

The Applicant: Robert Follett

Address: 3 Putter Drive, Acton, MA 01720 Phone: (978) 340-5421

has filed a Notice of Intent with the Acton Conservation Commission seeking permission to remove, fill, dredge or alter an Area Subject to Protection under the Wetlands Protection Act .

Applicant's Representative: Stamski and McNary, Inc.

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

The address of the property where the activity is proposed: 3 Putter Drive

Town Atlas Plate/Map: I-3 Parcel/Lot: 98

Project Description: The renovation of an existing dwelling and construction of a proposed deck within the 100 foot Buffer Zone of a Bordering Vegetated Wetland.

Copies of the Notice of Intent may be examined at the Conservation Office, Acton Town Hall, 472 Main Street, Acton. Between the hours of 8:00 A.M. and 4:30 P.M. Monday through Friday. For more information please call the Conservation Office at 978-264-9631.

A Public Hearing will be held at the Acton Town Hall, 472 Main Street, on Wednesday,
March 7, 2012 at 7:45 P.M.
(date)

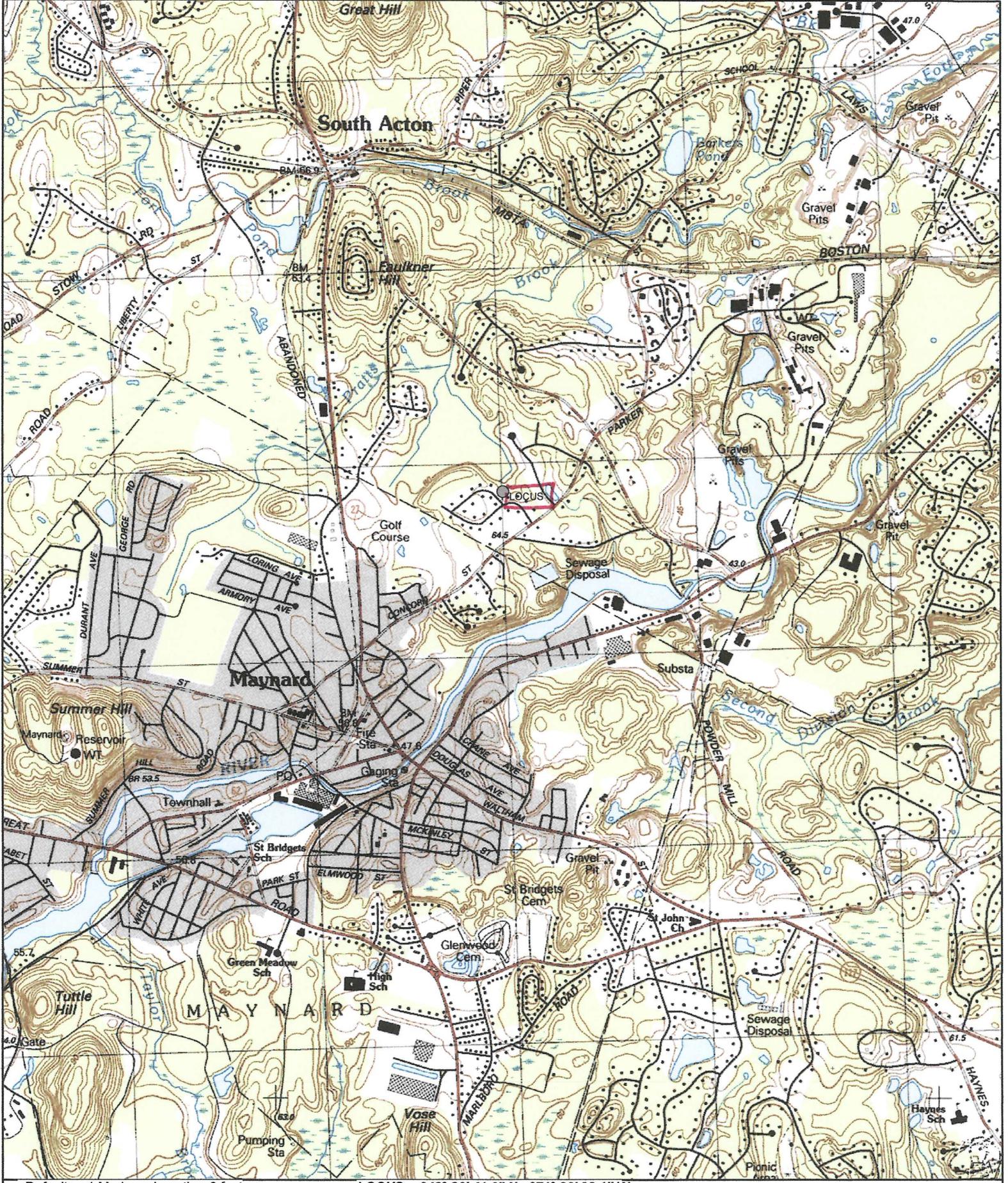
The notice of the public hearing, will be published at least five (5) days in advance in the *Beacon* newspaper or *Metrowest Daily News*.

NOTE: You may also contact your local conservation commission or the nearest Department of Environmental Protection Regional Office for the information about this application or, the Wetlands Protection Act. Acton is in the Central Region. To contact DEP, call:

***Central Region: 508-792-7650**
Southeast Region: 508-946-2700

Northeast Region: 978-694-3200
Western Region: 413-784-1100

Attachment A
U.S.G.S. Map



<Default> - 1 Markers, Length = 0 feet

LOCUS - 042° 26' 41.6" N, 071° 26' 38.1" W

Name: MAYNARD
 Date: 2/17/112
 Scale: 1 inch equals 2005 feet

Location: 042° 26' 25.2" N 071° 26' 38.3" W
 Caption: 3 Putter Drive
 Acton, MA 01720
 SM-4895

Attachment B
DEP Bordering Vegetated Wetland
Delineation Field Date Form

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

Applicant: _____ Prepared by: B & C Associates Inc. Project location: 3 Putter 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: 1/13/12

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:	Meadow Spikemoss	<i>Selaginella apoda</i>	38.0/38.0	100%	Yes	FACW	*
Shrubs:	Red Maple	<i>Acer rubrum</i>	3.0/3.0	100%	Yes	FAC	*
Saplings:	White Pine	<i>Pinus strobus</i>	20.5	66%	Yes	FACU	
	American Elm	<i>Ulmus americana</i>	10.5/31.0	34%	Yes	FACW-	*
Lianas:	Poison Ivy	<i>Toxicodendron radicans</i>	3.0/3.0	100%	No	FAC	*
Overstory:	Red Maple	<i>Acer rubrum</i>	1462.3/1462.3	100%	Yes	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: 4 Number of dominant non-wetland Indicator plant: 1

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: Merrimac-Urban land complex

hydric soil inclusions:

Are field observations consistent with soil survey? YES

Remarks:

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
A	0-5"	10 YR 3/2	
B	5-15"	10 YR 6/4	7.5 YR 5/8

Remarks:

3. Other: 4' 2" to Wetland Flag # 3
6' 0" to Wetland Flag # 4

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 checked="" type="checkbox"/>	<input 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: 3 Putter 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: 1/13/12

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:	Skunk Cabbage	<i>Symplocarpus foetidus</i>	10.5	64%	Yes	OBL *
	Upland Grasses	<i>Graminae sp.</i>	3.0	18%	No	UPL
	Jewelweed	<i>Impatiens capensis</i>	3.0/16.5	18%	No	FACW *
Shrubs:	Red Maple	<i>Acer rubrum</i>	3.0/3.0	100%	Yes	FAC *
Saplings:	White Pine	<i>Pinus strobus</i>	10.5	33%	Yes	FACU
	American Elm	<i>Ulmus americana</i>	10.5	33%	Yes	FACW- *
	Yellow Birch	<i>Betula lutea</i>	10.5/31.5	33%	Yes	FAC *
Lianas:	Poison Ivy	<i>Toxicodendron radicans</i>	3.0/3.0	100%	No	FAC *
Overstory:	Red Maple	<i>Acer rubrum</i>	1462.3	97%	Yes	FAC *
	Yellow Birch	<i>Betula lutea</i>	28.7	2%	No	FAC *
	American Elm	<i>Ulmus americana</i>	23.9/1514.9	2%	No	FACW- *

* 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: 5 Number of dominant non-wetland Indicator plant: 1

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: Freetown muck

hydric soil inclusions:

Are field observations consistent with soil survey? YES

Remarks:

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
A	0-16"	10 YR 2/2	

Remarks:

3. Other: 8' 4" to Wetland Flag # 3
7' 5" to Wetland Flag # 4
9' 6" 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: 9"
- Depth to soil saturation in observation hole: 0"
- 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

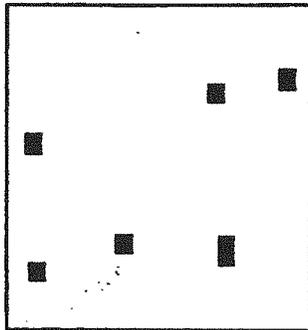
Hydric Soil Indicators

Most hydric soils have a soil horizon with a chroma of 0, 1, or 2 below the A-horizon. These are referred to as low-chroma colors. (Reminder: the Munsell Soil Color Charts are used to determine soil colors.) Generally, when evaluating mineral soils for low- chroma colors or other evidence of saturation, look for indicators directly below the A- horizon and within the top 12 inches of the soil surface. In areas where the O-horizon is less than 8 inches thick, soil depths are measured from the bottom of the O-horizon. When the O-horizon is 8 inches or greater (for histosols and soils .with histic epipedons), such depths are measured from the soil surface. The soil surface is the top of the mineral soil; or, for soils with an O-horizon, the soil surface is measured from the top of the O-horizon. Fresh leaf or needle fall that has not undergone observable decomposition (the litter layer) is excluded from soil and may be separately described.

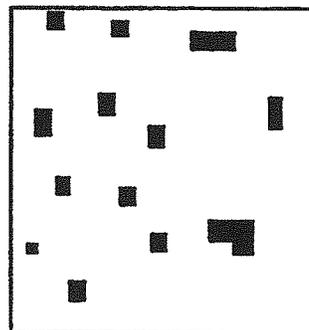
The following is a list of some hydric soil indicators – any of which can be used to identify the presence of wetland hydrology:

- ◆ Histosols (organic soils). Histosols are soils with at least 16 inches of organic - material measured from the soil surface.
- ◆ Histic epipedons. These are soils with 8 to 16 inches of organic material measured from the soil surface.
- ◆ Sulfidic material. A strong "rotten egg" smell generally is noticed immediately after the soil test hole is dug.
- ◆ Gleyed soils. Soils that are predominantly neutral gray, or occasionally greenish or bluish gray in color within 12 inches from the bottom of the O-horizon. (The Munsell Soil Color Charts have special pages for gleyed soils.)
- ◆ Soils with a matrix chroma of 0 or 1 and values of 4 or higher within 12 inches from the bottom. of the O-horizon.
- ◆ Within 12 inches from the bottom of the O-horizon, soils with a chroma of 2 or less and values of 4 or higher in the matrix, and mottles with a chroma of 3 or higher.
- ◆ Within 12 inches from the bottom of the O-horizon, soils with a matrix chroma of 3 and values of 4 or higher, with 10 percent or more low-chroma mottles, as well as indicators of saturation (i.e., mottles, oxidized rhizospheres. concretions. nodules) within 6 inches of the soil surface.

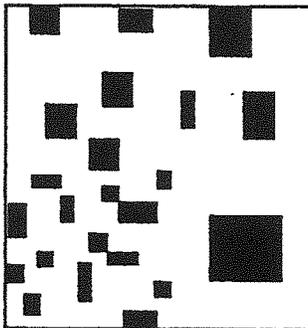
Charts for Estimating Percent Redoximorphic Features



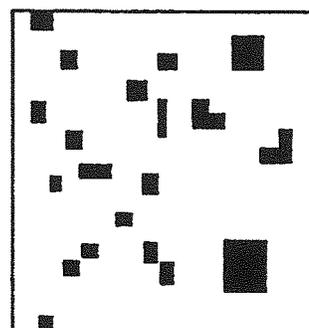
2%



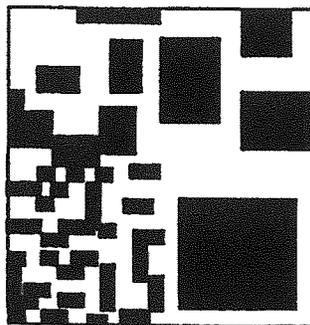
5%



20%



10%



50%

AGUJOPNET
70-2 FFw
2-20 common
20+ MFw

Attachment C
Massachusetts Natural Heritage Atlas 13th Edition

oliver OLIVER: MassGIS's Online Mapping Tool

Search for a location Pick a town

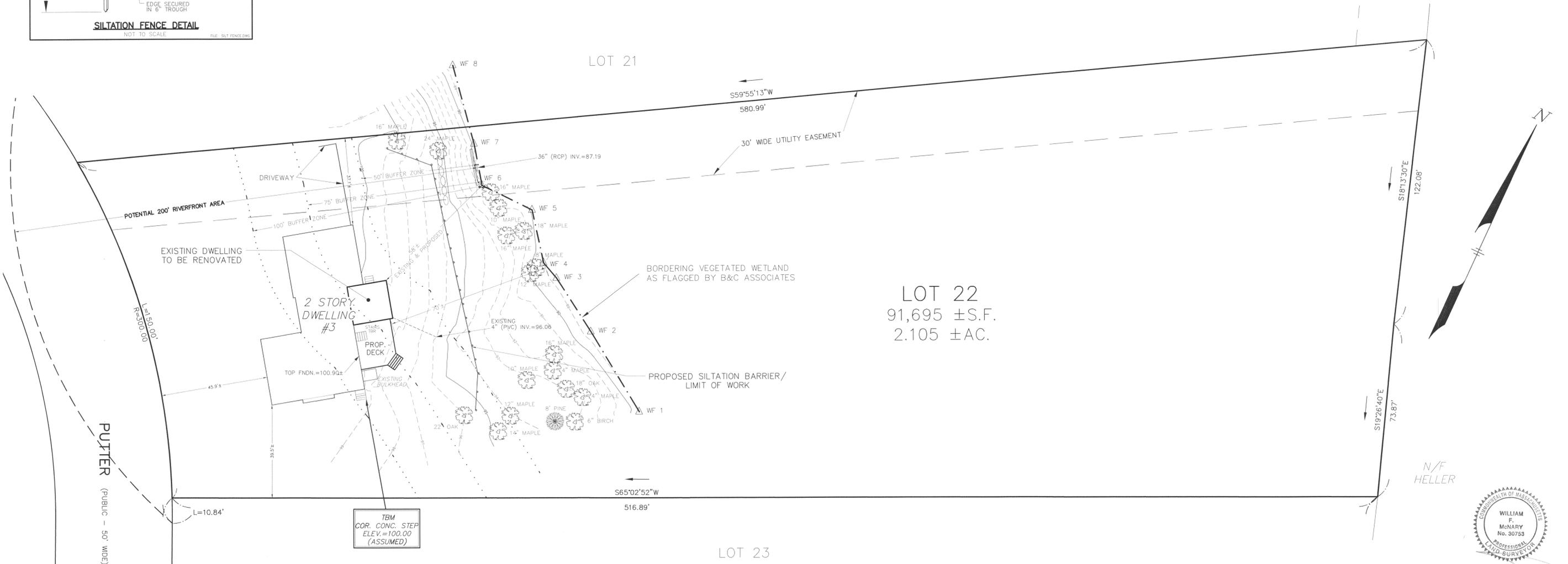
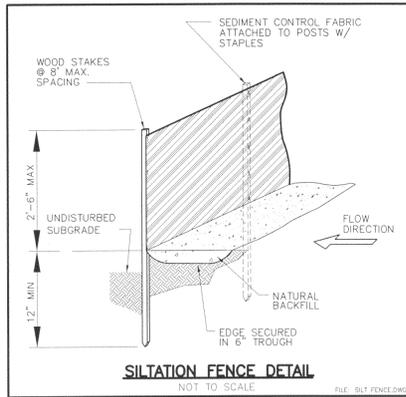
Map showing streets: CUMMANT STREET, PURITAN ROAD, ROBERT ROAD, PUTTER DRIVE, CARLTON DRIVE, ADAMS STREET, MAYNARD, ACTON, MIDDLESEX COUNTY, MALLET DRIVE, TREMONT, 27.

Scale: 1:6,835
203,936.34m 910,913.62m

Basemaps

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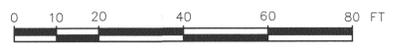
Attachment D
Wetland Permitting Plan



WETLAND PERMITTING PLAN
IN
ACTON, MASSACHUSETTS
(MIDDLESEX COUNTY)

FOR: **ROBERT FOLLETT**
SCALE: 1"=20' FEBRUARY 23, 2012

STAMSKI AND McNARY, INC.
1000 MAIN STREET ACTON, MASSACHUSETTS
ENGINEERING - PLANNING - SURVEYING



(4895 WPA.dwg) 3 Putter Drive SM-4895

UTILITY NOTE:

ALL UNDERGROUND UTILITIES SHOWN HERE WERE COMPILED ACCORDING TO AVAILABLE RECORD PLANS FROM VARIOUS UTILITY COMPANIES AND PUBLIC AGENCIES AND ARE APPROXIMATE ONLY. ACTUAL LOCATIONS MUST BE DETERMINED IN THE FIELD BEFORE DESIGNING, EXCAVATING, BLASTING, INSTALLING, BACKFILLING, GRADING, PAVEMENT RESTORATION OR REPAIRING. ALL UTILITY COMPANIES, PUBLIC AND PRIVATE, MUST BE CONTACTED INCLUDING THOSE IN CONTROL OF UTILITIES NOT SHOWN ON THIS PLAN. SEE CHAPTER 370, ACTS OF 1963 MASS. WE ASSUME NO RESPONSIBILITY FOR DAMAGES INCURRED AS A RESULT OF UTILITIES OMITTED OR INACCURATELY SHOWN. BEFORE PLANNING FUTURE CONNECTIONS, THE APPROPRIATE PUBLIC UTILITY ENGINEERING DEPARTMENT MUST BE CONSULTED. DIG SAFE TELE. NO. 1-888-344-7233.

RECORD OWNER

ROBERT & SUSAN FOLLETT
3 PUTTER DRIVE
ACTON, MA

REFERENCE

MIDDLESEX REGISTRY OF DEEDS
SOUTHERN DISTRICT
DEED BOOK 41219 PAGE 407

ZONING DISTRICT

R-4

DATUM

ELEVATIONS SHOWN ON THIS PLAN REFER TO AN ASSUMED BASE.

PUTTER DRIVE
(PUBLIC - 50' WIDE)

TBM
COR. CONC. STEP
ELEV.=100.00
(ASSUMED)



From: CERO_NOI@MassMail.state.ma.us
To: bre@stamskiandmchary.com
Cc: ceronoi@state.ma.us; [Conservation Commission](#); ceronoi@state.ma.us
Subject: MassDEP NOI File Number
Date: Friday, March 02, 2012 10:06:32 AM

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
CENTRAL REGIONAL OFFICE
627 MAIN STREET, WORCESTER, MA 01608 508-792-7650

Date: 03/02/2012

Municipality ACTON

RE: **NOTIFICATION OF WETLANDS PROTECTION ACT FILE NUMBER**

The Department of Environmental Protection has received a Notice of Intent filed in accordance with the Wetlands Protection Act (M.G.L. c. 131, §40):

Applicant ROBERT FOLLETT 3 PUTTER Address DR,ACTON MA 01720 Locus 3 PUTTER DR , ACTON MA 01720	Owner Address
--	--------------------------

This project has been assigned the following file # : **CE 085-1083**
ISSUANCE OF A FILE NUMBER INDICATES ONLY COMPLETENESS OF
SUBMITTAL, NOT APPROVAL OF APPLICATION

Although a file # is being issued, please note the following:

Regards,
for MassDEP,

(508)-767-2711
Maryann.Dipinto@State.MA.US