

NOTICE OF INTENT

Under the Massachusetts Wetlands Protection Act

For Work at:

**Spring Hill Commons
411 & 419 Great Road
Acton, Massachusetts
Assessors Map C5 Parcels 67-1 and 67-2**

Prepared for:

**Spring Hill at Acton, LLC
181 Wells Avenue, Newton, MA 02459
and
Universal Management, LLC
181 Wells Avenue, Newton, MA 02459**

Prepared by:

**Norfolk Ram Group, LLC
1 Roberts Road, Plymouth, MA 02360
508-747-7900**



NORFOLK•RAM
ENGINEERING SOLUTIONS
FOR THE ENVIRONMENT

May 2012

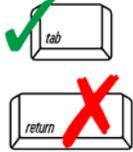


WPA Form 3 – Notice of Intent

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>411 and 419 Great Road</u> a. Street Address	<u>Acton</u> b. City/Town	<u>01720</u> c. Zip Code
Latitude and Longitude:		
<u>C5</u> f. Assessors Map/Plat Number	<u>42.51089°</u> d. Latitude	<u>-71.420569°</u> e. Longitude
	<u>67-1 and 67-2</u> g. Parcel /Lot Number	

2. Applicant:

<u>Barbara</u> a. First Name	<u>Tyrrell</u> b. Last Name
<u>Universal Management, LLC</u> c. Organization	
<u>181 Wells Avenue</u> d. Street Address	
<u>Newton</u> e. City/Town	<u>MA</u> f. State
<u>617-965-9100 x14</u> h. Phone Number	<u>02459</u> g. Zip Code
<u></u> i. Fax Number	<u>barbaratyr@universalmgt.com</u> j. Email Address

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

<u></u> a. First Name	<u></u> b. Last Name
<u>Spring Hill at Acton, LLC</u> c. Organization	
<u>181 Wells Avenue</u> d. Street Address	
<u>Newton</u> e. City/Town	<u>MA</u> f. State
<u></u> h. Phone Number	<u>02459</u> g. Zip Code
<u></u> i. Fax Number	<u>(Stuart Levey, Manager) SLevey@universalmgt.com</u> j. Email address

4. Representative (if any):

<u>Katy</u> a. First Name	<u>Konary</u> b. Last Name
<u>Norfolk Ram Group, LLC</u> c. Company	
<u>1 Roberts Road</u> d. Street Address	
<u>Plymouth</u> e. City/Town	<u>MA</u> f. State
<u>508-747-7900</u> h. Phone Number	<u>02360</u> g. Zip Code
<u>508-747-3658</u> i. Fax Number	<u>kkonary@norfolkram.com</u> j. Email address

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

<u>\$500.00</u> a. Total Fee Paid	<u>\$237.50</u> b. State Fee Paid	<u>\$262.50</u> c. City/Town Fee Paid
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A. General Information (continued)

6. General Project Description:

The project involves the construction of stormwater improvements and handicap access ramp, steps and landing for the apartment building to be reconstructed at 419 Great Road. This work is proposed in response to Paragraphs 3.1.1 and 3.2.3 of the Special Permit for the reconstruction of the dwelling at 419 Great Road (Planning Board Decision 01-06, signed August 30, 2001).

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:

Southern Middlesex County

a. County
53556
c. Book

b. Certificate # (if registered land)
445
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.

Table with 3 columns: Resource Area, Size of Proposed Alteration, Proposed Replacement (if any). Rows include Bank, Bordering Vegetated Wetland, and Land Under Waterbodies and Waterways.



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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)

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

C. Other Applicable Standards and Requirements

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in Estimated Habitat of Rare Wildlife as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)?

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

13th Edition of Atlas, effective 10/1/2008
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/nhesp/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/nhesp/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/nhesp/nhesp.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: There is zero net change in impervious area in the buffer zone on-site due to the proposed work (180sf of pavement removed and an increase of 180sf for the proposed handicap ramp, steps, and landing) at this residential complex.

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)

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

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.

Proposed Stormwater Improvements, 411 & 419 Great Road, Acton, Massachusetts 01720"

a. Plan Title

Norfolk Ram Group, LLC

b. Prepared By

dated 05/14/2012 (stamped 05/21/2012)

d. Final Revision Date

Kevin P. Klein, P.E.

c. Signed and Stamped by

1" = 20'

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.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands

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Provided by MassDEP:

MassDEP File Number _____

Document Transaction Number _____

Acton _____

City/Town _____

E. Fees

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

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

1759 _____ 5/15/2012 _____
 2. Municipal Check Number 3. Check date

1758 _____ 5/15/2012 _____
 4. State Check Number 5. Check date

Spring Hill at Acton, LLC _____
 6. Payor name on check: First Name 7. Payor name on check: Last Name

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

Universal Management, LLC, BY: Barbara Tyrrell _____ 5/15/12
 1. Signature of Applicant 2. Date
 Barbara Tyrrell, COO

Spring Hill at Acton, LLC, BY: Stuart R. Levey _____ 5/15/12
 3. Signature of Property Owner (if different) 4. Date
 Stuart R. Levey, Manager

Katy Konary _____ 5/21/2012
 5. Signature of Representative (if any) 6. Date
 Katy Konary, P.E.
 Norfolk Ram Group, LLC

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.

LIST OF ATTACHMENTS

- 1 Project Summary and Construction Sequence**
- 2 USGS Site Locus Map, scale 1:25,000**
- 3 Town of Acton Assessors Map**
- 4 Explanation of Determination of Resource Areas**
- 5 Waiver Requests**
- 6 NOI Wetland Fee Transmittal Form**
- 7 Notification to Abutters**
- 8 Plan entitled "Proposed Stormwater Improvements, 411 & 419 Great Road, Acton, Massachusetts" prepared by Norfolk Ram Group, LLC and dated 05/14/2012 and stamped 05/21/2012**

ATTACHMENT 1

Project Summary and Construction Sequence

Project Summary

The proposed project involves the construction of stormwater improvements and handicap access ramp, steps and landing for the apartment building to be reconstructed at 419 Great Road. The proposed work is to be completed at project is work at the Spring Hill Commons apartment complex in the Town of Acton, Massachusetts, in particular Parcels 67-1 and 67-2 of Acton Assessor's Map C5. One 3-story apartment building (421 Great Road) and one foundation of a burned and demolished apartment building (419 Great Road) currently exist on Parcel 67-1. One apartment building (411 Great Road) currently exists on Parcel 67-2.

The stormwater improvements and handicap access ramp are proposed in response to Paragraphs 3.1.1 and 3.2.3 of the Special Permit for the reconstruction of the nonconforming multifamily dwelling at 419 Great Road in Acton, MA (Planning Board Decision 01-06, signed August 30, 2001 by the Town Clerk).

Currently there are no stormwater systems to capture, treat, and/or recharge stormwater runoff from the property prior to its discharge to the ditch located just beyond the paved parking lot. Stormwater runoff flows across the paved parking lot to the grassed and wooded area behind the two existing and one to-be-reconstructed apartment buildings of Spring Hill. During large rainfall events, stormwater runoff has been witnessed to flow directly over the grassed area into the nearby ditches and at times stormwater ponding occurs in the low point of the parking lot.

There is a small tributary ditch and ponded area located behind the apartment buildings of Spring Hill along Great Road. This ditch bends to the south and connects with the main ditch, runs along the south side of the building at 411 Great Road, and leaves the site heading southwest at a culvert under Great Road (Route 2A). A palustrine marsh bordering vegetated wetland (BVW) is associated with these drainage ditches and ponded area. The main ditch (intermittent brook) ultimately flows southwest into the Nagog River. Wetlands resource areas have been identified and documented in a report entitled "Wetland Resource Report, Spring Hill Commons, off Harris Street & Great Road (Rte. 2A), Acton, Massachusetts" prepared by Sanford Ecological Services of Southborough, MA and dated April 14, 2006 (Attachment 4 of this Notice of Intent). The wetlands resource areas were delineated as part of a previous Notice of Intent application (DEP File No. 85-939) submitted for construction of the on-site wastewater collection, treatment, and disposal facilities. As discussed and agreed upon with Conservation Director Tom Tidman, these wetland flags were located and re-hung by the surveyor on March 7, 2012. The top of bank flags (TOB170 to TOB198) delineate the southern banks of a small tributary ditch and ponded area and southern and western bank of the main ditch. The wetland flag series SES1 to SES 21 delineate the palustrine marsh bordering vegetated wetland (BVW) associated with ditches and ponded area.

All of the proposed work is located outside of the 100-year flood zone. According to maps prepared by the Flood Emergency Management Agency, the site is located in a Zone X, an area determined to be outside the 0.2% annual chance floodplain.

The proposed work is also outside of the "estimated habitats of rare wildlife" and "priority habitats of rare species" delineated by the Massachusetts Natural Heritage and Endangered Species Program (NHESP).

As discussed at our on-site visit with the Conservation Director Tom Tidman on March 7, 2012 and at our meeting with Town Engineer Corey York on April 30, 2012, we are proposing stormwater improvements to capture and treat stormwater runoff from the parking lot during small rainfall events to the maximum extent possible. There is very shallow depth to high

groundwater elevations¹, and limited area beyond the paved parking lot. Soil borings completed on March 7, 2012 document that groundwater was present approximately 12 to 18 inches below ground surface.

The following lists the proposed work within the buffer zones of the wetlands resource areas.

- A shallow depression/swale (6± inches deep and 6- to 12-foot wide) to be located within the grassed area on the north side of the parking lot is proposed. This swale would be approximately 100 feet in length and would include stone, approximately 1.5 feet in depth and 2 feet wide to allow for stormwater to be detained during small rainfall events. Overflow will continue across the grass to the nearby wetlands. The surface would be loamed and seeded for grass. The distance between the closest disturbance and the BVW is approximately 3 feet.
- A stone channel (approximately 120 feet in length) along the parking lot edge east of the building at 411 Great Road is proposed. This channel would capture stormwater runoff that is currently discharged directly into the adjacent ditch. The channel would direct stormwater runoff to a stilling basin where stormwater would be detained during small rainfall events. Overflow will continue across the grass to the nearby wetlands. The proposed stilling basin would be located in the corner of the parking lot and would involve the removal of pavement in an area approximately 15' by 15'. The basin would be filled with 1.5 feet of stone and 4± inches below the parking lot grade. The distance between the closest disturbance and the BVW is approximately 3 feet.
- The proposed handicap ramp, steps and landing for the building at 419 Great Road are to be located approximately 89 to 100 feet from the wetlands resource areas (outside of the Town's 75-foot no-build setback), and almost entirely within the extents of the former building steps and landing.

The proposed work will temporarily create a potential impact and disturbance to the buffer areas. The resource areas will be protected throughout the project duration and any potential impacts minimized through the implementation of erosion and sedimentation control measures. Such measures will include a staked silt fence with hay bales, as detailed on the attached plan. There will not be any stockpiling of earth on-site. Any material to be disposed of off-site will be excavated and placed in a dump truck for immediately hauling off-site.

Construction Sequence

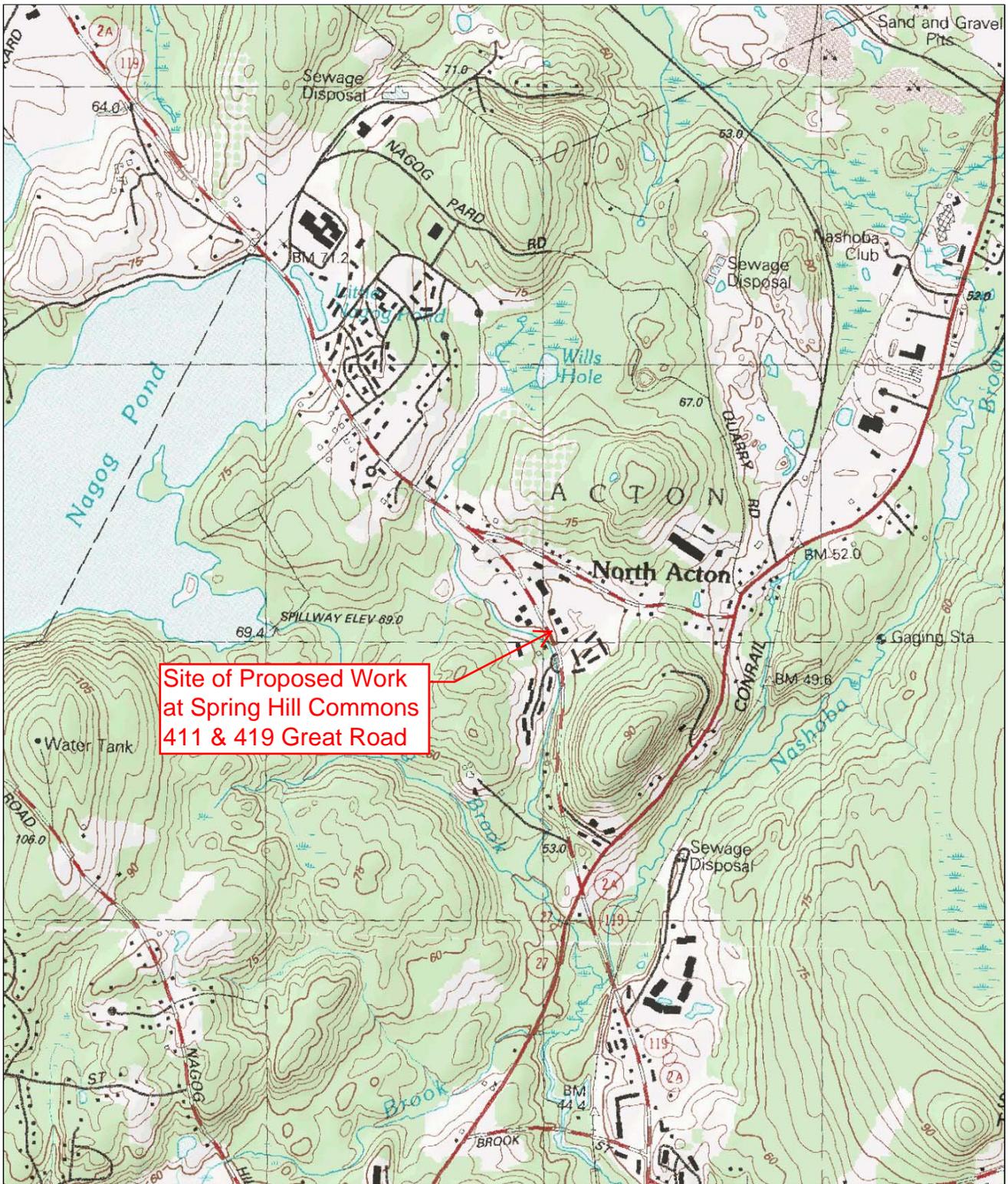
In accordance with Section 3.1 of the local Bylaw, the anticipated construction sequence is provided as follows:

Install silt fence
Cut and remove pavement
Excavate and haul away earth
Place stone in swale trench, channel, and basin
Grade swale sides
Loam and seed swale sides
Site visit and final approval by the Conservation Commission
Removal of silt fence (after vegetation has established in swale)

¹ The water in the on-site stream was at elevation 184.87 on March 7, 2012, which is 0.69 feet below the low point of the parking lot (elevation 185.56).

ATTACHMENT 2

USGS Site Locus Map



Site of Proposed Work
at Spring Hill Commons
411 & 419 Great Road



0 0.5 Mi
0 2000 Ft

Map provided by MyTopo.com

ATTACHMENT 3

Town of Acton Assessors Map

The subject properties are shown on the following Town of Acton Assessors Map.

Map	C-5
Parcel	67-1
Address	419 Great Road
Area	2.91± acres
Owner of Record	Spring Hill at Acton, LLC

Map	C-5
Parcel	67-2
Address	411 Great Road
Area	3.58± acres
Owner of Record	Spring Hill at Acton, LLC

419 great road, acton



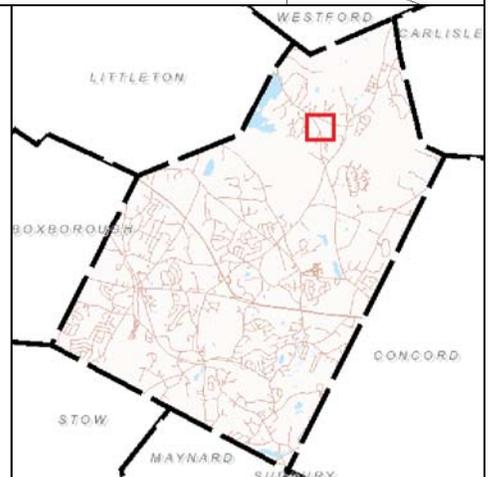
Property Information

Property ID C5-67-1
Location 419 GREAT RD



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

This data set/map is for planning purposes only and should not be used for larger scale analysis. The Town of Acton shall not be held liable for any use of the data or images shown on this map, nor is any warranty of accuracy expressed. All uses of this data set/map are subject to field verification.



STRUCTURES

-  BUILDING
-  DECK
-  FOUNDATION
-  FUEL TANK
-  MOBILE
-  PORCH
-  RUINS
-  SMOKESTACK
-  WATERTANK

-  PARCELS

DEP WETLANDS

-  WET AREAS
-  PONDS

-  DEP RIVERS & STREAMS

-  TOWN BOUNDARIES

ATTACHMENT 4

Explanation of Determination of Resource Areas

The following report is the Wetlands Resource Report prepared by Sanford Ecological Services and dated April 14, 2006 for the entire site of the Spring Hill Commons apartment complex. This report describes the protocols used to delineate and identify wetland resources at the subject properties and also includes the DEP Field Data Forms.

The wetland resource areas on-site consist of marshes and slow-flowing ditches. Portions of the marshes are partially drained by the ditches which connect to a small open water habitat. The extent of the marshes is identified as Bordering Vegetated Wetlands (BVW), and the ditch banks are identified as Top of Bank (TOB). A 100-foot buffer zone is associated with these resource areas.

The wetlands resource areas were delineated as part of a previous Notice of Intent application (DEP File No. 85-939) submitted for construction of the on-site wastewater collection, treatment, and disposal facilities. As discussed and agreed upon with Conservation Director Tom Tidman, these wetland flags were located and re-hung by the surveyor on March 7, 2012.

Wetland Resource Report

Spring Hill Commons
Off Harris Street & Great Road (Rte. 2A)
Acton, Massachusetts

April 14, 2006

Prepared For:
Ms. Rebecca Setzman
Director of Environmental Compliance
Equity Residential Properties
2N Riverside Plaza, Suite 400
Chicago, Illinois 60606

Prepared By:
Sanford Ecological Services
30 Turnpike Road
Southborough, MA 01772

SANFORD ECOLOGICAL SERVICES, Inc.
Environmental Consultants

SES job # 05053

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Figure 1: Site Locus

Attachments

Attachment 1: List of Plants Observed in Field

Attachment 2: DEP Bordering Vegetated Wetland Delineation
Field Data Forms

1.0 Introduction

This report presents the protocols that were used to delineate and identify wetland resources at between 25 – 33 Harris Street and 411 – 421 Great Road (Rte. 2A) in Acton, MA (Figure 1). Sanford Ecological Services, Inc., (SES) applied the protocols described below during the fieldwork conducted by Dr. E. A. Wells on December 5 through December 7, 2005, and on April 10, 2006. A site-specific discussion of resources is presented in Section 5.0 below.

2.0 Wetland Resource Areas

Federal, state, and in municipal regulations have been established to protect wetlands. The Acton Conservation Commission is responsible for implementing the State of Massachusetts wetland protection regulations (310 CMR 10.00). In addition, the Commission administers Chapter F of the Town of Acton Bylaws, the Wetland Protection Bylaw, along with its associated Rules and Regulations. The United States Corps of Engineers (Corps) administers federal jurisdiction over tributaries of navigable and interstate waters and their adjacent wetlands Under Section 404 of the Clean Water Act.

Under the Massachusetts Wetlands Protection Act (MWPA) (M.G.L. Ch. 131, S. 40) and its implementing regulations (310 CMR 10.00), five freshwater resource area categories are defined. These categories are: (1) Bank, (2) Bordering Vegetated Wetlands (BVW), (3) Land Under Water Bodies and Waterways, (4) Land Subject to Flooding (Bordering and Isolated), and (5) Riverfront Area. In addition these, the Acton Wetland Protection Bylaw and related Rules and Regulations protect isolated vegetated wetlands, vernal pools, and 100-foot buffer zones as wetland resource areas.

Bank, BVW, and Riverfront Area can be delineated in the field. The boundaries of Land Under Water Bodies and Waterways and of Land Subject to Flooding are typically not physically delineated on a site for the following reasons. 310 CMR 10.56(2)(c) states:

“The boundary of Land Under Water Bodies and Waterways is the mean annual low water level.” As a result, this resource is not present within intermittent streams and is below bank resources in perennial streams. 310 CMR 10.57(2)(a)3 states: “The boundary of Bordering Land Subject to Flooding is the estimated maximum lateral extent of flood water which will theoretically result from the statistical 100-year frequency storm.” As such, this boundary is normally obtained from NFIP Profile data or by calculation and is represented on a site plan based upon elevation. The boundary of Isolated Land Subject to Flooding is based upon the “perimeter of the largest observed or recorded volume of water confined in said area” (310 CMR 10.57(2)(b)). Often historical data is lacking and the boundary is determined by calculation using the extent of floodwater, which will result from the statistical 100-year frequency storm.

3.0 Definitions of Wetland Resource Areas Normally Delineated in the Field

BVW is defined in 310 CMR 10.55(2) as:

“...freshwater wetlands which border on creeks, rivers, streams, ponds and lakes. The types of freshwater wetlands are wet meadows, marshes, swamps and bogs. Bordering Vegetated Wetlands are areas where the soils are saturated and/or inundated such that they support a predominance of wetland indicator plants...” The boundary of BVW is defined in 310 CMR 10.55(2)(c) as “...the line within which 50% or more of the vegetational community consists of wetland indicator plants and saturated or inundated conditions exist.”

Bank is defined in 310 CMR 10.54(2)(a) as:

“...the portion of the land surface which normally abuts and confines a water body. It occurs between a water body and a vegetated bordering wetland and adjacent flood plain, or, in the absence of these, it occurs between a water body and an upland.” The boundary of Bank is defined in 310 CMR 10.54(2)(c) as “[t]he upper boundary of the Bank is the first observable break in slope or the mean annual flood level, whichever is lower. The lower boundary of a Bank is the mean annual low flow level.”

River is defined in 310.CMR 10.58(2)(a) as:

“...any natural flowing body of water that empties to any ocean, lake, pond or other river and which flows throughout the year

Riverfront is defined in 310 CMR 10.58(2)(a)3 as:

“...the area between a river’s mean annual high-water line measured horizontally outward from the river and a parallel line located 200 feet¹ away...” 310 CMR 10.58(2)(a)2 states: “Mean Annual High-Water Line of a river is the line that is apparent from visible markings or changes in the character of soils or vegetation due to the prolonged presence of water and that distinguishes between predominantly aquatic and predominantly terrestrial land.”

4.0 Protocol for Delineation of BVW

Bordering Vegetated Wetlands were delineated in accordance with the methodology set forth in the document entitled “Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act: A Handbook,” dated March 1995, produced by the Massachusetts Department of Environmental Protection, Division of Wetlands and Waterways. Vegetated wetlands are defined by the presence of 50% or more wetland indicator plants and saturated or inundated conditions.

4.1 Description of Criteria

4.1.1 Wetland Indicator Plants

Wetland indicator plants are defined in the MWPA regulations as any of the following:

1. Plant species listed in the Wetlands Protection Act

¹ *In some instances, the riverfront area may extend outward less than 200 feet.

2. Plants listed in the National List of Plant Species That Occur in Wetlands, published by the U.S. Fish and Wildlife Service, 1988, with an indicator category of: OBL, FACW+, FACW-, FAC+, and FAC.
3. Individual plants that exhibit morphological or physiological adaptations of life in saturated or inundated conditions.

Wetland indicator species categories are defined as:

OBL: Obligate Wetland. Occur almost always (estimated probability >99%) under natural conditions in wetlands.

FACW: Facultative Wetland. Usually occur in wetlands (estimated probability 67%-99%) but occasionally found in non-wetlands.

FAC: Facultative. Equally likely to occur in wetlands or non-wetlands (estimated probability 34%-66%). Species with a FAC- rating are not considered wetland indicator species.

A positive (+) or negative (-) sign is used with the Facultative Indicator categories to more specifically define the regional frequency of occurrence in wetlands. The positive sign indicates a frequency toward the higher end of the category (more frequently found in wetlands), and a negative sign indicates a frequency toward the lower end of the category (less frequently found in wetlands).

Morphological adaptations are evident in the form or shape of a plant. Two examples of a morphological adaptation are a shallow root system and a flared or buttress tree trunk.

4.1.2 Indicators of Hydrology

While wetlands must have saturated or inundated conditions, these conditions do not have to be present throughout the year. Saturation or inundation can be as short as two weeks if it occurs in the right type of soil during the growing season. As a result, indicators of hydrology can be used to satisfy the hydrology criterion when no flooding or saturation is observed.

The presence of hydric soil is an indicator of hydrology. Hydric soil is defined in Appendix D of "Delineating Bordering Vegetated Wetlands Under the Massachusetts

Wetland Protection Act: A Handbook,” as “...a soil that is saturated, ponded, or flooded long enough during the growing season to cause anaerobic conditions at or near the surface.” Soils with at least 8 inches of organic material measured from the ground surface are hydric soils. Anaerobic conditions create physical and chemical changes in hydric mineral soils that are observable primarily by color and mottling.

Other evidence of hydrology includes “groundwater, including the capillary fringe, within a major portion of the root zone;” and “observation of prolonged or frequent flowing or standing surface water” (310 CMR 10.55(2)(c)(2)). Examples of evidence for surface water are watermarks on trees and rocks, water-stained leaves, or drainage patterns. Examples of soil saturation include free water in the test hole and saturated soil within 12 inches of the ground surface.

4.2 Field Methodology

When conducting delineations, it is important to know if the wetland is isolated or borders on a creek, river, stream, pond, or lake. This information is used to classify the resource area as either an Isolated Wetland or Bordering Vegetated Wetland. 310 CMR 10.04 states: “Bordering means touching. An area listed in 310 CMR 10.02(1)(a) is bordering on a water body listed in 310 CMR 10.02(1)(a) if some portion of the area is touching the water body or if some portion of the area is touching another area listed in 310 CMR 10.02(1)(a) some portion of which is in turn touching the water body.” In practice, the “bordering” test is passed if the wetland somehow extends without a break to the bank of a creek, river, stream, pond, or lake.

4.2.1 Boundary Flagging

A search for wetlands is made on a site by walking throughout the site with special attention paid to low lying areas and areas along streams, ponds, and lakes. Visual inspection of vegetation allows for a preliminary determination as to the presence of a

wetland². Once an area is suspected of being a wetland, detailed observations of vegetation and hydrology indicators are made to confirm that the area qualifies as a vegetated wetland. Once confirmed, observations are made along a transect that extends into adjacent uplands. When the composition of the vegetation changes such that less than 50% of the vegetation is composed of wetland indicator plants, or when indicators of wetland hydrology are lost, the wetland boundary is marked (usually with numbered flagging). This procedure is repeated along the wetland boundary frequently enough so that, when the flag locations are mapped, the resulting line accurately reflects the wetland boundary.

4.2.2 Boundary Documentation

At representative boundary locations data is collected sufficient to complete Department of Environmental Protection Agency (DEP) delineation field data forms. These data support the accurate placement of boundary flags. At a representative boundary location data are collected concerning vegetation, soils, and other hydrology indicators from each of two sets of plots. One plot set is located just down gradient of the boundary while the second plot set is located just up gradient of the boundary.

4.2.2.1 Vegetation

Vegetation is evaluated on a layer-by-layer basis. Vegetation layers consist of ground cover (non-woody vegetation and all woody vegetation less than three feet in height), shrubs (woody vegetation greater than or equal to 3 feet, but less than 20 feet in height), saplings (woody vegetation over 20 feet in height with a diameter at breast height (dbh) greater than or equal to 0.4 inches to less than 5 inches), climbing woody vines, and trees (woody plants with a dbh of 5 inches or greater and a height of 20 feet or more). To be included in the analysis, a layer must contain at least 5 percent plant coverage.

² Disturbed situations require special procedures that are not discussed in this document.

The abundance of each species in a layer is evaluated by estimating percent coverage over a standard plot size. To be included in this analysis, a species must provide over 1 percent coverage within a plot. Generally circular plots are established for each layer. Ground cover is evaluated using a 5' radius plot. Shrubs and saplings are evaluated using a 15' radius plot. Climbing woody vines and trees are evaluated utilizing a 30' radius plot. The size and shape of the plots may vary based on field conditions.

The dominance of each plant species within each layer is then calculated. This calculation is made by dividing the abundance of a species within a layer by the total plant abundance within that layer and multiplying by 100 to obtain a percent dominance. Those species that individually provide at least 20 percent dominance to the layer are always designated as "dominant species". The species within a layer are arranged by percent dominance in descending order. Those species that cumulatively provide 50% of the percent dominance for the layer, regardless as to whether or not they provide a minimum of 20 percent, are designated "dominant species". This is often referred to as the "20/50 rule". Once the dominant species within each layer are determined, the number of dominant wetland indicator species is compared with the number of dominant non-wetland indicator species. The vegetative criterion is met if at least half of the dominant species are wetland indicator species.

4.2.2.2 Hydrology

The presence of hydric soil is commonly used to indicate the presence of wetland hydrology. In order to identify if hydric soils are present, the soil horizons within a test pit are evaluated. Hydric soil indicators as identified in "Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetland Protection Act: A Handbook," include:

- "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 with 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.”

Other indicators of wetland hydrology include the presence of surface water flooding, groundwater, including the capillary fringe, within a major portion of the root zone in the test pit, water marks on trees, water-stained leaves, sediment deposits, drift lines, scoured areas, and/or drainage patterns.

5.0 Site and Wetland Resource Area Description

Located between the converging Harris Street and Great Road in Acton, Massachusetts (Figure 1), the study area is largely bordered by commercial areas, apartment buildings, and their parking facilities. The wetland is comprised of palustrine marshes containing areas dominated by persistent emergent vegetation or by broad-leaved deciduous scrub-shrub vegetation. The wetlands are generally level and appear to be seasonally saturated with frequent flooding in some areas. The scrub-shrub portions are partially drained by slow flowing ditches which connect to an open water habitat. The site contains a few upland areas including several isolated mounds.

5.1 Resources Flagged on the Site

Wetland resource areas delineated on the site include palustrine marshes, which are protected under the MWPA as a Boarding Vegetated Wetland (BVW), and the ditch banks, which are protected as Banks. The marshes, ditches, and their 100-foot buffer zones are also identified as wetland resource areas in the Acton Wetland Protection

Bylaw and associated Rules and Regulations. Additionally, as “waters of the United States”, the marshes and ditches are under the federal jurisdiction of the Corps of Engineers.

Site BVW boundaries are delineated in the field with blue flags. The usual labeling format of the BVW is SES##, wherein ## is the sequence number. However, blue flags labeled with U## identify one of the upland islands within the BVW. Top of Bank flags are pink with labeling format TOB##.

5.2 Bank

The ditches on the site meet the regulatory criteria for streams under both the MWPA and the Town of Acton Wetland Protection Bylaw; therefore, their Banks are wetland resource areas. The main ditch originates in the northwest portion of the study area, northwest of the 25 Harris Street apartment building. As it crosses the site, a portion of its flow feeds into a small side channel. Further downstream the main channel is joined by three tributary ditches and at least one drainage easement. Before leaving the site near the southwest corner of the study area, it forms a ponded open water habitat behind, or east of, the apartment buildings at 419 – 421 Great Road.

Pink flag series TOB1 to TOB52 start on the northern Bank of the main ditch behind the 25 Harris Street building. At TOB16, near a drainage easement under the apartment’s parking lot, the ditch and Bank bend sharply to the southwest and continue to the ponded area near TOB23 in the southwest portion of the site. From this location, the same flag series continues eastward along the northern Bank of a broad tributary ditch to its origin at TOB39. It then loops back along the southern Bank of the tributary to the ponded area near TOB48. The pink Top of Bank flags then follow the northeast Bank of the ponded area southward to the mouth of a second tributary ditch entering the ponded area from the southeast at TOB50. This flag series ends at TOB52 part way along the north Bank of the second tributary ditch.

The upstream end of this second tributary is delineated by the pink Top of Bank flag series TOB60 to TOB72. These flags are located in the northeast portion of the study area, south of Harris Street and east of the 25 Harris Street building parking area. Flags TOB60 to TOB67 mark the northwest Bank, while TOB68 to TOB72 delineated the southeast Bank. Just to the northeast of the upper end of this channel, a small open water habitat within a BVW was observed during the April investigations. Although there is evidence of overland surface flows from this pool to the channel during high water periods, it is not considered to be part of a stream, and therefore does not have a Bank.

Top of Bank flag series TOB100 to TOB115 starts opposite TOB1 on southern side of the main ditch behind the 25 Harris Street building. At TOB108, near the northwest corner of the building's parking lot, a small side channel leaves the main ditch at an acute angle flowing to the west into the BVW. This flag series continues delineating the northern Bank of the side channel until the Bank becomes indistinguishable within the BVW at TOB115, and the side channel's flows dissipate in a portion of the marsh that is dominated by emergent vegetation.

A new flag series, TOB128 to TOB150, mark the southern Bank of this side channel, running upstream and eastward to TOB134 on the main ditch. These flags continue downstream along the main ditch's Bank to the ponded area at TOB141. From here the flags mark the western Bank of the pond, then the northern Bank of a small tributary ditch flowing from the emergent vegetation area of the marsh. It is believed that some of the flow in this tributary originates in the side channel described above.

Pink Top of Bank flag series TOB170 to TOB198 delineates the southern Bank of the small tributary ditch and the southern Bank of the ponded area. This series subsequently marks the southern then western Bank of the main ditch as the channel flows out of the ponded area and bends to the south and leaves the site at a culvert under Great Road (Rte. 2A).

5.3 Bordering Vegetated Wetland (BVW)

The palustrine marsh BVWs of the site are delineated by several series of SES## and TOB## flags. The blue flag series SES1 to SES21 designates the southern BVW boundary located behind the apartment buildings and parking lot at 419 – 421 Great Road. For the most part, there is a narrow wetland between these flags and the ponded area of the main ditch. BVW flag series SES95 to SES106 extends the above wetland boundary the northwest, with SES95 connecting to SES1 and SES106 tying into the Top of Bank of the main ditch between TOB101 and TOB102 south of the apartment building at 25 Harris Street. Except as described below, the main ditch borders the northeastern edge of the marsh from approximately TOB102 to TOB16. From here the BVW flag series SES200 to SES338 delineates the northeast edge of the marsh behind the 25 Harris Street apartment's parking lot past a concrete mound southwest of an existing building at #51 Harris Street. The marsh continues beyond the subject site to the southeast where it is not delineated.

Three upland islands occur within the marsh. One, behind the southeast corner of the 25 Harris Street building, is delineated by SES300 to SES309 along its western side, by approximately TOB105 to TOB108 along the main ditch on the north, and by TOB108 to about TOB113 along the side channel ditch to the southeast. The second upland area is just east of the first, and south of the 25 Harris Street building parking area. BVW series SES320 to SES326 mark the west side of this island, while its northeast and southeast boundaries are formed by main ditch as it makes a sharp bend to the southwest from TOB135 to about TOB138. Southwest of the second island on the west side of the main ditch, the third upland area is delineated by the looped BVW flag series U340 – U344.

In the northwest portion of the study area, southwest of the 25 Harris Street building a small BVW is delineated by the BVW flag series SES120 – SES127. This wetland is separate from the larger marsh, but is connected to it by the upstream reach of the above main ditch.

The northwestern portion of the site's main wetland is largely comprised of persistent emergent vegetation, and is dominated by dense stands of broad-leaf cattail (*Typha latifolia*) and common reed (*Phragmites australis*), with purple loosestrife (*Lythrum salicaria*) present. Toward the center of the wetland, especially south of the side ditch (TOB128 – TOB134), bristly blackberry (*Rubus hispidus*) becomes especially dense and nearly impenetrable. The broad-leaved deciduous scrub-shrub vegetation in of the northeastern portion of the site grades into a wooded wetland including common or horsebrier greenbrier (*Smilax rotundifolia*), northern arrow-wood (*Viburnum recognitum*), willow species (*Salix* spp.) including pussy willow (*Salix discolor*), American elm (*Ulmus americana*), slippery elm (*U. rubra*), and red maple (*Acer rubrum*).

Taxa of the first upland island (SES 300 - SES309) included staghorn sumac (*Rhus typhina*), tartarian honeysuckle (*Lonicera tatarica*), black cherry (*Prunus serotina*), cotton-wood eastern (*Populus deltoides*), and quaking aspen (*P. tremula*). The second upland island (SES320 – SES326) supported a dense stand of staghorn sumac, while the third (U340 – U344) contained quaking aspen and tartarian honeysuckle. A list of plant species noted in the project area is presented in Attachment 1.

Soils of the wetland are typically comprised of a 2 inch O-horizon comprised of decayed herbaceous plants underlain by a very dark (10R 2.5/1), very thick (up to 20 inches or more), loam A-horizon. In the more saturated areas, hydrogen sulfide odors at depths of less than 12 inches indicate the presence of sulfidic material, meeting the criteria of Hydric Soil Indicator II of "Field Indicators for Identifying Hydric Soils in New England" (Version 3, 2004). Attachment 2 contains the DEP Bordering Vegetated Wetland Delineation Field Data Forms.

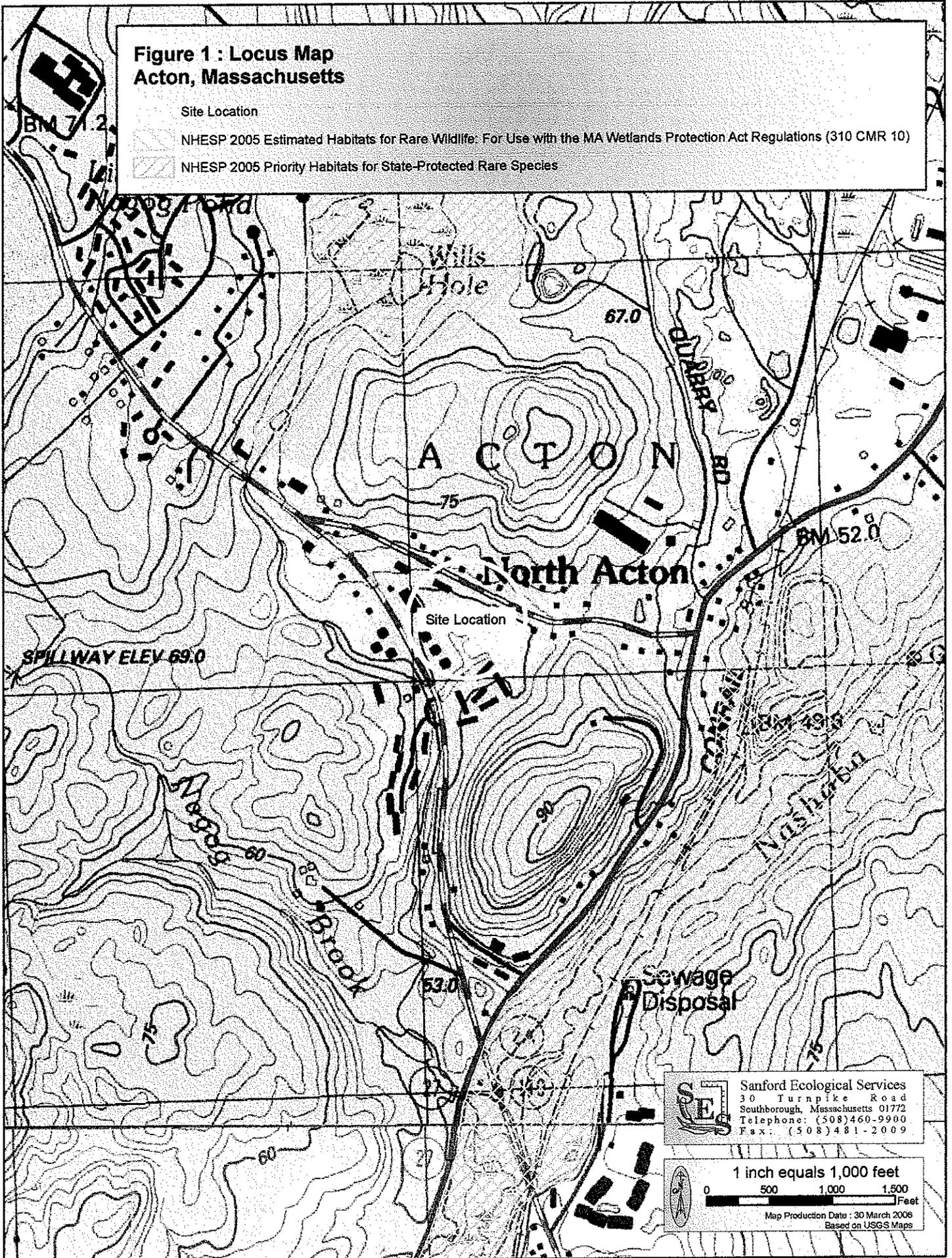
6.0 Rare Species

As part of the wetland evaluation for the site, the Massachusetts Natural Heritage Atlas, 11th Edition, (Part 1 – Eastern Massachusetts), effective July 1, 2003, published by the Massachusetts Natural Heritage and Endangered Species Program (NHESP), was

reviewed. According to the Atlas, the site is not located within an area designated as Estimated Habitat of Rare Wildlife or Certified Vernal Pools based on the Westford Quadrangle. Figure 1, the USGS quadrangle based project based locus map, has been overlain by a Massachusetts GIS data layer showing the NHESP designated Estimated Habitat of Rare Wildlife or Certified Vernal Pools as well as the Priority Habitats of Rare Species in the vicinity of the project site.

Figure 1 : Locus Map Acton, Massachusetts

- Site Location
- NHESP 2005 Estimated Habitats for Rare Wildlife: For Use with the MA Wetlands Protection Act Regulations (310 CMR 10)
- NHESP 2005 Priority Habitats for State-Protected Rare Species



List of Plants Observed in Field

The following species were observed growing on site. They are listed classified relative to their affinity for wetland habitats. Classifications are based upon the U.S. Fish and Wildlife Service publication: "National List of Plant Species That Occur in Wetlands: 1988; Northeast (Region 1)" by Porter B. Reed Jr. This publication does not list all plants that grow in New England. "NL" indicates species not listed in the publication. In addition, the publication assigns an "NA" or "NI" to a few species. NA indicates "no agreement" among the publication's review panel as to the proper classification of the species, while NI ("no indicator") indicates that the review panel had insufficient information at hand for classification. Plants not listed in the publication should be considered as indicators of non-wetland conditions.

In certain cases, plants may have been identified only on the family or genus level. In these cases, the indicator status, SESW (wetland) or SESU (upland), is listed by the most typical status of the genus or based upon characteristics of the plant as observed in the field.

Notwithstanding classifications, it must be emphasized that individual plants of almost any species may be found in almost any habitat. It is not uncommon to find individual plants of OBL species growing in uplands or individual plants of UPL species growing in wetlands. For this reason, the total vegetation best serves as an indicator of wetlands rather than any individual species.

INDICATOR CATEGORIES AS DEFINED BY THE U.S. FISH AND WILDLIFE SERVICE:

OBL: Obligate Wetland (OBL). Occur almost always (estimated probability > 99%) under natural conditions in wetlands.

FACW: Facultative Wetland (FACW). Usually occur in wetlands (estimated probability 67%-99%) but occasionally found in non-wetlands.

FAC: Facultative (FAC). Equally likely to occur in wetlands or non-wetlands (estimated probability 34%-66%).

FACU: Facultative Upland (FACU). Usually occur in non-wetlands (estimated probability 67%-99%), but occasionally found in wetlands (estimated probability 1%-33%).

UPL: Obligate Upland (UPL). Occur in wetlands in another region, but occur almost always (estimated probability >99%) under natural conditions in non-wetlands in the region specified.

+/-: A positive (+) or negative (-) sign [is] used with the Facultative Indicator categories to more specifically define the regional frequency of occurrence in wetlands. The positive sign indicates a frequency toward the higher end of the category (more frequently found in wetlands), and a negative sign indicates a frequency toward the lower end of the category (less frequently found in wetlands).

HABIT: The plant characteristics and life forms assigned to each species.

A: Annual
B: Biennial
C: Clubmoss
E: Emergent
@: Epiphytic
F: Forb
/: Floating
F3: Fern
G: Grass

GL: Grasslike
H: Partly woody
HS: Half shrub
H2: Horsetail
I: Introduced
N: Native
P: Perennial
+: Parasitic
P3: Pepperwort

Q: Quillwort
S: Shrub
- : Saprophytic
Z: Submerged
\$: Succulent
T: Tree
V: Herbaceous Vine
W: Waterfern
WV: Woody Vine

Scientific Name	Common Name	Indicator	Habit
<i>Acer rubrum</i>	MAPLE,RED	FAC	NT
<i>Alnus rugosa</i>	ALDER,SPECKLED	FACW+	NT
<i>Alnus serrulata</i>	ALDER,BROOK-SIDE	OBL	NT
<i>Asclepias</i> spp.	MILKWEED		PNF
<i>Berberis thunbergii</i>	BARBERRY,JAPANESE	FACU	IS
<i>Betula alba</i>	BIRCH,WHITE	FAC+	NTS
<i>Betula lenta</i>	BIRCH,SWEET OR BLACK	FACU	NT
<i>Betula populifolia</i>	BIRCH,GRAY	FAC	NT
<i>Celastrus orbiculata</i>	BITTER-SWEET,ORIENTAL	UPL*	IWV
<i>Cornus stolonifera</i>	DOGWOOD,RED-OSIER	FACW+	NS
<i>Dennstaedtia punctilobula</i>	FERN,HAYSCENTED	NL	F3
<i>Euonymus alata</i>	EUONYMUS,WINGED	NL	IS
Gramineae (Hydrophilic)	GRASSES,HYDROPHILIC	SESW	G
Gramineae (Upland)	GRASSES,UPLAND	SESU	G
<i>Ilex verticillata</i>	WINTERBERRY,COMMON	FACW+	NST
<i>Juniperus virginiana</i>	CEDAR,EASTERN RED	FACU	NT
<i>Lemna</i> spp.	DUCKWEED	OBL	PN/F
<i>Lonicera tatarica</i>	HONEYSUCKLE,TARTARIAN	FACU*	IS
<i>Lythrum salicaria</i>	LOOSESTRIFE,PURPLE	FACW+	PIF
<i>Onoclea sensibilis</i>	FERN,SENSITIVE	FACW	PNEF3
<i>Osmunda cinnamomea</i>	FERN,CINNAMON	FACW	PNEF3
<i>Phragmites australis</i>	REED,COMMON	FACW	PNEG
<i>Physalis alkeke</i>	LANTERN,JAPANESE	NL	non-native vine
<i>Pinus strobus</i>	PINE,EASTERN WHITE	FACU	NT
<i>Polygonum cuspidatum</i>	KNOTWEED,JAPANESE	FACU-	PIF
<i>Polystichum acrostichoides</i>	FERN,CHRISTMAS	FACU-	PNF3
<i>Populus deltoides</i>	COTTON-WOOD,EASTERN	FAC	NT
<i>Populus grandidentata</i>	ASPEN,BIG-TOOTH	FACU-	NT
<i>Populus tremula</i>	ASPEN,QUAKING	FACU	IT
<i>Prunus serotina</i>	CHERRY,BLACK	FACU	NT
<i>Quercus alba</i>	OAK,WHITE	FACU-	NT
<i>Quercus rubra</i>	OAK,RED	FACU-	NT
<i>Quercus velutina</i>	OAK,BLACK	NL	NT
<i>Rhus typhina</i>	SUMAC,STAGHORN	NL	NST
<i>Rosa multiflora</i>	ROSE,MULTIFLORA	FACU	IS
<i>Rubus hispidus</i>	BLACKBERRY,BRISTLY	FACW	NS

Scientific Name	Common Name	Indicator	Habit
Rubus spp.	BRAMBLE	NL	NIS
Salix discolor	WILLOW,PUSSY	FACW	NS
Salix spp.	WILLOW	SESW	NT
Smilax rotundifolia	GREENBRIER,COMMON OR HORSEBRIER	FAC	NWV
Solanum dulcamara	NIGHTSHADE,CLIMBING	FAC-	PIF
Spiraea alba	MEADOW-SWEET,NARROW-LEAF	FACW+	NS
Spiraea tomentosa	STEEPLE-BUSH	FACW	NS
Toxicodendron radicans	IVY,POISON	FAC	NWVS
Typha latifolia	CATTAIL,BROAD-LEAF	OBL	PNEF
Ulmus americana	ELM,AMERICAN	FACW-	NT
Ulmus rubra	ELM,SLIPPERY	FAC	NT
Viburnum recognitum	ARROW-WOOD,NORTHERN	FACW-	NS
Vitis spp.	GRAPE		IWV

ATTACHMENT 2

DEP Bordering Vegetated Wetland Delineation Field Data Forms

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

[OP: ERP SES1-2 W]

Applicant: Equity Residential Properties Prepared by: Sanford Ecological Services, Inc. Project location: Rte. 2A & Harris St., Acton, MA DEP File # :
 Plot Location: ~ 15' down slope between flags SES1 & SES2
 Behind building # 241 on Great Road (Rte. 2A)

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- Vegetation and other indications 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: W	Transect Number: SES1-2	Date of Delineation: 12/5/06	
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*
<u>Tree</u>				
absent				
<u>Vines</u>				
CLIMBING NIGHTSHADE/ <i>Solanum dulcamara</i>	20 stems	100	yes	FAC-
<u>Saplings</u>				
absent				
<u>Shrubs</u>				
STAGHORN SUMAC/ <i>Rhus typhina</i>	10.5	67.7	yes	NL
BRISTLY BLACKBERRY/ <i>Rubus hispida</i>	5	32.3	yes	FACW*
<u>Herbs/Ground Cover</u>				
SENSITIVE FERN/ <i>Onoclea sensibilis</i>	10.5	9.8	no	FACW*
PURPLE LOOSESTRIFE/ <i>Lythrum salicaria</i>	20.5	19.1	no	FACW+*
BROAD-LEAF CATTAIL/ <i>Typha latifolia</i>	38	35.5	yes	OBL*
COMMON REED/ <i>Phragmites australis</i>	38	35.5	yes	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 wetlands indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusions:
 Number of dominant wetland indicator plants: 3 Number of dominant non-wetland indicator plants: 2

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

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent.

Section II. Indications of Hydrology

1. Soil Survey

Is there a published soil survey for this site? Yes – web only.

title/date: NRCS web site Soil Survey of Middlesex County
downloaded 3/28/06

map number: 25 Harris St., Acton, MA
soil type mapped: map unit 52A – Freetown Muck, 0 – 1% slopes.
hydric soil inclusions: yes

Are field observations consistent with soil survey? Yes

Remarks:

2. Soil Description

Horizon	Depth (inches)	Matrix Color	Mottles Color
O	2 - 0	decaying vegetation	none
A	0 - 36	10R 2.5/1	none, loam
H ₂ S odor in top 7 inches			

Remarks: Hydric Soil Indicator II in "Field Indicators for Identifying Hydric Soils in New England" Version 3, 2004.

3. Other:

Conclusion: Is soil Hydric? Yes

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

- Site inundated: _____
- X Depth to free water in observation hole: 0"
- X Depth to soil saturation in observation hole: 0"
- X 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):

- X Other: H₂S odor - top 7"

Vegetation and Hydrology Conclusion		
	yes	no
Number of wetland indicator plants		
≥ number of non-wetland indicator plants	X	<input type="checkbox"/>
Wetland hydrology present:		
hydric soil present	X	<input type="checkbox"/>
other indicators of hydrology present	X	<input type="checkbox"/>
Sample location is in a BVW	X	<input 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

[OP: ERP SES1-2 U]

Applicant: Equity Residential Properties Prepared by: Sanford Ecological Services, Inc. Project location: Rte. 2A & Harris St., Acton, MA DEP File # :
 Plot Location: ~ 15' upslope between flags SES1 & SES2
 Behind building # 241 on Great Road (Rte. 2A)

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- Vegetation and other indications 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: U	Transect Number: SES1-2	Date of Delineation: 12/5/06	
<p><u>A. Sample Layer and Plant Species</u> (by common/scientific name)</p> <p><u>Tree</u> absent</p> <p><u>Vines</u> absent</p> <p><u>Saplings</u> EASTERN RED CEDAR/<i>Juniperus virginiana</i></p> <p><u>Shrubs</u> WINGED EUONYMUS/<i>Euonymus alata</i></p> <p><u>Herbs/Ground Cover</u> UPLAND GRASSES/Gramineae (Upland)</p>	<p><u>B. Percent Cover</u> (or basal area)</p> <p>20.5</p> <p>38</p> <p>63</p>	<p><u>C. Percent</u> <u>Dominance</u></p> <p>100</p> <p>100</p> <p>100</p>	<p><u>D. Dominant Plant</u> (yes or no)</p> <p>yes</p> <p>yes</p> <p>yes</p>	<p><u>E. Wetland</u> <u>Indicator</u> <u>Category*</u></p> <p>FACU</p> <p>NL</p> <p>SESU</p>

* 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 wetlands indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusions:
 Number of dominant wetland indicator plants: 0 Number of dominant non-wetland indicator plants: 3

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

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent.

Section II. Indications of Hydrology

1. Soil Survey

Is there a published soil survey for this site? Yes – web only.

title/date: NRCS web site Soil Survey of Middlesex County
downloaded 3/28/06

map number: 25 Harris St., Acton, MA
soil type mapped: map unit 626B – Merrimack-Urban Land Complex,
0 – 8% slopes.
hydric soil inclusions:

Are field observations consistent with soil survey? No

Remarks:

2. Soil Description

Horizon	Depth (inches)	Matrix Color	Mottles Color
O	0.5 - 0	duff	none
A	0 - 36	10R 2.5/1	none, loam

Remarks: Altered soils adjacent to parking area.

3. Other:

Conclusion: Is soil Hydric? No

Other Indications 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"/>	X
Wetland hydrology present:		
hydric soil present	<input type="checkbox"/>	X
other indicators of hydrology present	<input type="checkbox"/>	X
Sample location is in a BVW	<input type="checkbox"/>	X

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

ATTACHMENT 5

Waiver Request

The following is a copy of the waiver request submitted to the Acton Conservation Commission in accordance to Section 1.5 of the Town of Acton Wetland Protection Bylaw Rules and Regulations.



NORFOLK•RAM

ENGINEERING SOLUTIONS
FOR THE ENVIRONMENT

May 21, 2012

Conservation Commission
Acton Town Offices
472 Main Street
Acton, MA 01720

**Re: Waiver Request for Proposed Stormwater Improvements and Handicap Access Ramp
Spring Hill Commons, 411 & 419 Great Road in Acton, MA
NRG Project No. 1466.001.01**

Dear Commission:

On behalf of the owner of the above referenced property, Spring Hill at Acton, LLC ("Spring Hill") and Universal Management, LLC, as agent for Spring Hill, we are requesting a waiver to Section 3.2 (Wetland Setbacks for New Activities) of the Town of Acton Wetland Protection Bylaw Rules and Regulations for the above-mentioned project, as required in Section 1.5. The stormwater improvements and handicap access ramp are proposed in response to Paragraphs 3.1.1 and 3.2.3 of the Special Permit for the reconstruction of the nonconforming multifamily dwelling at 419 Great Road in Acton, MA (Planning Board Decision 01-06).

Currently there are no stormwater systems to capture, treat, and/or recharge stormwater runoff from the property prior to its discharge to the ditch located just beyond the paved parking lot. Stormwater runoff flows across the paved parking lot to the grassed and wooded area behind the two existing and one to-be-reconstructed apartment buildings of Spring Hill. During large rainfall events, stormwater runoff has been witnessed to flow directly over the grassed area into the nearby ditches and at times stormwater ponding occurs in the low point of the parking lot.

There is a small tributary ditch and ponded area located behind the apartment buildings of Spring Hill along Great Road. This ditch bends to the south and connects with the main ditch, runs along the south side of the building at 411 Great Road, and leaves the site at a culvert under Great Road (Route 2A). A palustrine marsh bordering vegetated wetland (BVW) is associated with these ditches and ponded area.¹

As discussed at our on-site visit with the Conservation Director Tom Tidman on March 7, 2012 and at our meeting with Town Engineer Corey York on April 30, 2012, we are proposing stormwater improvements to capture and treat stormwater runoff from the parking lot during small rainfall events to the maximum extent possible. There is very shallow depth to high groundwater elevations², and limited area beyond the paved parking lot. The following lists the

¹ For a detailed description of the wetlands resource areas on-site, refer to the report entitled "Wetland Resource Report, Spring Hill Commons, off Harris Street & Great Road (Rte. 2A), Acton, Massachusetts" prepared by Sanford Ecological Services of Southborough, MA and dated April 14, 2006, which was submitted with a previous Notice of Intent (DEP File No. 85-939) and re-submitted with the Notice of Intent for the proposed work associated with this Waiver Request.

² The water in the on-site stream was at elevation 184.87 on March 7, 2012, which is 0.69 feet below the low point of the parking lot (elevation 185.56).

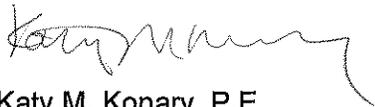
proposed work within the buffer zones of the wetlands resource areas. Please refer to the Notice of Intent application and accompanying plan³ for further detail.

- A shallow depression/swale (6± inches deep and 6- to 12-foot wide) to be located within the grassed area on the north side of the parking lot is proposed. This swale would be approximately 100 feet in length and would include stone, approximately 1.5 feet in depth and 2 feet wide to allow for stormwater to be detained during small rainfall events. Overflow will continue across the grass to the nearby wetlands. The surface would be loamed and seeded for grass. The distance between the closest disturbance and the BVW is approximately 3 feet.
- A stone channel (approximately 120 feet in length) along the parking lot edge east of the building at 411 Great Road is proposed. This channel would capture stormwater runoff that is currently discharged directly into the adjacent ditch. The channel would direct stormwater runoff to a stilling basin where stormwater would be detained during small rainfall events. Overflow will continue across the grass to the nearby wetlands. The proposed stilling basin would be located in the corner of the parking lot and would involve the removal of pavement in an area approximately 15' by 15'. The basin would be filled with 1.5 feet of stone and 4± inches below the parking lot grade. The distance between the closest disturbance and the BVW is approximately 3 feet.
- The proposed handicap ramp, steps and landing for the building at 419 Great Road are to be located approximately 89 to 100 feet from the wetlands resource areas (outside of the Town's 75-foot no-build setback), and almost entirely within the extents of the former building steps and landing.

Should you have any questions regarding this matter, please do not hesitate to contact me at (508) 747-7900. Thank you for your review and consideration of this request.

Sincerely,

Norfolk Ram Group LLC



Katy M. Konary, P.E.
Project Engineer

CC: Barbara Tyrrell, COO, Universal Management, 181 Wells Avenue, Newton, MA 02459
Stuart R. Levey, Manager, Spring Hill at Acton, LLC, 181 Wells Avenue, Newton, MA 02459

³ Plan entitled "Proposed Stormwater Improvements, 411 & 419 Great Road, Acton, Massachusetts" prepared by Norfolk Ram Group, LLC and dated May 14, 2012 and stamped May 21, 2012 was submitted with a Notice of Intent application for this work.

ATTACHMENT 6

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

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 2j (any other activity not in Cat. 1, 3, 4, 5 or 6)	1	\$500.00	\$500.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Step 5/Total Project Fee: \$500.00

Step 6/Fee Payments:

Total Project Fee:	<u>\$500.00</u>
	a. Total Fee from Step 5
State share of filing Fee:	<u>\$237.50</u>
	b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:	<u>\$262.50</u>
	c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

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

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

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

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

ATTACHMENT 7

Abutter Notification

As required by Section 2.3(1)(A)(iii) of the Town of Acton Wetland Protection Bylaw, a certified abutters list from the most recent tax list of the Town is submitted as part of the Notice of Intent filing, as well as the following:

Affidavit of Service

Notification to Abutters

Certified Abutters List, dated 5/2/2012

AFFIDAVIT OF SERVICE

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, Katy Konary, hereby certify under the pains and penalties of perjury that on May 21, 2012 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 Spring Hill at Acton, LLC and Universal Management, LLC with the Acton Conservation Commission on May 21, 2012 for property located at 411 & 419 Great Road, Acton.

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.

Katy Konary
Name

5/21/2012
Date

**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: Spring Hill at Acton, LLC c/o Universal Management, LLC

Address 181 Wells Avenue, Newton, MA 02459 Phone: 617-965-9100 x14

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: Norfolk Ram Group, LLC

Address 1 Roberts Road, Plymouth, MA 02360 Phone: 508-747-7900 x137

The address of the property where the activity is proposed 411 and 419 Great Road,
Spring Hill Commons apartment complex

Town Atlas Plate/Map C5 Parcel/Lot 67-1 and 67-2

Project Description The project involves the construction of stormwater improvements and handicap access ramp, steps and landing for the building to be reconstructed at 419 Great Road. This work is proposed in response to Paragraphs 3.1.1 and 3.2.3 of the Special Permit for the reconstruction of the dwelling at 419 Great Road (Planning Board Decision 01-06).

Copies of the Notice of Intent may be examined at the Conservation Office, Acton Town Hall, 472 Main Street, Acton. Between the hours of 9:00 A.M. and 4:30 P.M. Monday through Friday. For more information please call the Conservation Office at 978-264-9631.

A Public Hearing will be held at the Acton Town Hall, 472 Main Street, on Wednesday,
June 6, 2012 at 7:00 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:

***Central Region: 508-792-7650**
Southeast Region: 508-946-2800

Northeast Region: 978-661-7600
Western Region: 413-784-1100



Brian McMullen
Assistant Assessor

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

Locus: 419 GREAT RD + 411 GREAT RD
Parcel: C5-67-1 + C5 67-2

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City	ST	Zip
416 GREAT RD	C4-28-2	LABROSSE GERARD M	LABROSSE JOAN R	PO BOX 2017	ACTON	MA	01720
1 CAPT HANDLEY RD	C5-10-18	TOWN OF ACTON		472 MAIN STREET	ACTON	MA	01720
32 HARRIS ST	C5-44	ZHOU YI	XU RENJIA	32 HARRIS ST	ACTON	MA	01720
38 HARRIS ST	C5-56	PARRELLA VINCENT ET AL TRS	PARRELLA REALTY TRUST	38 HARRIS ST	ACTON	MA	01720
42 HARRIS ST	C5-57	APGAR LYNN E		42 HARRIS STREET	ACTON	MA	01720
429 GREAT RD	C5-67	BROOKSIDE FARM OF ACTON INC	C/O ROTONDO JOSEPH	3 OLD FLYING POINT RD	FREEPORT	ME	04032
425 GREAT RD	C5-67-3	TUDMAN ROBERT M ET AL	ACT-SUD REALTY TRUST	42 MITCHELL RD	CONCORD	MA	01742
48 HARRIS ST	C5-71	TORRIELLI CHARLES W	PAULA E TORRIELLI	48 HARRIS ST	ACTON	MA	01720
50 HARRIS ST	C5-72	KENDALL RICHARD G	SHIRLEY L	50 HARRIS ST	ACTON	MA	01720
54 HARRIS ST	C5-86	KENDALL JOHN F	KENDALL PATRICIA	PO BOX 2459	ACTON	MA	01720
55 HARRIS ST	C5-98-1	SLOAN DONALD	SLOAN BETH ANN	55 HARRIS ST	ACTON	MA	01720
51 HARRIS ST	C5-98-2	SLOAN JOHN PATRICK		51 HARRIS STREET	ACTON	MA	01720
397 GREAT RD #1	C5-397-1	LOMAKIN ALEXEI A	SAVELEVA KATERINA	397 GREAT RD #1	ACTON	MA	01720
397 GREAT RD #2	C5-397-2	FOSTER PAULA A	PCOLAR PATRICIA A	397 GREAT RD. #2	ACTON	MA	01720
397 GREAT RD #3	C5-397-3	LUDKA JEAN M		397 GREAT RD UNIT 3	ACTON	MA	01720
397 GREAT RD #4	C5-397-4	AHEARN KAREN C TRUSTEE	397 GREAT ROAD NOMINEE TRUST	397 GREAT RD #4	ACTON	MA	01720
397 GREAT RD #5	C5-397-5	SOLOVEY ALEKSEY Y	ROMASHINA VERA A	5 MOORE DR	SHIRLEY	MA	01464
397 GREAT RD #6	C5-397-6	LAI LORRAINE H		397 GREAT RD #6	ACTON	MA	01720
397 GREAT RD #7	C5-397-7	KING EBACHER DENISE	EBACHER ALBERT P	397 GREAT RD #7	ACTON	MA	01720
397 GREAT RD #8	C5-397-8	PARKER JUDITH D		38 DRUMMER RD	ACTON	MA	01720
397 GREAT RD #9	C5-397-9	FELL BEVERLY		397 GREAT RD #9	ACTON	MA	01720
397 GREAT RD #10	C5-397-10	PYATNYCHKO OLEG	PYATNYCHKO GANNA	397 GREAT RD #10	ACTON	MA	01720
399 GREAT RD #1	C5-399-1	KLEIMAN SHARON R		399 GREAT RD #1	ACTON	MA	01720
399 GREAT RD #2	C5-399-2	LYNCH JEAN M	C/O STEPHEN LYNCH	12 SCHOOL STREET	SOUTHBOROUGH	MA	01772
399 GREAT RD #3	C5-399-3	BROUDE FAINA		87 CORTLAND LANE	BOXBOROUGH	MA	01719

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City	ST	Zip
399 GREAT RD #4	C5-399-4	BOGATCHENKO JANET	C/O KIRILL PANKRATOV	399 GREAT ROAD #4	ACTON	MA	01720
399 GREAT RD #5	C5-399-5	BISBAS KATERINA		399 GREAT RD #5	ACTON	MA	01720
399 GREAT RD #6	C5-399-6	MCKNIGHT JUNE B		399 GREAT ROAD #6	ACTON	MA	01720
399 GREAT RD #7	C5-399-7	LI LONG	REN JIE	399 GREAT RD #7	ACTON	MA	01720
399 GREAT RD #8	C5-399-8	BRODSKY TERRY E		399 GREAT RD #8	ACTON	MA	01720
399 GREAT RD #9	C5-399-9	MCKNIGHT THOMAS		399 GREAT RD UNIT 9	ACTON	MA	01720
401 GREAT RD #1	C5-401-1	DEGREGORY EVELYNE J		401 GREAT RD #1	ACTON	MA	01720
401 GREAT RD #2	C5-401-2	LEVINE GLORIA J TRUSTEE	MOJO REALTY TRUST	159-1 PROSPECT ST	ACTON	MA	01720
401 GREAT RD #3	C5-401-3	MYKHAYLIV VIKTOR		401 GREAT RD #3	ACTON	MA	01720
401 GREAT RD #4	C5-401-4	WENGLER CAROL A		401 GREAT RD UNIT 4	ACTON	MA	01720
401 GREAT RD #5	C5-401-5	LAPORTE RACHEL S		13600 MARINA POINTE DR APT	MARINA DEL RAY CA		90292
401 GREAT RD #6	C5-401-6	CHOBAN EVANTHIA M		401 GREAT RD #6	ACTON	MA	01720
401 GREAT RD #7	C5-401-7	DOUCET KRISTEN		12 BROOKFIELD RD	BURLINGTON	MA	01803
401 GREAT RD #8	C5-401-8	BIEBERS CAROL		401 GREAT RD #8	ACTON	MA	01720
401 GREAT RD #9	C5-401-9	NEFF ANDREW J	SWITZER KAREN L	401 GREAT RD #9	ACTON	MA	01720
403 GREAT RD #1	C5-403-1	ECKLER LAWRENCE I	DOMBLEWSKI CAROL	10 THOREAU ROAD	ACTON	MA	01720
403 GREAT RD #2	C5-403-2	HENDRIX PAULIEN C		403 GREAT RD #2	ACTON	MA	01720
403 GREAT RD #3	C5-403-3	GU YITONG	WU PING	403 GREAT RD #3	ACTON	MA	01720
403 GREAT RD #4	C5-403-4	GOLDLUST ANDREANA		403 GREAT RD #4	ACTON	MA	01720
403 GREAT RD #5	C5-403-5	HORNER MARGARET CAROL		403 GREAT RD UNIT 5	ACTON	MA	01720
403 GREAT RD #6	C5-403-6	MACARI KRISTA MARIE		403 GREAT RD #6	ACTON	MA	01720
403 GREAT RD #7	C5-403-7	KVAASE LINDA		403 GREAT RD #7	ACTON	MA	01720
403 GREAT RD #8	C5-403-8	IOSUE DARCY A	IOSUE FRED R	403 GREAT RD #8	ACTON	MA	01720
403 GREAT RD #9	C5-403-9	WANG XIAOYU	YE HONG	8 CENTENNIAL LN	ACTON	MA	01720
407 GREAT RD #1	C5-407-1	PHANICHYAKIN SATIT	LIMSUKSRIKUL THIKUMPORN	407 GREAT RD #1	ACTON	MA	01720
407 GREAT RD #2	C5-407-2	BIGWOOD RUSSELL M	BIGWOOD NANCY L	407 GREAT RD #2	ACTON	MA	01720
407 GREAT RD #3	C5-407-3	CONSTANTINE JOAN M	AKA JOAN MACFARLANE	407 GREAT RD UNIT 3	ACTON	MA	01720
407 GREAT RD #4	C5-407-4	TIKHOMIROV VADIM		407 GREAT RD #4	ACTON	MA	01720
407 GREAT RD #5	C5-407-5	ROBINSON JAMES L	BROWN MELISSA	407 GREAT RD #5	ACTON	MA	01720
407 GREAT RD #6	C5-407-6	GOULD NANCY I		407 GREAT RD #6	ACTON	MA	01720
407 GREAT RD #7	C5-407-7	TRAVIS ROBERT L JR	TRAVIS KATHLEEN M	407 GREAT RD #7	ACTON	MA	01720
407 GREAT RD #8	C5-407-8	HANNA CHRISTOPHER C		407 GREAT RD #8	ACTON	MA	01720
407 GREAT RD #9	C5-407-9	FUNG C JOHN	YASUKO SASAKI	407 GREAT RD #9	ACTON	MA	01720
407 GREAT RD #10	C5-407-10	MCGURK CHRISTINE L		407 GREAT RD #10	ACTON	MA	01720
424 GREAT RD #1	C4-424-1	GALLIVAN JOHN E	WHEATON A PAGE	424 GREAT RD #1	ACTON	MA	01720
424 GREAT RD #2	C4-424-2	HAIGH ROBERT	A TRUSTEE	6 DURKEE LANE	WESTFORD	MA	01886
424 GREAT RD #3	C4-424-3	ESDRA PAUL		20 STERLING AVE	SAUGUS	MA	01906
424 GREAT RD #4	C4-424-4	DEROSA CHRISTIE L TRUSTEE	ASORED REALTY TRUST	8 WAGON WHEEL ROAD	WINCHESTER	MA	01890
424 GREAT RD #5	C4-424-5	ATHYAL ANNIE ELIZABETH	MATHEW MANI T	46 JOHNSON RD	WINCHESTER	MA	01890

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City	ST	Zip
424 GREAT RD #6	C4-424-6	PENNY SEAN R		424 GREAT RD #6	ACTON	MA	01720
424 GREAT RD #7	C4-424-7	HARNUM FRANCES M		17 KIRSI CIR	WESTFORD	MA	01886
424 GREAT RD #8	C4-424-8	ESDRA JOS C		20 STERLING AVE	SAUGUS	MA	01906
424 GREAT RD #9	C4-424-9	DEROSA-SCHAEJBE KAREN TR	424-9 REALTY TRUST	PO BOX 441696	SOMERVILLE	MA	02143
424 GREAT RD #10	C4-424-10	WU MIAO YUN	WAI KWAN	1 TOWNHOUSE LN	ACTON	MA	01720
424 GREAT RD #11	C4-424-11	SHEN LITAO	PU MIN	8 BIRCHWOOD DR	WESTBOROUGH	MA	01886
424 GREAT RD #12	C4-424-12	DOZOIS PAUL	DOZOIS LOUIS	11 JONATHAN LANE	BEDFORD	MA	01730
424 GREAT RD #13	C4-424-13	GENTUSO STEPHANIE		424 GREAT RD #13	ACTON	MA	01720
424 GREAT RD #14	C4-424-14	SHI FUNAN	LIU MINHUA	12 GREYBIRCH LN	ACTON	MA	01720
424 GREAT RD #15	C4-424-15	TSANG CARA Y L		20 CAMBRIDGE TURNPIKE	LINCOLN	MA	01773
424 GREAT RD #16	C4-424-16	MONAGHAN SHARON L/DAVID W TRST	THE SHARON L MONAGHAN TRUS	46 STRICHEN LANE	BELLA VISTA	AR	72739
424 GREAT RD #17	C4-424-17	MOULTON JOHN		424 GREAT RD #17	ACTON	MA	01720
424 GREAT RD #18	C4-424-18	CHENERY ANDREW J		424 GREAT RD #18	ACTON	MA	01720
426 GREAT RD #1	C4-426-1	DUNBAR MICHAEL ALLEN		426 GREAT RD #1	ACTON	MA	01720
426 GREAT RD #2	C4-426-2	ACTON HOUSING AUTHORITY		PO BOX 681	ACTON	MA	01720
426 GREAT RD #4	C4-426-4	SCHAEJBE THOMAS	SCHAEJBE KAREN DEROSA	PO BOX 441696	SOMERVILLE	MA	02144
426 GREAT RD #5	C4-426-5	RAY JUSTIN W		8 DRUMMER RD	STONEHAM	MA	02180
426 GREAT RD #6	C4-426-6	DEROSA DHRISTIE L TRUSTEE	ASORED REALTY TRUST	8 WAGON WHEEL ROAD	WINCHESTER	MA	01890
426 GREAT RD #7	C4-426-7	RODRIGUES RUBENS		426 GREAT RD #7	ACTON	MA	01720
426 GREAT RD #8	C4-426-8	TSANG CHI CHOI		31 HILLSIDE RD	LINCOLN	MA	01773
426 GREAT RD #9	C4-426-9	SCHAEJBE THOMAS		PO BOX 441696	SOMERVILLE	MA	02144
426 GREAT RD #10	C4-426-10	GLORIA OPPEN		526 QUINOBEQUIN RD	WABAN	MA	02468
426 GREAT RD #11	C4-426-11	GENG MAIKE		426 GREAT RD #11	ACTON	MA	01720
426 GREAT RD #12	C4-426-12	NARDA PUNIT SHARMA		426 GREAT ROAD #12	ACTON	MA	01720
426 GREAT RD #13	C4-426-13	HU CUIE		14 LOTHROP RD	ACTON	MA	01720
426 GREAT RD #14	C4-426-14	ZHANG XIAO FAN		124 MAIN ST	ACTON	MA	01720
426 GREAT RD #15	C4-426-15	BROOKS MARK TRUSTEE	RAYMOND REALTY TRUST	PO BOX 683	ACTON	MA	01720
426 GREAT RD #16	C4-426-16	GORHAM WILLIAM J	GORHAM PATRICIA	17 FOX LANE	FOXBORO	MA	02035
426 GREAT RD #17	C4-426-17	ACTON HOUSING AUTHORITY		PO BOX 681	ACTON	MA	01720
426 GREAT RD #18	C4-426-18	FUK-WAH PETER	YEUNG MEI CHANG	426 GREAT RD #18	ACTON	MA	01720
428 GREAT RD #1	C4-428-1	HAMWEY PAMELA		428 GREAT RD #1	ACTON	MA	01720
428 GREAT RD #2	C4-428-2	LU HUY V		428 GREAT RD #2	ACTON	MA	01720
428 GREAT RD #3	C4-428-3	DEROSA CHRISTIE L TRUSTEE	ASORED REALTY TRUST	8 WAGON WHEEL ROAD	WINCHESTER	MA	01890
428 GREAT RD #4	C4-428-4	ESTRA JOSEPH C JR		20 STERLING AVE	SAUGUS	MA	01906
428 GREAT RD #5	C4-428-5	AFRID AYESHA		428 GREAT RD #5	ACTON	MA	01720
428 GREAT RD #6	C4-428-6	CHEN FRANK H		428 GREAT RD #6	ACTON	MA	01720
428 GREAT RD #7	C4-428-7	MONAGHAN SHARON L/DAVID W TRST	THE SHARON L MONAGHAN TRUS	46 STRICHEN LANE	BELLA VISTA	AR	72739
428 GREAT RD #8	C4-428-8	KEANE THOMAS		PO BOX 2004	ACTON	MA	01720
428 GREAT RD #9	C4-428-9	ALLEN JOHN H		428 GREAT RD #9	ACTON	MA	01720

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City	ST	Zip
428 GREAT RD #10	C4-428-10	HEDBERG MATTHEW C		428 GREAT RD #10	ACTON	MA	01720
428 GREAT RD #11	C4-428-11	VIMAL RAM LAKHAN PANDEY TRUSTE	VIMAL-PANDEY RESEARCH FNDDTN	428 GREAT RD #11	ACTON	MA	01720
428 GREAT RD #12	C4-428-12	SCHAEJBE THOMAS ET UX TR	428-12 REALTY TRUST	PO BOX 441696	SOMERVILLE	MA	02144
428 GREAT RD #13	C4-428-13	PIPICH ROBERT B	KATHRYN L	1808 SHIRLEY ROAD	LANCASTER	MA	01523
428 GREAT RD #14	C4-428-14	JOKSIMOVIC ALEKSANDAR	JOKSIMOVIC SNJEZANA	428 GREAT RD #14	ACTON	MA	01720
428 GREAT RD #15	C4-428-15	AZAR KRISTIN A		428 GREAT RD #15	ACTON	MA	01720
428 GREAT RD #16	C4-428-16	SPARKS THOMAS W, RICHARD A	AND DOROTHY C	428 GREAT RD #16	ACTON	MA	01720
428 GREAT RD #17	C4-428-17	SOKOLOVSKAYA YEKATERINA M		23 HASENFUS CIRCLE	NEEDHAM	MA	02494
428 GREAT RD #18	C4-428-18	MCLEAN JANET		428 GREAT RD #18	ACTON	MA	01720
420 GREAT RD #A1	C4-28-A01	CRONE DIANE M		420 GREAT RD #A1	ACTON	MA	01720
420 GREAT RD #A2	C4-28-A02	BUONOPANE PAUL P		420 GREAT ROAD #A2	ACTON,	MA	01720
420 GREAT RD #A3	C4-28-A03	CHOU CHIA CHEN		420 GREAT RD #A3	ACTON	MA	01720
420 GREAT RD #A4	C4-28-A04	CHADSEY DEXTER		420 GREAT RD #A4	ACTON	MA	01720
420 GREAT RD #A5	C4-28-A05	RODROG ASSOCIATES	C/O RODNEY HASS	3 SANDALWOOD ROAD	ACTON	MA	01720
420 GREAT RD #A6	C4-28-A06	TRAPELO PARK ASSOCIATES		271 LEOMINSTER SHIRLEY RD	LUNENBURG	MA	01462
420 GREAT RD #A7	C4-28-A07	RODROG ASSOCIATES	C/O RODNEY HASS	3 SANDALWOOD ROAD	ACTON	MA	01720
420 GREAT RD #A8	C4-28-A08	ROPEIK DAVID P + TOBY SMITH TR	ROPEIK REALTY TRUST	21 BAKER AVENUE	CONCORD	MA	01742
420 GREAT RD #A9	C4-28-A09	MCINTYRE CHRISTOPHER		420 GREAT RD #A9	ACTON	MA	01720
420 GREAT RD #A10	C4-28-A10	BAMFORD RAYMOND L	BAMFORD BROOKE E	420 GREAT RD #A10	ACTON	MA	01720
420 GREAT RD #B1	C4-28-B01	CYR ANDREW R	BENDER ANDREA T	420 GREAT RD #B1	ACTON	MA	01720
420 GREAT RD #B2	C4-28-B02	MEEHAN MICHAEL P.		420 GREAT RD #B2	ACTON	MA	01720
420 GREAT RD #B3	C4-28-B03	WONG JUNIE M	WONG AGNES T	420 GREAT RD #B3	ACTON	MA	01720
420 GREAT RD #B4	C4-28-B04	CORTEZ LUIZ P		420 GREAT RD #B4	ACTON	MA	01720
420 GREAT RD #B5	C4-28-B05	FISCHER SUSAN		420 GREAT RD #B5	ACTON	MA	01720
420 GREAT RD #B6	C4-28-B06	WALSH TODD A	WALSH DELLA M	PO BOX 541278	WALTHAM	MA	02454
420 GREAT RD #B7	C4-28-B07	OVERBECK ANTJE	C/O HAMPTON HADDON	230 SECOND AVENUE	WALTHAM	MA	02154
420 GREAT RD #B8	C4-28-B08	CHAPPELLA DEREK		420 GREAT RD #B8	ACTON	MA	01720
420 GREAT RD #B9	C4-28-B09	YING CHAOMING	ZHOU JINGHUA	27 PARKER ST	ACTON	MA	01720
420 GREAT RD #B10	C4-28-B10	LALA KANAYO H	LALA SONI K	4 WEST ROAD	ACTON	MA	01720
420 GREAT RD #C1	C4-28-C01	BARRETT ANDREW D	BARRETT PETER	420 GREAT RD #C1	ACTON	MA	01720
420 GREAT RD #C2	C4-28-C02	JAYAKUMAR NAIR	JAYAKUMAR PREMLATA	420 GREAT RD #C2	ACTON	MA	01720
420 GREAT RD #C3	C4-28-C03	ADAMS GLENN R		420 GREAT RD #C3	ACTON	MA	01720
420 GREAT RD #C4	C4-28-C04	ELIAS SIMONE		63 FELLSWAY WEST #3	MEDFORD	MA	02155
420 GREAT RD #C5	C4-28-C05	RICHMOND HOUSE REALTY COMPANY	C/O PAGIARLAS STEPHANIE	420 GREAT ROAD #C5	ACTON	MA	01720
420 GREAT RD #C6	C4-28-C06	KYZIVAT, KEITH T		420 GREAT RD #C6	ACTON	MA	01720
420 GREAT RD #C7	C4-28-C07	YOUNG KATHLEEN A		420 GREAT RD #C7	ACTON	MA	01720
420 GREAT RD #C8	C4-28-C08	CARISTI LINDA T		420 GREAT RD #C8	ACTON	MA	01720
420 GREAT RD #C9	C4-28-C09	WHITEHEAD RAY B		68 OLD FARM RD	DOUGLAS	MA	01516
420 GREAT RD #C10	C4-28-C10	PAULHUS JEAN L		420 GREAT RD #C10	ACTON	MA	01720

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City	ST	Zip
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Abutters and owners of land directly opposite on any public or private street or way and abutters to the abutters within one hundred feet of the property line all as they appear on the most recent applicable tax list.

HEARING NOTICES FOR ALL SPECIAL PERMITS MUST BE SENT TO THE PLANNING BOARD, TOWN HALL IN THE FOLLOWING TOWNS:

Boxborough, MA 01729	Maynard, MA 01754	Concord, MA 01742	Littleton, MA 01460
Carlisle, MA 01741	Stow, MA 01775	Westford, MA 01886	Sudbury, MA 01776

BRIAN McMULLEN

2-May-12

ASSESSOR

Acton Assessors Office

ATTACHMENT 8

**Plan entitled “Proposed Stormwater Improvements,
411 & 419 Great Road, Acton, Massachusetts”
prepared by Norfolk Ram Group, LLC and
dated 05/14/2012 and stamped 05/21/2012**

From: CERO_NOI@MassMail.state.ma.us
To: barbaratyr@universalmgt.com; slevey@universalmgt.com; kkonary@norfolkram.com
Cc: ceronoi@state.ma.us; Conservation Commission; ceronoi@state.ma.us
Subject: MassDEP NOI File Number
Date: Wednesday, May 30, 2012 9:20:49 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: 05/30/2012

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 UNIVERSAL MANAGEMENT LLC	
Address 181 WELLS AVE, NEWTON MA 02459	Owner STUART LEVEY
Locus 411 & 419 GREAT RD , ACTON MA 01720	Address 181 WELLS AVENUE, NEWTON MA 02459

This project has been assigned the following file # : **CE 085-1093**
ISSUANCE OF A FILE NUMBER INDICATES ONLY COMPLETENESS OF
SUBMITTAL, NOT APPROVAL OF APPLICATION

Although a file # is being issued, please note the following:
NONE NOTED.

Regards,
for MassDEP,

(508)-767-2709
Joseph.Bellino@State.MA.US