

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,
M.G.L. c. 131, s. 40

and

Town of Acton Wetlands Protection Bylaw

for

**Lot A-1, 366 Pope Road
Map E6, Parcel 4
Acton, MA 01720**

Applicant & Owner: Mike Paratore
366 Pope Road
Acton, MA 01720

Date: May 24, 2012

SM-4574A

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- Notice of Intent – WPA Form 3
- NOI Wetland Fee Transmittal Form
- Certified Abutters List / Affidavit / Notice to Abutters

Attachments:

- A. Project Narrative
- B. U.S.G.S. Map
- C. Massachusetts Natural Heritage Atlas 13th Edition, Effective: October 1, 2008
- D. FEMA Flood Insurance Map
- E. Definitive Subdivision Plan by Stamski and McNary, Inc.



WPA Form 3 - Notice of Intent

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

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
Acton
City/Town

A. General Information (continued)

6. General Project Description:

The proposed project on Lot A-1 is for site grading and installation of utilities within Buffer Zone of a BVW with mitigation to be provided on this proposed residential lot.

7a. Project Type Checklist:

- 1. [X] 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 [X] 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

57659

c. Book

b. Certificate # (if registered land)

298

d. Page Number

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

- 1. [X] 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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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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

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

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

C. Other Applicable Standards and Requirements

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

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

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

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

October 1, 2008
b. Date of map



WPA Form 3 – Notice of Intent

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

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

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|-----------------------------|
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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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| | |
|-----------------------------|--|
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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.

Pine Ridge Farm Lane Site Development and Grading Plan

a. Plan Title

Stamski and McNary, Inc.

b. Prepared By

March 15, 2012

d. Final Revision Date

Sewage Disposal Plan, Lot A-1

f. Additional Plan or Document Title

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

c. Signed and Stamped by

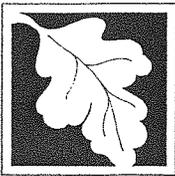
1"=40'

e. Scale

April 10, 2012

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

MassDEP File Number

Document Transaction Number

Acton

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E. Fees

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

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

| | | | |
|------------------------------------|---------|-----------------------------------|----------------|
| 2. Municipal Check Number | 286 | 3. Check date | MARCH 15, 2012 |
| 4. State Check Number | 285 | 5. Check date | MARCH 15, 2012 |
| 6. Payor name on check: First Name | MICHAEL | 7. Payor name on check: Last Name | PARATORE |

F. Signatures and Submittal Requirements

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

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

| | | | |
|---|--|---------|---------|
| 1. Signature of Applicant | | 2. Date | 3/15/12 |
| 3. Signature of Property Owner (if different) | | 4. Date | 3/15/12 |
| 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:

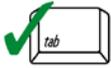
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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.



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:

Lot A-1, 366 Pope Road Acton
 a. Street Address b. City/Town
 _____ \$42.50
 c. Check number d. Fee amount

2. Applicant Mailing Address:

Mike Paratore
 a. First Name b. Last Name

 c. Organization
 366 Pope Road
 d. Mailing Address
 Acton MA 01720
 e. City/Town f. State g. Zip Code
 978-618-6234 978-268-5154 mparatore@bentlybuildingcorp.com
 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

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.

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



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

B. Fees (continued)

| Step 1/Type of Activity | Step 2/Number of Activities | Step 3/Individual Activity Fee | Step 4/Subtotal Activity Fee |
|----------------------------------|-----------------------------|--------------------------------|------------------------------|
| Site work without dwelling | 1 | \$110.00 | \$110.00 |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| Step 5/Total Project Fee: | | | \$110.00 |

Step 6/Fee Payments:

| | |
|--------------------------------|--------------------------------------|
| Total Project Fee: | \$110.00 |
| State share of filing Fee: | \$42.50 |
| City/Town share of filing Fee: | \$67.50 |
| | a. Total Fee from Step 5 |
| | b. 1/2 Total Fee less \$12.50 |
| | c. 1/2 Total Fee plus \$12.50 |

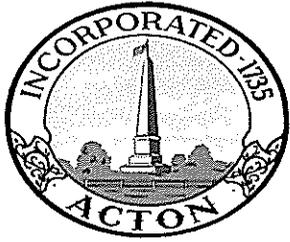
C. Submittal Requirements

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

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

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

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



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

Brian McMullen
Assessor

Locus: 366 POPE RD
Parcel ID: E6-4

| Location | Parcel ID | Owner | Co-Owner | Mailing Address | City | ST | Zip |
|---------------------|-----------|-----------------------|---------------------------|--------------------------|------------|----|-------|
| 9 TRIANGLE FARM LN | D6-3 | EMBRY BRUCE J TRUSTEE | DARCY WOOD TRUST | 55 CAMBRIDGE PARK WY | CAMBRIDGE | MA | 02142 |
| 15 TRIANGLE FARM LN | D6-3.1 | EMBRY BRUCE J TRUSTEE | JAMIE HILL TRUST | 55 CAMBRIDGE PARKWAY | CAMBRIDGE | MA | 02142 |
| 21 TRIANGLE FARM LN | D6-3.2 | STONES THROW TRUST | C/O SANDRA A CRAIG | 1 MAIN STREET | LEOMINSTER | MA | 01453 |
| 376 POPE RD | E6-2 | ROOP WILLIAM R III | | 376 POPE RD | CONCORD | MA | 01742 |
| 380 POPE RD | E6-3 | ROOP WILLIAM R III | TRUSTEE 380 POPE RD TRUST | 376 POPE ROAD | CONCORD | MA | 01742 |
| 362 POPE RD | E6-7 | TOWN OF ACTON | | 472 MAIN STREET | ACTON | MA | 01720 |
| 352 POPE RD | E6-8 | COTE THOMAS P | | 109 MARLBOROUGH ST APT 3 | BOSTON | MA | 02116 |
| 369 POPE RD | E6-19 | SEWARD SUSAN U | FREDERICK | 158 SPENCER BROOK R | CONCORD | MA | 01742 |
| 359 POPE RD | E6-20.5 | RANDLE STUART A | RANDLE ANNE A | 359 POPE RD | ACTON | MA | 01720 |
| 363 POPE RD | E6-20-6 | FIGGH LESLIE | | 149 SPENCER BROOK | CONCORD | MA | 01742 |
| 20 TRIANGLE FARM LN | D6-3-4 | CRAIG SANDRA A | | 1 MAIN STREET | LEOMINSTER | MA | 01453 |

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

6-Mar-12

Acton Assessors Office



Town of Concord
Board of Assessors
24 Court Lane
P.O. Box 535
Concord, Massachusetts 01742-0535
Tel: (978) 318-3070
Fax: (978) 3694760

ABUTTERS LIST

PROPERTY : Concord Abutters for 336 Pope Rd., Acton, MA

MAP: E02

PARCEL: 1565-2, 1565-3, 1567-2

As per Massachusetts General Laws Chapter 131, Section 40 whereas the "abutters" included shall be:

Any person filing a notice of intention with a conservation commission shall at the same time give written notification thereof, by delivery in hand or certified mail, return receipt requested, to all abutters within one hundred feet of the property line of the land where the activity is proposed, at the mailing addresses shown on the most recent applicable tax list of the assessors, including, but not limited to, owners of land directly opposite said proposed activity on any public or private street or way, and in another municipality or across a body of water.

The Board of Assessors hereby certifies that the attached list contains the record owners as of January 1, 2011, and recorded on the current tax rolls. In addition, the Board certifies that the list includes owners, as per recorded deeds as received up to December 31, 2011.

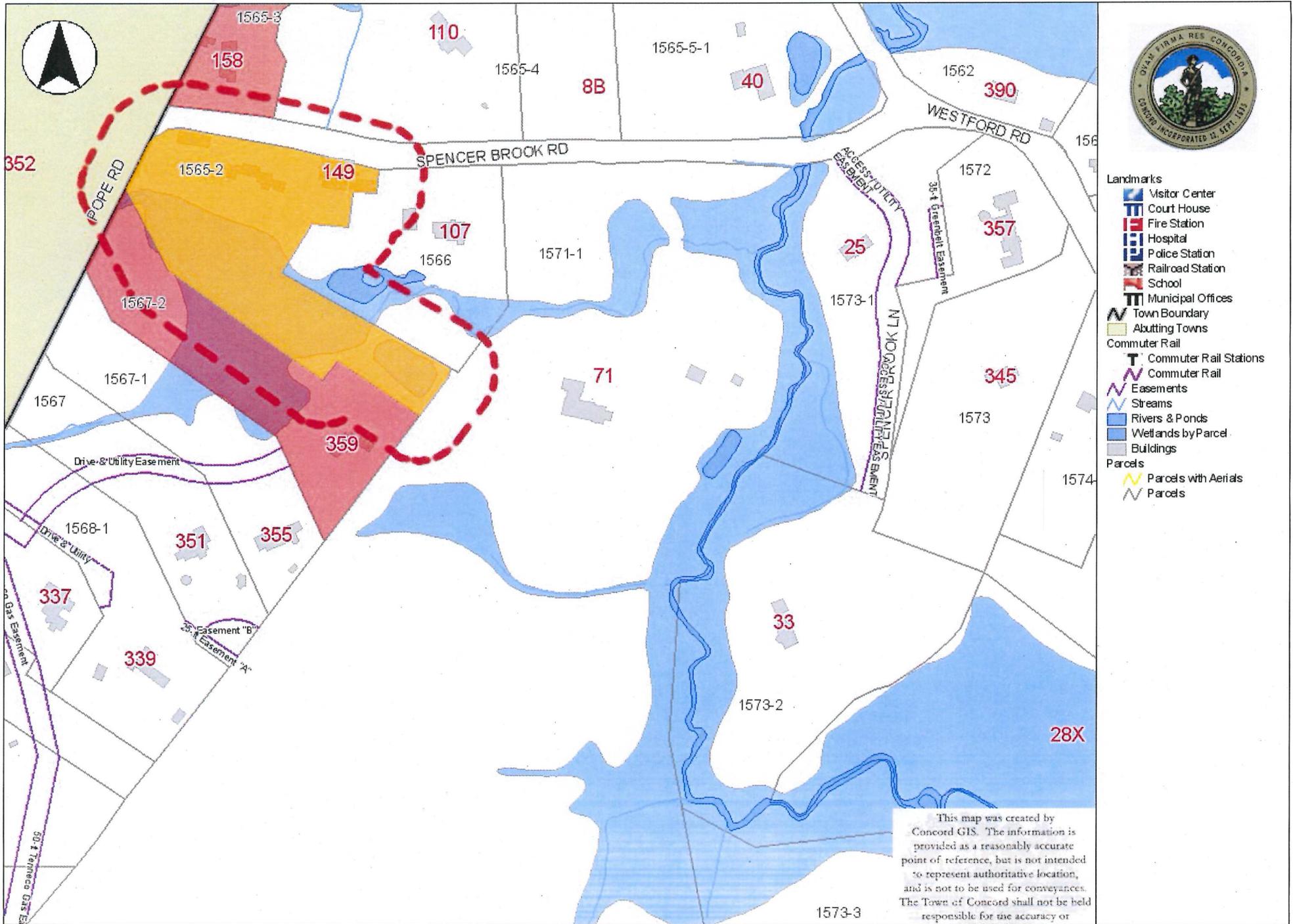
William B. MacAfee
James L. Phelps
David Kurr

Board of Assessors

2/2/12
Date

Abutters List for 336 Pope Rd., Acton, MA, using a distance of 100 ft.:

| Parcel | Parcel Location | Name & Billing Address as of January 1, 2011 | Name & Billing Address as of December 31, 2011 |
|---------------|------------------------|---|---|
| 1565-2 | 149 Spencer Brook Rd | Leslie A S Feigh 149 Spencer Brook Rd Concord, MA 01742 | |
| 1565-3 | 158 Spencer Brook Rd | Frederick D & Susan U Seward Tr Seward Real Estate Trust No 1 158 Spencer Brook Rd Concord, MA 01742 | |
| 1567-2 | 359 Pope Rd | Anne A Randle Tr The Anne A Randle Trust of 1998 359 Pope Rd Concord, MA 01742 | |



- Landmarks**
- Visitor Center
 - Court House
 - Fire Station
 - Hospital
 - Police Station
 - Railroad Station
 - School
 - Municipal Offices
- Town Boundary**
- Town Boundary
- Abutting Towns**
- Abutting Towns
- Commuter Rail**
- Commuter Rail Stations
 - Commuter Rail
- Easements**
- Easements
- Streams**
- Streams
- Rivers & Ponds**
- Rivers & Ponds
- Wetlands by Parcel**
- Wetlands by Parcel
- Buildings**
- Buildings
- Parcels**
- Parcels with Aerials
 - Parcels

This map was created by Concord GIS. The information is provided as a reasonably accurate point of reference, but is not intended to represent authoritative location, and is not to be used for conveyances. The Town of Concord shall not be held responsible for the accuracy or

0 300 600 ft

Abutters For 336 Pope Rd.

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, William Hall, hereby certify under the pains and penalties of perjury that on 5/24/12 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 Mike Paratore with the Acton Conservation
Commission for property located at Lot A-1, 366 Pope Road,
Map E6, Parcel 4.

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: Bill Hall

Date: 5/24/12

NOTIFICATION TO ABUTTERS
UNDER THE TOWN OF ACTON WETLAND PROTECTION BYLAW

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

The Applicant: Mike Paratore

Address: 366 Pope Road, Acton, MA 01720 Phone: (978) 263-8585

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 Town of Acton Wetlands Protection Bylaw.

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: Lot A-1, 366 Pope Road

Town Atlas Plate/Map: E-6 Parcel/Lot: 4, Lot A-1

Project Description: The proposed project on Lot A-1 is for site grading and installation of utilities within Buffer Zone of a BVW with mitigation to be provided on this proposed residential lot.

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 978-929-6634.

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

Project Narrative

Existing Conditions:

Lot A-1 is approximately 1.8 acres in size. The portions of the lot within the Buffer Zone contains part of the existing garage, two sheds, a barn, and paddocks along with a gravel driveway and cleared areas associated within the former horse barn operated by the previous owner. The limit of clearing presently extends to within 5 feet of the edge of Bordering Vegetated Wetlands on-site along the rear property line and existing drainage features consisting of rip rap swales and PVC pipes within the paddock areas to convey runoff through the site and around major features.

Resource Areas and Buffer Zone:

The resource areas on the site were verified with an Order of Resource Area Delineation, DEP File # 085-1075.

Bordering Vegetated Wetland:

In the Northwest portion of the site, a Bordering Vegetated Wetland was identified. The Bordering Vegetated Wetland is located along the rear property line behind a stone wall. This wetland is subject to protection under both the Commonwealth of Massachusetts Wetland Protection Act and the Acton Wetlands Protection Bylaw (AWPB).

Buffer Zone:

A 100 foot buffer zone projects from the Bordering Vegetated Wetland per the Town of Acton Wetlands Protection Bylaw and the Commonwealth of Massachusetts Wetland Protection Act (WPA). The dwelling proposed is greater than 100 feet from the edge of the Bordering Vegetated Wetland, however there will be associated grading for the rear yard greater than 50 feet from the edge of the Bordering Vegetated Wetland. The proposed septic system and soil absorption system will also be located greater than 100 feet from the Bordering Vegetated Wetland. A new drop inlet catch basin is proposed to replace the existing rip rap drainage area to allow for the existing PVC drain pipe to be redirected around the proposed dwelling.

Compliance with the WPA and AWPB:

The proposed project is in compliance with the wetland setbacks for new activities as outlined under Construction Standards and Restrictions. There will be no activity within 50 feet of the edge of the Bordering Vegetated Wetland except for placing boulders and allowing natural re-growth of vegetation inside the 50 foot buffer zone.

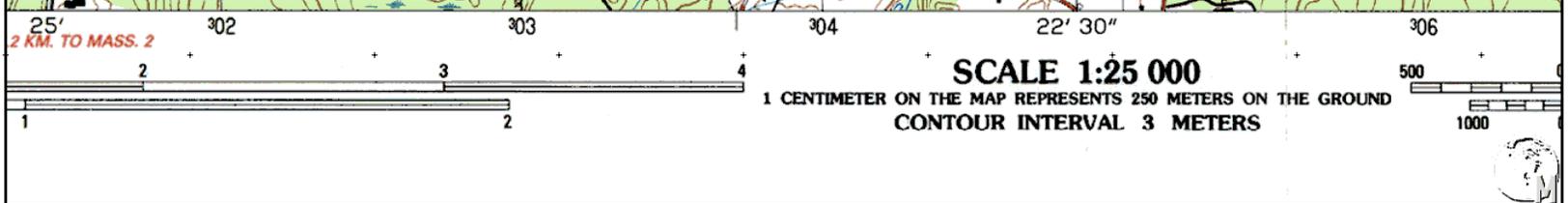
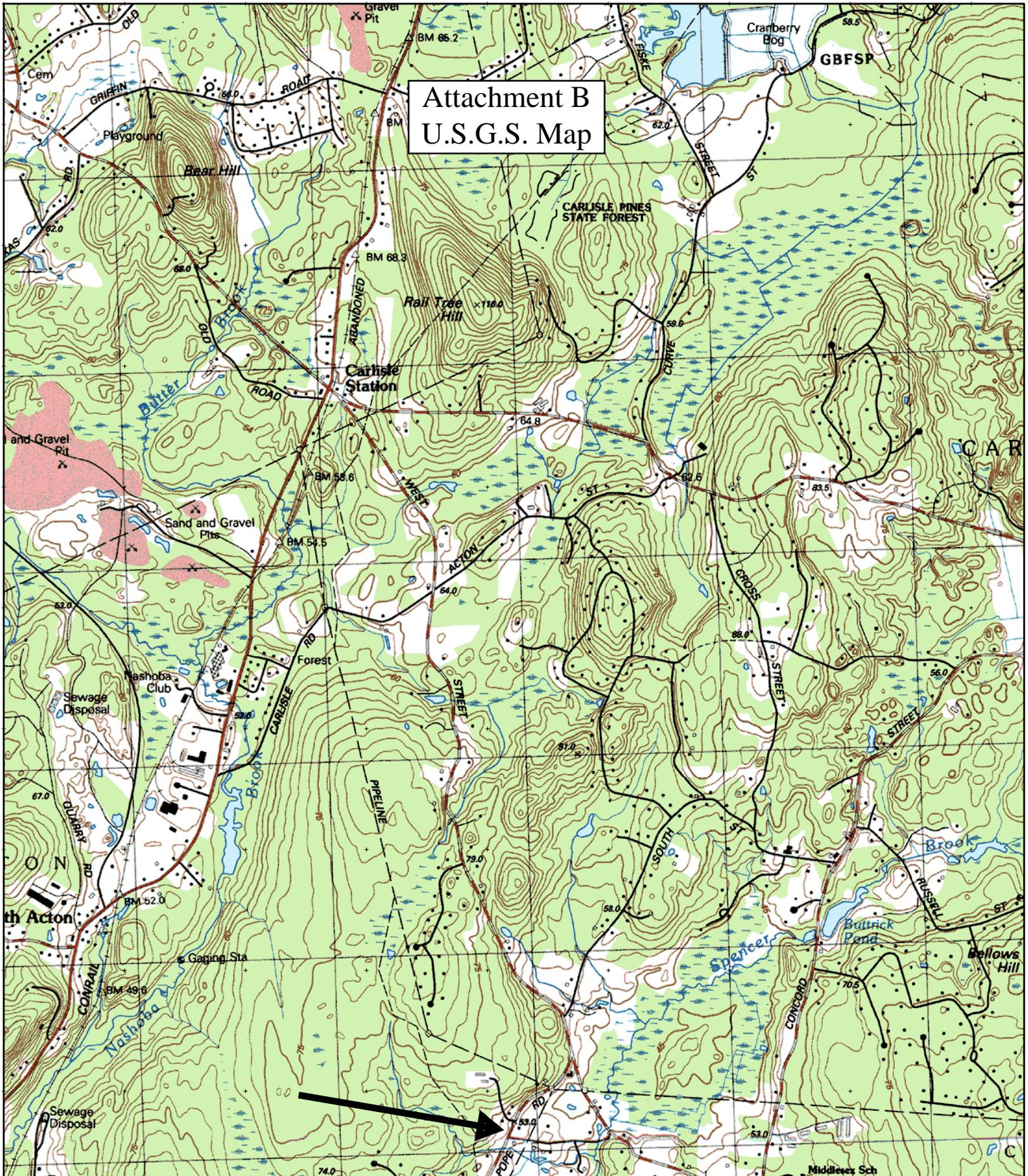
Summary:

The proposed activity is regulated under the Town of Acton Wetlands Protection Bylaw, and the Wetland Protection Act. The activity meets the wetland setbacks for new activities within 100 feet of a Bordering Vegetated Wetland and mitigation provided to allow the 50 foot Buffer Zone to re-establish itself along the rear property line outside of the North paddock. Erosion and Sedimentation control measures are proposed to avoid impacts from construction related activities. All disturbed surfaces shall be permanently stabilized with vegetation.

Lot A-1 Construction Sequence

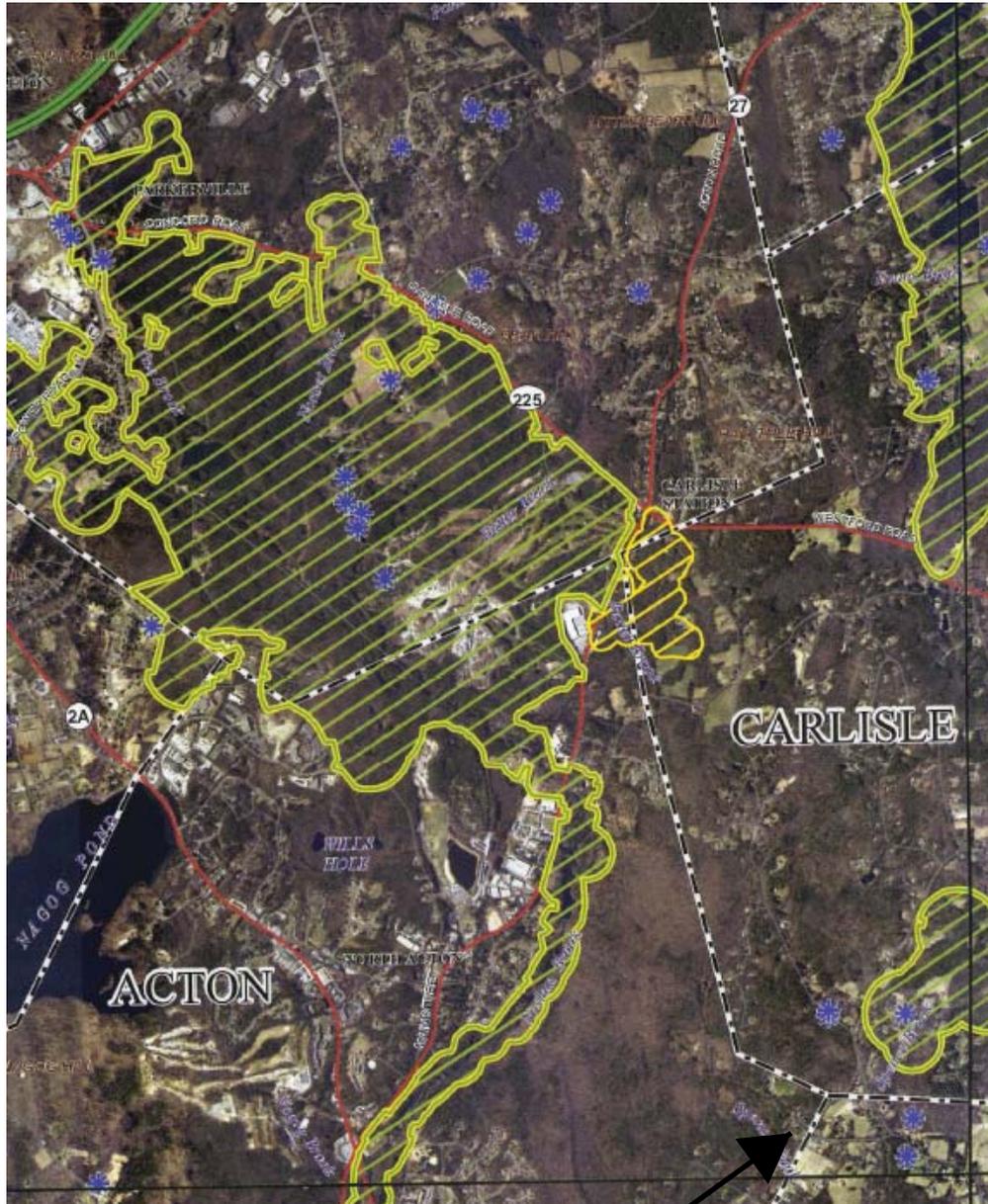
1. Install siltation controls in buffer zone per plan.
2. Raze existing three car garage.
3. Raze two horse sheds located outside Northwest BVW 50' buffer zone including water and electrical services to each shed.
4. Locate boulders along 50' buffer zone of Northwest BVW 50' as proposed, excluding North 120'x120' horse paddock.
5. Remove any stockpiles of boulders or soil from previous owner.
6. Replace rip rap drainage with drop inlet catch basin and redirect PVC pipe around proposed dwelling.
7. Install rear yard site grading and loam and seed all disturbed areas.

Attachment B
U.S.G.S. Map



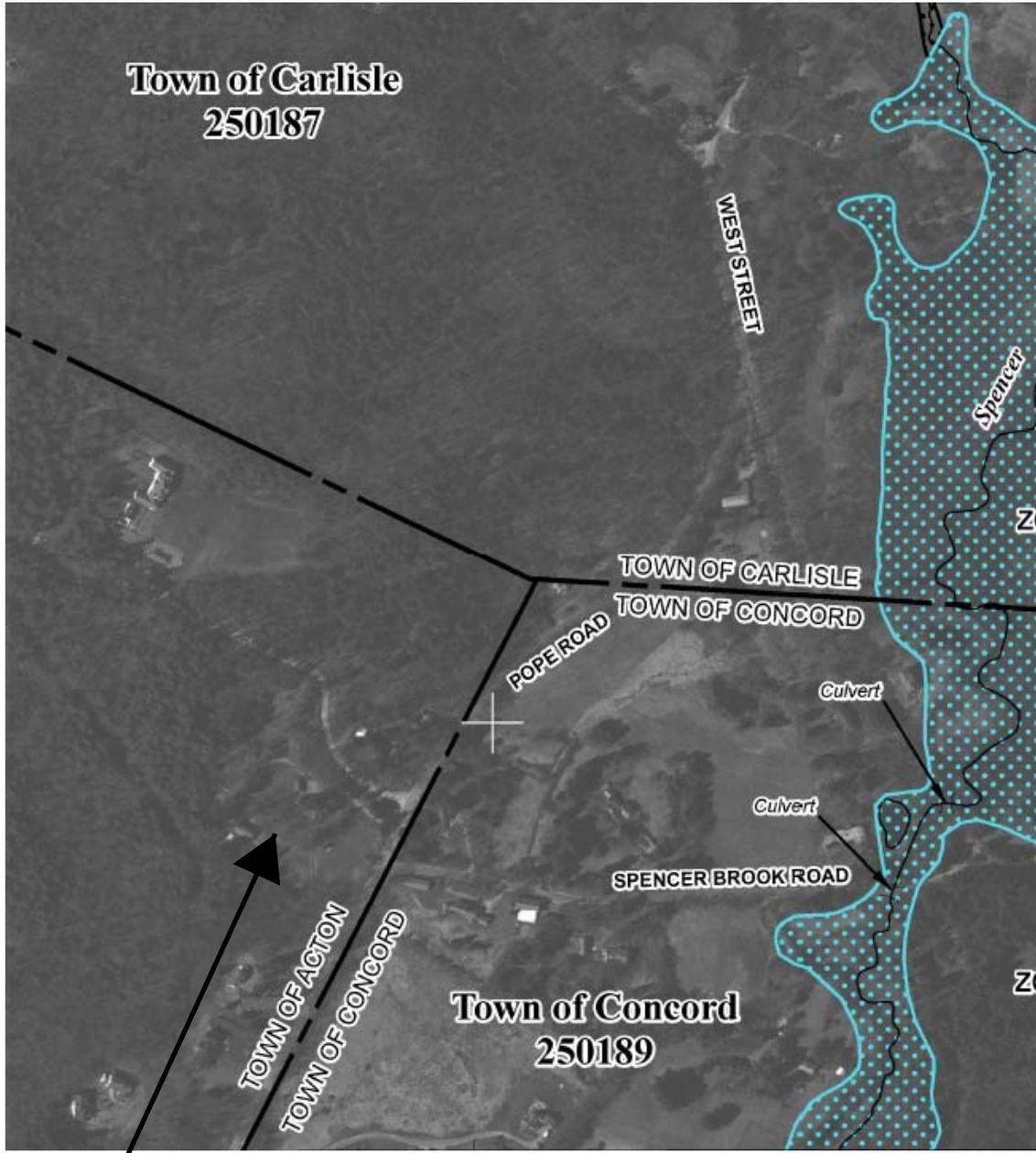
Attachment C

Massachusetts Natural Heritage Atlas 13th Edition



LOCUS

Attachment D
FEMA Flood Insurance Map



LOCUS

