

**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-2, 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 13<sup>th</sup> Edition, Effective: October 1, 2008
- D. FEMA Flood Insurance Map
- E. Wetland Permitting Plan by Stamski and McNary, Inc.
- F. Sewage Disposal Plan by Stamski and McNary, Inc.
- G. Landscape Plan by Kim Ahearn Landscape Architects



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

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

Provided by MassDEP:

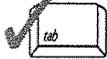
MassDEP File Number \_\_\_\_\_

Document Transaction Number \_\_\_\_\_

Acton \_\_\_\_\_

City/Town \_\_\_\_\_

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



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

**A. General Information**

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

Lot A-2, 366 Pope Road \_\_\_\_\_ Acton \_\_\_\_\_ 01720 \_\_\_\_\_

a. Street Address b. City/Town c. Zip Code

Latitude and Longitude: 42°30'10" N \_\_\_\_\_ 71°23'14" W \_\_\_\_\_

d. Latitude e. Longitude

Map E6 \_\_\_\_\_ Parcel 4 \_\_\_\_\_

f. Assessors Map/Plat Number g. Parcel /Lot Number

2. Applicant:

Michael \_\_\_\_\_ Paratore \_\_\_\_\_

a. First Name b. Last Name

\_\_\_\_\_

c. Organization

366 Pope Road \_\_\_\_\_

d. Street 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 (required if different from applicant):  Check if more than one owner

\_\_\_\_\_

a. First Name b. Last Name

\_\_\_\_\_

c. Organization

\_\_\_\_\_

d. Street Address

\_\_\_\_\_

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

\_\_\_\_\_

h. Phone Number \_\_\_\_\_ i. Fax Number \_\_\_\_\_ j. Email address \_\_\_\_\_

4. Representative (if any):

Richard J. \_\_\_\_\_ Harrington \_\_\_\_\_

a. First Name b. Last Name

Stamski and McNary, Inc. \_\_\_\_\_

c. Company

1000 Main Street \_\_\_\_\_

d. Street Address

Acton \_\_\_\_\_ MA \_\_\_\_\_ 01720 \_\_\_\_\_

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

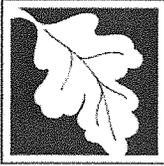
978-263-8585 \_\_\_\_\_ 978-263-9883 \_\_\_\_\_ rjh@stamskiandmcnary.com \_\_\_\_\_

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

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

\$750.00 (+\$150.00 Bylaw) \_\_\_\_\_ \$362.50 \_\_\_\_\_ \$387.50 (\$150.00 Bylaw) \_\_\_\_\_

a. Total Fee Paid b. State Fee Paid c. City/Town Fee Paid



# WPA Form 3 – Notice of Intent

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

Provided by MassDEP:
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## A. General Information (continued)

### 6. General Project Description:

The proposed project on Lot A-2 is to replace an existing dwelling with associated driveway, grading and utilities within the Buffer Zone of Bank of an intermittent stream and expansion of the existing soil absorption system within the Riverfront Area of an off-site perennial stream. Portions of Bank along intermittent stream on-site to be altered will be replicated with mitigation provided.

### 7a. Project Type Checklist:

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

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

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

2. Limited Project

### 8. Property recorded at the Registry of Deeds for:

Middlesex South

a. County

57659

c. Book

b. Certificate # (if registered land)

298

d. Page Number

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

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

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

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input checked="" type="checkbox"/> Bank	<u>76±</u> 1. linear feet	<u>76+</u> 2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet



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

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

2. Width of Riverfront Area (check one):

25 ft. - Designated Densely Developed Areas only

100 ft. - New agricultural projects only

200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project:

49,758±  
square feet

4. Proposed alteration of the Riverfront Area:

6,118±

a. total square feet

0

b. square feet within 100 ft.

6,118±

c. square feet between 100 ft. and 200 ft.

5. Has an alternatives analysis been done and is it attached to this NOI?

Yes  No

6. Was the lot where the activity is proposed created prior to August 1, 1996?

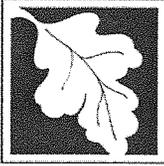
Yes  No

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

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

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

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



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

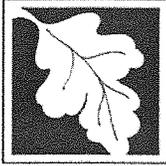
Table with columns: Description, Size of Proposed Alteration, Proposed Replacement (if any). Rows include Coastal Banks, Rocky Intertidal Shores, Salt Marshes, Land Under Salt Ponds, Land Containing Shellfish, Fish Runs, Land Subject to Coastal Storm Flowage, Restoration/Enhancement, and Project Involves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



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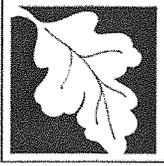
## C. Other Applicable Standards and Requirements (cont'd)

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<br>Attn: Environmental Reviewer<br>1213 Purchase Street – 3rd Floor<br>New Bedford, MA 02740-6694 | Division of Marine Fisheries - North Shore Office<br>Attn: Environmental Reviewer<br>30 Emerson Avenue<br>Gloucester, MA 01930 |

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

3. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
- a.  Yes  No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- 
- b. ACEC
4. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
- a.  Yes  No
5. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
- a.  Yes  No
6. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
- a.  Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
- Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
  - A portion of the site constitutes redevelopment
  - Proprietary BMPs are included in the Stormwater Management System.
- b.  No. Check why the project is exempt:
- Single-family house

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



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

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

## D. Additional Information

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

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

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

See Table of Contents

a. Plan Title

Stamski and McNary, Inc.

b. Prepared By

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

c. Signed and Stamped by

d. Final Revision Date

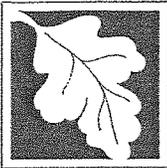
e. Scale

See Table of Contents

f. Additional Plan or Document Title

g. Date

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



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## E. Fees

- 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:

289	MARCH 15, 2012
2. Municipal Check Number	3. Check date
288	MARCH 15, 2012
4. State Check Number	5. Check date
MICHAEL	PARATORE
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.

	3/15/12
1. Signature of Applicant	2. Date
	3/15/12
3. Signature of Property Owner (if different)	4. Date
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-2, 366 Pope Road Acton  
 a. Street Address b. City/Town  
\$362.50  
 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
single family dwelling (Riverfront)	1	\$500 x 1.5	\$750.00

**Step 5/Total Project Fee:** \$860.00

**Step 6/Fee Payments:**

Total Project Fee:	<u>\$750.00</u>
State share of filing Fee:	<u>\$362.50</u>
City/Town share of filling Fee:	<u>\$387.50 (+\$150 Bylaw)</u>

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	FIEGH 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.

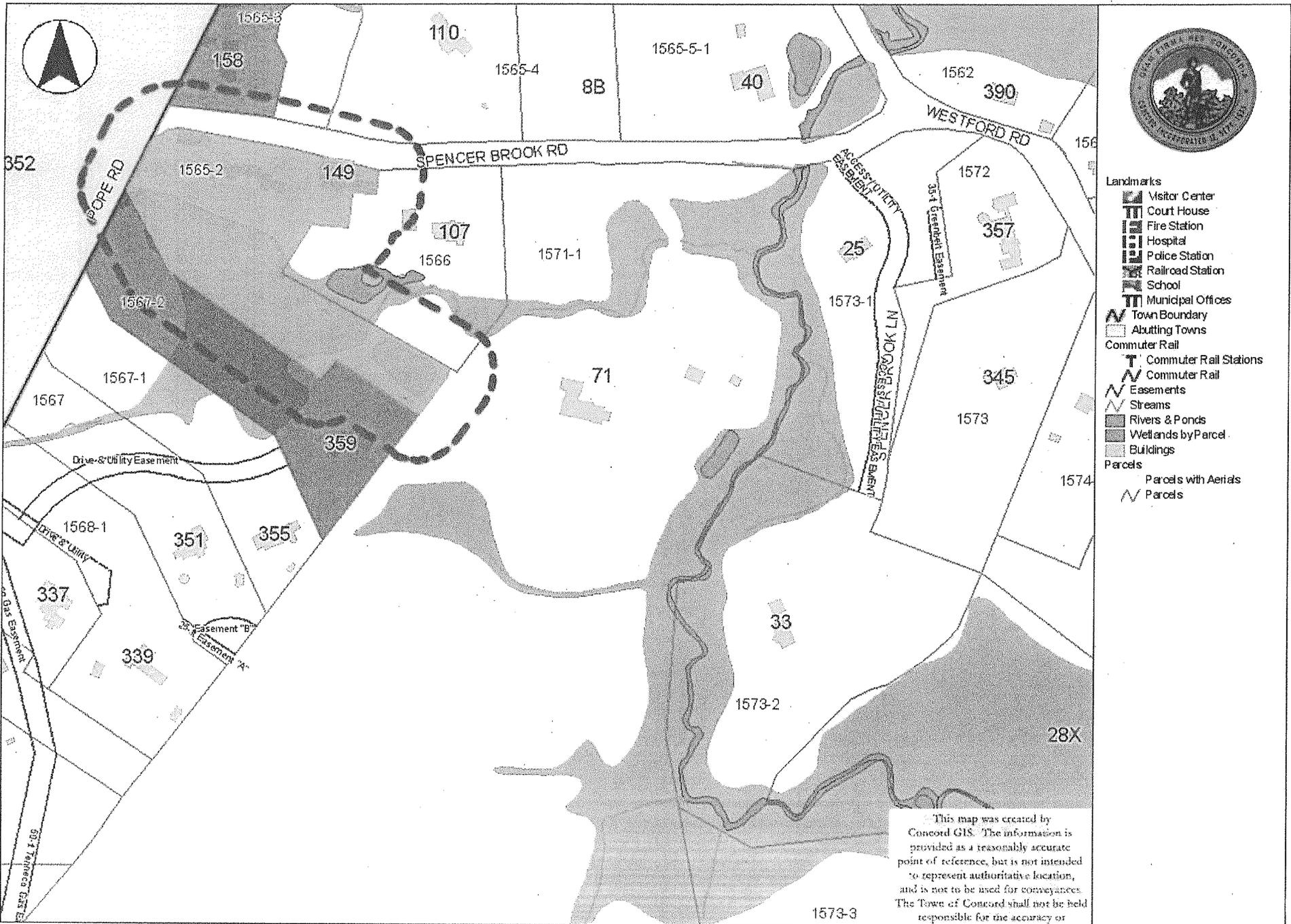
The Board of Assessors hereby certifies that the attached list contains the record owners as of January 1, 2011, and recorded on the current tax rolls. In addition, the Board certifies that the list includes owners, as per recorded deeds as received up to December 31, 2011.

William B. MacAfee  
James L. Phelps  
David K...  
Board of Assessors

2/2/12  
Date

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

<b>Parcel</b>	<b>Parcel Location</b>	<b>Name &amp; Billing Address as of January 1, 2011</b>	<b>Name &amp; Billing Address as of December 31, 2011</b>
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	



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 5/24/2012 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 Mike Paratore with the Acton Conservation  
Commission for property located at Lot A-2, 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 Doherty

Date: 5/24/2012

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-2, 366 Pope Road

Town Atlas Plate/Map: E-6 Parcel/Lot: 4, Lot A-2

Project Description: The proposed project on Lot A-2 is to replace an existing dwelling with associated driveway, grading and utilities within the Buffer Zone of Bank of an intermittent stream and expansion of the existing soil absorption system within the Riverfront Area of an off-site perennial stream. Portions of Bank along intermittent stream on-site to be altered will be replicated with mitigation provided.

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)

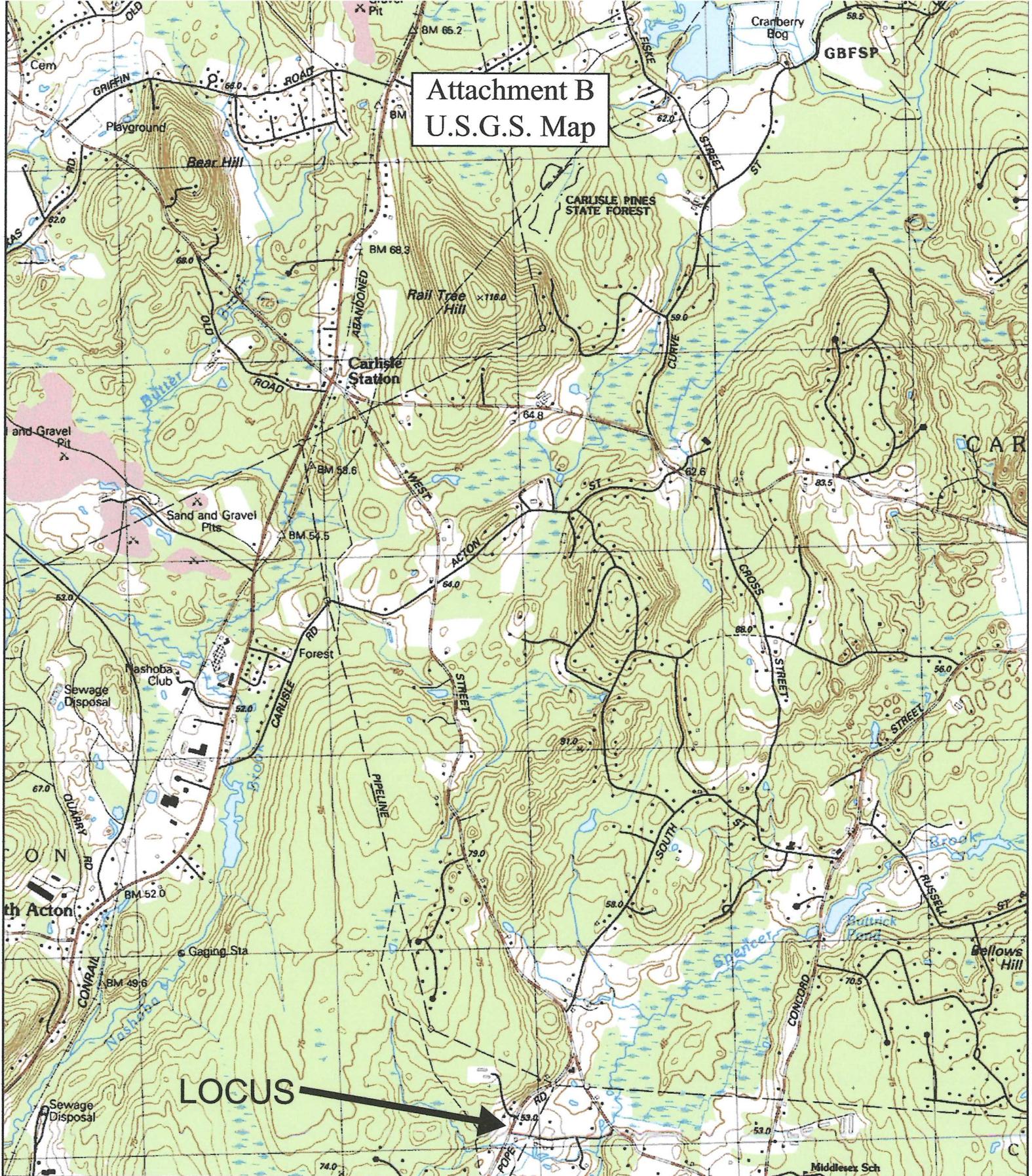
The notice of the public hearing, will be published at least five (5) days in advance in the *Beacon* newspaper or *Metrowest Daily News*.

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:

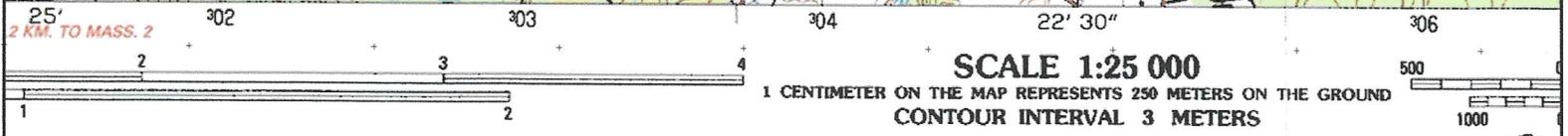
**\*Central Region: 508-792-7650**  
Southeast Region: 508-946-2700

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

# Attachment B U.S.G.S. Map

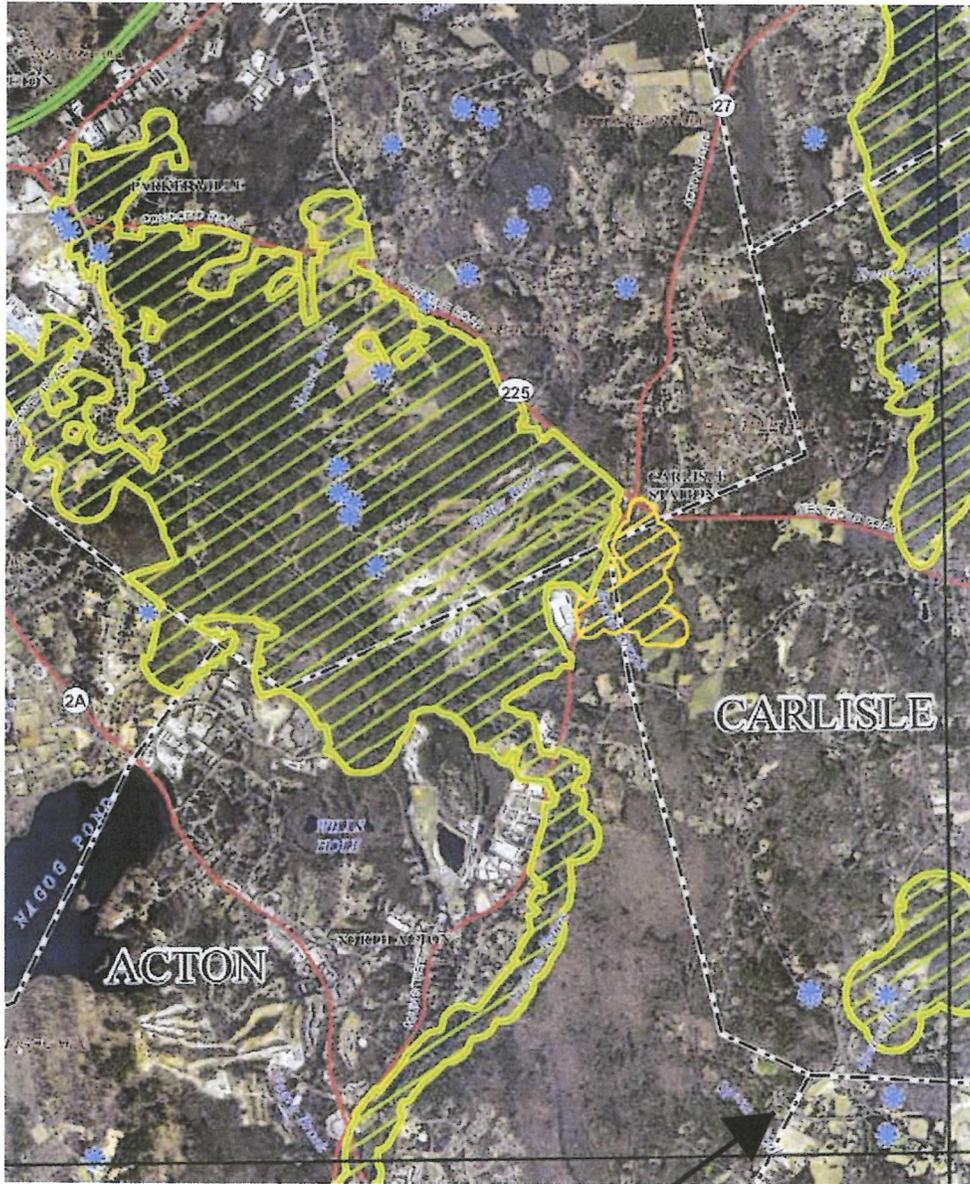


**LOCUS** →



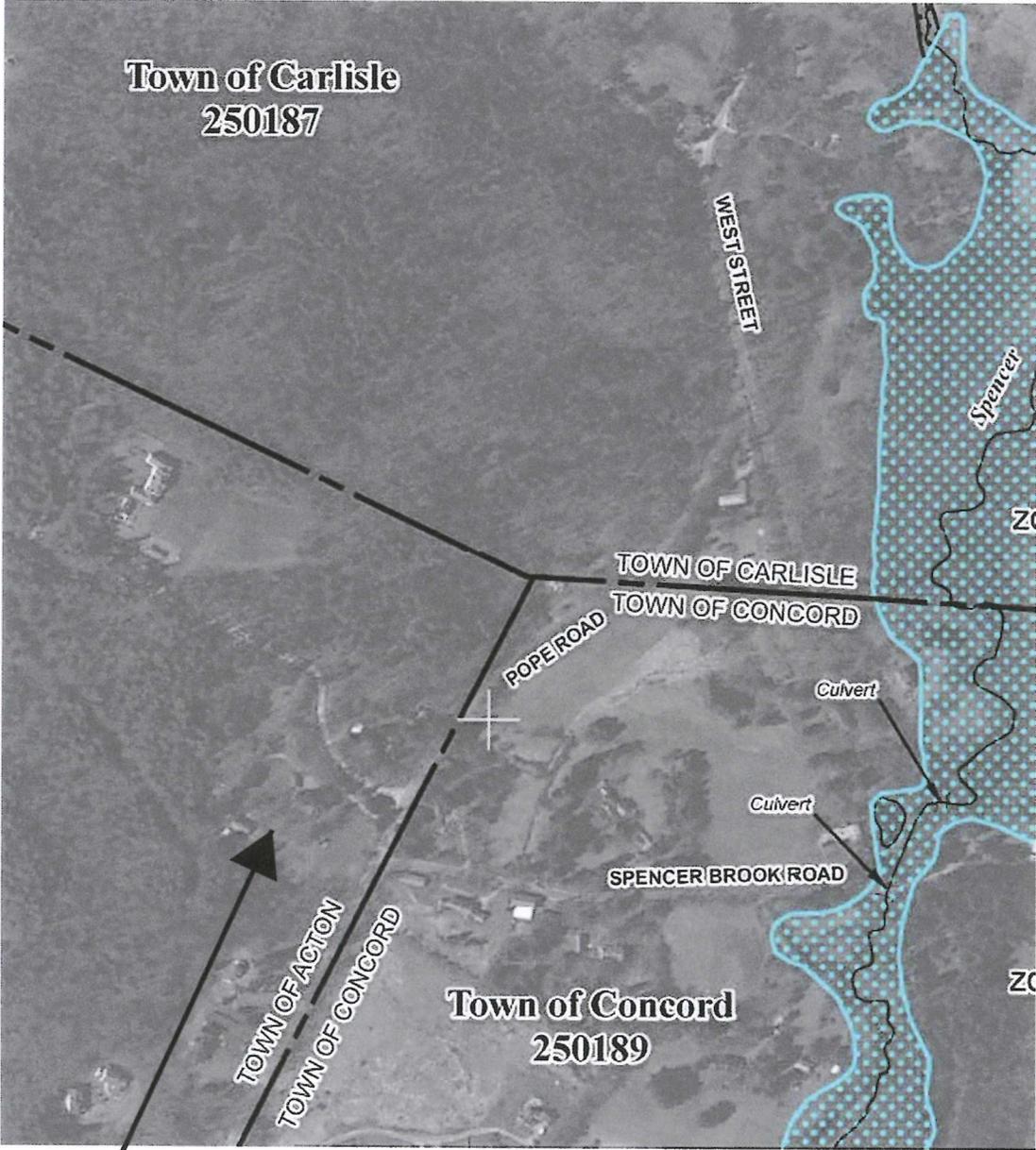
Attachment C

Massachusetts Natural Heritage Atlas 13<sup>th</sup> Edition



LOCUS

Attachment D  
FEMA Flood Insurance Map

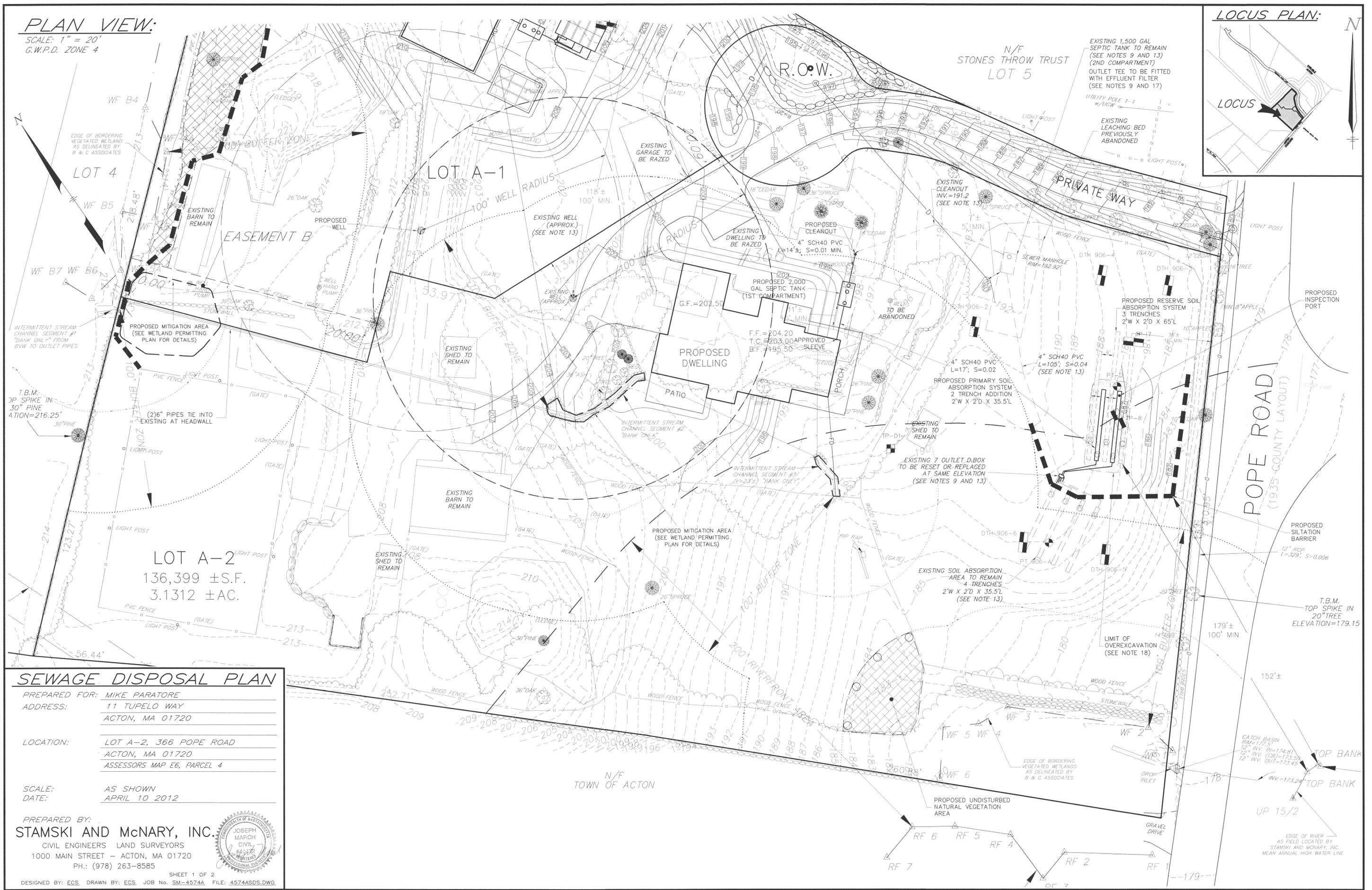
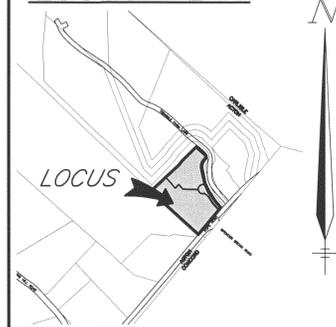


LOCUS

**PLAN VIEW:**

SCALE: 1" = 20'  
G.W.P.D. ZONE 4

**LOCUS PLAN:**



**SEWAGE DISPOSAL PLAN**

PREPARED FOR: MIKE PARATORE  
 ADDRESS: 11 TUPELO WAY  
 ACTON, MA 01720

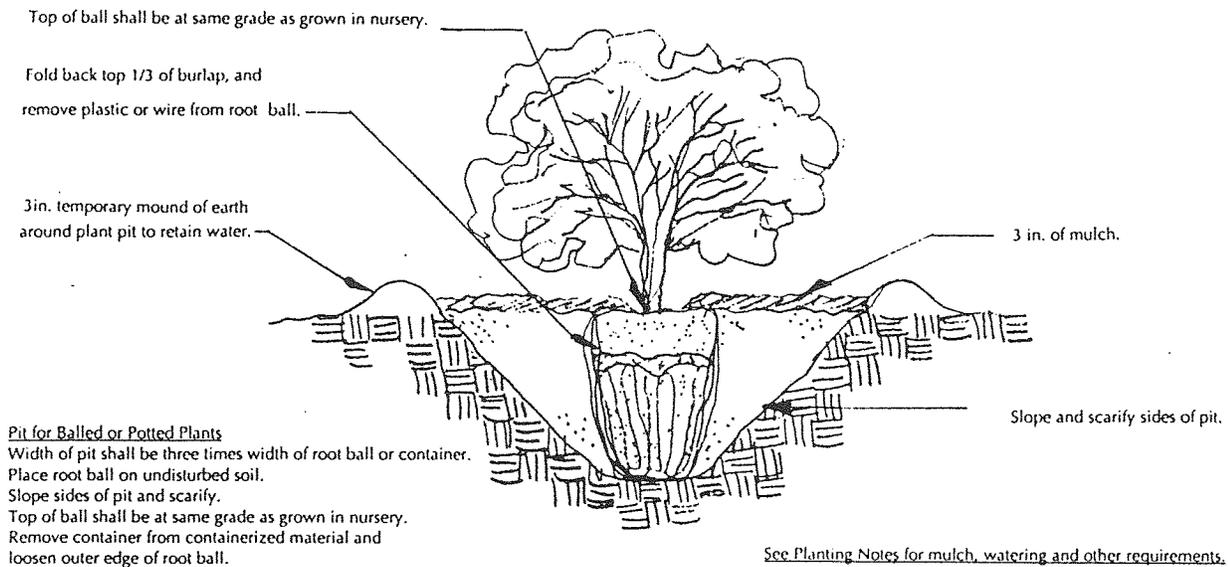
LOCATION: LOT A-2, 366 POPE ROAD  
 ACTON, MA 01720  
 ASSESSORS MAP E6, PARCEL 4

SCALE: AS SHOWN  
 DATE: APRIL 10 2012

PREPARED BY:  
**STAMSKI AND McNARY, INC.**  
 CIVIL ENGINEERS LAND SURVEYORS  
 1000 MAIN STREET - ACTON, MA 01720  
 PH.: (978) 263-8585



## Planting Detail



### Planting Mix & Watering:

Backfill shall be slightly improved material from pit.  
Break up clods and compacted soil and add minimal amounts of vermiculite and organic material if soil is poor.  
Add soil gradually and tamp lightly when backfilling.  
Water halfway and allow to drain.  
Water thoroughly after backfill complete.

## Shrub Planting

Not to Scale

## **Kim Ahern Landscape Architects**

40 Foster Street  
Littleton, MA 01460

### **GENERAL NOTES**

1. Landscape contractor shall follow Town & State of MA standard specifications for all work in this project.
2. Landscape Contractor shall meet with all appropriate Town departments, as necessary, prior to construction to make him/herself aware of all utilities and other conditions affected by this work. Landscape Contractor shall coordinate Dig Safe and be responsible for any necessary permitting & insurance for this project.
3. The Landscape/Site Plan is for design intent only. Landscape Contractor may scale from the drawing, however final plant and other layout shall be worked out on site with the Landscape Architect (L.A.).
4. See all relevant plans for this project. Locate and flag all utilities and tanks prior to grading & planting. The Landscape Contractor shall be held responsible for any breaks or disturbances of these systems caused by his/her work.
5. The Landscape Contractor shall take soil tests throughout the site where new plantings will occur. At a minimum, and as approved by the L.A., he/she shall grub site and amend with necessary organic material to bring soil to levels required to sustain the plantings shown on the plan.
6. Grading: Landscape Contractor shall grade site for positive drainage. Acceptance of grading is required before planting can begin.
7. All removals shall be the responsibility of the Contractor, unless approved otherwise. Disposals shall be made in a lawful manner.

## Kim Ahern Landscape Architects

40 Foster Street  
Littleton, MA 01460

### PLANTING NOTES

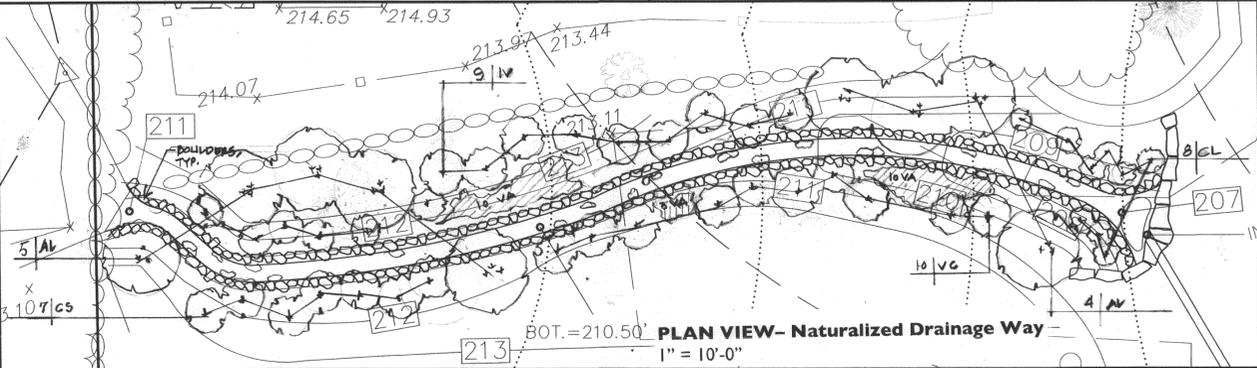
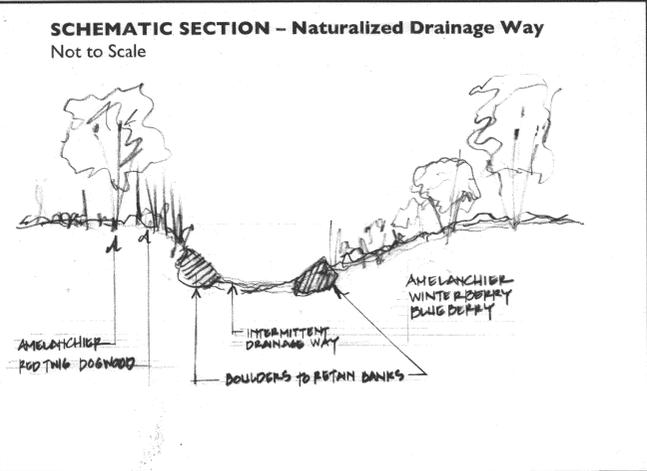
1. The Landscape Contractor shall supply all plant materials in quantities sufficient to complete the planting plan shown on the drawings.
2. All materials shall conform to the guidelines established by the "American Standard for Nursery Stock", published by the American Association of Nurserymen.
3. All plants shall be balled in burlap unless specified otherwise. No root bound container stock will be accepted. All plastic root wrapping and metal wire baskets shall be removed at the time of planting, except that wire which is directly under the root ball.
4. All plants shall bear the same relationship to finished grade as to original grade before digging.
5. The Landscape Contractor shall blend the new earthwork smoothly with existing contours.
6. The Landscape Contractor is responsible for providing the required loam/planting mix.
7. The Landscape Plan is for design intent only. Landscape Contractor may scale from the drawing; however, final plant layout shall be worked out on site with the Landscape Architect (L.A.). Landscape Contractor shall set out plants on grade generally as shown on the plan for approval by L.A. L.A. may direct landscape contractor to relocate plants until design intent is accomplished as determined by L.A.
8. Care shall be taken not to disturb existing plant materials. When digging near the base of existing materials, no roots shall be disturbed. Use only hand tools for excavation work in these areas. Any plant injured or destroyed shall be replaced with a plant of equal or greater size at the Landscape Contractor's expense.
9. The Landscape Contractor shall water the plants thoroughly at the time of planting and twice during the first 24 hours after planting. The Landscape Contractor shall maintain the plants for two weeks after planting, including watering. Contractor shall clearly instruct owner as to watering requirements needed after the end of the 2 week period. Contractor shall make periodic visits to check on plant material during the warranty period and shall notify the Owner and L.A. if there are any problems that need to be addressed.
10. The Landscape Contractor shall fertilize new plants with 10-10-10 fertilizer according to manufacturer's instructions, only after discussions with the Landscape Architect.
11. Pruning: Lightly prune all woody plants **ONLY** if directed by L.A. A person qualified and experienced in this work shall do the pruning. Do not remove all terminal buds. All trees shall have a single leader unless specified by the Landscape Architect. Tree leaders shall not be pruned by the Landscape Contractor or the nursery/grower. Landscape Architect retains the right to reject any trees with pruned leaders and the Landscape Contractor shall replace such material at his/her own expense.
12. All plants shall be sprayed with an anti-desiccant within 24 hours after planting, and again the first week of November the first fall after planting.
13. Mulch: Two to three inches of very dark brown shredded pine bark mulch shall be spread throughout all planting beds. Keep mulch away from tree trunks. Submit sample of mulch to Landscape Architect for approval.
14. *All plants shall be guaranteed for a minimum of one year from the date of final acceptance of planting by the Landscape Architect. Landscape Contractor shall replace, at his/her own expense, any dead or diseased plants, or any plant material deemed by the Landscape Architect to be in poor condition.*

**PLAN VIEW:**

SCALE: 1" = 20'

**PLANT LIST**

Symbol/Botanical Name	Common Name	No.	Size	Remarks
AL/Amelanchier canadensis	Serviceberry	13	3-4'Ht	Multi-stem/ white fls early May; fruit/birds
CU/Clethra alnifolia "Hummingbird"	Hummingbird Summersweet	17	#2/18-24"Ht	Full; white fls in July; fruit/birds
CO/Coronaria sericea "Allman's Compact"	Almond's Compact Redtwig Dogwood	7	#2/2-3'Ht	Full/berries twig for wildlife/stream bank stabilizer
IG/Ilex glabra 'Compacta'	Compact Holly	6	#3/18-24"	Evergreen/black berries for wildlife
W/Wilox verticillata 'Winter Red'	Winter Red Winterberry	20	#3/2-3'Ht	Red berries thru winter for wildlife
VA/Vaccinium angustifolium	Lowbush Blueberry	13	#1	Groundcover/edible berries
VC/Vaccinium corymbosum	Highbush Blueberry	10	#2/2-3'Ht	Edible berries



366 POPE ROAD  
ACTON, MA  
(MIDDLESEX COUNTY)

**LANDSCAPE PLAN AND DETAILS**

SCALE: 1"=20' MAY \_\_\_\_, 2012

STAMSKI AND McNARY, INC.  
1000 MAIN STREET ACTON, MASS.  
978-263-8585  
ENGINEERING - PLANNING - SURVEYING

KIM AHERN LANDSCAPE ARCHITECTS  
40 FOSTER STREET - LITTELTON, MASSACHUSETTS  
PHONE: (978) 486-0040

SM-4574A (4574A LANDSCAPE.DWG) SHEET \_\_ OF \_\_