

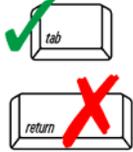


# WPA Form 3 – Notice of Intent

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>330 Nagog Hill Road</u> a. Street Address	<u>Acton</u> b. City/Town	<u>01720</u> c. Zip Code
Latitude and Longitude:		
<u>42-30-07 N</u> d. Latitude	<u>71-27-36 W</u> e. Longitude	
<u>Map F-3A</u> f. Assessors Map/Plat Number	<u>Parcel 31</u> g. Parcel /Lot Number	

2. Applicant:

<u>Chiung</u> a. First Name	<u>Fong</u> b. Last Name	
<u></u> c. Organization		
<u>330 Nagog Hill Road</u> d. Street Address		
<u>Acton</u> e. City/Town	<u>MA</u> f. State	<u>01720</u> g. Zip Code
<u>(508) 479-2348</u> h. Phone Number	<u></u> i. Fax Number	<u>kaiyuenfong@yahoo.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></u> c. Organization		
<u></u> d. Street Address		
<u></u> e. City/Town	<u></u> f. State	<u></u> g. Zip Code
<u></u> h. Phone Number	<u></u> i. Fax Number	<u></u> j. Email address

4. Representative (if any):

<u>Scott</u> a. First Name	<u>Hayes</u> b. Last Name	
<u>FORESITE Engineering</u> c. Company		
<u>16 Gleasondale Road, Suite 1-1</u> d. Street Address		
<u>Stow</u> e. City/Town	<u>MA</u> f. State	<u>01775</u> g. Zip Code
<u>(978) 841-4102</u> h. Phone Number	<u>(978) 841-4102</u> i. Fax Number	<u>scott@foresite1.com</u> j. Email address

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

<u>\$110.00</u> a. Total Fee Paid	<u>\$42.50</u> b. State Fee Paid	<u>\$67.50</u> c. City/Town Fee Paid
--------------------------------------	-------------------------------------	---



# 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:

Stabilization of an area of recently cut trees within the 100-ft buffer zone of a a bordering vegetated wetland.

7a. Project Type Checklist:

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

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

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

2. Limited Project

8. Property recorded at the Registry of Deeds for:

Middlesex

a. County

57411

c. Book

b. Certificate # (if registered land)

47

d. Page Number

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

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

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

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

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



WPA Form 3 - Notice of Intent

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

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



# 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

## 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](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  
100 Hartwell Street, Suite 200  
West Boylston, MA 01583**

2010 \_\_\_\_\_  
b. Date of map



# 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

## 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](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](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.



# 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

## 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.



# 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	

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

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

## D. Additional Information

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

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

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

"Notice of Intent Plan, 330 Nagog Hill Road, Acton, MA"

a. Plan Title

FORESITE Engineering

Scott P. Hayes, PE

b. Prepared By

c. Signed and Stamped by

4/3/13

1"=40'

d. Final Revision Date

e. Scale

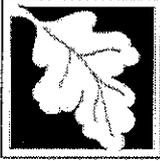
Letter from Caron Environmental Consulting RE: Wetland Delineation

3/12/13

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

**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

**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:

4524	4/3/13
2. Municipal Check Number	3. Check date
4525	4/3/13
4. State Check Number	5. Check date
FORESITE Engineering	
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.

	SCOTT HAYES AGENT FOLLOWER/APPLICANT	4/3/13
1. Signature of Applicant		2. Date
3. Signature of Property Owner (if different)		4. Date
	SCOTT HAYES PE FORESITE ENG.	4/3/13
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:

330 Nagog Hill Road Acton  
 a. Street Address b. City/Town  
4525 \$42.50  
 c. Check number d. Fee amount

2. Applicant Mailing Address:

Chiung Fong  
 a. First Name b. Last Name  
 \_\_\_\_\_  
 c. Organization  
330 Nagog Hill Road  
 d. Mailing Address  
Acton MA 01720  
 e. City/Town f. State g. Zip Code  
(508) 479-2348 kaiyuenfong@yahoo.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
1.a. Work on a SFH	1	\$110.00	\$110.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
<b>Step 5/Total Project Fee:</b>			\$110.00
<b>Step 6/Fee Payments:</b>			
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 <b>less</b> \$12.50
			c. 1/2 Total Fee <b>plus</b> \$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: 330 Nagog Hill Rd  
Parcel ID: F3A-31

Parcel ID	Location	Owner	Co-Owner	Mailing Address	City
C3-21-2	320 NAGOG HILL RD	O'CONNELL MICHAEL B	O'CONNELL MARY SUSAN	320 NAGOG HILL RD	ACTON, MA 01720
C3-6-4	320 NAGOG HILL RD REAR	O'CONNELL MICHAEL B	O'CONNELL MARY SUSAN	320 NAGOG HILL RD	ACTON, MA 01720
C3-7-2	327 NAGOG HILL RD	O'BRIEN RICHARD P	ANN LOU	327 NAGOG HILL RD	ACTON, MA 01720
C3-6-6	308 NAGOG HILL RD REAR	BEALE PETER T	BEALE JENNIFER W	308 NAGOG HILL RD	ACTON, MA 01720
C3-7-1	331 NAGOG HILL RD	SZABO WILLIAM J	KAPITAN CONSTANCE J	331 NAGOG HILL RD	ACTON, MA 01720
C3-6-5	316 NAGOG HILL RD REAR	MACHACEK RAYMOND F	MACHACEK MARIE E	316 NAGOG HILL RD	ACTON, MA 01720
D3-36	304 NAGOG HILL RD	BLUTE SALLY E		304 NAGOG HILL RD	ACTON, MA 01720
D3-38	300 NAGOG HILL RD	BRESLOUF JOHN S		PO BOX 572	ACTON, MA 01720
C3-21-1	330 NAGOG HILL RD BESIDE	FONG CHIUNG	KUK YIM	330 NAGOG HILL RD BESIDE	ACTON, MA 01720
C3-21-3	316 NAGOG HILL RD	MACHACEK RAYMOND F	MACHACEK MARIE E	316 NAGOG HILL RD	ACTON, MA 01720
C3-6-2	338 NAGOG HILL RD	REESE ERIC	REESE SONYA GARNETT	338 NAGOG HILL RD	ACTON, MA 01720
C3-6-3	334 NAGOG HILL RD	BAUM TAD D	BAUM DIANE M	334 NAGOG HILL RD	ACTON, MA 01720

The owner of sharing a common boundary or corner with the site 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*

MARTY ABBOTT

12-Mar-13

Acton Assessors Office

**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: Chiung Fong

Address: 330 Nagog Hill Road, Acton, MA 01720 Phone: (978) 461-2350

has filed a Notice of Intent with the Acton Conservation Commission seeking to alter, fill or dredge an area subject to protection under the Wetlands Protection Act and Town of Acton Wetland Bylaw.

Applicant's Representative: Scott Hayes, P.E. – FORESITE Engineering

Address: 16 Gleasondale Road, Suite 1-1, Stow, MA 01775 Phone: (978) 461-2350

The address of the property where the activity is proposed 330 Nagog Hill Road

Town Atlas Plate/Map F-3A Parcel/Lot 31

Project Description: Restoration and mitigation of recent tree clearing within 100-ft of an area subject to protection under the Wetlands Protection Act.

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 978-929-6634.

A Public Hearing will be held at the Acton Town Hall, 472 Main Street, on Wednesday,  
April 17, 2013 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:

**\*DEP Central Region: 508-792-7650  
627 Main Street, Worcester MA 01608**



# Caron Environmental Consulting

978-874-5469

Wetlands • Forestry • Permitting • Habitat Studies

March 12, 2013

Mr. Scott Hayes  
Foresite Engineering Associates, Inc.  
16 Gleasondale Road; Suite 1-1  
Stow, MA 01775

Re: Wetland Delineation  
330 Nagog Hill Road/ Acton

Dear Mr. Hayes:

As requested I have delineated the wetlands on the above-referenced site. The delineation was conducted on February 21, 2013 and was based on observations of the plant communities and soil conditions. At the time of the delineation the snowcover ranged from small patches of bare ground to 14".

The edge of a bordering vegetated wetland was delineated with blue flagging labeled A1 to A21. Flags A1 to A14 follow along a distinct topographic change. Beyond that the topography along the wetland boundary is flatter. The wetlands are forested wetland bordering on a pond. The dominant species observed in the wetlands include red maple, red oak, highbush blueberry, greenbrier, sweet pepperbush, maleberry, winterberry and tussock sedge. The soil in the wetland is extremely stony. It typically has an 8" A-horizon with a Munsell Soil Color of 10 YR 2/1 (black). The underlying B-horizon has a color of 10 YR 5/1 (gray) and is mottled.

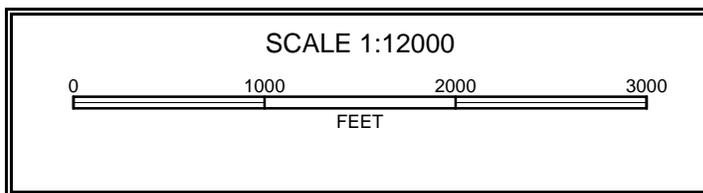
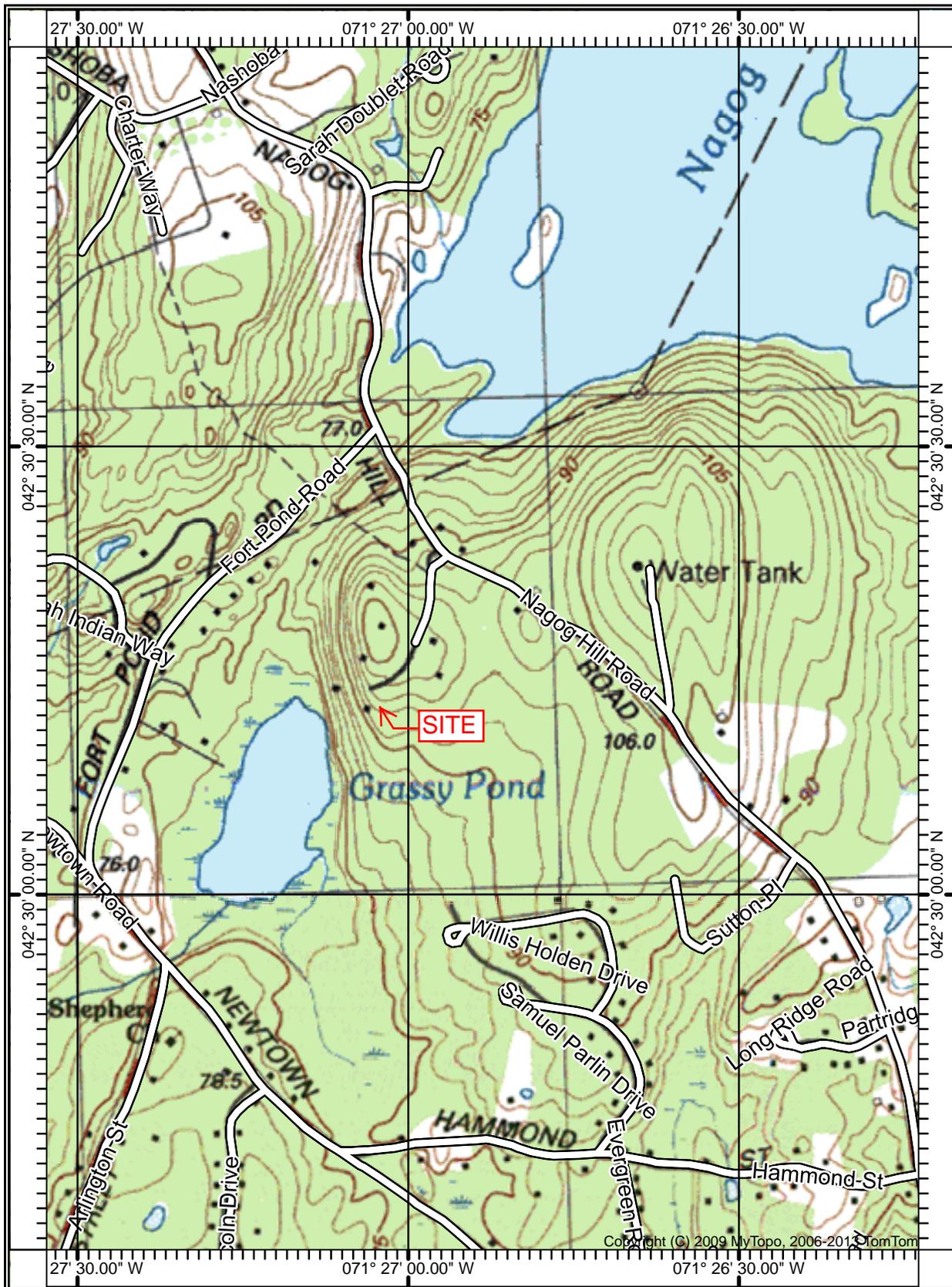
The adjacent upland is forest and recently cleared forest. The most abundant species in the upland include red oak, black oak, black birch, red maple, white pine, greenbrier, sweet pepperbush and highbush blueberry. The upland soil is also extremely stony. It generally consists of a 6" deep Ap-horizon with a color of 10 YR 3/2 (very dark grayish brown) that is not mottled. It is underlain by a Bw-horizon with a color of 10 YR 5/6 (yellowish brown). In many locations, however, the A-horizon occurs on rock.

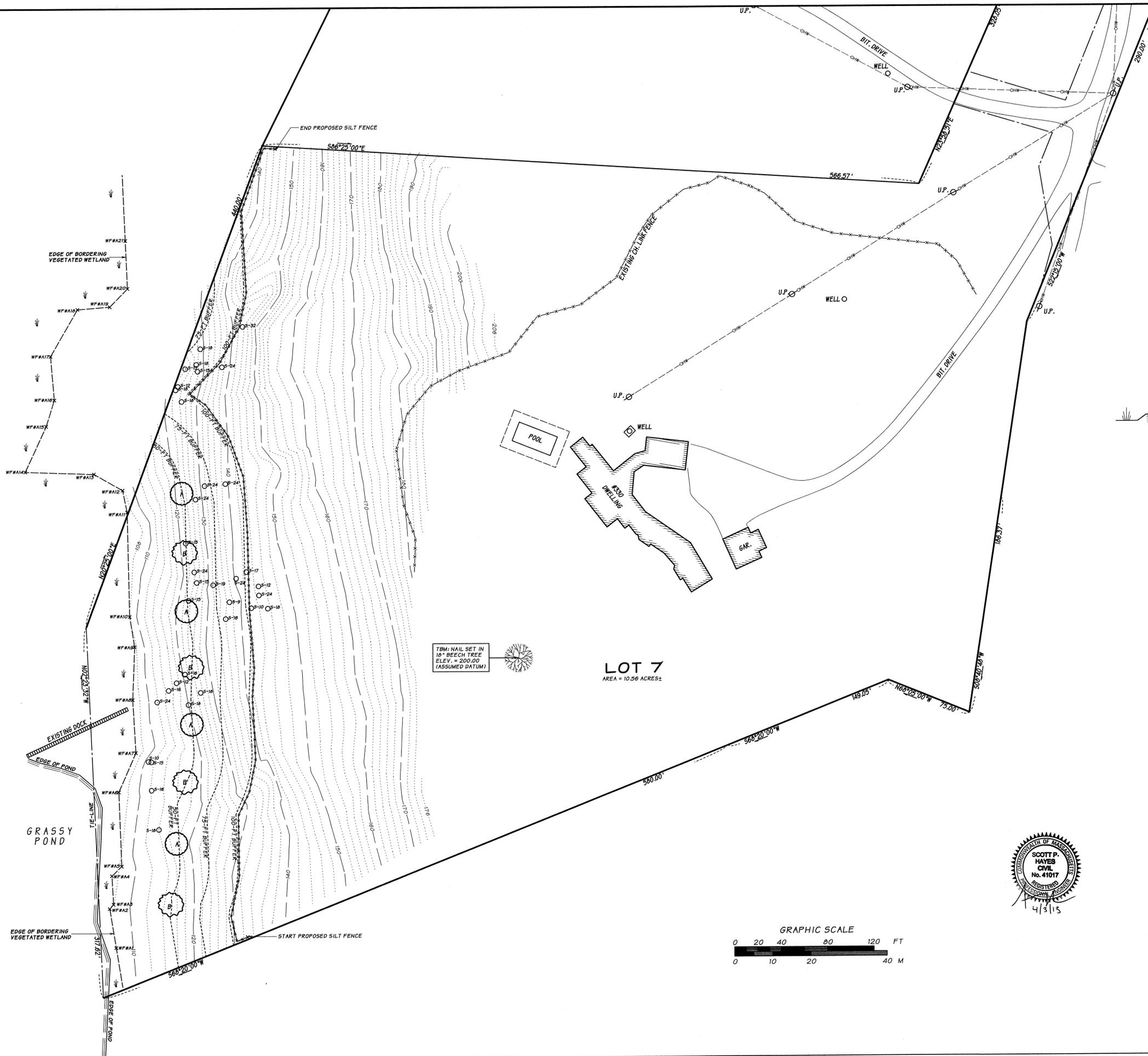
According to the 13<sup>th</sup> Edition of the Natural Heritage Atlas the sites is not located within an Estimated/Priority Habitat Area, nor are there any Certified Vernal Pools noted.

If you should have any questions in regards to this matter please feel free to contact me.

Very truly yours,

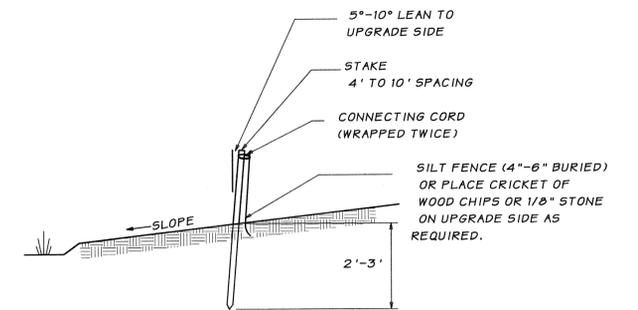
Charles E. Caron





### NOTES

1. WETLAND BOUNDARY SHOWN DELINEATED BY CARON ENVIRONMENTAL CONSULTING, INC. IN FEBRUARY OF 2013.
2. SYMBOLS MARKED S- ARE TREE STUMPS OF RECENTLY CUT TREES, NUMBER INDICATES APPROXIMATE DIAMETER AT BASE OF CUT.
3. PROPOSE TO REMOVE DOWNED TREES IN BUFFER ZONE, INSTALL SILT FENCE AS SHOWN ALONG THE UPGRADE SIDE OF THE 100-FT BUFFER ZONE, AND CONTINUE WITH REMOVAL OF TREES AND STUMPS IN THE AREA OUTSIDE THE 100-FT BUFFER ZONE.
4. NO ADDITIONAL WORK IN THE 100-FT BUFFER ZONE BESIDES REMOVAL OF TREES ALREADY DOWNED IS PROPOSED. STUMPS OF DOWNED TREES IN BUFFER ZONE ARE PROPOSED TO REMAIN.



### SILT FENCE DETAIL

NOT TO SCALE

### PROPOSED REPLACEMENT TREES

- A 2" CALIPER EUROPEAN LITTLE LEAF LINDEN (4)
- B 2" CALIPER DISEASE RESISTANT AMERICAN ELM (4)

PROPOSED TREES TO BE PLANTED 50' ON CENTER ALONG 50-FT AS SHOWN TO PREVENT FUTURE ENCROACHMENTS INTO THIS AREA

S-XX ON PLAN VIEW DENOTES SURVEYED LOCATION OF STUMP OF RECENTLY CUT TREE 'XX' DENOTES DIAMETER

## NOTICE OF INTENT PLAN

### 330 NAGOG HILL ROAD

### ACTON, MASSACHUSETTS

DATE: APRIL 3, 2013  
SCALE: 1"=40'

Phone: (978)461-2350  
Fax: (978)841-4102



## FORESITE ENGINEERING

ENGINEERING SURVEYING PLANNING

16 Gleasondale Road Suite 1-1  
Stow, Massachusetts 01775

www.foresitel.com

14385ITE.2D

**From:** [CERO\\_NOI@MassMail.state.ma.us](mailto:CERO_NOI@MassMail.state.ma.us)  
**To:** [kaiyuenfong@yahoo.com](mailto:kaiyuenfong@yahoo.com); [scott@foresite1.com](mailto:scott@foresite1.com)  
**Cc:** [ceronoi@state.ma.us](mailto:ceronoi@state.ma.us); [Conservation Commission](mailto:Conservation Commission); [ceronoi@state.ma.us](mailto:ceronoi@state.ma.us)  
**Subject:** MassDEP NOI File Number  
**Date:** Friday, April 12, 2013 10:07:25 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: 04/12/2013 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):

<b>Applicant</b> CHUNG FONG <b>Address</b> 330 NAGOG HILL RD,ACTON MA 01720 <b>Locus</b> 330 NAGOG HILL RD , ACTON MA 01720	<b>Owner Address</b>
--	--------------------------

This project has been assigned the following file # : **CE 085-1117**  
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