

NOTICE OF INTENT

For Construction of a Single Family Dwelling at

**Lot 2
Beacon Court
Acton, Massachusetts**

November 17, 2010

Prepared for:
Centennial Homes, LLC
P.O. Box 2170
Acton, Massachusetts 01720

Prepared by:
FORESITE Engineering Associates, Inc.
16 Gleasondale Road, Suite 1-1
Stow, Massachusetts 01775



CONTENTS

1. WPA Form 3: Notice of Intent
2. WPA Appendix B: Wetland Fee Transmittal Form
3. Copies of Filling Fee Checks
4. Certified List of Abutters
5. Copy of Notice to Abutters
6. Letter from Natural Heritage & Endangered Species Program dated April 30, 2010, NHESP File No. 09-27190 (determination that project will not result in a prohibited take of state-listed rare species) and referenced plan
7. Locus Map (From USGS Maynard Quadrangle) Scale 1:25,000
8. Notice of Intent Plan, Lot 2 Beacon Court, Acton, prepared for Centennial Homes, LLC, prepared by FORESITE Engineering Associates, Inc., dated November 17, 2010, scale: 1"=20'



WPA Form 3 – Notice of Intent

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

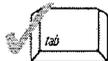
MassDEP File Number

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 2 Beacon Court	Acton	01720
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	42-27-28N	71-28-11W
Map H2	d. Latitude	e. Longitude
f. Assessors Map/Plat Number	Parcel 7-2	
	g. Parcel /Lot Number	

2. Applicant:

a. First Name	b. Last Name	
Centennial Homes, LLC		
c. Organization		
P.O. Box 2170		
d. Street Address		
Acton	MA	01720
e. City/Town	f. State	g. Zip Code
(978) 263-0069	gkmeridian@comcast.net	
h. Phone Number	i. Fax Number	j. Email Address

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

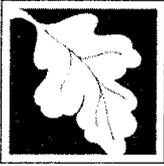
James & Teresa	Stellar	
a. First Name	b. Last Name	
c. Organization		
57 Robbins Street		
d. Street Address		
Acton	MA	01720
e. City/Town	f. State	g. Zip Code
(978) 264-0223		
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

Scott	Hayes	
a. First Name	b. Last Name	
FORESITE Engineering Associates, Inc.		
c. Company		
16 Gleasondale Road, Suite 1-1		
d. Street Address		
Stow	MA	01775
e. City/Town	f. State	g. Zip Code
(978) 461-2350	(978) 841-4102	scott@foresite1.com
h. Phone Number	i. Fax Number	j. Email address

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

\$500.00	\$237.50	\$262.50
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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MassDEP File Number

Document Transaction Number

ACTON

City/Town

A. General Information (continued)

6. General Project Description:

Construction of a single family dwelling, installation of utilities, site grading, and landscaping within 100-ft of a bordering vegetated wetland.

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 District Registry of Deeds

a. County

17152

c. Book

b. Certificate # (if registered land)

528

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.

Resource Area

Size of Proposed Alteration

Proposed Replacement (if any)

a. [] Bank

1. linear feet

2. linear feet

b. [] Bordering Vegetated Wetland

1. square feet

2. square feet

c. [] Land Under Waterbodies and Waterways

1. square feet

2. square feet

3. cubic yards dredged



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Provided by MassDEP:

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City/Town

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

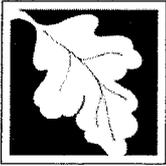
Resource Area, Size of Proposed Alteration, Proposed Replacement (if any)
d. Bordering Land Subject to Flooding
e. Isolated Land Subject to Flooding
f. Riverfront Area
2. Width of Riverfront Area (check one):
3. Total area of Riverfront Area on the site of the proposed project:
4. Proposed alteration 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



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

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ACTON

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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/nhESP/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**

2010

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).
Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

(d) Vegetation cover type map of site

(e) Project plans showing Priority & Estimated Habitat boundaries

d. OR Check One of the Following

1. Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

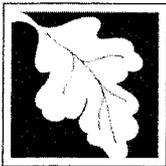
2. Separate MESA review ongoing.

_____ a. NHESP Tracking #

_____ b. Date submitted to NHESP

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/dfwele/dfw/nhesp/nhesp.htm>, regulatory review tab). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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

- 3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

- 2. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a. Not applicable – project is in inland resource area only

- b. Yes No If yes, include proof of mailing or hand delivery of NOI to either:

South Shore - Cohasset to Rhode Island, and the Cape & Islands:

North Shore - Hull to New Hampshire:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930

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

- 3. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

- a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.

- b. ACEC _____

- 4. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?

- a. Yes No

- 5. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?

- a. Yes No

- 6. Is this project subject to provisions of the MassDEP Stormwater Management Standards?

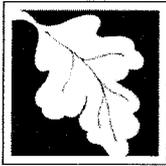
- a. Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:

- 1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
- 2. A portion of the site constitutes redevelopment
- 3. Proprietary BMPs are included in the Stormwater Management System.

- b. No. Check why the project is exempt:

- 1. Single-family house

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



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

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

D. Additional Information

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

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

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

"Notice of Intent Plan, Lot 2 Beacon Court, Acton, MA"

a. Plan Title

FORESITE Engineering

Scott P. Hayes, P.E.

b. Prepared By

November 17, 2010

c. Signed and Stamped by

1"=20'

d. Final Revision Date

e. Scale

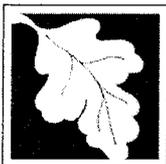
Letter from Natural Heritage & Endangered Species Program

4/30/10

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:

2146	10/16/10
2. Municipal Check Number	3. Check date
2147	10/16/10
4. State Check Number	5. Check date
Centennial Lane, LLC	
6. Payor name on check: First Name	7. Payor name on check: Last Name

F. Signatures and Submittal Requirements

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

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

1. Signature of Applicant	SCOTT HAYES, P.E. AGENT FOR APPLICANT	11/17/10
2. Date		
3. Signature of Property Owner (if different)	SCOTT HAYES, P.E., AGENT FOR OWNER	11/17/10
4. Date		
5. Signature of Representative (if any)	SCOTT HAYES, P.E.	11/17/10
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. Applicant:

a. First Name Centennial Homes, LLC		b. Last Name	
c. Organization P.O. Box 2170			
d. Mailing Address Acton			
e. City/Town (978) 263-0069		f. State MA	g. Zip Code 01720
h. Phone Number	i. Fax Number	j. Email Address gkmeridian@comcast.net	

2. Property Owner (if different):

James & Teresa		Stellar	
a. First Name		b. Last Name	
c. Organization 57 Robbins Street			
d. Mailing Address Acton			
e. City/Town (978) 264-0223		f. State MA	g. Zip Code 01720
h. Phone Number	i. Fax Number	j. Email Address	

3. Project Location:

Lot 2 Beacon Court		Acton
a. Street Address	b. City/Town	

B. Fees

The fee should be calculated using the following six-step process and 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
Cat. 2.a. Construction of a SFH	1	\$500.00	\$500.00

Step 5/Total Project Fee: \$500.00

Step 6/Fee Payments: \$500.00

Total Project Fee: a. Total Fee from Step 5
\$237.50

State share of filing Fee: b. 1/2 Total Fee less \$12.50
\$262.50

City/Town share of filing Fee: 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) 264-9622
 Fax (978) 264-9630

Brian McMullen
 Assistant Assessor

Parcel Location 57 Robbins St
Parcel I.D.: H2-7-2

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City	ST Zip
7 PRESCOTT RD	H2-7	KILPATRICK III JOHN G	KILPATRICK MICHELLE T	7 PRESCOTT RD	ACTON	MA 01720
5 PRESCOTT RD	H2-7-8	TANG TAK-CHUNG	TANG LORI	5 PRESCOTT RD	ACTON	MA 01720
2 PRESCOTT RD	H2-7-6	TOWN OF ACTON			ACTON	MA 01720
1 PRESCOTT RD	H2-7-9	KELLY JAMES T JR	KELLY SUSAN L	1 PRESCOTT RD	ACTON	MA 01720
1 PRESCOTT RD REAR	H2-7-12	KELLY JR JAMES T	KELLY SUSAN L	1 PRESCOTT RD	ACTON	MA 01720
1 OVERLOOK DR	H2-7-10	CREW JOHN E		1 OVERLOOK DR	ACTON	MA 01720
1 OVERLOOK DR BEHIND	H2-7-11	TOWN OF ACTON			ACTON	MA 01720
59 ROBBINS ST	H2-7-1	SUTHERLAND ANITA TRUSTEE	THE ANITA A SUTHERLAND REALTY	59 ROBBINS ST	ACTON	MA 01720
68 ROBBINS ST	H2-19	THOMAS JOHN J		68 ROBBINS ST	ACTON	MA 01720
64 ROBBINS ST	H2-23	JIAN JIANHUA	REN YAPING	64 ROBBINS ST	ACTON	MA 01720
60 ROBBINS ST	H2-24	CAVOOTO FRED T TRUSTEE	60 ROBBINS STREET REALTY TF	60 ROBBINS ST	ACTON	MA 01720
53 ROBBINS ST	H2-7-3	CORTES ELADIO R	HAYDEE E	53 ROBBINS ST	ACTON	MA 01720
56 ROBBINS ST	H2-28	BARTLETT JR JOHN R	BARTLETT JESSICA D	56 ROBBINS ST	ACTON	MA 01720
44 ROBBINS STREET	H2-32	PERKINS SCOTT R	PERKINS SHANE	44 ROBBINS STREET	ACTON	MA 01720
51 ROBBINS ST	H2-29	CRAIG TERRENCE		51 ROBBINS ST	ACTON	MA 01720
45 ROBBINS ST	H2-33	RAGO JEFFREY ALLAN	RAGO MARIE TRISTAN	45 ROBBINS ST	ACTON	MA 01720
40 ROBBINS ST	H2-37	ORCHARD KRISTINA A		40 ROBBINS ST	ACTON	MA 01720
2 HERON VIEW ROAD	H2-15	BRANDON CHRISTOPHER D	BERRY JOANN	2 HERON VIEW ROAD	ACTON	MA 01720
4 HERON VIEW RD	H2-15-2	DING SUYUN	WANG JIANXIN	4 HERON VIEW RD	ACTON	MA 01720
6 HERON VIEW	H2-15-3	LEE KENNETH	YEE DIANA J	6 HERON VIEW	ACTON	MA 01720
5 HERON VIEW RD	H2-15-4	BLANCO MARIO A	BLANCO LINDA C	5 HERON VIEW RD	ACTON	MA 01720
3 HERON VIEW	H2-15-5	SCHEUER DAVID L	SCHEUER DIANE L	3 HERON VIEW	ACTON	MA 01720

The owner of land sharing a common boundary or corner with the site of the proposed activity (300 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.

Brian McMullen
 Assistant Assessor
 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: Centennial Homes, LLC

Address P.O. Box 2170 Acton, MA 01720

Phone: (978) 263-0069

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

Applicant's Representative: FORESITE Engineering Associates, Inc.

Address 16 Gleasondale Road, Suite 1-1, Stow, MA 01775

Phone: (978) 461-2350

The address of the property where the activity is proposed Lot 3 Beacon Court - Currently 57 Robbins
Street _____

Town Atlas Plate H2

Parcel 7-2

Project Description Construction of a single family dwelling, installation of utilities, site grading and landscaping within 100 feet of a bordering vegetated wetland.

Copies of the Notice of Intent may be examined at the Conservation Office, Acton Town Hall, 472 Main Street, Acton. Between the hours of 9:00 A.M. and 4:30 P.M. Monday through Friday. For more information please call the Conservation Office at 508-264-9631.

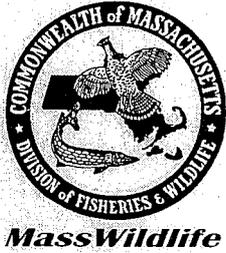
A Public Hearing will be held at the Acton Town Hall, 472 Main Street, on Wednesday,
December 1, 2010 at 7:15 P.M.
(date)

The notice of the public hearing, will be published at least five (5) days in advance in the Acton edition of the *Beacon* newspaper.

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

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

Northeast Region: 617-935-2160
Western Region: 413-784-1100



Commonwealth of Massachusetts

Division of Fisheries & Wildlife

Wayne F. MacCallum, *Director*

April 30, 2010

James & Theresa Stellar
57 Robbins St
Acton MA 01720

RE: Project Location: 57 Robbins St, Acton
Project Description: Common Driveway, 2 Single Family Homes
NHESP File No.: 09-27190

Dear Applicants:

Thank you for submitting the MESA Project Review Checklist, site plans (dated November 9, 2009) and other required materials, including the Habitat Assessment (dated April 12, 2010) to the Natural Heritage and Endangered Species Program (NHESP) of the MA Division of Fisheries & Wildlife for review pursuant to the Massachusetts Endangered Species Act (MESA) (MGL c.131A) and its implementing regulations (321 CMR 10.00).

Based on a review of the information that was provided and the information that is currently contained in our database, the NHESP has determined that this project, as currently proposed, **will not result in a prohibited "take"** of state-listed rare species. This determination is a final decision of the Division of Fisheries & Wildlife pursuant to 321 CMR 10.18. Any changes to the proposed project or any additional work beyond that shown on the site plans may require an additional filing with the NHESP pursuant to the MESA. This project may be subject to further review if no physical work is commenced within three years from the date of issuance of this determination, or if there is a change to the project.

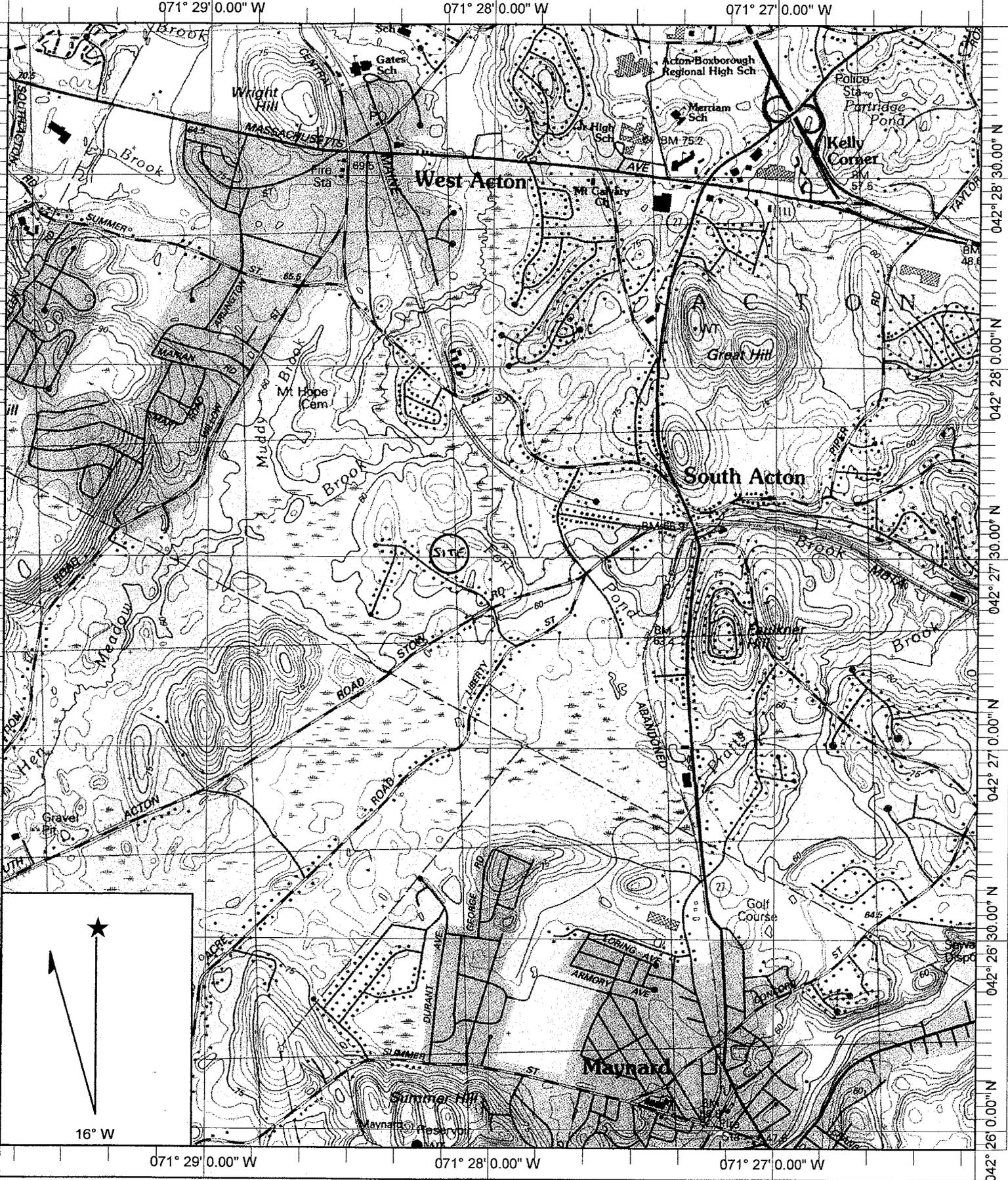
Please note that this determination addresses only the matter of state-listed species and their habitats. If you have any questions regarding this letter please contact Emily Holt, Endangered Species Review Assistant, at (508) 389-6361.

Sincerely,

Thomas W. French, Ph.D.
Assistant Director

cc: Scott Smyers, Oxbow Associates, Inc.

www.masswildlife.org



Name: MAYNARD
 Date: 11/12/2009
 Scale: 1 inch equals 2000 feet

Location: 042° 27' 25.6" N 071° 27' 59.9" W

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