

**Stamski and McNary, Inc.**  
Engineering - Planning - Surveying  
1000 Main Street Acton, MA 01720 (978) 263-8585  
[www.stamskiandmcnary.com](http://www.stamskiandmcnary.com)

## **Notice of Intent**

Under the Massachusetts Wetland Protection Act,  
G.L. c. 131, s. 40

and

The Town of Acton Wetland Protection Bylaw

for

**57 Hammond Street  
Acton, MA 01720**

Applicant: Lynette Fouser & Dale Cumming  
57 Hammond Street  
Acton, MA 01720

Date: July 23, 2013

SM-1073A

## Table of Contents

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

### Attachments:

- A. U.S.G.S. Map
- B. Massachusetts Natural Heritage Atlas 13<sup>th</sup> edition, Effective: October 1, 2008
- C. Sewage Disposal Plan by Stamski and McNary, Inc. dated: July 23, 2013

## **Project Narrative**

## **PROJECT NARRATIVE**

### **57 Hammond Street**

#### **Existing Conditions**

The site is approximately 3 acres and contains a single family dwelling. The vegetative cover consists of an open grass areas and woodland. There is Bordering Vegetated Wetland (BVW) located on site to the west, south, and east of the existing dwelling.

#### **Proposed Site Conditions**

The proposed project includes the replacement of a failing soil absorption system, the construction of a screened porch on the rear of the existing dwelling, and the expansion of the existing driveway. There is no portion of the site that is outside of the 100' Buffer Zone of the BVW. The existing leaching area is located approximately 55' from the BVW, the proposed leaching area will be located approximately 75' from the BVW. The pump chamber is proposed approximately 28' from the BVW. The proposed screen porch will be located on the rear of the existing dwelling in an existing lawn. The driveway will be expanded onto an existing lawn area, immediately adjacent to the existing driveway, to stabilize this area for vehicle parking. Additionally, the front walkway and steps will be replaced and a landscape retaining wall added.

#### **Resource Area Description**

There is a Bordering Vegetated Wetland (BVW) located on-site to the west, south, and east of the existing dwelling. The BVW boundary was field delineated by B & C Associates.

#### **Massachusetts Endangered Species Act Review**

The project is not located in an area subject to MESA review.

#### **Buffer Zone**

There is no portion of the site that is outside of the 100' Buffer Zone of the BVW. The existing leaching area is located approximately 55' from the BVW, the proposed leaching area will be located approximately 75' from the BVW. The proposed pump chamber will be located approximately 28' from the BVW.

The Town of Acton Wetland Bylaw prohibits certain activities within the Buffer Zone as well as other setback areas. The following outlines the prohibition and the projects respective compliance:

#### Wetland Protection Bylaw Section 3.2 and Chapter F 8.3 Wetland Setbacks for New Activities

*0-foot setback for wetland-dependent structures (drain outfalls, weirs, etc), fences, and structures necessary for upland access where reasonable alternative access is unavailable.*

The outfalls for the down spouts and area drain will be located greater than 50' from the BVW on the edge of an existing lawn area.

Wetland Protection Bylaw Section 3.3 and Chapter F 8.3 Wetland Setbacks for Existing Structures

*No new activity shall be commenced and no new structure shall be located closer to the edge of a Wetland Resource Area than existing non-conforming like Activity or structures...*

The existing dwelling is located approximately 10 feet from the BVW at the closest point, which is the southern corner. The screen porch is proposed approximately 50' from the BVW at the closet point.

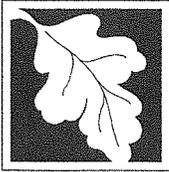
The driveway is proposed to be expanded into the existing lawn immediately adjacent to the existing driveway. This area is currently being used for vehicle parking and there are multiple terrace retaining walls between this area and the BVW. The applicants have children of driving age and additional available parking is a concern with Hammond Street being a narrow street. Due to the existing site constraints and conditions for this site, the permanent stabilization of this area is the logically request. The expanded driveway will be approximately 11 feet from the BVW, which is no closer than the existing condition of Hammond Street, which is 10 feet or less, to the BVW in this area (as shown on the plan WF 20-WF 23).

No new activity shall be commenced which will be located closer to the edge of a Wetland Resource Area than existing no-conforming like activities.

**Summary**

No direct impacts to the Bordering Vegetated Wetland are proposed. Work will occur within the 100 foot Buffer Zone of the BVW. The leaching area will be replaced further from the BVW than the existing leach field. All structures and proposed driveway will not be located closer the existing like activity.

**Notice of Intent - WPA Form 3**



**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:

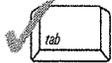
MassDEP File Number

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):

57 Hammond Street

a. Street Address

Acton

b. City/Town

01720

c. Zip Code

Latitude and Longitude:

042d29'42.7"N

d. Latitude

071d26'55.3"W

e. Longitude

D3

f. Assessors Map/Plat Number

35

g. Parcel /Lot Number

2. Applicant:

Lynette

a. First Name

Fouser

b. Last Name

c. Organization

57 Hammond Street

d. Street Address

Acton

e. City/Town

MA

f. State

01720

g. Zip Code

(978) 263-7446

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):

Benjamin

a. First Name

Ewing

b. Last Name

Stamski and McNary, Inc.

c. Company

1000 Main Street

d. Street Address

Acton

e. City/Town

MA

f. State

01720

g. Zip Code

978-263-8585

h. Phone Number

978-263-9883

i. Fax Number

bre@stamskiandmcnary.com

j. Email address

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

\$110.00

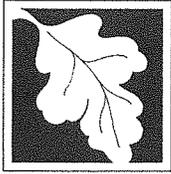
a. Total Fee Paid

\$42.50

b. State Fee Paid

\$67.50 (plus \$22 Bylaw Fee)

c. City/Town Fee Paid



# WPA Form 3 – Notice of Intent

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

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## A. General Information (continued)

### 6. General Project Description:

The replacement of a soil absorption system, the addition of a screen porch, and expansion of an existing driveway with the 100' Buffer Zone of Bordering Vegetated Wetland.

### 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

21249

c. Book

b. Certificate # (if registered land)

262

d. Page Number

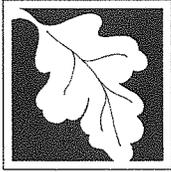
## B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 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 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



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

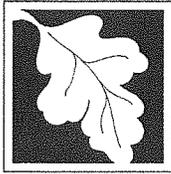
<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____ 3. cubic feet of flood storage lost _____	2. square feet _____ 4. cubic feet replaced _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet _____ 2. cubic feet of flood storage lost _____	3. cubic feet replaced _____
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) _____	
2. Width of Riverfront Area (check one):		
<input type="checkbox"/> 25 ft. - Designated Densely Developed Areas only		
<input type="checkbox"/> 100 ft. - New agricultural projects only		
<input type="checkbox"/> 200 ft. - All other projects		
3. Total area of Riverfront Area on the site of the proposed project:		_____ square feet
4. Proposed alteration of the Riverfront Area:		
a. total square feet _____	b. square feet within 100 ft. _____	c. square feet between 100 ft. and 200 ft. _____
5. Has an alternatives analysis been done and is it attached to this NOI?		<input type="checkbox"/> Yes <input type="checkbox"/> No
6. Was the lot where the activity is proposed created prior to August 1, 1996?		<input type="checkbox"/> Yes <input type="checkbox"/> 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.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
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: Item, Size of Proposed Alteration, Proposed Replacement (if any). Includes items f-k, 4, and 5 with checkboxes and measurement fields.

C. Other Applicable Standards and Requirements

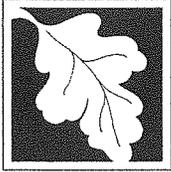
Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

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

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

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
100 Hartwell Street, Suite 230
West Boylston, MA 01583

Oct. 2008
b. Date of map



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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

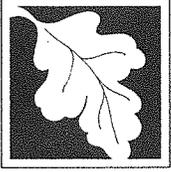
d. OR Check One of the Following

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.



**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:

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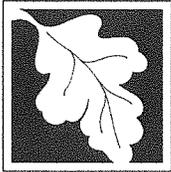
**C. Other Applicable Standards and Requirements (cont'd)**

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:<br><br>Division of Marine Fisheries - Southeast Marine Fisheries Station<br>Attn: Environmental Reviewer<br>1213 Purchase Street – 3rd Floor<br>New Bedford, MA 02740-6694 | North Shore - Hull to New Hampshire:<br><br>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:
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.

### Sewage Disposal Plan

a. Plan Title

Stamski and McNary, Inc.

b. Prepared By

July 23, 2013

d. Final Revision Date

George Dimakarakos

c. Signed and Stamped by

1"=20'

e. Scale

f. Additional Plan or Document Title

g. Date

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



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**E. Fees**

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

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

2. Municipal Check Number 7481 3. Check date 7/24/13  
4. State Check Number 7482 5. Check date 7/24/13  
6. Payor name on check: First Name LYNETTE 7. Payor name on check: Last Name FOUSER

**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 *Lynette Fouser* 2. Date 7/24/13  
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.

**NOI Wetland Fee Transmittal Form**



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

**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:

57 Hammond Street

a. Street Address

7481

c. Check number

Acton

b. City/Town

\$42.50

d. Fee amount

2. Applicant Mailing Address:

Lynette

a. First Name

Fouser

b. Last Name

c. Organization

57 Hammond Street

d. Mailing Address

Acton

e. City/Town

MA

f. State

01720

g. Zip Code

978-263-7446

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**

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

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.



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**B. Fees (continued)**

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Cat 1 work on single family house	1	\$110.00	\$110.00

**Step 5/Total Project Fee:** \$110.00

**Step 6/Fee Payments:**

Total Project Fee:	\$110.00
State share of filing Fee:	\$42.50
City/Town share of filling Fee:	\$67.50 (\$22 bylaw 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.)

**Certified Abutters List / Affidavit / Notice to Abutters**



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

Brian McMullen  
Assessor

Locus: 57 Hammond Street  
Parcel ID: D3 - 35

Parcel ID	Location	Owner	Co-Owner	Mailing Address	City
D3-23	48 HAMMOND ST	AGUILAR ERNESTO	AGUILAR SYLVIE	48 HAMMOND ST	ACTON, MA 01720
D3-23-14	44 HAMMOND ST	OHARA J MICHAEL	OHARA K DIANE	44 HAMMOND ST	ACTON, MA 01720
D3-23-15	52 HAMMOND ST	MANDEL JOHN R	MANDEL DEBORAH M	52 HAMMOND ST	ACTON, MA 01720
D3-23-16	56 HAMMOND ST	PITTORINO ANTHONY J	PITTORINO WENDY	56 HAMMOND ST	ACTON, MA 01720
D3-26	111 NEWTOWN RD	CORZINE PHILIP TRUSTEE	C/O DOROTHEA CORZINE	27 WAPPING RD	KINGSTON, MA 02364
D3-26-2	49 HAMMOND ST	INGRAHAM IV JAMES F	INGRAHAM STEPHANIE	49 HAMMOND ST	ACTON, MA 01720
D3-31	109 NEWTOWN RD	BURR EVAN R	BURR DEBRA G SMITH	109 NEWTOWN RD	ACTON, MA 01720
E3-1	107 NEWTOWN RD	JORRENS PETER + KATHERINE L/E	JORRENS MARC S	107 NEWTOWN RD	ACTON, MA 01720
E3-11	103 NEWTOWN RD	CHERNER BRUCE A	BRESADOLA MARY A	103 NEWTOWN RD	ACTON, MA 01720
E3-2	63 HAMMOND ST	IVANOV ALEX	ELIZABETH	63 HAMMOND ST	ACTON, MA 01720

The owner of 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.

Kelly Schorr

23-May-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: Lynette Fouser & Dale Cumming

Address: 57 Hammond Street Acton MA 01720 Phone: (978) 263-7446

has filed an 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: Stamski and McNary, Inc.

Address 1000 Main, Acton, MA 01720 Phone: (978) 263-8585

The address of the property where the activity is proposed: 57 Hammond Street

Town Atlas Plate/Map D-3 Parcel/Lot 35

Project Description: The replacement of a soil absorption system, the addition of a screen porch, and the expansion of an existing driveway with the 100' Buffer Zone 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 8:00 A.M. and 4:30 P.M. Monday through Friday. For more information please call the Conservation Office at 978-264-9631.

A Public Hearing will be held at the Acton Town Hall, 472 Main Street,  
on Wednesday, August 8th at 7:45 P.M.  
(date) (time)

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

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, Benjamin Ewing, hereby certify under the pains and penalties of perjury that on 7/ 25 /13 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 Lynette Fouser and Dale  
Cumming, with the Acton Conservation Commission  
for property located 57 Hammond Street.

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:



Date: 7/ 25 /13

**Attachment A**  
**U.S.G.S. Map**

# DDLESEX COUNTY

WINSTER 26 KM.  
V. TO INTERSTATE 495

27' 30"

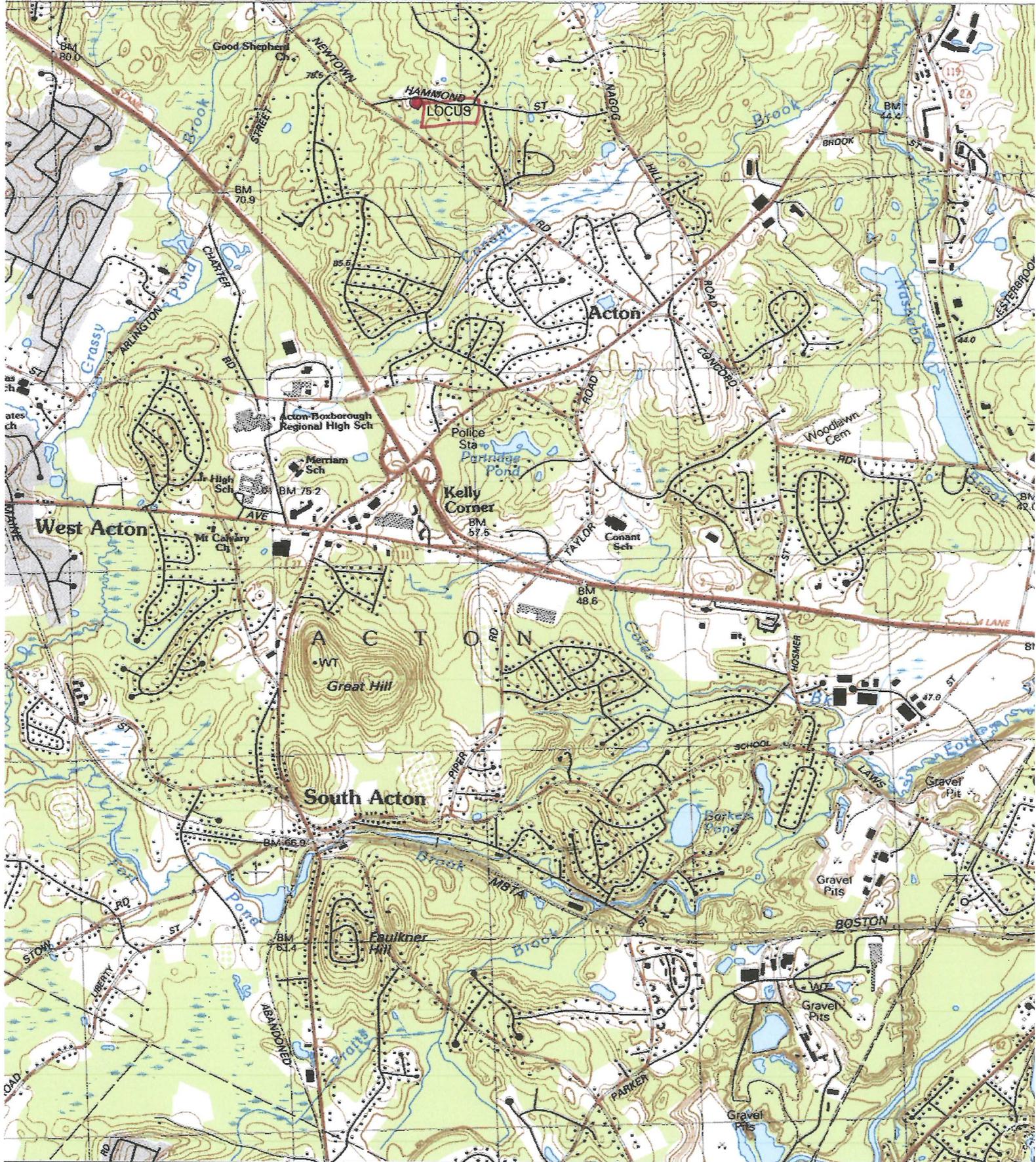
999

300

LOWELL 21 KM.  
CHELMSFORD 13 KM.

7.1 KM. TO INTERSTAT

25'



<Default> - 1 Markers, Length = 0 feet

LOCUS - 042° 29' 42.7" N, 071° 26' 55.3" W

Name: MAYNARD  
Date: 7/23/113  
Scale: 1 inch equals 2000 feet

Location: 042° 28' 26.1" N 071° 26' 32.9" W  
Caption: 57 Hammond St  
Acton MA  
SM-1073A

**Attachment B**  
**Massachusetts Natural Heritage Atlas 13<sup>th</sup> Edition**



# Estimated Habitats for use with the MA Wetlands Protection Act Reg

Produced by the Natural Heritage & Endangered Species Program

website:



**Attachment C**  
**Sewage Disposal Plan**