

Stamski and McNary, Inc.
Engineering - Planning - Surveying
1000 Main Street Acton, MA 01720 (978) 263-8585

Notice of Intent

Town of Acton Wetlands Protection Bylaw

for

**95 Newtown Road
Map E-3, Parcel 29
Acton, MA 01720**

Applicant: Jeanson Builders, LLC
12 Kennedy Lane
Acton, MA 01720

Date: November 6, 2014

SM-5311

Table of Contents

- Notice of Intent – WPA Form 3
- Certified Abutters List / Affidavit / Notice to Abutters

Attachments:

- A. Project Narrative
- B. U.S.G.S. Map
- C. Massachusetts Natural Heritage Atlas 13th Edition, Effective: October 1, 2008
- D. FEMA Flood Insurance Map
- E. DEP Field Data Forms
- F. Wetland Permitting Plan by Stamski and McNary, Inc.



WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Acton

City/Town

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):

95 Newtown Road
a. Street Address

Acton
b. City/Town

01720
c. Zip Code

Latitude and Longitude: 42°29'33"N
d. Latitude

71°26'44"W
e. Longitude

E3
f. Assessors Map/Plat Number

29
g. Parcel /Lot Number

2. Applicant:

Michael
a. First Name

Jeanson
b. Last Name

Jeanson Builders, LLC
c. Organization

12 Kennedy Lane
d. Street Address

Acton
e. City/Town

MA
f. State

01720
g. Zip Code

(978) 263-8081
h. Phone Number

i. Fax Number

Jeansonhomes@hotmail.com
j. Email Address

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

David & Margaret
a. First Name

Forrant
b. Last Name

c. Organization

Newtown Road
d. Street Address

Acton
e. City/Town

MA
f. State

01720
g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

George
a. First Name

Dimakarakos, P.E.
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

gd@stamskiandmcnary.com
j. Email address

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

\$500.00
a. Total Fee Paid

\$237.50
b. State Fee Paid

\$262.50 Plus \$100 bylaw
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:

Construction of a portion of a single family dwelling, a portion of a paved driveway, septic tank and pump chamber, and all associated grading within the 100' Buffer Zone of a Bordering Vegetated Wetland. All disturbed areas will be loameed and seeded.

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

a. County

9814, 9816, 9816

c. Book

b. Certificate # (if registered land)

7, 367, 368

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.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
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

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>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 _____



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

- 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://maps.massgis.state.ma.us/PRI_EST_HAB/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
 1 Rabbit Hill Road
 Westborough, MA 01581-3336

October 1, 2008
 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/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html>). 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/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14>; 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/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). 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.

Wetland Permitting Plan

a. Plan Title

Stamski and McNary, Inc.

b. Prepared By

November 4, 2014

d. Final Revision Date

George Dimakarakos, P.E.

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.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands

Provided by MassDEP:

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 _____

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	1274	3. Check date	11/4/14
4. State Check Number	1273	5. Check date	11/4/14
6. Payor name on check: First Name	JEANSON BUILDERS LLC		
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		2. Date	11/4/14
3. Signature of Property Owner (if different)	_____	4. Date	_____
5. Signature of Representative (if any)	_____	6. Date	_____

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

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

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



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

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



A. Applicant Information

1. Location of Project:

95 Newtown Road

a. Street Address

1273

c. Check number

Acton

b. City/Town

\$237.50

d. Fee amount

2. Applicant Mailing Address:

Michael

a. First Name

Jeanson Builders, LLC

c. Organization

12 Kennedy Lane

d. Mailing Address

Acton

e. City/Town

(978) 263-8081

h. Phone Number

i. Fax Number

MA

f. State

01720

g. Zip Code

jeansonhomes@hotmail.com

j. Email Address

3. Property Owner (if different):

David & Margaret

a. First Name

Forrant

b. Last Name

c. Organization

Newtown Road

d. Mailing Address

Acton

e. City/Town

MA

f. State

01720

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
Construct a single family dwelling	1	\$500	\$500
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee:	\$500
State share of filing Fee:	a. Total Fee from Step 5 \$237.50
City/Town share of filling Fee:	b. 1/2 Total Fee less \$12.50 \$262.50 Plus \$100 bylaw

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.)

JEANSON BUILDERS LLC
12 KENNEDY LN
ACTON, MA 01720

05-06

1273

53-7122/2113

DATE 11/4/14

PAY TO THE ORDER OF

Commonwealth of Mass

\$ 237.50

Two Hundred Thirty Seven dollars and $\frac{50}{100}$

DOLLARS  Security Features Details on Back



FOR _____

2

JEANSON BUILDERS LLC
12 KENNEDY LN
ACTON, MA 01720

05-06

1274

53-7122/2113

DATE 11/4/14

PAY TO THE ORDER OF

Town of Acton

\$ 262.50

Two Hundred Sixty Two dollars and $\frac{50}{100}$

DOLLARS  Security Features Details on Back



FOR _____

2

JEANSON BUILDERS LLC
12 KENNEDY LN
ACTON, MA 01720

05-06

1275

53-7122/2113

DATE 11/4/14

PAY TO THE ORDER OF

Town of Acton

\$ 100.-

One Hundred dollars and $\frac{00}{100}$

DOLLARS  Security Features Details on Back



FOR _____

1

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
 Principal Assessor

Locus: 95 NEWTOWN RD
 Parcel ID: E3-29

Parcel ID	Location	Owner	Co-Owner	Mailing Address	City	ST	Zip
E3-11	103 NEWTOWN RD	CHERNER BRUCE A	BRESADOLA MARY A	103 NEWTOWN RD	ACTON, MA	1720	
E3-2	63 HAMMOND ST	IVANOV ALEX	ELIZABETH	63 HAMMOND ST	ACTON, MA	1720	
E3-20	97 NEWTOWN RD	PRATT JEFFREY R + JENNIFER		97 NEWTOWN RD	ACTON, MA	1720	
E3-27	96 NEWTOWN RD	HARRIS DYLAN	MOURAO LUCIANA	96 NEWTOWN RD	ACTON, MA	1720	
E3-28	100 NEWTOWN RD	PLATT CAROLYN W		100 NEWTOWN RD	ACTON, MA	1720	
E3-3-1	1 EVERGREEN WY	CHYTIL MILAN + CAROL W		1 EVERGREEN WY	ACTON, MA	1720	
E3-32	98 NEWTOWN RD	AL-ATRAQCHI WALEED	AL-ATRAQCHI DENISE	98 NEWTOWN RD	ACTON, MA	1720	
E3-33	91 NEWTOWN RD	MINOT GROUP INC		124 NEWTOWN ROAD	ACTON, MA	1720	
E3-51	90 NEWTOWN RD	SANKEY MARK A	SANKEY VICTORIA A	90 NEWTOWN RD	ACTON, MA	1720	

The owner of land sharing a common boundary or corner with the site of the proposed activity (100 feet) in any direction, including land located directly across a street, way, creek, river, stream, brook or canal. The above are as they appear on the most recent applicable taxes.

Marty Abbott

Marty Abbott
 Acton Assessors Office

29-Oct-14

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: Jeanson Builders, LLC.

Address: 12 Kennedy Lane, Acton, MA 01720 Phone: (978) 263-8081

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: 95 Newtown Road

Town Atlas Plate/Map E-3 Parcel/Lot 29

Project Description: Construction of a portion of a single family dwelling, a portion of a paved driveway, septic tank, pump chamber, forcemain, and all associated grading within the 100' Buffer Zone of a Bordering Vegetated Wetland. All disturbed areas will be loamed and seeded.

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, 11/19
at 9:00 P.M.

(date)

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

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

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

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

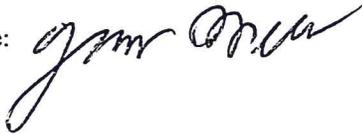
AFFIDAVIT OF SERVICES
Under the Massachusetts Wetlands Protection Act
(to be submitted to the Massachusetts Department of
Environmental Protection and the Conservation Commission
when filing a Notice of Intent)

I, James Melvin, hereby certify under the pains and penalties of perjury that on 11 / 6 / 14 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 Jeanson Builders. LLC.
with the Acton Conservation Commission for
property located at 95 Newtown Road Map E-3
Parcel 29.

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: 11 / 6 / 14

Attachment A
Project Narrative

Project Narrative

Existing Conditions

The site consists of a 1.45 acre vacant lot. The site is primarily wooded.

Project Description

The proposed project is to construct a portion of a single family dwelling, a portion of a paved driveway, septic tank, pump chamber, forcemain, and all associated grading within the 100' Buffer Zone of a Bordering Vegetated Wetland. All disturbed areas will be loamed and seeded.

Resource Area Descriptions

The resource area located on site is a Bordering Vegetated Wetland. The BVW is located on site to the southeast and just offsite to the east. The BVW was delineated by B and C Associated. The DEP Field Data Forms are attached.

Massachusetts Endangered Species Act Review:

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

Compliance with Town of Acton Wetlands Bylaw and Wetland Bylaw Regulations:

The proposed work is within the 100' Buffer Zone. The proposed dwelling and driveway are located outside of the 75' setback and all grading is located outside the 50' "Undisturbed Natural Vegetation" buffer.

Compliance with Stormwater Management Standards:

The project is not subject to the Stormwater Management Standards.

Summary:

The project has been designed to meet the performance standards of the Town of Acton Wetlands Bylaw, Wetland Bylaw Regulations, and the Wetlands Protection Act. Erosion controls have been proposed to protect wetland resource areas during construction.

Attachment B
U.S.G.S. Map

EX COUNTY

STATE 495

27' 30"

299

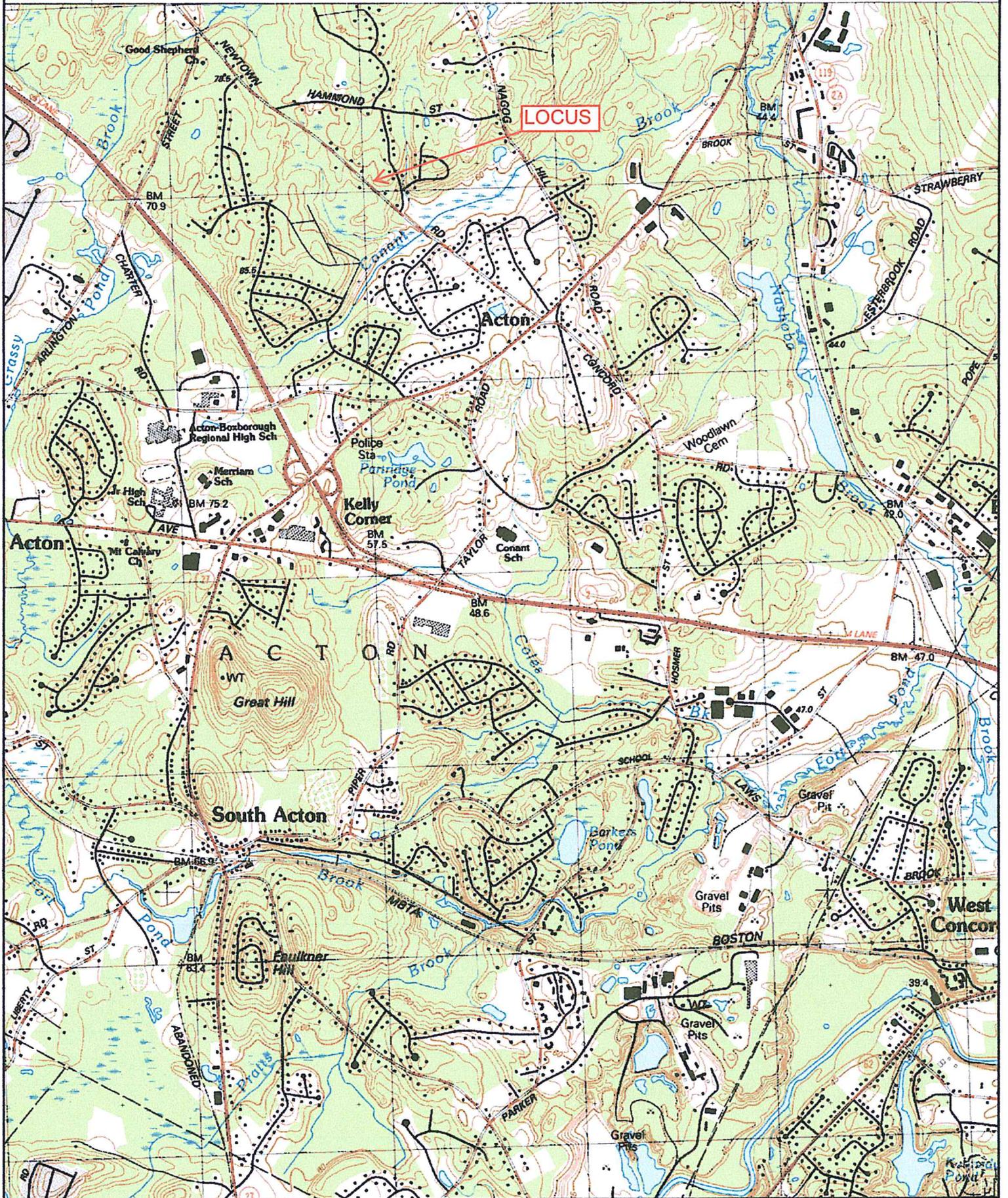
300

LOWELL 21 KM
CHELMSFORD 13 KM

7.1 KM TO INTERSTATE 495

25'

302



Attachment C
Massachusetts Natural Heritage Atlas 13th Edition



Priority Habitats and Estimated Habitats - Effective October 1, 2008

Priority Habitats for use with the MA Endangered Species Act Regulations (321 CMR 10)

Estimated Habitats for use with the MA Wetlands Protection Act Regulations (310 CMR 10)

Produced by the Natural Heritage & Endangered Species Program

website: www.nhesp.org



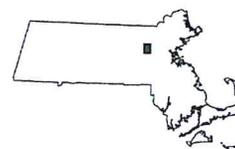
Page Index

p.43	p.44	p.45	p.46	p.47
p.65	p.66	p.67	p.68	p.69
p.87	p.88	p.89	p.90	p.91

-  Priority Habitat of Rare Species
-  Priority Habitat of Rare Species and also Estimated Habitat of Rare Wildlife
-  Certified Vernal Pool (as of July 31, 2008)



Maynard Quad



Attachment D
FEMA Flood Insurance Map



MAP SCALE 1" = 500'



NFIP NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0352F

FIRM
FLOOD INSURANCE RATE MAP
MIDDLESEX COUNTY,
MASSACHUSETTS
(ALL JURISDICTIONS)

PANEL 352 OF 656
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:
COMMUNITY NUMBER 250176
ACTION, TOWN OF 0352
PANEL SUFFIX F

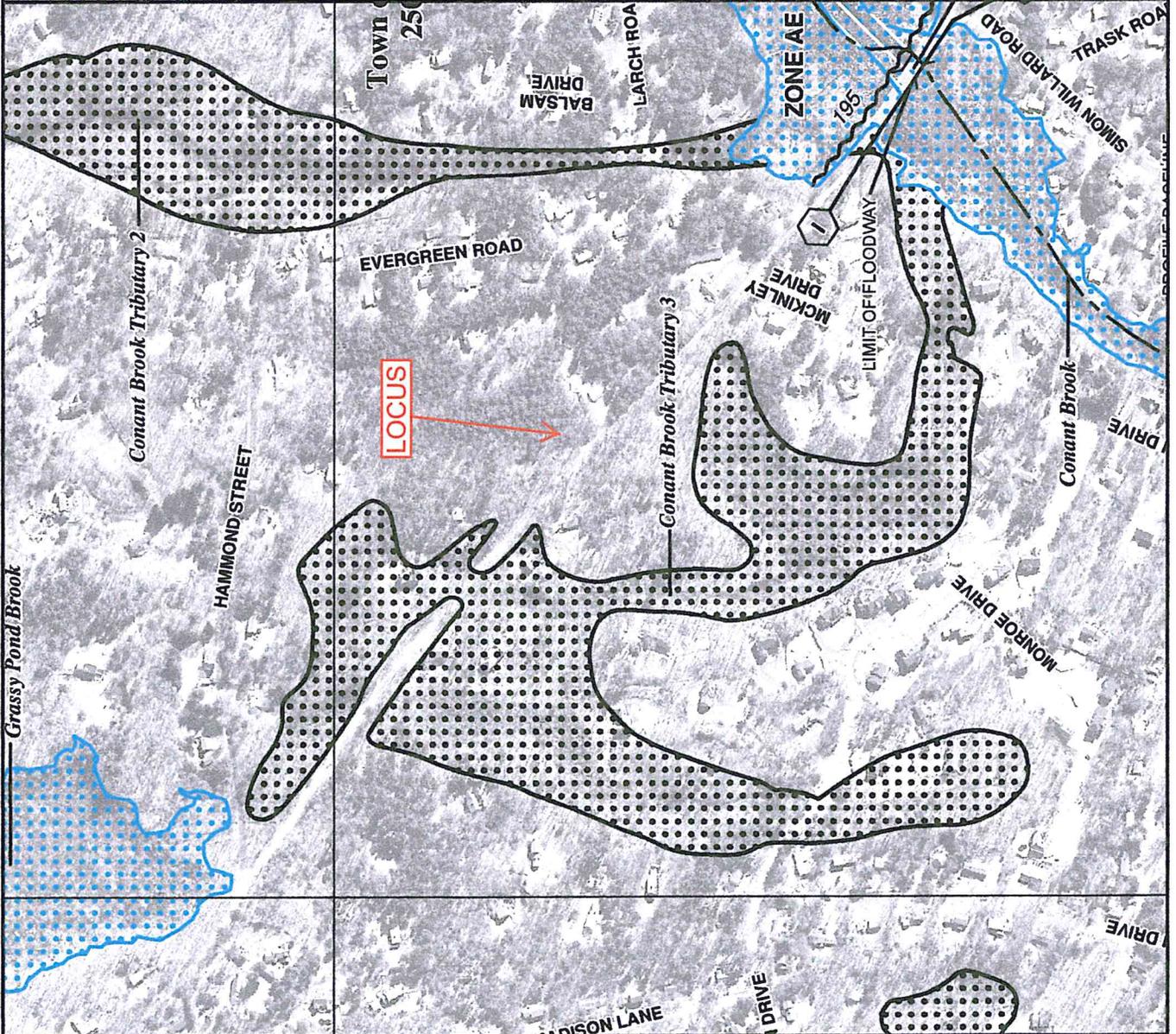
Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



Federal Emergency Management Agency

MAP NUMBER
25017C0352F
MAP REVISED
JULY 7, 2014

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the file block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



Attachment E
DEP Field Data Forms

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: _____ Prepared by: B & C Associates Inc. Project location: 95 Newtown Road, Acton DEP File #: _____

- Check all that apply:
- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
 - Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
 - Method other than dominance test used (attach additional information)

Section I. Vegetation Observation Plot Number: 1 Transect Number: A Date of Delineation: 10/27/14

A. Sample Layer and Plant Species (by common/scientific name)	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category *
Herbaceous: Cinnamon Fern	10.5/10.5	100%	Yes	FACW *
Shrubs: Highbush Blueberry	20.5	46%	Yes	FACW- *
European Buckthorn	10.5	24%	Yes	FAC *
White Pine	10.5	24%	Yes	FACU
White Oak	3.0/44.5	7%	No	FACU-
Saplings: Black Birch	10.5/10.5	100%	Yes	FACU
Lianas: Oriental Bittersweet	3.0/3.0	100%	Yes	UPL
Overstory: White Pine	3254.0	89%	Yes	FACU
Red Maple	404.1/3658.1	11%	No	FAC *

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants: 3 Number of dominant non-wetland Indicator plant: 4

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? NO

Section II. Indicators of Hydrology
Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? YES

title/date: Middlesex County 12/17/2013

map number: 1

soil type mapped: Narragansett-Hollis-Rock outcrop complex

hydric soil inclusions:

Are field observations consistent with soil survey? YES

Remarks:

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
O ₁	2-0"		
A	0-4"	10 YR 3/2	
B	4-16"	10 YR 4/6	

Remarks: Refusal @ 16"

3. Other: 6' 9" to Wetland Flag # 11
 5' 0" to Wetland Flag # 12

Conclusion: Is soil hydric? NO

Other Indicators of Hydrology: (check all that apply and describe)

- Site inundated: _____
- Depth to free water in observation hole: _____
- Depth to soil saturation in observation hole: _____
- Water marks: _____
- Drift lines: _____
- Sediment deposits: _____
- Drainage patterns in BWV: _____
- Oxidized rhizospheres: _____
- Water-stained leaves: _____
- Recorded data (stream, lake, or tidal gauge; aerial photo; other): _____
- Other: _____

Vegetation and Hydrology Conclusion

Number of wetland indicator plants Yes No
 ≥ number of non-wetland indicator plants

Wetland hydrology present:
 hydric soil present

other indicators of hydrology present

Sample location is in a BWV

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: _____ Prepared by: B & C Associates Inc. Project location: 95 Newtown Road, Acton DEP File #: _____

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
- Method other than dominance test used (attach additional information)

Section I. Vegetation Observation Plot Number: 2 Transect Number: A Date of Delineation: 10/27/14

A. Sample Layer and Plant Species (by common/scientific name) **B. Percent Cover (or basal area)** **C. Percent Dominance** **D. Dominant Plant (yes or no)** **E. Wetland Indicator Category ***

Herbaceous:	Cinnamon Fern	10.5	30%	Yes	FACW	*
	Reed	10.5	30%	Yes	FACW	*
	Swamp Dewberry	10.5	30%	Yes	FACW	*
	Sedges	3.0/34.5	9%	No	FACW+	*
Shrubs:	Highbush Blueberry	10.5	22%	Yes	FACW-	*
	European Buckthorn	10.5	22%	Yes	FAC	*
	White Pine	10.5	22%	Yes	FACU	
	Red Oak	10.5	22%	Yes	FACU-	
	White Ash	3.0	6%	No	FACU	
	White Oak	3.0/48.0	6%	No	FACU-	
Saplings:	Black Birch	10.5/10.5	100%	Yes	FACU	
Lianas:	Oriental Bittersweet	3.0/3.0	100%	Yes	UPL	
Overstory:	White Pine	2398.7	92%	Yes	FACU	*
	Red Maple	208.7/2607.4	8%	No	FAC	

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants: 5 Number of dominant non-wetland Indicator plant: 5

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? YES

Section II. Indicators of Hydrology
Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? YES

title/date: Middlesex County 12/17/2013

map number: 1

soil type mapped: Narragansett-Hollis-Rock outcrop complex

hydric soil inclusions:

Are field observations consistent with soil survey? NO

Remarks:

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
O ₁	1-0"		
A	0-8"	10 YR 2/1	
B	8-15"	10 YR 6/3	10 YR 5/8

Remarks:

3. Other: 9' 8" to Wetland Flag # 11
 11' 3" to Wetland Flag # 12
 14' 1" Downgradient from A1

Conclusion: Is soil hydric? YES

Other Indicators of Hydrology: (check all that apply and describe)

- Site inundated: _____
- Depth to free water in observation hole: _____
- Depth to soil saturation in observation hole: _____
- Water marks: _____
- Drift lines: _____
- Sediment deposits: _____
- Drainage patterns in BVW: _____
- Oxidized rhizospheres: _____
- Water-stained leaves: _____
- Recorded data (stream, lake, or tidal gauge; aerial photo; other): _____
- Other: _____

Vegetation and Hydrology Conclusion

Number of wetland indicator plants
 ≥ number of non-wetland indicator plants

Yes No

■ □

Wetland hydrology present:
 hydric soil present

■ □

other indicators of hydrology
 present

■ □

Sample location is in a BVW

■ □

Attachment F
Wetland Permitting Plan
by Stamski and McNary, Inc.