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ASE 18567

December 17, 2014

Acton Conservation Commission
472 Main Street
Acton, MA 01720

Re: Notice of Intent
117 Arlington Street

Dear Commission Members:

Please find enclosed the Notice of Intent Plan for 117 Arlington Street which has been revised in response to your site meeting yesterday. Specifically, The assumed mean annual high water of Grassy Pond Brook has been shown at the toe of slope defining the on-site wetlands and an additional mean annual high water line associated with Grassy Pond Brook has been shown on the opposite side of the Arlington Street Right of way at the toe of the slope defining the traveled way of Arlington Street.

As discussed at the site meeting, the adjustment of the mean annual high water line does not result in any portion of the alterations occurring within the 100 foot riparian zone. The total alteration of the riverfront area on the site is 959 square feet which consists of 197 square feet of grading on the north side of the house and 762 square feet of additions to the existing house. This is below the amount of alterations allowed by 310 CMR 10.58(4)(d)1. The replacement septic system to serve the existing house is located entirely outside the riverfront area.

USGS data indicates that regional stream flow is in the 90 percentile range and flow is not occurring along the toe of the toe of slope shown on the plan. It should be noted that moving the mean annual stream flow away from the channel bank results in an increase in the size of the sites riparian zone and allows a greater area to be altered.

Soil explorations were made in the area north of wetland flags 23 and 24. Areas of organic fill and some upland soils were encountered. The original delineation terminated in this area as we are not able to conduct the delineation on the abutting property without the property owner's permission and the area is offset a greater distance from the project than the other flagged wetlands. It is our opinion that wetland flag 21 represents the closest point of the wetlands to the house and proposed septic system. This point establishes the critical non-disturbance and no structure buffer zones established by your regulations.

The project consist of constructing the replacement septic systems and to construct additions to the existing house to allow the rehabilitation of the house to be economically viable. Section 3.3 of your regulations states "~~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 Activities or structures...~~". The site is both presently and proposed to be utilized as a single family home. The existing garage associated with the existing single family home is located 38.3 feet from the edge of the wetland resource area. The proposed alterations to the single family home will be offset over 60 feet from the wetland resource areas. It is our opinion that that the existing garage and proposed addition are both like activities as they are both in support of utilizing the site as a single family home. As the proposed structures are offset a greater distance from the wetlands than the existing structures the alterations are in conformance with your regulations.

The Notice of Intent application submitted on November 25, 2014 included a summary of how the Interests of the Act and Your Bylaw will be protected. Specifically the following:

Water Supply - There are no public or private water supplies in the vicinity of the proposed alterations and the abandonment of the existing septic system will eliminate a potential source of pollution.

Groundwater Supply - The addition of drip line recharge trenches will provide for a small increase in recharge capabilities, especially for low intensity storm events. At this site owing to the flat ground slopes little runoff occurs.

Flood Control - The 100 year flood plain has been determined to be at elevation 204 and the elevation of the proposed alterations are above elevation 206 and should have no impact on flooding at the site or downstream.

Prevention of Pollution - The renovation of the septic system and possible removal of the basement sump pump will remove possible sources of pollution.

Land Containing Shellfish - The need for this protection does not apply to this site or its environs. Protection of Fisheries The proposed alterations are sufficiently offset from the BVW and Grassy Pond Brook to insure that alterations will not impact the ability of the wetlands to provide foodstuffs or shade necessary to protect fisheries.

Wildlife Habitat - All alterations, except for portions of the soil absorption area, are to occur within existing lawn areas and in close proximity to the existing structure and should not affect wildlife habituating the wetlands or using the Grassy Brook corridor for travel.

The project as designed will have no adverse impacts on the Interests of the Act or your Bylaw. The alterations to the site will provide additional protections to the wetland resource areas by removing a potential source of groundwater contamination and all alterations are offset a greater distance from the wetlands than the existing like activities or structures.

Very truly yours,



Mark T. Donohoe, PE
for: Acton Survey & Engineering

cc: Mark Saganich