

Date Received  
TOWN CLERK

By: \_\_\_\_\_



TOWN OF ACTON  
MASSACHUSETTS

Date Received  
BOARD OF APPEALS

By: \_\_\_\_\_

BOARD OF APPEALS  
(FORM 3)  
PETITION FOR A SPECIAL PERMIT  
(FLOOD PLAIN DISTRICT)

MAY 1 2015  
19

I/We hereby petition the Board of Appeals for a public hearing and a special permit under Section IV.1.8, Flood Plain District, of the Zoning By-Law to allow:

The addition of a family room requiring to fill 3 cu ft of concrete for the foundation piers in the flood plain for which over 363cf of earth will be removed in the crawl space under the proposed floor.  
The Conservation commission has approved the proposed work.

OFFICE USE ONLY

Seven copies of petition? \_\_\_\_\_

Seven copies of site development plan? \_\_\_\_\_

Site plan complete as per checklist? \_\_\_\_\_

List of abutters and other interested parties? \_\_\_\_\_

Fee - \$100.00/1-25 abutters  
\$125.00/26+ abutters? \_\_\_\_\_

Next Hearing Date? \_\_\_\_\_ No \_\_\_\_\_

Copy of petition & site plan sent to:

Planning Board \_\_\_\_\_  
(Date)

Conservation Commission \_\_\_\_\_  
(Date)

Town Engineer \_\_\_\_\_  
(Date)

Board of Health \_\_\_\_\_  
(Date)

Respectfully submitted

Signed Eric Watson  
(Petitioner)

Name ERIC WATSON

Address 7 ARBONWOOD RD.

Phone # 978-635-9463

Signed Eric Watson  
(Owner of Record)

Name ERIC WATSON

Address 7 ARBONWOOD RD.

Phone # 978-635-9363

Last recorded plan: Date \_\_\_\_\_

Book No. \_\_\_\_\_

Page No. \_\_\_\_\_

Town Atlas Sheet No. \_\_\_\_\_

Parcel No. \_\_\_\_\_

Section IV-H (Flood Plain District) of the Zoning By-Law requires that the application for a special permit<sup>1</sup> shall include seven copies of a Site Development Plan. This plan shall include, but shall not necessarily be limited to, plans for the total site development, existing and proposed buildings, original grade elevations, proposed final filling, drainage, system layouts and septic system plans. The following items make up an acceptable Site Development Plan:

\_\_\_\_\_ Location map (Scale 1200 ft. = 1 inch)

\_\_\_\_\_ Plot plan(s) - Maximum size 24" x 36"<sup>2</sup>

Horizontal scale 40 ft. = 1 inch, if area is  
greater than 2 acres

20 ft. = 1 inch, if area is  
less than 2 acres

\_\_\_\_\_ Contour plan(s) - Maximum size 24" x 36"<sup>2</sup>

Horizontal scale as above. Vertical scale with one (1)  
foot intervals to include:

- a. Existing grade elevations
- b. Proposed grade elevations
- c. Flood Plain grade elevations

\_\_\_\_\_ Proposed building or construction plans<sup>3</sup>

\_\_\_\_\_ Drainage system layout<sup>3</sup>

\_\_\_\_\_ Septic system plans<sup>3</sup>

NOTES:

<sup>1</sup> Approval of a permit for land use in the flood plain does not imply approval under any other sections of the Zoning By-law or approval under other applicable statutes or regulations.

<sup>2</sup> Must include boundaries of area, date of preparation, natural features, North point, scale and professional engineer or land surveyor seal.

<sup>3</sup> If applicable.



**Town of Acton**  
 472 Main Street  
 Acton, MA 01720  
 Telephone (978) 929-6621  
 Fax (978) 929-6340

Brian McMullen  
 Principal Assessor

Locus: 7 Arborwood Rd  
 Parcel: H3-24

Parcel ID	LOCATION	Owner	Co-Owner	Mailing Address	City	ST	Zip
G3-198	7 DRIFTWOOD RD	PIERMARINI STEVEN J	PIERMARINI JUDITH L	7 DRIFTWOOD RD	ACTON, MA	01720	
G3-199	9 DRIFTWOOD RD	LIGHT PETER M	LIGHT DONNA E	9 DRIFTWOOD RD	ACTON, MA	01720	
G3-200	DRIFTWOOD RD	LIGHT PETER	DONNA	9 DRIFTWOOD RD	ACTON, MA	01720	
G3-203	33 BRUCEWOOD RD	TREMARCHE ANTONIO TRUSTEE	C/O HERITAGE OF FRAMINGHAM	747 WATER ST APT 152	FRAMINGHAM, MA	01701	
G3-211	10 ARBORWOOD RD	BRAKO FRANK D	MARIE C	10 ARBORWOOD RD	ACTON, MA	01720	
G3-212	8 ARBORWOOD RD	RICHARDSON JOHN E	RICHARDSON MARION E	8 ARBORWOOD ROAD	ACTON, MA	01720	
G3-213	35 BRUCEWOOD RD	TREMARCHE ANTONIO TRUSTEE	C/O HERITAGE OF FRAMINGHAM	747 WATER ST APT 152	FRAMINGHAM, MA	01701	
H3-21	13 ARBORWOOD RD	PITWOOD TIMOTHY M + LARA		13 ARBORWOOD RD	ACTON, MA	01720	
H3-22	11 ARBORWOOD RD	ROGERS RICHARD M	ROGERS SARA-JANE M	11 ARBORWOOD RD	ACTON, MA	01720	
H3-23	9 ARBORWOOD RD	GANGOLLI ESHA A		9 ARBORWOOD RD	FRAMINGHAM, MA	01701	
H3-25	ARBORWOOD RD	TREMARCHE ANTONIO TRUSTEE	C/O HERITAGE OF FRAMINGHAM	747 WATER ST APT 152	ACTON, MA	01720	
H3-26	3 ARBORWOOD RD	BARRON SETH + JODI	HENDERSON TERILYN ANNE	3 ARBORWOOD ROAD	ACTON, MA	01720	
H3-27	2 ARBORWOOD RD	RYAN TIMOTHY J	ZHANG HAIYAN	2 ARBORWOOD RD	ACTON, MA	01720	
H3-3	10 FERNWOOD RD	ZHOU BO	CONSERVATION COMMISSION	10 FERNWOOD RD	ACTON, MA	01720	
H3-38	ROBINWOOD RD END	TOWN OF ACTON	MILLER LAUREN B	472 MAIN STREET	ACTON, MA	01720	
H3-38-1	4 CANDIDA LN	JOHNSON BRUCE A	BROCK LAURA W	4 CANDIDA LN	ACTON, MA	01720	
H3-38-2	2 CANDIDA LN	BROCK NEIL A	CHRISTINE	2 CANDIDA LN	ACTON, MA	01720	
H3-39	1 ROBINWOOD RD	GUINEE DAVID	PRYKE ELISE MARIE	3 ROBINWOOD RD	ACTON, MA	01720	
H3-4	12 ARBORWOOD RD	PRYKE DAVID M	CHRISTINE	12 ARBORWOOD RD	ACTON, MA	01720	
H3-40	3 ROBINWOOD RD	GUINEE DAVID	RICHARDSON MARION E	3 ROBINWOOD RD	ACTON, MA	01720	
H3-5	6 ARBORWOOD RD	RICHARDSON JOHN	C/O HERITAGE OF FRAMINGHAM	8 ARBORWOOD ROAD	ACTON, MA	01720	
H3-6	ARBORWOOD RD	TREMARCHE ANTONIO TRUSTEE	C/O HERITAGE OF FRAMINGHAM	747 WATER ST APT 152	FRAMINGHAM, MA	01701	
H3-7	37 BRUCEWOOD RD	TREMARCHE ANTONIO TRUSTEE	C/O HERITAGE OF FRAMINGHAM	747 WATER ST APT 152	FRAMINGHAM, MA	01701	

Abutters and owners of land directly opposite on any public or private street or way and abutters to the abutters within three hundred feet of the property line all as they appear on the most recent applicable tax list.

**HEARING NOTICES FOR ALL SPECIAL PERMITS MUST BE SENT TO THE PLANNING BOARD, TOWN HALL IN THE FOLLOWING TOWNS:**

Boxborough, MA 01729    Maynard, MA 01754    Concord, MA 01742    Littleton, MA 01460  
 Carlisle, MA 01741    Slow, MA 01775    Westford, MA 01886    Sudbury, MA 01776

*Marty Abbott*  
 Marty Abbott    21-Apr-15

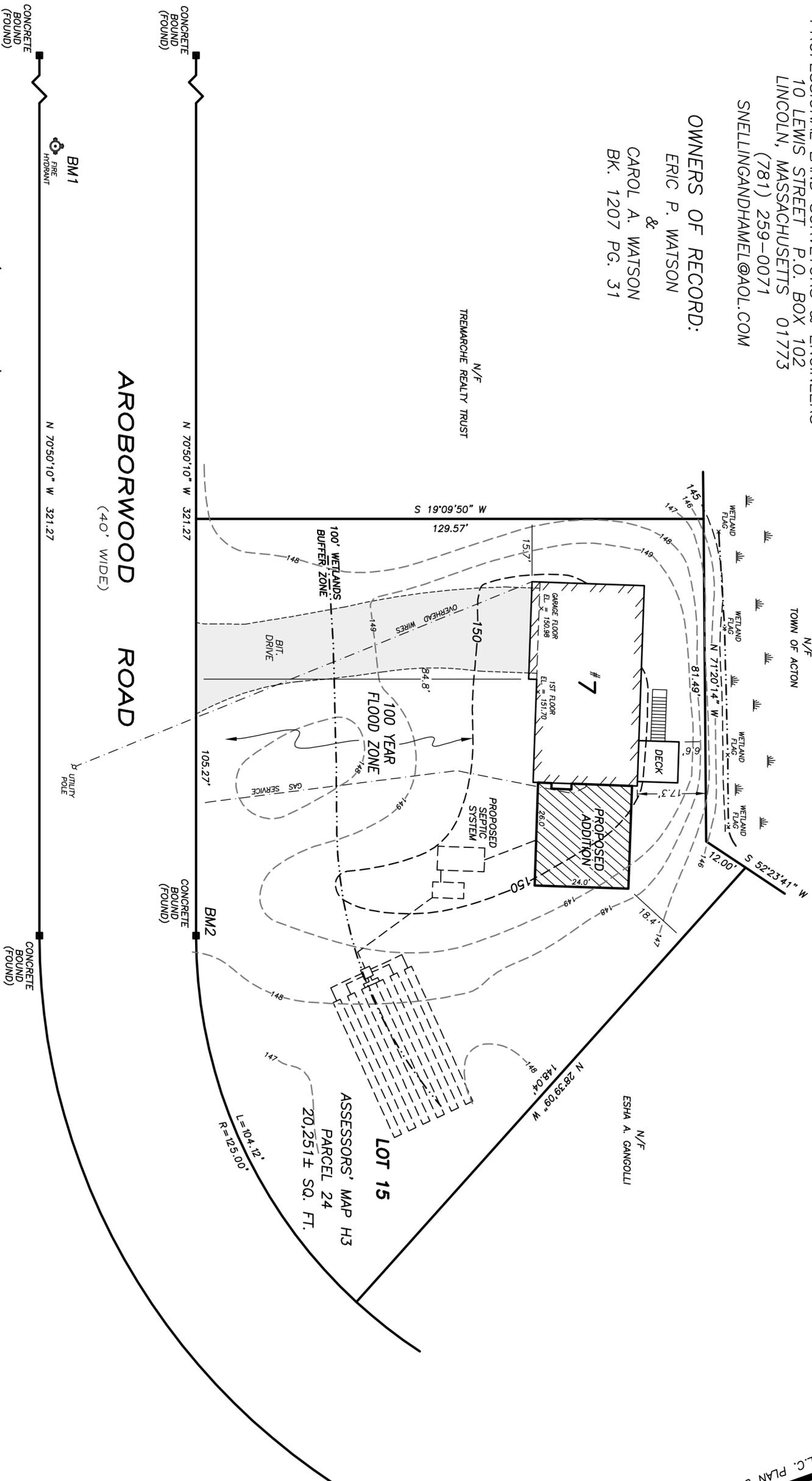
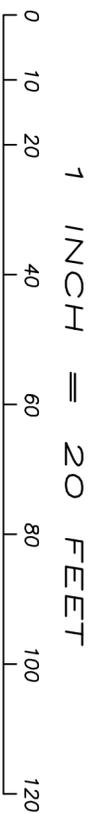
**SITE PLAN**  
**7 ARBORWOOD ROAD**  
**ACTON, MASSACHUSETTS**

1 INCH = 20 FEET NOVEMBER 11, 2014

SNELLING & HAMEL ASSOCIATES, INC.  
 PROFESSIONAL LAND SURVEYORS & ENGINEERS  
 10 LEWIS STREET P.O. BOX 102  
 LINCOLN, MASSACHUSETTS 01773  
 (781) 259-0071  
 SNELLINGANDHAMEL@AOL.COM

**OWNERS OF RECORD:**

ERIC P. WATSON  
 &  
 CAROL A. WATSON  
 BK. 1207 PG. 31



**BENCHMARKS: (N.A.V.D. 1988)**

- BM1 - BOLT NEXT TO "M" IN MUELLER OF FIRE HYDRANT IN FRONT OF 6 ARBORWOOD ROAD  
ELEVATION = 150.14
- BM2 - HIGH POINT OF CONCRETE BOUND IN FRONT OF 7 ARBORWOOD ROAD  
ELEVATION = 149.20'

**NOTES:**

- THE LOCATION OF THE PROPOSED SEPTIC SYSTEM IS APPROXIMATE, BASED ON INFORMATION ON FILE WITH THE TOWN OF ACTON BOARD OF HEALTH.
- THE 100 YEAR FLOOD ZONE BOUNDARY (ELEVATION 150) IS BASED ON FLOOD INSURANCE RATE MAP NUMBER 25017C0358F, REVISED JULY 7, 2014.
- THE WETLAND FLAGS SHOWN HEREON WERE FOUND; PLACED BY OTHERS

**PLAN REFERENCE:**

- LAND COURT PLAN 30896A

I HEREBY STATE THAT THE LOCATION OF THE FEATURES SHOWN HEREON IS THE RESULT OF A FIELD SURVEY PERFORMED AS OF NOVEMBER 4, 2014, WITH THE USE OF A TOPCON TOTAL STATION.

JOHN R. HAMEL  
 PROFESSIONAL  
 LAND SURVEYOR

DATE:

NORTH FROM L.C. PLAN 30896A

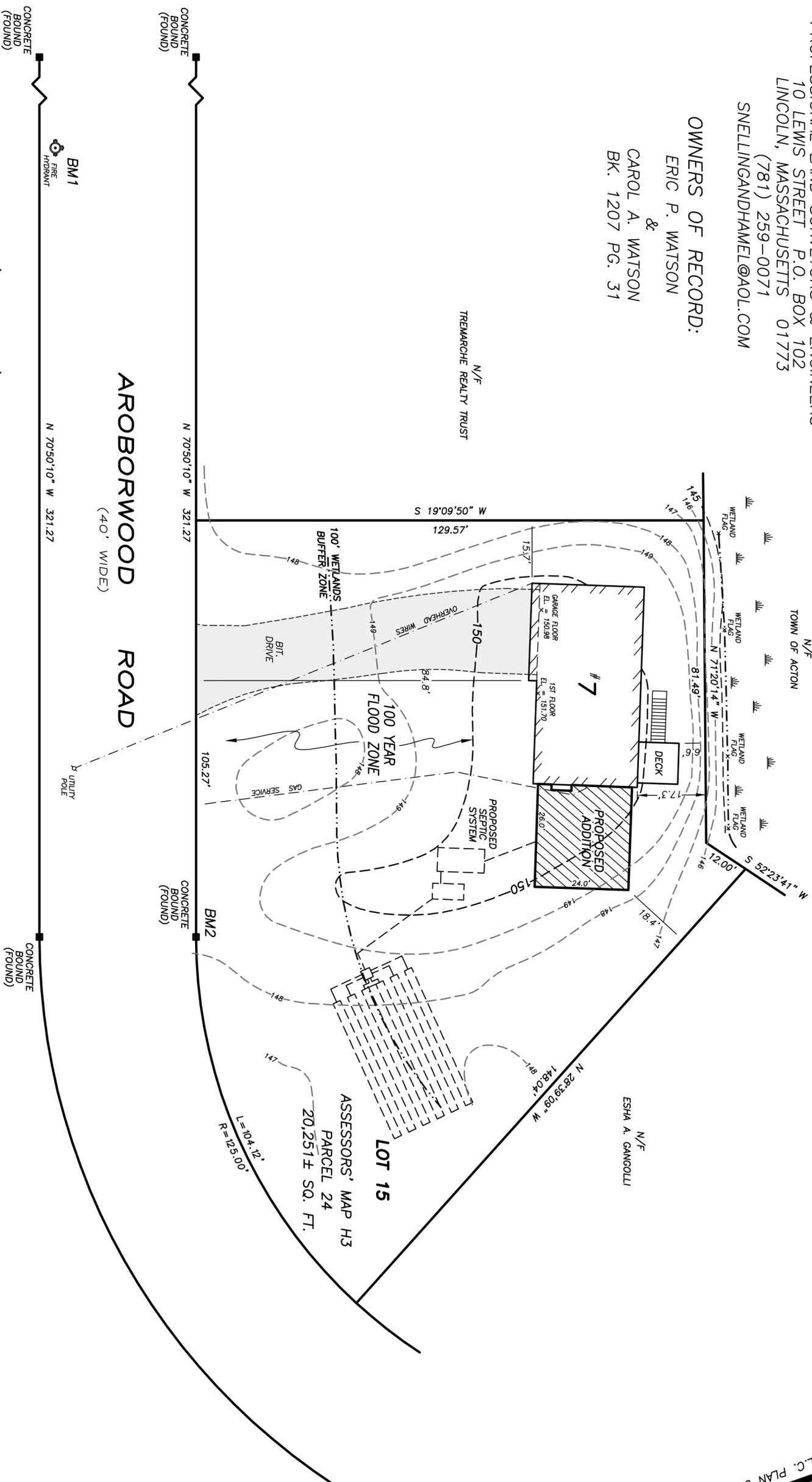
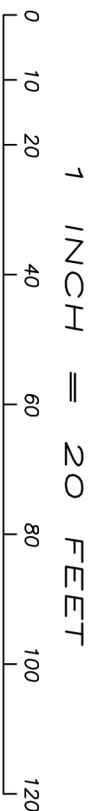
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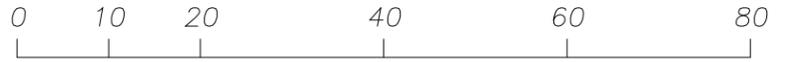
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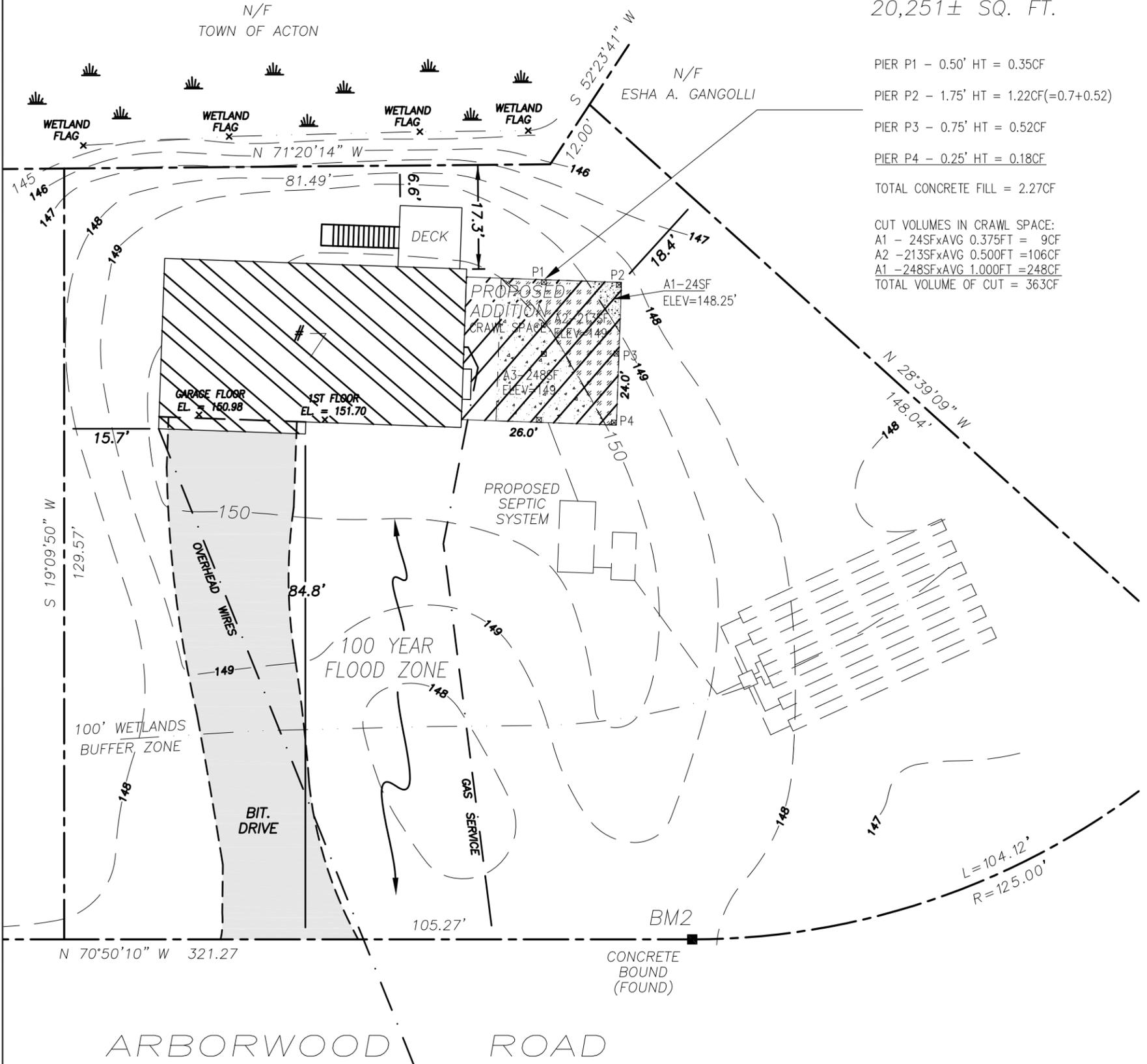
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LOT 15

ASSESSORS' MAP H3  
PARCEL 24  
20,251± SQ. FT.

PIER P1 - 0.50' HT = 0.35CF  
PIER P2 - 1.75' HT = 1.22CF(=0.7+0.52)  
PIER P3 - 0.75' HT = 0.52CF  
PIER P4 - 0.25' HT = 0.18CF  
TOTAL CONCRETE FILL = 2.27CF  
  
CUT VOLUMES IN CRAWL SPACE:  
A1 - 24SFxAVG 0.375FT = 9CF  
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TOTAL VOLUME OF CUT = 363CF



PROPOSED CUT AND FILL IS AWAY FROM THE BRAKE  
OUT LINE OF 15 FEET AROUND THE AFFLUENT  
LEACHING FIELD AND IS NOT A HEALTH HAZARD.

PROPOSED CUT AND FILL IN THE FLOOD PLANE

PROPOSED CUT CALCULATIONS:

EXISTING ELEV 148 TO 149 = CUT VOLUME = 9CF  
EXISTING ELEV 149 TO 150 = CUT VOLUME = 354CF  
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PROPOSED FILL CALCULATIONS:

EXISTING ELEV 149 TO 150.0 -  
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ALLOWED VOLUME 3CF

PROJECT/OWNER:

WATSON RESIDENCE  
7 ARBORWOOD RD  
ACTON, MA

LOT CONFIGURATION TAKEN  
FROM PLAN OF LAND DATED 11/11/14  
IN ACTON, MA PREPARED BY  
  
SNELLING & HAMEL ASSOCIATES, INC.  
PROFESSIONAL LAND SURVEYORS  
10 LEWIS STREET, LINCOLN, MA 01773  
781 259 0071

KANAYO LALA - P.E.  
FOUR WEST ROAD, ACTON, MA  
TEL: 978 337 5252  
KANAYOLALA@GMAIL.COM  
LIC. 33710-C

DATE:

DEC. 7, 14

SCALE:

1" = 20'

SHEET NO.:

C1

BENCHMARKS: (N.A.V.D. 1988)

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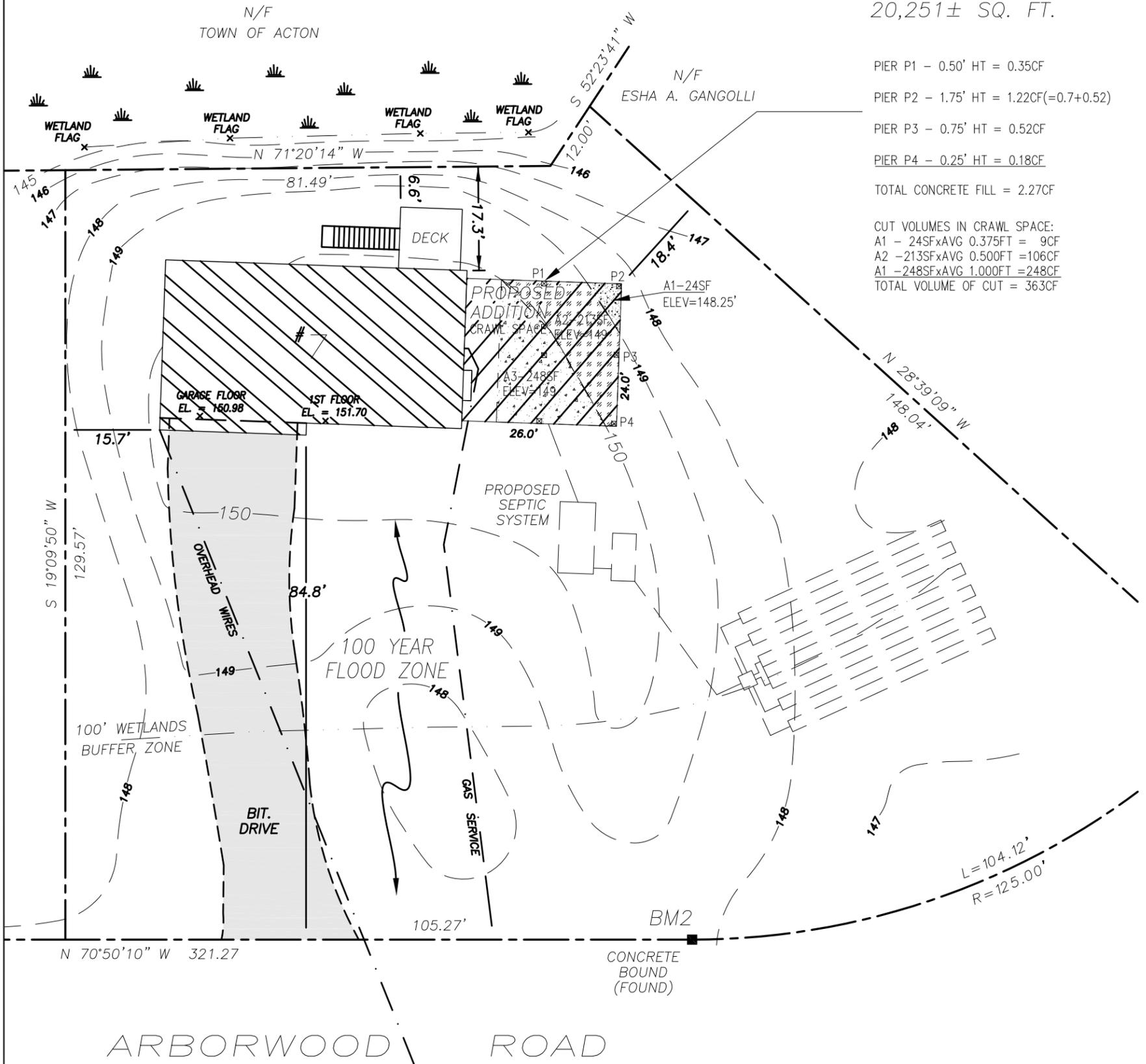
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SHEET NO.:

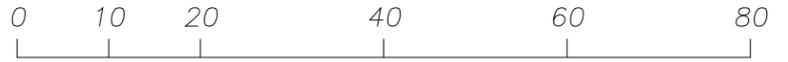
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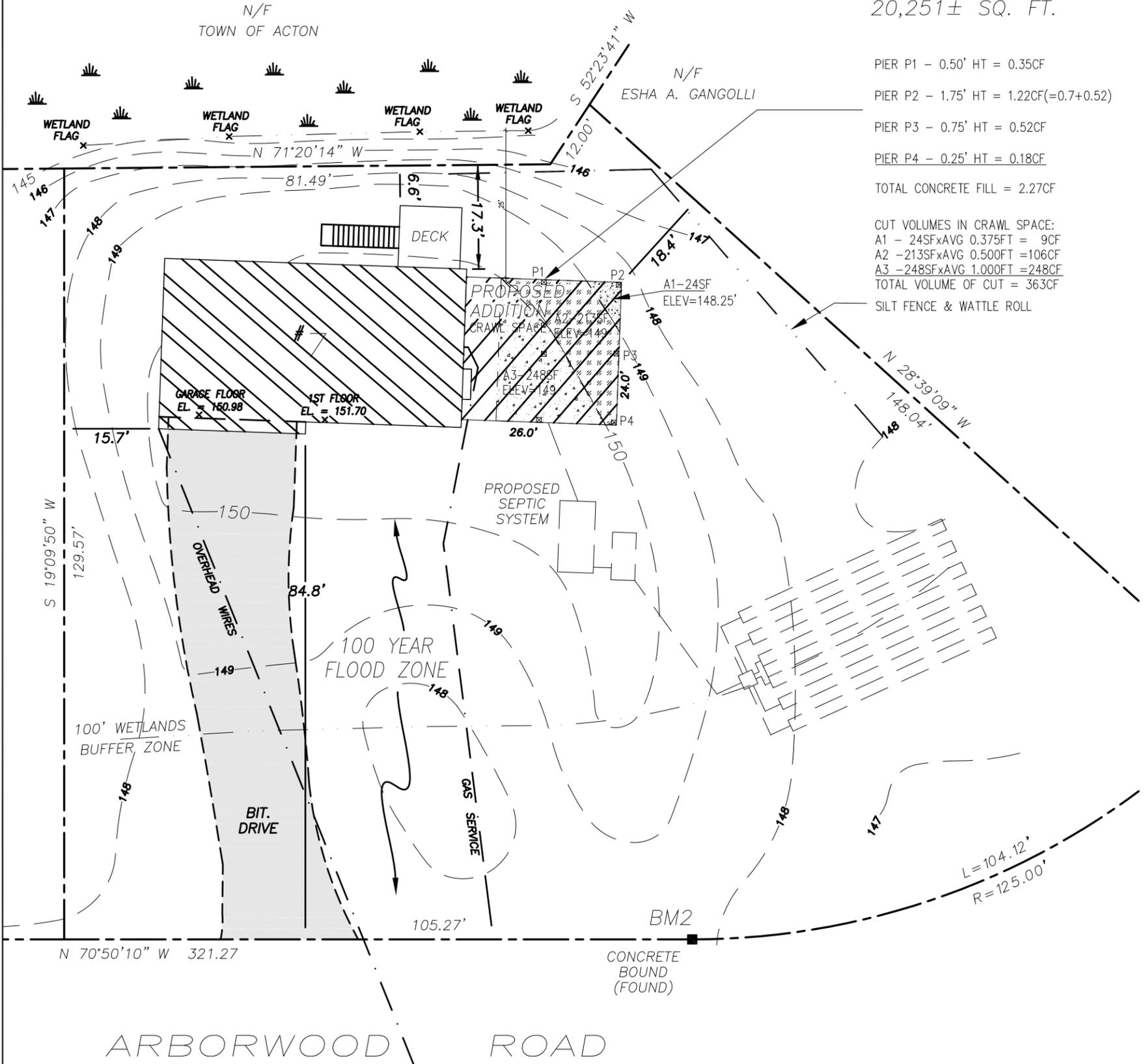
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SILT FENCE & WATTLE ROLL



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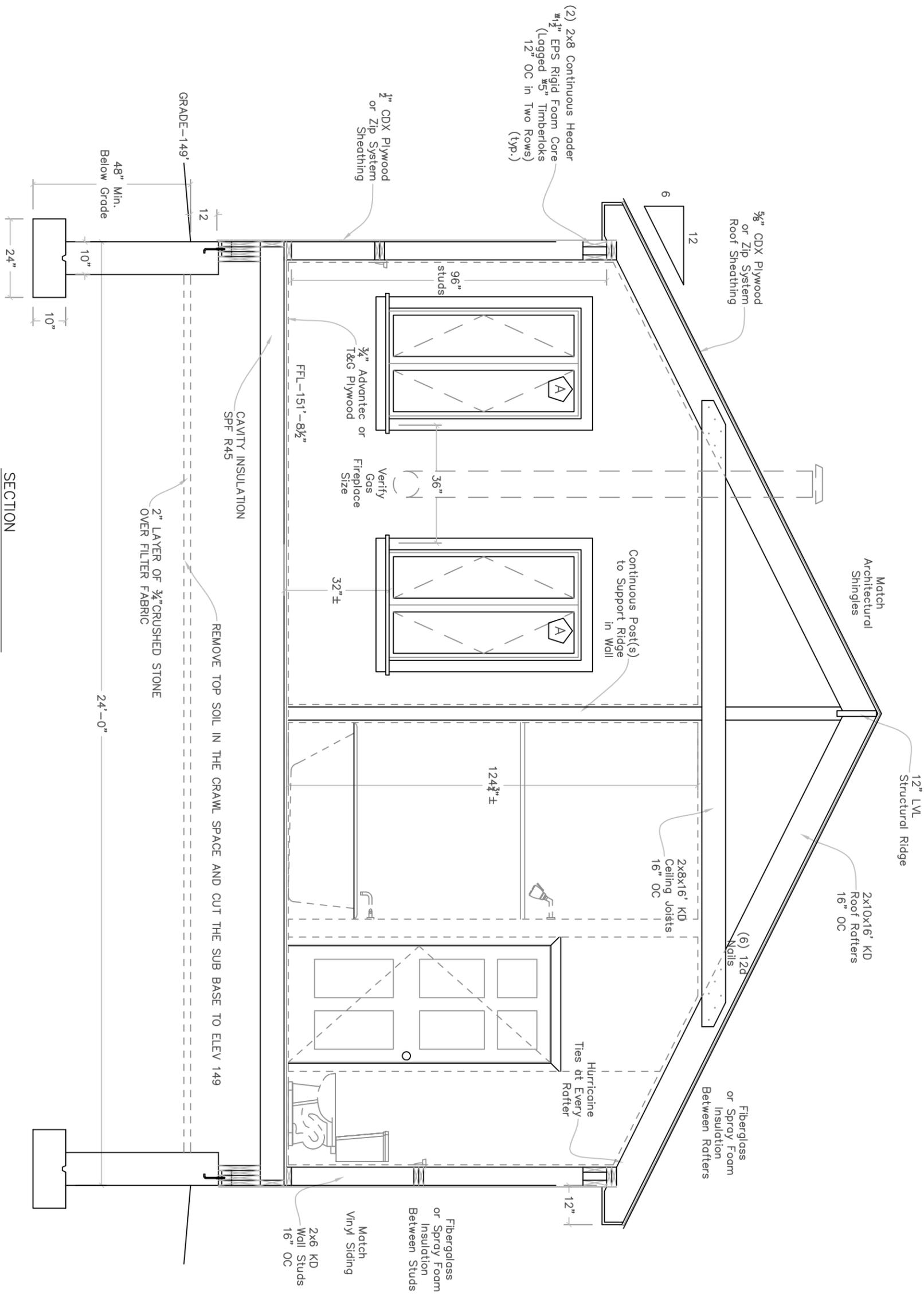
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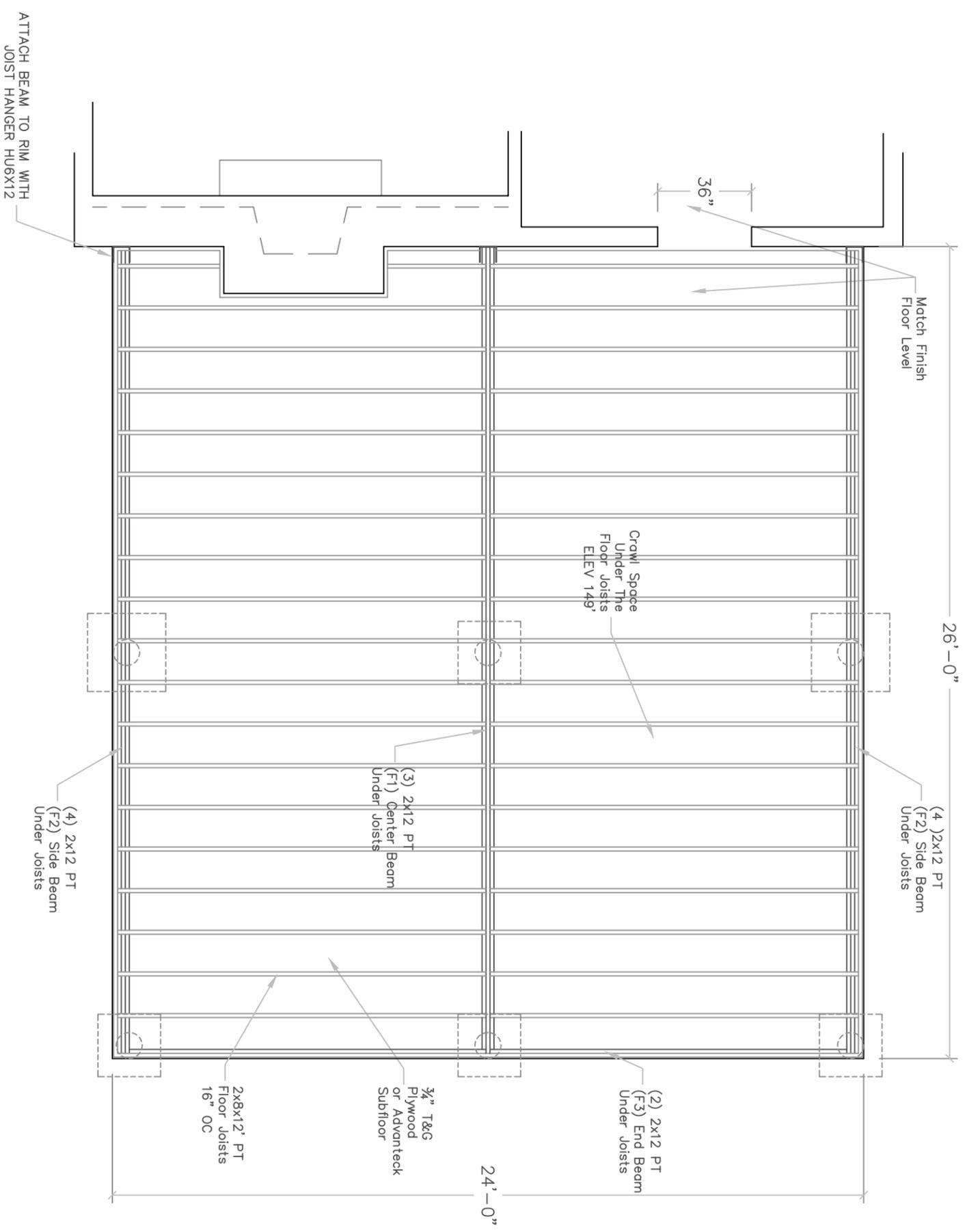
SHEET NO.:

C1



SECTION  
 SCALE: 3/8" = 1'-0" Proposed Addition

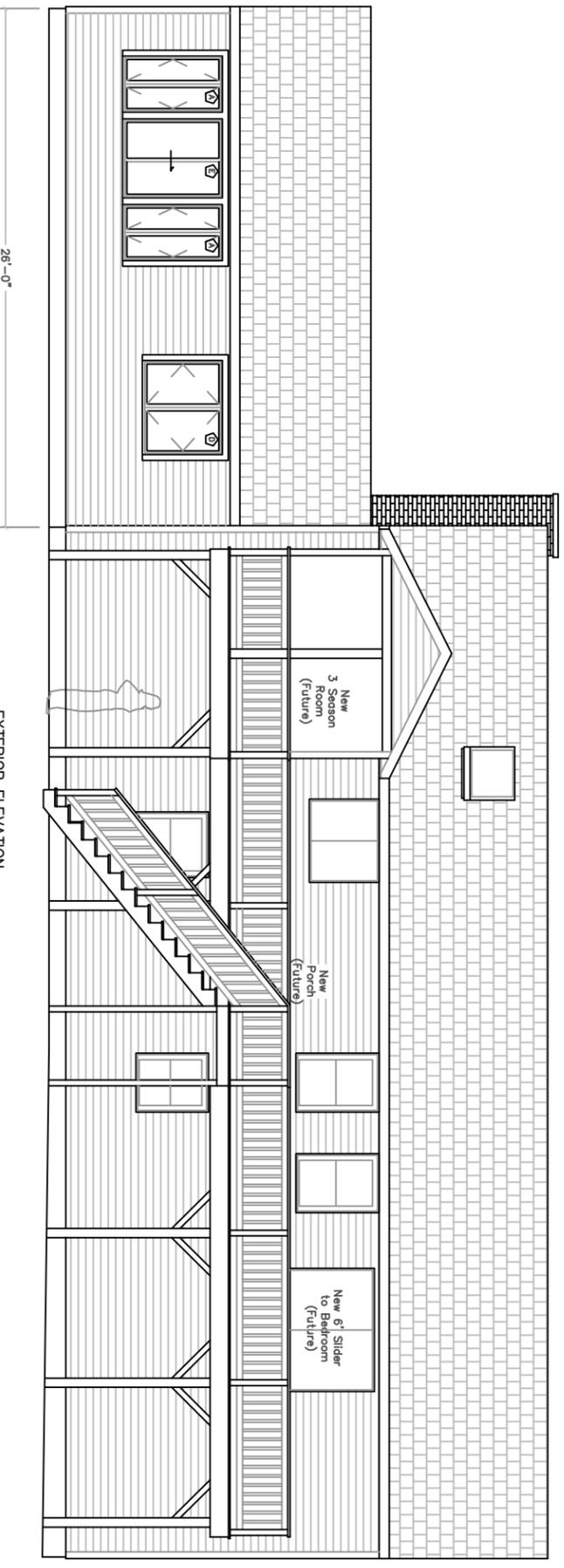
JOB NAME:		NOTE:	
Eric and Carol Watson 7 Arborwood Road Acton, MA		These Drawings are for Design Intent Only. Builder & Home Owner are Responsible for Verifying Field Conditions, Building Permits, Code Requirements, Structural Load Calculations, and All HVAC, Electrical & Plumbing Considerations.	
REV. #	DRAWN BY	DATE:	
SCALE:	J.P. Stamm	7 December 2014	SHEET NO.
As Noted			Section



**PLAN VIEW**

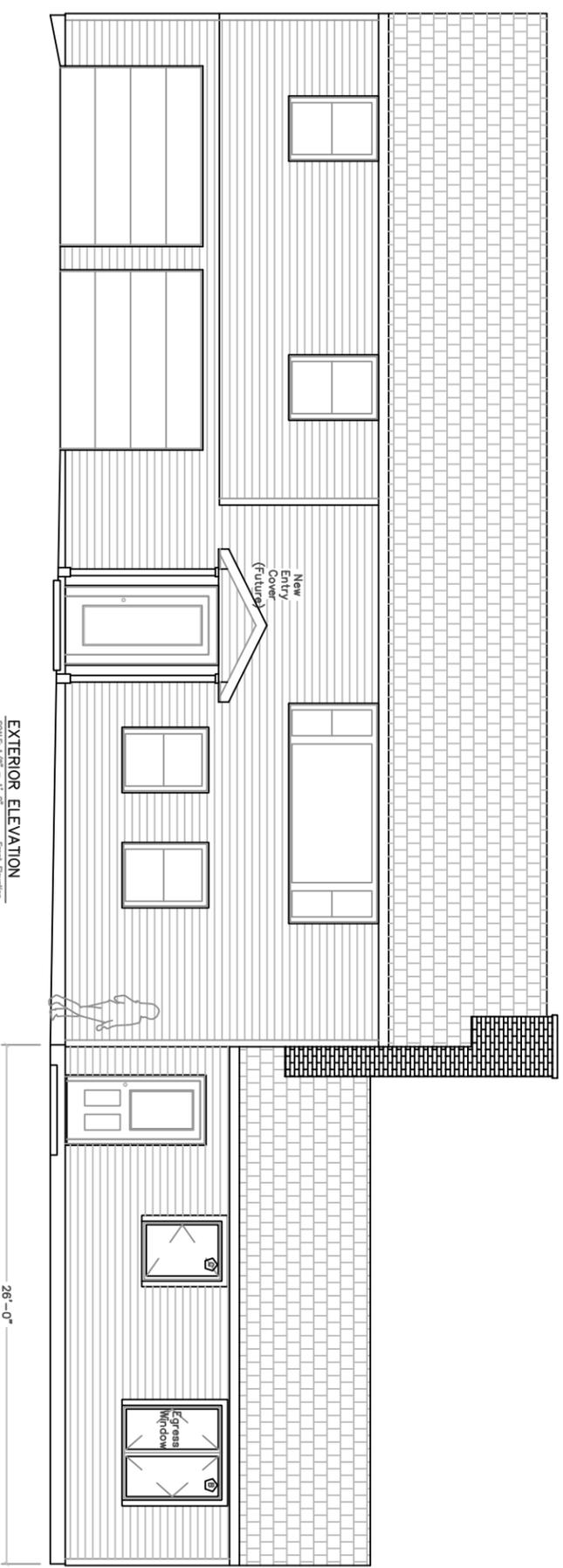
SCALE: 1/4" = 1'-0" Deck Framing

<b>JOB NAME:</b>		<b>NOTE:</b>	
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As Noted	J.P. Stamm	7 December 2014	Deck Framing



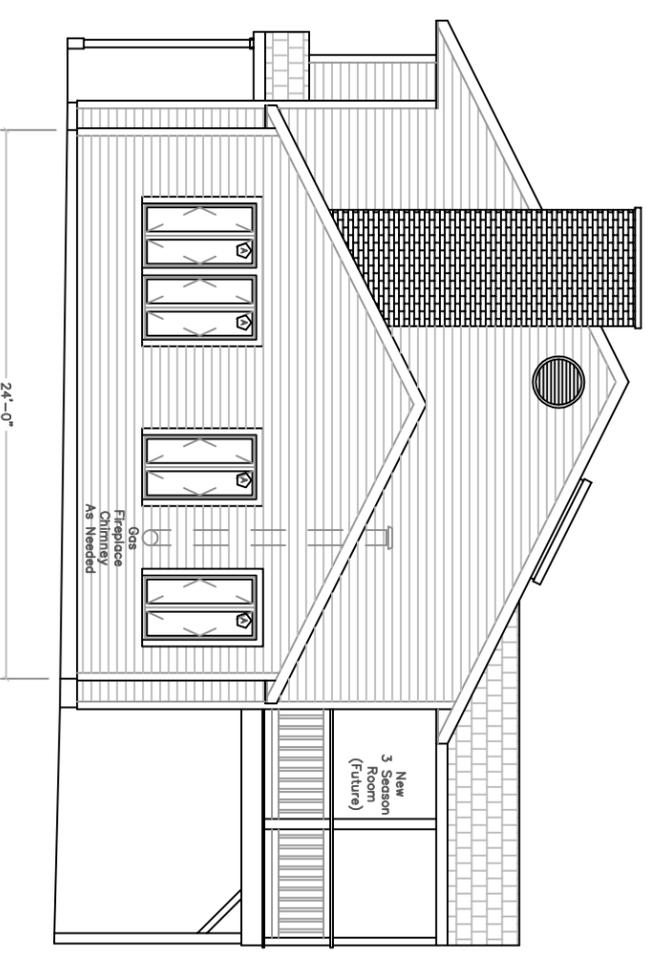
EXTERIOR ELEVATION  
SCALE: 1/8" = 1'-0"

26'-0"



EXTERIOR ELEVATION  
SCALE: 1/8" = 1'-0"

26'-0"



EXTERIOR ELEVATION  
SCALE: 1/8" = 1'-0"

24'-0"

JOB NAME:

**Eric and Carol Watson**  
7 Arborwood Road Acton, MA

REV. #

DRAWN BY:  
J.P. Stamm

DATE:

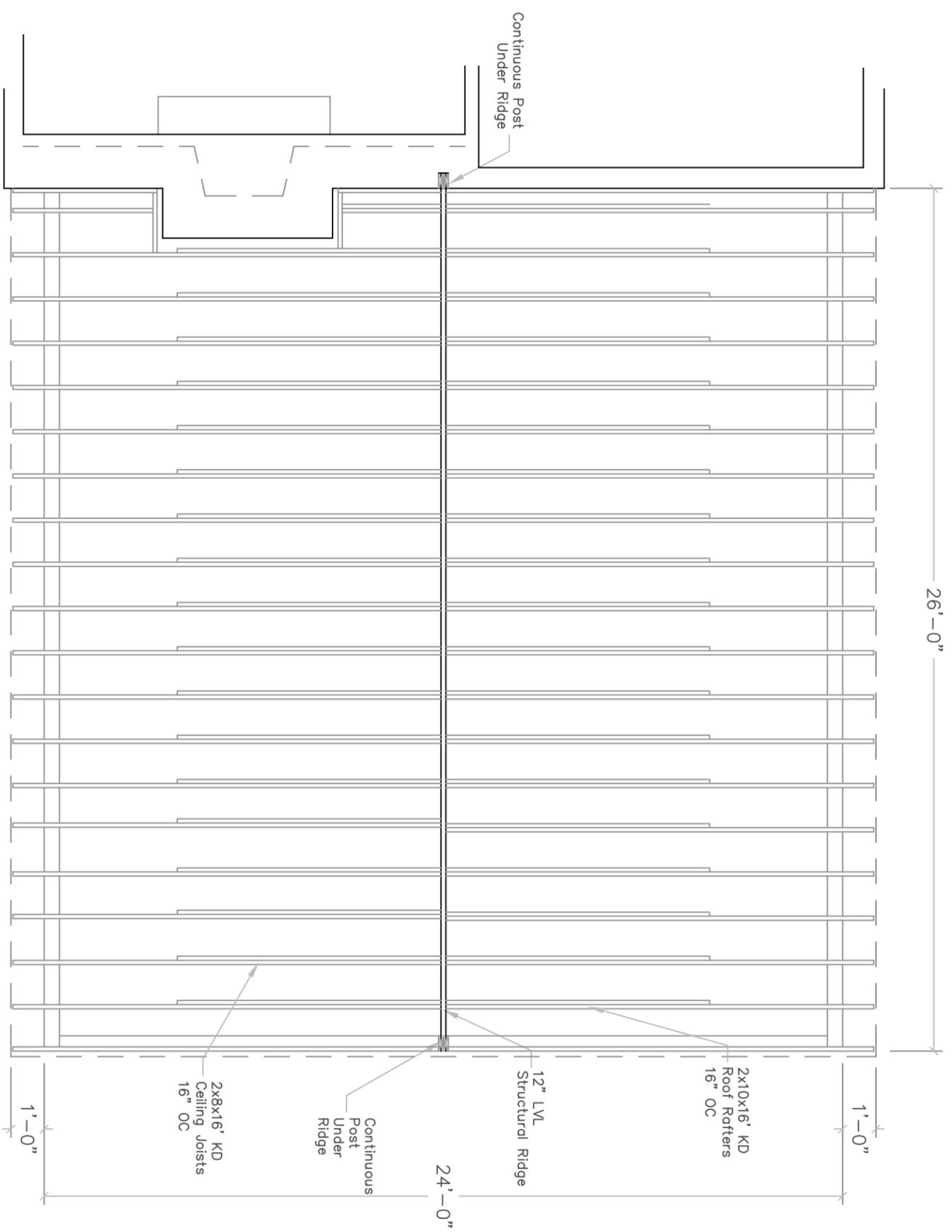
7 December 2014

SCALE:  
1/8" = 1'-0"

REV. DATE:

SHEET NO:  
Prop'd Elevs.

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Building Permits, Code Requirements, Structural Load Calculations,  
and All HVAC, Electrical & Plumbing Considerations.



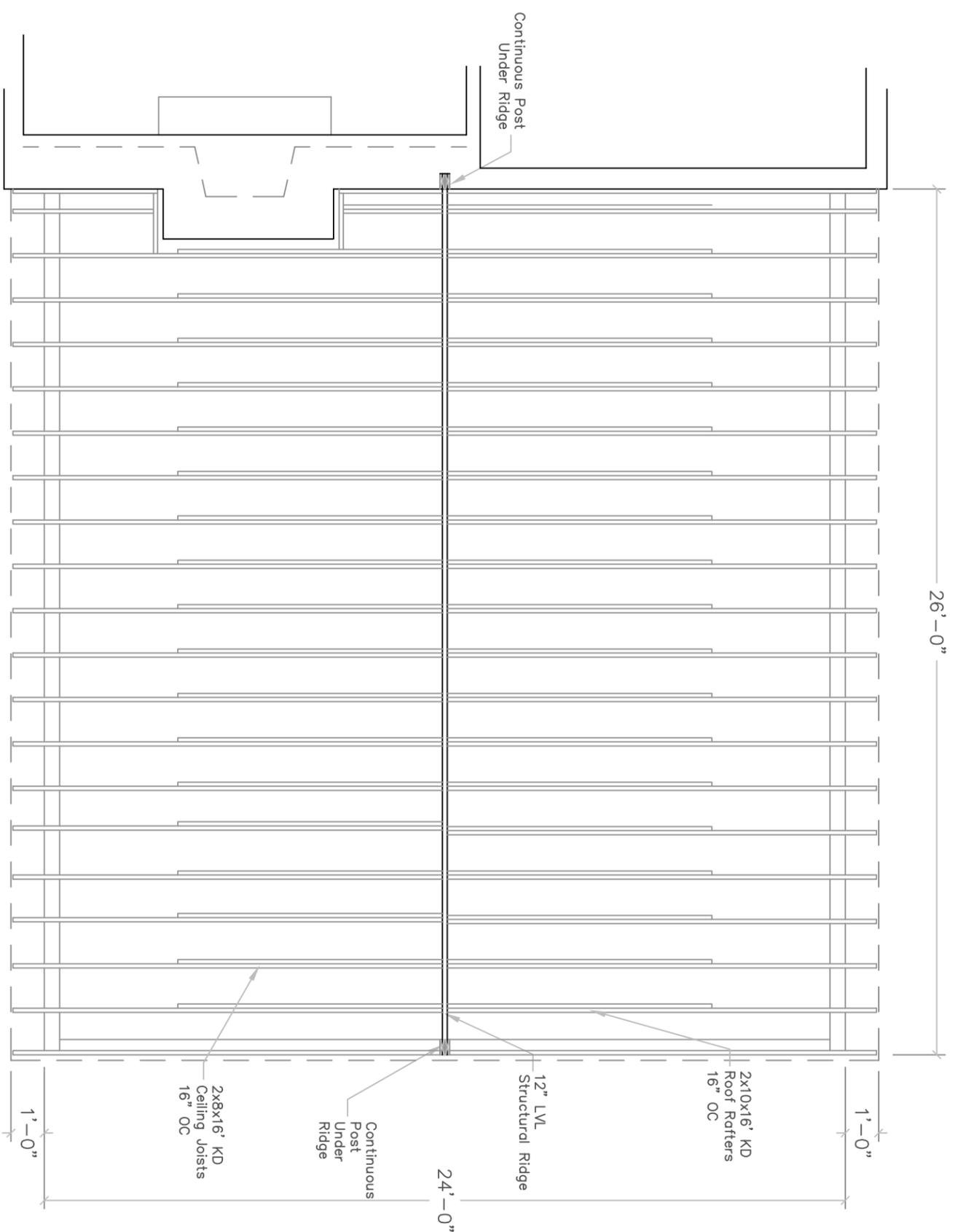
PLAN VIEW

SCALE: 1/4" = 1'-0" Roof Framing

**JOB NAME:**  
**Eric and Carol Watson**  
 7 Arborwood Road Acton, MA

**NOTE:**  
 These Drawings are for Design Intent Only. Builder & Home Owner are Responsible for Verifying Field Conditions, Building Permits, Code Requirements, Structural Load Calculations, and All HVAC, Electrical & Plumbing Considerations.

<b>REV. #</b>	<b>DRAWN BY</b>	<b>DATE</b>	<b>SHEET NO.</b>
As Noted	J.P. Stamm	7 December 2014	Roof Framing



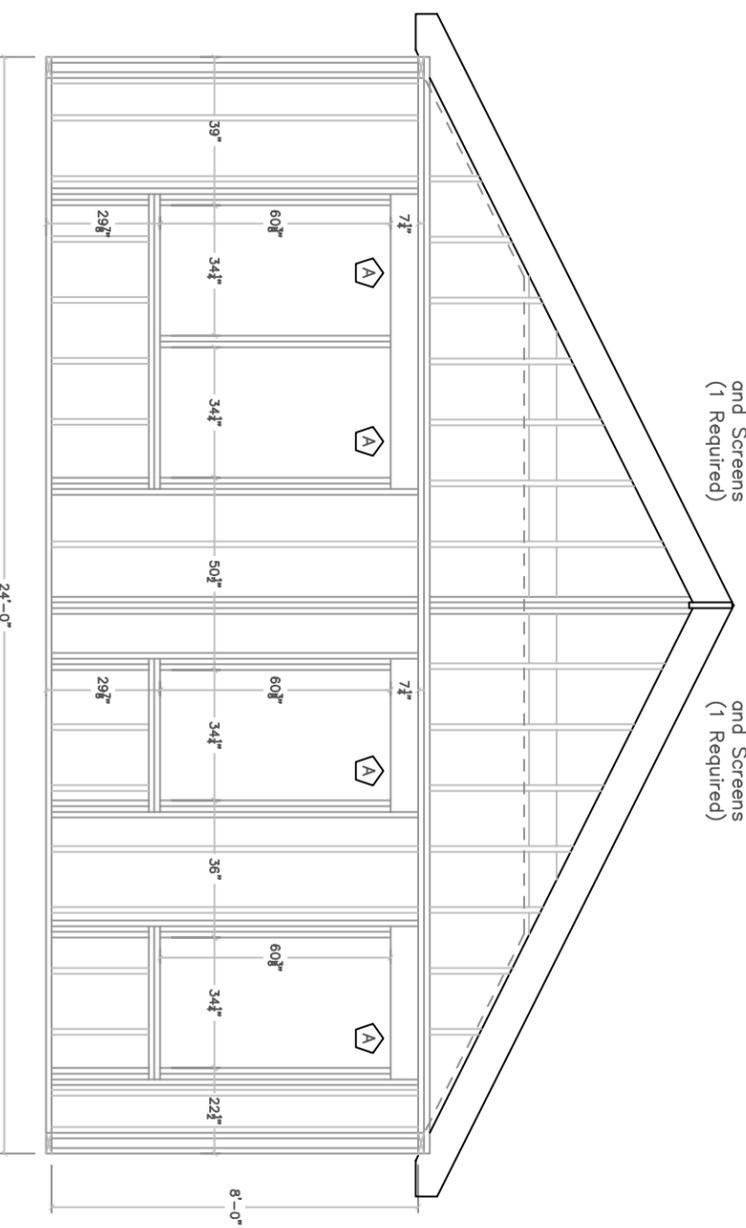
**PLAN VIEW**

SCALE: 1/4" = 1'-0" Roof Framing

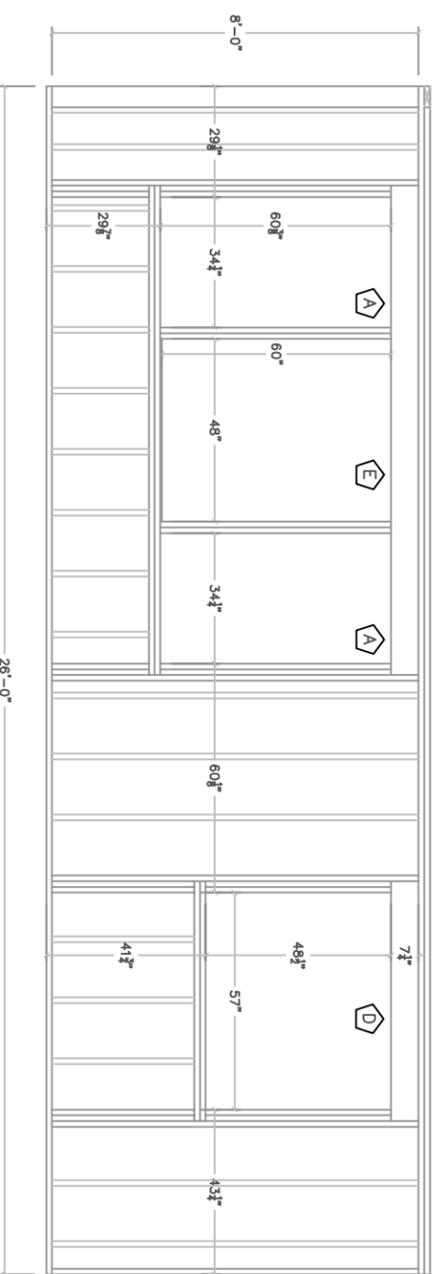
<b>JOB NAME:</b>		<b>NOTE:</b>	
Eric and Carol Watson 7 Arborwood Road Acton, MA		These Drawings are for Design Intent Only. Builder & Home Owner are Responsible for Verifying Field Conditions, Building Permits, Code Requirements, Structural Load Calculations, and All HVAC, Electrical & Plumbing Considerations.	
<b>REV. #</b>	<b>DRAWN BY</b>	<b>DATE</b>	<b>SHEET NO.</b>
As Noted	J.P. Stamm	7 December 2014	Roof Framing

- A Andersen 400 Series CR25 Casement Windows, RO: 34 1/4" x 60 3/8" LowE Insulated Glass and Screens (7 Required)
- B Andersen 400 Series CW25 Double Casement Windows, RO: 57" x 60 3/8" LowE Insulated Glass and Screens (1 Required)
- C Andersen 400 Series CX14 Casement Windows, RO: 32" x 48 1/2" LowE Insulated Glass and Screen (1 Required)

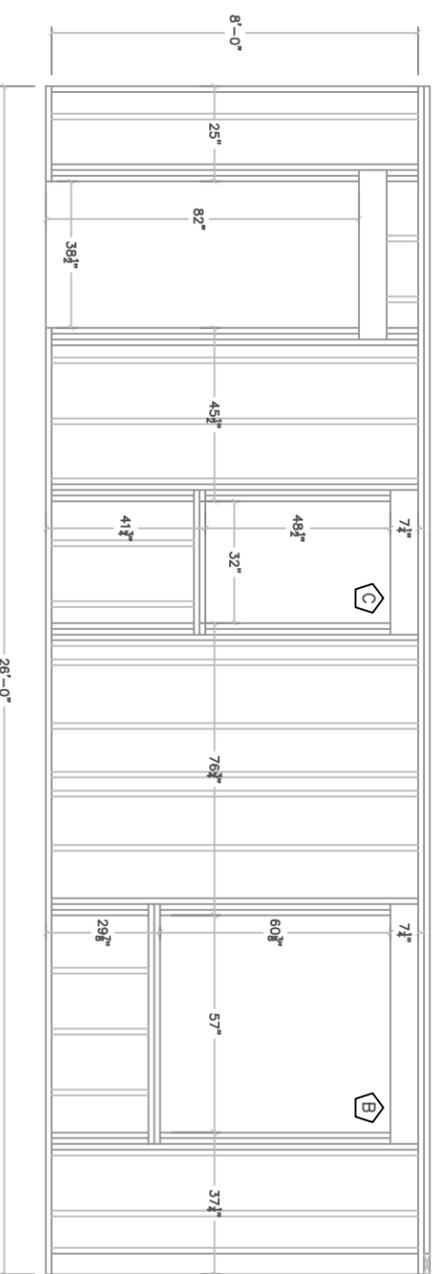
- D Andersen 400 Series CW24 Double Casement Windows, RO: 57" x 48 1/2" LowE Insulated Glass and Screens (1 Required)
- E Andersen 400 Series G45 Gliding Windows, RO: 48" x 60" LowE Insulated Glass and Screens (1 Required)



**SIDE ELEVATION**  
SCALE: 1/4" = 1'-0" Proposed Addition

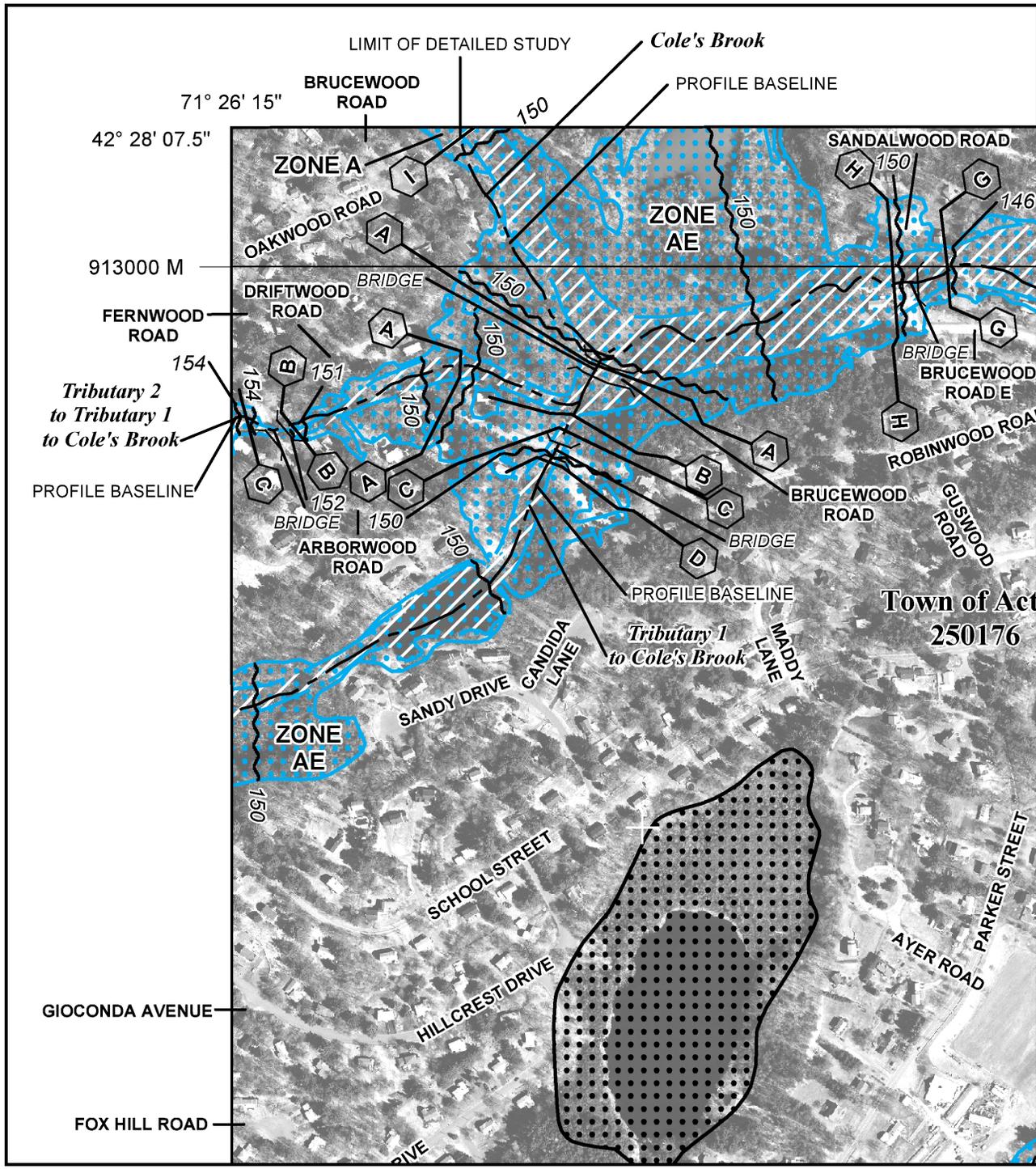


**REAR ELEVATION**  
SCALE: 1/4" = 1'-0" Proposed Addition

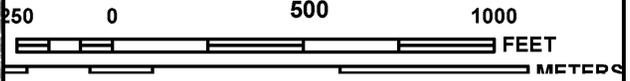


**FRONT ELEVATION**  
SCALE: 1/4" = 1'-0" Proposed Addition

<b>JOB NAME:</b>		<b>NOTE:</b>	
Eric and Carol Watson 7 Arborwood Road Acton, MA		These Drawings are for Design Intent Only. Builder & Home Owner are Responsible for Verifying Field Conditions, Building Permits, Code Requirements, Structural Load Calculations, and All HVAC, Electrical & Plumbing Considerations.	
<b>REV. #</b>	<b>DRAWN BY</b>	<b>DATE:</b>	
SCALE	J.P. Stamm	7 December 2014	<b>SHEET NO</b>
As Noted			Framing Elevs.



MAP SCALE 1" = 500'



PANEL 0358F

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

**PANEL 358 OF 656**  
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
ACTON, TOWN OF	250176	0358	F
CONCORD, TOWN OF	250189	0358	F
MAYNARD, TOWN OF	250204	0358	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.



**MAP NUMBER**  
**25017C0358F**  
**MAP REVISED**  
**JULY 7, 2014**

Federal Emergency Management Agency

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 title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)

Search: 7 arborwood rd acton ma

Address or Place

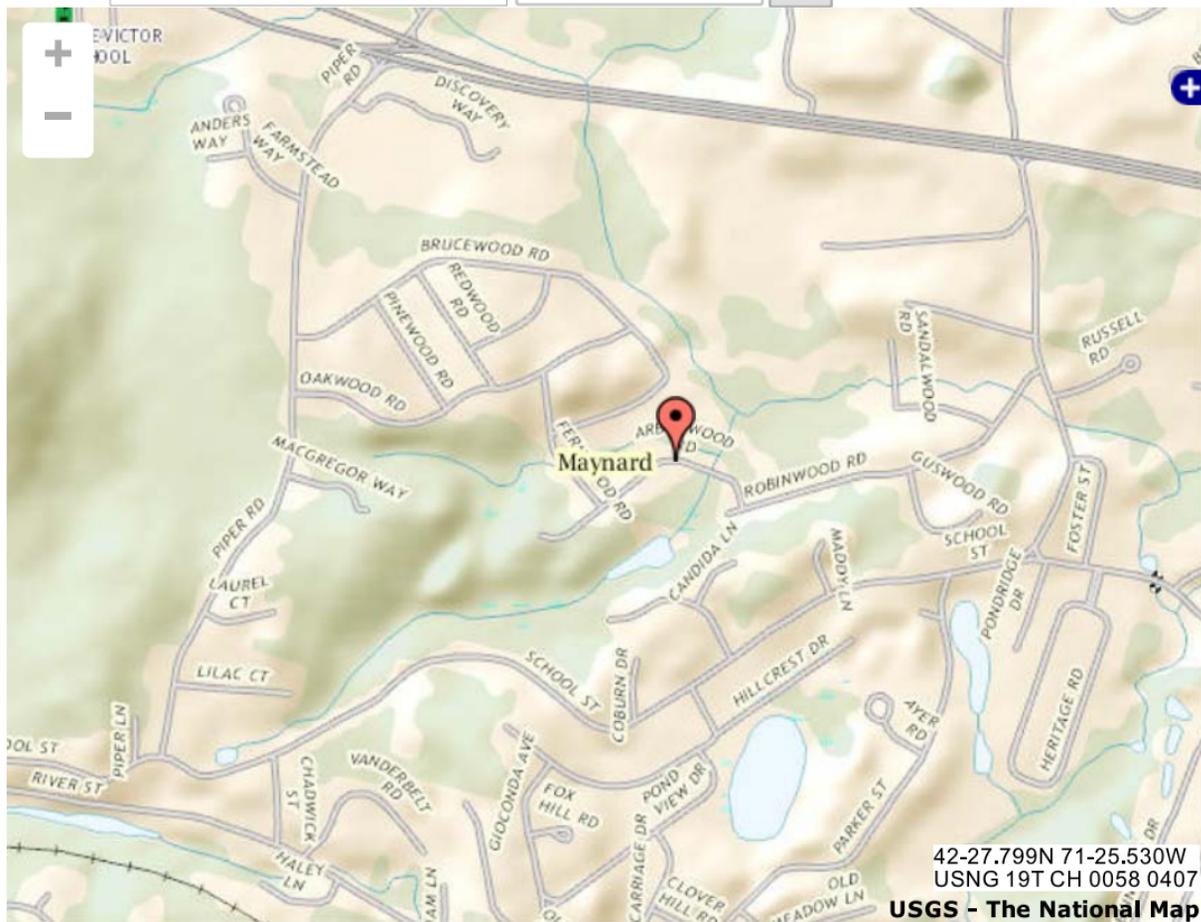
Go

[\[Search Help\]](#)

or

Find a place on the map

[\[Navigation Help\]](#)



**NAVIGATE:**  
 Double click to re-center, click and drag to pull the map around, zoom in and out.

**MARK POINTS:**  
 Click on a place to add a marker .

**NOTES:**  
 Switch between Navigate and Mark Points at any time.

The following [map footprints](#) appear when you are in the Mark Points mode and zoomed in:

7.5 and 15 Minute 

**SELECT AND GET YOUR MAPS:**

Click marker  to see an information bubble showing maps available, then click on "order", "download", or add maps your download cart.

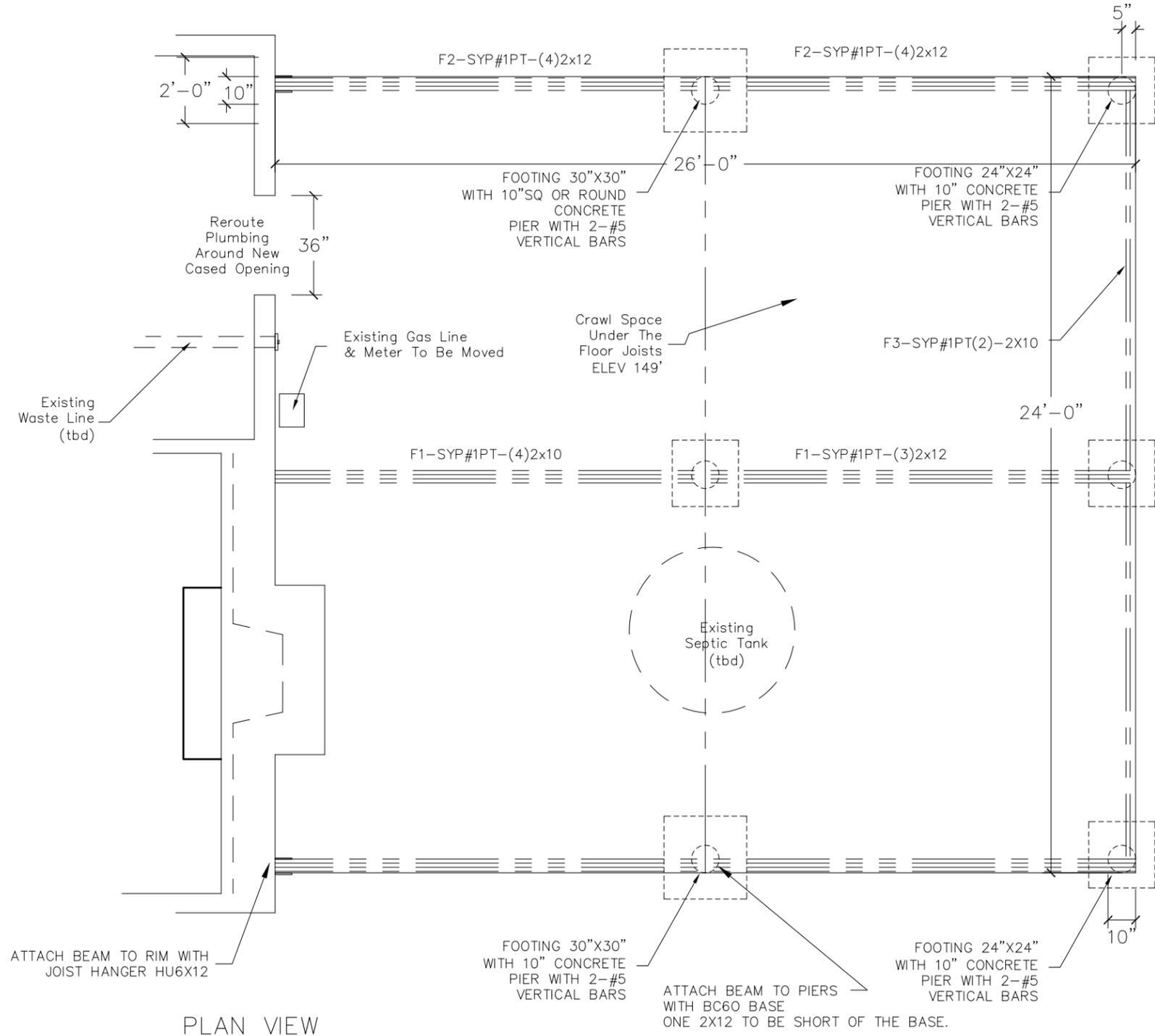
[View Download Cart](#) 0 item(s).

[Clear Markers](#) [Reset Map](#)

[Show US Topo Availability](#)

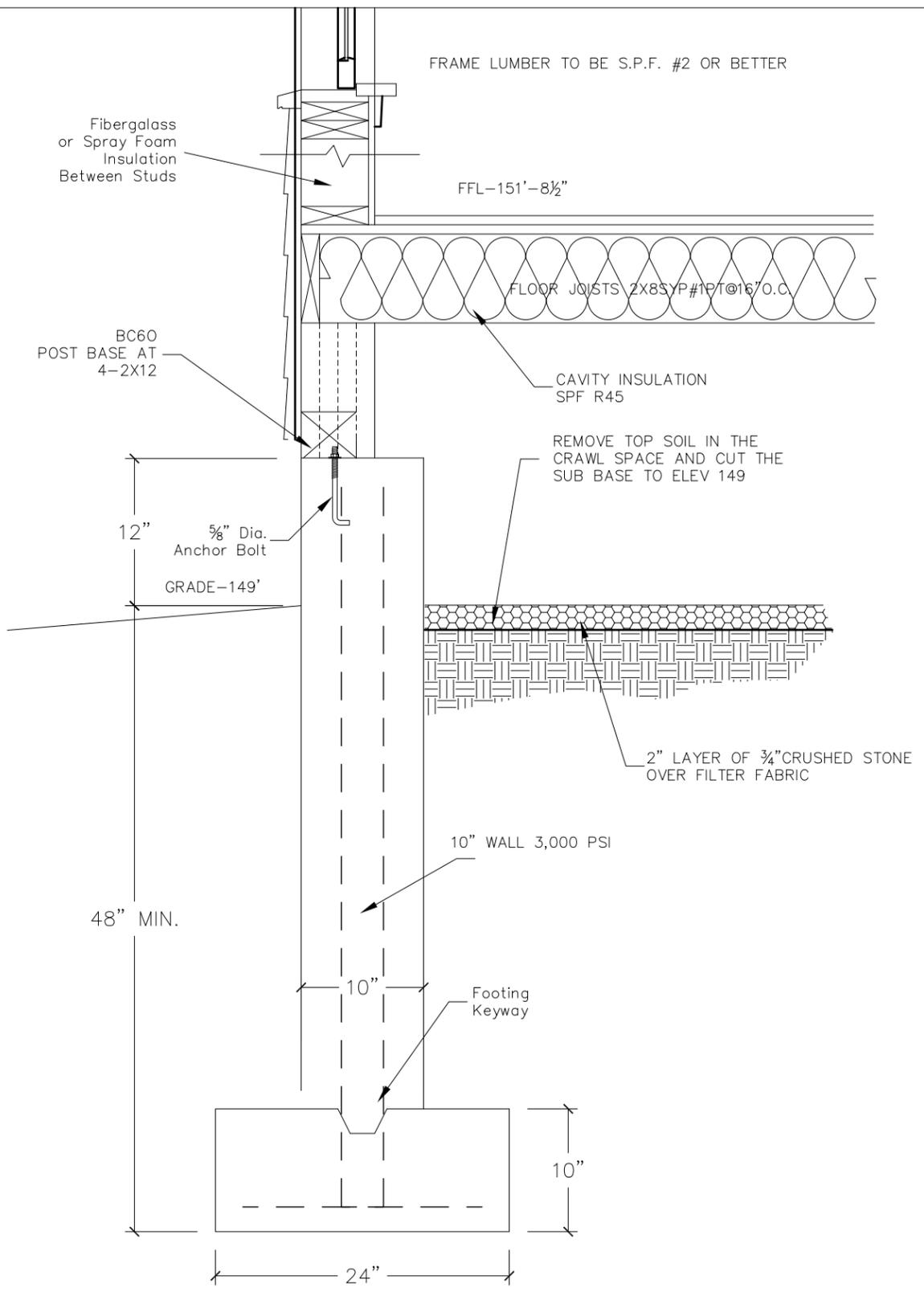
42-27.799N 71-25.530W  
 USNG 19T CH 0058 0407

**USGS - The National Map**



PLAN VIEW

SCALE: 1/4" = 1'-0" Foundation



DETAIL

SCALE: 1" = 1'-0" Foundation

**KANAYO LALA - P.E.**  
 LIC.# 33710-C / 978 337 5252  
 4 WEST ROAD, ACTON, MA 01720  
 KANAYOLALA@GMAIL.COM

JOB NAME:  
**Eric and Carol Watson**  
 7 Arborwood Road Acton, MA

NOTE:  
 These Drawings are for Design Intent Only.  
 Builder & Home Owner are Responsible for Verifying Field Conditions,  
 Building Permits, Code Requirements, Structural Load Calculations,  
 and All HVAC, Electrical & Plumbing Considerations.

REV. #	DRAWN BY:	DATE:
	J.P. Stamm	7 December 2014
SCALE:	REV. DATE:	SHEET NO: S1
As Noted		Foundation Plan





# 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:

Place four foundation piers in 100 year flood plain at an elevation of 148' to 150' at a total of 3 cf of concrete in 10" square piers. The flood plain elevation of 150 ft passes through the proposed addition. The crawl space is proposed to be excavated in the area above 150' elevation for a depth of 149' providing 354cf of cut volume at 149 to 150 feet vertical space and 9cf in 148 to 149' space.

### 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

1207

c. Book

b. Certificate # (if registered land)

31

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)

Table with 3 columns: Resource Area, Size of Proposed Alteration, Proposed Replacement (if any). Rows include: d. Bordering Land Subject to Flooding, e. Isolated Land Subject to Flooding, f. Riverfront Area.

2. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
100 ft. - New agricultural projects only
200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: 7,000+/- square feet

4. Proposed alteration of the Riverfront Area:

Table with 3 columns: a. total square feet, b. square feet within 100 ft., c. square feet between 100 ft. and 200 ft. All entries are NONE.

5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes 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.

Table with 3 columns: Resource Area, Size of Proposed Alteration, Proposed Replacement (if any). Rows include: a. Designated Port Areas, b. Land Under the Ocean, c. Barrier Beach, d. Coastal Beaches, e. Coastal Dunes.



# WPA Form 3 – Notice of Intent

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

Provided by MassDEP:  
\_\_\_\_\_  
MassDEP File Number  
\_\_\_\_\_  
Document Transaction Number  
**ACTON**  
\_\_\_\_\_  
City/Town

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

	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____ 1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____ 1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____ 1. square feet	_____ 2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	_____ 1. square feet	
	_____ 2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____ 1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	_____ 1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____ 1. square feet	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	_____ a. square feet of BVW	_____ b. square feet of Salt Marsh
5. <input type="checkbox"/> Project Involves Stream Crossings		
	_____ a. number of new stream crossings	_____ b. number of replacement stream crossings

## C. Other Applicable Standards and Requirements

### Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to [http://www.mass.gov/dfwele/dfw/nhosp/regulatory\\_review/priority\\_habitat/online\\_viewer.htm](http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/priority_habitat/online_viewer.htm).

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

**Natural Heritage and Endangered Species Program  
Division of Fisheries and Wildlife  
Route 135, North Drive  
Westborough, MA 01581**

\_\_\_\_\_  
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	None
	percentage/acreage
(b) outside Resource Area	237 sf
	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](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](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.



# 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
<b>ACTON</b>
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.

C1 & S1- DEC 7, 14, FEMA PANEL 25017C0358F DATED JULY 7,14

a. Plan Title

KANAYO LALA - PE

KANAYO LALA

b. Prepared By

c. Signed and Stamped by

12-7-14

1" = 20'

d. Final Revision Date

e. Scale

Survey for the site plan

11-11-14

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.



# WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

ACTON

City/Town

## E. Fees

- 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

3. Check date

4. State Check Number

5. Check date

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

2. Date

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.



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

**A. Applicant Information**

1. Applicant:

Eric & Carol Watson  
 a. First Name b. Last Name

7 Arborwood Road  
 c. Organization d. Mailing Address

Acton MA 01720  
 e. City/Town f. State g. Zip Code

978-263-5185 eric.watson@ellucian.com  
 h. Phone Number i. Fax Number j. Email Address

2. 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

3. Project Location:

7 Arborwood Road 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.



**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
Single family home - Addition	1	110	110
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
<b>Step 5/Total Project Fee:</b>			110
<b>Step 6/Fee Payments:</b>			
Total Project Fee:			110
State share of filing Fee:			42.50
City/Town share of filing Fee:			67.50
			a. Total Fee from Step 5
			b. 1/2 Total Fee <b>less</b> \$12.50
			c. 1/2 Total Fee <b>plus</b> \$12.50

**C. Submittal Requirements**

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
 Box 4062  
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)