

**Notice of Intent**

Under the Massachusetts Wetland Protection Act,

G.L. c. 131, s. 40

And

The Town of Acton Wetland Protection Bylaw

for

**Willow Street – Proposed Sidewalk**

**Acton, MA 01720**

Date: May 15, 2015

## Table of Contents

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

### Attachments:

- A. USGS Map
- B. NHESP Estimated Habitats of Rare Wildlife & Priority Habitats of Rare Species, OLIVER:  
MassGIS Mapping Tool

## Project Narrative

## Project Narrative

### Willow Street

#### **Applicant/Project Name:**

Project Name: Proposed Sidewalk – Willow Street

Project Location: Willow Street – Between Kingman Road and Central St

Applicant: Corey York, Town Engineer / Director of Public Works

472 Main Street, Acton, MA 01720

Telephone: (978) 929-6630

Fax: (978) 929-6340

Property Owner: Steve Ledoux, Town Manager

472 Main Street, Acton, MA 01720

Telephone: (978) 929-6630

Fax: (978) 929-6340

Representative: Paul Campbell, Assistant Town Engineer

472 Main Street, Acton, MA 01720

Telephone: (978) 929-6630

Fax: (978) 929-6340

#### **Project Description**

The Acton Engineering Department is proposing to build a section of sidewalk, about 1400 feet long, that will complete the missing sections of sidewalk between Kingman Road and Central Street along Willow Street. The proposed sidewalk provides a public benefit. Willow Street is

designated as a collector roadway in Acton and the proposed sidewalk will give residents a safe means of travel.

### **Existing Site Conditions**

There is one existing sidewalk between 93 Willow St and Summer Street and another at the intersection of Central Street and Willow Street. In the areas where there are no sidewalks, the shoulder of the roadway is overgrown in some areas, a steep hill at 51 Willow St and a dropoff at 1 Kingman Road.

Across Willow Street from Kingman Road is a bordering vegetative wetland (BVW) in which work is being proposed 75 to 100-feet from the wetland. There is a second BVW at the intersection of Homestead and Willow Street in which work is being proposed within 5-feet of the wetland.

### **Proposed Site Conditions**

The proposed sidewalk will be 5 feet wide and will match existing grades of the roadway. The depth of the sidewalk will be 3-inches of asphalt above a 12-inch gravel base. The sidewalk will abut the roadway separated by a 6-inch bituminous curb or a 3-foot grass buffer. The sidewalk will be pitched towards the road in order to keep runoff from entering the wetlands. Runoff will be treated via the existing stormwater drainage system on Willow Street.

A headwall adjacent to Homestead will be relocated as part of this sidewalk project. As a wetland dependant structure, the headwall meets the 0-foot setback standard for the Town of Acton.

Erosion control will be placed along the edge of the wetlands at Homestead Street and within the stormwater drainage system on Willow Street.

### **Compliance with Performance Standards**

#### *Bordering Vegetative Wetlands*

No wetlands will be altered as a result of this project since no wetland fill will be required. Erosion control will be placed along the edge of the wetlands at Homestead Street and within the stormwater drainage system on Willow Street.

#### *Alternative Analysis*

Option 1 – No Build

In this option, no sidewalk will be built. This would not meet the goal of the Town of Acton to provide sidewalks throughout the town and would force pedestrians making the connection between the existing sidewalks along Willow Street to use the shoulder of the road which is not preferable for safety reasons.

#### **Option 2 – Relocate sidewalk**

In order to complete the connection between the sidewalks along Main Street in the area, there is no other location practicable given that there is no sidewalk elsewhere along Willow Street. A sidewalk could be built across the street however this would require two crosswalks midblock along a very busy road and putting the proposed work closer to another wetland area.

#### **Option 3 – Build sidewalk along shoulder between Kingman and Central St**

The sidewalk provides a public good and makes a logical connection between the two existing sidewalks. Relocating it across the street will not take it out of the buffer area and will only locate it closer to the wetlands.

#### **Summary**

This sidewalk provides a public good and is located in an area that minimizes the impact to the bordering wetlands. The sidewalk completes a logical connection between two existing sidewalks and meets the goal of the Town of Acton to provide safe pedestrian transportation throughout the Town.

**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):

<u>Willow Street</u>	<u>Acton</u>	<u>01720</u>
a. Street Address	b. City/Town	c. Zip Code
<u>Latitude and Longitude:</u>	<u>42d28'05"</u>	<u>71d28'47"</u>
<u>G-1</u>	d. Latitude	e. Longitude
f. Assessors Map/Plat Number	<u>84</u>	g. Parcel /Lot Number

2. Applicant:

<u>Corey</u>	<u>York</u>	
a. First Name	b. Last Name	
<u>Town of Acton</u>		
c. Organization		
<u>472 Main Street</u>		
d. Street Address		
<u>Acton</u>	<u>MA</u>	<u>01720</u>
e. City/Town	f. State	g. Zip Code
<u>978-929-6630</u>	<u>978-929-6340</u>	<u>engineering@acton-ma.gov</u>
h. Phone Number	i. Fax Number	j. Email Address

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

<u>Steve</u>	<u>Ledoux</u>	
a. First Name	b. Last Name	
<u>Town of Acton</u>		
c. Organization		
<u>472 Main Street</u>		
d. Street Address		
<u>Acton</u>	<u>MA</u>	<u>01720</u>
e. City/Town	f. State	g. Zip Code
<u>978-929-6630</u>	<u>978-929-6340</u>	<u>engineering@acton-ma.gov</u>
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>Paul</u>	<u>Campbell</u>	
a. First Name	b. Last Name	
<u>Town of Acton</u>		
c. Company		
<u>472 Main Street</u>		
d. Street Address		
<u>Acton</u>	<u>MA</u>	<u>01720</u>
e. City/Town	f. State	g. Zip Code
<u>978-929-6630</u>	<u>978-929-6340</u>	<u>engineering@acton-ma.gov</u>
h. Phone Number	i. Fax Number	j. Email address

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

<u>Town Project</u>	<u>\$0.00</u>	<u>\$0.00</u>
a. Total Fee Paid	b. State Fee Paid	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:

Proposed Sidewalk - between Kingman Road and Central Street

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Single Family Home                        | 2. <input type="checkbox"/> Residential Subdivision       |
| 3. <input type="checkbox"/> Commercial/Industrial                     | 4. <input type="checkbox"/> Dock/Pier                     |
| 5. <input type="checkbox"/> Utilities                                 | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input checked="" type="checkbox"/> Transportation     |
| 9. <input type="checkbox"/> Other                                     |   |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration 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. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

a. County

b. Certificate # (if registered land)

c. Book

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.



# 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)

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	2. square feet
	3. cubic yards dredged	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	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):

- 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: \_\_\_\_\_ 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?  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)



# 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)

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 _____

	<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.  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.  Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings



# 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

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Notice of Intent – Required Actions (310 CMR 10.11).

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

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

- a.  Yes  No

If yes, include proof of mailing or hand delivery of NOI to:

Natural Heritage and Endangered Species Program  
Division of Fisheries and Wildlife  
1 Rabbit Hill Road  
Westborough, MA 01581

Oct 1, 2008

b. Date of map

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).*

- 1c. 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

2.  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

\* 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
ACTON
City/Town

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

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

3. 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.



# 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)

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

4. 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
5. 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
6. 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
7. 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
  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

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

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.



# 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

## D. Additional Information (cont'd)

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.

Proposed Sidewalk On Willow Street From Kingman Road To Central Street

a. Plan Title

Town Of Acton Engineering Department

Paul Campbell, PE

b. Prepared By

c. Signed and Stamped by

9/1/2006

20

d. Final Revision Date

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.

## 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

3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name



# 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

## 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 [Handwritten Signature]

3. Signature of Property Owner (if different) [Handwritten Signature]

5. Signature of Representative (if any) [Handwritten Signature]

2. Date 5/18/15

4. Date 5/18/15

6. Date 5-18-15

### 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:

Willow Street Acton, MA  
 a. Street Address b. City/Town  
 \_\_\_\_\_  
 c. Check number d. Fee amount  
 \_\_\_\_\_

2. Applicant Mailing Address:

Corey York  
 a. First Name b. Last Name  
 Town Of Acton  
 c. Organization  
 472 Main Street  
 d. Mailing Address  
 Acton MA 01720  
 e. City/Town f. State g. Zip Code  
 978-929-6630 978-929-6430 engineering@acton-ma.gov  
 h. Phone Number i. Fax Number j. Email Address

3. Property Owner (if different):

Steve Ledoux  
 a. First Name b. Last Name  
 Town Of Acton  
 c. Organization  
 472 Main Street  
 d. Mailing Address  
 Acton MA 01720  
 e. City/Town f. State g. Zip Code  
 978-929-6630 978-929-6430 engineering@acton-ma.gov  
 h. Phone Number i. Fax Number j. Email Address

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

**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.



**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

**Step 5/Total Project Fee:** \_\_\_\_\_

**Step 6/Fee Payments:**

Total Project Fee:	\$0
State share of filing Fee:	\$0
City/Town share of filing Fee:	\$0

a. Total Fee from Step 5  
 b. 1/2 Total Fee less \$12.50  
 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.)

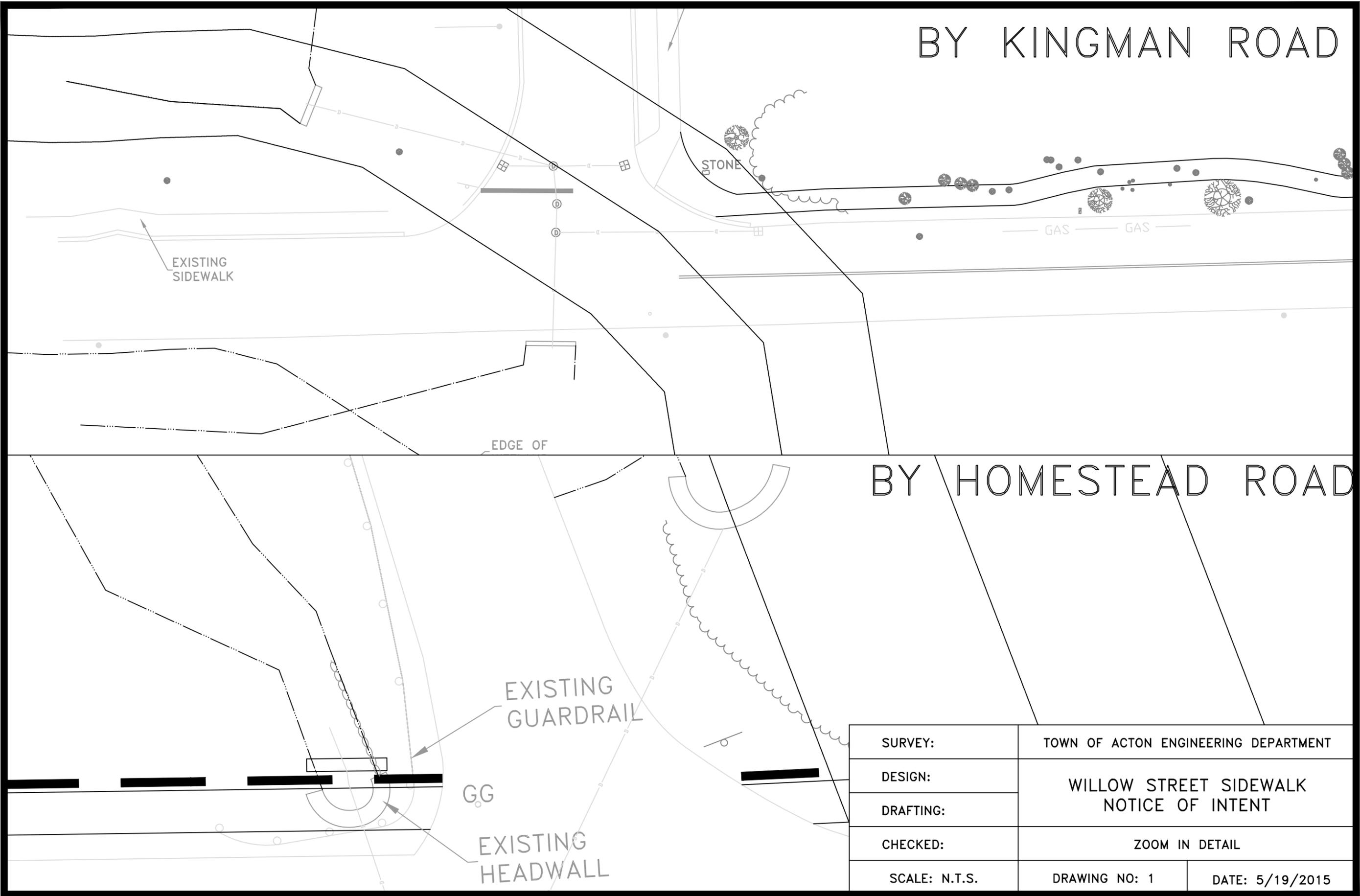
## Sidewalk Plans



Drawing name: P:\Drawings\Willow Street Sidewalk\dwg\Willow Street Sidewalk\_2013.dwg  
May 20, 2015 - 11:13am

BY KINGMAN ROAD

BY HOMESTEAD ROAD



SURVEY:	TOWN OF ACTON ENGINEERING DEPARTMENT	
DESIGN:	WILLOW STREET SIDEWALK NOTICE OF INTENT	
DRAFTING:		
CHECKED:	ZOOM IN DETAIL	
SCALE: N.T.S.	DRAWING NO: 1	DATE: 5/19/2015

**Stormwater Report**

# Stormwater Report

## Applicant/Project Name:

Project Name: Sidewalk Project

Project Location(s):

STREET	LENGTH	DESCRIPTION
Willow Street		Between Kingman Road and Central Street
High Street		Between Parker Street and Audobon Drive

Applicant: Corey York, Town Engineer / Director of Public Works  
472 Main Street, Acton, MA 01720  
Telephone: (978) 929-6630  
Fax: (978) 929-6340

Property Owner: Steve Ledoux, Town Manager  
472 Main Street, Acton, MA 01720  
Telephone: (978) 929-6611  
Fax: (978) 929-6340

Representative: Paul Campbell, Assistant Town Engineer  
472 Main Street, Acton, MA 01720  
Telephone: (978) 929-6630  
Fax: (978) 929-6340

## General Project Description:

The Acton Engineering Department has designed a series of sidewalks town wide in which the priority list was determined by the Acton Sidewalk Committee. The sidewalks provide a public benefit; they provide a safe route for pedestrians and meet the Acton Selectmen Long Term Goal of implementing the Complete Streets Program in Acton.

Project Type:           Redevelopment (Sidewalk Construction)

## Standard 1: No New Untreated Discharges

The proposed sidewalk(s) will be built to direct runoff to the existing stormwater system of the roadway. There will be no new untreated discharges as a result of this work.

### **Standard 2: Peak Rate Attenuation**

The peak rate of runoff will be increased a negligible amount given the total impervious area of the roadway. The sidewalk will be 5-feet wide for its length along the roadway. This new impervious area will not be exposed to road salt, oil and other contaminants found on a roadway. The sidewalk provides a public benefit which outweighs the minimal increase to the peak rate of runoff.

### **Standard 3: Recharge**

As with the peak rate of runoff, the increased impervious area for the sidewalk will be minimal compared to the total impervious area of the roadway and will reduce the groundwater recharge a minimal amount. The sidewalk provides a public benefit which outweighs the minimal decrease in recharge.

### **Standard 4: Water Quality**

The Town has an existing Pollution Prevention Plan identified in the document entitled “Stormwater Management Plan, Acton, MA” prepared by Woodard & Curran Associates dated September 5, 2003. Included in this document is the Town’s overall plan to manage the Town’s stormwater system and Pollution Prevention practices.

Inspection and Maintenance for the existing Town-owned Bridge Structures:

MHD Bridge Inspection Program – inspection occurs about every 2 years  
Acton DPW – routinely inspects road and drainage infrastructures to  
repair/rehab any deficiencies in the systems.

Typical Pollution Prevention steps performed by the Town:

The Town utilizes deicing agents during the winter months to reduce/eliminate the need for sanding the roads.

The Town sweeps all the Town roads annually to remove any sand and debris that has accumulated on the road pavement.

The Town also has an ongoing program to remove the sediment that is collected in the sumps of the catch basins on Town roads. The Town also proposes to remove any sediment such as road sand that has build-up at the outlet of the existing culvert to restore the drainage channel to substantially its original condition. The Town recently purchased new equipment that will be

used to clean sediment within detention basins.

When existing Town drainage systems are repaired/improved the DPW will retrofit gas/oil hoods and/or other types of stormwater BMPs to improve the existing conditions. Currently plans have been developed to improve the drainage systems on North Main Street and Duggan Road.

The Town has implemented a program under the Stormwater Management Plan to detect and eliminate illicit discharges into the stormwater systems and wetland areas. The Town is continually monitoring samples of runoff from the Town's watersheds testing for contaminants. Once an illicit discharge is determined, the Town has a policy to contact the owner(s) and determine the best manner in which to quickly correct the infraction.

Town Staff continually attends various training workshops to learn new techniques, keep up-to-date on current regulations, and improve on existing pollution prevention steps as part of the daily municipal operations.

The Town is always looking into other types of programs to improve pollution prevention such as, but not limited to, hazardous waste collection days, yard waste collection, recycling at the Transfer Station.

The Town is currently mapping the existing drainage system inventory in GIS using GPS technology which will aid in the analysis of the system.

Emergency Contacts:

Acton Department of Public Works  
Telephone: (978) 929-6630

Corey York, Town Engineer / Director of Public Works

**Standard 5: Land Uses With Higher Potential Pollutant Loads (LUHPPLs)**

The proposed sidewalk would not yield a new land use or a new/higher pollutant load.

**Standard 6: Critical Areas**

The proposed sidewalk is not located in a critical area.

**Standard 7: Redevelopments**

The proposed sidewalk is not considered a typical redevelopment

**Standard 8: Construction Period Pollutant Prevention and Erosion and Sedimentation Control**

Contacts Responsible for Plan Compliance:

Applicant: Corey York, Town Engineer / Director of Public Works  
472 Main Street, Acton, MA 01720  
Telephone: (978) 929-6630  
Fax: (978) 929-6340

Representative: Paul Campbell, Assistant Town Engineer  
472 Main Street, Acton, MA 01720  
Telephone: (978) 929-6630  
Fax: (978) 929-6340

Sedimentation Control

We conducted a site visit with the Highway Superintendent and the Natural Resource Director to visit these above-mentioned locations to inspect the proposed sidewalk locations that are located adjacent to wetland areas. As a result of this site visit, the Town is proposing to install the following control measures to prevent sediment from discharging into the wetlands during the road repaving work:

STREET	LENGTH	DESCRIPTION
Willow Street		By Kingman Road and by Homestead Street
High Street		At Pratts Brook

If additional erosion and sedimentation control measures are deemed necessary by the Natural Resource Director, the DPW will work with the Director to address those concerns.

**Standard 9: Operation and Maintenance Plan**

Contact: Corey York, Town Engineer / Director of Public Works  
472 Main Street, Acton, MA 01720  
Telephone: (978) 929-6630

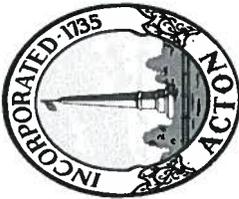
Fax: (978) 929-6340

The Town has implemented a Stormwater Management Plan that was prepared by Woodard & Curran Associates dated September 5, 2003 that describes the Town's commitment to inspect, maintain and improve the overall existing drainage infrastructure. The Town's progress is monitored by the Acton Health Department under our existing Stormwater Management Plan and annual reports are submitted to the DEP to ensure compliance.

**Standard 10: Prohibition of Illicit Discharges**

The Town has implemented a program under the Stormwater Management Plan dated September 5, 2003 to detect and eliminate illicit discharges into the stormwater systems and wetland areas. The Town is continually monitoring samples of runoff from the Town's watersheds testing for contaminants. Once an illicit discharge is determined, the Town has a policy to contact the owner(s) and determine the best manner in which to quickly correct the infraction. Based on our inspection of the bridge structures, the consultant did not identify illicit discharges at these locations.

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



**Town of Acton**  
 472 Main Street  
 Acton, MA 0001720  
 Telephone (978) 264-9622  
 Fax (978) 264-9630

Brian McMullen  
 Chief Assessor

**Locus:** 45 Willow St  
**Parcel ID:** F2B-74

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City ST Zip
F2B-47	19 HOMESTEAD ST	HERLIHY PAUL A	JUDITH	19 HOMESTEAD ST	ACTON, MA 01720
F2B-48-1	35 WILLOW ST	KURZ JEFFREY	KURZ WENDY JK	35 WILLOW ST	ACTON, MA 01720
F2B-48-2	11 HOMESTEAD ST	BRYANT PATRICIA E	BRYANT MICHAEL J	11 HOMESTEAD ST	ACTON, MA 01720
F2B-63	20 HOMESTEAD ST	RAISBECK JAMES G		20 HOMESTEAD ST	ACTON, MA 01720
F2B-73-2	51 WILLOW ST BEHIND	RICHEY JR JAMES L		51 WILLOW STREET	ACTON, MA 01720
F2B-77	204 CENTRAL ST	KEITH NANCY L	C/O NANCY RESMINI	204 CENTRAL ST	ACTON, MA 01720
F2B-80	51 WILLOW ST	RICHEY JR JAMES L		51 WILLOW ST	ACTON, MA 01720
F2B-83	198 CENTRAL ST	COCHRANE DAVID E TR		198 CENTRAL STREET	ACTON, MA 01720
F2B-96	46 WILLOW ST	PERSHOUSE EDWARD	PERSHOUSE ROMELIA	48 WILLOW STREET	ACTON, MA 01720

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.

*Kelly Schorr*

Kelly Schorr  
 Acton Assessors Office

19-May-15



**Town of Acton**  
 472 Main Street  
 Acton, MA 00001720  
 Telephone (978) 264-9622  
 Fax (978) 264-9630

Brian McMullen  
 Chief Assessor

**Locus:** 1 Kingman Road  
**Parcel ID:** G1 - 84

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City ST Zip
G1-114	106 WILLOW ST	OSBORN JEREMY	OSBORN KRISTIN	106 WILLOW ST	ACTON, MA 01720
G1-309-6	112 WILLOW ST	SONG KENING	LI XIAO YAN	112 WILLOW ST	ACTON, MA 01720
G1-321	99 WILLOW ST	STREITMAN JAMES	BROWN MELENA	99 WILLOW ST	ACTON, MA 01720
G1-321-1	103 WILLOW ST	WU SAMUEL	YU HUALING	103 WILLOW ST	ACTON, MA 01720
G1-321-2	101 WILLOW ST	FRAIZER KALETA B		101 WILLOW ST	ACTON, MA 01720
G1-43-6	3 KINGMAN RD	LI NAIXIN	SONG YU	3 KINGMAN RD	ACTON, MA 01720
G1-43-7	4 KINGMAN RD	PERKINS GLADYS L		4 KINGMAN RD	ACTON, MA 01720
G1-83	2 KINGMAN RD	DIGUETTE SUSAN		2 KINGMAN RD	ACTON, MA 01720
G1-85	102 WILLOW ST	KENT KATHERINE A		102 WILLOW ST	ACTON, MA 01720

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.

*Kelley Schorr*

Kelley Schorr  
 Acton Assessors Office

19-May-15

**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: Town of Acton  
Address 472 Main Street Phone: 978-929-6630

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

Applicant's Representative: Paul Campbell, Town of Acton Engineering  
Department \_\_\_\_\_  
Address 472 Main Street Phone: 978-929-6630

The address of the property where the activity is proposed Willow Street between Kingman Road and Central Street

Town Atlas Plate/Map F-2B/G-1 Parcel/Lot 74/84

Project Description Proposed sidewalk on Willow Street

Copies of the Notice of Intent may be examined at the Conservation Office, Acton Town Hall, 472 Main Street, Acton. Between the hours of 9:00 A.M. and 4:30 P.M. Monday through Friday. For more information please call the Conservation Office at 978-264-9631.

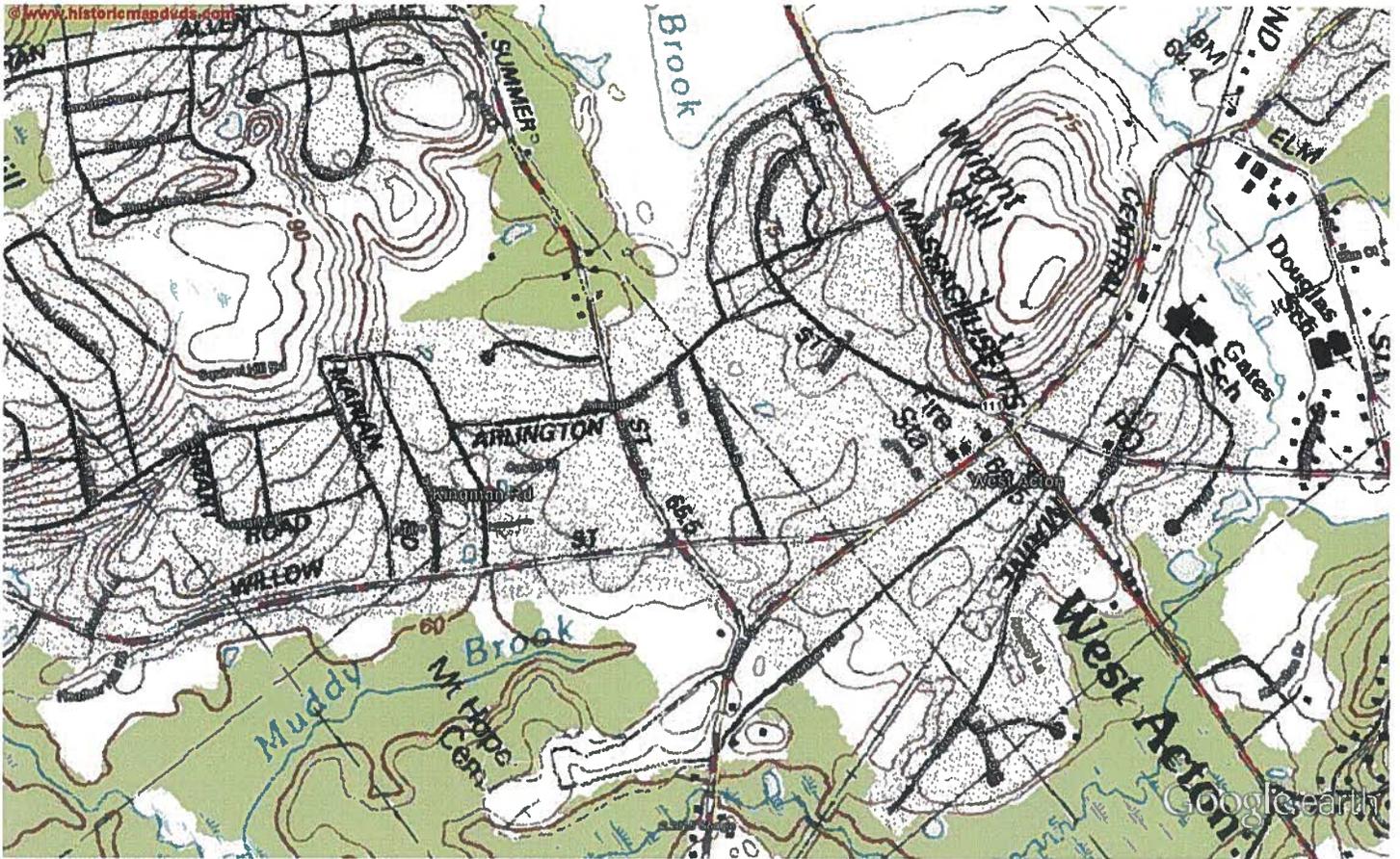
A Public Hearing will be held at the Acton Town Hall, 472 Main Street, on Wednesday,  
June 3, 2015 at 7:15 P.M.  
(date)

The notice of the public hearing, will be published at least five (5) days in advance in the Acton edition of the *Beacon* newspaper 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** Northeast Region: 978-661-7600  
Southeast Region: 508-946-2800 Western Region: 413-784-1100

**USGS Map**

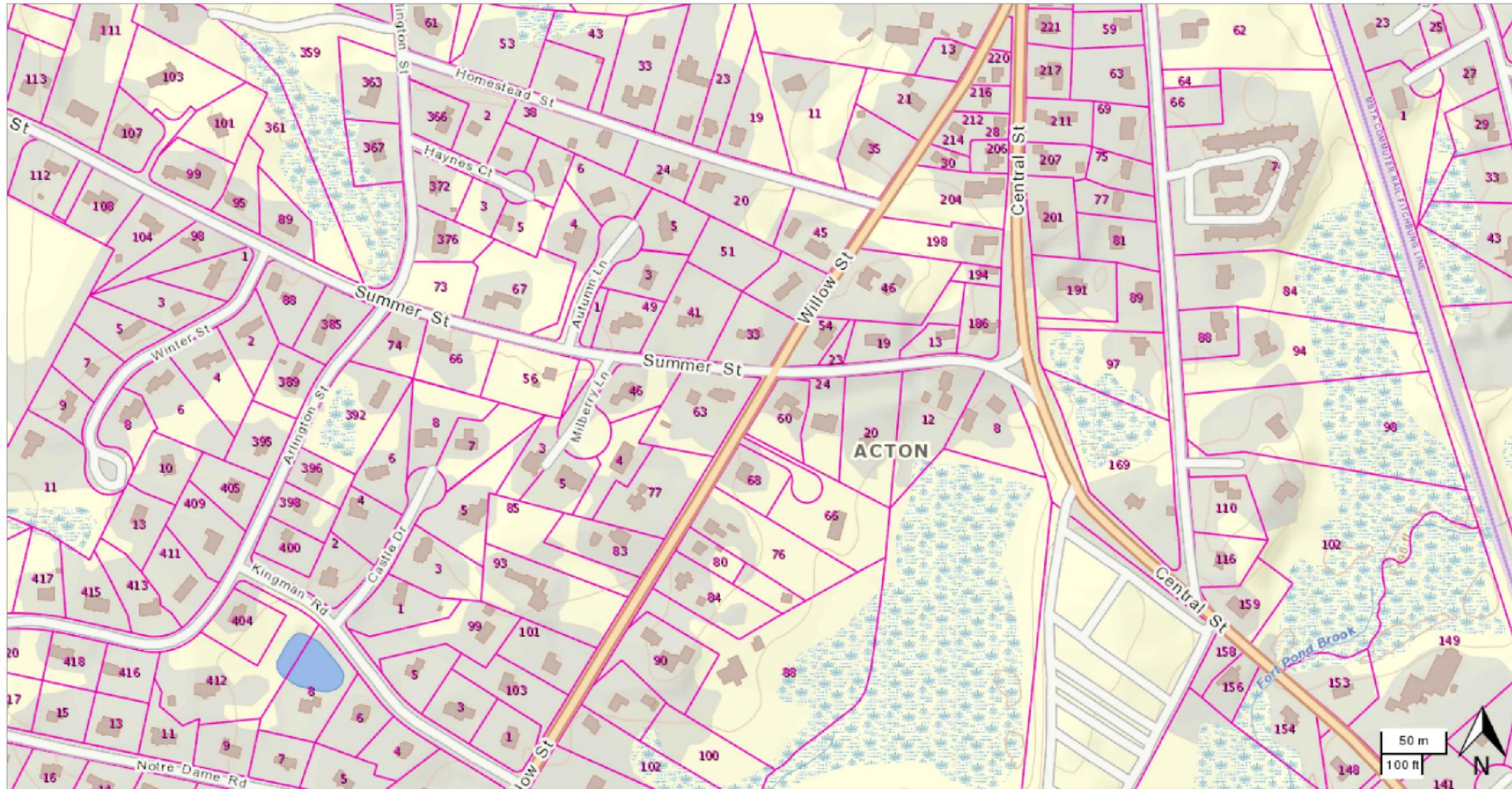


Google earth



**NHESP Estimated Habitats of Rare Wildlife & Priority Habitats of Rare Species  
OLIVER MassGIS Map**

### Willow Street Sidewalk



- NHESP Priority Habitats of Rare Species
- NHESP Estimated Habitats of Rare Wildlife
- NHESP Certified Vernal Pools
- Tax Parcels for Query
- Detailed Features
- Tax Parcels
- Structures