

DAVID W. BURKE
WETLANDS RESOURCE SPECIALIST
16 COBURN RD
BERLIN MA
01503

August 18th, 2014

Mr. Thomas Tidman, Director
Acton Conservation Department
472 Main St.
Acton MA, 01720

Ref: # 331 Nagog Hill Rd DEP # 85-694 Szabo Request for Certificate of Compliance.

Dear Tom and Commissioners:

I am writing on behalf of William Szabo and June Kapitan homeowner/residents at #331 Nagog Hill Rd. in order to request the Conservation Commission to issue a **Certificate of Compliance** relative to an **Order of Conditions** document issued by the ACC on **February 9th, 2000 (ATTACHED)**. The order was recorded at the registry some years ago and due to an impending home sale closure is required.

At Mr. Szabo's request I did visit the property on August 15th to inspect existing conditions particularly as they relate to the addition, (described in the Notice of Intent 1-24-2000) and also the nearby resource areas. I did measure off the northern corner of the addition and place a wooden stake at the 25' mark. I also measured using swing ties and tape the closest point of Inland Bank associated with an Intermittent Stream which is 31'. There is no Bordering Vegetated Wetlands associated with the stream at or near this reach of the stream. Banks are comprised of rather massive boulders which appear to have been in place for many decades. At the time of my visit this stream was completely dry.

The Intermittent Stream to the rear of the property is best described as an improved, naturalized, man-made drainage way. No impacts associated with the project at hand or work done, have or will affect this resource; Inland Bank and Land Under Waterway; or any Interest associated with the MA Wetlands Protection Act.

No grading or earth work was proposed, none occurred. Presently the site is 100% stabilized including all portions of the 100' Buffer Zone. No vestige of the work is visible save the actual addition. Erosion Control Barriers have been removed. The site is neat and vegetated by a mixture of native woodland and meadow and some lawn grasses. Most of the property is in a natural landscape style.

According to my measurements and the plan by R. Krabbendam, this distinctly shaped (Easy to tape), small house addition is presently located as proposed within the NOI Filing.

In my estimation as a Wetlands Professional the work proposed and executed at 331 Nagog Hill Rd is in substantial compliance with design plan and no negative impacts have occurred to any nearby wetlands resource areas.

We respectfully request that your office and Commission as the Issuing Authority consider this project as 100% completely executed and finalized, exactly as proposed and permitted by issuing a Certificate of Compliance to the Applicants at your earliest convenience, thereby enabling the applicant to clear the deed of the O of C as recorded and transfer the deed without encumbrance (Sell the home).

Thank you for your consideration of this material.

Sincerely,

Dave Burke

Wetlands Resource Specialist

Note 25 foot tape and stake in foreground
Picture taken from within stream
Note Bank is Bottom of large boulders; stream very dry.



Szabo 331 Nagog Hill Rd