

ORDER
WETLAND PROTECTION ACT
G.L. C. 131 s. 40

FILE NUMBER: 85-19

PROJECT LOCATION:
117 Central St., Acton
CERT. MAIL NO: 949483

TO: Dover Heights Corporation
14 Patricia Drive
Milton, Mass. 02186
RE: NOTICE OF INTENT AND PLANS DATED:
6/13/77
DATE OF PUBLIC HEARING:
7/20/77

DATE OF RECEIPT BY
CONSERVATION COMMISSION: _____

Pursuant to the authority of G.L. C. 131 s. 40, the Acton Conservation Commission has considered your notice of intent and plans submitted therewith, and has determined that the area on which the proposed work is to be done is significant to one or more of the interests described in the said act. ~~The Acton Conservation Commission~~ hereby orders that the following conditions are necessary and all work must be performed in strict accordance with said conditions and with the Notice of Intent and Plans, unless modified by said conditions:

CONDITIONS

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this order.
2. This order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state or local statutes, ordinances, by-laws and/or regulations.
4. The work authorized hereunder shall be completed within one (1) year from the date of this order unless otherwise stated below pursuant to Regulation 6.7. The order may be extended by the issuing authority for one or more additional one-year periods upon application to the said issuing authority at least thirty days prior to the expiration date of the order or its extension.
5. Any fill used in connection with this project shall be clean fill, containing no trash, refuse, rubbish or debris, including, without limiting the generality of the foregoing, lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles or parts of any of the foregoing.

6. No work may be commenced until all appeal periods have elapsed from the order of the Conservation Commission or from a final order by the Department of Environmental Quality Engineering.
7. No work shall be undertaken until the final Order, with respect to the proposed project, has been recorded in the Registry of Deeds for the district in which the land is located within the chain of title of the affected property. Copy to be furnished to issuer of this Order showing book and page prior to commencement of work.
8. Upon completion of the work described herein, the applicant shall forthwith request, in writing, that a Certificate of Compliance be issued stating that the work has been satisfactorily completed.
9. A sign shall be displayed at the site not less than two square feet or more than three square feet bearing the words, "Massachusetts Department of Environmental Quality Engineering. Number 85-19".
10. Where the Department of Environmental Quality Engineering is requested to make a determination and to issue a superseding order, the Conservation Commission shall be a party to all agency proceedings and hearings before the Department.
11. The work shall conform to the following described plans and additional conditions.
12. A water quality monitoring program will be established to determine the impact of the leaching field on the local ground water and on Fort Pond Brook. At a minimum this program will consist of water samples obtained from Fort Pond Brook and samples taken from a ground water monitoring well, tested for indicators to show any leaching field failure.

The minimum acceptable water quality monitoring program is prescribed below.

- A. Samples will be obtained from Fort Pond Brook at a point upstream and at a point downstream of the expected area of ground water outflow from the leaching field. Samples will also be obtained from a ground water monitoring well consisting of a 4 inch perforated PVC pipe installed 2 feet below the elevation of the ground water table (as measured at its lowest average annual level). The well will be located approximately half way between the edge of the leaching field and the center line of Fort Pond Brook in the direction of the anticipated ground water flow. A sealed cap should be placed on the top of the well to prevent vandalism.
- B. Each sample will be obtained by means of routine manual "grab" sampling techniques and will consist of a "composite" average of 2 test samples, one taken in the morning, and the other taken in the evening, during the time immediately following the anticipated maximum usage of the leaching field.

- C. Samples will be obtained once prior to the operation of the leaching field. After the leaching field becomes operational, samples will be obtained tri-annually for the first 2 consecutive years. During this time samples will be obtained each of the months of April, June and August. If there are no significant changes (as determined by the Commission) in the concentrations of the analyzed indicators, samples will be obtained annually for the next 5 consecutive years. During this time samples will be obtained during the anticipated period of high ground water flow (March 15 through April 30). If significant concentration changes are found, tri-annual samples, as previously prescribed, will continue for the next 5 consecutive years. No sampling will be done during, or within 2 days after periods of significant precipitation.
- D. All samples obtained will be analyzed for the following indicators: total and fecal coliform count, nitrates, ammonia.
- E. All samples will be gathered and handled in a manner consistent with good engineering practice by an independent, experienced, qualified consulting firm. All samples will be analyzed in conformance with Standard Methods, 14th edition, or equivalent methodologies (as determined by the Commission) by an independent, experienced, state approved laboratory.
- F. The results of all analyses will be sent to the Acton Conservation Commission, with a copy to the Acton Board of Health, within 30 days after the samples have been obtained. If these results indicate the need for further testing, this additional testing shall be the responsibility of the Town of Acton.

A plan containing the detailed provisions of the water quality monitoring program which will be implemented to conform with the minimum program as prescribed herein must be submitted to the Commission (in writing) 30 days prior to starting operation of the leaching field. The Commission will accept an equivalent water quality monitoring program, provided that program is submitted (in writing) and approved by the Commission 30 days prior to its implementation.

13. All work shall conform to base map "Leaching Field Location and Grading Plan"; Dames & Moore, Lexington, Mass.; February 1977: Topographical plan of land in Acton, Mass., property of Richardson Crossing Trust; dated January 4, 1977; Guerriere and Halnon, Inc., Engineering & Land Surveying, 326 West Street, Milford, Mass., G1095.

The applicant, any person aggrieved by this order, any owner of land abutting the land upon which the proposed work is to be done, or any ten residents of the city or town in which such land is located, are hereby notified of their right to appeal this order to the Department of Environmental Quality Engineering provided the request is made in writing and by certified mail to the Department within ten (10) days from the issuance of this order.

ISSUED BY Acton Conservation Commission

Edward J. Chambers
President
Don W. Cheney
Judith A. Clark
Thomas H. Tucker
Donald C. White

October 19, 1977
Date of Issuance

On this 19th day of October 1977, before me personally appeared Ann Chang to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

Joan V. Sherman My Commission expires 12/31/81