

Stamski and McNary, Inc.
Engineering - Planning – Surveying
1000 Main Street Acton, MA 01720 (978) 263-8585

Notice of Intent

Under the Massachusetts Wetland Protection Act,
G.L. c. 131, s. 40

and

The Town of Acton Wetland Protection Bylaw

for

**18 Wetherbee Street
Map G-5, Parcel 82
Acton, MA 01720**

Applicant: Onyx Corporation
 18 Wetherbee Street
 Acton, MA 01720

Date: February 19, 2016

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- B. Massachusetts Natural Heritage Atlas 13th edition, Effective: October 1, 2008
- C. FEMA Flood Insurance Map
- D. Sheets 4 & 5 (Grading and Drainage Plan and Construction Details) of Site Plan by Stamski and McNary, Inc.
- E. 3.6 Drainage Calculations

Project Narrative

Project Narrative

Project Description

The proposed project is to construct a building trade shop with associated driveway and parking, sewage disposal system, and associated appurtenances within the 100' Buffer Zone of a Bordering Vegetated Wetland (BVW) and the 200' Riverfront Area.

Existing Conditions

The site is currently developed with a single family dwelling, a shop, and 3 sheds. The site consists largely of gravel drive, soil stockpiles, and lawn. Much of the area outside the BVW has been previously disturbed.

Resource Area Descriptions

The resource areas located on site include Bank, Land Under Water (LUW), Bordering Vegetated Wetland (BVW), Bordering Land Subject to Flooding (BLSF), and Riverfront Area (RA) associated with Nashoba Brook. The BVW and RA were delineated by B&C Associates, Inc.

Compliance with General Performance Standards for Bank 310 CMR 10.54(4)(a-c):

The General Performance Standards for a Bank have been met since the proposed activity does not involve any changes to the Bank of Nashoba Brook.

Compliance with General Performance Standards for BVW 310 CMR 10.55:

The General Performance Standards for a Bordering Vegetated Wetland have been met since the proposed activity does not involve removing, filling, dredging or altering of a BVW. The proposed siltation barrier will be installed to prevent alteration of the BVW during construction.

Compliance with General Performance Standards for Land Under Water 310 CMR 10.56(4)(a-c):

The General Performance Standards for Land Under Water have been met since the proposed activity does not involve any work within Nashoba Brook.

Compliance with General Performance Standards for BLSF 310 CMR 10.57(4)(a-c):

The General Performance Standards for a Bordering Land Subject to Flooding have been met since the proposed activity does not involve removing, filling, dredging or altering of BLSF. The proposed siltation controls will prevent indirect alteration of the flood plain during construction.

CMR 10.58(5) Redevelopment Within Previously Developed Riverfront Areas

The proposed building trade shop and pavement is within the existing degraded gravel drive/ parking area and soil stockpile area. It improves the riverfront area by treating stormwater prior to infiltration.

- (a) Work within the degraded areas to be improved with stormwater controls.
- (b) Two deep sump hooded catch basins, a drainage manhole with flap valve and CDS Contech insert, and subsurface infiltration area are provided to treat the runoff before being infiltrated.
- (c) The proposed project will be farther from Nashoba Brook than existing pavement.

- (d) The proposed building trade shop is as close to the riverfront area boundary as possible within the lot. The riverfront area encompasses the entire site.
- (e) The existing degraded area in the riverfront area consisting of a dwelling, pavement, gravel, pavers, soil stockpiles, and landscaped lawns is not increasing. There is approximately 90,881+/- square feet of riverfront area on site.
- (f) N/A
- (g) N/A
- (h) N/A

Massachusetts Endangered Species Act Review:

The project is not located in an area subject to MESA review.

Compliance with Town of Acton Wetlands Bylaw and Wetland Bylaw Regulations:

A small portion of the proposed driveway, parking area, and associated grading is located within the 50' "Undisturbed Natural Vegetation" as well as the 75' No-Build. Per Section F8.3 of the Bylaw pre-existing activities or structures not meeting the setbacks need not be removed and the Commission may permit new activity or structures as close to the edge of wetlands if the activity will not affect the interests protected by the Bylaw no more adversely than the existing activity. Since all proposed work is in existing degraded areas, there will be no more adverse effects than existing conditions. Stormwater controls will improve existing conditions. No means of alternate access exist which would keep the driveway outside either the 50' "Undisturbed Natural Vegetation" or 75' No-Build. The proposed building trade shop and sewage disposal system will be located outside the 100' Buffer Zone with the exception of a very small portion (22 SF) of the building trade shop.

Summary:

The project has been designed to meet the performance standards of the Wetland Protection Act regulations and the Town of Acton Wetlands Bylaw and Wetland Bylaw Regulations. Erosion controls have been proposed to protect wetland resource areas during construction.

Notice of Intent - WPA Form 3



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

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>18 Wetherbee Street</u>	<u>Acton</u>	<u>01720</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	<u>42D 28' 27" N</u>	<u>71D 24' 37" W</u>
	d. Latitude	e. Longitude
<u>G5</u>	<u>82</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>John</u>	<u>Durkin, Jr.</u>	
a. First Name	b. Last Name	
<u>Onyx Corporation</u>		
c. Organization		
<u>18 Wetherbee Street</u>		
d. Street Address		
<u>Acton</u>	<u>MA</u>	<u>01720</u>
e. City/Town	f. State	g. Zip Code
<u>508-922-6858</u>	<u>jdurkin@onyxcorporation.net</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>John</u>	<u>Durkin</u>	
a. First Name	b. Last Name	
<u>Onyx Corporation</u>		
c. Organization		
<u>18 Wetherbee Street</u>		
d. Street Address		
<u>Acton</u>	<u>MA</u>	<u>01720</u>
e. City/Town	f. State	g. Zip Code
<u>978-263-1185</u>		
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>George</u>	<u>Dimakarakos</u>	
a. First Name	b. Last Name	
<u>Stamski and McNary, Inc.</u>		
c. Company		
<u>1000 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) 263-8585</u>	<u>978-263-9883</u>	<u>gd@stamskiandmcnary.com</u>
h. Phone Number	i. Fax Number	j. Email address

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

<u>\$1,575.00</u>	<u>\$775.00</u>	<u>\$800+\$155.00 Bylaw Fee</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

Construction of a building trade shop with a sewage disposal system, driveway, and associated parking and appurtenances within the 100' Buffer Zone of a Bordering Vegetated Wetland and 200' Riverfront Area.

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

- 1. Single Family Home
- 2. Residential Subdivision
- 3. Commercial/Industrial
- 4. Dock/Pier
- 5. Utilities
- 6. Coastal engineering Structure
- 7. Agriculture (e.g., cranberries, forestry)
- 8. Transportation
- 9. 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:

Middlesex South

a. County

14477

c. Book

b. Certificate # (if registered land)

141

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 1. 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.
- 2. 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.



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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 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 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. Riverfront Area
- Nashoba Brook (inland)
1. Name of Waterway (if available) - specify coastal or inland
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: 90,881 square feet

4. Proposed alteration of the Riverfront Area:

<u>Temp.: 19,230; Perm.: 0</u>	<u>Temp.: 5,534; Perm.: 0</u>	<u>Temp.: 13,696; Perm.: 0</u>
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)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



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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



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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://maps.massgis.state.ma.us/PRI_EST_HAB/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

October 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.f, 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).*

- c. 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/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). 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.



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

(c) MESA filing fee (fee information available at 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

(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/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

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, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694
Email: DMF.EnvReview-South@state.ma.us

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

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.



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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.



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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.

Sheets 4 & 5 of Site Plan- Grading and Drainage Plan and Construction Details

3.6 Drainage Calculations

Stamski and McNary, Inc.

George Dimakarakos, P.E.

b. Prepared By

c. Signed and Stamped by

November 6, 2015

As shown

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
5332

3. Check date
12/16/2015

4. State Check Number
5327

5. Check date
12/16/2015

6. Payor name on check: First Name
Onyx Corporation

7. Payor name on check: Last Name
—



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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.

[Handwritten Signature]

1. Signature of Applicant

12-14-15

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.



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 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:

18 Wetherbee Street

a. Street Address

5327

c. Check number

Acton

b. City/Town

\$775.00

d. Fee amount

2. Applicant Mailing Address:

John

a. First Name

Onyx Corporation

c. Organization

18 Wetherbee Street

d. Mailing Address

Acton

e. City/Town

508-922-6858

h. Phone Number

i. Fax Number

Durkin, Jr.

b. Last Name

MA
f. State

01720

g. Zip Code

jdurkin@onyxcorporation.net

j. Email Address

3. Property Owner (if different):

John

a. First Name

Onyx Corporation

c. Organization

18 Wetherbee Street

d. Mailing Address

Acton

e. City/Town

978-263-1185

h. Phone Number

i. Fax Number

Durkin

b. Last Name

MA
f. State

01720

g. Zip Code

j. Email Address

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.

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



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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
Construction of a building trade shop, sewage disposal system, driveway and associated parking in the Riverfront Area.	1	\$1,575.00	\$1,575.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee:	\$1,575.00
State share of filing Fee:	a. Total Fee from Step 5 \$775.00
City/Town share of filling Fee:	b. 1/2 Total Fee less \$12.50 \$800 + \$155.00 Bylaw Fee

C. Submittal Requirements

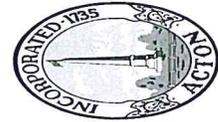
- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

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.)

Certified Abutters List / Affidavit / Notice to Abutters



Town of Acton
 472 Main Street
 Acton, MA 01720
 Telephone (978) 264-9622
 Fax (978) 264-9630

Brian McMullen
 Chief Assessor

Locus: 18 WETHERBEE ST
 Parcel ID: G5 - 82

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City ST Zip
G4-143	13 WETHERBEE ST	WETHERBEE ACTON RLTY	VERONICA CICCONE	116 ADAM ST	DUNSTABLE, MA 01827
G4-177	21 WETHERBEE ST	M & D REALTY COMPANY	JEANSON DEBRA GRACE	12 KENNEDY LANE	ACTON, MA 01720
G4-208	32 WETHERBEE ST	MORITZ CLEMENT & ELIZABETH C. & E. MORITZ MGMT. TR		32 WETHERBEE STREET	ACTON, MA 01720
G5-57	60 GREAT RD	60 GREAT ROAD LLC		60 GREAT RD	ACTON, MA 01720
G5-69	8 WETHERBEE ST	CAVELIER LEO S ET AL	TR OF WETHERBEE RD RLTY TRPO BOX 2135	48 GREAT RD #11	ACTON, MA 01720
G5-76-111	48 GREAT RD	BLASI ANTONIO		48 GREAT RD	ACTON, MA 01720
G5-76-112	48 GREAT RD	CARVER REBECCA		48 GREAT RD	ACTON, MA 01720
G5-76-113	48 GREAT RD #13	DEMORE EDWARD L	C & R PROPERTIES TRUST	141 TREMONT ST S-500	BOSTON, MA 02111
G5-76-114	48 GREAT RD #14	YIN YI		31 HARWICH RD	NEWTON, MA 02467
G5-76-115	48 GREAT RD #15	BRADLEY TYLER		48 GREAT RD #15	ACTON, MA 01720
G5-76-116	48 GREAT RD #16	JACOBY THOMAS M		457 MASS AVE	ACTON, MA 01720
G5-76-117	48 GREAT RD #17	PIKE JAMES		48 GREAT ROAD #17	ACTON, MA 01720
G5-76-118	48 GREAT RD #18	KASHIF SAMINA		64 DONIZETTI STREET	WELLESLEY, MA 02482
G5-76-121	48 GREAT RD	ACTON HOUSING AUTHORITY		PO BOX 681	ACTON, MA 01720
G5-76-122	48 GREAT RD #22	FRANCIS MICHAEL W		48 GREAT RD #22	ACTON, MA 01720
G5-76-123	48 GREAT RD #23	FASULO PONG S		4 VICTOR DR	AYER, MA 01432
G5-76-124	48 GREAT RD #24	BARBERA DAVID A		48 GREAT RD #24	ACTON, MA 01720
G5-76-125	48 GREAT RD #25	BIFOLCK MARIE FOUNTAIN		48 GREAT RD #25	ACTON, MA 01720
G5-76-126	48 GREAT RD #26	KELLY VIRGINIA M		48-35 GREAT RD	ACTON, MA 01720
G5-76-127	48 GREAT RD #27	SWANSON JOY E		48 GREAT RD #27	ACTON, MA 01720
G5-76-128	48 GREAT RD #28	CHEN YINGXUE		103 CANTERBURY HILL RD	ACTON, MA 01720
G5-76-131	48 GREAT RD #31	YOUNG BRANDEN J	YOUNG DEREKA M	48 GREAT RD #31	ACTON, MA 01720
G5-76-132	48 GREAT RD #32	HENRIQUEZ JOSE A		48 GREAT RD #32	ACTON, MA 01720
G5-76-133	48 GREAT RD #33	KULESZA MATTHEW		24 HIGHFIELD RD #1	ROSLINDALE, MA 02131
G5-76-134	48 GREAT RD #34	MULLIN THOMAS J TRUSTEE	MULLIN MARY-ALICE TRUSTEE	48 GREAT RD #34	ACTON, MA 01720
G5-76-135	48 GREAT RD #35	STOVER THOMAS S		48 GREAT RD #35	ACTON, MA 01720
G5-76-136	48 GREAT RD #36	MOORE PATRICIA		48 GREAT RD #36	ACTON, MA 01720
G5-76-137	48 GREAT RD #37	BRIGHAM KIM		48 GREAT RD #37	ACTON, MA 01720
G5-76-138	48 GREAT RD #38	STOVER THOMAS		48 GREAT RD #38	ACTON, MA 01720
G5-79	38 GREAT RD	LUNG CHIK YAN	LUNG NGA CHEE	270-272 17TH AVENUE	SAN FRANCISCO, CA 94121
G5-82-1	30 GREAT RD	ACTON SPORTS PROPERTY LTD PTNP		30 GREAT RD	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.

AFFIDAVIT OF SERVICES
Under the Massachusetts Wetlands Protection Act
(to be submitted to the Massachusetts Department of
Environmental Protection and the Conservation Commission
when filing a Notice of Intent)

I, Daniel Carr, hereby certify under the pains and penalties of perjury that on 2/22 /2016 I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:

A Notice of Intent filed under the Massachusetts
Wetlands Protection Act by Onyx Corporation with
the Acton Conservation Commission for area located
within 18 Wetherbee Street.

The form of the notification, and a list of the abutters to whom it was given and their addresses, are attached to this Affidavit of Service.

Name:

Date:

NOTIFICATION TO ABUTTERS
UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40 you are hereby notified of the following:

The Applicant: Onyx Corporation

Address: 18 Wetherbee Street, Acton, MA 01720 Phone: (603) 548-9990

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: Stamski and McNary, Inc.

Address: 1000 Main Street; Acton MA 01720 Phone: (978) 263-8585

The address of the property where the activity is proposed: 18 Wetherbee Street

Town Atlas Plate/Map: G5 Parcel/Lot: 82

Project Description: The construction of a building trade shop, sewage disposal system, associated parking and driveway, and associated appurtenances within the 100' Buffer Zone of a Bordering Vegetated Wetland and 200' Riverfront Area.

Copies of the Notice of Intent may be examined at the Conservation Office, Acton Town Hall, 472 Main Street, Acton. Between the hours of 8:00 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,

March 16, 2016 at 7:30 P.M.

(date)

The notice of the public hearing, will be published at least five (5) days in advance in 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

Southeast Region: 508-946-2700

Northeast Region: 978-694-3200

Western Region: 413-784-1100

Attachment A
U.S.G.S. Map



Name: MAYNARD
Date: 11/4/115
Scale: 1 inch equals 2000 feet

Location: 042° 28' 12.5" N 071° 24' 31.3" W

Attachment B
Massachusetts Natural Heritage Atlas 13th Edition

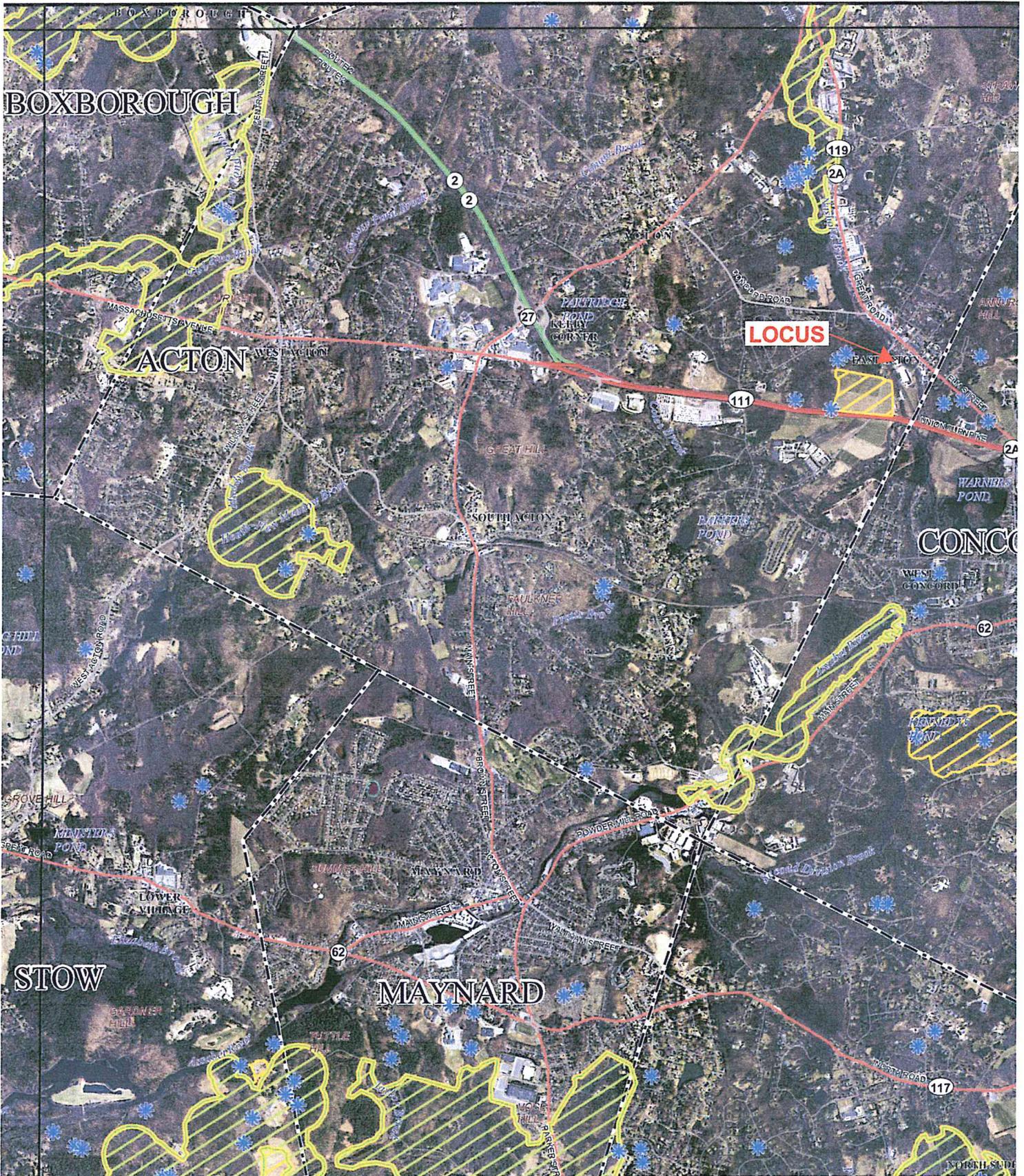


Priority Habitats and Estimated Habitats - Effective O

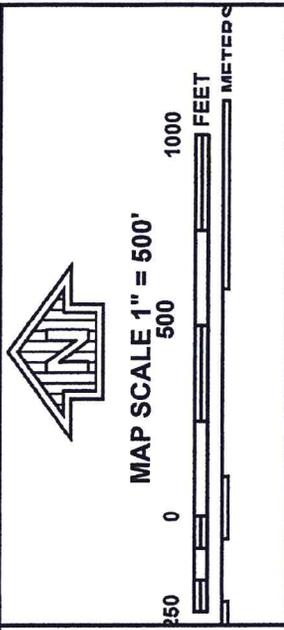
Priority Habitats for use with the MA Endangered Species Act Regulation
Estimated Habitats for use with the MA Wetlands Protection Act Regulation

Produced by the Natural Heritage & Endangered Species Program

website: www.mass.gov/nhe



Attachment C
FEMA Flood Insurance Map



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0356F

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

PANEL 356 OF 656
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
ACTON, TOWN OF	250176	0356	F
CONCORD, TOWN OF	250189	0356	F

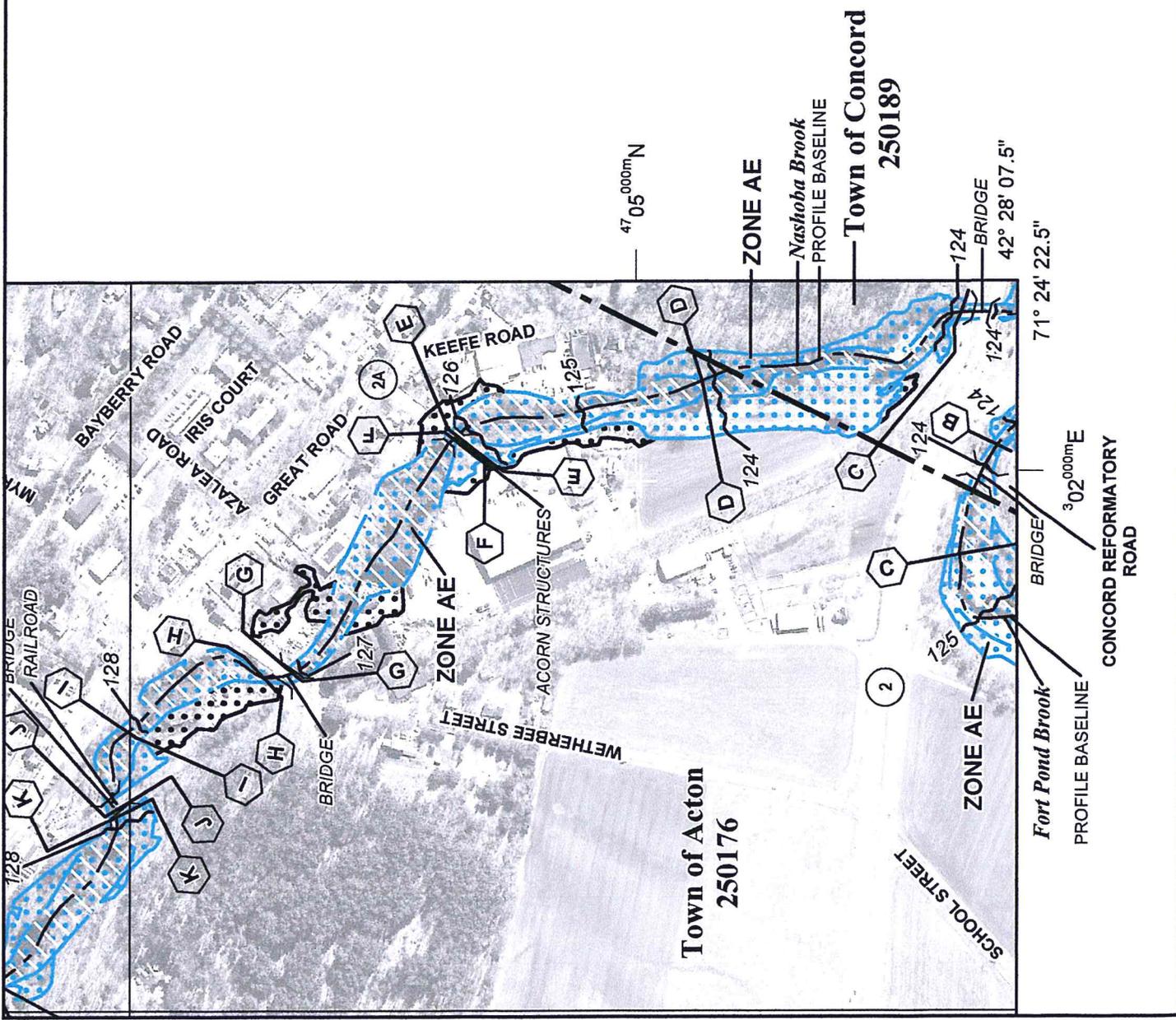
Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
25017C0356F
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



Attachment D
Sheets 4 & 5 of Site Plan-Grading And Drainage and Construction
Details

Attachment E
3.6 Drainage Calculations