

DEP File No. 85-392

(To be provided by DEP)

Form 3

City/Town Acton

Applicant Acorn Park Realty Trust

Commonwealth
of Massachusetts

Department of
Defense
United States
of America

**Notice of Intent
Under the
Massachusetts Wetlands Protection Act, G.L. c. 131, §40
and
Application for a Department of the Army Permit**

Part I: General Information

1. Location: Street Address Acorn Park Drive
Lot Number n.a.

2. Project: Type Roadway Description Work within buffer zone to construct roadways, utilities and drainage facilities for Acorn Park - a planned Unit Development. Work started under Order of Conditions 85-238 which has expired. Utilities include the sewage treatment plant and grading on

Business use Lot A.
3. Registry: County Middlesex Current Book 16746 & Page 567
Certificate (if Registered Land) South n.a.

4. Applicant Acorn Park Realty Trust Tel. 263-1125
Address One Nagog Park; Acton, MA 01720

5. Property Owner Acorn Park Realty Trust Tel. 263-1125
Address One Nagog Park; Acton, MA 01720

6. Representative Stamski and McNary, Inc. Tel. 263-8585
Address 80 Harris Street; Acton, MA 01720
For engineering purposes only

7. a. Have the Conservation Commission and the Department's Regional Office each been sent, by certified mail or hand deliver, 2 copies of completed Notice of Intent, with supporting plans and documents?

Yes No

b. Has the fee been submitted? Yes No

c. Total Filing Fee Submitted \$525.00

d. City/Town Share of Filing Fee \$275.00 State Share of Filing Fee \$250.00
(sent to City/Town) (% of fee in excess of \$25, sent to DEP)

e. Is a brief statement attached indicating how the applicant calculated the fee? Yes No

RECEIVED

DEP File No.
(To be provided by DEP)

Form 3

SEP 28 1993

City/Town _____

Applicant _____

ACTON CONSERVATION COMMISSION

Commonwealth
of Massachusetts

Department of
Defense
United States
of America

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e. Is a brief statement attached indicating how the applicant calculated the fee? Yes No

8. Have all obtainable permits, variances and approvals required by local by-law been obtained? Yes No

Obtained	Applied for:	Not Applied For:
	PUD Special Permit	
	Groundwater Protection District Special Permit	
	Definitive Subdivision Approval	

9. Is any portion of the site subject to a Wetlands Restriction Order pursuant to G.L. c. 131, §40A or G.L. c. 130, §105? Yes No

10. List all plans and supporting documents submitted with this Notice of Intent.

Identifying Number/Letter	Title, Date
1	Set of 26 plans entitled Acorn Park; Acton, MA dated July 28, 1993.
2	USGS Locus Map
3	Booklet of Calculations - Acorn Park dated July 28, 1993

11. Check those resource areas within which work is proposed:

(a) Buffer Zone

(b) Inland:

Bank*

Bordering Vegetated Wetland*

Land Under Water Body & Waterway*

Land Subject to Flooding

Bordering

Isolated

(c) Coastal:

Land Under the Ocean*

Coastal Beach*

Barrier Beach*

Rocky Intertidal Shore*

Land Under Salt Pond*

Fish Run*

Designated Port Area*

Coastal Dune

Coastal Bank

Salt Marsh*

Land Containing Shellfish*

*Likely to involve U.S. Army Corps of Engineers concurrent jurisdiction. See General Instructions for Completing Notice of Intent.

12. In the project within estimated habitat which is indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands Wildlife (if any) published by the Natural Heritage and Endangered Species Program?

YES [] NO [XX] Date printed on the Estimated Habitat Map
 NO MAP AVAILABLE [] (if any) 1993 Atlas

If yes, have you sent a copy of the Notice of Intent to the Natural Heritage and Endangered Species Program via the U.S. Postal Service by certified or priority mail (or otherwise sent it in a manner that guarantees delivery within two days) no later than the date of the filing of this Notice of Intent with the conservation commission and the DEP regional office?

YES [] NO []

If yes please attach evidence of timely mailing or other delivery to the Natural Heritage and Endangered Species Program.

Part II: Site Description

Indicate which of the following information has been provided (on a plan, in narrative description or calculations) to clearly, completely and accurately describe existing site conditions.

Identifying Number/Letter (of plan, narrative or calculations)	<u>Natural Features</u>
<u>1</u>	Soils
<u>1</u>	Vegetation
<u>1</u>	Topography
<u>1</u>	open water bodies (including ponds and lakes)
<u>1</u>	Flowing water bodies (including streams and rivers)
<u>1</u>	Public and private surface water and ground water supplies on or within 100 feet of site
<u>3</u>	Maximum annual ground water elevations with dates and location of test
<u>1</u>	Boundaries of resource areas checked under Part 1, item 11 above
<u>n.a.</u>	Other
	<u>Man-made Features:</u>
<u>1</u>	Structures (such as buildings, piers, towers and headwalls)
<u>1,3</u>	Drainage and flood control facilities at the site and immediately off the site, including culverts and open channels (with inverts), dams and dikes
<u>n.a.</u>	Subsurface sewage disposal systems
<u>1</u>	Underground utilities

1	Roadways and parking areas
1	Property boundaries, easements and rights-of-way
n.a.	Other

Part III: Work Description

Indicate which of the following information has been provided (on a plan, in narrative description or calculations) to clearly, completely and accurately describe work proposed within each of the resource areas checked in Part I, item 11 above.

Identifying
Number/Letter
(of plan, narrative
or calculations)

1	<u>Planview and Cross Section of:</u> structures (such as buildings, piers, towers and headwalls)
1,3	Drainage and flood control facilities, including culverts and open channels (with inverts), dams and dikes
1,3	Subsurface sewage disposal systems & underground utilities
n.a.	Filling, dredging and excavating, indicating volume and composition of material
1	Compensatory storage areas, where required in accordance with Part III, Section 10.57(4) of the regulations.
n.a.	Wildlife habitat restoration or replication areas
n.a.	Other
1,3	<u>Point Source Discharge</u> Description of characteristics of discharge from point source (both closed and open channel), when point of discharge falls within resource area checked under Part I, item 11 above, as supported by standard engineering calculations, data and plans, including but not limited to the following:

1. Delineation of the drainage area contributing to the point of discharge;
2. Pre- and post-development peak run-off from the drainage area, at the point of discharge, for at least the 10-year and 100-year frequency storm;
3. Pre- and post-development rate of infiltration contributing to the resource area checked under Part I, item 11 above;
4. Estimated water quality characteristics of pre- and post-development run-off at the point of discharge.

Part IV: Mitigating Measures

1. Clear, completely and accurately describe, with reference to supporting plans and calculations where necessary:
- (a) All measures and designs proposed to meet the performance standards set forth under each resource area specified in Part II or Part III of the regulations; or
 - (b) Why the presumptions set forth under each resource area specified in Part II or Part III of the regulations do not apply.

<input type="checkbox"/> Coastal <input type="checkbox"/> Inland	Resource Area Type:	Identifying number or letter of support documents

<input type="checkbox"/> Coastal <input type="checkbox"/> Inland	Resource Area Type:	Identifying number or letter of support documents

<input type="checkbox"/> Coastal <input type="checkbox"/> Inland	Resource Area Type: Identifying number or letter of support documents

2. Clearly, completely and accurately describe, with reference to supporting plans and calculations where necessary:
- (a) all measures and designs to regulate work within the Buffer Zone so as to ensure that said work does not alter an area specified in Part I, Section 10.02(1)(a) of these regulations; or
 - (b) if work in the Buffer Zone will alter such an area, all measures and designs proposed to meet the performance standards established for the adjacent resource area, specified in Part II or Part III of these regulations.

<input type="checkbox"/> Coastal <input checked="" type="checkbox"/> Inland	Resource Area Type Bordered By 100-Foot Discretionary Zone: Identifying number or letter of support documents
Work within wetlands on the site has been completed under previous Order of Conditions 85-238. Work proposed is within buffer zone. Wetlands will be protected by haybale siltation barriers.	1,3

Part V: Additional Information for a Department of the Army Permit

1. COE Application No. _____
(to be provided by COE)
2. _____
(Name of waterway)
3. Names and addresses of property owners adjoining your property:
4. Document other project alternatives (i.e., other locations and/or construction methods, particularly those that would eliminate the discharge of dredged or fill material into waters or wetlands).
5. 8 1/2" x 11" drawings in planview and cross-section, showing the resource area and the proposed activity within the resource area. Drawings must be to scale and should be clear enough for photocopying.

Certification is required from the Division of Water Pollution Control before the Federal permit can be issued. Certification may be obtained by contacting the Division of Water Pollution Control, 1 Winter Street, Boston, Massachusetts 02108.

Where the activity will take place within the area under the Massachusetts approved Coastal Zone Management Program, the applicant certifies that his proposed activity complies with and will be conducted in a manner that is consistent with the approved program.

Information provided will be used in evaluating the application for a permit and is made a matter of public record through issuance of a public notice. Disclosure of this information is voluntary; however, if necessary information is not provided, the application cannot be processed nor can a permit be issued.

I hereby certify under the pains and 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.

ACQUITTANCE RECEIVED TRUST
 By: Karl [Signature], Trustee Ms. [Signature] Sept. 28, 1993
 Signature of Applicant Date
[Signature] Sept. 28, 1993
 Signature of Applicant's Representative Date

FORM
MED 100 (TEST)
1 MAY 82

"Exception to ENG Form 4345 approved by HQUSACE, 6 May 1982"

"This document contains a joint Department of the Army and State of Massachusetts application for a permit to obtain permission to perform activities in United States waters. The Office of Management and Budget (OMB) has approved those questions required by the US Army Corps of Engineers. OMB Number 0702-0036 and expiration date of 30 September 1983 applies". This statement will be set in 6 point type.

NOTICE OF INTENT FEE TRANSMITTAL FORM

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WETLANDS AND WATERWAYS

NOTICE OF INTENT (NOI) APPLICANT:

PROPERTY OWNER:

Name Acorn Park

Name Acorn Park

Street One Nagog Park

Street One Nagog Park

City/Town Acton

City/Town Acton

State MA zip code 01720

State MA zip code 01720

Phone Number 263-1125

PROJECT LOCATION: Street/Lot Number Acorn Park Drive

City/Town Acton, MA 01720

DEP FILE NUMBER (if available) _____

NOI FILING FEE

DISPUTED FEE

Total NOI Filing Fee: \$ 525.00

Total Disputed Fee: \$ _____

State Share of Filing Fee: \$ 250.00
(1/2 of fee in excess of \$25.00)

(as determined in Notice of
Insufficient Fee letter from
conservation commission.)

City/Town Share of

State Share of Fee: \$ _____

Filing Fee: \$ 275.00

(1/2 of total disputed fee)

City/Town Share of Fee: \$ _____
(1/2 of total disputed fee)

INSTRUCTIONS:

1. Send this Fee Transmittal form and a check or money order, payable to the Commonwealth of Massachusetts, to the DEP Lock Box at:

Dept. of Environmental Protection
Box 4062
Boston, MA 02211

2. Attach a copy of this form to the Notice of Intent submitted to the local Conservation Commission.
3. Attach a copy of this form and a copy of the DEP check to each of the Notice of Intent forms submitted to the DEP regional office.

11/20/92

TO:

FROM:

RE: NOI Proposed Activities and Calculated Filing Fees

CATEGORY 1 \$53 per activity

- A. Existing House/residential lot (addition, deck, garage, pool, shed, or DRIVEWAY) _____
 - B. Site Preparation (removal of vegetation, excavation, grading where home construction is not proposed under this NOI) _____
 - C. Control of nuisance vegetation by removal, herbicides, etc. within a Resource Area PER LOT pursuant to 310 CMR 10.53(4) _____
 - D. Resource Area Improvement pursuant to 310 CMR 10.53(4) other than 1C above _____
 - E. SEPTIC SYSTEMS or any part thereof/repairs, replacement, UPGRADING _____
 - F. Monitoring Wells/well _____
- TOTAL CATEGORY ONE ACTIVITIES 0

CATEGORY 2 \$250 PER ACTIVITY

- A. EACH NEW single family house INCLUDING site preparation, retention/detention basins, utilities, SEPTIC SYSTEM, roadway/driveway other than those pursuant to 310 CMR 10.53 (3e) if reviewed under a SINGLE NOI _____
 - B. Parking lot/ ANY size _____
 - C. Beach Nourishment _____
 - D. Coastal Activities pursuant to 310 CMR 10.24 (7a-e) including 7a-Electricity Generation Facilities, 7b-Public Utilities, 7c-Coastal Limited Projects including REPAIR/MAINTENANCE of EXISTING piers, buildings, culverts, etc. _____
 - E. LIMITED PROJECT ACTIVITIES pursuant to 310 CMR 10.53 (a-d) AND 310 CMR 10.53 (f-d) per footprint. _____
 - F. NEW agricultural/aquacultural projects _____
 - G. EACH WETLAND DRIVEWAY CROSSING associated with a single family home pursuant to 310 CMR 10.53(3e) _____
 - H. ANY point source discharge _____
 - I. ANY OTHER ACTIVITY not described in categories 1, 3, 4 & 5 _____
- TOTAL CATEGORY TWO ACTIVITIES 0

CATEGORY 3 \$525/ACTIVITY

- A. SITE PREPARATION for ANY development other than for a single family house INCLUDING removal of vegetation, excavation & grading when actual construction is NOT proposed under this NOI _____
- B. CONSTRUCTION OF EACH BUILDING within commercial, industrial, institutional, or apartment/condo/townhouse type of development, ANY PART of which is in a BUFFER ZONE or RESOURCE AREA. Associated activities: site preparation, retention/detention basin construction, septic systems, parking lots, utilities, point source discharges, sewerage treatment plants, roadways/driveways NOT subject to 310 CMR 10.53(3e) SHALL NOT BE SUBJECT TO ADDITIONAL FEES if said activities are reviewed under a SINGLE NOI _____
- C. Construction of EACH ROADWAY/DRIVEWAY within the Buffer Zone or Coastal Floodzone NOT reviewable under 310 CMR 10.53 (3e) and NOT associated with a single family house 1
- D. HAZARDOUS WASTE CLEANUP (except as noted in category 4) _____

TOTAL CATEGORY THREE ACTIVITIES 1

CATEGORY 4 \$725 PER ACTIVITY

- A. EACH WETLAND FILLING/CROSSING LIMITED PROJECT ACCESS ROADWAY/DRIVEWAY under 310 CMR 10.53 (3e) associated with COMMERCIAL, INDUSTRIAL, INSTITUTIONAL DEVELOPMENT OR RESIDENTIAL (SUBDIVISION CONSTRUCTION. (**see category 2g for single family home driveway**)) _____
- B. Flood Control Structures (construction, REPAIR, and/or modification) _____
- C. LANDFILLS-public & private _____
- D. SAND & GRAVEL OPERATIONS _____
- E. NEW railroad lines or EXTENSIONS of EXISTING lines _____
- F. Control of NUISANCE VEGETATION under 310 CMR 10.53(4) other than on a single family house lot _____
- G. BRIDGES (construction, reconstruction, expansion, maintenance) ASSOCIATED with a SINGLE FAMILY HOUSE LOT _____
- H. Raising or lowering WATER LEVELS _____
- I. ALTERATION OF RESOURCE AREA & diversion of water associated with HAZARDOUS WASTE CLEANUP, non-mosquito control projects, or for ANY OTHER PURPOSE NOT EXPRESSLY IDENTIFIED ELSEWHERE IN THIS FEE SCHEDULE _____
- J. DREDGING ACTIVITIES not associated with a NEW dock, pier or other structure described in category 5 _____

TOTAL CATEGORY FOUR ACTIVITIES 0

OVER

.....
\$50 NOR MORE THAN \$1000

A. Construction, reconstruction, REPAIR, or replacement
of DOCKS, PERS, REVETMENTS, DIKES, or other
engineering structures on COASTAL or INLAND RESOURCE
AREAS including the placement of RIP-RAP or other
material on coastal or inland resource areas

TOTAL CATEGORY FIVE ACTIVITIES

0

ADD ALL TOTALS

CATEGORY ONE TOTAL

0

CATEGORY TWO TOTAL

0

CATEGORY THREE TOTAL

525.00

CATEGORY FOUR TOTAL

0

CATEGORY FIVE TOTAL

0

DATE 9/28/93 TOTAL FILING FEE CALCULATED** \$ 525.00

PERSON CALCULATING FEE SCHEDULE (PRINT NAME)

Bruce M. Stamski

ADDRESS Stamski and McNary, Inc.

80 Harris Street; Acton, MA 01720

TELEPHONE NUMBER 263-8585

SIGNATURE

Bruce M. Stamski



610 000 FEET 27°30" 299 (MAYNARD) 300 1768 IV NW SCALE 1:25 000 MAYNARD 5 MI. 25' 2.7 MI. TO MASS. 2 302

1 1000 0 1000 2000 3000 4000 5000 6000 7000 FEET 1 MILE

1 5 0 1 KILOMETER