



Commonwealth of Massachusetts
Executive Office of Environmental Affairs

**Department of
Environmental Protection**
Central Regional Office

William F. Weld
Governor
Trudy Coxe
Secretary, ECEA
David B. Struhs
Commissioner

RE: NOTIFICATION OF WETLANDS PROTECTION ACT FILE NUMBER Acton
DATE: July 11, 1995 (city/town)

The Department of Environmental Protection has received a Notice of Intent filed in accordance with the Wetlands Protection Act (M.G.L. c.131, §40):

Applicant: Acorn Park Realty Trust Owner: _____

Address: One Nagog Park Address: same
Acton, MA 01720

Project Location: Acorn Park Drive Lots G1 + H1

IF CHECKED, THE FOLLOWING ITEM(S) APPLY TO THIS NOTICE OF INTENT:
A. This project has been assigned the following file #: 85-481
Although a file # is being issued, please note the following: _____

ISSUANCE OF A FILE NUMBER INDICATES ONLY COMPLETENESS OF SUBMITTAL, NOT APPROVAL OF APPLICATION

B. _____ No File # will be assigned to this project until the following missing information is sent to this office, to meet the minimum submittal requirements in accordance with the Wetlands Protection Regulations at 310 CMR 10.00:

- () _____ copy(s) of a completed Notice of Intent (Form 3 or Form 4 of Sect. 10.99, whichever is applicable) and a copy of the Fee Transmittal Form, with a copy of the check for the State's share of the Notice of Intent filing fee.
- () _____ copy(s) of plans, calculations, and other documentation necessary to completely describe the proposed work and mitigating measures to protect resource areas.
- () _____ proof of abutter notification: ch. 472 of the Acts of 1993.
- () _____ copy(s) of plans showing compliance with Title 5 of the State Environmental Code, 310 CMR 15.00.
- () Proof that a copy of your Notice of Intent has been mailed or hand delivered to the Natural Heritage and Endangered Species Program.

COMMENTS: _____

(see page 2 for additional information)

DEP File No.
(To be provided by DEP)

Form 3

City/Town Acton

Applicant Acorn Park Realty Trust

Commonwealth
of Massachusetts

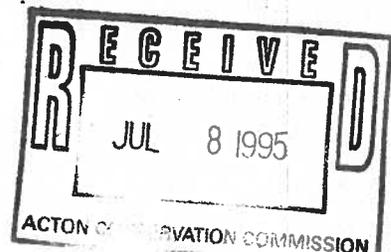
Department of
Defense
United States
of America

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

The Town of Acton Wetlands Protection Bylaw

Part I: General Information

1. Location: Street Address Acorn Park Drive
Lot Number G-1 and H-1
2. Project: Type Commercial Description Work within buffer zone to construct a building, parking lots, utilities and drainage facilities for Acorn Park - a planned Unit Development, Phase II.
See Attachment N
3. Registry: County Middlesex Current Book 16746 & Page 567
Certificate (if ^{South}Registered Land) 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
For engineering purposes only
Address 80 Harris Street; Acton, MA 01720
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) (Plus \$105.00 ^{6%} of fee in excess of \$25, sent to DEP)
Bylaw fee)
- 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	
	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	Plan entitled: Business Use Site Development, Erosion and Sedimentation Control plan dated May 18, 1995.
2	USGS Locus Map
3	Booklet of Calculations - Acorn Park Phase II dated May 18, 1995.
N	Narrative

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) 1995-1996 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 I, 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)	
<u>1</u>	<u>Planview and Cross Section of:</u> Structures (such as buildings, piers, towers and headwalls)
<u>1,3</u>	Drainage and flood control facilities, including culverts and open channels (with inverts), dams and dikes
<u>1,3</u>	Subsurface sewage disposal systems & underground utilities
<u>n.a.</u>	Filling, dredging and excavating, indicating volume and composition of material
<u>n.a.</u>	Compensatory storage areas, where required in accordance with Part III, Section 10.57(4) of the regulations.
<u>n.a.</u>	Wildlife habitat restoration or replication areas
<u>n.a.</u>	Other
<u>n.a.</u>	<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. Clearly, 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: Bordering Vegetated Wetland	Identifying number or letter of support documents
Work to develop a commercial site including building, parking lots, utilities, drainage facilities and associated grading is proposed within the 100 foot Buffer Zone of a Bordering Vegetated Wetland. Haybale siltation barriers will be placed between the wetlands and the areas to be disturbed prior to the onset of construction and will remain in place until a vegetative cover is established. All disturbed areas will be loamed and seeded.	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.

ALAN PARK ADULTS INC
By: [Signature] _____ *7/1/82* _____
Signature of Applicant Date

Signature of Applicant's Representative Date

FORM
MED 100 (TEST)
1 MAY 82

"Exception to ENG Form 4345 approved by HOUFACE, 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/ Lot G-1 and H-1
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
(Plus \$105.00
Bylaw fee)

(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

.....
\$50 NOT MORE THAN \$1000

A. Construction, reconstruction, REPAIR, or replacement
of DOCKS, PIERS, 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 6/1/95 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 *B. Stamski*

ACORN PARK REALTY TRUST

ONE NAGOG PARK
ACTON, MA 01720

755

5-133/110

PAY
TO THE
ORDER OF

Commonwealth of Massachusetts

July 5 19 95

\$ 250.00

Two hundred fifty + $\frac{00}{100}$

DOLLARS

UStrust

Boston, MA 02108

01

T. Kubbok Wm III

MP

FOR

⑈000755⑈ ⑆011001331⑆ 889 7302232⑈

ACORN PARK REALTY TRUST

ONE NAGOG PARK
ACTON, MA 01720

757

5-133/110

PAY
TO THE
ORDER OF

Town of Acton

July 5 19 95

\$ 275.00

Two hundred seventy five + $\frac{00}{100}$

DOLLARS

UStrust

Boston, MA 02108

01

T. Kubbok Wm III

MP

FOR

⑈000757⑈ ⑆011001331⑆ 889 7302232⑈

ACORN PARK REALTY TRUST

ONE NAGOG PARK
ACTON, MA 01720

759

5-133/110

PAY
TO THE
ORDER OF

Town of Acton

July 5 19 95

\$ 105.00

One hundred five + $\frac{00}{100}$

DOLLARS

UStrust

Boston, MA 02108

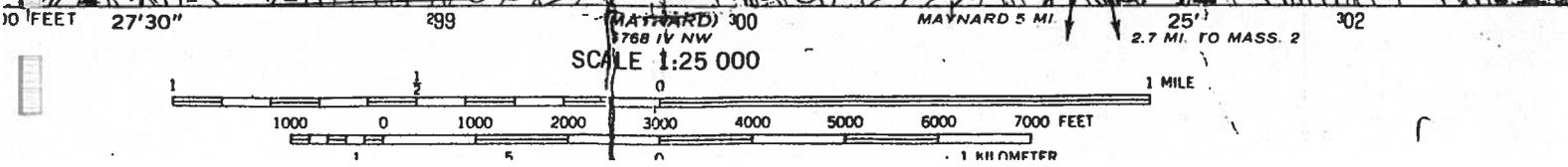
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T. Kubbok Wm III

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FOR

⑈000759⑈ ⑆011001331⑆ 889 7302232⑈



**NARRATIVE
ATTACHMENT N**

FOR

**ACORN PARK
A PLANNED UNIT DEVELOPMENT
(PHASE II)**

**GREAT ROAD
ACTON, MASSACHUSETTS**

PREPARED FOR:

**ACORN PARK REALTY TRUST
ONE NAGOG PARK
ACTON, MA**

PREPARED BY:

**Stamski and McNary, Inc.
80 Harris Street
Acton, MA 01720**

Engineering - Planning - Surveying

The proposed work involves the construction of a two story building, parking lots, utilities, drainage facilities and associated grading within 100 feet of a Vegetated Wetland bordering Willis Hole Brook. The site is located in the Acorn Park Subdivision on the southerly side of Great Road in Acton MA. The site is comprised of two lots, Lot H-1 and Lot G-1, on Acorn Park Drive at the entrance of Acorn Park. The work associated with Lot G-1 will include construction of the building, a parking lot, drainage facility and utilities and the work on Lot H-1 will include the construction of a parking lot and drainage facility, as shown on attachment 1.

Haybale siltation barriers will be placed between the areas of proposed work and the wetland, as shown on attachment 1, and all disturbed earthen areas will be loamed and seeded. The haybales will remain in place until a vegetative cover is established. All work, with the exception of that associated with drainage facilities, will be at a distance greater than 25 feet from the wetland.

The drainage system will collect runoff from the parking lots by means of catchbasins equipped with gas and oil traps and sumps and convey it to the retention areas where it will, in part, be infiltrated. The unfiltered volume of runoff will be discharged to the wetland. The gas traps and sumps will mitigate the effects of floatable contaminants, silt and debris, which may enter the drainage system, on the resource area.