**Massachusetts Department of Environmental Protection**
Bureau of Resource Protection - Wetlands

# WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

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):

Robbins Mill Pond-845 Main St
Ice House Pond - 120 Concord Rd

Acton
b. City/Town

01720
c. Zip Code

Latitude and Longitude:

d. Latitude

e. Longitude

C-5 & F-4
f. Assessors Map/Plat Number

51 & 34
g. Parcel /Lot Number

2. Applicant:

Town of Acton
a. First Name

b. Last Name

Natural Resources Department
c. Organization

472 Main St.
d. Street Address

Acton
e. City/Town

MA
f. State

01720
g. Zip Code

978-929-6634
h. Phone Number

i. Fax Number

ttidman@acton-ma.gov
j. Email Address

3. Property owner (required if different from applicant): ☐ Check if more than one owner

same
a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

a. First Name

b. Last Name

c. Company

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

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

Municipal : 0
a. Total Fee Paid

0
b. State Fee Paid

0
c. City/Town Fee Paid

## A. General Information (continued)

6. General Project Description:

The Town of Acton has contracted with Solitude Lake Management (formerly Aquatic Control Technology) for the removal of water chestnut from two impoundments within the Nashoba Brook Watershed.

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:

a. County
b. Certificate # (if registered land)
c. Book
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.

## 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. ☐ Bank | 1. linear feet | 2. linear feet |
| b. ☐ Bordering Vegetated Wetland | 1. square feet | 2. square feet |
| c. ☒ Land Under Waterbodies and Waterways | Aquatic vegetation removal<br>1. square feet<br>3. cubic yards dredged | 2. square feet |

| Resource Area | Size of Proposed Alteration | Proposed Replacement (if any) |
|---|---|---|
| d. ☐ Bordering Land Subject to Flooding | 1. square feet<br>3. cubic feet of flood storage lost | 2. square feet<br>4. cubic feet replaced |
| e. ☐ Isolated Land Subject to Flooding | 1. square feet<br>2. cubic feet of flood storage lost | 3. cubic feet replaced |
| f. ☒ Riverfront Area | Nashoba Brook<br>1. Name of Waterway (if available) | |

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: _____ square feet

4. Proposed alteration of the Riverfront Area:

| Work will occur within two | impoundments on Nashoba | Brook |
|---|---|---|
| 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)

## 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.

| Resource Area | Size of Proposed Alteration | Proposed Replacement (if any) |
|---|---|---|
| a. ☐ Designated Port Areas | Indicate size under Land Under the Ocean, below | |
| b. ☐ Land Under the Ocean | 1. square feet<br>2. cubic yards dredged | |
| c. ☐ Barrier Beach | Indicate size under Coastal Beaches and/or Coastal Dunes below | |
| d. ☐ Coastal Beaches | 1. square feet | 2. cubic yards beach nourishment |
| e. ☐ Coastal Dunes | 1. square feet | 2. cubic yards dune nourishment |
| | **Size of Proposed Alteration** | **Proposed Replacement (if any)** |
| f. ☐ Coastal Banks | 1. linear feet | |
| g. ☐ Rocky Intertidal Shores | 1. square feet | |
| h. ☐ Salt Marshes | 1. square feet | 2. sq ft restoration, rehab., creation |
| i. ☐ Land Under Salt Ponds | 1. square feet<br>2. cubic yards dredged | |
| j. ☐ Land Containing Shellfish | 1. square feet | |
| k. ☐ Fish Runs | Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above<br>1. cubic yards dredged | |
| l. ☐ 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 _____

## 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://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/priority_habitat/online_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**

   Oct. 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.d, 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).*

   1c. Submit Supplemental Information for Endangered Species Review*

   1. ☒ Percentage/acreage of property to be altered:

      (a) within wetland Resource Area — Approx. 2.2 acres of water chestnut removal from Robbins Mill Pond

      (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/dfwele/dfw/nhesp/nhesp.htm, regulatory review tab). 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.

## 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 or hand delivery of NOI to either:

South Shore - Cohasset to Rhode Island, 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

North Shore - Hull to New Hampshire:

Division of Marine Fisheries - North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930

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.

## 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.

## 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.

Ice House Pond Priority Habitat, Robbins Mill Pond Rare Species Habitats
a. Plan Title

Acton GIS Viewer — b. Prepared By
2/22/2016 — c. Signed and Stamped by

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
3. Check date
4. State Check Number
5. Check date
6. Payor name on check: First Name
7. Payor name on check: Last Name

## 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.

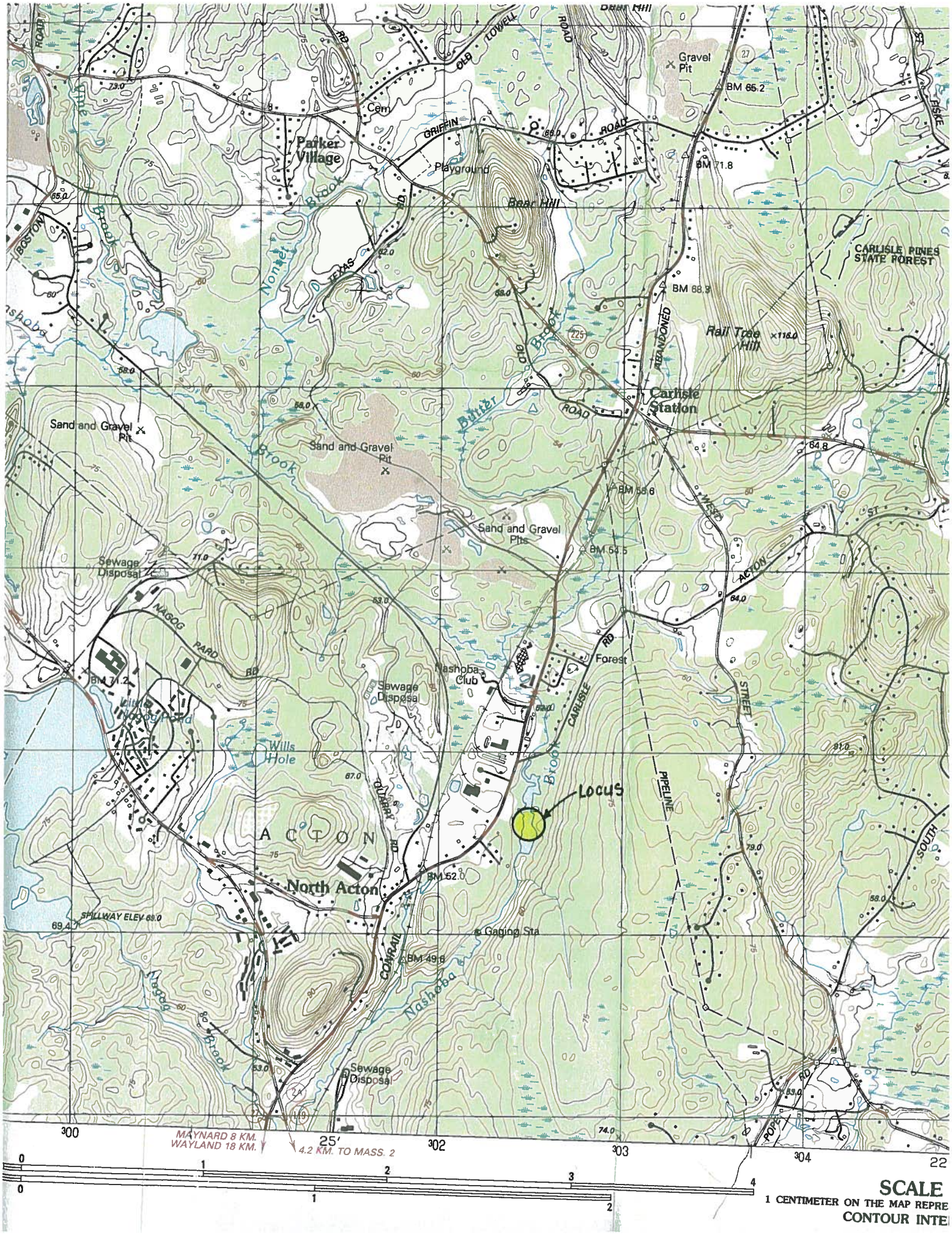
| | |
|---|---|
| 1. Signature of Applicant | 2. Date |
| 3. Signature of Property Owner (if different) | 4. Date |
| 5. Signature of Representative (if any) | 6. Date |

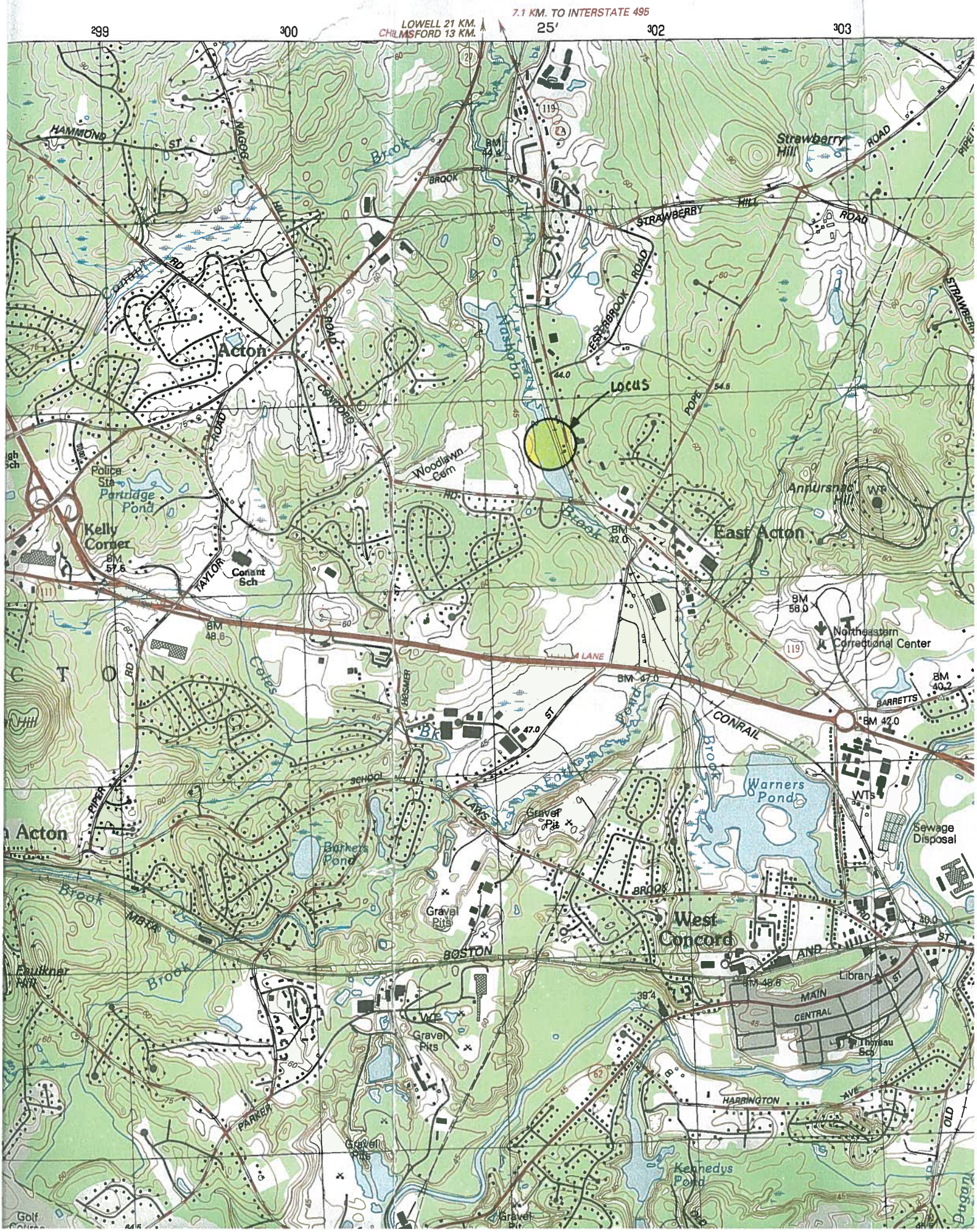
**For Conservation Commission:**
Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

**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.


Parker Village
Cem
Playground
Bear Hill
Gravel Pit
BM 65.2
BM 71.8
BM 68.3
CARLISLE PINES STATE FOREST
Rail Tree Hill
Carlisle Station
Sand and Gravel Pit
Sand and Gravel Pits
BM 55.6
BM 54.5
Sewage Disposal
Nashoba Club
Forest
Wills Hole
Locus
ACTON
North Acton
BM 52.0
Gaging Sta
BM 49.6
SPILLWAY ELEV 69.0
MAYNARD 8 KM.
WAYLAND 18 KM.
4.2 KM. TO MASS. 2
25'
300
302
303
304
22
SCALE
1 CENTIMETER ON THE MAP REPRE
CONTOUR INTE


7.1 KM. TO INTERSTATE 495
LOWELL 21 KM.
CHELMSFORD 13 KM.
299
300
25'
302
303
HAMMOND ST
NAGOG HILL ROAD
Acton
CONCORD ROAD
Nashoba Brook
Strawberry Hill
STRAWBERRY HILL ROAD
ESTABROOK ROAD
Locus
POPE
Woodlawn Cem
Annursnac Hill
East Acton
Police Sta
Partridge Pond
Kelly Corner
TAYLOR ROAD
Conant Sch
Northeastern Correctional Center
BARRETTS
CONRAIL
Coles Brook
DESMER ST
SCHOOL
LAWS
Warners Pond
Sewage Disposal
Gravel Pits
Burkets Pond
West Concord
BOSTON AVE
Faulkner Park
MAIN
CENTRAL
Library
Thoreau Sch
HARRINGTON AVE
PARKER
Kennedys Pond
Golf Course

**NOTICE OF INTENT FOR AN ECOLOGICAL RESTORATION PROJECT**
**TWO IMPOUNDMENTS OF NASHOBA BROOK: ICE HOUSE POND AND ROBBINS MILL POND**

**INTRODUCTION:**
Water chestnut (*Trapa natans*) is a non-native and invasive aquatic plant. It is an annual species that spreads rapidly, chokes out native vegetation, and causes a decline in the health of the water resource itself due to oxygen depletion. The dead then decaying plants add to the muck depth at the bottom of the ponds. The plants spread by seeds that are extremely tough and spiny. Over the years water chestnut has formed a thick carpet over an increasingly large area of each pond. Unchecked, this carpet of growth will continue to expand each summer. The proposed project is intended to eliminate the infestation to the maximum possible extent. Removal of the plants is an effective means of controlling this weed.

**PROJECT NARRATIVE:**
Water chestnut removal – Nashoba Brook Pursuant to the Notice of Intent filing requirements outlined in 310CMR 10.12(1)(f), the Town of Acton plans to contract to have water chestnut mechanically harvested from two impoundments on Nashoba Brook, (a) Robbins Mill Pond, and (b) Ice House Pond (see attached locus map) and as permitted in 10.53(4)5 for Ecological Restoration.

**PROJECT GOAL:**
**10.12(1)(a)** Water chestnut populations have continued to expand at a rate that simple hand-pulling cannot keep up with. For the past 5 years, volunteers coordinated by the Town of Acton Natural Resources Department have held work parties to hand remove water chestnuts from the Nashoba Brook waterway. Our goal is to publicly fund a three year mechanical harvesting of water chestnuts in an effort to get ahead of the rapid infestation. After the three year intensive mechanical harvesting we are optimistic that work parties will be able to stay ahead of the re-colonization of this aquatic invasive species.
**10.12(1)(b)** See attached aerial photographs of the two project locations.

**10.12(1)(c) CONSTRUCTION SEQUENCE:**
***Solitude Lake Management*** will meet with Natural Resources Department staff to agree upon the optimum time to harvest plants. The focus area for that season's mechanical harvesting will be field verified.

- At Robbins Mill Pond water chestnuts will be deposited on shore at 843 Main Street on private property. The property owner has agreed to be a participant in the project and will transport the harvested plants to a de-watering composting location outside of the 100' wetlands buffer.
- At Ice House Pond harvested plants will be deposited at an existing boat launch and transported to a de-watering location within an existing parking lot by Natural Resources staff.

**ADDITIONAL INFORMATION**
According to the document ***GUIDANCE FOR AQUATIC PLANT MANAGEMENT IN LAKES AND PONDS As It Relates to the Wetlands Protection Act*** Published by the Mass DEP Bureau of Resource Protection, Wetlands/Waterways Program in April 2004, Principal Authors from MA DEP: Lealdon Langley; Lisa Rhodes; and Michael Stroman, the following requirements for harvesting projects will be fulfilled:

**Aquatic Plants, Page 4-5. This section states that mechanical harvesting can be effective to control the plants as long as precautions are taken to reduce turbidity of the water and spread of seeds.**

| | | | |
|---|---|---|---|
| | solution until washed out of system.<br>◆ Opaque sheet material applied to water surface | | with water<br>◆ Covers inhibit gas exchange with atmosphere |
| 4) Mechanical removal ("harvesting") | ◆ Plants reduced by mechanical means, possibly with disturbance of soils<br>◆ Collected plants may be placed on shore for composting or other disposal<br>◆ Wide range of techniques employed, from manual to highly mechanized<br>◆ Application once or twice per year usually needed | ◆ Highly flexible control<br>◆ May remove other debris<br>◆ Can balance habitat and recreational needs | ◆ Possible impacts on aquatic fauna<br>◆ Non-selective removal of plants in treated area<br>◆ Possible spread of undesirable species by fragmentation<br>◆ Possible generation of turbidity |
| 4.a) Hand pulling | ◆ Plants uprooted by hand ("weeding") and preferably removed | ◆ Highly selective technique | ◆ Labor intensive<br>◆ Difficult to perform in dense stands |
| 4.b) Cutting (without collection) | ◆ Plants cut in place above roots without being harvested | ◆ Generally efficient and less expensive than complete harvesting | ◆ Leaves root systems and part of plant for re-growth<br>◆ Leaves cut vegetation to decay or to re-root<br>◆ Not selective within applied area |

SŌLITUDE
LAKE MANAGEMENT

**MANAGEMENT CONTRACT #1010-16**

DATE: February 5, 2016

WATERBODY NAME: Ice House Pond and Robbins Mill Pond
SUBMITTED TO: Acton Conservation Commission
c/o Bettina Abe
Natural Resource Department
472 Main Street
Acton, MA 01720
babe@acton-mass.gov

Re: Proposed 2016 Aquatic Management Program at Ice House Pond and Robbins Mill Pond, Acton, MA

Dear Ms. Abe,

We hope that you were pleased with the 2015 management results. We have attached the 2016 standard agreement, outlining our management objectives to control Water Chestnut, by mechanical removal, on Ice House Pond and Robbins Mill Pond. We will continue to coordinate the project logistics directly with you, unless you advise us differently.

Please review, sign and return the enclosed Standard Agreement for the work and return a copy to our business office, 590 Lake Street, Shrewsbury, MA 01545, by February 26, 2016

Please contact us if you have any questions or require additional information. I can be reached by phone, 508-885-0101 or by email, jcastellani@solitudelake.com. We look forward to the continuation of a successful Water Chestnut management program on Ice House and Robbins Mill Ponds.

Sincerely,

SŌLitude Lake Management

Jeffrey J. Castellani

Jeffrey J. Castellani
Director of Mechanical Operations

**Competitively Sensitive & Proprietary Materials** – The information contained herein is the intellectual property of SŌLitude Lake Management. Recipient may not disclose to any outside party any propriety information, processes, or pricing contained in this document or any of its attachments without the prior written consent or SŌLitude Lake Management. This document is provided to the recipient in good faith and it shall be the responsibility of the recipient to keep the information contained herein confidential.

**General Conditions**

- Company will continue to maintain all appropriate licensing necessary to perform all specified work in a safe and legal manner throughout the entire contract period.
- Company will furnish personnel, equipment, boats, materials, and other items required to provide the forgoing at his expense.
- Company is dedicated to environmental stewardship in all of its work and maintains a diligent program to recycle all plastic containers, cardboard, paper and other recyclable wastes generated through the performance of our contract work.
- Company will maintain general liability and workman's compensation insurance.
- Company shall be reimbursed by the Client for any non-routine expenses, administrative fees, compliance fees, or any other similar expense that are incurred as a result of requirements placed on the Company by the Client that are not covered specifically by the written specifications of this contract.
- Neither party may assign this Agreement without the written consent of the other party; provided, that Company may assign this Agreement upon the merger, reorganization, consolidation, change of control or sale of all or substantially all of the assets of Company. This Agreement shall inure to the benefit of, and be binding upon, the parties and their respective successors and permitted assigns.
- The Client agrees to pay penalties and interest in the amount of 2% per month for all past due invoices and related account balances in excess of 30 days past due from the due date as specified by the contract and as stated on the relevant invoice presented to the Client.
- The Client covenants and agrees to pay reasonable attorney's fees and all other related costs and expenses for collection of past due invoices and account balances and for any other actions required to remedy a material breach of this contract.

To reserve scheduling of equipment and personnel, this Agreement should be signed and a copy returned to our office on or before February 26, 2016.

I (we) the CLIENT accept the terms and conditions as stated above and authorize the CONTRACTOR to proceed.

**CONTRACT PRICE: $12,000**

**PAYMENT TERMS:**

SOLITUDE will invoice for this project upon work completion, due within 30 days of the receipt of invoice. This document shall become a contract upon signing and returning a copy to SOLITUDE. Please print a copy for your records. If this contract is not executed within thirty days, SOLITUDE reserves the right to review the contract price.

**APPROVED:**

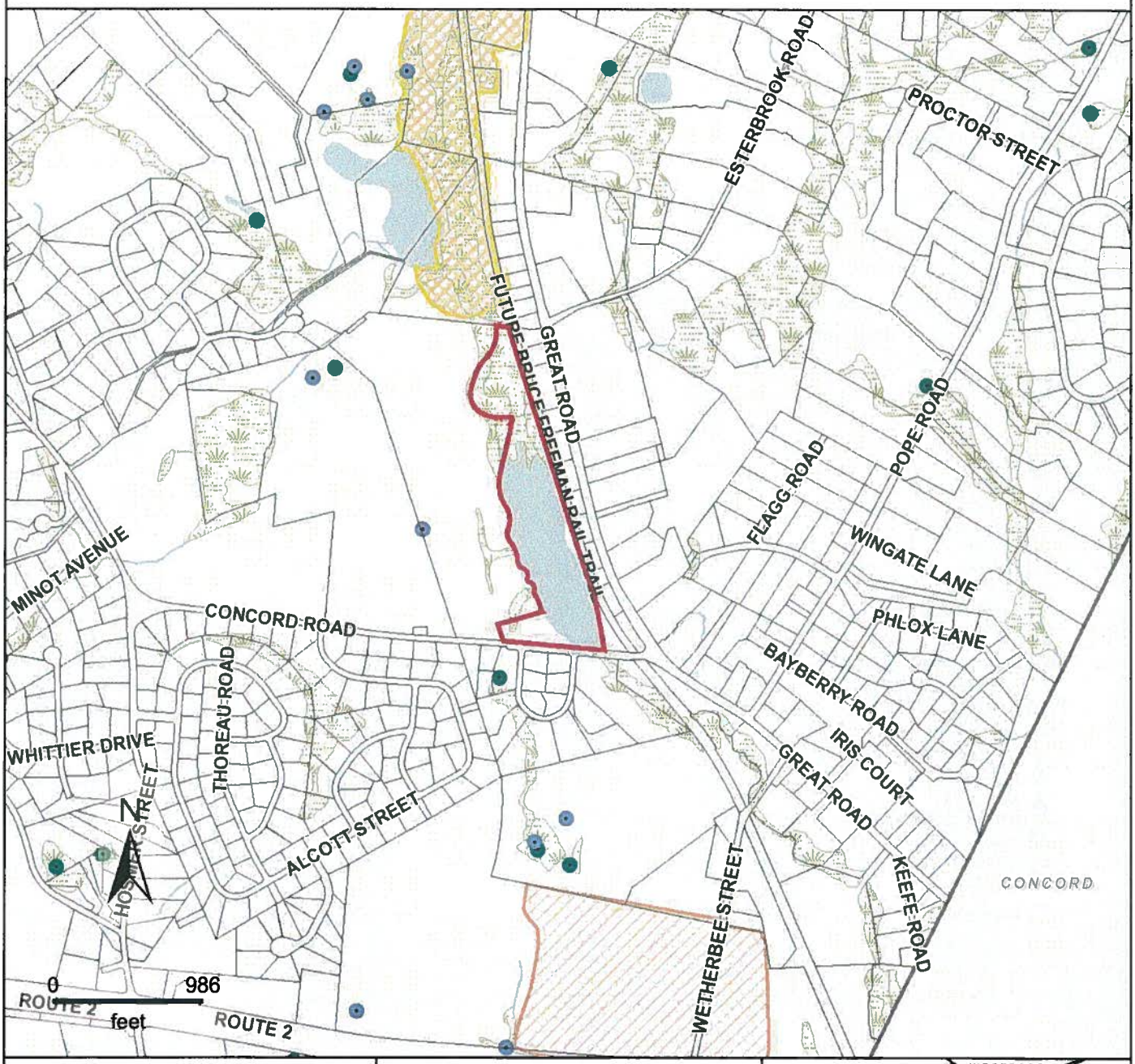
_____ SŌLitude Lake Management®

_____
***(Authorized Signature)***

_____ _____
***(Print Name and Title)*** ***(Date)***

**Competitively Sensitive & Proprietary Materials** – The information contained herein is the intellectual property of SŌLitude Lake Management. Recipient may not disclose to any outside party any propriety information, processes, or pricing contained in this document or any of its attachments without the prior written consent or SŌLitude Lake Management. This document is provided to the recipient in good faith and it shall be the responsibility of the recipient to keep the information contained herein confidential.

## Ice House Pond Priority Habitat

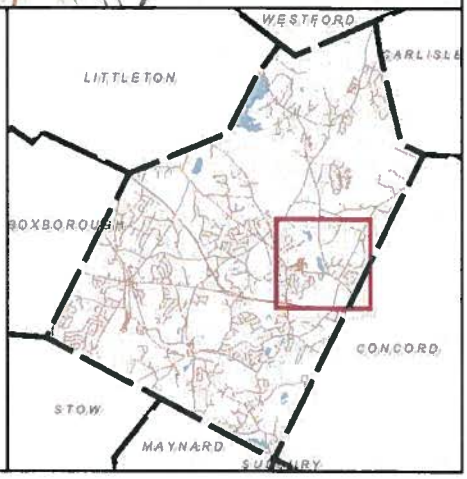



**Property Information**

**Property ID** G4-27
**Location** 120 CONCORD RD

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

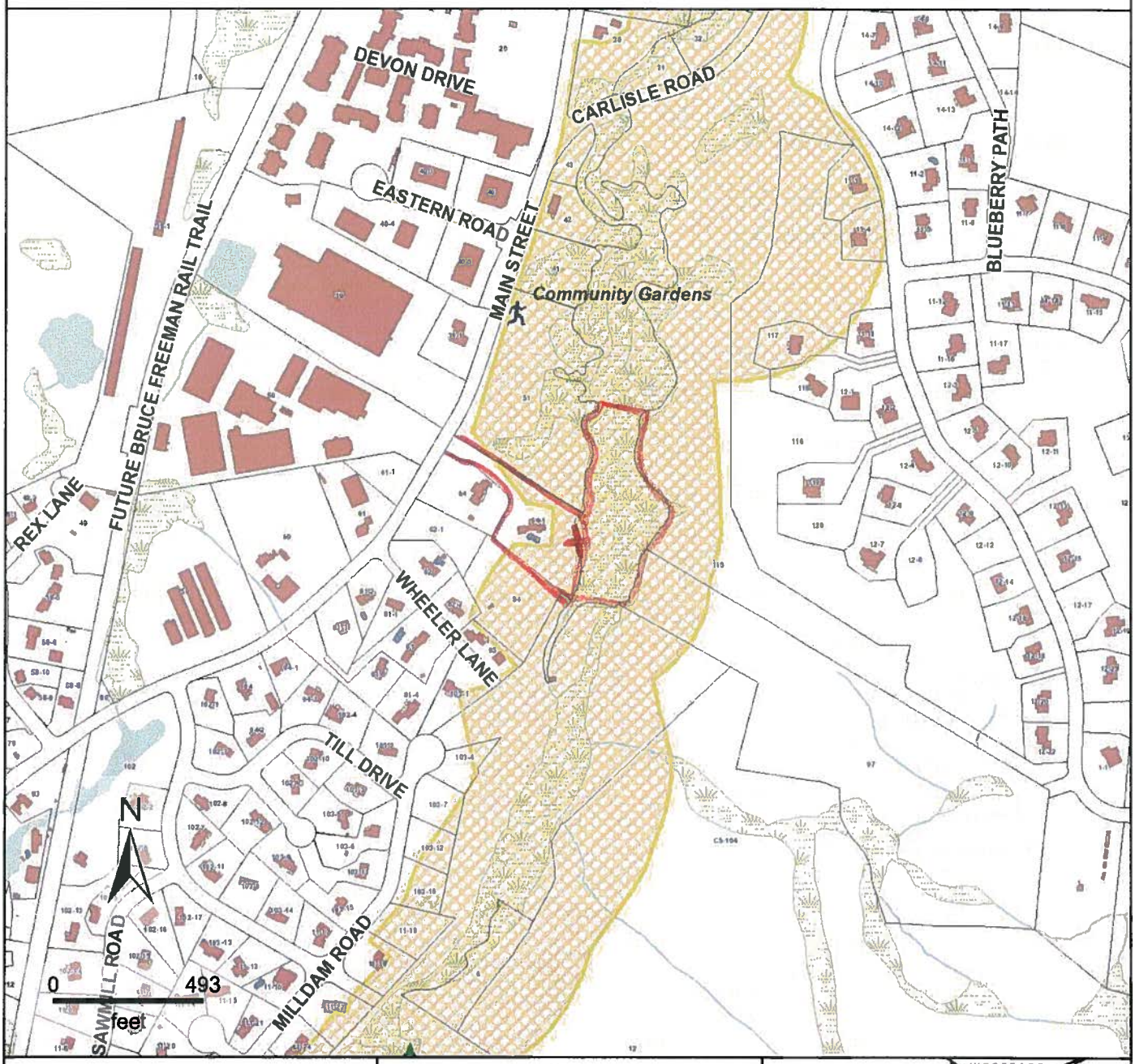
This data set/map is for planning purposes only and should not be used for larger scale analysis. The Town of Acton shall not be held liable for any use of the data or images shown on this map, nor is any warranty of accuracy expressed. All uses of this data set/map are subject to field verification.



**ICE HOUSE POND** **BEFORE** **Summer 2015**

**ICE HOUSE POND** **AFTER**

## Robbins Mill Pond Rare Species Habitats




**Property Information**

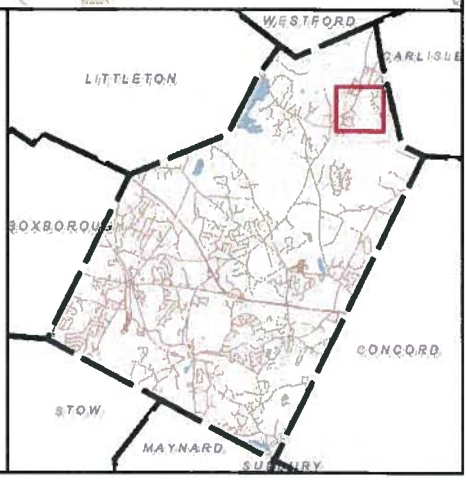
**Property ID**

**Location**

INCORPORATED - 1735 ACTON

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

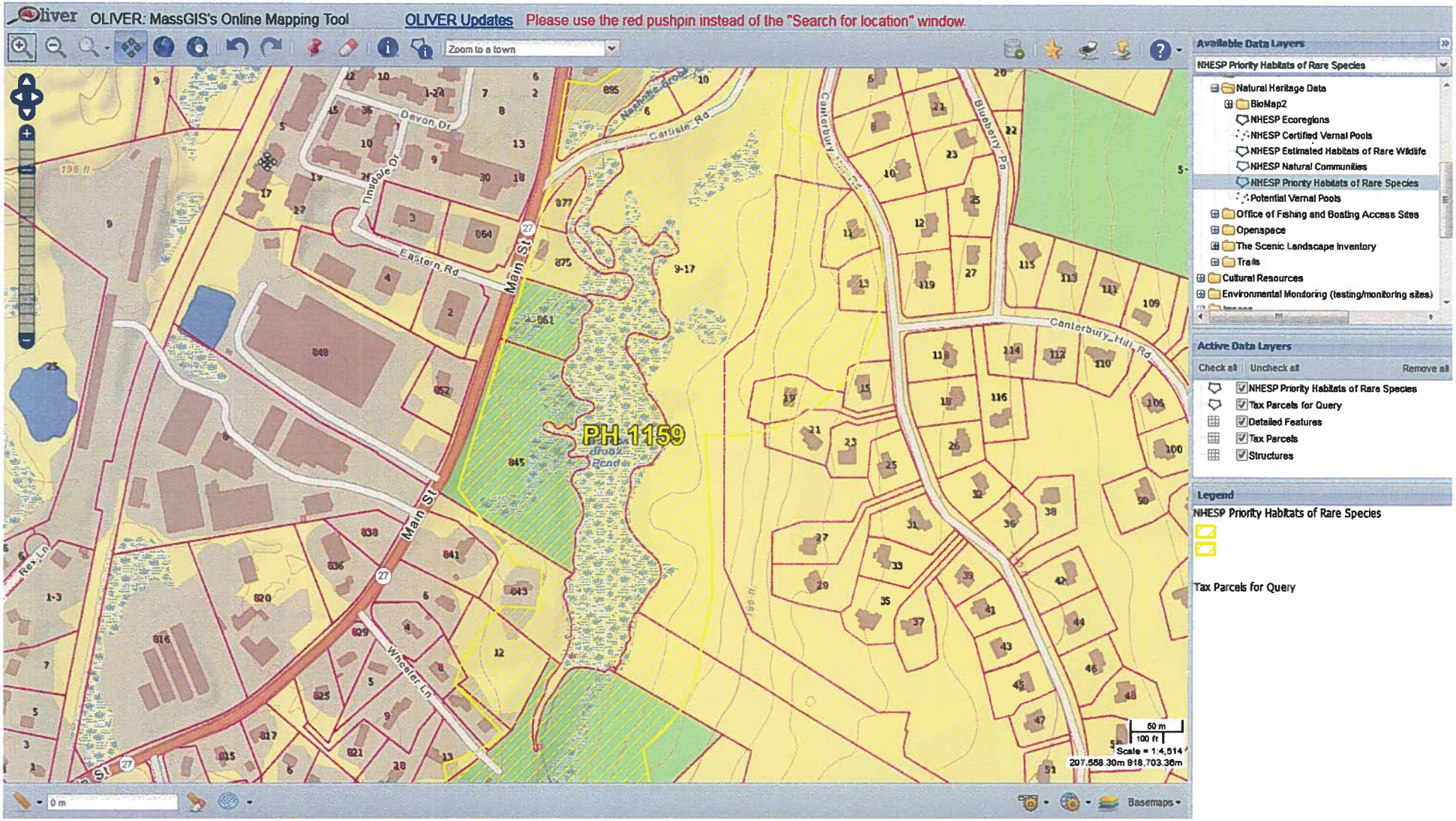
This data set/map is for planning purposes only and should not be used for larger scale analysis. The Town of Acton shall not be held liable for any use of the data or images shown on this map, nor is any warranty of accuracy expressed. All uses of this data set/map are subject to field verification.



**ROBBINS MILL POND** **SUMMER 2015**

**BEFORE**

**AFTER**


OLIVER: MassGIS's Online Mapping Tool
OLIVER Updates
Please use the red pushpin instead of the "Search for location" window.
Zoom to a town
Available Data Layers
NHESP Priority Habitats of Rare Species
Natural Heritage Data
BioMap2
NHESP Ecoregions
NHESP Certified Vernal Pools
NHESP Estimated Habitats of Rare Wildlife
NHESP Natural Communities
NHESP Priority Habitats of Rare Species
Potential Vernal Pools
Office of Fishing and Boating Access Sites
Openspace
The Scenic Landscape Inventory
Trails
Cultural Resources
Environmental Monitoring (testing/monitoring sites)
Active Data Layers
Check all
Uncheck all
Remove all
NHESP Priority Habitats of Rare Species
Tax Parcels for Query
Detailed Features
Tax Parcels
Structures
Legend
NHESP Priority Habitats of Rare Species
Tax Parcels for Query
PH 1159
Main St
Eastern Rd
Devon Dr
Tinsdale Dr
Carlisle Rd
Canterbury Hill Rd
Blueberry Pn
Wheeler Ln
Rex Ln
Nashoba Brook
Scale = 1:4,514
207,558.30m 918,703.36m
Basemaps

**Town of Acton**
472 Main Street
Acton, MA 01720
Telephone (978) 929-6621
Fax (978) 264-9630

Brian McMullen
Principal Assessor

**Locus:** 845 Main St
**Parcel ID:** C5-51

| Parcel ID | Location | Owner | Co-Owner | Mailing Address | City | ST |
|---|---|---|---|---|---|---|
| C5-64-1 | 843 MAIN ST | MARSHALL DAVID | MARSHALL ELISE E | 843 MAIN ST | ACTON, MA 01720 | |
| C5-39-1 | 852 MAIN ST | TRUDEAU THOMAS TRUSTEE | 852 MAIN ST NOMINEE TRUST | 852 MAIN ST | ACTON, MA 01720 | |
| C5-39 | 848 MAIN ST | TRUDEAU THOMAS TRUSTEE | 848 MAIN ST NOMINEE TRUST | 852 MAIN ST | ACTON, MA 01720 | |
| C5-41 | 861 MAIN ST | TOWN OF ACTON | | 472 MAIN STREET | ACTON, MA 01720 | |
| C5-50 | 840 MAIN ST | REX LUMBER COMPANY INC | | 840 MAIN ST | 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.

Marty Abbott

Marty Abbott 2/26/2016
Assessor's Clerk

**Town of Acton**
472 Main Street
Acton, MA 01720
Telephone (978) 929-6621
Fax (978) 264-9630

Brian McMullen
Principal Assessor

**Locus:** 120 Concord Rd
**Parcel ID:** G4-27

| Location | Parcel ID | Owner | Co-Owner | Mailing Address | City |
|---|---|---|---|---|---|
| G4-10 | 124 GREAT RD | MADISON GROUP LLC | | 4 BREEZY POINT RD | ACTON, MA 01720 |
| F4-104 | 128 GREAT RD | ATLANTIC HOLDINGS, INC. | C/O WOODSHIRE MANAGEMENT CORP | 132 GREAT ROAD | ACTON, MA 01720 |
| F4-11-12 | 26 GRASSHOPPER LN | LI CHESTER C | LIN JENNIFER S | 26 GRASSHOPPER LN | ACTON, MA 01720 |
| F4-11-7 | 160 GREAT RD | NELSON ERNEST E III TR | 160 GREAT ROAD RLTY TR | 160 GREAT RD | ACTON, MA 01720 |
| F4-11-8 | 156 GREAT RD | INDEPENDENT LLC | | 156 GREAT ROAD | ACTON, MA 01720 |
| G4-211 | 128 CONCORD RD | TOWN OF ACTON | | 472 MAIN STREET | ACTON, MA 01720 |
| G4-49-1 | 117 CONCORD RD | BANK OF AMERICA | | PO BOX 5012 | WOODLAND HILLS, CA 91365-5012 |
| G4-49-3 | 1 HORSESHOE DR | MCMANUS PAUL E | SHARON A SMITH MCMANUS | 1 HORSESHOE DR. | ACTON, MA 01720 |
| G4-49-4 | 121 CONCORD RD | MCKINNEY HOLDINGS INC | | 171 VERNON ST | GARDNER, MA 01441 |
| G4-49-6 | 18 HORSESHOE DR | BEAULIEU PAUL EDMUND | | 18 HORSESHOE DR | ACTON, MA 01720 |
| G4-49 | 127 CONCORD RD | ARID WILLIAM | MARIANNE GRANT | 127 CONCORD RD | ACTON, MA 01720 |
| F4-34 | 116 CONCORD RD | TOWN OF ACTON | | 472 MAIN STREET | ACTON, MA 01720 |
| F4-35-1 | 148 GREAT RD | CHABAD CTR OF ACTON INC | | 148 GREAT RD | ACTON, MA 01720 |
| F4-35-2 | 144 GREAT RD | POWERS KIMBERLY A TRUSTEE | BRAVERY REALTY TRUST | PO BOX 2385 | ACTON, MA 01720 |
| F4-35-3 | 142 GREAT RD | POWERS KIMBERLY A TRUSTEE | BRAVERY REALTY TRUST | PO BOX 2385 | ACTON, MA 01720 |
| F4-35-4 | 138 GREAT RD | 138 GREAT ROAD LLC | | 184 GREAT RD | ACTON, MA 01720 |
| F4-35-5 | 140 GREAT RD | BRUCE REALTY TRUST | C/O PATRIOT AUTOMOTIVE | 140 GREAT ROAD | ACTON, MA 01720 |
| F4-35 | 150 GREAT RD | HAYES SCOTT | | 150 GREAT RD | ACTON, MA 01720 |
| F4-54 | 136 GREAT RD | BISWAS SANJIB | MAZUMDAR ANURADHA | 136 GREAT RD | ACTON, MA 01720 |
| F4-67-1 | 132 GREAT RD | METRO REALTY TRUST LLC | C/O B DAVID DELOURY JR | 132 GREAT RD | ACTON, MA 01720 |
| F4-67 | 134 GREAT RD | 134 GREAT RD LLC | | 198 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.

Marty Abbott

Marty Abbott Acton Assessor's 2/26/2016

**NOTIFICATION TO ABUTTERS**
**UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT**
**AND THE TOWN OF ACTON WETLANDS BYLAW**

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

The Applicant: Town of Acton, Natural Resources Department

Address: 472 Main Street Phone: 978-929-6634

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: Tom Tidman

Address: 472 Main Street Phone: 978-929-6634

The address of the property where the activity is proposed: 120 Concord Rd. & 845 Main St.

Town Atlas Plate/Map: C-5 & F-4 Parcel/Lot: 51 & 34

Project Description: The Town of Acton has contracted with Solitude Lake Management (formerly Aquatic Control Technology) for the removal of water chestnut from two impoundments (Robbins Mill and Ice House Ponds) within the Nashoba Brook Watershed.

For more information please contact the Conservation Office at 978-929-6634 or email NR@acton-ma.gov. Copies of the Notice of Intent may be examined at the Conservation Office, Acton Town Hall, 472 Main Street, Acton between the hours of 9:00 A.M. and 4:30 P.M. Monday through Friday.

A Public Hearing will be held at the Acton Town Hall, 472 Main Street,
on Wednesday, April 6, 2016, at 7:30 PM.

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

***DEP Central Region: 508-792-7650**
**8 New Bond St, Worcester MA 01608**

scale: 1" = 200'
B49
B35
B34
B32
B33
B31
B27
STREET
JOHN FRANCIS LANE
HAYLAND
DEVON DRIVE
DEVON WAY
HAYLAND WAY
TINSDALE
EASTERN ROAD
50' county layout - 1947
50' county layout - 1915
MASHOBA BROOK
CARLISLE
CO.
WHEELER LANE
WHEELER LANE DAM
ASHLEY CIRCLE
DRIVE
ROAD
water chestnut removal area
ROBBINS MILL POND
approx. 2.2 acres
AN
AM
AL
AK
AJ
AI
158.7
212.70
168.0
215.80
158.2
207.80

Scale: 1" = 200'
GREAT
PENN
NASHOBA BROOK
ICE HOUSE POND
WATER CHESTNUT REMOVAL AREA approx. 300' x 300'
B11
EMERGENT MARSH
SHALLOW
CENTRAL
NASHOBA BROOK
LIMIT OF FLOODWAY
ZONE AE
1940 state layout
ESTERBROOK ROAD
B17
B18
ROAD
2-36"x22"C
8"C
24"C
48"C
36"C
24"C
24"D
12"D
24"D
12"D
24"D
12"D
12"D
10"D
8"D
6"D
5"D
S.B.
J
137.9
67.93
160
150
140
138
143

**ICE HOUSE POND 1999**
**COVERED IN WATER CHESTNUT**

**1999 ICE HOUSE POND DREDGING**