

REQUEST FOR DETERMINATION OF APPLICABILITY

WATER MAIN RENEWAL INDIAN VILLAGE AREA AND LITTLEFIELD ROAD/ ACTON

SUBMITTED ON BEHALF OF:

Acton Water District
P.O. Box 953
Acton, MA 01720

SUBMITTED TO:

Acton Conservation Commission
472 Main Street
Acton, MA 01720

PREPARED BY:

Caron Environmental Consulting
247 Bragg Hill Road
Westminster, MA 01473

PROJECT ENGINEER:

Wright-Pierce
40 Shattuck Road; Suite 305
Andover, Ma 01810

April 20, 2016

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PROJECT NARRATIVE

Project Introduction and Overview

This Request for Determination of Applicability (RFDOA) is being filed by the Acton Water District in accordance with the Acton Wetlands By-Law. As described below the project is exempt from the Massachusetts Wetlands Protection Act (MAWPA) (M.G.L. Chapter 131, Section 40), and its implementing regulations (310 CMR 10.00). This RFDOA is being filed for work within the 100-foot buffer zone from bordering vegetated wetlands and bank. A small area of work is proposed in the Riverfront Area on Freedom Farme Road, but is grandfathered as the project is the maintenance of an existing utility line and no new areas of alteration are proposed.

The project involves the renewal and maintenance of existing water mains. The primary work will be the relining of the water mains. The only disturbance required for relining is the excavation of receiving pits at widely spaced intervals along the mains. These pits are typical about 10' by 6.5' in size. In addition, some hydrants will be replaced, removed and/or installed, often adjacent to the receiving pits. In a few locations the replacement of very short sections of main and/or fittings will also be necessary. All of the proposed work will take place within the paved roads or their landscaped shoulders.

Existing Conditions

The majority of the work will take place within paved roads, along with small areas of work in the landscaped shoulders. The roads are primarily located within residential areas interspersed with small wooded areas.

Several areas of wetlands are adjacent to the roads. The wetlands were delineated in November 2016 and the locations are shown on the attached site plans.

Project Impacts and Mitigation

Activities within the Buffer Zone:

In several locations small areas of disturbance are proposed, primarily for the excavation of receiving pits and the installation of hydrants. The work that is proposed within the buffer zones appears to be limited to the following:

- Littlefield Road at town line: Receiving pit, hydrant installation and removal of an existing hydrant.
- Agawam Road Station 28+0: Receiving pit and hydrant installation.
- Agawam Road Station 36+0: Receiving pit and the installation of new pipe bends.
- Monhegan Road Station 89+30: Receiving pit and hydrant installation.
- Seminole Road at cul-de-sac Station 110+00: Receiving pit and hydrant installation.

- Seminole Road Station 126+00: A hydrant is being replaced that appears to be just outside of the buffer zone from the un-flagged wetlands behind the houses to the west.
- Freedom Farme Road/Olde Barn Way intersection: Receiving pit and the very edge of the work to install a hydrant.

The work within the buffer zone will likely alter less than 500 square feet of pavement and road shoulder.

Where excavation is proposed within the buffer zone, erosion control barriers will be installed between the excavation and the resource areas, and silt sacks will be installed in catchbasins as needed.

Riverfront Area:

The 200-foot Riverfront Area from Grassy Pond Brook encompasses the work in the vicinity of the Freedom Farme Road/Olde Barn Way intersection. As the project involves the maintenance of an existing utility line, with no new disturbance of the Riverfront Area it appears that the project is grandfathered and exempt from the Riverfront Area regulations.

Bordering Land Subject to Flooding:

The 100-year flood zone, including a regulatory floodway, crosses Freedom Farme Road just west of Olde Barn Way. No disturbance is proposed in that area as the water line in that area will be relined from pits located outside of the flood zone.

Regulatory Status:

The project is exempt from the MAWPA per 310 CMR 10.02 (2) b 2 i. The installation, maintenance and replacement of underground utilities within roadways and driveways are considered minor projects which are now exempt from the MAWPA. This exemption, however, does not appear to apply under the local bylaw.

Adjacent to Littlefield Road, right at the town line, there is a mapped Estimated/Priority Habitat Area. It appears that the hydrant proposed at that location will be right on the edge of the habitat area. This work, however, is exempt from MESA per 321 CMR 10.14 (6). A copy of this filing, however, will be forward to the Natural Heritage Program as a required notification.



WPA Form 1- Request for Determination of Applicability

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

A. General Information

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:

Acton Water District
Name chris@actonwater.com
E-Mail Address
P.O. Box 953
Mailing Address
Acton
City/Town MA 01720
State Zip Code
978-263-9107
Phone Number
Fax Number (if applicable)

2. Representative (if any):

Caron Environmental Consulting
Firm
Charles Caron
Contact Name caronenv@aol.com
E-Mail Address
247 Bragg Hill Road
Mailing Address
Westminster
City/Town MA 01473
State Zip Code
978-874-5469
Phone Number
978-874-1790
Fax Number (if applicable)

B. Determinations

1. I request the Acton Conservation Commission make the following determination(s). Check any that apply:

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance** or **bylaw** of:

Acton
Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



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C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

Indian Village area and Littlefield Road (see below for a list of all streets)	Acton
N/A	City/Town
Assessors Map/Plat Number	N/A
	Parcel/Lot Number

b. Area Description (use additional paper, if necessary):

Work is proposed on Littlefield Road (including the intersection with Central Street) and on the following streets in the Indian Village area: Agawam Road (including the intersections with Elm Street and Arlington Street), Quaboag Road, Sioux Street, Mohegan Road, Seminole Road, Freedom Farme Road (including the intersection with Arlington Street) and Olde Barn Way.

c. Plan and/or Map Reference(s):

Acton Water District, Contract Drawings for Indian Village and ...	4/14/16
Title	Date
_____	_____
Title	Date
_____	_____
Title	Date
_____	_____

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

The project involves the renewal and maintenance of existing water mains. The primary work will be the relining of the water main. The only disturbance required for relining is the excavation of receiving pits at widely spaced intervals along the mains. These pits are typical about 10' by 6.5' in size. In addition, some hydrants will be replaced, removed and/or installed, often adjacent to the receiving pits. In a few locations the replacement of very short sections of main and/or fittings will also be necessary. All of the proposed work will take place within the paved roads or their landscaped shoulders.

The work is exempt from the Wetlands Protection Act per 310 CMR 10.02 (2) b 2 i, but is subject to the local bylaw. In seven locations work is proposed within the buffer zone, resulting in approximately 500 square feet of disturbance to pavement and road shoulders.

Adjacent to Littlefield Road, right at the town line, there is a mapped Estimated/Priority Habitat Area. It appears that the hydrant proposed at that location will be right on the edge of the habitat area. This work, however, is exempt from MESA per 321 CMR 10.14 (6). A copy of this filing, however, will be forward to the Natural Heritage Program as a required notification.



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C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

The work is exempt from the Act per 310 CMR 10.02 (2) b 2 i. As all of the work will take place within the roads and their shoulders, will be of very short duration, and will require only small patches of disturbance, it appears the work can be conducted without impacting any of the interests of the bylaw.

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



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D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

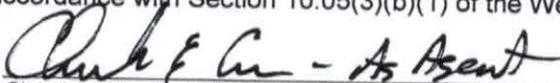
Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Name _____
Mailing Address _____
City/Town _____
State _____ Zip Code _____

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.


Signature of Applicant

4/20/16
Date


Signature of Representative (if any)

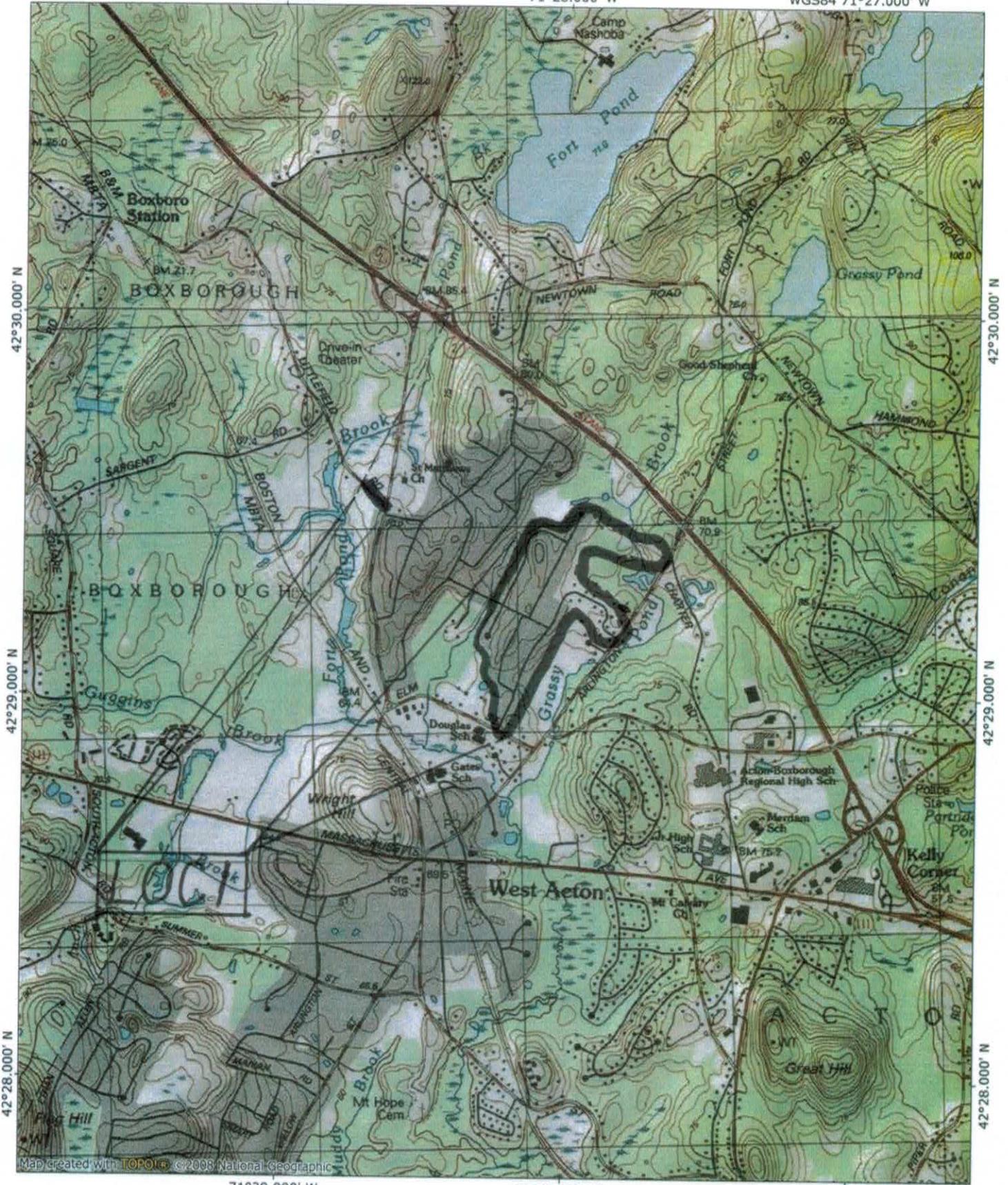
4/20/16
Date

LOCUS MAP; ACTON WATER DISTRICT

71°29.000' W

71°28.000' W

WGS84 71°27.000' W



42°30.000' N

42°30.000' N

42°29.000' N

42°29.000' N

42°28.000' N

42°28.000' N

Map created with TOPO!® ©2008 National Geographic

71°29.000' W

71°28.000' W

WGS84 71°27.000' W





Caron Environmental Consulting

978-874-5469

Wetlands • Forestry • Permitting • Habitat Studies

November 12, 2015

Mr. Richard G. Protasowicki, P.E.
Wright-Pierce, Inc.
40 Shattuck Road; Suite 305
Andover, MA 01810

Re: Wetland Delineation
Acton Water District
Indian Village area and Littlefield Road

Dear Mr. Protasowicki:

As requested, we have delineated the wetlands in the vicinity of the proposed water main replacement project in the Indian Village area of Acton, and Littlefield Road. The delineation was conducted on November 5 and 9, 2015. It was based on observations of the plant communities, hydrology and soil conditions.

The edges of Bordering Vegetated Wetlands were delineated with blue flagging labeled A1 to A3, B1 to B6, C1 to C3, D1 to D14, E1 to E6, F1 to F4, G1 to G4, H1 to H4, I1 to I7 and J1 to J10.

As would be expected given the extent of this project, the plant communities present in the various wetland and upland areas varies considerably. For the most part the wetlands are wooded, while the adjacent uplands contain single-family residences interspersed with patches of woods. Representative species present in the wetland include red maple, American elm, swamp white oak, burning bush, bittersweet, European buckthorn, fox grape, poison ivy, spicebush, winterberry, swamp dogwood, arrow-wood, sensitive fern, royal fern, cattails, phragmites, goldenrods, purple loosestrife and hydrophytic grasses. The most common species observed in the uplands include white pine, bigtooth aspen, black oak, red oak, white oak, black cherry, sugar maple, red maple, gray birch, European buckthorn, barberry, American hazelnut, Russian olive, blackberry, raspberry, burning bush, fox grape, bittersweet, poison ivy, goldenrods, periwinkle, hay-scented fern and milkweed.

The soil conditions vary widely. In the wetlands the soil conditions range from those having a thin (8"-12") organic surface horizon to those with B-horizons which are mottled and have colors with 2 chromas. In the uplands many of the soils are unmottled udorthents (human placed or disturbed soils) or natural soils having a Bw-horizon with a Munsell Soil Color of 10 YR 5/6 (yellowish brown).

Please note that in two locations the streams which cross the water main routes are perennial streams. Accordingly, there are 200-foot Riverfront Areas along them. These streams cross Freedom Farme Road and Seneca Road. In addition, 100-year flood zones are mapped along each of these streams, although at Seneca Road the road itself is not shown in the flood zone.

The MassGIS online viewer does not show any Estimated/Priority Habitat Areas on the water main routes. Please note, however, that there is an Estimated/Priority Habitat Area located immediately adjacent to Littlefield Road at the town line.

If you should have any questions in regards to this matter, please feel free to contact us.

Very truly yours,
CARON ENVIRONMENTAL CONSULTING,
By;

A handwritten signature in black ink, appearing to read 'Charles E. Caron', written in a cursive style.

Charles E. Caron



Caron Environmental Consulting

978-874-5469

Wetlands • Forestry • Permitting • Habitat Studies

April 20, 2016

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

Re: Request for Determination of Applicability
Acton Water District
Littlefield Road/Acton

Dear Sir or Madam:

Enclosed please find a Request for Determination of Applicability, plans and supporting documents for a proposed water main renewal project in Acton. The Littlefield Road portion of the project is located right at the edge of a mapped Estimated/Priority Habitat Area. As described below, it appears that the work is exempt from NHESP review per 321 CMR 10.14 (6).

The work on Littlefield Road will include the relining of the water main and the installation and removal of hydrants. Based on the online mapping of the habitat area, it appears that the proposed hydrant near the town line with Boxborough will be located on the very edge of the habitat area, and that all of the other work is outside of it. All of the work will take place within the paved roadway and its lawfully landscaped shoulder. No expansion in the extent of pavement, lawn or landscaped areas will occur. Accordingly we believe the project should be exempt from review per 321 CMR 10.14 (6). We have provided the Program with a full copy of the filing to assist it in confirming the exemption.

Please do not hesitate to contact us if you have any questions.

Very truly yours,
CARON ENVIRONMENTAL CONSULTING

By: 

Charles E. Caron

Enc.

c.c. Wright-Pierce
Acton Water District
Acton Conservation Commission