

Stamski and McNary, Inc.

Engineering - Planning - Surveying

1000 Main Street Acton, MA 01720 (978) 263-8585

www.stamskiandmcnary.com

Notice of Intent

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

and

The Town of Acton Wetland Protection Bylaw

for

**Mohegan Lane
37 Mohegan Road
Acton, MA 01720**

Applicant: Aaron Jeanson & Kaarin Jeanson
37 Mohegan Road
Acton, MA 01720

Date: April 19, 2016

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Attachments:

- A. U.S.G.S. Map
- B. Massachusetts Natural Heritage Atlas 13th edition, Effective: October 1, 2008
- C. FEMA Flood Insurance Map
- D. Definitive Subdivision Plan by Stamski and McNary, Inc.
- E. Order of Resource Area Delineation
- F. Stormwater Management Report

Project Narrative

Project Narrative

Project Description

The proposed project is to construct a private way, catch basin, and associated appurtenances within the 100' Buffer Zone of a Bordering Vegetated Wetland (BVW) as well as a catch basin associated with Mohegan Road.

Existing Conditions

The site is a developed lot on Mohegan Road. The site contains an existing dwelling, barn, driveway, and associated appurtenances with a BVW located to the north of the site. The majority of the driveway and a portion of the existing dwelling is located within the 100' Buffer Zone. The existing driveway is located approximately 3.6' from the edge of the BVW and the lawn extends up to the edge of the BVW. Runoff from Mohegan Road and the existing driveway flows overland to the BVW with no treatment.

Resource Area Descriptions

The resource area includes a Bordering Vegetated Wetland (BVW) and Bordering Land Subject to Flooding (BLSF). The BVW is located to the north of the site and the BLSF is contained entirely inside the BVW.

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:

Work proposed within the 50' "Undisturbed Natural Vegetation" includes the construction of a private way which is 4.9' from the edge of the BVW as well as associated grading, two catch basins and underground utilities. One catch basin is proposed to treat runoff from the private way while the second catch basin will treat runoff from Mohegan Road. The work associated with the private way is further from the BVW than the existing driveway and lawn. The addition of two catch basins and subsurface drainage chambers as well as a greater setback to the BVW will provide an improvement over existing conditions.

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.

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



WPA Form 3 – Notice of Intent

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

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A. General Information (continued)

6. General Project Description:

Construction of a private way, two catch basins, and associated appurtenances.

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

64972

c. Book

b. Certificate # (if registered land)

465

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.

Table with 3 columns: Resource Area, Size of Proposed Alteration, Proposed Replacement (if any). Rows include Bank, Bordering Vegetated Wetland, and Land Under Waterbodies and Waterways.

Table with 3 columns: Resource Area, Size of Proposed Alteration, Proposed Replacement (if any). Rows include Bordering Land Subject to Flooding, Isolated Land Subject to Flooding, and Riverfront Area.

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:

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. <input type="checkbox"/> 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. <input type="checkbox"/> 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

- 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.2.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*

- Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

- Assessor's Map or right-of-way plan of site

- 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/nhosp/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/nhosp/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.

Definitive Subdivision Plan

a. Plan Title

Stamski and McNary, Inc.

George Dimakarakos, P.E.

b. Prepared By

c. Signed and Stamped by

March 25, 2016

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:

1582
2. Municipal Check Number

4/4/16
3. Check date

1581
4. State Check Number

4/4/16
5. Check date

AARON
6. Payor name on check: First Name

JEANSON
7. Payor name on check: Last Name



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

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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.

1. Signature of Applicant *[Signature]*

3. Signature of Property Owner (if different) *[Signature]*

5. Signature of Representative (if any) _____

2. Date 4/4/16

4. Date 4/4/16

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.



Massachusetts Department of Environmental Protection
 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:

<u>37 Mohegan Road</u>	<u>Acton</u>
a. Street Address	b. City/Town
<u>1581</u>	<u>\$512.50</u>
c. Check number	d. Fee amount

2. Applicant Mailing Address:

<u>Aaron</u>	<u>Jeanson</u>	
a. First Name	b. Last Name	
<u>37 Mohegan Road</u>		
c. Organization		
d. Mailing Address		
<u>Acton</u>	<u>MA</u>	<u>01720</u>
e. City/Town	f. State	g. Zip Code
<u>(978) 580-7153</u>	<u>aaronjeanson@gmail.com</u>	
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

<u></u>	<u></u>	
a. First Name	b. Last Name	
<u></u>		
c. Organization		
d. Mailing Address		
<u></u>	<u></u>	<u></u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	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).



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
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 private way and two catch basins.	1	\$1,050.00	\$1,050.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee:	\$1,050.00
State share of filing Fee:	a. Total Fee from Step 5 \$512.50
City/Town share of filling Fee:	b. 1/2 Total Fee less \$12.50 \$537.50 + \$210.00 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.)

AARON B JEANSON
KAARIN A JEANSON
37 MOHEGAN ROAD
ACTON, MA 01720

09-06

1582
53-7122/2113

Pay to the
Order of

Town of Acton

\$ 537.50

Dollars

five hundred thirty seven 50/100



Middlesex⁶⁵
Savings Bank
WEST ACTON, MA 01720

For

CJ

MP

BLUE SHEPHERD™

AARON B JEANSON
KAARIN A JEANSON
37 MOHEGAN ROAD
ACTON, MA 01720

09-06

1581
53-7122/2113

Pay to the
Order of

Commonwealth of Massachusetts

\$ 512.50

Dollars

five hundred twelve 50/100



Middlesex⁶⁵
Savings Bank
WEST ACTON, MA 01720

For

CJ

MP

MP

BLUE SHEPHERD™

AARON B JEANSON
KAARIN A JEANSON
37 MOHEGAN ROAD
ACTON, MA 01720

09-06

1583
53-7122/2113

Pay to the
Order of

Town of Acton

\$ 210.00

Dollars

two hundred ten 00/100



Middlesex⁶⁵
Savings Bank
WEST ACTON, MA 01720

For

CJ

MP

Certified Abutters List / Affidavit / Notice to Abutters



Town of Acton
 472 Main Street
 Acton, MA 01720
 Telephone (978) 929-6621
 Fax (978) 929-6340

Brian McMullen
 Principal Assessor

Locus: 37 Mohegan Rd
 Parcel ID: D2-133

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City
D2-108	22 CHEROKEE RD	STOCKBRIDGE/NORGEOT CAROLINE L TRUSTEE		22 CHEROKEE RD	ACTON, MA 01720
E2-31-1	11 FREEDOM FARME RD	NICHOLS LON S		11 FREEDOM FARME ROAD	ACTON, MA 01720
E2-31-2	2 OLD BARN WY	FINLEY ROBERT C	CLIFFORD PATRICIA A	2 OLD BARN WAY	ACTON, MA 01720
E2-31	19 FREEDOM FARME RD	PAN XUEWEN	WANG XIAOLING	19 FREEDOM FARME RD	ACTON, MA 01720
D2-116	24 CHEROKEE RD	TOWN OF ACTON		472 MAIN ST	ACTON, MA 01720
D2-132	80 SEMINOLE RD	HALD MARK		PO BOX 2668	ACTON, MA 01720
D2-137	24 CHEROKEE RD BEHIND	TOWN OF ACTON		472 MAIN ST	ACTON, MA 01720
D2-145	82 SEMINOLE RD	DONOVAN STEPHEN F	DONOVAN JOSEPHA A N	82 SEMINOLE ROAD	ACTON, MA 01720
D2-156	84 SEMINOLE RD	ROGAN THOMAS P	ROGAN ANNE M	84 SEMINOLE RD	ACTON, MA 01720
D2-157	36 MOHEGAN RD	PROCTOR GEORGE F	PHYLLIS A	36 MOHEGAN ROAD	ACTON, MA 01720
D2-167	34 MOHEGAN RD	GEEHAN WAYNE E ETUX		34 MOHEGAN RD	ACTON, MA 01720
D2-180	35 MOHEGAN RD	WELLINGHOFF DAVID P	WELLINGHOFF SANDRA L	35 MOHEGAN RD	ACTON, MA 01720
D2-97	20 CHEROKEE RD BEHIND	TOWN OF ACTON		472 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.

Mary Abbott
 Mary Abbott
 Acton Assessor's

3/14/2016

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, William Hall, hereby certify under the pains and penalties of perjury that on 4 / 19 / 16 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 Aaron Jeanson and
Kaarin Jeanson with the Acton Conservation
Commission for area located within 37 Mohegan
Road.

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:

4/19/16

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: Aaron Jeanson and Kaarin Jeanson

Address: 37 Mohegan Road, Acton, MA 1720 Phone: (978) 580-7153

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: 37 Mohegan Road

Town Atlas Plate/Map: D2 Parcel/Lot: 133

Project Description: Construction of a private way with drainage structures and associated appurtenances within the 100' Buffer Zone of a Bordering Vegetated Wetland.

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,

May 4, 2016 at 7:45 P.M.

(date)

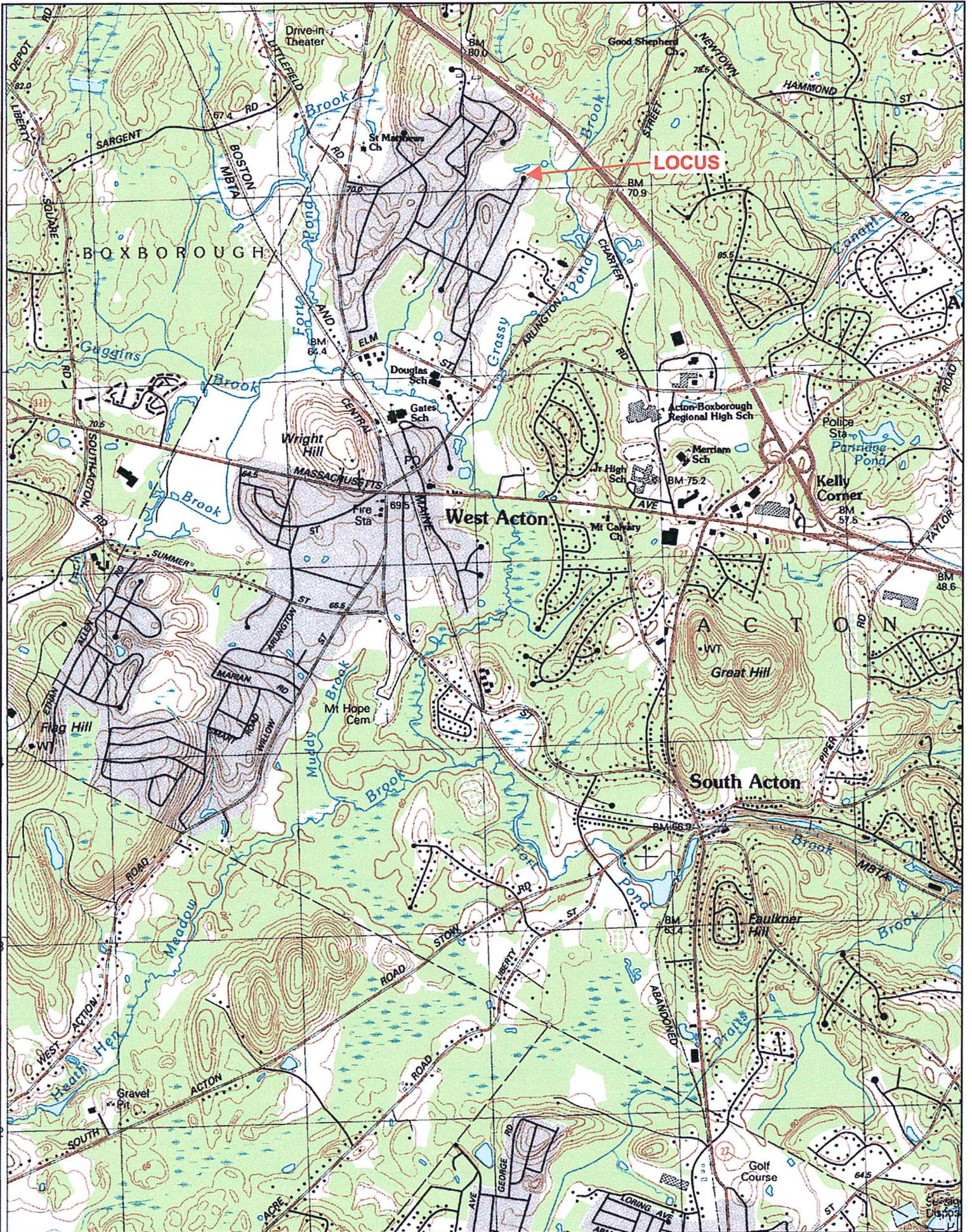
The notice of the public hearing, will be published at least five (5) days in advance in the *Beacon* newspaper or *Metrowest Daily News*.

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



Attachment B
Massachusetts Natural Heritage Atlas 13th Edition

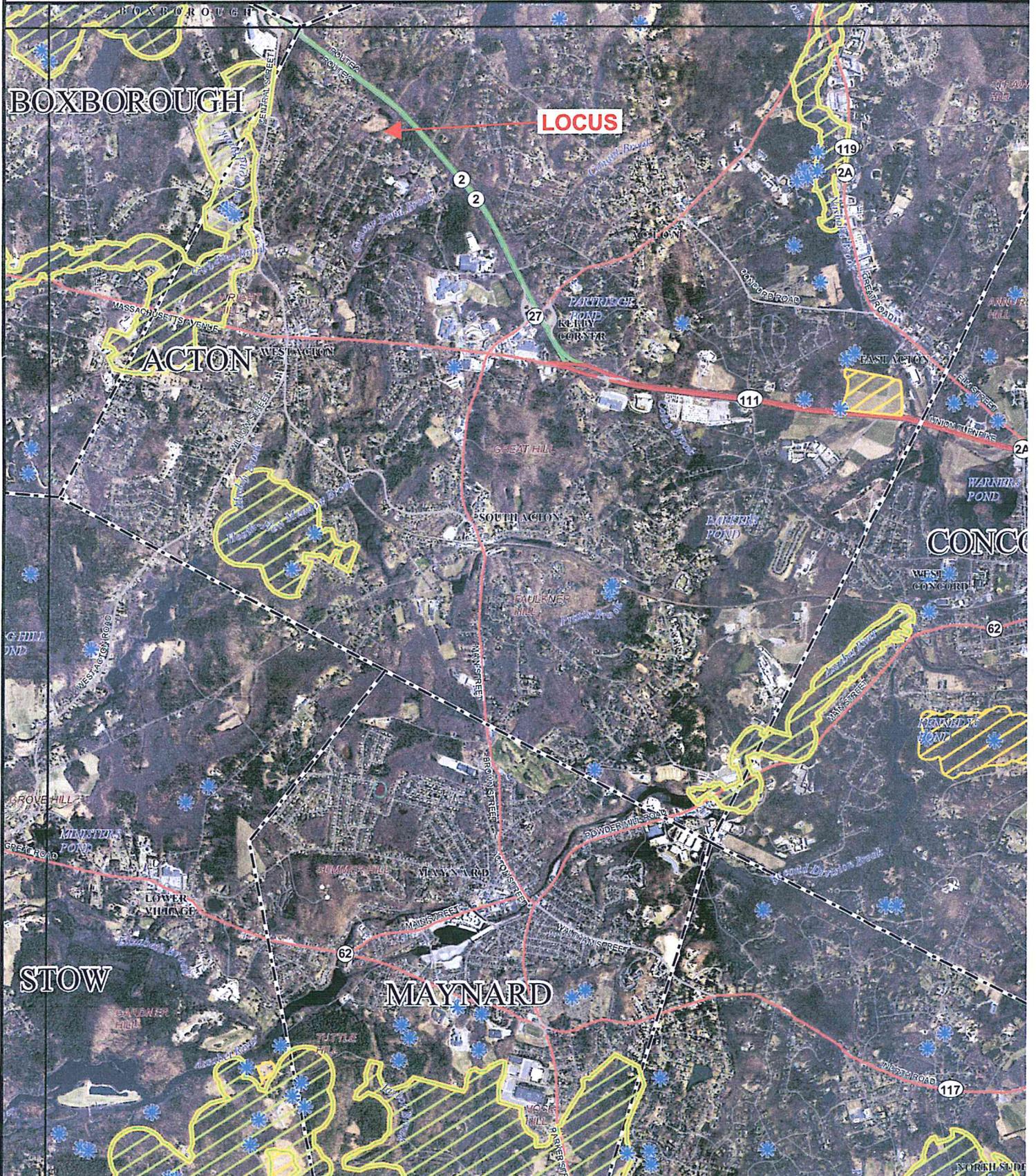


Priority Habitats and Estimated Habitats - Effective 0

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.nhse.state.ma.gov



Attachment C
FEMA Flood Insurance Map



MAP SCALE 1" = 500'



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0352F

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

PANEL 352 OF 656
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:
COMMUNITY NUMBER 250176
ACTION, TOWN OF 0352
PANEL SUFFIX F

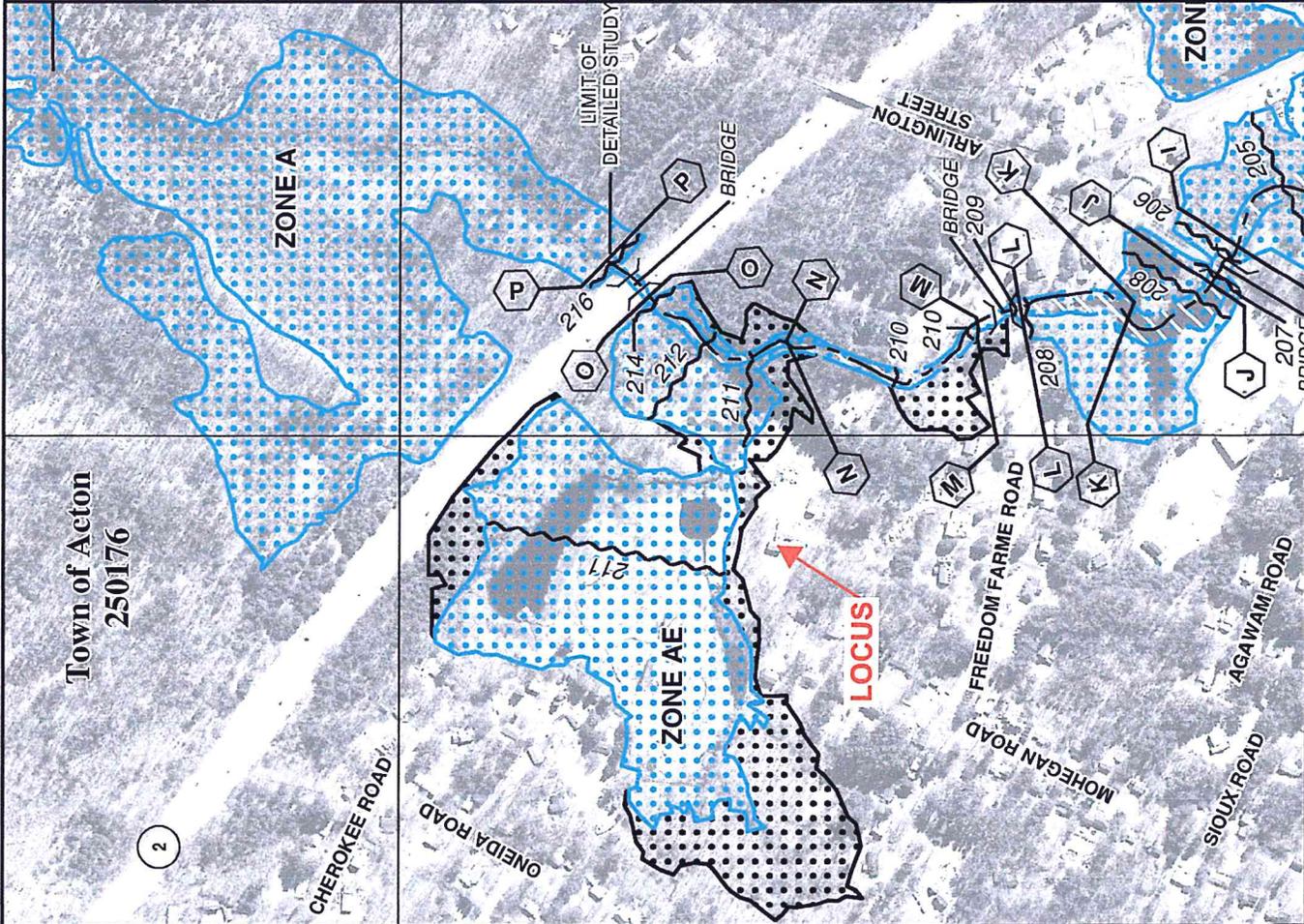
Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER
25017C0352F
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



Town of Acton
250176

2

916000 M

Attachment D
Definitive Subdivision Plan

Attachment E
ORAD



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 4B – Order of Resource Area
Delineation

Provided by MassDEP:

85-1182

MassDEP File Number

eDEP Transaction Number

City/Town

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

A. General Information

From: Acton
 1. Conservation Commission

2. This Issuance is for (check one):

- a. Order of Resource Area Delineation
- b. Amended Order of Resource Area Delineation

3. Applicant:

Aaron Jeanson
 a. First Name b. Last Name

c. Organization
37 Mohegan Road
 d. Mailing Address

Acton MA 01720
 e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

a. First Name b. Last Name

c. Organization

d. Mailing Address

e. City/Town f. State g. Zip Code

5. Project Location:

37 Mohegan Road Acton 01720
 a. Street Address b. City/Town c. Zip Code

D-2 133
 d. Assessors Map/Plat Number e. Parcel/Lot Number

Latitude and Longitude (in degrees, minutes, seconds): 42d28m10.8s N 71d27m21.8s N
 f. Latitude g. Longitude

6. Dates: Sept. 1, 2015
 a. Date ANRAD filed b. Date Public Hearing Closed c. Date of Issuance

7. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

Resource Area Delineation Plan in Acton MA for Jeanson Sept. 1, 2015
 a. Title b. Date

U.S.G.S Locus Map 08-20-2015
 c. Title d. Date



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 4B – Order of Resource Area Delineation

Provided by MassDEP:

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 City/Town

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

B. Order of Delineation

1. The Conservation Commission has determined the following (check whichever is applicable):

a. **Accurate:** The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

1. Bordering Vegetated Wetlands
2. Other resource area(s), specifically:

a. Flood plain. Note: Commission made no determination for flags 51 thru 54.

b. **Modified:** The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):

1. Bordering Vegetated Wetlands
2. Other resource area(s), specifically:

a. _____

c. **Inaccurate:** The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

1. Bordering Vegetated Wetlands
2. Other resource area(s), specifically:

3. The boundaries were determined to be inaccurate because:



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 4B – Order of Resource Area Delineation

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

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C. Findings

This Order of Resource Area Delineation determines that the boundaries of those resource areas noted above, have been delineated and approved by the Commission and are binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, § 40) and its regulations (310 CMR 10.00). This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation.

This Order must be signed by a majority of the Conservation Commission. The Order must be sent by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate DEP Regional Office (see <http://www.mass.gov/dep/about/region/findyour.htm>).

D. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office to issue a Superseding Order of Resource Area Delineation. When requested to issue a Superseding Order of Resource Area Delineation, the Department's review is limited to the objections to the resource area delineation(s) stated in the appeal request. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order of Resource Area Delineation will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order or Determination, or providing written information to the Department prior to issuance of a Superseding Order or Determination.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, § 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

**WPA Form 4B – Order of Resource Area
Delineation**

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

Provided by MassDEP:

85-1182

MassDEP File Number

eDEP Transaction Number

City/Town

E. Signatures

10/14/2015
Date of Issuance

Please indicate the number of members who will sign this form.

6
1. Number of Signers

Paula Goodwin
Signature of Conservation Commission Member

[Signature]
Signature of Conservation Commission Member

James C. Colman
Signature of Conservation Commission Member

William F. [Signature]
Signature of Conservation Commission Member

[Signature]
Signature of Conservation Commission Member

[Signature]
Signature of Conservation Commission Member

Terrence Mailland
Signature of Conservation Commission Member

This Order is valid for three years from the date of issuance.

If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, which expires on _____ unless extended in writing by the issuing authority.

This Order is issued to the applicant and the property owner (if different) as follows:

2. By hand delivery on _____

a. Date

3. By certified mail, return receipt requested on _____

a. Date

October 14, 2015

Attachment F
Stormwater Management Report