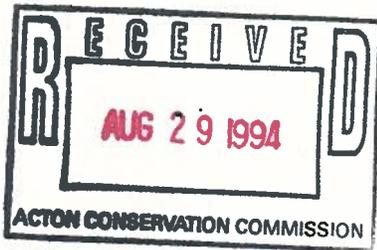


Form 3

Commonwealth
of Massachusetts



DEP File No.

(To be provided by DEP)

City/Town Acton

Applicant Acorn Homes, Inc.

Department of
Defense
United States
of America

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

Town of Acton Wetlands Protection Bylaw
Part I: General Information

1. Location: Street Address Acorn Park Drive; Acton, MA
Lot Number EUA 4
2. Project: Type Residential Description Grading for house, drive and utilities within Buffer Zone.
3. Registry: County Middlesex Current Book 16746 & Page 567
Certificate (if Registered Land) _____
4. Applicant Acorn Homes, Inc. Tel. 617-328-8200
Address 150 Wood Road; Braintree, MA 02184
5. Property Owner Acorn Park Realty Trust Tel. 617-259-0555
Address One Nagog Park; Acton, MA
6. Representative Stephen F. Vassa c/o Acorn Homes, Inc. Tel. 617-328-8200
Address 150 Wood Road; Braintree, MA 02184
7. a. Have the Conservation Commission and the Department's Regional Office each been sent, by certified mail or hand deliver, 2 copies of completed Notice of Intent, with supporting plans and documents?
Yes No
- b. Has the fee been submitted? Yes No
- c. Total Filing Fee Submitted \$250.00 (Plus \$50.00 Bylaw fee)
- d. City/Town Share of Filing Fee \$137.50 State Share of Filing Fee \$112.50
(sent to City/Town) (1/3 of fee in excess of \$25, sent to DEP)
- e. Is a brief statement attached indicating how the applicant calculated the fee? Yes No

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

YES [] NO [X] Date printed on the Estimated Habitat Map
NO MAP AVAILABLE [] (if any) 1994 Atlas Edition

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

YES [] NO []

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

Part II: Site Description

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

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

Natural Features

<u>B</u>	Soils
<u>B</u>	Vegetation
<u>A, B</u>	Topography
<u>A, B</u>	Open water bodies (including ponds and lakes)
<u>A, B</u>	Flowing water bodies (including streams and rivers)
<u>n.a.</u>	Public and private surface water and ground water supplies on or within 100 feet of site
<u>B</u>	Maximum annual ground water elevations with dates and location of test
<u>B</u>	Boundaries of resource areas checked under Part 1, item 11 above
<u>n.a.</u>	Other

Man-made Features:

<u>B</u>	Structures (such as buildings, piers, towers and headwalls)
<u>B</u>	Drainage and flood control facilities at the site and immediately off the site, including culverts and open channels (with inverts), dams and dikes
<u>n.a.</u>	Subsurface sewage disposal systems
<u>B</u>	Underground utilities

B Roadways and parking areas

 B Property boundaries, easements and rights-of-way

 n.a. Other

Part III: Work Description

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

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

 B Planview and Cross Section of:
Structures (such as buildings, piers, towers and headwalls)

 n.a. Drainage and flood control facilities, including culverts
and open channels (with inverts), dams and dikes

 B Subsurface sewage disposal systems & underground utilities

 n.a. Filling, dredging and excavating, indicating volume and
composition of material

 n.a. Compensatory storage areas, where required in accordance
with Part III, Section 10.57(4) of the regulations.

 n.a. Wildlife habitat restoration or replication areas

 n.a. Other

Point Source Discharge

 n.a. Description of characteristics of discharge from point
source (both closed and open channel), when point of
discharge falls within resource area checked under Part I,
item 11 above, as supported by standard engineering
calculations, data and plans, including but not limited to
the following:

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

Part IV: Mitigating Measures

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

2 2

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

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

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

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

<input checked="" type="checkbox"/> Coastal <input type="checkbox"/> Inland	Resource Area Type Bordered By 100-Foot Discretionary Zone: Identifying number or letter of support documents
A 25' natural buffer to wetlands is proposed. All impervious surfaces will be 40' from wetlands. Haybales will protect wetlands during construction.	B

Part VI Additional Information for a Department of the Army Permit

1. COE Application No. _____
(to be provided by COE)

2. _____
(Name of waterway)

3. Names and addresses of property owners adjoining your property:

4. Document other project alternatives (i.e., other locations and/or construction methods, particularly those that would eliminate the discharge of dredged or fill material into waters or wetlands).

5. 8 1/2" x 11" drawings in planview and cross-section, showing the resource area and the proposed activity within the resource area. Drawings must be to scale and should be clear enough for photocopying.

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

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

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

I hereby certify under the pains and penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents and supporting data are true and complete, to the best of my knowledge.

Allen E. Delle ACORN Homes, Inc. 8/26/94
Signature of Applicant Date

Signature of Applicant's Representative Date

FORM
MED 100 (TEST)
1 MAY 82

"Exception to EMD Form 4345 approved by HOUFACE, 6 May 1982"

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

FROM:

RE: NOI Proposed Activities and Calculated Filing Fees

CATEGORY 1 \$55 per activity

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

CATEGORY 2 \$250 PER ACTIVITY

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

CATEGORY 3 \$525/ACTIVITY

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

CATEGORY 4 \$725 PER ACTIVITY

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

OVER

\$50 NOT MORE THAN \$1000

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

TOTAL CATEGORY FIVE ACTIVITIES

ADD ALL TOTALS

CATEGORY ONE TOTAL	<u>0</u>
CATEGORY TWO TOTAL	<u>1</u>
CATEGORY THREE TOTAL	<u>0</u>
CATEGORY FOUR TOTAL	<u>0</u>
CATEGORY FIVE TOTAL	<u>0</u>

DATE 8-26-94 TOTAL FILING FEE CALCULATED** \$ 250.00

PERSON CALCULATING FEE SCHEDULE (PRINT NAME)

Stamski and McNary, Inc.

ADDRESS 80 Harris Street

Acton, MA 01720

TELEPHONE NUMBER (508)263-8585

SIGNATURE *Caroline Wright* / Caroline Wright

NOTICE OF INTENT FEE TRANSMITTAL FORM

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WETLANDS AND WATERWAYS

NOTICE OF INTENT (NOI) APPLICANT:

PROPERTY OWNER:

Name Acorn Homes, Inc.

Name Acorn Park Realty Trust

street 150 Wood Road

street One Nagog Park

city/Town Braintree

city/Town Acton

state MA zip code 02184

state MA zip code 01720

Phone Number 617-328-8200

PROJECT LOCATION: Street/Lot Number Acorn Park Drive/EUA 4

City/Town Acton

DEP FILE NUMBER (if available) _____

NOI FILING FEE

DISPUTED FEE

Total NOI Filing Fee: \$ 250.00 (Plus \$50.00
Bylaw fee)

Total Disputed Fee: \$ _____

State Share of Filing Fee: \$ 112.50
(1/2 of fee in excess of \$25.00)

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

City/Town Share of

State Share of Fee: \$ _____

Filing Fee: \$ 137.50

(1/2 of total disputed fee)

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

INSTRUCTIONS:

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

Dept. of Environmental Protection
Box 4062
Boston, MA 02211

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

11/20/92

STAMSKI AND MC NARY, INC.

80 HARRIS STREET 508-263-8585
ACTON, MA 01720

EXPLANATION	AMOUNT

4735

5-39-110

CHECK AMOUNT

PAY AMOUNT OF

Fifty and 00/100

DOLLARS

DATE	TO THE ORDER OF	DESCRIPTION	CHECK
8-26-94	Town of Acton	Notice of Intent Sm-1504	4735

\$ 50 .00

BANK OF BOSTON - 384
FIRST NATIONAL BANK OF BOSTON

B. J. Kelly

⑈004735⑈ ⑆011000390⑆ 500 16660⑈

STAMSKI AND MC NARY, INC.

80 HARRIS STREET 508-263-8585
ACTON, MA 01720

EXPLANATION	AMOUNT

4737

5-39-110

CHECK AMOUNT

PAY AMOUNT OF

One hundred twelve and 50/100

DOLLARS

DATE	TO THE ORDER OF	DESCRIPTION	CHECK
8-26-94	Commonwealth of Mass.	Notice of Intent Sm-1504	4737

\$ 112 .50

BANK OF BOSTON - 384
FIRST NATIONAL BANK OF BOSTON

B. J. Kelly

⑈004737⑈ ⑆011000390⑆ 500 16660⑈

STAMSKI AND MC NARY, INC.

80 HARRIS STREET 508-263-8585
ACTON, MA 01720

EXPLANATION	AMOUNT

4736

5-39-110

CHECK AMOUNT

PAY AMOUNT OF

One hundred thirty seven and 50/100

DOLLARS

DATE	TO THE ORDER OF	DESCRIPTION	CHECK
8-26-94	Town of Acton	Notice of Intent Sm-1504	4736

\$ 137 .50

BANK OF BOSTON - 384
FIRST NATIONAL BANK OF BOSTON

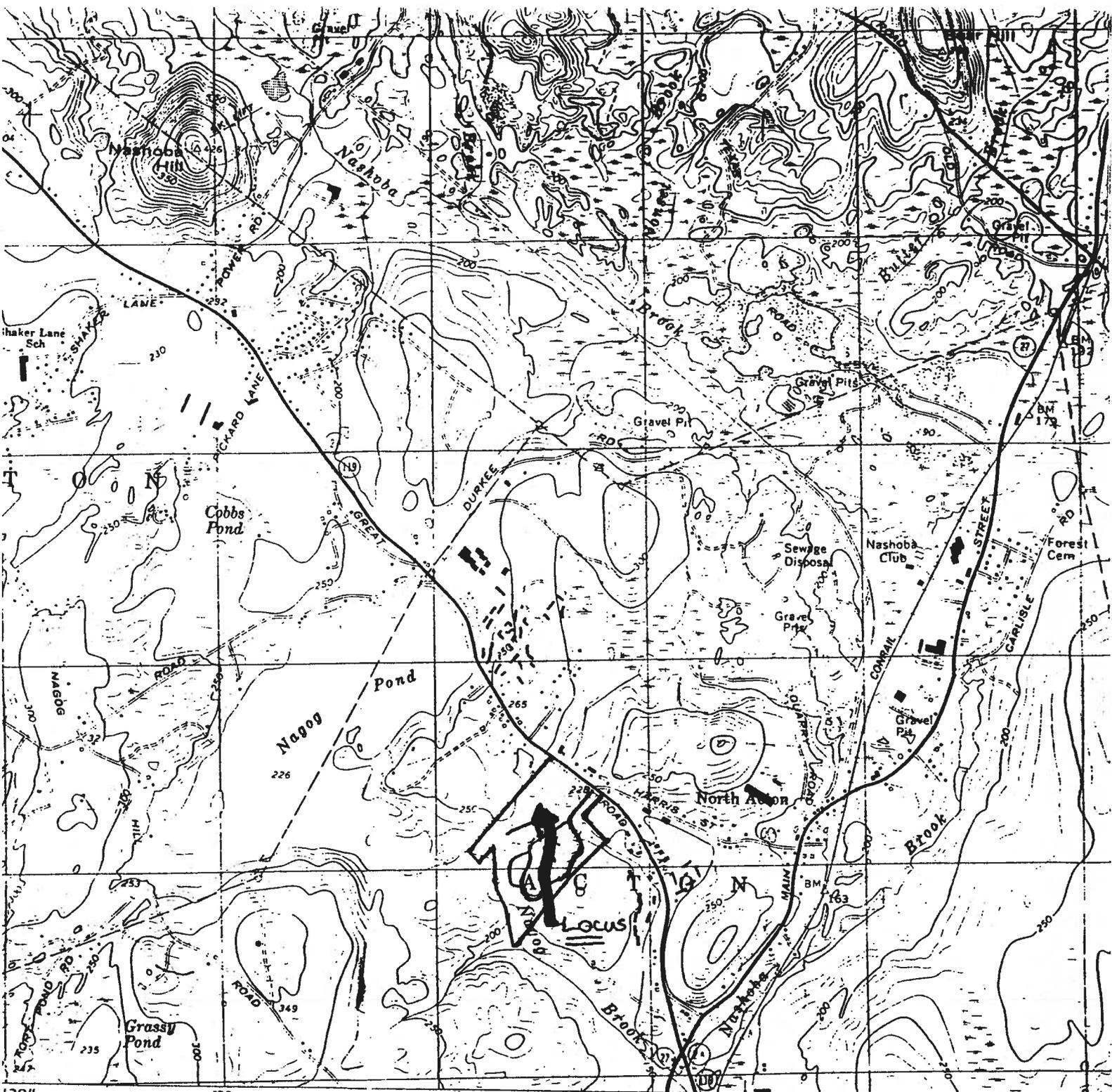
B. J. Kelly

⑈004736⑈ ⑆011000390⑆ 500 16660⑈

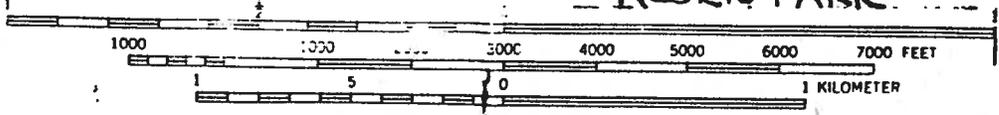
LIST OF ABUTTERS

Applicant: Acorn Homes, Inc.
150 Wood Road
Braintree, MA 02184

Property Owner: Acorn Park Realty Trust
One Nagog Park
Acton, MA 01720

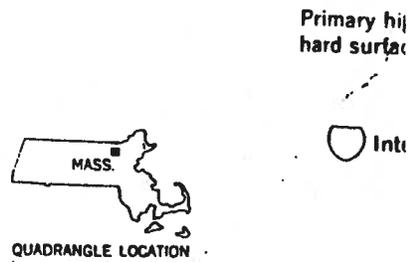


(MAYNARD) 300
 6768 IV NW
 SCALE 1:25 000
EU 4 ACORN PARK



CONTOUR INTERVAL 10 FEET
 NATIONAL GEODETIC VERTICAL DATUM OF 1929

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
 FOR SALE BY U. S. GEOLOGICAL SURVEY, RESTON, VIRGINIA 22092
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST



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