



Town File No. D-97-8  
Applicant Acorn Homes, Inc.



**DETERMINATION OF APPLICABILITY  
ACTON WETLANDS PROTECTION BYLAW**

**CHAPTER F**

From the ACTON CONSERVATION COMMISSION

To Acorn Homes, Inc. SAME  
(Name of person making request) (Name of property owner)

Address 150 Wood Road Braintree, MA 02184 Address \_\_\_\_\_

This determination is issued and delivered as follows:

\_\_\_\_\_ by hand delivery to applicant or representative on \_\_\_\_\_ (date)

by certified mail, return receipt requested on 10/11/96 (date)

Pursuant to the authority of the Town of Acton Bylaws, Chapter F, the Acton Conservation Commission has considered your request for a Determination of Applicability and its supporting documentation, and has made the following determination (check whichever is applicable):

Location: Street Address EUA 37 535 Acorn Park Drive

Lot Number: \_\_\_\_\_

This Determination is positive:

- The area described below, which included all/part of the area described in your request, is an Area Subject to Protection Under the Bylaw. Therefore, any removing, filling, dredging or altering of that area requires the filing of a Notice of Intent.
- The work described below, which included all/part of the work described in your request, is within an Area Subject to Protection Under the Bylaw and will removed, fill, dredge or alter that area. Therefore, said work requires the filing of a Notice of Intent.

3. \_\_\_\_\_ The work described below, which included all/part of the work described in your request, is within the Buffer Zone as defined in the regulations, and will alter an Area Subject Protection Under the Bylaw. Therefore, said work requires the filing of a Notice of Intent.

This Determination is negative:

- 1. \_\_\_\_\_ The area described in your request is not an Area Subject to Protection Under the Bylaw.
- 2. \_\_\_\_\_ The work described in your request is within an Area Subject to Protection Under the Bylaw, but will not remove, fill, dredge or alter that area. Therefore, said work does not require the filing of a Notice of Intent.
- 3.  The work described in your request is within a Buffer Zone, as defined in the regulations, but will not alter an Area Subject to Protection Under the Bylaw. Therefore, said work does not require the filing of a Notice of Intent.
- 4. \_\_\_\_\_ The area described in your request is subject to Protection Under the Bylaw, but since the work therein meets the requirements for the following exemption, as specified in the Bylaw and the regulations, no Notice of Intent is required:

Issued by the ACTON CONSERVATION COMMISSION

Signatures \_\_\_\_\_

Barbara B Smith

M. J. Smith

Barbara J. Epstein

Paul R. Call

Christa P. Corp

\_\_\_\_\_

This Determination must be signed by a majority of the Conservation Commission.

On this second day of October 19 96, before me personally appeared Marlene Sadner, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed.

Andrea Mackenzie  
Notary Public

March 1, 2002  
My commission expires

This Determination does not relieve the applicant from complying with all other applicable federal, state or local statutes, bylaws or regulations. This Determination shall be valid for three years from the date of issuance.

[Empty box]

(To be provided by DEP)

City/Town Acton D-97-8

Applicant Acorn Homes, Inc.

Date Request Filed 9/19/96

Commonwealth  
of Massachusetts

Determination of Applicability  
Massachusetts Wetlands Protection Act, G.L. c. 131, §40

From ACTON CONSERVATION COMMISSION Issuing Authority

To Acorn Homes, Inc. SAME  
(Name of Person making request) (Name of property owner)

Address 150 Wood Road, Braintree Address \_\_\_\_\_  
MA 02184

This determination is issued and delivered as follows:

- by hand delivery to person making request on \_\_\_\_\_ (date)
- by certified mail, return receipt requested on 10/11/96 (date)

Pursuant to the authority of G.L. c.131, §40, the COMMISSION has considered your request for a Determination of Applicability and its supporting documentation, and has made the following determination (check whichever is applicable):

Location: Street Address EUA 37 535 Acorn Park Drive

Lot Number: \_\_\_\_\_

This Determination is positive.

1.  The area described below, which includes all/part of the area described in your request, is an Area Subject to Protection Under the Act. Therefore, any removing, filling, dredging or altering of that area requires the filing of a Notice of Intent.
2.  The work described below, which includes all/part of the work described in your request, is within an Area Subject to Protection Under the Act and will remove, fill, dredge or alter that area. Therefore, said work requires the filing of a Notice of Intent.

3.  The work described below, which includes all/part of the work described in your request, is within the Buffer Zone as defined in the regulations, and will alter an Area Subject to Protection Under the Act. Therefore, said work requires the filing of a Notice of Intent.

This Determination is negative:

1.  The area described in your request is not an Area Subject to Protection Under the Act.
2.  The work described in your request is within an Area Subject to Protection Under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent.
3.  The work described in your request is within the Buffer Zone, as defined in the regulations, but will not alter an Area Subject to Protection Under the Act. Therefore, said work does not require the filing of a Notice of Intent.
4.  The area described in your request is Subject to Protection Under the Act, but since the work described therein meets the requirements for the following exemption, as specified in the Act and the regulations, no Notice of Intent is required: \_\_\_\_\_

Issued by ACTON Conservation Commission

Signature(s) \_\_\_\_\_

Barbara B. Smith Christa C. Gero  
Barbara B. Smith Christa C. Gero  
Barbara B. Smith Christa C. Gero

This Determination must be signed by a majority of the Conservation Commission.

On this second day of October 19 96, before me personally appeared Moreno Bodner, to me known to be the person described in, and who executed, the foregoing instrument, and acknowledged that he/she executed the same as his/her free act and deed.

Andrea MacTouhy  
Notary Public

March 1, 2002

My Commission Expires

This Determination does not relieve the applicant from complying with all other applicable federal, state or local statutes, ordinances, by-laws or regulations. This Determination shall be valid for three years from the date of issuance.

The applicant, the owner, any person aggrieved by this Determination, any owner of land abutting the land upon which the proposed work is to be done, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the Department of Environmental Protection to issue a Superseding Determination of Applicability, providing the request is made by certified mail or hand delivery to the Department, with the appropriate filing fee and Fee Transmittal Form as provided in 310 CMR 10.03(7) within ten days from the date of issuance of this Determination. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and the applicant.