

TOWN OF ACTON

INTER-DEPARTMENTAL COMMUNICATION

June 2, 1987

TO: Conservation Commission  
FROM: Doug Halley, Director of Health *D.H.*  
SUBJECT: Notice of Intent Review - 94 Arlington Street

I have reviewed the Notice of Intent prepared by Acton Survey & Engineering, on behalf of Gail Roche, for work within 100' of a wetland at 94 Arlington Street and have the following comments:

1. An enforcement order was issued for this site on January 13, 1987. Enclosed with this memo is the Enforcement Order and a review of the events prepared by Dean Charter.
2. The wetland, as described in I.E.P.'s analysis, is associated with Fort Pond Brook and a stream intersecting from the north. The upper region of the wetland consists of a sapling swamp and marsh habitat which grades into a more wooded streamside condition. Two distinct open water areas are also present. In flowing waters from a small marsh area in West Acton Center is heavily influenced by leachate. Pollution prevention value is indicated by wetland characteristics, association with the brook and position with surrounding land use. Water supply value indicated by position in area of groundwater favorability. The wetland supplies high values in water supply, flood control, storm damage prevention, prevention of pollution and fisheries.
3. The plans as submitted call for the construction of a house, septic system and drive all outside the 100' buffer zone. Work to be done within the floodplain and the buffer zone is the stump hole renovation.
4. Staked haybales or a filterfence will be provided along the 100 year floodplain line to prevent siltation of the wetlands during construction.
5. The stump hole renovation calls for the removal of all stumps, brush and debris from the stump hole, replacing the sand pile uniformly in the hole, replacing the peaty topsoil uniformly in the hole, the loaming and seeding of all disturbed areas. The materials removed from the stump hole will be disposed of off site.

The proposal as presented should resolve the issues raised by the Enforcement Order. The majority of the proposed work is outside of the Commission's jurisdiction, with only the proposed renovation of disturbed areas being within the floodplain and buffer zone. It would be my recommendation that a standard Order of Conditions be issued for this site.

0812C

Bylaw File No. 75-

D.E.Q.E. File No. 85-

Location \_\_\_\_\_

City/Town Acton

Filing Date \_\_\_\_\_

Applicant \_\_\_\_\_

Notice of Intent

Under the

Massachusetts Wetlands Protection Act, G.L. c. 131 s40

and

Application for a Department of the Army Permit

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Part I: General Information

1. Location: Street Address 94 Arlington Street, Acton

Lot Number C

2. Project: Type Inland Description Removal of material

from a "stump hole" and restoration of a "disturbed area"

to pre-construction grades.

3. Registry South Middlesex Current Book 9923 & Page 334

Certificate (If Registered Land) \_\_\_\_\_

4. Applicant Gail J. Roche Tel. 263-4757

Address 976 Main Street, Acton, MA 01720

5. Property Owner Gail J. Roche Tel. 263-4757

Address 976 Main Street, Acton, MA 01720

6. Representative Acton Survey & Engineering, Inc. Tel. 263-3666

Address P.O. Box 666, 277 Central Street, Acton, MA 01720

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7. Have the Conservation Commission and the DEQE Regional Office each been sent, by certified mail or hand delivery, 2 copies of completed Notice of Intent, with supporting plans and documents?   x   yes    no

8. Have all obtainable permits, variances and approvals required by local by-law been obtained?    yes   x   no

Obtained:	Applied For:	Not Applied For:
_____	<u>  Health Permit  </u>	<u>  Building Permit  </u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

9. Is any portion of the site subject to a Wetlands Restriction Order pursuant to G.L. c. 131, s40A or G.L. c. 130, s105?    yes   x   no

10. List all plans and supporting documents submitted with this Notice of Intent.

Identifying Number/Letter	Title/Date
<u>  A  </u>	<u>  Plan of Land in Acton, MA (2 sheets) - April 30. 198  </u>
<u>  B  </u>	<u>  Locus Map - 1:25,000 May 1987  </u>
<u>  C  </u>	<u>  Locus Map - Flood Plain May 1987  </u>
_____	_____

11. Check those resource areas within which work is proposed:

(a)   x   Buffer Zone

(b) Inland:

- |   |                           |
|---|---------------------------|
| <u>  </u> Bank*                             | Land Subject to Flooding: |
| <u>  </u> Bordering vegetated wetland*      | <u>  x  </u> Bordering    |
| <u>  </u> Land Under water Body & Waterway* | <u>  </u> Isolated        |

\*Likely to involve U.S. Army Corps of Engineers concurrent jurisdiction.

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:

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

Man-made Features:

- A     Structures (such as buildings, piers, towers and headwalls)
- Drainage and flood control facilities at the site and immediately off the site, including culverts and open channels (with inverts), dams and dikes
- A     Subsurface sewage disposal systems
- A     Underground utilities
- A, C     Roadways and parking areas
- A     Property boundaries, easements and rights-of-way
- Other

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Part III: Work Description

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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)

Planview and Cross Section of:

- A Structures (such as buildings, piers, towers and headwalls)
- Drainage and flood control facilities, including culverts and open channels (with inverts), dams and dikes
- A Subsurface sewage disposal systems & underground utilities
- A Filling, dredging and excavating, indicating volume and composition of material
- Compensatory storage areas, where required in accordance with Part III, Section 10:57 (4) of the regulations
- other

Point Source Discharge

           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 and Part III of the regulations or limited projects; or
  - (b) why the presumptions set forth under each resource area specified in Part II or Part III of the regulations do not apply.

Resource Area Type:	: Identifying number
Bordering Land subject to Flooding	: or letter
	: of support documents
Project consists of removal of material	:
from a stump hole, replacement of soils	:
that had been removed from said hole and	:
regrading the disturbed area to original	:
contours. No decrease in flood storage	:
capacity will occur.	:

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Resource Area Type:	: Identifying number
	: or letter
	: of support documents
	:
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Bylaw File No. \_\_\_\_\_

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Part V: Additional Information for a Department of the Army Permit

1. COE Application No. \_\_\_\_\_ 2. \_\_\_\_\_  
(to be provided by COE) (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.

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.

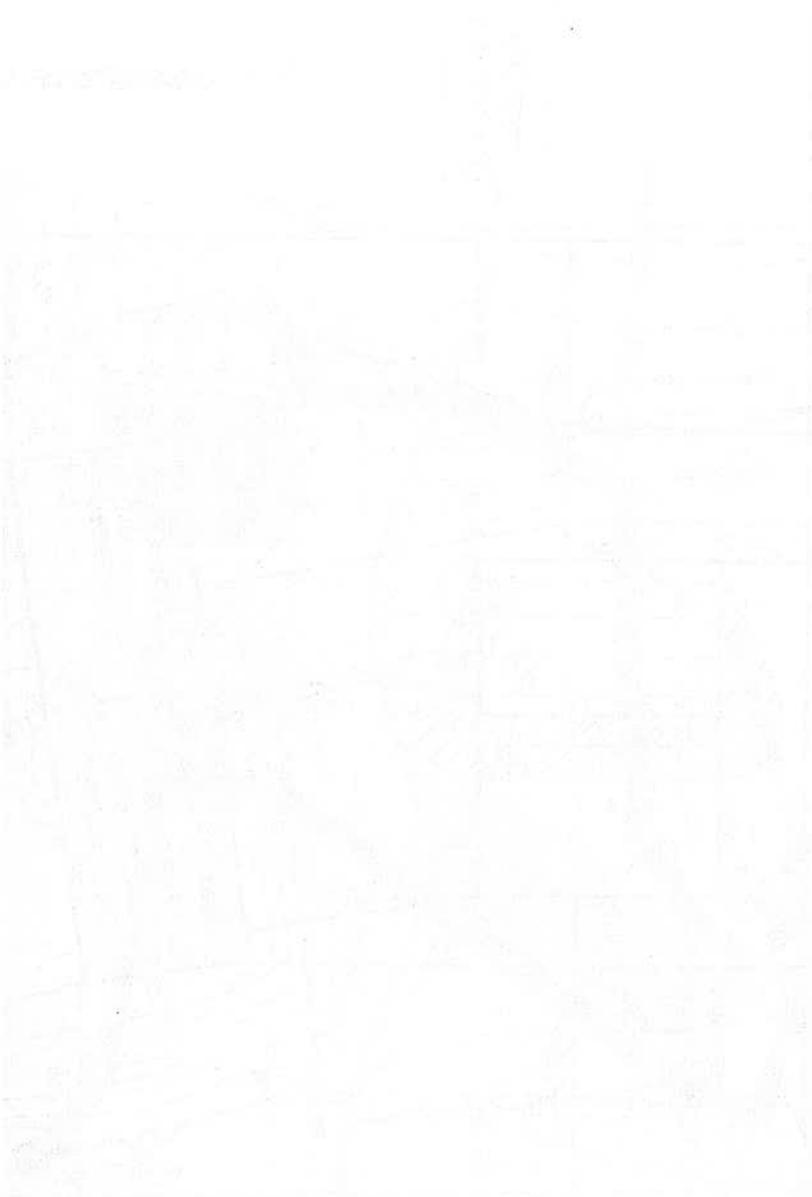
I hereby certify under the pains and penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents and supporting data are true and complete, to the best of my knowledge.

*Gail J. Roche*  
\_\_\_\_\_  
Signature of Applicant

May 13, 1987  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date



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Executive Office of Environmental Affairs  
 Department of Environmental Quality Engineering  
 Central Region  
 75 Grove Street, Worcester, Massachusetts 01605

S. RUSSELL SYLVA  
 Commissioner

Date: June 25, 1987

Notification of Wetlands File Number

BARRY P. FOGEL, ESQ.  
 Regional Environmental Engineer

Name of Applicant Gail Roche  
976 Main St. Acton, Ma. 01720  
 Owner of Land Same  
 City/Town Acton Location 94 Arlington St Lot C

- This project has been given the following wetlands file number: 85-217  
 The following information is missing and must be forwarded to this office to complete filing in accordance with the Act:  
 Notice of Intent                       Locus Map                       Plans

Comments:

- Applicant must forward Notice of Intent to Corps of Engineers for Sec. 404 review.  
 A General Laws, Chapter 91 License or Permit is not required.  
 Information has been forwarded to the Division of Waterways to determine if a Chapter 91 License or Permit is required. A decision regarding Chapter 91 will be issued by the Division of Waterways, One Winter Street, Boston.

NOTE: Issuance of a file number indicates only completeness of the file and not approval of the application.

If you have any questions call the Wetlands Section at 792-7650.

cc: Conservation Commission

Acton Survey & Engineering  
 P.O. Box 666  
 277 Central St.  
 Acton, Ma. 01720

For the Commissioner

Regional Environmental Engineer