

Stamski and McNary, Inc.
Engineering - Planning - Surveying
80 Harris Street Acton, MA 01720 (978) 263-8585

Notice of Intent

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

and

The Town of Acton Wetland Protection Bylaw

for

Monument Place

**72, 76, 80 Harris Street & 6 Quarry Road
Acton, MA 01720**

Applicant: Bentley Building Corporation
12 Murphy Drive, Suite 100
Nashua, NH 03062

Owner: Mary & Morley Lush Realty Trust
11 Grampian Way
Dorchester, MA 02125

Date: January 21, 2010

SM-4555

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- Project Narrative
- Notice of Intent – WPA Form 3
- NOI Wetland Fee Transmittal Form
- Certified Abutters List / Affidavit / Notice to Abutters

Attachments:

- A. U.S.G.S. Map
- B. WPA Form 4B – Order of Resource Area Delineation
- C. Massachusetts Natural Heritage Atlas 13th edition, Effective: October 1, 2008
- D. Site Plan (Sheet 2 & 3) by Stamski and McNary, Inc. dated: January 20, 2010

Project Narrative

Existing Conditions:

The site is approximately 7.3 acres. The site presently contains an office/manufacturing building with associated parking and utilities. A portion of the site contains an open field and the balance of the site is wooded.

Resource Areas and Buffer Zone:

The resource areas on the site were verified with an Order of Resource Area Delineation, DEP File no. 85-1031.

Pond

A 12,000 s.f. man made pond with approximately 480 ft of bank is located in the southwesterly corner of the site. The entire pond is located within a Bordering Vegetated Wetland (BVW)

Bordering Vegetated Wetland:

The BVW borders on the man made pond. The length of BVW that was delineated is 1,041 linear feet.

Isolated Vegetated Wetland:

Just to the north of the site, an Isolated Wetland was identified. The Isolated Wetland spans approximately 2,800 s.f. with a boundary length of 271 linear feet. Though this wetland is not subject to protection under the Wetlands Protection Act, it is subject to the Acton Wetlands Protection Bylaw (AWPB).

Buffer Zone:

A 100 foot Buffer Zone is associated with the BVW. Approximately 8,600 square feet of this Buffer Zone is presently developed with a building, driveway, lawn and utilities. Of this developed area, with 5,360 square feet is impervious cover.

A 100' Buffer Zone also projects from the edge of the Isolated Wetland per the Town of Acton Wetlands Protection Bylaw, but is not subject to the Wetlands Protection Act (WPA).

Proposed Work:

No work is proposed within a resource area.

Buffer Zone Work (under the WPA):

Work within the Buffer Zone subject to the WPA will occur over approximately 27,000 sf of land area. The work includes the construction of 3 single family dwelling units and appertenances and the removal of existing developed areas. The impervious coverage will be 2,965 square feet. This is a net reduction of 2,395 square feet. The existing paved driveway and building will be removed and the area will be graded, loamed and seeded. There is no point source discharge in the Buffer Zone and since there are only 3

single family dwellings proposed, the Stormwater Management Standards do not apply to this project.

Buffer Zone Work (under the AWPB):

Work within the Buffer Zone subject to the AWPB will occur over approximately 5,000 sf of land area. Approximately 1,000 square feet of work occurs within the Buffer Zone subject to the WPA and has been described above. The remaining 4,000 square feet of work includes the construction of a portion of a single family dwelling and its appertenances.

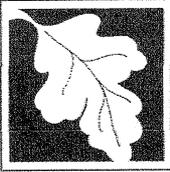
Compliance with Acton Wetlands Protection Bylaw:

The local wetland bylaw prohibits certain activities within the Buffer Zone as well as other setback areas. The proposed work will be in compliance with the prescribed setbacks. Also, the existing building will be removed from the 75 foot no structure setback, thereby improving on the existing conditions.

Summary:

No direct impacts to the Bordering Vegetated Wetlands are proposed. Work will occur within the 100 foot Buffer Zone to the Bordering Vegetated Wetland and within the Buffer Zone of an Isolated Wetland. Erosion and Sedimentation mitigation measures will be taken to avoid impacts from construction activities such as excavation and grading. After the completion of construction the site will be permanently stabilized with vegetation.

Notice of Intent - WPA Form 3



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:

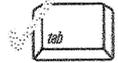
MassDEP File Number

Document Transaction Number

Acton

City/Town

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



Note:
 Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (Note: electronic filers will click on button to locate project site):

72,76,80 Harris St and 6 Quarry Road

a. Street Address

Acton

b. City/Town

MA

c. Zip Code

Latitude and Longitude:

C-5

f. Assessors Map/Plat Number

d. Latitude

e. Longitude

90, 90-4, 90-5, 90-6, 90-7, 90-8

g. Parcel /Lot Number

2. Applicant:

a. First Name

Bentley Building Corporation

b. Last Name

c. Organization

12 Murphy Drive, Suite 100

d. Street Address

Nashua

e. City/Town

NH

f. State

03062

g. Zip Code

603-883-0700

h. Phone Number

i. Fax Number

j. Email Address

3. Property owner (required if different from applicant):

Check if more than one owner

Mary & Morley

a. First Name

Lush

b. Last Name

Mary & Morley Lush Realty Trust

c. Organization

11 Grampian Way

d. Street Address

Dorchester

e. City/Town

MA

f. State

02125

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

George

a. First Name

Dimakarakos

b. Last Name

Stamski and McNary, Inc.

c. Company

80 Harris Street

d. Street Address

Acton

e. City/Town

MA

f. State

01720

g. Zip Code

978-263-8585

h. Phone Number

978-263-9883

i. Fax Number

gd@stamskiandmcnary.com

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

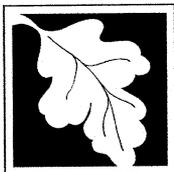
\$1500.00

a. Total Fee Paid

\$737.50

b. State Fee Paid

\$762.50 (plus \$300.00 Bylaw fee)



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A. General Information (continued)

6. General Project Description:

The construction of 3 single family houses and associated site work.

7a. Project Type Checklist:

- | | |
|---|---|
| 1. <input type="checkbox"/> Single Family Home | 2. <input checked="" type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Limited Project Driveway Crossing | 4. <input type="checkbox"/> Commercial/Industrial |
| 5. <input type="checkbox"/> Dock/Pier | 6. <input type="checkbox"/> Utilities |
| 7. <input type="checkbox"/> Coastal Engineering Structure | 8. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) |
| 9. <input type="checkbox"/> Transportation | 10. <input type="checkbox"/> Other |

7b. Is any portion of the proposed activity eligible to be treated as a 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:

2. Limited Project

8. Property recorded at the Registry of Deeds for:

Middlesex South

a. County

51750

c. Book

b. Certificate # (if registered land)

330 & 332

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 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.
- 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.

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area

Size of Proposed Alteration

Proposed Replacement (if any)

a. Bank

1. linear feet

2. linear feet

b. Bordering Vegetated Wetland

1. square feet

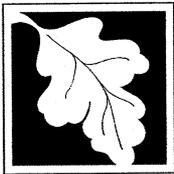
2. square feet

c. Land Under Waterbodies and Waterways

1. square feet

2. square feet

3. cubic yards dredged



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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available)	

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

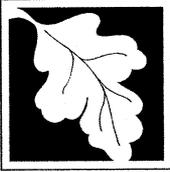
6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

3. Coastal Resource Areas: (See 310 CMR 10.25-10.35)

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.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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 _____



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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

	<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 _____

C. Other Applicable Standards and Requirements

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. 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://www.mass.gov/dfwele/dfw/nhESP/regulatory_review/priority_habitat/online_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
Route 135, North Drive
Westborough, MA 01581

Oct. 1, 2008

b. Date of map



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C. Other Applicable Standards and Requirements (cont'd)

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.1.d, 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).*

1. c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

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

3. 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

(c) MESA filing fee (fee information available at:

http://www.mass.gov/dfwele/dfw/nhesp/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

d. 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/nhesp/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.)

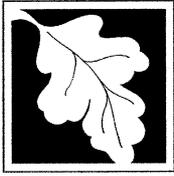
2. Separate MESA review ongoing.

a. NHESP Tracking #

b. Date submitted to NHESP

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/dfwele/dfw/nhesp/nhesp.htm>, regulatory review tab). 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)

3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

2. 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 or hand delivery of NOI to either:

South Shore - Cohasset to Rhode Island, and the Cape & Islands:

North Shore - Hull to New Hampshire:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930

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.

3. 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

4. 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

5. 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

6. 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

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.



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Provided by MassDEP:

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City/Town

C. Other Applicable Standards and Requirements (cont'd)

- 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

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.
- 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.

Site Plan

a. Plan Title

Stamski and McNary, Inc.

b. Prepared By

Joseph March, P.E.

c. Signed and Stamped by

1"=40'

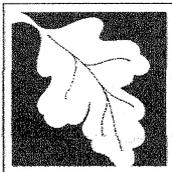
d. Final Revision Date

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.



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Provided by MassDEP:

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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:

2. Municipal Check Number	<u>9727</u>	3. Check date	<u>1/13/10</u>
4. State Check Number	<u>9725</u>	5. Check date	<u>1/13/10</u>
6. Payor name on check: First Name		7. Payor name on check: Last Name	<u>BENTLEY BUILDING CORP.</u>

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	<u><i>Mark White</i></u>	2. Date	<u>1/10/10</u>
3. Signature of Property Owner (if different)		4. Date	
5. Signature of Representative (if any)		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:

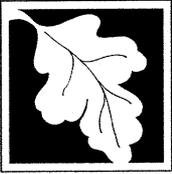
One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

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.

NOI Wetland Fee Transmittal Form



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. Applicant:

a. First Name _____ b. Last Name _____
 Bentley Building Corporation
 c. Organization _____
 12 Murphy Drive, Suite 100
 d. Mailing Address _____
 Nashua _____ NH _____ 03062
 e. City/Town _____ f. State _____ g. Zip Code _____
 603-883-0700
 h. Phone Number _____ i. Fax Number _____ j. Email Address _____

2. Property Owner (if different):

Mary & Morley _____ Lush _____
 a. First Name _____ b. Last Name _____
 Mary & Morley Lush Realty Trust
 c. Organization _____
 11 Grampian Way
 d. Mailing Address _____
 Dorchester _____ MA _____ 02125
 e. City/Town _____ f. State _____ g. Zip Code _____
 h. Phone Number _____ i. Fax Number _____ j. Email Address _____

3. Project Location:

72, 76, 80 Harris Street & 6 Quarry Road _____ Acton _____
 a. Street Address _____ b. City/Town _____

B. Fees

The fee should be calculated using the following six-step process and 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 Single Family Home	3	\$500.00	\$1500.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee:	\$1500.00
State share of filing Fee:	a. Total Fee from Step 5 \$737.50
City/Town share of filling Fee:	b. 1/2 Total Fee less \$12.50 \$762.50 (plus \$300.00 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.)

Certified Abutters List / Affidavit / Notice to Abutters



Town of Acton
 472 Main Street
 Acton, MA 01720
 Telephone (978) 264-9622
 Fax (978) 264-9630

Brian McMullen
 Assistant Assessor

Locus:
 Parcel ID: 72,76,80,84 HARRIS ST AND 6,8 QUARRY RD
 C5-90-4,90,90-5,90-6,90-7,90-8

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City	ST	Zip
10 QUARRY RD	C5-37	BROWN JULIE V TRUSTEE	BROWN FAMILY TRUST	784 MAIN STREET	ACTON	MA	01720
9 GRANITE RD	C5-46-1	FOUR SEASONS TENNIS CLUB INC		30 BEECHCROFT ROAD	NEWTON	MA	02456-2404
58 HARRIS ST	C5-73	KENDALL WILLIAM S JR	JOAN F	58 HARRIS ST	ACTON	MA	01720
52 HARRIS ST REAR	C5-74	TOWN OF ACTON	UNKNOWN	472 MAIN STREET	ACTON	MA	01720
68 HARRIS ST	C5-89	COMMONWEALTH OF MASS	DIVISION OF FISHERY & GAME	68 HARRIS STREET	ACTON	MA	01720
10 QUARRY RD	C5-90-1	BROWN JULIE V	BROWN TODD H	784 MAIN STREET	ACTON	MA	01720
66 HARRIS ST	C5-90-2	COMMONWEALTH OF MASS	DIVISION OF FISHERY & GAME	68 HARRIS STREET	ACTON	MA	01720
760 MAIN ST	C5-99	HIRSCH ROBERT S		52 ETHAN ALLEN DRIVE	ACTON	MA	01720
15 WYNDCLIFF DR	C5-105-1	DATAR NIJANAND	DATAR TERESA	15 WYNDCLIFF DR	ACTON	MA	01720
77 HARRIS ST	C5-107	LYE KIN L	LYE AMANDA D	75 HARRIS ST	ACTON	MA	01720
75 HARRIS ST	C5-108	WALSH THOMAS C	CICCHETTI PALMA J	77 HARRIS ST	ACTON	MA	01720
79 HARRIS ST	C5-109	JAROSTCHUK ALEXANDER	JAROSTCHUK LENA	79 HARRIS STREET	ACTON	MA	01720
750 MAIN ST	C5-110	LOCKE DOUGLAS A JR	MARY P	750 MAIN STREET	ACTON	MA	01720
13 WYNDCLIFF DR	D5-8-3	LAGUNOWICH MARK J	LAGUNOWICH KATHRYN E	13 WYNDCLIFF DRIVE	ACTON	MA	01720

The owner of land sharing a common boundary or corner with the site of the proposed activity (immediate) 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.

Kimberly Hoyt
 Kimberly Hoyt
 Assessing Clerk
 Acton Assessors Office

2-Nov-09 UPDATED

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, Benjamin Ewing, hereby certify under the pains and penalties of perjury that on 1/21/10 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 Bentley Building
Corporation with the Acton Conservation
Commission for property located 72, 76, 80 Harris
Street and 6 Quarry 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: Benjamin Ewing

Date: 1/21/10

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: Bentley Building Corporation
Address: 12 Murphy Drive, Suite 100, Nashua, NH 03062 Phone: (603) 883-0700

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: Stanski and McNary, Inc.
Address: 80 Harris Street; Acton MA 01720 Phone: (978) 263-8585

The address of the property where the activity is proposed: 72, 76, 80 Harris Street & 6 Quarry Road

Town Atlas Plate/Map: C-5 Parcel/Lot: 90, 90-4, 90-5, 90-6, 90-7, 90-8

Project Description: The construction of three single family houses with associated site work 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,
February 3, 2010 at 7:30 P.M.
(date)

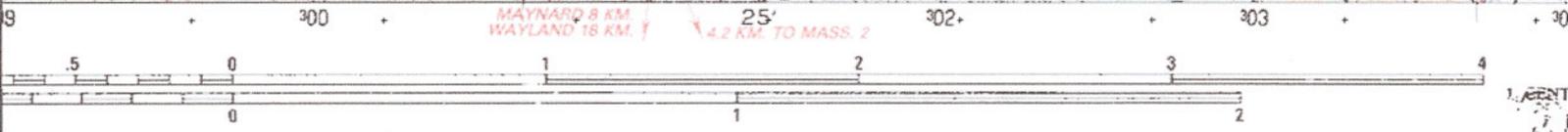
The notice of the public hearing, will be published at least five (5) days in advance in the *Beacon* newspaper or *Metrowest Daily News*.

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-

Attachment A
U.S.G.S. Map



<Default> - 1 Markers, Length = 0 feet

LOCUS - 042° 30' 42.5" N, 071° 24' 54.8" W

Name: BILLERICA
 Date: 1/20/110
 Scale: 1 inch equals 2000 feet

Location: 042° 31' 20.1" N 071° 24' 56.0" W
 Caption: Harris St. Quarry Rd
 Acton, MA
 SM-4555

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



WPA Form 4B – Order of Resource Area Delineation

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 Only
- b. Order of Resource Area Delineation Subject to Simplified Review
 - 1. Not Subject to Stormwater Policy
 - 2. Subject to Stormwater Policy
- c. Amended Order of Resource Area Delineation

3. To: Applicant:

Mark White Bentley Building Corporation
 a. First Name b. Last Name c. Company
233 Independence Road
 d. Mailing Address
Concord MA 01742
 e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

Mary & Morley Lush Realty Trust
 a. First Name b. Last Name c. Company
11 Grampian Way
 d. Mailing Address
Dorchester MA 02125
 e. City/Town f. State g. Zip Code

5. Project Location:

72, 76, 80, 84 Harris Street & 6, 8 Quarry Road Acton
 a. Street Address b. City/Town
C-5 90, 90-4, 90-5, 90-6, 90-7, 90-8
 c. Assessors Map/Plat Number d. Parcel/Lot Number
 Latitude and Longitude (**note:** electronic filers will click for GIS locator):

 e. Latitude f. Longitude

6. Dates: November 19, 2009 December 2, 2009 December 2, 2009
 a. Date Notice of Intent 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 11-17-2009
 a. Title b. Date

 c. Title d. Date



WPA Form 4B – Order of Resource Area Delineation

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:

Bordering Vegetated Wetland Flags 4 through 7, 25 through 29 and Isolated Wetland Flags

A1 through A5, and B1 through B5. (See continuation in Section 3 below.)

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:

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:

Wetland Flags 19 through 24 and Wetlands 1 through 4.

3. The boundaries were determined to be inaccurate because:

Continuation of Section 1(a), above. In the spring of 2010 the Applicant shall determine whether the wetland depression between Flags 19 through 24 (north side) and Flags 1 through 4 (south side) exhibits vernal pool characteristics and if the area is a vernal pool, have it certified by the state as such.



WPA Form 4B – Order of Resource Area Delineation

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

C. Simplified Buffer Zone Review

Work within the Buffer Zone pursuant to the Simplified Review (310 CMR 10.02) requires that you must comply with the following conditions. If your project does not meet these requirements, you are required to either file a Determination of Applicability or Notice of Intent or take other corrective measures as directed by the Conservation Commission.

Simplified Review Conditions:

Work conducted under Simplified Review requires the following:

1. No work of any kind shall occur within any wetland resource areas including Riverfront Area and Bordering Land Subject to Flooding.
2. The inner 0-to-50-foot wide area from the delineated wetland boundary that has a Buffer Zone shall not be disturbed by any work associated with this project, including placement of any stormwater management components.
3. No work shall occur in the Buffer Zone bordering an Outstanding Resource Water (e.g., certified vernal pool, public water supply reservoir or tributary), as defined in 314 CMR 4.00 or border coastal resource areas at 310 CMR 10.25-10.35.
4. No work shall occur in the Buffer Zone adjacent to wetland resources with estimated wildlife habitat (which is identified on the most recent Estimated Habitat Map of State-listed Rare Wetlands Wildlife).
5. Erosion and Sedimentation controls shall be installed and maintained at the 50-foot Buffer Zone line or limit of work (whichever is a greater distance from the resource area) to protect resource areas during construction.
6. If the project is subject to the Massachusetts Stormwater Policy, all work shall be conducted in conformance with an approved Stormwater Management Plan.
7. The Buffer Zone does not contain a slope greater than an average of 15% at its steepest gradient across the 100-foot Buffer Zone.
8. The amount of new impervious surface, in combination with existing impervious surfaces, shall not exceed 40% of the Buffer Zone between 50 and 100 feet.
9. No work is allowed, and no additional NOI or RDA shall be filed, for any work within the 0-to-50-foot Buffer Zone during the three-year term of an Order associated with this application.
10. Prior to any work being undertaken pursuant to this Order, the wetland resource boundary shall be flagged; all boundary delineation flagging should be maintained for the term of the Order.
11. If stormwater management structures are proposed in the Buffer Zone, the stormwater management structures shall be maintained as required in the Stormwater Plan. Such maintenance constitutes an ongoing condition and is not subject to further permitting requirements.
12. If this ORAD involves work as part of a Simplified Review, the ORAD shall be recorded at the Registry of Deeds prior to the commencement of work per the requirements of Section F.
13. Prior to proceeding with any work under Simplified Review, applicants are required to provide written notice to the Commission one week prior to commencing any work.
14. If work authorized under Simplified Review is commenced, no work is allowed, and no additional NOI or RDA may be filed, for any work within the 0-to-50-foot buffer zone during the term of an ORAD associated with this application. If work authorized under Simplified Review is **not** commenced, then future NOIs or RDAs may be filed for work within the 0-to-50-foot portion of the buffer zone.

--End of Conditions--



WPA Form 4B – Order of Resource Area Delineation

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

C. Simplified Buffer Zone Review (cont.)

Stormwater Applicability

- 1. The project is not subject to the Stormwater Policy.
- 2. The project is subject to the Stormwater Policy and the Stormwater Plan included for the project complies with all stormwater standards.

Ineligibility Determinations

Site Conditions: The applicant is not eligible for Simplified Buffer Zone review and must file a Request for Determination of Applicability or Notice of Intent prior to any work because:

- 3. Work is within the Buffer Zone of a Coastal Resource Area as defined at 310 CMR 10.25-10.35.
- 4. The Buffer Zone contains existing slopes greater than an average of 15%.
- 5. Buffer Zone contains estimated rare wildlife habitat.¹
- 6. The site borders an Outstanding Resource Water.²

Stormwater

- 7. The project is subject to the Stormwater Policy and the applicant has not submitted sufficient information to demonstrate compliance with the Stormwater Management Policy. Prior to any work, the applicant must submit plans showing compliance with the standards in the Stormwater Policy, the location of the work, the amount of impervious surface, and the location of erosion controls, to the Commission for its concurrence. (See instructions to ANRAD Form 4A.) The following necessary stormwater information was not submitted by the applicant:

a. _____

- 8. The project is subject to the Stormwater Policy but the project does not comply with one or more of the stormwater standards (specify which standard(s) not met).

a. Standard # _____ :

b. Standard # _____ :

- 9. Impervious surface exceeds 40% of the area of the Buffer Zone between 50 and 100 feet from the resource area.
- 10. The applicant did not submit plans depicting adequate erosion and sedimentation controls located at the limit of work or at least 50 feet from any resource areas, whichever will be greater.
- 11. Work is proposed within 50 feet of a resource area.

Notice to Commission

Any applicant proposing to proceed under Simplified Buffer Zone Review, as specified in 310 CMR 10.02, must provide written notice to the Commission one week prior to any work.

¹ Identified on the most recent Estimated Habitat Map of State-listed Rare Wetlands Wildlife of the Natural Heritage and Endangered Species Program.

² Certified Vernal Pools, public water supplies, or inland ACECs as identified in 314 CMR 4.00.



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 4B – Order of Resource Area Delineation

85-1032

Provided by DEP

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

D. Findings

This Order of Resource Area Delineation determines that the Stormwater Plan, if applicable, and 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.

The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.

If the Abbreviated Notice of Resource Area Delineation was filed as Simplified Review for a Buffer Zone project, the applicant has certified that any work associated with the proposed project meets all eligibility requirements for Simplified Review listed in Section C of this Order. Any work that does not comply with the Simplified Review requirements will require a Notice of Intent or Request for Determination of Applicability.

The applicant is responsible for promptly requesting a Certificate of Compliance following completion of any work allowed pursuant to a Simplified Review or no later than three years from the date of the Order of Resource Area Delineation unless the Order is extended.

Failure to comply with the conditions of this Order is grounds for the Conservation Commission or the Department to take enforcement action.

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>).

E. 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 associated with this appeal 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.



WPA Form 4B – Order of Resource Area Delineation

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

F. Signatures and Notary Acknowledgement

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

William F. Fobery
Signature of Conservation Commission Member

John M. ...
Signature of Conservation Commission Member

Terrence ...
Signature of Conservation Commission Member

Franco ...
Signature of Conservation Commission Member

Five
1. Number of Signers

Paul J. ...
Signature of Conservation Commission Member

Signature of Conservation Commission Member

Signature of Conservation Commission Member

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

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

by hand delivery on _____
Date

by certified mail, return receipt requested on _____
Date 12/19/2009

Notary Acknowledgement

Commonwealth of Massachusetts County of Middlesex South

On this 16th Day of December Year 2009

Before me, the undersigned Notary Public, personally appeared _____
Name of Document Signer

proved to me through satisfactory evidence of identification, which was/were

KNOWN TO ME

Description of evidence of identification

to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

As member of ACTON City/Town Conservation Commission

Andrea H. Ristine
Signature of Notary Public

Andrea H. Ristine
Printed Name of Notary Public

February 25, 2016
My Commission Expires (Date)

Place notary seal and/or any stamp above



WPA Form 4B – Order of Resource Area Delineation

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

G. Recording Information

If this Order is issued for purposes of Resource Area Delineation only, this Order should NOT be recorded.

If this Order of Resource Area Delineation is issued as part of a Simplified Review, this Order must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on Page 6 of this form shall be submitted to the Conservation Commission listed below.

ACTON

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

ACTON

Conservation Commission

Please be advised that the Order of Conditions for the Project at:

72, 76, 80, 84 Harris Street & 6, 8 Quarry Road
Project Location

85-1032
DEP File Number

Has been recorded at the Registry of Deeds of:

Middlesex South
County

Book

Page

for:

Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Conditions issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

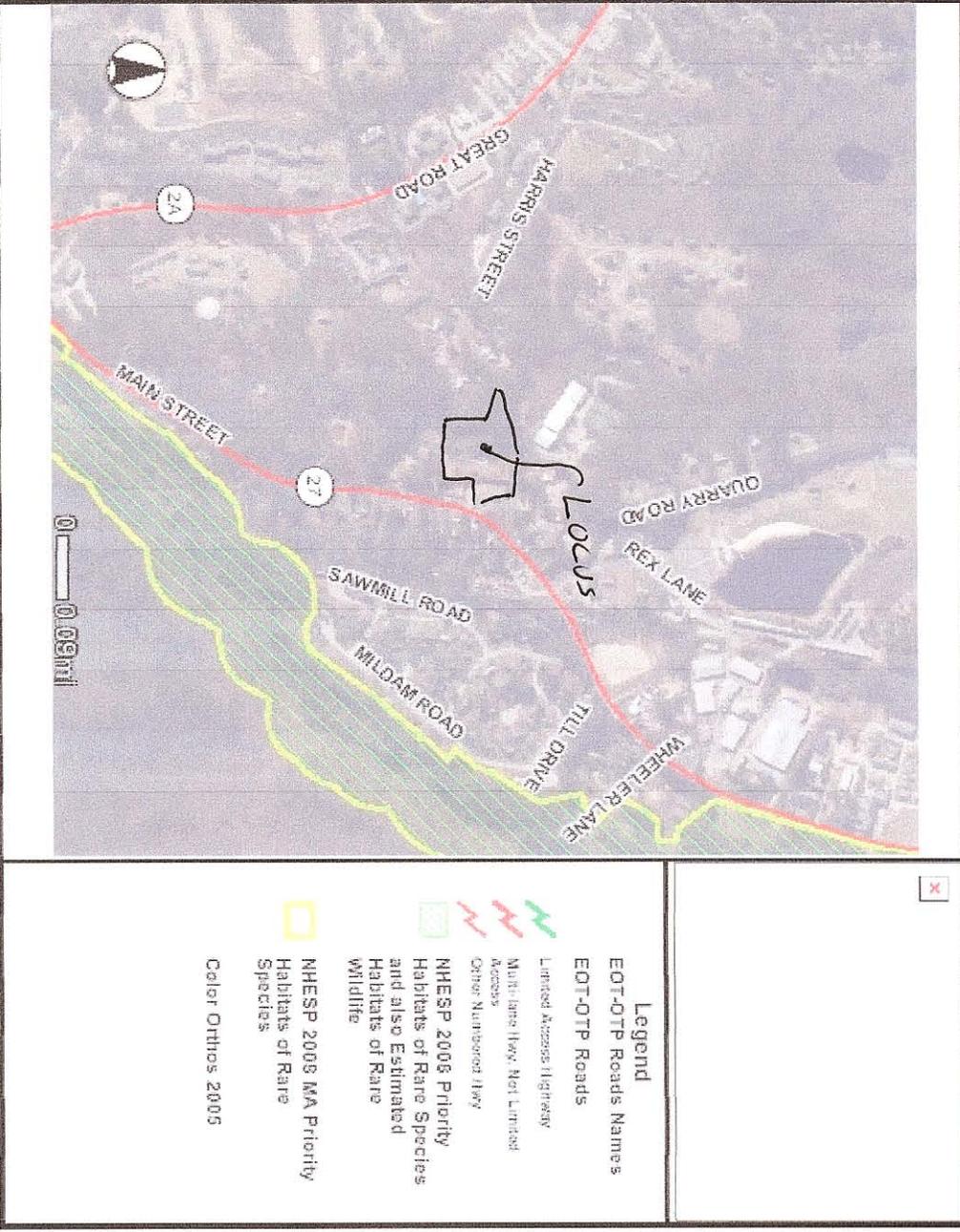
If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant

Attachment C
Massachusetts Natural Heritage Atlas 13th Edition

2008 Priority Habitat and Estimated Habitat Natural Heritage & Endangered Species Program

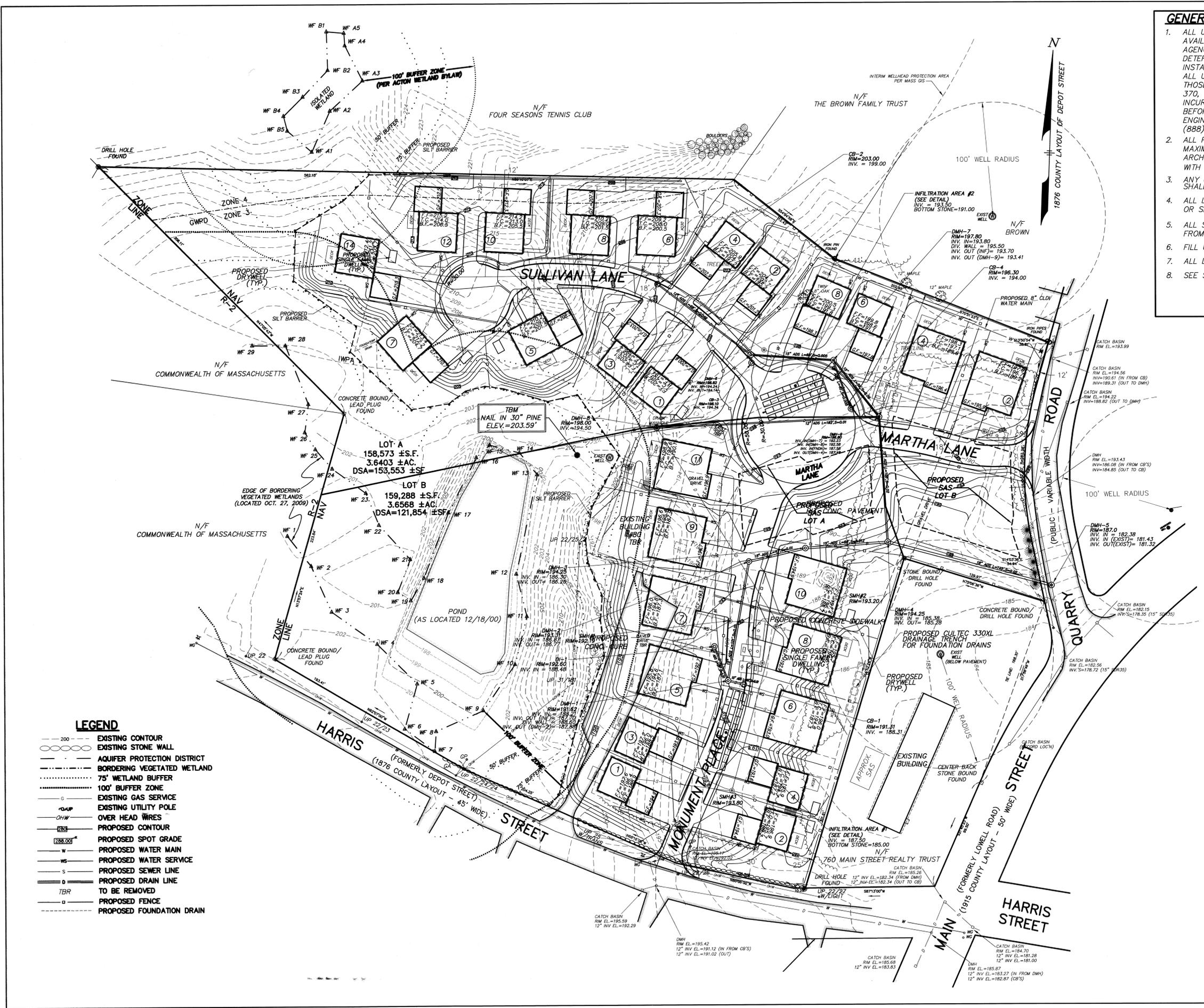


Legend

- EOT-OTP Roads Names
- EOT-OTP Roads
- Limited Access Highway
- Multi-lane Hwy, Not Limited Access
- Other Numbered Hwy
- NHESP 2008 Priority Habitats of Rare Species and also Estimated Habitats of Rare Wildlife
- NHESP 2008 MA Priority Habitats of Rare Species
- Color Orthos 2005

Attachment D
Site Plan

- GENERAL NOTES**
1. ALL UNDERGROUND UTILITIES SHOWN HERE WERE COMPILED ACCORDING TO AVAILABLE RECORD PLANS FROM VARIOUS UTILITY COMPANIES AND PUBLIC AGENCIES AND ARE APPROXIMATE ONLY. ACTUAL LOCATIONS MUST BE DETERMINED IN THE FIELD BEFORE DESIGNING, EXCAVATING, BLASTING, INSTALLING, BACKFILLING, GRADING, PAVEMENT RESTORATION OR REPAIRING. ALL UTILITY COMPANIES, PUBLIC AND PRIVATE, MUST BE CONTACTED INCLUDING THOSE IN CONTROL OF UTILITIES NOT SHOWN ON THIS PLAN. SEE CHAPTER 370, ACTS OF 1963 MASS. WE ASSUME NO RESPONSIBILITY FOR DAMAGE INCURRED AS A RESULT OF UTILITIES OMITTED OR INACCURATELY SHOWN. BEFORE PLANNING FUTURE CONNECTIONS, THE APPROPRIATE PUBLIC UTILITY ENGINEERING DEPARTMENT MUST BE CONSULTED. DIG-SAFE TELE. NO. (888) 344-7233.
 2. ALL PROPOSED SIDEWALKS, CURB CUTS AND RAMPS SHALL BE PROVIDED WITH A MAXIMUM OF 2% CROSS-SLOPE AND SHALL GENERALLY COMPLY WITH THE ARCHITECTURAL ACCESS BOARD REGULATIONS (CMR 521) AND THE AMERICANS WITH DISABILITIES ACT.
 3. ANY UNSUITABLE MATERIAL BENEATH THE PARKING OR DRAINAGE STRUCTURES SHALL BE REMOVED.
 4. ALL LIMITS OF WORK SHALL BE LOCATED IN THE FIELD PRIOR TO CONSTRUCTION OR SITE CLEARING.
 5. ALL STUMPS AND OTHER CONSTRUCTION DEBRIS SHALL BE PROPERLY REMOVED FROM THE SITE.
 6. FILL USED ON SITE SHALL BE FREE OF HAZARDOUS MATERIAL.
 7. ALL DRAIN LINES SHALL BE CORRUGATED SMOOTHWALL ADS N-12 PIPE
 8. SEE SEWAGE DISPOSAL PLAN FOR DESIGN OF SEPTIC SYSTEM



**SITE PLAN
MONUMENT PLACE
ACTON, MA
(MIDDLESEX COUNTY)**

**GRADING, DRAINAGE, AND
UTILITIES PLAN**

FOR: BENTLEY BUILDING CORPORATION
SCALE: 1"=40' JANUARY 19, 2010

STAMSKI AND McNARY, INC.
80 HARRIS STREET ACTON, MASS.
ENGINEERING - PLANNING - SURVEYING
978-263-8585

SM-4555 (4555 SITE.DWG) SHEET 2 OF 4

JOSEPH
MARCH
CIVIL
#40472

WILLIAM
F.
McNARY
No. 30758
PROFESSIONAL
SURVEYOR

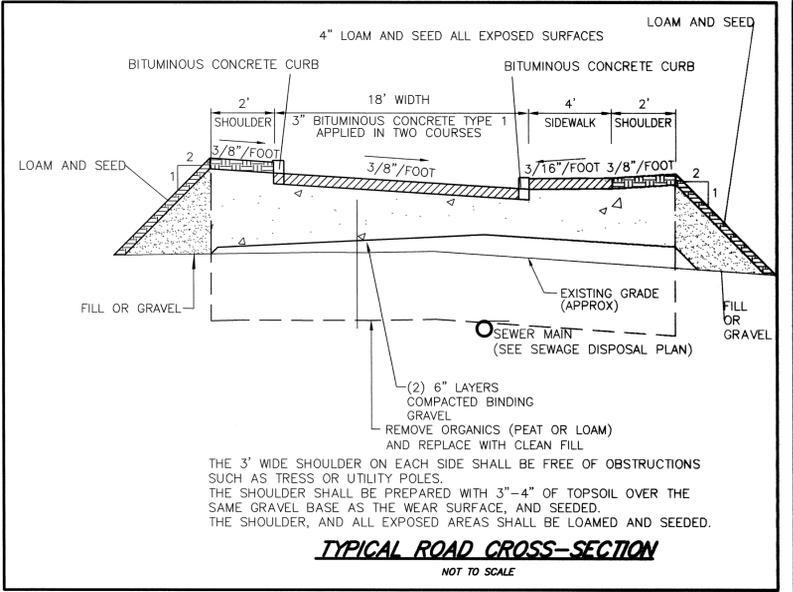
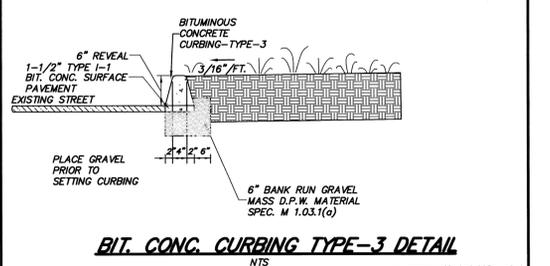
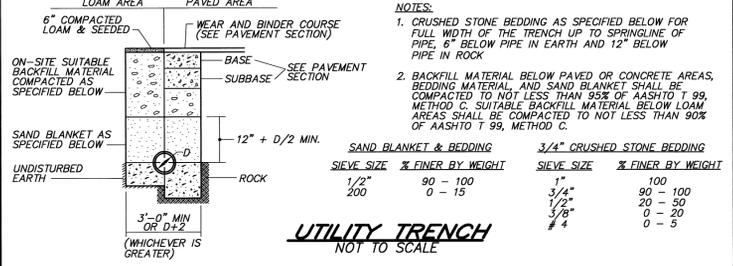
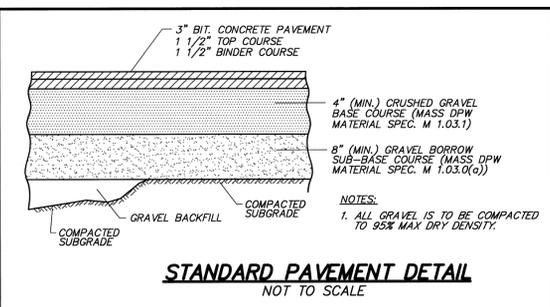
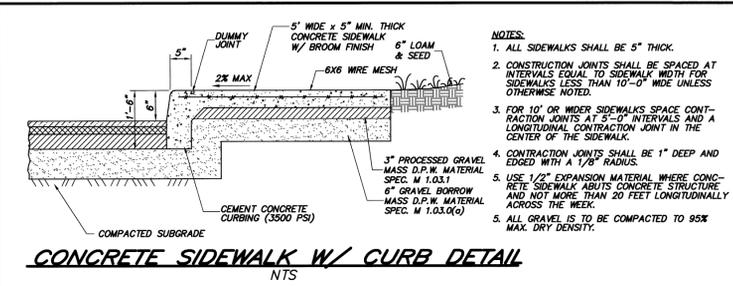
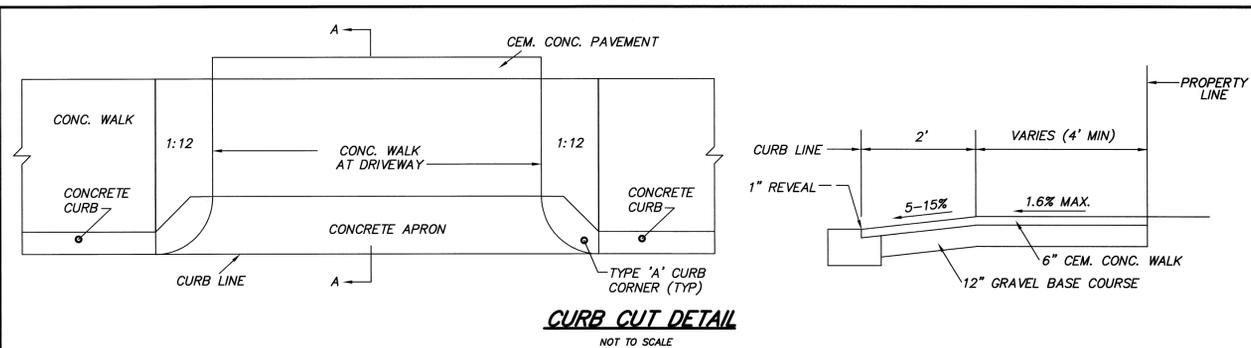
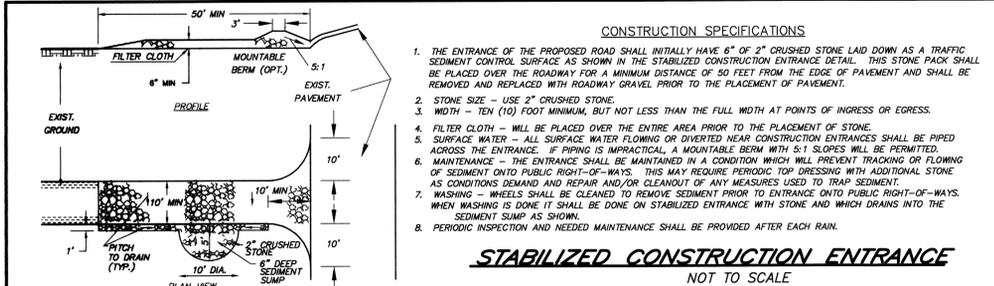
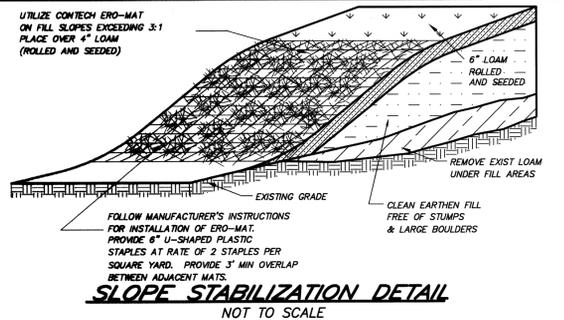
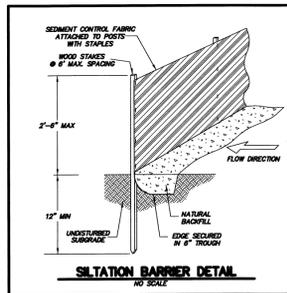
EROSION AND SEDIMENTATION CONTROL PLAN

EROSION AND SEDIMENTATION CONTROL NOTES:

1. SEDIMENT AND EROSION CONTROL MEASURES SHALL BE IMPLEMENTED PRIOR TO ANY CONSTRUCTION OCCURRING ON SITE.
 2. SILTATION FENCE IS RECOMMENDED TO BE PLACED IN ALL AREAS AS SHOWN ON THE GRADING, DRAINAGE AND UTILITIES PLAN AND IN ANY OTHER AREAS AS DETERMINED NECESSARY DURING CONSTRUCTION.
 3. TOPSOIL SHALL BE STRIPPED FROM DISTURBED AREAS AND STOCKPILED IN THE AREAS OUTSIDE OF THE 100' BUFFER ZONE. ALL SOIL STOCK PILES SHALL HAVE EROSION CONTROL MEASURES AROUND THEIR EDGES AT ALL TIMES. SOIL STOCK PILES SHALL BE COVERED WITH TEMPORARY VEGETATION OR FASTENED TARPULIN SHEETS.
 4. TEMPORARY SEDIMENTATION BASINS SHALL BE ROUGHLY CONSTRUCTED DURING THE EARLIEST STAGES OF THE PROJECT AS NEEDED TO PREVENT AND CONTROL EROSION.
 5. ANY CATCH BASIN GRATES ON SITE SHALL BE COVERED WITH SILTATION FABRIC DURING CONSTRUCTION.
 6. ALL CUT AND FILL SLOPES SHALL BE IMMEDIATELY COVERED WITH 4" OF LOAM AND SEED DURING THE GROWING SEASON (APRIL 1 TO SEPTEMBER 30) OR COVERED WITH HAY MULCH DURING THE NON-GROWING SEASON (OCTOBER 1 TO MARCH 31).
 7. UNLESS OTHERWISE INDICATED ALL DISTURBED AREAS SHALL RECEIVE A MINIMUM OF 4" OF LOAM AND BE SEEDED TO PREVENT EROSION.
 8. DISTURBED AREAS WHERE CONSTRUCTION HAS PERMANENTLY OR TEMPORARILY CEASED MUST BE STABILIZED WITHIN 14 DAYS OF THE LAST DISTURBANCE. AREAS WHICH WILL BE REDISTURBED WITHIN 21 DAYS DO NOT HAVE TO BE STABILIZED.
 9. ALL CATCH BASIN SUMPS SHALL BE CLEANED FOLLOWING CONSTRUCTION AND ANNUALLY THEREAFTER.
 10. UPON ACCUMULATION OF 6" OF SEDIMENT, THE SEDIMENT BASINS SHALL BE CLEANED AND CLEANED AGAIN AT THE COMPLETION OF CONSTRUCTION.
 11. THE DEVELOPER IS RESPONSIBLE FOR CLEAN UP OF ANY SAND, DIRT OR DEBRIS WHICH ERODES FROM THE SITE ONTO HARRIS STREET AND/OR QUARRY ROAD AND TO REMOVE SILT OR DEBRIS THAT ENTERS ANY EXISTING DRAINAGE SYSTEM INCLUDING, BUT NOT LIMITED TO, CATCH BASIN SUMPS, PIPE LINES, MANHOLES, AND DITCHES.
 12. SILTATION BARRIERS SHALL BE MAINTAINED UNTIL VEGETATIVE COVER HAS BEEN SUITABLY ESTABLISHED AND GRADED SLOPES ARE STABLE.
- INSPECTION/MAINTENANCE:**
13. IF DRAINAGE OR RUN-OFF PROBLEMS OCCUR DURING CONSTRUCTION THE APPLICANT SHALL TAKE IMMEDIATE CORRECTIVE MEASURES.
 14. ANY SILT, CONSTRUCTION DEBRIS, ETC. SHALL BE REMOVED FROM HARRIS STREET AND/OR QUARRY ROAD IMMEDIATELY UPON DISCOVERY.
 15. THE CONTRACTOR SHALL FOLLOW STANDARD PRACTICE AND LOAM AND SEED ALL DISTURBED AREAS FOLLOWING CONSTRUCTION. A MAINTENANCE CHECK PLAN SHALL BE IN PLACE AT ALL TIMES ON THE SITE.
 16. OPERATOR PERSONNEL MUST INSPECT THE CONSTRUCTION SITE AT LEAST EVERY 7 DAYS AND WITHIN 24 HOURS OF A RAINFALL OF 0.5 INCHES OR MORE. AREAS WITH SITES THAT HAVE BEEN FINALLY STABILIZED MUST BE INSPECTED AT LEAST ONCE A MONTH. THE CONTRACTOR MUST PREPARE A REPORT DOCUMENTING HIS/HER FINDINGS ON THE CONDITIONS OF THE CONTROLS AND STABILIZED AREAS.
 17. THE SILTATION FENCE SHALL REMAIN IN PLACE UNTIL A VEGETATIVE COVER IS ESTABLISHED.
 18. ALL CATCH BASINS ON-SITE SHALL BE CLEANED AFTER CONSTRUCTION AND ANNUALLY THEREAFTER.
 19. TREE STUMPS SHALL BE DISPOSED OF OFFSITE. BOULDERS MAY ONLY BE USED IN GENERAL FILL & LANDSCAPE AREAS.

DRAINAGE SYSTEM OPERATION AND MAINTENANCE PLAN

1. BMPF OWNER: BENTLEY BUILDING CORP. (DURING CONSTRUCTION)
HOME OWNER ASSOCIATION (POST CONSTRUCTION)
2. PARTIES RESPONSIBLE FOR MAINTENANCE: SAME AS ABOVE
3. SCHEDULE FOR INSPECTION AND MAINTENANCE:
STREET SWEEPING:
- THE PARKING LOT SHALL BE SWEEPED OF ALL SEDIMENT ONCE IN THE SPRING AND ONCE IN THE FALL.
DEEP SUMP AND HOODED CATCH BASIN:
- THE DEEP SUMPS FOR THE CATCH BASINS SHALL BE INSPECTED AND CLEANED ANNUALLY. THE CATCH BASINS HAVE A FOUR FOOT DEEP SUMP AND THE WATER LEVEL IS MAINTAINED BY THE DISCHARGE PIPE AT FOUR FEET. THE DISCHARGE PIPE IS HIDDEN FROM VIEW BY A HOODED OUTLET.
- THE DEPTH OF THE SEDIMENT IN THE BASIN SHALL NOT EXCEED A DEPTH OF 18 INCHES AS DETERMINED BY PROBING WITH A STICK. IF THE STICK HITS THE BOTTOM WITHIN 30 INCHES OF THE WATER LEVEL, MORE THAN 18 INCHES OF SEDIMENT HAS ACCUMULATED AND MUST BE REMOVED. LICENSED PERSONS SHOULD REMOVE AND DISPOSE OF THE CONTENTS OF THE SUMP IN ACCORDANCE WITH APPLICABLE REGULATIONS.
INFILTRATION CHAMBERS:
- THE INFILTRATION BED CLEANOUTS SHALL BE OPENED AND INSPECTED ANNUALLY. IF THE WATER LEVEL HAS NOT DROPPED BELOW THE PIPE INVERTS IN THE INFILTRATION BED, THE PIPES SHALL BE FLUSHED WITH A PRESSURE HOSE. IF AFTER 24 HOURS THE WATER LEVEL HAS NOT DROPPED, THE INFILTRATION BED MAY HAVE TO BE REPLACED. (NOTE: THE RIM ELEVATION OF INDICATED CLEANOUT MUST BE CONFIRMED. THE DEPTH TO WATER WILL VARY OTHERWISE.) THIS INSPECTION SHOULD NOT BE DONE WITHIN 72 HOURS OF A RAIN EVENT.



SITE PLAN
MONUMENT PLACE
ACTON, MA
(MIDDLESEX COUNTY)

DETAIL SHEET
FOR: BENTLEY BUILDING CORPORATION
SCALE: 1"=40' JANUARY 19, 2010

STAMSKI AND McNARY, INC.
80 HARRIS STREET ACTON, MASS.
ENGINEERING - PLANNING - SURVEYING
978-263-8585

SM-4555 (4555 SITE.DWG) SHEET 3 OF 4