

Stamski and McNary, Inc.
Engineering - Planning - Surveying
1000 Main Street Acton, MA 01720 (978) 263-8585

Request for Determination of Applicability

Under the Massachusetts Wetland Protection Act,
M.G.L. c. 131, s. 40
and
Town of Acton Wetlands Protection Bylaw

for

**Lot 1
The Residences at Constitution Drive
27 Jackson Drive
Map E-3, Parcel 25
Acton, MA 01720**

Applicant: Lexington Holding, LLC
6 Open Space Drive
Sandwich, MA 02563

Date: October 3, 2013

SM-4993

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Project Narrative

WPA Form 1 – Request for Determination of Applicability

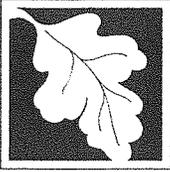
Attachments:

- A. U.S.G.S. Map
- B. Massachusetts Natural Heritage Atlas Map dated: Oct. 1, 2008
- C. Sewage Disposal Plan by Stamski and McNary, Inc

Narrative:

The proposed work, within the buffer zone of a BVW associated with construction of the dwelling on Lot 1 consists of installing a water service connection and grading (472 square feet) associated with the front yard lawn near the proposed roof drywell, which will be located just outside the buffer zone. The proposed work is located a distance of 88'+/- from the edge of the BVW and a siltation barrier will be provided on Lot 1.

A notice of Intent has been filed for the work on Lot 1 within the drainage easement in association with the proposed private way. The change from existing conditions to proposed conditions involves the removing of a portion of a paved driveway, grading, and revegetating the previous paved and landscaped area.



WPA Form 1- Request for Determination of Applicability

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

A. General Information

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



1. Applicant:

Mark Schulman
Name

Schulman123@gmail.com
E-Mail Address

6 Open Space Drive
Mailing Address

Sandwich
City/Town

MA
State

02563
Zip Code

(978) 740-8411
Phone Number

Fax Number (if applicable)

2. Representative (if any):

Stamski and McNary Inc.
Firm

Richard J. Harrington
Contact Name

rjh@stamskiandmcnary.com
E-Mail Address

1000 Main St
Mailing Address

Acton
City/Town

MA
State

01720
Zip Code

(978) 263 8585 EXT 211
Phone Number

Fax Number (if applicable)

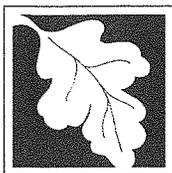
B. Determinations

1. I request the Acton Conservation Commission make the following determination(s). Check any that apply:

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance or bylaw** of:

Acton
Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



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C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

27 Jackson Drive	Acton
Street Address	City/Town
E-3	25
Assessors Map/Plat Number	Parcel/Lot Number

b. Area Description (use additional paper, if necessary):

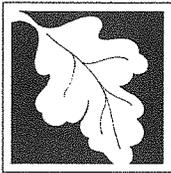
Lot 1 is part of a residential subdivision where a private way and associated stormwater controls within an easement on the Lot have been submitted under a separate Notice of Intent. The area on Lot 1 associated with this request is currently cleared and contains a segment of paved driveway and open landscape area located a distance of 88' +/- from the edge of BVW.

c. Plan and/or Map Reference(s):

Sewage Disposal Plan	10/3/13
Title	Date
_____	_____
Title	Date
_____	_____
Title	Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

The work proposed on Lot 1 relative to this Request is adjacent to the proposed dwelling within the front yard area. A proposed water service connection and front yard grading consisting of 6" loam and seed will be installed within the buffer zone of a BVW. A separate Notice of Intent has been filed for the work associated with the private way and associated stormwater basin on Lot 1 within the drainage and utility easement. An additional siltation barrier will be provided along the frontage of Lot 1 to control erosion.



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C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

10.02; (2)(b)1.e Conversion of lawn to lawn.

10.02: (2)(B)1.f Conversion of impervious to vegetated surface.

Erosion controls provided and work is greater than 50' from BVW..

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

Single family house on a lot recorded on or before 8/1/96

Single family house on a lot recorded after 8/1/96

Expansion of an existing structure on a lot recorded after 8/1/96

Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96

New agriculture or aquaculture project

Public project where funds were appropriated prior to 8/7/96

Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision

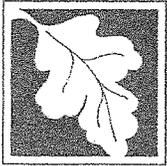
Residential subdivision; institutional, industrial, or commercial project

Municipal project

District, county, state, or federal government project

Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Acton
City/Town

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D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Xiaohong Qin

Name

27 Jackson Drive

Mailing Address

Acton

City/Town

MA

State

01720

Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Signature of Applicant

Date

Sept 18, 2013

Signature of Representative (if any)

Date

WINIFRED A. PIERCE
ATTORNEY AT LAW
CLIENT IOLTA ACCOUNT
P.O. BOX 20777
WORCESTER, MA 01602

3973
51-7218/2211

DATE 9-18-13

PAY
TO THE
ORDER OF

Down of Acton, MA

\$ 45⁰⁰

Forty-five 00/100

DOLLARS



PEOPLE'S UNITED BANK

FOR _____

Winifred A. Pierce

Attachment A
U.S.G.S. Map

MIDDLESEX COUNTY

LEOMINSTER 26 KM.
4.3 KM. TO INTERSTATE 495

27° 30'

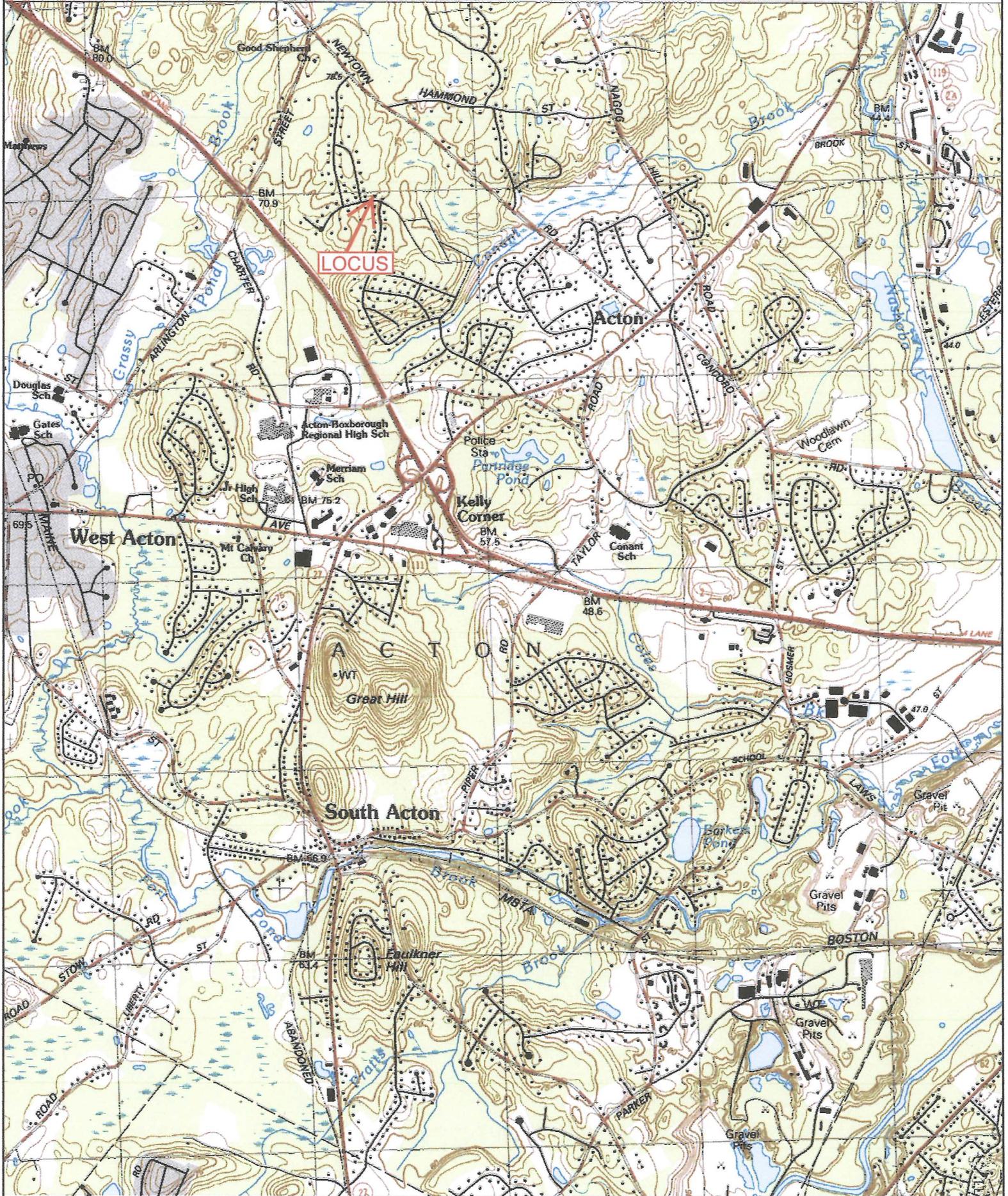
799

300

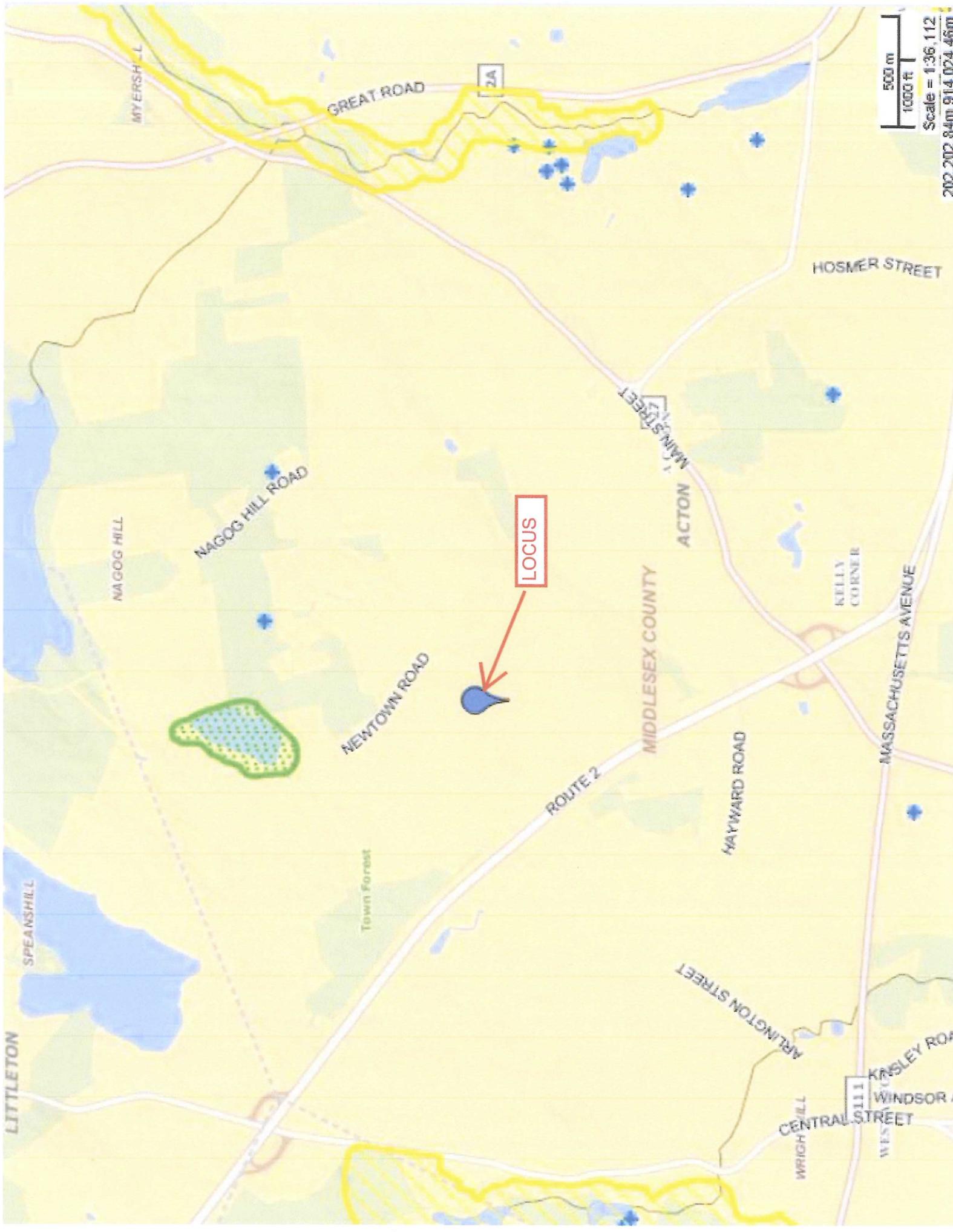
LOWELL 21 KM. ↑
CHELMSFORD 13 KM. ↑

7.1 KM. TO INTERST

25'



Attachment B
Massachusetts Natural Heritage Atlas Map



500 m
1000 ft
Scale = 1:36,112
202.202.84m 914.024.46m

Attachment C
Sewage Disposal Plan

