

Stamski and McNary, Inc.

Engineering - Planning - Surveying

1000 Main Street Acton, MA 01720 (978) 263-8585

www.stamskiandmcnary.com

Abbreviated Notice of Resource Area Delineation

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

for

**Map E-3, Parcel 25
27 Jackson Drive
Acton, MA 01720**

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

Date: December 6, 2012

SM-4993

Table of Contents

- **WPA Form 4A** (Abbreviated Notice of Resource Area Delineation)
- **WPA Form 4A** (ANRAD Wetland Fee Transmittal Form)
- **Certified List of Abutters**
- **Affidavit of Services**
- **Notification to Abutters**
- **Attachments:**
 - *U.S.G.S. Locus Map*
 - *DEP Data Forms*
 - *Resource Area Delineation Plan by Stamski And McNary, Inc. dated December 6, 2012*

WPA Form 4A (Abbreviated Notice of Resource Area Delineation)



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

**WPA Form 4A – Abbreviated Notice of
Resource Area Delineation**

MassDEP File Number

Document Transaction Number

Acton

City/Town

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

A. General Information

1. Project Location (**Note:** electronic filers will click on button for GIS locator):

27 Jackson Drive

a. Street Address

Acton

b. City/Town

01720

c. Zip Code

Latitude and Longitude:

42° 29' 29" N

d. Latitude

71° 27' 05" W

e. Longitude

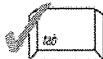
Map E3

f. Assessors Map/Plat Number

Parcel 25

g. Parcel /Lot Number

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



2. Applicant:

Mark

a. First Name

Schulman

b. Last Name

Lexington Holdings, LLC

c. Organization

6 Open Space Drive

d. Mailing Address

Sandwich

e. City/Town

MA

f. State

02563-3100

g. Zip Code

508.740.8411

h. Phone Number

i. Fax Number

Schulman123@gmail.com

j. Email Address

3. Property owner (if different from applicant):

Check if more than one owner (attach additional sheet with names and contact information)

Xiaohong

a. First Name

Qin

b. Last Name

c. Organization

27 Jackson Drive

d. Mailing Address

Acton

e. City/Town

MA

f. State

01720

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

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

4. Representative (if any):

Richard J.

a. Contact Person First Name

Harrington

b. Contact Person Last Name

Stamski and McNary, Inc.

c. Organization

1000 Main Street

d. Mailing Address

Acton

e. City/Town

MA

f. State

01720

g. Zip Code

978-263-8585

h. Phone Number

978-263-9883

i. Fax Number

rjh@stamskiandmcnary.com

j. Email Address

Fees will be calculated for online users.

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

\$200.00

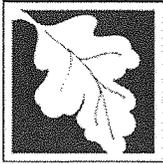
a. Total Fee Paid

\$87.50

b. State Fee Paid

\$112.50

c. City/Town Fee Paid



**WPA Form 4A – Abbreviated Notice of
Resource Area Delineation**

MassDEP File Number

Document Transaction Number

Acton

City/Town

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

B. Area(s) Delineated

1. Bordering Vegetated Wetland (BVW) 737'±
Linear Feet of Boundary Delineated

2. Check all methods used to delineate the Bordering Vegetated Wetland (BVW) boundary:

- a. MassDEP BVW Field Data Form (attached)
- b. Other Methods for Determining the BVW boundary (attach documentation):
 - 1. 50% or more wetland indicator plants
 - 2. Saturated/inundated conditions exist
 - 3. Groundwater indicators
 - 4. Direct observation
 - 5. Hydric soil indicators
 - 6. Credible evidence of conditions prior to disturbance

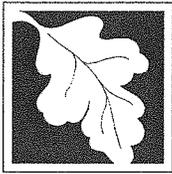
3. Indicate any other resource area boundaries that are delineated:

_____ a. Resource Area	_____ b. Linear Feet Delineated
_____ c. Resource Area	_____ d. Linear Feet Delineated

C. Additional Information

Applicants must include the following plans with this Abbreviated Notice of Resource Area Delineation. 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. ANRAD (Delineation Plans only)
- 2. 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.)
- 3. Plans identifying the boundaries of the Bordering Vegetated Wetlands (BVW) (and/or other resource areas, if applicable).
- 4. List the titles and final revision dates for all plans and other materials submitted with this Abbreviated Notice of Resource Area Delineation.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 4A – Abbreviated Notice of
Resource Area Delineation
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

 MassDEP File Number

 Document Transaction Number
 Acton

 City/Town

D. Fees

The fees for work proposed under each Abbreviated Notice of Resource Area Delineation must be calculated and submitted to the Conservation Commission and the Department (see Instructions and Wetland Fee Transmittal Form).

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 the attached Wetland Fee Transmittal Form) to confirm fee payment:

3413	12/5/12
2. Municipal Check Number	3. Check date
3412	12/5/12
4. State Check Number	5. Check date
Winifred	Pierce
6. Payor name on check: First Name	7. Payor name on check: Last Name



**WPA Form 4A – Abbreviated Notice of
Resource Area Delineation**

MassDEP File Number

Document Transaction Number

Acton

City/Town

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

E. Signatures

I certify under the penalties of perjury that the foregoing Abbreviated Notice of Resource Area Delineation 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 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.

I hereby grant permission, to the Agent or member of the Conservation Commission and the Department of Environmental Protection, to enter and inspect the area subject to this Notice at reasonable hours to evaluate the wetland resource boundaries subject to this Notice, and to require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.

I acknowledge that failure to comply with these certification requirements is grounds for the Conservation Commission or the Department to take enforcement action.

1. Signature of Applicant

12-5-12

2. Date

3. Signature of Property Owner (if different)

12-5-12

4. Date

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

Two copies of the completed Abbreviated Notice of Resource Area Delineation (Form 4A), including supporting plans and documents; two copies of the ANRAD Wetland Fee Transmittal Form; and the city/town fee payment must be sent to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Abbreviated Notice of Resource Area Delineation (Form 4A), including supporting plans and documents; one copy of the ANRAD Wetland Fee Transmittal Form; and a copy of the state fee payment must be sent to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery. (E-filers may submit these electronically.)

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.

WPA Form 4A (ANRAD Wetland Fee Transmittal Form)

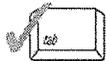


Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 4A – ANRAD 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:

Mark Schulman
a. First Name b. Last Name c. Organization
6 Open Space Drive
d. Mailing Address
Sandwich MA 02563-3100
e. City/Town f. State g. Zip Code
508.740.8411
h. Phone Number

2. Property Owner (if different):

Xiaohong Qin
a. First Name b. Last Name c. Organization
27 Jackson Drive
d. Mailing Address
Acton MA 01720
e. City/Town f. State g. Zip Code
h. Phone Number

3. Project Location:

27 Jackson Drive Acton
a. Street Address b. City/Town

B. Fees

The fee is calculated as follows for each resource area delineation included in the ANRAD (check applicable project type):

Bordering Vegetated Wetland:

1. <input checked="" type="checkbox"/>	single family house project	<u>737'±</u> a. linear feet	<u>\$1,474</u> x \$2.00 =	<u>\$200.00</u> b. Total fee not to exceed \$200
2. <input type="checkbox"/>	all other projects	_____ a. linear feet	_____ x \$2.00 =	_____ b. Total fee not to exceed \$2,000

Other resource area (e.g., Bank, Riverfront Area, etc.):

3. <input type="checkbox"/>	single family house project	_____ a. linear feet	_____ x \$2.00 =	_____ b. Total fee not to exceed \$200
4. <input type="checkbox"/>	all other projects	_____ a. linear feet	_____ x \$2.00 =	_____ b. Total fee not to exceed \$2,000

Total Project Fee (not to exceed \$200 for projects on single-family house lots and not to exceed \$2,000 for all other projects):

\$200
5. Total fee

State share of filing fee:

\$87.50
6. 1/2 of total fee less \$12.50

City/Town share of filing fee:

\$112.50
7. 1/2 of total fee plus \$12.50



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 4A – ANRAD Wetland Fee Transmittal Form

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

C. Submittal Requirements

- a.) Send a copy of this form, with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts, to:

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Abbreviated Notice of Resource Area Delineation; a **copy** of this form; and the city/town fee payment.
- c.) **To MassDEP Regional Office** (see Instructions): Send one copy of the Abbreviated Notice of Resource Area Delineation (and any additional documentation required); a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

Certified List of Abutters



Town of Acton
472 Main Street
Acton, MA 01720
Telephone (978) 929-6621
Fax (978) 264-9630

Brian McMullen
Assessor

Locus: 27 JACKSON DR
Parcel ID: E3-25

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City	ST	Zip
69 WASHINGTON DR	E3-42-3	BERGER RICHARD	FITZPATRICK MARCIA	69 WASHINGTON DR	ACTON	MA	01720
12 MADISON LN	E3-10-15	NORDSTROM CARL H		12 MADISON LN	ACTON	MA	01720
31 JACKSON DR	E3-25-1	MACFARLANE IVOR S	MACFARLANE DIANE M	31 JACKSON DR	ACTON	MA	01720
25 JACKSON DR	E3-26	MICHAEL STEPHEN	AMY	25 JACKSON DR	ACTON	MA	01720
29 JACKSON DR	E3-25-2	HINDS RAYNARD O	SANDRA	29 JACKSON DR	ACTON	MA	01720
110 NEWTOWN RD	E3-114	GRIGSBY BARRY		110 NEWTOWN RD	ACTON	MA	01720
11 MONROE DR	E3-87-65	DIRIK ART	DIRIK SEHNAZ	11 MONROE DR	ACTON	MA	01720
33 JACKSON DR	E3-10-19	ROWLES BRIAN C	ROWLES ELAINE M	33 JACKSON DR	ACTON	MA	01720
21 JACKSON DR	E3-26-2	THIIM MICHAEL	ROCKWELL-THIIM CHRISTINE	33 JACKSON DR	ACTON	MA	01720
10 MADISON LN	E3-10-11	DUNN THOMAS	DUNN LOUISE M	10 MADISON LN	ACTON	MA	01720
108B NEWTOWN RD	E3-114-1	SRINIVASAN VENKATESH	SRINATH JAYANTHI	108B NEWTOWN RD	ACTON	MA	01720
19 JACKSON DR	E3-26-1	GUPTA ANUP	GUPTA ARCHANA	19 JACKSON DR	ACTON	MA	01720

The owner of land sharing a common boundary or corner with the site of the proposed activity (100 feet) 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.

MARTY ABBOTT

19-Nov-12

Acton Assessors Office

Affidavit of Services

AFFIDAVIT OF SERVICES
Under the Massachusetts Wetlands Protection Act
(to be submitted to the Massachusetts Department of
Environmental Protection and the Department of Natural
Resources
when filing an Abbreviated Notice of Resource Area
Delineation)

I, James Melvin, hereby certify under the pains and penalties of perjury that on 12/6/12 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:

An Abbreviated Notice of Resource Area Delineation
filed under the Massachusetts Wetlands Protection
Act by Lexington Holdings LLC with the Acton
Conservation Commission for property located at 27
Jackson Drive, Assessor's Map E-3, Parcel 25.

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: James Melvin

Date: 12/6/12

Notification to Abutters

NOTIFICATION TO ABUTTERS
UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT
AND THE TOWN OF ACTON WETLANDS BYLAW

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40 and the Town of Acton Bylaws, you are hereby notified of the following:

The Applicant: Lexington Holdings LLC

Address: 6 Open Space Drive Sandwich, MA Phone: (508) 740-8411

has filed an 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: Stamski and McNary, Inc.

Address 1000 Main, Acton, MA 01720 Phone: (978) 263-8585

The address of the property where the activity is proposed: 27 Jackson Drive

Town Atlas Plate/Map E-3 Parcel/Lot 25

Project Description: Confirmation of Wetlands Delineation and Riverfront Area.

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,

December 19 , 2012 at 7:00 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: 413-784-1100

U.S.G.S. Locus Map

MIDDLESEX COUNTY

LEOMINSTER 26 KM.
4.3 KM. TO INTERSTATE 495

27' 30"

299

300

LOWELL 21 KM.
CHELMSFORD 13 KM.

7.1 KM. TO INTERST

25'



DEP Data Forms

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: _____ Prepared by: B & C Associates Inc. Project location: 27 Jackson Drive, Acton DEP File #: _____

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
 Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
 Method other than dominance test used (attach additional information)

Section I. Vegetation Observation Plot Number: 1 Transect Number: A Date of Delineation: 10/18/12

A. Sample Layer and Plant Species (by common/scientific name)		B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category *	
Herbaceous:	Partridgeberry	<i>Mitchella repens</i>	3.0	50%	Yes	FACU
	Cinnamon Fern	<i>Osmunda cinnamomea</i>	3.0/6.0	50%	Yes	FACW *
Shrubs:	Sweet Pepperbush	<i>Clethra alnifolia</i>	63.0	95%	Yes	FAC+ *
	White Pine	<i>Pinus strobus</i>	3.0/66.0	5%	No	FACU
Saplings:	White Pine	<i>Pinus strobus</i>	10.5	33%	Yes	FACU
	Tupelo	<i>Nyssa sylvatica</i>	10.5	33%	Yes	FACW+ *
	Red Maple	<i>Acer rubrum</i>	10.5/31.5	33%	Yes	FAC *
Lianas:	None					
Overstory:	Black Birch	<i>Betula lenta</i>	689.4	84%	Yes	FACU
	Red Maple	<i>Acer rubrum</i>	95.7	12%	No	FAC *
	White Ash	<i>Fraxinus americana</i>	32.9/818.0	4%	No	FACU

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants: 4 Number of dominant non-wetland Indicator plant: 3

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? YES

Section II. Indicators of Hydrology
Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? YES

title/date: Middlesex County 2/26/10

map number: 1

soil type mapped: Narragansett silt loam

hydric soil inclusions:

Are field observations consistent with soil survey? YES

Remarks:

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
A	0-7"	10 YR 2/1	
B	7-16"	10 YR 4/4	

Remarks:

3. Other: 8' 3" to Wetland Flag # 19
 9' 1" to Wetland Flag # 20

Conclusion: Is soil hydric? NO

Other Indicators of Hydrology: (check all that apply and describe)

- Site inundated: _____
- Depth to free water in observation hole: _____
- Depth to soil saturation in observation hole: _____
- Water marks: _____
- Drift lines: _____
- Sediment deposits: _____
- Drainage patterns in BVW: _____
- Oxidized rhizospheres: _____
- Water-stained leaves: _____
- Recorded data (stream, lake, or tidal gauge; aerial photo; other):

- Other: _____

Vegetation and Hydrology Conclusion

	Yes	No
Number of wetland indicator plants ≥ number of non-wetland indicator plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wetland hydrology present: hydric soil present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
other indicators of hydrology present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sample location is in a BVW	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Submit this form with the Request for Determination of Applicability or Notice of Intent

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: _____ Prepared by: B & C Associates Inc. Project location: 27 Jackson Drive, Acton DEP File #: _____

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
 Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
 Method other than dominance test used (attach additional information)

Section I. Vegetation Observation Plot Number: 2 Transect Number: A Date of Delineation: 10/18/12

A. Sample Layer and Plant Species (by common/scientific name)		B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category *	
Herbaceous:	Cinnamon Fern <i>Osmunda cinnamomea</i>	10.5/10.5	100%	Yes	FACW	*
Shrubs:	Sweet Pepperbush <i>Clethra alnifolia</i>	38.0	93%	Yes	FAC+	*
	White Pine <i>Pinus strobus</i>	3.0/41.0	7%	No	FACU	
Saplings:	White Pine <i>Pinus strobus</i>	10.5	50%	Yes	FACU	
	Tupelo <i>Nyssa sylvatica</i>	10.5/21.0	50%	Yes	FACW+	*
Lianas:	None					
Overstory:	Black Birch <i>Betula lenta</i>	557.2	81%	Yes	FACU	
	Red Maple <i>Acer rubrum</i>	95.7	14%	No	FAC	*
	White Ash <i>Fraxinus americana</i>	32.9/685.8	5%	No	FACU	

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants: 3 Number of dominant non-wetland Indicator plant: 2

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? YES

Section II. Indicators of Hydrology
Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? YES

title/date: Middlesex County 2/26/10

map number: 1

soil type mapped: Whitman fine sandy loam

hydric soil inclusions:

Are field observations consistent with soil survey? YES

Remarks:

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
O _A	0-13"	10 YR 2/1	

Remarks: Refusal @ 13"

3. Other: 6' 9" to Wetland Flag # 19
 12' 10" to Wetland Flag # 20
 11' 8" Downgradient from A1

Conclusion: Is soil hydric? YES

Other Indicators of Hydrology: (check all that apply and describe)

- Site inundated: _____
- Depth to free water in observation hole: _____
- Depth to soil saturation in observation hole: 0"
- Water marks: _____
- Drift lines: _____
- Sediment deposits: _____
- Drainage patterns in BVW: _____
- Oxidized rhizospheres: _____
- Water-stained leaves: _____
- Recorded data (stream, lake, or tidal gauge; aerial photo; other):

- Other: _____

Vegetation and Hydrology Conclusion

	Yes	No
Number of wetland indicator plants ≥ number of non-wetland indicator plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wetland hydrology present: hydric soil present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
other indicators of hydrology present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sample location is in a BVW	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Submit this form with the Request for Determination of Applicability or Notice of Intent

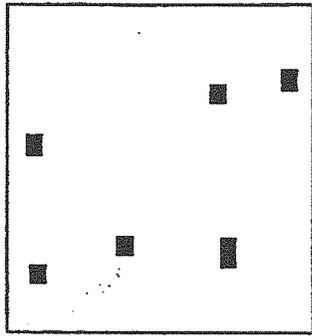
Hydric Soil Indicators

Most hydric soils have a soil horizon with a chroma of 0, 1, or 2 below the A-horizon. These are referred to as low-chroma colors. (Reminder: the Munsell Soil Color Charts are used to determine soil colors.) Generally, when evaluating mineral soils for low-chroma colors or other evidence of saturation, look for indicators directly below the A-horizon and within the top 12 inches of the soil surface. In areas where the O-horizon is less than 8 inches thick, soil depths are measured from the bottom of the O-horizon. When the O-horizon is 8 inches or greater (for histosols and soils with histic epipedons), such depths are measured from the soil surface. The soil surface is the top of the mineral soil; or, for soils with an O-horizon, the soil surface is measured from the top of the O-horizon. Fresh leaf or needle fall that has not undergone observable decomposition (the litter layer) is excluded from soil and may be separately described.

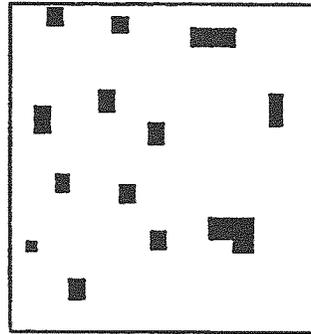
The following is a list of some hydric soil indicators - any of which can be used to identify the presence of wetland hydrology:

- ◆ Histosols (organic soils). Histosols are soils with at least 16 inches of organic material measured from the soil surface.
- ◆ Histic epipedons. These are soils with 8 to 16 inches of organic material measured from the soil surface.
- ◆ Sulfidic material. A strong "rotten egg" smell generally is noticed immediately after the soil test hole is dug.
- ◆ Gleyed soils. Soils that are predominantly neutral gray, or occasionally greenish or bluish gray in color within 12 inches from the bottom of the O-horizon. (The Munsell Soil Color Charts have special pages for gleyed soils.)
- ◆ Soils with a matrix chroma of 0 or 1 and values of 4 or higher within 12 inches from the bottom of the O-horizon.
- ◆ Within 12 inches from the bottom of the O-horizon, soils with a chroma of 2 or less and values of 4 or higher in the matrix, and mottles with a chroma of 3 or higher.
- ◆ Within 12 inches from the bottom of the O-horizon, soils with a matrix chroma of 3 and values of 4 or higher, with 10 percent or more low-chroma mottles, as well as indicators of saturation (i.e., mottles, oxidized rhizospheres, concretions, nodules) within 6 inches of the soil surface.

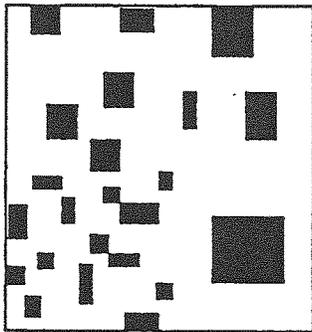
Charts for Estimating Percent Redoximorphic Features



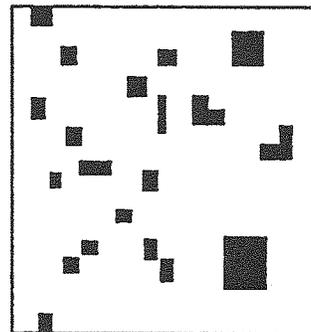
2%



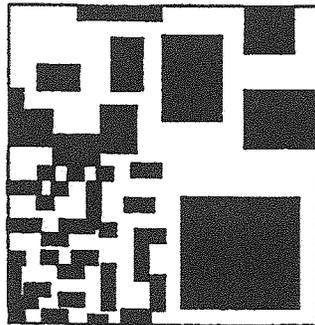
5%



20%



10%



50%

ABUNDANCE
0-2 FFW
2-20 common
20+ rare

**Resource Area Delineation Plan by
Stamski and McNary, Inc., dated December 6, 2012**

LEGEND:

- N/F NOW OR FORMERLY OVERHEAD WIRES
- TREE LINE
- UP UTILITY POLE
- GG* GAS GATE
- G— GAS SERVICE (BURIED)
- WG* WATER GATE
- W— WATER SERVICE (BURIED)
- DMH DRAIN MANHOLE
- D— SUB-SURFACE DRAIN LINE
- EXISTING CONTOUR
- - - EXISTING CONTOUR
- ☆ LIGHTPOLE
- △ WETLAND FLAG
- 99X9 SPOT ELEVATION
- STONE WALL



EDGE OF BORDERING VEGETATED WETLANDS DELINEATED BY B & C ASSOCIATES

UTILITY NOTE:

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 DAMAGES 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 TELEPHONE No. 1-888-344-7233.

DATUM

ELEVATIONS SHOWN ON THIS PLAN REFER TO AN ASSUMED BASE.

RESOURCE AREA
DELINEATION PLAN
IN
ACTON, MASSACHUSETTS
(MIDDLESEX COUNTY)

FOR: LEXINGTON HOLDING, LLC
SCALE: 1"=30' DECEMBER 6, 2012

STAMSKI AND MCNARY, INC.
1000 MAIN STREET ACTON, MASSACHUSETTS
ENGINEERING - PLANNING - SURVEYING



From: CERO_NOI@MassMail.state.ma.us
To: schulman123@gmail.com; rjh@stamskiandmcnary.com
Cc: ceronoi@state.ma.us; Conservation Commission; ceronoi@state.ma.us
Subject: MassDEP NOI File Number
Date: Monday, December 17, 2012 9:24:20 AM

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
CENTRAL REGIONAL OFFICE
627 MAIN STREET, WORCESTER, MA 01608 508-792-7650

Date: 12/17/2012

Municipality ACTON

RE: **NOTIFICATION OF WETLANDS PROTECTION ACT FILE NUMBER**

The Department of Environmental Protection has received a Notice of Intent filed in accordance with the Wetlands Protection Act (M.G.L. c. 131, §40):

Applicant LEXINGTON HOLDINGS LLC	Owner Address
Address 6 OPEN SPACE DR., SANDWICH MA 02563	
Locus 27 JACKSON DR , ACTON MA 01720	

This project has been assigned the following file # : **CE 085-1105**
ISSUANCE OF A FILE NUMBER INDICATES ONLY COMPLETENESS OF SUBMITTAL, NOT APPROVAL OF APPLICATION

Although a file # is being issued, please note the following:

N/A

Regards,
for MassDEP,

(508)-767-2711
Maryann.Dipinto@State.MA.US

27 Jackson

David Crossman [bcwetlands@hotmail.com]

Sent: Wednesday, December 19, 2012 3:59 PM**To:** Richard Harrington**Attachments:** Looking Uphill.JPG (1 MB) ; First 8 inches.JPG (1 MB) ; Second 8 Inches.JPG (1 MB)

Rich,

Attached are a couple of photos.

The one with Mr. Mirra just indicates the slope up hill from the wetland boundary. He is about 15 to 20 feet from the wetland line. Just to the left of the rock was ten feet from the middle of the wetland line between flags 19 & 20.

The soils were 2/1 (four inches) with some minor gray transitioning to a bright B horizon.

The next eight inches were still brown which indicates upland. The darker soil spots are from pulling the auger up through the A horizon.

Dave



