

**Stamski And McNary, Inc.**

**Engineering - Planning – Surveying**

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

[www.stamskiandmcnary.com](http://www.stamskiandmcnary.com)

# Notice of Intent

Under the Massachusetts Wetland Protection Act

for

**1 Lilac Court  
Map H-3 Parcel 58  
Acton, MA**

Applicant:

Pam Stevens  
92 Heather Circle  
Jefferson, MA 01522

Date:

September 17, 2013

SM-4466A

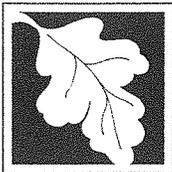
## Table of Contents

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

### Attachments:

- A. Project Narrative
- B. U.S.G.S. Map
- C. Massachusetts Natural Heritage Atlas 13<sup>th</sup> Edition, Effective: October 1, 2008
- D. FEMA Flood Insurance Map
- E. DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Forms
- F. Sewage Disposal Plan by Stamski and McNary, Inc.





**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

**A. General Information (continued)**

6. General Project Description:

Replacement of an existing failed septic system within the 100-Foot Buffer Zone of a Bordering Vegetated Wetland.

7a. Project Type Checklist:

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Single Family Home                | 2. <input 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 checked="" 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

a. County

58642

c. Book

b. Certificate # (if registered land)

298

d. Page Number

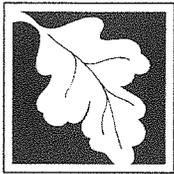
**B. Buffer Zone & Resource Area Impacts (temporary & permanent)**

- 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.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> 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)

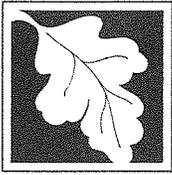
<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____ 3. cubic feet of flood storage lost _____	2. square feet _____ 4. cubic feet replaced _____
e. <input type="checkbox"/> Isolated 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):	
	<input type="checkbox"/> 25 ft. - Designated Densely Developed Areas only	
	<input type="checkbox"/> 100 ft. - New agricultural projects only	
	<input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	6. Was the lot where the activity is proposed created prior to August 1, 1996?	<input type="checkbox"/> Yes <input type="checkbox"/> 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.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
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

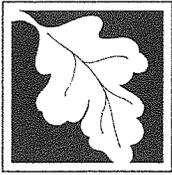
### Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

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](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  
 100 Hartwell Street, Suite 230  
 West Boylston, MA 01583

October 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](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](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.)

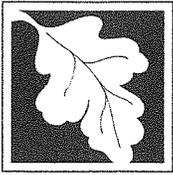
2.  Separate MESA review ongoing.

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?

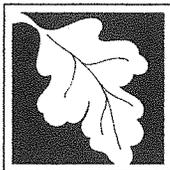
- a.  Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:

- 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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## 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.

Sewage Disposal Plan

a. Plan Title

Stamski and McNary, Inc.

b. Prepared By

September 17, 2013

d. Final Revision Date

George Dimakarakos, P.E.

c. Signed and Stamped by

1"=20'

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.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

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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:

4076 \_\_\_\_\_ 9/18/13 \_\_\_\_\_  
2. Municipal Check Number 3. Check date  
4075 \_\_\_\_\_ 9/18/13 \_\_\_\_\_  
4. State Check Number 5. Check date  
PAMELA \_\_\_\_\_ STEVENS \_\_\_\_\_  
6. Payor name on check: First Name 7. Payor name on check: Last Name

**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  
\_\_\_\_\_  
2. Date  
\_\_\_\_\_  
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.

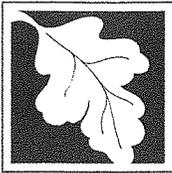
**For MassDEP:**

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.



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. Location of Project:

1 Lilac Court \_\_\_\_\_ Acton \_\_\_\_\_  
 a. Street Address b. City/Town  
 4075 \_\_\_\_\_ \$42.50 \_\_\_\_\_  
 c. Check number d. Fee amount

2. Applicant Mailing Address:

Pam \_\_\_\_\_ Stevens \_\_\_\_\_  
 a. First Name b. Last Name  
 \_\_\_\_\_  
 c. Organization  
 92 Heather Circle \_\_\_\_\_  
 d. Mailing Address  
 Jefferson \_\_\_\_\_ MA \_\_\_\_\_ 01522 \_\_\_\_\_  
 e. City/Town f. State g. Zip Code  
 (508) 829-0606 \_\_\_\_\_ pamstevens92@gmail.com \_\_\_\_\_  
 h. Phone Number i. Fax Number j. Email Address

3. Property Owner (if different):

See Attached List \_\_\_\_\_  
 a. First Name b. Last Name  
 \_\_\_\_\_  
 c. Organization  
 \_\_\_\_\_  
 d. Mailing Address  
 \_\_\_\_\_  
 e. City/Town \_\_\_\_\_ f. State \_\_\_\_\_ g. Zip Code \_\_\_\_\_  
 h. Phone Number \_\_\_\_\_ i. Fax Number \_\_\_\_\_ j. Email Address \_\_\_\_\_

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).

**B. Fees**

Fee should be calculated using the following process & 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.

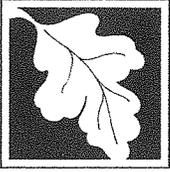
**Step 2/Number of Activities:** Identify the number of each type of activity.

**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.



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**B. Fees (continued)**

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Repair of septic system	1	\$110.00	\$110.00

**Step 5/Total Project Fee:** \_\_\_\_\_

**Step 6/Fee Payments:**

Total Project Fee:	\$110.00
State share of filing Fee:	\$42.50
City/Town share of filling Fee:	\$67.50
	a. Total Fee from Step 5
	b. 1/2 Total Fee less \$12.50
	c. 1/2 Total Fee plus \$12.50

**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.)

Pamela S Stevens  
92 Heather Cir  
Jefferson MA 01522

DATE 18 Sept 2013

53-0309/0113

PAY TO THE ORDER OF Town of Acton \$ 67.50

Sixty Seven 50/100 DOLLARS

NORTHERN BANK & TRUST COMPANY  
Woburn, MA. 01801-5939

MEMO 1 Lilac of Acton PStevens

Pamela S Stevens  
92 Heather Cir  
Jefferson MA 01522

DATE 18 Sept 2013

4075

53-0309/0113

PAY TO THE ORDER OF Commonwealth of Mass \$ 42.50

Forty Two 50/100 DOLLARS

NORTHERN BANK & TRUST COMPANY  
Woburn, MA. 01801-5939

MEMO 1 Lilac of Acton PStevens

**1 Lilac Court Owners**

Pamela S. Stevens  
92 Heather Circle  
Holden, MA 01522

Janice E. Beaudoin  
550 Massachusetts Ave  
Acton, MA 01720

Raymond H. Sawyer  
11 Winter Street  
Acton, MA 01720

Russell L. Sawyer  
1362 Route 9W  
Selkirk, NY 12158



Town of Acton  
 472 Main Street  
 Acton, MA 01720  
 Telephone 978-929-6621  
 Fax 978-929-6340

Brian McMullen  
 Assessor

LOCUS PARCEL ID	Location	Owner	Co-Owner	Mailing Address	City	ST	Zip
H3-46	1 LILAC CT H3-58	LANDRY CAROLE		17 PIPER RD	ACTON	MA	01720
H3-47	2 LILAC CT	TOWARD INDEPENDENT LIVING & LEARNING INC		20 EASTBROOK RD	DEDHAM	MA	01720
H3-48	4 LILAC CT	KUMAR MALAY	VASTA SMITH	67 LAWTON RD	SHIRLEY	MA	01464
H3-56	13 PIPER RD	CHORMANN JEFFREY H	CHORMANN SUSAN L	13 PIPER RD	ACTON	MA	01720
H3-59	3 LILAC CT	WANG YEBIN + XIAO GUO		3 LILAC CT	ACTON	MA	01720
H3-60	5 LILAC CT	PHANEUF ROBERT P	PHANEUF NAOMI L	5 LILAC CT	ACTON	MA	01720
H3-74	114 SCHOOL ST	TOWN OF ACTON		472 MAIN ST	ACTON	MA	01720
H3A-19	7 PIPER RD	PIPER ALVIN R		7 PIPER RD	ACTON	MA	01720
H3A-20	1 PIPER RD	FINNEAULT GARY D		1 PIPER RD	ACTON	MA	01720
H3A-36	105 SCHOOL ST	HONN DAVID		105 SCHOOL ST	ACTON	MA	01720
H3A-37	111 SCHOOL ST	111-113 SCHOOL STREET LLC		114 NEWTOWN RD	ACTON	MA	01720
H3A-44	56 RIVER ST	BRADY BRIAN	BRADY BRIGID O	56 RIVER ST	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*

Marty Abbott  
 Assessor's Office

8/5/2013

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, William Hall, hereby certify under the pains and penalties of perjury  
that on 9 / 19 / 13 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 Pam Stevens with the  
Acton Conservation Commission for properties  
located at 1 Lilac Court, Map H3 Parcel 58.

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: William Hall

Date: 9 / 19 / 13



**Attachment A**  
**Project Narrative**

## **Project Narrative**

### **Existing Conditions**

The site is approximately 0.92 acres and contains a single family dwelling with associated appurtenances. There is Bordering Vegetated Wetland (BVW) and Isolated Wetland located to the east of the site as well as a BVW located on site to the north.

### **Project Description**

The project is a proposed septic system to replace the existing failed septic system on site. The proposed system is located within the 100-Foot Buffer Zone of a Bordering Vegetated Wetland.

### **Resource Area Descriptions**

The resource areas are a Bordering Vegetated Wetland (BVW) and Isolated Wetland. The BVW and Isolated Wetland are located to the east and north of the proposed work.

### **Massachusetts Endangered Species Act Review:**

The project is not located in an area subject to MESA review.

### **Compliance with Town of Acton Wetlands Bylaw:**

The proposed septic system replacement is not subject to the Town of Acton Wetlands Protection Bylaw.

### **Compliance with General Performance Standards for BVW 310 CMR 10.55:**

The General Performance Standards for a Bordering Vegetated Wetland have been met since the proposed activity does not involve removing, filling, dredging or altering of a BVW. The proposed siltation controls will prevent indirect alteration of wetlands during construction.

**Attachment B**  
**U.S.G.S. Map**

# LESEX COUNTY

26 KM.  
INTERSTATE 495

27° 30'

299

300

LOWELL 21 KM.  
CHELMSFORD 13 KM.

7.1 KM. TO INTERSTATE 495

25'

302



<Default> - 1 Markers, Length = 0 feet

Locus - 042° 28' 39.8" N, 071° 26' 26.2" W

Copyright (C) 1997, Maptech, Inc.

**Attachment C**  
**Massachusetts Natural Heritage Atlas 13<sup>th</sup> Edition**

OXBOROUGH

ACTON

LOGUS

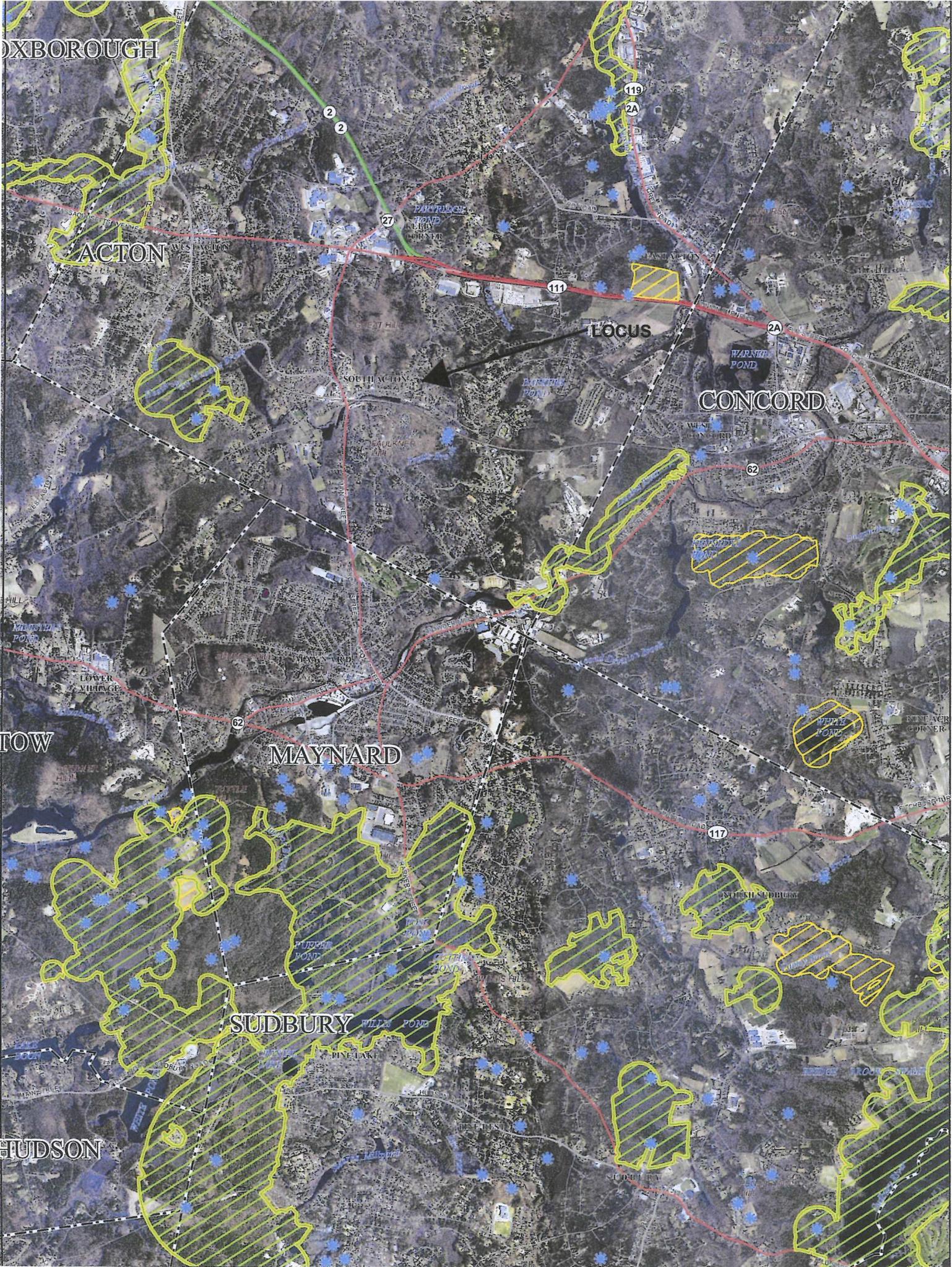
CONCORD

MAYNARD

SUDBURY

TOW

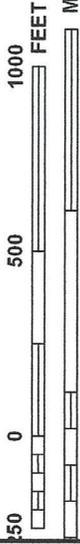
HUDSON



**Attachment D**  
**FEMA Flood Insurance Map**



MAP SCALE 1" = 500'



# NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0354E

## FIRM FLOOD INSURANCE RATE MAP MIDDLESEX COUNTY, MASSACHUSETTS (ALL JURISDICTIONS)

PANEL 354 OF 656  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
ACTON, TOWN OF	250176	0354	E
MAYNARD, TOWN OF	250204	0354	E
STOW, TOWN OF	250216	0354	E

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

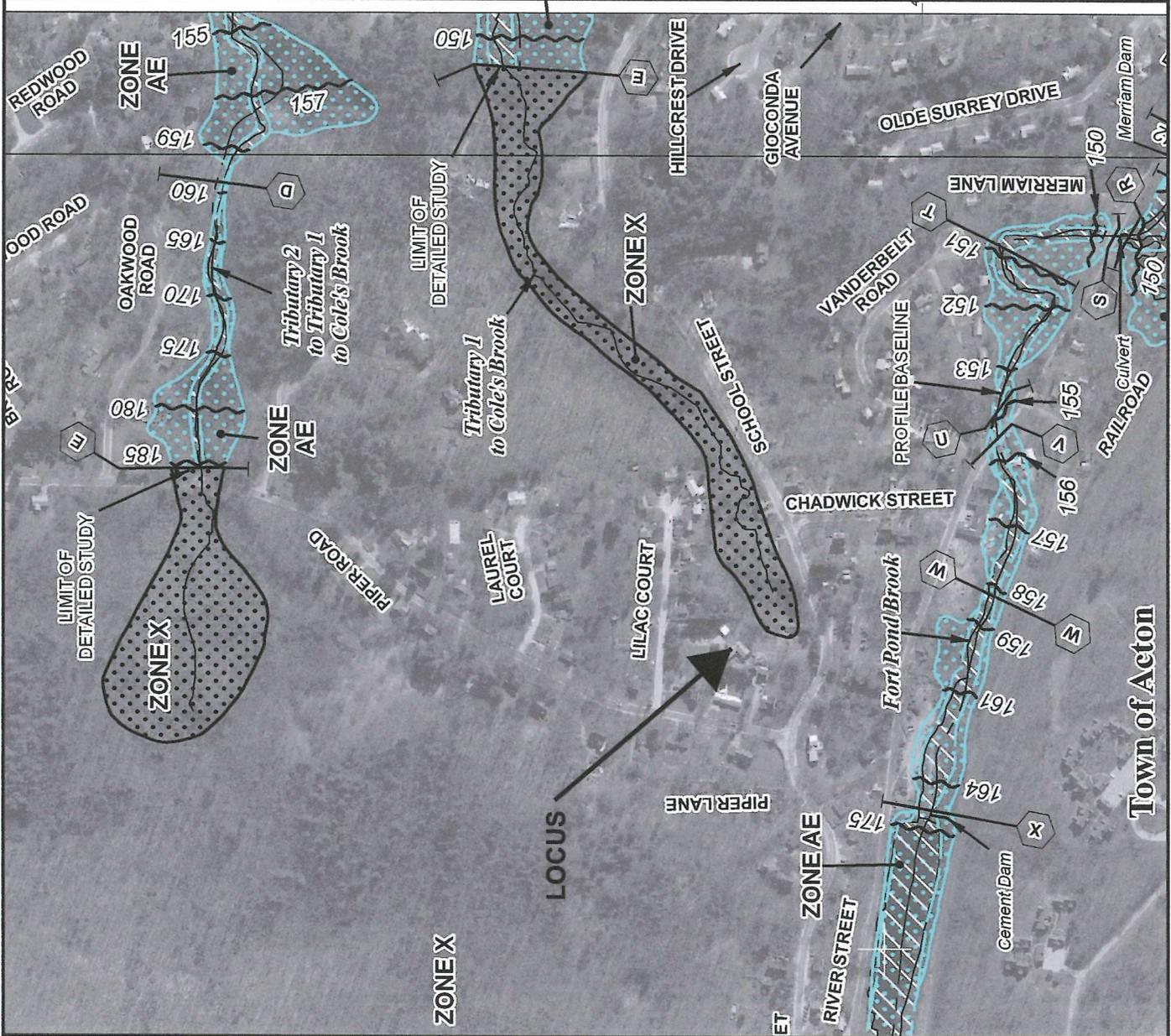


MAP NUMBER  
25017C0354E

EFFECTIVE DATE  
JUNE 4, 2010

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)



**Attachment E**  
**DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field**  
**Data Forms**

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

Applicant: \_\_\_\_\_ Prepared by: B & C Associates Inc. Project location: 1 Lilac Court, 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: 8/31/12

**A. Sample Layer and Plant Species (by common/scientific name)**

	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:	Jewelweed	63.0	82%	Yes	FACW *
	Woodbine	10.5	14%	No	FACU
	Poison Ivy	3.0/76.5	4%	No	FAC *
Shrubs:	Multiflora Rose	38.0	62%	Yes	FACU
	Winged Euonymus	20.5	33%	Yes	FAC
	European Buckthorn	3.0/61.5	5%	No	FAC *
Saplings:	Norway Maple	20.5/20.5	100%	Yes	UPL
Lianas:	Poison Ivy	10.5	44%	Yes	FAC *
	Woodbine	10.5	44%	Yes	FACU
	Oriental Bittersweet	3.0/24.0	12%	No	UPL
Overstory:	White Ash	612.8	50%	Yes	FACU
	Norway Maple	607.8/1220.6	50%	Yes	UPL

\* 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: 2 Number of dominant non-wetland indicator plant: 5

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? NO

**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: **Charlton fine sandy loam**

hydric soil inclusions:

Are field observations consistent with soil survey? **YES**

Remarks:

**2. Soil Description**

Horizon	Depth	Matrix Color	Mottles Color
A	0-10"	10 YR 4/2	

**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 BWV: \_\_\_\_\_
- Oxidized rhizospheres: \_\_\_\_\_
- Water-stained leaves: \_\_\_\_\_
- Recorded data (stream, lake, or tidal gauge; aerial photo; other): \_\_\_\_\_
- Other: \_\_\_\_\_

**Vegetation and Hydrology Conclusion**

Number of wetland indicator plants  Yes  No  
 ≥ number of non-wetland indicator plants

Wetland hydrology present:  
 hydric soil present

other indicators of hydrology present

**Sample location is in a BWV**

Remarks: **Refusal @ 10"**

3. Other: **10' 0" to Wetland Flag # 6  
8' 6" to Wetland Flag # 7**

Conclusion: Is soil hydric? **NO**

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

Applicant: \_\_\_\_\_ Prepared by: B & C Associates Inc. Project location: 1 Lilac Court, 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: 8/31/12

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:				
Wood-Reedgrass	63.0	43%	Yes	FACW+
Reed Canary Grass	38.0	26%	Yes	FACW+
Jewelweed	20.5	14%	No	FACW
Cattails	10.5	7%	No	OBL
Bugleweed	10.5	7%	No	OBL
Beggar-ticks	3.0/145.5	2%	No	FACW+
Shrubs:				
Multiflora Rose	10.5	78%	Yes	FACU
European Buckthorn	3.0/13.5	22%	Yes	FAC
Saplings:				
None				
Lianas:				
Poison Ivy	10.5	44%	Yes	FAC
Woodbine	10.5	44%	Yes	FACU
Oriental Bittersweet	3.0/24.0	12%	No	UPL
Overstory:				
White Ash	612.8	55%	Yes	FACU
Norway Maple	504.7/1117.5	45%	Yes	UPL

\* 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: 4

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

*If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent.* BC 1208-03 MA DEP: 3/95

**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
A	0-14"	10 YR 2/1	

**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 BWV: \_\_\_\_\_
- 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<br>≥ number of non-wetland indicator plants | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Wetland hydrology present:<br>hydric soil present                              | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| other indicators of hydrology<br>present                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>Sample location is in a BWV</b>   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Remarks: **Refusal @ 14"**

3. Other: **13' 4" to Wetland Flag # 6  
5' 3" to Wetland Flag # 7  
10' 11" Downgradient from A1**

Conclusion: Is soil hydric? **YES**

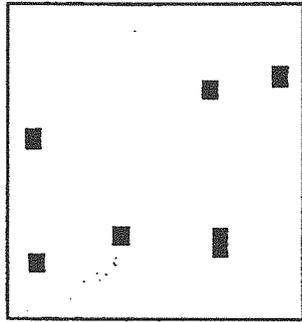
## Hydric Soil Indicators

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.

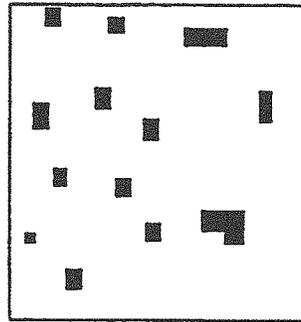
The following is a list of some hydric soil indicators - any of which can be used to identify the presence of wetland hydrology:

- ◆ 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.

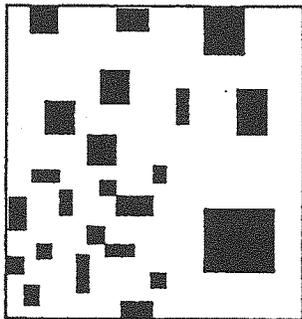
# Charts for Estimating Percent Redoximorphic Features



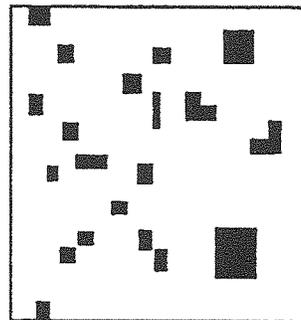
2%



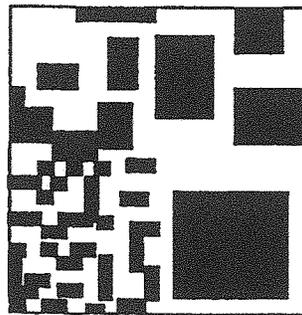
5%



20%



10%



50%

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

**Attachment F**  
**Sewage Disposal Plan**