



# OXBOW ASSOCIATES, INC.

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*Wetlands Delineation and Permitting Wildlife Studies Herpetology Vernal Pool Ecology*

## **Abbreviated Notice of Resource Area Delineation**

**Pursuant to the Massachusetts Wetlands  
Protection Act M.G.L. c. 131, §40 and  
Acton Wetlands By-Law**

**394 & 408 (Behind) Massachusetts Avenue  
Acton, Massachusetts  
(Map F3, Parcel 134 & 118-2)**

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*Submitted by:*

**Mr. Richard Mattocks  
TRB Development Group, Inc.  
36 Londonderry Turnpike  
Hooksett, NH 03106**

*Prepared by:*

**Oxbow Associates, Inc.  
P.O. Box 971  
Acton, MA 01720-0971**

**P 978 929-9058  
[www.oxbowassociates.com](http://www.oxbowassociates.com)**

**September 08, 2014**

**Abbreviated Notice of Resource Area Delineation  
394 & 408 (Behind) Massachusetts Avenue, Acton, MA**

(Map F3, Parcel 134; Map F3, Parcel 118-2)

**Property Owner: Vincent Cuttone  
394 Massachusetts Avenue LLC  
205 Willow Street  
Waltham, MA 02453**

**Anna Ludwig, Trustee  
Parker Lane Investment Trust  
205 Willow Street  
Waltham, MA 02453**

**Applicant: Richard Mattocks  
TRB Development Group, Inc.  
36 Londonderry Turnpike  
Hooksett, NH 03106**

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Notification to Abutters

List of 100-foot Abutters

Affidavit of Service

**Plans: Boundary and Topographic Survey  
Massachusetts Avenue & Main Street**

**Plans Prepared By: A. John Lloyd  
Control Points Associates, Inc.  
Massachusetts Professional Land Surveyor #38385  
352 Turnpike Road  
Southborough, MA 01772**



**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

\_\_\_\_\_  
 City/Town

**A. General Information**

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

\_\_\_\_\_  
 a. Street Address

\_\_\_\_\_  
 b. City/Town

\_\_\_\_\_  
 c. Zip Code

Latitude and Longitude:

\_\_\_\_\_  
 d. Latitude

\_\_\_\_\_  
 e. Longitude

\_\_\_\_\_  
 f. Assessors Map/Plat Number

\_\_\_\_\_  
 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:

\_\_\_\_\_  
 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

3. Property owner (if different from applicant):

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

\_\_\_\_\_  
 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

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

4. Representative (if any):

\_\_\_\_\_  
 a. Contact Person First Name

\_\_\_\_\_  
 b. Contact Person Last Name

\_\_\_\_\_  
 c. Organization

\_\_\_\_\_  
 d. Mailing Address

\_\_\_\_\_  
 e. City/Town

\_\_\_\_\_  
 f. State

\_\_\_\_\_  
 g. Zip Code

\_\_\_\_\_  
 h. Phone Number

\_\_\_\_\_  
 i. Fax Number

\_\_\_\_\_  
 j. Email Address

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

\_\_\_\_\_  
 a. Total Fee Paid

\_\_\_\_\_  
 b. State Fee Paid

\_\_\_\_\_  
 c. City/Town Fee Paid

Fees will be calculated for online users.





**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

\_\_\_\_\_  
City/Town



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## 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:

\_\_\_\_\_  
2. Municipal Check Number

\_\_\_\_\_  
3. Check date

\_\_\_\_\_  
4. State Check Number

\_\_\_\_\_  
5. Check date

\_\_\_\_\_  
6. Payor name on check: First Name

\_\_\_\_\_  
7. Payor name on check: Last Name



**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

**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.

<p><i>Richard Matt</i>          1. Signature of Applicant</p>	<p>_____          2. Date</p>
<p><i>394 Mass Ave LLC Anna Ludwig Parker LLC</i>          3. Signature of Property Owner (if different)</p>	<p>_____          4. Date</p>
<p><i>[Signature]</i>          5. Signature of Representative (if any)</p>	<p>_____          6. Date</p>

**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.



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**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. Location of Project:

_____	_____
a. Street Address	b. City/Town
_____	_____
c. Fee amount	d. Check number

2. Applicant:

_____	_____	_____
a. First Name	b. Last Name	c. Company
_____		
d. Mailing Address		
_____		
_____	_____	_____
e. City/Town	f. State	g. Zip Code
_____		
h. Phone Number		

3. Property Owner (if different):

_____	_____	_____
a. First Name	b. Last Name	c. Company
_____		
d. Mailing Address		
_____		
_____	_____	_____
e. City/Town	f. State	g. Zip Code
_____		
h. Phone Number		

**B. Fees**

The fee is calculated as follows for each Resource Area Delineation included in the ANRAD (check applicable project type). The maximum fee for each ANRAD, regardless of the number of Resource Area Delineations, is \$200 activities associated with a single-family house and \$2,000 for any other activity.

Bordering Vegetated Wetland Delineation Fee:

1. <input type="checkbox"/>	single family house project	_____	x \$2.00 =	_____
		a. feet of BVW		b. Fee for BVW
2. <input type="checkbox"/>	all other projects	_____	x \$2.00 =	_____
		a. feet of BVW		b. Fee for BVW

Other Resource Area (e.g., bank, riverfront area, etc.):

3. <input type="checkbox"/>	single family house project	_____	x \$2.00 =	_____
		a. linear feet		b. Fee
4. <input type="checkbox"/>	all other projects	_____	x \$2.00 =	_____
		a. linear feet		b. Fee

Total Fee for all Resource Areas: \_\_\_\_\_  
 Fee

State share of filing fee: \_\_\_\_\_  
 5. 1/2 of total fee **less** \$12.50

City/Town share of filing fee: \_\_\_\_\_  
 6. 1/2 of total fee **plus** \$12.50



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands  
**ANRAD Wetland Fee Transmittal Form**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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### **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 DEP Regional Office:** Send one copy of the Abbreviated Notice of Resource Area Delineation (and any additional documentation required as part of a Simplified Review Buffer Zone Project); a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

## OWNER INFORMATION

### Owner (1)

Assessor Info: **Map F3, Lot 134**

Address: 394 Massachusetts Avenue

Vincent Cuttone

394 Massachusetts Avenue LLC

205 Willow Street

Waltham, Massachusetts 02453

### Owner (2)

Assessor Info: **Map F3, Lot 118-2**

Address: 408 Massachusetts Avenue (Behind)

Anna Ludwig, Trustee

Parker Lane Investment Trust

205 Willow Street

Waltham, Massachusetts 02453

**Abbreviated Notice of Resource Area Delineation**  
**Site and Resource Area Description**

*394 & 408 (Behind) Massachusetts Avenue  
Acton, Massachusetts*

On behalf of the applicant, Mr. Richard Mattocks/TRB Development, Oxbow Associates, Inc. (OA) has prepared this Abbreviated Notice of Resource Area Delineation (ANRAD) for the parcels located at 394 and 408 (Behind) Massachusetts Avenue (Map 3F, Parcel 134 & 118-2). The applicant requests that the Acton Conservation Commission (ACC) confirm the greatest horizontal limit of jurisdictional wetland (Bordering Vegetated Wetland) located on the site (approximately 606± linear feet) under both the MA Wetlands Protection Act and the Town of Acton Wetlands Protection Bylaw (see Site Plan). For purposes of this review we have not discriminated between the BVW and Bank resource areas since there is no intention to alter either resource area in the future.

**Existing Conditions**

The subject parcels contain approximately 1.3 and 2.5 acres, respectively, and is located south of Massachusetts Avenue, north of Francine Road, and east of Main Street. The site includes an abandoned commercial facility with a paved driveway and parking lot, and undeveloped wooded land along the eastern and southern portions of the property. The topography is relatively flat around the developed areas of the property, gently sloping to the north. In the wooded areas to the east, there are steep descents where there is a forested wetland at the base of the slope. To the south, the topography is rolling, with gentle gradients, eventually draining to the forested wetland to the east. This Bordering Vegetated Wetland (BVW: 310 CMR 10.55) extends along the entire east side of the property. Further to the east exists an unnamed intermittent stream originating from a headwall beneath Mass. Ave., flowing south, away from the property, to the Coles Brook. This intermittent stream is not shown on the current USGS map. Coles Brook is identified as perennial on the USGS quadrangle, but its origination is located greater than 250-feet away from the property.

**Resource Area Description**

OA delineated the wetland on March 10, 2014 when there was approximately 6 inches of snow cover. The wetlands are marked with blue-plastic flags labeled OA B-1 to OA B-17. On May 1, 2014, once the snow had melted and vegetation was evident, OA reviewed and adjusted the wetland boundary. Acton Conservation staff (T. Tidman) was consulted to examine the wetland boundary before it was recovered via instrument survey. OA completed the DEP Field Data Forms (see attached) on August 14, 2014. Vegetation within the wetland includes red maple (*Acer rubrum*), American elm (*Ulmus americana*), green ash (*Fraxinus pennsylvanica*), common winterberry (*Ilex verticillata*), spicebush

(*Lindera benzoin*), arrowwood (*Viburnum recognitum*), cinnamon fern (*Osmunda cinnamomea*), interrupted fern (*O. claytoniana*), royal fern (*O. regalis*), spinulose wood-fern (*Dryopteris carthusiana*), skunk cabbage (*Symplocarpus foetidus*), poison ivy (*Toxicodendron radicans*), and jewelweed (*Impatiens capensis*). Upland vegetation includes eastern white pine (*Pinus strobus*), Northern red oak (*Quercus rubra*), red maple, multiflora rose (*Rosa multiflora*), Canada mayflower (*Maianthemum canadense*), hay-scented fern (*Dennstaedtia punctilobula*) and bittersweet (*Celastrus orbiculatus*).

In OA's opinion, the wetland boundary delineated in the field is a Bordering Vegetated Wetland and qualifies as a wetland under the Acton Wetlands Protection Bylaw. Limited portions qualify as Bank without associated BVW, however, the majority of the adjacent boundary defines BVW. Soils underlying the upland are Woodbridge (moderately well drained) with "bright" chromas (10YR 5/6 fsl), and within the wetland are Whitman (very poorly drained).

The resource area boundary shown on the attached Site Plan represents the full extent of this requested ANoRAD confirmation.

According to the Natural Heritage and Endangered Species Program (NHESP) Atlas (MassGIS data layer for 2008), there is no Habitat for Rare Wildlife on or near the site.



**Oxbow Associates, Inc.**  
 Wetlands Delineation and Permitting  
 Wildlife Studies • Herpetology  
 Vernal Pool Ecology  
 P.O. BOX 971  
 ACTON, MASSACHUSETTS 01720  
 PHONE: (978) 929-9058  
 FAX: (978) 635-1892  
 WEB: www.oxbowassociates.com

1:24,000  
 1 inch = 2,000 feet  
 0 1,000 2,000  
 Feet

**ANoRAD**  
**USGS Site Locus**  
**394 & 408 (Behind)**  
**Massachusetts Ave.**  
**Acton, MA**

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

Applicant: TRB Dev.      Prepared by: B. Butler      Project location: 394 Mass. Ave      DEP File #: Acton

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: UP btwn B5+B7      Transect Number: 1      Date of Delineation: 8-14-14

A. Sample Layer and Plant Species		B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
Common Name	Scientific Name				
<b>Gr.</b> Hay-scented fern	<i>Dennstaedtia punctilobula</i>	38.0	46%	YES	UPL
Canada mayflower	<i>Maianthemum canadense</i>	20.5	25%	YES	FACU
Bristly dewberry	<i>Rubus hispidus</i>	20.5	25%	YES	FACW*
Spicebush	<i>Lindera benzoin</i>	3.0	4%	NO	FACW*
<b>Shr.</b> Spicebush	<i>Lindera benzoin</i>	20.5	87%	YES	FACW*
Common winterberry	<i>Ilex verticillata</i>	3.0	13%	NO	FACW*
<b>Sap.</b> Green ash	<i>Fraxinus pennsylvanica</i>	10.5	50%	YES	FACW*
Red maple	<i>Acer rubrum</i>	10.5	50%	YES	FAC*
<b>Tr.</b> Eastern white pine	<i>Pinus strobus</i>	1016	53%	YES	FACU
Northern red oak	<i>Quercus rubra</i>	886	47%	YES	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+, 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 plants: **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.*

**Section II Indicators of Hydrology**

Hydric Soil Identification

1. Soil Survey

Is there a published soil survey for this site?	yes
title/date:	Middlesex County
map number:	29
soil type mapped:	Woodbridge
hydric soil inclusion	No

Are field observations consistent with soil survey?  yes  no  
Remarks:

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
O	1-0"	Duff	N/A
A	0-6"	10YR 3/3	N/A
Bw1	6-18+	10YR 5/6	N/A

Remarks:

3. Other:

Conclusion: Is soil hydric? **NO**

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

- Site inundated:
- Depth to free water in observation hole: 12"
- 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:

<b>Vegetation and Hydrology Conclusion</b>	yes	no
Number of wetland indicator plants ≥ number of non-wetland indicator plants	<b>X</b>	<input type="checkbox"/>
Wetland hydrology present:		
hydric soil present	<input type="checkbox"/>	<b>X</b>
other indicators of hydrology present	<input type="checkbox"/>	<b>X</b>
<b>Sample location is in a BVW</b>	<input type="checkbox"/>	<b>X</b>

*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: TRB Dev.

Prepared by: B. Butler

Project location: 394 Mass. Ave  
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: Wet B-6 Transect Number: 1 Date of Delineation: 8-14-14

A. Sample Layer and Plant Species	Scientific Name	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
Common Name					
<b>Gr.</b> Canada mayflower	<i>Maianthemum canadense</i>	3.0	4%	NO	FACU
Skunk cabbage	<i>Symplocarpus foetidus</i>	38.0	50%	YES	OBL*
Jewelweed	<i>Impatiens capensis</i>	10.5	14%	NO	FACW*
Spinulose wood fern	<i>Dryopteris carthusiana</i>	10.5	14%	NO	FACW*
Interrupted fern	<i>Osmunda claytoniana</i>	10.5	14%	NO	FAC*
Cinnamon fern	<i>Osmundastrum cinnamomeum</i>	3.0	4%	NO	FACW*
<b>Shr.</b> Spicebush	<i>Lindera benzoin</i>	38.0	78%	YES	FACW*
Flowering dogwood	<i>Cornus florida</i>	10.5	22%	YES	FACU
<b>Sap.</b> Green ash	<i>Fraxinus pennsylvanica</i>	10.5	50%	YES	FACW*
American elm	<i>Ulmus americana</i>	10.5	50%	YES	FACW*
<b>Tr.</b> Red maple	<i>Acer rubrum</i>	712	61%	YES	FAC*
Eastern white pine	<i>Pinus strobus</i>	379	32%	YES	FACU
American elm	<i>Ulmus americana</i>	50	4%	NO	FACW*
Green Ash	<i>Fraxinus pennsylvanica</i>	29	2%	NO	FACW*

\*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+, 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: **5**      Number of dominant non-wetland plants: **2**

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.*

**Section II Indicators of Hydrology**

Hydric Soil Identification

1. Soil Survey

Is there a published soil survey for this site?	yes
title/date:	Middlesex County
map number:	29
soil type mapped:	Whitman fine sandy loam
hydric soil inclusion	Yes

Are field observations consistent with soil survey?  yes  no  
Remarks:

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
A	0-9"	10YR 2/1	N/A
Bw1	9-15"	10YR 5/1	N/A
Bw2	15-18+"	5Y 6/1	5Y 6/6

Remarks:

3. Other:

Conclusion: Is soil hydric? **YES**

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

- Site inundated:
- Depth to free water in observation hole: 12"
- 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:

<b>Vegetation and Hydrology Conclusion</b>		
	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"/>
<b>Sample location is in a BVW</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

**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: \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

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: \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

The address of the property where the activity is proposed \_\_\_\_\_

Town Atlas Plate/Map \_\_\_\_\_ Parcel/Lot \_\_\_\_\_

Project Description \_\_\_\_\_

Copies of the Notice of Intent may be examined at the Conservation Office, Acton Town Hall, 472 Main Street, Acton between the hours of 9:00 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,  
\_\_\_\_\_ at \_\_\_\_\_ P.M.  
(date)

The notice of the public hearing will be published at least five (5) days in advance in the Acton edition of 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:

**\*DEP Central Region: 508-792-7650  
627 Main Street, Worcester MA 01608**



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

Brian McMullen  
Assessor

**Locus:** 394 Massachusetts Ave.  
**Parcel ID:** F3-134

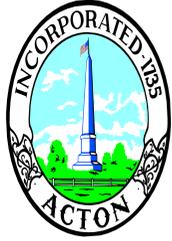
Parcel ID	Location	Owner	Co-Owner	Mailing Address	City
F3-118-2	408 MASS AV BEHIND	LUDWIG ANNA TRUSTEE	PARKER LANE INVESTMENT TRUST	205 WILLOW STREET	WALTHAM, MA 02054
F3-128	400 MASS AV	MUSTARD SEED PROPERTIES, LLC		14 PAGE RD	BEDFORD, MA 01730
F3-98	381 MASS AV	E&A NORTHEAST LTD PRTN	C/O EDENS & AVENT	PO BOX 528	COLUMBIA, SC 29202
G3-10-1	264 MASS AV	TOWN OF ACTON		472 MAIN STREET	ACTON, MA 01720
G3-10-101	360 MASS AV	NICHOLSON ROSEMARY TRUSTEE	PANDOLA REALTY TRUST	76 STRAWBERRY HILL ROAD	CONCORD, MA 01742
G3-10-102	380 MASS AV	CONCORD-ASSABET FAM + ADOL		380 MASS AVE	ACTON, MA 01720

The owner of sharing a common boundary or corne with the site of the propsed 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.

**Kelly Schorr**

30-Jul-14

Acton Assessors Office



**Town of Acton**  
 472 Main Street  
 Acton, MA 001720  
 Telephone (978) 929-6621  
 Fax (978) 264-9630

Brian McMullen  
Assessor

**Locus: 408 Mass. Ave. Behind**  
**Parcel ID: F3-118-2**

Parcel ID	Location	Owner	Co-Owner	Mailing Address	City
F3-118	414 MASS AV	NORTHERN BANK & TRUST		275 MISHAWUM RD	WOBURN, MA 01801
F3-118-1-1	418 MASS AV #1	ACTON ORTHODONTICS,LLC		418 MASS AV #1	ACTON, MA 01720
F3-118-1-2	418 MASS AV #2	ACTON DENTAL GROUP LLC		418 MASS AV #2	ACTON, MA 01720
F3-118-1-3	418 MASS AV #3	HWANG JAMES		418 MASS AV #3	ACTON, MA 01720
F3-118-1-4	418 MASS AV #4	CARLEY GILBERT E TRUSTEE	CARLEY ELIZABETH B TRUSTEE	7 ASHWOOD RD	ACTON, MA 01720
F3-118-1-5	418 MASS AV #5	BECOTTE NANCY E		418 MASS AV #5	ACTON, MA 01720
F3-118-1-6	418 MASS AV #6	ACTON DENTAL GROUP LLC		418 MASS AV #6	ACTON, MA 01720
F3-127	408 MASS AV	NOTCA LLC	TD BANK ENTERPRISE R.E.LILY LEE	380 WELLINGTON ST 12TH FLR	LONDON, ONTARIO N6AS4 CANADA
F3-128	400 MASS AV	MUSTARD SEED PROPERTIES, LLC		14 PAGE RD	BEDFORD, MA 01730
F3-134	394 MASS AV	394 MASSACHUSETTS AVENUE LLC		205 WILLOW ST	WALTHAM, MA 02453
G3-10-1	264 MASS AV	TOWN OF ACTON		472 MAIN STREET	ACTON, MA 01720
G3-10-101	360 MASS AV	NICHOLSON ROSEMARY TRUSTEE	PANDOLA REALTY TRUST	76 STRAWBERRY HILL ROAD	CONCORD, MA 01742
G3-10-102	380 MASS AV	CONCORD-ASSABET FAM + ADOL		380 MASS AVE	ACTON, MA 01720
G3-4	2 NADINE RD	CAPELESS CAROL L		6101 PELICAN BAY BLVD APT 1003	NAPLES, FL 34108
G3-5	4 NADINE RD	MAIMAN CRAIG E	MAIMAN ELLEN	4 NADINE RD	ACTON, MA 01720
G3-6	6 NADINE RD	JONES PETER R	JONES MAUREEN A	6 NADINE RD	ACTON, MA 01720
G3-7	8 NADINE RD	NOTHERN DENIS M	NOTHERN BONNY CANNELL	8 NADINE RD	ACTON, MA 01720
G3-8	10 NADINE RD	KOH SOON-SOUP	KOH SOO-JUNG	10 NADINE RD	ACTON, MA 01720
G3-9	6 FRANCINE RD	STERN NATHANIEL A	STERN DEBRA O	6 FRANCINE ROAD	ACTON, MA 01720

The owner of sharing a common bound 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.  
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**Kelly Schorr**

30-Jul-14

Acton Assessors Office

## AFFIDAVIT OF SERVICE

(ANRAD Application)

I, (name): Ron Strohsahl, Oxbow Associates, Inc., hereby certify under pains and penalties of perjury that on (date): September 8, 2014 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 (name): TRB Development Group, Inc. with the Acton Conservation Commission on (date): Sept. 8, 2014 for property located at (address, map/block/lot): 394 & 408 (Behind) Mass. Ave.  
Map F3, Parcel 134 & 118-2

The form of the notification, and a list of abutters to whom it was given and their addresses, are attached to this affidavit of service.

  
\_\_\_\_\_  
Signature

9/8/14  
\_\_\_\_\_  
Date