Stamski And McNary, Inc.
Engineering - Planning – Surveying
1000 Main Street; Acton, MA 01720 (978) 263-8585
www.stamskiandmcnary.com

Notice of Intent

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 H-3 Parcel 58
Lot A-2 School Street
Acton, MA

Applicant:	Pam Stevens 92 Heather Circle Jefferson, MA 01522
Owner:	Herb Sawyer 1 Lilac Court Acton, MA 01720
Date:	March 29, 2013

SM-4466A

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A. Project Narrative

B. U.S.G.S. Map

C. Massachusetts Natural Heritage Atlas 13th Edition, Effective: October 1, 2008

D. FEMA Flood Insurance Map

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

F. Wetland Permitting Plan by Stamski and McNary, Inc.

Notice of Intent - WPA Form 3

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

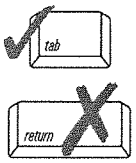
Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Acton
City/Town

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



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

A. General Information

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

Lot A-2 School Street — a. Street Address
Acton — b. City/Town
01720 — c. Zip Code

Latitude and Longitude:
d. Latitude
e. Longitude

H3 — f. Assessors Map/Plat Number
58 — g. Parcel /Lot Number

2. Applicant:

Pam — a. First Name
Stevens — b. Last Name

c. Organization
92 Heather Circle — d. Street Address
Jefferson — e. City/Town
MA — f. State
01522 — g. Zip Code
(508) 829-0606 — h. Phone Number
i. Fax Number
pamstevens92@gmail.com — j. Email Address

3. Property owner (required if different from applicant): ☐ Check if more than one owner

Herb — a. First Name
Sawyer — b. Last Name

c. Organization
1 Lilac Court — d. Street Address
Acton — e. City/Town
MA — f. State
01720 — g. Zip Code
(978) 263-7535 — h. Phone Number
i. Fax Number
j. Email address

4. Representative (if any):

Joseph — a. First Name
March, P.E., P.L.S. — b. Last Name
Stamski and McNary, Inc. — c. Company
1000 Main Street — d. Street Address
Acton — e. City/Town
MA — f. State
01720 — g. Zip Code
(978) 263-8585 — h. Phone Number
(978) 263-9883 — i. Fax Number
jm@stamskiandmcnary.com — j. Email address

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

$500.00 — a. Total Fee Paid
$237.50 — b. State Fee Paid
$262.50 + $100 Bylaw Fee — c. City/Town Fee Paid

A. General Information (continued)

6. General Project Description:

Construction of a proposed single-family dwelling.

7a. Project Type Checklist:

1. ☒ Single Family Home
2. ☐ Residential Subdivision
3. ☐ Limited Project Driveway Crossing
4. ☐ Commercial/Industrial
5. ☐ Dock/Pier
6. ☐ Utilities
7. ☐ Coastal Engineering Structure
8. ☐ Agriculture (e.g., cranberries, forestry)
9. ☐ Transportation
10. ☐ 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:

a. County	b. Certificate # (if registered land)
Middlesex	
c. Book	d. Page Number
58642	298

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

1. ☒ 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.
2. ☐ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. ☐ Bank	1. linear feet	2. linear feet
b. ☐ Bordering Vegetated Wetland	1. square feet	2. square feet
c. ☐ Land Under Waterbodies and Waterways	1. square feet	2. square feet
	3. cubic yards dredged	

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

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

2. Width of Riverfront Area (check one):

☐ 25 ft. - Designated Densely Developed Areas only

☐ 100 ft. - New agricultural projects only

☐ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☐ No

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

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

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. ☐ Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. ☐ Land Under the Ocean	1. square feet	
	2. cubic yards dredged	
c. ☐ Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. ☐ Coastal Beaches	1. square feet	2. cubic yards beach nourishment
e. ☐ Coastal Dunes	1. square feet	2. cubic yards dune nourishment

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

		Size of Proposed Alteration	Proposed Replacement (if any)
f. ☐	Coastal Banks	1. linear feet	
g. ☐	Rocky Intertidal Shores	1. square feet	
h. ☐	Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. ☐	Land Under Salt Ponds	1. square feet 2. cubic yards dredged	
j. ☐	Land Containing Shellfish	1. square feet	
k. ☐	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. ☐	Land Subject to Coastal Storm Flowage	1. square feet	

4. ☐ 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. ☐ Project Involves Stream Crossings

a. number of new stream crossings | b. number of replacement stream crossings

C. Other Applicable Standards and Requirements

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/priority_habitat/online_viewer.htm.

a. ☐ Yes ☒ No **If yes, include proof of mailing or hand delivery of NOI to:**

October 1, 2008
b. Date of map

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
100 Hartwell Street, Suite 230
West Boylston, MA 01583

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

If *yes*, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.C, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.1.d, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

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

   1. ☐ Percentage/acreage of property to be altered:

      (a) within wetland Resource Area _____ percentage/acreage

      (b) outside Resource Area _____ percentage/acreage

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

   3. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work ****

      (a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

      (b) ☐ Photographs representative of the site

      (c) ☐ MESA filing fee (fee information available at: http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_fee_schedule.htm). Make check payable to "Commonwealth of Massachusetts - NHESP" and ***mail to NHESP*** at above address

      *Projects altering **10 or more acres** of land, also submit:*

      (d) ☐ Vegetation cover type map of site

      (e) ☐ Project plans showing Priority & Estimated Habitat boundaries

   d. OR Check One of the Following

      1. ☐ Project is exempt from MESA review. Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

      2. ☐ Separate MESA review ongoing. a. NHESP Tracking # _____ b. Date submitted to NHESP _____

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see http://www.mass.gov/dfwele/dfw/nhesp/nhesp.htm, regulatory review tab). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.

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:

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

North Shore - Hull to New Hampshire:

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

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

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

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.

Wetland Permitting Plan
a. Plan Title

Stamski and McNary, Inc.
b. Prepared By

Joseph March, P.E, P.L.S.
c. Signed and Stamped by

March 29, 2013
d. Final Revision Date

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.

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:

4047 AND 4048	3/28/2013
2. Municipal Check Number	3. Check date
4049	3/28/2013
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.

STAMSKI AND MCNARY, INC.
1000 Main Street
Acton, Massachusetts 01720
(978) 263-8585
FAX (978) 263-9883

JOSEPH MARCH, P.E., P.L.S.
GEORGE DIMAKARAKOS, P.E.

April 17, 2013

Acton Conservation Commission
472 Main Street
Acton, MA 01720

Re: 1 Lilac Court & Lot A-2 School Street
Acton, Massachusetts
DEP File #'s 085-1119 & 085-1118

Dear Members of the Commission,

This letter is to inform you that a Notice of Intent (NOI), for the above referenced locations, has been amended to reflect the current owners of the lots. The current owners are as follows:

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

The deed reference on the Notices should be updated to reflect the most current reference in the Middlesex Registry of Deeds, Book 58642 Page 298.

Respectfully,
Stamski & McNary, Inc.

William Hall, E.I.T.

George Dimakarakos, P.E.

NOI Wetland Fee Transmittal Form

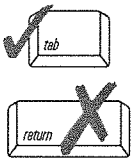
Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

NOI Wetland Fee Transmittal Form

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

A. Applicant Information

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



1. Location of Project:

Lot A-2 School Street	Acton
a. Street Address	b. City/Town
	$237.50
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):

Herb	Sawyer
a. First Name	b. Last Name

c. Organization

1 Lilac Court
d. Mailing Address

Acton	MA	01720
e. City/Town	f. State	g. Zip Code

(978) 263-7535		
h. Phone Number	i. Fax Number	j. Email Address

B. Fees

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

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.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

NOI Wetland Fee Transmittal Form

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

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Construction of a proposed single family dwelling	1	$500.00	$500.00

Step 5/Total Project Fee:

Step 6/Fee Payments:

Total Project Fee:	$500.00 a. Total Fee from Step 5
State share of filing Fee:	$237.50 b. 1/2 Total Fee **less** $12.50
City/Town share of filling Fee:	$262.50 + $100.00 Bylaw Fee

C. Submittal Requirements

a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
Box 4062
Boston, MA 02211

b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

Certified Abutters List / Affidavit / Notice to Abutters

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

Brian McMullen
Assessor

Locus: **1 LILAC CT**
Parcel ID: **H3-58**

Parcel ID	Location	Owner	Co-Owner	Mailing Address	City		
HE-58	**1 LILAC CT**	PAMELA STEVENS		92 HEATHER CIR	JEFFERSON	MA	01522
H3-59	**3 LILAC CT**	WANG YEBIN	XIAO GUO	3 LILAC CT	ACTON	MA	01720
H3-60	**5 LILAC CT**	PHANEUR ROBERT P	PHANEUR NAOMI L	5 LILAC CT	ACTON	MA	01720
H3-36	**9 LAUREL CT**	TAYLOR ARTHUR R + JUNE		9 LAUREL CT	ACTON	MA	01720
H3-19	**10 LAUREL CT**	SEECKTS CAROL E		10 LAUREL CT	ACTON	MA	01720
H3-37	**11 LAUREL CT**	MAZZOLA GERARD	MAZZOLA NADINE	11 LAUREL CT	ACTON	MA	01720
H3-44	**11 ROBINWOOD RD**	RYAN JOHN E	RYAN JANET M	11 ROBINWOOD RD	ACTON	MA	01720
H3-74	**114 SCHOOL ST**	TOWN OF ACTON		472 MAIN ST	ACTON	MA	01720
H3-83	**115 SCHOOL ST**	ROSS PAMELA E	ROSS DAVID K	115 SCHOOL ST	ACTON	MA	01720
H3-56	**13 PIPER ST**	CHORMANN JEFFREY H		13 PIPER ST	ACTON	MA	01720

The owner of 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.

Boxborough, MA 01729 Maynard, MA 01754 Concord, MA 01742 Littleton, MA 01460
Carlisle, MA 01741 Stow, MA 01775 Westford, MA 01886 Sudbury, MA 01776

Marty Abbott 25-Mar-13

Acton Assessors Office

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 4/2/13 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 Lot A-2 School Street, 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: Bill Hall Date: 4/2/13

NOTIFICATION TO ABUTTERS

UNDER THE TOWN OF ACTON WETLAND PROTECTION BYLAW

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

The Applicant: Pam Stevens

Address: 92 Heather Circle, Jefferson, MA 01522 Phone: (508) 829-0606

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 Town of Acton Wetlands Protection Bylaw.

Applicant's Representative: Stamski and McNary, Inc.

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

The address of the property where the activity is proposed: Lot A-2 School Street

Town Atlas Plate/Map: H3 Parcel/Lot: 58

Project Description: The construction of a proposed single family dwelling with a paved driveway and associated appurtenances within the 100' Buffer Zone of a Bordering Vegetated Wetland.

Copies of the Notice of Intent may be examined at the Conservation Office, Acton Town Hall, 472 Main Street, Acton. Between the hours of 8:00 A.M. and 4:30 P.M. Monday through Friday. For more information please call the Conservation Office at 978-929-6634.

A Public Hearing will be held at the Acton Town Hall, 472 Main Street, on Wednesday,

April 17, 2013 at 8:25 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

Attachment A
Project Narrative

Project Narrative

Existing Conditions

The site is approximately 0.59 acres consisting of cleared land and woodland. There is Bordering Vegetated Wetland (BVW) and Isolated Wetland located to the east of the site.

Project Description

The proposed project is the construction of a proposed single family dwelling on Lot A-2 School Street. A portion of the dwelling is proposed inside the 100' Buffer Zone of an Isolated Wetland, along with the proposed driveway. There are no impervious surfaces proposed within 75' of the Isolated Wetland. Grading and a foundation drain outlet are proposed within the 75' setback of the Isolated Wetland and also within the 100' Buffer Zone of the BVW. No work is proposed within the 50' Buffer of undisturbed natural vegetation.

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 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:

Work is proposed within the 100-foot buffer zone of the BVW and within the 75-foot setback of the Isolated Wetland. No work is proposed within the 50-foot buffer of undisturbed natural vegetation.

Compliance with Stormwater Management Standards:

The project does not require a Stormwater Management Report.

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

<Default> - 1 Markers, Length = 0 feet

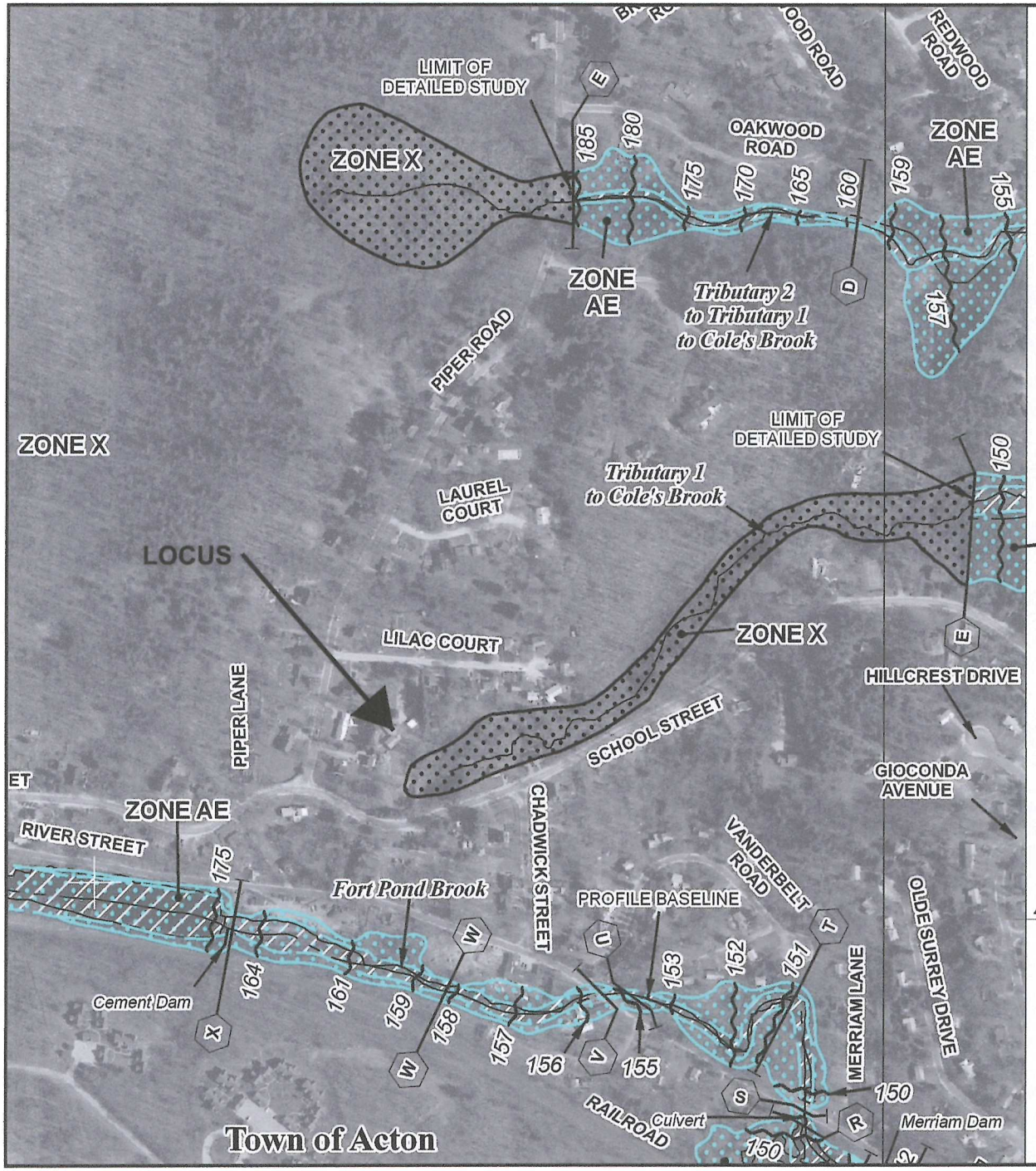
Locus - 042° 28' 39.8" N, 071° 26' 26.2" W

Copyright (C) 1997, Maptech, Inc.

Attachment C
Massachusetts Natural Heritage Atlas 13th Edition

OXBOROUGH
ACTON
WEST ACTON
EAST ACTON
LOCUS
SOUTH ACTON
CONCORD
WEST CONCORD
MAYNARD
LOWER VILLAGE
TOW
SUDBURY
HUDSON
NORTH SUDBURY
PINE LAKE
2
2
119
2A
27
111
62
117

Attachment D
FEMA Flood Insurance Map



MAP SCALE 1" = 500'

250 0 500 1000

FEET

METER

NFIP

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

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)		B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category *	
Herbaceous:	Jewelweed	*Impatiens capensis*	63.0	82%	Yes	FACW	*
	Woodbine	*Parthenocissus quinquefolia*	10.5	14%	No	FACU	
	Poison Ivy	*Toxicodendron radicans*	3.0/76.5	4%	No	FAC	*
Shrubs:	Multiflora Rose	*Rosa multiflora*	38.0	62%	Yes	FACU	
	Winged Euonymus	*Euonymus alatus*	20.5	33%	Yes		
	European Buckthorn	*Rhamnus frangula*	3.0/61.5	5%	No	FAC	*
Saplings:	Norway Maple	*Acer platanoides*	20.5/20.5	100%	Yes	UPL	
Lianas:	Poison Ivy	*Toxicodendron radicans*	10.5	44%	Yes	FAC	*
	Woodbine	*Parthenocissus quinquefolia*	10.5	44%	Yes	FACU	
	Oriental Bittersweet	*Celastrus orbiculatus*	3.0/24.0	12%	No	UPL	
Overstory:	White Ash	*Fraxinus americana*	612.8	50%	Yes	FACU	
	Norway Maple	*Acer platanoides*	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	

Remarks: Refusal @ 10″

3. Other: 10′ 0″ to Wetland Flag # 6
8′ 6″ to Wetland Flag # 7

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	☐	■
Wetland hydrology present: hydric soil present	☐	■
other indicators of hydrology present	☐	■
Sample location is in a BVW	☐	■

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: 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	*Cinna arundinacea*	63.0	43%	Yes	FACW+	*
	Reed Canary Grass	*Phalaris arundinacea*	38.0	26%	Yes	FACW+	*
	Jewelweed	*Impatiens capensis*	20.5	14%	No	FACW	*
	Cattails	*Typha latifolia*	10.5	7%	No	OBL	*
	Bugleweed	*Lycopus virginicus*	10.5	7%	No	OBL	*
	Beggar-ticks	*Bidens connata*	3.0/145.5	2%	No	FACW+	*
Shrubs:	Multiflora Rose	*Rosa multiflora*	10.5	78%	Yes	FACU	
	European Buckthorn	*Rhamnus frangula*	3.0/13.5	22%	Yes	FAC	*
Saplings:	None						
Lianas:	Poison Ivy	*Toxicodendron radicans*	10.5	44%	Yes	FAC	*
	Woodbine	*Parthenocissus quinquefolia*	10.5	44%	Yes	FACU	
	Oriental Bittersweet	*Celastrus orbiculatus*	3.0/24.0	12%	No	UPL	
Overstory:	White Ash	*Fraxinus americana*	612.8	55%	Yes	FACU	
	Norway Maple	*Acer platanoides*	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

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	

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

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	■	☐
Wetland hydrology present: hydric soil present	■	☐
other indicators of hydrology present	■	☐
Sample location is in a BVW	■	☐

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

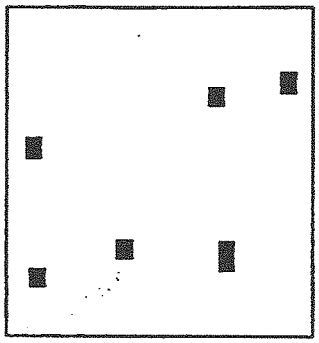
Hydric Soil Indicators

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



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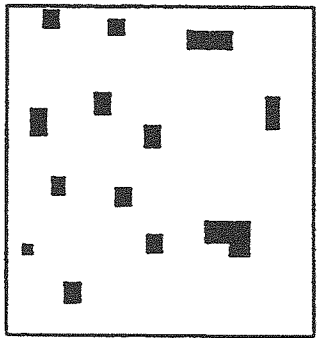

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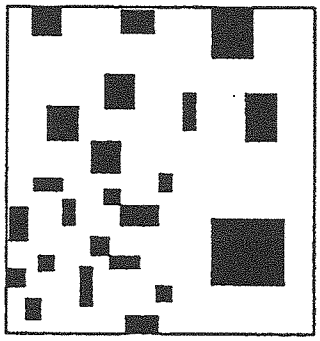

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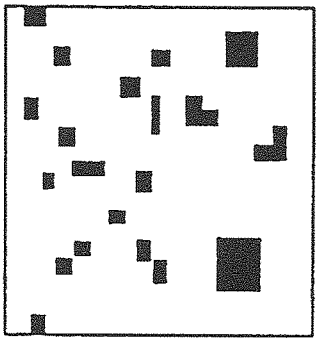
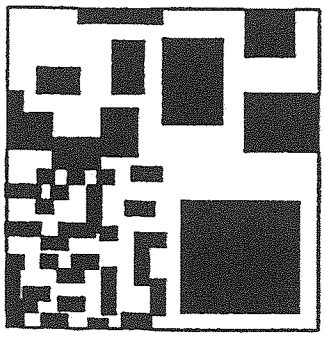


10%



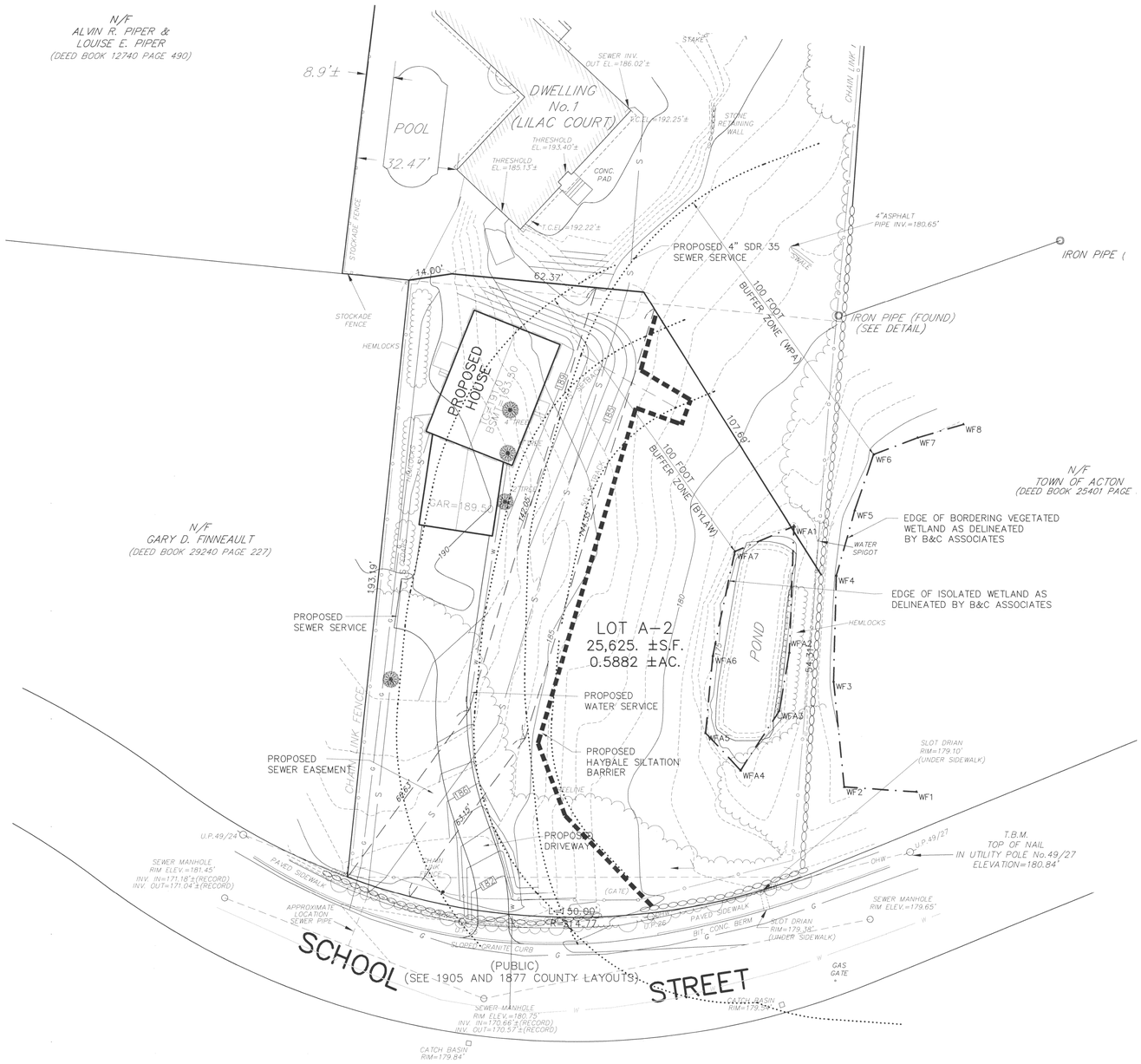
50%

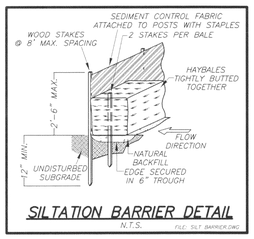
ABUNDANCE
0-2 FEW
2-20 COMMON
20+ MEDIUM

Attachment F
Wetland Permitting Plan

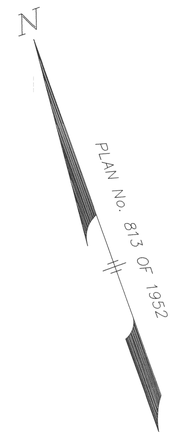
NOTES:

1. ALL DISTURBED AREAS SHALL BE LOAMED AND SEEDED.
2. 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 TELE. NO. 1-888-344-7233.





SILTATION BARRIER DETAIL
N.T.S. FILE: SILT_BARRIER.DWG



RECORD OWNER:

HERBERT F. SAWYER &
LA VERLA V. SAWYER
1 LILC COURT
ACTON, MASSACHUSETTS

ZONING DISTRICT:

R-2 (RESIDENCE 2)
GROUNDWATER PROTECTION DISTRICT
ZONE 4

WETLAND PERMITTING PLAN
IN
ACTON, MASSACHUSETTS
(MIDDLESEX COUNTY)

FOR: STEVENS
SCALE: 1"=20' MARCH 29, 2013

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

0 10 20 40 60 80 FT

(4466AWPP2.dwg) SCHOOL STREET SM-4466A

COMMONWEALTH OF MASSACHUSETTS
JOSEPH MARCH CIVIL #40472
REGISTERED PROFESSIONAL ENGINEER

From: CERO_NOI@MassMail.state.ma.us
To: pamstevens92@gmail.com; jm@stamskiandmcnary.com
Cc: cero_noi@state.ma.us; Conservation Commission; cero_noi@state.ma.us
Subject: MassDEP NOI File Number
Date: Friday, April 12, 2013 10:12:49 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: 04/12/2013 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	PAM STEVENS	
Address	92 HEATHER CIRCLE,JEFFERSON MA 01522	**Owner Address**
Locus	2 SCHOOL ST-LOT A , ACTON MA 01720	

This project has been assigned the following file # : **CE 085-1118**
ISSUANCE OF A FILE NUMBER INDICATES ONLY COMPLETENESS OF SUBMITTAL, NOT APPROVAL OF APPLICATION
Although a file # is being issued, please note the following:
NONE NOTED.

Regards,
for MassDEP,

(508)-767-2709
Joseph.Bellino@State.MA.US