



**US Army Corps
of Engineers®**
New England District

696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Date: April 13, 2004

Comment Period Ends: May 13, 2004

File Number: NAE-2004-385

In Reply Refer To: David Keddell

Wilmington Parcel II, LLC of 1115 Westford Street, Lowell, Massachusetts 01851 has requested a Corps of Engineers permit under Section 404 of the Clean Water Act, to discharge dredged and/or fill material into a Massachusetts certified vernal pool approximately 3,880 square feet in size. This work is proposed at the end of Beeching Avenue in Wilmington Massachusetts. The work is described on the enclosed plans entitled "Beeching Ave Extension," on 5 sheets, and dated "March 30, 2004."

The basic project purpose is to develop this site for residential use. The owner has proposed 4 house lots with an extension of Beeching Avenue to service the new homes.

This project is located on the USGS Wilmington quadrangle sheet at UTM coordinates 4715319 N and 320681 E.

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. Comments should be submitted in writing by the above date. If you have any questions, please contact David Keddell at (978) 318-692, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

SEE NEXT PAGE FOR
DETAILS OF EVALUATION
FACTORS


Crystal I. Gardner
Chief, Permits & Enforcement Branch
Regulatory Division

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 as amended.

Based on his initial review, the District Engineer has determined that little likelihood exists for the proposed work to impinge upon properties with cultural or Native American significance, or listed in, or eligible for listing in, the National Register of Historic Places. Therefore, no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is based upon one or more of the following:

- a. The permit area has been extensively modified by previous work.
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.
- d. Review of the latest published version of the National Register shows that no presence of registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.
- e. Coordination with the State Historic Preservation Officer and/or Tribal Historic Preservation Officer(s)

Pursuant to the Endangered Species Act, the District Engineer is hereby requesting that the appropriate Federal Agency provide comments regarding the presence of and potential impacts to listed species or its critical habitat.

The following authorizations have been applied for, or have been, or will be obtained:

- (X) Permit, License or Assent from State.
- (X) Permit from Local Wetland Agency or Conservation Commission.
- (X) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

The States of Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island have approved Coastal Zone Management Programs. Where applicable the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management Program. By this Public Notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

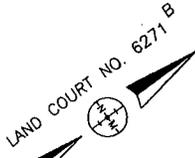
The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

If you would prefer not to continue receiving Public Notices, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: _____
ADDRESS: _____

March 30, 2004
Sheet 2 of 5



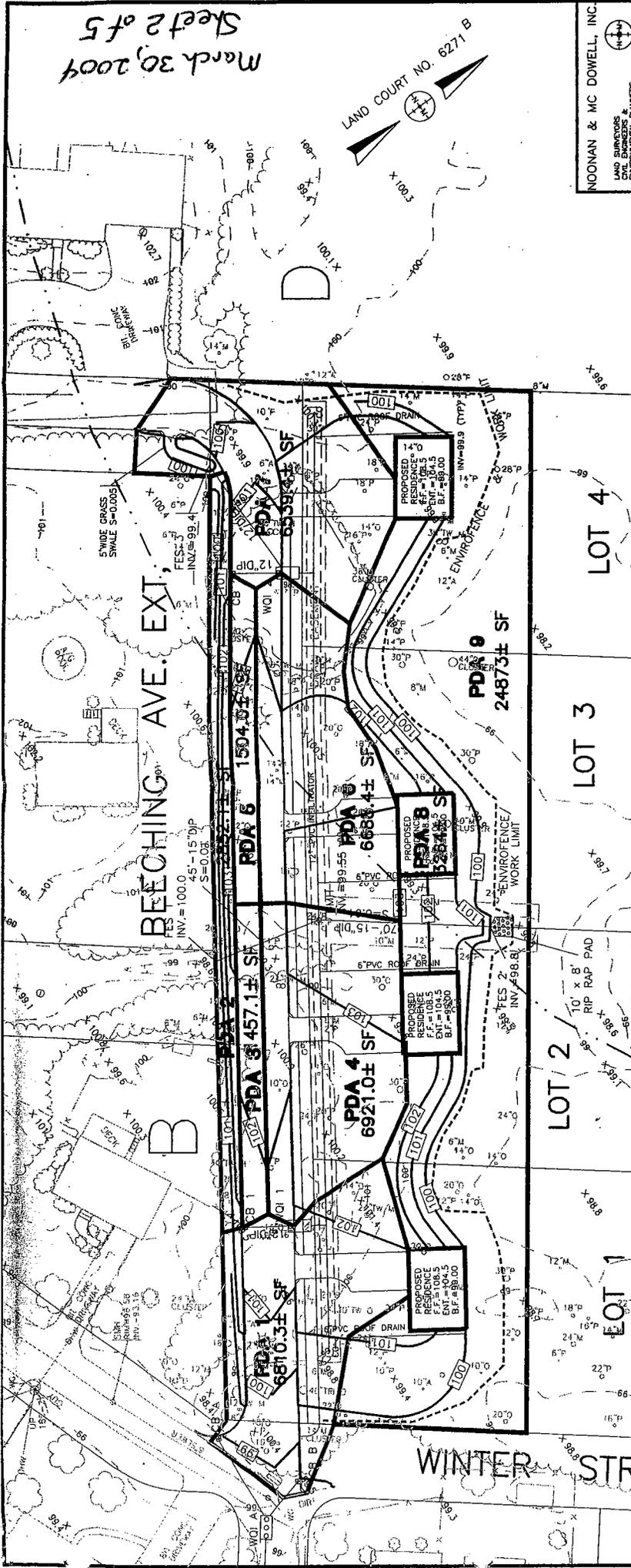
NOONAN & MC DOWELL, INC.
LAND SURVEYORS
CIVIL ENGINEERS &
ENVIRONMENTAL PLANNERS
25 BRIDGE STREET, SUITE 2, BALDWIN, MA. 01811-1023
(978) 681-7025

**BEECHING AVE. EXTENSION
PROPOSED DRAINAGE
AREA PLAN**
IN
WILMINGTON, MA.
(MIDDLESEX COUNTY)

PREPARED FOR:
PRINCETON PROPERTIES
1115 WESTFORD ST
LOWELL, MA.

SCALE: 1"=40'
FEET 0 10 20 40 60

DATE: MARCH 8, 2003
COMP./DESIGN: MPJ
DRAWN: MPJ
CHK: MPJ
DWG. NO. 14938PDA
SHEET NO. 2 OF 2 JOB NO. 1493.6



PLAN

SCALE: 1"=40'

- LEGEND:
- SUB CATCHMENT BOUNDARY
 - FLOW LINE
 - SOIL BOUNDARY
 - SUBCATCHMENT AREA
 - PDA 10
 - 36A
 - B
 - SOIL SYMBOL
 - HYD. CLASS

- NOTES:
- 1.) SOIL TYPES AND LIMITS ARE FROM THE MIDDLESEX COUNTY SOIL SURVEY REPORT (FOURTH ED.), JULY 1995.
 - 2.) SOIL TYPES SHOWN ARE:

SYMBOL	NAME	HYD. CLASS
40	SCARBOROUGH	D
46	FREETOWN MUCK	D
138A	DEERFIELD	B
 - 3.) SOIL EXPLORATION TAKEN FEBRUARY 13, 2003 REVEALS THAT INCLUSION OF SCARBOROUGH SOIL DOES NOT OCCUR AT ROAD OR HOUSE LOCATIONS. NATURE OF SOIL EVALUATION SUGGESTS THAT TYPE B, NOT D, SHOULD BE USED IN CALCULATIONS.

March 30, 2004
Sheet 3 of 5

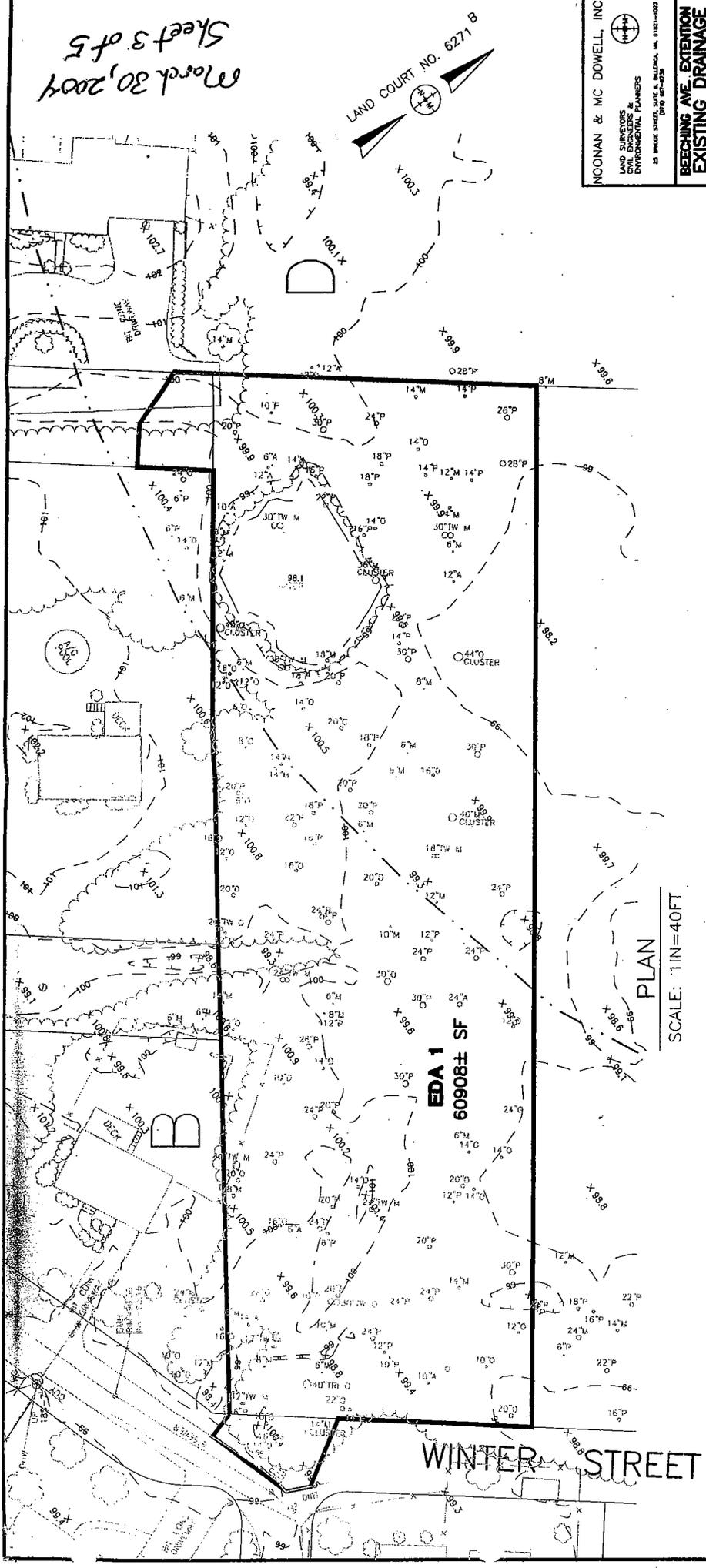
LAND COURT NO. 6271 B

NOONAN & MC DOWELL, INC.
LAND SURVEYORS &
ENVIRONMENTAL PLANNERS
25 BRIDGE STREET, SUITE 2, BURLINGTON, MA 01801-1003
(978) 687-7238

**BEECHING AVE. EXTENSION
EXISTING DRAINAGE
AREA PLAN**
IN
WILMINGTON, MA.
(MIDDLESEX COUNTY)

PREPARED FOR:
PRINCETON PROPERTIES
1115 WESTFORD ST
LOWELL, MA.

SCALE 1IN=40FT
DATE: MARCH 8, 2003
COMP./DESIGN: MPM
DRAWN: MPM
CHK: MPM
DWG. NO. 14936EDA
SHEET NO. 1 OF 2 JOB NO. 1493.6



SCALE: 1IN=40FT

- LEGEND:
- SUB CATCHMENT BOUNDARY
 - FLOW LINE
 - SOIL BOUNDARY
 - SUBCATCHMENT AREA
 - PDA 10
 - DESIGN POINT
 - SOIL SYMBOL
 - HYD. CLASS

- NOTES:
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BEECHING AVE.

DENNIS J. & SUZANNE DeMAGGIO

JAMES J. & CAROL C. TATE

WINTER STREET

LOT 2

LOT 1

2209.2± SQ. FT.
0.05± ACRES

WATER
PUMP
TP 60.3
GND = 99.4
BW = 3.9
ESHWT = 95.5

PROPOSED RESIDENCE
F = 98.5
ENT = 104.5
B.F. = 99.00

BEECHING AVE EXTENSION
IN
WILMINGTON, MASS
VERNAL POOL REPLICATION PLAN
LOT 1

NOONAN & MC DOWELL, INC.
25 BRIDGE STREET, SUITE 6
BILLERICA, MASS.

AUGUST 14, 2003
SCALE: 1 IN. = 40 FT. *March 30, 2004*

JOB NO. 1493.6/001DWG.

SHEET NO. 4 OF 5

N/F
CRAIG M. & MARY D.
SCAMMAN

N/F
HELEN T.
ZONTANOS

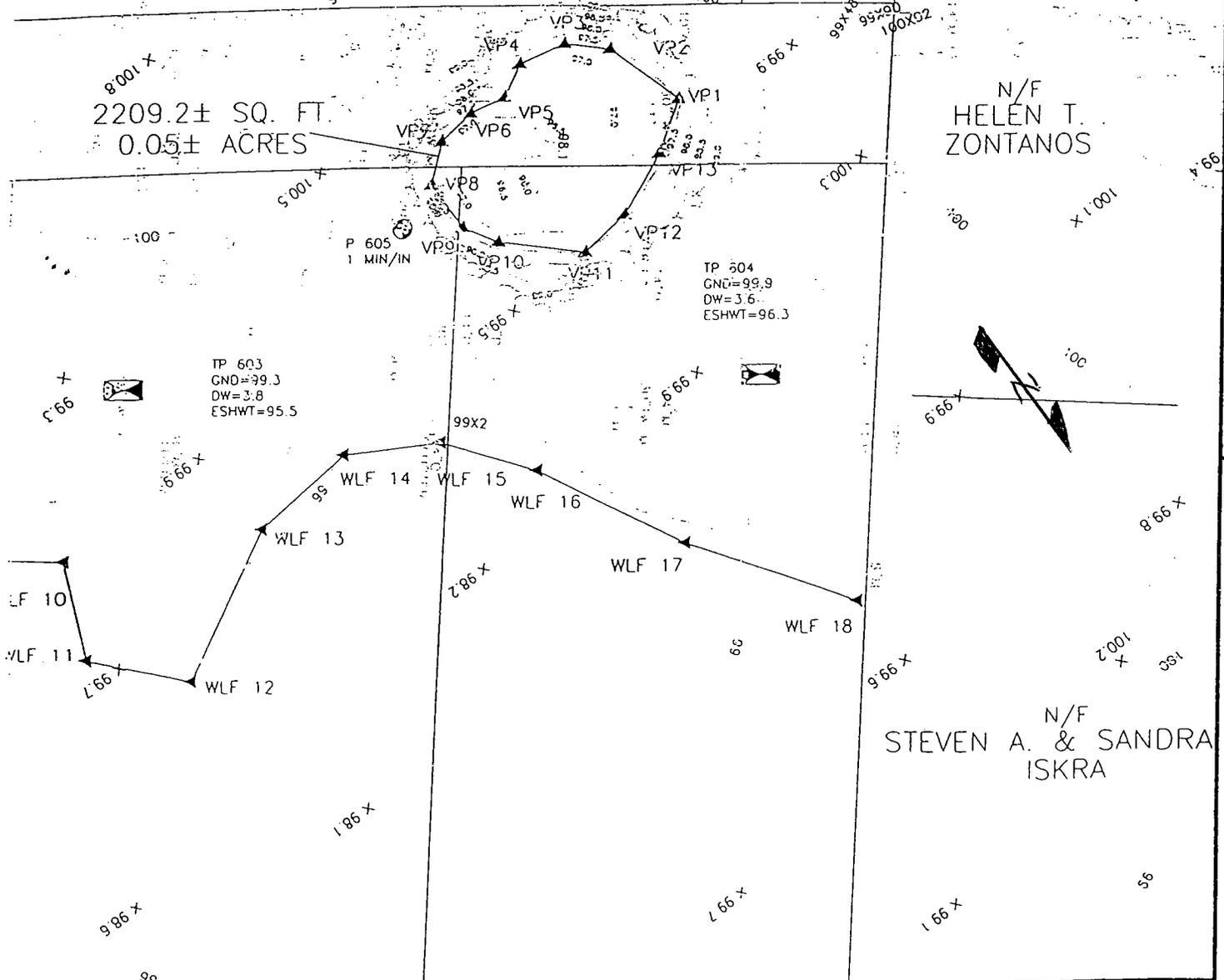
N/F
STEVEN A. & SANDRA
ISKRA

2209.2± SQ. FT.
0.05± ACRES

TP 603
GND=99.3
DW=3.8
ESHWT=95.5

TP 604
GND=99.9
DW=3.6
ESHWT=96.3

P 605
1 MIN/IN



BEECHING AVE EXTENSION
IN
WILMINGTON, MASS
EXISTING VERNAL POOL PLAN
LOTS 3 AND 4

NOONAN & MC DOWELL, INC.
25 BRIDGE STREET, SUITE 6
BILLERICA, MASS.
DECEMBER 14, 2003
SCALE: 1 IN. = 40 FT.

JOB NO. 1493.6/001DWG.

March 30, 2004
SHEET NO. 5 OF 5