

July 16, 2019

Sudbury Conservation Commission
Department of Public Works Building
275 Old Lancaster Road
Sudbury, MA 01776

**Re: Notice of Intent Application
604 Peakham Road, Sudbury MA**

1. Introduction

Goddard Consulting, LLC (GC) is pleased to submit this Notice of Intent (NOI) on behalf of Michael Audette of Nu-Home Contractors of for the proposed single-family home and septic system to a parcel known as 604 Peakham RD, MA (Map H08, Lot 0017). This application is a joint filing under the MA Wetlands Protection Act and the Sudbury Wetlands Administration Bylaw.

Three hard copies of the NOI application are enclosed, and the titles of all the documents enclosed are as follows:

- WPA Form 3 with Wetland Fee Transmittal Form
- Copy of Checks
- Abutter's list and Map
- Notification to Abutters, Affidavit of Service
- *Wetland Border Report*, Goddard Consulting LLC, 06/11/19
- *Septic System Design for Applicant: Nu-Home Remodeling 604 Peakham RD, Sudbury Mass*, Capstone Design Build, INC, 06/07/19

1. Existing Conditions

The northern side of the property is currently developed into a single-family home with an associated driveway. The on-site sewer waste management system consists of a non- Title V compliant and failing cess-pool. There are no wetland resources located on-site, however, the southern end of the property is located within the 100' and 50' buffer zones to an off-site BVW.

According to Mass GIS Data Layers for NHESP, the site is not located within an Estimated Habitat of Rare Wildlife / Priority Habitat of Rare Species. FEMA 100-year floodplain (Zone A or AE) is not mapped within the property.

The off-site wetland resources were delineated by Goddard Consulting on June 11, 2019. The wetland border was flagged using the criteria in the most recent edition of the MA Wetlands Protection Act (WPA) and Regulations (310 CMR 10.00 et al.) and Sudbury Wetlands Administration Bylaw. Hydric soil indicators, vegetational changes, hydrological indicators, and topography were all considered for delineation purposes. For more information refer to the attached Wetland Border Report.

3. Proposed Conditions

The applicant proposes to demolish an existing house and build a new single-family home, with an associated deck and Title V compliant septic system. The Title V compliant septic system, which is an improvement to the non-compliant cess-pool, will be built within the 100' buffer zone while only ± 30 s.f of the proposed house structure will be built within the 100' buffer zone. The proposed work will mostly take place within the current limit of lawn (see attached plan) and the footprint of the area of a former garage. No work is being proposed within BVW. An erosion control barrier will be constructed around the proposed construction to prevent runoff into the off-site BVW.

4. Resource Area Performance Standards Analysis

4.1 Under the WPA:

The proposed work will occur in Buffer Zone to BVW only and will fall under standard 310 CMR 10.02(3) of the WPA, which states the following:

“3. Activities within the buffer zone which do not meet the requirements of 310 CMR 10.02(2)(b)1. and 2. are subject to preconstruction review through the filing of a Determination of Applicability to clarify jurisdiction or a Notice of Intent under the provisions of 310 CMR 10.05(4) and 10.53(1).”

This submittal is a Notice of Intent application.

The septic system will be the closest structure to the off-site BVW system, and the septic will not be located within 50 feet of the BVW. The proposed septic system is in compliance with Title V, and therefore in compliance with the interests of the Wetland Protection Act. As stated under 310 CMR 10.03(3)'s presumption of protection standard, which outlines the following:

“A subsurface sewage disposal system that is to be constructed in compliance with the requirements of 310 CMR 15.000: The State Environmental Code, Title 5: Standard Requirements for the Siting, Construction, Inspection, Upgrade and Expansion of On-site Sewage Treatment and Disposal Systems and for the Transport and Disposal of Septage, or more stringent local board of health requirements, shall be presumed to protect the eight interests identified in M.G.L. c. 131, § 40, but only if none of the components of said system is located within... resource areas.”

4.2 Under the Bylaw:

Section 7.2 of the Bylaw Regulations provides performance standards for work within the AURA.

The Character of the Work and Alternatives

The proposed project consists of the re-development of an already developed single family lot including the replacement of a non- Title V-compliant cess-pool sewage system with a Title V compliant septic system. The proposed project has been designed to minimize and limit disturbance to the already developed areas of the lot to the greatest extent feasible. Minor grading and expansion of lawn, associated with the proposed septic, will take place within the 50' buffer zone. All of the proposed structures will be built outside of the 50' buffer zone to the off-site BWV. Erosion and sediment controls will be placed at the limit of work.

Setting Disturbance Restrictions

Portions of the project will be located within the Buffer Zone/AURA. However, the majority of the proposed work will take place within the existing limit of lawn and already disturbed areas. The vast majority of the 50' buffer zone will remain undeveloped with only ± 85 sf of disturbance occurring within the 50' buffer zone. An erosion control barrier will be placed around the proposed construction to protect the BVW.

No Significant Adverse Impact of Wildlife Habitat

The project will not have an adverse impact to wildlife. The site consists of a developed single-family lot and the site is not located within an Estimated Habitat of Rare Wildlife / Priority Habitat of Rare Species. There are no potential or mapped vernal pools on site. The majority of the proposed work will take place within the already developed portion/limit of lawn of the buffer zone. The limit of lawn will be expanded in the southern end of the lot, extending ± 85 ft in to the 50' buffer zone.

5-Conclusions

Goddard Consulting believes that the proposed project meets all regulatory compliance standards under the WPA and the local Bylaw and the project will not have an adverse impact on the on-site resource areas. No work is being proposed within the BVW. Erosions and sediment controls will be placed at the limit of work. As such, GC respectfully requests that the Commission issues an Order of Conditions (OOC) approving the project.

Please feel free to contact us if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Scott Goddard', written in a cursive style.

Scott Goddard,
Principal & PWS

CC: Michael Audette, Nu-Home Contractors, 140 Hopkinton Road, Upton MA, 01568
MassDEP, NERO, 205B Lowell Street, Wilmington, MA 01887



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

And Sudbury Wetland Protection Bylaw

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Sudbury

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):

604 Peakham Road

a. Street Address

Sudbury

b. City/Town

01776

c. Zip Code

Latitude and Longitude:

42.381588

d. Latitude

-71.416824

e. Longitude

H-08

f. Assessors Map/Plat Number

17

g. Parcel /Lot Number

2. Applicant:

Michael

a. First Name

Audette

b. Last Name

Nu-Home Contractors

c. Organization

140 Hopkinton Road

d. Street Address

Upton

e. City/Town

MA

f. State

01568

g. Zip Code

508-560-8900

h. Phone Number

i. Fax Number

michael@nu-home.com

j. Email Address

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

Maryl

a. First Name

Thompson

b. Last Name

c. Organization

604 Peakham Road

d. Street Address

Sudbury

e. City/Town

MA

f. State

01776

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Scott

a. First Name

Goddard

b. Last Name

Goddard Consulting, LLC

c. Company

291 Main Street Suite #8

d. Street Address

Northborough

e. City/Town

MA

f. State

01532

g. Zip Code

(508) 393-3784

h. Phone Number

i. Fax Number

scott@goddardconsultingllc.com

j. Email address

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

\$500

a. Total Fee Paid

\$237.50

b. State Fee Paid

\$262.50 (+\$25 bylaw fee)

c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

Construction of a single family house and replacement of an existing cess-pool with a Title V compliant septic system on a previously developed single family house lot.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input type="checkbox"/> Other | |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration 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. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Middlesex South

a. County

12548

c. Book

b. Certificate # (if registered land)

362

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.



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

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. <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 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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) - specify coastal or inland	

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)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



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

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 _____
	<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 _____



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C. Other Applicable Standards and Requirements

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

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://maps.massgis.state.ma.us/PRI_EST_HAB/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
1 Rabbit Hill Road
Westborough, MA 01581**

August 1, 2017

b. Date of map

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.2.f, 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).*

- 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

2. ☐ 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

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). 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)

- (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
- (f) 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 _____
 3. ☐ Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
3. 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, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: DMF.EnvReview-South@state.ma.us

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

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.



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And Sudbury Wetland Protection Bylaw

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

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 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
5. 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
6. 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
7. 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
 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

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

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.



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D. Additional Information (cont'd)

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.

"Septic System Design for: Applicant Nu-Home Remodeling 604 Peakham Rd Sudbury Mass"

a. Plan Title

Capstone Design Build, Inc

b. Prepared By

06/7/2019

d. Final Revision Date

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.

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:

473

2. Municipal Check Number

475

4. State Check Number

Michael

6. Payor name on check: First Name

07/16/19

3. Check date

07/16/19

5. Check date

Audette

7. Payor name on check: Last Name



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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 () Michael A. Andette
2. Date 7/16/19
3. Signature of Property Owner () Carolyn
4. Date 7/16/19
5. Signature of Representative (Scott Goddard, Goddard Consulting, LLC) [Signature]
6. Date 7/16/19

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.

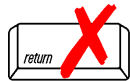
The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



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NOI Wetland Fee Transmittal Form
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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:

604 Peakham Road

a. Street Address

475

c. Check number

Sudbury

b. City/Town

\$237.50

d. Fee amount

2. Applicant Mailing Address:

Michael

a. First Name

Nu-Home Remodeling

c. Organization

140 Hopkinton Road

d. Mailing Address

Upton

e. City/Town

(508) 560-8900

h. Phone Number

MA

f. State

01568

g. Zip Code

michael@nu-home.com

j. Email Address

i. Fax Number

3. Property Owner (if different):

Mary

a. First Name

Thompson

b. Last Name

c. Organization

604 Peakham Road

d. Mailing Address

Sudbury

e. City/Town

MA

f. State

01776

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

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.

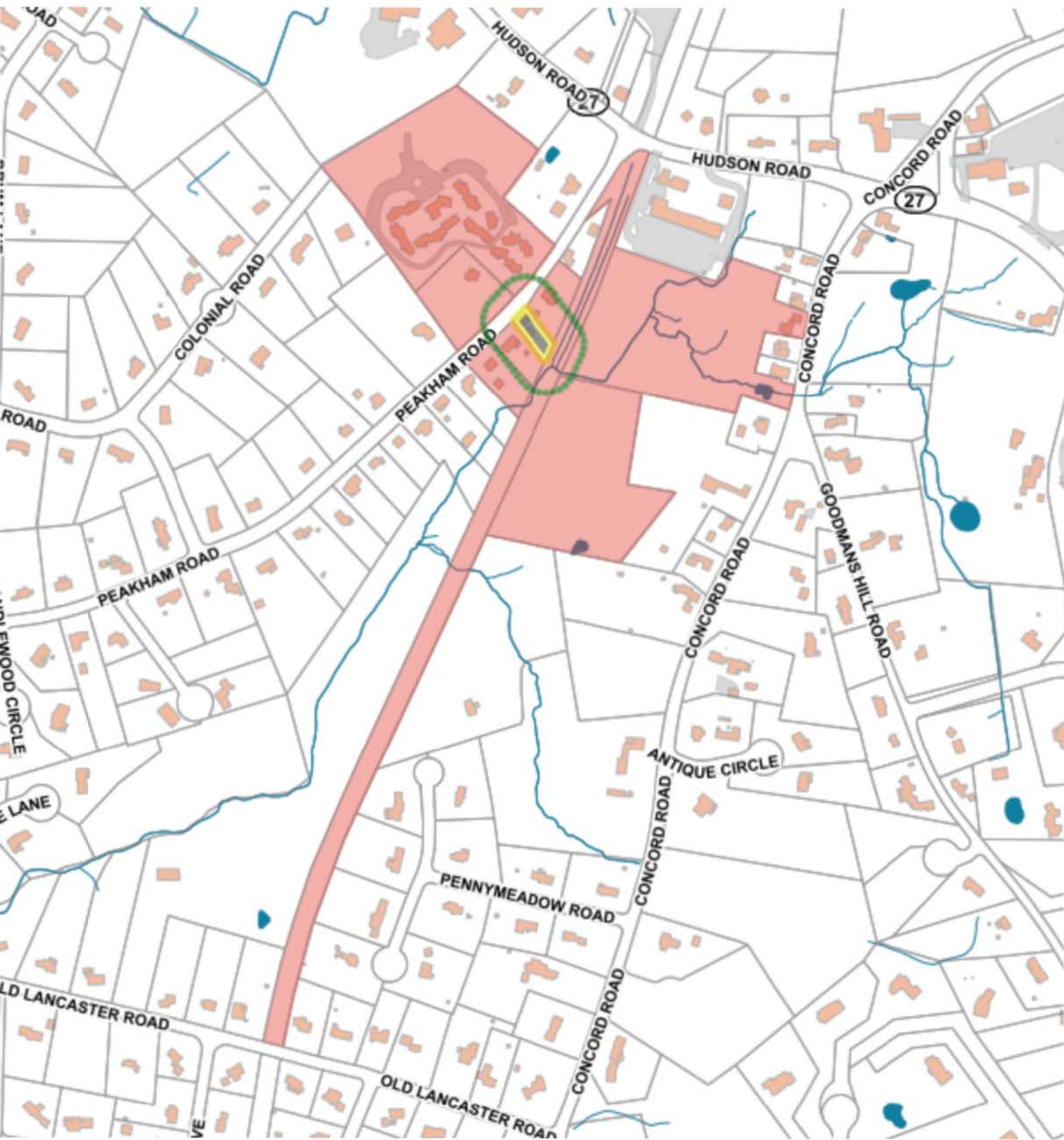
To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
2a	1	\$500	\$500
Step 5/Total Project Fee:			\$500

Total Project Fee:	<u>\$500</u>
	a. Total Fee from Step 5
State share of filing Fee:	<u>\$237.50</u>
	b. 1/2 Total Fee less \$12.50
City/Town share of filling Fee:	<u>\$262.50</u>
	c. 1/2 Total Fee plus \$12.50

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.)



abutters_id_field	abutters_owner1	abutters_owner2	abutters_address	at	abutters_town	abutters_state	abutters_zip	abutters_bookpage	abutters_location
H08-0015	ENSLEY MICHAEL T & LAURIE A		598 PEAKHAM RD		SUDBURY	MA	01776	32069-415	598 PEAKHAM RD
H08-0016	HART JON L & BRENDA K		602 PEAKHAM RD		SUDBURY	MA	01776	71382-371	602 PEAKHAM RD
H08-0017	THOMPSON MARY L		604 PEAKHAM RD		SUDBURY	MA	01776	12548-362	604 PEAKHAM RD
H08-0018	NUSINOW DAVID P &	NEUMAN NICOLE A	610 PEAKHAM RD		SUDBURY	MA	01776	72671-130	610 PEAKHAM RD
H08-0040	STEVENSON BENJAMIN D & JANE K		601 PEAKHAM RD		SUDBURY	MA	01776	41495-422	601 PEAKHAM RD
H08-0041	SUDBURY HOUSING AUTHORITY		55 HUDSON RD		SUDBURY	MA	01776	12956-456	55 HUDSON RD
H09-0007	ANDREWS JAMES & ELIZABETH		293 CONCORD RD		SUDBURY	MA	01776	58928-173	293 CONCORD RD
H09-0012	SUDBURY VALLEY TRUSTEES INC		18 WOLBACH RD		SUDBURY	MA	01776	14337-1	0 CONCORD RD
H08-5100	EOT	MASS BAY TRANSPORTATION	10 PARK PLAZA		BOSTON	MA	02116	13117-113	RAILWAY

Guthrie
7/16/2019

Notification to Abutters Under the
Massachusetts Wetlands Protection Act and
the Town of Sudbury Wetlands Administration Bylaw

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40 and the Town of Sudbury Wetlands Administration Bylaw you are hereby notified of the following:

The Applicant: Michael Audette of Nu-Home Contractors.

Address: 140 Hopkinton Road, Upton MA 01568

Has filed a Notice of Intent with the **Sudbury Conservation Commission** seeking permission to remove, fill, dredge, or alter an Area Subject to Protection under the Wetlands Protection Act and the Sudbury Wetlands Administration Bylaw.

Applicant's Representative: Scott Goddard, Goddard Consulting LLC.

Address: 291 Main Street, Suite 8, Northborough, MA 01532 Phone: (508) 393-3784

The address of the property where the activity is proposed: 604 Peakham Road, Sudbury, MA.

Town Atlas Plat/Map: H-08 Parcel/Lot: 17

Project description: Construction of new single family dwelling, and the replacement of a cess-pool with a new, Title V compliant, septic system.

Copies of the Notice of Intent may be examined at the **Conservation Office, Department of Public Works Building, 275 Old Lancaster Road, Sudbury** between the hours of **9:00am to 2:00pm Monday through Wednesday, 10:00am to 4:00pm on Thursdays, and 9:00am to 2:00pm on Fridays.** For more information, please call the Conservation office at **(978) 440-5471** or email at concom@sudbury.ma.us.

NOTE: Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in the **Sudbury Town Crier.**

NOTE: Notice of the public hearing, including the date, time, and place, will be posted in the Dept. of Public Works Building not less than forty-eight (48) hours in advance.

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. Sudbury is in the Northeast Region of DEP. To contact DEP, call:

***DEP Northeast Region: (978) 694-3200
205B Lowell Street, Wilmington, MA 01887**

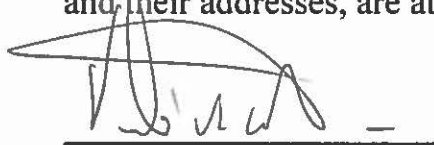
AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act and
the Town of Sudbury Wetlands Administration Bylaw

I, Valovia Costa hereby certify under the pains and penalties of perjury that on 07/17/19 I gave notification to abutters in Compliance with the second paragraph of Massachusetts General Law Chapter 131, Section 40, and the DEP Guide to Abutter Notification dating April 8, 1994 in connection with the following matter:

A Notice of Intent was filed under the Massachusetts Wetlands Protection Act and the Sudbury Wetlands Administration Bylaw by Michael Audette of Nu- Home Contractors with the Sudbury Conservation Commission on July 16, 2019 for a property located at 604 Peakham Road, Sudbury MA.

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



(Name)

07/17/19

(Date)

June 11, 2019

Nu-Home Contractors
140 Hopkinton Road
Upton, MA 01568

Re: 604 Peakham Road, Sudbury

Dear Mr. Audette

On June 11, 2019 the wetland resources were delineated on a portion of land located at the above referenced site. The wetland border was flagged using the criteria in the most recent edition of MA Wetland Protection Act (WPA) and Regulations 310 CMR 10.00 et al and the Town of Sudbury Wetland Bylaw. Hydric soil indicators, vegetation changes, hydrological indicators, and topography were all considered for delineation purposes.

The resources on/or near the site consist of two intermittent stream channels and associated Bordering Vegetated Wetland (BVW). The channels located closest to the site were flagged with series S1-8; where flags S1 and S2 delineate the top of bank of a mapped intermittent stream channel and S3-S8 delineates top of Bank of a non-mapped intermittent stream channel located along the back rail of the adjacent railroad bed which feeds into the mapped stream. The smaller of the two channels is located closest to the site (parallel) to the back-property line. The channel is 2-3 feet wide with 1-3 inches of flowing water and has 6-inch banks vegetated with touch-me-nots. The mapped stream channel corner (flagged with S1 and S2) which continues to flow south east away from the site is 3-6 feet wide, with 3-6 inches of flowing water and 6-12-inch banks.


Wetland up-gradient of both channels (located within the old railroad bed) was flagged with series GC1-6. The wetland was dominant in touch-me-nots, poison ivy, elm, red maple buckthorn and ilex. Department of Environmental Protection BVW field data forms were documented at wetland flag GC-3 (see attached forms).

According to the Mass GIS data layers for NHESP, this site is not located within Estimated and/or Priority Habitat of Rare Wildlife, and no mapped vernal pools are located on or near the site. The site is not located in a jurisdictional FEMA Flood Zone or within 200-ft of a mapped perennial river.

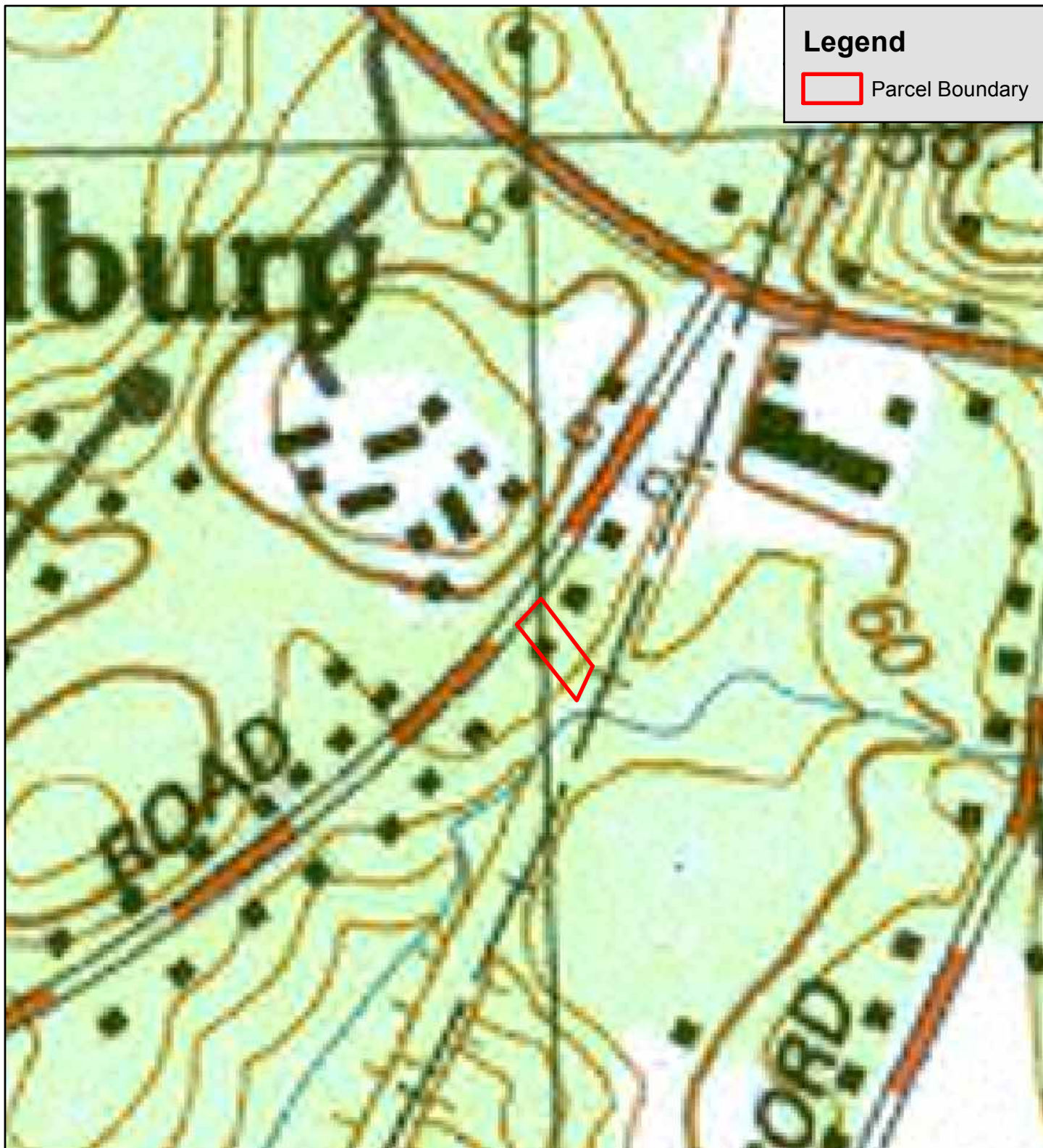
The MA Wetlands Protection Act and the local bylaw takes jurisdiction over BVW and Bank resources and their jurisdictional 100-foot Buffer Zones.

Any work within the resource areas and/or 100-foot buffer zone requires a Request for Determination (RDA) or Notice of Intent (NOI) be filed with the Conservation Commission. If you need further assistance with permitting, please call us we would be happy to assist.

Very truly yours,



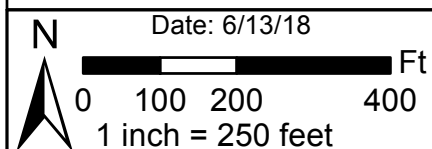
Scott Goddard,
Principal & PWS



USGS Site Locus

604 Peakham Rd. - Sudbury, MA

(PID: H08-0017)



Date: 6/13/18

GIS Data Source: "Office of Geographic Information (MassGIS), Commonwealth of Massachusetts, MassIT"

GODDARD CONSULTING
Strategic Wetland Permitting ^{LLC}



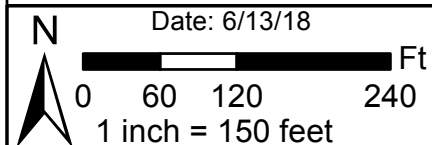
Legend

- Parcel Boundary
- Hydrologic Connection
- DEP Wetland
- Road

Orthophoto View of Site

604 Peakham Rd. - Sudbury, MA

(PID: H08-0017)



GIS Data Source: "Office of Geographic Information (MassGIS), Commonwealth of Massachusetts, MassIT"

GODDARD CONSULTING
Strategic Wetland Permitting LLC

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

Applicant: _____ Prepared by: Goddard Consulting LLC Project location: 604 Peakham Road, Sudbury DEP File #: _____

Check all that apply:

<input type="checkbox"/>	Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
<input checked="" type="checkbox"/>	Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
<input type="checkbox"/>	Method other than dominance test used (attach additional information)

Section I. Vegetation		Observation Plot Number: GC-3	Transect Number: Upgradient	Date of Delineation: 11-Jun-19	
Sample Layer and Plant Species	Scientific name	% Cover	% Dominance	Dominant Plant (yes or no)	Wetland Indicator Category*
<u>Tree Layer</u>					
Red Maple	<i>Acer rubrum</i>	10%	6.3%	No	FAC*
Black Oak	<i>Quercus velutina</i>	36%	22.8%	Yes	UPL
White ash	<i>Fraxinus americana</i>	20%	12.7%	No	FACU
Norway Maple	<i>Acer platanoides</i>	36%	22.8%	Yes	UPL
Sugar Maple	<i>Acer saccharum</i>	36%	22.8%	Yes	FACU
Eastern hemlock	<i>Tsuga canadensis</i>	20%	12.7%	No	OBL*
<u>Sapling Layer</u>					
Red Oak	<i>Quercus rubra</i>	10%	100.0%	Yes	FACU
<u>Shrub Layer</u>					
Honeysuckle	<i>Lonicera sp.</i>	63%	86.3%	Yes	FACU
Winterberry	<i>Ilex verticillata</i>	10%	13.7%	No	FACW*
<u>Climbing Woody Vine</u>					
American bittersweet	<i>Celastrus scandens</i>	36%	100.0%	Yes	FACU
<u>Ground Cover</u>					
Pale touch-me-not	<i>Impatiens pallida</i>	10%	25.0%	Yes	FACW*
American bittersweet	<i>Celastrus scandens</i>	20%	50.0%	Yes	FACU
Virginia-creeper	<i>Parthenocissus quinquefolia</i>	10%	25.0%	Yes	FACU
Remarks: * An asterisk after common plant name indicates stunted growth; ** indicates extremely stunted growth Morphological Adaptations: 0 Description: _____ * An asterisk after indicator status denotes wetlands plants: plants listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus Sphagnum; or plants listed as FAC, FACW, or OBL.					
Vegetation conclusion:					
Number of dominant wetland indicator plants: 1			Number of dominant non-wetland indicator plants: 8		
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 ☐ no

title/date: Interim Soil Survey of Middlesex County - 1991 (Maps - 1989)

map number: _____

soil type mapped: Deerfield Loamy sand

hydric soil inclusions: _____

Are field observations consistent with soil survey? ☒ yes ☐ no

Remarks: _____

2. Soil Description

<u>Horizon</u>	<u>Depth (inches)</u>	<u>Matrix Color</u>	<u>Mottles Color or Texture</u>
A	0-4"	10YR2/2	
B	4-12"	10YR4/4	
B2	12-20	10YR5/4	

Remarks: _____

3. Other: _____

Conclusion: Is soil hydric? ☐ yes ☒ 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 for Upgradient of GC-3		
	<u>yes</u>	<u>no</u>
Number of wetland indicator plants ≥ number of non-wetland plants		X
Wetland hydrology present:		
hydric soils present		X
other indicators of hydrology present		X
Sample location is in a BVW		X

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: Goddard Consulting LLC

Project location: **604 Peakham Road, Sudbury**

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)
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Section I. Vegetation		Observation Plot Number: GC-3	Transect Number: Downgradient	Date of Delineation: 11-Jun-19	
Sample Layer and Plant Species	Scientific name	% Cover	% Dominance	Dominant Plant (yes or no)	Wetland Indicator Category*
<u>Tree Layer</u>					
Red Maple	<i>Acer rubrum</i>	36%	64.3%	Yes	FAC*
American elm	<i>Ulmus americana</i>	20%	35.7%	Yes	FACW*
<u>Sapling Layer</u>					
Red Maple	<i>Acer rubrum</i>	10%	100.0%	Yes	FAC*
<u>Shrub Layer</u>					
<u>Climbing Woody Vine</u>					
<u>Ground Cover</u>					
Pale touch-me-not	<i>Impatiens pallida</i>	63%	100.0%	Yes	FACW*
Remarks: * An asterisk after common plant name indicates stunted growth; ** indicates extremely stunted growth Morphological Adaptations: 0 Description:					
* An asterisk after indicator status denotes wetlands plants: plants listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus Sphagnum; or plants listed as FAC, FACW, or OBL.					
Vegetation conclusion: Number of dominant wetland indicator plants: 4 Number of dominant non-wetland indicator plants: 0 Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? yes					

If vegetation alone is presumes 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 Interpretation

1. Soil Survey

Is there a published soil survey for this site? ☒ yes ☐ no

title/date: Interim Soil Survey of Middlesex County - 1991 (Maps - 1989)

map number: _____

soil type mapped: Deerfield loamy sand

hydric soil inclusions: Wareham

Are field observations consistent with soil survey? ☒ yes ☐ no

Remarks: _____

2. Soil Description

<u>Horizon</u>	<u>Depth (inches)</u>	<u>Matrix Color</u>	<u>Mottles Color or Texture</u>
O	0-12"	10YR2/1	
C	12-20	10YR6/1	

Remarks: _____

3. Other: _____

Conclusion: Is soil hydric? ☒ yes ☐ 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: Streams

Vegetation and Hydrology Conclusion for Downgradient of GC-3		
	<u>yes</u>	<u>no</u>
Number of wetland indicator plants ≥ number of non-wetland plants	X	
Wetland hydrology present:		
hydric soils present	X	
other indicators of hydrology present	X	
Sample location is in a BVW	X	

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

