

Notice of Intent (NOI) Application

Wetland Restoration after a Violation

Kenneth Fenton
8 Singing Hill Circle
Sudbury, MA 01776

July 1, 2019

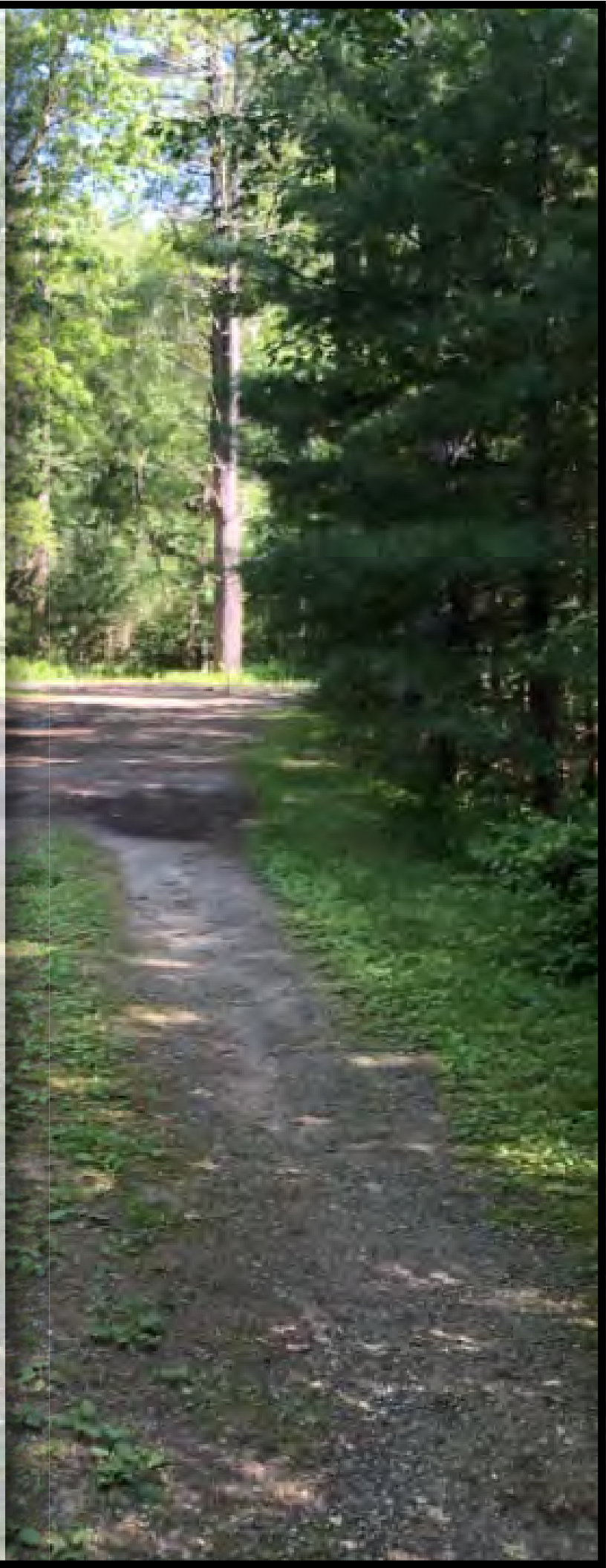
Prepared for:

Kenneth Fenton
8 Singing Hill Circle
Sudbury, MA 01776

Design Team:

A.S Elliott Associates
PO Box 85, Hopedale, MA 01747

DeRosa Environmental Consulting, Inc.
167 Main Street, PO Box 716, Rowley MA 01969



June 25, 2019

BY ELECTRONIC MAIL

Attn: Lori Capone
Conservation Coordinator
Sudbury Conservation Commission
275 Old Lancaster Road
Sudbury, MA 01776

Phone: (978)-440-5470
Email: Caponel@sudbury.ma.us



167 Main Street
P. O. Box 716
Rowley Massachusetts
USA

978.948.7717 Office

derosaenvironmental.com

**RE: Notice of Intent (NOI) Application for
Wetland Restoration after a Violation**

**Fenton Residence
8 Singing Hill Circle
Sudbury, MA, 01776**

Dear Ms. Capone & Members of the Commission,

Our firm has prepared the following Notice of Intent (NOI) Application to meet the requirements of the Massachusetts Wetlands Protection Act (MGL Ch. 131 Sec. 40) and its Regulations (310 CMR 10.00, et seq – the “Act”) and the Sudbury Wetlands Administration Bylaw (the Bylaw). We were authorized to prepare this filing at the request of Kenneth Fenton, owner of the property located at 8 Singing Hill Circle in Sudbury, Massachusetts, known as Assessor’s Map B08, Lot 0102.

This Notice of Intent (NOI) Application intends to provide a narrative summary of the materials and methods necessary to implement the proposed restoration plan requested by the Sudbury Conservation Commission in order to return to compliance. The restoration plan intends to restore and substantially enhance the existing bordering vegetated wetland and associated buffer zone to its previous function and value and substantially improve its wildlife habitat value. The plan also provides a follow-up and aftercare strategy to ensure the success of the restoration effort. By this application, we request that the Commission approves the proposed wetland restoration plan after a violation.



Aerial photograph taken in 2018 from MassOliver showing the Site.

Executive Summary

Site Description

There are three (3) properties that are the subject of this application (the "Site", Figure 1 & Figure 3).

- Parcel 1: located at 8 Singing Hill Circle in the Town of Sudbury, Massachusetts and identified as Map B08, Lot 0102.
- Parcel 2: known as Map B08, Lot 0019 on Powers Road, owned by Kenneth Fenton
- Parcel 3: known as Map B08, Lot 0419 on Powder Mill Road, owned by the Town of Sudbury.

The Site is all three (3) parcels, totaling approximately 10.29 acres south of Second Division Brook and just East of Powder Mill Road (Figure 1).

An existing single family home, built in 1984 with renovations in 2002, patio and tennis court are located on Site. A manmade pond, bordering vegetated wetland and an intermittent stream are located on Site north and north east of the existing dwelling (Figure 2b). Portions of the existing single family home, patio/hardscape and tennis court are located within the 100-foot buffer zone to Bordering Vegetated Wetland.

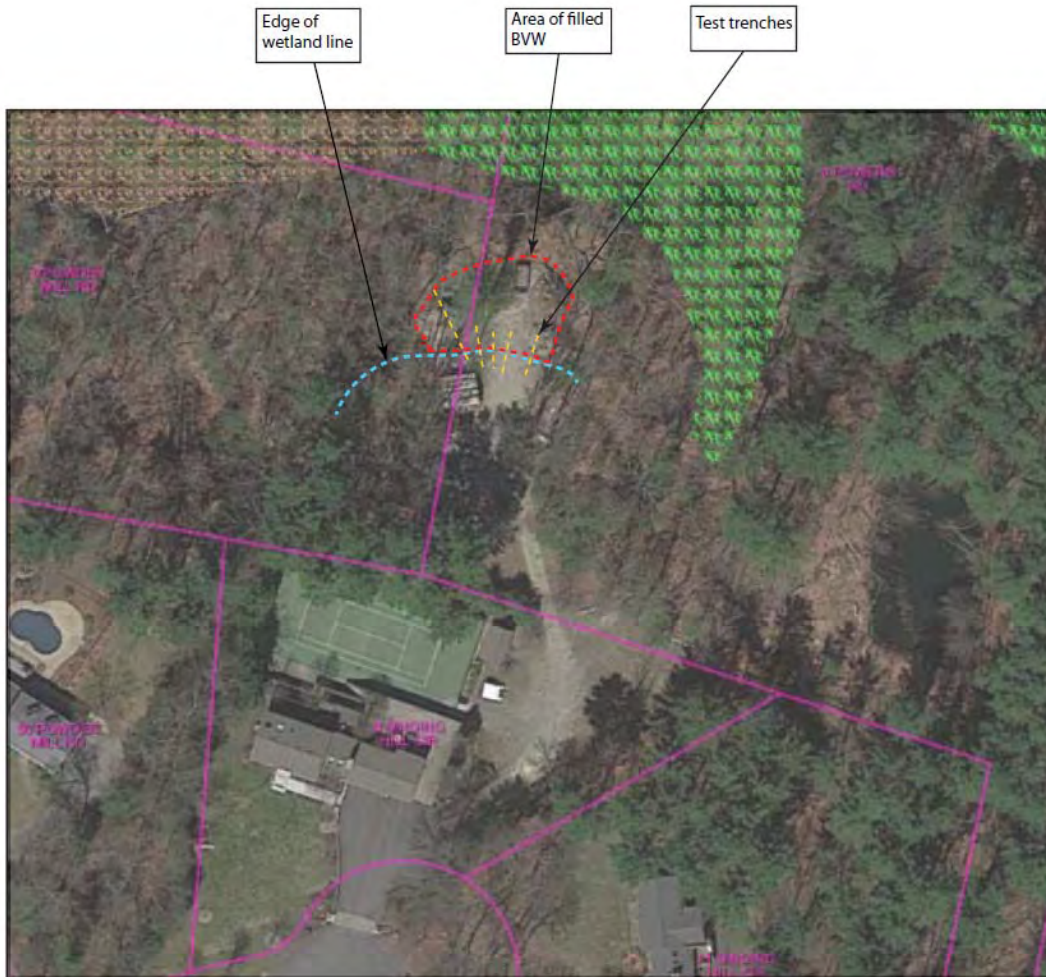
Project Background

In brief, an Enforcement Order was issued by the Commission on October 8, 2018 to Mr. and Mrs. Fenton, owners of the property located at 8 Singing Hill Circle (Parcel B08-0019 and B08-0102). The enforcement order was issued for the following:

- 1) Clearing of vegetation within 200' riverfront area of a perennial stream
- 2) Clearing of vegetation within 100' of the edge of bordering vegetated wetland
- 3) Alteration of bordering vegetation by placement of fill
- 4) Alteration of riverfront area by placement of fill
- 5) Expansion of driveway within the adjacent upland resource area without a permit
- 6) Installation of tennis court within the adjacent upland resource area without a permit
- 7) Storage of structures (trailers, etc.) within jurisdictional wetland and upland resource areas

On November 27, 2018 our firm conducted the investigatory work to determine the extent of filled wetlands at the subject property. The area in question was located to the north of the existing tennis court at the Site. Test trenches were conducted in this area down to native soil which was encountered approximately 2.5 feet below grade. Fill material observed consisted of a variety of sand, gravel, rock and sandy loam soils. Test trenches were advanced up-gradient until upland soils were reached. Soil borings were performed by our firm as trenches were dug. When native soils were encountered,

wooden stakes were installed to demark the pre-existing edge of bordering vegetated wetland. Soils at the Site were examined for hydric soil characteristics. The investigatory work was completed the same day and the limit of filled bordering vegetated wetland was staked out in the field. Test trenches were backfilled after the completion of the investigatory work.



Aerial photograph taken in 2018 from MassOliver. Soil trenches were conducted to determine the amount of fill, and to determine the limit of Bordering Vegetated Wetland. Fill material consisted a variety of gravel, rock, sand and sandy loam. Fill material observed was ~2.5 feet in depth to native soils.

Once the edge of the filled bordering vegetated wetland was identified, the surrounding wetland resource areas were delineated by our firm. The wetland resource areas and existing conditions were surveyed by A.S. Elliot Associates and were compiled onto a survey plan.

Project Summary

This restoration project intends to mitigate for the unpermitted activities, remove fill, and restore and substantially enhance the existing bordering vegetated wetland and associated buffer zone to its previous function and value and substantially improve its wildlife habitat value.

In brief, the restoration project includes the following elements:

- Remove fill from existing bordering vegetated wetland
- Restore the bordering vegetated wetland with native plant material
- Donate approximately 97,000 square feet of private land to the Town of Sudbury for conservation as mitigation for the unpermitted construction activities.

The proposed project has been designed to avoid, minimize and mitigate adverse impacts to bordering vegetated wetland and intermittent stream. Erosion control measures will be installed and limits of work will be clearly marked and strictly adhered to throughout the construction phase.

The following report provides a detailed description of wetland resource areas surrounding the project area and key project elements.

Existing Wetland Resource Areas

Bordering Vegetated Wetland (310 CMR 10.55)

The boundaries of the existing wetland resource areas were delineated according to methodology described in the Massachusetts Wetlands Protection Act (MGL Ch. 131 Sec. 40) and its Regulations at 310 CMR 10.00, et seq., as well as guidance documents prepared by the MADEP, including The Guide to Inland Vegetated Wetlands in Massachusetts, dated March 1988, as well as, Appendix G of Delineating Bordering Vegetated Wetlands Under the MA Wetlands Protection Act, dated March 1995.

Our firm delineated the boundaries of the vegetated wetland on November 27, 2018. The boundaries were flagged in two (2) single alpha-numeric series using pink surveyor's flagging consecutively numbered:

- WF-A1 to WF-A33
- WF-B1-WF-B22

a clear break in slope, and hydric soil indicators were used to determine the boundary of the wetland resource areas. In our professional opinion, the boundary of Bordering Vegetated Wetland delineated in

the field accurately represents the definition of Bordering Vegetated Wetland described at 310 CMR 10.55 et seq.

The Sudbury Wetlands Administration Bylaw and the Massachusetts Wetlands Protection Act identify the buffer zone as that jurisdictional area which extends 100 feet from the edge of a wetland boundary. The area of buffer zone that is regulated by the Bylaw and the Act, and falls within the limits of work, is associated with the delineated bordering vegetated wetland to an intermittent stream on the north and east side of the property. Portions of the proposed work are located within this buffer zone (Figure 2b). Accordingly, a Waiver Request has been drafted below requesting that the Commission issue a finding allowing the work to be conducted in these restricted zones established under the local bylaw.

Intermittent Stream

The Sudbury Wetlands Administration Bylaw states that *“all flowing watercourses shall be considered to be perennial streams unless a preponderance of evidence deemed acceptable by the Conservation Commission rebutting this presumption is presented”*.

Accordingly, we suggest that there is acceptable evidence to support that this flowing watercourse is, indeed, an intermittent stream. USGS StreamStats and MassOLIVER both determine the stream to be intermittent as well as observed evidence such as, absence of substrate, absence of bank undercutting, and absence of a continuous sheet of surface water in the stream channel. Additionally, the intermittent stream that travels past the residence gets its hydrology from the stormwater drainage from Powers Road Extension.

An intermittent stream is defined as a *“channel with a hydraulic gradient through which water flows during part of the year and which wither flows out of, into, or within a wetland resource under this bylaw”* according to the Sudbury Wetlands Administration Bylaw.

The Conservation Commission jurisdiction covers any land within one hundred (100) feet of an intermittent stream. The intermittent stream found on site was delineated in one (1) consecutive alphanumeric series numbered:

- IS-A1 to IS-A30

Portions of the proposed activities are located within the local restrictive 100-foot adjacent upland resource area to the intermittent stream (Figure 2b).

Accordingly, a Waiver Request has been drafted below requesting that the Commission issue a finding allowing the work to be conducted in these restricted zones established under the local bylaw.

Rare & Endangered Species Habitat

The project is not located within the boundaries of Priority or Estimated Habitats of Rare Species as determined by the Massachusetts Natural Heritage and Endangered Species Program (NHESP - Figure 5). Therefore, a review of this application is not required by the NHESP.

FEMA Floodplain

According to the Flood Emergency Management Agency's (FEMA) most recent Flood Insurance Rate Map (FIRM), portions of the Site lies within Flood Zone X (Figure 6). Flood Zone X is an area that has a .2% chance annual flood hazard. Since Zone X is not regulated under the Act or the Bylaw, the resource Bordering Land Subject to Flooding (BSLF) is not evaluated in this application.

Project Elements

Remove Fill

Fill consisting of sand and gravel material was placed within the bordering vegetated wetland for storage purposes. Because the fill was well compacted, there was no signs of erosion to the untouched, surrounding bordering vegetated wetland. The project proposes to remove approximately 6,500 square feet of fill at the Site as part of the restoration plan. Approximately 6,500 square feet of fill will be taken and disposed of offsite.



Photo showing the wetland fill proposed to be removed, and restored with a native species planting plan

Bordering Vegetated Wetland Restoration

Once the fill is removed from the restoration area, the same 6,500 square foot area is proposed to be restored back to bordering vegetated wetland. The existing organic soil still exists beneath the fill material. These soils will be loosened/scarified to promote growth and to prep the area for seeding and installation of native wetland plantings. Existing soils will be top dressed with restoration soil mix consisting of one part sandy loam and one part composted organic material, as needed. Subsequently, canopy, shrub, and herbaceous species will be installed to substantially improve the function and value of the resource area (Figure 2d & 2e). Details of the restoration plan are described in later sections of this application.

Land Donation

The project also proposes to donate approximately 97,000 square feet of undeveloped land to the Town of Sudbury as conservation land and habitat preservation to mitigate for the unpermitted activities within the buffer zone areas (Figure 2c & Appendix B). This land can be preserved under the care of the Town of Sudbury Conservation Commission for future generations to enjoy. The donated land included



Photo showing a portion of the land proposed to be donated to the Town of Sudbury Conservation Commission

an intermittent stream with bordering vegetated wetlands and associated adjacent upland resource areas.

Proposed Plank & Sleeper Crossing

The project proposes to install a plank a sleeper walkway to cross the intermittent stream to access the man-made pond on site (Figure 2b). This crossing is a temporary structure that will allow the Fenton's to cross the stream safely to the other adjacent upland resource area without disturbing soils within the intermittent stream and bordering vegetated wetland area. The crossing is proposed to be 3 feet wide and will span the width of the stream and bordering vegetated wetland.



Location of the proposed Plank and Sleeper Crossing. Currently, a board is placed in the location of the crossing.

Summary

The combination of wetland restoration and land donation will result in a 4:1 ratio of restoration to disturbance. The Sudbury Conservation Commission Bylaw requires a 3:1 ratio of restoration/mitigation to disturbance. In total, the project consisted of approximately 25,800 square feet of disturbance, and will result in approximately 176,500 square feet of restoration/mitigation. Accordingly, it is in our professional opinion that the proposed mitigation provides substantial compensation for the enforcement activities.

| Enforcement Activities | Area of Disturbance in Square Feet |
|-------------------------------|---|
| Tennis Court | 4,900 |
| Patio Surface | 788 |
| Garage | 226 |
| Wooden Deck/Stairs | 78 |
| Asphalt Driveway | 1,542 |
| Lawn | 7,100 |
| Shed | 230 |
| Stone Walls | 110 |
| Gravel Woods Road | 558 |
| Storage Area | 3,768 |
| Fill in wetland | 6,500 |
| Total | 25,800 |

| Mitigation Activities | Area of Restoration in Square Feet |
|---------------------------------------|---|
| Removal of Fill and Native Planting | 6,500 |
| Land Donation to Town | 97,000 |
| Total | 103,500 |
| | |
| | |
| 103,500 : 25,800 | |
| 4:1 restoration to disturbance | |

Restoration Plan

The following restoration plan intends to substantially improve the function and value of the existing buffer zone and bordering vegetated wetlands at the site.

Site Preparation

Prior to the commencement of any earthwork on the site, Groundscapes Filtermit (8-12-inch tube) or equal will be staked and installed according to the approved site plan (Figure 2a & 2b). All fill from the wetland will be removed until the organic soils are reached. The existing organic soils will be loosened/roughed up to un-compact the soils. Soils will be augmented with an organic soil mixture consisting of one part sandy loam & one part composted organic material, as needed. Once the site is prepared for planting, the area will be densely seeded with a native wetland seed mix, and canopy, shrub, and herbaceous plantings will be installed.

Canopy Species

We propose to install six (6) red maple (*Acer rubrum*) canopy trees to bring height and structural diversity to the restoration area. The red maple trees will be home to many different wildlife creatures and are well adapted to wetland soils.

Shrub Species

The shrub community is proposed to include highbush blueberry (*Vaccinium corymbosum*) and winterberry (*Ilex verticillata*). These species were selected to provide wildlife habitat quality in the form of cover, food, and potential nesting sites for wildlife, particularly migratory songbirds. Plantings will be interspersed across the restoration area and not in a uniform “on center” planting schedule. In this way, significant “edge” within the habitat will be created. The intent of the proposed planting plan is to provide greater vertical structure as well as greater species diversity within the restoration area.

Herbaceous Plantings

The herbaceous community will include the dense planting of several native wetland herbaceous species as well as a custom wetland seed mix groundcover. This herbaceous layer will include different species of FACW to OBL wetland indicator species, such as, soft rush (*Juncus effuses*), wool grass (*Scirpus cyperinus*), cinnamon fern (*Osmundastrum cinnamomeum*), royal fern (*Osmunda regalis*), turtle head (*Chelone glabra*), and cardinal flower (*Lobelia cardinalis*). These species will provide a densely planted area within the restored wetland that will attract birds, butterflies and bees (See Figure 2c & 2d).

This planting plan will create a densely vegetated wetland that will improve the filtering capacity of the area to treat runoff waters from the upgradient-developed areas.



Red maple (Acer rubrum) is a large tree named for its fall foliage, which can be very brilliant. It has light pink flowers in spring, followed by red samaras in females. Deer enjoy browsing on the leaves and tender shoots.



Cinnamon fern (Osmunda cinnamomea) grows well in moist soils. Fertile, spore-baring fronds grow in the center of the plant.

Additionally, these plantings will substantially improve the function and value of this area for wildlife by providing nesting areas and food and cover for wildlife, particularly small mammals and songbirds as well as upland game birds. All species to be introduced are native to this region and are adapted to wetland soils and hydrology.

Establish 25-foot No-Disturbance Area

In order to protect the resource areas, the project proposes to establish a 25-foot “No-Disturbance Area” from the restored wetland edge. The No-Disturbance Area will act as a buffer zone and will prevent future encroachment. The 25-foot area will be seeded with an upland native seed mix, will be demarcated with large boulders, and will not be mowed.

Aftercare and Maintenance

The proposed restoration efforts will follow the requirements under 310 CMR 10.55 for the restoration of vegetated wetlands and will include follow-up and aftercare reports for two (2) years or until the area becomes successfully vegetated.

Construction Oversight, Follow-up Observations, & Maintenance Plantings

Construction oversight, follow-up observations, and all plant installation work will be overseen by a competent professional in the field of landscape ecology, landscape architecture, a qualified engineer, or other qualified professional. The restoration area will be visited at least once each month for the first 4 months of the growing season to insure that plants are established and growing. After the first growing season the restoration area will be visited quarterly until the 75% cover performance standard is achieved. It is proposed that the restoration area be reviewed prior to the issuance of a Certificate of Compliance and on or before the two (2) year regulatory provision to ensure that plant material has established itself as required under 310 CMR 10.55(4)(b)(6). Monitoring and aftercare of the restoration are is also subject to up to 2 years of monitoring, which may be terminated sooner upon the determination of the Commission.

The area will be irrigated to insure that the seed material is established. All seed material will be hand sown. Any plant material that has failed to establish itself and has impaired the restoration area from providing the necessary plant species functions will be replaced in kind or substituted for a species that is establishing more efficiently. These species will be chosen based on the judgment of the restoration professional and success of other plantings installed in the restoration areas.

Observations over the two-year period will be summarized in a final written report, which will be submitted before or as part of the request for a Certificate of Compliance for the project. This report

will summarize the restoration effort and function and value of the created area. Interim reports (written and/or oral) during the two-year period can be requested at the discretion of the Commission.

Construction/Planting Sequence

1. Erosion control barriers will be installed downgradient of all areas where exposed soils are expected. Refer to Figure 2c. Project Elements Plan for location of sedimentation control structures.
2. The extent of wetland alteration was determined and the wetland edge was staked in the field by DeRosa Environmental.
3. Sandy fill and gravel will be removed from the restoration area/investigatory trenches and disposed of offsite at a licensed facility.
4. Existing organic soils will be loosened to prep the site for seeding and installation of canopy trees shrub and herbaceous species according to the Restoration Plan (Figure 2d).
5. Soils to be top-dressed with restoration soil mix consisting of one part sandy loam & one part composted organic material, as needed. It is expected that there will be adequate organic soils within the wetland from observations made during the test pit activities.
6. Native plant selection to be laid out according to restoration plan with necessary adjustments made by wetland/restoration specialist as needed.
7. All exposed soils to be seeded with custom native wetland seed mix.
8. Implement aftercare & maintenance plan consisting of quarterly site visits and photographs to document success of the program and any adjustments that may be necessary based on plant success.
9. Prepare final report/annotated photos documenting condition of the site and submit to conservation administrator on or before October 31st for each monitoring year.
10. We recommend that the plantings be installed as soon as possible to allow the plant material to grow through a full growing season before the onset of winter. Canopy, shrub and herbaceous species may be planted at the same time.

Stormwater Management

According to the Sudbury Wetlands Administration Bylaw, the Massachusetts Stormwater Management Standards shall apply to all projects or activities subject to the Bylaw and requires that efforts be made to mitigate runoff waters to the maximum extent practicable.

The approximate 4,900 square foot tennis court is made of turf material that is underlined with 2-inches of stone dust, then 18-inches of crushed gravel. Downgradient of the tennis court, on the northern edge, in front of the retaining wall, is also a 3-foot gravel apron that provides runoff infiltration.



Photo of the 3-foot gravel apron adjacent to the turf tennis court that provides stormwater infiltration

The house was constructed with gutters to guide roof runoff into drywells that slowly leaches the water into the subsoil and is infiltrated. Additionally, the patio pavers are underlain and have joints consisting of coarse sand, a pervious material. The patio pavers themselves are not pervious, however, the joints do allow water to infiltrate in the subsoil and eventually into the water table. There is a French



Photo of the sand filled patio joints

drain in the rear of the patio before a hardscaped wall as backup drainage, that would allow excess water to drain in the gravel parking area below in front of the tennis court entrance.

Runoff from the asphalt driveway leads to the gravel drive and lawn area in which is drains into the soils.

In our professional opinion, the after the fact activities have been designed and constructed to include stormwater management practices, in accordance with the Bylaw.

Erosion & Sedimentation Control Plan

Configuration of Siltation Barriers

Prior to any earthwork at the Site, an erosion control barrier consisting of Groundscapes Filtermit (8-12-inch tube) or equal will be installed down gradient of the proposed area of activity to prevent any erosion/sedimentation to the downgradient resource areas (Figure 2c).

These siltation barriers will remain in place during the entire restoration process and until all exposed soils are completely re-vegetated and/or the Sudbury Conservation Commission or their Agent approve removal of the barriers.

Limits of Work

The siltation barrier line will serve as the limit of disturbance for this project. Heavy equipment will be stored as far from resource areas as possible.

Jurisdiction and Procedural Matters

Abutter Notification

Abutters within 100 feet of the property line of 8 Singing Hill Circle (Assessor's Map B08, Lot 0102) have been notified in writing by Certificate of Mailing in accordance with the Massachusetts Department of Environmental Protection (MADEP) policy regarding such notice, which is in effect for Notice of Intent applications filed after April 13, 1994. Proof of this notice and a copy of the letter sent (typical) accompany this filing, as required (Appendix A).

Forms and Fees

Fee calculation sheets, fee transmittal forms, and photocopies of payment are attached. A single (1) copy of this application has been forwarded to the MADEP/NERO to await the issuance of a file number. In addition, a copy of the Fee Transmittal Form and the state filing fee have been sent to the MADEP Lock Box in Boston, Massachusetts via Certificate of Mailing.

Request for Specific Situation Warrants

The project has been designed to minimize and mitigate for impacts to existing wetland resource areas. We request that the Commission use their discretion to warrant the after the fact adjacent upland resource activities, and to warrant the proposed restoration and mitigation efforts within the bordering vegetated wetland. The proposed mitigation and restoration accounts for a total of 176,500 square feet.

That is a 4:1 ratio of mitigation to disturbance. This ratio far exceeds the required 2:1 ratio stated in the Bylaw.

Alternatives Analysis

One (1), out of the three (3) parcels that make up the Site is a residential property. The residential property is parcel 1: located at 8 Singing Hill Circle, identified as Map B08, Lot 0102. The majority of the after the fact activities occurred on this parcel. The majority of this parcel is within the 100-foot buffer zone to bordering vegetated wetland. Accordingly, given existing site constraints, the opportunity for alternatives is very limited.

Alternative 1 – Relocation of Activities

One alternative that was explored was to relocate the tennis court and patio further from the resource areas. This option was deemed impractical because it is as far from the resource area as the parcel allows with respect to the existing single family home. Additionally, the disturbance caused by tearing up what has been constructed and re-building else-where would be more disturbance than what the project currently proposes. The existing location is the only area within the residential parcel where the activities fit, and is as far away from all resource areas as possible and practicable.

Alternative 2 – Do nothing alternative

The proposed project provides mitigation for adverse impacts to resource areas. The proposed project will result in approximately 176,500 square feet of restoration by removing fill and donating land to conservation. This will improve the function and value of the bordering vegetated wetland. If the project is not implemented, this resource area improvement will also not be implemented. Additionally, the 97,000 square foot donation of land accommodates an overriding public interest.

It is our professional opinion that given the site constraints, the current option is the most conservative and results in substantial restoration to the wetland and adjacent upland resource areas and is therefore, the best option.

Request for Issuance of an Order of Conditions

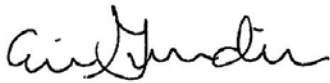
The proposed project has been designed to minimize impacts to existing wetland resource areas as defined under the Massachusetts Wetlands Protection Act (MGL CH. 131 Sec. 40, et seq.) and the Sudbury Wetlands Administration Bylaw.

By improving the diversity of plant species composition and structure, local function and value of that area for wildlife are enhanced. Since the interests of the Act and Bylaw have been addressed as part of this plan, we request that an Order of Conditions be issued so that Mr. Fenton may return the Site to compliance.

We are available to meet with you on site to review the project and to answer any questions, if you desire. Should you have any questions, or, would like to arrange a site walk, please call any time at (978) 948-7717.

Respectfully submitted,

DeRosa Environmental Consulting, Inc.



Evin Guvendiren
Natural Resource Economist

MJD/eeg



Michael J. DeRosa, Principal
PWS, LSP, LEED AP



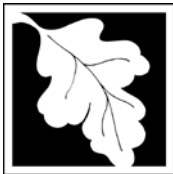
Cc: MADEP/NERO, Wetlands Division, 205B Lowell Street, Wilmington MA 01877
Kenneth Fenton (by email)
A.S. Elliot Associates (by email)

Forms

Notice of Intent (NOI) WPA Form 3

Wetland Fee Transmittal Form

Copies of Filing Fee Checks



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 |
| 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):

| | | |
|---|--------------------------------------|-----------------------------------|
| <u>8 Singing Hill Circle</u> a. Street Address | <u>Sudbury</u> b. City/Town | <u>01776</u> c. Zip Code |
| Latitude and Longitude: | | |
| <u>B08</u> f. Assessors Map/Plat Number | <u>42.42719 N</u> d. Latitude | <u>71.42434 W</u> e. Longitude |
| | <u>0102</u> g. Parcel /Lot Number | |

2. Applicant:

| | | |
|---|-------------------------------|---|
| <u>Kenneth</u> a. First Name | <u>Fenton</u> b. Last Name | |
| <u></u> c. Organization | | |
| <u>8 Singing Hill Circle</u> d. Street Address | | |
| <u>Sudbury</u> e. City/Town | <u>MA</u> f. State | <u>01776</u> g. Zip Code |
| <u>781-953-5100</u> h. Phone Number | <u></u> i. Fax Number | <u>Ken@ktfenton.com</u> j. Email Address |

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

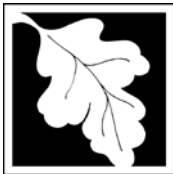
| | | |
|------------------------------|--------------------------|-----------------------------|
| <u></u> a. First Name | <u></u> b. Last Name | |
| <u></u> c. Organization | | |
| <u></u> d. Street Address | | |
| <u></u> e. City/Town | <u></u> f. State | <u></u> g. Zip Code |
| <u></u> h. Phone Number | <u></u> i. Fax Number | <u></u> j. Email address |

4. Representative (if any):

| | | |
|--|-------------------------------|---|
| <u>Michael</u> a. First Name | <u>DeRosa</u> b. Last Name | |
| <u>DeRosa Environmental Consulting, Inc.</u> c. Company | | |
| <u>167 Main Street PO Box 716</u> d. Street Address | | |
| <u>Rowley</u> e. City/Town | <u>MA</u> f. State | <u>01969</u> g. Zip Code |
| <u>978-948-7717</u> h. Phone Number | <u></u> i. Fax Number | <u>michaelderosaj@gmail.com</u> j. Email address |

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

| | | |
|-----------------------------------|-------------------------------------|---|
| <u>\$110</u> a. Total Fee Paid | <u>\$42.50</u> b. State Fee Paid | <u>\$67.50</u> c. City/Town Fee Paid |
|-----------------------------------|-------------------------------------|---|



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 |
| Sudbury City/Town |

A. General Information (continued)

6. General Project Description:

wetland restoration after a violation

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

- 1. Single Family Home
- 2. Residential Subdivision
- 3. Commercial/Industrial
- 4. Dock/Pier
- 5. Utilities
- 6. Coastal engineering Structure
- 7. Agriculture (e.g., cranberries, forestry)
- 8. Transportation
- 9. 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:

| | |
|---------------------------|---------------------------------------|
| <u>Southern Middlesex</u> | _____ |
| a. County | b. Certificate # (if registered land) |
| <u>56799</u> | <u>216</u> |
| c. Book | d. Page Number |

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.



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

Sudbury
 City/Town

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 checked="" type="checkbox"/> Bordering Vegetated Wetland | 6,500 1. square feet | 6,500 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:

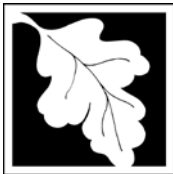
a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

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 |

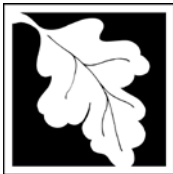
| | <u>Size of Proposed Alteration</u> | <u>Proposed Replacement (if any)</u> |
|---|---|--|
| f. <input type="checkbox"/> Coastal Banks | _____ | |
| | 1. linear feet | |
| g. <input type="checkbox"/> Rocky Intertidal Shores | _____ | |
| | 1. square feet | |
| h. <input type="checkbox"/> Salt Marshes | _____ | _____ |
| | 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. 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



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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 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*

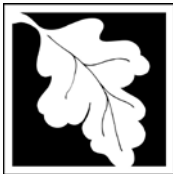
- 1. Percentage/acreage of property to be altered:
 - (a) within wetland Resource Area _____ percentage/acreage
 - (b) outside Resource Area _____ percentage/acreage

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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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 |
| Sudbury City/Town |

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

(c) MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhosp/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/nhosp/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:

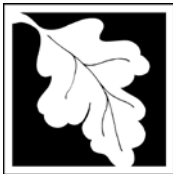
South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

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.



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:

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Document Transaction Number

Sudbury
City/Town

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: **Wetland Restoration
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.

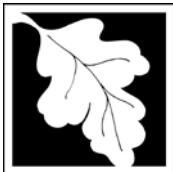
D. Additional Information

- 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.

Existing Conditions Topographic Plan

a. Plan Title

A.S. Elliott Associates

b. Prepared By

Elliott J. Paturzo

c. Signed and Stamped by

February 12, 2019

d. Final Revision Date

1"=30'

e. Scale

Figure 2c. Mitigation Plan by DeRosa Environmental

f. Additional Plan or Document Title

6/20/2019

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:

2074
2. Municipal Check Number

6/24/19
3. Check date

2076
4. State Check Number

6/24/2019
5. Check date

Kenneth
6. Payor name on check: First Name

Fenton
7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number

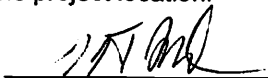
Document Transaction Number

Sudbury
City/Town

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

6/20/19

2. Date

3. Signature of Property Owner (if different)



5. Signature of Representative (if any)

4. Date

6/27/19

6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

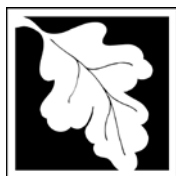
For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a copy of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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



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

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



A. Applicant Information

1. Location of Project:

8 Singing Hill Circle

a. Street Address

Sudbury

b. City/Town

2076

c. Check number

\$42.50

d. Fee amount

2. Applicant Mailing Address:

Kenneth

a. First Name

Fenton

b. Last Name

c. Organization

8 Singing Hill Circle

d. Mailing Address

Sudbury

e. City/Town

MA

f. State

01776

g. Zip Code

781-953-5100

h. Phone Number

i. Fax Number

Ken@ktfenton.com

j. Email Address

3. Property Owner (if different):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

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).



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 |
|----------------------------------|-----------------------------|--------------------------------|--------------------------------------|
| Category 2d. | 1 | \$110 | \$110 |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| Step 5/Total Project Fee: | | | \$110 |
| Step 6/Fee Payments: | | | |
| Total Project Fee: | | | \$110 |
| | | | a. Total Fee from Step 5 |
| State share of filing Fee: | | | \$42.50 |
| | | | b. 1/2 Total Fee less \$12.50 |
| City/Town share of filing Fee: | | | \$67.50 |
| | | | c. 1/2 Total Fee plus \$12.50 |

C. Submittal Requirements

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

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

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

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

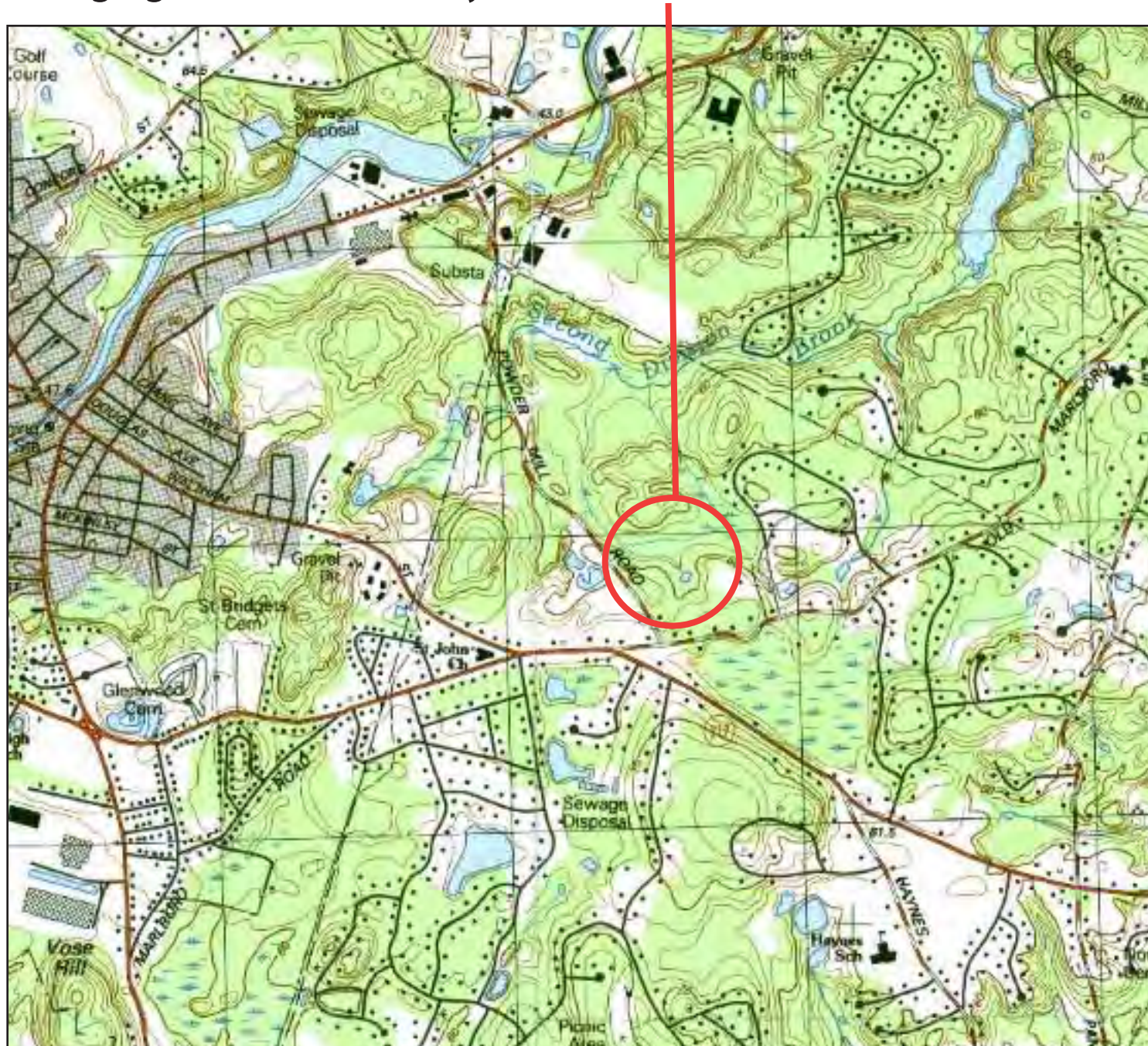
Figures

- Figure 1. USGS Locus Map
- Figure 2a. Existing Conditions Topographic Plan, by A.S. Elliott Associates
- Figure 2b. Site Overview Plan, by DeRosa Environmental
- Figure 2c. Project Elements Plan, by DeRosa Environmental
- Figure 2d. Restoration Planting Plan, by DeRosa Environmental
- Figure 2e. Plant Image Board, by DeRosa Environmental
- Figure 3. MassGIS Aerial Map
- Figure 4. MassGIS Wetlands Map
- Figure 5. MassGIS NHESP Map
- Figure 6. FEMA Flood Insurance Rate Map

Notice of Intent

8 Singing Hill Circle, Sudbury, MA

Figure 1. Topographic Map



USGS Topographic Maps



DEROSA
Environmental
CONSULTING, INC.

167 Main Street, PO Box 716, Rowley Massachusetts 01969 USA
978 948-7717 Office - 978 948-7718 Fax

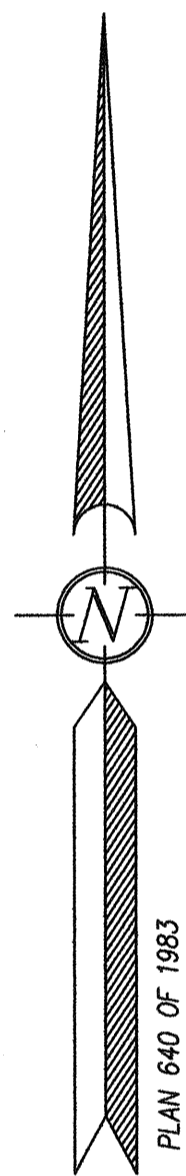
EXISTING CONDITIONS TOPOGRAPHIC PLAN IN SUDBURY, MA

#8 SINGING HILL CIRCLE

PREPARED FOR: KENNETH & GEORGINA FENTON
8 SINGING HILL CIRCLE
SUDBURY, MASS

DEED REFERENCE: MIDDLESEX COUNTY REGISTRY OF DEEDS
BOOK 56799 / PAGE 216

PLAN REFERENCE: MIDDLESEX COUNTY REGISTRY OF DEEDS
PLAN 640 OF 1983
PLAN 1295 OF 1997



ZONE DISTRICT: SRA (SINGLE RESIDENCE A)

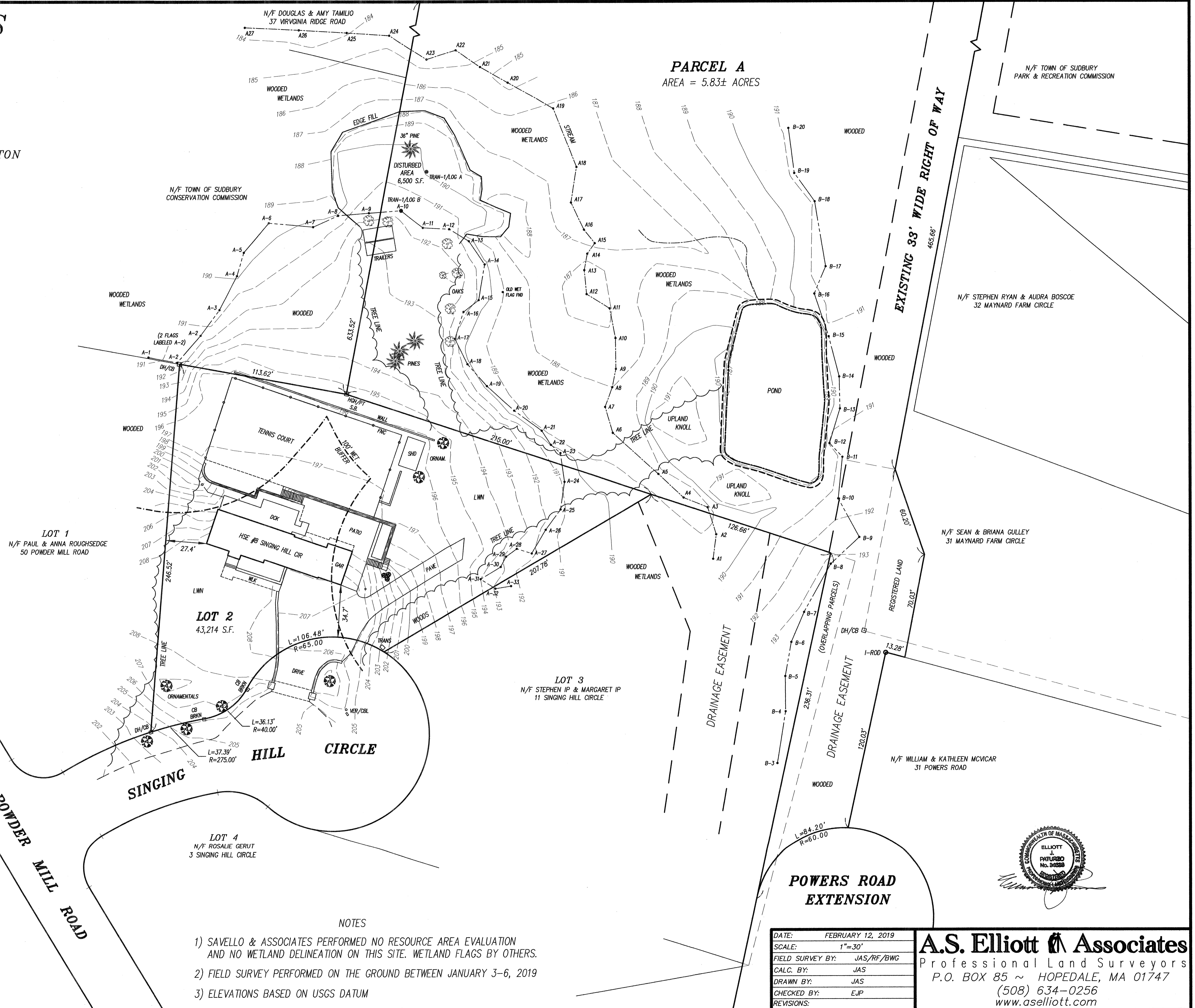
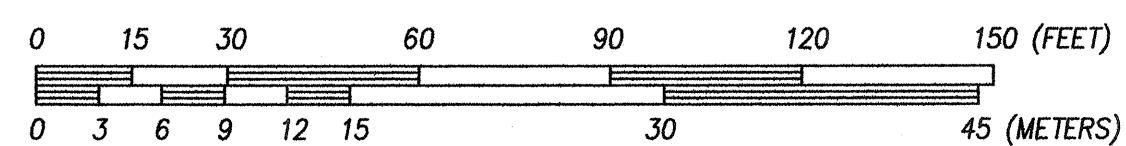
MINIMUM LOT AREA = 40,000 S.F.
MINIMUM LOT FRONTAGE = 180 FEET
MAXIMUM BUILDING COVERAGE = 40%

MINIMUM SETBACK REQUIREMENTS

FRONT YARD SETBACK = 40 FEET
SIDE YARD SETBACK = 20 FEET
REAR YARD SETBACK = 30 FEET



GRAPHIC SCALE: 1"=30'



NOTES

- 1) SAVELLO & ASSOCIATES PERFORMED NO RESOURCE AREA EVALUATION AND NO WETLAND DELINEATION ON THIS SITE. WETLAND FLAGS BY OTHERS.
- 2) FIELD SURVEY PERFORMED ON THE GROUND BETWEEN JANUARY 3-6, 2019
- 3) ELEVATIONS BASED ON USGS DATUM

| | |
|------------------|-------------------|
| DATE: | FEBRUARY 12, 2019 |
| SCALE: | 1"=30' |
| FIELD SURVEY BY: | JAS/RF/BWG |
| CALC. BY: | JAS |
| DRAWN BY: | JAS |
| CHECKED BY: | EJP |
| REVISIONS: | |

A.S. Elliott & Associates
Professional Land Surveyors
P.O. BOX 85 ~ HOPEDALE, MA 01747
(508) 634-0256
www.aselliott.com



EXISTING CONDITIONS TOPOGRAPHIC PLAN

IN SUDBURY, MA

#8 SINGING HILL CIRCLE

PREPARED FOR: KENNETH & GEORGINA FENTON
8 SINGING HILL CIRCLE
SUDBURY, MASS

DEED REFERENCE: MIDDLESEX COUNTY REGISTRY OF DEEDS
BOOK 56799 / PAGE 216

PLAN REFERENCE: MIDDLESEX COUNTY REGISTRY OF DEEDS
PLAN 640 OF 1983
PLAN 1295 OF 1997

Figure 2b. Site Overview Plan
8 Singing Hill Circle, Sudbury, MA

Edge of Bordering Vegetated Wetland

100-foot Buffer Zone to Bordering Vegetated Wetland

Parcel 1
Map B08, Lot 0102
Owned by Kenneth Fenton

Parcel 3
Map B08, Lot 0419
Owned by Town of Sudbury

Parcel 2
Map B08, Lot 0019
Owned by Kenneth Fenton

PARCEL A
AREA = 5.83± ACRES

Restoration area: ~6,500 sf of fill removal and native species planting

Existing man-made pond

Intermittent Stream

General Notes:

1. Base plan by A.S Elliott Associates dated February 12, 2019
2. Notes and wetland lines added by DeRosa Environmental Consulting, Inc. on June 20, 2019.
3. Wetland delineation by DeRosa Environmental Consulting, Inc. on November 27, 2018.

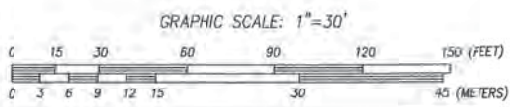
Proposed plank and sleeper crossing (not to scale)



DEROSA Environmental CONSULTING, INC.
167 Main Street
P.O. Box 716
Rowley, Massachusetts
USA
978.948.7717 Office
derosaeenvironmental.com

Michael J. DeRosa
PWS No. 2250

MJD/eg/ledr
June 21, 2019



NOTES

- 1) SAVELLO & ASSOCIATES PERFORMED NO RESOURCE AREA EVALUATION AND NO WETLAND DELINEATION ON THIS SITE. WETLAND FLAGS BY OTHERS.
- 2) FIELD SURVEY PERFORMED ON THE GROUND BETWEEN JANUARY 3-6, 2019
- 3) ELEVATIONS BASED ON USGS DATUM

| | |
|------------------|-------------------|
| DATE: | FEBRUARY 12, 2019 |
| SCALE: | 1"=30' |
| FIELD SURVEY BY: | JAS/RF/BWG |
| CALC. BY: | JAS |
| DRAWN BY: | JAS |
| CHECKED BY: | EJF |
| REVISIONS: | |

A.S. Elliott & Associates
Professional Land Surveyors
P.O. BOX 85 ~ HOPEDALE, MA 01747
(508) 634-0256
www.aselliott.com

EXISTING CONDITIONS TOPOGRAPHIC PLAN IN SUDBURY, MA

#8 SINGING HILL CIRCLE

PREPARED FOR: KENNETH & GEORGINA FENTON
8 SINGING HILL CIRCLE
SUDBURY, MASS

DEED REFERENCE: MIDDLESEX COUNTY REGISTRY OF DEEDS
BOOK 56799 / PAGE 216

PLAN REFERENCE: MIDDLESEX COUNTY REGISTRY OF DEEDS
PLAN 640 OF 1983
PLAN 1295 OF 1997



ZONE DISTRICT: SRA (SINGLE RESIDENCE A)

| Enforcement Activities | Area of Disturbance in Square Feet |
|------------------------|------------------------------------|
| Tennis Court | 4,900 |
| Patio Surface | 788 |
| Garage | 226 |
| Wooden Deck/Stairs | 78 |
| Asphalt Driveway | 1,542 |
| Lawn | 7,100 |
| Shed | 230 |
| Stone Walls | 110 |
| Gravel Woods Road | 558 |
| Storage Area | 3,768 |
| Fill in wetland | 6,500 |
| Total | 25,800 |

| Mitigation Activities | Area of Restoration in Square Feet |
|-------------------------------------|------------------------------------|
| Removal of Fill and Native Planting | 6,500 |
| Land Donation to Town | 97,000 |
| Total | 103,500 |

103,500 : 25,800
4:1 restoration to disturbance

Figure 2c. Project Elements Plan
8 Singing Hill Circle, Sudbury, MA

PARCEL A
AREA = 5.83± ACRES

Approximate Area
(~97,000 SF) to be
Donated to Town
(See Appendix B)

Restoration Area
(~6,500 SF)

Proposed erosion
control

Storage Area

Gravel Woods Road

Tennis Court

Wooden Deck/Stairs

Area outside of 100-foot buffer zone (outside of
Conservation Commission jurisdiction)

Shed

Lawn

Stone Walls

Garage

Asphalt Driveway

Proposed plank and sleeper crossing
(Not to scale)

General Notes:

1. Base plan by A.S Elliott Associates dated February 12, 2019
2. Notes and wetland lines added by DeRosa Environmental Consulting, Inc. on June 20, 2019.
3. Mitigation is provided in the form of wetland restoration and land donation for conservation purposes (see charts for square footages)
4. The project results in a 4:1 ratio of restoration to disturbance

Michael J. DeRosa
PWS No. 2250
MJD/eg/ledr
June 21, 2019

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Rowley, Massachusetts
USA
978.948.7717 Office
derosaeenvironmental.com



DATE: FEBRUARY 12, 2019
SCALE: 1"=30'
FIELD SURVEY BY: JAS/RF/BWG
CALC. BY: JAS
DRAWN BY: JAS
CHECKED BY: EJP
REVISIONS:

A.S. Elliott & Associates
Professional Land Surveyors
P.O. BOX 85 ~ HOPEDALE, MA 01747
(508) 634-0256
www.aselliott.com

GRAPHIC SCALE: 1"=30'



EXISTING CONDITIONS TOPOGRAPHIC PLAN IN SUDBURY, MA

#8 SINGING HILL CIRCLE

PREPARED FOR: KENNETH & GEORGINA FENTON
8 SINGING HILL CIRCLE
SUDBURY, MASS

DEED REFERENCE: MIDDLESEX COUNTY REGISTRY OF DEEDS
BOOK 56799 / PAGE 216

PLAN REFERENCE: MIDDLESEX COUNTY REGISTRY OF DEEDS
PLAN 640 OF 1983
PLAN 1295 OF 1997



ZONE DISTRICT: SRA (SINGLE RESIDENCE A)

MINIMUM LOT AREA = 40,000 S.F.
MINIMUM LOT FRONTAGE = 180 FEET
MAXIMUM BUILDING COVERAGE = 40%

MINIMUM SETBACK REQUIREMENTS

FRONT YARD SETBACK = 40 FEET
SIDE YARD SETBACK = 20 FEET
REAR YARD SETBACK = 30 FEET



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GRAPHIC SCALE: 1"=30'

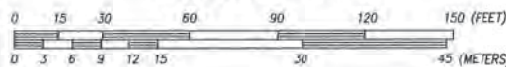


Figure 2d. Restoration Planting Plan

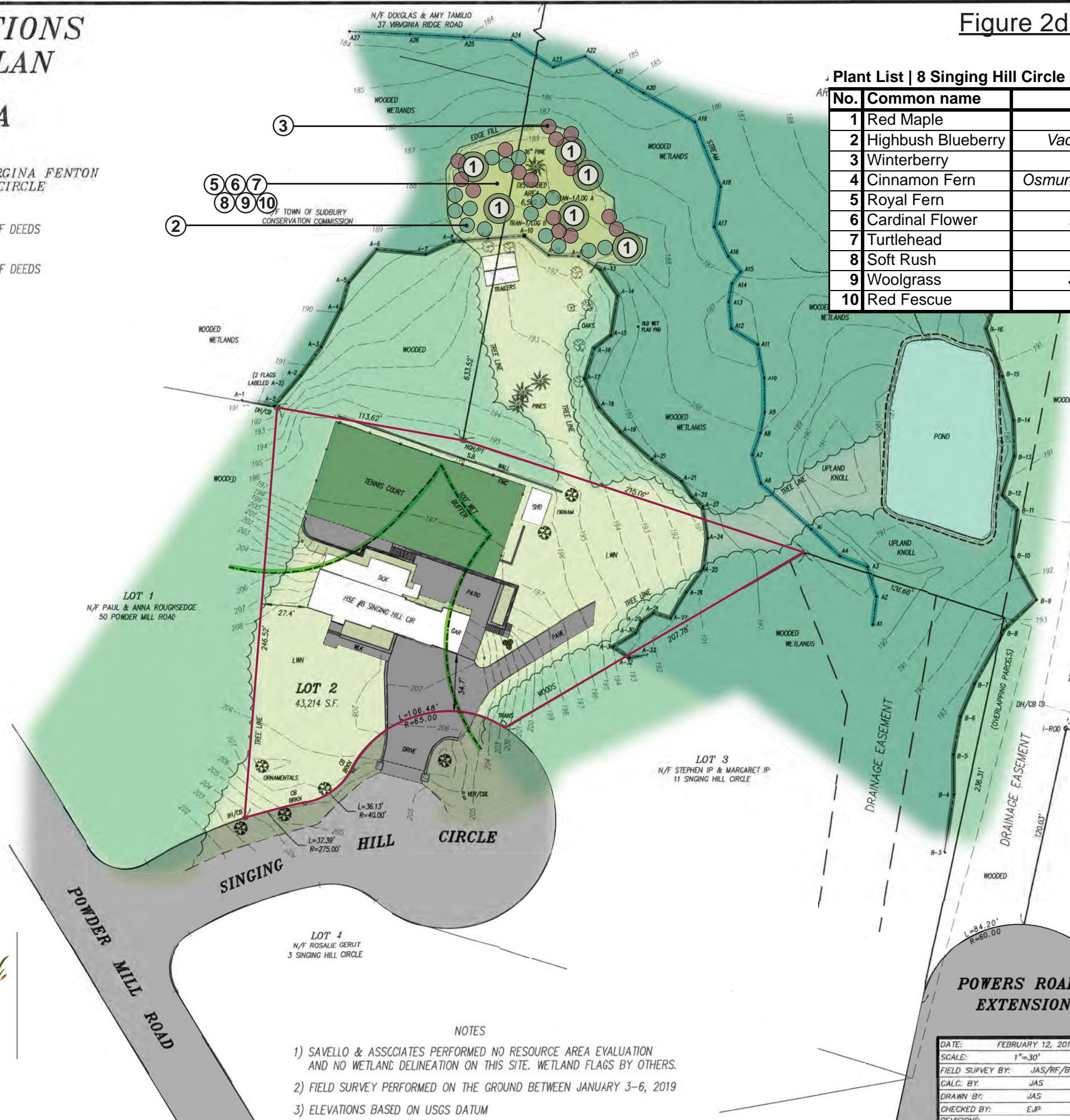
8 Singing Hill Circle | Sudbury, MA

Plant List | 8 Singing Hill Circle | Sudbury, MA

| No. | Common name | Botanical name | Quantity | Size |
|-----|--------------------|---------------------------------|----------|-------|
| 1 | Red Maple | <i>Acer rubrum</i> | 6 | 2" |
| 2 | Highbush Blueberry | <i>Vaccinium corymbosum</i> | 15 | 3 gal |
| 3 | Winterberry | <i>Ilex verticillata</i> | 15 | 3 gal |
| 4 | Cinnamon Fern | <i>Osmundastrum cinnamomeum</i> | 25 | 1 gal |
| 5 | Royal Fern | <i>Osmunda regalis</i> | 25 | 1 gal |
| 6 | Cardinal Flower | <i>Lobelia cardinalis</i> | 15 | 1 gal |
| 7 | Turtlehead | <i>Chelone glabra</i> | 15 | 1 gal |
| 8 | Soft Rush | <i>Juncus effesus</i> | 5 lbs | seed |
| 9 | Woolgrass | <i>Scirpus cyperinus</i> | 5 lbs | seed |
| 10 | Red Fescue | <i>Festuca rubra</i> | 20 lbs | seed |

Planting Notes:

1. Disturbed soils will be planted with our custom wetland and upland seed mixes.
2. The entire planted area is to be covered with salt marsh hay to retain soil moisture and protect against seed predation by birds and small mammals.
3. Plants to be distributed by an ecological restoration specialist. Exact plant locations will be determined in the field based on site-specific planting conditions and micro-topography.
4. The new plantings will be irrigated for one full growing season or until the seed and plant material is established.
5. Monthly inspections will be conducted for the first growing season
6. A 25-foot No Disturbance Zone is proposed to be established from the restored wetland edge. Large boulders will be placed to demarcate the No Disturbance Zone



NOTES

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- 2) FIELD SURVEY PERFORMED ON THE GROUND BETWEEN JANUARY 3-6, 2019
- 3) ELEVATIONS BASED ON USGS DATUM

Michael J. DeRosa

Michael J. DeRosa
PWS No. 2250

MJD/eg/ldr
June 21, 2019



| | |
|------------------|-------------------|
| DATE: | FEBRUARY 12, 2019 |
| SCALE: | 1"=30' |
| FIELD SURVEY BY: | JAS/RF/BWG |
| CALC. BY: | JAS |
| DRAWN BY: | JAS |
| CHECKED BY: | EJP |
| REVISIONS: | |

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Figure 2e. Plant Image Board

8 Singing Hill Circle, Sudbury, MA



CARDINAL FLOWER



TURTLEHEAD



CINNAMON FERN



RED MAPLE



HIGHBUSH BLUEBERRY



WINTERBERRY



ROYAL FERN



WOOLGRASS



SOFT RUSH

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MJD/eeg 6/20/2019

Notice of Intent

8 Singing Hill Circle, Sudbury, MA

Figure 3. Aerial
Photograph

USGS Color Orthos 2013-2014



- Parcel 2:
Map B08, Lot 0019
- Owned by Kenneth Fenton
- Parcel 3:
Map B08, Lot 0419
Owned by Town of Sudbury
- Parcel 1:
Map B08, Lot 0102
Owned by Kenneth Fenton

Notice of Intent Application

8 Singing Hill Circle, Sudbury, MA

Figure 4.
Wetlands Map



Notice of Intent Application

8 Singing Hill Circle, Sudbury, MA

Figure 5.
NHESP Map



- NHESP Certified Vernal Pools
*
 - Potential Vernal Pools
⊙
 - NHESP Estimated Habitats of Rare Wildlife
■
 - NHESP Priority Habitats of Rare Species
■
- USGS Color Orthos 2013-2014
■

Notice of Intent Application

8 Singing Hill Circle, Sudbury, MA

National Flood Hazard Layer FIRMette



Figure 6. FIRMette Map



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

| SPECIAL FLOOD HAZARD AREAS | |
|-----------------------------|---|
| | Without Base Flood Elevation (BFE) Zone A, V, A99 |
| | With BFE or Depth Zone AE, AO, AH, VE, AP |
| | Regulatory Floodway |
| OTHER AREAS OF FLOOD HAZARD | |
| | 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X |
| | Future Conditions 1% Annual Chance Flood Hazard Zone X |
| | Area with Reduced Flood Risk due to Levee. See Notes, Zone X |
| | Area with Flood Risk due to Levee Zone D |
| OTHER AREAS | |
| | Area of Minimal Flood Hazard Zone X |
| | Effective LOMRs |
| | Area of Undetermined Flood Hazard Zone D |
| GENERAL STRUCTURES | |
| | Channel, Culvert, or Storm Sewer |
| | Levee, Dike, or Floodwall |
| OTHER FEATURES | |
| | Digital Data Available |
| | No Digital Data Available |
| | Unmapped |
| | The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location. |

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/19/2019 at 6:48:54 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

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Appendix A

Abutter List

Notification to Abutters

Affidavit of Service

Abutters List

Date: April 23, 2019

print this list

Subject Property Address: 8 SINGING HILL CIR Sudbury, MA

Subject Property ID: B08-0102

Search Distance: 100 Feet

Prop ID: B08-0019

Prop Location: POWERS RD Sudbury, MA

Owner: FENTON KENNETH T JR & GEORGINA

Co-Owner:

Mailing Address:

8 SINGING HILL CIRCLE
SUDBURY, MA 01776

Prop ID: B08-0101

Prop Location: 50 POWDER MILL RD Sudbury, MA

Owner: ROUGHSEGE PAUL & ANNA

Co-Owner:

Mailing Address:

50 POWDER MILL ROAD
SUDBURY, MA 01776

Prop ID: B08-0103

Prop Location: 11 SINGING HILL CIR Sudbury, MA

Owner: IP STEPHEN H & MARGARET Y

Co-Owner:

Mailing Address:

11 SINGING HILL CIR
SUDBURY, MA 01776

Prop ID: B08-0104

Prop Location: 3 SINGING HILL CIR Sudbury, MA

Owner: GERUT ROSALIE

Co-Owner:

Mailing Address:

3 SINGING HILL CIR
SUDBURY, MA 01776

Verified Owners:
May 6, 2019
John J. Verrill

TOWN OF SUDBURY
BOARD OF ASSESSORS
278 OLD SUDBURY ROAD
SUDBURY, MA 01776

Prop ID: B08-0419
Prop Location: POWDER MILL RD Sudbury, MA
Owner: TOWN OF SUDBURY
Co-Owner: CONSERVATION
Mailing Address:
278 OLD SUDBURY ROAD
SUDBURY, MA 01776

Notification to Abutters under the Massachusetts Wetlands Protection Act

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

A. The name of the applicant is Kenneth Fenton

B. The address of the lot where the activity is proposed is:

8 Singing Hill Circle, Sudbury, MA

C. The applicant has filed a Notice of Intent with the Sudbury Conservation Commission seeking permission to implement a restoration plan within Bordering Vegetated Wetland under the Wetlands Protection Act (General Laws Chapter 131, Section 40).

The work includes wetland restoration after a violation.

D. Copies of the Notice of Intent may be examined at the Sudbury Town Hall in the Conservation Commission office between the hours of 8:00am and 5:00pm Monday through Friday. For more information call the Sudbury Conservation Commission at 978-440-5471

E. Information regarding the project, date, time and place of the public hearing may be obtained from DeRosa Environmental, by contacting Evin Guvendiren at guvendiren.derosa@gmail.com or the Sudbury Conservation Commission at 978-440-5471 between the hours of 8:00am and 5:00pm on Monday - Friday

NOTE: Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in the local newspaper

NOTE: Notice of the meeting of the Conservation Commission, including its date, time and place will be posted in the Town Hall not less than forty-eight (48) hours in advance of the meeting.

NOTE: You also may contact your local Conservation Commission or the Department of Environmental Protection Northeast Regional Office for more information about this application or the Wetlands Protection Act.

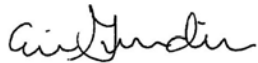
AFFIDAVIT OF SERVICE
Under the Massachusetts Wetlands Protection Act

I, Evin Guvendiren, hereby certify under the pains and penalties of perjury that on July 1, 2019 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 was filed under the Massachusetts Wetlands Protection Act by Kenneth Fenton with the Town of Sudbury Conservation Commission on July 1, 2019 for property located at:

8 Singing Hill Circle, Sudbury, MA.

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



July 1, 2019

Signature

Date

Appendix B

Proposed Mitigation

Proposed Mitigation

8 Singing Hill Circle, Sudbury, MA.



Land to Give to Town/Conservation Commission

Square Footages of Activities in Resource Areas: 25,800 square feet

3/1 Required Mitigation Square Footage: 77,400 square feet

Square Footage of Land to Gift: 97,000 square feet (4/1 Proposed Mitigation)

Appendix C

Professional Qualifications

Evin Guvendiren

Tyler Ferrick

Michael J. DeRosa



Evin Guvendiren, BS

Natural Resource Economist

Evin graduated from the University of Massachusetts Amherst with a Bachelor of Science in Natural Resource Economics and minors in Environmental Science, Economics, and Natural Resource Conservation. Her studies focused on sustainability, econometrics, land conservation, environmental policy and natural resource management.

Evin joined DeRosa Environmental Consulting in the Summer of 2017 and is currently holding the position as Environmental Scientist.

During her bachelor's studies, Evin spent a semester abroad with the School for Field Studies in Costa Rica. There, she lived on a sustainable farm and implemented an integrated pest management system. Her classes consisted of field experience and course work on sustainable development, tropical ecology, and resource management in a developing country. She also participated in environmental stewardship and spent one month conducting a Socio-economic directed research project with a national park.

Evin also spent a semester researching the Colony Collapse Disorder as an independent study. She helped a professor with a grant from the USDA to determine consumers' willingness to pay for native bee pollination on cranberries. This research was funded to help find an alternative to commercial honeybee pollination to support the agriculture industry and economy.

Having grown up near beaches and ocean, marshes, rivers, vernal pools, and national parks, Evin has a strong love and passion for the environment. She spends most of her time outdoors and camps, hikes and kayaks whenever she can.

REPRESENTATIVE PROJECTS

Private Residence | Dune Grass Restoration
Manchester, MA

Private Residence | Dune Grass Restoration
Ipswich, MA

Commercial Property | Wetland Restoration
Rowley, MA

Private Residence | Reconstruction of a Single Family Home
Ipswich, MA

Invasive Plant Management | Restoration Project
Ipswich, MA

Sally's Meadow | Butterfly Meadow Restoration
Ipswich, MA

Town Wide Beach and Road Management Plans
Manchester, MA

Wetland Restoration | MassDEP ACOP
Rockport, MA

Wetland Restoration | MassDEP ACOP
Essex, MA

CERTIFICATION

40 Hour Hazardous Waste Site Worker (OSHA)

Adult and Pediatric First Aid/CPR/AED

EDUCATION

BS, Natural Resource Economics | 2014
University of Massachusetts, Amherst, MA

PROFESSIONAL EXPERIENCE

Environmental Scientist | 2017 – Present

DeRosa Environmental Consulting Inc

Student Researcher | January – May 2014

University of Massachusetts Amherst-Resource Economics department

Student Researcher | January – May 2013

The SFS Center for Sustainable Development Studies, Atenas, Costa Rica



Tyler Ferrick, BS

Project Manager/Environmental Scientist

Tyler graduated with a bachelor's degree in Conservation Law Enforcement from Unity College located in Unity, Maine. Tyler is also a graduate from the Schoodic Point Seasonal Law Enforcement Program for the National Park Service. His study prepares him for issues dealing with the management and protection of wildlife, natural resources, and environmental laws and regulations. He is working towards becoming an Environmental Police Officer in his future.

Tyler began working with DeRosa Environmental Consulting in the fall of 2012. He is currently working at DeRosa Environmental as a Project Manager. Tyler has been involved in a variety of projects at DeRosa related to MGL Ch. 21e and the Massachusetts Contingency Plan (MCP). He has lead remedial action operations, conducted oversight and has prepared MCP documents. Furthermore, Tyler has worked with local and state environmental agencies to permit wetland related projects. He has experience delineating, designing, assessing and restoring wetland resource areas. Tyler is interested in the natural resources that Massachusetts coast has to offer and is driven by the protection and health needed for these resources in order for future generations to experience.

Prior to immersing himself in the world of science, Tyler worked as an intern with the US Environmental Protection Agency in Boston. Here he began to learn about Brownfield's and the extent and severity of soil and groundwater pollution in our local areas. He also learned about stormwater runoff and successful management and treatment methods. During Tyler's summer working for the EPA he helped with the EPA's food bank canned food drive.

Tyler's love for the outdoors started when he was young. He has many hobbies which include fishing, hunting, skiing, hiking, and just being in the woods. He likes to fish for salt and freshwater fish. He even does some commercial fishing for stripers when he gets a chance.

REPRESENTATIVE PROJECTS

Lead Abatement and Wetland Restoration Project
Burlington, MA

Commercial Property | Wetland Restoration
Rowley, MA

Phase 1 ESA
Topsfield, MA

Commercial Property | Phase 2 ESA
Plaistow, NH

MWRA RAM Completion Report
Charlestown Wind Turbine Site

Commercial Property | Wetland Delineation
Ipswich, MA

Wetland Permitting | Notice of Intent
Hamilton, MA

Hazardous Waste Clean-Up | Gasoline and Fuel Oil Remediation
Rowley, MA

Wetland Design | Restoration Project
Beverly, MA

Invasive Species Management | and Wetland Permitting
Gloucester, MA

Wetland Restoration
Braintree, MA

Wetland Restoration |
MassDEP ACOP
Haverhill, MA

Hazardous Waste Clean-Up |
Metals, Gasoline, Fuel Oil
Manchester, MA

Wetland Restoration |
Hopkinton, MA

Phase 2 ESA
Ipswich, MA

Hazardous Waste |
Tank Closure Report
Hamilton, MA

EDUCATION

BS, Conservation Law Enforcement | 2012
Unity College, Unity, Maine

PROFESSIONAL EXPERIENCE

Project Manager/ Environmental Scientist
DeRosa Environmental Consulting Inc | 2012 – Present
Landscape
Chickadee Hill Farm | 2010, 2012
Intern (Environmental Protection Assistant)
US Environmental Protection Agency | Summer 2011

Professional Memberships/Affiliations

LSPA | Licensed Site Professional Association
ELA | Ecological Landscape Alliance

Certification

40 Hour Hazardous Waste Site Worker (OSHA)
Pesticide Applicators License | CORE MDAR
Railway Worker Protection (RWP) | MBCR
BMP's for Wetland Design & Construction | AMWS
Classic River Morphology | AMWS
Historic Fill | LSPA

License

Unmanned Aircraft License | FAA | Exp. 2/28/2019



Michael J. DeRosa

Principal, LSP, LEED AP BC&D

Michael J. DeRosa, Principal and project manager specializing in habitat restoration and wetland restoration projects. He has more than 24 years experience working with ecological systems focused on restoration and rehabilitation of damaged landscapes. Ecological principles inform his design and restoration practices.

Mike was the principal wetland permitting leader for the Turner Hill Resort Center in Ipswich Massachusetts. He has consulted with the Archdiocese of Boston since 1989 in all environmental areas. His firm is known for their expertise in wetland and wildlife habitat restoration and rehabilitation and invasive species control and management.

Mike incorporated DeRosa Environmental Consulting, Inc., in May 1994 after spending 8 years working in the environmental consulting industry as technical director and project manager. Prior to his consulting career he was a researcher at the Harvard School of Tropical Public Health working with infectious diseases and tick transmitted Lyme disease, in particular.

Mike has been involved with many projects associated with MGL Ch. 21e and Massachusetts Contingency Plan (MCP) projects. He received his Licensed Site Professional (LSP Lic. 3452) registration in 1993. Mike is uniquely credentialed in hazardous waste site assessment and remediation and has over 24 years experience in wetland permitting, habitat restoration and mitigation. Mike has permitted projects with all federal, state and local environmental agencies. Mike is on the Practice Faculty at The Boston Architectural College. His new passion is the incorporation of urban agriculture and food justice initiatives in mixed use community based projects.

EDUCATION

MA, Boston University, 1993

North Carolina State University, 1986

Harvard University, 1985

BA, University of Denver, 1982

REPRESENTATIVE PROJECTS

Ipswich River Watershed Association
Ipswich MA

**Miles River Task Force |
Watershed Restoration**
Beverly Wenham Hamilton Ipswich MA

**Paumier Residence |
Dune Restoration**
Manchester MA

**Matignon High School Athletic Fields |
Landfill Cap Remediation**
Cambridge/Somerville MA

**Turner Hill Golf Course |
Wetland Mitigation & Pond Design**
Ipswich MA

**Saint Aidan's Church |
UST Remediation**
Brookline MA

**Saint Kevin's School |
AST Remediation**
Dorchester MA

**Saint Joseph's School |
UST Remediation**
Salem MA

**Ipswich Country Club |
Wetland Restoration**
Ipswich MA

**Ould Newbury Golf Club |
LID Runoff Design**
Newbury MA

**Ferncroft Country Club |
Pond Restoration**
Topsfield/Middleton MA

PROFESSIONAL EXPERIENCES

Principal, LSP, LEED AP BC&D

DeRosa Environmental Consulting, Inc. | 1994-Present
Technical director, Environmental Engineering Division

Web Engineering Associates, Inc. | 1990-1994

Project manager/Environmental Scientist,
Dennison Environmental, Inc. | 1988-1989

Population Ecologist & Wetlands Specialist,
Lelito Environmental Consultants, LLC | 1987-1988

Research Assistant,
North Carolina State University | 1985-1987

Air Pollution Analyst
Entropy Environmentalists, Inc. | 1985-1987

Senior Research Assistant
Harvard University | 1983-1985

Naturalist
The Trustees of Reservations | 1983-1985

PROFESSIONAL MEMBERSHIPS/AFFILIATIONS

New England Wildflower Society

USGBC | United States Green Building Council

NGWA | National Ground Water Association

AMWS | Association of Massachusetts Wetland Scientists

LSPA | Licensed Site Professional Association

SWS | Society of Wetland Scientists

MACC | Massachusetts Association of Conversation Commissioners

CERTIFICATIONS AND SPECIAL TRAINING

Licensed Site Professional (LSP), Lic. No. 3452

Professional Wetland Scientist (PWS)

LEED Accredited Professional | 10342989

Certified Ecologist, The Ecological Society of America |
June 2002 – May 2007

CERCLA 40 Hour Hazardous Materials Safety Training |
OSHA 29 CFR 1910.120

Confined Space Entry Training | OSHA 29 CFR 1910.146

Management Training Workshop | Dun and Bradstreet

Hazardous Materials Chemistry Seminar | University of Toledo

Unmanned Aircraft License | FAA | Exp. 2/28/2019



Received

JUL 29 2019

Sudbury Conservation Department



167 Main Street
P. O. Box 716
Rowley Massachusetts
USA

978.948.7717 Office

derosaenvironmental.com

July 29, 2019

BY ELECTRONIC MAIL AND HAND DELIVERY

Attn: Lori Capone
Conservation Coordinator
Sudbury Conservation Commission
275 Old Lancaster Road
Sudbury, MA 01776

Phone: (978)-440-5470
Email: CaponeL@sudbury.ma.us

**RE: Supplemental Information | Notice of Intent
8 Singing Hill Circle
Sudbury, Massachusetts 01776
Assessor's Map: B08 Lot: 0102**

MassDEP File No.: 301-1265

Dear Ms. Capone & Members of the Commission,

A Notice of Intent (NOI) Application for Wetland Restoration after a Violation was filed on July 1, 2019 with the Sudbury Conservation Commission and the Massachusetts Department of Environmental Protection (MA DEP) by Kenneth Fenton to meet the requirements of the Massachusetts Wetland Protection Act (MGL CH 131 Sec. 40) and its Regulations (310 CMR 10.00, et seq.) and the Sudbury Wetlands Administration Bylaw (the Bylaw). Our firm was authorized by Kenneth Fenton, owner of the property located at 8 Singing Hill Circle, to prepare the following letter to provide supplemental information on revisions of the proposed project.

This letter summarizes the proposed changes to the restoration plan based on prior conversations with the Conservation Commission at the July 15 public hearing. We suggest the following changes meet the expectations of the Commission and should allow the project to be issued an Order of Conditions.

Specific items addressed include:

1. Town Signature
2. Revised Conservation Restriction
3. Extended Buffer Zone Restoration
4. Request for waivers from certain Bylaw requirements.

These items are discussed in more detail in the following paragraphs:

Town Signature

Since portions of the proposed restoration work is located on Town land (Map B08, Lot 0419), we are in the process of obtaining a signature from the Sudbury Town Manager authorizing the work.

Revised Conservation Restriction

The mitigation on Figure 2c. Project Elements Plan has been slightly revised. Instead of donating a portion of the land to the Sudbury Conservation Commission, the project now proposes to place the entire parcel known as Map B08, Lot 0019 under a Conservation Restriction under the ownership of Mr. Kenneth Fenton. Details of the Conservation Restriction will be formulated once the Order of Conditions is issued. In general, it will allow the occupants of 8 Singing Hill Circle recreational use of the pond and the remainder of the forested parcel. It will also allow the Fenton's to install a plank and sleeper wetland crossing to access the pond.

Extended Restoration

Figure 2d. Restoration Planting Plan has been revised to extend restoration to the buffer zone of the Bordering Vegetated Wetland. The Storage Area and Gravel Woods Road total approximately 4,326 square feet of disturbance that is now proposed to be converted into functioning buffer zone and improved wildlife habitat. All storage materials and containers will be removed and relocated out of the restoration area. Compacted soils will be loosened and augmented with screened loam if necessary. All disturbed soils will be seeded with a custom upland seed mix and red fescue seed and covered with salt marsh hay (Figure 2d). The planting palette consists of canopy, shrub and herbaceous species.

| Buffer Zone Plant List 8 singing Hill Circle Sudbury, MA | | | | |
|---|------------------------|----------------------------------|-----------------|-------------|
| No. | Common Name | Botanical Name | Quantity | Size |
| 10 | Red Fescue | <i>Festuca rubra</i> | 50 lbs. | Seed |
| 11 | Native Upland Seed Mix | | 10 lbs. | Seed |
| 12 | Red Oak | <i>Quercus rubra</i> | 6 | 1.5" |
| 13 | White Pine | <i>Pinus strobus</i> | 15 | 3 gal |
| 14 | Gray Dogwood | <i>Cornus racemosa</i> | 15 | 3 gal |
| 15 | Witch Hazel | <i>Hamamelis virginiana</i> | 15 | 3 gal |
| 16 | Hayscented Fern | <i>Dennstaedtia punctilobula</i> | 50 | 1 gal |

Plants will be distributed by an ecological restoration specialist. Exact plant locations will be determined in the field based on site-specific planting conditions and micro-topography.

Request for Specific Situation Warrants

The project has been designed to minimize and mitigate for impacts to existing wetland resource areas. We request that the Commission use their discretion to warrant the after the fact adjacent upland resource activities, and to warrant the proposed restoration and mitigation efforts within the bordering vegetated wetland and 100-foot buffer zone to bordering vegetated wetland. The proposed mitigation and restoration accounts for a total of 264,705 square feet. That is an approximate 10:1 ratio of mitigation to disturbance. This ratio far exceeds the required 2:1 ratio stated in the Bylaw.

Concluding Remarks

It is in our firm's professional opinion that the revisions to the proposed project meet the requirements of the Massachusetts Wetland Protection Act (MGL CH 131 Sec. 40) and its Regulations (310 CMR 10.00, et seq.) and the Sudbury Wetlands Administration Bylaw (the Bylaw). We request that the Commission vote to issue an Order of Conditions for the wetland restoration plan after a violation at 8 Singing Hill Circle, Sudbury, MA, so that the Fenton family may return the Site to compliance.

We are available to meet with you on site to review the project and to answer any questions, if you desire. Should you have any questions, or, would like to arrange a site walk, please call any time at (978) 948-7717.

Respectfully submitted,

DeRosa Environmental Consulting, Inc.



Evin Guvendiren
Natural Resource Economist



Michael J. DeRosa, Principal
PWS, LSP, LEED AP



MJD/eeg

Attachments:

Figure 2c: Project Elements Plan, by DeRosa Environmental Consulting, Inc., Revised on July 17, 2019

Figure 2d. Restoration Planting Plan, by DeRosa Environmental Consulting, Inc., Revised on July 17, 2019

EXISTING CONDITIONS TOPOGRAPHIC PLAN

IN
SUDBURY, MA

#8 SINGING HILL CIRCLE

PREPARED FOR: KENNETH R. GUERGINA, PENTON
SINGING HILL CIRCLE
SUDBURY, MASS

DEED REFERENCE: MIDDLESEX COUNTY REGISTRY OF DEEDS
BOOK 56789 / PAGE 216

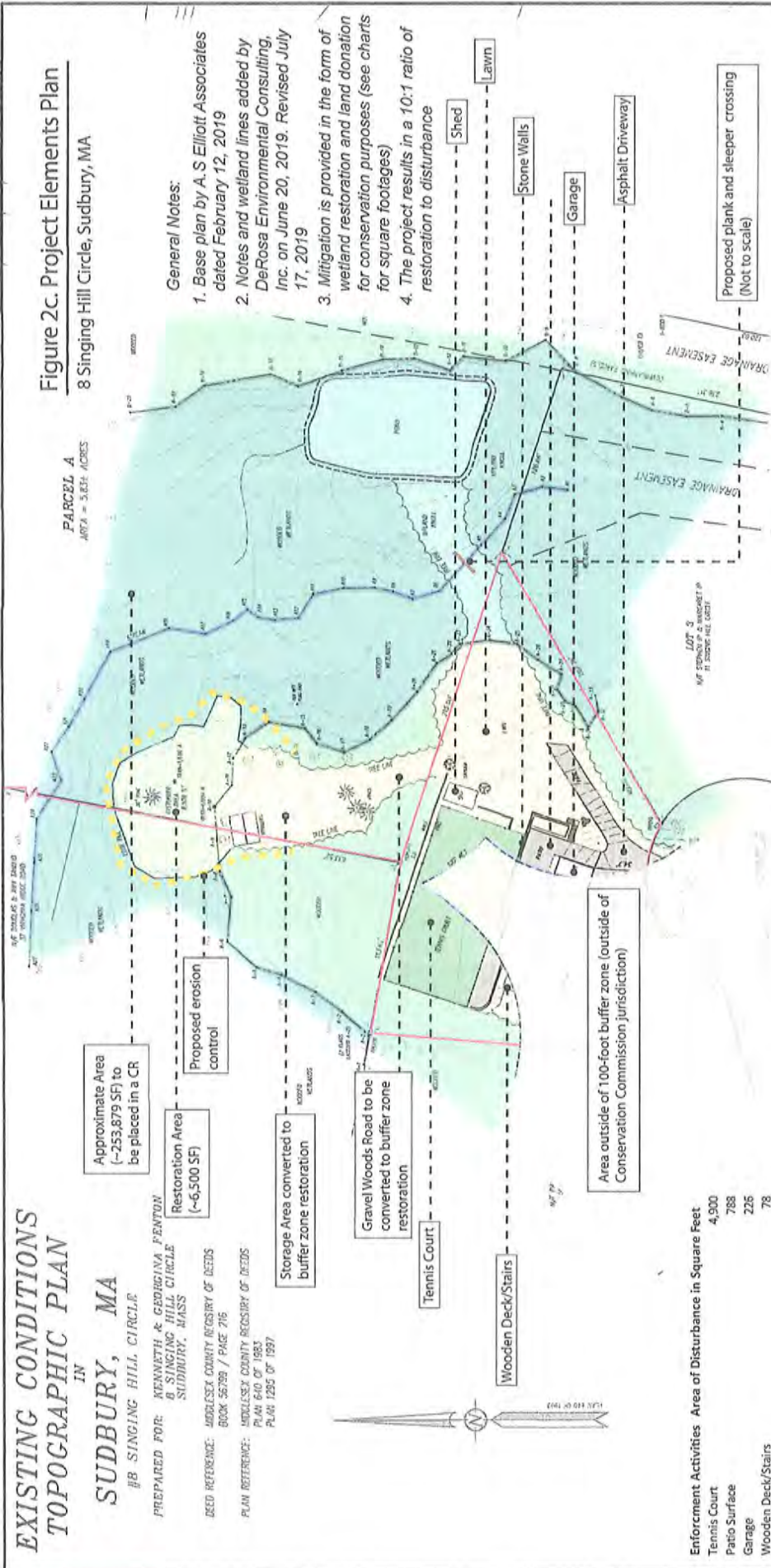
PLAN REFERENCE: MIDDLESEX COUNTY REGISTRY OF DEEDS
PLAN 640 OF 1983
PLAN 1295 OF 1987

Figure 2c. Project Elements Plan
8 Singing Hill Circle, Sudbury, MA

PARCEL A
AREA = 3.624 ACRES

General Notes:

1. Base plan by A.S Elliott Associates dated February 12, 2019
2. Notes and wetland lines added by DeRosa Environmental Consulting, Inc. on June 20, 2019. Revised July 17, 2019
3. Mitigation is provided in the form of wetland restoration and land donation for conservation purposes (see charts for square footages)
4. The project results in a 10:1 ratio of restoration to disturbance



| Enforcement Activities | Area of Disturbance in Square Feet |
|------------------------|------------------------------------|
| Tennis Court | 4,900 |
| Patio Surface | 788 |
| Garage | 226 |
| Wooden Deck/Stairs | 78 |
| Asphalt Driveway | 1,542 |
| Lawn | 7,100 |
| Shed | 230 |
| Stone Walls | 110 |
| Gravel Woods Road | 558 |
| Storage Area | 3,768 |
| Fill in wetland | 6,500 |
| Total | 25,800 |

| Mitigation Activities | Area of Restoration in Square Feet |
|---|------------------------------------|
| Removal of Fill and Native Planting | 6,500 |
| Buffer Zone Restoration | 4,326 |
| Land to be placed in Conservation Restriction | 253,879 |
| Total | 264,705 |

264,705 : 25,800

10:1 restoration to disturbance

DEROSA Environmental
CONSULTING, INC.

Michael J. DeRosa
PWS No. 2250
June 21, 2019
REV. July 17, 2019

Professional Seal: Michael J. DeRosa, PWS No. 2250, State of Massachusetts, Environmental Engineering

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(508) 634-0256
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Professional Seal: A.S. Elliott, State of Massachusetts, Professional Land Surveyor

EXISTING CONDITIONS TOPOGRAPHIC PLAN

IN
SUDBURY, MA

#8 SINGING HILL CIRCLE
PREPARED FOR: KENNETH & GEORGINA FENTON
8 SINGING HILL CIRCLE
SUDBURY, MASS

DEED REFERENCE: WINDLESEX COUNTY RECORDS OF DEEDS
BOOK 56789 / PAGE 716
PLAN REFERENCE: WINDLESEX COUNTY RECORDS OF DEEDS
PLAN 640 OF 1983
PLAN 1285 OF 1997

Storage materials and containers
to be removed



Figure 2d. Restoration Planting Plan
8 Singing Hill Circle | Sudbury, MA

| No. | Common name | Botanical name | Quantity | Size |
|-----|--------------------|---------------------------------|----------|-------|
| 1 | Red Maple | <i>Acer rubrum</i> | 6 | 2" |
| 2 | Highbush Blueberry | <i>Vaccinium corymbosum</i> | 15 | 3 gal |
| 3 | Winterberry | <i>Ilex verticillata</i> | 15 | 3 gal |
| 4 | Cinnamon Fern | <i>Osmundastrum cinnamomeum</i> | 25 | 1 gal |
| 5 | Royal Fern | <i>Osmunda regalis</i> | 25 | 1 gal |
| 6 | Cardinal Flower | <i>Lobelia cardinalis</i> | 15 | 1 gal |
| 7 | Turtlehead | <i>Chelone glabra</i> | 15 | 1 gal |
| 8 | Soft Rush | <i>Juncus effusus</i> | 5 lbs | seed |
| 9 | Woolgrass | <i>Scirpus cyperinus</i> | 5 lbs | seed |
| 10 | Red Fescue | <i>Festuca rubra</i> | 20 lbs | seed |

IF THIS AREA IS FOUND TO BE A WETLAND, THE FOLLOWING PLANTING NOTES WILL BE APPLIED TO THE RESTORATION PLAN.

Planting Notes:

- All storage materials and containers will be removed from the restoration area.
- Compacted soils will be loosened and augmented with screened loam where necessary.
- Disturbed soils will be planted with our custom wetland and upland seed mixes.
- The entire planted area is to be covered with salt marsh hay to retain soil moisture and protect against seed predation by birds and small mammals.
- Plants to be distributed by an ecological restoration specialist. Exact plant locations will be determined in the field based on site-specific planting conditions and micro-topography.
- The new plantings will be irrigated for one full growing season or until the seed and plant material is established.
- Monthly inspections will be conducted for the first growing season.

| No. | Common Name | Botanical Name | Quantity | Size |
|-----|------------------------|----------------------------------|----------|-------|
| 10 | Red Fescue | <i>Festuca rubra</i> | 50 lbs. | Seed |
| 11 | Native Upland Seed Mix | | 10 lbs. | Seed |
| 12 | Red Oak | <i>Quercus rubra</i> | 6 | 15" |
| 13 | White Pine | <i>Pinus strobus</i> | 15 | 3 gal |
| 14 | Gray Dogwood | <i>Cornus racemosa</i> | 15 | 3 gal |
| 15 | Witch Hazel | <i>Hamamelis virginiana</i> | 15 | 3 gal |
| 16 | Hayscented Fern | <i>Dennstaedtia punctilobula</i> | 50 | 1 gal |

| Native Upland Seed Mix |
|------------------------|
| Indian Grass |
| Switchgrass |
| Upland Bentgrass |
| Ticklegrass |
| Little Bluestem |
| Big Bluestem |
| Sand Dropseed |

| |
|--------------------------------|
| <i>Sorghastrum nutans</i> |
| <i>Panicum virgatum</i> |
| <i>Agrostis perennis</i> |
| <i>Agrostis scabra</i> |
| <i>Schizachyrium scoparium</i> |
| <i>Andropogon gerardii</i> |
| <i>Sporobolus cryptandrus</i> |



Michael J. DeBora
P.E. No. 2220
M.D. Registered
June 27, 2019
REV July 17, 2019



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DATE: FEBRUARY 10, 2019
SCALE: 1" = 30'
FIELD SURVEY BY: JAC/JEP/MSG
CHECKED BY: JAC
DRAWN BY: JAC
CHECKED BY: JEP
REVISIONS:

| Lot No. | Common Name | Botanical Name | Quantity | Size |
|---------|------------------------|----------------------------------|----------|-------|
| LOT 1 | Red Fescue | <i>Festuca rubra</i> | 50 lbs. | Seed |
| LOT 2 | Native Upland Seed Mix | | 10 lbs. | Seed |
| LOT 3 | Red Oak | <i>Quercus rubra</i> | 6 | 15" |
| LOT 4 | White Pine | <i>Pinus strobus</i> | 15 | 3 gal |
| LOT 5 | Gray Dogwood | <i>Cornus racemosa</i> | 15 | 3 gal |
| LOT 6 | Witch Hazel | <i>Hamamelis virginiana</i> | 15 | 3 gal |
| LOT 7 | Hayscented Fern | <i>Dennstaedtia punctilobula</i> | 50 | 1 gal |

GRAPHIC SCALE: 1" = 30'
0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190 200