



Wetlands Delineation & Permitting Wildlife Studies Herpetology Vernal Pool Ecology Botany Aerial Imagery

Notice of Intent

**Pursuant to the Massachusetts Wetlands
Protection Act (M.G.L. c. 131, §40) & the Town of Sudbury
Wetlands Protection Bylaw (Article XXII)**

Expansion of Deck

**25 Briant Drive
Sudbury, Massachusetts
(Map / Parcels: E07-0129)**

Submitted by:

**Gerardo Hernandez Omana
25 Briant Drive
Sudbury, MA 01776**

Prepared by:

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

**P 978-929-9058
www.oxbowassociates.com**

August 10, 2020

Notice of Intent - Pursuant to the Massachusetts Wetlands Protection Act & Town of Sudbury Wetlands Bylaw (Article XXII)

**25 Briant Drive
Sudbury, MA 01766**

Applicant & Owner:

Gerardo Hernandez Omana
25 Briant Drive
Sudbury, MA 01776

CONTENTS:

- WPA Form 3 – Notice of Intent (NOI)
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- Project and Wetland Resource Area Description
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- FEMA Flood Map
- Copy of Filing Fee Checks
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- Notification to Abutters
- Affidavit of Service

Site Plan: **Proposed Site Plan
Perley Engineering LLC
August 6, 2020**



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):

25 Briant Drive

a. Street Address

Sudbury

b. City/Town

01766

c. Zip Code

Latitude and Longitude:

42.40693

d. Latitude

-71.43187

e. Longitude

E07

f. Assessors Map/Plat Number

0129

g. Parcel /Lot Number

2. Applicant:

Gerardo

a. First Name

Hernandez Omana

b. Last Name

c. Organization

25 Briant Drive

d. Street Address

Sudbury

e. City/Town

MA

f. State

01766

g. Zip Code

ghernandez@alnylam.com

j. Email Address

h. Phone Number

i. Fax Number

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

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Scott

a. First Name

Smyers

b. Last Name

Oxbow Associates, Inc.

c. Company

P.O. Box 971

d. Street Address

Acton

e. City/Town

MA

f. State

01720

g. Zip Code

978-929-9058

h. Phone Number

i. Fax Number

smyers@oxbowassociates.com

j. Email address

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

\$110.00

a. Total Fee Paid

\$42.50

b. State Fee Paid

\$67.50

c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

Expansion of Deck

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

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

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☐ Yes ☒ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Middlesex County

a. County

64045

c. Book

b. Certificate # (if registered land)

500

d. Page Number

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

- ☒ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- ☐ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

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



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

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

- ☐ 25 ft. - Designated Densely Developed Areas only
- ☐ 100 ft. - New agricultural projects only
- ☐ 200 ft. - All other projects

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

4. Proposed alteration of the Riverfront Area:

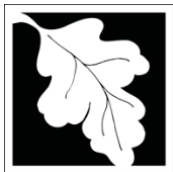
a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

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

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

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

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



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

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

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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
	Size of Proposed Alteration	Proposed Replacement (if any)
f. <input type="checkbox"/> Coastal Banks	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet	
h. <input type="checkbox"/> Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet	
	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	a. square feet of BVW	b. square feet of Salt Marsh

5. ☐ 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**

MassGIS 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 <https://www.mass.gov/ma-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

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



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

- (c) ☐ MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

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, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; 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:

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

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.

- c. ☐ Is this an aquaculture project?

- d. ☐ Yes ☐ No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



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

Online Users:

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

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
a. ☐ Yes ☒ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
a. ☐ Yes ☒ No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
a. ☐ Yes ☒ No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
2. ☐ A portion of the site constitutes redevelopment
3. ☐ Proprietary BMPs are included in the Stormwater Management System.
b. ☒ No. Check why the project is exempt:
1. ☒ Single-family house
2. ☐ Emergency road repair
3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

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

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☒ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



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D. Additional Information (cont'd)

3. ☐ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☐ List the titles and dates for all plans and other materials submitted with this NOI.

Proposed Site Plan Lot 29, 25 Briant Drive, Sudbury, MA

a. Plan Title

Perley Engineering LLC

Jefferson G. Perley

b. Prepared By

c. Signed and Stamped by

August 6, 2020

1 inch = 20 feet

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☐ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

E. Fees

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

788

7/29/2020

2. Municipal Check Number

3. Check date

787

7/29/2020

4. State Check Number

5. Check date

Gerardo

Omana

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
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WPA Form 3 – Notice of Intent

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F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant

2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

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

For MassDEP:

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

Other:

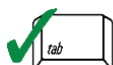
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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



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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:

25 Briant Drive

a. Street Address

787

c. Check number

Sudbury

b. City/Town

d. Fee amount

2. Applicant Mailing Address:

Gerardo

a. First Name

Hernandez Omana

b. Last Name

c. Organization

25 Briant Drive

d. Mailing Address

Sudbury

e. City/Town

MA

f. State

01766

g. Zip Code

ghernandez@alnylam.com

j. Email Address

h. Phone Number

i. Fax Number

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).



Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Cat. 1. a)	1	\$110.00	\$110.00
Step 5/Total Project Fee:			\$110.00
Step 6/Fee Payments:			
Total Project Fee:			\$110.00
State share of filing Fee:			\$42.50
City/Town share of filling Fee:			\$67.50

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.

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.

noifeetf.doc • Wetland Fee Transmittal Form • rev. 10/11

Notice of Intent Project Narrative

25 Briant Drive

Sudbury, Massachusetts

August 10, 2020

Existing Conditions and Previous Wetland Review

The site is located south of Briant Drive, west of Willis Road, and east of Cudworth Lane. The site contains a single-family home, deck, paved driveway, yard, and forested periphery. The topography is flat near the proposed project area. There is a detention basin with a storm water inlet and outlet (see photos 2 & 5) west of the house. The majority of the vegetation along the detention basin is a mixture of invasive species. In addition, there is a stone wall delineating the lawn and forest bordering the basin (see photo 4).

Oxbow Associates, Inc. (OA, specifically S. Smyers) reviewed the above referenced site with specific regard to wetland resource areas on July 10, 2020. This evaluation was conducted in accordance with standard methods for delineating vegetated wetland under the Massachusetts Wetlands Protection Act (MGL Ch. 131, §40), its regulations (310 CMR 10.00), and the Town of Sudbury Wetlands Protection Bylaw (Article XXII) and its Regulations.

Resource Area Description

There is a Drainage Pond located along the western edge of the property. This pond is within a Drainage Easement and there are culverts that discharge stormwater into the pond. After researching previous filings, we determined the Sudbury Conservation Commission (SCC) has determined this stormwater treatment basin is jurisdictional wetland resource area under the Wetlands Protection Act. Therefore, using vegetation, evidence of hydric soils, and topography, OA delineated the edge of the wetland resource areas with blue plastic flags in one series, labeled A 1-6. The A-series follows the edge of Bordering Vegetated Wetlands (BVW; 310 CMR 10.55) that begins along the toe of slope, adjacent to the stormwater basin. The BVW associated with the detention basin is generally located on the estimated high water elevation of the basin.

Vegetation within the BVW includes red maple (*Acer rubrum*), eastern white pine (*Pinus strobus*), glossy buckthorn (*Frangula alnus*), high-bush blueberry (*Vaccinium corymbosum*), multiflora rose (*Rosa multiflora*), grape (*Vitis* sp.), Oriental bittersweet (*Celastrus orbiculatus*), goldenrod (*Solidago* sp.), Japanese knotweed (*Fallopia japonica*), poison ivy (*Toxicodendron radicans*), and sensitive fern (*Onoclea sensibilis*).

Vegetation within the upland includes eastern white pine, poison ivy, hickory (*Carya* sp.), burning bush (*Euonymus alatus*), multiflora rose, poison ivy, and bittersweet.

According to the Massachusetts Natural Heritage and Endangered Species Program, Estimated Habitats of Rare Wildlife and Certified Vernal Pools (MassGIS 2017), there are no rare wildlife species' habitats or certified vernal pools on the site (see NHESP map).

Proposed Project

The proposed work is within the 100 ft buffer zone to BVW, but is limited to extending an existing deck (see Photo 1) by adding 449 square feet to the southern end of the existing deck. The

existing deck closest point to the BVW is 14 feet and the proposed deck closest point is 23 feet to the BVW.

Before work begins, temporary erosion control barriers composed of staked 12-inch straw wattles will be installed across the two stairways along the existing stone wall (see Site Plan). The existing stone wall will serve as a barrier to any runoff or work encroachment. Construction access will be restricted to the eastern side of the lot, mostly using the existing driveway and landscaped yard. Stockpiling materials, when necessary, will occur near the driveway area or in the front lawn. This location is the furthest practical area on the property and extra materials will be removed from the buffer zone as needed. The existing stone wall and a 4 foot orange construction fence will be installed along the stone wall to prevent any work occurring beyond that point. Any disturbed soil surfaces on the yard will be seeded and restored as yard before erosion control barriers are removed.

All the work is restricted to existing lawn. No trees or shrubs are proposed to be removed.

Regulatory Compliance

There are no performance standards under the Massachusetts Wetlands Protection Act for work within buffer zone. However below are existing conditions and proposed methods to prevent any direct or indirect impacts to the BVW.

The existing stone wall along with supplemental erosion control barriers will contain the limit of work. The work is very unlikely to result in a measurable impact to the BVW because it is entirely restricted to within the existing landscaped yard. The "natural" (unmaintained) vegetated buffer along the wetland will not be impacted, nor will the existing yard be expanded within buffer zone. No stockpiling of hazardous materials is proposed under or on the deck.

The existing stone wall functions as an anthropogenic siltation barrier and will remain in place after the project is complete. This wall prevents stormwater runoff from directly entering the drainage pond. The slope in the work area is relatively flat, thus reducing the likelihood of any runoff/erosion issues.

Sudbury Bylaw Alternatives Analysis for work within "AURA"

Alternatives are comprised of the no-build scenario due to site constraints; other layouts are functionally similar with regard to the Act, more detrimental to the interests of the Act, and the preferred project presented herein. Again, the proposed deck is located entirely within existing lawn/yard and farther from BVW than the existing deck. If the deck were expanded in any other direction it would be closer to the BVW compared to existing conditions. We believe the proposed project complies with the requirements of the Act and the Bylaw.

OA believes the project, as proposed, will not result in any negative net impacts to wetland resource values. The proposed work is located as far as is feasible from the BVW with minimal soil disturbance.

Photos

25 Briant Drive, Sudbury



Photo 1: Existing deck and rock wall



Photo 2: Stormwater inlet to stormwater detention basin



Photo 3: Stormwater detention basin

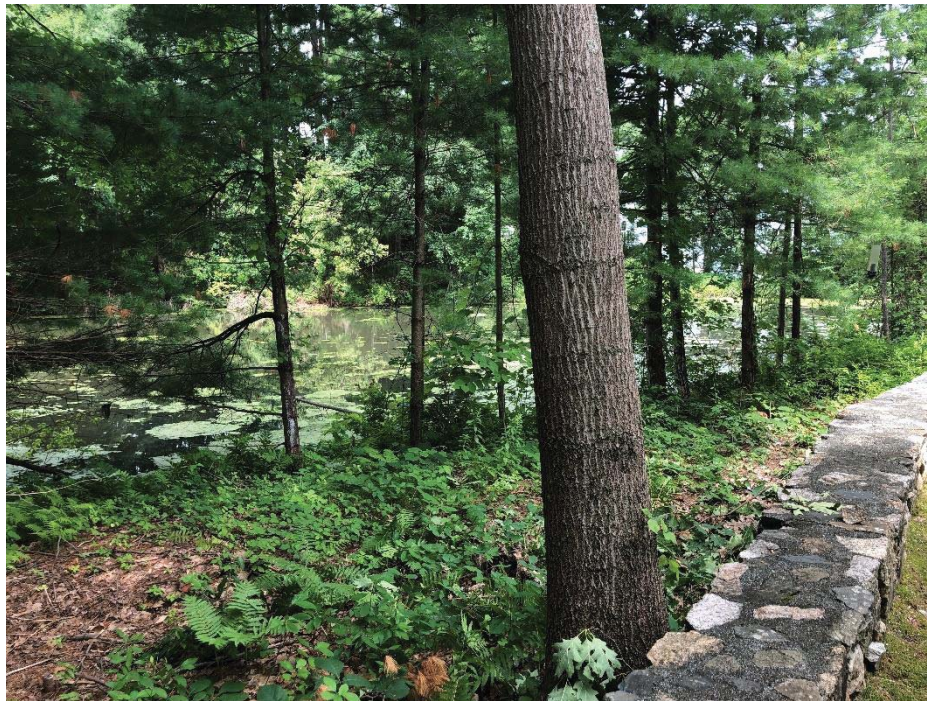
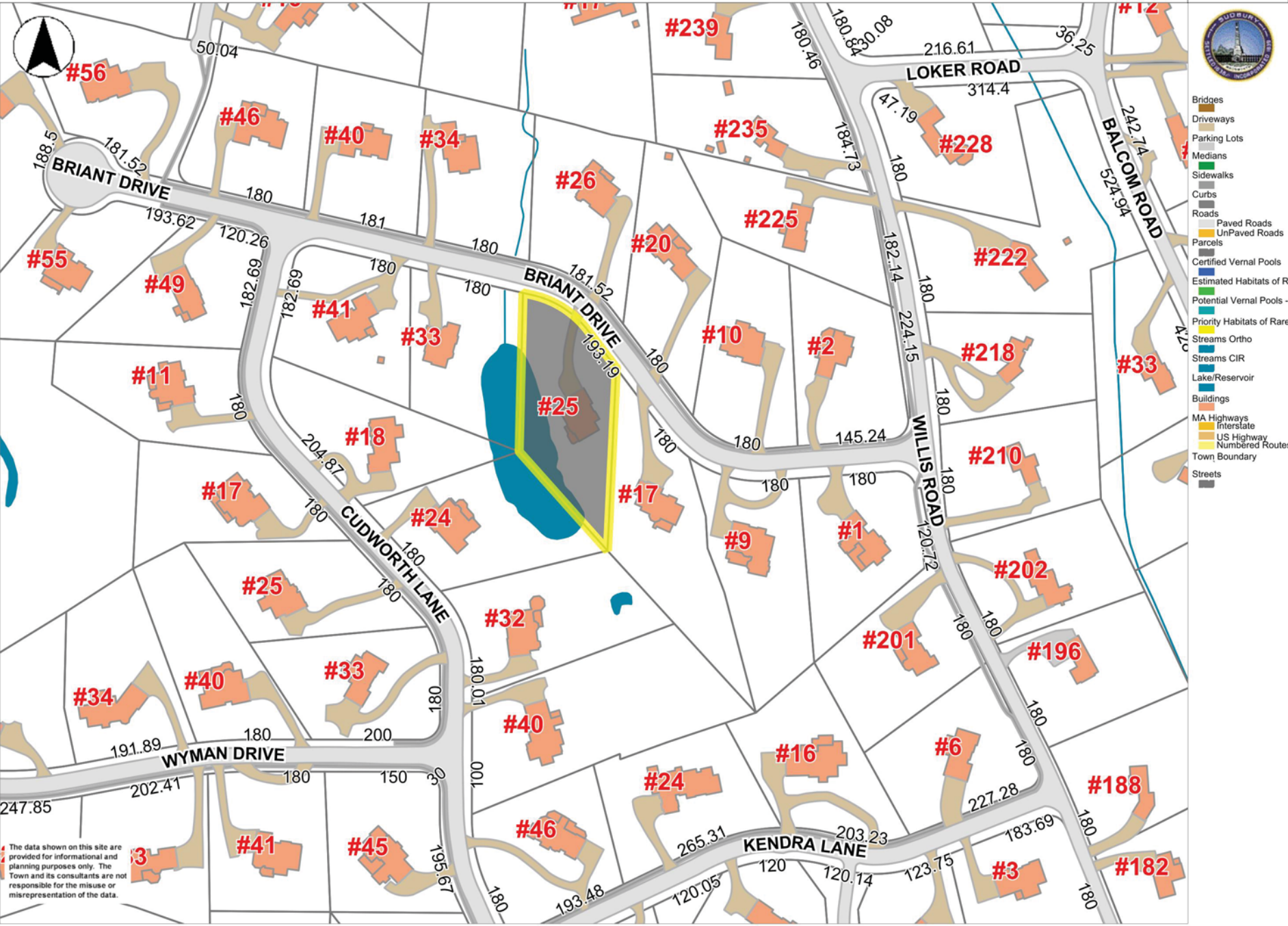


Photo 4: Forested edge of stormwater detention basin, between the yard and BVW



Photo 5: Outlet of the stormwater detention basin





- Bridges
- Driveways
- Parking Lots
- Medians
- Sidewalks
- Curbs
- Roads
 - Paved Roads
 - Unpaved Roads
- Parcels
- Certified Vernal Pools
- Estimated Habitats of Rare Species
- Potential Vernal Pools - 12'
- Priority Habitats of Rare Species
- Streams Ortho
- Streams CIR
- Lake/Reservoir
- Buildings
- MA Highways
 - Interstate
 - US Highway
 - Numbered Routes
- Town Boundary
- Streets

The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.

0 270 540 ft

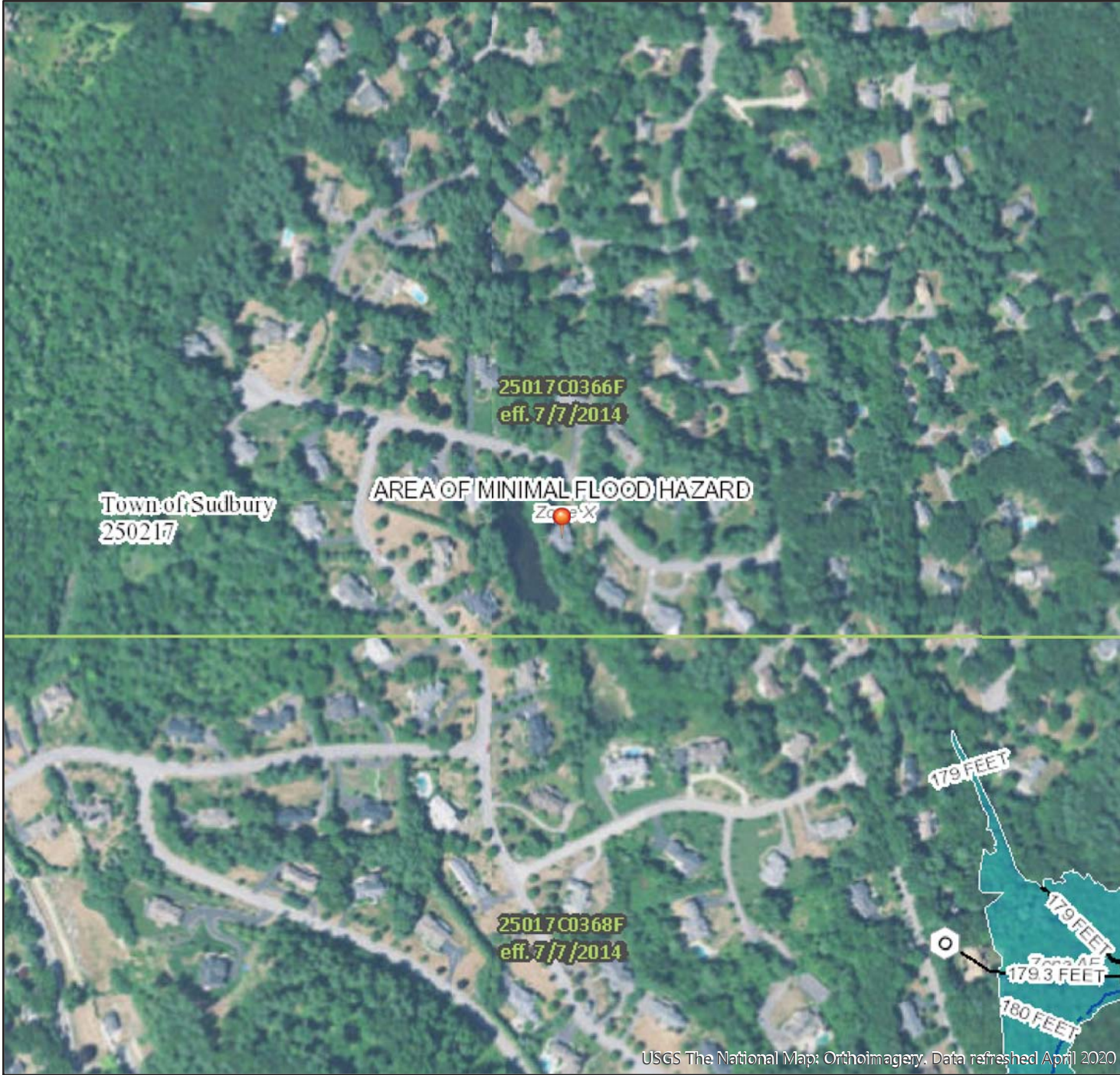
Printed on 08/06/2020 at 10:38 AM

MapsOnline

National Flood Hazard Layer FIRMMette



71°26'13"W 42°24'38"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

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, AR
		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		NO SCREEN 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		20.2 Cross Sections with 1% Annual Chance
		17.5 Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
MAP PANELS		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 7/29/2020 at 4:32 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.

abutters_id_field	abutters_owner1	abutters_owner2	abutters_address	abutters_address2	abutters_town	abutters_state	abutters_zip	abutters_bookpage	abutters_location
E07-0122	GAITER ANDREA		34 BRIANT DR		SUDBURY	MA	01776	63006-85	34 BRIANT DR
E07-0123	JACKSON BLAIR C & LISA D		26 BRIANT DR		SUDBURY	MA	01776	54473-39	26 BRIANT DR
E07-0124	RUTHERFORD BOYAJIAN LAURA		20 BRIANT RD		SUDBURY	MA	01776	1478-82	20 BRIANT DR
E07-0128	DUDHWEWALA SANDEEP & KRISHNA		17 BRIANT DR		SUDBURY	MA	01776	67479-276	17 BRIANT DR
E07-0129	HERNANDEZ GERARDO PRIMITIVO &	COPELLO PATRICIA MERCEDES	25 BRIANT DR		SUDBURY	MA	01776	64045-500	25 BRIANT DR
E07-0130	ZHAO ZHENG & ZHOU JUNLING		33 BRIANT DR		SUDBURY	MA	01776	70810-456	33 BRIANT DR
E07-0132	MEHTA ROHIT & SMITA		18 CUDWORTH LN		SUDBURY	MA	01776	44581-65	18 CUDWORTH LN
E07-0133	PATEL JIGAR & ASHA		24 CUDWORTH LANE		SUDBURY	MA	01776	66034-271	24 CUDWORTH LN
E07-0134	JOHANSSON PATRIK GOSTA &	JOHANSSON SARAH MARIE	32 CUDWORTH LANE		SUDBURY	MA	01776	71864-346	32 CUDWORTH LN

Notification to Abutters
Under the Massachusetts Wetlands Protection Act
and the Sudbury Wetlands Administrative Bylaw

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 Gerardo Hernandez Omana
- B. The Applicant has filed a Notice of Intent with the Sudbury Conservation Commission seeking permission to work in an Area Subject to Protection (Wetland Resource Area and/or Buffer Zone) under the Massachusetts Wetlands Protection Act (General Laws Chapter 131, Sec.40) and the Town of Sudbury Wetlands Administrative Bylaw.
- C. The **address** of the lot where the activity is proposed: 25 Briant Drive
- D. The **proposed activity** is: Expansion of existing deck
-
-
- E. A **Public Hearing** regarding this Notice of Intent will be held on:
Monday, August 24 at 6:30 PM.
- F. **Public Participation will be via Virtual Means Only** - In light of the ongoing COVID-19 coronavirus outbreak, Governor Baker issued an emergency Order on March 12, 2020, allowing public bodies greater flexibility in utilizing technology in the conduct of meetings under the Open Meeting Law. The Town of Sudbury Conservation Commission greatly values the participation of its citizens in the public meeting process, but given the current circumstances and recommendations at both the state and federal levels to limit or avoid public gatherings, including Governor Baker's ban on gatherings of more than 10 people, together with the present closure of Sudbury Town Hall and other public buildings to the public, the Town has decided to implement the "remote participation" procedures allowed under Governor Baker's emergency Order for all boards, committees, and commissions.
- G The public may participate in this meeting via Remote Participation:**
- From your computer, smart phone or tablet:
- <https://us02web.zoom.us/j/98803339162>
 - Meeting ID: 988 0333 9162
 - From your phone: **978-639-3366** or **470 250 9358**
- H Copies of the Notice of Intent may be examined by visiting this Website:
<https://sudbury.ma.us/conservationcommission/meetings/>
- I Copies of the Notice of Intent may be obtained from either The Applicant, or the Applicant's representative Oxbow Associates Inc, by calling this telephone number: 978-929-9058 between the hours of 9am-5pm

Note: Public Hearing Notice, including its date, time, and place, will be published at least 5 days in advance in either the Sudbury Crier or MetroWest newspapers (at the applicant's expense).

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act

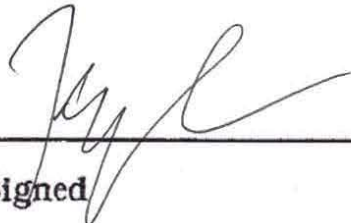
(To be submitted to the Massachusetts Department of
Environmental Protection and the Conservation Commission
when filing a Notice of Intent)

I, Kyle Cormier (Name of person making this affidavit) hereby
certify under the pains and penalties of perjury that on August 7, 2020 (Date) I gave
notification to abutters in compliance with the second paragraph of Massachusetts
General Law Chapter 131, Section 49, and the DEP Guide to Abutter Notification dated
April 8 1994, in connection with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection
Act by Gerardo Hernandez Omana (Name of applicant)
with the Sudbury Conservation Commission on August 7, 2020 (Date)
for property located at 25 Briant Drive, Sudbury, MA

(Address of land where work is proposed).

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


Signed

8/7/2020
Date

