

NOTICE OF PUBLIC HEARING SUDBURY CONSERVATION COMMISSION

The Sudbury Conservation Commission will hold a public hearing to review the Notice of Intent filing for the after-the-fact expansion of the existing deck, within the 100-foot buffer zone, at 133 Goodmans Hill Road, Sudbury MA, pursuant to the Wetlands Protection Act and the Sudbury Wetlands Administration Bylaw. Jason and Megan Wellemeyer, applicant. The hearing will be held virtually on Mon., August 24, at 6:30 pm, via Zoom. Please see the Conservation Commission web page for further information. <https://sudbury.ma.us/conservationcommission/meeting/conservation-commission-meeting-monday-august-24-2020/>

SUDBURY CONSERVATION COMMISSION
August 7, 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 #:
eDEP Transaction #:1204032
City/Town:SUDBURY

Received
AUG 10 2020
Sudbury Conservation Department

A.General Information

1. Project Location:

a. Street Address	133 GOODMAN'S HILL ROAD		
b. City/Town	SUDBURY	c. Zip Code	01776
d. Latitude	42.36804N	e. Longitude	71.40614W
f. Map/Plat #	J10	g.Parcel/Lot #	0504

2. Applicant:

☐ Individual ☒ Organization

a. First Name	JEROME	b. Last Name	RUBIN
c. Organization	ELITE INSTALLATIONS LLC		
d. Mailing Address	2 CENTRAL STREET UNIT 145		
e. City/Town	FRAMINGHAM	f. State	MA
g. Zip Code	01701		
h. Phone Number	508-782-0383	i. Fax	
j. Email	Netanya@itstimetorenovate.com		

3. Property Owner:

☐ more than one owner

a. First Name	MEGAN	b. Last Name	WELLMAYER
c. Organization			
d. Mailing Address	133 GOODMAN'S HILL ROAD		
e. City/Town	SUDBURY	f. State	MA
g. Zip Code	01776		
h. Phone Number	617-872-7629	i. Fax	
j. Email	Megan.paglialunga@gmail.com		

4. Representative:

a. First Name	MICHAEL	b. Last Name	WHITE
c. Organization	ELITE INSTALLATIONS LLC		
d. Mailing Address	2 CENTRAL STREET UNIT 145		
e. City/Town	FRAMINGHAM	f. State	MA
g. Zip Code	01701		
h. Phone Number	617-872-7629	i. Fax	
j. Email	Michael@itstimetorenovate.com		

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

a. Total Fee Paid	110.00	b. State Fee Paid	42.50	c. City/Town Fee Paid	67.50
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6. General Project Description:

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7a. Project Type:

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Limited Project Driveway Crossing | 4. <input type="checkbox"/> Commercial/Industrial |
| 5. <input type="checkbox"/> Dock/Pier | 6. <input type="checkbox"/> Utilities |
| 7. <input type="checkbox"/> Coastal Engineering Structure | 8. <input type="checkbox"/> Agriculture (eg., cranberries, forestry) |
| 9. <input type="checkbox"/> Transportation | 10. <input type="checkbox"/> Other |

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

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1. ☐ Yes ☒ No

If yes, describe which limited project applies to this project:

2. Limited Project

8. Property recorded at the Registry of Deeds for:

a. County:

b. Certificate:

c. Book:

d. Page:

SOUTHERN MIDDLESEX

~~71515~~ 71215

486

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

1. Buffer Zone & Resource Area Impacts (temporary & permanent):

☒ This is a Buffer Zone only project - 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)

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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a. ☐ Bank

1. linear feet

2. linear feet

b. ☐ Bordering Vegetated Wetland

1. square feet

2. square feet

c. ☐ Land under Waterbodies and Waterways

1. Square feet

2. square feet

3. cubic yards dredged

d. ☐ Bordering Land Subject to Flooding

1. square feet

2. square feet

3. cubic feet of flood storage lost

4. cubic feet replaced

e. ☐ Isolated Land Subject to Flooding

1. square feet

2. cubic feet of flood storage lost

3. cubic feet replaced

f. ☐ Riverfront Area

1. Name of Waterway (if any)

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

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☐ Yes ☐ No

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a. number of new stream crossings

b. number of replacement stream crossings

C. Other Applicable Standards and Requirements

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage of Endangered Species program (NHESP)?

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

b. Date of map:FROM MAP VIEWER

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18)....

c. Submit Supplemental Information for Endangered Species Review * (Check boxes as they apply)

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

(a) within Wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

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

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

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

b. ☐ Photographs representative of the site

c. ☐ MESA filing fee (fee information available at: <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html>)

Make check payable to "Natural Heritage & Endangered Species Fund" and **mail to NHESP** at above address

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

d. ☐ Vegetation cover type map of site

e. ☐ Project plans showing Priority & Estimated Habitat boundaries

d. OR Check One of the following

1. ☐ Project is exempt from MESA review. Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <http://www.mass.gov/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14>; 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 Number

b. Date submitted to NHESP

3. ☐ Separate MESA review completed.

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Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review...

2. For coastal projects only, is any portion of the proposed project located below the mean high waterline or in a fish run?
a. ☒ Not applicable - project is in inland resource area only

b. ☐ Yes ☐ No

If yes, include proof of mailing or hand delivery of NOI to either:

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

North Shore - Hull to New Hampshire:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 S. Rodney French Blvd
New Bedford, MA 02744

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930

If yes, it may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office.
For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional office.

3. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

a. ☐ Yes ☒ No

If yes, provide name of ACEC (see instructions to WPA Form 3 or DEP Website for ACEC locations). **Note:** electronic filers click on Website.

b. ACEC Name

4. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?

a. ☐ Yes ☒ No

5. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L.c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L.c. 130, § 105)?

a. ☐ Yes ☒ No

6. Is this project subject to provisions of the MassDEP Stormwater Management Standards?

a. ☐ Yes, Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:

1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol.2, Chapter 3)

2. ☐ A portion of the site constitutes redevelopment

3. ☐ Proprietary BMPs are included in the Stormwater Management System

b. ☒ No, Explain why the project is exempt:

1. ☒ Single Family Home

2. ☐ Emergency Road Repair

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3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

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

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

1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.
3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s).
4. 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.

a. Plan Title: **b. Plan Prepared By:** **c. Plan Signed/Stamped By:** **c. Revised Final Date:** **e. Scale:**

FOR THE
MITIGATION WE
WILL REMOVE
APPROXIMATELY 225
SQ FT OF
PACHYSANDRA AND
GLOSSY
BUCKTHORN AND
WE WILL REPLACE
WITH ANY OF THE
FOLLOWING FOR
THE HOMEOWNER
TO PICK FROM:
BLACK
CHOKEBERRY GRAY
DOGWOOD
COMMON
WITCHHAZEL
AMERICAN
ELDERBERRY
NANYBERRY
ARROWWOOD
VIBURNUM WE
SHALL ALSO SEED
WITH NATIVE SEED
APPROPRIATE
MIXES.

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.

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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.



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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:

2. Municipal Check Number
9985
PAID ONLINE VIA CREDITCARD
4. State Check Number
Elite Installations LLC
6. Payer name on check: First Name

3. Check date
August 4, 2020
5. Check date
7. Payer name on check: Last Name

F. Signatures and Submittal Requirements

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

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

Netanya Epstein
1. Signature of Applicant

8/4/2020
2. Date

Megan Wellemeyer
3. Signature of Property Owner(if different)

8/4/2020
4. Date

Michael White
5. Signature of Representative (if any)

8/4/2020
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 Section C, Items 1-3, 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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WPA Form 3 - Notice of Wetland Fee Transmittal
Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File #:
eDEP Transaction #:1204032
City/Town:SUDBURY

A. Applicant Information

1. Applicant:

a. First Name	JEROME	b. Last Name	RUBIN
c. Organization	ELITE INSTALLATIONS LLC		
d. Mailing Address	2 CENTRAL STREET UNIT 145		
e. City/Town	FRAMINGHAM	f. State	MA
g. Zip Code	01701		
h. Phone Number	5087820383	i. Fax	
j. Email	Netanya@itstimetorenovate.com		

2. Property Owner:(if different)

a. First Name	MEGAN	b. Last Name	WELLMEYER
c. Organization			
d. Mailing Address	133 GOODMAN'S HILL ROAD		
e. City/Town	SUDBURY	f. State	MA
g. Zip Code	01776		
h. Phone Number	6178727629	i. Fax	
j. Email	Megan.paglialunga@gmail.com		

3. Project Location:

a. Street Address	133 GOODMAN'S HILL ROAD	b. City/Town	SUDBURY
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Are you exempted from Fee? ☐ (YOU HAVE SELECTED 'NO')

Note: Fee will be exempted if you are one of the following:

- City/Town/County/District
- Municipal Housing Authority
- Indian Tribe Housing Authority
- MBTA

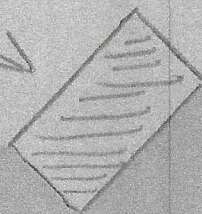
State agencies are only exempt if the fee is less than \$100

B. Fees

Activity Type	Activity Number	Activity Fee	RF Multiplier	Sub Total
A.) WORK ON SINGLE FAMILY LOT; ADDITION, POOL, ETC.;	1	110.00		110.00

City/Town share of filing fee	State share of filing fee	Total Project Fee
\$67.50	\$42.50	\$110.00

14x23
Prop Deck



#133

Stone Wall

containing area of
Invasive Plant
Species

GOODMANS HILL

578.79

150