

NOTICE OF PUBLIC HEARING SUDBURY CONSERVATION COMMISSION

The Sudbury Conservation Commission will hold a public hearing to review the Notice of Intent filing under the Wetlands Protection Act and Wetlands Bylaw to demolish and reconstruct a single-family home with associated driveway, grading and utilities at 34 Barton Drive, Sudbury MA, Marcel Maillet, applicant. The hearing will be held virtually on Tuesday, September 15, at 6:45pm, via Zoom. Please see the Conservation Commission web page for further information.

<https://sudbury.ma.us/conservationcommission/meeting/conservation-commission-meeting-tuesday-september-15-2020/> .

SUDBURY CONSERVATION COMMISSION
August 31, 2020



Savello & Associates

Wetland Consultants

32 Pearl Street - Marlborough, Massachusetts 01752 / Telephone (508) 481-8205

August 24, 2020

Notice of Intent Filing for 34 Barton Drive - Sudbury, Mass

Attached to this pdf file:

- 1) Cover Sheet
- 2) Brief Outline of Project
- 3) Existing Conditions Plan and Proposed Site Plan
- 4) Notice of Intent
- 5) Resource Area Evaluation Report
- 6) Alternative Analysis for Wetland Buffer Zone
- 7) Abutters List
- 8) Abutter Notification
- 9) Copies of Checks

This project is for removing and reconstructing a new home at 34 Barton Drive in Sudbury. Some disturbance will be necessary in the 100 foot wetland buffer zone in order to remove the existing house, remove the existing non compliant septic system and to remove several large trees that will be too close to remain to the new dwelling.

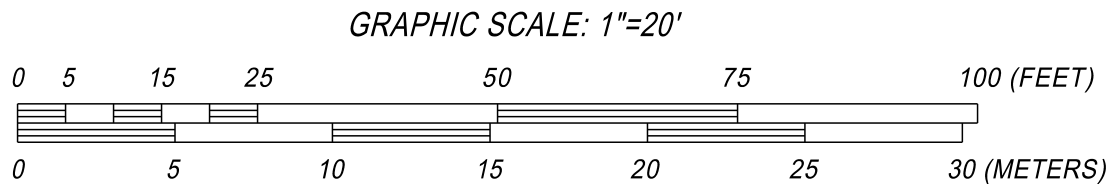
EXISTING CONDITIONS PLAN

IN
SUDBURY, MASS

#34 BARTON LANE

PREPARED FOR: MAILLET & SON INC.
94 BUTLER ROAD
BELMONT, MA

DATE: AUGUST 24, 2020



DEED REFERENCE: MIDDLESEX COUNTY REGISTRY OF DEEDS
BOOK 54730 / PAGE 309

PLAN REFERENCE: MIDDLESEX COUNTY REGISTRY OF DEEDS
PLAN 557 OF 1930

ZONE DISTRICT: (SRA) SINGLE RESIDENCE A
MINIMUM LOT AREA = 40,000 S.F.
MINIMUM FRONTAGE = 180 FEET

MINIMUM FRONT YARD SETBACK = 40 FEET
MINIMUM SIDE YARD SETBACK = 20 FEET
MINIMUM REAR YARD SETBACK = 30 FEET
MAXIMUM BUILDING COVERAGE = 40%

EXISTING LOT AREA = 77,778 S.F.

EXISTING DWELLING FOOTPRINT = 1,186 S.F.
EXISTING DRIVEWAY COVERAGE = 546 S.F.
EXISTING BUILDING COVERAGE = 1.5%
EXISTING TOTAL IMPERVIOUS COVERAGE = 2.2%

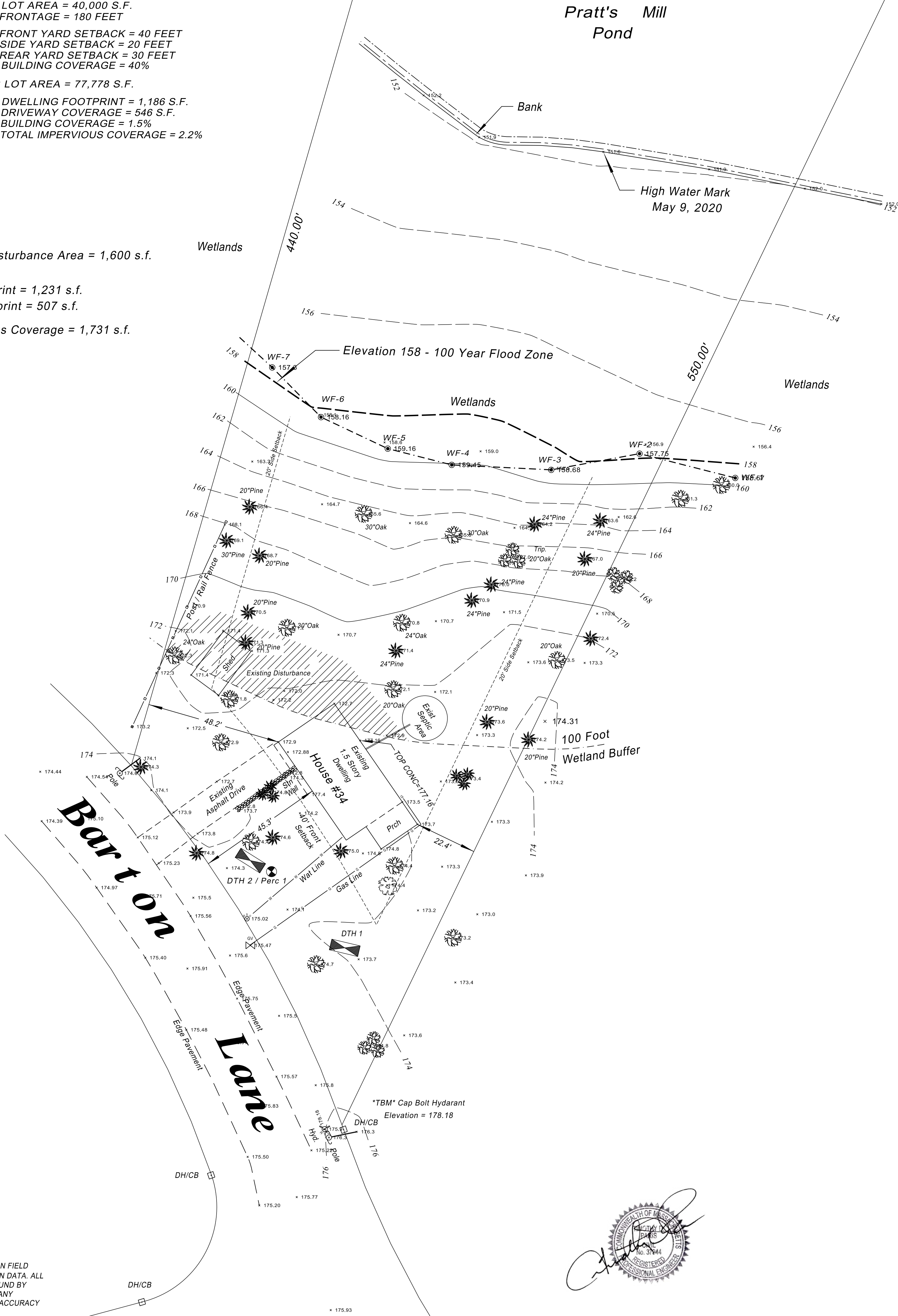
Existing Buffer Zone Disturbance Area = 1,600 s.f.

Existing Dwelling Footprint = 1,231 s.f.

Existing Driveway Footprint = 507 s.f.

Existing Total Impervious Coverage = 1,731 s.f.

Lot 35
Area = 77,778± S.F.



LOCATION OF UTILITIES SHOWN ARE BASED ON FIELD SURVEY AND COMPILATION OF EXISTING PLAN DATA. ALL UTILITIES ARE TO BE MARKED OUT ON THE GROUND BY THE VARIOUS UTILITY COMPANIES PRIOR TO ANY CONSTRUCTION. NO GUARANTY AS TO THEIR ACCURACY IS WARRANTED OR IMPLIED BY THIS PLAN.



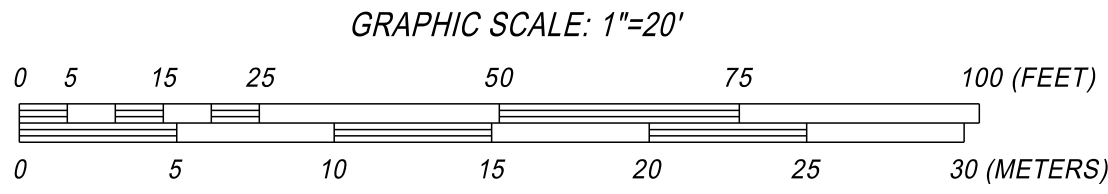
DATE:	AUGUST 24, 2020
SCALE:	1"=20'
FIELD SURVEY BY:	JAS/BWG
CALC. BY:	JAS
DRAWN BY:	JAS
CHECKED BY:	
REVISIONS:	

SAVELLO & ASSOCIATES
LAND SURVEYORS / WETLAND CONSULTANTS
32 PEARL STREET
MARLBOROUGH, MASSACHUSETTS
TEL. (508) 481-8205

SITE PLAN
IN
SUDBURY, MASS
#34 BARTON LANE

PREPARED FOR: MAILLET & SON INC.
94 BUTLER ROAD
BELMONT, MA

DATE: AUGUST 24, 2020



DEED REFERENCE: MIDDLESEX COUNTY REGISTRY OF DEEDS
BOOK 54730 / PAGE 309

PLAN REFERENCE: MIDDLESEX COUNTY REGISTRY OF DEEDS
PLAN 557 OF 1930

ZONE DISTRICT: (SRA) SINGLE RESIDENCE A
MINIMUM LOT AREA = 40,000 S.F.
MINIMUM FRONTAGE = 180 FEET

MINIMUM FRONT YARD SETBACK = 40 FEET
MINIMUM SIDE YARD SETBACK = 20 FEET
MINIMUM REAR YARD SETBACK = 30 FEET
MAXIMUM BUILDING COVERAGE = 40%

EXISTING LOT AREA = 77,778 S.F.

EXISTING DWELLING FOOTPRINT = 1,231 S.F.
EXISTING DRIVEWAY COVERAGE = 507 S.F.
EXISTING BUILDING COVERAGE = 1.6%
EXISTING TOTAL IMPERVIOUS COVERAGE = 2.2%

PROPOSED DWELLING FOOTPRINT = 1,464 S.F.
PROPOSED DRIVEWAY COVERAGE = 800 S.F.
PROPOSED BUILDING COVERAGE = 1.8%
PROPOSED TOTAL IMPERVIOUS COVERAGE = 2.9%

EXISTING AND PROPOSED DISTURBANCE

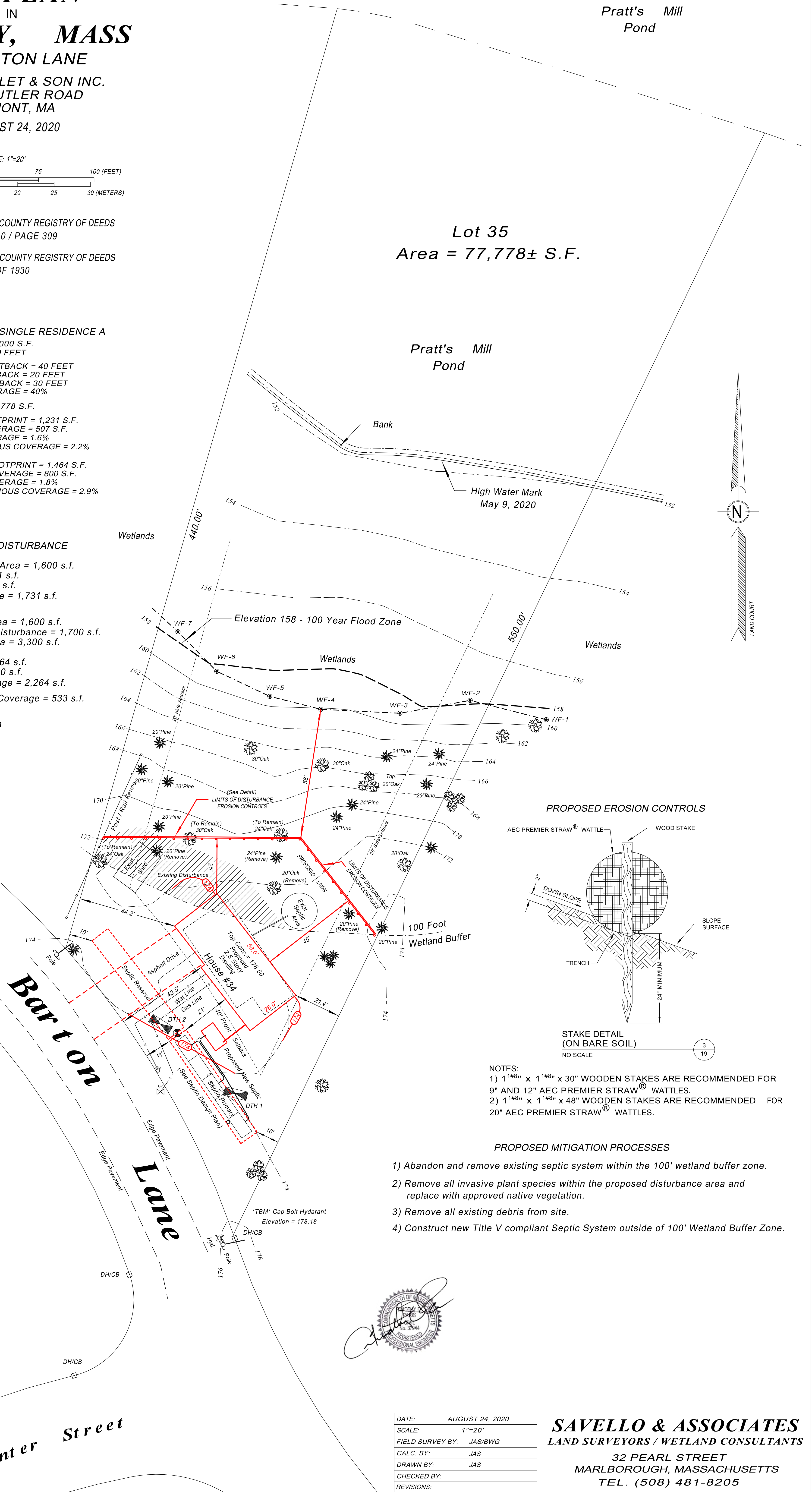
Existing Buffer Zone Disturbance Area = 1,600 s.f.
Existing Dwelling Footprint = 1,231 s.f.
Existing Driveway Footprint = 507 s.f.
Existing Total Impervious Coverage = 1,731 s.f.

Existing Buffer Zone Disturbed Area = 1,600 s.f.
Proposed Additional Buffer Zone Disturbance = 1,700 s.f.
Total Buffer Zone Disturbance Area = 3,300 s.f.

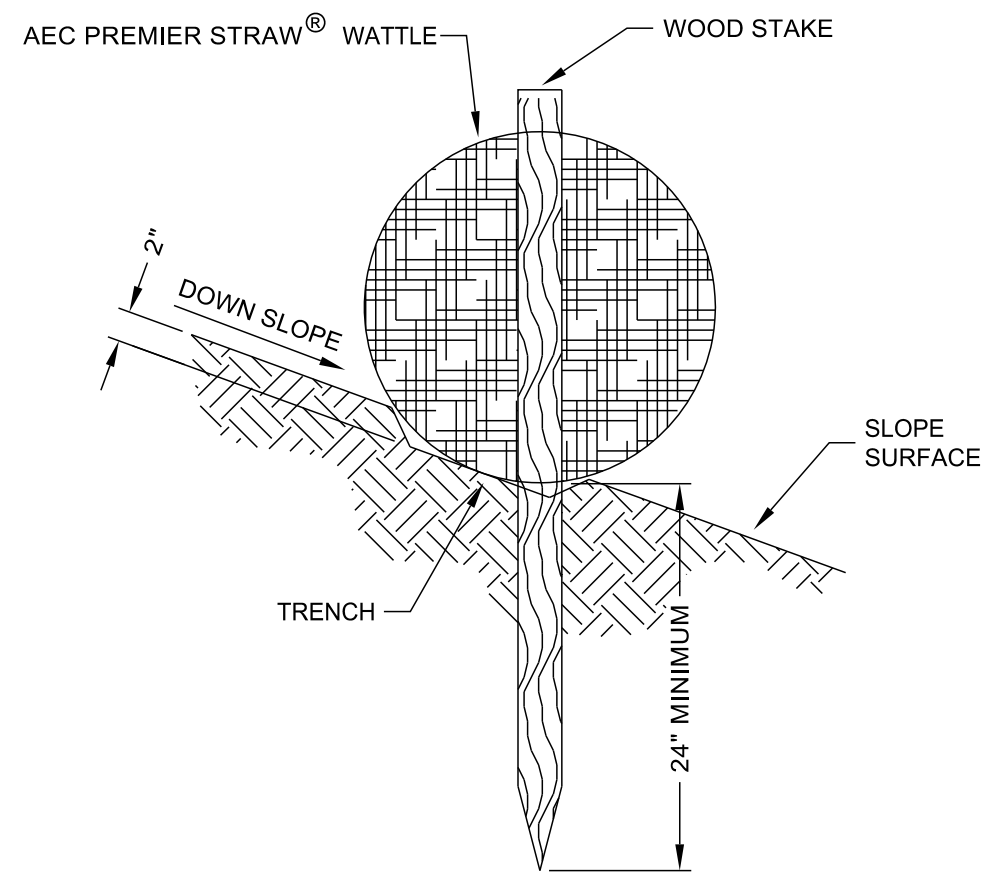
Proposed Dwelling Footprint = 1,464 s.f.
Proposed Driveway Footprint = 800 s.f.
Proposed Total Impervious Coverage = 2,264 s.f.

Proposed Increase In Impervious Coverage = 533 s.f.

Proposed removal of 4 trees within
the 100' wetland buffer zone.



PROPOSED EROSION CONTROLS



STAKE DETAIL
(ON BARE SOIL)

NO SCALE

3
19

NOTES:

- 1) 1^{1/8}" x 1^{1/8}" x 30" WOODEN STAKES ARE RECOMMENDED FOR 9" AND 12" AEC PREMIER STRAW[®] WATTLES.
- 2) 1^{1/8}" x 1^{1/8}" x 48" WOODEN STAKES ARE RECOMMENDED FOR 20" AEC PREMIER STRAW[®] WATTLES.

PROPOSED MITIGATION PROCESSES

- 1) Abandon and remove existing septic system within the 100' wetland buffer zone.
- 2) Remove all invasive plant species within the proposed disturbance area and replace with approved native vegetation.
- 3) Remove all existing debris from site.
- 4) Construct new Title V compliant Septic System outside of 100' Wetland Buffer Zone.



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DATE:	AUGUST 24, 2020
SCALE:	1"=20'
FIELD SURVEY BY:	JAS/BWG
CALC. BY:	JAS
DRAWN BY:	JAS
CHECKED BY:	
REVISIONS:	

SAVELLO & ASSOCIATES
LAND SURVEYORS / WETLAND CONSULTANTS
32 PEARL STREET
MARLBOROUGH, MASSACHUSETTS
TEL. (508) 481-8205



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

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):

34 Barton Drive

a. Street Address

Sudbury

b. City/Town

01776

c. Zip Code

Latitude and Longitude:

N 42.385305

d. Latitude

W 71.451739

e. Longitude

Map G05

f. Assessors Map/Plat Number

135

g. Parcel /Lot Number

2. Applicant:

Marcel

a. First Name

Maillet

b. Last Name

Maillet & Son Inc,

c. Organization

94 Butler Road

d. Street Address

Sudbury

e. City/Town

Mass

f. State

01776

g. Zip Code

978-815-3104

h. Phone Number

i. Fax Number

marcel3276@live.com

j. Email Address

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

Lael

a. First Name

Meixsell

b. Last Name

C/o Tim Meixsell

c. Organization

235 Perkins Row

d. Street Address

Topsfield

e. City/Town

Mass

f. State

01983

g. Zip Code

978-887-5177

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

John

a. First Name

Savello

b. Last Name

Savello & Associates

c. Company

32 Pearl Street

d. Street Address

Marlborough

e. City/Town

Mass

f. State

01752

g. Zip Code

508-481-8205

h. Phone Number

i. Fax Number

Savello@Comcast.net

j. Email address

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

\$500

a. Total Fee Paid

\$237.50

b. State Fee Paid

\$262.50

c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

Replace Existing Single Family Home with a new Single Family Home

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

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

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

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

2. Limited Project Type

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

8. Property recorded at the Registry of Deeds for:

South Middlesex

a. County

1512

c. Book

265575

b. Certificate # (if registered land)

110

d. Page Number

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

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

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



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

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

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

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

2. Width of Riverfront Area (check one):

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

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

4. Proposed alteration of the Riverfront Area:

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

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

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

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

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



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

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

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet _____ 2. cubic yards dredged _____	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. <input type="checkbox"/> Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet _____	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet _____	
h. <input type="checkbox"/> Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet _____	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged _____	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet _____	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	a. square feet of BVW _____	b. square feet of Salt Marsh _____
5. <input type="checkbox"/> Project Involves Stream Crossings		
	a. number of new stream crossings _____	b. number of replacement stream crossings _____



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C. Other Applicable Standards and Requirements

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

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

- a. ☐ Yes ☒ No **If yes, include proof of mailing or hand delivery of NOI to:**

Current On-line
Data

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

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/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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Online Users:

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

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

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, §
- 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.
- | | |
|--|--------------------------|
| Site Plan in Sudbury Mass - 34 Barton Drive | |
| a. Plan Title | |
| Savello & Associates | Timothy Paris, P.E. |
| b. Prepared By | c. Signed and Stamped by |
| August 24, 2020 | 1"=20' |
| d. Final Revision Date | e. Scale |
| Existing Conditions Plan in Sudbury Mass - 34 Barton Drv | August 24, 2020 |
| 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:

13891	8/25/2020
2. Municipal Check Number	3. Check date
13890	8/25/2020
4. State Check Number	5. Check date
Mailett & Son Inc	
6. Payor name on check: First Name	7. Payor name on check: Last Name



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F. Signatures and Submittal Requirements

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

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

<p>1. Signature of Applicant <i>David M. Mallett</i> 2. Date <i>8/24/20</i></p> <p>3. Signature of Property Owner (if different) <i>Carl M. Missett</i> 4. Date <i>8/25/20</i></p> <p>5. Signature of Representative (if any) <i>John S. Smith</i> 6. Date <i>08/24/2020</i></p>	<p>Signed by <i>David M. Mallett</i> President Mallett & Son Inc</p>
--	--

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.

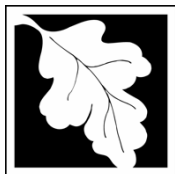
For MassDEP:

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.



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

A. Applicant Information

1. Location of Project:

34 Barton Drive

a. Street Address

Sudbury

b. City/Town

c. Check number

d. Fee amount

2. Applicant Mailing Address:

Marcel

a. First Name

Maillet

b. Last Name

Maillet & Son Inc

c. Organization

94 Butler Road

d. Mailing Address

Sudbury

e. City/Town

Mass

f. State

01776

g. Zip Code

978-815-3104

h. Phone Number

i. Fax Number

marcel3276@live.com

j. Email Address

3. Property Owner (if different):

Lael

a. First Name

Meixsell

b. Last Name

C/o Tim Meixsell

c. Organization

235 Perkins Row

d. Mailing Address

Topsfield

e. City/Town

Mass

f. State

01983

g. Zip Code

978-887-5177

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.



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 2 (a.) Construction of Single Family House	1	500	500

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee:	500
	a. Total Fee from Step 5
State share of filing Fee:	237.50
	b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:	262.50
	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.)



Savello & Associates

Wetland Consultants

32 Pearl Street - Marlborough, Massachusetts 01752 / Telephone (508) 481-8205

June 8, 2020

Wetland Delineation / Resource Area Evaluation ***34 Barton Drive - Sudbury, Mass***



Prepared For: Maillet & Son Inc.

On Saturday, June 6, 2020, I, John Savello, evaluated, delineated and flagged **Bordering Vegetated Wetlands** as defined by the Massachusetts Wetlands Protection Act and performed an on site Resource Area Evaluation of the property at 34 Barton Drive, located on the easterly side of Barton Drive, just north of Winter Street in Sudbury, Mass. The criteria used for evaluating the wetlands on this site was taken from the 1987 US Army Corp. of Engineers Wetland Delineation Manual, which was updated for the Northeast Region in 2012. Vegetation, hydrology and soil profiles were all utilized, along with existing topography and available mapped data, to determine an accurate Wetland Boundary Resource Area line.

General Outline of Site

The property is a single family house lot located in a residential subdivision in Sudbury, Mass. The lot is on the Northerly side of Barton Drive, just west of Winter Street. There are existing single family homes to the west and east of the lot and the rear of the lot is bounded by Pratt Mill Pond. The existing house on the lot is currently vacant and appears to have been neglected for some time. There is no lawn area and the lot has been overgrown with vegetation. There are numerous large diameter trees within feet of the existing house.

The Lot area is approximately 77,000 s.f. in size and the left and right lot lines run to the center of the pond at the rear of the lot. It appears as though all the lots in this subdivision run to the center of the pond. The front of the lot is approximately 25 feet higher than the pond. The lot is basically flat from the street to the rear of the house and then drops off suddenly at about a 3 to 1 slope, down to about 4 feet higher than the pond and then gradually slopes to the pond. The edge of the Bordering Vegetated Wetlands on site is at the bottom of the existing slope in the rear yard.

The wetland boundary line also looks as though it could be a flood plain boundary as well, by the existing Flood Hazard maps show the 100 year flood line to be at the edge of the pond. There is a distinct change in soils and vegetation at the wetland to upland boundary line. This wetland line was very easy to area establish and delineate. A table of the resource areas on site is as follows:

Resource Area Evaluation

Based on available Mapped Data (included), Field Survey, and an On Site Evaluation:

- **Riverfront Area** – Based on available mapped USGS Quadrangle datum, The Massachusetts Stream Stats Calculations, in conjunction with USGS.gov, and an on-the-ground site inspection of and around this property, there are **No Perennial Streams** located on or within 200 feet of this site.
- **100 Year Flood Zone** – Based on the most current FIRM Flood Hazard Maps, FIRM Panel #25017C0364F Dated July 7, 2014, a portion of the locus property **Does Fall** within a 100 year flood hazard zone.
- **Isolated Land Subject to Flooding** – Based on the site inspection during the wetland delineation, there are **No Isolated Lands Subject to Flooding** associated with this lot. It does appear, however, that the region between the edge of pond and the wetland boundary line may experience some high water events.
- **Vernal Pools** – There are **No Mapped Certified Vernal Pools** within 100 feet of the boundaries of the lot. There were no visible vernal pools observed in the area.
- **Wildlife Habitat** – Based on the most current Mass Heritage Endangered Species Maps and on-line MassGIS Database, the lot **Does Not Fall Within** either a mapped Estimated or Priority Endangered Species Habitat Areas.
- **Areas of Critical Environmental Concern** – This parcel of land **Does Not Fall** within any mapped ACEC lands
- **Bank and Land Under Water** – There **Is Bank** associated with Pratts Mill Pond in this area. There also **Is Land Under Water** associated with Pratts Mill Pond in this area. This Bank of the pond was located by survey but not flagged on the ground. It falls well within the BVW on site.
- **Bordering Vegetated Wetlands** – There **Are Wetlands** that are associated with this site and abutting Pratt Mill Pond in this area. Wetlands were delineated and wetland flags were hung on site and located onto plan.

Summary / Conclusions

A total of fifteen (7) Bordering Vegetated Wetland Flags were hung along the bottom of slope, at the rear of this site. The wetland flags area labeled JAS WF-1 6/20 to JAS WF-7 6/20 End. No Bank / Edge of Pond flags were hung but the edge of pond was located by survey and is shown on the plan for the property.


There are no disturbances to this site, no encroachments, no problem areas and no violations relating to wetlands and waterways. This is not a problem site. This area is virgin Woodlands, Uplands and Watersheds.

The purpose of this resource area evaluation and report is for the Land Surveyor and Civil Engineer to evaluate the site and be able to identify all resource areas that exist and to establish the location of the resource areas and associated buffer zones that fall under the jurisdiction of the Massachusetts Department of Environmental Protection and Town of Sudbury Conservation Commission.

Included in this report is a copy of the USGS Quadrangle map that shows the locus site. Also included are copies of the Army Corp of Engineers Wetland Delineation Data Sheets.

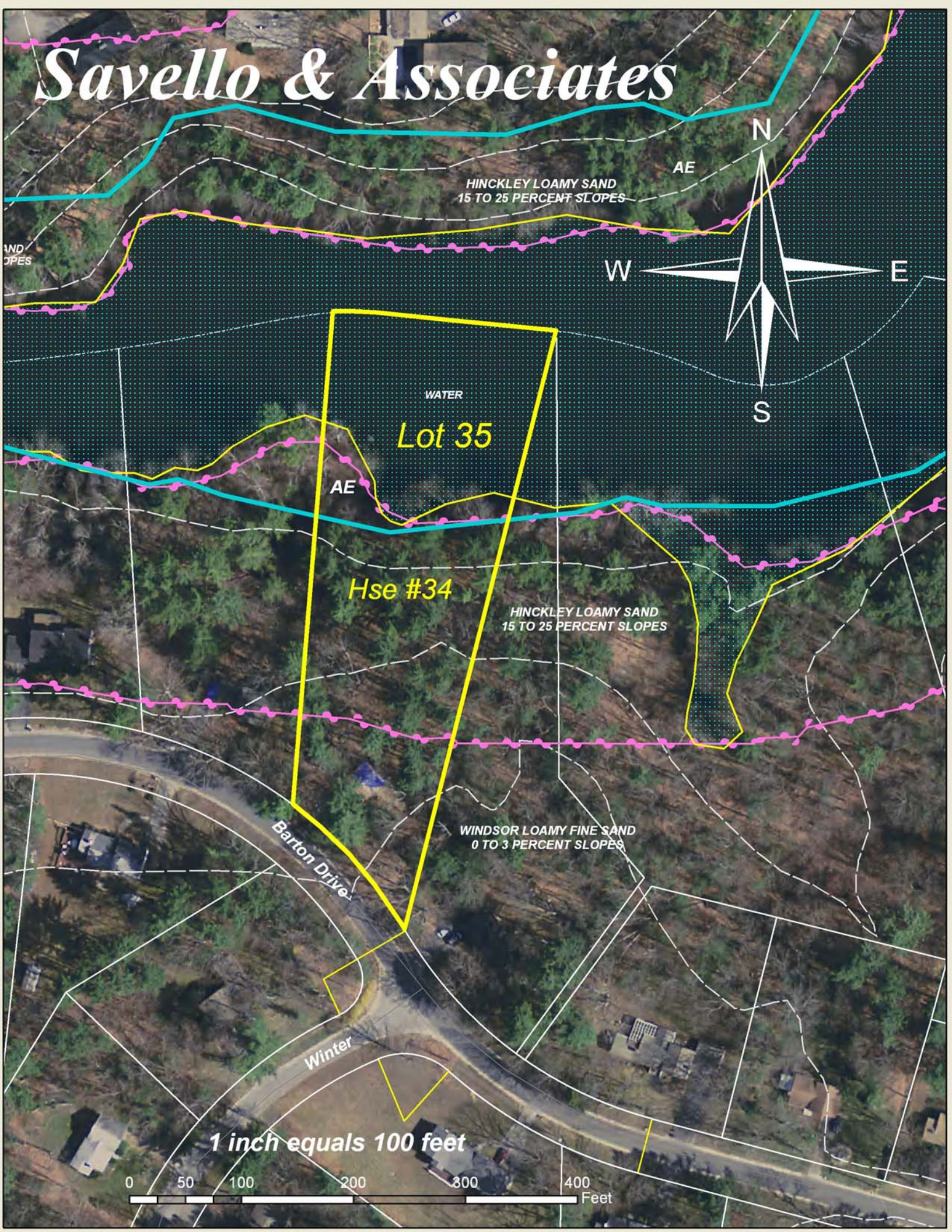
Please call our office if we can be of any further assistance to you regarding this site.

Sincerely,

A handwritten signature in black ink, appearing to read "John Savello". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

John Savello
Environmental Analyst

Savello & Associates



Savello & Associates

W

N

E

S

HUDSON

Pine

MOORE

Millpond

Stearns

PRAITS

RD

1 inch equals 500 feet

0

350

700

1,400

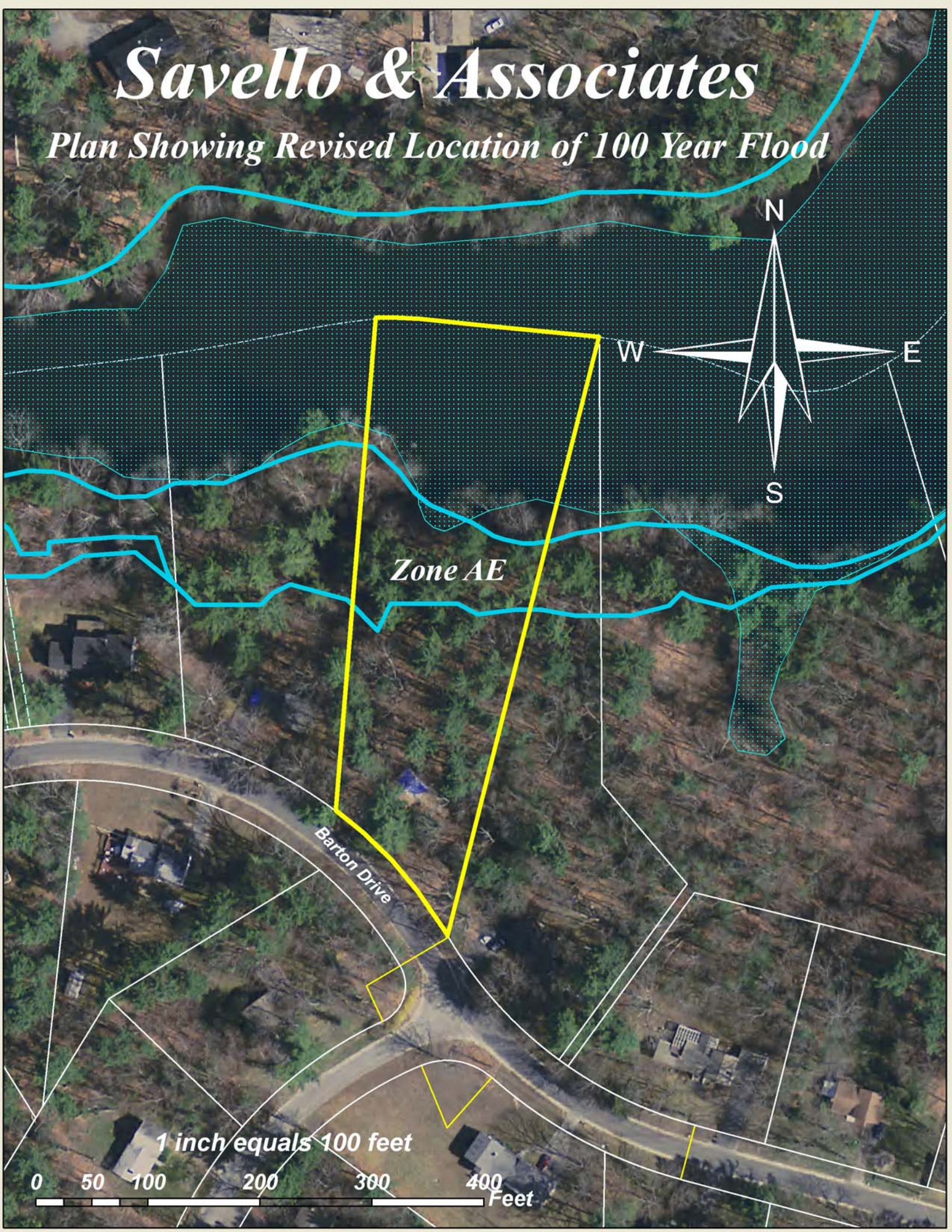
2,100

2,800

Feet

Savello & Associates

Plan Showing Revised Location of 100 Year Flood



Zone AE

Barton Drive

1 inch equals 100 feet

0 50 100 200 300 400 Feet

National Flood Hazard Layer FIRMMette

71°27'26"W 42°23'18"N



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, AE, AH, VE, AR
- With BFE or Depth
Zone AE, AO, AH, VE, AR
- Regulatory Floodway

- 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 OF FLOOD HAZARD

- NO SCREEN
- Area of Minimal Flood Hazard
Zone X
- Effective LOMR
- Area of Undetermined Flood Hazard
Zone D
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

GENERAL STRUCTURES

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

OTHER FEATURES

- Digital Data Available
- No Digital Data Available
- Unmapped

MAP PANELS

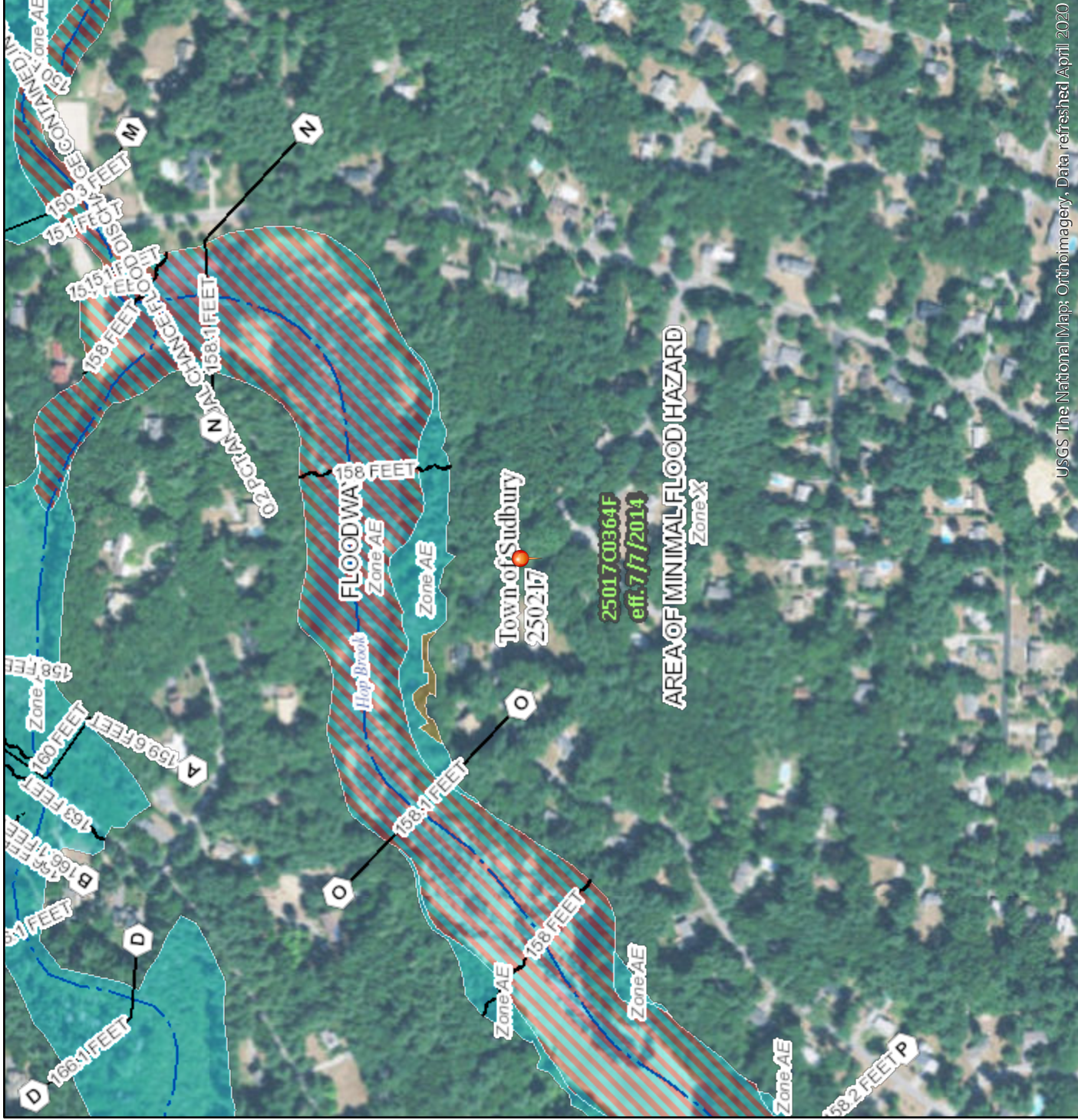


The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

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 6/26/2020 at 1:37 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.



USGS The National Map, Orthoimagery, Data refreshed April 2020

71°26'48"W 42°22'52"N

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



WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: #34 Barton Drive City/County: Sudbury / Middlesex Sampling Date: June 6, 2020
 Applicant/Owner: Maillet & Son Inc. State: Mass Sampling Point: T1-Log 1
 Investigator(s): John Savello - Savello & Associates Section, Township, Range: _____
 Landform (hillslope, terrace, etc.): Shoreline Terrace Local relief (concave, convex, none): _____ Slope (%): 15%
 Subregion (LRR or MLRA): MLRA 144A Lat: N 42-23-5.9 Long: W 71-27-8.3 Datum: NAVD89
 Soil Map Unit Name: Hinckley Loamy Sand - 15-25% Slopes NWI classification: Wooded Swamp

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)
 Are Vegetation X, Soil X, or Hydrology X significantly disturbed? No Are "Normal Circumstances" present? Yes X No _____
 Are Vegetation X, Soil X, or Hydrology X naturally problematic? No (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u>X</u> No _____ Hydric Soil Present? Yes <u>X</u> No _____ Wetland Hydrology Present? Yes <u>X</u> No _____	Is the Sampled Area within a Wetland? Yes _____ No <u>X</u> If yes, optional Wetland Site ID: _____
Remarks: (Explain alternative procedures here or in a separate report.) <p style="text-align: center;">Transect 1 - Log 1 performed approx. 10 feet upland (up slope) of Wetland Flag #2 - Outside Resource Area.</p>	

HYDROLOGY

Wetland Hydrology Indicators:	Secondary Indicators (minimum of two required)
Primary Indicators (minimum of one is required; check all that apply) <input type="checkbox"/> Surface Water (A1) <input type="checkbox"/> Water-Stained Leaves (B9) <input type="checkbox"/> High Water Table (A2) <input type="checkbox"/> Aquatic Fauna (B13) <input type="checkbox"/> Saturation (A3) <input type="checkbox"/> Marl Deposits (B15) <input type="checkbox"/> Water Marks (B1) <input type="checkbox"/> Hydrogen Sulfide Odor (C1) <input type="checkbox"/> Sediment Deposits (B2) <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) <input type="checkbox"/> Drift Deposits (B3) <input type="checkbox"/> Presence of Reduced Iron (C4) <input type="checkbox"/> Algal Mat or Crust (B4) <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) <input type="checkbox"/> Iron Deposits (B5) <input type="checkbox"/> Thin Muck Surface (C7) <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) <input type="checkbox"/> Other (Explain in Remarks) <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Surface Soil Cracks (B6) <input type="checkbox"/> Drainage Patterns (B10) <input type="checkbox"/> Moss Trim Lines (B16) <input type="checkbox"/> Dry-Season Water Table (C2) <input type="checkbox"/> Crayfish Burrows (C8) <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) <input type="checkbox"/> Stunted or Stressed Plants (D1) <input type="checkbox"/> Geomorphic Position (D2) <input type="checkbox"/> Shallow Aquitard (D3) <input type="checkbox"/> Microtopographic Relief (D4) <input type="checkbox"/> FAC-Neutral Test (D5)
Field Observations: Surface Water Present? Yes _____ No <u>X</u> Depth (inches): _____ Water Table Present? Yes _____ No <u>X</u> Depth (inches): _____ Saturation Present? Yes _____ No <u>X</u> Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? Yes _____ No <u>X</u>
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available: <p style="text-align: center;">Aerial photos examined from 2002, 2006 and 1014 - no inundation beyond wetland boundary observed</p>	
Remarks: <p style="text-align: center;">There is a very distinct change in topography from the wetland to the upland on this site.</p>	

VEGETATION – Use scientific names of plants.

 Sampling Point: T1-Log 1

Tree Stratum (Plot size: <u>35 feet</u>)	Absolute % Cover	Dominant Species?	Indicator Status	
1. <u>Red Oak (Quercus rubra)</u>	<u>40%</u>	<u>Yes</u>	<u>FacU-</u>	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across All Strata: <u>3</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>33%</u> (A/B)
2. <u>White Pine (Pinus strobus)</u>	<u>30%</u>	<u>Yes</u>	<u>FacU</u>	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	
<u>70%</u> = Total Cover				
Sapling/Shrub Stratum (Plot size: <u>15 feet</u>)				Prevalence Index worksheet: <div style="display: flex; justify-content: space-between;"> Total % Cover of: Multiply by: </div> OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species <u>15</u> x 3 = <u>45</u> FACU species <u>70</u> x 4 = <u>280</u> UPL species _____ x 5 = _____ Column Totals: <u>85</u> (A) <u>325</u> (B) Prevalence Index = B/A = <u>3.8</u>
1. <u>Yellow Birch (Betula alleghaniensis)</u>	<u>15%</u>	<u>Yes</u>	<u>Fac</u>	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	
<u>15%</u> = Total Cover				
Herb Stratum (Plot size: <u>5 feet</u>)				Hydrophytic Vegetation Indicators: none <input type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation <input type="checkbox"/> 2 - Dominance Test is >50% <input type="checkbox"/> 3 - Prevalence Index is ≤3.0 ¹ <input type="checkbox"/> 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <input type="checkbox"/> Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
1. <u>none</u>	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
11. _____	_____	_____	_____	
12. _____	_____	_____	_____	
<u>0%</u> = Total Cover				
Woody Vine Stratum (Plot size: _____)				Definitions of Vegetation Strata: Tree – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height. Sapling/shrub – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall. Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall. Woody vines – All woody vines greater than 3.28 ft in height.
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
_____ = Total Cover				
Remarks: (Include photo numbers here or on a separate sheet.) <div style="text-align: center; padding: 20px;"> Sampling area at Wetland Flag 2 does not have a wide variety of dominant species. No herbaceous present. </div>				Hydrophytic Vegetation Present? Yes _____ No <u>X</u>

SOIL

Sampling Point: T1-Log 1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

[illegible]

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Stratified Layers (A5)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Sandy Mucky Mineral (S1)
- ☐ Sandy Gleyed Matrix (S4)
- ☐ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Dark Surface (S7) (**LRR R, MLRA 149B**)

- ___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
- ___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
- ___ Loamy Mucky Mineral (F1) (**LRR K, L**)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils³:

☐ 2 cm Muck (A10) (**LRR K, L, MLRA 149B**)
☐ Coast Prairie Redox (A16) (**LRR K, L, R**)
☐ 5 cm Mucky Peat or Peat (S3) (**LRR K, L, R**)
☐ Dark Surface (S7) (**LRR K, L, M**)
☐ Polyvalue Below Surface (S8) (**LRR K, L**)
☐ Thin Dark Surface (S9) (**LRR K, L**)
☐ Iron-Manganese Masses (F12) (**LRR K, L, R**)
☐ Piedmont Floodplain Soils (F19) (**MLRA 149B**)
☐ Mesic Spodic (TA6) (**MLRA 144A, 145, 149B**)
☐ Red Parent Material (F21)
☐ Very Shallow Dark Surface (TF12)
☐ Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: NA
Depth (inches): _____

Hydric Soil Present? Yes _____ No X

Remarks:

There is a very distinct change in soil profile just feet apart from the wet to upland. Soil goes from a Classic Upland Soil to a Classic Hydric Soil in a very small distance. This is also confirmed by the distinct change in topography of the area.



WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: #34 Barton Drive City/County: Sudbury / Middlesex Sampling Date: June 6, 2020
 Applicant/Owner: Maillet & Son Inc. State: Mass Sampling Point: T1-Log 2
 Investigator(s): John Savello - Savello & Associates Section, Township, Range: _____
 Landform (hillslope, terrace, etc.): Shoreline Terrace Local relief (concave, convex, none): _____ Slope (%): 2%
 Subregion (LRR or MLRA): MLRA 144A Lat: N 42-23-5.9 Long: W 71-27-8.3 Datum: NAVD89
 Soil Map Unit Name: Hinckley Loamy Sand - 15-25% Slopes NWI classification: Wooded Swamp

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)
 Are Vegetation X, Soil X, or Hydrology X significantly disturbed? No Are "Normal Circumstances" present? Yes X No _____
 Are Vegetation X, Soil X, or Hydrology X naturally problematic? No (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u>X</u> No _____ Hydric Soil Present? Yes <u>X</u> No _____ Wetland Hydrology Present? Yes <u>X</u> No _____	Is the Sampled Area within a Wetland? Yes <u>X</u> No _____ If yes, optional Wetland Site ID: _____
Remarks: (Explain alternative procedures here or in a separate report.) <p style="text-align: center;">Transect 1 - Log 2 performed approx. 5 feet wetland (into wet) of Wetland Flag #2 - Inside Resource Area.</p>	

HYDROLOGY

Wetland Hydrology Indicators:		Secondary Indicators (minimum of two required)	
Primary Indicators (minimum of one is required; check all that apply)		_____ Surface Soil Cracks (B6)	
_____ Surface Water (A1)	_____ Water-Stained Leaves (B9)	<u>X</u> Drainage Patterns (B10)	
<u>X</u> High Water Table (A2)	_____ Aquatic Fauna (B13)	_____ Moss Trim Lines (B16)	
<u>X</u> Saturation (A3)	_____ Marl Deposits (B15)	_____ Dry-Season Water Table (C2)	
_____ Water Marks (B1)	<u>X</u> Hydrogen Sulfide Odor (C1)	_____ Crayfish Burrows (C8)	
_____ Sediment Deposits (B2)	_____ Oxidized Rhizospheres on Living Roots (C3)	_____ Saturation Visible on Aerial Imagery (C9)	
_____ Drift Deposits (B3)	_____ Presence of Reduced Iron (C4)	_____ Stunted or Stressed Plants (D1)	
_____ Algal Mat or Crust (B4)	_____ Recent Iron Reduction in Tilled Soils (C6)	_____ Geomorphic Position (D2)	
_____ Iron Deposits (B5)	_____ Thin Muck Surface (C7)	_____ Shallow Aquitard (D3)	
_____ Inundation Visible on Aerial Imagery (B7)	_____ Other (Explain in Remarks)	_____ Microtopographic Relief (D4)	
_____ Sparsely Vegetated Concave Surface (B8)		_____ FAC-Neutral Test (D5)	
Field Observations:		Wetland Hydrology Present? Yes <u>X</u> No _____	
Surface Water Present? Yes _____ No _____ Depth (inches): _____	Water Table Present? Yes <u>X</u> No _____ Depth (inches): <u>3"</u>		
Saturation Present? Yes <u>X</u> No _____ Depth (inches): <u>Surface</u> (includes capillary fringe)	Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:		
<p style="text-align: center;">Aerial photos examined from 2002, 2006 and 1014 - no inundation beyond wetland boundary observed</p>			
Remarks:			
<p>There is a very distinct change in topography from the wetland to the upland on this site.</p> <p>In just a mater of a few feet, the hydrology goes from no indicators to numerous indicators.</p>			

VEGETATION – Use scientific names of plants.

 Sampling Point: T1-Log 2

Tree Stratum (Plot size: <u>35 feet</u>)	Absolute % Cover	Dominant Species?	Indicator Status															
1. <u>Red Oak (Quercus rubra)</u>	<u>30%</u>	<u>Yes</u>	<u>FacU-</u>	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>3</u> (A) Total Number of Dominant Species Across All Strata: <u>5</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>60%</u> (A/B)														
2. <u>White Pine (Pinus strobus)</u>	<u>20%</u>	<u>Yes</u>	<u>FacU</u>															
3. <u>Yellow Birch (Betula alleghaniensis)</u>	<u>15%</u>	<u>Yes</u>	<u>Fac</u>															
4. _____	_____	_____	_____															
5. _____	_____	_____	_____															
6. _____	_____	_____	_____															
7. _____	_____	_____	_____															
<u>70%</u> = Total Cover				Prevalence Index worksheet: <table style="width: 100%;"> <tr> <td style="width: 50%;">Total % Cover of:</td> <td style="width: 50%;">Multiply by:</td> </tr> <tr> <td>OBL species _____</td> <td>x 1 = _____</td> </tr> <tr> <td>FACW species <u>35</u></td> <td>x 2 = <u>70</u></td> </tr> <tr> <td>FAC species <u>30</u></td> <td>x 3 = <u>90</u></td> </tr> <tr> <td>FACU species <u>50</u></td> <td>x 4 = <u>200</u></td> </tr> <tr> <td>UPL species _____</td> <td>x 5 = _____</td> </tr> <tr> <td>Column Totals: <u>115</u> (A)</td> <td><u>360</u> (B)</td> </tr> </table> Prevalence Index = B/A = <u>3.1</u>	Total % Cover of:	Multiply by:	OBL species _____	x 1 = _____	FACW species <u>35</u>	x 2 = <u>70</u>	FAC species <u>30</u>	x 3 = <u>90</u>	FACU species <u>50</u>	x 4 = <u>200</u>	UPL species _____	x 5 = _____	Column Totals: <u>115</u> (A)	<u>360</u> (B)
Total % Cover of:	Multiply by:																	
OBL species _____	x 1 = _____																	
FACW species <u>35</u>	x 2 = <u>70</u>																	
FAC species <u>30</u>	x 3 = <u>90</u>																	
FACU species <u>50</u>	x 4 = <u>200</u>																	
UPL species _____	x 5 = _____																	
Column Totals: <u>115</u> (A)	<u>360</u> (B)																	
<u>15%</u> = Total Cover																		
Sapling/Shrub Stratum (Plot size: <u>15 feet</u>)																		
1. <u>Yellow Birch (Betula alleghaniensis)</u>	<u>15%</u>	<u>Yes</u>	<u>Fac</u>	Hydrophytic Vegetation Indicators: <input checked="" type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation <input type="checkbox"/> 2 - Dominance Test is >50% <input type="checkbox"/> 3 - Prevalence Index is ≤3.0 ¹ <input type="checkbox"/> 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <input type="checkbox"/> Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.														
2. _____	_____	_____	_____															
3. _____	_____	_____	_____															
4. _____	_____	_____	_____															
5. _____	_____	_____	_____															
6. _____	_____	_____	_____															
7. _____	_____	_____	_____															
<u>15%</u> = Total Cover																		
Herb Stratum (Plot size: <u>5 feet</u>)																		
1. <u>Cinnamon Fern (Osmunda cinnamomea)</u>	<u>35%</u>	<u>Yes</u>	<u>FacW</u>	Definitions of Vegetation Strata: Tree – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height. Sapling/shrub – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall. Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall. Woody vines – All woody vines greater than 3.28 ft in height.														
2. _____	_____	_____	_____															
3. _____	_____	_____	_____															
4. _____	_____	_____	_____															
5. _____	_____	_____	_____															
6. _____	_____	_____	_____															
7. _____	_____	_____	_____															
8. _____	_____	_____	_____															
9. _____	_____	_____	_____															
10. _____	_____	_____	_____															
11. _____	_____	_____	_____															
12. _____	_____	_____	_____															
<u>35%</u> = Total Cover																		
Woody Vine Stratum (Plot size: _____)																		
1. _____	_____	_____	_____	Hydrophytic Vegetation Present? Yes <u>X</u> No <u>X</u>														
2. _____	_____	_____	_____															
3. _____	_____	_____	_____															
4. _____	_____	_____	_____															
_____ = Total Cover																		
Remarks: (Include photo numbers here or on a separate sheet.) Sampling area at Wetland Flag 2 does not have a wide variety of dominant species. Largest difference in vegetation plots is the existance of the herbaceous (Cinnamon Fern).																		

SOIL

Sampling Point: T1-Log 2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

[illegible]

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

<input checked="" type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Polyvalue Below Surface (S8) (LRR R,
<input checked="" type="checkbox"/> Histic Epipedon (A2)	MLRA 149B)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Thin Dark Surface (S9) (LRR R, MLRA 149B)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Mucky Mineral (F1) (LRR K, L)
<input type="checkbox"/> Stratified Layers (A5)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Depleted Matrix (F3)
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Redox Dark Surface (F6)
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Depleted Dark Surface (F7)
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Redox Depressions (F8)
<input type="checkbox"/> Sandy Redox (S5)	
<input type="checkbox"/> Stripped Matrix (S6)	
<input type="checkbox"/> Dark Surface (S7) (LRR R, MLRA 149B)	

Indicators for Problematic Hydric Soils³:

☐ 2 cm Muck (A10) (**LRR K, L, MLRA 149B**)
☐ Coast Prairie Redox (A16) (**LRR K, L, R**)
☐ 5 cm Mucky Peat or Peat (S3) (**LRR K, L, R**)
☐ Dark Surface (S7) (**LRR K, L, M**)
☐ Polyvalue Below Surface (S8) (**LRR K, L**)
☐ Thin Dark Surface (S9) (**LRR K, L**)
☐ Iron-Manganese Masses (F12) (**LRR K, L, R**)
☐ Piedmont Floodplain Soils (F19) (**MLRA 149B**)
☐ Mesic Spodic (TA6) (**MLRA 144A, 145, 149B**)
☐ Red Parent Material (F21)
☐ Very Shallow Dark Surface (TF12)
☐ Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: NA
Depth (inches): _____

Hydric Soil Present? Yes X No

Remarks:

There is a very distinct change in soil profile just feet apart from the wet to upland. Soil goes from a Classic Upland Soil to a Classic Hydric Soil in a very small distance. This is also confirmed by the distinct change in topography of the area.

Never saw the B horizon material. Stopped at 18" of the mucky "A". Not quite sure if the classification of Histosol is true ... since there is some organic material, but not very much I would call it a Mineral Histic Epipedon.

Certificate of Training

ANDOVER, MASSACHUSETTS

this certifies that

John Savello

has successfully completed

WETLAND DELINEATOR CERTIFICATION PROGRAM

June 26, 1995

This training has been based in part on the U.S. Army Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1 (1987 Manual), as provided for in the training materials developed in conjunction with Section 307 (e) of the Water Resources Development Act of 1990 for the Wetland Delineator Certification Program.


INSTRUCTOR



Savello & Associates

Wetland Consultants

32 Pearl Street - Marlborough, Massachusetts 01752 / Telephone (508) 481-8205

August 21, 2020

Re: 34 Barton Drive, Sudbury, Mass

Alternative Analysis for Wetland Buffer Zone Disturbance

Existing Site Conditions:

34 Barton Drive is an existing Single Family home in a subdivision off of Dutton Road. The houses in this development are between 50 and 60 years old. The subdivision was approved by the Town of Sudbury in 1958.

The house has been vacant for some time and there is quite a lot of damage to the existing structure. A portion of the roof has collapsed / caved in and there is extensive water damage to the inside of the structure. The vegetation / surrounding trees in close proximity to the house are very large and it is assumed that there is some structural deficiencies to the existing foundation, based on large root structures right up against the foundation wall and existing water damage in the structure and basement. It has been determined by the purchaser of the property that the existing house is too far gone to be saved and that a new dwelling should be constructed on the lot.

Proposed Site Construction:

The footprint size of the existing dwelling is 1,231 s.f. and the footprint size of the proposed dwelling is 1,464 s.f., an increase of only 233 s.f. and the proposed basic configuration and location is almost exactly the same as existing. There is a brand new Title V compliant septic system being proposed at the front of the property, completely outside the 100 foot wetland buffer zone. The existing septic system on site falls within the 100 foot wetland buffer zone. The new proposed driveway falls in the same location of the existing paved driveway and is only 300 s.f. larger than the existing driveway. The total proposed impervious footprint of this site is only 533 s.f. larger than what is existing.

Alternative Analysis:

The proposed dwelling is setback 42.5 feet from the front property line. The zoning requirement for this zone district is 40 feet minimum. The new proposed septic system in the front of the house is 11 feet of the street line and 21 feet off the proposed foundation. These are both just 1 foot more than minimum requirements. There is no way for the proposed house to be placed any closer to the street than as it is shown. All setbacks are within 1 foot of minimum requirements.

The proposed depth of the new dwelling is 26.00 feet. The depth of the existing house is 22.0 feet. This makes the proposed dwelling only 4 feet deeper than the existing house. The left rear corner of the proposed house sits almost in the same spot as the existing house, just inside the 100 foot wetland buffer zone. With the existing zoning and Title V setbacks, there is no way to re-locate the proposed house outside of the 100 foot wetland buffer zone.

Alternative Number 1:

In order to have zero disturbance to the 100 foot wetland buffer zone on this site, the existing house would need to remain where it is and none of the existing trees off the rear of the house would be able to be removed. Since the house is uninhabitable as it now sits, the site would remain in the state it is now in. This would eventually result in a condemned structure and a property that would have little to no value. It would also lead to a forced order to remove the existing structure, which in turn, would result in disturbance to the 100 foot wetland buffer zone.

Alternative Number 2:

In order to move the proposed house outside the 100 foot wetland buffer zone, a variance to the front setback requirements would need to be approved and a variance from the Board of Health and DEP would be required for a reduction of the septic system setback requirements. It is unlikely that either of these setback reductions would be approved in order to move the proposed house outside of the 100 foot wetland buffer zone. The other option would be to reduce the depth of the house from 26 feet to 13.8 feet. Since the proposed house has a proposed garage, it would be impossible to reduce the depth of the house without significantly reducing the proposed length of the house. Reducing the house to the size it would need to be so that it didn't encroach into the 100 foot wetland buffer zone would make the purchase of the property not fiscally possible.

Alternative number 3:

Since the site has not been maintained for quite some time, there are very large pine and oak trees that are very close to the existing, and proposed structure. It would be an unsafe condition to construct a new structure on this site and leave the existing large trees so close to the dwelling. In order to remove the large trees in close proximity to the house and to remove the existing septic field at the rear of the house, within the 100 foot wetland buffer, disturbance in the area is necessary. The only option would be to construct the new house in the exact same location, leave the existing septic system in the ground and leave the existing trees with 20 feet of the new structure. From an engineering view, this would be unacceptable and unsafe and it would also be extremely difficult to convince a purchaser that they are not allowed to do anything off the rear of their new home. The proposed disturbance to the buffer zone in this area is minimal and there is very little to no chance of having an adverse or negative effect to the bordering existing resource area (bordering vegetated wetlands).

Abutters List[print this list](#)

Date: August 19, 2020

Subject Property Address: 34 BARTON DR Sudbury, MA
Subject Property ID: G05-0135

Search Distance: 100 Feet

Prop ID: G05-0005
Prop Location: DUTTON RD Sudbury, MA
Owner: TOWN OF SUDBURY
Co-Owner: PARK & REC
Mailing Address:

278 OLD SUDBURY ROAD
SUDBURY, MA 01776

Prop ID: G05-0040
Prop Location: DUTTON RD Sudbury, MA
Owner: KIRK DAVID G & ANN B
Co-Owner:
Mailing Address:
520 DUTTON RD
SUDBURY, MA 01776

Prop ID: G05-0103
Prop Location: 489 DUTTON RD Sudbury, MA
Owner: CASWELL CHRISTOPHER K &
Co-Owner: CASWELL ASHLEY E
Mailing Address:
489 DUTTON RD
SUDBURY, MA 01776

Prop ID: G05-0114
Prop Location: 5 WINTER ST Sudbury, MA
Owner: GLASER MARION D
Co-Owner: TRUSTEE OF THE MARION D GLASER
Mailing Address:
5 WINTER ST

SUDBURY, MA 01776

Prop ID: G05-0115

Prop Location: 41 BARTON DR Sudbury, MA

Owner: WILMINGTON SAVINGS FUND

Co-Owner: SOCIETY FSB OWNER TRUSTEE

Mailing Address:

3020 OLD RANCH PARKWAY #180

SEAL BEACH, CA 90740

Prop ID: G05-0134

Prop Location: 40 BARTON DR Sudbury, MA

Owner: KESHISHIAN KARINA

Co-Owner:

Mailing Address:

40 BARTON DR

SUDBURY, MA 01776

Prop ID: G05-0136

Prop Location: 28 BARTON DR Sudbury, MA

Owner: NYANGONI WELLINGTON W TRUSTEE

Co-Owner: WELLINGTON WNYANGONI REVOCABLE

Mailing Address:

28 BARTON DR

SUDBURY, MA 01776

Prop ID: G05-0331

Prop Location: 31 RAYNOR RD Sudbury, MA

Owner: MUFFITT DIANE E &

Co-Owner: MURDOCK LINDA A

Mailing Address:

31 RAYNOR RD

SUDBURY, MA 01776

Notification to Abutters Under the Massachusetts Wetlands Protection Act

**(This form must be completed and copies sent, by certified mail or hand-delivered,
to all abutters within 100 feet of the location of the project)**

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 Maillet & Son Inc.
- B. The applicant has filed a Notice of Intent with the Conservation Commission for the municipality of Upton, seeking permission to build 1 Single Family Home with a septic system in an area subject to protection and review under the Wetlands Protection Act (General Laws Chapter 131, Section 40) and the Town of Upton Wetland By-Law.
- C. The address or location of the lot where the activity is proposed is:
34 Barton Lane, owned by Lael Meixsell.
- D. The work proposed within the buffer zone to a resource area is the construction of a Single Family Home.
- E. Copies of the Notice of Intent may be examined at the Sudbury Conservation Commission's office, at Upton Town Hall, (please call first to make sure that the Conservation Agent is available). For more information call the Conservation Commission's Office at 978-440-5471 or fax 978-440-5404. Address 275 Old Lancaster Road, Sudbury, MA 01776 - ConCom@Sudbury.ma.us
- F. The proposed date of the public hearing has not been set yet. Due to the current public health crisis, you should contact the Sudbury Conservation Commission for any and all information regarding the public hearing for this project.

PLEASE NOTE:

- 1. Notice of the public hearing, including its date, time and place will be published at least five (5) business days in advance in the local newspaper.
- 2. Notice of the public hearing including date, time and place will be posted in the Town Hall not less than forty-eight (48) hours in advance of the public hearing.
- 3. You also may contact the Department of Environmental Protection (DEP) Northeast Regional Office for more information about this application or the Wetlands Protection Act. To contact the DEP, Northeast Region, call (978) 694-3200 (Wilmington, MA)..... 205B Lowell Street, Wilmington, MA 01887