



NOTICE OF PUBLIC HEARING SUDBURY CONSERVATION COMMISSION

The Sudbury Conservation Commission will hold a public hearing to review the Notice of Intent filing for tree removal within the 100-foot Buffer Zone at 165 Marlboro Road, Sudbury MA, pursuant to the state Act and local Bylaw. Vince Cacciatore, applicant. The hearing will be held on Mon., October 19, 2020 at 6:45 pm, via Zoom. Please see the Conservation Commission web page for further information:

<https://sudbury.ma.us/conservationcommission/meeting/conservation-commission-meeting-monday-october-19-2020/>

SUDBURY CONSERVATION COMMISSION
October 6, 2020

Tree Removal Proposal 165 Marlboro Road

Background

My name is Vince Cacciatore and my wife Tracey and I own property at 165 Marlboro Road. This property has conservation restrictions on its northern and western borders (see attached plot plan). This conservation area is marked by large (85 foot and taller) white pines and oak trees (some no farther than 15 feet from the home). Over the last three years, four of these trees (2 white pines, and 2 red oak) have either failed completely, or large limbs have fallen within feet from the house. This is particularly concerning because our children's rooms are situated along the rear of the home and in the direct path to the largest of these trees. As a precaution we routinely move the children to sleep in the basement if high winds are forecasted. On August 7th 2020 the largest tree to date fell due to Tropical Storm Isaias. This bifurcated tree (84 inches in circumference and 90 feet tall), snapped 40 feet from the base into two pieces and miraculously both 50 foot sections narrowly missed our shed and home. As a consequence of this event, the increasing intensity of recent storms and the continued stress of living under this impending hazard we brought in William Joseph a Mass state licensed arborist (MCA#2064). William assessed the situation and prepared a letter of his findings. William found that the 7 White Pines (see Appendix for attached letter) pose an imminent threat to our home and surrounding structures. He also noted that difference between the original grade and the construction grade has impacted the tree roots contributing to their instability. (In several areas the tree roots are raised on the surface). The remainder of this document discusses the additional details about the trees, and the plan for their removal and remediation.

Plan

Trees #2, 3, 4, 5, 6, 7, 8 are not located in the Conservation Restriction area as shown on the attached "Existing Conditions Plan." It is important to note that only the trees that are leaning into the property will be removed. Trees that are either leaning away from the property or do not have limbs growing over the property will remain, leaving the canopy largely as is. (See pictures 1-4 in the Appendix) For these trees, the stumps will remain to have the least impact on the surrounding area. In addition we will eliminate the evasive Buckthorn 10 feet back from the "Edge of Lawn Designation" and near the removed trees.

Tree #1 is the largest (98 inches in circumference at breast height) and is located in the CR area as depicted on the map. Though this tree is set back 45 feet from the house, the trunk branches in 4 areas and in 2017 one of smaller of these branches dropped in an ice storm. The resulting limb narrowly missed my office window, and required a crew with chainsaws to dismantle. For this tree we would like to have it removed with the exception of a 30 foot section (no longer a threat to the property) and be left in its natural state. We discussed pruning options for this tree with William but he was not in favor of these options indicating that they may cause further instability in the tree.

Tree #8 is the remainder of an oak tree that snapped in two during a 2016 windstorm see picture 8. The tree is dead (all the bark has dropped away) and is leaning precariously over our generator and shed. This tree was not listed in William's letter as he was only asked to consider the trees that were near the northern and western Conservation Restricted area.

Conclusion

Thank you for considering this proposal. My wife and I debated submitting it for several years as we balanced the expense and time, with minimizing this hazard. However after seeing the destruction from the most recent storms, we knew we needed to put a plan into action or risk having one of these trees fall on/through the house and potentially harm our family. In the end we believe this proposal will lessen the threat with only minimal impact to the surrounding area.

Vincent Cacciatore
165 Marlboro Road

Appendix



Picture 1 - Street view of the property with trees #1- #6 identified



Picture 2 - Trees tower 50+ feet over the house



Picture 3

Trees #4, #5, #6, #7, #8 (to left of shed), leaning heavily toward the house



Picture 4

Trees #2 - #5. Tree #2 is 20 feet from the screened in porch, and leaning into the house



Picture 5

Tree #5 has insect damage at its base



Picture 6

Lawn in front of Trees #5, #6, and #7. The roots are raised as a result of the mismatch between original grade and final construction grade. This is leading to the tree instability.



Picture 7

Another view of tree #5. This shows the elevation difference between original grade and construction grade, leaving roots exposed and shallow.



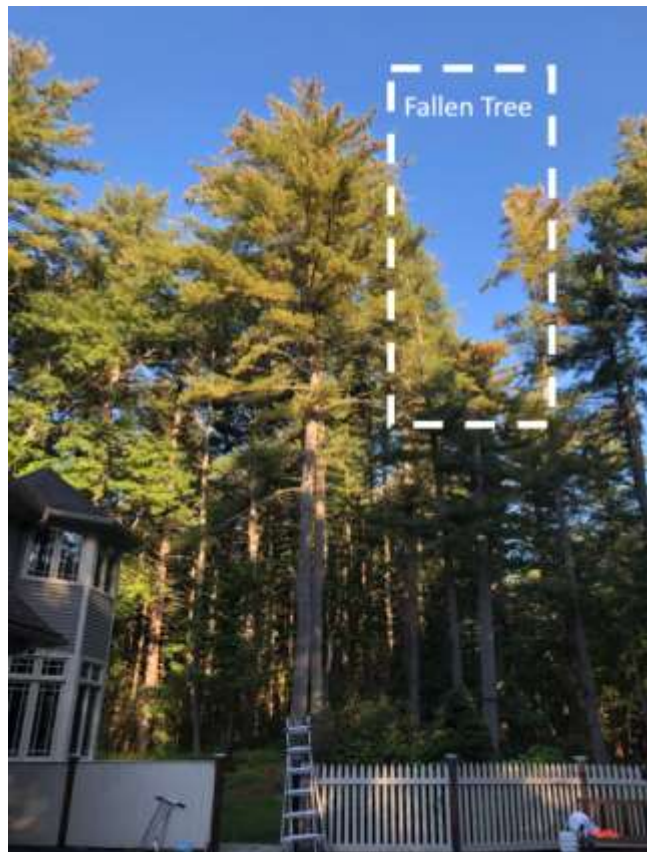
Picture 8

Picture from the screened porch roof looking down at trees # 5,6,7, and #8. All of the limbs on these trees are also weighted towards the house and shed.



Picture 9

This is a picture of the evasive buckthorn that will be removed as part of the remediation plan, leaving only the tree stumps in place.



Picture 10

Tree that failed during August 7th, 2020 storm



Picture 11

(1 of 2) 50 foot sections from failed tree. This fell 30 feet from the shed

Lynch Landscape & Tree Service
80 Union Avenue
Sudbury, MA 01776
(978)-443-2626 office@lynchlandscape.com

William Joseph, MCA #2064
Lynch Landscape & Tree Service
Sudbury, MA 01776
September 24, 2020

Vince Cacciatore
165 Marlboro Road
Sudbury, MA 01776

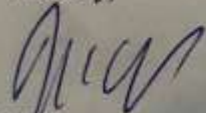
To whom it may concern,

This letter is in regards to 7 White Pine trees located along the rear lawn area behind the house at 165 Marlboro Road. The Pine trees average approximately 21" diameter at breast height. Recently other Pine trees in that area have failed and fallen. The trees are located above the lawn and house grade on a raised bed. I believe that the area the Pines are located is the original grade of the trees and the lawn is the finished construction grade. Having the roots at different grades could cause more instability in the trees too.

The seven trees are all within striking distance of the house located on the property. They all pose a hazard to the home.

My recommendation is for all seven trees to be removed.

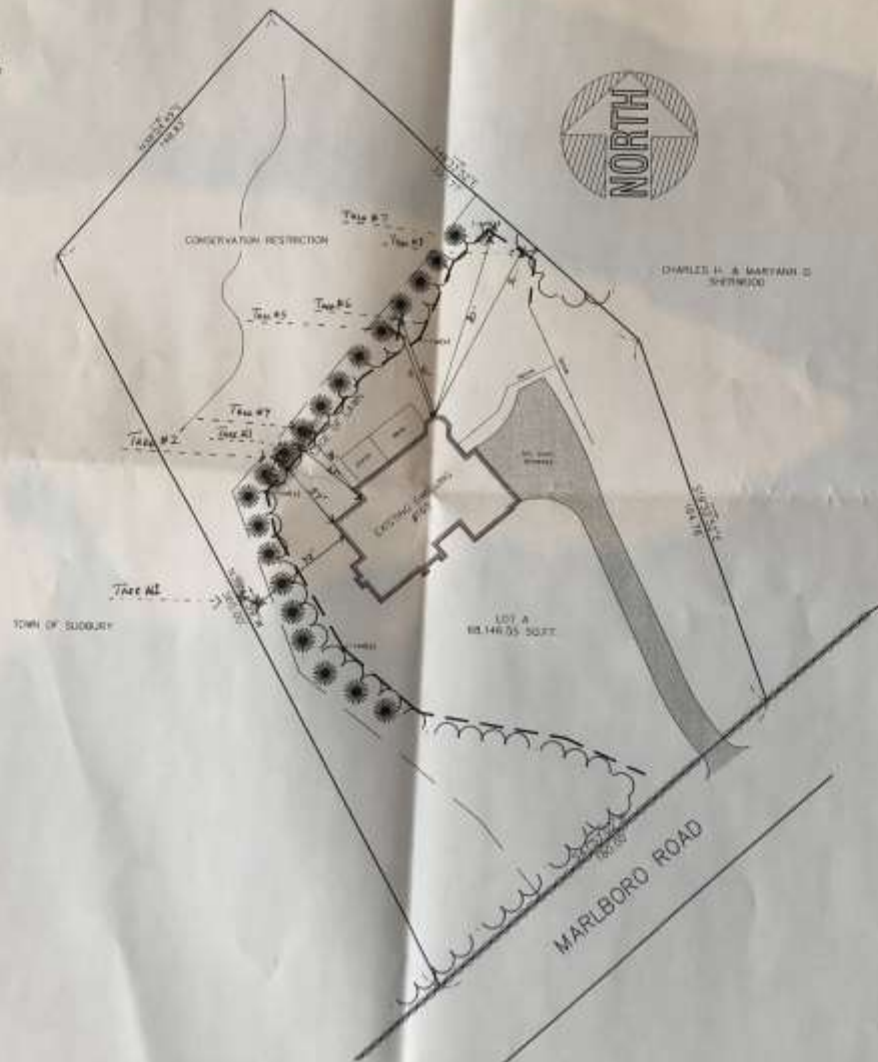
Sincerely,



William Joseph, MCA #2064
Lynch Landscape & Tree Service

NOTE:
 THIS PLAN IS A COPY OF A PLAN FILED FOR RECORD IN THE OFFICE OF THE REGISTRAR OF DEEDS AND MAPS IN THE TOWN OF SUDBURY, MASSACHUSETTS, ON FEBRUARY 17, 2011. THE ORIGINAL PLAN WAS FILED FOR RECORD ON FEBRUARY 17, 2011. THE ORIGINAL PLAN WAS FILED FOR RECORD ON FEBRUARY 17, 2011. THE ORIGINAL PLAN WAS FILED FOR RECORD ON FEBRUARY 17, 2011.

THOMAS D. DIFERIO, P.L.S.
 1/12/11



THOMAS DIFERIO, P.L.S.
 LICENSE #22064

No.	Date	Description

Prepared for:
 JACK & BONNIE MULLEN
 165 MARLBORO ROAD
 SUDBURY, MA 01776

Prepared by:
THOMAS LAND SURVEYORS
 & Engineering Consultants, Inc.
 100 Temple, 10th Floor, Boston, MA 02110
 Tel: 617.552.1100 Fax: 617.552.1101

EXISTING CONDITIONS PLAN
 OF LAND IN
 SUDBURY, MA

SCALE	1"=50'
DRAWN	RD
CHECKED	T. DIFERIO
FILE NAME	\\TLD\JRD\2011\1001.dwg
PLOTTED	
ISSUE DATE	FEBRUARY 17, 2011
JOB NO.	1001

SHEET 1 of 1

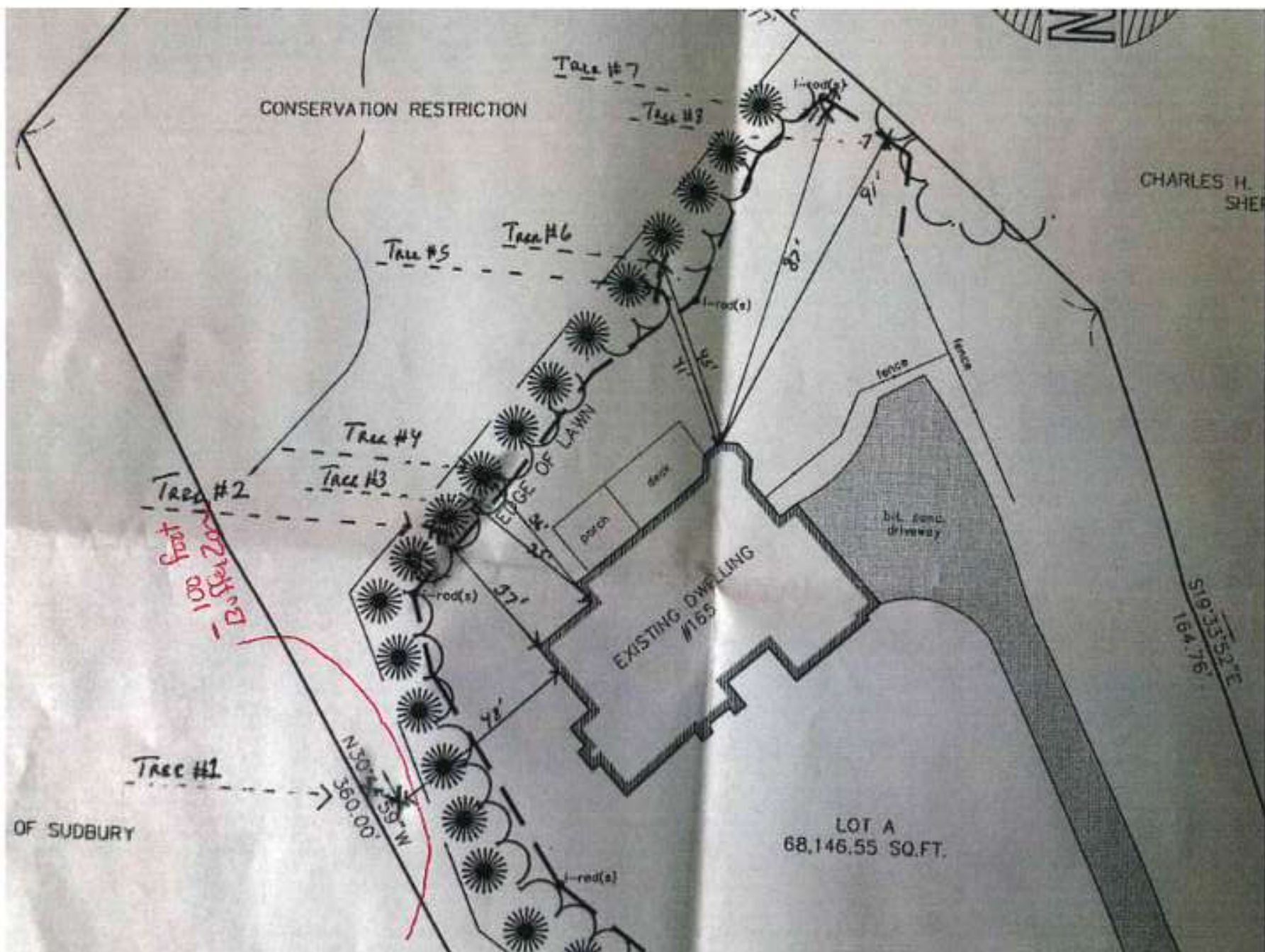


Table 1

Tree distance from home and circumference

Tree #	Distance from Home (feet)	Circumference (inches)
1	48	98
2	37	62
3	35	56
4	36	83
5	41	84
6	46	65
7	87	72
8	91	60



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

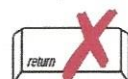
Provided by MassDEP:

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):

165 Marlboro Road	Sudbury	01776
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:		
E08	d. Latitude 0601	e. Longitude
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

Vincent	Cacciatore
a. First Name	b. Last Name
c. Organization 165 Marlboro Road	
d. Street Address Sudury	
e. City/Town 617 823 3557	f. State MA
g. Zip Code 01776	h. Phone Number
i. Fax Number	j. Email Address vincecacciatore@hotmail.com

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):

a. First Name	b. Last Name
c. Company	
d. Street Address	
e. City/Town	f. State
g. Zip Code	h. Phone Number
i. Fax Number	j. Email address

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

\$110	\$42.50	\$67.50
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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WPA Form 3 – Notice of Intent

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A. General Information (continued)

6. General Project Description:

Removal of 8 trees that pose immediate hazard to the home, one of which is within wetlands jurisdiction

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

a. County

56742

c. Book

b. Certificate # (if registered land)

128

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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Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

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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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WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

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Document Transaction Number

City/Town

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
	<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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

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Document Transaction Number

City/Town

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

Aug 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/mass-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.



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

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).



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

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City/Town

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

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

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



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

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.

a. Plan Title
Tree Removal Proposal: 165 Marlboro Road

b. Prepared By
Vincent Cacciatore

d. Final Revision Date

c. Signed and Stamped by

e. Scale

10/5/2020

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:

2. Municipal Check Number
2774

4. State Check Number
Vincent

6. Payor name on check: First Name

10/5/2020

3. Check date
10/5/2020

5. Check date
Cacciatore

7. Payor name on check: Last Name



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Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

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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

10/5/2020

2. Date
10/5/2020

3. Signature of Property Owner (if different)

4. Date
10/5/2020

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.



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

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



A. Applicant Information

1. Location of Project:

165 Marlboro Road
a. Street Address
Sudbury
b. City/Town
c. Check number
d. Fee amount

2. Applicant Mailing Address:

Vincent
a. First Name
Cacciatore
b. Last Name
c. Organization
165 Marlboro Road
d. Mailing Address
Sudbury
MA
01776
e. City/Town
1 617 823 3557
f. State
vincecacciatore@hotmail.com
g. Zip Code
h. Phone Number
i. Fax Number
j. Email Address

3. Property Owner (if different):

a. First Name
b. Last Name
c. Organization
d. Mailing Address
e. City/Town
f. State
g. Zip Code
h. Phone Number
i. Fax Number
j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

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



Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 1a - Single Family Home	1	\$110	\$110
Step 5/Total Project Fee:			\$110

City/Town share of filling Fee:

c. 1/2 Total Fee **plus** \$12.50

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.

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.)

Abutters

1. Scott and Laura Gamel – 166 Marlboro Road
2. Christopher and Destiny Barletta – 168 Marlboro Road
3. Charles and Maryann Sherwood – 169 Marlboro Road
4. Bari Speilman and Robert Greenberg – 3 Meachen Road

