

**NOTICE OF PUBLIC MEETING  
SUDBURY CONSERVATION COMMISSION  
Virtual Meeting 6:45 pm**

The Sudbury Conservation Commission will hold a public meeting under the Sudbury Wetlands Administration Bylaw for the Request for Determination of Applicability to remove the existing tennis court and restore the area to its natural state, at Carriage Way (Parcel K03-0401), Sudbury MA; Mark Tatkow, applicant. The meeting will be held on Monday, January 11, 2021 at 6:45 pm via Zoom.

Copies of the application and remote participation information may be reviewed on the Conservation Department web page at:

<https://sudbury.ma.us/conservationcommission/meeting/conservation-commission-meeting-monday-january-11-2021/>.

Please contact the Conservation Office with any questions at 978-440-5470.

SUDBURY CONSERVATION COMMISSION  
December 28, 2020



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Sudbury  
City/Town

**WPA Form 1 - Request for Determination of Applicability**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**A. General Information**

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



1. Applicant:

MARK TATKOW

Name

MARK.TATKOW@GMAIL.COM

E-Mail Address

38 Henry's Mill Lane

Mailing Address

Sudbury

City/Town

MA

State

01776

Zip Code

978-284-6769

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Firm

Contact Name

E-Mail Address

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

**B. Determinations**

1. I request the Sudbury Conservation Commission make the following determination(s). Check any that apply:

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance** or **bylaw** of:

Sudbury

Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



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**C. Project Description**

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

<u>Carrriage Way</u> Street Address	<u>Sudbury</u> City/Town
<u>K03</u> Assessors Map/Plat Number	<u>0401</u> Parcel/Lot Number

- b. Area Description (use additional paper, if necessary):

See attached area description.

- c. Plan and/or Map Reference(s):

<u>See attached GIS image</u> Title	<u>12/24/20</u> Date
<u>See attached Carding Mill Subdivision Plan</u> Title	<u>12/24/20</u> Date
<u>See attached image of adjacent property map</u> Title	<u>12/24/20</u> Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

See attached work description and Carrriage Way  
Tennis Court Removal Plan document.



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**C. Project Description (cont.)**

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

*310 CMR 10.02(2)(b) 2.e*

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)

*See attached subdivision plan.*



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**D. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Carding Mill Association (c/o Thomas Acquaviva)  
Name  
19 Carriage Way  
Mailing Address  
Sudbury  
City/Town  
MA State 01776 Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

[Signature] Date 12/24/20  
Signature of Applicant

\_\_\_\_\_  
Signature of Representative (if any) Date

## ***WPA Form 1 Part B. Project Description***

### ***1B. Area Description:***

1. It is the Association's intention to remove the existing (now defunct) tennis court and restore the area to its natural state. Access to and from the tennis court will be made possible via 85 Carriage Way's driveway and its backyard slope leading to the tennis court (see attached photo).

The work area is 'pancake flat' and access will be restricted to no more than 5' around it's perimeter.

The work area sits ~70' from a small pond to its left (see attached photo), hence the need for this Request for Determination of Applicability from the Conservation Commission.

## ***WPA Form 1 Part C. Project Description***

### ***2A. Work Description:***

1. Brush Clearing around and inside tennis court
2. Prep for demo / removal-cut small trees and vines growing around tennis court fence
3. Cut trees and brush inside tennis court
4. Remove and dispose brush
5. Demolish tennis court and remove all fencing and associated trash utilizing excavator
6. Cut into smaller pieces and haul away
7. Utilize bobcat to rip up and remove existing asphalt
8. Area will be properly graded
9. Removal of rocks / debris-Spread Composted Loam - 3" deep-
10. Harley Rake to process soil
11. Spread seed, fertilizer and final clean up; including any repair of damaged grass to access this area through 85 Carriage Way
12. Apply organic composted loam and bags of premium sun and shade seed mix and starter fertilizer to prepare area to look contiguous with the existing common space.

LOT 12

CARRIAGE (50' WIDE) MAY

LOT 18

LOT 17  
78,848 ± SF  
or 1.810 ± AC.

LOT 13  
108,816 ± SF  
or 2.498 ± AC.

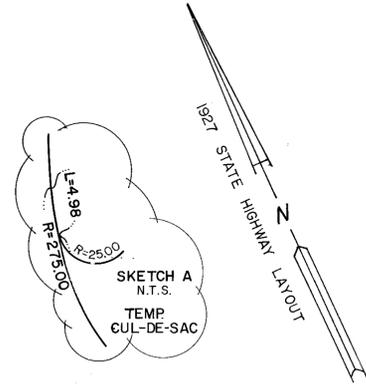
LOT 16  
77,932 ± SF  
or 1.789 ± AC.

LOT 15  
107,557 ± SF  
or 2.469 ± AC.

LOT 14  
89,968 ± SF  
or 2.065 ± AC.

OPEN SPACE  
SEE SHEET 7 OF 8

CARDING MILL POND



N/F  
SOUTHWEST CORPORATION  
17413 / 446

- LEGEND:
- AE ACCESS EASEMENT
  - CE CONSERVATION EASEMENT
  - DE DRAINAGE EASEMENT
  - EAE EMERGENCY ACCESS EASEMENT
  - MONUMENT TO BE SET
  - TEMP TEMPORARY
  - PBE PERMETER BUFFER EASEMENT

5	JUNE 5, 1989	CR
4	JANUARY 17, 1989	CR
3	JANUARY 6, 1989	CR
2	DECEMBER 8, 1988	CR
1	OCTOBER 28, 1988	CR
NO. DATE		
REVISIONS		

- REFERENCES:
- DEFINITIVE SUBDIVISION DECISION DATED FEBRUARY 21, 1989
  - SPECIAL PERMIT DECISION DATED FEBRUARY 21, 1989
  - GRANT OF EASEMENT TO BE RECORDED HERewith
  - CONSERVATION RESTRICTIONS TO BE RECORDED HERewith
  - DEED TO BE RECORDED HERewith

SEE CERTIFICATE OF SUDBURY TOWN CLERK RECORDED HERewith REGARDING APPEALS.

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

August 17, 1989  
DATE  
*Clifford E. Rober*  
CLIFFORD E. ROBER, PLS NO. 33189

OWNER: TRUSTEES OF ARDEN B. MACNEILL 11425/235  
REAL ESTATE TRUST - 1959 11021/244  
35 BOWDITCH ROAD SUDBURY, MA. 01776

**CARDING MILL**  
A CLUSTER DEVELOPMENT SITE PLAN  
IN  
**SUDBURY MA.**  
(MIDDLESEX COUNTY)  
SCALE 1 INCH = 40 FEET DATE: AUGUST 17, 1988  
SEE REVISIONS

**BEALS AND THOMAS, INC**  
TWO WESTBOROUGH BUSINESS PARK  
200 FRIBERG PARKWAY  
WESTBOROUGH, MA 01581  
JOB NO. W-304.01 DWG. NO. W-304.01.14  
TOWN SUBMISSION SH. 11 OF 22 REGISTRY SH. 6 OF 8

APPROVED BY THE SUDBURY PLANNING BOARD SUBJECT TO ITS SUBDIVISION REGULATIONS AS AMENDED TO THIS DATE AND TO A COVENANT TO BE RECORDED HERewith.

*Russell P. Kirk* Chairman  
*Ellis A. Anderson*  
*James P. Wathen*  
June 5, 1989  
DATE

APPLICATION FILED August 12, 1988  
FINAL PLAN FILED June 5, 1989  
9/1/88, 10/31/88, 11/21/88,  
HEARING 12/19/88, 1/19/89  
PLAN APPROVED February 21, 1989

COMMON AREA FOR RECREATION PURPOSES  
18,249 ± S.F.  
0.419 ± AC.

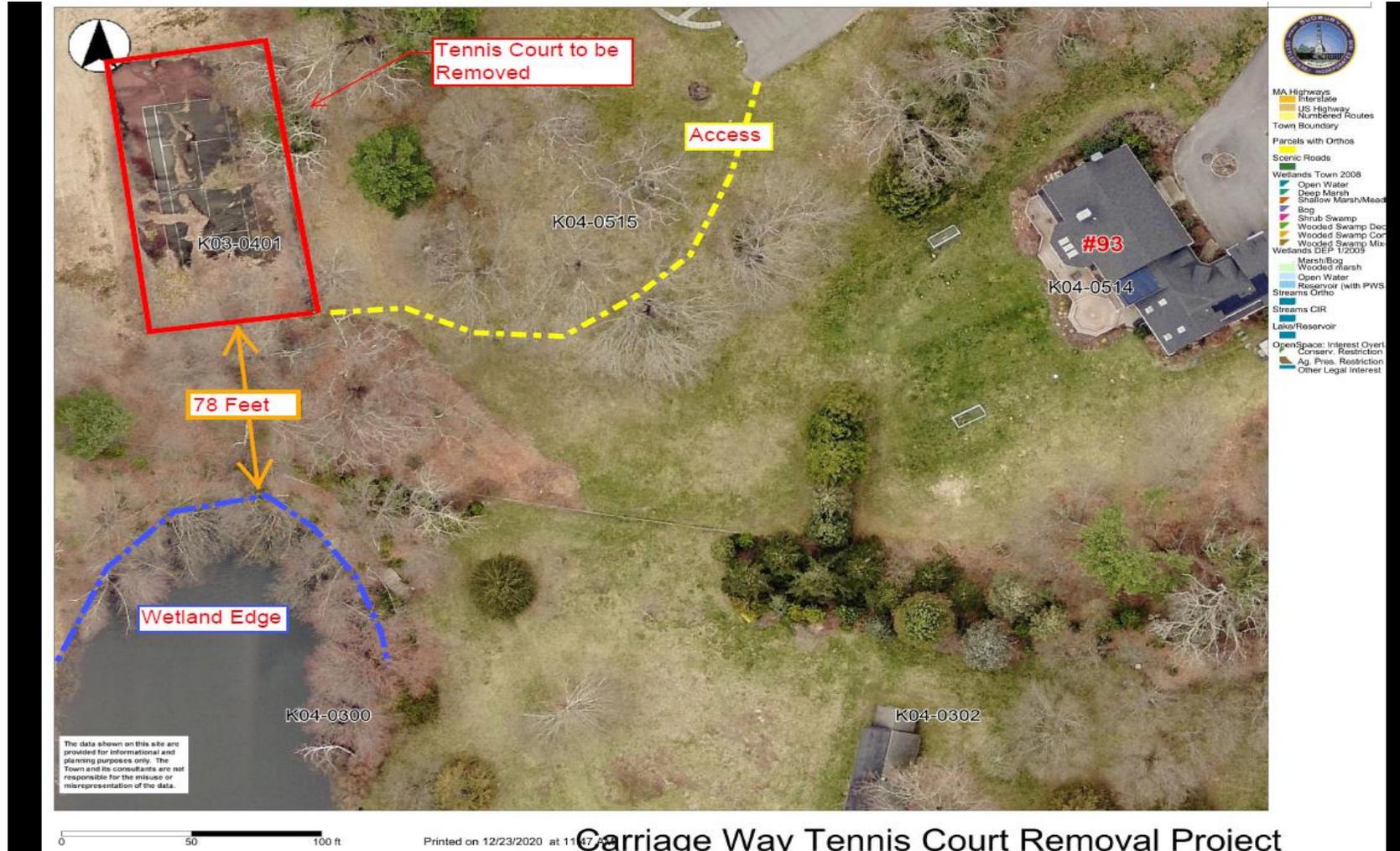
AGRICULTURAL OPEN SPACE EASEMENT

LOT 31

# Carding Mill Association's Tennis Court Removal Project: supporting images

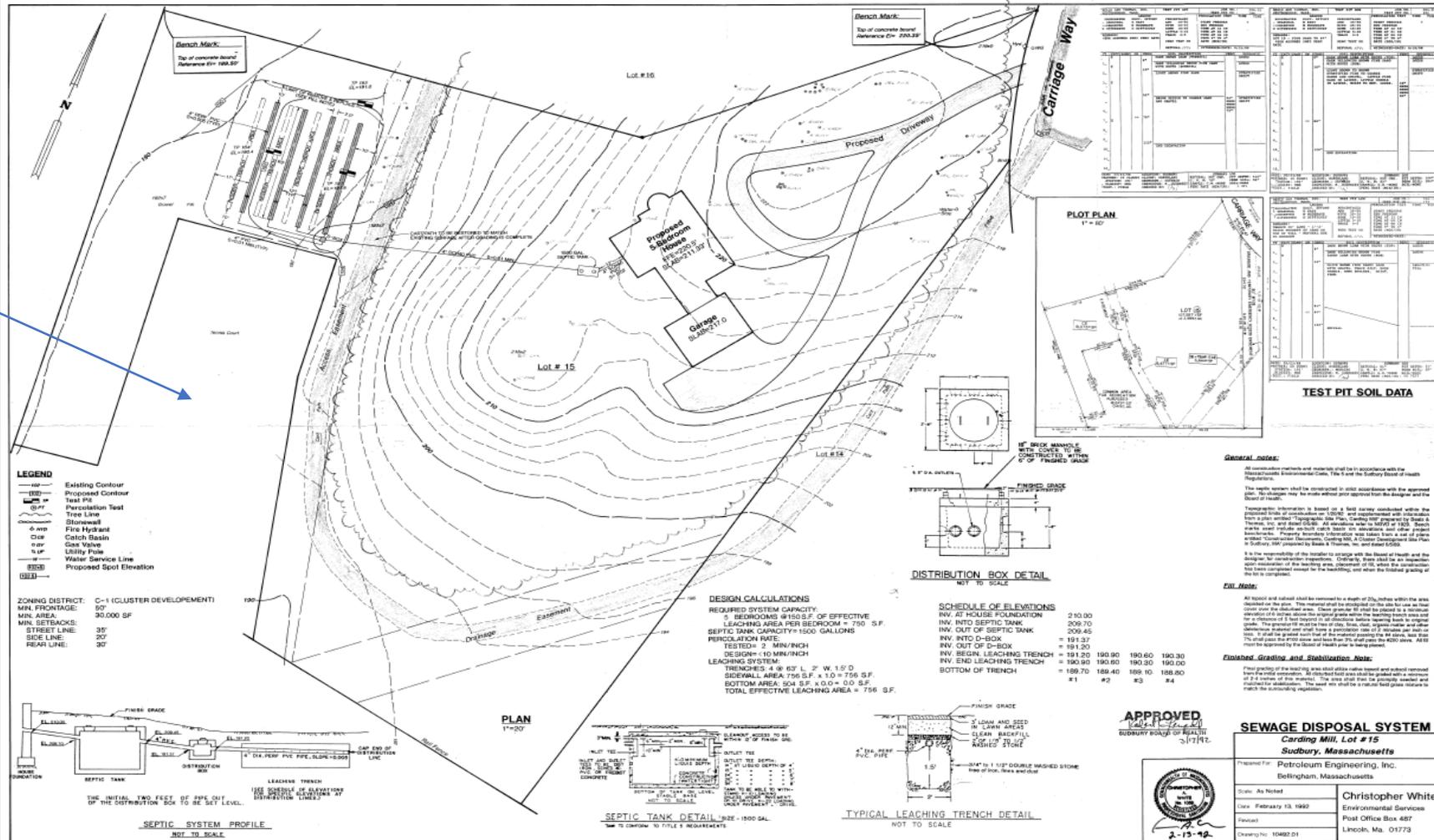
December, 2020

# Aerial view: proximity of tennis court to wetland area and access route



# Property adjacent to tennis court

Tennis court to be removed



Access to/from the tennis court will be possible via 85 Carriage Way's driveway and backyard slope (tennis court at bottom of slope)



Tennis court sits on 'pancake flat' surface at base of 85 Carriage Way's sloping backyard



# View of wetland area from left side of tennis court



Small pond relative to left edge of tennis court



Looking into the tennis court: vegetation exists both inside and outside the fence; asphalt surface is irreparable



Left side of tennis court: vegetation inside and along the surrounding fence



Will restore the tennis court area to its natural state

