

**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, pursuant to the State Act and local Bylaw, at 14 Firecut Lane, Sudbury MA. Andrew Stephens, applicant. The hearing will be held on Mon., March 22, 2021 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-march-22-2021/>

SUDBURY CONSERVATION COMMISSION  
March 10, 2021

Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 3 - Notice of Intent

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

Provided by MassDEP:
MassDEP File #:
eDEP Transaction #:1262632
City/Town:SUDBURY

A.General Information

1. Project Location:

a. Street Address 14 FIRECUT LANE
b. City/Town SUDBURY c. Zip Code 01776
d. Latitude 42.38718N e. Longitude 71.46160W
f. Map/Plat # G04 g.Parcel/Lot # 0442

2. Applicant:

Individual Organization

a. First Name ANDREW b.Last Name STEPHENS
c. Organization
d. Mailing Address 14 FIRECUT LANE
e. City/Town SUDBURY f. State MA g. Zip Code 01776
h. Phone Number 917-565-0371 i. Fax j. Email stephens14ad@hotmail.com

3.Property Owner:

more than one owner

a. First Name ANDREW b. Last Name STEPHENS
c. Organization
d. Mailing Address 14 FIRECUT LANE
e. City/Town SUDBURY f.State MA g. Zip Code 01776
h. Phone Number 917-565-0371 i. Fax j.Email stephens14ad@hotmail.com

4.Representative:

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

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

a.Total Fee Paid 110.00 b.State Fee Paid 42.50 c.City/Town Fee Paid 67.50

6.General Project Description:

THERE IS 1 VERY LARGE EASTERN PINE THAT HAS SPLIT INTO 3 TREES. EACH SPLIT OF THIS TREE IS APPROXIMATELY 125'-150' IN HEIGHT. THIS TREE IS IN THE CONSERVATION AREA JUST NORTH OF OUR LOT. 1 OF THESE TREES IS OVERHANGING OUR GARAGE AND ONCE IT TALLS WILL DEMOLISH THIS. THE 2ND TREE WILL FALL FROM NORTH TO SOUTH ACROSS OUR YARD AND INTO OUR NEIGHBORS AS WELL. THE 3RD WILL FALL INTO THE CONSERVATION LAND. THERE ARE 2 ADDITIONAL EASTERN PINES THAT ARE BOTH APPROX 125' HIGH FLANKING EACH SIDE OF THE GARAGE. 1 IS IN CONSERVATION LAND AND THE OTHER IS IN OUR LOT. WE WOULD ALSO SEEK TO HAVE THESE REMOVED BUT THE TRIPLE PINE IS CRITICAL.

7a.Project Type:

1. Single Family Home 2. Residential Subdivision

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

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

1.  Yes  No      If yes, describe which limited project applies to this project:  
 2. Limited Project

8. Property recorded at the Registry of Deeds for:

**a. County:**                      **b. Certificate:**                      **c. Book:**                      **d. Page:**

SOUTHERN MIDDLESEX

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

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

This is a Buffer Zone only project - Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.

2. Inland Resource Areas: (See 310 CMR 10.54 - 10.58, if not applicable, go to Section B.3. Coastal Resource Areas)

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
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b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
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c. <input type="checkbox"/> Land under Waterbodies and Waterways	1. Square feet	2. square feet
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	3. cubic yards dredged	
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d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
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	3. cubic feet of flood storage lost	4. cubic feet replaced
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e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet	
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	2. cubic feet of flood storage lost	3. cubic feet replaced
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f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if any)	
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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



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entered in Section B.2.b or B.3.h above, please entered the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

5. Projects Involves Stream Crossings

Project Involves Streams Crossings

If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

a. number of new stream crossings

b. number of replacement stream crossings

**C. Other Applicable Standards and Requirements**

**Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review**

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

a.  Yes  No

If yes, include proof of mailing or hand delivery of NOI to:  
Natural Heritage and Endangered Species  
Program  
Division of Fisheries and Wildlife  
1 Rabbit Hill Road  
Westborough, MA 01581

b. Date of map: FROM MAP VIEWER

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

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

1.  Percentage/acreage of property to be altered:

(a) within Wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

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

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

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

b.  Photographs representative of the site

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

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

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

d.  Vegetation cover type map of site

e.  Project plans showing Priority & Estimated Habitat boundaries

d. OR Check One of the following

1.  Project is exempt from MESA review. Attach applicant letter indicating which MESA exemption applies. (See 321

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CMR 10.14, <http://www.mass.gov/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2.  Separate MESA review ongoing.

a. NHESP Tracking Number

b. Date submitted to NHESP

3.  Separate MESA review completed.

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

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

2. For coastal projects only, is any portion of the proposed project located below the mean high waterline or in a fish run?

a.  Not applicable - project is in inland resource area only

b.  Yes  No

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

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

North Shore - Hull to New Hampshire:

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

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

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

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

a.  Yes  No

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

b. ACEC Name

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

a.  Yes  No

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

a.  Yes  No

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

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

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

2.  A portion of the site constitutes redevelopment

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3. Proprietary BMPs are included in the Stormwater Management System

b.  No, Explain why the project is exempt:

1. Single Family Home

2. Emergency Road Repair

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

**D. Additional Information**

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

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

1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.
3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s). Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.
4. List the titles and dates for all plans and other materials submitted with this NOI.

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

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.

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**E. Fees**

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

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

_____	_____
2. Municipal Check Number	3. Check date
_____	_____
4. State Check Number	5. Check date
_____	_____
6. Payer name on check: First Name	7. Payer name on check: Last Name

**F. Signatures and Submittal Requirements**

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

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

Andrew Stephens	3/9/2021
_____	_____
1. Signature of Applicant	2. Date
Andrew Stephens	3/9/2021
_____	_____
3. Signature of Property Owner(if different)	4. Date
_____	_____
5. Signature of Representative (if any)	6. Date

**For Conservation Commission:**

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

**For MassDEP:**

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

**Other:**

If the applicant has checked the "yes" box in Section C, Items 1-3, above, refer to that section and the Instructions for additional submittal requirements.

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

**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**WPA Form 3 - Notice of Wetland Fee Transmittal**  
**Form**  
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 City/Town:SUDBURY

**A. Applicant Information**

1. Applicant:

a. First Name	ANDREW	b. Last Name	STEPHENS		
c. Organization					
d. Mailing Address	14 FIRECUT LANE				
e. City/Town	SUDBURY	f. State	MA	g. Zip Code	01776
h. Phone Number	9175650371	i. Fax	j. Email		stephens14ad@hotmail.com

2. Property Owner:(if different)

a. First Name	ANDREW	b. Last Name	STEPHENS		
c. Organization					
d. Mailing Address	14 FIRECUT LANE				
e. City/Town	SUDBURY	f. State	MA	g. Zip Code	01776
h. Phone Number	9175650371	i. Fax	j. Email		stephens14ad@hotmail.com

3. Project Location:

a. Street Address	14 FIRECUT LANE	b. City/Town	SUDBURY
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Are you exempted from Fee?

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

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

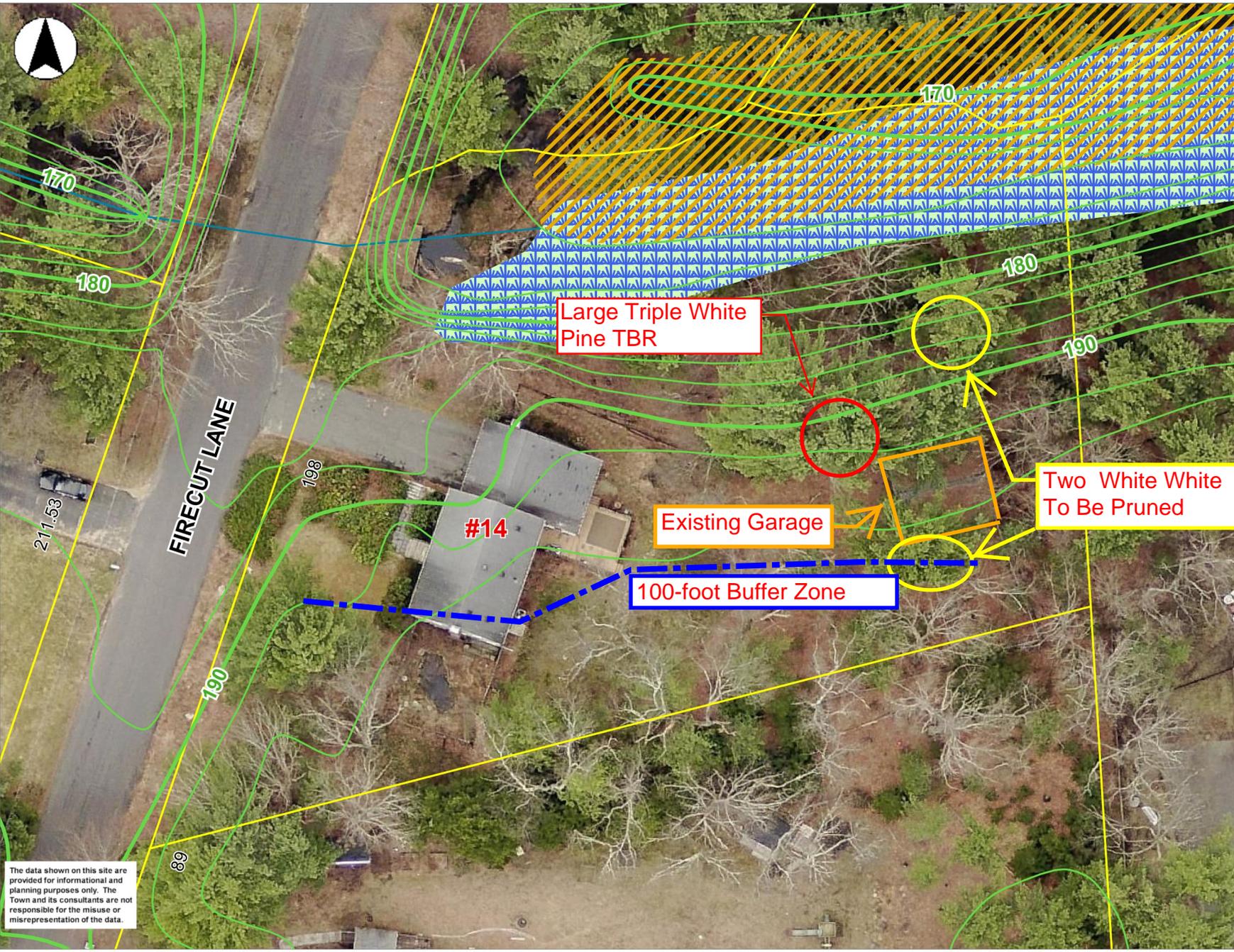
State agencies are only exempt if the fee is less than \$100

**B. Fees**

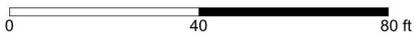
Activity Type	Activity Number	Activity Fee	RF Multiplier	Sub Total
A.) WORK ON SINGLE FAMILY LOT; ADDITION, POOL, ETC.;	1	110.00		110.00
		City/Town share of filing fee \$67.50	State share of filing fee \$42.50	Total Project Fee \$110.00



- Index Contours
- Intermediate Contours
- Parcels with Orthos
- Certified Vernal Pools
- Estimated Habitats of Rare
- Potential Vernal Pools - 12
- Priority Habitats of Rare Sp
- Wetlands Town 2008
  - Open Water
  - Deep Marsh
  - Shallow Marsh/Mead
  - Bog
  - Shrub Swamp
  - Wooded Swamp Dec
  - Wooded Swamp Cor
  - Wooded Swamp Mix
- Wetlands DEP 1/2009
  - Marsh/Bog
  - Wooded marsh
  - Open Water
  - Reservoir (with PWS)
  - Streams Ortho
  - Streams CIR
  - Lake/Reservoir
- MA FEMA Q3 Flood Zones
  - A
  - AE
  - AH
  - AO
  - V
  - VE
  - ANI
  - X500
  - D
  - UNDES
- MA Highways
  - Interstate
  - US Highway
  - Numbered Routes
- Town Boundary



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



# 14 Firecut Lane Tree Removal Plan