



## **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 for removal and replacement of trees, located within the Buffer Zone at 46 Brewster Road, Sudbury MA, Amanda Gilvin, applicant. The hearing will be held virtually on Monday, April 26, 2021, at 6:45pm, via Zoom. Please see the Conservation Commission web page for further information.

<https://sudbury.ma.us/conservationcommission/meeting/conservation-commission-meeting-monday-april-26-2021/>

SUDBURY CONSERVATION COMMISSION  
April 5, 2021

### **Section A: Item 3. Property Owners.**

Property Owners:

Amanda Gilvin

46 Brewster Rd, Sudbury, MA 01176

[agilvin@gmail.com](mailto:agilvin@gmail.com)

607-222-4445

Samrat Bose

46 Brewster Rd, Sudbury, MA 01176

[bose.sam@gmail.com](mailto:bose.sam@gmail.com)

678-860-1186

### **Section A: Item 6. General Project Description.**

We request a permit to remove 23 trees from our yard at 46 Brewster Road, Sudbury, Massachusetts 01776, and to plant at least 39 native ferns, shrubs, and trees in their stead.

We have developed this plan in consultation with multiple arborists and in close planning with Chris Jorstad of Lynch Landscape & Tree Service, Inc. We plan to hire Lynch Landscape to complete the tree work under Mr. Jorstad's supervision. We have indicated in the attached Excel spreadsheet the ways in which Mr. Jorstad and other arborists have advised us that the trees are endangering the house. We are also removing several trees in the front yard, which are outside of the jurisdiction of Massachusetts Wetlands Protection Act. We will have the stumps in the front yard ground, but plan to leave the stumps from the trees addressed in this proposal, which are in the side and backyard. Lynch Landscape will bring a crane, which will be positioned on the driveway and street, but only on areas that are not over the septic system.

All of these trees endanger our house, which we purchased in December 2020, in at least one of the following three ways:

- Most of these trees present imminent danger of falling on the house.
- Five of the trees' root systems threaten the house's aging septic system.
- Pine needles, branches, leaves, lichen, and other debris fall on the roof, encouraging lichen and moss growth.

Our property consists of 1.53 acres, most of which is heavily wooded, and will remain so. This application only addresses trees close to the house that are endangering the structure and its septic system.

On the attached map, please see the locations of the 1 Birch, 2 Black Cherries, 1 Elm, 4 Hickories, 2 Hophornbeams, 3 Oak, 6 Pines, 1 Poplar, and 3 White Ashes that we propose having cut down to protect our home. Arborists, including Jorstad, have informed us that tall pines are especially vulnerable to windthrow and thus falling, which we have also found documentation for in reputable journalist sources, such as [NPR](#). Several of the pines and other trees have divided trunks, which makes them more vulnerable to partial or complete collapse.

If the 5 trees located near the septic system are permitted to continue growing, their roots may pierce or constrict the septic system, causing environmental damage and forcing us to replace our septic system before it would otherwise be necessary. Our septic system is located underneath our driveway, and we are mindful that its replacement will need to be in a different location, making our current care of it that much more important.

We have had multiple roofers assess our roof, and all agree that the extensive lichen and moss growing on it have been caused by the tree cover. We are having the roof shampooed in April 2021, and will need to carefully monitor it for possible damage caused by the lichen and moss, tree branches falling on it, and tree branches growing over it.

We were attracted to this property because of its green, wooded location, and have proposed this plan only after first learning from experts, and second, careful consideration of the risks that the trees pose to the house. We are excited to replace these trees with native plants and shrubs as a way to cultivate the beauty of our yard while supporting a healthy ecosystem for the nearby wetlands. We propose planting 8 American Holly trees (*Ilex opaca*), 8 Ostrich Ferns (*Matteuccia struthiopteris*), 12 Massachusetts Marsh Ferns (*Thelypteris palustris*), 2 Great Laurel/ Rosebay Bushes (*Rhododendron maximum*), 2 Highbush Blueberry bushes (*Vaccinium corymbosum*), 1 Red Raspberry bush (*Rubus idaeus ssp. strigosus*), and 2 Black Raspberry bush (*Rubus occidentalis*), 2 Fox grape vines (*Vitis labrusca*), and 2 wild honeysuckle bushes (*Lonicera dioica*). We have chosen these plants from the Native Plant List provided by the town of Sudbury because they thrive near wetlands, and will enhance the natural beauty of the wetlands that we can view from the back of our home. We plan to design a front yard that is friendly to pollinators, as well. The holly trees will provide an evergreen natural screen near between our house and our neighbors, which are very close. The ferns will enliven the backyard, visually and ecologically connecting the grassy area with the large marshy area that includes the protected wetlands. We are looking forward to enjoying the berries, grapes, and flowers on the other bushes and vines, and we know that these also support bumblebees and other life.

#### ***Attachments:***

All maps downloaded from Sudbury, MA MapsOnline

(<https://www.mapsonline.net/sudburyma/>, accessed March 30, 2021)

#### **1\_BoseGilvin\_46Brewster\_AllBoundaries.pdf**

This map shows all boundaries of the 1.53 acres of 46 Brewster Road. Only a small proportion of the property will be affected by the proposal in this application.

#### **2\_BoseGilvin\_46Brewster\_Neighborhood.pdf**

This map at a larger scale allows for better viewing of the locations of the house, the wetlands, and the neighboring homes.

#### **3\_BoseGilvin\_46Brewster\_DetailwAnnotation\_4\_2\_2021.pdf**

On this map, we have indicated the locations and kinds of trees we propose to have cut, as well as the locations and names of the native plants that will replace them. Please note that the trees are number 2-24 to correspond to the Excel Spreadsheet, and thus total 23 trees.

#### **4\_Bose\_Gilvin\_46Brewster\_AreatobeUnaffected.pdf**

This project is solely intended to protect the house (and the people inside!). We do not plan to touch the vast majority of the property at 46 Brewster, as demonstrated by this map.

#### **5\_Bose\_Gilvin\_46Brewster\_TreesEndangeringhouse\_4\_2\_2021.xlsx**

In this spreadsheet, you can consult the trees' diameters, as well as the specific ways each tree threatens the house at 46 Brewster Rd.

#### ***Images:***

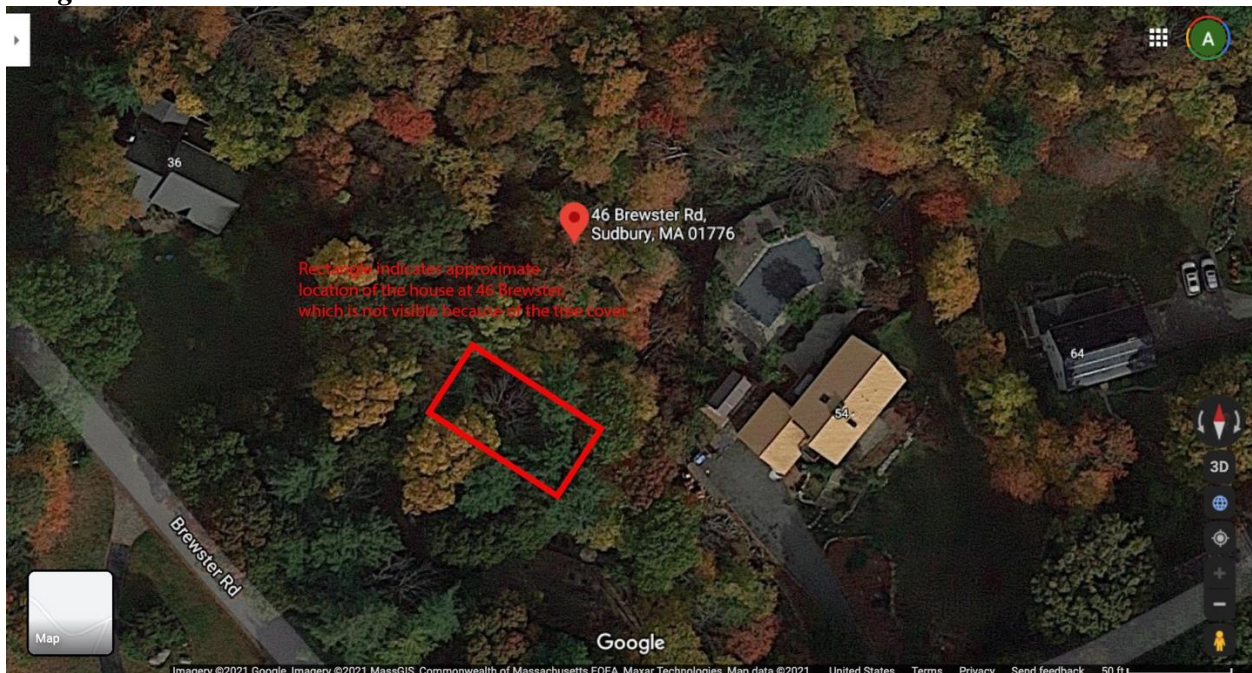


Image 1: Aerial view of the house at 46 Brewster. It is not visible, because it is entirely covered by trees.





Image 2: View from Front of driveway. You can see trees #2, #5, #6, and #8-#17 leaning toward and over the house.



Image 3: View from driveway. You can see top branches of #6 and much of #8 leaning toward the house.





Image 4: View from Driveway. You can see #2-12, #16, and #17, many of which lean toward and over the house. The others are close enough and tall enough to fall on top of the house.



Image 5: View from driveway illustrating severe lean of #12 Hickory tree. You can also see patch on driveway indicated one of the access points for the septic system.





Image 6: View from driveway looking toward 36 Brewster. You can see the two patches on the driveway covering the access points to the septic system. You can see Trees #2-#6, all of which are too close to the septic system.



Image 7: View from backyard illustrating how #9 Pine, #11 Hophornbeam, and #12 Hickory all lean directly toward and over the house.





Image 8: This is #7 Pine, which is splitting. Both branches seem very precarious during the wind, when you can hear the creaking as they separate further. The house is on the left in this image.

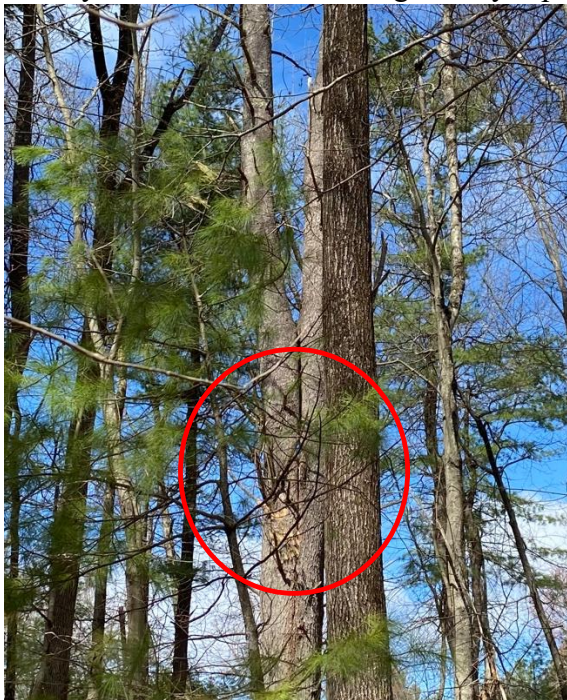


Image 9: Detail of previous image illustrating #7 Pine in the process of splitting into two.



Image 10: View from front left of the house. You can view how trees #21-24 lean toward and over the house. You can also see the #12 Hickory leaning over it from the back.





**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):

46 Brewster Rd

a. Street Address

Sudbury

b. City/Town

01776

c. Zip Code

Latitude and Longitude:

H09

42.37748860505542

d. Latitude

71.40828755596586

e. Longitude

0105

f. Assessors Map/Plat Number

g. Parcel /Lot Number

2. Applicant:

Amanda

a. First Name

Gilvin

b. Last Name

and Samrat Bose

c. Organization

46 Brewster Rd

d. Street Address

Sudbury

MA

f. State

01776

g. Zip Code

e. City/Town

607-222-4445

h. Phone Number

i. Fax Number

agilvin@gmail.com

j. Email Address

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

a. Total Fee Paid

\$42.50

b. State Fee Paid

\$67.50

c. City/Town Fee Paid



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**A. General Information (continued)**

6. General Project Description:

Cut 23 trees near the house of 46 Brewster because they endanger the house and its septic system. Plant 39 native plants, shrubs, and trees.

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 County

a. County

76459

c. Book

Document Number: 241264

b. Certificate # (if registered land)

4

d. Page Number

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

1. 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.
2. ☐ 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

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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	2. square feet
	3. cubic yards dredged	

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

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.

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
	Size of Proposed Alteration	Proposed Replacement (if any)
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. ☐ 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. ☐ 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](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**

August 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/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](mailto: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](mailto: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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**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.



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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.  
3\_BoseGilvin\_46Brewster\_DetailwAnnotation\_4\_2\_2021.pdf
 

a. Plan Title	
Amanda Gilvin	Amanda Gilvin
b. Prepared By	c. Signed and Stamped by
April 2, 2021	1 inch to 30 feet
d. Final Revision Date	e. Scale
5_Bose_Gilvin_46Brewster_TreesEndangeringhouse_4_2_2021.xlsx	April 2, 2021
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

3. Check date

4. State Check Number

5. Check date

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.

1. Signature of Applicant

2. Date

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.

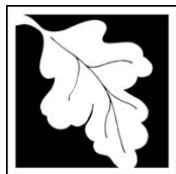
### **For MassDEP:**

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 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:

46 Brewster Rd

Sudbury

a. Street Address

b. City/Town

110

c. Check number

d. Fee amount

### 2. Applicant Mailing Address:

Amanda

Gilvin

a. First Name

b. Last Name

c. Organization

46 Brewster Rd

d. Mailing Address

Sudbury

MA

01776

e. City/Town

f. State

g. Zip Code

607-222-4445

agilvin@gmail.com

h. Phone Number

i. Fax Number

j. Email Address

### 3. Property Owner (if different):

2nd owner: Samrat

Bose

a. First Name

b. Last Name

c. Organization

46 Brewster Rd

d. Mailing Address

Sudbury

MA

01776

e. City/Town

f. State

g. Zip Code

678-860-1186

bose.sam@gmail.com

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 1: work on a single family lot	1	110	110
Step 5/Total Project Fee:			110
Step 6/Fee Payments:			
Total Project Fee:			\$110
State share of filing Fee:			a. Total Fee from Step 5
			\$42.50
City/Town share of filling Fee:			b. 1/2 Total Fee less \$12.50
			\$67.50
			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.

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.

noifeetf.doc • Wetland Fee Transmittal Form • rev. 10/11

<b>Tree species</b>	<b>Diameter in inches</b>
Oak	22
Hickory	20
Pine	22
Oak	19
Pine	16
Pine	25
Pine	22
Pine	28
Poplar	14
Hophornbeam	12
Hickory	14
White Ash	14
Hophornbeam	14
Hickory	7
Oak	22
Pine	8
Black Cherry	7
White Ash	14
Black Cherry	5
Birch	8
Elm	6
White Ash	13
Hickory	14

**Risk of falling on house?**

Yes. Leans toward the house, large branch hangs over house.  
Yes. Splits into three branches.  
Yes. Near to house and top-heavy.  
Yes. Near to house.  
Yes. Near to house and top-heavy.  
Yes. Near to house, Split is cracking, and very top heavy.  
Yes. Near to house, diseased, and top-heavy.  
Yes, Near to house, branches hang over house.  
Yes, Near to house, branches hang over house.  
Yes. Leans toward house.  
Yes. Leans toward house.  
Yes. Leans toward house.  
Yes. Leans toward house.  
Yes. Leans toward house. Branch hangs over house.  
Yes, Large, divided branches, leans toward and hangs over house.  
Yes. Leans toward house.  
Yes. Leans toward house.  
Yes. Leans toward house.  
Yes. Leans toward house.  
Yes. Leans toward house. Branch hangs over house.  
Yes. Near to house.  
Yes, Near to house.  
Yes, Leans toward and over house.

**Risk to septic system?**

Yes. Adjacent to septic system.  
Yes. Adjacent to septic system.  
Yes. Adjacent to septic system.  
Yes. Adjacent to septic system.  
Yes. Adjacent to septic system.

**Contributes to ongoing damage to roof?**

Yes. Drops leaves onto roof.

Yes. Drops needles onto roof.

Yes, Drops needles onto roof.

Yes, Drops needles onto roof.

Yes. Drops leaves onto roof.

Yes. Drops leaves onto roof.

Yes. Drops leaves onto roof.

Yes. Drops leaves onto roof.

Yes. Drops leaves onto roof.

Yes. Drops leaves onto roof.

Yes. Drops leaves onto roof.

Yes, will soon grow over roof, scratching it and dropping needles.

Yes. Drops leaves onto roof.

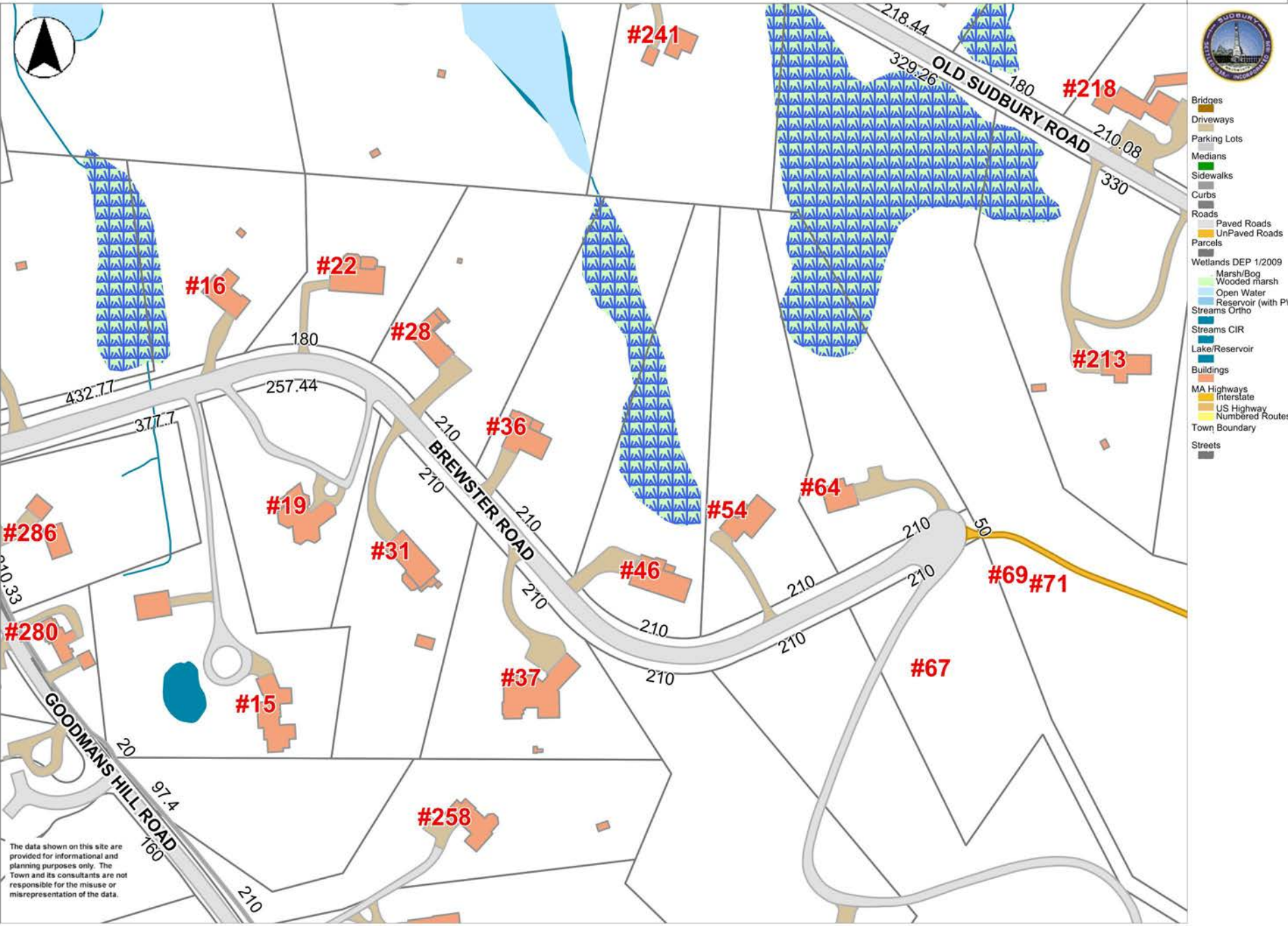
Yes. Drops leaves onto roof.

Yes. Drops leaves onto roof.

Yes. Drops leaves onto roof and scratches roof.

Yes. Drops leaves onto roof.

Yes. Drops leaves onto roof.



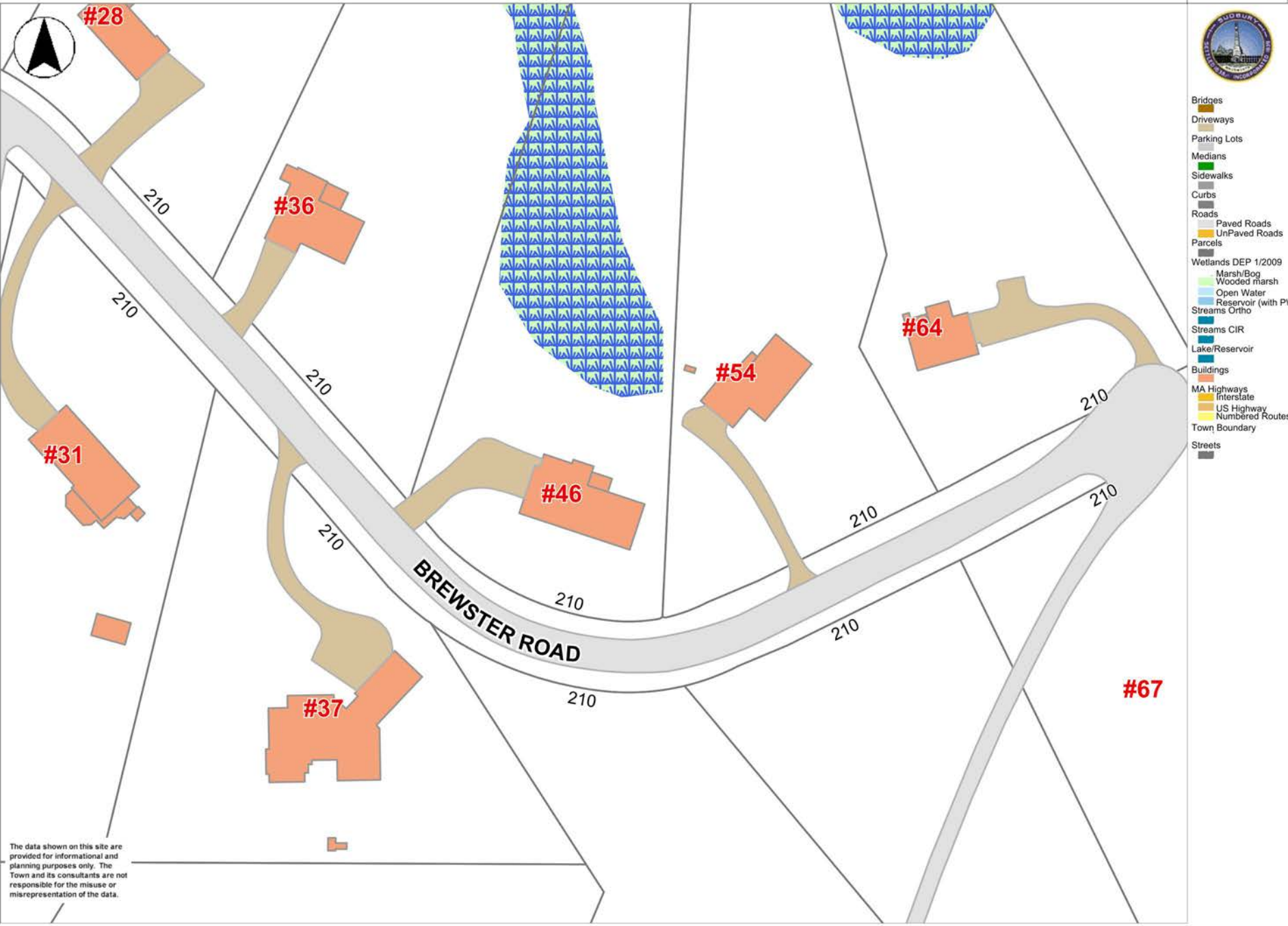
The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.

0 240 480 ft

Printed on 03/30/2021 at 10:30 AM

MapsOnline





- Bridges
- Driveways
- Parking Lots
- Medians
- Sidewalks
- Curbs
- Roads
  - Paved Roads
  - UnPaved Roads
- Parcels
- Wetlands DEP 1/2009
  - Marsh/Bog
  - Wooded marsh
  - Open Water
  - Reservoir (with PWS)
- Streams Ortho
- Streams CIR
- Lake/Reservoir
- Buildings
- MA Highways
  - Interstate
  - US Highway
  - Numbered Routes
- Town Boundary
- Streets

0 120 240 ft

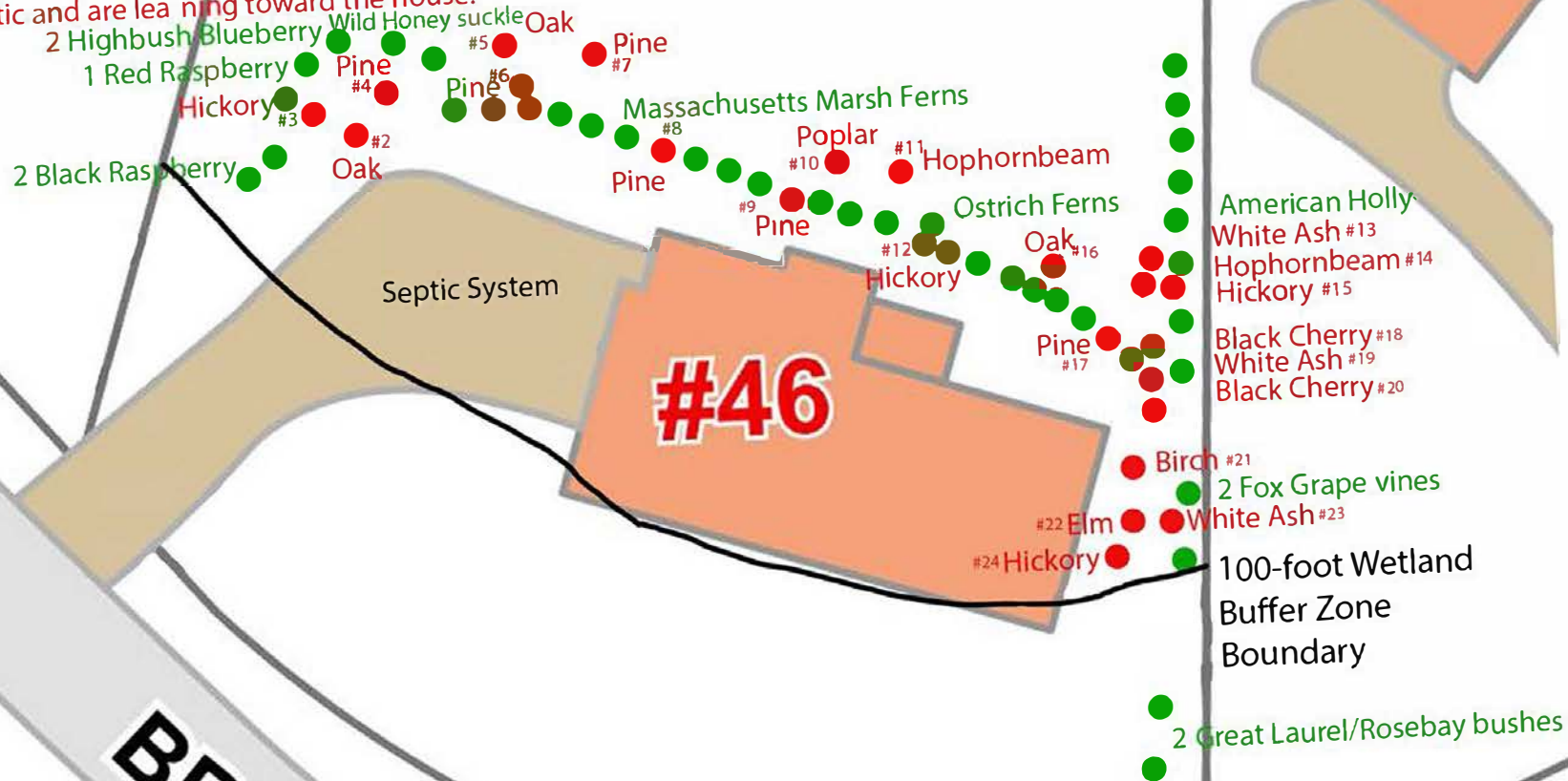
Printed on 03/30/2021 at 10:33 AM

MapsOnline

Bose and Gilvin  
BRP WPA Form 3 -Notice of Intent  
Annotated Map  
April 2021  
Scale: 1 inch to 30 feet

There are many  
more trees in most of  
the yard that we are  
happily keeping.

The trees in this section endanger  
the septic and are leaning toward the house.





Area bordered in green indicates portion of yard of 46 Brewster that would be completely unaffected by current treework proposal.