

## **NOTICE OF PUBLIC HEARING SUDBURY CONSERVATION COMMISSION**

The Sudbury Conservation Commission will hold a public hearing to review the Notice of Intent filing for the installation of a replacement subsurface sewage disposal system, temporary removal and reinstallation of existing porch stairs, removal of a retaining wall, and filling in an existing Koi pond, within the 100-foot Buffer Zone, pursuant to the State Act and Town Bylaw, at 109 Concord Road, Sudbury MA. Kelly Fisher, Applicant. The hearing will be held on Monday, July 26, 2021 at 6:45 pm, via remote participation.

Please see the Conservation Commission web page for further information.

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

SUDBURY CONSERVATION COMMISSION

July 14, 2021

# **Notice of Intent**

## **Narrative**

Kelly Fisher

109 Concord Road, Sudbury

Map Jo9 Parcel 0602

The project consists of the replacement of an existing failed Soil Absorption System (SAS).

The subject parcel is located at 109 Concord Road and consists of a three bedroom single family dwelling with a land area of approximately 23,500 s.f. The parcel is bisected by a stream (drainage ditch) which has formed over the years from two (2) catch basins located in Concord Road and an associated BVW. There is no wetland located above the site. The proposed project is located in the buffer zone of the BVW and the inner riparian zone of the stream (drainage ditch).

The project consists of replacing the existing failed SAS in the rear of the dwelling with a new title 5 compliant system on the side of the parcel. There is no proposed increase in design flow, the proposal is for the reduction of one (1) bedroom to 3 bedroom from the original SAS design and installation performed in 1966. The new SAS consists of a new 1500 gallon septic tank, 1,000 gallon pump chamber, a new leaching field utilizing low profile Cultec chambers with an associated 40 ml impervious liner and retaining wall. All of the proposed work is located within the buffer zone and inner riparian zone,

The work will require access down the driveway from Concord Road and across the back yard to the location of the soil pipe exits the building. The driveway is paved and will serve as construction access to prevent tracking of dirt to the street. The erosion control barrier (straw wattles) are proposed between the work area and the resource area to ensure protection of the resource area. Stockpiling shall be on the easterly side of the proposed work area and isolated from the resource area by the proposed straw wattles. There will be minimal stockpiling onsite due to the fill required around the proposed SAS and the retaining wall proposed to reduce the footprint.

There is minimal change in impervious area as a portion of the driveway shall be removed on the side of the retaining wall. There is no change in lawn area proposed other than the removal of a Koi fish pond in the location of the soil pipe relocation.

The site is severely limited due to the location of the drainage ditch bisecting the lot, the high water table, plumbing exiting the building below the cellar floor slab, driveway location with the existing topography.

The closest point to the resource areas shall be the installation of the septic tank and pump chamber. Each of these structures shall be approximately 28 feet from the resource areas.

The proposed work shall require the temporary removal of the porch stairs to allow for the filling of the old septic tank and relocation of the soil pipe. The stairs shall be reinstalled once this work has been done.

Soil evaluation was performed on site with a seasonal high water table established at 28 inches and a 10 mpi perc rate based upon soils.

The project requires two (2) local upgrade variances from title 5. The first is the reduction in offset from lot line from 10 feet to 6 feet. The second is offset from groundwater from 4 ft to 3 ft. One (1) variance from town of Sudbury BOH requirements for use of a retaining wall.

A scope of alternatives was investigated in relation to the location of the proposed SAS. The scope evaluated ranged from relocating the soil pipe to the front of the house and elevating to moving the SAS to the front of the property and moving the SAS further towards the front on the side yard. None of these were found to be viable options as the plumbing could not be moved due to stairway issues, and the SAS moved to the front or side would require the removal of the driveway access to the garage under.

No work shall commence onsite until the Order of Conditions has been recorded and all erosion control barriers have been installed and inspected by the Conservation Commission.



**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

Sudbury

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):

109 Concord Road

a. Street Address

Sudbury

b. City/Town

MA

c. Zip Code

Latitude and Longitude:

J09

f. Assessors Map/Plat Number

42.36932

d. Latitude

-71.41821

e. Longitude

0602

g. Parcel /Lot Number

2. Applicant:

Kelly

a. First Name

Fisher

b. Last Name

c. Organization

109 Concord Road

d. Street Address

Sudbury

e. City/Town

MA

f. State

01776

g. Zip Code

617 306 7983

h. Phone Number

i. Fax Number

kfish@verizon.net

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):

Michael

a. First Name

DiModica

b. Last Name

M. J. DiModica Excavating

c. Company

19 Christopher Lane

d. Street Address

Sudbury

e. City/Town

MA

f. State

01776

g. Zip Code

978 443 8433

h. Phone Number

978 443 0682

i. Fax Number

mjdmodica@verizon.net

j. Email address

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

\$110.00

a. Total Fee Paid

\$42.50

b. State Fee Paid

\$67.50

c. City/Town Fee Paid





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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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**A. General Information (continued)**

6. General Project Description:

The project is the replacement of a failed SAS.

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

- |                                                                       |                                                           |
|-----------------------------------------------------------------------|-----------------------------------------------------------|
| 1. <input 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 checked="" 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 North

a. County

40971

c. Book

b. Certificate # (if registered land)

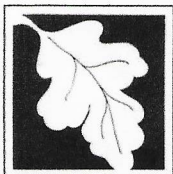
309

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.



**Massachusetts Department of Environmental Protection**  
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. ☐ Riverfront Area

1. Name of Waterway (if available) - **specify coastal or inland**

2. Width of Riverfront Area (check one):

☐ 25 ft. - Designated Densely Developed Areas only

☐ 100 ft. - New agricultural projects only

☐ 200 ft. - All other projects

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

4. Proposed alteration of the Riverfront Area:

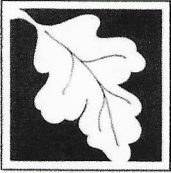
a. total square feet \_\_\_\_\_ b. square feet within 100 ft. \_\_\_\_\_ c. square feet between 100 ft. and 200 ft. \_\_\_\_\_

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

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

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

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



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

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

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet _____ 2. cubic yards dredged _____	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. <input type="checkbox"/> Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____

	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet _____	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet _____	
h. <input type="checkbox"/> Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet _____	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged _____	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet _____	

4. ☐ 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 \_\_\_\_\_

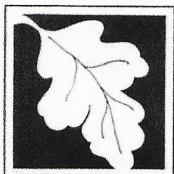
b. square feet of Salt Marsh \_\_\_\_\_

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

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)

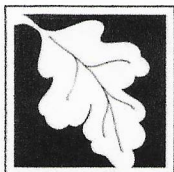
(b) ☐ Photographs representative of the site

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/mas-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:

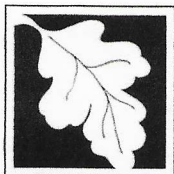
Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
836 South Rodney French Blvd.  
New Bedford, MA 02744  
Email: [dmf.envreview-south@mass.gov](mailto:dmf.envreview-south@mass.gov)

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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Bureau of Resource Protection - Wetlands

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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.

Subsurface Sewage Disposal System

a. Plan Title

M. J. DiModica

b. Prepared By

July 1, 2021

d. Final Revision Date

Jeffrey Brem

c. Signed and Stamped by

1" = 20 FT

e. Scale

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

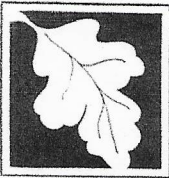
3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name



**Massachusetts Department of Environmental Protection**  
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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:**

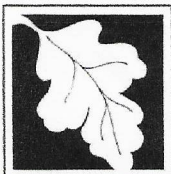
One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

**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:

109 Concord Road

a. Street Address

Sudbury

b. City/Town

c. Check number

d. Fee amount

### 2. Applicant Mailing Address:

Kelly

a. First Name

Fisher

b. Last Name

c. Organization

109 Concord Road

d. Mailing Address

Sudbury

e. City/Town

MA

f. State

01776

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.

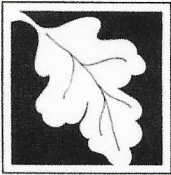
**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

**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).



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

**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 1 - Work on septic system	1	110	110

**Step 5/Total Project Fee:** \_\_\_\_\_

**Step 6/Fee Payments:**

Total Project Fee:	110
	a. Total Fee from Step 5
State share of filing Fee:	42.50
	b. 1/2 Total Fee <b>less</b> \$12.50
City/Town share of filling Fee:	67.50
	c. 1/2 Total Fee <b>plus</b> \$12.50

**C. Submittal Requirements**

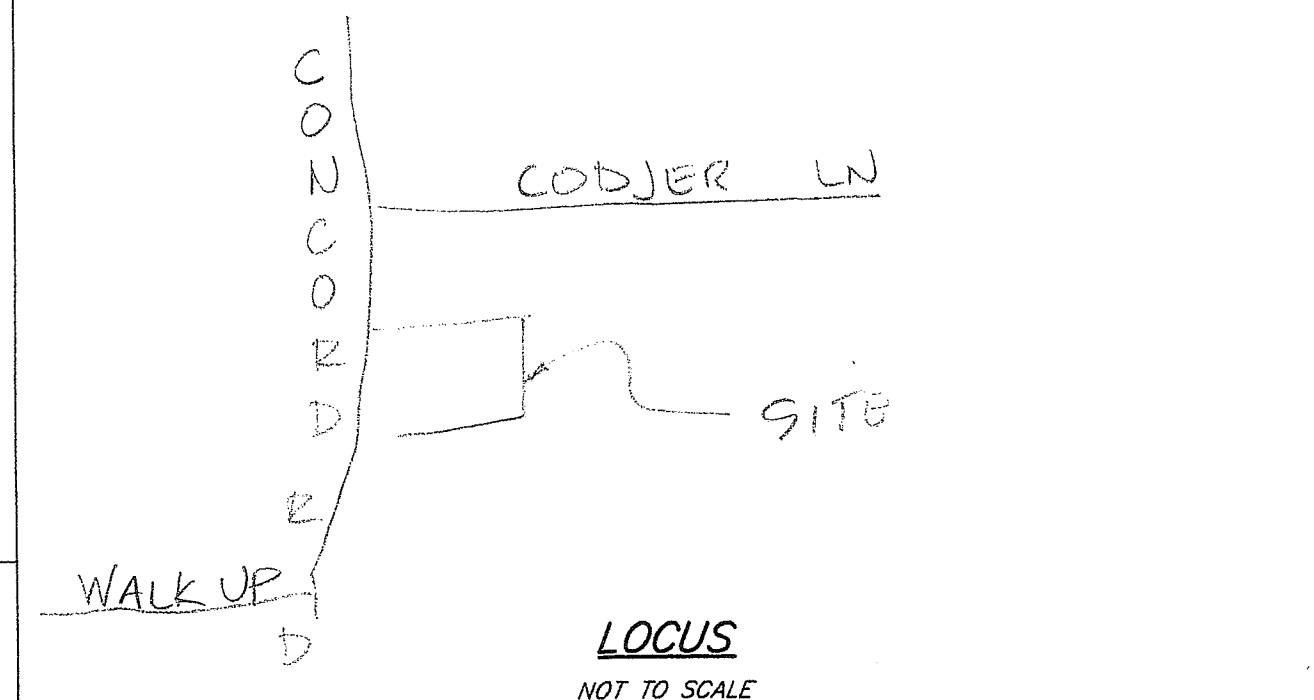
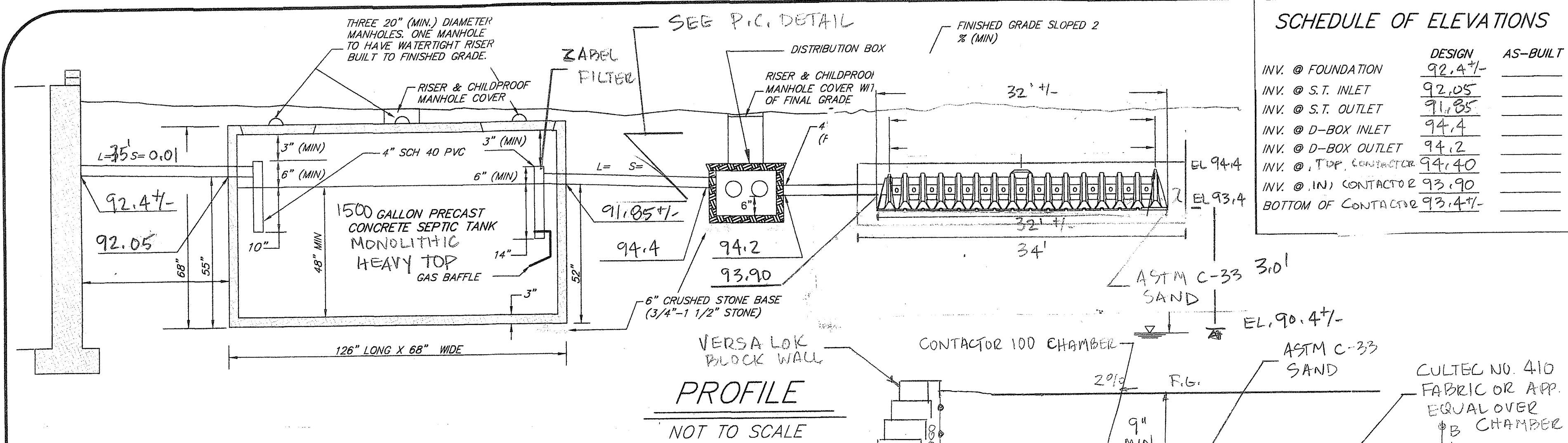
- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
Box 4062  
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

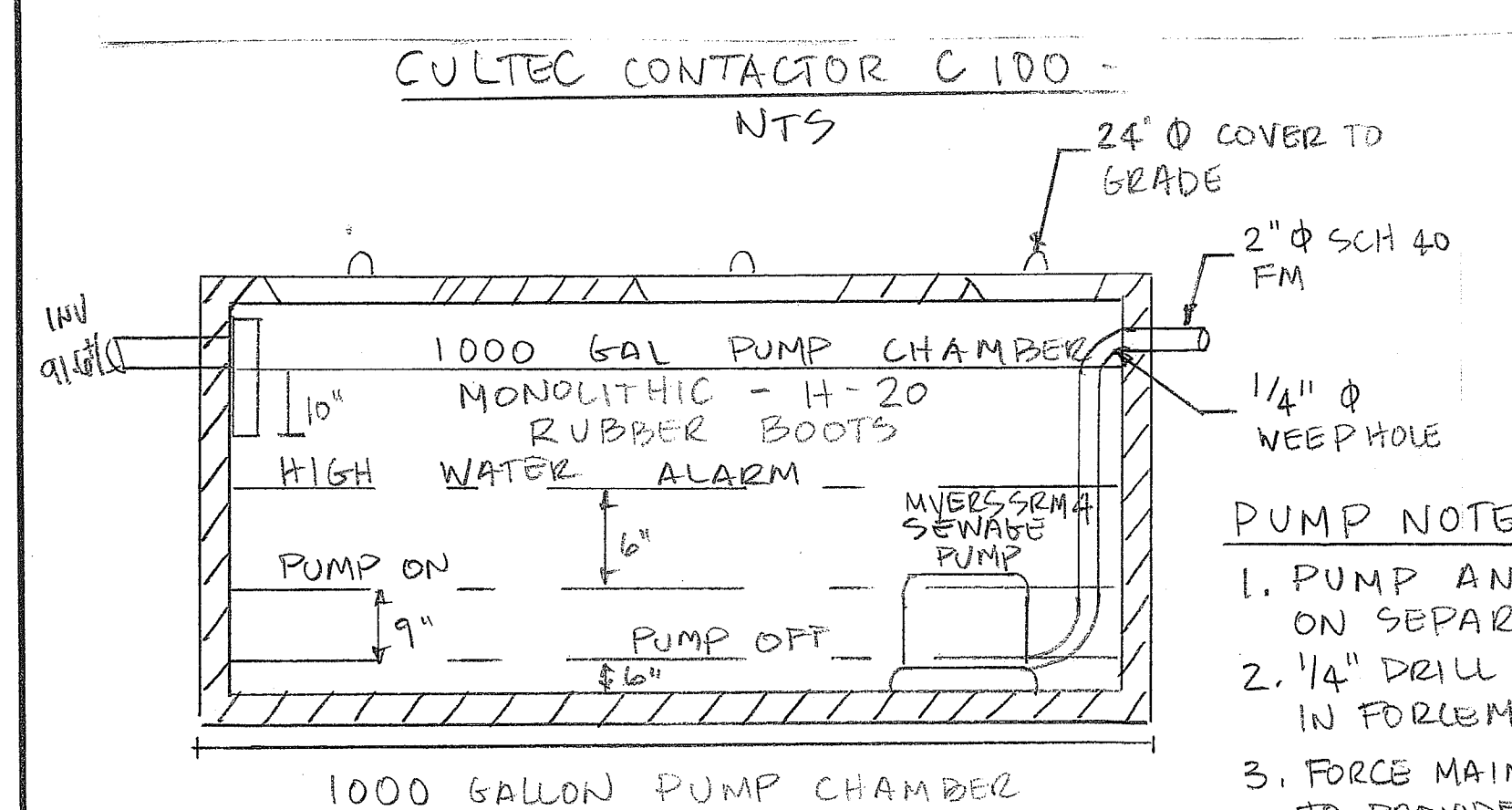
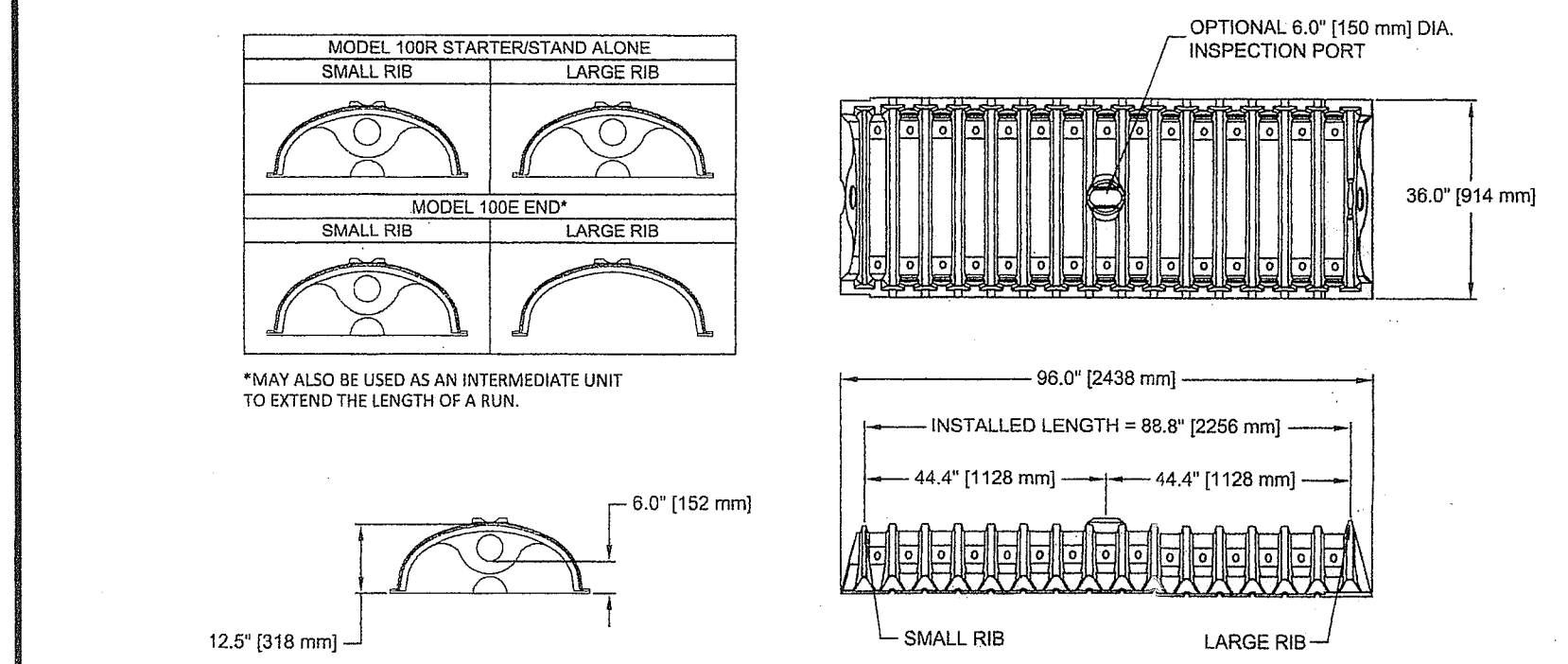
**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)





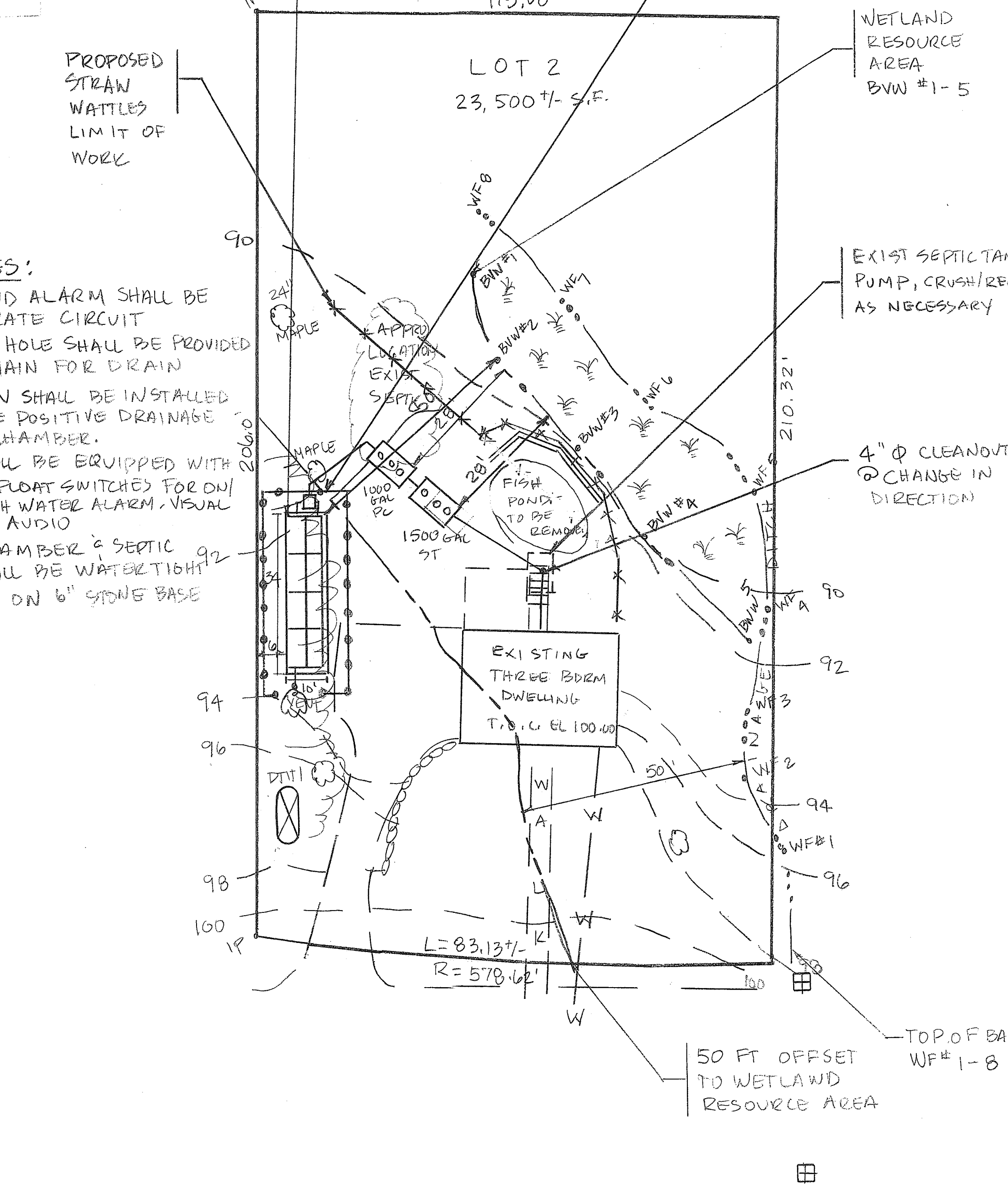
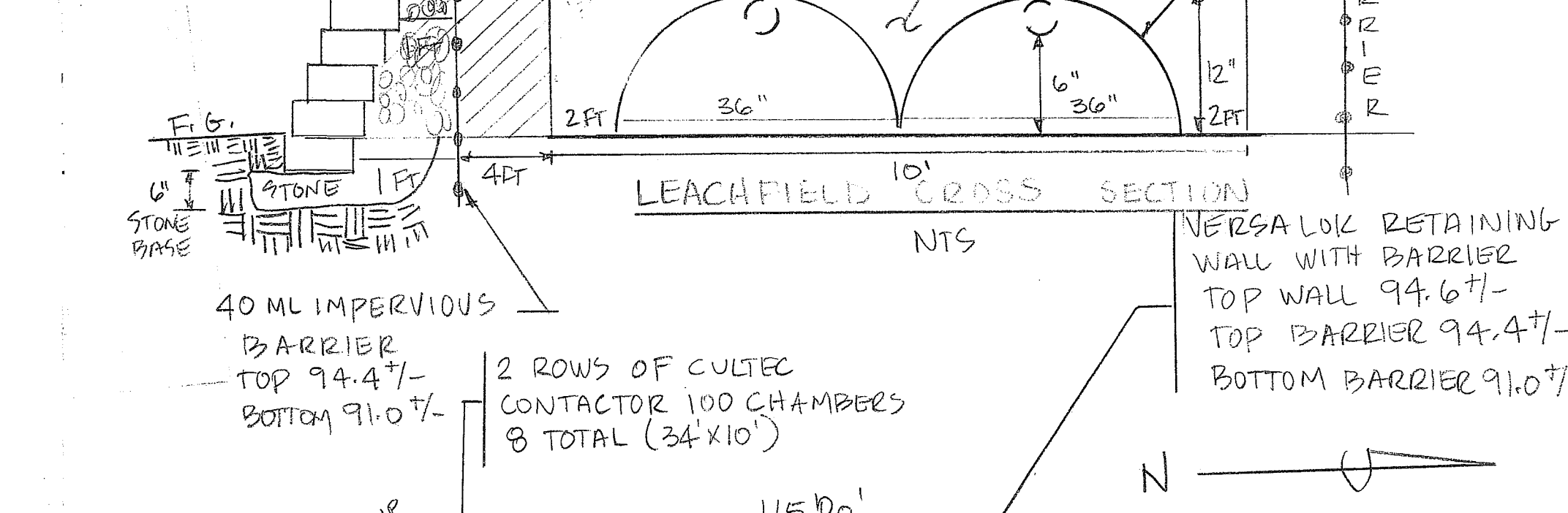
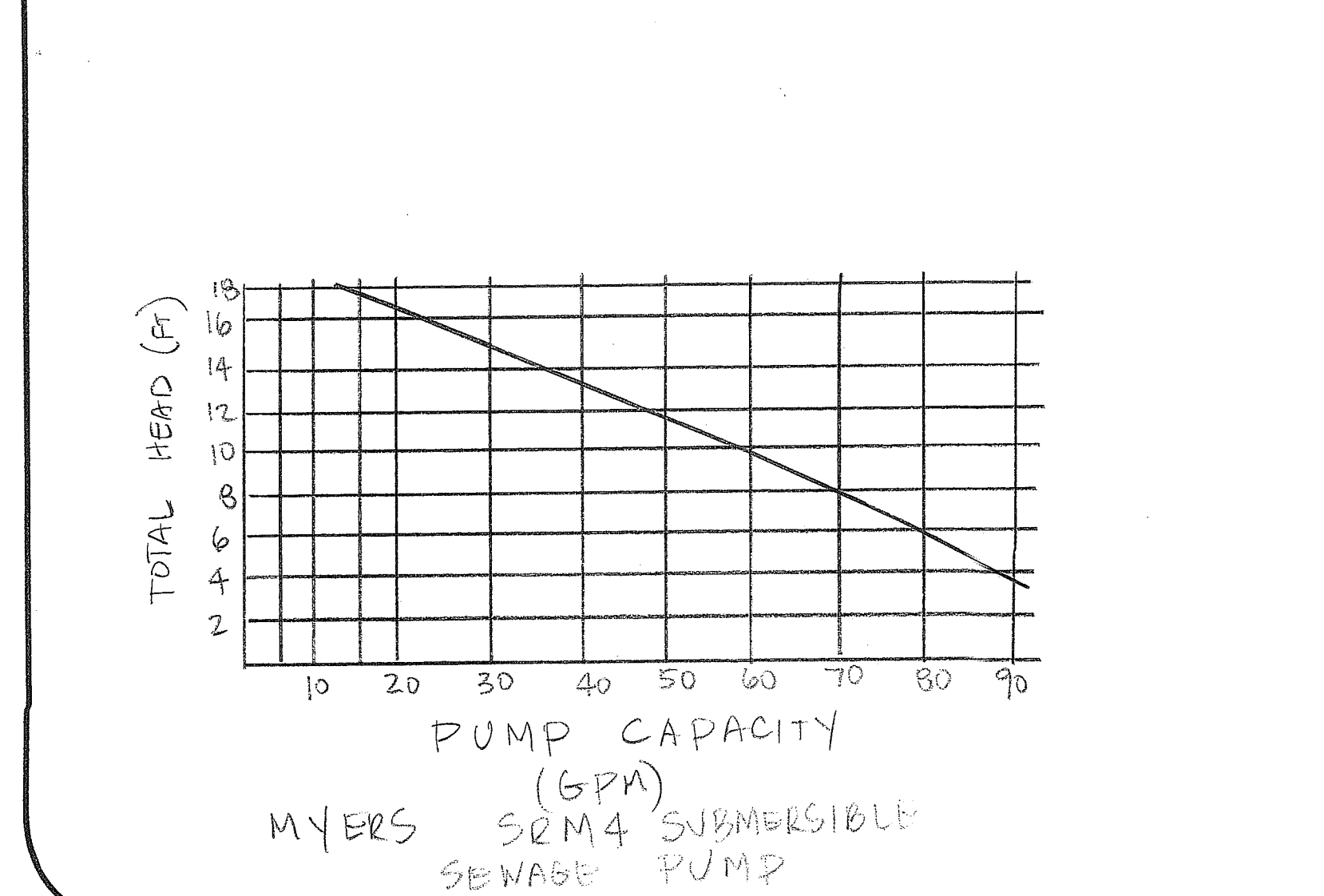
**NOTES:**

- ELEVATIONS REFER TO BENCHMARK T.O.C. EL 100.00
- ALL CONSTRUCTION SHALL CONFORM TO THE REQUIREMENTS OF TITLE 5 OF THE MASSACHUSETTS STATE ENVIRONMENTAL CODE AND THE BOARD OF HEALTH REGULATIONS OF THE TOWN OF SUDBURY, MA (WHERE APPLICABLE).
- FINISH GRADING SHALL BE COMPLETED IN ACCORDANCE WITH THE DETAILS AS SHOWN HEREON.
- HEAVY CONSTRUCTION EQUIPMENT SHALL NOT BE ALLOWED TO PASS OVER THE LEACHING AREA.
- ALL WASHED STONE TO BE DOUBLE WASHED.
- ALL TIGHT JOINT PIPING SHALL CONSIST OF POLYVINYL CHLORIDE (PVC) SCHEDULE 40 PIPE OR AS SPECIFIED.
- THE SEPTIC TANK SHOULD BE INSPECTED ANNUALLY AND SHOULD BE PUMPED WHEN THE DEPTH OF THE SOLIDS EXCEEDS 3/4 THE LIQUID DEPTH OF THE TANK.
- LIMIT OF EXCAVATION: ALL TOPSOIL, ORGANIC SUBSOIL, LARGE BOULDERS AND DELETERIOUS MATERIAL SHALL BE EXCAVATED AND REMOVED FROM THE LEACHING AREAS AND TO A DISTANCE OF 5 FEET FROM THE PERIMETER OF SAID AREAS. BACKFILL AS REQUIRED WITH SUITABLE FILL.
- ALL FILL MATERIAL SHALL CONFORM TO THE REQUIREMENTS OF REGULATION 15.255(3) OF TITLE 5 OF THE MASS. STATE ENVIRONMENTAL CODE 310 CMR. FILL SHALL BE GRADED SO THAT LESS THAN 10% PASSING A NO. 4 SIEVE SHALL PASS A NO. 100 SIEVE. ALL FILL SHALL HAVE A PERCOLATION RATE OF LESS THAN TWO MINUTES PER INCH. ALL FILL SHALL BE APPROVED BY THE DESIGN ENGINEER AND THE AGENT FOR THE BOARD OF HEALTH.
- ANY ALTERATION TO THE APPROVED SYSTEM MUST BE APPROVED BY THE DESIGN ENGINEER AND THE BOARD OF HEALTH FOR APPROVAL PRIOR TO CONSTRUCTION.
- THE SYSTEM SHALL BE INSPECTED DURING CONSTRUCTION BY A REPRESENTATIVE OF THE DESIGN ENGINEER AND THE AGENT FOR THE BOARD OF HEALTH. A CERTIFIED FOUNDATION LOCATION PLAN WITH THE ELEVATION OF THE TOP OF THE FOUNDATION SHALL BE PROVIDED PRIOR TO ANY INSPECTIONS. THE DESIGN ENGINEER SHALL PREPARE FINAL AS-BUILT PLANS INCLUDING A CERTIFICATION THAT THE SYSTEM HAS BEEN LOCATED AND CONSTRUCTED IN COMPLIANCE WITH THE TERMS OF THE DISPOSAL WORKS CONSTRUCTION PERMIT IF REQUIRED.
- NO SURFACE DRAINS OR FOUNDATION DRAINS ARE PROPOSED.
- THE FIRST 2 FEET OF HEADER PIPES TO THE LEACH FIELD ARE TO BE LEVEL.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION, SIZE AND ELEVATIONS OF ALL EXISTING UTILITIES SHOWN OR NOT SHOWN ON THESE PLANS PRIOR TO AND/OR DURING CONSTRUCTION. THE DESIGN ENGINEER SHALL BE NOTIFIED IN WRITING OF ANY UTILITIES FOUND INTERFERING WITH THE PROPOSED CONSTRUCTION SO THAT REMEDIAL ACTION MAY BE TAKEN BEFORE PROCEEDING WITH CONSTRUCTION.
- THE OWNER/OR CONTRACTOR SHALL VERIFY ALL ZONING REQUIREMENTS FOR CONFORMANCE PRIOR TO ANY CONSTRUCTION. THE LOCATION OF ALL STRUCTURES IS THE RESPONSIBILITY OF THE OWNER AND NOT THE SDDS DESIGNER. THE OWNER SHOULD UTILIZE THE SERVICES OF A PROFESSIONAL LAND SURVEYOR TO LOCATE ALL PROPOSED STRUCTURES.
- COMPLIANCE WITH ALL APPLICABLE REGULATIONS OF THE BOARD OF HEALTH, CONSERVATION COMMISSION, AND OTHER TOWN/CITY AGENCIES IS MANDATORY AND IS THE RESPONSIBILITY OF THE OWNER. THE OWNER IS HEREBY NOTIFIED THAT ANY CONSTRUCTION WITHIN 100 FEET OF A REGULATED WETLAND USUALLY REQUIRES AN ORDER OF CONDITIONS FROM THE CONSERVATION COMMISSION OR MASS DEP PER 310 CMR ET. SEQ.
- ALL PRECAST STRUCTURES SHALL BE SHEA CONCRETE PRODUCTS OR APPROVED EQUAL.
- DESIGN IS NOT INTENDED FOR USE WITH A GARBAGE DISPOSAL. BACKWASH SHOULD BE DISPOSED OF IN A SEPARATE DRYWELL.
- TEST HOLE INFORMATION SHOWN HEREON IS LIMITED TO SOIL CONDITIONS FOUND AT THAT PARTICULAR TEST HOLE LOCATION AND IS NOT TO BE CONSIDERED AN IMPLIED OR EXPRESS WARRANTY OF SOIL CONDITIONS BEYOND THE LIMITS OF SUCH TEST HOLES.
- THIS PLAN IS THE RESULT OF AN ON THE GROUND SURVEY PERFORMED BY M.J. DIMODICA EXC. UTILITIES LOCATIONS ARE BASED ON FIELD OBSERVATIONS, AVAILABLE RECORDS AND INFORMATION. M.J. DIMODICA EXC. DOES NOT WARRANT LOCATION, CHARACTER NOR ELEVATIONS OF ALL UNDERGROUND UTILITIES NOR THE LOCATION.
- ALL LOT LINE INFORMATION AND HOUSE LOCATION COMPILED FROM PROPOSED SEWAGE DISPOSAL SYSTEM - 109 CONCORD RD. PREPARED BY GCHOFIELD BROS. DATED OCT 14, 1966.



**PUMP DESIGN:**

- VOLUME:  $340 \text{ S.F.} \times \frac{1}{12} = 29 \text{ CF} \Rightarrow 217 \text{ GAL}$
- HEAD:  $94.4 - 88.0 = 6.4 \text{ FT}$   
 $20 \text{ FT } 2" \text{ SCH } 40 \Rightarrow \text{EQUIV LENGTH} = 45 \text{ FT}$   
 $H_p = 45 \text{ FT} \times \frac{5.542}{100 \text{ FT}} = 2.5$   
 $Q = 60 \text{ GPM @ } 9 \text{ FT}$   
PUMP RUN TIME = 3.6 MIN  
HT OF FLOAT = 9"



**LOCAL UPGRADE APPROVAL:**

- 15.405 - OFFSET TO GW FROM 4 FT TO 3 FT.
- 15.405 - OFFSET TO PROPERTY LINE FROM 10 FT TO 6 FT. FOR LEACHING AREA.

**GENERAL APPROVAL CULTEC CHAMBER:**

- THIS PROJECT SHALL COMPLY WITH ALL REQUIREMENTS OF MA DEP APPROVAL LETTER DATED MARCH 31, 2016.

**NOTE:**

- THE ENTIRE WORK AREA IS LOCATED IN BUFFER ZONE AND INNER RIPARIAN ZONE.

**SOIL TEST DATA:**

DATE(S): 6/7/21 CERTIFIED ON: PERFORMED BY: M.J. DIMODICA

WITNESSED BY: B. MURPHY

TEST	DATE	LOCATION	DEPTH	PERC. RATE	TESTER
10/12	10/12	A	0-30"		
10/12	10/12	C	30-90"		
10/12	10/12				
10/12	10/12				

H.C. @ 28"  
WEEP @ 54"

**PERCOLATION TEST DATA**

PERC. NO.	DATE	DEPTH	STABILIZED RATE	WITNESSED BY
P-1	6-7-21		10 MPI	B. MURPHY

**DESIGN INFORMATION**

DESIGN FLOW: 3 BDRMS @ 110 GPD = 330 GPD  
DESIGN PERCOLATION RATE: 10 MPI

DESIGN LOAD FACTOR: TITLE 5 LOCAL

SIDEWALL AREA: 0.60  
BOTTOM AREA: 0.60  
TOTAL LEACHING AREA REQUIRED: 550 S.F.

LEACHING AREA PROVIDED: 568 S.F.  
SIDEWALL AREA: 568 S.F.  
BOTTOM AREA: 568 S.F.

SEPTIC TANK CAPACITY: 660 GPD  
REQUIRED: GPD x 200% = 330 x 200% = 660 GPD  
PROVIDED: 1500 GPD

**WARNING:**

EXISTING UTILITY LINES INDICATED OR NOTED ON THESE DRAWINGS ARE SHOWN AS OBTAINED FROM AVAILABLE INFORMATION AND ARE ONLY APPROXIMATE IN LOCATION. THE CONTRACTOR SHALL TAKE CAUTION TO AVOID DAMAGE TO EXISTING UTILITY LINES AND/OR HARM TO PERSONNEL ENGAGED IN WORKING IN THESE AREAS.

CALL "DIG SAFE" 1 (888) DIG-SAFE (1 (888) 344-7233)

EXISTING LINES OTHER THAN THOSE INDICATED ON THESE DRAWINGS MAY BE ON THE SITE. THE CONTRACTOR IS WARNED TO PROCEED WITH CAUTION WITH ALL WORK, ESPECIALLY EXCAVATION WORK, AND TO MAKE ALL POSSIBLE INVESTIGATIONS AS TO POSSIBLE UNMARKED UTILITY LINES.

**LEGEND**

- 120 FINISH GROUND
- 120 EXISTING GROUND
- 120.4 EXISTING SPOT GRADE
- 120.4 PROPOSED SPOT GRADE
- EDGE OF WETLAND
- PERCOLATION TEST
- DEEP TEST HOLE
- WATER LINE
- ETC ELECTRIC, TELEPHONE, CABLE AND GAS LINE
- GAS LINE
- LIMIT OF EXCAVATION
- VERSA LOK WALL WITH BARRIER

**DESIGN INFORMATION**

NO.	DATE	REVISION DESCRIPTION	BY
3			
2			
1			

**SUBSURFACE SEWAGE DISPOSAL SYSTEM - REPAIR**

109 CONCORD ROAD  
SUDBURY, MA

PREPARED FOR:  
KELLY FISHER  
109 CONCORD RD  
SUDBURY, MA  
JULY 1, 2021

SCALE: 1" = 20'

PREPARED BY:  
M. J. DIMODICA EXC.  
19 CHRISTOPHER LANE, SUDBURY, MA 01776 • (508) 443-8433  
mjdmodica@verizon.net

**SHEET OF**

A. Plant Species (scientific name)	B. Percent Cover (or basal Area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Code
JEWEL WEED	30	35	Y	FACW
DAY LILY	25	29	Y	UPL
SENSITIVE FERN	10	10	N	
GOLDEN ROD	20	24	N	FACU

to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to morphological adaptations, describe the adaptation next to the asterisk.

#### Conclusion:

Number of dominant wetland indicator plants:

Number of dominant non-wetland indicator plants:

Are the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? yes no

If it is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent



**Abutters List**

Date: July 12, 2021

[print this list](#)

Subject Property Address: 20 CODJER LN Sudbury, MA  
Subject Property ID: J08-0031

Subject Property Address: 105 CONCORD RD Sudbury, MA  
Subject Property ID: J09-0601

Subject Property Address: 109 CONCORD RD Sudbury, MA  
Subject Property ID: J09-0602

Subject Property Address: 113 CONCORD RD Sudbury, MA  
Subject Property ID: J09-0603

Subject Property Address: 12 CODJER LN Sudbury, MA  
Subject Property ID: J09-0609

Search Distance: 100 Feet

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Prop ID: J08-0030  
Prop Location: 26 CODJER LN Sudbury, MA  
Owner: HAZLETINE WILLIAM E & CHERYL A  
Co-Owner: TRS WILLIAM E & CHERYL A  
Mailing Address:

26 CODJER LANE  
SUDBURY, MA 01776  
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Prop ID: J08-0032  
Prop Location: CODJER LN Sudbury, MA  
Owner: VISET SIN KHAMPHAY & LATSAMY  
Co-Owner:  
Mailing Address:  
21 CODJER LN  
SUDBURY, MA 01776  
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Prop ID: J08-0207  
Prop Location: 18 TAYLOR RD Sudbury, MA  
Owner: WILCOX, FAITH FULLER  
Co-Owner:  
Mailing Address:  
18 TAYLOR RD  
SUDBURY, MA 01776

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Prop ID: J08-0208  
Prop Location: 24 TAYLOR RD Sudbury, MA  
Owner: HOFFMASTER STEVEN J &  
Co-Owner: HOFFMASTER KAITLIN R  
Mailing Address:  
24 TAYLOR RD  
SUDBURY, MA 01776

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Prop ID: J09-0001  
Prop Location: 21 CODJER LN Sudbury, MA  
Owner: VISETSIN KHAMPHAY & LATSAMY  
Co-Owner:  
Mailing Address:  
21 CODJER LN  
SUDBURY, MA 01776

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Prop ID: J09-0002  
Prop Location: 95 CONCORD RD Sudbury, MA  
Owner: VAN VALEY EDWIN T &  
Co-Owner: TUCKER ELLEN  
Mailing Address:  
95 CONCORD RD  
SUDBURY, MA 01776

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Prop ID: J09-0012  
Prop Location: 102 CONCORD RD Sudbury, MA  
Owner: LAVERY ANNE BURNS & STANLEY J  
Co-Owner:  
Mailing Address:  
102 CONCORD RD  
SUDBURY, MA 01776

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Prop ID: J09-0401  
Prop Location: 7 WALKUP RD Sudbury, MA  
Owner: PATCH JONATHAN & BRIE  
Co-Owner:  
Mailing Address:

7 WALK UP ROAD  
SUDBURY, MA 01776

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Prop ID: J09-0402  
Prop Location: 6 WALKUP RD Sudbury, MA  
Owner: MEMORIAL CONGREGATIONAL CH  
Co-Owner:  
Mailing Address:  
32 CONCORD RD  
SUDBURY, MA 01776

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Prop ID: J09-0604  
Prop Location: 121 CONCORD RD Sudbury, MA  
Owner: COLEMAN ISAIAH & LADD MICHAEL  
Co-Owner:  
Mailing Address:  
121 CONCORD RD  
SUDBURY, MA 01776

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