

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 removal of trees and replanting of native trees, within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and the Sudbury Wetlands Protection Bylaw, at 77 Powder Mill Road, Sudbury MA. Yiye Zhang, Applicant. The hearing will be held on Monday, October 18, 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-october-18-2021/

SUDBURY CONSERVATION COMMISSION September 30, 2021

Narrative for Tree Removal Application

77 Powder Mill Road, Sudbury

I would like to apply for tree removal within 100 feet of wetland (ponds).

Total 13 trees, locating in three areas.

We will work with Tree Service, using crane, chipper, and chip truck second. Log truck to pick up logs. We may remove some stumps to give space for replanting trees.

Area 1:

Location: at the lower side of the berm, separating from the ponds.

Tree quantity: 7 trees, will remove most of the stumps

Reasoning:

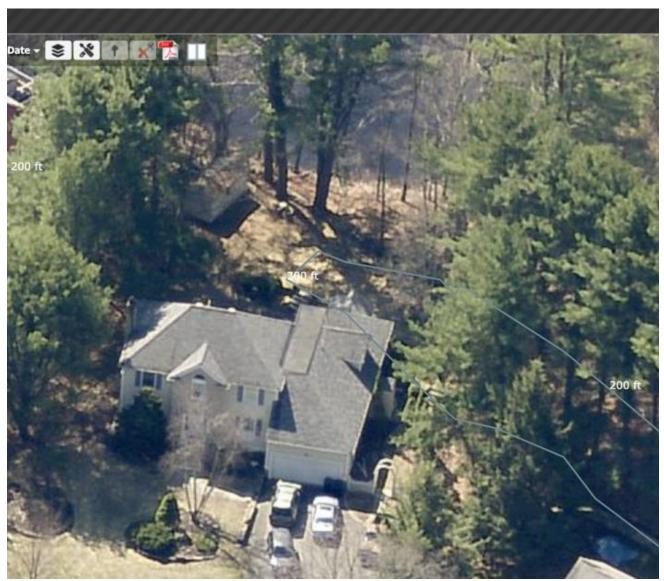
- 1. They are approaching the south and southwest side of the house.
- 2. The roots are all over the surface of the backyard and are approaching the foundation of the house.
- 3. Because they locate at the south of the house, they are blocking the sunshine.
- 4. Nothing grows at the backyard but moss

Pictures:









Separating from the ponds by 200 ft berm



Approaching the house



Root approaching the house



dying

Tree distance to the wetland: 3-4 trees in this area within 100 ft to the wetland.



Replanting Plan: Replant 7 trees- white cedar

Location: see the green line as below



Area 2:

Location: near the ponds

Tree quantity: 4 trees, will leave the stump for them.

Reasoning:

- 1. One of them is dead
- 2. Three of them are potential hazard to house damage. One of them has "wood cracks", has a risk of splitting. One of them leaning to the shed, one of them have shallow root.

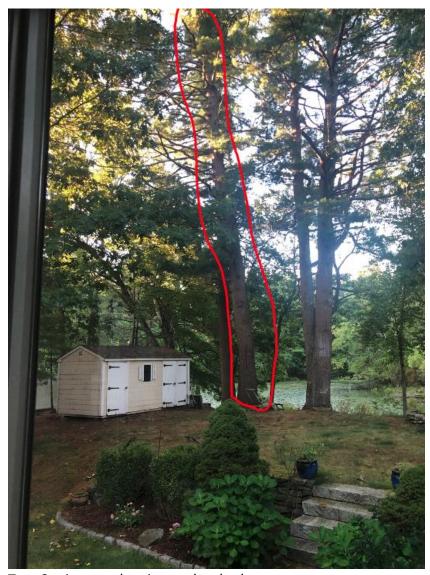
Pictures:



Tree 1: Dead tree



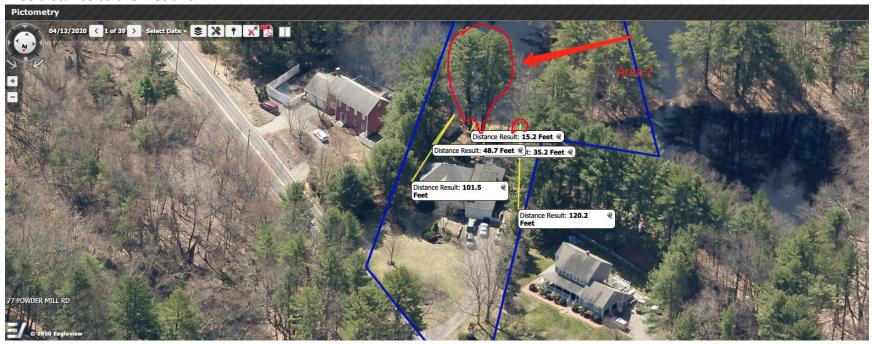
Tree 2: spiting



Tree 3: pine tree leaning to the shed

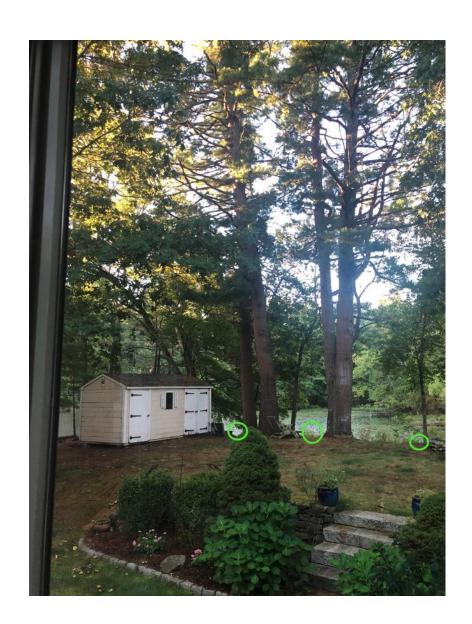


Tree distance to the wetland



Replant Plan:

Plant 3 oak trees alongside the pond, either white oak or red oak. The dead tree will leave the big stump as well, won't replant in that area.



Area 3:

Location: maybe outside of 100 ft of the ponds, separating by the berm

Tree quantity: 2 trees, no replant plan because this is the berm area, any trees plant here will lean to the house.

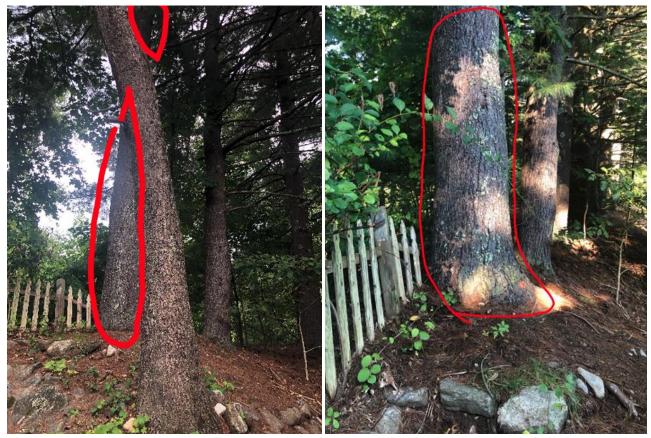
Reasoning:

- 1. Leading to the house, over roof
- 2. Leading to the driveway, heavier on the house side.

Pictures:



Tree 1: lean to the house, part of it are on the top of the roof.



Tree 2: shallow root, leaning toward the house.

Tree distance to the wetland: more than 100 ft to the wetland



Invasive Plants

There are two invasive plants: bittersweet and buckthorn, We've cutted the buckthorn near the drive way and have removed some of the bittersweet, the root is pretty hard to get rid off, we will continue work on control them.

End-

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, $\S40$

Provided by MassDEP: MassDEP File #:

eDEP Transaction #:1303146 City/Town:SUDBURY

A.General Informati	on				
1. Project Location:					
a. Street Address 77 POW. b. City/Town SUDBUF d. Latitude 42.42808 f. Map/Plat # B07		BURY 2808N	1		01776 71.42685W 0101
2. Applicant:					
▼ Individual □ Organ	nization				
a. First Name c. Organization	YIYE 77 POWDER MIL	I DOAD	b.Last Name	ZHANG	
d. Mailing Address e. City/Town h. Phone Number	SUDBURY 617-230-1926	f. State i. Fax	MA	g. Zip Code j. Email	01776 senyychen@gmail.com
3.Property Owner:					
more than one owner	r				
a. First Namec. Organizationd. Mailing Addresse. City/Town	YIYE 77 POWDER MIL SUDBURY	LL ROAD	b. Last Name	ZHANG g. Zip Code	01776
h. Phone Number	617-230-1926	i. Fax		j.Email	senyychen@gmail.com
4.Representative:					
a. First Name c. Organization d. Mailing Address e. City/Town h.Phone Number	b. Last Name f. State g. Zip Code i.Fax j.Email				
5 Total WDA Eas Daid (A)	stamatically incomed from	NOI Wa	tland Eas Transmit	ttol Forms).	
5.Total WPA Fee Paid (Au	•			· ·	
a.Total Fee Paid	b.State Fee I	aid	c.City/To	own Fee Paid	
6.General Project Descript WOULD LIKE TO HAVE		· SEE ATT	'ACHED NARRA'	TIVE	
7a.Project Type:	·				
 1. Single Family Home 3. Limited Project Driveway Crossing 5. Dock/Pier 7. Coastal Engineering Structure 			☐ Residential Sub☐ Commercial/Inc☐ Utilities☐ Agriculture (eg☐ Other	dustrial	estry)

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)?

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Provided by MassDEP: MassDEP File #: eDEP Transaction #:1303146 City/Town:SUDBURY

 ☐ Yes ☑ No If yes, describe which limited project applies to this project: Limited Project 						
3.Property recorded at the Re	gistry of Deeds for:					
a.County:	b.Certificate:	c.Book: d.	Page:			
SOUTHERN MIDDLESEX		78194 26	54			
	urce Area Impacts (temporea Impacts (temporeary & perma					
▼ This is a Buffer Zone only Inland Bank, or Coastal Reso		ocated only in the Buffer Zone of a Bor	dering Vegetated Wetland,			
2.Inland Resource Areas: (Se	ee 310 CMR 10.54 - 10.58, if no	t applicable, go to Section B.3. Coastal	Resource Areas)			
Resource Area		Size of Proposed Alteration Pro	posed Replacement (if any)			
a.□ Bank		1. linear feet	2. linear feet			
b. ☐ Bordering Vegetated We	etland	27 222 22 22 22 22 22 22 22 22 22 22 22	_,			
		1. square feet	2. square feet			
c. ☐ Land under Waterbodies	s and Waterways	1. Square feet	2. square feet			
		3. cubic yards dredged				
d. ☐ Bordering Land Subject to Flooding		1. square feet	2. square feet			
		3. cubic feet of flood storage lost	4. cubic feet replaced			
e. ☐ 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 any)				
2. Width of Riverfront Ar	rea (check one)	1. Name of Waterway (if any) ☐ 25 ft Designated Densely De ☐ 100 ft New agricultural proje ☐ 200 ft All other projects				
3. Total area of Riverfron	at Area on the site of the propose	d project	6			
4. Proposed Alteration of	the Riverfront Area:		square feet			
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			

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☐ Project Involves Streams Crossings

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

Provided by MassDEP: MassDEP File #: eDEP Transaction #:1303146 City/Town:SUDBURY

6. Was the lot where the ac	ctivity is proposed created prior t	o August 1, 1996?	□ Yes□ No	
3.Coastal Resource Areas: (S	ee 310 CMR 10.25 - 10.35)			
Resource Area		Size of Proposed Alteration	Proposed Replacement (if any)	
a. ☐ Designated Port Areas	Indicate size under	Land under the ocean b	pelow,	
b. ☐ Land Under the Ocean	1. square feet			
	2. cubic yards dredged			
c. □ Barrier Beaches	• •	eaches and/or Coatstal Dunes, bel	low	
d. Coastal Beaches	1. square feet	2. cubic yards beach no	ourishment	
e. ☐ Coastal Dunes	1. square feet	2. cubic yards dune not	urishment	
f. Coastal Banks	1. linear feet			
g. ☐ Rocky Intertidal Shores	1. square feet			
h. ☐ Salt Marshes	1. square feet	2. sq ft restoration, reh	ab, crea.	
i.□ Land Under Salt Ponds	1. square feet			
	2. cubic yards dredged			
j. Land Containing Shellfish	1. square feet			
k. Tish Runs Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Under Waterbodies and Waterways, above				
	1. cubic yards dredged			
l. Land Subject to Coastal Storm Flowage	1. square feet			
4.Restoration/Enhancement				
Restoration/Replacement				
	e of restoring or enhancing a wet 3.h above, please entered the add	land resource area in addition to t litional amount here.	he square footage that has been	
a. square feet of BVW	b. s	quare feet of Salt Marsh		
5.Projects Involves Stream Cro	ossings			

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

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Provided by MassDEP: MassDEP File #: eDEP Transaction #:1303146 City/Town:SUDBURY

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. \ \ \, \square \ \ \, MESA \ filing \ fee \ (fee \ information \ available \ at: \ \underline{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:

- 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 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.

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_	Include copy of NHESP "no Take" determination or valid Co	onservation & Management Permit with approved plan.					
	••	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. Vot applicable - project is in inland resource area only b. Ves \(\Gamma \) No						
	If yes, include proof of mailing or hand delivery of NOI to either:						
	South Shore - Cohasset to Rhode Island, and the Cape & Island	nds: North Shore - Hull to New Hampshire:					
	Division of Marine Fisheries - Southeast Marine Fisheries Station Attn: Environmental Reviewer 836 S. Rodney French Blvd	Division of Marine Fisheries - North Shore Office Attn: Environmental Reviewer 30 Emerson Avenue					
	New Bedford, MA 02744	Gloucester, MA 01930					
	If yes, it may require a Chapter 91 license. For coastal towns in For coastal towns in the Southeast Region, please contact Mass	n the Northeast Region, please contact MassDEP's Boston Office sDEP's Southeast Regional office.					
3.	Is any portion of the proposed project within an Area of Critica	l Environmental Concern (ACEC)?					
г	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 Massachusetts Surface Water Quality Standards, 314 CMR 4.0 a. □ Yes ▼ No						
5.	Is any portion of the site subject to a Wetlands Restriction Orde 40A) or the Coastal Wetlands Restriction Act (M.G.L.c. 130, § a. ☐ Yes ▼ No						
6.	Is this project subject to provisions of the MassDEP Stormwate	er Management Standards?					
	a. Yes, Attach a copy of the Stormwater Report as required 10.05(6)(k)-(q) and check if:	by the Stormwater Management Standards per 310 CMR					
	 Applying for Low Impact Development (LID) site desi Vol.2, Chapter 3) 	gn credits (as described in Stormwater Management Handbook					
	2. A portion of the site constitutes redevelopment						
	3. Proprietary BMPs are included in the Stormwater Mana	agement System					
	b. V No, Explain why the project is exempt:						
	1. Single Family Home						
	2. Emergency Road Repair						

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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
- F [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:

TREE REMOVED

PLAN

 $\overline{\checkmark}$

- 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.

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9. Attach Stormwater Report, if needed.

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Bureau of Resource Protection - Wetlands

WPA Form 3 - Notice of Intent

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

Provided by MassDEP: MassDEP File #: eDEP Transaction #:1303146 City/Town:SUDBURY

E. Fees							
1. Fee Exempt: No filing fee shall be assessed for projects of any city tribe housing authority, municipal housing authority, or the Mass	y, town, county, or district of the Commonwealth, federally recognized Indian sachusetts Bay Transportation Authority.						
Applicants must submit the following information (in addition to page	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 and complete to the best of my knowledge. I understand that the Conserva at the expense of the applicant in accordance with the wetlands regulations. I further certify under penalties of perjury that all abutters were notified of Notice must be made by Certificate of Mailing or in writing by hand deliver of the property line of the project location.	this application, pursuant to the requirements of M.G.L. c. 131, § 40.						
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 supporti Form, and the city/town fee payment, to the Conservation Commission by							
For MassDEP:							
One copy of the completed Notice of Intent (Form 3), including supporting and a copy of the state fee payment to the MassDEP Regional Office (see I	g plans and documents, one copy of the NOI Wetland Fee Transmittal Form, 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.

Bureau of Resource Protection - Wetlands

WPA Form 3 - Notice of Wetland FeeTransmittal

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

Provided by MassDEP: MassDEP File #: eDEP Transaction #:1303146 City/Town:SUDBURY

A. Applicant Information

1. Applicant:						
a. First Name	YIYE		b.Last Name	ZHANG		
c. Organization						
d. Mailing Address	77 POWDER MII	LL ROAD)			
e. City/Town	SUDBURY	f. State	MA	g. Zip Code	01776	
h. Phone Number	6172301926	i. Fax		j. Email	senyychen@gmail.com	
2.Property Owner:(if different)						
a. First Name	YIYE		b. Last Name	ZHANG		
c. Organization						
d. Mailing Address	77 POWDER MII	LL ROAD)			
e. City/Town	SUDBURY	f.State	MA	g. Zip Code	01776	
h. Phone Number	6172301926	i. Fax		j.Email	senyychen@gmail.com	
3. Project Location:						
a. Street Address	77 POWDER	MILL RO	OAD	b. City/	Town SUDBURY	

Are you exempted from Fee? ☐ (You have selected 'No')

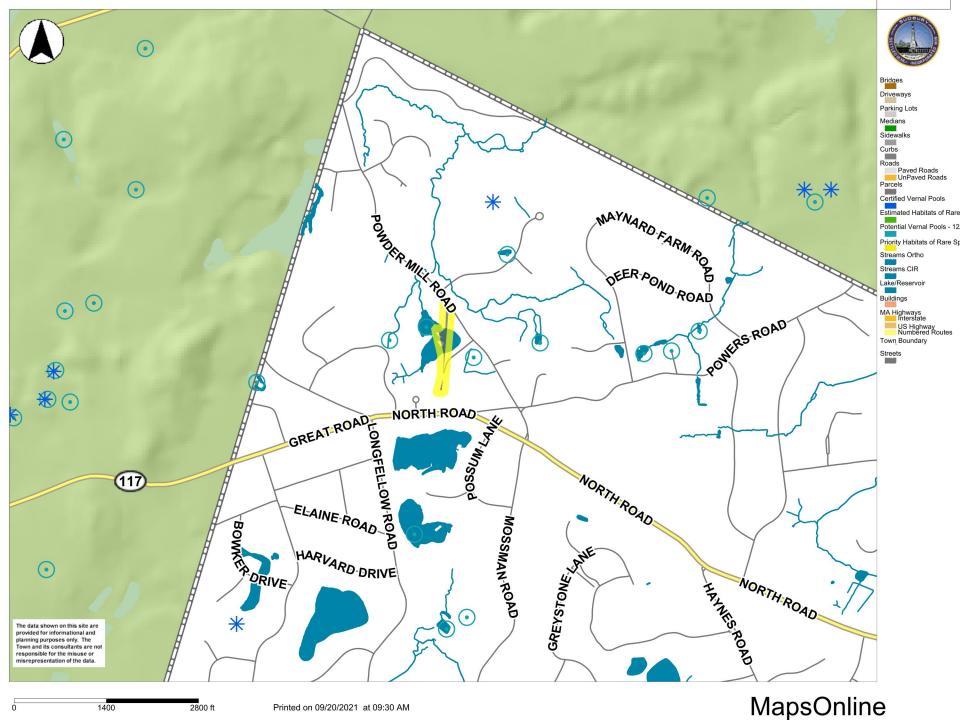
Note: Fee will be exempted if you are one of the following:

- 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	RFA multiplier 1.:	5 165.00
	City/Town s \$95.00	hare of filling fee	State share of filing fee \$70.00	Total Project Fee \$165.00



tree distance





