

**NOTICE OF PUBLIC MEETING  
SUDBURY CONSERVATION COMMISSION**

The Sudbury Conservation Commission will hold a public meeting to review the Request for Determination of Applicability filing, under the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw, to remove five trees within the 100-foot Buffer Zone, at 76 Pantry Road, in Sudbury, MA. Daniel Reiser and Meaghan Goder, Applicant. The hearing will be held on Monday, November 15, 2021 at 6:45 pm, via remote participation.

Copies of the application may be reviewed at the Conservation Department web page at: <https://sudbury.ma.us/conservationcommission/meeting/conservation-commission-meeting-monday-november-15-2021/>.

SUDBURY CONSERVATION COMMISSION  
October 22, 2021



# WPA Form 1- Request for Determination of Applicability

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

## A. General Information

**Important:**

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



1. Applicant:

Name _____		E-Mail Address _____	
Mailing Address _____			
City/Town _____		State _____	Zip Code _____
Phone Number _____		Fax Number (if applicable) _____	

2. Representative (if any):

Firm _____			
Contact Name _____		E-Mail Address _____	
Mailing Address _____			
City/Town _____		State _____	Zip Code _____
Phone Number _____		Fax Number (if applicable) _____	

## B. Determinations

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

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

\_\_\_\_\_  
Name of Municipality

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



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## C. Project Description

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

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City/Town

\_\_\_\_\_  
Assessors Map/Plat Number

\_\_\_\_\_  
Parcel/Lot Number

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

\_\_\_\_\_

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

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

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



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### C. Project Description (cont.)

- b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).
3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.
- Single family house on a lot recorded on or before 8/1/96
  - Single family house on a lot recorded after 8/1/96
  - Expansion of an existing structure on a lot recorded after 8/1/96
  - Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
  - New agriculture or aquaculture project
  - Public project where funds were appropriated prior to 8/7/96
  - Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
  - Residential subdivision; institutional, industrial, or commercial project
  - Municipal project
  - District, county, state, or federal government project
  - Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.
- b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



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## D. Signatures and Submittal Requirements

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

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

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

Name and address of the property owner:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City/Town

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

Signatures:

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

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

## Description of project for 76 Pantry Rd. requested tree removal Daniel Reiser/Meghan Goder

We have 5 trees that are showing damage and if left to decay/fall naturally would either fall onto the house, onto power/cable lines, or in the case of the mulberry (#5 below), onto mature boxwood hedges and rose and hydrangea bushes.

We had 4 different tree companies look at the trees and/or give estimates (including SavATree, who could not do the work due to the height of the trees and thus had no vested interest). Initially we were concerned about 3 trees, but all of the companies pointed out 2 others (the smaller pine and oak, #s 2 and 3 below) that are an issue that we hadn't noticed. Lori from the Conservation Department also came out and looked at the 5 trees in question.

1. White pine, over 100 ft. tall. Located in front left of yard (NW of house) and tall enough to hit the house if it falls in likely direction (alternately it would fall onto Pantry Rd. if it went the other way.) There is damage to the trunk. Stump would be left to decay naturally.
2. White pine, app. 50-75 ft. tall. Located in front left of yard (NW of house). This tree is partially dead. While unlikely to hit the house when it falls, it would take out the lines running from the road to the house. Stump would be left to decay naturally.
3. Oak, app. 50-75 ft. tall. Located in front left of yard (NW of house). This tree is leaning to a substantial degree on the white pine that is already partially dead (#2), and we were told that this pine is the main thing holding it up. There is visible mounding around the one side of the trunk as if it is starting to pull out of the ground. Stump would be left to decay naturally.
4. White pine, app. 100-125 ft. tall. Located directly beside the house (14 feet from the side of the house) on the north side. There is damage to the trunk (rotting, missing bark, holes, split lines in trunk, etc.). This tree would cause substantial damage to the house and potentially fatal injuries to us if it falls. The consensus among the tree companies was that if it falls, it would fall onto the house, and as the tallest tree in that immediate area it is most susceptible to high winds. Stump would be left high (app. 15 ft.) and left to decay naturally.
5. Mulberry. Located inside the backyard on east side of house. This tree is leaning at approximately a 45 degree angle due to shade from taller surrounding trees. It is likely to fall within the next few years. It would do considerable damage to the landscaping (mature shrubbery) in the backyard if left to fall naturally. This stump would be ground.

All 5 trees are located in the yard/upland area, not in the wetland area to the north of the house. We would not want to remove these trees if they were healthy and regret that they need to be

taken down. However, as the satellite imagery shows, they are a small percentage of the trees in and surrounding our yard, and we are hoping the removal of these 5 trees will allow some of the smaller surrounding trees to flourish.

To mitigate the loss of these trees, we are planning the following:

1. We will plant native bushes (blueberry and/or winterberry) in the space left by tree #s 1-3 (2 pines, 1 oak) to the NW of the house in the front yard.
2. We will plant a stand of birches to replace the mulberry (#5) in the backyard, but farther into the yard so that they aren't under the surrounding trees as the mulberry is now.
3. Lori suggested an option for the large white pine directly north of the house (#4) that we are planning to do: we will leave around 15-20 ft. of the trunk standing, which will remove the danger but continue to provide shelter for birds/animals/insects.
4. Lori also pointed out some invasive species (bittersweet, japanese knotweed and barberry, buckthorn, multiflora rose) that were beginning to grow in the buffer/upland zone to the north of the house. We have removed or are in the process of removing those and will continue to monitor that area for further growth.

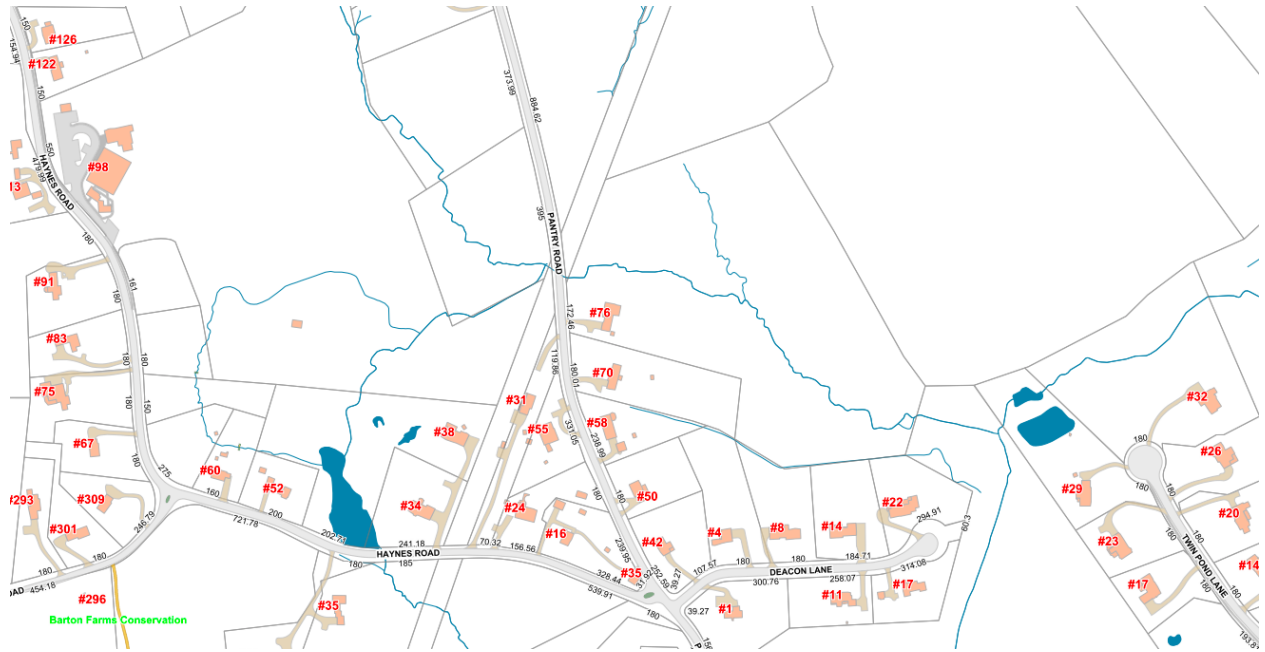
Please see the attached folder for pictures of maps showing our property from both the town maps and Google Maps (satellite imagery), along with pictures of the 5 trees.

Thank you.

Daniel Reiser and Meghan Goder  
October 21, 2021

Reiser/Goder

Town map of property at 76 Pantry Rd.:

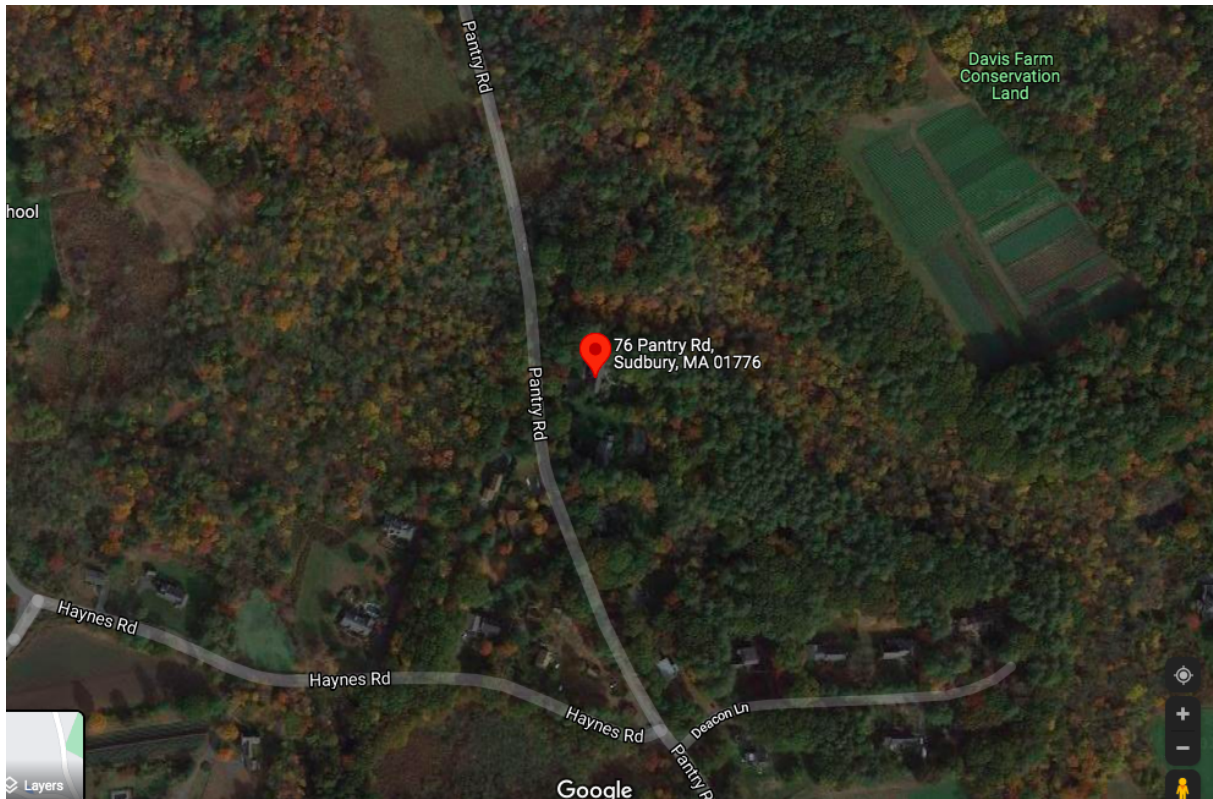


Town map closeup of property with approximate location of the 5 trees:





Google Maps satellite image of property at 76 Pantry Rd.:



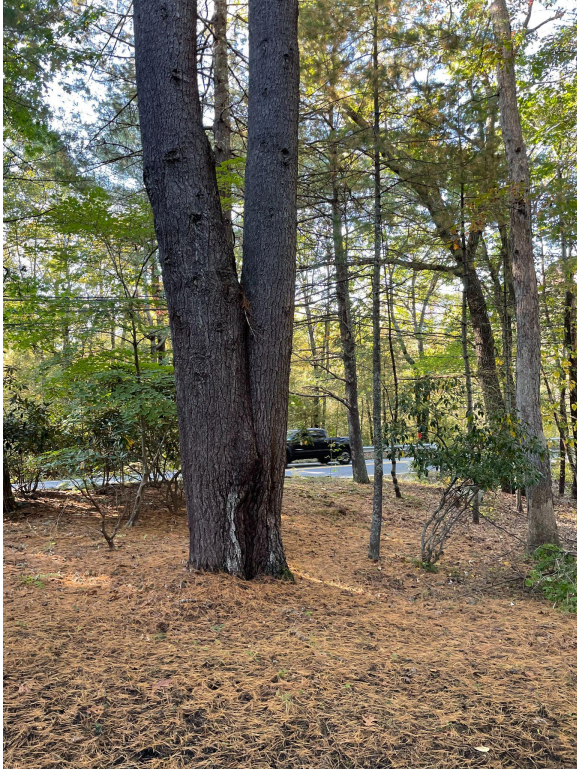
Google Maps closeup satellite image of property with arrows indicating the 5 trees:



#1 Front white pine:



#2 and #3 smaller pine and oak:



#4 north side white pine:



#5: backyard mulberry

