

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

The Sudbury Conservation Commission will hold a public hearing to review the Notice of Intent filing for installation of a fence with mitigation plantings within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw, at 111 Mossman Road, Sudbury MA. Bryan and Michelle Arceneaux, Applicants. The hearing will be held on Monday, April 25, 2022 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-april-25-2022/>

SUDBURY CONSERVATION COMMISSION  
April 12, 2022

Notice of Intent Application

# 111 Mossman Road

Supplementary Materials

Submitted by Bryan and Michelle Arceneaux  
4-11-2022

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Notice of Intent - 111 Mossman Rd. Sudbury, MA

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April 11, 2022

**Electronic Delivery** (CaponeL@sudbury.ma.us)

**Hand Delivery**

Sudbury Conservation Commission  
Department of Public Works Building  
275 Old Lancaster Road  
Sudbury, MA 01776

**Re: Notice of Intent Application**  
**111 Mossman Road**  
**Parcel ID# D08-0015**  
**Sudbury, MA 01776**

Dear Commission Members:

We are filing this Notice of Intent (NOI) Application with the Sudbury Conservation Commission to install an ornamental aluminum fence at 111 Mossman Road in Sudbury, Massachusetts. The proposed fence will measure 5 feet in height, enclose the backyard, and will be located within existing lawn/landscaped land; no trees or vegetation will be removed.

Work will occur within the 100-foot Buffer Zone to Bordering Vegetated Wetland (BVW). Accordingly, native enhancement plantings are proposed to mitigate the project's impact by providing additional native food and cover habitat for wildlife.

Thank you for considering this Application. We look forward to presenting this project to the Commission at the April 25, 2022, Public Hearing. Meanwhile, should you have any questions or require additional information, we may be contacted at 817.229.7136 or michelle.m.arceneaux@gmail.com.

Sincerely,

*Bryan Arceneaux*  
Bryan Arceneaux

*Michelle Arceneaux*  
Michelle Arceneaux



**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):

111 Mossman Road

a. Street Address

Sudbury

b. City/Town

01776

c. Zip Code

42.411910

d. Latitude

-71.422290

e. Longitude

Parcel ID# D08-0015

g. Parcel /Lot Number

Latitude and Longitude:

f. Assessors Map/Plat Number

2. Applicant:

Bryan and Michelle

a. First Name

Arceneaux

b. Last Name

Property Owner

c. Organization

111 Mossman Road

d. Street Address

Sudbury

MA

f. State

01776

g. Zip Code

817.229.7136

h. Phone Number

N/A

i. Fax Number

michelle.m.arceneaux@gmail.com

j. Email Address

3. Property owner (required if different from applicant): ☐ Check if more than one owner

Same as applicant

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):

\$110.00

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:

5 ft backyard ornamental aluminum fence.

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 CMR10.24(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 South

a. County

79538

c. Book

b. Certificate # (if registered land)

332

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.



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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**

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/ma-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.
- Sketch Plan**
- |                                      |                          |  |
|--------------------------------------|--------------------------|--|
| a. Plan Title                        |                          |  |
| Michelle Arceneaux                   | N/A                      |  |
| b. Prepared By                       | c. Signed and Stamped by |  |
| 4/5/2022                             | N/A                      |  |
| d. Final Revision Date               | e. Scale                 |  |
| N/A                                  |                          |  |
| 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:

977

2. Municipal Check Number

976

4. State Check Number

Michelle

6. Payor name on check: First Name

April 7, 2022

3. Check date

April 7, 2022

5. Check date

Arceneaux

7. Payor name on check: Last Name



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**WPA Form 3 – Notice of Intent**

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

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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.

*Bryan Arceneaux*

*Michelle Arceneaux*

4/5/2022

1. Signature of Applicant

2. Date

**Same as applicant**

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:

111 Mossman Road

a. Street Address

Sudbury

b. City/Town

\$42.50

d. Fee amount

c. Check number

### 2. Applicant Mailing Address:

Michelle

a. First Name

Property Owner

Arceneaux

b. Last Name

c. Organization

111 Mossman Road

d. Mailing Address

Sudbury

e. City/Town

817.229.7136

h. Phone Number

N/A

i. Fax Number

MA

f. State

01776

g. Zip Code

michelle.m.arceneaux@gmail.com

j. Email Address

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

Same as applicant

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).



Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 1a: work associated with a single-family dwelling	1	\$110.00	\$110.00
Step 5/Total Project Fee:			\$110.00

Total Project Fee:	<b>\$110.00</b>
	a. Total Fee from Step 5
My share of filing Fee:	<b>\$42.50</b>
	b. 1/2 Total Fee <b>less</b> \$12.50
My share of filling Fee:	<b>\$67.50</b>
	c. 1/2 Total Fee <b>plus</b> \$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.

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**List of Abutters**

**Notice of Intent for 111 Mossman Rd. Sudbury, MA**

---

*(Based on properties within 100 linear feet of the property lines at 111 Mossman Road)*

DEAN T. MORGAN  
ELLEN L. MORGAN  
105 MOSSMAN RD.  
SUDBURY, MA 01776

MICHAEL D. MCDONNELL  
KELLY A. MCDONNELL  
120 MOSSMAN RD.  
SUDBURY, MA 01776

WILLIAM S. MAURO  
KAREN L. LIBBY  
3 SILVER HILL RD.  
SUDBURY, MA 01776

JOHN W. DARLEY  
ELIZABETH J. DARLEY  
106 THUNDER RD.  
SUDBURY, MA 01776

JACOB KAGAN  
EDITH KAGAN  
108 MOSSMAN RD.  
SUDBURY, MA 01776

BASIL G. PALLONE  
JEAN G. PALLONE  
112 THUNDER RD.  
SUDBURY, MA 01776

MICHAEL PUTNAM  
MAUREEN A. GRIFFIN  
114 MOSSMAN RD.  
SUDBURY, MA. 01776

JOSEPH W. BUDZIENSKI  
JAIME H. BUDZIENSKI  
120 THUNDER RD.  
SUDBURY, MA 01776



Bryan and Michelle Arceneaux  
111 Mossman Road  
Sudbury, MA 01776

April 7, 2022

«Name»  
«Name2»  
«Address»  
«City» «State» «Zip»

**Re: Notice of Intent Application**  
**111 Mossman Road**  
**Parcel ID# D08-0015**  
**Sudbury, MA 01776**

Dear Neighbor:

We have filed a Notice of Intent (NOI) Application with the Sudbury Conservation Commission seeking permission for the proposed installation of a 5 ft ornamental aluminum fence at the above-referenced site. The fence would be installed in the backyard, inside the perimeter of the existing lawn and vegetation. However, the site is located within the 100' Buffer Zone to Bordering Vegetated Wetlands (BVW), as protected under the *Massachusetts Wetlands Protection Act* (M.G.L., c. 131, s. 40), its implementing *Regulations* (310 CMR 10.00), and the *Town of Sudbury Wetlands Administrative Bylaw*. We are open to suggestions to minimize the potential for impacts on the Wetland Resource Areas and improve existing site conditions.

The *NOI Application* and site plan are available for review by the public by contacting the Sudbury Conservation Commission. The Public Hearing is scheduled for April 25, 2022, at 6:45 p.m. via remote platform, per the provisions of the *Massachusetts Wetlands Protection Act* (M.G.L. Ch. 131, s. 40, as amended), its implementing *Regulations* (310 CMR 10.00), and the *Town of Sudbury Wetlands Administrative Bylaw*. Further information regarding this application and the date and time of the public hearing will be published at least five (5) days in advance in either the *Sudbury Crier* or *MetroWest* newspapers.

Please reference the enclosed form or the Town/Conservation Commission website for information on remote viewing and participation in the public hearing process. Additionally, please do not hesitate to review the materials and attend the public hearing should you have questions or concerns about the proposed project.

Sincerely,

Bryan Arceneaux

Michelle Arceneaux

**Notification to Abutters  
Under the Massachusetts Wetlands Protection Act  
and the Sudbury Wetlands Administrative Bylaw**

In accordance with the second paragraph of Massachusetts General Laws Chapter 131,  
Section 40, you are hereby notified of the following:

- A. The name of the **Applicant** is Bryan and Michelle Arceneaux
- B. The Applicant has filed a Notice of Intent with the Sudbury Conservation Commission seeking permission to work in an Area Subject to Protection (Wetland Resource Area and/or Buffer Zone) under the Massachusetts Wetlands Protection Act (General Laws Chapter 131, Sec.40) and the Town of Sudbury Wetlands Administrative Bylaw.
- C. The **address** of the lot where the activity is proposed: 111 Mossman Road, Sudbury, MA 01776
- D. The **proposed activity** is: Installation of a 5 ft ornamental aluminum fence in the backyard. Although the fence will follow the perimeter of the existing cleared backyard, well within the recently surveyed property lines, it will be in the 100' Buffer Zone to Bordering Vegetated Wetlands (BVW).
- E. A **Public Hearing** regarding this Notice of Intent will be held on:  
**Monday, April 25, 2022 at 6:45 PM.**
- F. **Public Participation will be via Virtual Means Only** - In light of the ongoing COVID-19 coronavirus outbreak, Governor Baker issued an emergency Order on March 12, 2020, allowing public bodies greater flexibility in utilizing technology in the conduct of meetings under the Open Meeting Law. The Town of Sudbury Conservation Commission greatly values the participation of its citizens in the public meeting process, but given the current circumstances and recommendations at both the state and federal levels to limit or avoid public gatherings, including Governor Baker's ban on gatherings of more than 10 people, together with the present closure of Sudbury Town Hall and other public buildings to the public, the Town has decided to implement the "remote participation" procedures allowed under Governor Baker's emergency Order for all boards, committees, and commissions.
- G. **The public may participate in this meeting via Remote Participation:**
- From your computer, smart phone or tablet:
- <https://us02web.zoom.us/j/98803339162>
  - Meeting ID: 988 0333 9162
  - From your phone: **978-639-3366** or **470 250 9358**
- H. Copies of the Notice of Intent may be examined by visiting this Website:  
<https://sudbury.ma.us/conservationcommission/meetings/>
- I. Copies of the Notice of Intent may be obtained from either The Applicant, or the Applicant's representative \_\_\_\_\_, by calling this telephone number:  
817.229.7136 between the hours of 9:30 AM and 5:30 PM

Note: Public Hearing Notice, including its date, time, and place, will be published at least 5 days in advance in either the Sudbury Crier or MetroWest newspapers (at the applicant's expense).



# Abutter Notification

## Notice of Intent for 111 Mossman Rd. Sudbury, MA

7020 3160 0001 6737 6012

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®.	
Sudbury, MA 01776	
Certified Mail Fee \$3.75	0754
Extra Services & Fees (check box, add fee as appropriate)	81
<input type="checkbox"/> Return Receipt (hardcopy) \$3.05	
<input type="checkbox"/> Return Receipt (electronic) \$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery \$0.00	
<input type="checkbox"/> Adult Signature Required \$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery \$0.00	
Postage \$0.58	Postmark Here
Total Postage and Fees \$7.38	04/08/2022
Sent To Dean and Ellen Morgan 105 Mossman Rd. Sudbury, MA 01776	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

7020 3160 0001 6737 6029

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®.	
Sudbury, MA 01776	
Certified Mail Fee \$3.75	0754
Extra Services & Fees (check box, add fee as appropriate)	81
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<input type="checkbox"/> Return Receipt (electronic) \$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery \$0.00	
<input type="checkbox"/> Adult Signature Required \$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery \$0.00	
Postage \$0.58	Postmark Here
Total Postage and Fees \$7.38	04/08/2022
Sent To William Mauro and Karen Libby 3 Silver Hill Rd. Sudbury, MA 01776	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

7020 3160 0001 6737 6036

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
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Sudbury, MA 01776	
Certified Mail Fee \$3.75	0754
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<input type="checkbox"/> Return Receipt (electronic) \$0.00	
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<input type="checkbox"/> Adult Signature Required \$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery \$0.00	
Postage \$0.58	Postmark Here
Total Postage and Fees \$7.38	04/08/2022
Sent To Jacob and Edith Kagan 108 Mossman Rd. Sudbury, MA 01776	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

7020 3160 0001 6737 6043

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Sudbury, MA 01776	
Certified Mail Fee \$3.75	0754
Extra Services & Fees (check box, add fee as appropriate)	81
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<input type="checkbox"/> Return Receipt (electronic) \$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery \$0.00	
<input type="checkbox"/> Adult Signature Required \$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery \$0.00	
Postage \$0.58	Postmark Here
Total Postage and Fees \$7.38	04/08/2022
Sent To Michael Putnam and Maureen Griffin 114 Mossman Rd. Sudbury, MA 01776	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

7020 3160 0001 6737 6050

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Sudbury, MA 01776	
Certified Mail Fee \$3.75	0754
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<input type="checkbox"/> Adult Signature Required \$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery \$0.00	
Postage \$0.58	Postmark Here
Total Postage and Fees \$7.38	04/08/2022
Sent To Michael and Kelly McDonnell 120 Mossman Rd. Sudbury, MA 01776	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

7020 3160 0001 6737 6067

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®.	
Sudbury, MA 01776	
Certified Mail Fee \$3.75	0754
Extra Services & Fees (check box, add fee as appropriate)	81
<input type="checkbox"/> Return Receipt (hardcopy) \$3.05	
<input type="checkbox"/> Return Receipt (electronic) \$0.00	
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<input type="checkbox"/> Adult Signature Required \$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery \$0.00	
Postage \$0.58	Postmark Here
Total Postage and Fees \$7.38	04/08/2022
Sent To John and Elizabeth Darley 106 Thunder Rd. Sudbury, MA 01776	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

## Abutter Notification

### Notice of Intent for 111 Mossman Rd. Sudbury, MA

7020 3160 0001 6737 6074

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> . Sudbury, MA 01776	
Certified Mail Fee \$3.75	0754
Extra Services & Fees (check box, add fee \$3.05) <input type="checkbox"/> Return Receipt (hardcopy) \$0.00 <input type="checkbox"/> Return Receipt (electronic) \$0.00 <input type="checkbox"/> Certified Mail Restricted Delivery \$0.00 <input type="checkbox"/> Adult Signature Required \$0.00 <input type="checkbox"/> Adult Signature Restricted Delivery \$0.00	81
Postage \$0.58	Postmark Here
Total Postage and Fees \$7.38	04/08/2022
Sent To Rasil and Jean Pallone 12 Thunder Rd. Sudbury, MA 01776	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

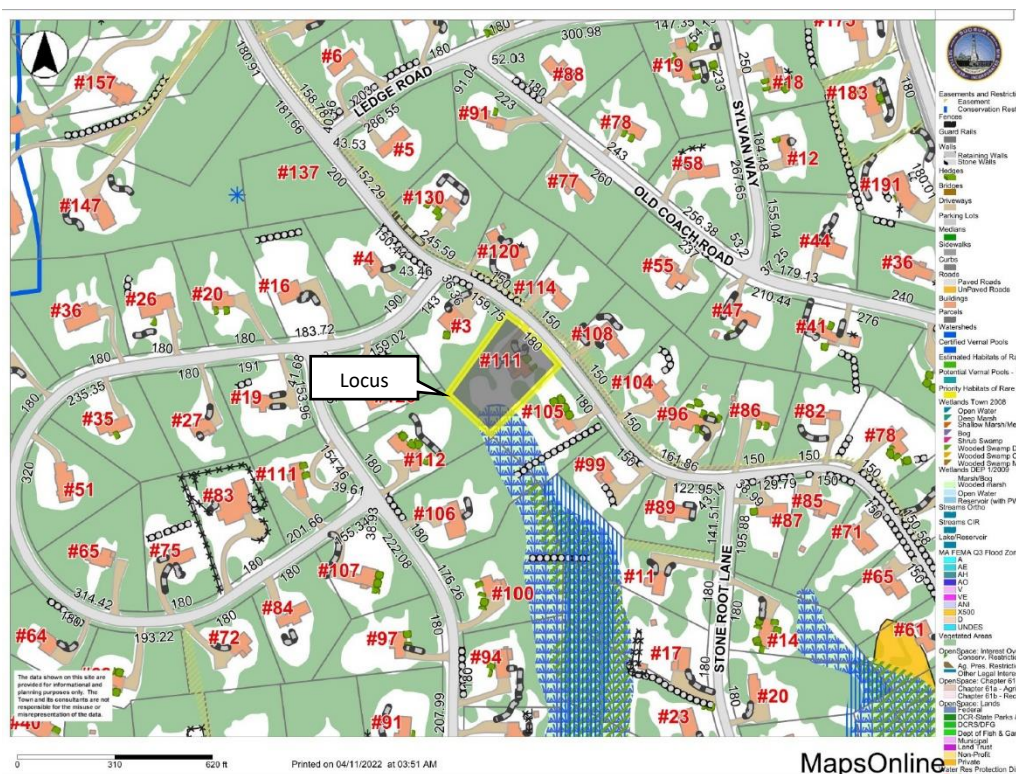
7020 3160 0001 6737 6081

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> . Sudbury, MA 01776	
Certified Mail Fee \$3.75	0754
Extra Services & Fees (check box, add fee \$3.05) <input type="checkbox"/> Return Receipt (hardcopy) \$0.00 <input type="checkbox"/> Return Receipt (electronic) \$0.00 <input type="checkbox"/> Certified Mail Restricted Delivery \$0.00 <input type="checkbox"/> Adult Signature Required \$0.00 <input type="checkbox"/> Adult Signature Restricted Delivery \$0.00	81
Postage \$0.58	Postmark Here
Total Postage and Fees \$7.38	04/08/2022
Sent To Joseph and Jimmie Budzienski 12 Thunder Rd. Sudbury, MA 01776	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

7020 3160 0001 6737 6005

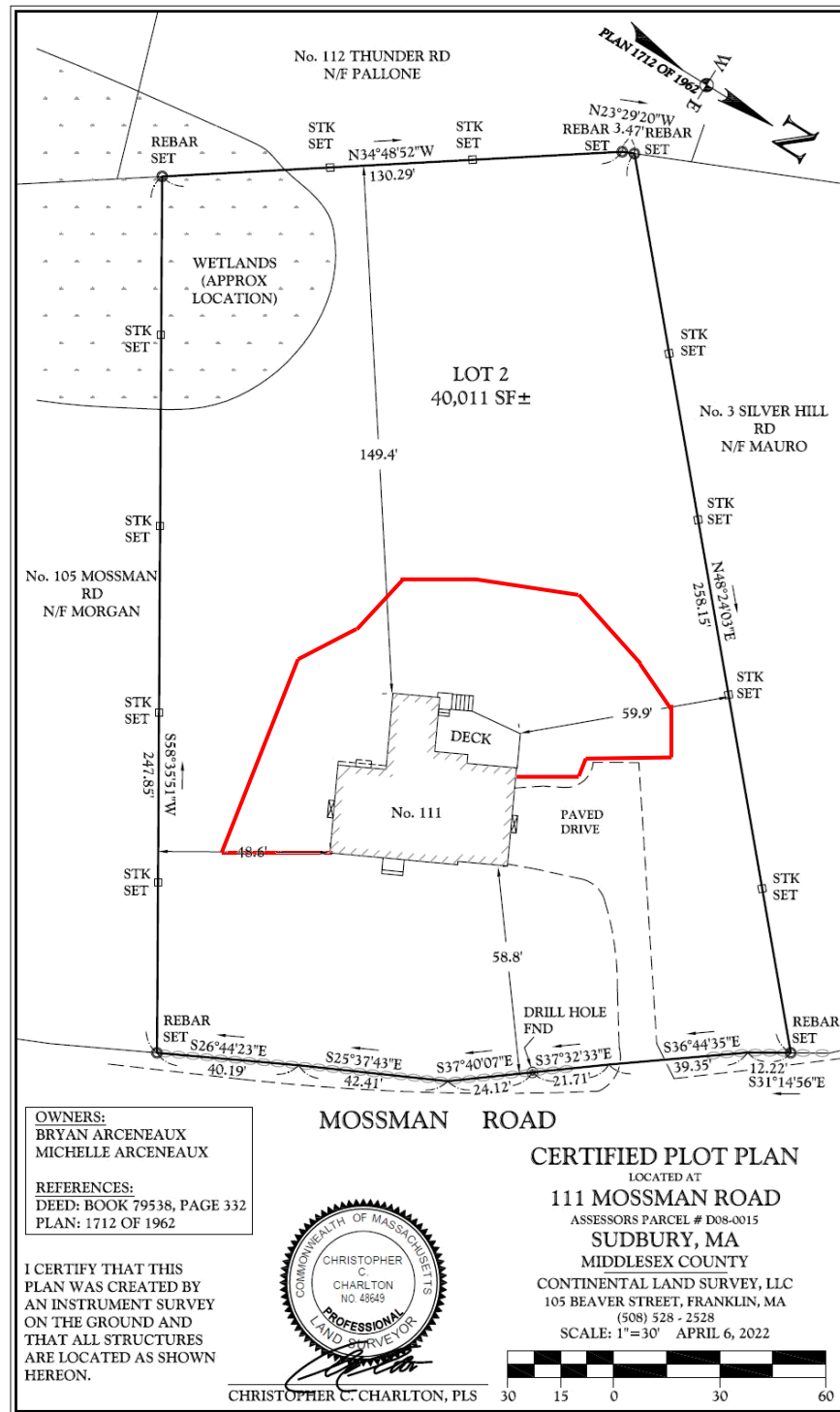
U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> . Boston, MA 02211	
Certified Mail Fee \$3.75	0754
Extra Services & Fees (check box, add fee \$3.05) <input type="checkbox"/> Return Receipt (hardcopy) \$0.00 <input type="checkbox"/> Return Receipt (electronic) \$0.00 <input type="checkbox"/> Certified Mail Restricted Delivery \$0.00 <input type="checkbox"/> Adult Signature Required \$0.00 <input type="checkbox"/> Adult Signature Restricted Delivery \$0.00	81
Postage \$0.58	Postmark Here
Total Postage and Fees \$7.38	04/08/2022
Sent To Massachusetts Department of Environmental Protection Box 4062 Boston, MA 02211	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	





## Sketch Plan

### Notice of Intent for 111 Mossman Rd. Sudbury, MA



Red Line = Proposed Fence

Not to Scale – All linework is approximate

## Fence Justification

### Notice of Intent - 111 Mossman Rd. Sudbury, MA

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Our family recently moved to an established home in Sudbury with our three young children, aged 2, 3, and 5. Currently, there is no fencing on the property.

Our 5-year-old daughter, Virginia, has a diagnosis of Autism Spectrum Disorder (ASD), cannot speak, and is extremely limited in her ability to recognize or avoid danger. Due to these deficits, there is a significant risk of harm should she move outside of the supervision of her parents or caretakers. She has a history of straying from caretakers and running toward desirable objects and locations. Additionally, Virginia lacks the ability to behave safely in the presence of moving vehicles, bodies of water, and unfamiliar people. Further, Virginia cannot state any identifying information, including her name or her family.

A 2012 study published in *Pediatrics* reported the following:

*Forty-nine percent (n = 598) of survey respondents reported their child with an ASD had attempted to elope at least once after age 4 years; 26% (n = 316) were missing long enough to cause concern. Of those who went missing, 24% were in danger of drowning and 65% were in danger of traffic injury. Elopement risk was associated with autism severity, increasing, on average, 9% for every 10-point increase in Social Responsiveness Scale T score (relative risk 1.09, 95% confidence interval: 1.02, 1.16). Unaffected siblings had significantly lower rates of elopement across all ages compared with children with ASD.*

Data from this and other studies highlight the significant danger posed to children with ASD if they are not carefully monitored and prevented from wandering and eloping. Therefore, consistent with guidelines provided by Autism Speaks, we need to install fencing that is sufficient to ensure that Virginia cannot escape from the yard if temporarily unattended. Specifically, fencing that does not have openings that allow a child to squeeze through, which might motivate them to attempt to escape from the yard.

The constant fear of elopement is an untenable situation we want to prevent. Our family will have a heightened sense of security we would not have otherwise with the proposed fence.

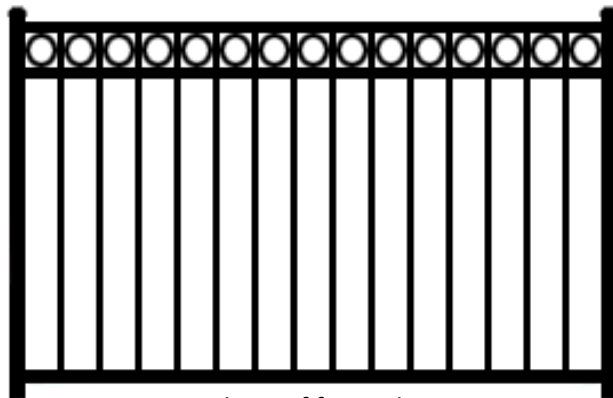
## Fence Project Description

Notice of Intent - 111 Mossman Rd. Sudbury, MA

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Installation of approximately 300 linear feet of ornamental aluminum fence in the backyard to secure the existing lawn. No trees will be removed.

- **Scope of Work (to be performed by fence contractor)**
  - Digging post holes
  - Setting posts in concrete
  - Welding pre-made/pre-painted panels to the posts
  - Removing any post hole materials (dirt/rock) from the area
  - Anticipated work timeline of one week
- **Fence Specifications**
  - Ornamental aluminum (color black)
  - 5' in height
  - 3 passage gates and 1 double-drive gate
  - Solid top and bottom (no pickets extending above top rail or below bottom rail)
  - To deter elopement of our daughter by crawling under, we plan for the bottom of the fence to be as close to the ground as possible e.g. 3-4 inches.
- **Mitigation Efforts**
  - To offset any environmental impact from our project, we plan to:
    - **Remove oriental bittersweet** (*Celastrus orbiculatus*) from affected trees
    - **Plant native shrubs** beyond the fence line: sweet pepperbush (*Clethra alnifolia*), low-bush blueberry (*Vaccinium angustifolium*)



Mock-up of fence design.



**Aerial Photograph**  
Notice of Intent - 111 Mossman Rd. Sudbury, MA

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## Site Photographs

Notice of Intent - 111 Mossman Rd. Sudbury, MA

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Northerly view of backyard (left), driveway (center), and house (right)



Southerly view of backyard (left), vegetation and tree line (right)



## Site Photographs

Notice of Intent - 111 Mossman Rd. Sudbury, MA

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Easterly view of backyard and house (left), vegetation and wetlands (right)



Easterly view of backyard and house (left), vegetation and tree line (right)



## Site Photographs

Notice of Intent - 111 Mossman Rd. Sudbury, MA

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Westerly view of backyard (right), vegetation and tree line (left)



Southerly view of wetlands and vegetation (left), backyard and house (right)