

**NOTICE OF PUBLIC HEARING  
SUDBURY CONSERVATION COMMISSION  
Monday, October 17, 2022 at 6:45 PM  
Virtual Meeting**

The Sudbury Conservation Commission will hold a public hearing to review the Notice of Intent filing to construct an addition to an existing single-family house within the 100-foot Buffer Zone and the 100-foot Adjacent Upland Resource Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw, at 5 Hunt Road, Sudbury, MA. Richard Albee, Applicant. The hearing will be held on Monday, October 17, 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-october-17-2022/>

SUDBURY CONSERVATION COMMISSION  
10/5/2022

## **Notice of Intent**

Under the Massachusetts Wetland Protection Act,  
M.G.L. c. 131, s. 40 &  
The Sudbury Wetlands Administration Bylaw  
Regulations

**for**

**5 Hunt Road  
Sudbury, MA 01776  
Map E09, Parcel 0129**

Applicant: Richard Albee  
5 Hunt Road  
Sudbury, MA 01776

Date: September 28, 2022

SM-3083

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  - Wetland Permitting Plan  
By Stamski and McNary, Inc., Dated: September 26, 2022

## **Narrative**



## **Project Narrative**

### **Project Description:**

The proposed project is to construct an addition to the existing single family house within the 100 foot buffer zone of Bordering Vegetated Wetland (BVW) and the 100 foot adjacent upland resource area of an intermittent stream under the Sudbury Wetlands Administration Bylaw Regulations.

### **Existing Conditions:**

The site consists of a 0.9182 acre residential lot with a 1 ½ story single family home with an associated driveway, impervious walkway, retaining walls, and a stockade fence. The vegetation consists of lawn and woods. Under the Sudbury Wetlands Administration Bylaw Regulations only, there is an intermittent stream and associated 100 foot adjacent upland resource area on-site.

### **Resource Area Descriptions:**

There is a Bordering Vegetated Wetland located along a large eastern portion of the lot. BVW was delineated by B&C Associates in August 2021. The resource areas, under the Local Bylaw only, include the 100 foot adjacent upland resource area (AURA) associated with an intermittent stream, upgradient of a wetland. The 100 foot AURA is located entirely within the 100 foot buffer zone of BVW.

### **Massachusetts Endangered Species Act Review:**

The site is not located in an area subject to MESA review.

### **Compliance with General Performance Standards for BVW 310 CMR 10.55:**

The General Performance Standards for a Bordering Vegetated Wetland have been met since the proposed activity does not involve removing, filling, dredging, or altering of a BVW or bank.

### **Compliance with Town of Sudbury Article XXII Wetlands Administration and Wetlands Administration Bylaw Regulations:**

The proposed activity is necessary to provide storage for the owner. Currently, because the owner's van cannot fit inside the existing garage, the van resides outdoors. This situation creates a negative impact to the resource areas by increasing the likelihood of erosion and sediment intrusion to the resource areas. The permanent disturbance of the addition is minimal. Roof runoff will be treated by a proposed drip edge located just outside the addition along the front diagonal and backside walls. A siltation barrier is proposed upgradient of all resource areas from which construction activities are in close proximity.

### **Summary:**

The project has been designed to meet the performance standards of the Town of Sudbury Article XXII Wetlands Administration and Wetlands Administration Bylaw Regulations. Erosion controls have been proposed to protect the resource areas during construction.

**WPA Form 3 (Notice of Intent)**



**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):

5 Hunt Road

a. Street Address

Sudbury

b. City/Town

01776

c. Zip Code

Latitude and Longitude:

42° 24' 06.3" N

d. Latitude

71° 24' 31.7" W

e. Longitude

Map E-09

f. Assessors Map/Plat Number

Parcel 0129

g. Parcel /Lot Number

2. Applicant:

Richard

a. First Name

Albee

b. Last Name

c. Organization

5 Hunt Road

d. Street Address

Sudbury

e. City/Town

MA

f. State

01776

g. Zip Code

978-443-3017

h. Phone Number

i. Fax Number

ducdoc@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):

Robert

a. First Name

Melvin

b. Last Name

Stamski and McNary, Inc.

c. Company

1000 Main Street

d. Street Address

Acton

e. City/Town

MA

f. State

01720

g. Zip Code

(978) 263-8585

h. Phone Number

(978) 263-9883

i. Fax Number

rjm@stamskiandmcnary.com

j. Email address

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

\$110 + \$25 (Bylaw Fee)

a. Total Fee Paid

\$42.50

b. State Fee Paid

\$67.50 + \$25 (Bylaw Fee)

c. City/Town Fee Paid



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**A. General Information (continued)**

6. General Project Description:

See Project Narrative attached.

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

- |   |   |
|---|---|
| 1. <input checked="" type="checkbox"/> Single Family Home             | 2. <input type="checkbox"/> Residential Subdivision       |
| 3. <input type="checkbox"/> Commercial/Industrial                     | 4. <input type="checkbox"/> Dock/Pier                     |
| 5. <input type="checkbox"/> Utilities                                 | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation                |
| 9. <input type="checkbox"/> Other                                     |   |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☐ Yes ☒ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Northern Middlesex

a. County

20726

c. Book

b. Certificate # (if registered land)

208

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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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 3. cubic yards dredged	2. square feet

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

<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. <input type="checkbox"/> 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. <input type="checkbox"/> Project Involves Stream Crossings		
a. number of new stream crossings _____	b. number of replacement stream crossings _____	



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**C. Other Applicable Standards and Requirements**

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

**Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review**

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to [http://maps.massgis.state.ma.us/PRI\\_EST\\_HAB/viewer.htm](http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm).

- a. ☐ Yes ☒ No **If yes, include proof of mailing or hand delivery of NOI to:**

**Natural Heritage and Endangered Species Program**  
**Division of Fisheries and Wildlife**  
**1 Rabbit Hill Road**  
**Westborough, MA 01581**

August 1, 2021

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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**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.

Wetland Permitting Plan

a. Plan Title

Stamski and McNary, Inc.

George Dimakarakos, P.E.

b. Prepared By

c. Signed and Stamped by

September 26, 2022

1"=20'

d. Final Revision Date

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:

6692

2. Municipal Check Number

9/22/2022

3. Check date

6691

4. State Check Number

9/22/2022

5. Check date

Richard S.

Albee

6. Payor name on check: First Name

7. Payor name on check: Last Name



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### **F. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

  
1. Signature of Applicant

9-22-22  
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.



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**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:

5 Hunt Road	Sudbury
a. Street Address	b. City/Town
6691	\$42.50
c. Check number	d. Fee amount

### 2. Applicant Mailing Address:

Richard	Albee	
a. First Name	b. Last Name	
c. Organization		
5 Hunt Road		
d. Mailing Address		
Sudbury	MA	01776
e. City/Town	f. State	g. Zip Code
978-443-3017	ducdoc@verizon.net	
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).



Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
1) a.Addition to SFH	1	\$110	\$110
Step 5/Total Project Fee:			\$110

Total Project Fee:	<u>\$110</u>
	a. Total Fee from Step 5
State share of filing Fee:	<u>\$42.50</u>
	b. 1/2 Total Fee <b>less</b> \$12.50
City/Town share of filling Fee:	\$67.50 + \$25 (Bylaw Fee)

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

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

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

**Certified Abutters List / Affidavit of Services / Notification to Abutters**

**Abutters List for Parcel# E09-0129, 5 Hunt Road., using a distance of 100 ft.:**

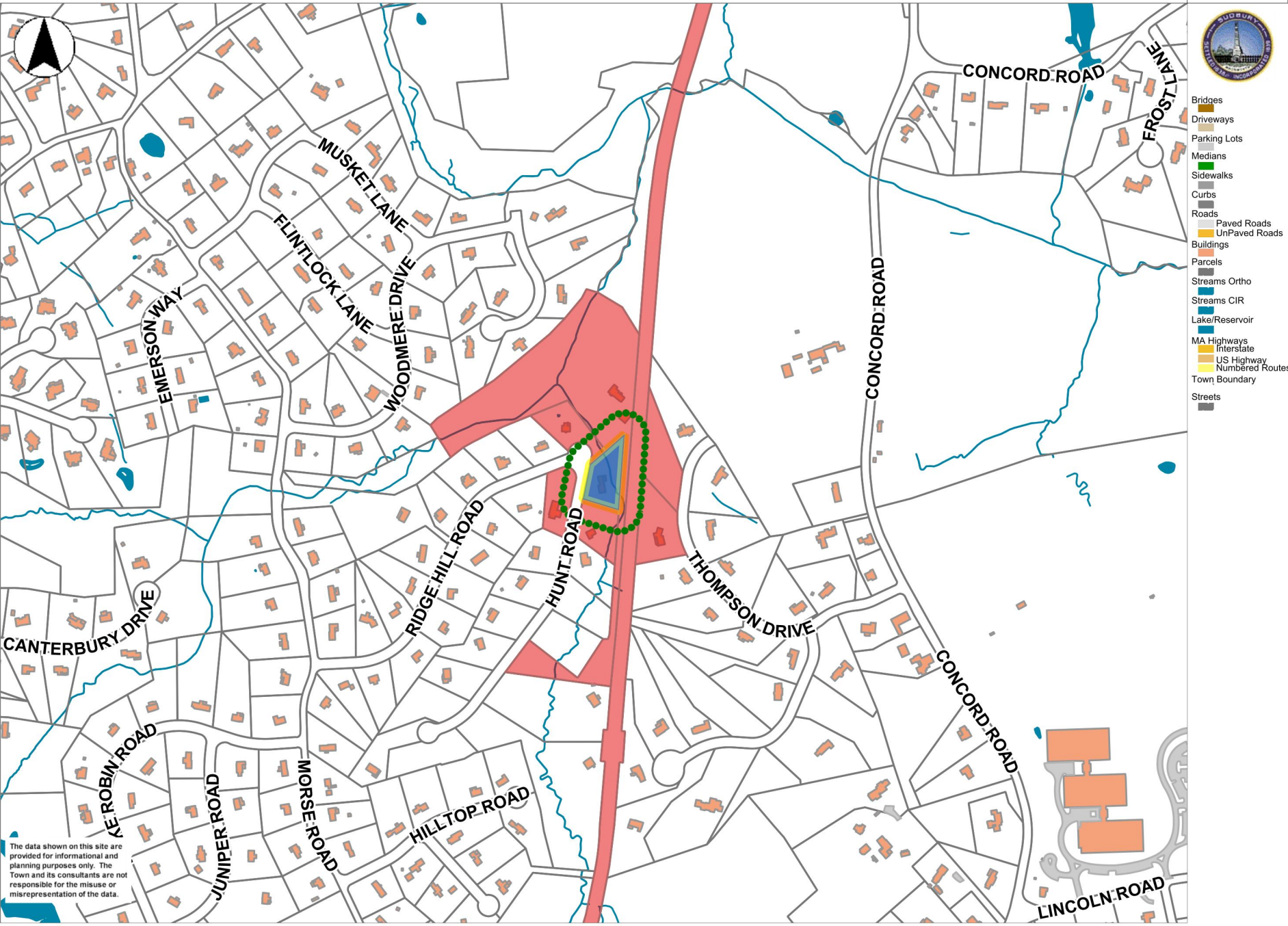
<b>Parcel</b>	<b>Parcel Location</b>	<b>Name &amp; Billing Address</b>
E09-0113	61 Ridge Hill Road	Bardjis Constantine S & Ostlund Peggy J 61 Ridge Hill Road Sudbury, MA 01776
E09-0128	11 Hunt Road	Schow Joan M 11 Hunt Road Sudbury, MA 01776
E09-0130	70 Ridge Hill Road	Mahany Dianne J & Sapienza Alice M 70 Ridge Hill Road Sudbury, MA 01776
E09-0508	Thompson Drive	Wallack Allan L & Nadine Donna Trustee Of The Wallack Family 67 Thompson Drive Sudbury, MA 01776
E09-0509	53 Thompson Drive	Bloom Jeffrey & Tiffany 53 Thompson Drive Sudbury, MA 01776
E09-5100	Railway	EOT Mass Bay Transportation 10 Park Plaza Boston, MA 02116
F09-0218	1 Hunt Road	Crary Miner A & Helen H Trustees The 1 Hunt Road 1 Hunt Road Sudbury, MA 01776

VERIFIED OWNERS:  
SEPTEMBER 14, 2022  
JOHN J. CRISH

TOWN OF SUDBURY  
BOARD OF ASSESSORS  
278 OLD SUDBURY ROAD  
SUDBURY, MA 01776

*[Handwritten signatures]*







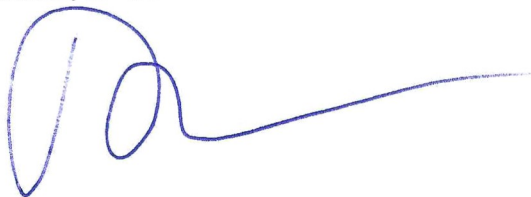
AFFIDAAFFIDAVIT OF SERVICES  
Under the Massachusetts Wetlands Protection Act  
(to be submitted to the Massachusetts Department of Environmental  
Protection and the Conservation Commission  
When filing a Notice of Intent)

I, Debbi Ann Sebastian, hereby certify under the pains and penalties of perjury that on 9/29/22 I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, in connection with the following matter:

A Waiver Request filed under the Massachusetts Wetlands Protection Act by Richard Albee with the Sudbury Conservation Commission on 9/29/22 for the property located at 5 Hunt Road, Sudbury, MA 01776; Map E09, Parcel 0129.

The form of notification, and a list of the abutters whom it was given and their addresses, are attached to this Affidavit of Service.

Name:



Date: 9/29/22

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

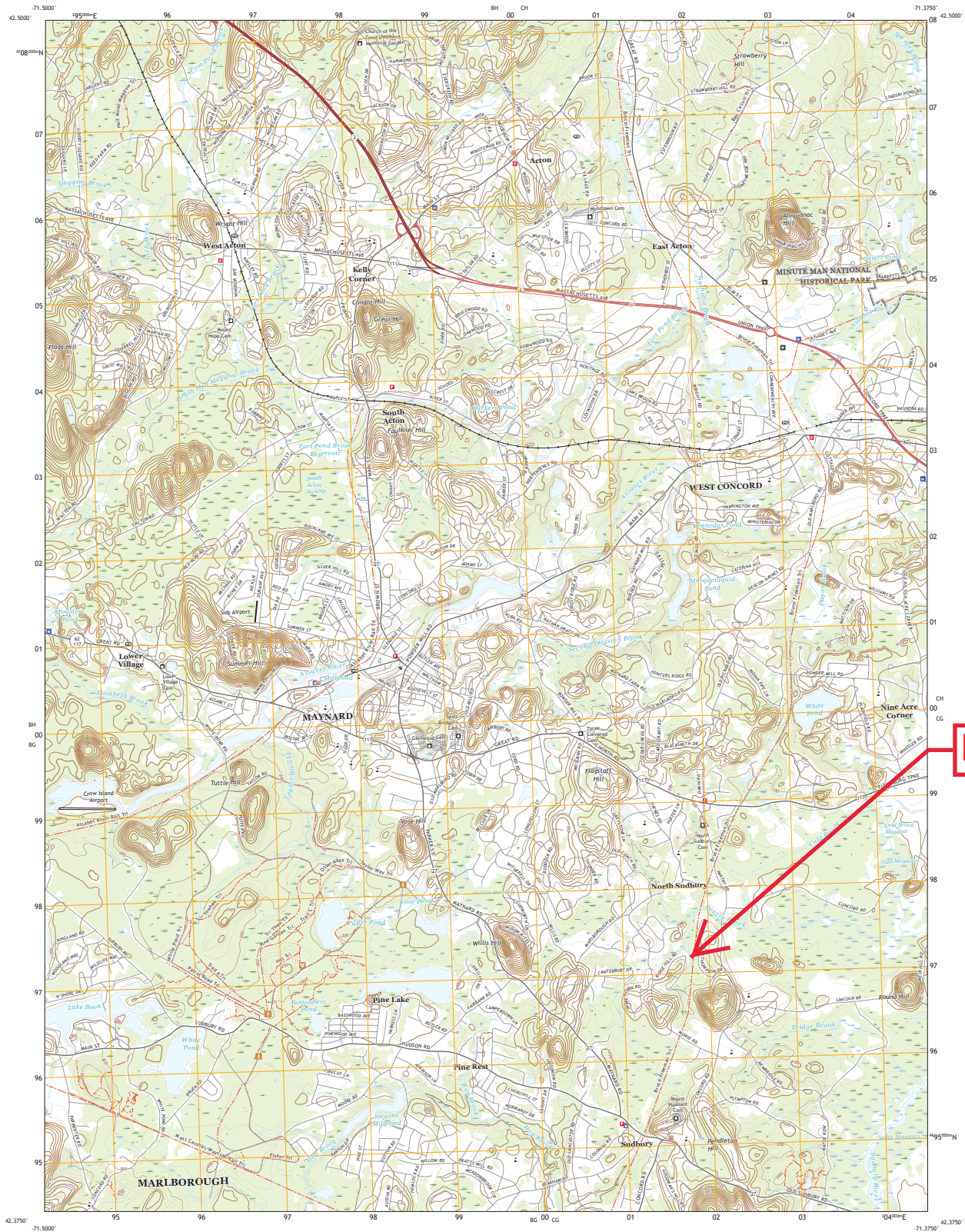
In accordance with the second paragraph of Massachusetts General Laws Chapter 131,  
Section 40, you are hereby notified of the following:

- A. The name of the **Applicant** is Richard Albee
- 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: 5 Hunt Road, Sudbury, MA 01776
- D. The **proposed activity** is: to construct an addition to the existing single family home within the 100 foot buffer zone of Bordering Vegetated Wetland and the 100 foot adjacent upland resource area of an intermittent stream.
- E. A **Public Hearing** regarding this Notice of Intent will be held on:  
**Monday, October 17 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 Stamski & McNary, Inc., by calling this telephone number: 978-263-8585 between the hours of 7:30 am - 4 pm

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

## **U.S.G.S. Locus Map**

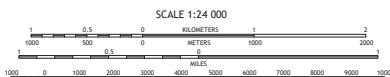
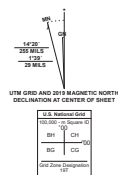




LOCUS

Produced by the United States Geological Survey  
North American Datum of 1983 (NAD83)  
World Geodetic System of 1984 (WGS84) Projection and  
1 000-meter grid/contour interval Transverse Mercator, Zone 18T  
This map is not a legal document. Boundaries may be  
generalized for this map scale. Private lands within government  
reservations may not be shown. Obtain permission before  
entering private lands.

Source	U.S. Census	U.S. Census	U.S. Census	U.S. Census	U.S. Census
Insular	July 2016	September 2016	September 2016	September 2016	September 2016
Hydrography	National	Hydrography Dataset, 2004	Hydrography Dataset, 2004	Hydrography Dataset, 2004	Hydrography Dataset, 2004
Centroids	Multiple sources	see metadata file 2016 - 2017	see metadata file 2016 - 2017	see metadata file 2016 - 2017	see metadata file 2016 - 2017
Wetlands	FWS	National Wetlands Inventory 1992 - 1995	National Wetlands Inventory 1992 - 1995	National Wetlands Inventory 1992 - 1995	National Wetlands Inventory 1992 - 1995



CONTOUR INTERVAL 10 FEET  
NORTH AMERICAN VERTICAL DATUM OF 1988  
This map was produced to conform with the  
National Geospatial Program US Topo Product Standard.



1	2	3
4	5	6
7	8	9

Adjacent Quadrangles



MAYNARD, MA  
2021



## **FEMA Flood Map**



# National Flood Hazard Layer FIRMette

71°24'51"W 42°24'19"N



Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
OTHER FEATURES		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

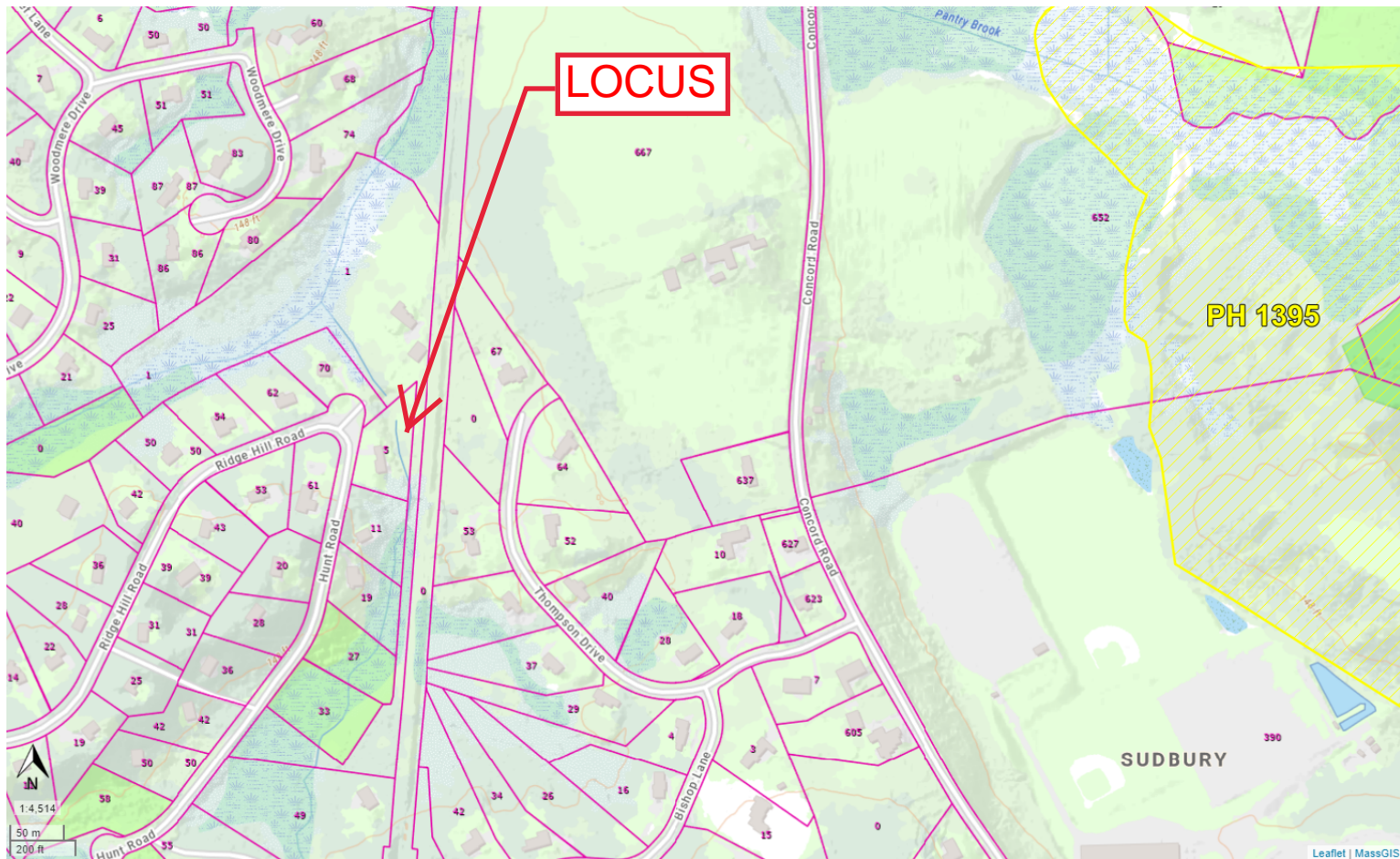
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 8/30/2022 at 8:22 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

**Massachusetts Natural Heritage Atlas**  
**15<sup>th</sup> Edition, Effective: August 1, 2021**







## **Field Data Forms**

# DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: \_\_\_\_\_ Prepared by: B & C Associates Inc. Project location: 5 Hunt Road, Sudbury DEP File #: \_\_\_\_\_

Check all that apply:

- ☐ Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only  
☒ Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II  
☐ Method other than dominance test used (attach additional information)

**Section I. Vegetation** Observation Plot Number: 1 Transect Number: A Date of Delineation: 8/26/2021

A. Sample Layer and Plant Species (by common/scientific name)			B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category *	
Herbaceous:	Upland Grasses	<i>Graminae sp.</i>	98.0	89%	Yes	UPL	
	Common Cinquefoil	<i>Potentilla simplex</i>	3.0	3%	No	FACU-	
	Barnyard Grass	<i>Phalaris arundinacea</i>	3.0	3%	No	FACU	
	Jewelweed	<i>Impatiens capensis</i>	3.0	3%	No	FACW	*
	Common Buttercup	<i>Ranunculus acris</i>	3.0/110.0	3%	No	FAC+	*
Shrubs:	Speckled Alder	<i>Alnus rugose</i>	38.0	78%	Yes	FACW+	*
	Silky Dogwood	<i>Cornus amomum</i>	10.5/48.5	22%	Yes	FACW	*
Saplings:	None						
Lianas:	Woodbine	<i>Parthenocissus quinquefolia</i>	3.0/3.0	100%	Yes	FACU	
Overstory:	Red Maple	<i>Acer rubrum</i>	388.2	83%	Yes	FAC	*
	Bigtooth Aspen	<i>Populus grandidentata</i>	78.2/466.4	17%	No	FACU-	

\* Use an asterisk 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 FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

## Vegetation conclusion:

Number of dominant wetland indicator plants: 3 Number of dominant non-wetland Indicator plant: 2

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? YES

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent. BC 2108-01 MA DEP;3/95

## Section II. Indicators of Hydrology Hydric Soil Interpretation

### 1. Soil Survey

Is there a published soil survey for this site? YES

title/date: Worcester County, southern part 6/09/2020

map number: 31

soil type mapped: Hinckley loamy sand

hydric soil inclusions:

Are field observations consistent with soil survey? YES

Remarks:

### 2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
A	0-8"	10 YR 3/3	
B	8-9"	10 YR 4/4	

Remarks: Refusal @ 9"

3. Other: 8' 8" to Wetland Flag # 4  
15' 5" to Wetland Flag # 5

Conclusion: Is soil hydric? NO

## Other Indicators of Hydrology: (check all that apply and describe)

- ☐ Site inundated: \_\_\_\_\_
- ☐ Depth to free water in observation hole: \_\_\_\_\_
- ☐ Depth to soil saturation in observation hole: \_\_\_\_\_
- ☐ Water marks: \_\_\_\_\_
- ☐ Drift lines: \_\_\_\_\_
- ☐ Sediment deposits: \_\_\_\_\_
- ☐ Drainage patterns in BVW: \_\_\_\_\_
- ☐ Oxidized rhizospheres: \_\_\_\_\_
- ☐ Water-stained leaves: \_\_\_\_\_
- ☐ Recorded data (stream. lake. or tidal gauge; aerial photo; other):  
\_\_\_\_\_
- ☐ Other: \_\_\_\_\_

## Vegetation and Hydrology Conclusion

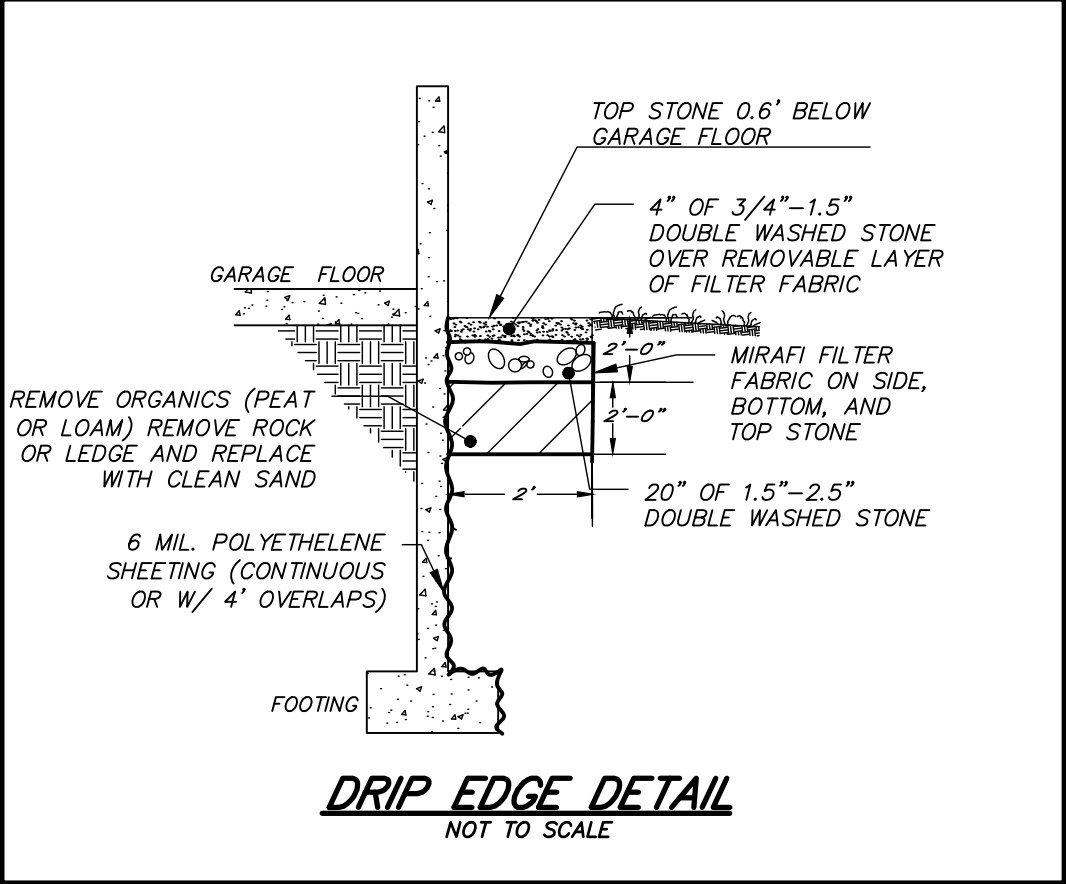
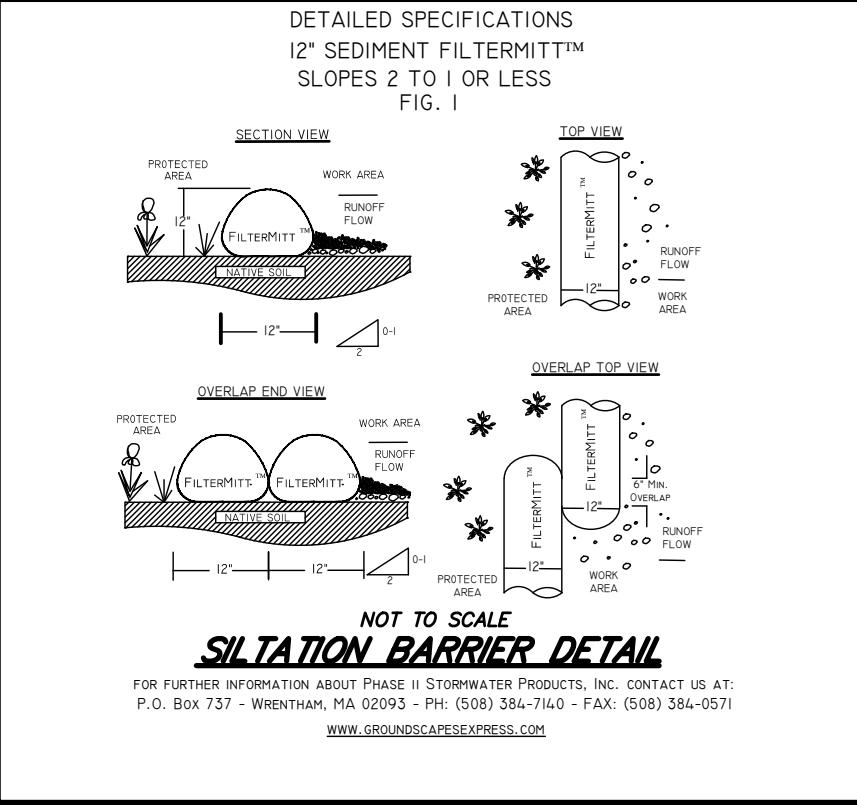
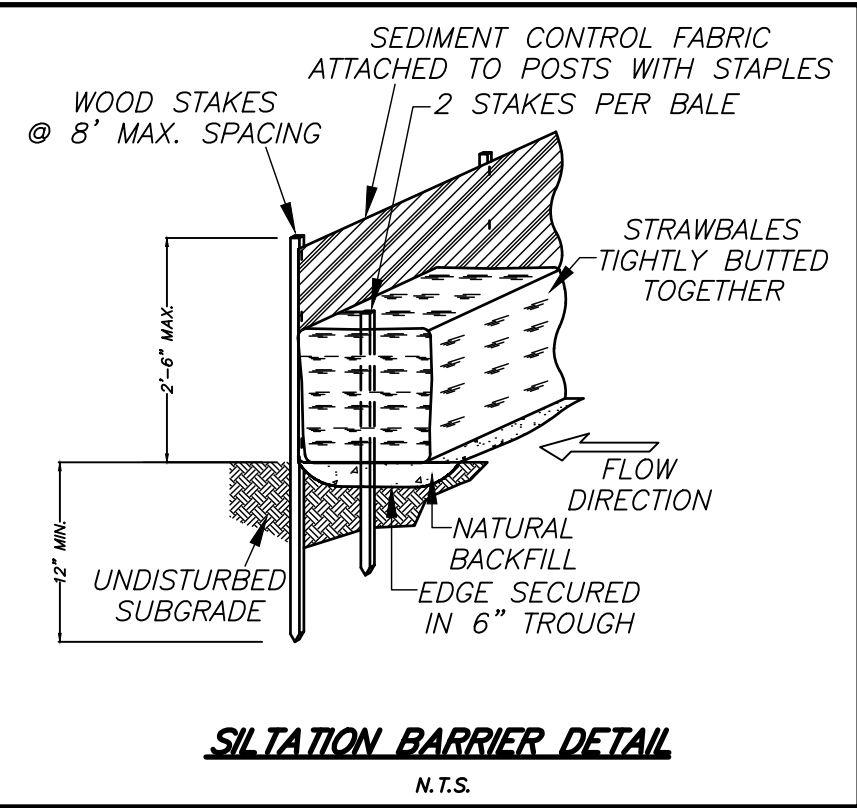
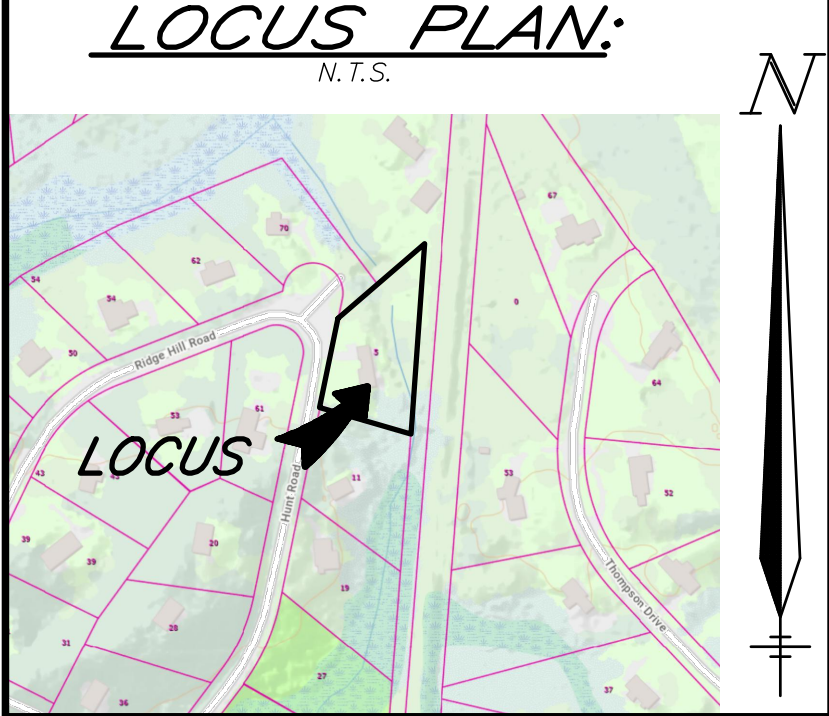
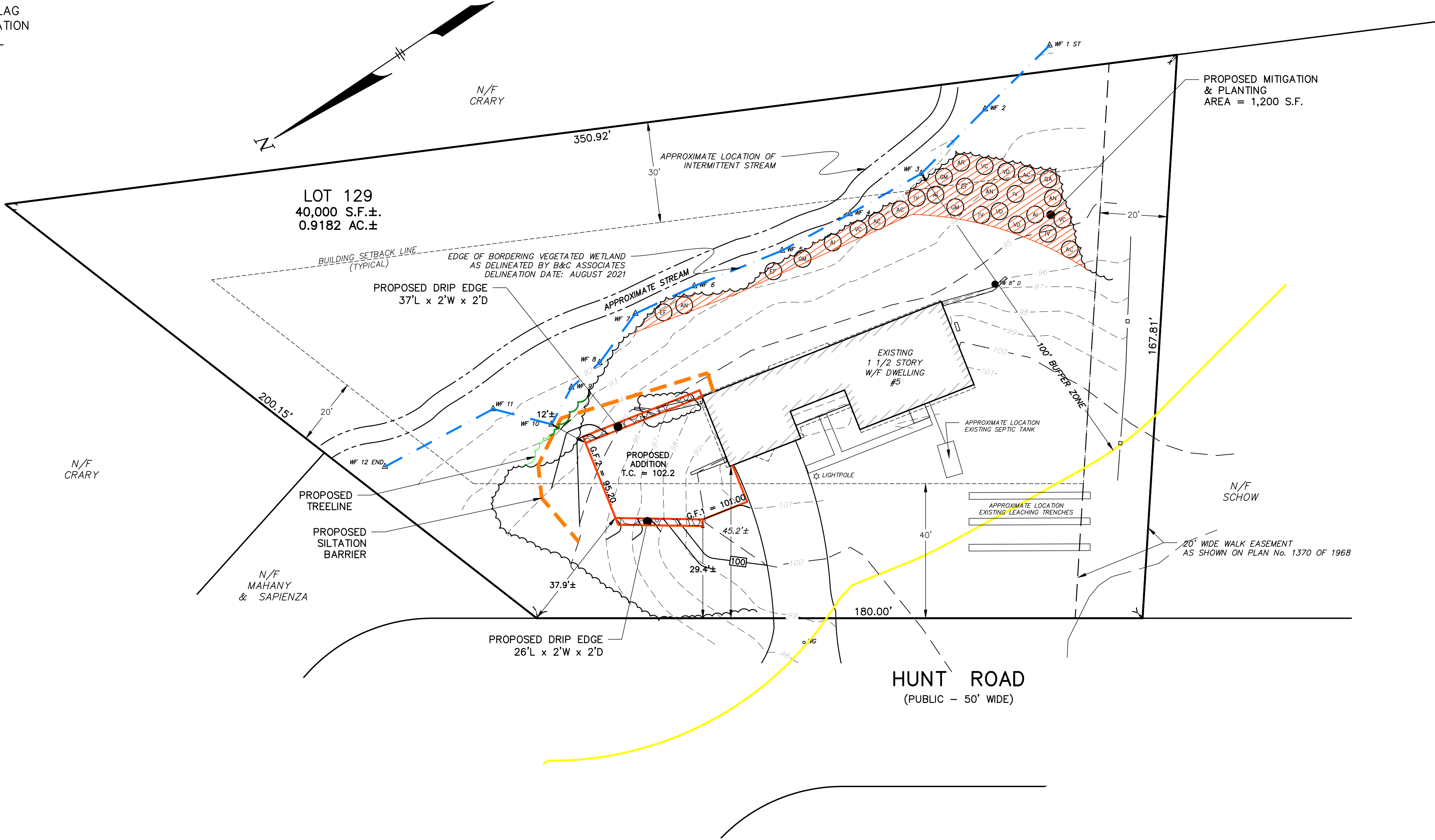
	Yes	No
Number of wetland indicator plants ≥ number of non-wetland indicator plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wetland hydrology present: hydric soil present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
other indicators of hydrology present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sample location is in a BVW	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Submit this form with the Request for Determination of Applicability or Notice of Intent

## **Wetland Permitting Plan**

PLANT LIST			
SYMBOL/BOTANICAL NAME	COMMON NAME	NO.	SIZE
●	EXISTING TREE TO REMAIN	AS LISTED IN PLAN VIEW	
AN	ACER RUBRUM	RED MAPLE	1 3-4' HT.
QA	QUERCUS ALBA	WHITE OAK	1 1-2" C.
IV	ILEX VERTICILLATA	WINTERBERRY	4 3-4' HT.
VB	VIBERNUM DENTATUM	ARROWWOOD	3 3-4' HT.
VC	VACONUM CORYMBOSUM	HIGHBUSH BLUEBERRY	3 3-4' HT.
AC	AQUILEGIA CANADENSIS	COLUMBINE	3 1 GALLON
AI	ASOLEPIAS INCARNATA	SWAMP MILKWEED	3 1 GALLON
GM	GERANIUM MACULATUM	WILD GERANIUM	3 1 GALLON
AN	ASTER NOVAE-ANGLIAE	NEW ENGLAND ASTER	3 1 GALLON
ET	EUPATORIUM FISTULOSUM	JOE-PYE WEED	3 1 GALLON

- LEGEND:**
- N/F NOW OR FORMERLY OVERHEAD WIRES
  - TREE
  - TREE LINE
  - UP UTILITY POLE
  - D SUB-SURFACE DRAIN LINE
  - EXISTING CONTOUR
  - EXISTING CONTOUR
  - △ WETLAND FLAG
  - 99X9 SPOT ELEVATION
  - STONE WALL



- NOTES:**
- ALL UNDERGROUND UTILITIES SHOWN HERE WERE COMPILED ACCORDING TO AVAILABLE RECORD PLANS FROM VARIOUS UTILITY COMPANIES AND PUBLIC AGENCIES AND ARE APPROXIMATE ONLY. ACTUAL LOCATIONS MUST BE DETERMINED IN THE FIELD BEFORE DESIGNING, EXCAVATING, BLASTING, INSTALLING, BACKFILLING, GRADING, PAVEMENT RESTORATION OR REPAIRING. ALL UTILITY COMPANIES, PUBLIC AND PRIVATE, MUST BE CONTACTED INCLUDING THOSE IN CONTROL OF UTILITIES NOT SHOWN ON THIS PLAN. SEE CHAPTER 370, ACTS OF 1963 MASS. WE ASSUME NO RESPONSIBILITY FOR DAMAGES INCURRED AS A RESULT OF UTILITIES OMITTED OR INACCURATELY SHOWN. BEFORE PLANNING FUTURE CONNECTIONS THE APPROPRIATE PUBLIC UTILITY ENGINEERING DEPARTMENT MUST BE CONSULTED. DIG SAFE TELEPHONE No. 1-888-344-7233.
  - PLANT SPECIES MAY BE SWAPPED WITH ANOTHER FROM SUDBURY'S NATIVE PLANT LIST, BUT MUST INCLUDE 2 TREES AND 10 SHRUBS.

**RECORD OWNER**

RICHARD S. ALBEE  
5 HUNT ROAD  
SUDBURY, MA

**REFERENCE**

MIDDLESEX REGISTRY OF DEEDS  
SOUTH DISTRICT  
DEED BOOK 20726 PAGE 208  
PLAN No. 1370 OF 1968

**ZONING DISTRICT**

RESIDENCE A-1

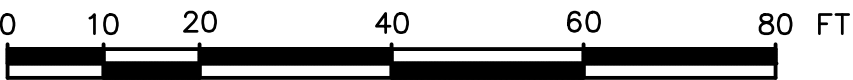
**DATUM**

ELEVATIONS SHOWN ON THIS PLAN REFER TO AN ASSUMED BASE.

WETLAND PERMITTING PLAN  
IN  
**SUDBURY, MASSACHUSETTS**  
(MIDDLESEX COUNTY)

FOR: ALBEE  
SCALE: 1"=20' SEPTEMBER 26, 2022

**STAMSKI AND McNARY, INC.**  
1000 MAIN STREET ACTON, MASSACHUSETTS  
ENGINEERING - PLANNING - SURVEYING



(3083.WPP.dwg) 5 HUNT ROAD SM-3083