



**NOTICE OF PUBLIC MEETING**  
**SUDBURY CONSERVATION COMMISSION**  
**Monday, January 23, 2023 at 6:45 PM**  
**Virtual Meeting**

The Sudbury Conservation Commission will hold a public meeting to review the Request for Determination of Applicability filing under the Wetlands Protection Act and the Sudbury Wetlands Administration Bylaw to construct a boardwalk within Bordering Vegetated Wetlands and 200-foot Riverfront Area in the Memorial Forest at 0 Dutton Road, in Sudbury, MA. Dylan Zickus, Applicant. The meeting will be held on Monday, January 23, 2023 at 6:45 pm, via Zoom.

Copies of the application may be reviewed on the Conservation Department web page at:

<https://sudbury.ma.us/conservationcommission/meeting/conservation-commission-meeting-monday-january-23-2023/>

Please contact the Conservation Office with any questions at 978-440-5470.

SUDBURY CONSERVATION COMMISSION  
1/11/2022



# 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:

Sudbury Valley Trustees Name dstimson@svtweb.org E-Mail Address

18 Wolbach Road Mailing Address

Sudbury City/Town MA State 01776 Zip Code

978-443-5588 ext 136 Phone Number \_\_\_\_\_ Fax Number (if applicable)

2. Representative (if any):

\_\_\_\_\_  
Firm

Dylan Zickus Contact Name kidzick@gmail.com E-Mail Address

47 Emer Rd Mailing Address

Marlborough City/Town MA State 01752 Zip Code

978-763-5786 Phone Number \_\_\_\_\_ Fax Number (if applicable)

## B. Determinations

1. I request the Conservation Commission 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:

Sudbury  
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):

<u>0 Dutton Road (Memorial Forest)</u> Street Address	<u>Sudbury</u> City/Town
<u>J03</u> Assessors Map/Plat Number	<u>0001</u> Parcel/Lot Number

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

See attached

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

<u>Bridge Design Over Creek</u> Title	<u>12/11/22</u> Date
<u></u> Title	<u></u> Date
<u></u> Title	<u></u> Date

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

See attached



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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).

See attached

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:

Sudbury Valley Trustees  
Name

18 Wolbach Road  
Mailing Address

Sudbury  
City/Town

MA 01776  
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

### Area Description C.1.b:

The location that my project will take place in is at the Desert Trail in SVT's Memorial Forest, on the gas pipeline, marked below. The area is a trail that crosses the pipeline to get from one side to the other. My project is just south of SVT's existing bridge over Cranberry Brook, I will be working on an intermittent stream that feeds Cranberry Brook at the gas pipeline. The crossing over the stream at my location has little to no water during the dry season and can get to around 1 foot deep during the wet season. The trail surrounding the crossing tends to get muddy and can be difficult to travel on, and this project will help minimize the damage to the surrounding vegetation. Near the site of my area there are also some invasive plants that need removal.

### Work Description C.2.a:

The work that needs to be done at the site is in two parts: clearing the invasive plants that are in the way of the new boardwalk along with tidying the surrounding trail, and building the boardwalk over the trail. The invasive plants would need to be cut down using hand saws and removed from the area. The trail work can then be done with rakes and loppers to make the trail a consistent width of 4', including over an area that is currently taken over by invasive buckthorn. The building of the boardwalk would consist of several parts: off-site, I would measure, mark, and cut the wood needed for the boardwalk, for easier assembly; I would transport the materials (lumber, concrete blocks, and the trail-clearing and assembling supplies) to the site using a vehicle access route to the north side of Cranberry Brook. Materials will need to be carried by hand or with carts over the bridge at Cranberry Brook to my project site. Once in place, I would lead my volunteers on how to assemble the boardwalk. The goal of this project is to provide a safe and accessible route for anyone that needs to cross over the pipeline without damaging the surrounding area.

### Work Provision C.2.b:

10.53(3)(j) The construction and maintenance of catwalks, footbridges, wharves, docks, piers, boathouses, boat shelters, duck blinds, skeet and trap shooting decks and observation decks; provided, however, that such structures are constructed on pilings or posts so as to permit the reasonably unobstructed flowage of water and adequate light to maintain vegetation.

