

Sudbury Conservation Commission
275 Old Lancaster Road
Sudbury, MA 01776

February 3, 2023

Re: Supplemental Info - Notice of Intent
DEP File #301-1383
150 Wayside Inn Road and 94 Prides Crossing Road, Sudbury MA
Parcel ID's (K02- 0309, K02-0310, K02-0311, K02-0002, K02-0003)

Dear Sudbury Conservation Commission:

Goddard Consulting, LLC (Goddard) is pleased to submit responses to the comments regarding the Notice of Intent (NOI) filed on behalf of Jon Delli Priscolli, for the property known as 150 Wayside Inn Road and 94 Prides Crossing Road, Sudbury (Parcel ID's K02- 0309, K02-0310, K02-0311, K02-0002, K02-0003).

The following documents are provided as attachments:

- *Planting and Invasive Species Management Plan*, prepared by Goddard Consulting LLC, dated 2/6/023
 - GIS Graphic: *Planting and Invasive Species Management Plan*, prepared by Goddard Consulting LLC, dated 2/1/2023
- Copy of Check for Filing Fee
- *Site Development Plan at #150 Wayside Inn Road and #94 Prides Crossing in Sudbury, Massachusetts*, prepared by Arthur F. Borden & Associates, Inc., dated 1/27/2023

The Sudbury Conservation Commission issued the following comments during their review of the NOI submittal. Goddard has provided responses **in bold** below each comment:

1. An additional \$500 is needed for the application fee. The second time that we submitted the legal notice, the fee was \$1.82 less than the funds you initially submitted so, please make an additional check out for \$498.18.

An additional \$498.18 check has been provided to the Commission. See the copy of check

2. Please provide information regarding what agricultural commodity is being produced off this land to meet the definition of agriculture under the WPA and the Bylaw.

WPA Definition of Agriculture (310 CMR 10.04)

Land in Agricultural Use means land within resource areas or the Buffer Zone presently and primarily used in producing or raising one or more of the following agricultural commodities for commercial purposes: 1. animals, including but not limited to livestock, poultry, and bees; 2. fruits, vegetables, berries, nuts, maple sap, and other foods for human consumption; 3. feed, seed, forage, tobacco, flowers, sod, nursery or greenhouse products, and ornamental plants or shrubs; and 4. forest products on land maintained in forest use, including but not limited to biomass, sawlogs, and cordwood, but not including the agricultural commodities described in 310 CMR 10.04:

Wetlands Bylaw 3.2 Expansion of Agricultural Lands

3.2 Expansion of Agricultural Lands Agriculture is one of the interests and values protected by the Sudbury Wetlands Administration Bylaw. Accordingly the Bylaw (Section 3) exempts certain work on lands already in agriculture from permitting as long as that work meets approved performance standards under the Bylaw. Expansion of agricultural activities onto lands not previously in agriculture and within the jurisdiction of the Commission does require a permit. In protecting agricultural values and interests under the Bylaw the Commission may require as one of its conditions for approval that the land be placed under a deed restriction for at least 10 years limiting use of that land to agriculture, especially if that land was previously in an undisturbed state.

The proposed agricultural commodities produced of this land are pumpkin and gourds. The proposed pumpkin and gourd patches will be located within the new buffer zone impact areas in the northern portion of the locus site along with temporary erosion control barriers (ECB) and fencing along the existing tree line. Annual tilling will take place on these crops. The applicant intends to use the horses on the property for horse and sleigh rides.

3. The wetlands bylaw identifies agriculture as a value provided by wetlands and its buffers, and recommends that any condition of expansion of agricultural lands include a requirement to place the land under a deed restriction for a minimum of 10 years, limiting the use of the land to agriculture, especially if that land was previously in an undisturbed state. Please provide information on how this land will be retained in agriculture to meet this provision.

Due to the small percentage of buffer zone impacts used for agricultural use, the applicant would request that a deed restriction not be required for the site. Out of the 317,040 sf of buffer zone within the project locus', 43,902 sf of buffer zone will be utilized for agricultural use. 43,902 sf is only +/- 14% of the total buffer zone on the project locus'. 8,152 sf of the buffer zone was previously disturbed.

4. The land was cleared but stumps remain in place. If this area is to be maintained as field, the applicant should provide clarification as to whether stumps and rocks are proposed to be removed and how the resource areas will be protected during this activity. The plan submitted under this Notice only shows existing conditions and quantifies unpermitted work but does not depict any work.

Stumps and rocks are to be removed within existing cleared areas to encourage the growth of grazing grasses and to create suitable land for pumpkin and gourd growth (near the C & D-series BVWs). Near the southern D-series BVW, rocks and stumps will be removed from cleared areas outside of the 50-foot Buffer and beyond. Near the B-series BVW, rocks and stumps will be removed from cleared areas, with the closest area being +/- 33 feet from the BVW. Near the B-series BVW, rocks and stumps will be removed from cleared areas, with the closest area being +/- 42 feet from the BVW.

To protect resource areas, erosion control barriers will be installed along the limit of clearing to protect downgradient resource areas from migrating sediment during the grubbing process. Infiltration trenches are proposed to manage stormwater on a long-term basis, ensuring long-term protection of the resource areas. ECB will be removed after all work is complete and once soils (outside of the pumpkin/gourd patch) have stabilized with grass.

A site plan showing proposed work has been provided with the submittal.

5. The clearing created a lot of edge environment. The NOI states that this is a benefit to create this type of habitat and that this is beneficial to the wildlife. This is true as long as the edge environment does not become encumbered by invasive plants. Invasives are present around the wetland near Wayside Inn Road. An invasive species monitoring/management plan should be provided as part of this NOI to ensure work does not result in any unanticipated negative impacts to resource areas.

A Planting/Invasive Species Management Plan has now been submitted in support of this NOI. The plan is prepared for the 0-50 foot buffer zone impact area located adjacent to the southern D series BVW. This plan will require removal of invasive species, installation of native plantings, and 2 years of monitoring. Stumps will remain in place. The goal of this plan is to create an area with at least 75% native plant species after the 2-year monitoring period. See the attached plan for details.

6. No Operations and Management Plan is provided regarding maintaining the area as pasture. The Agricultural Preservation Restriction at 94 Pride's Crossing requires that any mowing of fields be conducted after July 10th to accommodate ground nesting birds. July 31st would be a more appropriate date to protect ground nesting birds.

A "Proposed O & M Plan" is now noted on the revised site plan. The O&M Plan will require: (1) erosion control installation, (2) annual tilling of the pumpkin and gourd patch, and (3) mowing of the fields shall be conducted after July 31st to accommodate ground nesting birds.

7. The existing Order of Conditions (#301-1225) has expired and will need to be closed out. Cutting around the wetland located at Wayside Inn Road was in violation of this Order. This area has become encumbered by invasive plants. A restoration plan for this area should be included as part of this NOI.

The Applicant will file for a Request for Certificate of Compliance to close out the old OOC.

To restore this area, a Planting/Invasive Species Management Plan has been proposed and is attached to this submittal. This plan includes removal of invasive species, installation of native plantings, and monitoring of the disturbed 0-50 buffer zone adjacent to the southern D-series wetland for 2 years.

8. The Commission may want to schedule a site walk to view the site.

A site walk can be scheduled anytime to view the site.

Sincerely,
Goddard Consulting, LLC

Zoe Krouner
Wetland Scientist

February 6, 2023

Planting and Invasive Species Management Plan
DEP File # 301-1383

**Wayside Inn Road and Prides Crossing Road, Sudbury
MA**

PREPARED FOR:

Jon Delli Prisco

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I. PLANTING/ INVASIVE SPECIES MANAGEMENT AREA

References:

- GIS Graphic: *Planting and Invasive Species Management Plan*, prepared by Goddard Consulting LLC, dated 2/1/2023
- *Site Development Plan at #150 Wayside Inn Road and #94 Prides Crossing in Sudbury, Massachusetts*, prepared by Arthur F. Borden & Associates, Inc., dated 1/27/2023

A. EXISTING CONDITIONS:

The site is located in between Prides Crossing Rd. and Wayside Inn Rd (MA Parcel ID's K02-0309, K02-0310, K02-0311, K02-0002, K02-0003). Previously the land was forested with the exception of primary residences and associated lawns. About 317,040 SF of land has been cleared to create new agricultural land, including land in Buffer Zone / Adjacent Upland Resource Area. The land was previously forested with a dominance of red maples, white pines, red oaks, and black cherry. Now that the land has been cleared, stump sprouts have risen, and new pioneer tree/shrub and herbaceous species have grown; areas in the Buffer Zone / Adjacent Upland Resource Area have not been grubbed/cleared of tree stumps.

The proposed management area is located at the southern edge of the locus site, near Wayside Inn Road. Planting of native species and invasive species management is proposed within the downgradient edge of an existing erosion control barrier, providing management from 0-50 feet of the bordering vegetated wetland. The buffer zone was cleared to create new agricultural land and has been allowed to revegetate since the initial clearing. The bordering vegetated wetland consists of sedges, grapevine, creeping buttercup, and silky dogwood. The buffer zone consists of native species such as common privet, shagbark hickory (shrubs), white oak (shrubs), and native herbaceous species. Tree stumps were observed within buffer zone. Shagbark hickory and common privet are dominate in this 0-50 foot buffer zone. The western side of the buffer zone has dense revegetation with primarily native species; therefore, no plantings are proposed. The eastern side of the buffer zone is less densely vegetated with woody species, so trees and shrubs are proposed in this area. Invasive species throughout the management area consist of black locust, honeysuckle, oriental bittersweet, glossy buckthorn, and multiflora rose. Forsythia and periwinkle are also present within buffer zone. The area within the proposed erosion control barrier will be enhanced by removing invasive species and installing native plantings.



Photo 1. View of the bordering vegetated wetlands (facing south towards Wayside Inn Rd). The area has dense vegetation cover.



Photo 2. View of bordering vegetated wetlands and associated buffer zone facing east.



Photo 3. View of black locust trees located in buffer zone. Note the tree stumps.



Photo 4. Photo of western side of buffer zone (facing east). Note native willow tree and dense vegetation cover. No plantings proposed in this area, only invasive species management.



Photo 5. View of buffer zone (facing northeast). No plantings proposed in this area.



Photo 6. View of northern portion of buffer zone (facing east). Invasive management will take place within erosion control barrier.



Photo 7. View of northern portion buffer zone. Potential area for planting around cement well.



Photo 8. View of eastern portion of buffer zone (facing northwest). Trees and shrubs are proposed in this area.



Photo 9. View of eastern portion of buffer zone. Shagbark hickory saplings are less dense. Trees and shrubs are proposed in this area.



Photo 10. View of eastern portion of buffer zone (facing south towards Wayside Inn Rd). Shagbark hickory saplings are less dense. Trees and shrubs are proposed in this area.

B. INVASIVE SPECIES MANAGEMENT

Invasive Species Found within the buffer zone.

The buffer zone contains invasive plant species such as black locust, honeysuckle, oriental bittersweet, glossy buckthorn, and multiflora rose.

Methods of Invasive Species Management

Invasive species management will involve the manual removal and cut stem treatment of the invasive species. The methods chosen for this ISMP will attempt to achieve a long-term, low-maintenance invasive species management program by cultivating a stable native plant community. Invasive species management involves the manual removal of the majority of the invasive vegetation. Invasive plants that cannot be removed manually will require cut stem treatments. Stems should be cut approximately 2 feet above ground and then dabbed with glyphosate by a licensed herbicide applicator, all under the supervision of a wetland scientist.

C. GENERAL NATIVE PLANTING PROCEDURES

Timing: The installation of the plantings should be accomplished during the spring or fall growing seasons (between April 16 and May 31 or between September 16 and October 30).

Step 1: Planting

Plantings will be installed according to the plan. All plantings (reference the planting list from section D) shall be distributed randomly throughout the eastern portion of the buffer zone area within the erosion control barrier; shrubs spaced at 8-10' on center and trees spaced 10-15' feet on center. All plantings will be removed from burlap sacks, wire cages and plastic containers prior to planting. Each plant will have its roots loosened prior to planting to encourage root growth away from the planting bulb. Planting holes shall be dug 1.5 times larger than the diameter of the planting. Leaf litter or mulch shall be spread throughout area to stabilize disturbed soils.

D. PLANTING PLAN AND PLANTING LIST:

Native plantings are proposed to be installed such as black cherry, white oak, common privet, and highbush blueberry. The total area proposed for plantings is approximately 4,444 sf.

Proposed Plantings for Southern Enhancement Area

Common Name	Scientific Name	Number	Size
Shrubs/Trees (n=53)*			
Black cherry	<i>Clethra alnifolia</i>	8	2-3'
White oak	<i>Vaccinium corymbosum</i>	8	2-3'
Common privet	<i>Ligustrum vulgare</i>	19	2-3'
Highbush blueberry	<i>Vaccinium corymbosum</i>	18	2-3'

*Planting species may be substituted with Conservation Commission approval with similar native species with the same wetland indicator status if certain species are unavailable.

E. ISMP MONITORING

Seasonal monitoring reports shall be prepared for the Planting/Invasive Species Management area by a qualified wetland scientist for a period of two additional years after the initial invasive species removal effort. This monitoring program will consist of early summer and early fall inspections and will include photographs and details about the vitality of the ISMP Area. Monitoring reports shall describe, using narratives, plans, and color photographs, the physical characteristics of the ISMP Area with respect to presence of invasive species, soil stability, survival of native vegetation and plant mortality, aerial extent and distribution, species diversity and vertical stratification (i.e. herb, shrub and tree layers). Any invasive species will be documented if present, monitored and removed in a manner consistent with the methodology proposed in this document. The goal of this plan is to create an area with at least 75% native plant species after the two-year monitoring.

F. CONCLUSIONS

The western portion of the buffer zone has reestablished with a dense vegetation cover. Plantings are proposed in the eastern portion of the buffer zone to encourage a healthy canopy and shrub layer. The cut stem treatment and hand removal of invasives will help the native plants succeed. The proposed plantings will help naturalize some of the open areas within the buffer zone. All local, state and federal statutory interests and performance standards have been protected and will be met by the project, as described above.

Sincerely,
Goddard Consulting, LLC

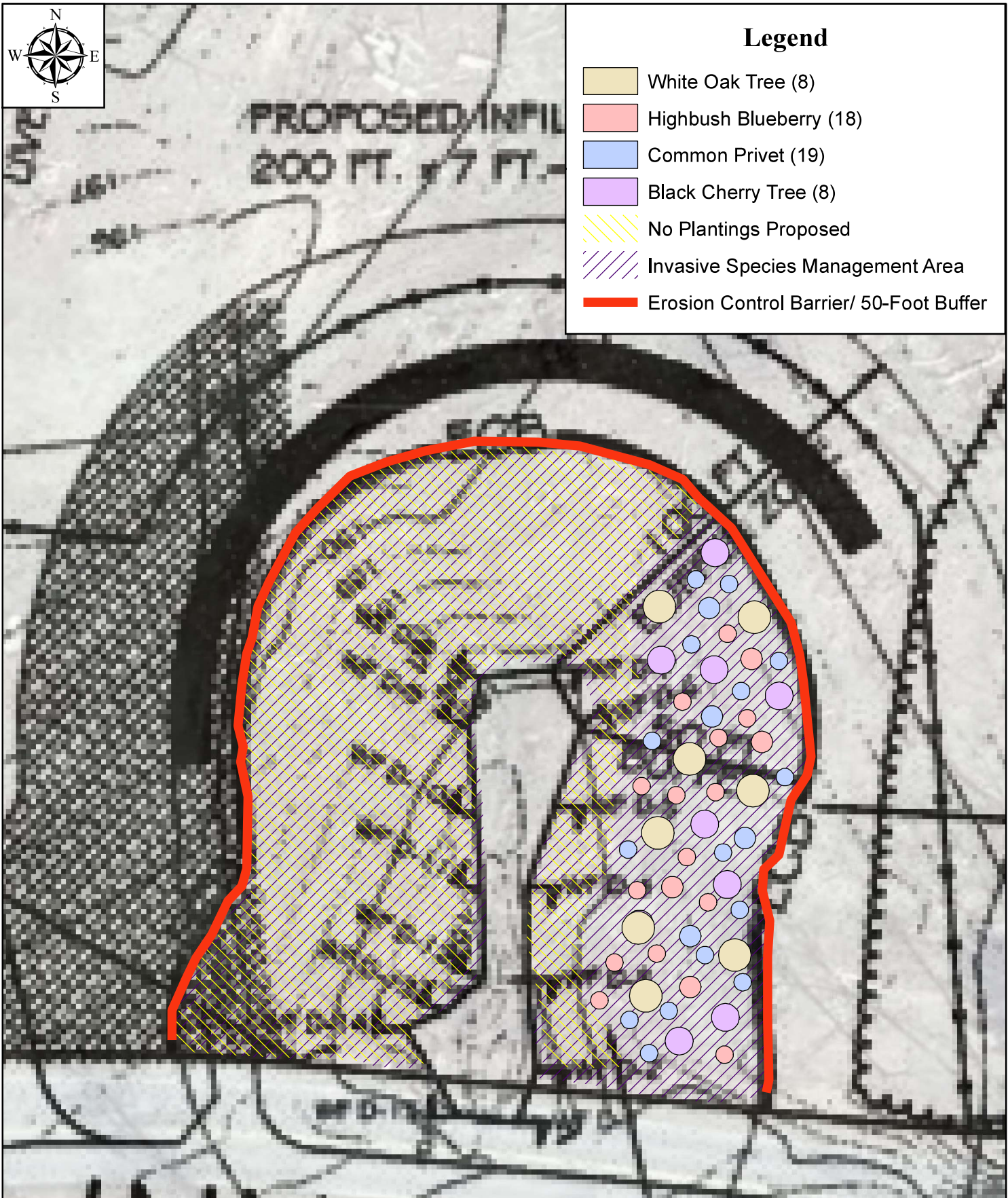
Zoe Krouner
Wetland Scientist



PROPOSED INFIL
200 FT. / 7 FT.

Legend

- White Oak Tree (8)
- Highbush Blueberry (18)
- Common Privet (19)
- Black Cherry Tree (8)
- No Plantings Proposed
- Invasive Species Management Area
- Erosion Control Barrier/ 50-Foot Buffer

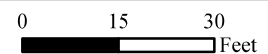


Date: 2/1/2023

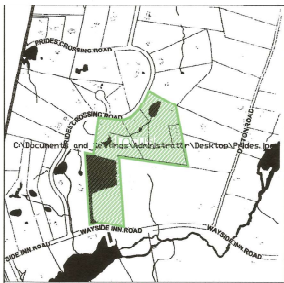
Planting and Invasive Species Management Plan



Wayside Inn Road - Sudbury, MA



1 in = 30 ft



LOCUS MAP
NT5



102-0308
N/F
MARY PATRICIA
HECKMAN

102-0300
N/F
MICHAEL & CAROL
SHAPANKA

K02-0309
N/F
250 LOCKE DR.
CORPORATION

102 0002
N/F
WAYSIDE INN

K02-0312
N/F
EUGENE
PFTTINF111

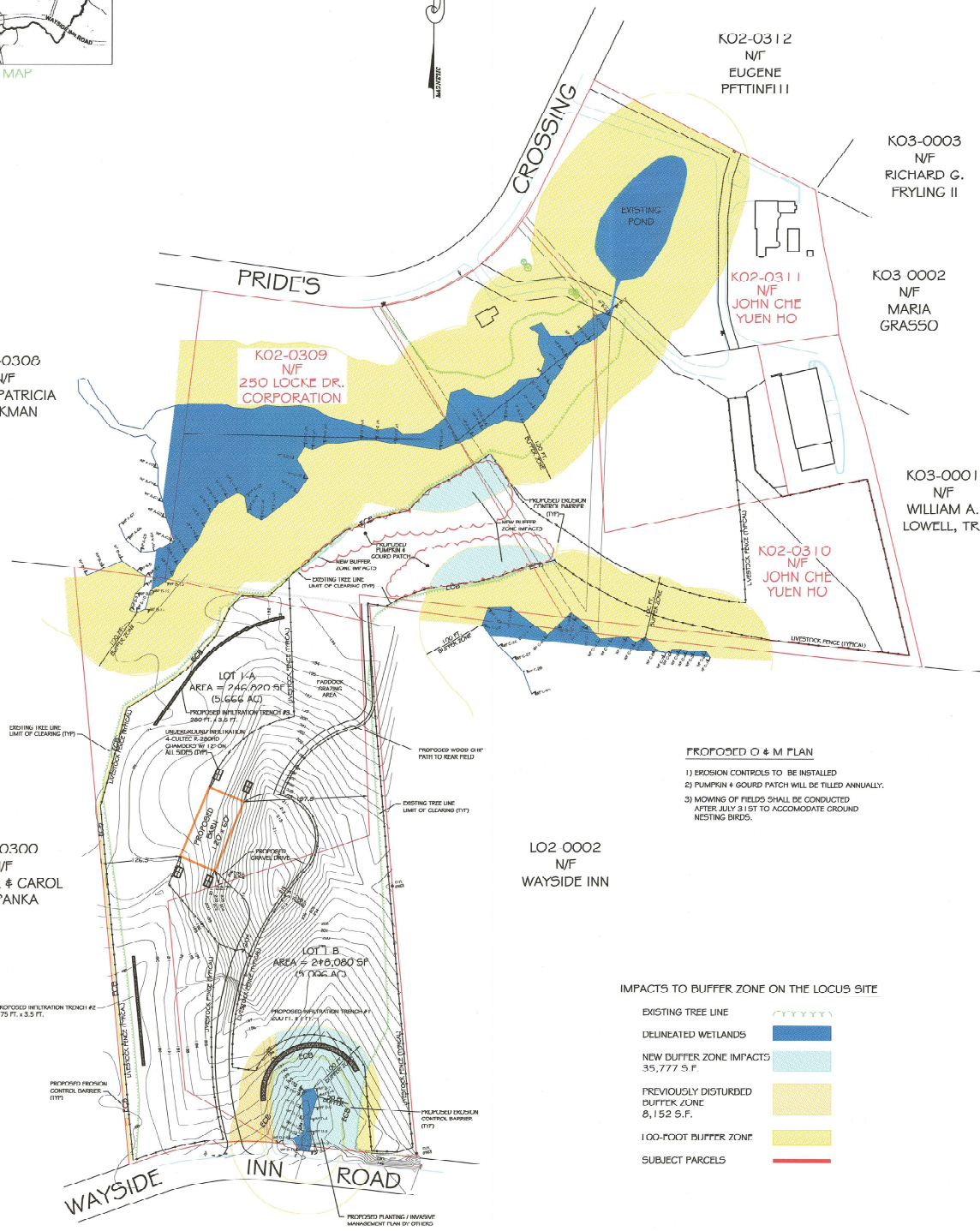
K03-0003
N/F
RICHARD G.
FRYLING II

K03 0002
N/F
MARIA
GRASSO

K03-0001
N/F
WILLIAM A.
LOWELL, TR.

K02-0311
N/F
JOHN CHE
YUEN HO

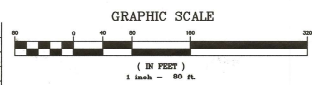
K02-0310
N/F
JOHN CHE
YUEN HO



IMPACTS TO BUFFER ZONE ON THE LOCUS SITE

- EXISTING TREE LINE
- DELINEATED WETLANDS
- NEW BUFFER ZONE IMPACTS 35,777 S.F.
- PREVIOUSLY DISTURBED BUFFER ZONE 8,152 S.F.
- 100-FOOT BUFFER ZONE
- SUBJECT PARCELS

- LEGEND**
- IRON PIPE OR ROD FOUND
 - GAS VALVE
 - WATER VALVE
 - FIRE HYDRANT
 - UTILITY POLE
 - LIGHT POLE
 - 200MM MANHOLE
 - DRAIN MANHOLE
 - 6"X12" SIGN
 - OUTPOST SIGN
 - POLE TEST
 - OBSERVATION HOLE
 - FENCE
 - SETBACK WALL
 - CURB
 - CONCRETE WALKS
 - UNDERGROUND ELECTRIC
 - TELEPHONE LINES
 - WASTE SERVICE
 - GAS SERVICE
 - SEWER SERVICE
 - STORM DRAIN
 - EXISTING LANDSCAPE
 - 100' BUFFER
 - 48"X12" SIGN
 - EROSION CONTROL BARRIER



"Site Development Plan"
150 WAYSIDE INN ROAD
AND
#94 PRIDES CROSSING
IN
SUDBURY, MASSACHUSETTS
PREPARED FOR
FIRST COLONY DEVELOPMENT
SCALE: 1" = 80' JANUARY 27, 2023

B Arthur F. Borden & Associates, Inc.
Professional Land Surveyors & Civil Engineers
302 Droadway, Unit 4 - Kaynham, Massachusetts 02167
(508) 880-3439 - WWW.AFBURVEY.COM D-1429

No.	DATE	APP'D.	REVISION

DFP FILE # N F 301-