

**NOTICE OF PUBLIC HEARING  
SUDBURY CONSERVATION COMMISSION  
Monday, June 5, 2023 at 7:00 PM  
Virtual Meeting**

The Sudbury Conservation Commission will hold a public hearing to review the Notice of Intent filing to replace the septic system and shed within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw, at 438 Concord Road, Sudbury, MA. Raffi & Silva Kotikian, Applicant. The hearing will be held on Monday, June 5, 2023 at 7:00 pm, via remote participation.

Please see the Conservation Commission web page for further information.

<https://sudbury.ma.us/conservationcommission/meeting/conservation-commission-meeting-monday-june-5-2023/>

SUDBURY CONSERVATION COMMISSION  
5/17/2023

## MATTHEW S. MARRO ENVIRONMENTAL CONSULTING

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Leominster, Ma  
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[www.marro-consulting.com](http://www.marro-consulting.com)

# A Notice of Intent 438 Concord Road Sudbury, MA 01776

**Environmental Analysis Submitted on Behalf of Raffi & Silva Kotikian**

Matthew S. Marro  
Environmental  
Consulting  
**(MSMEC)**  
45 Lisa Drive  
Leominster, MA  
01453  
[matt@marro-consulting.com](mailto:matt@marro-consulting.com)  
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May 2023

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## Introduction

### Summary

438 Concord Road is a single-family home sitting on a 0.50-acre lot. The project proposal is for the construction of a septic system and minor regrading within the 100-foot buffer zone. Analysis of the lot reveals some excavation and minimal grading to accommodate a leach field and components which are within the limits of the 100-foot buffer zone. Included in the scope of the proposed work is minor re-grading of the rear yard to level the yard. Work also includes the removal of the existing shed on the northerly corner with a replacement shed placed on the southerly corner. No work is proposed within the limits of a bordering vegetated wetland. There will be no trees to be removed in the buffer zone. This proposed scope of work within the buffer zone, necessitates the filing of a Notice of Intent.

### Specifics of the lot

The lot is a 0.50-acre lot consisting of approximately 45% of the lot being developed. The lot does not contain flood plain and does not contain certified vernal pools an area of Critical Environmental Concern nor rare species habitat. The system and components have been optimally sited to allow for compliance with Title V. The total disturbance is 250 square feet for the sewer and force main, 50 square feet for the tank and pump chamber ( the chamber will remain with only some of the components replaced ), and 700 square feet for the leach field for a total of 1000 square feet within the buffer zone. There will be minimal disturbance within the 50 foot buffer zone consisting of grading to accommodate the leveling of the lawn (currently lawn to be restored as lawn). Erosion protection will be placed to the immediate rear of the limit of grading labeled "elevation 94" to ensure no further intrusion into the 50 foot zone.

Grading proposed for the rear yard is for leveling purposes. Grading will change the 96 contours to a 98 contour. The 94 contours will be graded to 96. The total square footage of the rear yard is 2,445 square feet. The area will be maintained as lawn. Lawn is the existing condition. Total impact is as follows:

1. Rear Yard Grading : 2,445 Sq. Ft
2. Septic work in total: 1,000 Sq. Ft.

Total sitework impact is 3,445 Sq. Ft.

### Bordering Vegetated Wetland

The following outlines the mix of BVW vegetation that was noted on the site throughout the entirety of the delineated portion noted on the plan as WF 1 through WF 8:

Botanical Name	Common Name	Wetland Indicator Status <sup>i</sup>
<i>Onoclea sensibilis</i>	Sensitive Fern	FACW
<i>Osmundastrum cinnamomeum</i>	Cinnamon Fern	FACW
<i>Solidago altissima</i>	Canada Golden Rod	FACU
<i>Acer Rubrum</i>	Red Maple	FAC
<i>Symplocarpus foetidus</i>	Skunk Cabbage	OBL
<i>Quercus rubra</i>	Northern Red Oak	FACU
<i>Vaccinium corymbosum</i>	High Bush Blueberry	OBL
<i>Rosa Multiflora</i>	Multiflora Rose	FACU

#### Commencement of Construction Activities and Timelines:

All proposed construction is estimated to be completed through stabilization in a four-week maximum construction schedule. This schedule of course, may be adjusted due to weather related conditions.

### Proposed Construction Mitigation and Sequencing

The formal plan submitted with this Notice of Intent is entitled "438 Concord Rd. "by Innovative Septic Design dated 5.1.23, 1 inch = 20 feet scale.

The plan details outline a sequence of work as follows:

- Placement of erosion controls proposed in a manner to maximize protection to the resource area. Erosion Protection will be placed at the limit to the grading line elevation 94 within the 50 foot zone to ensure work does not traverse further into that zone or over the slope.
- Limited Vegetation (lawn area) removal in the area of the septic with components and lawn. Lawn area will be replanted.
- Excavate site for placement of tank, main and leach field.
- Re-grading of the rear yard outline on the accompanying plans.
- Restore disturbed lawn areas.
- Remove erosion controls once areas are stabilized.

Mitigation Measures:

The following mitigation measures are proposed and noted on the accompanying plans:

- Minimize newly disturbed areas to limit of work area.
- Maintain all structures and permanent work to ensure no further encroachment to the 50 foot zone.
- Erosion control installed prior to ground disturbance.
- Minimize construction duration to within four weeks as a maximum.

**Conclusion.**

With the considerations of a limited and minimized work area, optimally located and proposed mitigation for the protection of the resource areas, it is the opinion of MSMEC, the proposal protects the resource areas from alteration. It is noteworthy, the work is within a limited area of the lot and the remainder of the lot will remain in the same condition as pre development, a standard Order of Conditions, adopting the construction sequence and mitigation noted on the accompanying plans is, in our opinion, sufficient to protect the interests of the resource areas and we hope the commission will agree with this assertion and, respectfully on behalf of Raffi & Silva Kotikian, will approve a standard Order of Conditions.

Thank you for your consideration of this Notice of Intent.

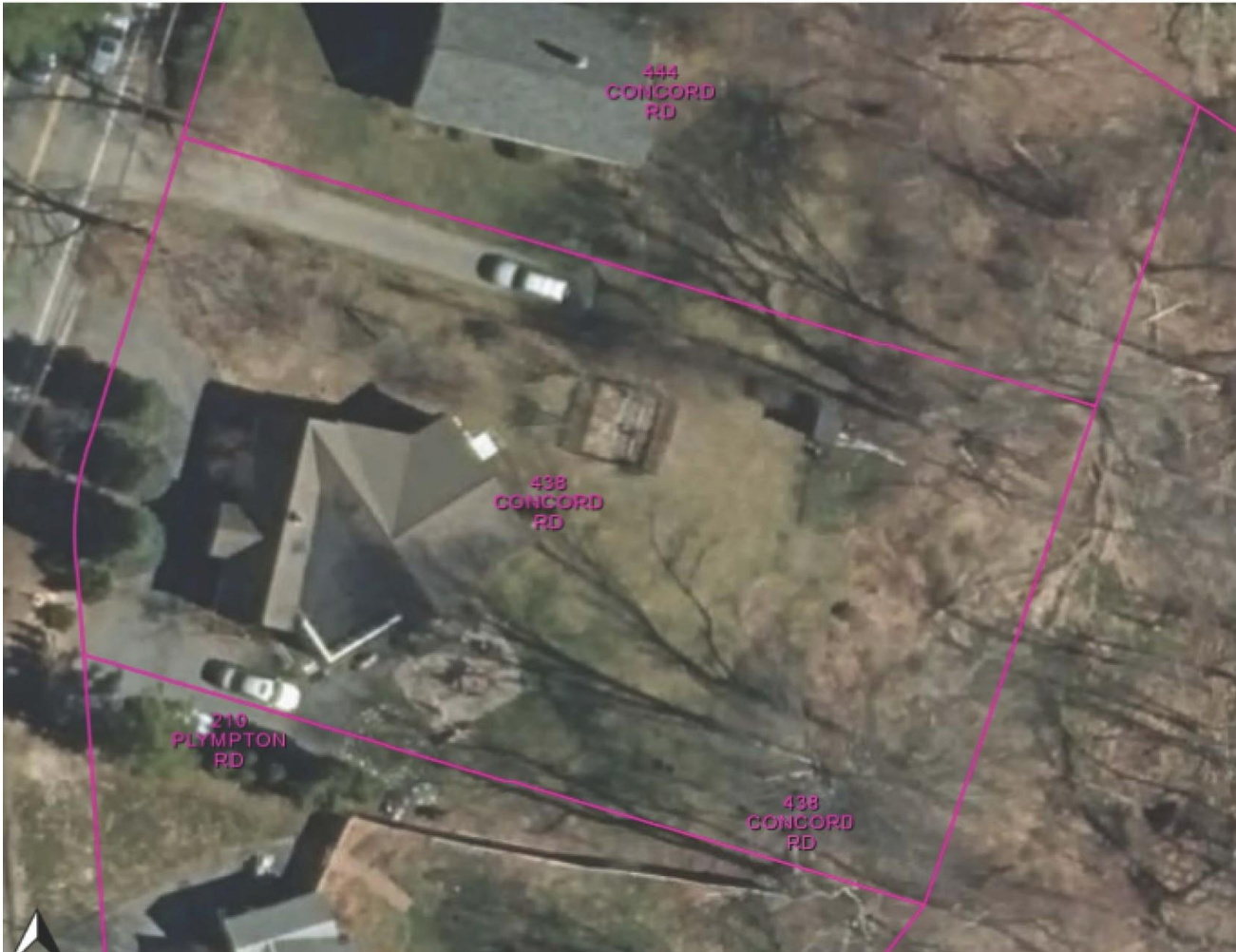
Respectfully Submitted,



Matthew S. Marro,  
Consulting Agent/Principal  
Cc: File  
Client file  
Mass DEP

EXHIBITS AND WPA FORM 3





Q3 Flood Zones (from Paper FIRMs, where NFHL Unavailable)

- 13 A
- 13 AE
- AE Floodway
- 13 AH 13 AO 13 D
- 13 VE
- E3 Area Not Included
- m X500

FEMA National Flood Hazard Layer Polygons

- A: 1% Annual Chance of Flooding, no BFE AE: 1% Annual Chance of Flooding, with BFE
- II AE: Regulatory Floodway
- AH: 1% Annual Chance of 1-3ft Ponding, with BFE
- AO: 1% Annual Chance of 1-3ft Sheet Flow Flooding, with BFE
- VE: High Risk Coastal Area
- : Possible But Undetermined Hazard
- X: 0.2% Annual Chance of Flooding
- X: 1% Drainage Area < 1 Sq. Mi.
- X: Reduced Flood Risk due to Levee
- D Area Not Included
- D Area with no FIRM - Paper FIRMs in Effect



Potential Vernal Pools

o

NHESP Priority Habitats of Rare Species

NHESP Natural Communities

□

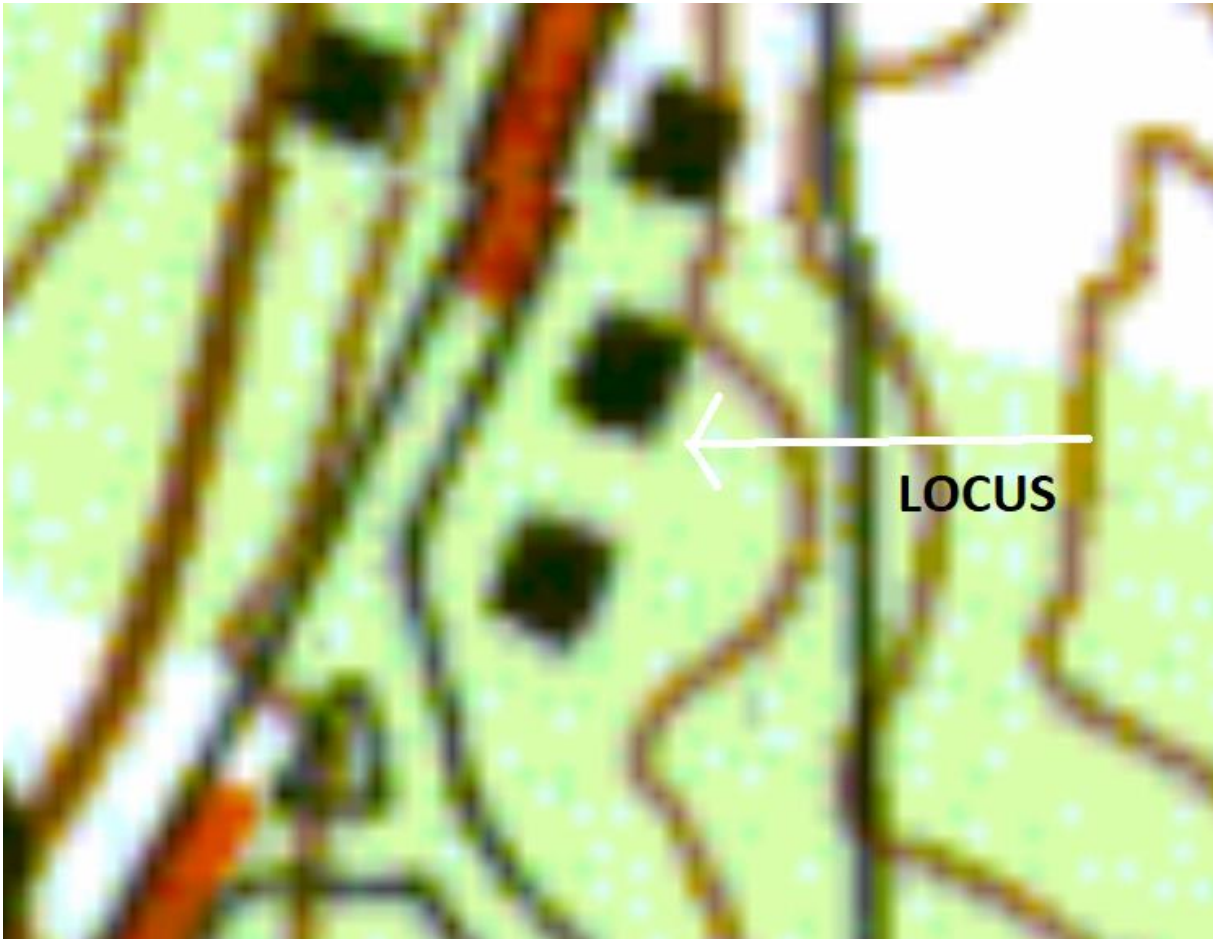
NHESP Estimated Habitats of Rare Wildlife

□

NHESP Certified Vernal Pools

\*

USGS MAP



### FEMA FIRMETTE





438 Concord Road



May 10, 2023

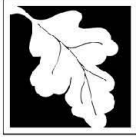
**Wetlands**

- |                                |                                   |          |
|--------------------------------|-----------------------------------|----------|
| Estuarine and Marine Deepwater | Freshwater Emergent Wetland       | Lake     |
| Estuarine and Marine Wetland   | Freshwater Forested/Shrub Wetland | Other    |
|                                | Freshwater Pond                   | Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)  
This page was produced by the NWI mapper

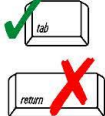
WPA FORM 3



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

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**

- Project Location (**Note:** electronic filers will click on button to locate project site):
 

438 Concord Road	Sudbury	01776
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	42.38914	71.40521
	d. Latitude	e. Longitude
G10	0006	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	
- Applicant:
 

Raffi &Silva	Kotikian	
a. First Name	b. Last Name	
c. Organization		
438 Concord Road		
d. Street Address		
Sudbury	MA	01776
e. City/Town	f. State	g. Zip Code
617-448-9499	raffi@kotikian.com	
h. Phone Number	i. Fax Number	j. Email Address
- 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
- Representative (if any):
 

Matthew S.	Marro	
a. First Name	b. Last Name	
Matthew S. Marro Environmental Consulting		
c. Company		
45 Lisa Drive		
d. Street Address		
Leominster	MA	01453
e. City/Town	f. State	g. Zip Code
978-314-7858	775-521-7083	matt@marro-consulting.com/irene@marro-consulting.com
h. Phone Number	i. Fax Number	
- Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):
 

110.00	42.50	67.50
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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**A. General Information (continued)**

6. General Project Description:

Refer to Narrative

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

- 1.  Single Family Home
- 2.  Residential Subdivision
- 3.  Commercial/Industrial
- 4.  Dock/Pier
- 5.  Utilities
- 6.  Coastal engineering Structure
- 7.  Agriculture (e.g., cranberries, forestry)
- 8.  Transportation
- 9.  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	
a. County	b. Certificate # (if registered land)
25338	451
c. Book	d. Page Number

**B. Buffer Zone & Resource Area Impacts (temporary & permanent)**

- 1.  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.
- 2.  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.  Riverfront Area

1. Name of Waterway (if available) - **specify coastal or inland** \_\_\_\_\_

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 _____	
i. <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**

May 2023 MassGIS

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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**Online Users:**  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

**C. Other Applicable Standards and Requirements (cont'd)**

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 [BWV] 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 BWV and other resource area boundary delineations (MassDEP BWV 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.

438 Concord Road	
a. Plan Title	
Innovative Spetic Design	Evan Carloni
b. Prepared By	c. Signed and Stamped by
5.1.2023	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:

2. Municipal Check Number	3. Check date
4. State Check Number	5. Check date
Matthew	Marro
6. Payor name on check: First Name	7. Payor name on check: Last Name



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

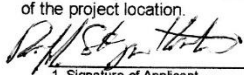
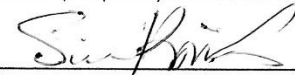
Sudbury

City/Town

**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.

		5/11/23
1. Signature of Applicant		2. Date
3. Signature of Property Owner (if different)		4. Date
		5.10.2023
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:**

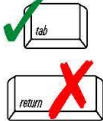
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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: 438 Concord Road, Sudbury, MA 01776, Fee amount 42.50
2. Applicant Mailing Address: Raffi & Silva, Kotikian, 438 Concord Road, Sudbury, MA 01776, raffi@kotikian.com
3. Property Owner (if different):

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).

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.
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.



**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

**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Cat 1 Septic replacement	1	110	110
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**Step 5/Total Project Fee:** \_\_\_\_\_

**Step 6/Fee Payments:**

Total Project Fee:	110.00
State share of filing Fee:	42.50
City/Town share of filing Fee:	67.50

a. Total Fee from Step 5  
 b. 1/2 Total Fee less \$12.50  
 c. 1/2 Total Fee plus \$12.50

**C. Submittal Requirements**

- 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.

Department of Environmental Protection  
 Box 4062  
 Boston, MA 02211

- 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.

**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



**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 Raffi and Silva Kotikian
- 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: 438 Concord Road
- D. The **proposed activity** is: Replacement of a subsurface Sewage Disposal System within the Buffer Zone  
& light grading in the rear yard
- E. A **Public Hearing** regarding this Notice of Intent will be held on:  
**Monday, June 5, 2023 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/84085992361
  - Meeting ID: 840 8599 2361
  - 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 irene@marro-consulting.com, by calling this telephone number: 978-314-7858 between the hours of 9 am to 3 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).

## Assessor Record

abutters_id_field	abutters_owner1	abutters_owner2	abutters_address	abutters_town	abutters_state	abutters_zip	abutters_bookpage	abutters_location
G10-0001	SAINT ELIZABETH'S CHURCH		1 MORSE RD	SUDBURY	MA	01776	15372-324	435 CONCORD RD
G10-0002	ST ELIZABETHS CHURCH OF	SUDBURY	1 MORSE RD	SUDBURY	MA	01776	10776-289	1 MORSE RD
G10-0005	RUTLEDGE NADINE G &	BENSEL CAROLYN K	444 CONCORD RD	SUDBURY	MA	01776	28457-529	444 CONCORD RD
G10-0006	KOTIKIAN RAFFI STEPAN & SILVA		438 CONCORD RD	SUDBURY	MA	01776	25338-451	438 CONCORD RD
G10-0007	WENNIK KELLY F		210 PLYMPTON RD	SUDBURY	MA	01776	69875-215	210 PLYMPTON RD
G10-0300	SUSSMAN MATTHEW S & JAMIE M		452 CONCORD RD	SUDBURY	MA	01776	62927-512	452 CONCORD RD
G10-0302	MASSIMO RYAN & LAUREN		460 CONCORD RD	SUDBURY	MA	01776	74107-233	460 CONCORD RD
G10-0400	SUDBURY VALLEY TRUSTEES INC		18 WOLBACH RD	SUDBURY	MA	01776	14500-230	PLYMPTON RD
G09-0501	KATZ STEVEN S TRS	MIDDLESEX AND PLYMOUTH TRUST	71 MAPLE ST	MANSFIELD	MA	02048	49033-144	16 WHITEHALL CIR

*Gynthe Henry*  
5/12/2023

SITE PLAN OF 438 Concord Road  
(reduced version for reference purposes –  
please consult full version for more specific  
details)

**Location Map No. Scale:**

**So. Data**

1	2	3	4
5	6	7	8
9	10	11	12

**Parcel Data**

1	2	3	4
5	6	7	8
9	10	11	12

**Remote Venting**

**Site Plan**

**Specifications:**

- 1.0** All work shall be in accordance with the Massachusetts State Building Code, 806 CMR, and all applicable regulations of the Town of Concord.
- 1.1** All work shall be in accordance with the Massachusetts State Building Code, 806 CMR, and all applicable regulations of the Town of Concord.
- 1.2** All work shall be in accordance with the Massachusetts State Building Code, 806 CMR, and all applicable regulations of the Town of Concord.

**Notes:**

1. All work shall be in accordance with the Massachusetts State Building Code, 806 CMR, and all applicable regulations of the Town of Concord.
2. All work shall be in accordance with the Massachusetts State Building Code, 806 CMR, and all applicable regulations of the Town of Concord.
3. All work shall be in accordance with the Massachusetts State Building Code, 806 CMR, and all applicable regulations of the Town of Concord.

**Legend:**

- Proposed
- Existing
- Setback
- Property Line
- Water
- Wetland
- Shrubland
- Forest
- Open Space
- Other

**Scale:** 1" = 10'

**North Arrow:** [Symbol]

**Site Data:**

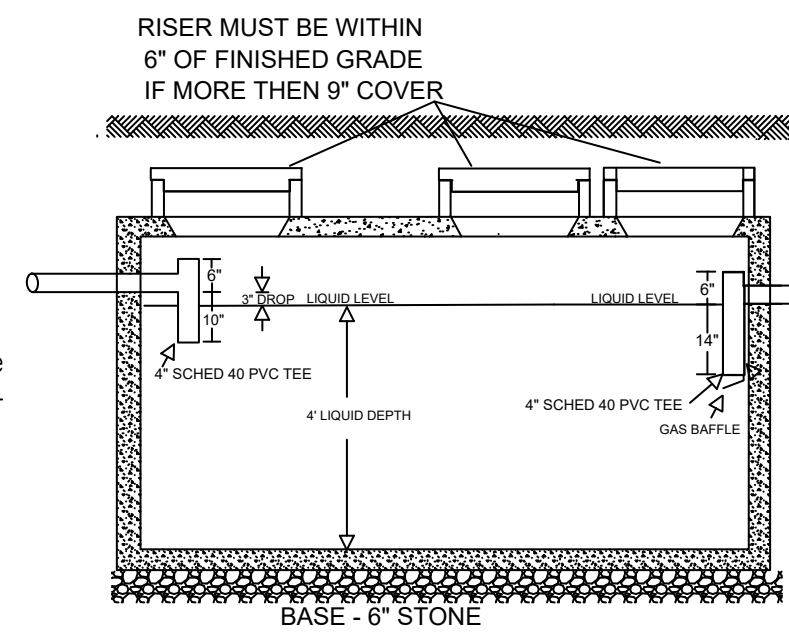
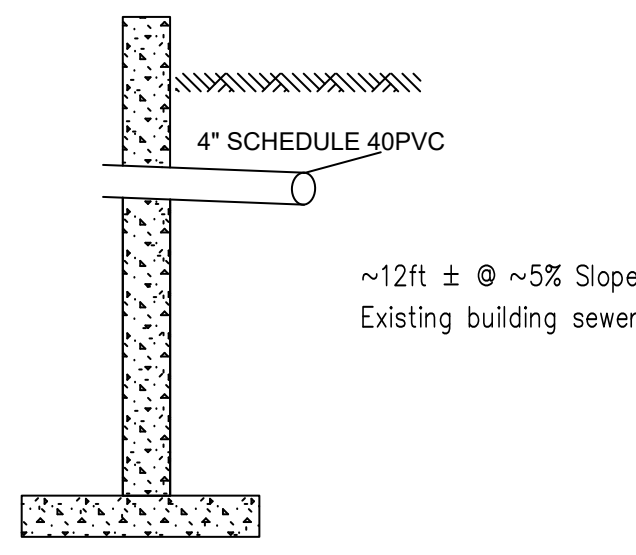
Area	Volume	Capacity
1000 sq ft	1000 gal	1000 gal
2000 sq ft	2000 gal	2000 gal
3000 sq ft	3000 gal	3000 gal

**Notes:**

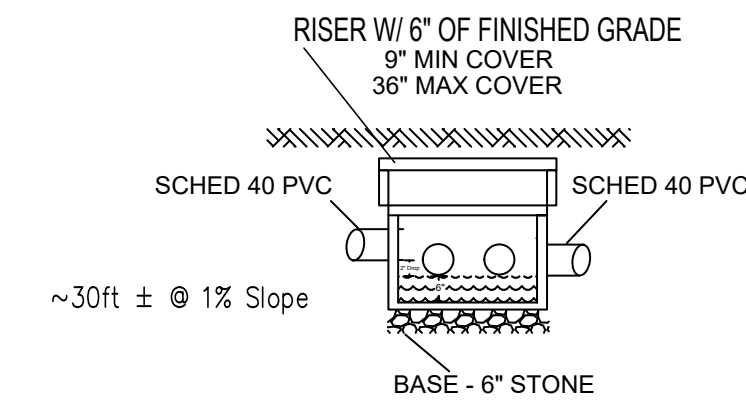
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i OBL= Obligate. Fac= Facultative. UP = Upland  
 Notation: FACW = Facultative wetland species

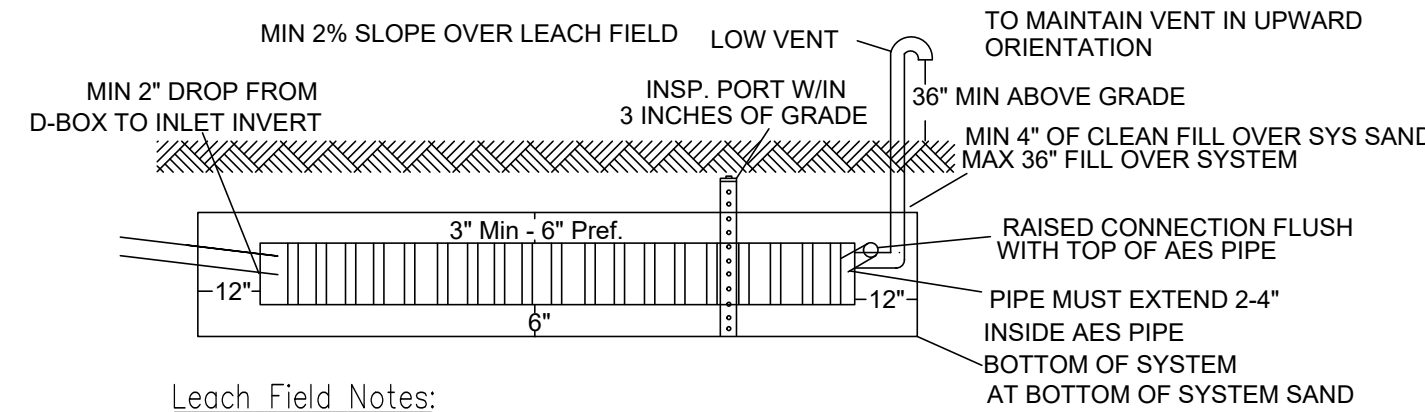
Profile (not to scale):



Septic tank: Existing 1500 gallon tank  
Inspect for structural integrity



Distribution (Dbox) Box Notes:  
1. Dbox must have a water tight cover.

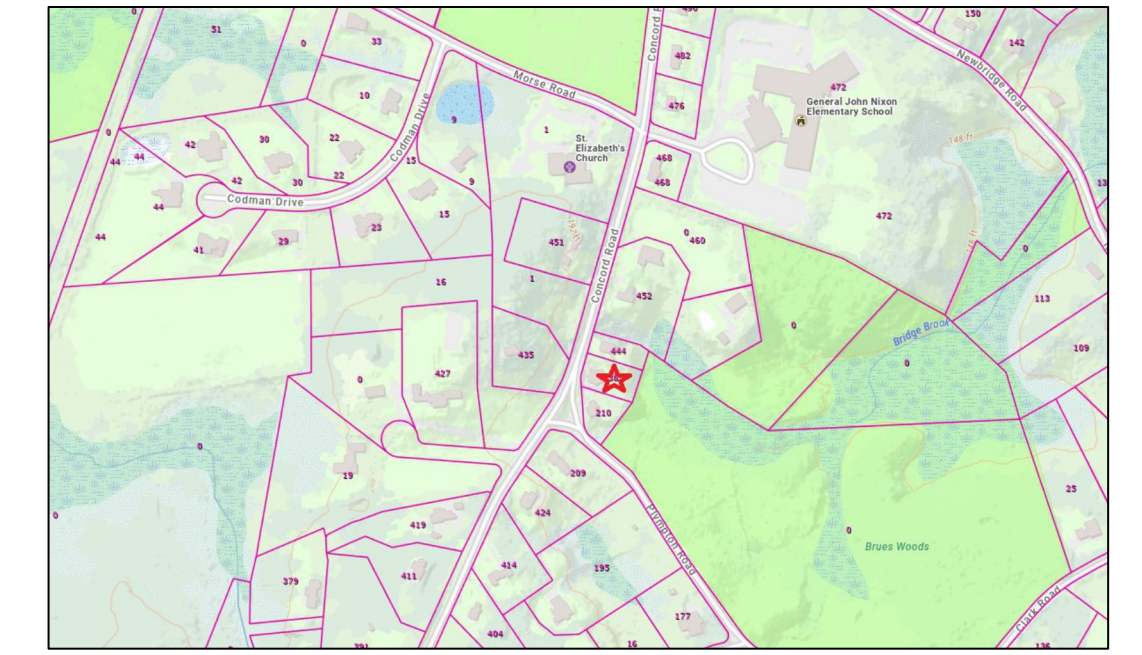


Leach Field Notes:  
1. Fill shall be free of clay, tailings or stones larger than 6"  
2. Trees should be removed if the roots could reach the leach field, or an impervious barrier should be placed in between field and tree.

1. System sand - 35% or less of the total sand may be gravel. 40% to 90% of the total sand is to be coarse to very coarse sand. No gravel shall exceed 3/4" in diameter. No gravel shall pass a #10 sieve. No coarse sand shall pass a #35 sieve. No more than 2% of the total sand may pass through a #200 sieve. ASTM C-33 (Concrete sand) is an alternate acceptable materials for use as system sand.  
2. Title 5 surrounding sand - Shall meet requirements of 310 CMR 15.255(3). Sand shall be comprised of clean granular sand, free from organic matter and deleterious substances and shall not contain Remediation Waste. Fill shall not contain any material larger than 2 inches. Up to 45% by weight of fill material may be retained on the #4 sieve. Sieve analysis must comply with the following chart:

SIEVE SIZE	EFFECTIVE PARTICLE SIZE	% THAT MUST PASS SIEVE
# 4	4.75 mm	100%
# 50	0.30 mm	10% - 100%
#100	0.15 mm	0% - 20%
#200	0.075 mm	0% - 5%

Location Map No Scale:



Soil Data

DTH-1	DTH-2	DTH-3
0" (96.75)	0" (96.80)	0" (97.50)
46" (92.92)	34" (93.97)	16" (96.00)
56" (92.08)	42" (93.30)	24" (95.50)
114" (87.25)	100" (88.47)	104" (88.83)
EHGW @ 80" (90.08) Weep/Stand @ 84"	EHGW @ 78" (90.30) Weep/Stand @ 96"	EHGW @ 64" (92.17) Weep/Stand @ 92"
Fill	Fill	Fill
B-LS-10YR5/6	B-LS-10YR5/6	B-LS-10YR5/6
C-Fine LS-2.5Y6/2	C-Fine LS-2.5Y6/2	C-Fine LS-2.5Y6/2

Percolation Tests

Depth	PT-A
56"	11 mpi

I certify that I am currently approved by the Department of Environmental Protection pursuant to 310 CMR 15.017 to conduct soil evaluations and that the above analysis has been performed by me consistent with the required training, expertise and experience described in 310 CMR 15.017. I further certify that the results of my soil evaluation are accurate and in accordance with 310 CMR 15.100 through 15.107.

Date of soil evaluation: 3/22/2023  
Soil Evaluator: Evan Carloni (SE#13784)  
Approving Authority Witness: Rob Lozo

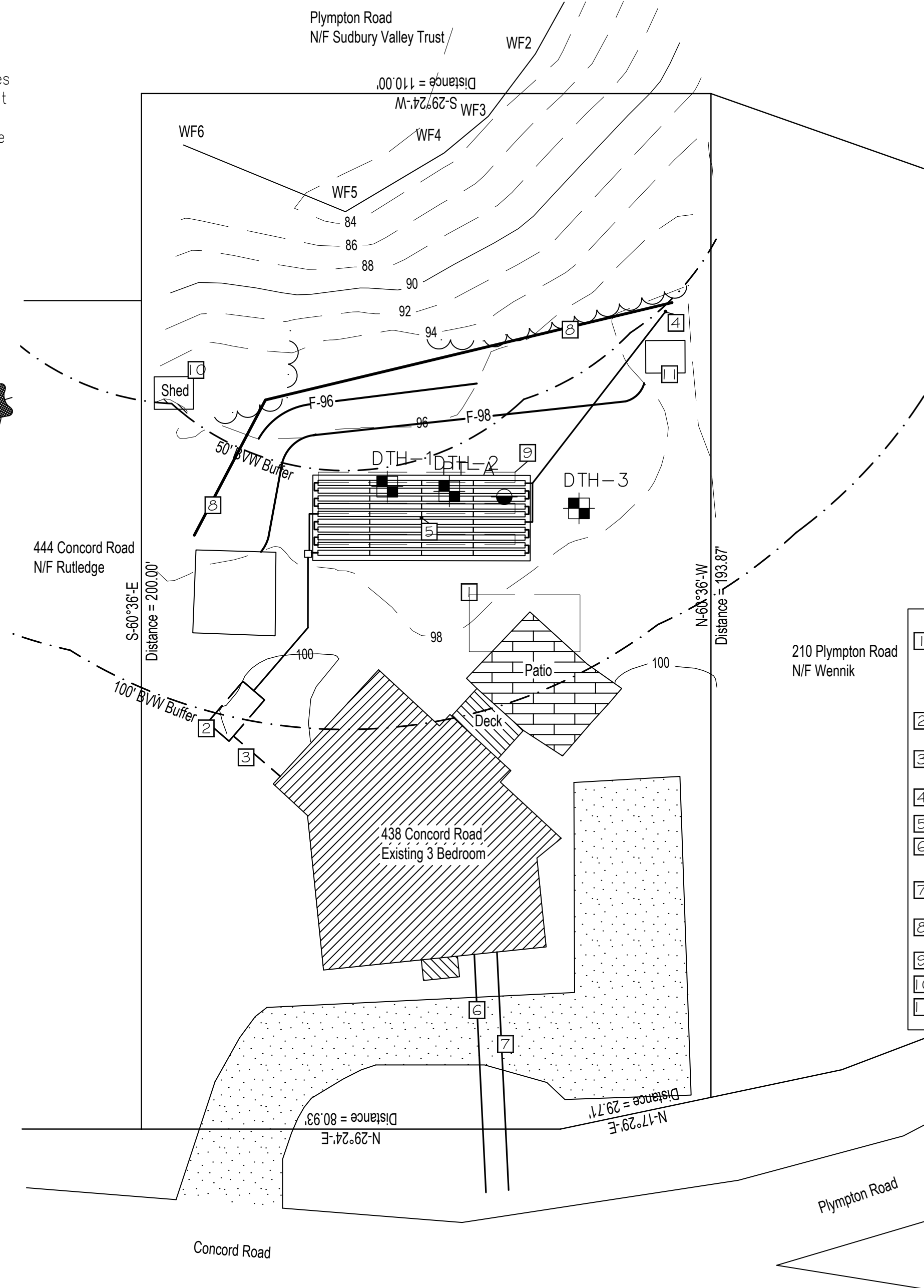
Building Sewer Notes:

1. Where portions of the existing building sewer are to remain, building sewer shall be inspected for slope, bellies, turns and anything which may prevent it from functioning as required by Title 5. Existing building sewer to remain must be of adequate materials per Title 5.

Tank Notes:

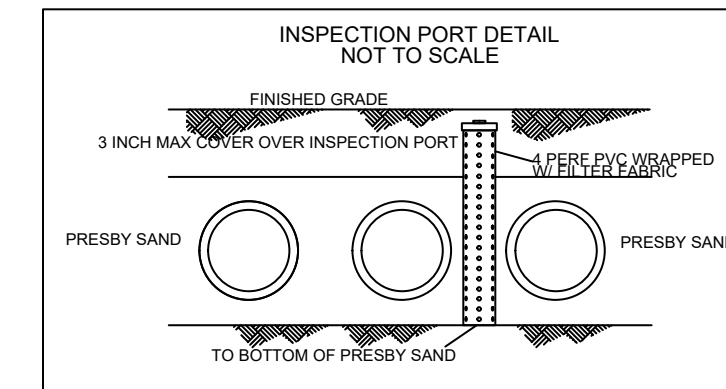
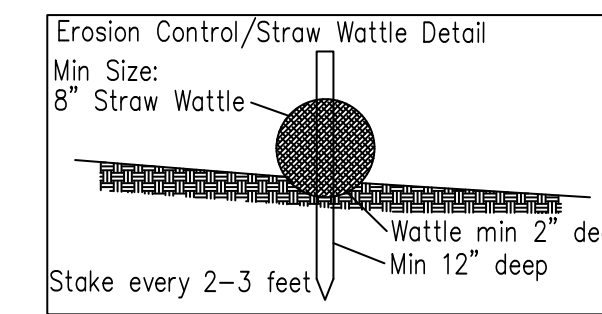
1. Manholes shall be minimum 24" diameter, medium duty or cast iron frame and cover, and any manholes brought to finished grade shall be secured to prevent unauthorized access.  
2. Inlet and outlet tees to rectangular tanks shall be set in the end walls or into a side wall within 12 inches of the end wall.

Elevation	Proposed	As-Built
Invert @ Building	96.81	
Tank Inlet	96.22	
Tank Outlet	95.97	
D-Box Inlet	95.67	
D-Box Outlet	95.50	
4" PVC Inlet into Presby	95.33	
Invert of Presby Tube	94.75	
Bottom of System Sand (Breakout)	94.25	
Minimum Finished Grade	96.33	
Maximum Finished Grade	98.75	

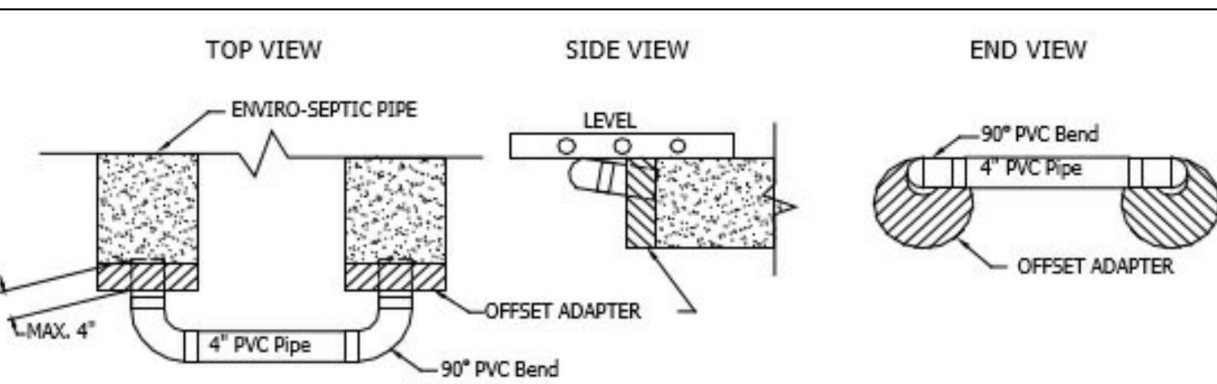
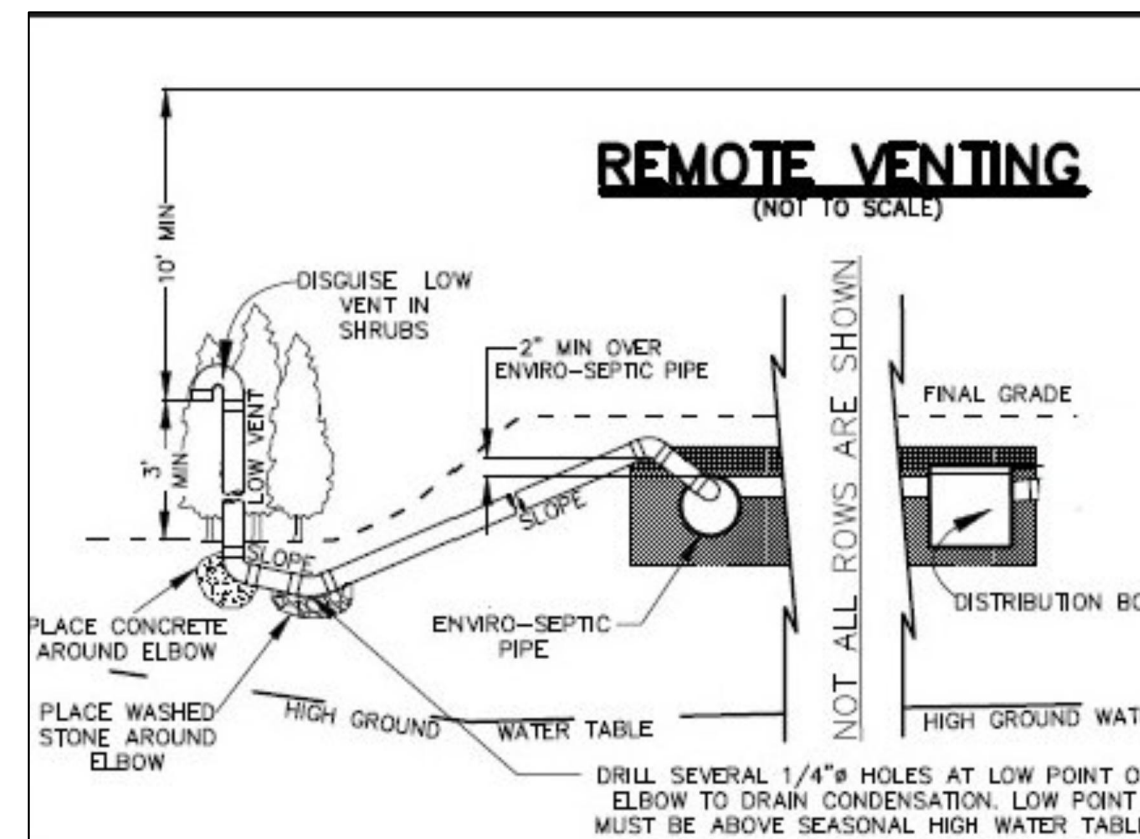


Legend

- Tree
- Tree/Shrubline
- Stone Wall
- Deep Test Hole
- Perc Hole



- Plan View Notes
- 1 Existing galley system  
\*Existing system to be abandoned per 310 CMR 15.354.
  - 2 Existing 1500 gallon tank  
To be utilized if structurally sound
  - 3 Existing building sewer  
To be utilized if structurally sound
  - 4 Low vent - 3' high
  - 5 Inspection port
  - 6 Approx. existing water-line  
Verify location upon construction
  - 7 Approx. gas line  
Verify location upon construction
  - 8 Erosion control/limit of work  
See detail
  - 9 Extent of conventional SAS
  - 10 Shed to be removed
  - 11 Approx. proposed new shed



Construction Notes:

1. Contractor shall notify Dig Safe (888) 344-7233 at least 72 hours prior to construction or abandonment of existing system. It shall be the responsibility of the contractor to locate any utilities not delineated by Dig Safe.  
2. Prior to the commencement of construction, the System Installer must certify in writing to the Designer, the LAA, and the System Owner that (s)he is a locally approved System Installer and, if required by the Company, is certified by or has received appropriate training by the Company.  
3. All disturbed surfaces shall be restored with 4" of loam and seed.  
4. All connections shall be glued.  
5. Contractor shall notify designer and Approving Authority when conditions are found during construction which would alter the approved septic design plan.  
6. All components of this system shall be marked with magnetic tape or comparable in order to locate components once buried.

Design Criteria

**SAS Sizing Design Data:**  
Proposed 3 bedroom home @ 110 GPD/bedroom = 330 GPD  
Perc Rate = 11 Minutes per inch  
LTAR Title 5: 0.56 gpd/sqft  
Conventional Size Required: 330 GPD/0.56 GPD/sqft = 590 sqft  
Conventional Shown: 3 trenches @ 38' L x 2' W x 2' D = 684 sqft  
  
LTAR Presby AES min size: 354 sqft (0.933 gpd/sqft) (400 sqft Presby Min)  
Linear Feet of Pipe Req'd: 210'  
Presby Provided: 1.5 (18") OC Spacing - 10 lines @ 40 ft (400 lf) - 42 ft x 16.50 ft = 693 sqft  
  
**Tank Calc:**  
Required: 330 GPD x 2 = 660 Gallons  
Provided: Existing 1500 gallon tank. Inspect for structural integrity.

Plan Information:

1. This plan was created for the purposes of showing a proposed sewage disposal system and is NOT intended to be used for the reproduction of property lines. If property lines are in question, a survey should be performed by a Professional Land Surveyor.  
2. This plan is for the design and construction of the sewage disposal facility only.  
3. The underground utilities denoted on this plan are based off of markings from proper entities and available records. The Designer is not responsible for any subsurface structures not accurately depicted on this plan.  
4. Water softener/roof runoff/sump pump discharge shall not be tied into proposed septic system.  
5. This plan may not be revised without the consent of the Designer and without local Board of Health approval.  
6. All known wells within 150 feet of this system have been identified.  
7. System shall be pumped per 310 CMR 15.351.  
8. The designers only warranty is that the system was designed in accordance with Title 5 and the local BOH regulations.

Lot Information:

Water Source: Town water  
Garbage Grinder: This septic system has NOT been designed for a garbage grinder. Any existing garbage grinders shall be removed.  
Nitrogen Sensitive Areas: Zone II - no; IWPA - no  
Flood Plain: This property is not located in a flood plain.  
**I/A Info:**  
The Presby ADVANCED Enviro-Septic is proposed under remedial use approval. The remedial use approval allows for up to a 2 foot reduction to the estimated high groundwater table from the bottom of the system. This design utilizes an approximate 2 foot reduction from the bed bottom to the estimated high groundwater. This design conforms to the approval and company design guidance. Transmittal number: 21-CLM-000073-APP  
Date of Issuance: Revised September 26, 2013, Modified October 30, 2019, Modified March 15, 2022  
  
System must be installed and maintained as per the "Standard Conditions for Alternative Soil Absorption Systems with General Use Certification and/or Remedial Use" dated "Revised: March 5, 2018".

Local Upgrade Approval (LUA) Requested	
Reg	Request
Variances Requested	
Reg	Request

Kotikian  
438 Concord Road  
Sudbury, MA 01776  
3 bedroom home

Updates	
Date	Update
4/10/2023	Proposed Plan
5/1/2023	FG lines, remove old shed, add new shed

**Innovative Septic Design, Inc.**  
51 Carter Street  
Berlin, MA 01503  
978-621-8278  
RS #1400

**NOT FOR CONSTRUCTION**  
**SUBJECT TO TOWN APPROVAL**

County: Middlesex    **Deed Information:** Bk.25338    Pg.:451

Lot Area: 0.50 Acres    Scale: 1"=20'    Map: G10    Lot: 6

**Plan #:** 03222301

I HEREBY CERTIFY THAT THIS PLAN MEETS ALL REQUIREMENTS OF 310 CMR 15.000, TITLE 5 OF THE STATE ENVIRONMENTAL CODE AND ALL APPLICABLE REGULATIONS OF THE TOWN OF Sudbury BOARD OF HEALTH.