

**NOTICE OF PUBLIC MEETING  
SUDBURY CONSERVATION COMMISSION  
Monday, September 11, 2023 at 7:00 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 install a fence within the 100-foot Buffer Zone and 200-foot Riverfront Area at 36 Babe Ruth Drive, in Sudbury, MA. Douglas Jones, Applicant. The meeting will be held on Monday, September 11, 2023 at 7:00 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-september-11-2023/>

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

SUDBURY CONSERVATION COMMISSION  
8/29/2023



**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:

Douglas Jones \_\_\_\_\_ wjonesdouglas@gmail.com \_\_\_\_\_  
 Name E-Mail Address

36 Babe Ruth Drive \_\_\_\_\_  
 Mailing Address

Sudbury \_\_\_\_\_ MA \_\_\_\_\_ 01776 \_\_\_\_\_  
 City/Town State Zip Code

802.274.3319 \_\_\_\_\_  
 Phone Number Fax Number (if applicable)

2. Representative (if any):

\_\_\_\_\_  
 Firm

\_\_\_\_\_  
 Contact Name E-Mail Address

\_\_\_\_\_  
 Mailing Address

\_\_\_\_\_  
 City/Town State Zip Code

\_\_\_\_\_  
 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:

\_\_\_\_\_  
 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):

36 Babe Ruth Drive	Sudbury
Street Address	City/Town
	G06-0103
Assessors Map/Plat Number	Parcel/Lot Number

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

Residential Property which abuts wetlands along west, south and east. See attached GIS map for wetlands boundaries. There is a large backyard with adjacent wetlands.

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

Attached GIS map with easements	8/22/23
Title	Date
Attached GIS map with wetlands (2000)	8/22/23
Title	Date
Title	Date

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

we would like to install a fence to enclose the backyard. The backyard is already cleared. We plan to install aluminum wrought iron + chain link fence. we will leave a 6-inch gap between the bottom of the fence and the ground. the fence would not be installed in wetlands areas but would be in the 100ft buffer zone on our property. See attached schematic  
I will also attach 2 fence estimates



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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).

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:

Douglas Jones  
Name  
36 Babe Ruth Drive  
Mailing Address  
Sudbury  
City/Town  
MA  
State  
01776  
Zip Code

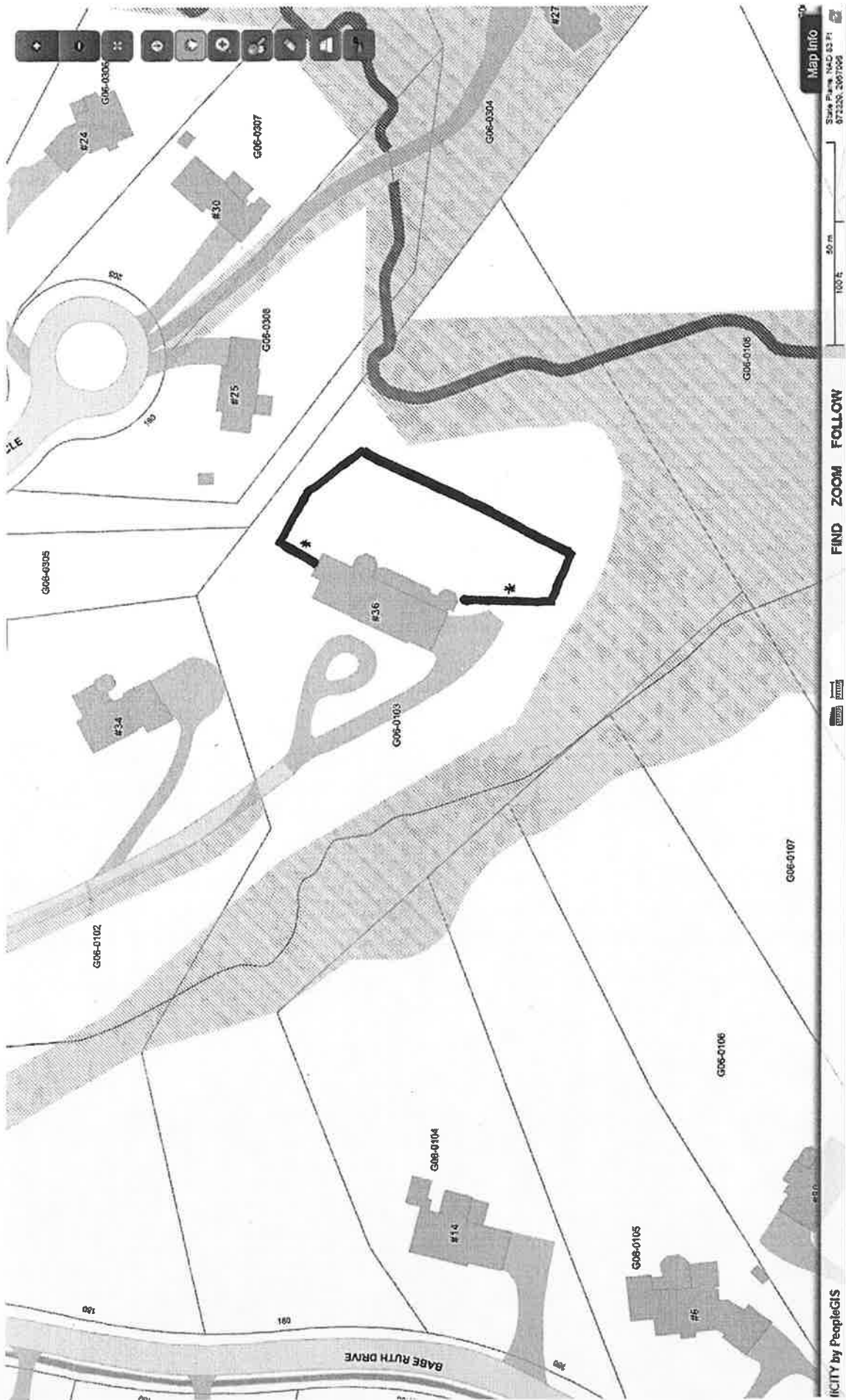
Signatures:

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  
8/22/23  
Date

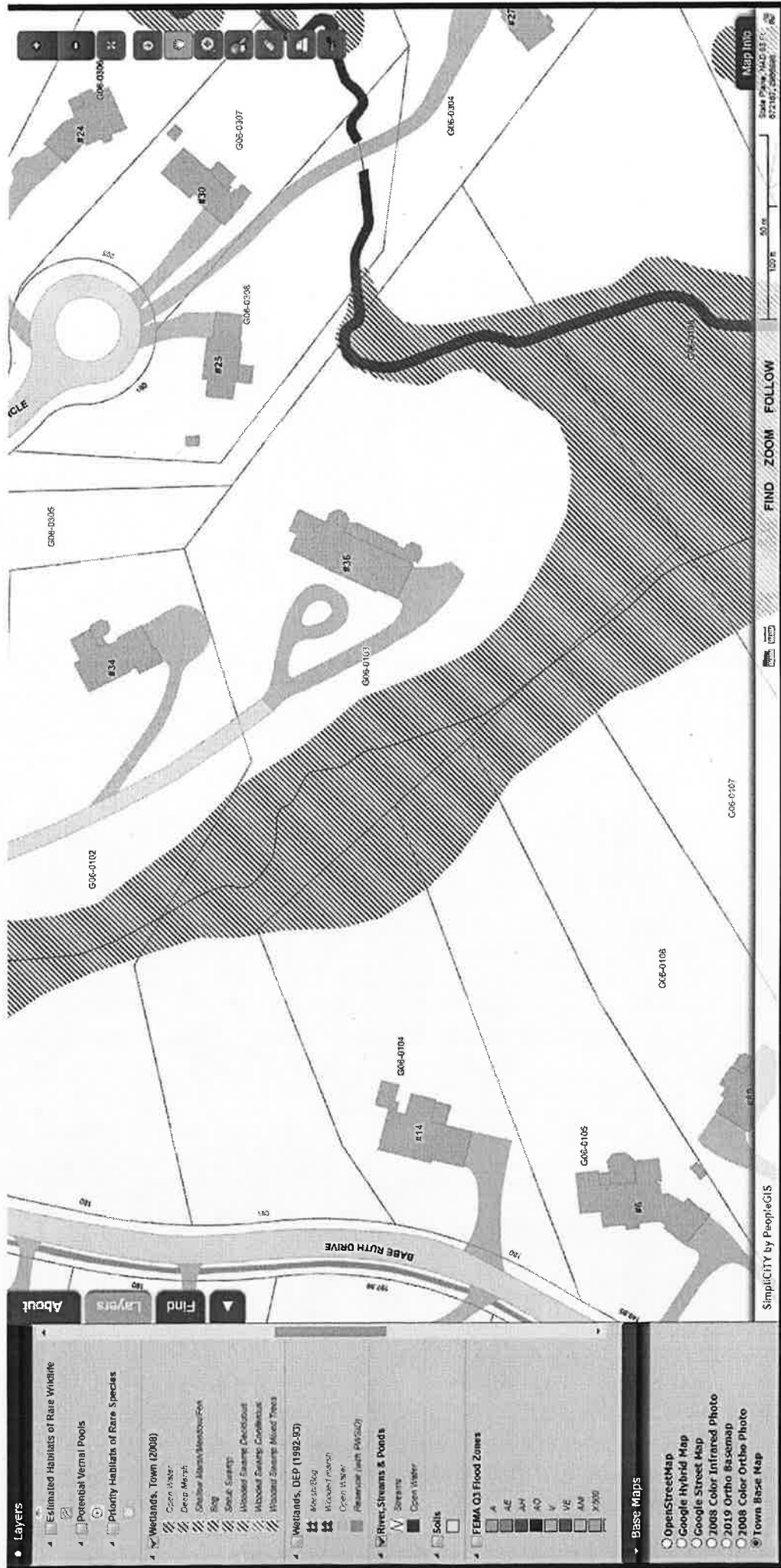
\_\_\_\_\_  
Signature of Representative (if any)      Date

Easements



\* these 2 areas aluminum wrought iron  
the rest-chain link

Wetlands, Town (2008)



- Layers
  - Estimated Habitats of Rare Wildlife
  - Potential Vernal Pools
  - Priority Habitats of Rare Species
  - Wetlands, Town (2008)
    - Open Water
    - Deep Marsh
    - Shallow Marsh/Wetland/Fox
    - Big
    - Shrub Swamps
    - Wooded Swamp/Deciduous
    - Wooded Swamp/Coniferous
    - Wooded Swamp/Mixed Trees
  - Wetlands, DEP (1992-97)
    - Open Water
    - Marsh
    - Wetland
    - Palustrine (with 4/1/2007)
  - Rivers, Streams & Ponds
    - Streams
    - Open Water
  - Soils
  - FEMA Q1 Flood Zones
    - A
    - AE
    - AH
    - AO
    - VE
    - VA
    - X/500
- Base Maps
  - OpenStreetMap
  - Google Hybrid Map
  - Google Street Map
  - 2008 Color Infrared Photo
  - 2019 Ortho Basemap
  - 2008 Color Ortho Photo
  - Town Base Map

# PROPOSAL

## Reliable FENCE METROWEST

231 POND STREET • ROUTE 126 • ASHLAND, MA 01721  
(508) 877-1200 • (508) 881-2550 • (800) 982-6858

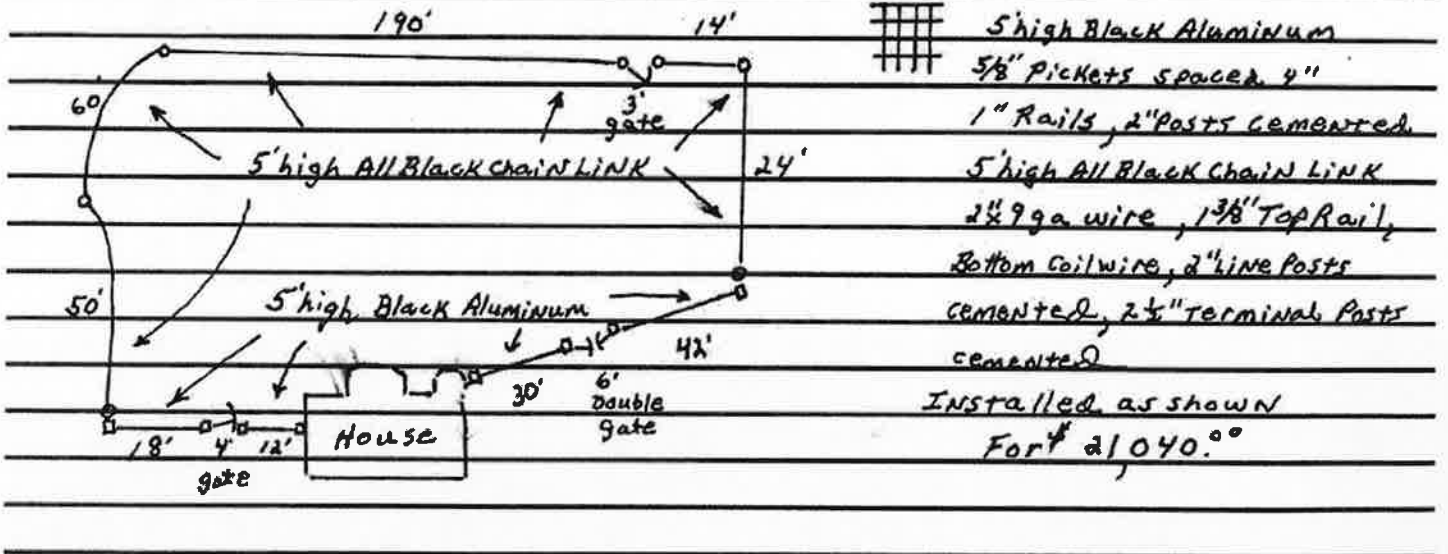
[www.reliablefences.com](http://www.reliablefences.com)

PROPOSAL SUBMITTED TO <b>Doug Jones</b>		PHONE <b>802-274-3319</b>	DATE <b>6/1/23</b>
STREET <b>36 Babe Ruth Drive</b>		JOB NAME	
CITY, STATE AND ZIP CODE <b>Sudbury</b>		JOB DESCRIPTION	
DATE OF PLANS		JOB PHONE	

We hereby submit specifications and estimates for:

**Customer To Clear Fence Line**

**Furnish and Install 5' high Black Aluminum Fence and 5' high All Black Chain Link Fence as shown**



**We propose** hereby to furnish material and labor – complete in accordance with the above specifications, for the sum of:

dollars (\$

)

**Terms and Conditions:**

The customer is responsible for complying with local zoning by-laws, obtaining any required permits, establishing property lines, determining exact fence location, facing the fence, choosing fence height and style. The customer is responsible for clearing all obstructions, including brush from the centerline 18" on either side of the proposed fence. Reliable is not responsible for damage to shrubs, flowers, or trees. Reliable is not responsible for damage to underground structures, i.e. sprinkler lines, pipes, wires, etc. The customer must contact and receive clearance from DigSafe (888-344-7233). The customer is to provide an active water supply and a live electrical power outlet. This quotation/agreement is subject to conditions beyond our control and does not include costs arising in extraordinary conditions: for example, striking ledge which may require the cementing of posts or the use of a compressor for drilling and pinning posts. Reliable will complete all work in a manner in accordance with current fence industry standards. Creeping and warping is natural in wood products and should be expected. Any alteration or deviation from specifications outlined on the proposal/agreement will be executed only upon written orders, and will become an extra charge over and above the estimate. This would include costs for material or labor, including extra trips to the site. The customer will indemnify and hold harmless Reliable and its officers, directors, shareholders, agents, representatives, and employees (collectively, the "Indemnified Party") from and against all any and all losses, damages, liabilities, deficiencies, claims, actions, judgments, settlements, interest, awards, penalties, fines, costs, or expenses of whatever kind, including professional fees and attorneys' fees, that are incurred by the Indemnified Party in connection with any allegation of damages or harm arising from the provision of goods or services to the customer, except to the extent caused by the Indemnified Party's gross negligence or willful misconduct. Price includes all discounts.

**Payment Policy:**

Check/Cash in the form of a 50% deposit will indicate your acceptance of the contract. The balance will be paid to the crew upon completion of the work. Cancellation within 3 days after acceptance is subject to a 15% cancellation fee. No cancellation is possible after 7 days. A finance charge will be added to all delinquent accounts and will be computed at a periodic rate of 1 1/2% per month (18% annually). All material will remain the property of Reliable Fence Metrowest until all invoices are paid in full. Right of access and removal is granted to Reliable Fence Metrowest in the event of non-payment under the terms of this contract. The customer agrees to pay all costs and expenses which may be incurred in the collection of any amount due hereunder including, without limitation, all reasonable attorney's fees.

Payment to be made as follows:

**1/2 Deposit by check**  
**Balance to installer upon completion**

Authorized Signature \_\_\_\_\_

**Ray Pelletier**

Note: This proposal may be withdrawn by us if not accepted within

**10**

days

**Acceptance Of Proposal** – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature **X** \_\_\_\_\_

Signature \_\_\_\_\_

Date of Acceptance **X** \_\_\_\_\_





16015001 4/10/12  
**Sudbury Cedar Fence Co., INC.**

178 White Pond Road  
 Hudson, MA 01749

(978) 562-4566  
 (978) 443-7870  
 FAX (978) 562-9112

Doug Jones  
 36 Babe Ruth Dr  
 Sudbury Ma

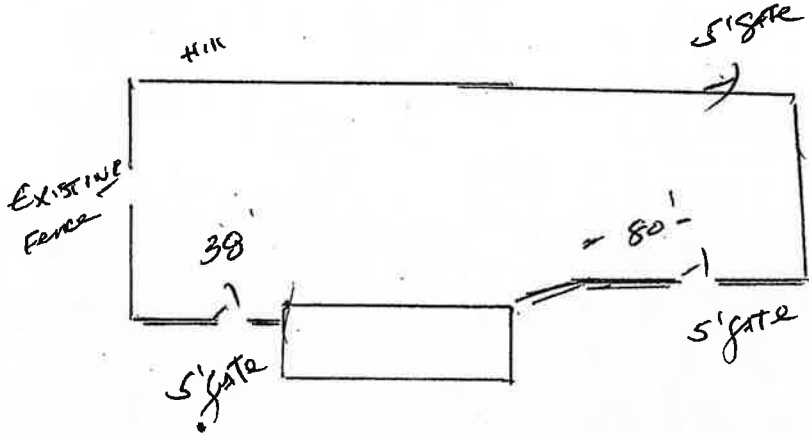
We are pleased for the opportunity to quote you.  
 We proudly provide references:

Date 6-2-23  
 Installation Date Late July '23  
 Total Price \_\_\_\_\_  
 Deposit 1/3  
 Balance \_\_\_\_\_

**A** Description

118' = 4' Black Alum. w Iron style 202 by Tenth  
 307' = 4' Black C Link w Top rail

Installed 14,150'  
 Option Double gate on driveway side Add 500



**CHECK LIST**

<input type="checkbox"/>	CLEAR FENCE LINE
<input type="checkbox"/>	TREES/STUMPS IN FENCE LINE
<input type="checkbox"/>	FENCE ON WALL
<input type="checkbox"/>	CORE DRILLING
<input type="checkbox"/>	BRING COMPRESSOR
<input type="checkbox"/>	TAKE DOWN EXISTING FENCE/STACK
<input type="checkbox"/>	DISPOSE OF FENCE
<input type="checkbox"/>	STEP SECTIONS
<input type="checkbox"/>	EXTRA LONG POSTS
<input type="checkbox"/>	KNOCK DOWN SECTIONS
<input type="checkbox"/>	TOP OF FENCE LINE STRAIGHT
<input type="checkbox"/>	PIN POST
<input type="checkbox"/>	PAVED AREAS
<input type="checkbox"/>	UNDERGROUND PIPE OR CABLES
<input checked="" type="checkbox"/>	DIG SAFE #

B 3' Black Alum. w. Iron style 202 by Tenth

15-18' Installed 1250  
 Core drill posts on wall

ALL SALES SUBJECT TO APPROVAL OF SUDBURY CEDAR FENCE CO., INC.		Estimate is valid for <u>15</u> days.
SUDBURY CEDAR FENCE CO., INC.	DATE	
<input checked="" type="checkbox"/> <u>Accepted</u>	<u>6-2-23</u>	Additional info:
BY SIGNING THIS AGREEMENT, THE CUSTOMER ACKNOWLEDGES HAVING READ AND UNDERSTOOD THE TERMS AND CONDITIONS LISTED ON THIS AGREEMENT.		
ACCEPTED BY CUSTOMER	DATE	
<input checked="" type="checkbox"/>		