



**NOTICE OF PUBLIC HEARING
SUDBURY CONSERVATION COMMISSION
Monday, October 30, 2023 at 7:00 PM
Virtual Meeting**

The Sudbury Conservation Commission will hold a public hearing to review the Notice of Intent filing to remove an existing and install a new septic system within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw, at 444 Boston Post Road, Sudbury, MA. Larry Shewan, Applicant. The hearing will be held on Monday, October 30, 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-october-30-2023/>

SUDBURY CONSERVATION COMMISSION
9/21/2023



CONNORSTONE ENGINEERING, INC.

10 SOUTHWEST CUTOFF, SUITE #1
NORTHBOROUGH, MASSACHUSETTS 01532
T: (508) 393-9121

121 BOSTON POST ROAD
SUDBURY, MASSACHUSETTS 01776
T: (978) 443-9566

Sudbury Conservation Commission
275 Old Lancaster Road
Sudbury, MA 01776

September 14, 2023

**Subject: Notice of Intent
444 Boston Post Road
Sudbury, MA**

Dear Members of the Commission;

On behalf of the applicant, Larry Shewan, please find the enclosed Notice of Intent and supporting documentation for the proposed project at 444 Boston Post Road. The work would include the removal/abandonment of the existing failed septic system and installation of the new system.

Please find the enclosed materials for your review:

1. The Notice of Intent application package including:
 - Completed NOI Form 3 – Notice of Intent
 - Wetland Delineation Report by Goddard Consulting
 - Locus mapping
 - List of abutters and notification forms;
2. Copies of the plans "Proposed Sewage Disposal Plan of 444 Boston post Road, in Sudbury, MA," Prepared by Connorstone Engineering, Inc. dated August 31, 2023.
3. Checks in the amount of \$67.50 for the town portion of the NOI fee and \$25 for the local Wetland Bylaw fee. The local bylaw fee was calculated for a "Single Minor Project". The State share of the NOI fee has been forward to MassDEP.

Project Summary:

Existing Conditions: The site is located at 444 Boston Post Road directly across from Sudbury Farms and next to The Boston Jewelry Exchange in Sudbury, and consists of a 6,365 square foot parcel currently developed with a single commercial building. The lot is abutted to the sides by other commercial lots. Areas around the building include a paved parking area off of Boston Post Road, some landscape areas around the front and side of the building followed by a small yard area to the rear and then wooded areas off the rear lot line of the site. The topography of the site is generally flat throughout with very gradual slopes pitching away from the building. There is a wooded area with Bordering Vegetated Wetlands (BVWs) off of the rear of the site in the tree line.

The existing septic system consists of a cesspool located in the rear yard area (North of the building). Components of the existing system are believed to be within the groundwater table due to being located in an area where evidence of groundwater was found at approximately 28 inches below grade.

Wetland Resource Areas: There is a finger of Bordering Vegetated Wetlands that extends toward the Northerly property with all of the flags landing at least 10 feet off of the rear lot line. The regulated wetland resource area off-site appears to be a low point in the middle of all the surrounding business lots running North away from the parcel as an intermittent stream. The wetlands were delineated by Goddard Consulting LLC in August of 2023, and a copy of the Wetland Border Report has been attached for reference.



Existing site photo, Image from Google Street View

Proposed work: As noted above, the proposed project includes the replacement of the existing failed septic system.

Previously mentioned the existing system is in failure due to the age and location within the groundwater table and must be replaced per the Board of Health and Title 5 regulations. The proposed design would relocate the leach field to be as far from the resource areas as physically possible which would provide an improvement over the existing conditions. The proposed system is located 80 feet from the bordering vegetated wetlands where the existing system is located approximately 40 feet from the resource area. The limit of work has maintained greater than 20 feet of separation to the bordering vegetated wetlands for the removal of the cesspool and installation of the new tank. Soil testing was performed in the proposed system area and found fine sand at a depth of 56 inches below grade. Unsuitable materials and fill were encountered above this layer and would be removed as part of the project. Seasonal high groundwater was also encountered at shallow depths (above the C layer) of 28 inches below grade. This will result in the use of a raised system requiring the use of select fill to provide a minimum 2-foot separation (local upgrade approval required) between the bottom of leach field and groundwater elevations which would also help to provide an improvement over the existing conditions. The proposed leach field is an Eljen Innovative Technology which provides a 40% size reduction to allow the system to be kept further from the resource areas and to limit disturbance of buffer zones as much as possible during the repair. There are also requested setback reduction local upgrades to allow the system to fit in the front of the lot to not disturb the parking area and to keep the system much further from the wetlands. Additionally, poly barrier retaining walls have been proposed to help reduce disturbance and maximize separation distance as well.

Work within the buffer zones would also include the placement of the septic tank/pump chamber (combination tank), and pipe connections. The proposed combination tank would be located in the rear yard as far as practical from the wetland (31 feet) while still allowing connections to the existing plumbing, which is located under the basement slab and cannot be relocated. The tank is proposed to be monolithic to prevent any issues due to groundwater, tank inverts are all proposed 4 inches or more above estimated seasonal high groundwater and will not require boots, and buoyancy calculations have been provided on the attached plan.

In total the proposed septic system repair would require 7 local upgrade approvals (all of which have been listed on the attached plan "Proposed Sewage Disposal System of 444 Boston Post Road") to be able to provide the improvements over the existing conditions listed above.

Temporary erosion controls include straw wattles with silt fencing have been proposed along the limit of work to avoid erosion issues during construction as well as silt sacks to be placed within the roadway catch basin. The limit of work would be maintained within the existing lawn areas and no new tree clearing would be required within the buffer zone.

If you have any questions or require any additional information, please contact this office at (508) 393-9727.

Sincerely,
Connorstone Engineering, Inc.

A handwritten signature in black ink, appearing to read 'Vito Colonna', written in a cursive style.

Vito Colonna, P.E.

c. MassDEP Northeast Region



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

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

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

444 Boston Post Road
a. Street Address

Sudbury
b. City/Town

01776
c. Zip Code

Latitude and Longitude:
42.36075
d. Latitude

-71.42330
e. Longitude

K08
f. Assessors Map/Plat Number

58
g. Parcel /Lot Number

2. Applicant:

Larry
a. First Name

Shewan
b. Last Name

c. Organization

444 Boston Post Road
d. Street Address

Sudbury
e. City/Town

MA
f. State

01776
g. Zip Code

508-733-7567
h. Phone Number

i. Fax Number

larry.shewan@gmail.com
j. Email Address

3. Property owner (required if different from applicant): Check if more than one owner

Same as applicant
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):

Vito
a. First Name

Colonna
b. Last Name

Connorstone Engineering
c. Company

10 Southwest Cutoff, Suite #7
d. Street Address

Northborough
e. City/Town

MA
f. State

01532
g. Zip Code

508-393-9727
h. Phone Number

i. Fax Number

vc@csei.net
j. Email address

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

\$110.00
a. Total Fee Paid

\$42.50
b. State Fee Paid

\$67.50
c. City/Town Fee Paid

Local Bylaw Fee= \$25.00



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A. General Information (continued)

6. General Project Description:

Repair of the existing septic system deemed to be in failure.

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 South

a. County

63583

c. Book

b. Certificate # (if registered land)

457

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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Sudbury

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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.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
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 _____	

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____	2. square feet _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	3. cubic feet of flood storage lost _____	4. cubic feet replaced _____
	1. square feet _____	
f. <input type="checkbox"/> Riverfront Area	2. cubic feet of flood storage lost _____	3. cubic feet replaced _____
	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.



Massachusetts Department of Environmental Protection
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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

MassDEP File Number _____

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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.

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

08/01/2021

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/ma-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

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: 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 (Septic System Repair)
 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.

Proposed Sewage Disposal Plan of 444 Boston Post Road, Sudbury, MA

a. Plan Title

Connorstone Engineering, Inc.

Vito Colonna PE

b. Prepared By

c. Signed and Stamped by

August 31, 2023

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:

2. Municipal Check Number 1658

3. Check date 9/19/23

4. State Check Number 1657

5. Check date 9/19/23

6. Payor name on check: First Name UNION SPCT

7. Payor name on check: Last Name SALES, ENIC



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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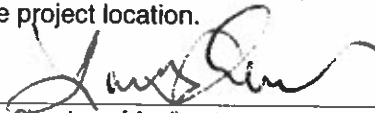
Sudbury

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).

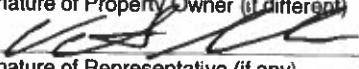
I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet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



1. Signature of Applicant

9/19/23

2. Date

3. Signature of Property Owner (if different)


5. Signature of Representative (if any)

4. Date
9/19/23

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:

444 Boston Post Road

a. Street Address

21650

Sudbury

b. City/Town

\$67.50

d. Fee amount

c. Check number

2. Applicant Mailing Address:

Larry

a. First Name

Shewan

b. Last Name

c. Organization

444 Boston Post Road

d. Mailing Address

Sudbury

e. City/Town

MA

f. State

01776

g. Zip Code

508-733-7567

h. Phone Number

i. Fax Number

larry.shewan@gmail.com

j. Email Address

3. Property Owner (if different):

Same as applicant

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).



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
Category 1	1	\$110	\$110

Step 5/Total Project Fee: \$110

Step 6/Fee Payments:

Total Project Fee:	\$110
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.)

Wetland Border Report

Site Locus: 444 Boston Post Road, Sudbury MA 01776

Prepared for: Connorstone Engineering, Inc.

Prepared by: Goddard Consulting LLC, 291 Main St, Suite 8, Northborough MA 01532

Date: 8/16/2023

INTRODUCTION

On August 16, 2023, the wetland resources were delineated for Connorstone Engineering, Inc. on land located on or near 444 Boston Post Road, Sudbury MA 01776 (refer to enclosed locus maps). The wetland border was flagged using the criteria in the most recent edition of MA Wetland Protection Act (WPA) and Regulations 310 CMR 10.00 et al. Hydric soil indicators, vegetation changes, hydrological indicators, and topography were all considered for delineation purposes.

The titles of attached documents are as follows:

- Soils Map, Goddard Consulting LLC, 08/14/2023
- NRCS Soil Map – Middlesex County, Massachusetts, accessed 08/16/2023
- FEMA Map, Goddard Consulting LLC, 08/14/2023
- Orthophoto of Locus Site, Goddard Consulting LLC, 08/14/2023
- USGS Map of Locus Site, Goddard Consulting LLC, 08/14/2023

SUMMARY OF FINDINGS

The bank of an intermittent stream (BVW) partially on and off-site was delineated with flag series GCA1-GCA15.

Vegetation dominant on the bank of the intermittent stream consists of red maple/*Acer rubrum* (FAC), eastern poison ivy/*Toxicodendron radicans* (FAC), Thicket Creeper/*Parthenocissus inserta* (FACU), purple loosestrife/*Lythrum salicaria* (FACW), and glossy buckthorn/*Frangula alnus* (FAC).

Soils identified on the property include Udorthents- Urban land complex. The bank of the intermittent stream consisted of 24-inches of fine sandy loam colored 10YR2/2. More detailed information about soils is included in the attached NRCS Soil Map.

According to the MassGIS data layers for the Natural Heritage & Endangered Species Program (NHESP), the locus site is not located within Estimated and/or Priority Habitat of Rare Wildlife or an Area of Critical Environmental Concern (ACEC). The site is not located in an Outstanding Resource Waters Area (ORW). The site is not within a jurisdictional FEMA Flood Zone. There are no mapped certified or potential vernal pools on site.

The MA Wetlands Protection Act and the Town of Sudbury takes jurisdiction over Bordering Vegetated Wetlands (BVW). The BVW partially on and off-site has a jurisdictional 100-foot Buffer Zone that casts partially onto the locus site.

Any work within these resource areas including the 100-foot Buffer Zones requires a Request for Determination (RDA) or Notice of Intent (NOI) to be filed with the Sudbury Conservation Commission.

DESCRIPTION OF REGULATED INLAND RESOURCE AREA

The table below provides the regulatory jurisdiction, flag numbers/colors, and wetland types and locations for the resource areas delineated.

Resource Area	Regulatory Jurisdiction	Flag Numbers and Color	Wetland Types and Locations
Bank of Intermittent Stream	Bank & 100-foot Buffer Zone	GCA1-GCA15 (Blue flags)	The bank of intermittent stream located partially on and off-site.

SITE PHOTOS



Photo 1. View of intermittent stream (facing south) located at the rear of the locus site.



Photo 2. View of intermittent stream (facing south) located at the rear of the locus site.



Photo 3. View of intermittent stream (facing north) located at the rear of the locus site.

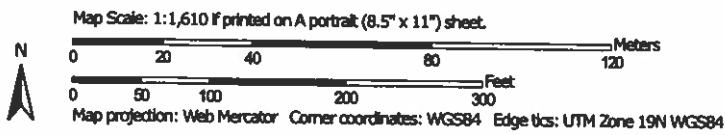


Sincerely,
Goddard Consulting, LLC

Tom Schutz, WPIT
Wetland Scientist

444 Boston Post Road, Sudbury MA
Wetland Border Report | Page 4



Soil Map—Middlesex County, Massachusetts





Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
656	Udorthents-Urban land complex	14.2	100.0%
Totals for Area of Interest		14.2	100.0%

Legend

 Property Boundary
 Tax Parcels

FEMA National Flood Hazard Layer

 AE: 1% Annual Chance of Flooding, with BFE
 X: 0.2% Annual Chance of Flooding



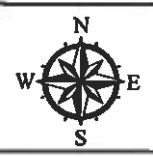
Date: 8/14/2023

GC Job Number:
288-109

Wetland Border Report
FEMA Flood Zones
on the Locus Site
444 Boston Post Road
Sudbury, MA

0 100 200
Feet



1 in = 200 ft

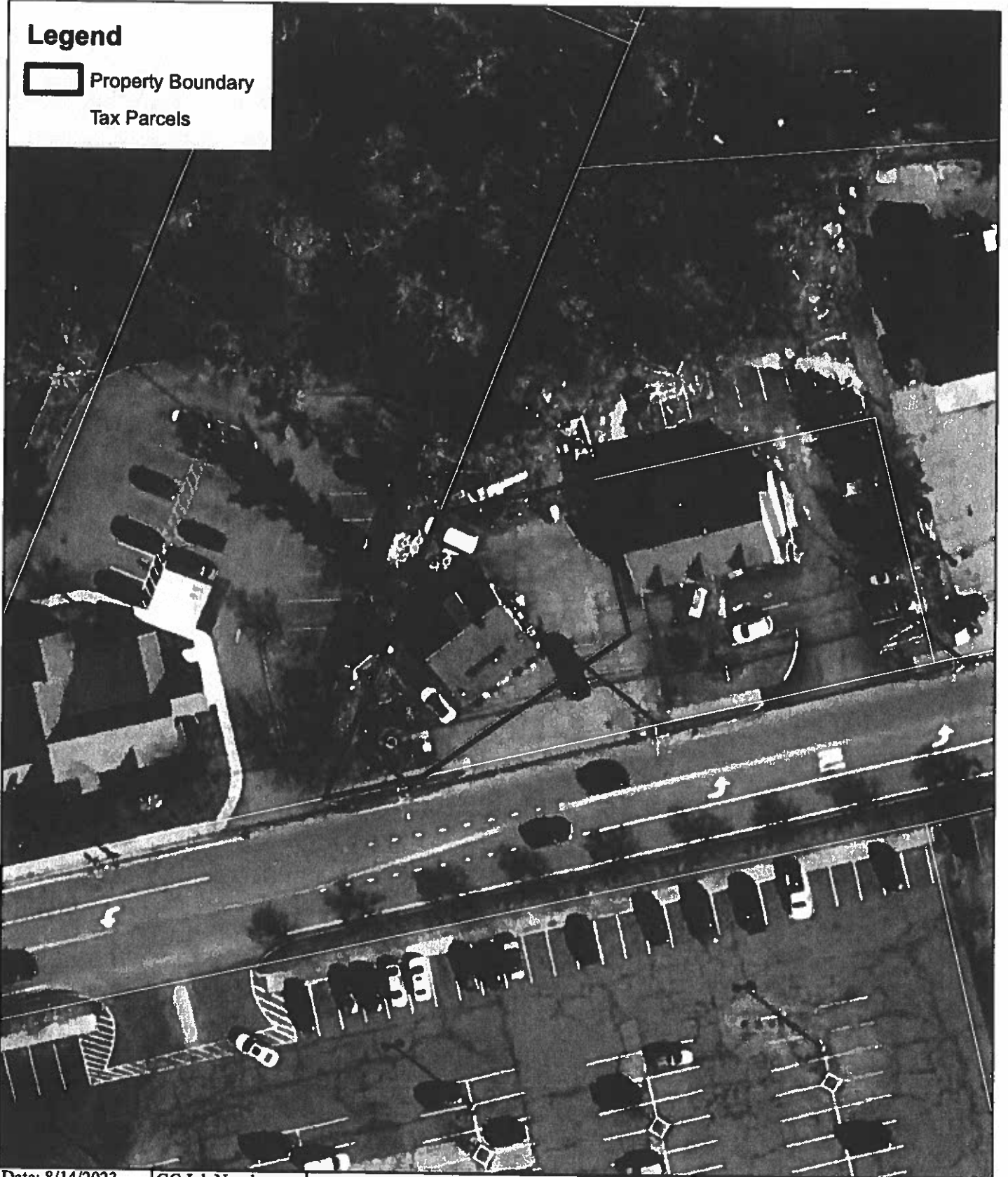


Map: K08, Lot: 0058

GODDARD CONSULTING
LLC

Legend

-  Property Boundary
-  Tax Parcels



Date: 8/14/2023

GC Job Number:
288-109

**Wetland Border Report
Orthophoto of the Locus Site**

0 20 40
Feet

GODDARD CONSULTING
LLC

1 in = 45 ft

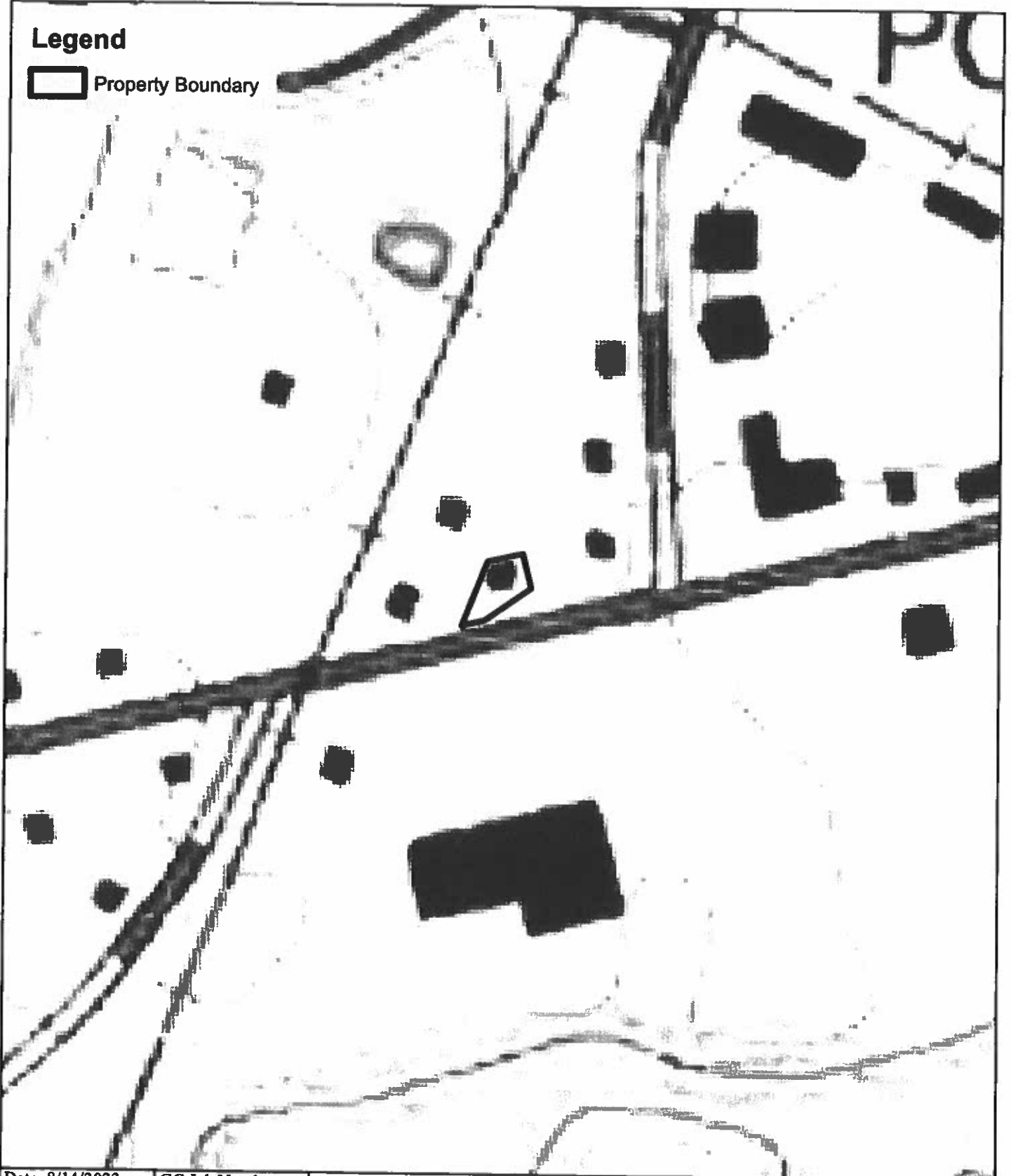
444 Boston Post Road
Sudbury, MA

Map: K08, Lot: 0058



Legend

 Property Boundary



Date: 8/14/2023

GC Job Number:
288-109

**Wetland Border Report
USGS of the Locus Site**

0 100 200
Feet

GODDARD CONSULTING
LLC

1 in = 200 ft



444 Boston Post Road
Sudbury, MA

Map: K08, Lot: 0058

CERTIFIED LIST OF ABUTTER & FORMS

Abutters List

Date: August 24, 2023

[print this list](#)

Subject Property Address: 444 BOSTON POST RD Sudbury, MA
Subject Property ID: K08-0058

Search Distance: 100 Feet

Owner: 1776 PLAZA LIMITED PARTNERSHIP
Co-Owner:
Prop ID: K08-0003
Prop Location: 447 BOSTON POST RD Sudbury, MA
Mailing Address:

89 ACCESS RD SUITE 1
NORWOOD, MA 02062

Owner: 1776 PLAZA LIMITED PARTNERSHIP
Co-Owner:
Prop ID: K08-0003
Prop Location: 457 BOSTON POST RD Sudbury, MA
Mailing Address:
89 ACCESS RD SUITE 1
NORWOOD, MA 02062

Owner: TWIN HOLDINGS LLC
Co-Owner: C/O RYAN
Prop ID: K08-0066
Prop Location: 450 BOSTON POST RD Sudbury, MA
Mailing Address:
P.O. BOX 460049
HOUSTON, TX 77056

Owner: PACIFIC NUT CO INC
Co-Owner:
Prop ID: K08-0067
Prop Location: 440 BOSTON POST RD Sudbury, MA
Mailing Address:
15732 TUSTIN VILLAGE WAY
SUITE A
TUSTIN, CA 92780

Owner: JOHNNY REALTY LLC

Co-Owner:

Prop ID: K08-0069

Prop Location: 432 BOSTON POST RD Sudbury, MA

Mailing Address:

432 BOSTON POST RD
SUDBURY, MA 01776

444 Boston Post Rd
100

KOR-005A	SHEWAN LAWRENCE D	444 BOSTON POST RD	SUDBURY	MA	01776	444 BOSTON POST RD
abutters_id	abutters_owner1	abutters_address	abutters_town	abutters_state	abutters_zip	abutters_location
KOR-0003	1776 PLAZA LIMITED PARTNERSHIP	89 ACCESS RD SUITE 1	NORWOOD	MA	02062	457 BOSTON POST RD
KOR-0006	TWIN HOLDINGS LLC	P.O. BOX 468041	HOUSTON	TX	77056	450 BOSTON POST RD
KOR-0007	PACIFIC NUT CO INC	15731 TUSTIN VILLAGE WAY	TUSTIN	CA	92780	440 BOSTON POST RD
KOR-0009	JOHNNY REALTY LLC	437 BOSTON POST RD	SUDBURY	MA	01776	432 BOSTON POST RD

Cynthia Anthony - Assessor
8/24/2023

***Notification to Abutters Under the
Massachusetts Wetlands Protection Act
Sudbury Wetlands Administration 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 Larry Shewan.
- B. The Applicant has filed a Notice of Intent with the Conservation Commission of the Town of Sudbury seeking permission to discharge to, remove, fill, dredge or alter an Area Subject to Protection (Wetland Resource Area and/or Buffer Zone) Under the Massachusetts Wetlands Protection Act (General Laws Chapter 131, Section 40) and Sudbury Wetlands Administration Bylaw.
- C. The address of the lot where the activity is proposed: 444 Boston Post Road in Sudbury Ma .
- D. The activity consists of: Repair of an existng septic system.
- E. Copies of the Notice of Intent may be examined at Sudbury Conservation Commission Office between the hours of 10:00 am and 3:00 pm on Monday through Friday. For more information, call: 978-440-5471. Check One: This is the Applicant___, representative___, or other X (Conservation Commission Office).
- F. Copies of the Notice of Intent may be obtained (upon payment of reproduction cost) from the Applicant's representative (Connorstone Engineering), by calling this telephone number (508) 393-9727 between the hours of 10 am – 4 pm on the following days of the week: Mon. – Fri.
- G. Information regarding the date, time, and place of the public hearing may be obtained from Sudbury Conservation Commission Office by calling this telephone number 978-440-5471 between the hours of 10:00 am and 3:00 pm on Monday through Friday. This is the Applicant___, representative___, or other X (Conservation Commission Office).
- H. **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.

Note: Public Hearing Notice, including its date, time, and place, will be published at least five (5) days in advance in the

MetroWest Daily News
(name of newspaper)

Note: Notice of the public hearing, including its date, time, and place, will be posted in the Town Hall not less than forty-eight (48) hours in advance.

Note: You also may contact your local Conservation Commission or the nearest Department of Environmental Protection (DEP) for more information about this application or the Wetlands Protection Act. To contact DEP, call Northeast region: 978-661-7600

AFFIDAVIT OF SERVICE
Under the Massachusetts Wetlands Protection Act
&
Sudbury Wetlands Administration Bylaw

I, Vito Colonna of Connorstone Engineering, Inc., hereby certify under the pains and penalties of perjury that on September 19, 2023 I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:

A Notice of Intent filed under the Sudbury Wetlands Administration Bylaw and Massachusetts Wetlands Protection Act by Larry Shewan with the Sudbury Conservation Commission on September _____, 2023 for property located at 444 Boston Post Road in Sudbury Ma.

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

Vito Colonna
Name CONNORSTONE ENG.

9/19/23
Date

