

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 replace a septic system within the 200-foot Riverfront Area at 25 Plympton Road, in Sudbury, MA. David Barrone, Applicant. The meeting will be held on Monday, January 8, 2024 at 7:00 pm, via Zoom.

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

 $\underline{https://sudbury.ma.us/conservationcommission/meeting/conservation-commission-meeting-monday-january-8-2024/}$

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

SUDBURY CONSERVATION COMMISSION 12/27/2023

Conservation Commission Department of Public Works Building 275 Old Lancaster Road Sudbury, MA 01776

December 20, 2023

Subject:

Request for Determination of Applicability – 25 Plympton Road

Proposed Septic System Repair

Dear Members of the Commission:

On behalf of the applicant (David Barrone), please find the enclosed WPA Form 1 Request for Determination of Applicability for the proposed septic system repair at 25 Plympton Road, including:

- Copies of the RDA application package and signed WPA Form 1
- 2. Wetland Report by Oxbow Associates;
- 3. Copies of the plans "Proposed Sewage Disposal System" for 25 Plympton Road, Sudbury, MA, prepared by Connorstone Engineering, Inc. dated 12/06/2023.

Existing Conditions: The site is located at 25 Plympton Road, and consists of a 6.4-acre parcel currently developed with a 5-bedroom single-family dwelling. The lot had typical residential lawn areas around the home and an access driveway off Plympton Road. The perimeter of the lot to the front sides and rear is natural woodlands.

The home is serviced by two on-site septic systems. The primary system is located to the east (plan right) of the house within the lawn area. This system was inspected and determined to be in failure requiring replacement. There is a secondary, smaller system located off the rear west (plan left) corner of the house, that accepts flow from a single bathroom. This system was found to be in good functional condition and would not require replacement.

Wetland Resource Areas: Regulated wetland resource areas were delineated to the rear of the property consisting of a Perennial Stream and associated Bordering Vegetated Wetlands (BVW). The stream is an unnamed tributary tot eh Sudbury River that runs west to east through a culvert under Water Row. The associated 200-foot riverfront area (RFA) extends into the site and contains the existing house and septic system(s). The property is not located within any flood hazard areas or velocity zones associated with the Sudbury River. The delineation was performed by Oxbow Associates in November of 2023, and a copy of the Delineation Report is attached for reference.

<u>Proposed work</u>: The proposed project includes the replacement of the primary septic system, which was determined to be in failure and must be replaced per the Board of Health and Title 5 regulations. This existing system includes a septic tank located just off the house 90 feet from the edge of Bank, and a leach field located in the side lawn area approximately 160 feet from the Bank. The proposed design would locate the septic tank and leach field in the side lawn area, but as far as practical from the edge of resource areas. The proposed setbacks to the Bank would include 176 feet to the septic tank and 195 feet to the leach field. Soil testing was performed in the is area and found suitable soils with evidence of groundwater at 45 to 70 inches below grade. The depth of groundwater would require a raised system on the downgradient side.

<u>100-foot Buffer Zone</u>: Work within the 100-foot Buffer Zone would include abandonment of the existing tank and a connection to the existing sewer pipe. All or the work would be within the existing lawn area, and would disturb an area of approximately 300 square feet.

<u>200-foot Riverfront Area</u> – Work within the 200-foot riverfront area includes the pipe connection, septic tank, and a corner of the leach field. All or the work would be within the existing lawn area, and would disturb an area of approximately 2,200 square feet, most of which would be in the outer 175 to 200 feet of the RFA. The proposed project would fall under 310 CMR 10.58(6)(c) as a repair to a septic system installed prior to 1996, and the work would be exempted from the requirements for the Riverfront Area under Wetlands Protection Act.

Alternative Analysis – A 22 sq. ft. corner of the leach field is within the Riverfront Area, and alternatives were reviewed to shift the system north or widen the system to reduce length. Both options would require additional tree removal or impacts to the existing mature trees located along the edge of lawn. While these trees are outside the regulated areas they have wildlife value, and the intent was to keep as much of the work as possible within the existing lawn areas.

<u>Temporary Erosion Controls</u> – During construction the downgradient limit of wok would be delineated and protected through the use of silt fence. Once construction is completed, all disturbed areas would be returned to the existing condition with placement of loam and seeded with a lawn mix.

We look forward to discussing the project at an upcoming public hearing. Should you have any questions or require any additional information prior to the hearing please contact this office at (508) 393-9727.

Sincerely,

Connorstone Engineering, Inc.

Vito Colonna, P.E.

cc. MassDEP Northeast Regional Office



Massachusetts Department of Environmental Protection

Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

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

Municipality

General Information A.

Important: Applicant: Trustee of the Selwyn When filling out **David** Barrone. Sanctuary Realty Trust forms on the computer, use only First Name Last Name the tab key to move 25 Plympton Road your cursor - do not Address use the return key. Sudburv MA 01776 City/Town State Zip Code Phone Number **Email Address** 2. Property Owner (if different from Applicant): Same as Applicant First Name Last Name Address City/Town State Zip Code Phone Number Email Address (if known) 3. Representative (if any) Vito Colonna First Name Last Name Connorstone Engineering, Inc. Company Name 10 Southwest Cutoff Address Northborough MA 01532 City/Town State Zip Code 508-393-9727 vc@csei.net Phone Number Email Address (if known) В. **Project Description** 1. a. Project Location (use maps and plans to identify the location of the area subject to this request): 25 Plympton Road Sudbury Street Address City/Town How to find Latitude 42.38230 Latitude (Decimal Degrees Format with 5 digits after decimal e.g.

and Longitude

and how to convert to decimal degrees

H 11

Title

XX.XXXXX)

Assessors' Map Number

Longitude (Decimal Degrees Format with 5 digits after

decimal e.g. -XX.XXXXX)

Assessors' Lot/Parcel Number

4

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

6.4 acre lot developed with an existing 5 bedroom home. A regulated Perennial Stream and Bordering Vegetated Wetlands are located to the rear of the site. See attached narrative.

Plan and/or Map Reference(s): (use additional paper if necessary)

"Proposed Sewage Disposal System" for 25 Plympton Road 12/6/0223 Title Date

Date



Massachusetts Department of Environmental Protection

Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability <u>sudbury</u>

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

Municipality

B. Project Description (cont.)

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

The proposed project includes the replacement of the primary septic system, which was determined to be in failure and must be replaced per the Board of Health and Title 5 regulations. The proposed design would locate the septic tank and leach field in the side lawn area, but as far as practical from the edge of resource areas. The proposed setbacks to the Bank would include 176 feet to the septic tank and 195 feet to the leach field.

See the attached narrative for additional details.

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).

310 CMR 10.58(6)(c) exemption from Riverfront requirements for a pre-1996 septic repair.

	or o emiliario (o)(o) exemplian from five montrequirements for a pre 1000 septio	cpair.
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 before 8/7/96	lot
	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 record restriction limiting total alteration of the Riverfront Area for the entire subdivision	ed deed
	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.	
	 Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classif above (use additional paper and/or attach appropriate documents, if necessary.) 	fication



Massachusetts Department of Environmental ProtectionBureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability Sudbury Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

C.	Determinations		
1	I request the Sudbury Conservation Commission	make the following determination(s). Check any that apply:	
	a. whether the area depicted on plan(s) and/or map(s) referenced above 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 above are accurately delineated.		
	c. whether the Activities depicted of Protection Act and its regulations.	plan(s) referenced above is subject to the Wetlands	
	d. whether the area and/or Activities depicted on plan(s) referenced above is subject to the jurisdiction of any municipal wetlands' ordinance or bylaw of:		
	Sudbury	go op a general and the second and t	
	Name of Municipality		
	 e. whether the following scope of alternatives is adequate for Activities in the Riverfront Are depicted on referenced plan(s). 		
D.	. Signatures and Submitt	tal Requirements	
an	ereby certify under the penalties of perjured accompanying plans, documents, and sowledge.	y that the foregoing Request for Determination of Applicability supporting data are true and complete to the best of my	
Of	urther certify that the property owner, if di fice were sent a complete copy of this Re nultaneously with the submittal of this Re	fierent from the applicant, and the appropriate DEP Regional equest (including all appropriate documentation) quest to the Conservation Commission.	
Fa De	ilure by the applicant to send copies in a dermination of Applicability.	timely manner may result in dismissal of the Request for	
Sig	gnatures:		
la	Iso understand that notification of this Re	quest will be placed in a local newspaper at my expense	
ny	accerdance with Section 10.05(3)(5)(1) o	f the Wellands Protection Act regulations.	
	Signature of Applicant	Dete	
(10	12/21/23	
	Signature of Representative (if any)	Dete	

Wetland Delineation Report

Provided by: Oxbow Associates, Inc. – Wetlands and Rare & Endangered Permitting



November 2, 2023

Ms. Deborah Mayo Connorstone Engineering, Inc. 121 Boston Post Road Sudbury, MA 01776

Re: Wetland Resource Area Evaluation

25 Plympton Road, Sudbury

Dear Ms. Mayo,

In response to your request, Oxbow Associates, Inc. (OA: specifically, R. Strohsahl) reviewed the above referenced site with specific regard to wetland resource areas on October 19, 2023. This evaluation was conducted in accordance with standard methodology for delineating vegetated wetlands under the Massachusetts Wetlands Protection Act (the "Act"; MGL Ch. 131, §40), its Regulations (310 CMR 10.00), and the Town of Sudbury Wetlands Administration Bylaw (Article XXII) and its Regulations.

Site Observations

The property is located west of Water Row, north of the Old Sudbury Road, and south of Plympton Road. The site encompasses approximately 6.4± acres and contains a single-family house with a paved driveway, detached garage, concrete patios, stone bridge, shed, and a landscaped yard. Bisecting the site is an unnamed stream that flows from west to east, eventually connecting with the Sudbury River (offsite). Most of the subject property north of the stream is maintained lawn with shrubs and forested hedges along the periphery. Topography on the property slopes from the house towards the stream, or toward the northern or eastern property boundaries.

Along the western property boundary there is a historic rock-lined spring, which flows south through a narrow wetland, and connects with the unnamed stream. The stream ranges from approximately 3-20 feet wide, with defined banks. The stream bottom varies throughout its length but is generally composed of a mud and organic substrate along the western portion of the property, where the stream is wider, and sand, gravel, and boulders along the eastern portion, where the stream narrows. The stream had less than six (6) inches of water at the deepest location during the evaluation. The latest USGS quadrangle map depicts the stream as being perennial.

Based on our observations, OA believes that the wetland resource areas located on and adjacent to the site include Inland Bank (310 CMR 10.54), Bordering Vegetated Wetland (BVW; 10.55), and Riverfront Area (10.58) as regulated under the Act and Bylaw.

OA delineated relevant resource areas affecting the property with blue and pink plastic flags in two series. Blue flags are labeled A1 through A24 and delineate the Mean Annual High Water (MAHW) line, associated with the stream, while pink flags B1 through B20 delineate the greatest horizontal extent of the BVW extending from the northern edge of the stream. The BVW was delineated based on topography, predominance of wetland vegetation, and indicators of hydrology which include hydric soils (redoximorphic features), silt-stained leaves, and limit of standing water.

Vegetation within the BVW includes: Red maple (*Acer rubrum*), eastern white pine (*Pinus strobus*), slippery elm (*Ulmus rubra*), spicebush (*Lindera benzoin*), glossy false buckthorn (*Frangula alnus*), highbush blueberry (*Vaccinium corymbosum*), buttonbush (*Cephalanthus occidentalis*), silky dogwood (*Swida amomum*), multiflora rose (*Rosa multiflora*), purple loosestrife (*Lythrum salicaria*), reed canary grass (*Phalaris arundinacea*), *Iris* (spp.), smartweed (*Persicaria* spp.), beggars tick (*Bidens* spp.), sensitive fern (*Onoclea sensibilis*), cinnamon fern (*Osmundastrum cinnamomeum*), New York fern (*Parathelypteris noveboracensis*), royal fern (*Osmunda regalis*), jewelweed (*Impatiens capensis*), Jack-in-the-pulpit (*Arisaema triphyllum*), *Sphagnum* (spp.) mosses, and skunk cabbage (*Symplocarpus foetidus*).

Vegetation associated with the uplands on the property includes: Eastern white pine, spruce (*Picea* spp.), eastern hemlock (*Tsuga canadensis*), oaks (*Quercus* spp.), black walnut (*Juglans nigra*), American beech (*Fagus grandifolia*), white ash (*Fraxinus americana*), hickory (*Carya* spp.), red maple, apple (*Malus* spp.), black cherry (*Prunus serotina*), gray birch (*Betula populifolia*), yellow birch (*B. alleghaniensis*), eastern red cedar (*Juniperus virginiana*), basswood (*Tilia americana*), tulip poplar (*Liriodendron tulipifera*), glossy false buckthorn, honeysuckle (*Lonicera* spp.), burning bush (*Euonymus alatus*), lowbush blueberry (*V. angustifolium*), sassafras (*Sassafras albidum*), Japanese barberry (*Berberis thunbergii*), black raspberry (*Rubus occidentalis*), poison ivy (*Toxicodendron radicans*), Asiatic bittersweet (*Celastrus orbiculatus*), creeping Charlie (*Glechoma hederacea*), eastern hay-scented fern (*Dennstaedtia punctilobula*), goldenrods (*Solidago* spp.), white wood-aster (*Eurybia divaricata*), and wintergreen (*Pyrola americana*).

According to the Massachusetts Natural Heritage and Endangered Species Program Atlas (15th Edition; MassGIS 2021), there is no Priority or Estimated Habitat for rare species, nor certified or potential vernal pools immediately on or directly adjacent to the property.

Regulatory Implications and Recommendations

The wetland delineation provided is OA's interpretation of the resource area boundaries and they must be reviewed and approved by the Sudbury Conservation Commission (SCC) before they become legally affirmed boundaries. OA recommends evaluation of the offsets and extent of the resource areas via preparation of a survey plan, to include the resource area flag locations and projected regulated areas (buffer zone, Riverfront

Area) to determine what improvements can comply with the applicable State and local performance standards.

In general, the SCC discourages any work or activity within 100 feet of a wetland resource area. Any activities proposed within 100 feet of the BVW boundary, or 200 feet of the MAHW of a perennial stream are subject to review by the SCC and the Massachusetts Department of Environmental Protection (DEP). Any activity proposed <u>within</u> BVW is subject to review by the SCC, and DEP, and may require filing an additional 401 Water Quality Certificate with the DEP.

The Bylaw designates a 100-foot "adjacent upland resource area" (buffer zone) resource area surrounding all freshwater wetlands. This buffer zone is used to protect the functions and values of wetland resource areas and may be subdivided into four separate zones to determine the amount of allowable work in each. The area closest to the wetlands is normally determined to be part of the "No Disturbance Area," and allows virtually no activities or work to be completed. A minimum of 25 feet of natural vegetation is typically desirable between the edge of wetland resources and proposed activities and/or disturbance. The amount of allowable work in the remaining zones may increase the further it is from a resource or ecologically sensitive area.

The latest USGS quadrangle map shows the stream on the subject property as being perennial, but the USGS StreamStats application calculates the watershed to be approximately 0.12 square miles, which is below the 0.5 sq. mi. threshold referenced in the 310 CMR 10.58(2)(a)1.c.i. The presumption of the perennial status of the stream can be overturned with recorded observations of the stream bed dry over four (4) days during a non-drought period (as determined by the state's Drought Management Task Force) within a one-year period. Photographic proof of the intermittent status of the stream will eliminate the regulations specific to Riverfront Area (10.58) under the Act.

However, even if proven to be intermittent, the stream would likely be classified as a Type I intermittent stream under the Bylaw (flowing water disappears for greater than five (5) but not more than thirty (30) days annually). Type I intermittent streams only have a 100-foot buffer zone originating from the Bank but the buffer zone can be regulated with similar protections as applied to a perennial stream.

Under the Sudbury Board of Health Rules and Regulations for Subsurface Disposal of Sewage, the stream is considered a "surface watercourse." Any proposed leaching facilities are required to be a minimum 100 feet from all surface watercourses. The BVW is not considered to be a surface watercourse because it does not have water present on the surface for a period of three months or greater, but also requires a 50-foot separation from leaching facilities. Should it be necessary for the leaching field to be placed closer than 100 feet from the stream or 50 feet from the BVW, a variance from the Board of Health will be required.

Inland Bank is determined at the mean annual flood level, or the first observable break in slope, whichever is lower. Bank was not flagged during this evaluation, because it is

interior to the BVW flags and no work is anticipated to cross the Bank, but is generally coincident with the MAHW of the stream. Impacts up to 10% of the total length or 50 feet (whichever is less) of Bank would not be deemed detrimental to the wildlife habitat functions of the Bank. Should any crossing be proposed over the stream, it must be designed to be span 1.2x the bankfull width and meet the appropriate Openness Ratio specified in the Massachusetts Stream Crossings Handbook.

Summary

The GIS/GPS map we have provided can be used as a planning tool, however a Professional Land Surveyor or Engineer will need to complete a survey and plan of the existing and proposed conditions. The anticipated Notice of Intent application must include a site plan illustrating the existing conditions, property boundaries, existing structures, limits of driveway/pavement/vegetation, outbuildings, resource area boundaries and buffers, topography, proposed erosion control barrier, any pertinent construction notes and details, as well as the proposed septic design.

Erosion and sediment controls should be incorporated into the project design to encircle the limit of work within the yard to prevent erosion, control sediment movement, and stabilize exposed and disturbed soils during construction of the septic system. Temporary erosion and sedimentation controls during construction include minimizing areas of exposed soil, directing and controlling runoff, and rapidly stabilizing exposed areas. Any soils left exposed for extended periods should be seeded for temporary vegetative cover. Following construction, exposed areas should be permanently vegetated with appropriate ground cover. Erosion and sedimentation control measures should remain functional until the exposed soil is seeded and stabilized.

If you have any questions, please do not hesitate to contact us.

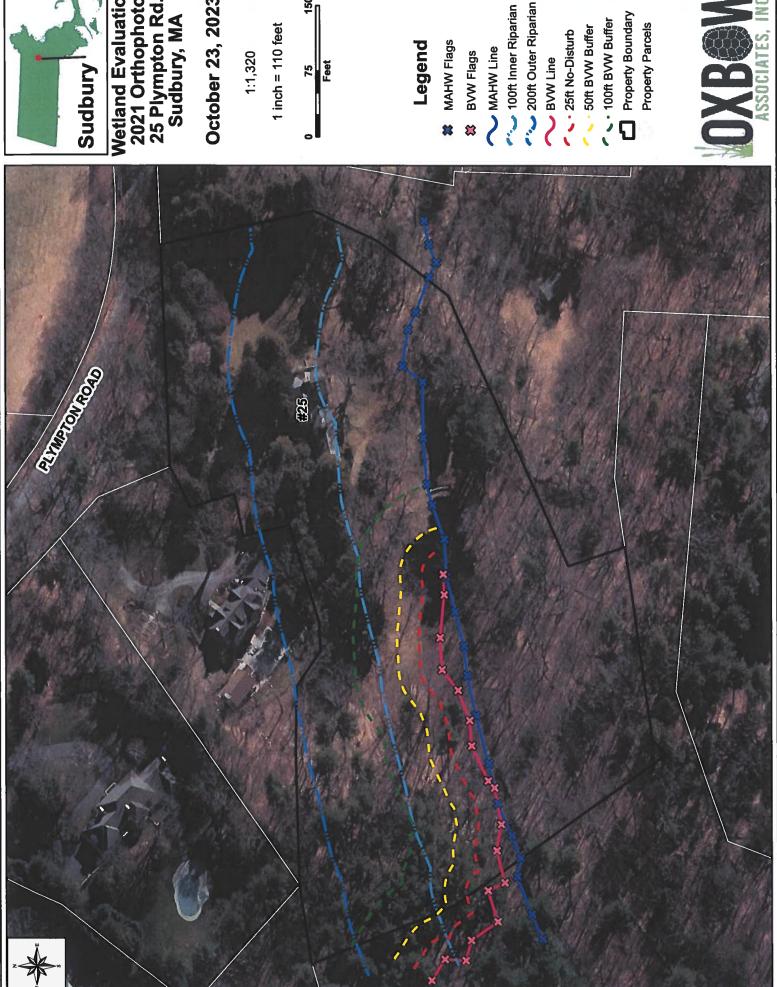
Sincerely.

Ronald Strohsahl, PWS Senior Wetland Scientist

Encls. Wetland Evaluation Figure

Ronald H. Strobubl

HONOLO STRONSANL S 3243 PWS





Wetland Evaluation 2021 Orthophoto 25 Plympton Rd. Sudbury, MA

October 23, 2023

100ft Inner Riparian

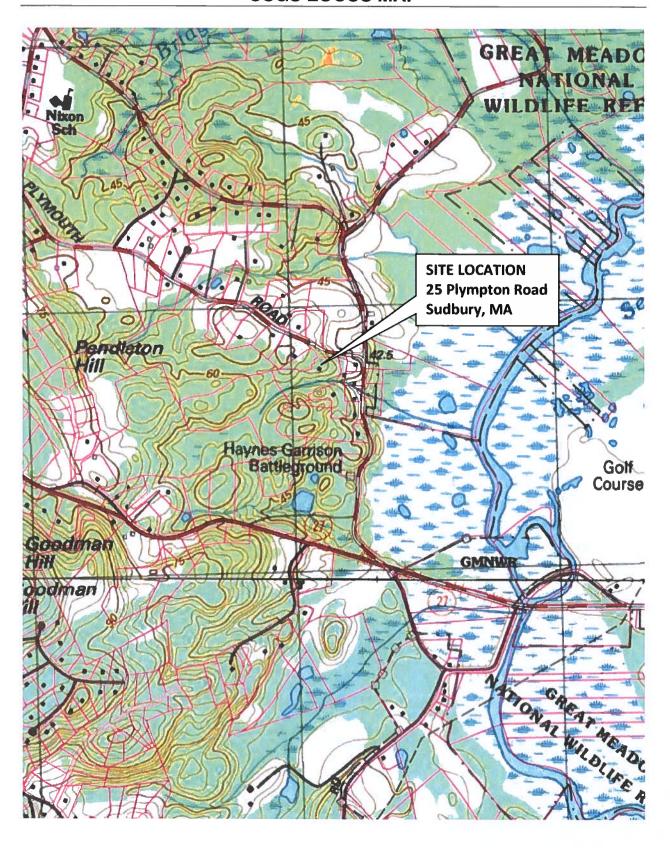
~ · 100ft BVW Buffer

Property Parcels



LOCUS MAPPING

USGS LOCUS MAP



MapsOnline

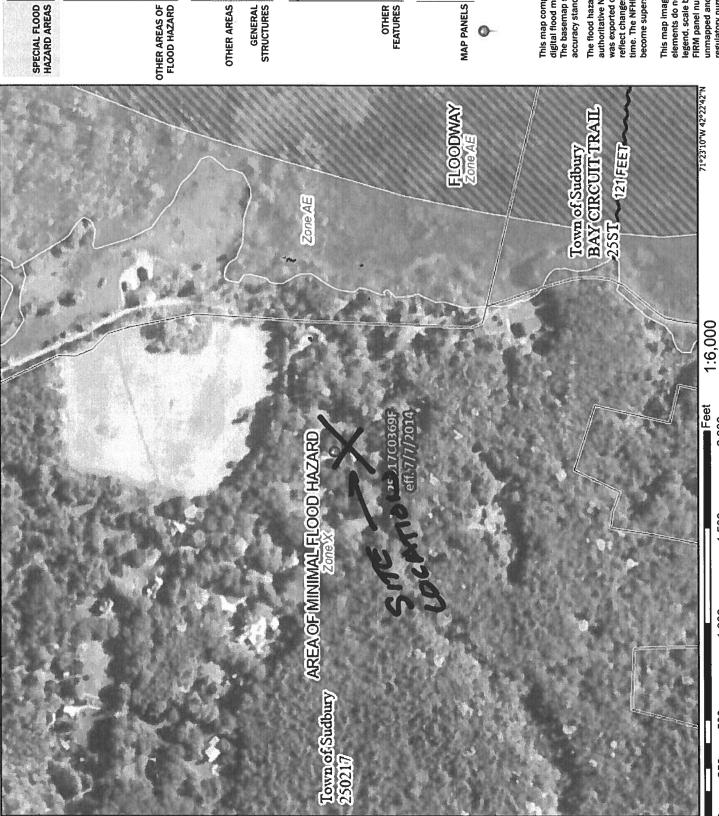
Printed on 12/08/2023 at 11:10 AM

1600 ft

800

National Flood Hazard Layer FIRMette





Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

Without Base Flood Elevation (BFE)

SPECIAL FLOOD HAZARD AREAS

depth less than one foot or with drainag 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average With BFE or Depth Zone AE, AO, AH, VE, AR Regulatory Floodway

areas of less than one square mile Zone Future Conditions 1% Annual Chance Flood Hazard Zone X

Area with Flood Risk due to Levee Zone D Area with Reduced Flood Risk due to Levee. See Notes. Zone x

NO SCREEN Area of Minimal Flood Hazard Zone X

Effective LOMRs

Area of Undetermined Flood Hazard Zon

Channel, Culvert, or Storm Sewer STRUCTURES | 111111 Levee, Dike, or Floodwall Cross Sections with 1% Annual Chance Water Surface Elevation

Coastal Transect

www.ggwww Base Flood Elevation Line (BFE) Jurisdiction Boundary ■ Limit of Study

Coastal Transect Baseline

Profile Baseline

OTHER FEATURES

Hydrographic Feature

Digital Data Available

No Digital Data Available

The pin displayed on the map is an approximate point selected by the user and does not represe an authoritative property location.

Unmapped

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap

was exported on 12/8/2023 at 11:14 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or authoritative NFHL web services provided by FEMA. This map The flood hazard information is derived directly from the become superseded by new data over time. This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, FIRM panel number, and FIRM effective date. Map images for egend, scale bar, map creation date, community identifiers, unmapped and unmodernized areas cannot be used for regulatory purposes

1,500

200

