

**NOTICE OF PUBLIC HEARING
SUDBURY CONSERVATION COMMISSION
Monday, August 26, 2024 at 7:00 PM
Virtual Meeting**

The Sudbury Conservation Commission will hold a public hearing to review the Notice of Intent filing to construct a garage with associated drainage, fence, and removal of trees within the 200-foot Riverfront Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw, at 87 Moore Road, Sudbury, MA. Dwight D. Henderson, Applicant. The hearing will be held on Monday, August 26, 2024 at 7:00 pm, via remote participation.

Please see the Conservation Commission web page for further information.

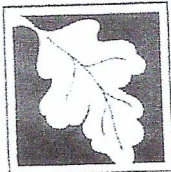
<https://sudbury.ma.us/conservationcommission/meeting/conservation-commission-meeting-monday-august-26-2024/>

SUDBURY CONSERVATION COMMISSION
8/8/24

NOTICE OF INTENT
87 MOORE ROAD
SUDBURY, MASSACHUSETTS

August 5, 2024

Lakeview Engineering Associates
P.O. Box 787
Hudson, Massachusetts 01749



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

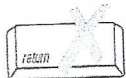
Provided by MassDEP:

MassDEP File Number

Document Transaction Number

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):

87 Moore Road
 a. Street Address

Sudbury
 b. City/Town

01776
 c. Zip Code

Latitude and Longitude:
 42.386
 d. Latitude

71.455
 e. Longitude

Map G-04
 f. Assessors Map/Plat Number

Parcel 0001
 g. Parcel /Lot Number

2. Applicant:

Dwight D.
 a. First Name

Henderson
 b. Last Name

c. Organization

87 Moore Road
 d. Street Address

Sudbury
 e. City/Town

MA
 f. State

01776
 g. Zip Code

978-375-0785
 h. Phone Number

N/A
 i. Fax Number

I.d.henderson@comcast.net
 j. Email Address

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

Dwight D.
 a. First Name

Henderson, Trustee
 b. Last Name

Dwight D. Henderson 2021 Trust
 c. Organization

87 Moore Road
 d. Street Address

Sudbury
 e. City/Town

MA
 f. State

01776
 g. Zip Code

978-375-0785
 h. Phone Number

N/A
 i. Fax Number

I.d.henderson@comcast.net
 j. Email address

4. Representative (if any):

Stephen E.
 a. First Name

Poole
 b. Last Name

Lakeview Engineering Associates
 c. Company

P.O. Box 787
 d. Street Address

Hudson
 e. City/Town

MA
 f. State

01749
 g. Zip Code

508-232-8302
 h. Phone Number

N/A
 i. Fax Number

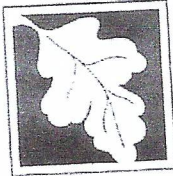
spoole335@gmail.com
 j. Email address

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

\$ 165.00
 a. Total Fee Paid

\$ 70.00
 b. State Fee Paid

\$ 95.00
 c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

Construction of a 20'x40' barn within the Riverfront Area and associated access road outside Riverfront Area. Also includes limited fence line relocation and cutting of an 3", 6" 14" & 18" Maples & a dead 8" Maple within Riverfront Area.

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

Bk 81878

c. Book

N/A

b. Certificate # (if registered land)

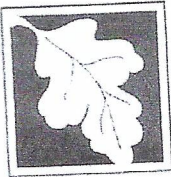
Pg 277

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: 15,099 sq. ft.
square feet

4. Proposed alteration of the Riverfront Area:

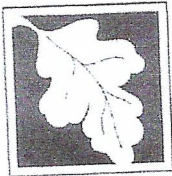
1,425 sq. ft. a. total square feet N/A b. square feet within 100 ft. 1,425 sq. ft. c. square feet between 100 ft. and 200 ft.

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 _____
f. <input type="checkbox"/> Coastal Banks	<u>Size of Proposed Alteration</u> 1. linear feet _____	<u>Proposed Replacement (if any)</u>
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. 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.

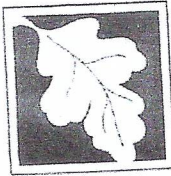
a. square feet of BVW _____

b. square feet of Salt Marsh _____

5. 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

- 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

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*

- Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

- Assessor's Map or right-of-way plan of site

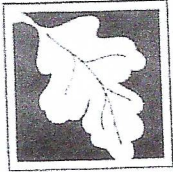
- Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work**

- Project description (including description of impacts outside of wetland resource area & buffer zone)
- 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/mass-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 - Bourne to Rhode Island border, and the Cape & Islands:

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

North Shore - Plymouth to New Hampshire border:

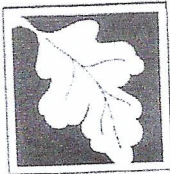
Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

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
- 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.

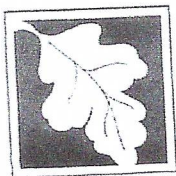
D. Additional Information

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.



Massachusetts Department of Environmental Protection
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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.

Conservation Filing Plan

a. Plan Title	<u>Lakeview Engineering Associates</u>	<u>Edward T.T. Chiang</u>
b. Prepared By	<u>7/20/24</u>	c. Signed and Stamped by <u>1"=20'</u>
d. Final Revision Date		e. Scale

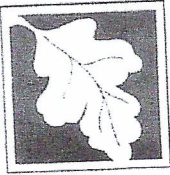
- 5. If there is more than one property owner, please attach a list of these property owners not listed on this form.
- 6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
- 7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
- 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:

1916	2. Municipal Check Number	<u>7/31/24</u>	3. Check date
1917	4. State Check Number	<u>7/31/24</u>	5. Check date
<u>Lakeview Engineering Associates</u>	6. Payor name on check: First Name	7. Payor name on check: Last Name	



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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.

[Handwritten Signature]

1. Signature of Applicant

7/22/24

2. Date

3. Signature of Property Owner (if different)

5. Signature of Representative (if any)

4. Date

7/22/24

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.

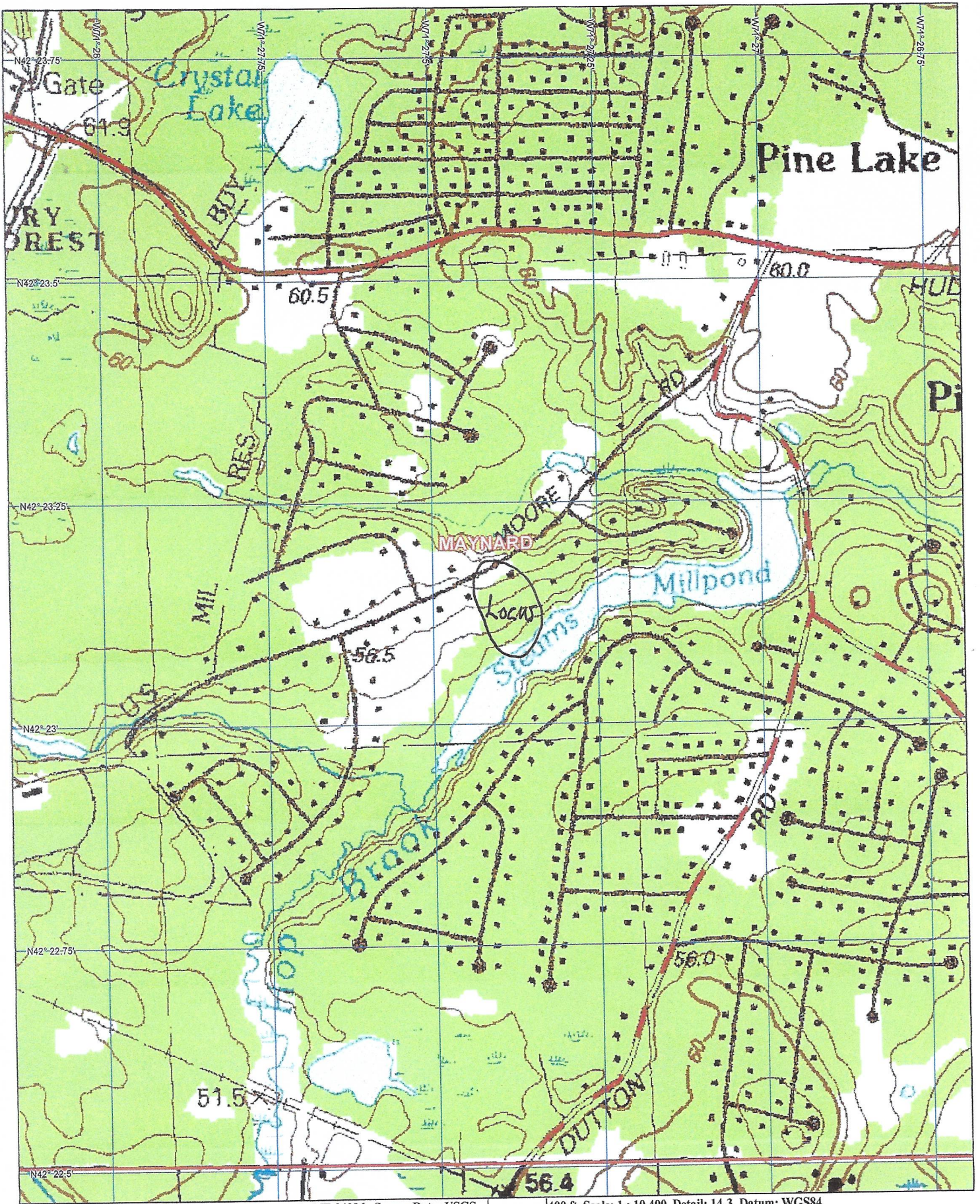
SUPPLEMENTAL INFORMATION

NOTICE OF INTENT

87 MOORE ROAD

SUDBURY, MASSACHUSETTS

1. The site locus is shown on the attached, partial USGS map of the area. The project as noted is the construction of an access drive & turnaround area, a garage, re-located fencing, site grading & drainage facilities, as shown on the plan.
2. The Conservation Filing Plan, 87 Moore Road, dated July 20, 2024 shows the site area, the existing topography and the proposed work, as well as the limit of the shoreline of Stearns Mill Pond.
3. The attachments to the Notice of Intent are as follows:
 1. Conservation Filing Plan, 87 Moore Road, Sudbury, MA
1 Sheet, dated 07/20/2024.
 2. USGS Locus Plan
 3. Appendix A – Filing Fee Calculation
 4. Appendix B - Abutter Notification
 5. Appendix C – Wetland Resource Summary



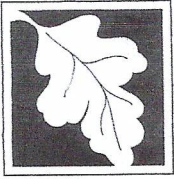
APPENDIX A

FILING FEE CALCULATION

NOTICE OF INTENT

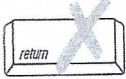
87 MOORE ROAD

SUDBURY, MASSACHUSETTS



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:

87 Moore Road _____ Sudbury _____
 a. Street Address b. City/Town
 1917 _____ \$ 70.00 _____
 c. Check number d. Fee amount

2. Applicant Mailing Address:

Dwight D. _____ Henderson _____
 a. First Name b. Last Name

 c. Organization
 87 Moore Road _____
 d. Mailing Address
 Sudbury _____ MA _____ 01776 _____
 e. City/Town f. State g. Zip Code
 978-375-0785 _____ I.d.henderson@comcast.net _____
 h. Phone Number i. Fax Number j. Email Address

3. Property Owner (if different):

Dwight D. _____ Henderson, Trustee _____
 a. First Name b. Last Name
 Dwight D. Henderson 2021 Trust _____
 c. Organization
 87 Moore Road _____
 d. Mailing Address
 Sudbury _____ MA _____ 01776 _____
 e. City/Town f. State g. Zip Code
 978-375-0785 _____ j. Email Address _____
 h. Phone Number i. Fax Number

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).

APPENDIX B
ABUTTER NOTIFICATION
NOTICE OF INTENT
87 MOORE ROAD
SUDBURY, MASSACHUSETTS

Notification to Abutters Under the
Massachusetts Wetlands Protection Act
and the
Sudbury Wetlands Protection Bylaw

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following:

- A. The applicant is Dwight D. Henderson.
- B. The applicant has filed a Notice of Intent with the Conservation Commission for the Municipality of Sudbury seeking permission to construct a 20'x 40' barn in the rear of his property and within the Riverfront Area of Stearns Mill Pond including an access drive, limited site grading and limited tree removal. All proposed work is outside the Buffer Zone of Bordering Vegetated Wetlands associated with the pond and partially within the Outer Riparian Zone of the Riverfront Area.
- C. The address where the activity will take place is 87 Moore Road.
- D. Copies of the proposed project may be examined by request to the offices of Conservation Commission, DPW Building, 275 Old Lancaster Road, Sudbury, MA during regular business hours (Call 978-440-5471). For more information, call Steve Poole at (508) 232-8302. This is the Applicant's Representative.
- E. Information regarding the time, and place of the public hearing may be obtained from the Town of Sudbury Conservation Commission by calling this telephone number (978) 440-5471 during regular business hours, Monday to Friday. The scheduled meeting date is August 26, 2024 at 7:00 PM or shortly thereafter. This meeting will be held via Zoom and the Zoom contact information as to access for the meeting will be posted on the Town of Sudbury Conservation Commission website.

NOTE: Final notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in the Metro West Daily News.

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 Regional Office for more information about this application or the Wetlands Protection Act. To contact DEP, call:

Central Region: 508-792-7650
Southeast Region: 508-946-2700

Northeast Region: 978-694-3200
Western Region: 413-784-1100

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act
&
Sudbury Wetlands Protection By-law

I, Stephen E. Poole, hereby certify under the pains and penalties of perjury that on August 7, 2024 that notification to abutters in compliance with the second paragraph of the Massachusetts General Laws Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 8, 1994 was done, in connection with the following matter:

A request to issue an Order of Conditions, filed under the Massachusetts Wetlands Protection Act & the Sudbury Wetlands Protection Bylaw by Dwight D. Henderson with the Sudbury Conservation Commission on August 7, 2024 for property located at 87 Moore Road, 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.



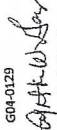
Stephen E. Poole



Date

100* Abutters Certified
87 Moore Rd G04-0001

abutters_id_field	abutters_owner1	abutters_owner2	owner_address	abutters_town	abutters_state	abutters_zip	abutters_hood/page	abutters_parcel_address
G04-0002	PEASE WENDY M	TRUSTEE OF THE KIDS PEASE TIS	95 MOORE RD	SUDBURY	MA	01776	58691-178	83 MOORE RD
G04-0003	DESJARDINS ROBERT		81 MOORE RD	SUDBURY	MA	01776	79724-13	81 MOORE RD
G04-0005	MCMAHON PATRICK J	MCMAHON CANDACE DUNLOP	96 MOORE RD	SUDBURY	MA	01776	14518-505	96 MOORE RD
G04-0006	SCHLICHER JOHN R & DEVON M		80 MOORE ROAD	SUDBURY	MA	01776	70732-288	80 MOORE RD
G04-0127	RUDDY CATHERINE E & WILLIAM K		82 BARTON DR	SUDBURY	MA	01776	1578-193	82 BARTON DR
G04-0128	RABINOVICH BORIS & ROSENFELD S ABINA		76 BARTON DR	SUDBURY	MA	01776	284103	76 BARTON DR
G04-0129	HOFFMAN BRUCE W		68 BARTON DR	SUDBURY	MA	01776	1581-149	68 BARTON DR


Cynthia W Gery
Director of Assessing

[print this list](#)

Abutters List

Date: August 01, 2024

Subject Property Address: 87 MOORE RD Sudbury, MA
Subject Property ID: G04-0001

Search Distance: 100 Feet

Owner: PEASE WENDY M
Co-Owner: TRUSTEE OF THE KIDS PEASE TRS
Prop ID: G04-0002
Prop Location: 93 MOORE RD Sudbury, MA
Mailing Address:

93 MOORE RD
SUDBURY, MA 01776

Owner: DESAULNIERS ROBERT
Co-Owner:
Prop ID: G04-0003
Prop Location: 81 MOORE RD Sudbury, MA
Mailing Address:
81 MOORE RD
SUDBURY, MA 01776

Owner: MCMAHON PATRICK J
Co-Owner: MCMAHON CANDACE DUNLOP
Prop ID: G04-0005
Prop Location: 96 MOORE RD Sudbury, MA
Mailing Address:

96 MOORE RD
SADBURY, MA 01776

Owner: SCHLICHER JOHN R & DEVON M
Co-Owner:
Prop ID: G04-0006
Prop Location: 80 MOORE RD Sudbury, MA
Mailing Address:
80 MOORE ROAD
SADBURY, MA 01776

Owner: RUDDY CATHERINE E & WILLIAM K
Co-Owner:
Prop ID: G04-0127
Prop Location: 82 BARTON DR Sudbury, MA
Mailing Address:
82 BARTON DR
SADBURY, MA 01776

Owner: RABINOVICH BORIS & ROSENFELD S ABINA
Co-Owner:
Prop ID: G04-0128
Prop Location: 76 BARTON DR Sudbury, MA
Mailing Address:
76 BARTON DR
SADBURY, MA 01776

Owner: HOFFMAN BRUCE W
Co-Owner:

8/1/24, 1:17 PM

Abutters Report

Prop ID: G04-0129
Prop Location: 68 BARTON DR Sudbury, MA
Mailing Address:
68 BARTON DR
SUDBURY, MA 01776

APPENDIX C

WETLAND RESOURCES AREA IMPACT STATEMENT

NOTICE OF INTENT

87 MOORE ROAD

SUDBURY, MASSACHUSETTS

WETLAND IMPACT SUMMARY

87 MOORE ROAD

SUDBURY, MASSACHUSETTS

PROPOSED WORK:

The proposed work includes the construction of a 20 ft. by 40 ft. barn building with an gravel access drive, stormwater facilities, limited tree removal, minor site grading & restoration. The proposed work impacts the following resource areas as noted, including proposed steps for mitigation of potential impacts.

Section 10.55 – Bordering Vegetated Wetlands:

Under the State Wetland Regulations, Bordering Vegetated Wetlands are a resource area subject to the Jurisdiction and Protection of the Wetlands Protection Act. The project site has been evaluated for this resource area and the limits of the wetlands, established, as shown on the Plan. In addition to wetlands area itself there is a mandated 100 foot buffer zone established in the wetland regulations for review of proposed work and to establish protective measure to prevent impacts to the wetlands from the proposed work. The Sudbury Wetlands By-Law also establishes detailed criteria for work within the 100 foot buffer zone area from the edge of wetlands.

The project is not located within the 100 foot buffer of the wetlands, as it is separated from the wetlands by approximately 114 feet (See Attached Plan). The installation of the erosion control barrier along the edge of the limit of work will assure that the wetland area is protected from any silt laden runoff and left in its natural state.

Section 10.57 – Land Subject to Flooding

Under the Wetland Regulations, Land Subject to Flooding is a resource area under the jurisdiction and protection of the Act. The project site is not within the FEMA designated 100 year flood zone (Land Subject to Flooding) based on the FEMA flood maps for the Town (Map 25017C0364F-7/7/2014), see attached.

Section – 10.58 – Riverfront Area

Under the Wetlands Regulations, Riverfront Area is a resource area under the jurisdiction of the Wetlands Act with limited development allowed for new projects. The Act establishes a 100 foot Inner Riparian Zone and a 200 foot Outer Riparian Zone from the average high water mark or the top of bank of any river. The project site abuts Stearns Mill Pond, an impoundment of Hop Brook as shown on the USGS & Town maps. The Riverfront determination was made in the spring of 2024 under excessive rainfall conditions and high water levels in both streams & ponds, based on the observation of a

flow area within the pond that could be considered Riverine in character, therefore the Riverfront determination. Based on this determination and the High Waterline of the pond previously established in the field, the limit of the 100 & 200 foot Riparian Zones were shown on the plan.

Alternative Evaluation

As the house on the property already exists and the project is an addition to existing conditions, the alternative evaluation only includes the existing lot, more specifically, only the buildable portion of the lot. This limits the applicants responsibility to look at alternatives that can be constructed on the lot.

The proposed project is an addition to the existing house and site amenities. Due to the limitations of the available undeveloped area of the lot and existing property lines, site grading, access requirements and retaining walls the project can not be located anywhere else on the lot that is not outside the Outer Riparian Zone on the site. The only reasonable alternatives to the proposal are a no build scenario and a location outside the Riverfront area. While the no build scenario may seem feasible & could minimally reduce the impact within the Riverfront Area, it involves the loss of use of the existing level area of the lot, which would be a financial loss as the intent of the project is to provide covered storage for the Owner's boat(s) and an area to work on the boat(s), as well as other projects. Offsite boat storage is expensive and does not provide for any maintenance needs. As to another location on the lot, this alternative would have the same impacts as the proposal. A location outside the Riverfront Area would require an east-west orientation of the garage with a longer access road and the same turnaround area as proposed. This turnaround would extend into the Riverfront area and result in an equal or greater tree removal as the proposal. It also would encompass most of the yard open space beyond the patio and be visually offensive to the use of the patio area.

As the proposed work requires minimal site grading & tree clearing and includes stormwater management facilities for both the access roadway and the proposed structure to reduce impacts to the Riverfront Area. Also, it is approvable as it only disturbs 1,425 sq. ft. in the level area at the limit of the Riverfront area, which consists of a total of 15,099 sq. ft. on the property. In addition, the structure occupies 800 sq. ft of the disturbed area.

Endangered Species Act – Estimated Habitat Evaluation

Under the Wetland Regulations, the potential for the project to impact an "Estimated Habitat" of rare or endangered wildlife or plants must be evaluated under the jurisdiction of the Natural Heritage and Endangered Species Program. Based on a review of the mapping developed by the Program, the project site is not within any Habitat Area on the maps for the Town. As there is no Habitat Area, it is safe to assume that there will be no impact on any endangered species or rare plants.

87 Moore Road

NHESP Estimated Habitats of Rare Wildlife



NHESP Priority Habitats of Rare Species



Map Features for Imagery



Sterns Mill Pond

MassMapper

Leaflet | Mapbox



SUDBURY

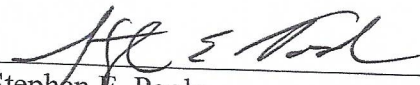
AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act
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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.



Stephen E. Poole



Date

7022 2410 0001 1335 9178

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Sudbury, MA 01776

Certified Mail Fee	\$4.85
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$1.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.73
Total Postage and Fees	\$9.68



Ser
 Str John R. & Devon M. Schlicher
 80 Moore Road
 Cit Sudbury, MA 01776

7022 2410 0001 1335 9178

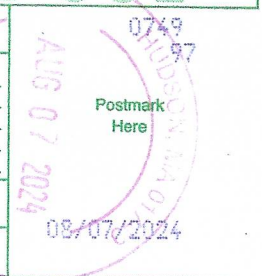
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<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.73
Total Postage and Fees	\$9.68



Sent To
 Street and Patrick J. McMahon
 96 Moore Road
 City, State Sudbury, MA 01776

7022 2410 0001 1335 9185

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Sudbury, MA 01776

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<input type="checkbox"/> Return Receipt (hardcopy)	\$1.00
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<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.73
Total Postage and Fees	\$9.68



Sent To
 Street and Robert Desaulniers
 81 Moore Road
 City, State Sudbury, MA 01776

7022 2410 0001 1335 9185

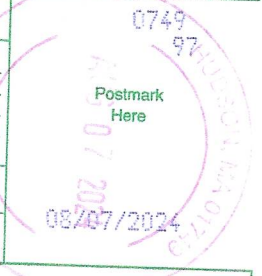
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<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.73
Total Postage and Fees	\$9.68



Sent To
 Street and Wendy M. Pease
 93 Moore Road
 City, State Sudbury, MA 01776

7022 2420 0001 1335 9154

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<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.73

Total Postage and Fees \$9.68

Sent Catherine E. & William K. Ruddy
Street 82 Barton Drive
City, Sudbury, MA 01776



7022 2420 0001 1335 9147

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Sudbury, MA 01776

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Extra Services & Fees (check box, add fee as appropriate)	
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<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.73

Total Postage and Fees \$9.68

Sent To Boris Rabinovich
Sabina Rosenfeld
Street and Apt. No., or PO Box 76 Barton Drive
City, State, ZIP+4® Sudbury, MA 01776



7022 2420 0001 1335 9153

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Sudbury, MA 01776

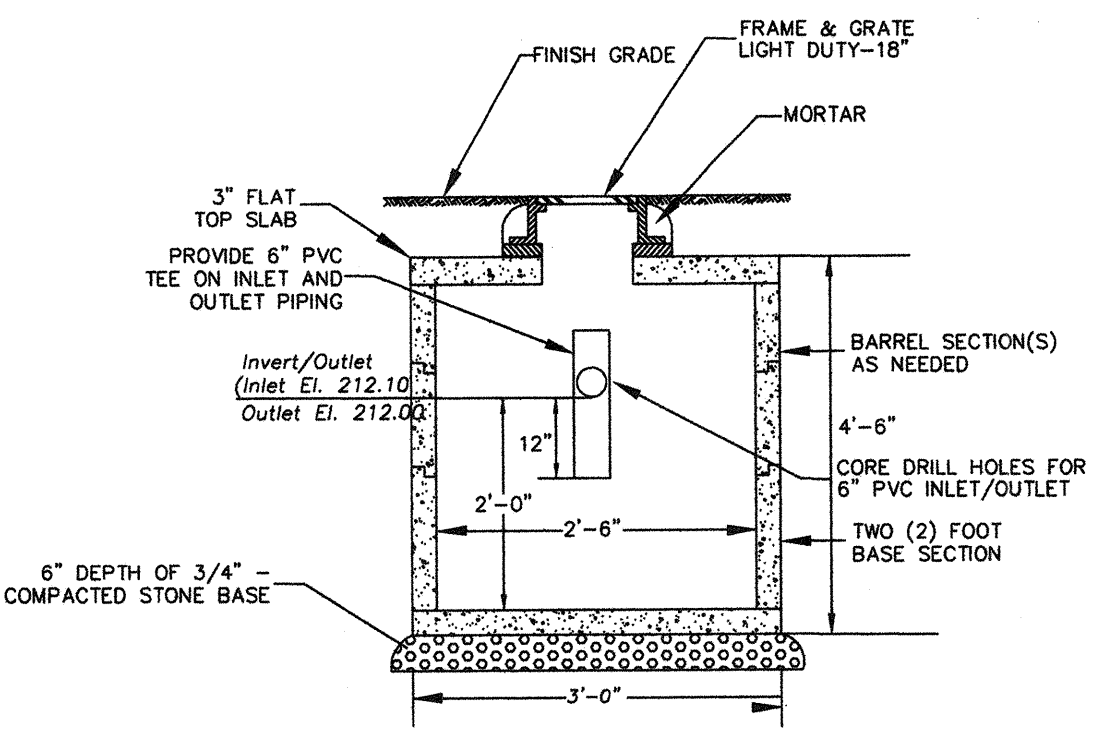
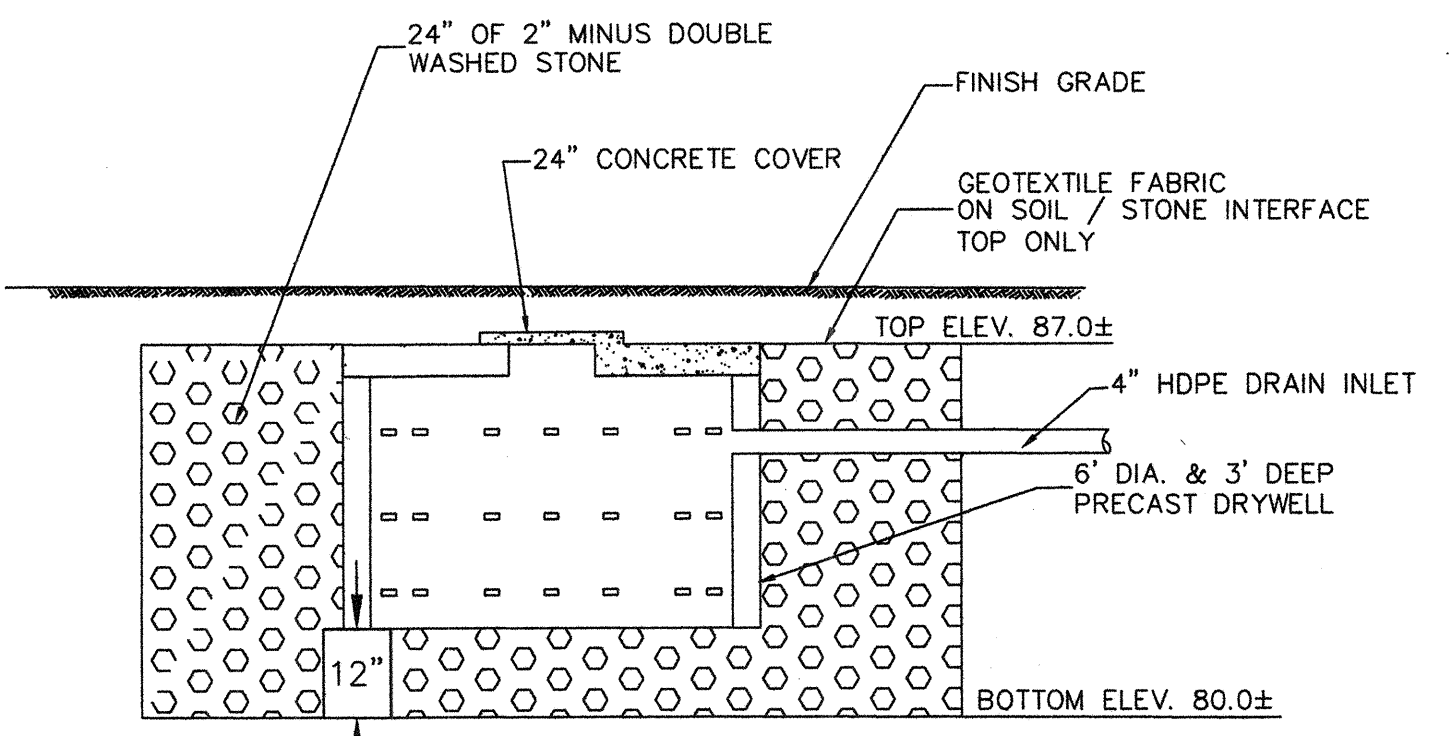
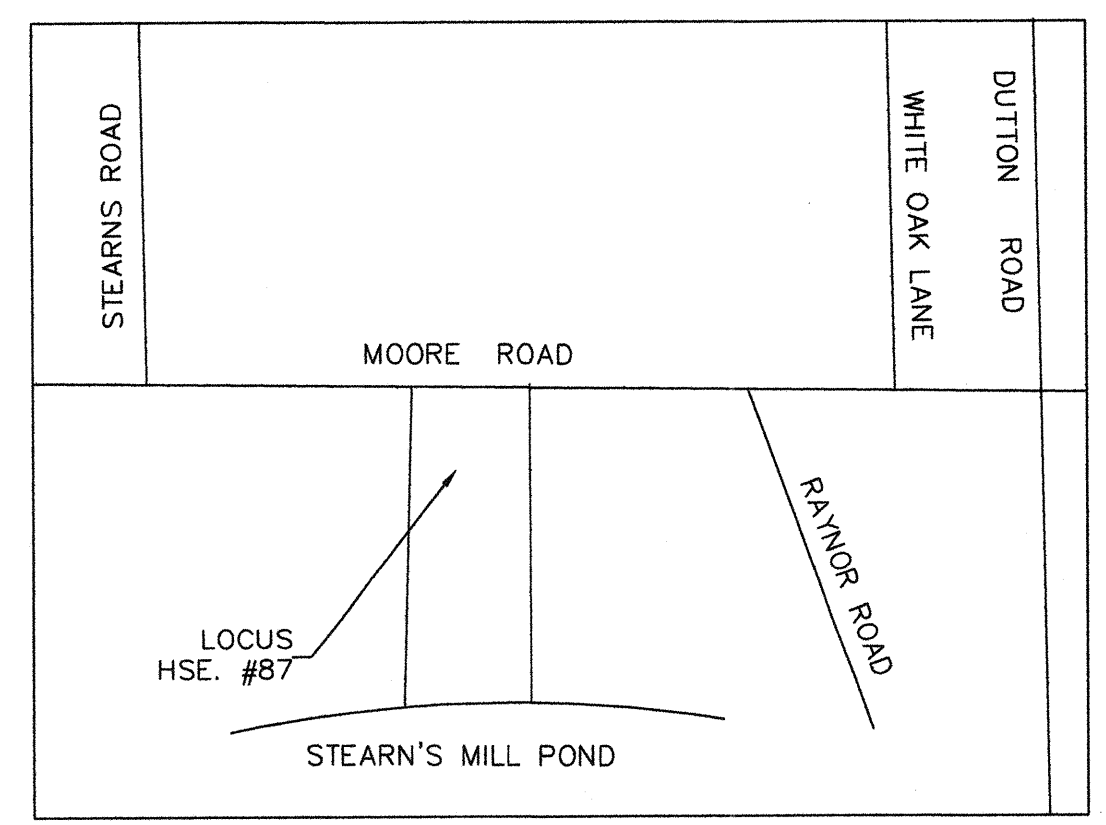
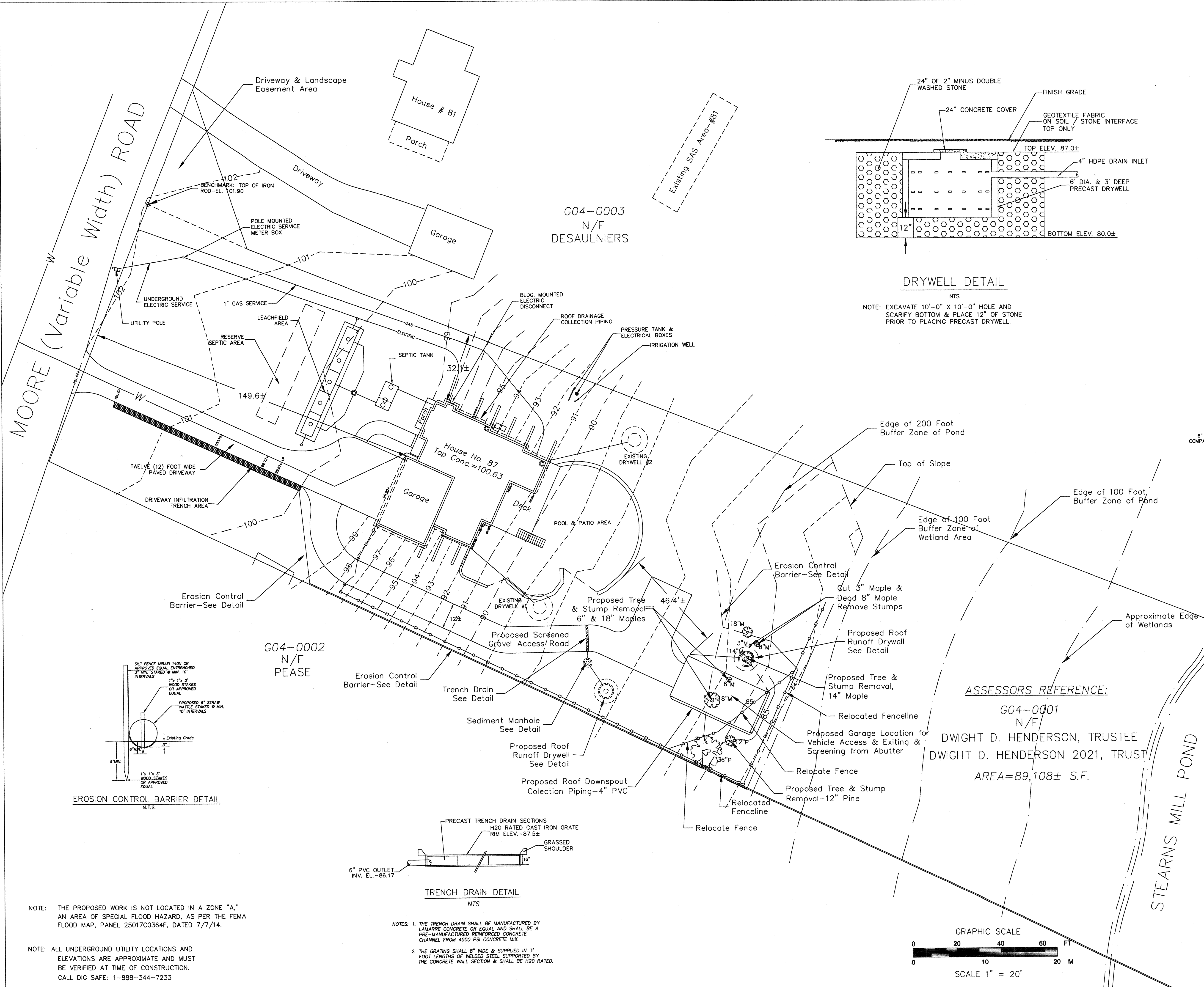
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<input type="checkbox"/> Adult Signature Required	\$0.00
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Postage \$0.73

Total Postage and Fees \$9.68

Sent To Bruce W. Hoffman
Street 68 Barton Drive
City, State, ZIP+4® Sudbury, MA 01776





ASSESSORS REFERENCE:
 MAP G04 / PARCEL 001

DEED REFERENCE:
 BK. 81878, PG. 277
 PLAN 549 of 2020

ZONE: RESIDENCE-A
 MIN. AREA 40,000 Sq. Ft. / EXISTING 89,108± Sq. Ft.

APPLICANT: DWIGHT D. HENDERSON
 87 MOORE ROAD
 SUDBURY, MA 01776

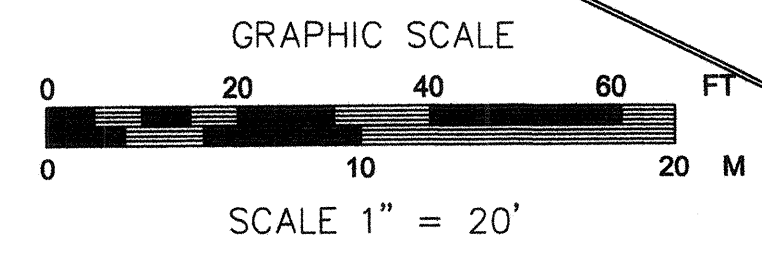
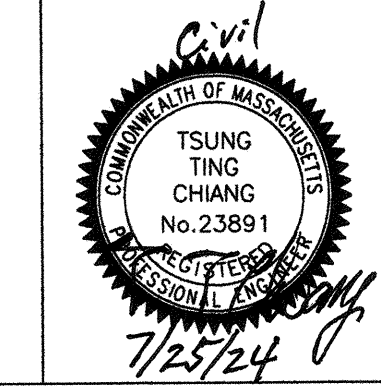
ASSESSORS REFERENCE:
 G04-0001
 N/F
 DWIGHT D. HENDERSON, TRUSTEE
 DWIGHT D. HENDERSON 2021, TRUST
 AREA=89,108± S.F.

CONSERVATION FILING PLAN
 87 MOORE ROAD
 SUDBURY, MASS.

SCALE: 1"=20' DATE: JULY 20, 2024

PREPARED BY:
LAKEVIEW ENGINEERING ASSOCIATES
 CIVIL ENGINEERING & ENVIRONMENTAL PERMITTING
 P.O. BOX 787 HUDSON, MA 01749
 (508) 232-8302

DESIGNED BY	S.E.P.	DRAWN BY	S.E.P.	CHECKED BY	S.E.P.
No.		DESCRIPTION		DATE	
		REVISIONS			
C:SDSK/ PROJ/ 87 MOORE/ DWG/ CC-FILING SHEET 1 OF 1 SHEET					



NOTE: THE PROPOSED WORK IS NOT LOCATED IN A ZONE "A," AN AREA OF SPECIAL FLOOD HAZARD, AS PER THE FEMA FLOOD MAP, PANEL 25017C0364F, DATED 7/7/14.

NOTE: ALL UNDERGROUND UTILITY LOCATIONS AND ELEVATIONS ARE APPROXIMATE AND MUST BE VERIFIED AT TIME OF CONSTRUCTION.
 CALL DIG SAFE: 1-888-344-7233

NOTES:
 1. THE TRENCH DRAIN SHALL BE MANUFACTURED BY LAMARRE CONCRETE OR EQUAL AND SHALL BE A PRE-MANUFACTURED REINFORCED CONCRETE CHANNEL FROM 4000 PSI CONCRETE MIX.
 2. THE GRATING SHALL BE 8" WIDE & SUPPLIED IN 3' FOOT LENGTHS OF WELDED STEEL SUPPORTED BY THE CONCRETE WALL SECTION & SHALL BE 120 RATED.

