

NOTICE OF PUBLIC HEARING SUDBURY CONSERVATION COMMISSION Monday, February 27, 2023 at 6:45 PM Virtual Meeting

The Sudbury Conservation Commission will hold a public hearing to review the Notice of Intent filing to replace a septic system within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw, at 116 Austin Road, Sudbury, MA. Godfrey & Hellen Zziwa, Applicants. The hearing will be held on Monday, February 27, 2023 at 6:45 pm, via remote participation.

Please see the Conservation Commission web page for further information.

https://sudbury.ma.us/conservationcommission/meeting/conservation-commissionmeeting-monday-february-27-2023/

SUDBURY CONSERVATION COMMISSION 2/10/23



### CONNORSTONE ENGINEERING, INC.

10 SOUTHWEST CUTOFF, SUITE #7 NORTHBOROUGH, MASSACHUSETTS 01532 TEL: (508) 393-9727 • FAX: (508) 393-5242

Sudbury Conservation Commission 275 Old Lancaster Road Sudbury, MA 01776

January 30, 2023

#### Subject: Notice of Intent 116 Austin Road Sudbury, MA

Dear Members of the Commission;

On behalf of the applicant, Godfrey & Hellen Zziwa, please find the enclosed Notice of Intent and supporting documentation for the proposed septic system repair at 116 Austin Road, including:

- 1. The Notice of Intent application package including:
  - Completed NOI Form 3 Notice of Intent
  - Wetland Delineation Report
  - Locus mapping
  - List of abutters and notification forms;
- 2. Site Plans "Proposed Sewage Disposal System Plan, of 116 Austin Road, Sudbury, MA", prepared by Connorstone Engineering, Inc., dated January 20, 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.

#### Existing Conditions:

The project site consists of a 9.9 acre parcel of land currently developed as a single family home. The existing home is located adjacent to Austin Road including driveway access and lawn/landscaped areas around the house. Areas to the rear of the house are current undeveloped and wooded.

Regulated resources areas have been delineated by Oxbow Associates in January 2023, and a copy of the delineation report has been attached for review. The regulated areas include Bordering Vegetated Wetlands located along the west side lot line and over much of the rear portion of the lot. The associated 100 foot buffer zone extends over most of the lot area.

The existing home is currently serviced by an on-site septic system located in the front yard approximately 15 feet from the wetland areas at its closest point. This system has been determined to be in failure and must be replaced per Title 5 and Local Board of Health Regulations.

#### Proposed Project:

The proposed work under this Notice of Intent would include replacement of the existing septic system. The propose system would include a new septic tank, pump chamber, and leach field. The septic tank and pump chamber would be located in front of the house in the same general location as the existing system. This location was required to coordinate with the existing plumbing within the home. The leach field would be located in the front westerly corner of the lot in order to provide the maximum practical separation to the wetland areas. The field would provide a minimum 75 foot setback to the edge of wetland. This location would require a pump chamber to gain the required elevation and relocation of an existing underground Fios line. The existing underground electric line is located to the rear of the proposed leach field further limiting the flexibility of the location. Soil testing was performed in the proposed location and suitable soil conditions were encountered including highly permeable sand.

The proposed system would provide an improvement over the existing condition through replacing a failing septic system in close proximity to the wetland areas, increasing the horizontal separation to wetlands from 15 feet to 75 feet, and increasing the vertical separation to groundwater.

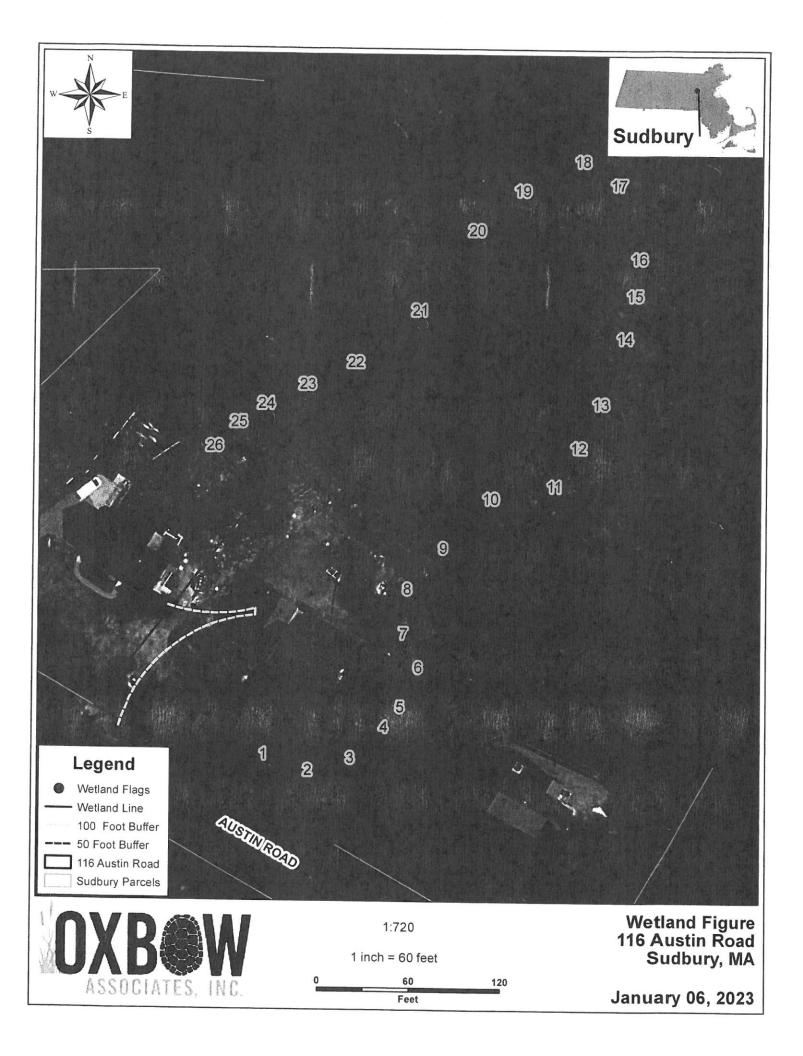
Temporary erosion controls include straw wattles with silt fencing have been proposed along the limit of work to avoid erosion issues during construction as well as silt sacks to be placed within the roadway catch basin. The limit of work would be maintained within the existing lawn areas and no new tree clearing would be required within the buffer zone (except for one 2" ornamental tree).

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

Sincerely, Connorstone Engineering, Inc.

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

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.

	Project Location (Note: electronic filers will click on button to locate project site):					
	116 Austin Road	Sudbury	01776			
	a. Street Address	b. City/Town	c. Zip Code			
	Latitude and Longitude:	42.37283	-71.44779			
		d. Latitude	e. Longitude			
	J 05	0378				
	f. Assessors Map/Plat Number	g. Parcel /Lot Number				
•	Applicant:					
	Godfrey & Hellen	Zziwa				
	a. First Name	b. Last Name				
	c. Organization					
	116 Austin Road					
	d. Street Address					
	Sudbury	Ma	01776			
	e. City/Town	f. State	g. Zip Code			
	617-840-7702		J			
		akzziwa@amail.com				
	h. Phone Number i. Fax Number Property owner (required if different from a Same as applicant a. First Name	gkzziwa@gmail.com j. Email Address applicant): Check if more b. Last Name	e than one owner			
	h. Phone Number i. Fax Number Property owner (required if different from a Same as applicant	j. Email Address applicant):	e than one owner			
	h. Phone Number i. Fax Number Property owner (required if different from a Same as applicant a. First Name	j. Email Address applicant):	e than one owner			
	h. Phone Number i. Fax Number Property owner (required if different from a Same as applicant a. First Name c. Organization	j. Email Address applicant):	e than one owner			
	h. Phone Number i. Fax Number Property owner (required if different from a Same as applicant a. First Name c. Organization d. Street Address	j. Email Address applicant): D. Last Name				
	h. Phone Number i. Fax Number Property owner (required if different from a Same as applicant a. First Name c. Organization d. Street Address e. City/Town	j. Email Address applicant): b. Last Name f. State				
	h. Phone Number i. Fax Number Property owner (required if different from a Same as applicant a. First Name c. Organization d. Street Address e. City/Town h. Phone Number i. Fax Number Representative (if any):	j. Email Address applicant): b. Last Name f. State j. Email address				
	h. Phone Number       i. Fax Number         Property owner (required if different from a Same as applicant         a. First Name         c. Organization         d. Street Address         e. City/Town         h. Phone Number         i. Fax Number	j. Email Address applicant): b. Last Name f. State j. Email address Colonna				
	h. Phone Number i. Fax Number Property owner (required if different from a Same as applicant a. First Name c. Organization d. Street Address e. City/Town h. Phone Number i. Fax Number Representative (if any): Vito a. First Name	j. Email Address applicant): b. Last Name f. State j. Email address				
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2000 2000 2000	h. Phone Number i. Fax Number Property owner (required if different from a Same as applicant a. First Name c. Organization d. Street Address e. City/Town h. Phone Number i. Fax Number Representative (if any): <u>Vito</u> a. First Name Connorstone Engineering	j. Email Address applicant): b. Last Name f. State j. Email address Colonna				
33 34 4 4 4 4 4 4 4 4 5 4 5 4 5 4 5 5 5 5	h. Phone Number i. Fax Number Property owner (required if different from a Same as applicant a. First Name c. Organization d. Street Address e. City/Town h. Phone Number i. Fax Number Representative (if any): Vito a. First Name Connorstone Engineering c. Company 10 Southwest Cutoff, Suite #7 d. Street Address	j. Email Address applicant): Check if more b. Last Name f. State j. Email address Colonna b. Last Name	g. Zip Code			
	h. Phone Number i. Fax Number Property owner (required if different from a Same as applicant a. First Name c. Organization d. Street Address e. City/Town h. Phone Number i. Fax Number Representative (if any): Vito a. First Name Connorstone Engineering c. Company 10 Southwest Cutoff, Suite #7	j. Email Address applicant): Check if more b. Last Name f. State j. Email address <u>Colonna</u> b. Last Name <u>Ma</u>	g. Zip Code			
	h. Phone Number i. Fax Number Property owner (required if different from a Same as applicant a. First Name c. Organization d. Street Address e. City/Town h. Phone Number i. Fax Number Representative (if any): Vito a. First Name Connorstone Engineering c. Company 10 Southwest Cutoff, Suite #7 d. Street Address Northborough	j. Email Address applicant): Check if more b. Last Name f. State j. Email address Colonna b. Last Name	g. Zip Code			



WPA Form 3 – Notice of Intent

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

Document	Transaction Number
Sudbury	
City/Town	

MassDEP File Number

### A. General Information (continued)

6. General Project Description:

Repair of existing septic system in failure. The replacement system will be loacted within the 100' buffer zones.

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

1.	Single Family Home	2. 🗌 Residential Subdivision
3.	Commercial/Industrial	4. Dock/Pier
5.	Utilities	6. 🗌 Coastal engineering Structure
7.	Agriculture (e.g., cranberries, forestry)	8. Transportation
9.	Other	

- 7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?
  - 1. Yes No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Middlesex	
a. County	b. Certificate # (if registered land)
65750	330
c. Book	d. Page Number

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

- 1. Buffer Zone Only Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- 2. Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



# Massachusetts Department of Environmental Protection Provided by MassDEP: Bureau of Resource Protection - Wetlands MassDEP File Nur

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

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### B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

		Resour	<u>ce Area</u>	Size of Proposed Alteration	Proposed Replacement (if any)
For all projects			Bank	1. linear feet	2. linear feet
affecting other Resource Areas, please attach a	Areas, ch a how se	b. 📋	Bordering Vegetated Wetland	1. square feet	2. square feet
narrative explaining how the resource		c. 🗌	Land Under Waterbodies and	1. square feet	2. square feet
area was delineated.			Waterways	3. cubic yards dredged	
		Resource Area		Size of Proposed Alteration	Proposed Replacement (if any)
		d. 🗌	Bordering Land Subject to Flooding	1. square feet	2. square feet
		e. 🗌	Isolated Land	3. cubic feet of flood storage lost	4. cubic feet replaced
			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) - spec	ify coastal or inland
		2.	Width of Riverfront Area (	check one):	
			25 ft Designated De	ensely Developed Areas only	
			100 ft New agricultu	ural projects only	
			200 ft All other proje	ects	
		з. Т	otal area of Riverfront Area	a on the site of the proposed projec	t: square feet
		4. F	Proposed alteration of the F	Riverfront Area:	
		a. to	tal square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.
		5. H	las an alternatives analysis	s been done and is it attached to this	s NOI?
		6. V	Vas the lot where the activi	ty is proposed created prior to Augu	ust 1, 1996? 🗌 Yes 🗌 No
	3.	🗌 Coa	stal Resource Areas: (See	310 CMR 10.25-10.35)	
		Note: fo	or coastal riverfront areas,	please complete Section B.2.f. abo	ove.



Online Users:

#### Massachusetts Department of Environmental Protection Provided by MassDEP: Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 MassDEP File Number

Document Transaction Number Sudbury

#### City/Town 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.

Include your document	<u>Reso</u>	urce Area	Size of Proposed Alteration	Proposed Replacement (if any)
transaction number	a. 🗌	Designated Port Areas	Indicate size under Land Und	der the Ocean, below
(provided on your receipt page) with all supplementary	b. 🗌	Land Under the Ocean	1. square feet	
information you submit to the			2. cubic yards dredged	<b>2</b>
Department.	c. 🗌	Barrier Beach	Indicate size under Coastal Be	aches and/or Coastal Dunes below
	d. 🗌	Coastal Beaches	1. square feet	2. cubic yards beach nourishment
	e. 🗌	Coastal Dunes	1. square feet	
			Size of Proposed Alteration	2. cubic yards dune nourishment Proposed Replacement (if any)
	f. 🗌	Coastal Banks		<u>r topood hopidoement (ir any)</u>
	g. 🗌	Rocky Intertidal	1. linear feet	-
	. —	Shores	1. square feet	-
	h. 🔄 i. 🔲	Salt Marshes Land Under Salt	1. square feet	2. sq ft restoration, rehab., creation
	·· LJ	Ponds	1. square feet	-
	_		2. cubic yards dredged	
	j. 🗌	Land Containing Shellfish	1. square feet	
	k. 🗌	Fish Runs	Indicate size under Coastal Bar Ocean, and/or inland Land Und above	nks, inland Bank, Land Under the er Waterbodies and Waterways,
			1. cubic yards dredged	
	I. 🗌	Land Subject to Coastal Storm Flowage	1. square feet	
4.	If the p	estoration/Enhancement project is for the purpose of footage that has been enti	restoring or enhancing a wetland ered in Section B.2.b or B.3.h abo	resource area in addition to the ve, please enter the additional
		e feet of BVW	b. square feet of S	Salt Marsh
5.	Pro	oject Involves Stream Cros	sings	

b. number of replacement stream crossings



## WPA Form 3 – Notice of Intent

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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	$\boxtimes$	No	If yes, include proof of mailing or hand delivery of NOI to:
08/01/2021			Natural Heritage and Endangered Species Program Division of Fisheries and Wildlife 1 Rabbit Hill Road
b. Date of ma	p		Westborough, MA 01581

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\*

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

- 2. Assessor's Map or right-of-way plan of site
- 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 & (a) 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/maendangered-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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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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

(c) MESA filing fee (fee information available at <u>https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review</u>).

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, <u>https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat</u>; 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 North Shore - Hull to New Hampshire border: the Cape & Islands:

Division of Marine Fisheries -	Division of Marine Fisheries -
Southeast Marine Fisheries Station	North Shore Office
Attn: Environmental Reviewer	Attn: Environmental Reviewer
836 South Rodney French Blvd.	30 Emerson Avenue
New Bedford, MA 02744	Gloucester, MA 01930
Email: <u>dmf.envreview-south@mass.gov</u>	Email: <u>dmf.envreview-north@mass.gov</u>

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.

l ls	this ar	aquaculture	project?
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a [	1 Vaa		NIG
a	Yes	X	NO

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).

С

No.	B	ureau of Resource Protection - Wetlands	Provided by MassDEP: MassDEP File Number		
	M	<b>VPA Form 3 – Notice of Intent</b> lassachusetts Wetlands Protection Act M.G.L. c. 131, §40	Document Transaction Number Sudbury City/Town		
	С	. Other Applicable Standards and Requirements	(cont'd)		
	4.	Is any portion of the proposed project within an Area of Critical Environ	mental Concern (ACEC)?		
Online Users: Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.		a. Yes No If yes, provide name of ACEC (see instructions Website for ACEC locations). <b>Note:</b> electronic	to WPA Form 3 or MassDEP		
		b. ACEC			
	5.	Is any portion of the proposed project within an area designated as an ( (ORW) as designated in the Massachusetts Surface Water Quality Star	Dutstanding Resource Water Idards, 314 CMR 4.00?		
		a. 🗌 Yes 🛛 No			
	6.	Is any portion of the site subject to a Wetlands Restriction Order under t Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction	the Inland Wetlands on Act (M.G.L. c. 130, § 105)?		
		a. 🗌 Yes 🖾 No	<ul> <li>Anterior contractor internet of the Contractor Field</li> </ul>		
	7.	Is this project subject to provisions of the MassDEP Stormwater Manage	ement Standards?		
		a. Yes. Attach a copy of the Stormwater Report as required by the			
		Standards per 310 CMR 10.05(6)(k)-(q) and check if: 1. Applying for Low Impact Development (LID) site design cred Stormwater Management Handbook Vol. 2, Chapter 3)			
		2. A portion of the site constitutes redevelopment			
		3. Proprietary BMPs are included in the Stormwater Managem	ent 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 or equal to 4 units in multi-family housing project) with no dis	-family houses or less than scharge to Critical Areas		
	D.	Additional Information			
		This is a proposal for an Ecological Restoration Limited Project. Skip See Appendix A: Ecological Restoration Notice of Intent – Minimum Required 10.12).	ction D and complete I Documents (310 CMR		
		Applicants must include the following with this Notice of Intent (NOI). See	e instructions for details.		
		<b>Online Users:</b> Attach the document transaction number (provided on yo 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.



### WPA Form 3 – Notice of Intent

MassDEP File Number

**Document Transaction Number** Sudbury City/Town

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

### D. Additional Information (cont'd)

- Identify the method for BVW and other resource area boundary delineations (MassDEP BVW 3. 🕅 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 System Plan	
Connorstone Engineering, Inc.	Vito Colonna PE
b. Prepared By	c. Signed and Stamped by
January 13, 2023	1"=20'
d. Final Revision Date	e. Scale

f. Additional Plan or Document Title

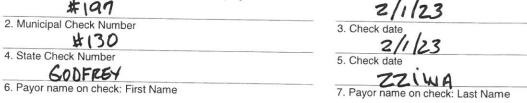
g. Date

- If there is more than one property owner, please attach a list of these property owners not 5. listed on this form.
- Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed. 6.
- Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed. 7.
- 8. 🛛 Attach NOI Wetland Fee Transmittal Form
- 9. Attach Stormwater Report, if needed.

#### E. Fees

1. E 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:





### WPA Form 3 – Notice of Intent

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

MassDEP File	Number
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### 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.

2/2/25 1. Signature of Applicant 2. Date 3. Signature of Property Owner (if different) 4. Date 5. Signature o 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

Β.	Fees		
	h. Phone Number i. Fax Number	j. Email Address	
	e. City/Town	f. State	g. Zip Code
	d. Mailing Address		
	c. Organization		
	a. First Name	b. Last Name	
3.	Property Owner (if different):		
	h. Phone Number i. Fax Number	j. Email Address	
	617-840-7702	gkzziwa@gmail.com	g. Lip 0000
	e. City/Town	f. State	g. Zip Code
	Sudbury	Ма	01776
	d. Mailing Address		
	116 Austin Road		
	c. Organization		
	a. First Name	b. Last Name	
	Godfrey & Hellen	Zziwa	
2.	Applicant Mailing Address:		
	c. Check number	d. Fee amount	
	# 130	\$42.50	
	a. Street Address	b. City/Town	
	116 Austin Road	Sudbury	

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

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.



### 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/To	tal Project Fee:	\$110
	Step 6/F	ee Payments:	
	Total F	Project Fee:	\$110 a. Total Fee from Step 5
	State share o	of filing Fee:	\$42.50 b. 1/2 Total Fee <b>less \$</b> 12.50
	City/Town share	of filling Fee:	\$67.50 c. 1/2 Total Fee <b>plus</b> \$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 DELINEATION REPORT

Oxbow Associates, Inc. January 24, 2023



January 24, 2023

Ms. Meaghan T. Mayo Connorstone Engineering, Inc. 10 Southwest Cutoff #7 Northborough, MA 01532

mtm@csei.net 508-393-9727

#### Re: Wetland Resource Area Evaluation 116 Austin Road Sudbury, MA

Dear Ms. Mayo:

In response to your request, Oxbow Associates, Inc. (OA: specifically, D. Kemmett) reviewed the above referenced site with specific regard to wetland resource areas on January 5<sup>th</sup>, 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) and the Sudbury Wetlands Administration Bylaw (Article XXII) and its Regulations.

#### **Existing Conditions and Wetland Resource Areas**

The site is located north of Austin Road, south of Tanbark Road, east of Axdell Road, and west of Peakham Road. The parcel contains a single-family home with a paved driveway and attached garage, screened-in back porch, and back deck. The east side of both front and rear yards is fringed by small, planted mulch beds. The north side of the back yard contains a gravel patch with lawn chairs and a fire pit, a wooden shed, a storage area for firewood, and four raised planting beds. The unfenced yard slopes uninterrupted into wooded portions of the property to the north, west and east. The slope into the mixed woodland directly from the yard is gentle, increasing in severity as it approaches the wetland boundary.

A peninsula of wooded uplands defines the wetlands north of the property, creating a slope into the wetland from both the east and west sides of the backyard. It is likely that soils in portions of the adjacent fenced-in backyard lawn at 108 Austin Road, where the field-examined wetland boundary ends, exhibit wetland characteristics. The edge of the wetland to the west and northwest of the dwelling is defined by a shallow man-made ditch. Based on our observations, OA believes that the wetland resource area located on and near the site is Bordering Vegetated Wetland (BVW; 310 CMR 10.55).

OA flagged the edge of the Bordering Vegetated Wetland with blue plastic flags in a series labeled A1-A26. Flags were placed based on topography, hydric soils, predominance of wetland vegetation, and other indicators of hydrology including limit of standing water, silt-stained leaves, and buttressed tree roots.

Vegetation associated with the wetland habitat includes red maple (*Acer rubrum*) highbush blueberry (*Vaccinium corymbosum*), sweet pepperbush (*Clethra alnifolia*) glossy buckthorn (*Frangula alnus*), cinnamon fern (*Osmunda cinnamomea*), sensitive fern (*Onoclea sensibilis*), sedges (*Carex* sp.), rushes (*Juncus* sp.), Sphagnum moss (*Sphagnum* sp.), and Japanese pachysandra (*Pachysandra terminalis*). Vegetation associated with the upland portions of the site consists of eastern white pine (*Pinus strobus*), oaks (*Quercus* spp.), burning bush (*Euonymus alatus*), *Rhodedendron* sp., Japanese pachysandra, princess pine (*Lycopodium obscurum*), and eastern teaberry (*Gaultheria procumbens*).

According to the Massachusetts Natural Heritage and Endangered Species Program Atlas (MassGIS 2021), there are no rare wildlife species' habitats or certified vernal pools on the site.

#### Regulatory Implications and Recommendations

It is OA's opinion that the areas identified on the attached figure are subject to jurisdiction under the Wetlands Protection Act and the Town of Sudbury Wetlands Administration Bylaw as BVW. The delineated boundaries are our professional opinion of the limit of resource areas and must be confirmed by the Sudbury Conservation Commission (SCC) before they are considered a legal boundary.

The A-series BVW has a 100-foot buffer zone extending horizontally from the delineated flags under the Act, and under the Bylaw, which protects "Adjacent Upland Resource Areas" to wetlands. Any activity proposed within 100 feet of the BVW boundary (A-series flags) would be subject to review by the SCC and the Massachusetts Department of Environmental Protection (DEP). In addition, the Bylaw gives wide latitude to the SCC to determine "No Disturbance, Temporary, Limited, and Permanent Disturbance" Areas on the property. In certain zones, work may be prohibited or curtailed to protect resource area values. 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 work allowable under the Bylaw in the remaining zones may increase the further it is from a resource or ecologically sensitive area.

It is our understanding that you are proposing to replace an existing sewage system on the property. As described, most or all of this project will only alter areas already within the maintained yard. Almost all of the property is located within the "Adjacent Upland Resource Area" (100-foot Buffer Zone to BVW), including the backyard. We recommend filing a Notice of Intent (NOI) with the SCC before the start of any site work. If work occurs outside of the 100-ft buffer zone, a Request for Determination of Applicability (RDA) should be filed to confirm this. Individual sewage treatment systems must be offset from surface wetlands as required by the Sudbury Board of Health Regulations and Massachusetts Title V.

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. Any SCC filing must include a site plan illustrating the proposed installation design and limit of work.

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

Sincerely,

Dominic Kemmett

Dominic Kemmett Environmental Scientist

Encl.

Wetland Delineation Figure, Representative Site Photographs

### **Representative Site Photographs**

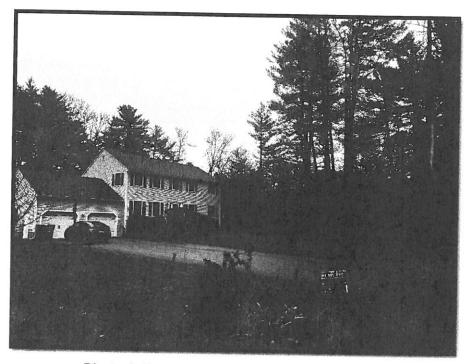


Photo 1. Front of the dwelling, looking northeast.

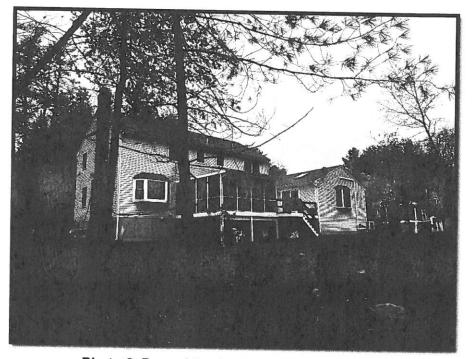


Photo 2. Rear of the dwelling, looking southwest.



Photo 3. Fire pit area and edge of woods. Looking west.



Photo 4. Wetlands east of the dwelling, near flag A23. The backyard fence at 108 Austin Road is visible at left. Looking southwest.

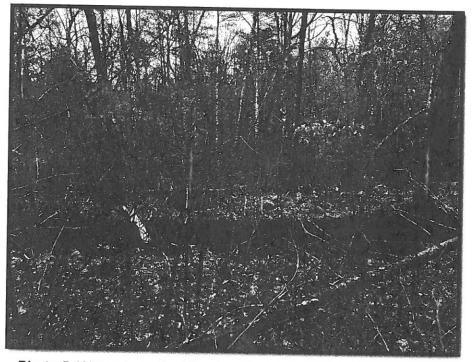


Photo 5. Wetlands north of the dwelling, near flag A18. Looking north.

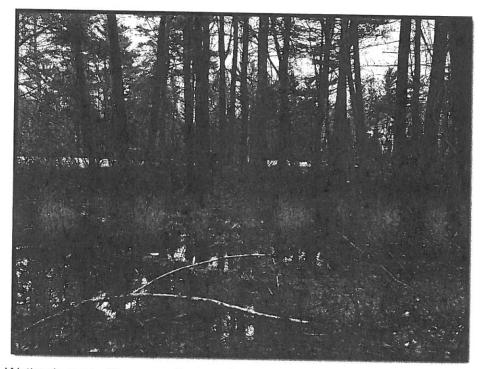


Photo 6. Wetlands east of the property, near flag A3. Dwelling and front yard are visible at rear. Looking west.

LOCUS MAPPING

**USGS MAPPING** 





**CERTIFIED LIST OF ABUTTER & NOTIFICATION FORMS** 

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

I, <u>D.S.Maxo</u> of Connorstone Engineering, Inc., hereby certify under the pains and penalties of perjury that on <u>2/2/23</u>, 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:

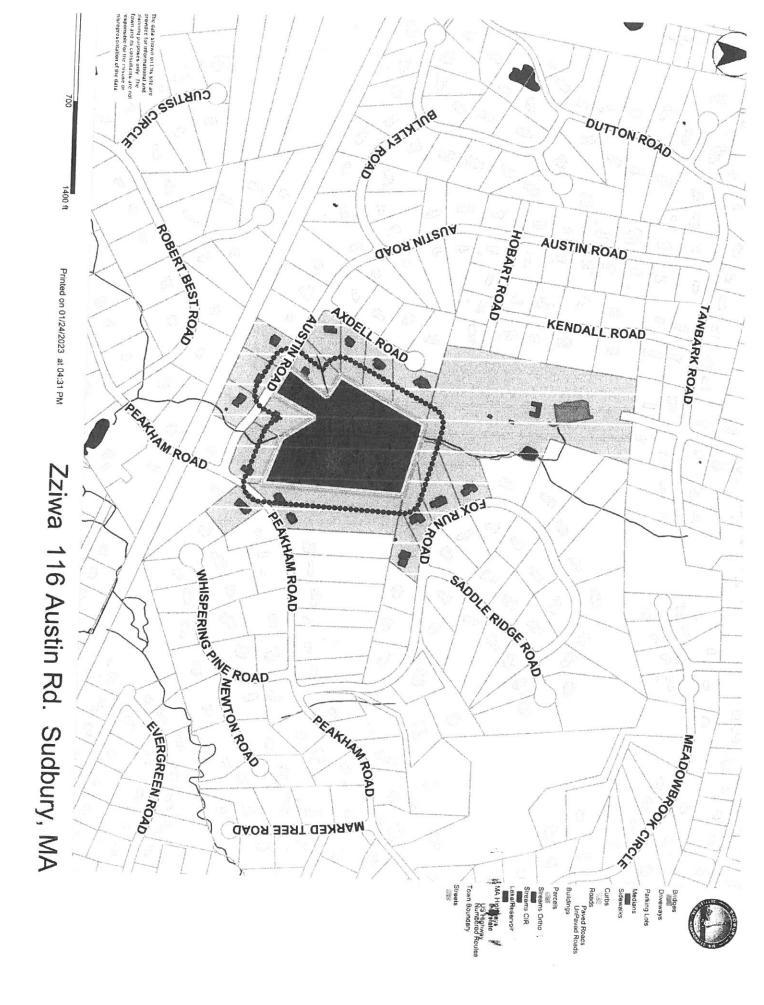
A Notice of Intent filed under the Sudbury Wetlands Administration Bylaw and Massachusetts Wetlands Protection Act by <u>Godfrey & Hellen Zziwa</u> with the Sudbury Conservation Commission on 2/2/23 for property located at <u>116 Austin Road in Sudbury Ma</u>.

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.

Mays DRSTONE ENG. INC. Name

2/2/22

Date



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Abutters Report

Abutters List Date: January 24, 2023

Subject Property Address: 116 AUSTIN RD Sudbury, MA Subject Property ID: J05-0378

Search Distance: 100 Feet

Owner: SUDBURY SWIM & TENNIS CLUB INC Co-Owner: Prop ID: H05-0029 Prop Location: 60 HEMLOCK RD Sudbury, MA Mailing Address:

P O BOX 19 SUDBURY, MA 01776

Owner: GRAZIANO CHANCEY L & Co-Owner: JACQUELINE R Prop ID: H05-0606 Prop Location: 65 FOX RUN Sudbury, MA Mailing Address: 65 FOX RUN RD SUDBURY, MA 01776

Owner: GUO JIAN & LIU JING GE Co-Owner: Prop ID: H05-0607 Prop Location: 71 FOX RUN Sudbury, MA Mailing Address: 71 FOX RUN RD SUDBURY, MA 01776

Owner: SHNAPIR BORIS & SINITSKAYA INNA Co-Owner: . Prop ID: J05-0005 Prop Location: 250 PEAKHAM RD Sudbury, MA Mailing Address: 250 PEAKHAM RD SUDBURY, MA 01776

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Abutters Report

Owner: MORGAN SETH D & SUSAN M Co-Owner: Prop ID: J05-0009 Prop Location: 247 PEAKHAM RD Sudbury, MA Mailing Address: 247 PEAKHAM RD SUDBURY, MA 01776

Owner: SHERMAN JOAN P Co-Owner: Prop ID: J05-0010 Prop Location: 255 PEAKHAM RD Sudbury, MA Mailing Address: 255 PEAKHAM RD SUDBURY, MA 01776

Owner: ROYDS KEVIN F & BARBARA A Co-Owner: Prop ID: J05-0011 Prop Location: 259 PEAKHAM RD Sudbury, MA Mailing Address: 259 PEAKHAM RD SUDBURY, MA 01776

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Owner: PATEL-MATHEW SONALI R & Co-Owner: MATHEW MATHEW BIJOY Prop ID: J05-0373 Prop Location: 26 AXDELL RD Sudbury, MA Mailing Address: 26 AXDELL RD SUDBURY, MA 01776

Owner: PENDERGAST MARK & HEATHER Co-Owner: Prop ID: J05-0374 Prop Location: 20 AXDELL RD Sudbury, MA Mailing Address: 20 AXDELL RD SUDBURY, MA 01776

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Abutters Report

Owner: RODER PAUL J & TERRY L TOUGHIL L Co-Owner: Prop ID: J05-0375 Prop Location: 8 AXDELL RD Sudbury, MA Mailing Address: 8 AXDELL RD SUDBURY, MA 01776

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Owner: ROMAN HENRY A & Co-Owner: COILE COURTNEY C Prop ID: J05-0376 Prop Location: 4 AXDELL RD Sudbury, MA Mailing Address: 4 AXDELL RD SUDBURY, MA 01776

Owner: LOPEZ FELICE Co-Owner: Prop ID: J05-0377 Prop Location: 108 AUSTIN RD Sudbury, MA Mailing Address: 108 AUSTIN RD SUDBURY, MA 01776

Owner: PLATH JAMES T & BETHANY BOWLES Co-Owner: Prop ID: J05-0379 Prop Location: 123 AUSTIN RD Sudbury, MA Mailing Address: 123 AUSTIN RD SUDBURY, MA 01776

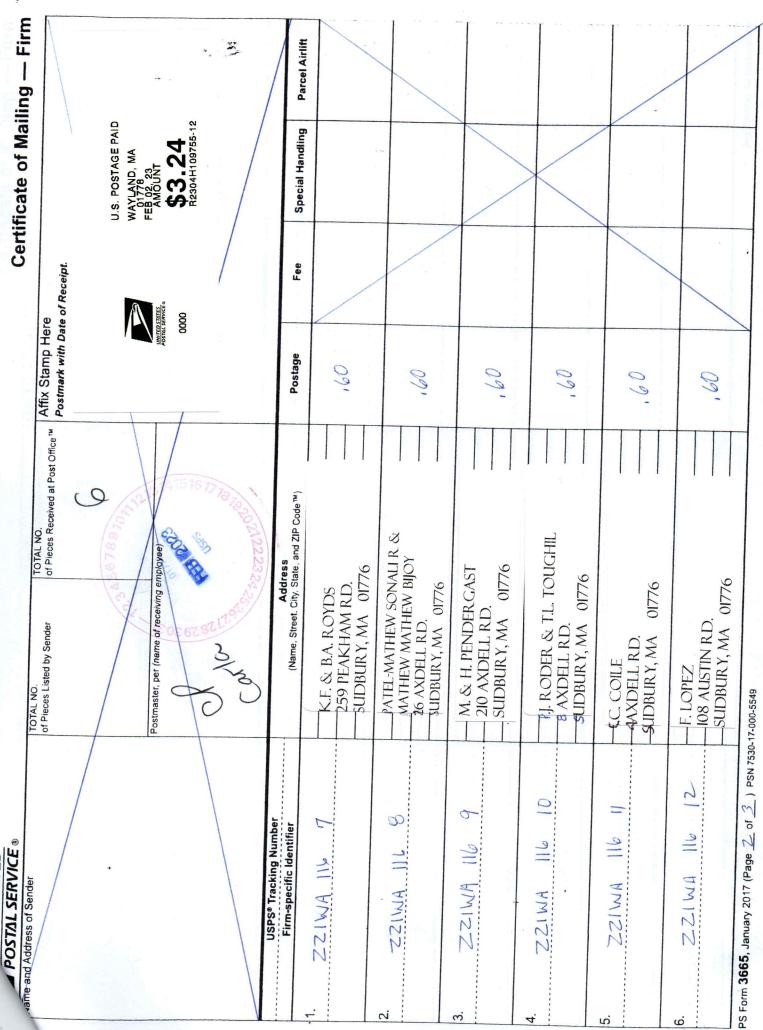
Owner: GIBBS DAVID D Co-Owner: Prop ID: J05-0380 Prop Location: 115 AUSTIN RD Sudbury, MA Mailing Address:

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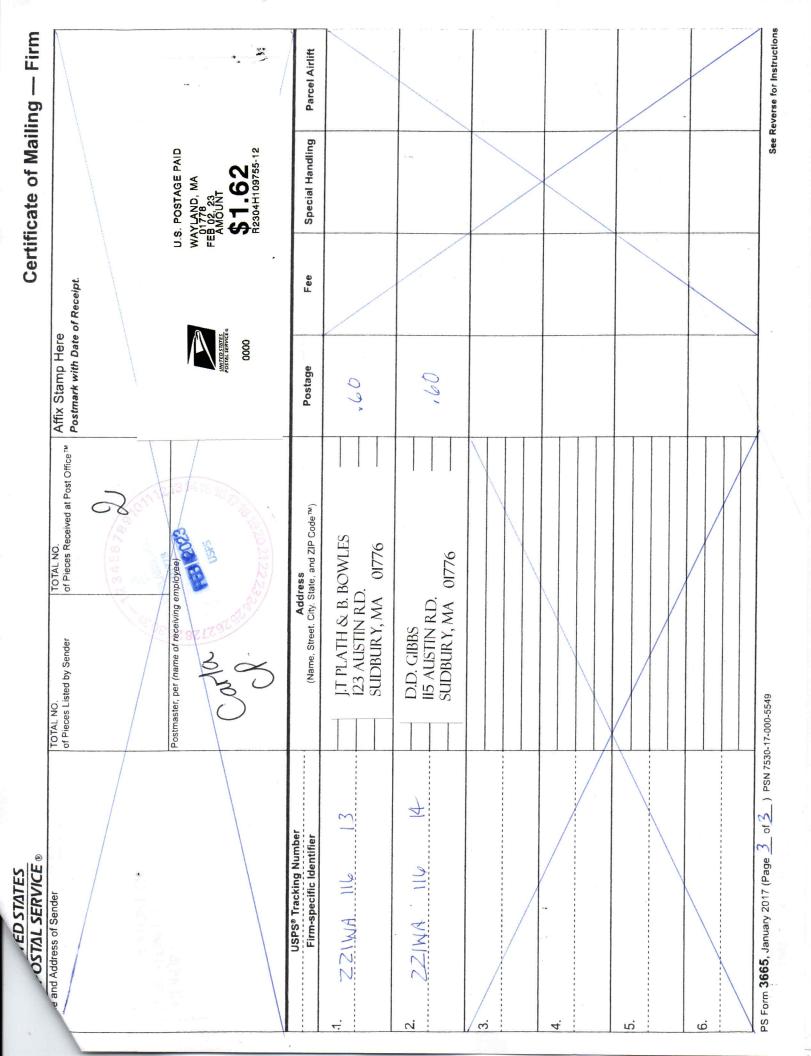
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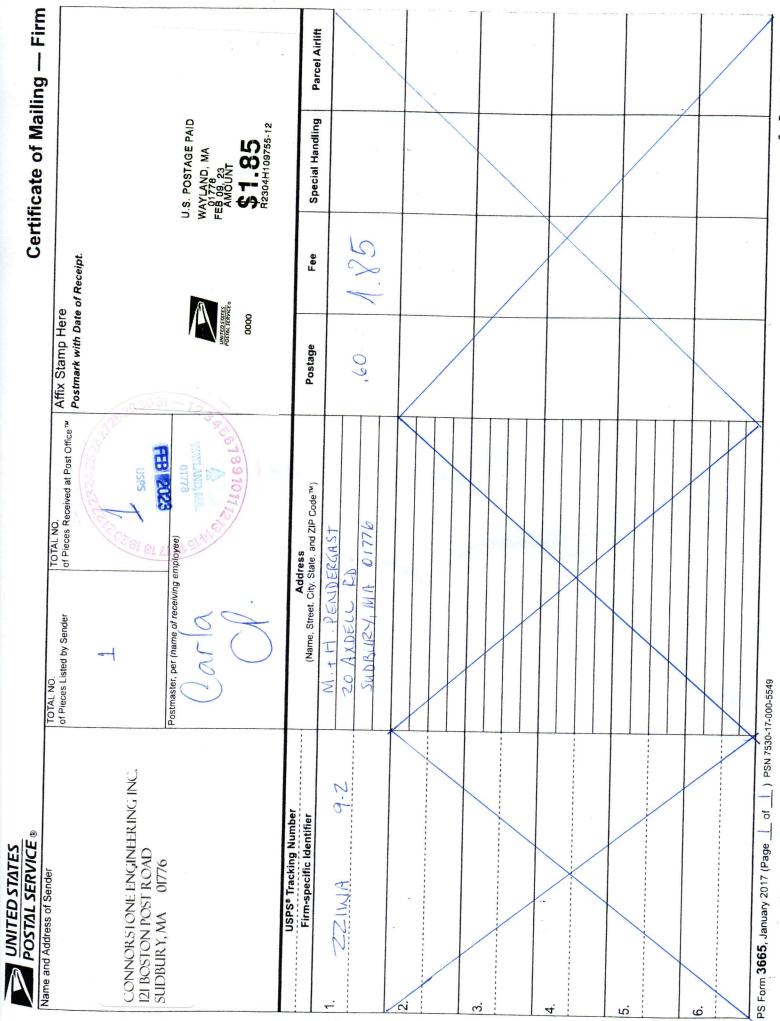
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PS Form <b>3665</b> , January 2017 (Page 1 of <u>3</u> ) PSN 7530-17-000-5549	530-17-000-5549			See	See Reverse for Instructions



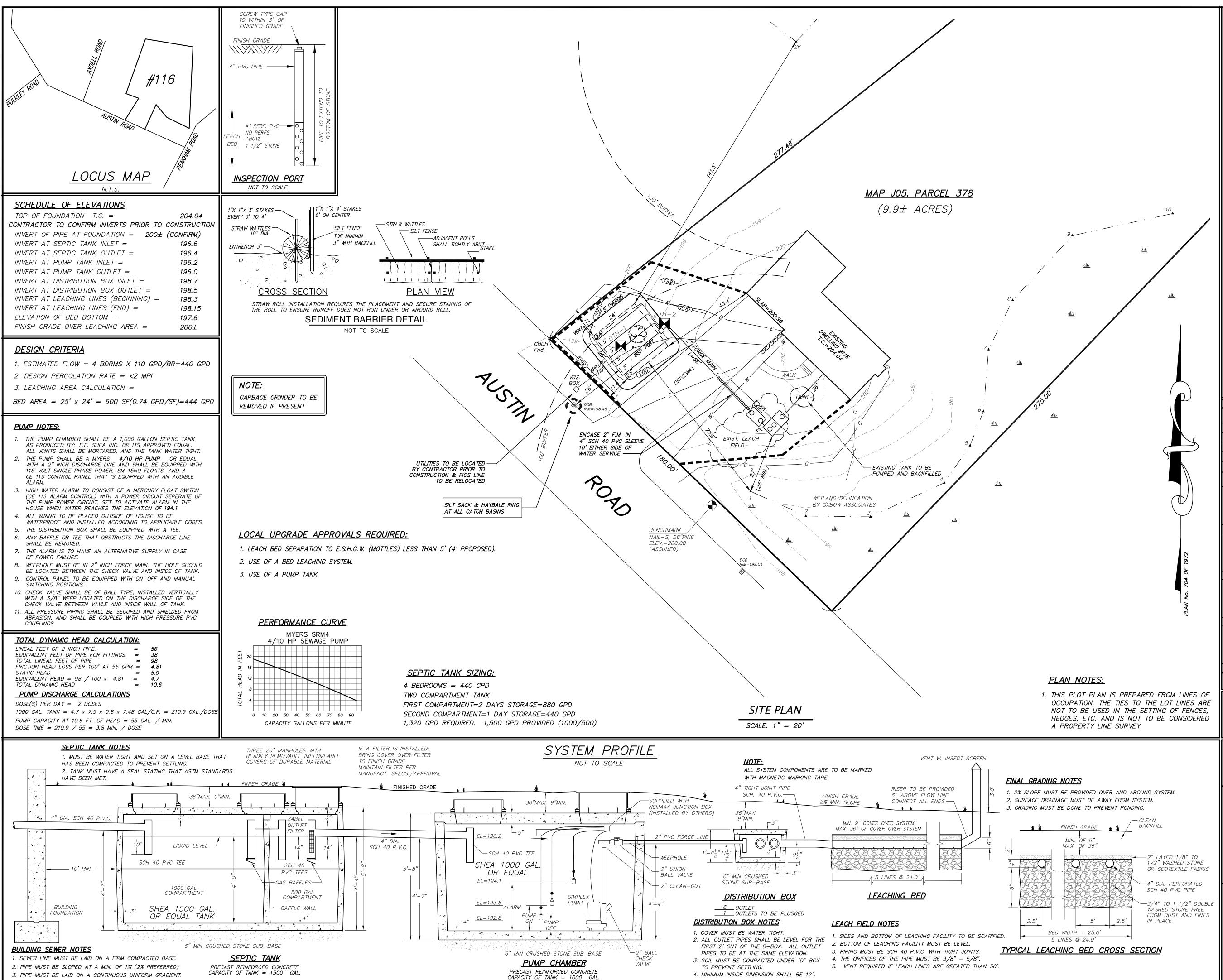
**WITED STATES** 

See Reverse for Instructions





See Reverse for Instructions



- 1. Contractor shall call Digsafe at (888) 344–7233 a minimum of 72 hours prior to commencing any construction activities on site.
- 2. Inspections by Design Engineer and Board of Health are as required by the Board of Health.
- This plan was prepared for the design of the subsurface sewage disposal system only and is based on the subsurface explorations and percolation tests listed below.
   System was designed only to accomodate sanitary sewage associated with normal
- domestic usage, consisting of water carried putrescible waste, and for flows indicated in the design criteria. The system must be vented through the buildings plumbing in accordance with the
- state building code.
- Plans show only features that were visually apparent on the date of the topographic survey, and the absence of subsurface structures, utilities, etc. is not guaranteed.
   Contractor to determine if site conditions are suitable for construction of proposed system, and must promptly notify the Design Engineer and Owner, in writing, of any plan
- deficiencies, unforseen subsurface conditions, or required changes.
   8. There are no wells located within <u>100</u> feet of the proposed leaching area or within <u>100</u> feet of the proposed septic tank (except as shown).
- 9. The subject property <u>is not</u> located within a Zone II of a public drinking water supply well.
- All construction is to conform to the requirements of the Massachusetts Environmental Code, Title V, and the town of <u>SUDBURY</u> Board of Health regulations.
   There are no bordering vegetated wetlands, inland banks, or surface waters within 100' of the proposed system.
- 12. There are no surface or subsurface drains which are used to lower the ground water. 13. All elevations refer to TBM\_\_\_NAIL\_S,28"PINE\_ELEV=200\_\_\_
- For proper performance, septic tank should be pumped annually.
   System cannot be backfilled or concealed until design firm and board of health have inspected the system and permission to backfill has been given.
   Design firm must prepare and submit "As-Built" plan to Board of Health. This plan
- must certify that the system was installed in accordance with state and local regulations and that it complies with the proposed plan. 17. Property lines are approximate and are not to be used for boundary survey purposes.
- Surface features and topography outside of work area are approximate. 18. System is not designed to accomodate a garbage grinder.

### TECHNICAL NOTES:

- . Building sewer shall be in accordance with state plumbing code and have a minimum of 4" of cover in landscaped areas. A minimum of 12" of cover and/or appropriate sleeving shall be used in areas subject to vehicular traffic.
- 2. All tanks, including septic tanks, distribution boxes, dosing chambers, and grease traps shall be either watertight through manufacturer's specification and warranty; or made watertight by the manufacturer or other individual by means and persons as approved in 310 CMR 15.221. Septic tank shall be constructed and placed in accordance with 310 CMR 15.223 through 310 CMR 15.228.
- Septic tanks shall have at least three (3) 20" manholes with at least one (1) of these manholes located no more than 6" below finish grade. (Systems over 1,000 gpd shall have access ports at both the inlet and outlet tees.)
- Distribution box ("d-box") shall be of watertight construction, installed level on a firm base, and installed in accordance with 310 CMR 15.232.
   Septic tank covers and d-box are to be brought within 6" and 9" of finish grade
- respectively by the use of riser sections.
  6. When the soil absorption system (SAS) is to be dosed or the slope of the inlet pipe exceeds 0.08 feet per foot, an inlet tee, baffle or splash plate extending to one inch
- above the outlet invert elevation shall be provided to dissipate velocity of the influent. 7. When the SAS is installed within the top and subsoil layers or above natural grade, all topsoil and subsoil shall be removed below and laterally a minimum of 5 feet surrounding the SAS. Removed material shall be replaced with clean granular material in
- accordance with 310 CMR 15.255(3).
  8. All disturbed areas shall be loamed, seeded, and maintained so as to prevent erosion.
  9. All native soil interfaces which will contact the SAS shall be scarified prior to placement of stone.

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