

NOTICE OF PUBLIC HEARING SUDBURY CONSERVATION COMMISSION Monday, April 29, 2024 at 7:00 PM Virtual Meeting

The Sudbury Conservation Commission will hold a public hearing to review the Abbreviated Notice of Resource Area Delineation filing to approve the Bordering Vegetated Wetland delineation, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw, at 69-71 Brewster Road, Sudbury, MA. Yuchun Lee, Applicant. The hearing will be held on Monday, April 29, 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-commissionmeeting-monday-April-29-2024/

SUDBURY CONSERVATION COMMISSION 4/3/2024

## Abbreviated Notice of Resource Area Delineation

Under the Massachusetts Wetland Protection Act, M.G.L. c. 131, s. 40 & Town of Sudbury Wetland Bylaw

for

69-71 Brewster Road Map H10, Parcel 0100 & Map H10, Parcel 0900 Sudbury, MA 01776

Applicant:

Yuchun Lee 75 Double Hill Road Weston, MA 02493

Date:

March 26, 2024

SM-5126B

Stamski and McNary, Inc

Engineering - Planning – Surveying 1000 Main Street Acton, MA 01720 (978) 263-8585 www.stamskiandmenary.com

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- Massachusetts Natural Heritage Atlas 15<sup>th</sup> Edition, Effective: August 1, 2021
- *U.S.G.S Map*
- Resource Area Delineation Plan by Stamski and McNary, Inc.

**Resource Area Description** 

#### **Resource Area Description**

The subject property comprises of two vacant lots located at 69 and 71 Brewster Road in Sudbury, MA. The landscape features wooded areas. At 69 Brewster Road, there is a Bordering Vegetated Wetland that extends the 100-foot buffer zone onto the site. Additionally, an unnamed intermittent stream runs through the wetland, with a 100-foot adjacent upland resource area alongside the stream. Similarly, at 71 Brewster Road, there is another Bordering Vegetated Wetland projecting a 100-foot buffer zone onto the site. This wetland also hosts an unnamed intermittent stream, with a 100-foot adjacent upland resource area. The applicant is seeking confirmation of this delineation.

WPA Form 4A (Abbreviated Notice of Resource Area Delineation)



#### **Massachusetts Department of Environmental Protection** Bureau of Resource Protection - Wetlands

WPA Form 4A – Abbreviated Notice of Resource Area Delineation Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Sudbury City/Town

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

## A. General Information

1. Project Location (Note: electronic filers will click on button for GIS locator):

b. City/Town c. Zip Code 42d 22' 35" N 7 d. Latitude 71d 24' 6" W e. Longitude 0100 & 0900 g. Parcel /Lot Number Lee b. Last Name 02493 ate 02493 g. Zip Code hunlee@yahoo.com nail Address Check if more than one owner (attach additionsheet with names and contact information) b. Last Name
d. Latitude       e. Longitude         0100 & 0900       g. Parcel /Lot Number         Lee
0100 & 0900 g. Parcel /Lot Number  Lee b. Last Name  02493 g. Zip Code  hunlee@yahoo.com mail Address Check if more than one owner (attach addition sheet with names and contact information)
g. Parcel /Lot Number  Lee b. Last Name  ate b. Last Name  ate b. Last Name  Check if more than one owner (attach addition sheet with names and contact information)  Lee b. Last Name  Description D
Lee b. Last Name <u>ate</u> <u>02493</u> <u>g. Zip Code</u> <u>hunlee@yahoo.com</u> mail Address Check if more than one owner (attach additions) sheet with names and contact information)
b. Last Name          b. Last Name         ate       02493         g. Zip Code         hunlee@yahoo.com         nail Address         Check if more than one owner (attach addition sheet with names and contact information)
b. Last Name          b. Last Name         ate       02493         g. Zip Code         hunlee@yahoo.com         nail Address         Check if more than one owner (attach addition sheet with names and contact information)
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sheet with names and contact information)
b. Last Name
ate g. Zip Code
nail Address
amba
ontact Person Last Name
01720
ate g. Zip Code
@stamksiandmcnary.com
mail Address

\$2000.00	\$987.50	\$1,012.50 + \$2,454.00 Bylaw
a. Total Fee Paid	b. State Fee Paid	fee

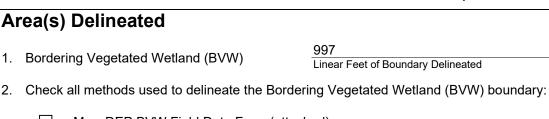
Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

Fees will be calculated for

online users.



а. 🗌 MassDEP BVW Field Data Form (attached)

**Resource Area Delineation** 

- b. 🗌 Other Methods for Determining the BVW boundary (attach documentation):
  - 50% or more wetland indicator plants 1. 🗌
  - 2. Saturated/inundated conditions exist
  - 3. Groundwater indicators
  - 4. Direct observation
  - 5. Hydric soil indicators
  - 6. Credible evidence of conditions prior to disturbance
- 3. Indicate any other resource area boundaries that are delineated:

Unnamed Intermittent Stream	578
a. Resource Area	b. Linear Feet Delineated
Unnamed Intermittent Stream	10
c. Resource Area	d. Linear Feet Delineated

## C. Additional Information

Applicants must include the following plans with this Abbreviated Notice of Resource Area Delineation. 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.

- ANRAD (Delineation Plans only) 1.
- USGS or other map of the area (along with a narrative description, if necessary) containing 2. sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
- Plans identifying the boundaries of the Bordering Vegetated Wetlands (BVW) (and/or other 3. resource areas, if applicable).
- ☐ List the titles and final revision dates for all plans and other materials submitted with this 4. Abbreviated Notice of Resource Area Delineation.

Document Transaction Number

Sudbury City/Town

MassDEP

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

WPA Form 4A – Abbreviated Notice of

Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

**B.** Area(s) Delineated

Provided by MassDEP:

MassDEP File Number



## Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

## WPA Form 4A – Abbreviated Notice of **Resource Area Delineation**

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Sudbury City/Town

## D. Fees

The fees for work proposed under each Abbreviated Notice of Resource Area Delineation must be calculated and submitted to the Conservation Commission and the Department (see Instructions and Wetland Fee Transmittal Form).

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 the attached Wetland Fee Transmittal Form) to confirm fee payment:

0499	03/27/2024
2. Municipal Check Number	3. Check date
0500	03/27/2024
4. State Check Number	5. Check date
Yuchun	Lee
6. Payor name on check: First Name	7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection Bureau of Resource Protection - Wetlands

WPA Form 4A – Abbreviated Notice of

## **Resource Area Delineation**

MassDEP File Number

Provided by MassDEP:

**Document Transaction Number** 

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

Sudbury City/Town

## E. Signatures

I certify under the penalties of perjury that the foregoing Abbreviated Notice of Resource Area Delineation 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 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.

I hereby grant permission, to the Agent or member of the Conservation Commission and the Department of Environmental Protection, to enter and inspect the area subject to this Notice at reasonable hours to evaluate the wetland resource boundaries subject to this Notice, and to require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.

I acknowledge that failure to comply with these certification requirements is grounds for the Conservation Commission or the Department to take enforcement action

Think has	
1. Signature of Applicant	-
An	
3. Signature of Property Owner (if different)	
Montgomery Nsamba	
5. Signature of Representative (if any)	

4. Date 03/29/2024 6. Date

#### For Conservation Commission:

Two copies of the completed Abbreviated Notice of Resource Area Delineation (Form 4A), including supporting plans and documents; two copies of the ANRAD Wetland Fee Transmittal Form; and the city/town fee payment must be sent to the Conservation Commission by certified mail or hand delivery.

#### For MassDEP:

One copy of the completed Abbreviated Notice of Resource Area Delineation (Form 4A), including supporting plans and documents; one copy of the ANRAD Wetland Fee Transmittal Form; and a copy of the state fee payment must be sent to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery. (E-filers may submit these electronically.)

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 ANRAD 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:			
	69-71 Brewster Road		Sudbury	
	a. Street Address		b. City/Town	
	\$987.50		0500	
	c. Fee amount	d. Check number		
2.	Applicant:			
	Yuchun	Lee		
	a. First Name	b. Last Name	c. Compar	ıy
	75 Double Hill Road			
	d. Mailing Address			
	Weston		MA	02493
	e. City/Town		f. State	g. Zip Code
	617-308-7075			
	h. Phone Number			

#### 3. Property Owner (if different):

a. First Name	b. Last Name	c. Company	
d. Mailing Address			
e. City/Town		f. State	g. Zip Code
h. Phone Number			

## B. Fees

The fee is calculated as follows for each Resource Area Delineation included in the ANRAD (check applicable project type). The maximum fee for each ANRAD, regardless of the number of Resource Area Delineations, is \$200 activities associated with a single-family house and \$2,000 for any other activity.

Bordering Vegetated Wetland Delineation Fee:

Online Users: check box if fee exempt.	1. 🗌 2. 🔀	single family house project all other projects	a. feet of BVW 977 a. feet of BVW	x \$2.00 = 1,994 x \$2.00 =	b. Fee for BVW \$2,000 b. Fee for BVW
exemp.	Other	Resource Area (e.	g., bank, riverfront ar	ea, etc.):	
	3.	single family house project	a. linear feet	x \$2.00 =	b. Fee
	4. 🖂	all other	588	1,176	N/A
		projects	a. linear feet	x \$2.00 =	b. Fee
			Total Fee	for all Resource Areas:	\$2000.00 Fee
			:	State share of filing fee:	\$987.50 5. 1/2 of total fee <b>less</b> \$12.50
			City/	Town share of filing fee:	\$1,012.50+\$2,454.00 Bylaw fee



Massachusetts Department of Environmental Protection Bureau of Resource Protection - Wetlands ANRAD Wetland Fee Transmittal Form

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

## C. Submittal Requirements

a.) Send a copy of this form, with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts, to:

Department of Environmental Protection Box 4062 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Abbreviated Notice of Resource Area Delineation; a **copy** of this form; and the city/town fee payment.
- c.) **To DEP Regional Office**: Send one copy of the Abbreviated Notice of Resource Area Delineation (and any additional documentation required as part of a Simplified Review Buffer Zone Project); a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

Certified Abutters List/Notification to Abutters/Affidavit of Service

# 100'Abutters to 69-7/Browster Rf. H10-0900-H10-0100

abutters_id_field	abutters_owner1	abutters_owner2	abutters_address	abutters_town	abutters_state	abutters_zip	abutters_bookpage	abutters_location
H09-0054	RYAN MATTHEW E & BERNICE M		241 OLD SUDBURY RD	SUDBURY	MA	01776	26629-118	241 OLD SUDBURY RD
H09-0057	HAWLEY SHERVIN B & CAROLYN S		250 OLD SUDBURY RD	SUDBURY	MA	01776	70360-315	250 OLD SUDBURY RD
H09-0105	BOSE SAMRAT &	GILVIN AMANDA KAY	46 BREWSTER RD	SUDBURY	MA	01776	76459-4	46 BREWSTER RD
H09-0106	LOUIE STEVE & CINDY		54 BREWSTER RD	SUDBURY	MA	01776	67739-129	54 BREWSTER RD
H09-0107	CORIN ALAN F&MCCOON PATRICIA E	TRUSTEES 64 BREWSTER ROAD	64 BREWSTER RD	SUDBURY	MA	01776	82366-332	64 BREWSTER RD
H09-0109	PULLEN THOMAS W &	BRECKENRIDGE SALLY W	63 BREWSTER RD	SUDBURY	MA	01776	48652-216	63 BREWSTER RD
H10-0005	CHISHOLM BENJAMIN & SUSAN		213 OLD SUDBURY RD	SUDBURY	MA	01776	68208-531	213 OLD SUDBURY RD
H10-0006	KOTCHINIAN HAROUTIOUN &	KOKAREVA ELIZABETH	197 OLD SUDBURY RD	SUDBURY	MA	01776	82547-255	197 OLD SUDBURY RD
H10-0007	COUGHLIN TIMOTHY & DONNA		209 OLD SUDBURY RD	SUDBURY	MA	01776	69809-173	209 OLD SUDBURY RD
H10-0008	GIFFORD COLIN GORDON &	GIFFORD ELIZABETH TRUSTEES	187 OLD SUDBURY RD	SUDBURY	MA	01776	81625-335	187 OLD SUDBURY RD
H10-0009	CLARK THOMAS PAUL &	RUSSELL PAMELA	173 OLD SUDBURY RD	SUDBURY	MA	01776	73164-215	173 OLD SUDBURY RD
H10-0010	TUTTLE COURTNEY & MATTHEW		145 OLD SUDBURY RD	SUDBURY	MA	01776	73906-125	145 OLD SUDBURY RD
H10-0015	TOWN OF SUDBURY	CONSERVATION	278 OLD SUDBURY RD	SUDBURY	MA	01776	41708-165	OLD SUDBURY RD
H10-0019	MANDEL RICHARD P & CANDACE		218 OLD SUDBURY RD	SUDBURY	MA	01776	13096-105	218 OLD SUDBURY RD
H10-0020	TOWN OF SUDBURY	NOYES SCHOOL LAND	40 FAIRBANK ROAD	SUDBURY	MA	01776	11595-496	OLD SUDBURY RD
H10-0023	FRANCIS JAMES E & JEVON		230 OLD SUDBURY RD	SUDBURY	MA	01776	49535-17	230 OLD SUDBURY RD
H10-0100	SUMITO AGUSTINA TRS	LEEYA REALTY TRUST	75 DOUBLET HILL RD	WESTON	MA	02493	47283-413	69 BREWSTER RD
H10-0108	SUDBURY WATER DIST		199 RAYMOND ROAD	SUDBURY	MA	01776	203722	BREWSTER RD
H10-0111	JUN HEE S & ASHLEY		67 BREWSTER RD	SUDBURY	MA	01776	80608-149	67 BREWSTER RD
H10-0112	JOHNSON WILLIAM & SANDRA		103 PURITAN LANE	SUDBURY	MA	01776	178779	PURITAN LN
H10-0113	SUDBURY WATER DIST		199 RAYMOND ROAD	SUDBURY	MA	01776	203722	BREWSTER RD
H10-0200	FAIRBANK WILLIAM TRS	REBECCA FAIRBANK LIVING TRUST	136 OLD SUDBURY RD	SUDBURY	MA	01776	56951-552	135 OLD SUDBURY RD
H10-0301	TOWN OF SUDBURY	CONSERVATION	278 OLD SUDBURY RD	SUDBURY	MA	01776	31975-451	RICE RD
J10-0435	JOHNSON KARA W & JOHNSON BRETT		155 EAST 29TH ST # 29A	NEWYORK	NY	10016	1312-43	PURITAN LN
H10-0900	SUMITO AGUSTINA TRS	JAB REALTY TRUST	75 DOUBLET HILL RD	WESTON	MA	02493	47283-413	71 BREWSTER RD

Cynthin Long 3/26/2024

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

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

- A. The name of the **Applicant** is Yuchun Lee
- B. The Applicant has filed a ANRAD with the Sudbury Conservation Commission seeking confirmation of the Wetland Resource Area and/or Buffer Zone under the Massachusetts Wetlands Protection Act (General Laws Chapter 131, Sec.40) and the Town of Sudbury Wetlands Administrative Bylaw.
- C. The **address** of the lot where the activity is proposed: <u>69-71 Brewster Road</u>, Sudbury MA: H10-0100 & H10-0900.
- D. The **proposed activity** is:

Delineation of Bordering Vegetated Wetland and intermittent stream.

- E. A **Public Hearing** regarding this ANRAD will be held on: Monday, April 29, 2024 at 7:00 PM.
- F. **Public Participation will be via Virtual Means Only** In light of the ongoing COVID-19 coronavirus outbreak, Governor Baker issued an emergency Order on March 12, 2020, allowing public bodies greater flexibility in utilizing technology in the conduct of meetings under the Open Meeting Law. The Town of Sudbury Conservation Commission greatly values the participation of its citizens in the public meeting process, but given the current circumstances and recommendations at both the state and federal levels to limit or avoid public gatherings, including Governor Baker's ban on gatherings of more than 10 people, together with the present closure of Sudbury Town Hall and other public buildings to the public, the Town has decided to implement the "remote participation" procedures allowed under Governor Baker's emergency Order for all boards, committees, and commissions.

#### **G** The public may participate in this meeting via Remote Participation:

From your computer, smart phone or tablet:

- https://us02web.zoom.us/j/84085992361
- Meeting ID: 840 8599 2361
- From your phone: **978-639-3366** or **470 250 9358**
- H Copies of the ANRAD may be examined by visiting this Website: https://sudbury.ma.us/conservationcommission/meetings/
- I. Copies of the Notice of Intent may be obtained from either The Applicant, or the Applicant's representative <u>Stamski & McNary, INC</u>, by calling this telephone number: <u>978-263-8585 X207</u> between the hours of <u>7:30 am-4pm Mon-Fri</u>

Note: Public Hearing Notice, including its date, time, and place, will be published at least 5 days in advance in the MetroWest newspaper (at the applicant's expense).

AFFIDAVIT OF SERVICES Under the Massachusetts Wetlands Protection Act (to be submitted to the Massachusetts Department of Environmental Protection and the Conservation Commission When filing a Notice of Intent)

I, <u>Debbi-Ann Sebastian</u>, hereby certify under the pains and penalties of perjury that on  $\frac{3/29/24}{1}$  gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, in connection with the following matter:

A Waiver Request filed under the Massachusetts Wetlands Protection Act by <u>Yuchun Lee</u> with the <u>Sudbury</u> <u>Conservation Commission</u> on \_\_\_\_\_ for the property located at <u>69-71 Brewster Road, Sudbury, MA 01776;</u> <u>Map H10, Parcel 0100 & Map H10, Parcel 0900.</u>

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

Name:

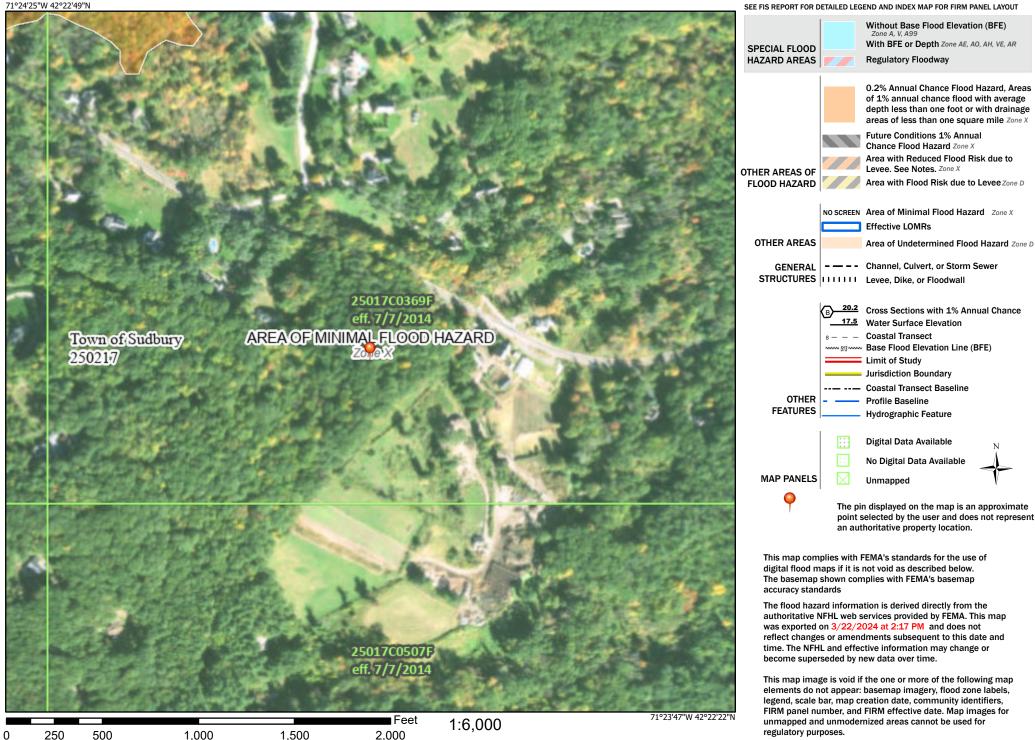
Date: 3/29/24

FEMA Flood Insurance Rate Map

## National Flood Hazard Layer FIRMette



#### Legend



Basemap Imagery Source: USGS National Map 2023

Massachusetts Natural Heritage Atlas 15th Edition

## 69-71 Brewster Road

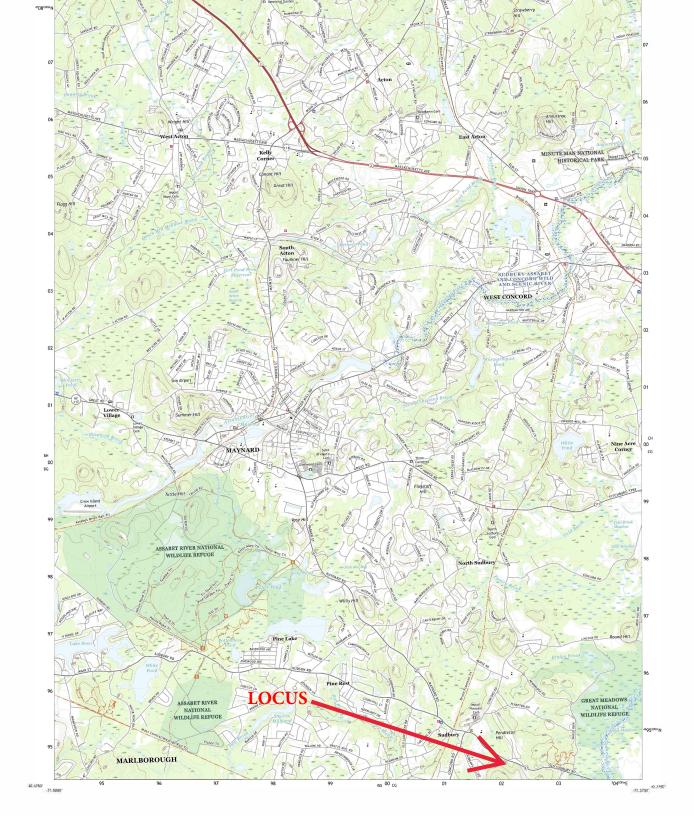


NHESP Priority Habitats of Rare Species

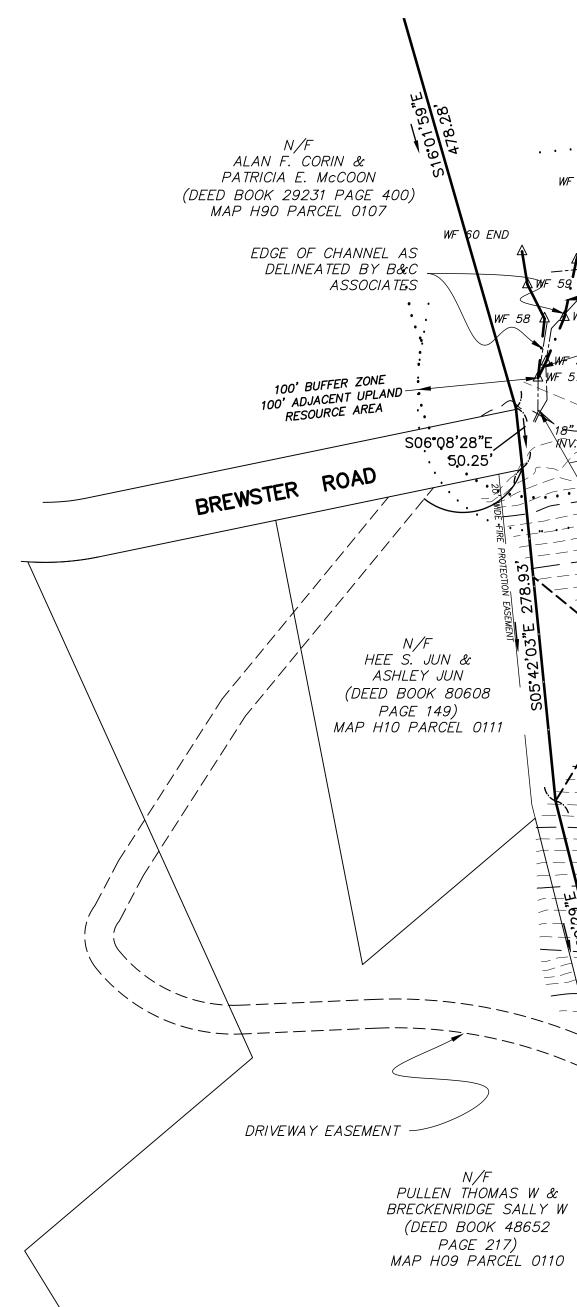
NHESP Estimated Habitats of Rare Wildlife

**Property Tax Parcels** 

U.S.G.S Map



Resource Area Delineation Plan By Stamski and McNary, Inc.



## LEGEND:

N/F ortw WP	NOW OR FORMERLY OVERHEAD WIRES TREE TREE LINE UTILITY POLE
GG •	GAS GATE
— с —	GAS SERVICE (BURIED)
WG•	WATER GATE
<i>w</i>	WATER SERVICE (BURIED)
⊖ DMH	DRAIN MANHOLE
<i>D</i>	SUB-SURFACE DRAIN LINE
99	EXISTING CONTOUR
— <i>— 95</i> — — –	EXISTING CONTOUR
¢	LIGHTPOLE
$\triangle$	WETLAND FLAG
99X9	SPOT ELEVATION
00000	STONE WALL

## NOTES:

1) ALL UNDERGROUND UTILITIES SHOWN HERE WERE COMPILED ACCORDING TO AVAILABLE RECORD PLANS FROM VARIOUS UTILITY COMPANIES AND PUBLIC AGENCIES AND ARE APPROXIMATE ONLY. ACTUAL LOCATIONS MUST BE DETERMINED IN THE FIELD BEFORE DESIGNING, EXCAVATING, BLASTING, INSTALLING, BACKFILLING, GRADING, PAVEMENT RESTORATION OR REPAIRING. ALL UTILITY COMPANIES, PUBLIC AND PRIVATE, MUST BE CONTACTED INCLUDING THOSE IN CONTROL OF UTILITIES NOT SHOWN ON THIS PLAN. SEE CHAPTER 370, ACTS OF 1963 MASS. WE ASSUME NO RESPONSIBILITY FOR DAMAGES INCURRED AS A RESULT OF UTILITIES OMITTED OR INACCURATELY SHOWN. BEFORE PLANNING FUTURE CONNECTIONS THE APPROPRIATE PUBLIC UTILITY ENGINEERING DEPARTMENT MUST BE CONSULTED. DIG SAFE TELEPHONE No. 1–888–344–7233.

2) THERE IS NO PERENNIAL STREAM, RIVERFRONT AREA, OR LAND SUBJECT TO FLOODING ON THE SITE.

3) CONTOURS SHOWN ARE BASED ON TOPOGRAPHIC PLAN OF LAND BY SCHOFIELD BROTHERS OF NEW ENGLAND, INC. DATED JUNE 7, 2010.

## RECORD OWNER

MAP H10 PARCEL 0900 LEEYA REALTY TRUST AGUSTINA SUMITO, TRUSTEE 75 DOUBLET HILL ROAD WESTON, MA MAP H10 PARCEL 0100 JAB REALTY TRUST AGUSTINA SUMITO, TRUSTEE 75 DOUBLET HILL ROAD WESTON, MA

## REFERENCE

MIDDLESEX REGISTRY OF DEEDS SOUTH DISTRICT DEED BOOK 47283 PAGE 405 DEED BOOK 47283 PAGE 413 PLAN No. 620 OF 2002

