

NOTICE OF INTENT

PREPARED FOR:
ANDREW & JAMIE CORNELL
2 DRAPERS WOOD ROAD
FISKDALE, MA 01518

FOR PROPERTY LOCATED ON:
130 BROOKFIELD ROAD
STURBRIDGE (FISKDALE), MA 01518

PREPARED BY:
SUMMIT ENGINEERING & SURVEY, INC.
710 MAIN STREET
NORTH OXFORD, MA 01537
(508) 987-8713
JOB NO.: 18-111

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WETLAND RESOURCE EVALUATION PREPARED BY
ECOTEC, INC.

AFFIDAVIT OF SERVICE

CERTIFIED ABUTTERS LIST

NOTIFICATION TO ABUTTERS

STURBRIDGE FILING FEE WORKSHEET

FORM STT.A1

CHECK COPIES & STATE FEE RECEIPT

MEETING MINUTES FROM PREVIOUS APPROVAL 300-0732



Town of Sturbridge

Conservation Commission

Notice of Intent Application Checklist – Form B

Applicant / Property Owner Jamie Cornell / Russell LeBlanc
Representative Summit Engineering & Survey, Inc
Project Location 130 Brookfield Road
Assessor's Information Map 19, SC 173, Parcel 130
Date NOI filed with Conservation
Date NOI filed with MA DEP Central Region

- ☒ Complete most recent WPA Form 3 (Notice of Intent Application) and necessary attachments (2 copies)
- ☒ Plans and calculations clearly describing the location and nature of the work including all necessary Stormwater documents if applicable (2 copies)
- ☒ An 8.5 x 11 color section of the USGS Quadrangle (topo) identifying the locus and with a scale
- ☒ An 8.5 x 11 copy of the most recent Natural Heritage Map with WH, PH and VP data identifying the locus and with a scale
- ☒ An 8.5 x 11 copy of the FIRM Map identifying the locus and with a scale
- ☐ Confirmation that a copy of the NOI was sent to NHESP (if applicable)
- ☒ Copy of the Certified Abutters List (to include all abutters within 200-feet of the subject property) and a copy of the completed Abutter Certification Form
- ☒ Signed Affidavit of Service for Abutter Notification
- ☒ Completed Local Filing Fee Worksheet and NOI Wetland Transmittal Form
- ☒ Filing fee checks, one of the town's portion of the state fee and one for the local fee – both made out to the Town of Sturbridge (See Local Filing Fee Worksheet)
- ☒ Copy of State filing fee check made out to the Commonwealth of MA (1 copy)
- ☒ Tax Form signed by the Sturbridge Tax Collector, notifying the Conservation Commission that the property taxes are paid-to-date (1 copy)

This Check list is to be filled out and submitted to the Sturbridge Conservation Commission at the time of filing the Notice of Intent Application.

Please contact me if you have any questions (508)-347-2506 or via email at gcolburn@town.sturbridge.ma.us.

Conservation Agent

Town Hall
308 Main Street
Sturbridge, MA 01566

508-347-2506
(t) 508-347-5886

The Town of Sturbridge is an Equal Opportunity Organization

NARRATIVE

The Applicant is proposing to construct a new single family residence on a 10.206 acre parcel of land located at 130 Brookfield Road (Map 19, Street Code 173, Parcel 130) with associated site work. Associated site work is to include a paved driveway, connection to public sewer, a drilled well for domestic purposes and required site grading. The property is located within the 100-foot buffer zone of a Bordering Vegetated Wetland associated with an intermittent stream. The lot has an existing Order of Conditions and subsequent Extension, DEP File #300-0732. Both have expired and a WPA Form 8A, Request for Certificate of Compliance has been included in this application packet as none of the work regulated by said Order has been started. The property does not lie within a mapped area of Priority Habitat of Rare Wildlife as determined on MassGIS Oliver data layers produced by Natural Heritage and Endangered Species Program (NHESP). With the exception of the proposed access driveway, all site improvements are mostly located outside the 100 foot buffer zone. The wetland delineation was most recently reviewed by EcoTec, Inc. of Worcester and a copy of their report is included with the filing.

Many factors have changed since the original filing for this property, File No. 300-0732. The previous applicant proposed filling a portion of the wetland with a 2:1 mitigation to access the site. This proposal calls for the sharing of the existing curb cut at #122 Brookfield Road. A second driveway will be constructed from this curb cut and will access the site south easterly of the wetland eliminating the need to fill any resource areas. The current owner of #122 is also the owner of #130 Brookfield Road and will provide the necessary documentation to access #130 across #122 for access and utilities. The first 80 feet of the new driveway will be within the 25-foot no disturbance buffer however, no wetland filling will be required. The driveway has been laid out to follow the existing grade as much as possible. Any cuts or fills along its entire length are around 1 foot and at no point are 2 feet. The maximum grade along the driveway is 6.25%.

There were two issues of concern for the Commission on the previous proposal. One being an area mapped as estimated and priority habitat by Natural Heritage. This area was across the street and downstream from the proposed filled wetland. According to the most recent data layers produce by NHESP this area is no longer mapped as an area of concern and no wetland filling is

proposed. Second was the interruption of water flow from the hillside to the wetland resource area and replication area. With this proposal no replication is proposed or required and the pitch and slope of the driveway have been held from the previous proposal as not to interrupt the flow of surface water. A swale on the uphill side of the driveway was considered for this plan, but a swale of adequate size would require another 6 to 8 feet of width to the proposed disturbance and at some point would create a point discharge and the potential for erosion.

The new residence is proposed to be entirely outside the 100-foot buffer zone. An Eone sewer ejector pump is proposed to connect to municipal sewer. A stub to connect does not currently exist, but permission to connect is being sought. The property is to be serviced by private water source. Two 10-foot diameter drywells have been proposed to infiltrate roof runoff.

Other than the obvious design changes outlined above, several measures have been taken to protect the interest of the Wetlands Protection Act and the Town Sturbridge Wetland Bylaw. The proposed residence has been as far away from all resource areas as possible. Secondly, an erosion and siltation control barrier consisting of silt fence and hay bales or straw wattles has been proposed to control runoff during construction. This barrier will define the limit of work. Thirdly, there are no significant grade changes proposed on the entire site.

Please refer to Summit Engineering & Survey, Inc. design plan, Drawing No. 18-111 for additional information.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 8A – Request for Certificate of Compliance

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

DEP File Number:

300-0732

Provided by DEP

A. Project Information

Important:

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



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

Jamie & Andrew Cornell

Name

2 Drapers Wood Road

Mailing Address

Fiskdale

City/Town

MA

State

01518

Zip Code

774-230-3542

Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:

Dennis Rearick / Russell LeBlanc

Applicant

08/20/07

Dated

300-0732

DEP File Number

3. The project site is located at:

130 Brookfield Road

Street Address

Sturbridge (Fiskdale)

City/Town

Map 19

Assessors Map/Plat Number

Parcel 130

Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

Dennis Rearick / Russell LeBlanc

Property Owner (if different)

Worcester (South)

County

Order 41935

Ext. 46050

152

7

N/A

Certificate (if registered land)

5. This request is for certification that (check one):

- ☐ the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.
- ☐ the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

- ☒ the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 8A – Request for Certificate of Compliance

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

DEP File Number:

300-0732

Provided by DEP

A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

☐ Yes

If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

☒ No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).



Bk: 46050 Pg: 7
Lori Grant 32 Summer St
N. Brookfield, 01535

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 7 – Extension Permit for Orders of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

300-732

Provided by DEP



2010 00075582

Bk: 46050 Pg: 7

Page: 1 of 2 07/19/2010 11:07 AM WD

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



A. General Information

1. Applicant:

Peter Dupell

Name

47 Gilbert Street

Mailing Address

North Brookfield

City/Town

MA
State

01535
Zip Code

2. Property Owner (if different):

Peter Dupell

Name

47 Gilbert Street

Mailing Address

North Brookfield

City/Town

MA
State

01535
Zip Code

B. Authorization

The Order of Conditions (or Extension Permit) issued to the applicant or property owner listed above on:

8/20/2007

Date

Issued by:

Sturbridge

Conservation Commission

for work at:

130 Brookfield Road

Street Address

Map 19

Assessor's Map/Plat Number

Lot 130

Parcel/Lot Number

recorded at the Registry of Deeds for:

Worcester

County

21744

Book

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Page

Certificate (if registered land)

is hereby extended until:

8/20/2013

Date

n/a

Date the Order was last extended (if applicable)

This date can be no more than 3 years from the expiration date of the Order of Conditions or the latest extension. Only unexpired Orders of Conditions or Extension may be extended.

This Extension Permit must be signed by a majority of the Conservation Commission and a copy sent to the applicant and the appropriate DEP Regional Office (<http://www.mass.gov/dep/about/region/findyour.htm>)

Signatures:

[Signature]
[Signature]

[Signature] 10/10/10
Date



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 7 – Extension Permit for Orders of Conditions

300-732

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

Provided by DEP

C. Recording Confirmation

The applicant shall record this document in accordance with General Condition 8 of the Order of Conditions (see below), complete the form attached to this Extension Permit, have it stamped by the Registry of Deeds, and return it to the Conservation Commission.

Note: General Condition 8 of the Order of Conditions requires the applicant, prior to commencement of work, to record the final Order (or in this case, the Extension Permit for the Order of Conditions) in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, it shall be noted in the Registry's Granter Index under the name of the owner of the land upon which the proposed work is to be done. In the case of registered land, it shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done.

Detach this page and submit it to the Conservation Commission prior to the expiration of the Order of Conditions subject to this Extension Permit.

To:

Sturbridge
Conservation Commission

Please be advised that the Extension Permit to the Order of Conditions for the project at:

130 Brookfield Road
Project Location

300-732
DEP File Number

has been recorded at the Registry of Deeds of:

Worcester
County

for:

Peter Dupell
Property Owner

and has been noted in the chain of title of the affected property in accordance with General Condition 8 of the original Order of Conditions on:

8/20/07 10/16/07
Date

21744 41935
Book

121 152
Page

If recorded land the instrument number which identifies this transaction is:

Instrument Number

If registered land, the document number which identifies this transaction is:

Document Number

Signature of Applicant

ATTEST: WORC. Anthony J. Vigliotti, Register



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 #:

eDEP Transaction #:1005465

City/Town:STURBRIDGE

A.General Information

1. Project Location:

a. Street Address	130 BROOKFIELD ROAD	c. Zip Code	01518
b. City/Town	STURBRIDGE	e. Longitude	72.11973W
d. Latitude	42.12770N	g.Parcel/Lot #	PARCEL 130
f. Map/Plat #	MAP 19		

2. Applicant:

☒ Individual ☐ Organization

a. First Name	JAMIE	b. Last Name	CORNELL
c. Organization			
d. Mailing Address	2 DRAPER WOODS ROAD		
e. City/Town	FISKDALE	f. State	MA
g. Zip Code	01518		
h. Phone Number	774-230-3542	i. Fax	
j. Email	jcornell_22@yahoo.com		

3. Property Owner:

☐ more than one owner

a. First Name	RUSSELL	b. Last Name	LEBLANC
c. Organization			
d. Mailing Address	122 BROOKFIELD ROAD		
e. City/Town	FISKDALE	f. State	MA
g. Zip Code	01518		
h. Phone Number	774-230-0723	i. Fax	
j. Email	Title5byLSI@gmail.com		

4. Representative:

a. First Name	STEVEN	b. Last Name	BRESSETTE
c. Organization	SUMMIT ENGINEERING & SURVEY, INC.		
d. Mailing Address	710 MAIN STREET		
e. City/Town	NORTH OXFORD	f. State	MA
g. Zip Code	01537		
h. Phone Number	508-987-8713	i. Fax	508-987-8714
j. Email	sbressette@summitengine.com		

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

a. Total Fee Paid	500.00	b. State Fee Paid	237.50	c. City/Town Fee Paid	262.50
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6. General Project Description:

CONSTRUCTION OF A SINGLE FAMILY RESIDENT WITH ASSOCIATED SITE WORK AND INFRASTRUCTURE.

7a. Project Type:

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Limited Project Driveway Crossing | 4. <input type="checkbox"/> Commercial/Industrial |
| 5. <input type="checkbox"/> Dock/Pier | 6. <input type="checkbox"/> Utilities |
| 7. <input type="checkbox"/> Coastal Engineering Structure | 8. <input type="checkbox"/> Agriculture (eg., cranberries, forestry) |
| 9. <input type="checkbox"/> Transportation | 10. <input type="checkbox"/> Other |

7b. Is any portion of the proposed activity eligible to be treated as a limited project subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

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

Provided by MassDEP:

MassDEP File #:

eDEP Transaction #:1005465

City/Town:STURBRIDGE

1. ☐ Yes ☒ No

If yes, describe which limited project applies to this project:

2. Limited Project

8. Property recorded at the Registry of Deeds for:

a. County:

WORCESTER

b. Certificate:

c. Book:

48376

d. Page:

395

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

1. Buffer Zone & Resource Area Impacts (temporary & permanent):

☒ This is a Buffer Zone only project - 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)

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
---------------	-----------------------------	-------------------------------

a. ☐ Bank

1. linear feet

2. linear feet

b. ☐ Bordering Vegetated Wetland

1. square feet

2. square feet

c. ☐ Land under Waterbodies and Waterways

1. Square feet

2. square feet

3. cubic yards dredged

d. ☐ Bordering Land Subject to Flooding

1. square feet

2. square feet

3. cubic feet of flood storage lost

4. cubic feet replaced

e. ☐ 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 any)

2. Width of Riverfront Area (check one)

☐ 25 ft. - Designated Densely Developed Areas only

☐ 100 ft. - New agricultural projects only

☐ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project

square feet

4. Proposed Alteration of the Riverfront Area:

a. total square feet

b. square feet within 100 ft.

c. square feet between 100 ft.
and 200 ft.

5. Has an alternatives analysis been done and is it attached to this NOI?

☐ Yes ☐ No



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:

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City/Town:STURBRIDGE

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)

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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 Beaches	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	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet	
h. <input type="checkbox"/> Salt Marshes	1. square feet	2. sq ft restoration, rehab, crea.
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

☐ Restoration/Replacement

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 entered the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

5.Projects Involves Stream Crossings

☐ Project Involves Streams Crossings

If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.



**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 #:

eDEP Transaction #:1005465

City/Town:STURBRIDGE

a. number of new stream crossings

b. number of replacement stream crossings

C. Other Applicable Standards and Requirements

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 of Endangered Species program (NHESP)?

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

b. Date of map:FROM MASSGIS OLIVER

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18)....

c. Submit Supplemental Information for Endangered Species Review * (Check boxes as they apply)

1. ☐ Percentage/acreage of property to be altered:

(a) within Wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

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

a. ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

b. ☐ Photographs representative of the site

c. ☐ MESA filing fee (fee information available at: <http://www.mass.gov/eea/agencies/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html>)

Make check payable to "Natural Heritage & Endangered Species Fund" 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

d. 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, <http://www.mass.gov/eea/agencies/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14>; 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 Number

b. Date submitted to NHESP



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

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Provided by MassDEP:

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City/Town:STURBRIDGE

3. ☐ Separate MESA review completed.

Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review...

2. For coastal projects only, is any portion of the proposed project located below the mean high waterline or in a fish run?

a. ☒ Not applicable - project is in inland resource area only

b. ☐ Yes ☐ No

If yes, include proof of mailing or hand delivery of NOI to either:

South Shore - Cohasset to Rhode Island,
and the Cape & Islands:

North Shore - Hull to
New Hampshire:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase street - 3rd floor
New Bedford, MA 02740-6694

Division of Marine
Fisheries -
North Shore Office
Attn: Environmental
Reviewer
30 Emerson Avenue
Gloucester, MA 01930

If yes, it 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.

3. 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
DEP Website for ACEC locations). **Note:** electronic filers click on
Website.

b. ACEC Name

4. 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

5. 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

6. 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, Explain why the project is exempt:

1. ☒ Single Family Home



**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 #:

eDEP Transaction #:1005465

City/Town:STURBRIDGE

E. Fees

1.

Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number	3. Check date
4. State Check Number	5. Check date
6. Payer name on check: First Name	7. Payer name on check: Last Name

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.

Jamie Cornell	4/13/2018
1. Signature of Applicant	2. Date
Russell LeBlanc	4/13/2018
3. Signature of Property Owner(if different)	4. Date
Steven M. Bressette	4/13/2018
5. Signature of Representative (if any)	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 Section C, Items 1-3, 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
WPA Form 3 - Notice of Wetland Fee Transmittal
Form

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

Provided by MassDEP:
MassDEP File #:
eDEP Transaction #:1005465
City/Town:STURBRIDGE

A. Applicant Information

1. Applicant:

a. First Name	JAMIE	b. Last Name	CORNELL
c. Organization			
d. Mailing Address	2 DRAPER WOODS ROAD		
e. City/Town	FISKDALE	f. State	MA
g. Zip Code	01518		
h. Phone Number	7742303542	i. Fax	
j. Email	jcornell_22@yahoo.com		

2. Property Owner:(if different)

a. First Name	RUSSELL	b. Last Name	LEBLANC
c. Organization			
d. Mailing Address	122 BROOKFIELD ROAD		
e. City/Town	FISKDALE	f. State	MA
g. Zip Code	01518		
h. Phone Number	7742300723	i. Fax	
j. Email	Title5byLSI@gmail.com		

3. Project Location:

a. Street Address	130 BROOKFIELD ROAD	b. City/Town	STURBRIDGE
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Are you exempted from Fee? ☐ (YOU HAVE SELECTED 'NO')

Note: Fee will be exempted if you are one of the following:

- City/Town/County/District
- Municipal Housing Authority
- Indian Tribe Housing Authority
- MBTA

State agencies are only exempt if the fee is less than \$100

B. Fees

Activity Type	Activity Number	Activity Fee	RF Multiplier	Sub Total
A.) CONSTRUCTION OF SINGLE FAMILY HOUSE;	1	500.00		500.00
		City/Town share of filing fee	State share of filing fee	Total Project Fee
		\$262.50	\$237.50	\$500.00

EcoTec, Inc.

ENVIRONMENTAL CONSULTING SERVICES

102 Grove Street

Worcester, MA 01605-2629

508-752-9666 – Fax: 508-752-9494

April 2, 2018

Steve Bressette

Summit Engineering & Surveying, Inc.

710 Main Street

North Oxford, MA 01532

RE: Wetland Resource Evaluation, 130 Brookfield Road, Sturbridge, Massachusetts

Dear Mr. Bressette:

On March 30, 2018, EcoTec, Inc. inspected the above-referenced property for the presence of wetland resources as defined by: (1) the Massachusetts Wetlands Protection Act (M.G.L. Ch. 131, § 40; the “Act”) and its implementing regulations (310 CMR 10.00 *et seq.*; the “Regulations”); (2) the U.S. Clean Water Act (i.e., Section 404 and 401 wetlands); and (3) the Town of Sturbridge Wetlands Protection Bylaw. Scott Morrison, RPSS conducted the inspection.

The subject site consists of a 4.44-acre parcel located to the east of Brookfield Road. EcoTec reviewed, adjusted and re-delineated wetlands within the vicinity of a proposed single-family home located in the south-central portion of the site. The upland portions of the site consist of undeveloped forest. Plant species observed include northern red oak (*Quercus rubra*), white oak (*Quercus alba*), eastern white pine (*Pinus strobus*), black cherry (*Prunus serotina*), red maple (*Acer rubrum*), sugar maple (*Acer saccharum*), white ash (*Fraxinus americana*) and black birch (*Betula lenta*) trees and/or saplings; poison ivy (*Toxicodendron radicans*) climbing woody vines; American witch-hazel (*Hamamelis virginiana*), highbush blueberry (*Vaccinium corymbosum*), mountain laurel (*Kalmia latifolia*), eastern red cedar (*Juniperus virginiana*), American hazel-nut (*Corylus americana*), black huckleberry (*Gaylussacia baccata*) and maple-leaf viburnum (*Viburnum acerifolium*) shrubs; and sheep-laurel (*Kalmia angustifolia*), lowbush blueberry (*Vaccinium angustifolium*), wild sarsaparilla (*Aralia nudicaulis*), tree clubmoss (*Lycopodium obscurum*), trailing clubmoss (*Lycopodium complanatum*), bracken fern (*Pteridium aquilinum*), hayscented fern (*Dennstaedtia punctilobula*), teaberry (*Gaultheria procumbens*), partridge-berry (*Mitchella repens*), feather false-Solomon’s-seal (*Smilacina racemosa*), wild-lily-of-the-valley (*Maianthemum canadense*), striped pipsissewa (*Chimaphila maculata*), and Indian pipe (*Monotropa uniflora*) ground cover. The wetland resources observed on the site are described below.

Methodology

The site was inspected, and areas suspected to qualify as wetland resources were identified. The boundary of Bordering Vegetated Wetlands was delineated in the field in accordance with the

definition set forth in the regulations at 310 CMR 10.55(2)(c). Section 10.55(2)(c) states that "The boundary of Bordering Vegetated Wetlands is the line within which 50% or more of the vegetational community consists of wetland indicator plants and saturated or inundated conditions exist." The methodology used to delineate Bordering Vegetated Wetlands is further described in: (1) the BVW Policy "*BVW: Bordering Vegetated Wetlands Delineation Criteria and Methodology*," issued March 1, 1995; and (2) "*Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act: A Handbook*," produced by the Massachusetts Department of Environmental Protection, dated March 1995. The plant taxonomy used in this report is based on the *National List of Plant Species that Occur in Wetlands: Massachusetts* (Fish and Wildlife Service, U.S. Department of the Interior, 1988). Federal wetlands were presumed to have boundaries conterminous with the delineated Bordering Vegetated Wetlands. One set of DEP Bordering Vegetated Wetland Delineation Field Data Forms completed for observation plots located in the wetlands and uplands near flag A-3 is attached. The table below provides the Flag Numbers, Flag Type, and Wetland Types and Locations for the delineated wetland resources.

Flag Numbers	Flag Type	Wetland Types and Locations
Start 100 to 111 Stop	Pink Flags*	Boundary of Bordering Vegetated Wetlands located in the northwestern portion of the site that is associated with an intermittent stream. <ul style="list-style-type: none">Flags 100 & 101 were relocated with Blue flagging
Start A1 to A16 Stop	Blue Flags	Boundary of Bordering Vegetated Wetlands located in the eastern portion of the site that is associated with an intermittent stream.

Findings

Wetland 100 series and A (i.e., flags 100 to 111 and A1 to A16) consists of a forested swamp located in the northwestern and eastern portions of the site that is associated with an intermittent stream. It should be noted that the wetlands were previously located by instrument survey and EcoTec reviewed and adjusted the delineation to ensure accuracy. Several wetland flags were missing in the eastern (rear) portion of the site. Therefore, this portion of the site was re-delineated by EcoTec. Plant species observed include red maple (*Acer rubrum*), yellow birch (*Betula alleghaniensis*), gray birch (*Betula populifolia*), and American elm (*Ulmus americana*) trees and/or saplings; poison ivy (*Toxicodendron radicans*) climbing woody vines; highbush blueberry (*Vaccinium corymbosum*), common winterberry (*Ilex verticillata*), northern spicebush (*Lindera benzoin*), speckled alder (*Alnus rugosa*), silky dogwood (*Cornus amomum*), and American elderberry (*Sambucus canadensis*) shrubs; and bristly blackberry (*Rubus hispidus*), cinnamon fern (*Osmunda cinnamomea*), sensitive fern (*Onoclea sensibilis*), spinulose woodfern (*Dryopteris spinulosa*), skunk-cabbage (*Symplocarpus foetidus*), swamp Jack-in-the-pulpit (*Arisaema triphyllum*), Alaska goldthread (*Coptis trifolia*), spotted touch-me-not (*Impatiens capensis*), shining clubmoss (*Lycopodium lucidulum*), and sphagnum moss (*Sphagnum sp.*) ground cover. Evidence of wetland hydrology, including hydric soils, high groundwater,

EcoTec, Inc.

saturated soils, and drainage patterns, was observed within the delineated wetland. This vegetated wetland borders an intermittent stream; accordingly, the vegetated wetlands would be regulated as Bordering Vegetated Wetlands and the intermittent stream would be regulated as Bank under the Act and Bylaw. A 100-foot Buffer Zone extends horizontally outward from the edge of Bordering Vegetated Wetlands under the Act and a 200-foot Buffer Zone extends outward under the Bylaw.

Bordering Land Subject to Flooding is an area that floods due to a rise in floodwaters from a bordering waterway or water body. Where flood studies have been completed, the boundary of Bordering Land Subject to Flooding is based upon flood profile data prepared by the National Flood Insurance Program. Section 10.57(2)(a)3. states that "The boundary of Bordering Land Subject to Flooding is the estimated maximum lateral extent of flood water which will theoretically result from the statistical 100-year frequency storm." Based upon a review of FEMA map 2502700763E, the site is located outside of the 100-year flood zone. The project engineer should review the most recent National Flood Insurance Program flood profile data to confirm that Bordering Land Subject to Flooding does not occur on the site. Bordering Land Subject to Flooding would occur in areas where the 100-year flood elevation is located outside of or upgradient of the delineated Bordering Vegetated Wetlands boundary. Bordering Land Subject to Flooding does not have a Buffer Zone under the Act.

The Massachusetts Rivers Protection Act amended the Act to establish an additional wetland resource area: Riverfront Area. Based upon a review of the current USGS Map (i.e., Warren Quadrangle, dated 1982, attached) and observations made during the site inspection, a stream that is shown as intermittent or is not shown on the USGS Map is located in the western portion of the site. The watershed area for this stream at the site was determined to be 0.15 square miles, which is less than 0.5 square miles (see attached watershed calculations). As such, the stream would be designated intermittent under the Massachusetts Wetlands Protection Act regulations. Furthermore, based upon a review of the current USGS Map and observations made during the site inspection, there are no other mapped or unmapped streams located within 200 feet of the site. Accordingly, Riverfront Area would not occur on the site. Riverfront Area does not have a Buffer Zone under the Act.

The Regulations require that no project may be permitted that will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures set forth at 310 CMR 10.59. Based upon a review of the *Massachusetts Natural Heritage Atlas*, 13th edition, Priority Habitats and Estimated Habitats, valid from August 1, 2017, there are no Estimated Habitats [for use with the Act and Regulations (310 CMR 10.00 *et seq.*)], Priority Habitats [for use with Massachusetts Endangered Species Act (M.G.L. Ch. 131A; "MESA") and MESA Regulations (321 CMR 10.00 *et seq.*)], or Certified Vernal Pools on or in the immediate vicinity of the site. A copy of this map is attached.

EcoTec, Inc.

130 Brookfield Road
April 2, 2018
Page 4.

The reader should be aware that the regulatory authority for determining wetland jurisdiction rests with local, state, and federal authorities. A brief description of my experience and qualifications is attached. If you have any questions, please feel free to contact me at any time.

Cordially,
ECOTEC, INC.



Scott M. Morrison, RPSS
Senior Environmental Scientist

Attachments (6, 8 pages)

17/E/Sturb130BrookfieldRdReport

EcoTec, Inc.

EcoTec, Inc.

ENVIRONMENTAL CONSULTING SERVICES

102 Grove Street

Worcester, MA 01605-2629

508-752-9666 – Fax: 508-752-9494

Scott M. Morrison, PWS, RPSS, SE **Senior Environmental Scientist**

Scott Morrison is a Senior Environmental Scientist with EcoTec, Inc. Since joining EcoTec in 2000, Mr. Morrison's project experience include wetland resource evaluation, delineation, and permitting at the local, state, and federal levels; wildlife habitat evaluation; pond and stream evaluation; vernal pool evaluation, monitoring, and certification; wetland replacement, replication, and restoration area design, construction, and monitoring; soil evaluations to determine infiltration rates and seasonal high groundwater elevations for detention basin construction; environmental sampling and analysis tasks, including soil and groundwater sample collection and handling; and expert testimony preparation. He has conducted rare species habitat assessments for the eastern box turtle, wood turtle, Blanding's turtle, spotted turtle, and marbled salamander. He has participated in rare species studies for rare species including the marbled salamander, piping plover, eastern box turtle, and northern diamondback terrapin and developed mitigation strategies for the marbled salamander, spotted turtle, eastern box turtle and wood turtle. He has participated in visual preconstruction sweeps for the wood turtle and both preconstruction and research projects for the eastern box turtle. He has served as a consultant to municipalities, conservation commissions, engineering and survey firms. He has completed numerous wetland related projects including environmental impact assessments for proposed development, erosion control and environmental monitoring for subdivisions, commercial developments, golf courses and landfills. He has prepared Massachusetts Environmental Policy Act (MEPA) documentation, including Environmental Notification Forms (ENFs), Notice of Project Changes (NPCs), and Draft and Final Environmental Impact Reports (EIRs) including Green House Gas Assessments for various projects including subdivisions, commercial buildings, and dredging projects. Prior to joining EcoTec, Inc. Mr. Morrison worked for the Massachusetts Department of Environmental Management (currently the Department of Conservation and Recreation) where he was involved with the monitoring and protection of endangered species and rare old growth forest. He was an active member of the Spencer Conservation Commission from 1998 to 2000 where he provided oversight of proposed wetland replication projects and review of projects submitted for wetland permitting. His educational background includes courses in forestry, ecology, chemistry, soils, and natural resource policy. His prior research experience includes research on forest succession and field research on nesting piping plovers, an endangered coastal shore bird.

Education:

Graduate Soil Science Certificate Program
University of Massachusetts at Amherst, 2006
Bachelor of Science: Natural Resource Studies
University of Massachusetts at Amherst, 1998
Associate of Science: Business Administration
Quinsigamond Community College, 1996

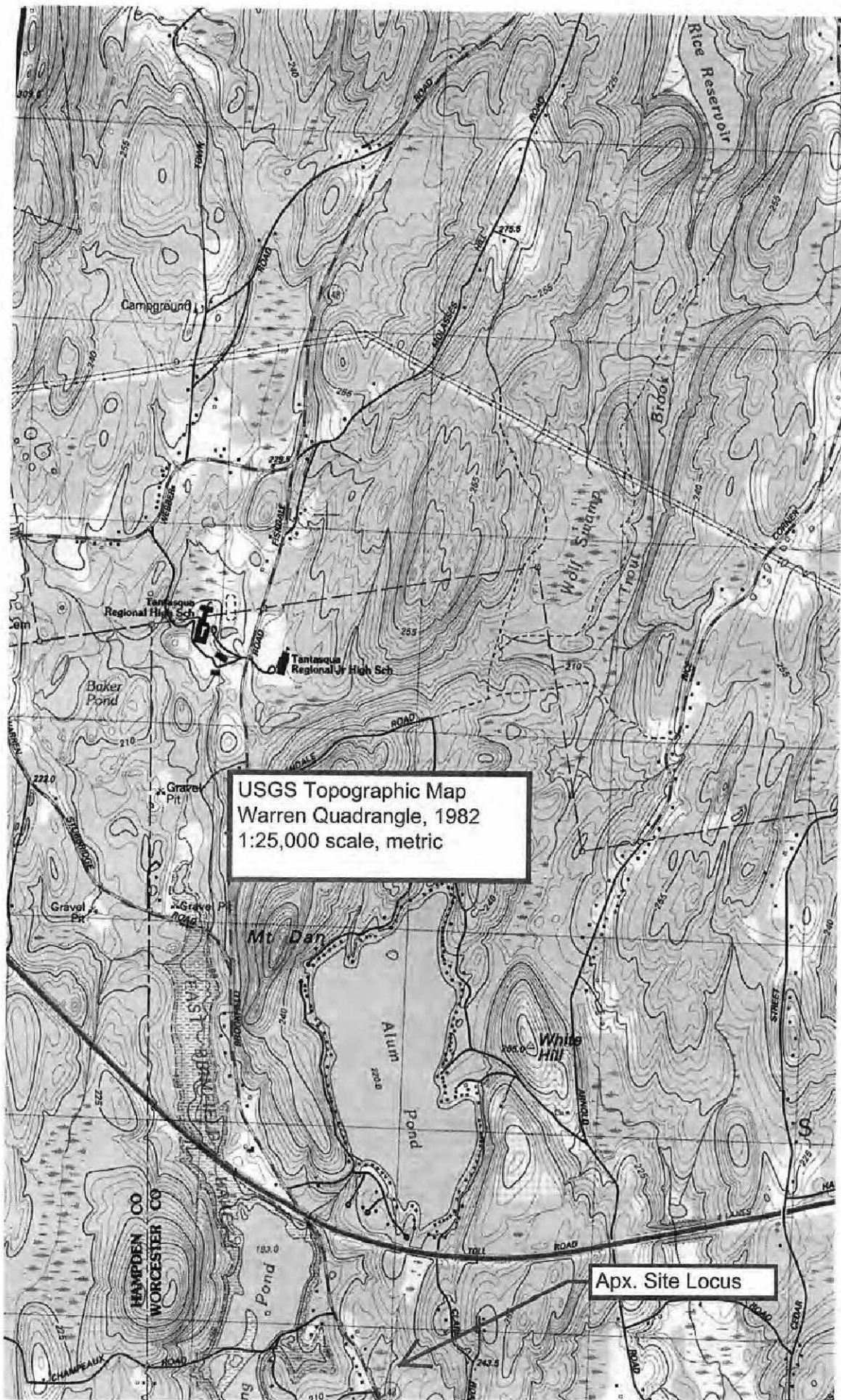
Professional Affiliations:

Registered Professional Soil Scientist, Society of Soil Scientists of
Southern New England (SSSSNE)
Massachusetts Association of Conservation Commissioners
Association of Massachusetts Wetland Scientists
Society of Wetland Scientists

Certifications:

Society of Wetlands Scientists Professional Wetland Scientist,
Certification Number 2583
Massachusetts Department of Environmental Protection Soil Evaluator,
Certification Number SE 13766

OSHA Health and Safety Training, 40-Hour, 29 CFR 1910.120



USGS Topographic Map
Warren Quadrangle, 1982
1:25,000 scale, metric

Apx. Site Locus

4/2/2018

Natural Heritage Atlas Online Data Viewer Output 4.2.18 - 130 Brookfield Rd

Natural Heritage Atlas Online Data Viewer Output 4.2.18 - 130 Brookfield Rd



National Flood Hazard Layer FIRMette



FEMA

Legend

SEE FIS REPORT #

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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus
DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

0 250 500 1,000 1,500 2,000 Feet 1:6,000

42°7'28.39"N

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Form

Applicant

Prepared by: EcoTec, Inc

Project Location: 130 Brookfeild Rd., Sturbrid.

DEP File #

Section I. Vegetation

Observation Plot Number: A-3

Transect # Upland

Date of Delin: 3/30/2018

				Wetland	
A. Sample layer and plant species (Enter largest to smallest % cover by layer)				Dominant Plant?	Indicator Category
Tree	sugar maple	Acer saccharum	20	25.0 YES	FACU-
	red maple	Acer rubrum	60	75.0 YES	FAC
					*
Sapling	none				
Shrub	white pine	Pinus strobus	20	25.0 YES	FACU
	mountain laurel	Kalmia latifolia	40	50.0 YES	FACU
	witch hazel	Hamamelis virginiana	20	25.0 YES	FAC-
Ground	hay-scented fern	Dennstaedtia punctilobula	60	100.0 YES	NL
Vine					

Vegetation Conclusions

Number of dominant wetland indicator plants

1

Number of dominant non-wetland indicator plants

NO

5

Is the number of dominant wetland plants equal or greater than the number of dominant non-wetland plants?

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Form

Applicant	Project Location: 130 Brookfield Rd., Sturbridge	DEP File #
Section II. Indicators of Hydrology	Transect # Upland	Date of Delin: 3/30/2018

1. Soil Survey

Is there a published soil survey for this site?

title/date

map number

soil type mapped

hydraulic soil inclusions

Are field observations consistent with soil survey?

Remarks:

2. Soil Description

Horizon	Depth (inches)	Matrix Color	Mottle Color
A	0-6	10YR 3/2	
Bw	6-12+	10YR 4/4	

Remarks

3. Other fine sandy loam

Conclusion: Is the soil hydric?

No

Other Indicators of hydrology (check all that apply):

- ☐ Site Inundated
- ☐ Depth to free water in observation hole
- ☐ Depth to soil saturation in observation hole
- ☐ Water marks
- ☐ Drift lines
- ☐ Sediment Deposits
- ☐ Drainage patterns in BVWs
- ☐ Oxidized rhizospheres
- ☐ Water stained leaves
- ☐ Recorded data (stream, lake, or tidal gauge; aerial photo; other):
- ☐ Other:

Vegetation and Hydrology Conclusion

	Yes	No
Number of wetland indicator plants ≥ number of non-wetland indicator plants	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wetland hydrology present:		
Hydric soil present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other indicators of hydrology present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sample Location is in a BVW	<input type="checkbox"/>	<input checked="" type="checkbox"/>



Town of Sturbridge

Conservation Commission

STURBRIDGE CONSERVATION COMMISSION AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act and the Town of Sturbridge Wetland Bylaws

I, Steven M. Bressette, hereby certify under the pains and penalties of perjury that on (date) 4/13/18, I gave notification to abutters in compliance with the second paragraph of the Massachusetts General Laws Chapter 131, § 40, and the DEP Guide to Abutter Notification as well as the Town of Sturbridge Wetland Bylaws, in connection with the following matter:

- ☒ A Notice of Intent OR
☐ A Request for Determination OR
☐ An Abbreviated Notice of Resource Area Delineation

that was filed under the Massachusetts Wetlands Protection Act and the Town of Sturbridge Bylaws, by Russell LeBlanc with the Sturbridge Conservation Commission on (date) 4/13/18 for the property located at 130 Brookfield Road.

The form of the Notification and a list of abutters to whom it was given and their addresses are included in the application file.

Steven M. Bressette agent for
(signature of applicant) (date)

Russell LeBlanc
(name of applicant-printed or typed)



Town of Sturbridge

Conservation Commission

Notification to Abutters under the MA Wetlands Protection Act and the Town of Sturbridge Wetland Bylaw Regulations

In accordance with the second paragraph of Massachusetts General Laws, Chapter 131, § 40, as well as the Town of Sturbridge Wetland Bylaws, you are hereby notified of the following permit application for work within a wetland resource area and/or within the 200-foot buffer zone to a resource area:

- A. The name of the applicant is: Russell LeBlanc
- B. The address of the lot(s) where the activity is proposed is: 130 Brookfield Road
- C. The nature of the activity proposed includes: Construction of a Single Family Home
- D. The applicant has filed the following in accordance with the Wetlands Protection Act (MGL c. 131, § 40), and/or the Town of Sturbridge Wetland Bylaws.
- ☒ Notice of Intent seeking permission to conduct work within a wetland, water body or resource area
- ☐ Request for Determination seeking permission to conduct work within a buffer zone to a wetland, waterbody or resource area
- ☐ Abbreviated Notice of Resource Area Delineation seeking to confirm the wetland resource area boundaries.
- ☐ Request to amend an existing Order of Conditions for DEP File #300-_____
- E. Copies of the application may be examined at the Sturbridge Conservation Department, 301 Main Street, Center Office Building, Sturbridge, MA between the hours of **9:00 a.m. – 3:30 p.m. Monday through Friday.** Additional times may available by appointment. Please call ahead to check for availability. (508) 347-2506
- F. Copies of the application may be obtained from either ☐ the applicant: Russell LeBlanc
or ☐ the applicant's representative: Summit Engineering & Survey, Inc., by calling telephone # 508-987-8714
on the following days of the week: Monday-Friday between the hours of 8:00 AM and 4:00 PM.

The Public Hearing for this application will be held in the Center Office Building, 301 Main Street,
2nd Floor on MAY 3RD, 2018 at 6:15 pm.

PLEASE NOTE: Notice of this Public Hearing will be published as follows:

- In The Southbridge Evening News at least five days in advance of the hearing
- In the Town Hall at the Town Clerks office, not less than 48 hours in advance of the hearing
- On the Town's Meeting Calendar not less than 48 hours in advance of the hearing (www.town.sturbridge.ma.us)
- On the Conservation Commission webpage not less than 48 hours in advance of the hearing

You may contact the Sturbridge Conservation Commission Office (508) 347-2506 or the Department of Environmental Protection Central Regional Office at 508-792-7650 with questions in regards to the Notice of Intent application process or the Wetlands Protection Act.



Town of Sturbridge

Conservation Commission

Filing Fee Worksheet

Under M.G.L. c 131, § 40 and the Town of Sturbridge Wetland Bylaw

Applicant Russell LeBlanc

Applicant Representative Summit Engineering & Survey, Inc

Project location 42 Champeaux Road

TOTAL STATE FEE REQUIRED FOR PROJECT

(Only subject to NOI and ANRAD filings—See Wetland Fee Transmittal Form):

State Fee Category(s) 2(a) Construction of a single-family home

Total State Fee for project (include Riverfront Area adjustment if applicable) \$500.00

State share of State Fee \$237.50

Local share of State Fee \$262.50

TOTAL ADDITIONAL LOCAL FEE REQUIRED FOR PROJECT*:

(See Sturbridge Wetland Bylaw Regulations Section 4.17)

☒ Standard NOI Fee = \$50.00 x (check if applicable)

☐ Standard RDA Fee = \$25.00 (check if applicable)

☐ Standard ANRAD Fee = \$00.10 per foot for resource area delineation (check if applicable).
feet x \$00.10 = \$

☒ Standard DELINEATION Fee = \$00.10 per foot for resource area delineation x (for all projects).
feet 860 x \$00.10 = \$ 86.00

(for all projects that do not include an approved wetland delineation boundary by the Commission within 3 years prior to application submittal)

☐ REPLICATION Monitoring Fee = \$200.00 (check if applicable)
(for all projects that include wetland alteration and wetland replication)

CUMULATIVE TOTAL FEES:

Total State Fee: \$500.00

Total Town Share of State Fee: \$262.50

Total Local Fee: \$136.00

*Please Note:

For each NOI and ANRAD filing, please submit two (2) checks to the Town of Sturbridge, one for the town's portion of the state fee and one for the local fee(s). RDA filings only have a Local Fee at this time.

The advertising fee is not included in the calculation. The Applicant will pay the Southbridge News directly.



Town of Sturbridge

Barbara A. Barry, Finance Director

Department/Board/Committee: Conservation Commission

Please verify outstanding tax/fee status for the following property owner:

Property Owner: Russell LeBlanc

Property Location: 130 Brookfield Road

- ☒ The license/permit may be released.
- ☐ The license/permit may not be released.

Deborah S. Morse
Finance Director

3/2/18
Date

Receipt**Summary/Receipt**[print receipt](#)[Exit](#)

Your submission is complete. Thank you for using DEP's online reporting system. You can select "My eDEP" to see a list of your transactions.

DEP Transaction ID: 1005465

Date and Time Submitted: 4/13/2018 10:53:00 AM

Other Email :

Form Name: WPA Form 3 - NOI**Project Location**

City/Town Name: STURBRIDGE

location: 130 BROOKFIELD ROAD

General Description: CONSTRUCTION OF A SINGLE FAMILY RESIDENT WITH ASSOCIATED SITE WORK AND INFRASTRUCTURE.

Applicant Information

Name: JAMIE' CORNELL

Company

Address: 2 DRAPER WOODS ROAD, FISKDALE, MA, 01518

Payment Information

Your fee for the state share is \$: 237.50

If you have paid by credit card or ACH, thank you for your payment. If you are paying by check or money order, please send your check (payable to the Commonwealth of Massachusetts) to MassDEP, Box 4062, Boston, MA 02211

Additional Forms Submitted

WPA Form 3 - NOI (Fee Transmittal)(ONLINE ONLY)

Ancillary Document Uploaded/Mailed

130 Brookfield Road - Firmette

130 Brookfield Road - NHESP Map

130 Brookfield Road - USGS Map

18-111 brookfield road site plan & detail

300-0732 Extension

ANR Plan

Compilation of ConCom meeting minutes 300-0732

Cornell Local Checks

EcoTec-Stur130BrookfieldRdReport

Narrative

WPA Form 8A - 300-0732

noi_packet_local_pdfs

[My eDEP](#)

- DM would like a written summary of the conditions before voting on the single-family house project.
- DM asks if abutters have any questions (none).
- S. Campbell requests a continuance.

Hearing continued to April 5, 2007 at 8:10PM pending requested information.

PUBLIC HEARING

NOI for DEP 300-732: Proposed single family house and driveway wetland crossing at 130 Brookfield Road. Para Land Surveying, Inc. representing Rearick.

DM opens the public hearing at 8:35PM.

Present: R. Para of Para Land Surveyors, Inc.

Submitted: Newspaper ad and certified green cards to open the hearing

Discussion:

- KK states this is the first hearing on this project. Project includes the construction of a single-family house, driveway, public sewer, private well, in-ground pool, etc. The driveway crosses a bordering vegetated wetland and a 42-in culvert for an intermittent stream. Approximately 1480 permanent wetland alteration and 2960 sq feet of replication is proposed. KK reviews plans with board, she also submits a review Memo to the board and R. Para (dated 3/1/07).
- R. Para states the parcel was subdivided in the early 1980s. Rte 148 was rebuilt moving property lines and reconstructing culvert. The wetland crossing will be at the narrowest point of the wetland. The project includes swapping land with the abutter in order to avoid the 42-inch culvert and stream. The wetland is what extends to the Draper Woods development.
- EG questions if there is access off the right of way. R. Para responds the right of way is old and this is one lot out of the larger parcel. Last he knew, there was no access from the right-of-way.
- DM questions the slope of the property. R. Para responds that the slope of the property is 6 to 8%.
- R. Para states that a public sewer tie in was left and that drilling a well on site is less invasive than public water and sewer.
- FD states that it looks like a reasonable use for 12 acres of land—only one house.
- EG suggests a site visit. DM states that the visit should be sometime in late March to early April. KK agrees and adds that one of her points in her review memo is that the site visit should be done when there is no snow cover and all vegetation is present. The Commission will need to be looking at the wetland crossing and replication area in detail. Also, she adds that she would like to review the delineation flag by flag. DG agrees and states that the wetland is also behind the house location.
- DM questions if flags are still in place. R. Para responds they are and will be refreshed prior to site visit.
- EG asks the applicant if they are aware of vernal pools. KK states that according to MA GIS, there are no mapped potential or certified vernal pools. However, National Heritage mapped estimated and priority habitat is across the street and downstream from the wetland to be filled.
- DM states that a site visit should be done in the spring, he would like to see the centerline of driveway, house and pool to be staked.
- R. Para states that he plans on having a paved apron at the driveway, the gravel through the wetland and 25-foot buffer zone and then continue the pavement. KK states there would be a potential for the gravel to constantly wash out.

PUBLIC HEARING

NOI CONTINUED from 2/1/07: DEP 300-678 for single family house and reclassification of a stream at 186 New Boston Road. Green Hill Engineering representing J. Boutiette.

DB opens hearing at 7:53PM

Present: M. Farrell, Green Hill Engineering

Discussion:

- M. Farrell states he is waiting for information from Natural Heritage and he is trying to avoid conducting a full habitat assessment study. He continues that Natural Heritage indicated the full assessment is the only way to have it done properly. M. Farrell states his client did not want to pay thousands of dollars for the full assessment.
- DB asks about the details of the stream crossing and when the evaluation would be done. M. Farrell responds that a full evaluation takes 3-4 months and then the information is sent to Natural Heritage. He also states there have been marble salamander and 4 toed salamander spotted.
- M. Farrell states the vernal pools have already been mapped.
- DB states he is willing to accept this information as "new information" and allow a continuance for a few months to allow for the assessment to be conducted.
- M. Farrell states he would like to continue to late August or early September. DB states he needs a firm date for a continuance. M. Farrell requests September.
- EG makes motion to continue to the second meeting in September. DB seconds motion. 4/0 all in favor of continuance.

Hearing continued to September 20, 2007 at 7:20PM. CORRECTION: 9/27/07 at 7:30PM

PUBLIC HEARING

NOI CONTINUED from 3/1/07: DEP 300-732 for proposed single family house and driveway wetland crossing at 130 Brookfield Road. Para Land Surveying, Inc. representing Rearick.

DB opens public hearing at 8:03PM.

Present: R. Para, Para Land Surveying, Inc.

Discussion:

- R. Para states in response to the Agent's comments from the previous meeting that there is no need for a 401 Water Quality Certificate since the lot is not a subdivision of land. He continues that the wetland flags appear to be present from the site walk in early March. He does not agree with some of the wetland flag locations, a professional did the delineation. R. Para also states there are no vernal pools present.
- DB asks if there is any standing water. R. Para responds there is no standing water anywhere and is not sure if the Agent was able to visit the site.
- DB states they will schedule a site visit.
- R. Para reviews the plans with the board and indicates that on the slope; grass, trees, and high-bush blueberry plants was added to provide wildlife habitat.

- DB asks about waterflow from forest area and where the water is coming from. R. Para responds the surface water is going into a culvert and water may have been present from this past storm on Sunday. He states the sheetflow is from the next property over.
- DB asks if the old stable area is where the sheetflow is coming from. R. Para responds yes, sheetflow comes downhill.
- DB states he wants to make sure the wetland area won't dry up. R. Para responds the sheetflow is temporarily going across the proposed wetland replication area. Members question the existing hydrology. R. Para reviews the plans with the board and demonstrates how the water will flow to the replication area and into the wetland.
- DB states he is unclear on how the water will cross an impervious surface (driveway) and feed into the wetland area. FD states a pre-tension bridge could be built with multiple culverts.
- DG states a rip-rap swale could be put in place to move water to the wetland.
- EG questions the proposed pipe under the driveway and if it will maintain flow. R. Para responds that the pipe will be at grade and it will be easier to construct. EG states that smaller reinforced pipes could be used for the higher elevation on the driveway. R. Para responds that they could be used, but the point source could lead to erosion and that there is only one place where water would normally flow across.
- DG expresses her concerns about drainage and states Natural Heritage lands get a lot of water already. She continues that adding another lot with clearing will add to the water flow in this area.
- DB states the board is strict with applicants that there should be no net loss of wetland and requests the site be worked to ensure there will be no loss. R. Para responds that replication is 2:1, so there is no net loss, but a net gain.
- DB states that the 2:1 is a requirement and that they have to make sure that the replication area succeeds. R. Para states the water will flow across into the wetland.
- DB asks about the slope. R. Para responds the pitch is down 1% and then up to the road at 6.7%.
- DB states there will be a site visit on Sunday. (DM enters the meeting)
- EG asks if the road and house can be marked in the field and R. Para responds that it is already.
- DB schedules the site visit for Sunday at 9AM.
- R. Para requests a continuance.
- DB asks about Natural Heritage. R. Para responds there is an area 300 feet downstream with the mapped rare species. He reviews photos/maps with the board.
- DG states that because the mapped area is downstream from the property, everything will run to it.
- EG makes motion for continuance, DG seconds motion. 4/0 all in favor of continuance.

Hearing continued to May 3, 2007 at 9:30PM.

8:23PM Other Business

4/5/07 Minute Approval

FINAL Approved 6/7/07

PUBLIC HEARING

NOI Continued from 4/19/07 for DEP 300-732: Proposed single house and driveway wetland crossing at 130 Brookfield Road. Para Land Surveying, Inc. representing Rearick.

DB opens public hearing at 10:24PM.

Present: R. Para from Para Land Surveying, Inc.

Discussion:

- KK states that since the last hearing, the Commission did a site walk on 4/22/07. Results from the site walk included concerns for where the replication area is proposed. KK apologizes for being out for a few weeks and has yet to review in detail the additional information submitted on 4/6/07. KK requests an opportunity to review the information in depth and conduct a site walk to review the wetland delineation. KK recommends a continuance, but request discussing the replication area location tonight. Other things to think about: from looking at some projects that are currently under construction and in violation, there seems to be a problem with the amount of work area needed for driveway crossings. It seems that a lot of the time, the contractor needs more room for construction than what is shown on the plan and most of the time the project is shut down in violation. KK states that all plans should have the real limit of work defined.
- R. Para responds that if the work area is expanded it will disturb more wetland.
- DB states that often the single unit is considered and not what is going on around it. DB states that he recently got a call from an abutting lot with a house at a higher elevation and there was 6 in. of water in their basement during the last storm. R. Para responds that these are different properties on different lots and water levels are not the same on each hill. KK states that the hills in the area tend to generally seep water.
- DB discusses replication area. He questions the elevations and the success of the plants.
- R. Para submits plans with new replication area and states it is the same area as previously discussed but the middle of the replication area is lower than the surrounding wetlands and therefore creates a bowl.
- KK states that the goal of the replication area is to recreate the area that was altered and enhance the wetland. The current location of the replication area will cause steep slopes into the wetland area. R. Para states that the area he is creating will allow water to pool and sit for infiltration.
- DB asks about the stonewall. R. Para responds that the stonewall will not be removed.
- Member discuss the trees in the replication area. KK states the wetland monitor will indicate what trees should stay during a walk through prior to replication construction.
- DM states that if the construction area is to increase; the replication area will need to be increased. R. Para states they will take the excavation removal and put it into the replication area. KK indicates that additional, clean hydric soil will need to be installed since the replication area is 2:1. Also, the area to be altered may not contain excellent hydric soils.
- KK asks to identify stockpile areas on the plan.
- R. Para states that there is an outstanding issue of mitigation for the 25 ft buffer. He states there is an old shed on the property and wetland flags are tied to the rear corner of the shed. He asks if they should remove the shed for mitigation. Members discuss access to the shed. DM comments that mitigation should be improving an area.

Hearing continued to June 7, 2007 at 8:35PM pending site walk and additional information.

- suggested the proposed plantings and the location of the plantings. DM questions some of the plant species near the Lake. DB states that lilacs can provide good root structure if healthy. D. Roberts states all the plants are native Massachusetts plants.
- DB asks KK about any additional comments. KK states that finding out about the drainage pipes was a good thing, but the pipes need to be shown on the plan. The plan needs to clearly show all drainage structures, existing and proposed. The contractor only looks at the plan so it needs to be clear that the existing pipes are going to be re-routed, the plans need to especially show the sump pump and the owner needs to know about the maintenance of the structure. D. Roberts states he can add all of the drainage information to the plan for KK's review.
 - KK asks about the contractor and states any contractors need to be very clear on what is there and what needs to be done with the drainage pipes.
 - KK states she needs details on the sump and needs details on sequencing. D. Roberts states he will add everything to the plans.
 - DM asks if the pipes can be cut back. D. Roberts states they can cut the pipes back and place plastic caps on them. They will dig back, cut the pipe, cap the pipe, then backfill back over the pipes. He does not think the pipes should be fully removed. KK states that all of this will need to be on the plan. D. Roberts states that it will not be a problem to revise the plans.
 - KK asks if the new house will need a sump in the basement. D. Roberts responds no. KK asks if the new leach pit will receive run-off from the roof and from the sump. D. Roberts states it will receive from roof run-off, sump, and garage drain. KK questions if the leaching pit can handle the additional water.
 - DM asks changes to be read back. KK states changes are: 1) outlet pipes on plan to be cut back and capped, 2) drainage pipes to be added to plans and information on what will be done with pipes, 3) maintenance and sump details at the driveway, and 4) drainage sequencing.
 - D. Roberts request a continuance unless the Board feels they can vote favorably knowing that revised plans will be submitted and adding conditions. KK states that the Board is booking the July 26th hearing now.
 - FD states applicants should not be delayed by the Board's vacation schedules. DM states he likes the information that has been presented tonight but would still like to see the information on the plan before voting. DB agrees with DM and would like to continue the hearing.
 - FD states that with D. Grehl as an abutter, the Board will be kept to date on the construction.
 - D. Roberts submits photos of drainage for the file.

Hearing continued to July 26, 2007 at 7:30PM pending revised plans.

PUBLIC HEARING

NOI CONTINUED from 5/3/07 for DEP 300-732: Proposed single family house and driveway wetland crossing at 130 Brookfield Road. Para Land Surveying, Inc. representing Rearick.

DB opens public hearing at 8:49PM

Present: R. Para of Para Land Surveying, Inc.

Discussion:

- KK states since the last meeting she submitted a review memo to all members on 6/4/07 documenting that the wetland delineation is accurate and also that outstanding questions and concerns remain. She continues that R. Para submitted a response memo on 6/7/07 and a revised plan set. She recommends that the Commission review the response memo and receive a presentation on the revised plans. KK reviews the plans and photos with the Board.

- DM asks KK to summarize her outstanding concerns. She reviews the memo with the Board and shares her concerns. KK states her main concern is with the replication plan. She states the plants are good wetland plants, but are not good plants for this site.
- DM asks if the plants are not good for just this site or not good for this area. KK responds both—none of the proposed plants are found within the wetland on the property.
- R. Para states there has been a revised plant list submitted with the plans. KK states she did not have time to review the revised plans. R. Para reviews revised plans with the Board and begins to explain all changes.
- KK questions the phasing of the construction, she would like to see the replication area established prior to house construction. R. Para states it can be done, but would be tricky. He continues that the hay bales can be pulled back but it is imperative to clear the road and get to the area by the house to store materials.
- R. Para states the first step is to put the hay bales in place, clear the replication area, move the cut wood to be processed (chip logs and branches and grind stumps), move wetland soils, lay a 6-inch stone layer at the culvert to create a drivable surface, build retaining walls up for the driveway, then replace the wetland soils to the wetland. KK adds that additional wetland soil will have to be brought in.
- DB asks if the replication area will be surrounded by a rock wall and have more depth. R. Para responds yes, it will be a pool. KK asks about hydrologic connection to the existing wetland. She is concerned that the replication area will become an isolated wetland and there will be a "berm" separating the replication area and the natural wetland. R. Para states they can dig a channel and members discuss.
- R. Para states that natural slope of the area will let the water continue from the replication area into the wetland.
- KK asks about the selective tree clearing in the replication area. R. Para responds that some trees are marked in the field as "KEEP". He continues that the wetland specialist will help with what trees are to stay in the replication area.
- KK asks about the 3:1 slope leading to the replication area and adding plantings in addition to erosion controls. R. Para responds the area will be loamed and mulched with hay bales above it and hay bales between the slope and the wetland area. He continues this should be stable as the 3:1 slope is a very gentle slope. KK states that she is concerned with this area as it will be the 25-foot no touch buffer zone from the replication area wetland.
- DB states that this area may be hard to stabilize and hydroseed may not take.
- KK asks about the selective clearing in the area next to the replication area. R. Para states that the word "selective clearing" was removed off the plan. He continues that they will basically clear-cut and try to leave some trees in place. KK shows concern for this since the clear-cut area will be the 25 and 50-foot buffer zones from the wetland (replication area). KK reviews photos of the outcroppings and the plans of the surrounding wetland areas.
- DB suggests for stabilization adding one to two inches of woodchips, then eventually removing the wood chips and adding a wetland mix.
- DM states shrubs would be ideal for that area. R. Para states the grass will grow in then they can put in shrubs for added stabilization. DB states grass is not the best measure for stabilization and they do not want to encourage mowing in the area. DM states the slope will discourage mowing.
- R. Para states that paving the driveway is an outstanding issue. KK states it should be all gravel or all paved, she does not like both. DB states he does not want water coming down the driveway and entering the roadway. R. Para states that there is a swale entering into the wetland and that water will not flow to the road.

- KK asks if there will be stone swales on the side of the driveway. R. Para states there is proposed grass on the shoulder and there is a small swale going into the replication area. He states the driveway will be pitched.
- DB questions KK if the runoff from the driveway will be the source of water for the replication area. KK states that groundwater should be the source of water for replication areas, not driveway runoff. Runoff can be added to the replication area, but not the source. DM questions how the driveway can be canted without a berm and how the water will enter the swale. R. Para states the swale goes into the replication area and acts as a buffer.
- DM states the construction sequence is critical and asks that the Applicant consider including shrub plantings in the 3:1 slope area. He asks about the 100-foot buffer zone and points out a fence on the plans near the house.
- R. Para states there is a proposed swimming pool and a fence is required for the pool. DM states the fence acts as a barrier.
- KK states that besides the replication area, there are no other plantings proposed. No landscape areas, only conversion to lawn. KK states she is concerned about this since there is 25 and 50-foot buffer zone disturbance. R. Para states that the final planting plan has yet to be submitted. The landscaping will be up to the homeowner.
- DM asks KK how long she will need to review new submission. KK answers for the next meeting. KK asks members if they are ready for draft special conditions. Members agree that draft conditions would be good to review. DB asks that a courtesy copy of the draft conditions be sent to R. Para at least a week before the meeting. KK agrees

Hearing continued to July 26, 2007 at 7:45PM to review Special Conditions.

PUBLIC HEARING

RDA for SCC 07-13: Vegetation maintenance along portions of the Massachusetts Turnpike (Route 90). Request made by Massachusetts Turnpike Authority.

DB opens public hearing at 9:20PM.

No one present

Discussion:

- KK states this hearing is to be continued to 6/21/07 at 7:05pm as it was not advertised in the paper properly. KK states that if the Board would like, she can give the Commission a brief summary of the project, and then she can read the minutes at the next meeting.
- DB states that is not necessary since different members will be at the next meeting.
- DM asks how they can spray selectively for Poison Ivy. KK states that she believes they plan on spraying in the median and along the guardrails.

Hearing continued to June 21, 2007 at 7:05PM.

PUBLIC HEARING

RDA for SCC 07-14: Proposed pool at the Express Inn located at 478 Main Street. Bertin Engineering, Inc. representing Sturbridge Hospitality Group, Inc.

DB opens the public hearing at 9:22PPM.

Present: H. Blakeley of Bertin Engineering, Inc.

Newspaper ad submitted. Certified mail receipts received 5/23/07.

PUBLIC HEARING

NOI CONTINUED from 6/7/07: DEP 300-732 for proposed single family house and driveway wetland crossing at 130 Brookfield Road. Para Land Surveying, Inc. representing E. and D. Rearick.

DB opens public hearing at 7:51PM

Present: R. Para, Para Land Surveying, Inc.

E. and D. Rearick, property owners.

Discussion:

- KK states according to the Mullen Rule, DG has missed two meetings and cannot vote on this project. With DG not voting, there is not a quorum tonight.
- DB explains the particulars of the Mullen Rule.
- R. Para requests a continuance and states new plans were submitted for the Board's review prior to the next meeting.

Hearing continued to August 2, 2007 at 9:10PM.

7: 54 PM OTHER BUSINESS (As time allows)

Letter Permit: SCC 07-20 for above ground pool at 6 Vinton Road

- KK states that the house construction had an Order of Conditions (before her time as the Agent) and there is a potential vernal pool off Vinton Road. She adds she has no issues with the pool since it is located in the rear of the property and out of the 100-foot buffer zone.
- DM states the letter should include a provision that if the pool is disassembled, the water is not to be discharged into the wetland.
- Consensus of the Board to approve the letter permit request.

Letter Permit: SCC 07-21 for tree removal at 102 Paradise Lane

- KK states she received a call from B.Hitchcock, the property owner, asking about trimming trees that were hanging over the house and causing mold. KK also adds that she requested the removal of a birch tree.
- KK visited the property on 7/25/07 and shows members the photos.
- DB states there is a steep slope on the property.
- DG states she can leave the small birch and leave the stump and roots of the birch to be removed. KK states that is what was discussed on property with the owner.
- KK states there are new plantings being done as well.
- Consensus of Board to approve letter permit request.

Discussion of Summer/Fall Hearing Dates

- Summer hearing dates are agreed upon as follows:
 - August 2, 2007 – DM will not be present.
 - August 16, 2007
 - August 30, 2007
 - September 27, 2007
 - October 11, 2007

to be liable for the road drainage on his property. He adds he will submit hydraulic calculations.

Hearing continued to August 30 at 8:10PM pending discussion with the DPW Director.

PUBLIC HEARING

NOI CONTINUED from 6/7/07 and 7/26/07: DEP 300-732 for proposed single house and driveway wetland crossing at 130 Brookfield Road. Para Land Surveying, Inc. representing Rearick.

DB opens public hearing at 9:58PM

Present: R. Para, Para Land Surveying, Inc.

D. and E. Rearick, property owners.

Discussion:

- KK states DG cannot vote on the project due to Mullin Rule as she missed the 5/3/07 and the 6/7/07 meetings. She continues that at the last meeting on 6/7/07, members agreed to review draft special conditions sent out via email on 7/24/07. She recommends the Commission review the special conditions with the applicant's representative.
- KK reviews the plans with the Board.
- DB asks R. Para if he has any comments on the conditions.
- R. Para asks about Condition #38 and the repair of equipment breakdown. KK reads the suggestion for revising Condition #38.
- DB asks about the pitch of the road to the swale. KK states it is not really a swale and more like a stone shoulder. DB asks if it is necessary to have this area and adds they need to make sure there is no net loss of wetlands. R. Para states this will be an enhancement to the wetland area.
- DB states the replication must be done before the Certificate of Compliance will be issued. R. Para states the replication will be done first under the supervision of a wetland specialist.
- DB states he is concerned with the flow of water to the wetland. R. Para states water from the driveway will feed the replication area and the area will be excavated.
- KK asks about soil testing for ground water elevations in the replication area. R. Para states no soil testing was not done.
- KK states she is concerned with staging for construction at the start of the project. R. Para states the hay bales will be placed in the wetland area first then the wetland will be crossed. He adds it will take one to two weeks for the hay bales, the tree clearing, and the base to be set. He states that whoever buys the lot will have to abide by the conditions.
- DB asks if they will use the driveway as much as possible. R. Para states they will only use the driveway.
- KK asks about access to the shed. R. Para states he does not believe the shed is being used now.
- D. Rearick states the shed can be accessed across the backyard of the existing home.
- DB asks the members if they are set with the Conditions and if there are any other questions or comments.
- KK reviews the changes to Condition #38.