



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

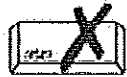
City/Town _____

WPA Form 1- Request for Determination of Applicability

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

A. General Information

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



1. Applicant:

Name Thomas O & Sharon M. McNeill E-Mail Address Thomas.M855@AOL.com
Mailing Address 34 Cedar Lake Drive
Sturbridge State MA Zip Code 01566
City/Town
Phone Number 774-241-0159 Fax Number (if applicable) _____

2. Representative (if any):

Firm _____
Contact Name _____ E-Mail Address _____
Mailing Address _____
City/Town _____ State _____ Zip Code _____
Phone Number _____ Fax Number (if applicable) _____

B. Determinations

1. I request the Sturbridge Conservation Commission make the following determination(s). Check any that apply:

- ☐ a. whether the area depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- ☐ b. whether the boundaries of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- ☒ c. whether the work depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- ☒ d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any municipal wetlands ordinance or bylaw of:

Sturbridge Wetland Bylaw
Name of Municipality

- ☐ e. whether the following scope of alternatives is adequate for work in the Riverfront Area as depicted on referenced plan(s).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

City/Town

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C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

34 Cedar Lake Drive
Street Address

Sturbridge
City/Town

Assessors Map/Plat Number

Parcel/Lot Number

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

SEE ATTACHED

- c. Plan and/or Map Reference(s):

Title

Date

Title

Date

Title

Date

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

See attached.



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C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- ☐ Single family house on a lot recorded on or before 8/1/96
- ☐ Single family house on a lot recorded after 8/1/96
- ☐ Expansion of an existing structure on a lot recorded after 8/1/96
- ☐ Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- ☐ New agriculture or aquaculture project
- ☐ Public project where funds were appropriated prior to 8/7/96
- ☐ Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- ☐ Residential subdivision; institutional, industrial, or commercial project
- ☐ Municipal project
- ☐ District, county, state, or federal government project
- ☐ Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



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D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Name Thomas O. McConnell
Mailing Address 34 Cedar Lake Drive
City/Town Sturbridge
State MA Zip Code 01566

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Signature of Applicant Thomas O. McConnell Date 9-19-18

Signature of Representative (if any) _____ Date _____

MCCONNELL RESIDENCE

34 Cedar Lake Drive
Sturbridge, Ma.

Boulder Wall Proposal & Project Description

A. Project Overview:

We are proposing to remove a failing painted pressure treated timber retaining wall and in its place install a boulder retaining wall. We believe this will create a permanent solution to the slope area while returning the land to a more natural state.

B. Project Description:

The fill behind the wall will be removed in order to get closer to the natural grade and slope, this will allow for more space in front of the wall for snow placement. The space newly created in front of the boulders will be at driveway grade and be a permeable crushed stone area. The boulder wall be built from boulders ranging in size from 100lbs. to 4000 lbs. The overall height of the wall will vary from 2' to 3.5' and be approximately 45' in length. The existing timber wall will be disposed at a certified recycling center and the fill (approx.. 30 yards) will be taken off site.

All Proper and required soil stabilization and runoff protection devices will be installed before construction begins (silt fence, straw wattles, straw hay bales and floating hydraulic boom) as well as all Order Of Conditions as stated by the Conservation Committee.

The total time of construction from start to completion will not exceed three working days.



Town of Sturbridge

Conservation Commission

Filing Fee Worksheet

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

Applicant Thomas O. & Sharon M. McConnell

Applicant Representative _____

Project location 39 Cedar Lake Drive

TOTAL STATE FEE REQUIRED FOR PROJECT

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

State Fee Category(s) _____

Total State Fee for project (include Riverfront Area adjustment if applicable) _____

State share of State Fee _____

Local share of State Fee _____

TOTAL ADDITIONAL LOCAL FEE REQUIRED FOR PROJECT*:

(See Sturbridge Wetland Bylaw Regulations Section 4.17)

☐ Standard NOI Fee = \$50.00 _____ (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 _____ (for all projects).
feet _____ x \$00.10 = \$ _____

(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: _____

Total Town Share of State Fee: _____

Total Local Fee: \$25-

*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

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: Thomas & Sheron McConnell
- B. The address of the lot(s) where the activity is proposed is: 34 Cedar Lake Drive
- C. The nature of the activity proposed includes: Repair & replace retaining wall
- 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: Thomas O. McConnell or ☐ the applicant's representative: _____, by calling telephone # 508 347-9180 on the following days of the week: Tue-Fri between the hours of 1 PM and 3 PM.

The Public Hearing for this application will be held in the Center Office Building, 301 Main Street, 2nd Floor on 10-16-18 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

STURBRIDGE CONSERVATION COMMISSION AFFIDAVIT OF SERVICE

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

I, Thomas O. McConnell, hereby certify under the pains and penalties of perjury that on (date) 9-19-18, 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

was filed under the Massachusetts Wetlands Protection Act and the Town of Sturbridge Bylaws, by Thomas O. McConnell with the Sturbridge Conservation Commission on (date) 9-19-18 for the property located at

34 Cedar Lake Drive

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

Thomas O. McConnell 9-19-18
(signature of applicant) (date)

Thomas O. McConnell
(name of applicant-printed or typed)

F:\Home\CONSERVATIONForms\Affidavit of Service.doc

Parcel ID	Owner	Owner Address	Owner City	State	Zip	Property Address
198-02437-016	EVENSEN ERIK M	PO BOX 1508	MANCHESTER	CT	06045	16 CEDAR LAKE DRIVE
198-02437-030	K D REALTY INC	102 PEACHSTONE GLEN	WEST SPRINGFIELD	MA	01089-4311	30 CEDAR LAKE DRIVE
198-02437-028	PARTLOW MICHAEL L	28 CEDAR LAKE DRIVE	STURBRIDGE	MA	01566	28 CEDAR LAKE DRIVE
180-02437-038	PHOLON DAVID P ✓	38 BURGESS SCHOOL ROAD	STURBRIDGE	MA	01566	38 BURGESS SCHOOL ROAD
180-02437-040	PHOLON DAVID P	38 BURGESS SCHOOL ROAD	STURBRIDGE	MA	01566	40 BURGESS SCHOOL ROAD
180-02437-036	ROOKEY KEVIN J	21 HALL ROAD	OXFORD	MA	01540	36 BURGESS SCHOOL ROAD
198-02437-032	TOWN OF STURBRIDGE ✓	308 MAIN STREET	STURBRIDGE	MA	01566	32 CEDAR LAKE DRIVE
180-02444-045	TOWN OF STURBRIDGE	308 MAIN STREET	STURBRIDGE	MA	01566	45 BURGESS SCHOOL ROAD
198-02437-026	TREMBLAY GARY TRUSTEE	26 CEDAR LAKE DRIVE	STURBRIDGE	MA	01566	26 CEDAR LAKE DRIVE
	BOARD OF ASSESSORS					
Above persons listed are record owners as they appear on the most recent applicable tax list.						
Assessors are not responsible for errors or omissions. RE: M.G.L. - Chapter 40A, Section 11						
Abutters List -	Conservation Commission - 200'					
RE: 34 CEDAR LAKE DRIVE						
Certified Copy						
Assessor:	<i>[Signature]</i>					
Date:	<i>9/18/15</i>					

1-20-15
Carolyn



Town of Sturbridge

Barbara A. Barry, Finance Director

Department/Board/Committee: _____

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

Property Owner: Thomas McConnell

Property Location: 34 Cedar Lake Drive

☒ The license/permit may be released.

☐ The license/permit may not be released.

for Deborah S. Moore

Finance Director

9/17/18

Date