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----- Components of a Complete <u>NOI</u> Application ----

 $\checkmark$ 

### Town of Sturbridge Conservation Commission Notice of Intent Application Coversheet/Checklist

		Date	4/24/2023		
Parcel		А	pplicant name	Derek Bender	
Address	26 South Rd		Address	354 Moon Hill Rd, Northb	ridge, MA 01534
Assessors		1	Email	benderdm@gmail.com	
Map/Plat	Map 42	1	Phone	774-249-5679	
Book & Page					
Owner name		R	epresentative		
Address			Address		
Email			Email		
Phone			Phone		
L				I	
Matland tune		of /of offected		Delevent Deuf Stenderde	10

Wetland type	sf/cf affected	Relevant Perf. Standards	10	
Wetland type	sf/cf affected	Relevant Perf. Standards	10	
Wetland type	sf/cf affected	Relevant Perf. Standards	10	

State Form: NOI Form 3	Included? 🛛 Yes 🛛 No
Engineered Plan	Included? 🛛 Yes 🛛 No
Proof of Mailing to DEP	Included? 🗆 Yes 🗆 No
Narrative	Included? 🗆 Yes 🛛 No
Proof that all relevant perf. standards are met	Included? 🗆 Yes 🛛 No
TOPO Map identifying locus with scale	Included? 🖾 Yes 🛛 No
FIRM Map identifying locus with scale	Included? 🗆 Yes 🛛 No
Natural Heritage Map with WH, PH, & VP data	Included? 🗆 Yes 🗆 No Included? 🗆
Delineation lines (backup material)	Included? 🗆 Yes 🛛 No
Tax Form	Included? 🖾 Yes 🛛 No
Fees         ★       Fee Transmittal form         ★       Filing Fee Worksheet         ★       Town portion of state filing fee         ★       Sturbridge local filing fee _\$	Included? Yes No Included? Yes No Included? Yes No Included? Yes No Included? Yes No Included? Yes No Included? Yes No Present them at the hearing
Confirmation of submission to NHESP	Included?   Yes  No  Not  Applicable
Planting Plan	Included? Yes No No Applicable
Floodplain analysis	Included?  Yes No Not Applicable
Stormwater analysis	Included?  Yes  No  Not Applicable

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#### **Conservation Commission Wetland Permit Process**

NOI	Process
1	Obtain a Certified list of all abutters within 200' of property lines from the Assessor's Office. (may take 10 business days)
2	Obtain a Tax Form Sign-Off by the Finance Department
3	Submit applications (see bullets below) by noon of the Tuesday deadline (16 days before the desired hearing):
	a. To Sturbridge Conservation Commission: 301 Main St., Sturbridge, MA 01566
	• This coversheet (1 paper copy)
	<ul> <li>Complete application see the checklist on the other side of this page (2 paper copies and 1 pdf)</li> <li>Plans must be stamped by an engineer if any component of the project requires engineering.</li> </ul>
	<ul> <li>Checks</li> <li>b. <u>To Mass DEP Central Regional Office</u>: 8 New Bond Street, Worcester, MA 01606</li> </ul>
	Complete application see the checklist on the other side of this page (1 paper copy)
	<ul> <li>Photocopy of the two state checks</li> </ul>
	Email a complete application to CERO_NOI@mass.gov
	c. <u>To DEP Lock Box</u> : Box 4062, Boston MA 02211
	Check for state portion of the state fee
	Fee transmittal form
4	Upon receipt of a complete application, the Conservation Agent will <b>schedule a Public hearing/meeting</b> .
5	Once you are provided the date and time of the hearing, <b>notify all abutters within 200' of the property line</b> using the Town's <b>"Notification to Abutters Form"</b> by <b>certified mail, certificate of mailing,</b> or <b>hand delivery with signatures 7 business days prior to the Hearing</b> . (Present proof of notification prior to the beginning of the public hearing.)
6	The Conservation Agent will place a legal ad in a local newspaper and the Applicant will be billed for the ad.
7	Stake the project. 2 weeks in advance of the public hearing, stake all proposed structures, erosion control barriers, stormwater systems, etc. within Con Com jurisdiction. (See SWB Regulations)
8	The Conservation Commission and/or Agent will perform a <b>site visit</b> before the public hearing to confirm existing conditions and proposed work. If you wish to be informed of the time of the visit, please contact the Con Com office.
9	<ul> <li>Attend the public hearing/meeting. The applicant or representative is required to provide proof of abutter notification (including Affidavit of Service), proof of legal advertisement, briefly present the project, and answer any questions about possible impacts on wetlands. At the end of the hearing, the Con Com will either:</li> <li>Issue an <u>Order of Conditions</u> (OOC) approving or denying the project, or</li> <li>Approve a continuation of the public hearing to allow time for additional information to be provided.</li> </ul>
10	<b>Receive and read the decision and understand the conditions.</b> Contact the Con Com if you have any questions. Some conditions are temporary (such as maintaining erosion controls), and some are perpetual (such as
11	maintaining restoration planting areas or limiting the use of fertilizers). Wait-out the 10-Day appeal period. A decision of the Con Com can be appealed by MassDEP or by any abutter, applicant, or 10-citizen group within 10 business days of the decision.
12	<b>Record the Order</b> at the Registry of Deeds. Provide proof of recording to the Conservation office along with signed Certificates of Understanding.
13	Install MassDEP file number sign and erosion controls.
14	Schedule and attend a pre-construction site visit. Contact the Conservation office to schedule the site visit.
15	<b>Execute the project.</b> The project must be completed within 3 years, unless an extension of the permit is issued; extensions must be requested at least 30 days prior to the expiration of the permit.
16	<b>Request a Certificate of Compliance (COC).</b> Once the project is complete and all conditions have been satisfied, request a COC from the Conservation office by submitting at least: (1) DEP <b>Form 8a</b> , (2) a stamped <b>as-built plan</b> , and (3) a <b>letter from the engineer</b> stating that everything is in substantial compliance with the approved plans and OOC. The Con Com will perform a site visit to ensure compliance and will issue a COC if appropriate.
17	<b>Record the Certificate of Compliance (COC)</b> at the Registry of Deeds to remove the cloud from the title. <b>Provide proof of recording to the Conservation office</b> .



# Town of Sturbridge

**Conservation Commission** 

### Notice of Intent (NOI) Packet

Packet for filing of applications under the Wetland Protection Act, MGL Ch. 131, sec 40, and the Sturbridge Wetland Bylaw

Enclosed in this packet are the forms needed for submitting a Notice of Intent to the Town of Sturbridge Conservation Commission. It contains the following forms needing completion:

- Notice of Intent Application Coversheet/Check List
- Mass DEP BRP WPA Form 3 Notice of Intent Instructions and
   Supporting Materials
- Mass DEP BRP WPA Form 3 Notice of Intent (formal form) 8pp (includes Mass DEP Wetland Fee Transmittal Form 2pp)
- **Sturbridge Conservation Commission Affidavit of Service:** This document is your witness that abutters have been notified according to regulations.
- **Town of Sturbridge Notification to Abutters** Use this blank document to provide necessary information to abutters
- Town of Sturbridge Proof of Paid Tax
- Abutter List Request
- Local Bylaw Filing Fee Sheet

Please contact our office with any questions in regards to filing this application or process.



### Sturbridge Conservation Commission

### Notice of Intent

Sturbridge Wetland Bylaw Section 3.50

### A. General Information

. Project Location:			
26 South Rd		Sturbridge	01566
a. Street Address		b. City/Town	c. Zip Code
42		26	
d. Assessors Map/Plat Numl	ber	e. Parcel /Lot Number	
Applicant:			
Derek		Bender	
a. First Name		b. Last Name	
c. Organization 354 Moon Hill Rd			
d. Street Address Northbridge		МА	01534
e. City/Town 774-249-5679		f. State benderdm@gmail.com	g. Zip Code
h. Phone Number	i. Fax Number	j. Email Address	
a. First Name		b. Last Name	
c. Organization		b. Last Name	
c. Organization d. Street Address			
c. Organization		b. Last Name	g. Zip Code
c. Organization d. Street Address	i. Fax Number		g. Zip Code
c. Organization d. Street Address e. City/Town h. Phone Number		f. State	g. Zip Code
c. Organization d. Street Address e. City/Town h. Phone Number		f. State	g. Zip Code
c. Organization d. Street Address e. City/Town h. Phone Number Representative (if any)		f. State j. Email address	g. Zip Code
c. Organization d. Street Address e. City/Town h. Phone Number Representative (if any) a. First Name		f. State j. Email address	g. Zip Code
c. Organization d. Street Address e. City/Town h. Phone Number Representative (if any) a. First Name c. Company		f. State j. Email address	g. Zip Code
<ul> <li>c. Organization</li> <li>d. Street Address</li> <li>e. City/Town</li> <li>h. Phone Number</li> <li>Representative (if any)</li> <li>a. First Name</li> <li>c. Company</li> <li>d. Street Address</li> </ul>		f. State j. Email address b. Last Name	

Fee Paid

TURBRID	Sturbridge Conservation Commission	
THE REAL PROPERTY OF	Notice of Intent	SCC File Number
TEI JUNE 24. L'A	Sturbridge Wetland Bylaw Section 3.50	
	6. General Project Description: New Construction - Single Family	
	7. Project Type Checklist:	
	1. X Single Family Home	2.  Residential Subdivision
	3. Commercial/Industrial	4. Dock/Pier
	5. 🗌 Utilities	6. 🗌 Coastal engineering Structure
	7. 🗌 Agriculture (e.g., cranberries, forestry)	8. Transportation
	9. 🗌 Other:	
	8. Property recorded at the Registry of Deeds for: Worcester	
	a. County	b. Certificate # (if registered land)
	62917 	d. Page Number

### **D. Signatures and Submittal Requirements**

1. Attach a narrative and any supporting documentation describing how the project will protect the jurisdictional resource areas during construction and what Best Management Practices have been incorporated to ensure there will be no long-term impacts to the Resource Areas. Indicate distance to Resource Areas.

2. On a separate sheet, list the titles and dates for all plans and other materials submitted with this NOI.

3. If there is more than one property owner, please attach a list of these property owners not listed on this form.

4. Include the Town of Sturbridge Notice of Intent Application Checklist

Signatures and Submittal Requirements

5. 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. The Commission will provide legal advertisement to the applicant and it is the applicants requirement to post in accordance to the applicable Sturbridge Bylaw and/or supporting regulations. I further certify under penalties of perjury that all abutters were notified of this application. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 200 feet of the property line of the project location.

1. Signature of Applicant

2. Signature of Property Owner (if different)

date

date

3. Signature of Representative (if any)

date



# Town of Sturbridge

**Conservation Commission** 

### STURBRIDGE CONSERVATION COMMISSION AFFIDAVIT OF SERVICE

Under the Town of Sturbridge Wetland Bylaw, I Derek Bender	, hereby certify
under the pains and penalties of perjury that on (date)	, I gave notification to
abutters, in compliance with this Bylaw and Regulations, in connection with a Notic	e of Intent filed under
this Bylaw. This Notice of Intent was filed with the Sturbridge Conservation Commi	ission on (date)
for the property located at	

26 South Rd

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

(Signature of applicant) (Date)

Derek Bender

(Name of applicant-printed or typed)



Town of Sturbridge

Barbara A. Barry, Finance Director

Property Owner:	Derek Bender & Leah Bender	
	26 South Rd	

The license/permit may be released.

The license/permit may not be released.

Mac Kluger 230 FOR Finance Director

313012023 Date

### STURBRIDGE WETLANDS PROTECTION BY-LAW AND REGULATIONS

### WETLANDS FILING FEE CALCULATION WORSHEET

Application Type	Qty	Town Filing Fee	TOTAL
Notice of Intent (NOI):			
<b>Residential – Single Family:</b>			
Accessory (Deck, Shed, Pool Septic)		\$150	
Shoreline Work		\$150	
New Construction	1	\$300	\$ <b>390</b> 0
<b>Residential – Other:</b> Subdivision/Multi-Unit		\$750	
<b>Commercial/Industrial:</b> New		\$1500	
Redevelopment		\$1000	
Limited Project (as defined in SWB & WPA)		Equal to full WPA fee	
Alterations – located within Riverfront Area	Additional	50% of Fee	
Application filed after Enforcement Order		Double the Municipal fee	
<b>Request for Amended Order of Conditions</b>		50% of initial fee	e
<b>Request for Determination of Applicability</b> (1)	RDA:		
No Wetland Boundary Confirmation Residential:		\$100	
No Wetland Boundary Confirmation All Other:		\$200	
For Wetland Boundary Confirmation File ANRAD or NOI			
Abbreviated Notice of Resource Area Delinea	ation (ANRAD):		
Residential – Single Family:		\$100	
All Other: Base Review		\$300	
Resource Area Boundary			

Certificate of Compliance (COC):			
<b>Residential:</b> Single Family		\$50	
Subdivision or Multi-Unit		\$150	
Commercial or Industrial:		\$150	
If Order of Conditions has Expired		Add an additional \$150	
OOC Extension Request		\$50	
Emergency Certification (NOI may be required to be filed following	g issuance of Emergency	\$50 Cert)	_
Local Bylaw Fee (includes Town Fi	ling Fee)	\$300	
State Filing Fee (from DEP Wetlan	d Transmittal Form)	\$	
<b>Total Payable to "Town of STUR</b>	BRIDGE"	<b>\$</b> 300	

\*Additional Consultant Fee may be required for reasons which may include:

- Significant amount of wetland impact;
- Extensive resource areas on a site;
- Lack of information supplied;
- Incomplete plans, reports, forms submitted;
- Supplemental information submitted.



### 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 Bylaw, 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:

		Derek Bender	
Α.	The name of the applicant is:		

- B. The address of the lot(s) where the activity is proposed is: 26 South Rd
- C. The nature of the activity proposed includes: New Construction Single Family, Septic, Well
- 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.
  - X 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-\_\_\_\_

The Public Hearing for this application will be held in person and remotely via GoTo Meeting at the Center Office Building, 301 Main Street, 2nd Floor

Date and Time of Hearing: \_

Public Hearing can be accessed remotely:

- From your computer using: \_\_\_\_\_\_ or
- From your phone: +1 872 240 3212, followed by the access code \_

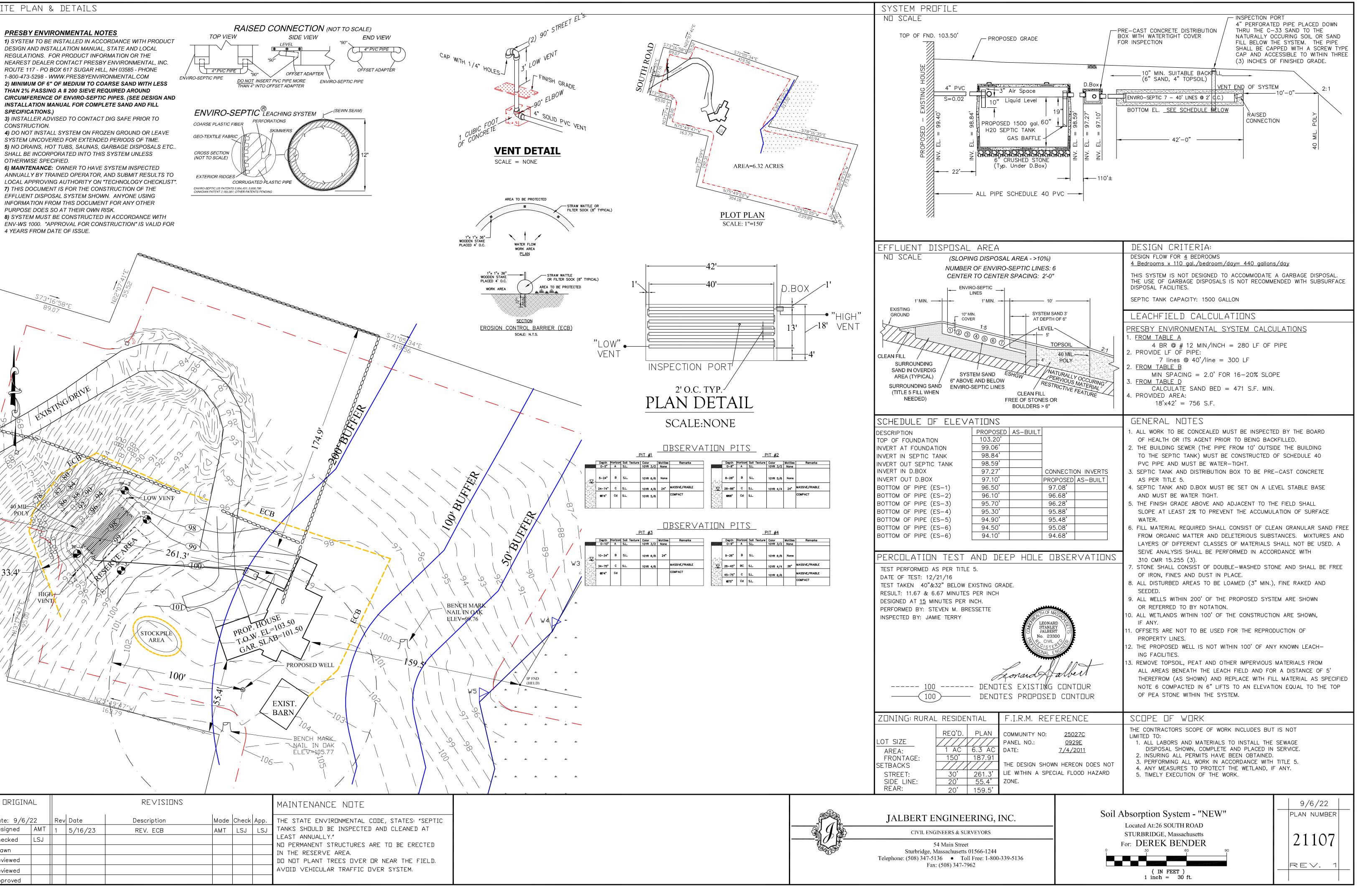
Please note that while an option for remote attendance and/or participation is being provided to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in any specific item on this agenda should make plans for in-person vs. virtual attendance accordingly. Please note that meetings can also be watched either online via the Town's on demand video broadcast or on cable television on channel 191, however, there is no public participation through these options.

#### PLEASE NOTE: Copies of the application and related materials including agendas and staff notes can be found here:

• https://www.sturbridge.gov/conservation-commission/pages/meeting-calendar-and-documents

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 application process or the Wetlands Protection Act.

Parcel ID	Owner	Owner Address	Owner City	State	Zip	Property Address
595-04243-028	ABUSAMRA JOHN W	28 SOUTH ROAD	STURBRIDGE	MA	01566	28 SOUTH ROAD
595-04252-021	APHER GARY S & SCOTT L TRUSTEES	21 SOUTH ROAD	STURBRIDGE	MA	01566	21 SOUTH ROAD
595-04254-36A	CURBOY AUTO INC	1571 PAGE BLVD	SPRINGFIELD	MA	01104	36A SOUTH ROAD
595-04253-030	SACHEM CAPITAL CORP	698 MAIN STREET	BRANFORD	СТ	06405	30 SOUTH ROAD
595-04253-032	SACHEM CAPITAL CORP	698 MAIN STREET	BRANFORD	СТ	06405	32 SOUTH ROAD
595-04232-022	MCCARTHY SCOTT I	22 SOUTH ROAD	STURBRIDGE	MA	01566	22 SOUTH ROAD
595-04242-024	SAVAGE PAUL E JR	24 SOUTH ROAD	STURBRIDGE	MA	01566	24 SOUTH ROAD
Abutters List -	Conservation Commission - 200'					
RE: 26 SOUTH R	OAD					
Certified Copy	-2					
Assessor:	Jun 1th Muchang					
Date:	3-23-2023					



					/			
ORIGINAL		REVISIONS				MAINTENANCE NOTE		
Date: 9/6/22		Rev	Date	Description	Made	Check	App.	THE STATE ENVIRONMENTAL CODE, STATES: "SEPTIC
Designed	AMT	1	5/16/23	REV. ECB	AMT	LSJ	LSJ	TANKS SHOULD BE INSPECTED AND CLEANED AT LEAST ANNUALLY." NO PERMANENT STRUCTURES ARE TO BE ERECTED IN THE RESERVE AREA. DO NOT PLANT TREES OVER OR NEAR THE FIELD. AVOID VEHICULAR TRAFFIC OVER SYSTEM.
Checked	LSJ							
Drawn								
Reviewed								
Reviewed								
Approved								