

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:

CAREGIVER-PATIENT CONNECTION, INC.

Name

MIKESTATI@KEYSTONEDEV.NET

E-Mail Address

910 BOSTON POST ROAD

Mailing Address

MARLBOROUGH

City/Town

MA

State

01752

Zip Code

617-593-2130

Phone Number

Fax Number (if applicable)

2. Representative (if any):

JALBERT ENGINEERING, INC.

Firm

LEONARD S. JALBERT

Contact Name

LSJALBERT@JALBERTENGINEERING.COM

54 MAIN STREET

Mailing Address

STURBRIDGE

City/Town

MA

State

01566

Zip Code

508-347-5136

Phone Number

508-347-7962

Fax Number (if applicable)

B. Determinations

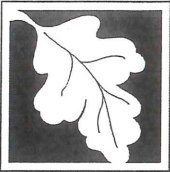
1. I request the STURBRIDGE Conservation Commission make the following determination(s). Check any that apply:

- 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

Name of Municipality

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



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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):

365 MAIN STREET

Street Address

STURBRIDGE

City/Town

25

Assessors Map/Plat Number

365

Parcel/Lot Number

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

SEE JALBERT ENGINEERING, INC. PLAN NUMBER 19059

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

PROPOSED SITE PLAN

Title

6/4/2019

Date

Title

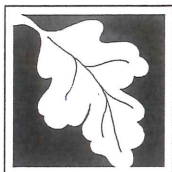
Date

Title

Date

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

CONSTRUCTION OF A 48'X104' SINGLE STORY COMMERCIAL STRUCTURE WITHIN 300' OF ROUTE 20. NO WORK WILL TAKE PLACE WITHIN MOBILE HOME SITE.



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C. Project Description (cont.)

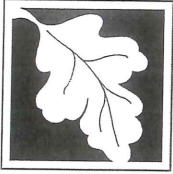
b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

NO WETLANDS OR RESOURCE AREAS WITHIN 200'.

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:

M&R ENTERPRISES,LLC.

Name

4115 BAYHEAD DRIVE,UNIT #103

Mailing Address

BORITA SPRINGS

City/Town

FL

State

34134

Zip Code

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

Date

Leonard J. Gilbert, Agent
Signature of Representative (if any)

02/13/2020

Date

365 Main St.





Town of Sturbridge

Conservation Commission

Filing Fee Worksheet

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

Applicant Caregiver-Patient Connection, Inc.

Applicant Representative Jalbert Engineering, Inc., Leonard S. Jalbert, P.E.

Project location 365 Main Street

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 0' 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: \$25.00

*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

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: Caregiver-Patient Connection, Inc.
- B. The address of the lot(s) where the activity is proposed is: 365 Main Street
- C. The nature of the activity proposed includes: Construct a Marijuana Establishment
- 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: _____ or the applicant's representative: L.S. Jalbert, by calling telephone # 508-347-5136 on the following days of the week: Mon-Fri between the hours of 8am and 3 pm.

The Public Hearing for this application will be held in the Center Office Building, 301 Main Street, 2nd Floor on 2nd. Floor at 301 Main Street 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, Leonard S. Jalbert, P.E., hereby certify under the pains and penalties of perjury that on (date) March 5, 2020, 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 Leonard S. Jalbert with the Sturbridge Conservation Commission on (date) February 19, 2020 for the property located at 365 Main Street

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

Leonard Jalbert Feb. 19, 2020
(signature of applicant) (date)

Jalbert Engineering, Inc.
Leonard S. Jalbert, P.E.
(name of applicant-printed or typed)

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

NARRATIVE

WE ARE REQUESTING CONSERVATION DETERMINATION, DESIGN REVIEW FOR A PROPOSED BUILDING, SPECIAL PERMIT FROM ZONING BOARD OF APPEALS. AND SITE PLAN APPROVAL FROM THE PLANNING BOARD. THE PROPERTY IS LOCATED AT 365 MAIN STREET WHICH WAS FORMERLY THE SITE OF A GAS STATION. THE ZONING DISTRICT FOR THE SITE IS COMMERCIAL DISTRICT FOR THE FIRST 300' AND THE REAR OF THE PROPERTY IS SUBURBAN RESIDENTIAL. THE SITE IS ALSO SERVICED BY MUNICIPAL SEWER AND WATER. THE REAR OF THE PROPERTY PRESENTLY HAS NINE EXISTING MOBILE HOMES WHICH WILL NOT BE CHANGED.

A REQUEST FOR DETERMINATION WILL BE SENT TO THE CONSERVATION COMMISSION TO VERIFY THAT THE PROPERTY IS NOT SUBJECT TO JURISDICTION OF THE WETLANDS PROTECTION ACT OR ANY MUNICIPAL WETLANDS ORDINANCE OR BY LAW.

THE DESIGN REVIEW COMMITTEE WILL REVIEW THE CONSTRUCTION OF THE PROPOSED 48'X104' SINGLE STORY STRUCTURE, PROPOSED SIGN AND LANDSCAPING OF THE SITE.

THE PLANNING BOARD WILL REVIEW THE SITE FOR ISSUING A SPECIAL PERMIT TO ALLOW THE CONSTRUCTION OF A MARIJUANA ESTABLISHMENT WITH THE COMMERCIAL DISTRICT AT 365 MAIN STREET PURSUANT TO CHAPTER 31 REQUIREMENTS. THE ACTUAL SITE PLAN IS ALSO SUBJECT TO APPROVAL PURSUANT TO CHAPTER 25 BY THE PLANNING BOARD.

Please refer to the Jalbert Engineering, Inc. Design plan, Drawing No. 19059 for additional information.



Town of Sturbridge

Barbara A. Barry, Finance Director

Department/Board/Committee: Planning Board/Zoning Board of Appeals /
Conservation Commission

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

Property Owner: M & R Enterprises, LLC

Property Location: 365 Main Street

The license/permit may be released.

The license/permit may not be released.



Finance Director

2-14-20

Date

Parcel ID	Owner	Owner Address	Owner City	State	Zip	Property Address
415-02551-361	BARNINI PROPERTIES MA LLC	3000 SOUTH OCEAN BOULEVARD	BOCA RATON	FL	33432	361 MAIN STREET
415-02551-357	COMMONWEALTH OF MASS	P.O. BOX 885	WORCESTER	MA	01613	357 MAIN STREET
415-02531-366	ADERI JYOT LLC	593 PROVIDENCE NEW LONDON TURNPIKE	NORTH STONINGTON	CT	06359	366 MAIN STREET
415-02448-374	JAN CO CENTRAL INC	PO BOX 8819	CRANSTON	RI	02920	374 MAIN STREET
415-02541-358	JP & RB MOTEL INVESTMENTS LLP	358 MAIN STREET	STURBRIDGE	MA	01566	358 MAIN STREET
415-02457-367	KARIKAN STURBRIDGE OWNER LLC	1855 NEW BOSTON RD - SUITE #200	WILBRHAM	MA	01095	367 MAIN STREET
415-02541-364	MCDONALDS CORP 020-0212	8 LAKE STREET	SPENCER	MA	01562	364 MAIN STREET
415-02448-368	ROBIDA NORMAN J & DOROTHY A	13 COVE DRIVE	STURBRIDGE	MA	01566	368 MAIN STREET
415-02458-371	STURBRIDGE CORP	1 OLD STURBRIDGE VILLAGE RD	STURBRIDGE	MA	01566	369-371 MAIN STREET
415-02541-362	WCM ENTERPRISES LLC C/O CVS	1 CVS DRIVE MC 2320	WOONSOCKET	RI	02895	362 MAIN STREET
415-02541-364.1	WCM ENTERPRISES LLC	PO BOX 4085	SHREWSBURY	MA	01545	364.1 MAIN STREET
	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 -						
RE: 365 MAIN STREET						
Planning / Zoning Board of Appeals - 300'						
Certified Copy						
Assessor:						
Date:						

Alan P. Murphy

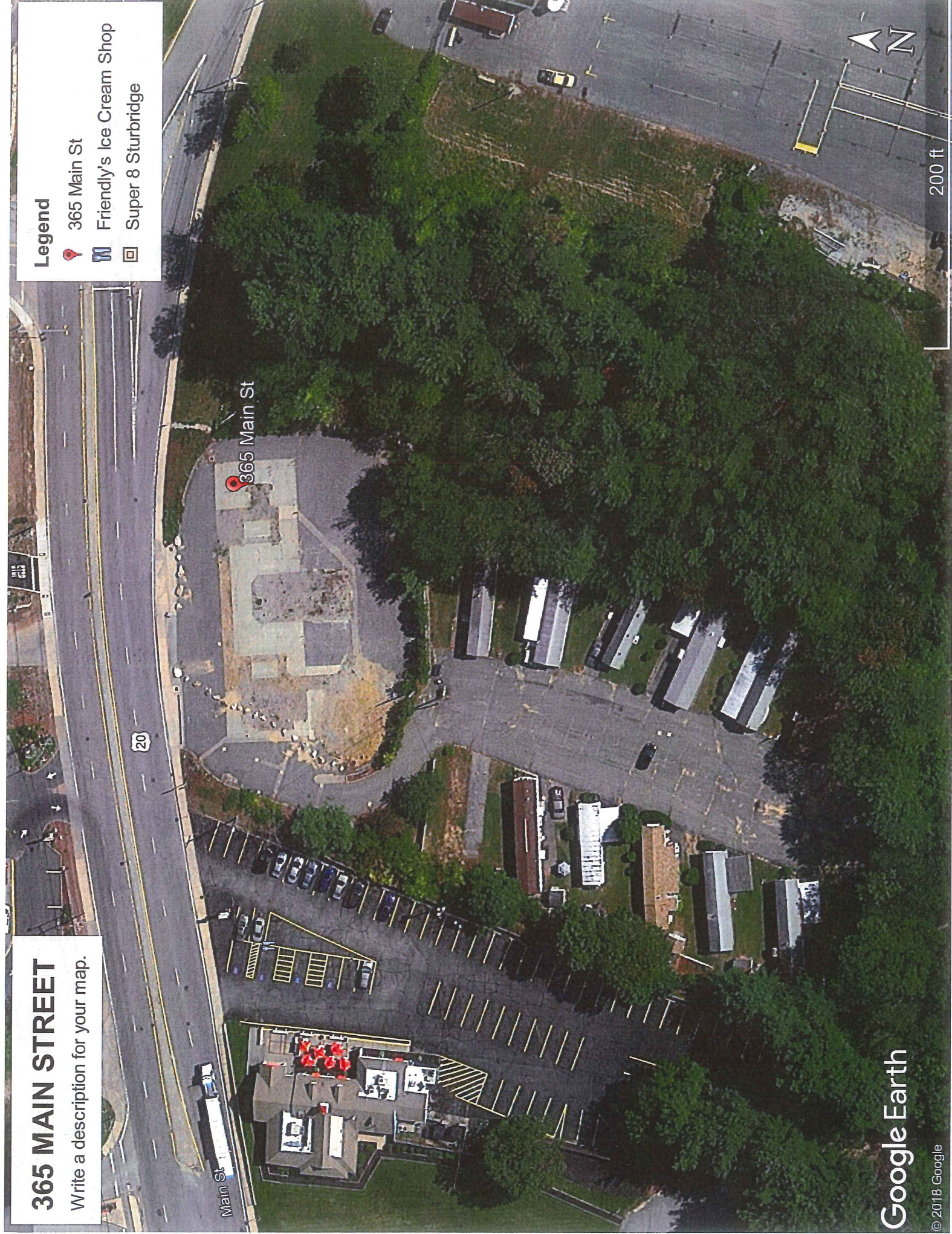
2-18-2020

365 MAIN STREET

Write a description for your map.

Legend

-  365 Main St
-  Friendly's Ice Cream Shop
-  Super 8 Sturbridge



National Flood Hazard Layer FIRMette



42°6'56.61"N



USGS The National Map: Orthoimagery; Data refreshed April, 2010.

Feet 1:6,000



72°5'1.93"W

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

	SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) <i>Zone A, V, A99</i>
		With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i>
		Regulatory Floodway
		0.2% Annual Chance Flood Hazard, Area of 1.1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i>
		Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i>
		Area with Reduced Flood Risk due to Levee, See Notes. <i>Zone X</i>
		Area with Flood Risk due to Levee <i>Zone D</i>
	OTHER AREAS OF FLOOD HAZARD	Area of Minimal Flood Hazard <i>Zone X</i>
		Effective LOMRs
		Area of Undetermined Flood Hazard <i>Zone X</i>
	GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
	OTHER FEATURES	Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
	MAP PANELS	Digital Data Available
		No Digital Data Available
		Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

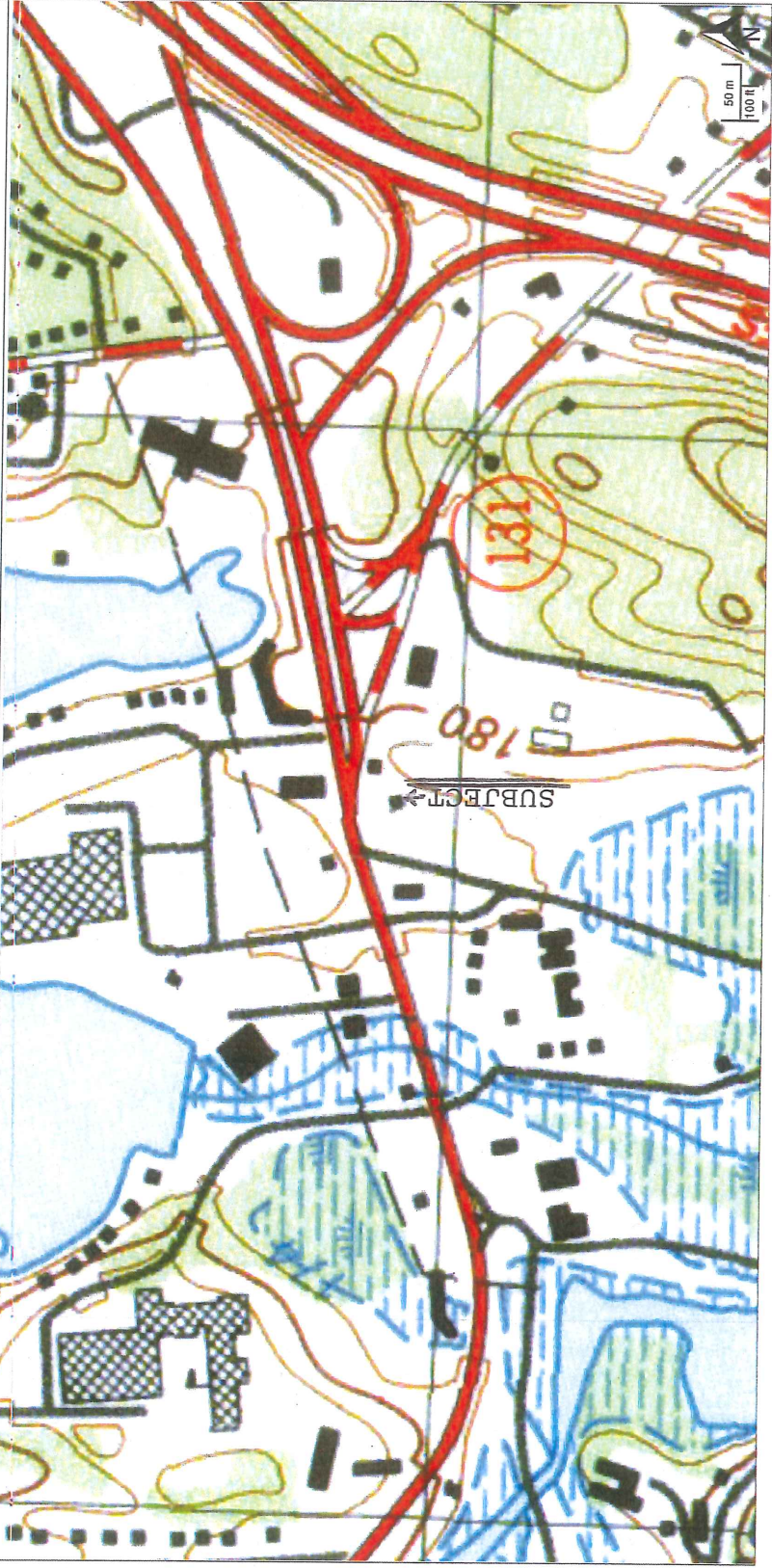
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

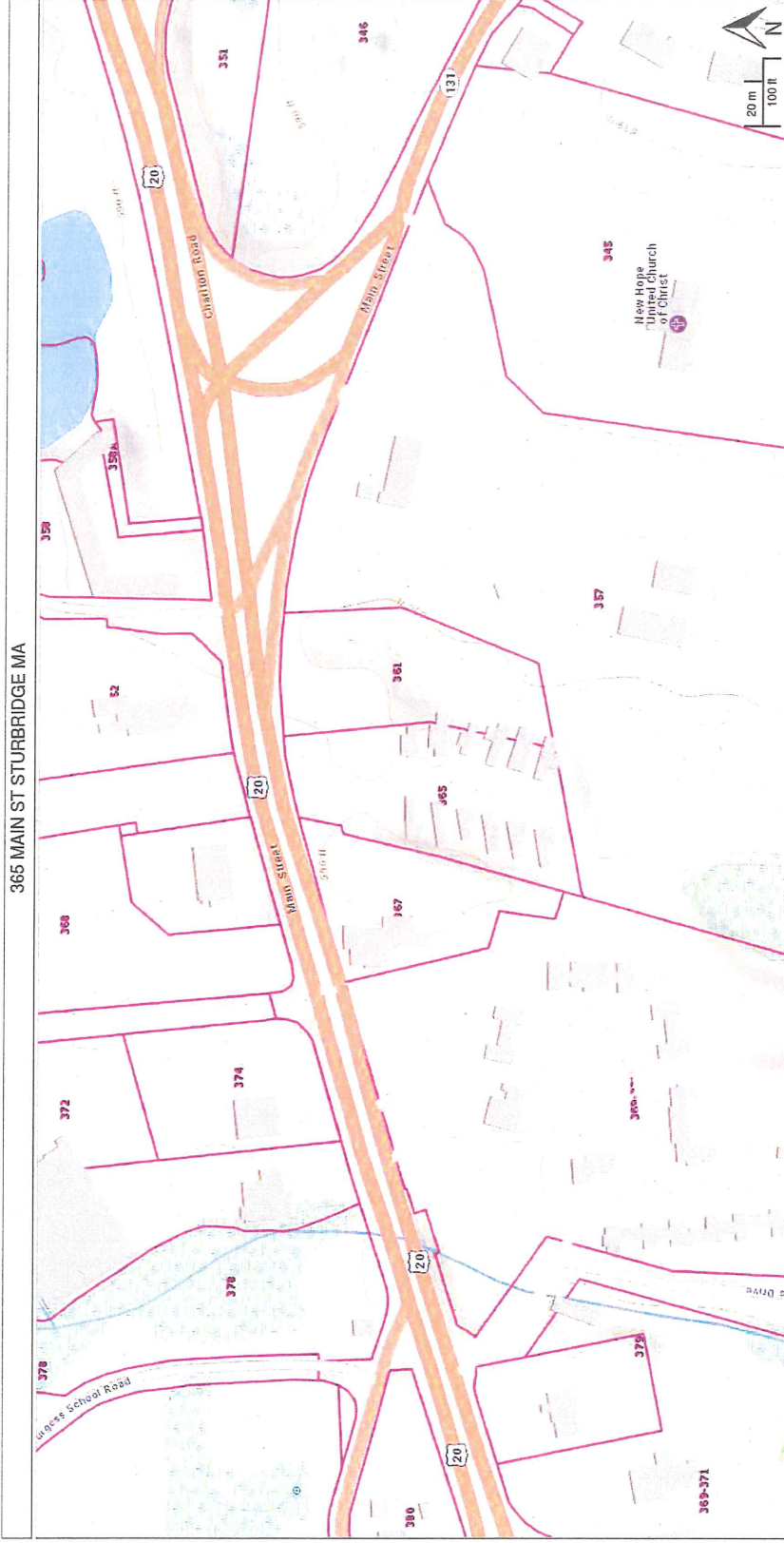
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **2/14/2020 at 8:21:54 AM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

365 MAIN ST STURBRIDGE, MA

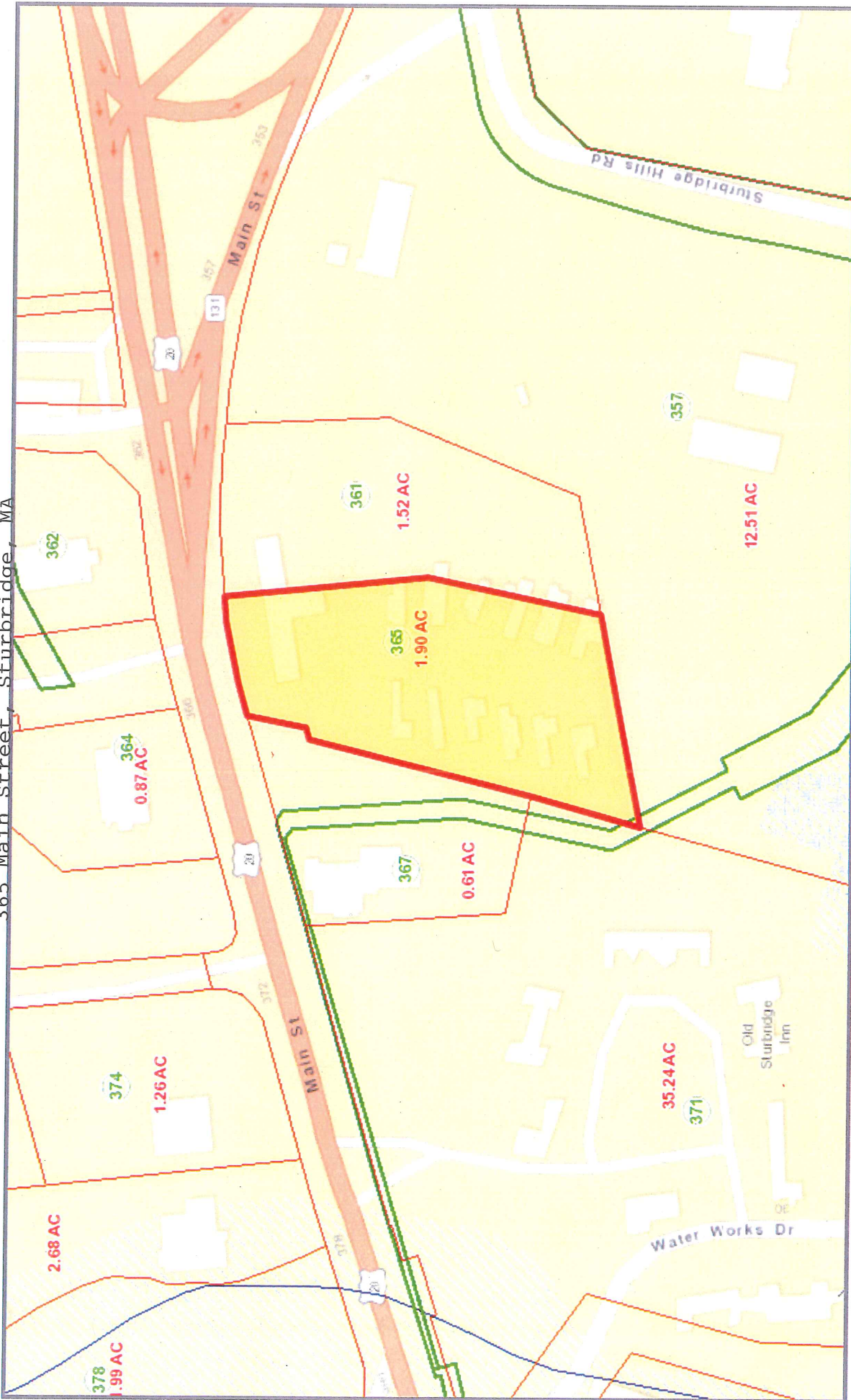
- USGS Topographic Maps
- Tax Parcels for Query
- Detailed Features
- Tax Parcels for Display
- Structures
- MassGIS Statewide Basemap
- MassGIS Topographic Features Base





- Potential Vernal Pools
- NHESP Priority Habitats of Rare Species
- NHESP Natural Communities
- NHESP Estimated Habitats of Rare Wildlife
- NHESP Certified Vernal Pools
- NHESP Ecoregions
- Tax Parcels for Query
- Detailed Features
- Tax Parcels for Display
- Structures
- MassGIS Sitemaps
- MassGIS Topographic Features Base

365 Main Street, Sturbridge, MA



Property Map

1 inch = 213 feet



Data and scale shown on this map are provided for planning and informational purposes only. STURBRIDGE (MA) and Vision Government Solutions are not responsible for any use for other purposes or misuse or misrepresentation of this information.

2/17/2020