

CONSERVATION COMMISSION DETAILED AGENDA

Posting Date: August 18, 2023
Meeting Date: August 24, 2023
Time: 6:00 pm



DECISIONS

I. WETLANDS DECISIONS

1. **Lot 3, 20 Fiske Hill Road & 30 Main Street (Future Road named Berry Farm) – NOI-Construction of a manufactured housing community-DEP File# 300-1156**
 - Owner: M. Sosik Applicant: Justin Stelmok
 - Representative: B. Madden, LEC Environmental
 - Request: Issue an Order of Conditions
 - Documents Presented: draft conditions
 - Jurisdiction: Buffer Zone (WPA & SWB) & Vernal Pool Habitat (Sturbridge Wetland Bylaw)
 - Project Description: Construction of a manufactured home community with associated appurtenances.
 - Staff Notes: Project was continued to work out details for permitting. Need to discuss draft permit conditions. Staff have been working w/ the project team and information has been submitted for review. Some documents are in final form but there are still items to be modified. Staff have also been working w/ town counsel and they have now recommended that the state CR template be utilized for all open space that won't be conveyed to DFW. CR language to be worked out. DR can be used as placeholder does not have to be state approved provided in template form and CR language approved by SCC.
 - Staff Recommendations: Review draft conditions and provide any recommendations. Wait for final vote until documents are finalized. CR language can be continued to be worked out but OOC will need final form of other documents for reference.
2. **14 Long Ave. –Request for a Determination of Applicability-House Addition**
 - Applicant: Stephen Gagnon Owner: same
 - Request: Issue DOA
 - Documents Presented: colored plans
 - Project Summary: Project includes a house addition w/ a drip strip for roof runoff infiltration, removal of one tree and planting of two trees
 - Staff Notes:
 - Proof of legal ad received. Proof of abutter notifications required.
 - Project is not within Priority or Estimated Habitat.
 - Site visit conducted.
 - Work is located within a developed yard. Closest work is approx. 130 feet from the lake on both sides. Property slopes towards lake.
 - Will the basement stairs be relocated?
 - BOH noted that they will need to decommission the old well on property.
 - Staff Recommendation: Close the hearing and issue a DOA:
 - Negative # 4 (not within area subject to WPA, does not require NOI unless work alters areas subject to WPA).
 - Positive #2b: no resource area approval
 - Positive #5 w/ conditions:
 - Standard pre-work and sign off conditions.
 - ECs maintained throughout construction.
 - Excavated material (not to be reused) to be removed from the site. Any stockpiling must be protected until used (ECs, tarps).
 - 2 trees planted to survive for two growing seasons
 - Perpetual maintenance of stormwater structures
3. **223 Cedar Street –Notice of Intent-Septic System Replacement-DEP File #300-xxxx**

Conservation Agent
Rebecca Gendreau

Assistant Agent
Erin Carson

Conservation Commission Members
Ed Goodwin
Erik Gaspar
Roy Bishop
Ted Winglass
Karsten Stueber

308 Main Street.
Sturbridge, MA
01566
T 508/347-2506

www.sturbridge.gov

- Owner: Justin Carter Applicant: same
- Representative: Scott Jordan
- Request: Issue an OOC
- Jurisdiction: Buffer Zone
- Documents Presented: colored plans
- Project Summary: Project includes abandoning the existing leach field in place and the installation of a Presby Enviro Septic Leaching System. The existing tank will be used.
- Staff Notes:
 - Proof of legal ad received. Proof of abutter notifications required.
 - DEP File # has not been issued.
 - Project is not within Priority or Estimated Habitat.
 - Site visit conducted.
 - All work shown within developed areas. One tree shown to be removed.
 - No work within 50 feet of the wetland.
 - Project includes wire backed silt fence and wattles.
 - Septic and slope to be seeded w/ erosion control seed mix or wildlife seed mix and only mowed once a year.
 - BOH had the original proposed site plan w/ septic location. Proposed location overlaps where the pool is. Septic likely impacted from the pool install. Existing septic location needs to be field verified per BOH. BOH also commented that existing tank will likely need to be replaced. Project team should verify septic design requirements with BOH before permit issuance.
- Staff Recommendations: Provided DEP File # is received and septic field verified; staff recommend closing the public hearing.
 - Approve the project pursuant to the WPA with the following conditions:
 - Standard OOC conditions.
 - Remove excavated materials not to be reused directly from site.
 - Any earthen stockpiling must be protected until used (ECs, tarps).
 - Approve the project pursuant to the SWB with the following conditions:
 - Condition noted above.

4. 149 Arnold Rd. – SWB Notice of Intent-Construction of a barn and associated site work

- Owner/Applicant: Michael & Christine Sosik Representative: M. Farrell, Green Hill Eng.
- Request: Issue an Order of Conditions
- Jurisdiction: Buffer Zone
- Documents Presented: colored plans
- Project Summary: Project includes the construction of a barn with associated clearing.
- Staff Notes:
 - Proof of legal ad and proof of abutter notifications received.
 - Project is not within Priority or Estimated Habitat.
 - Site visit conducted.
 - All work shown outside of state jurisdiction. Clearing and grading is within 200 foot. Barn just at edge of 200 foot BZ as shown on plan.
 - Additional wetlands located across the street. Some work would appear to be within 200' BZ not within 100'.
 - Catch basin along road leads to wetlands. Should have some protections on eastern side of work to prevent washout down driveway to catch basin (straw wattle).
 - Barn is located just outside of state jurisdiction. All work within 200' BZ.
 - Recommend ECs or visual barrier be set at limit of work.
- Staff Recommendations: Staff recommend closing the public hearing. Approve the project pursuant to the SWB with the following conditions:
 - Standard OOC conditions.
 - Stake LOW.

5. 400 Haynes Street – Request for a Determination of Applicability –Electric Vehicle Charging Stations

- Applicant: The Oscar W. Larson Company Owner: Pilot Travel Centers LLC
- Request: Issue DOA
- Documents Presented: plans

- Project Summary: Project includes the installation of EV stations within previously developed areas (see project description for details w/ application).
 - Staff Notes:
 - Proof of legal ad received. Abutter notifications not required. No abutters.
 - Project is not within Priority or Estimated Habitat.
 - Majority of work shown within paved sections of the parking lot. Light post and 2 dispensers within lawn area immediately adjacent to parking spots.
 - Project is within BZ and developed RA area.
 - Area was recently redeveloped under OOC's DEP File #300-1063. Permit us still open as it has not been closed out yet and work has been completed for some time. Staff have requested property owner to close permit if ready.
 - The board needs to know that the site is in compliance with the current OOC before making considerations for new projects at this location. (Materials for the COC request received on Aug. 17th).
 - Staff will visit site prior to meeting.
 - Staff Recommendation: Close the hearing and issue a DOA:
 - Negative # 3 w/ conditions:
 - Standard pre-work and sign off conditions.
 - ECs maintained throughout construction.
 - Excavated material (not to be reused) to be removed from the site. Any stockpiling must be protected until used (ECs, tarps).
 - Positive #2b: no resource area approval
 - Positive #5 w/ conditions:
 - Conditions noted above.
- 6. 82 Paradise Lane– Notice of Intent-Raze and rebuild of a lakefront cottage-DEP File #300-XXXX**
- Owner/Applicant: Glenn Ellis Representative: L. Jalbert, Jalbert Engineering
 - Request: Issue an Order of Conditions
 - Documents Presented: colored plans
 - Jurisdiction: Buffer Zone
 - **Buffer Zone** 10.53(1): General Provisions & SWB Regs. 365-1.1E - H.; 365-1.2, 365-1.3 (see: <https://ecode360.com/35319582>)
 - Project Summary:
 - Project includes the removal of the existing house and rebuilding a new house.
 - Staff Notes:
 - DEP File # has not been issued.
 - Proof of legal ad received. Proof of abutter notifications required.
 - Project is not within Priority or Estimated Habitat.
 - Site visit conducted.
 - Shoreline retaining wall replaced w/ boulder wall within past few years.
 - Current structure within 5 feet of lake. Structure will be removed and closest location will be approx. 48 feet from lake (deck, stairs and pervious patio). House will be approx. 54 feet. Significant improvement. Project has been designed with regulations in mind which is appreciated. Still requires waiver. Improvements shown on site to include roof and driveway runoff infiltration and 2 trees. However, tree replacement required for removal 2:1.
 - Questions: what is surface of the new driveway and walkway shown (pervious paver)? Can the discharge for the perimeter and drip strip be relocated further from lake? Also additional vegetation by the lake would be valuable. Additional vegetation along lake would be an improvement and could assist towards the waiver. This could include a native strip of herbaceous vegetation between lawn and lake to intercept runoff and take up nutrients, additional trees at or within 25 feet and maybe a few shrubs along shoreline/property line?
 - Overall good project but would recommend the items noted above to be include/addressed.
 - Staff Recommendation: Continue hearing to address items and for DEP File # issuance.
- 7. 244 Podunk Road– continued NOI- Construction of a Single Family House and associated site work-DEP File #300-1167**
- Owner/Applicant: J. & C. Rice Representative: L. Jalbert, Jalbert Engineering
 - Request: Issue an Order of Conditions
 - Jurisdiction: Buffer Zone
 - Project Summary: Project includes the construction of a single family house, private well, private septic and associated site work.

- Staff Notes:
 - Project was continued as DEP File # had not been issued. Has been issued w/ no comments.
 - No concerns had been discussed at previous hearing.
- Staff Recommendations: Staff recommend closing the public hearing.
 - Approve the project pursuant to the WPA with the following conditions:
 - Standard OOC conditions.
 - Driveway to be pitched/graded towards wetland to allow for sheet flow of runoff. Driveway shall not result in concentrated stormwater runoff flow.
 - Approve the project pursuant to the SWB with the following conditions:
 - Condition noted above.
 - Require a surety deposit or bond during work to ensure conditions are met. Funds to be returned upon issuance of a complete Certificate of Compliance. Board has used \$5,000 for new SFH developments.

8. 595 Main Street & Rt. 20 ROW -Notice of Intent- MA DOT Rt. 20 Drainage Project-DEP File #300-XXXX

- Owner: Blackstone Building LLC Applicant: MA DOT Representative: LE. Olson, VHB
- Request: Issue an Order of Conditions
- Jurisdiction: Buffer Zone, Riverfront Area
- Project Summary: Project includes the repair and replacement of failed drainage structures.
- Staff Notes:
 - DEP File # has not been issued.
 - Proof of legal ad received. Proof of abutter notifications received.
 - Project is within RA area and buffer zone to bank, LUW and BVW. Also adjacent to BLSF.
 - Project is within Priority and Estimated Habitat. Awaiting NHESP comments for PH/EH review.
 - Site visit conducted.
 - Stormwater Checklist included.
 - NOI and improvements result of an Enforcement Order issued in 2019 for failed drainage here.
 - Project improvements required MA DOT acquiring easements as formal ones did not exist. Easement still in process. Property owner signature(s) required. DOT needs to obtain since permanent easement isn't in place yet. Temporary access needed on 9 Holland Road for access. Temp easement will need to be worked out for access. No work shown for drainage that will be on 595 Main.
 - Will take flow all coming from one pipe and break up into 2 pipes to same outfall. One will be for town drainage (School St.) other for state roadway.
 - Slopes noted at over 8%. BMPs incorporated into the design to assist with dissipating flow. Design alternatives reviewed for alternative options.
 - Alternative analysis for RA work provided. Project will result in improvement and is needed.
 - Project phasing included. Plan for redirecting stormwater during work needed. Can be conditioned.
 - Includes and O & M Plan for maintenance. Important that maintenance is done here. Catch basins by the road fill up quickly w/ debris.
- Staff Recommendations: Continue hearing to obtain property owner signature(s) and as no DEP # or NHESP comments. Recommend exploring option to add the stilling basin to the pipe design to slow down water velocities. Include O & M plan.

9. National Grid ROW 301 Line - Notice of Intent-Subsurface Geotechnical Borings-DEP File #300-XXXX

- Owner: Applicant: MA DOT Representative: LE. Olson, VHB
- Request: Issue an Order of Conditions
- Jurisdiction: BVW, Bank, BLSF, Buffer Zone, Riverfront Area
- Project Summary: Project includes subsurface geotechnical borings.
- Staff Notes:
 - DEP File # has not been issued.
 - Proof of legal ad received. Proof of abutter notifications required.
 - Project is within RA area, BZ and will result in direct impacts to Bank, LUW, BLSF and BVW. Bank and BVW impacts noted as temporary.
 - Project is within Priority and Estimated Habitat. Awaiting NHESP comments for PH/EH review.
 - Site visit not conducted.
 - Project is in support of the engineering and pre-construction planning for proposed maintenance improvements to the transmission line. Appears that there is a new alignment proposed for that transmission line.

- 14 sampling locations in Sturbridge, 10 require either require direct wetland impacts or need to cross wetlands to access.
- Access to 2 areas requires impacts to existing beaver dams. Beaver Solutions was obtained to provide plans for breaching and access and are proposed to be on site during work. 1 partial beaver dam breach proposed, both will have construction mats placed for access. Additional access area adjacent to beaver dam. Mats noted to be installed downstream of dam and will be monitored no direct impact here. See narrative for details.
- All areas require review of resource areas and conditions. Due to size of project, staff recommend peer review.
- RA area fee doesn't appear to be included. Team should check this. Only applies to RA areas not all locations.
- Resident letter related to this project. Requests that access be gated to prevent motorized vehicle access and dumping on lines.
- Staff Recommendations: Continue hearing to explore options to reduce water velocity out of pipe and as no DEP # or NHESP comments. Recommend exploring option to add the stilling basin to the pipe design to slow down water velocities. Include O & M plan.

10. 70 Brookfield Rd. – Notice of Intent- Removal of a SFH and construction of a new SFH and associated site work-DEP File #300-xxxx

- Owner/Applicant: Ryan Stanley Representative: G. Krevosky, EBT Environmental
- Request: Issue an Order of Conditions
- Jurisdiction: Buffer Zone
- Documents Presented: colored plans
- Project Summary: Project includes the removal of an existing SFH and the construction of a new SFH, driveway extension and well.
- Staff Notes:
 - Proof of legal ad and proof of abutter notifications received.
 - DEP File # has not been issued.
 - Project is not within Priority or Estimated Habitat.
 - Site visit conducted.
 - Developed SFH property w/ wetlands on both the eastern and western sides. All work within developed areas.
 - Structures are outside of the 50 foot no new structure setback.
 - Significant portion of driveway will be removed. Impervious surfaces on site will be reduced.
 - Driveway and roof runoff infiltration shown.
 - New owner. Will debris piles be removed (oil tanks, etc.) also is it planned to cut areas outside of the mowed lawns?
 - Keep work area disturbance from flowing down the driveway to wetlands while active.
- Staff Recommendations: Provided DEP File # is received; staff recommend closing the public hearing.
 - Approve the project pursuant to the WPA with the following conditions:
 - Standard OOC conditions.
 - Remove excavated materials directly from site.
 - Move const. entrance or add secondary one near work area.
 - Close construction area at end of work day to avoid washout down driveway to wetlands.
 - Approve the project pursuant to the SWB with the following conditions:
 - Condition noted above.
 - Require a surety deposit or bond during work to ensure conditions are met. Funds to be returned upon issuance of a complete Certificate of Compliance. Board has used \$5,000 for new SFH developments.

11. 9 Cedar Pond Road – *continued* NOI- Construction of a garage and associated site work-DEP File #300-1168

- Owner/Applicant: Doreen Grout Representative: G. Krevosky, EBT Environmental
- Request: Issue an Order of Conditions
- Jurisdiction: Buffer Zone
- Project Summary: Project includes the construction of a freestanding garage, relocation of a shed, installation of a cultec unit and excavation required to install the garage.
- Staff Notes:
 - Project was continued as DEP File # had not been issued. Has been issued with no comments.
 - No concerns w/ project had been noted.
- Staff Recommendations: Staff recommend closing the public hearing.
 - Approve the project pursuant to the WPA with the following conditions:

- Standard OOC conditions.
- Remove excavated materials directly from site.
- Approve the project pursuant to the SWB with the following conditions:
 - Condition noted above.

12. 263 New Boston Road– *continued* NOI- Construction of a Single Family House and associated site work-DEP File #300-1166

- Owner/Applicant: Five Star Realty Trust Representative: G. Krevosky, EBT Environmental
- Request: Issue an Order of Conditions
- Jurisdiction: Buffer Zone & SWB 365-1.1 – 1.3, 3.11, 5.6
- Project Summary: Project includes the construction of a single family house, private well, private septic and associated site work including a driveway to access the rear portions of the property for development.
- Documents Presented: NHESP Letter
- Staff Notes:
 - Project was continued to allow for peer review to be initiated and as DEP comment and NHESP comment required.
 - DEP File # issued w/ no comments.
 - NHESP review letter attached. WPA review: will not adversely affect state listed wetland habitat. Additional info required for MESA review.
 - Peer review visit scheduled for 8-16-23. Report anticipated in advance of meeting.
 - Site wasn't staked as discussed at the meeting. Awaiting update on scheduling perc test for septic system.
- Staff Recommendations: Review and discuss report if received. See if additional site visit is needed at this time and discuss next steps.

13. 212, 216, & 226 Charlton Rd – NOI –Development of a Commercial site-DEP File#300-XXXX

- Owner: Various (see NOI) Applicant: Sturbridge Retail Management
- Representatives: J. Kline, Stonefield Engineering
- Request: Issue an OOC
- Jurisdiction: Buffer Zone & Riverfront Area
- Project Summary: Project includes the demolition of 3 residential homes to accommodate the construction of a 2,402 SF restaurant with drive-thru and 5079 SF medical building with associated parking and stormwater structures.
- Staff Notes:
 - Written request for hearing postponement to the Sept. 14, 2023 meeting received.
- Staff Recommendations: Postpone hearing to the Sept. 14, 2023 meeting as requested.

II. WETLAND DECISIONS

14. 32 Tannery Road-Request for Certificate of Compliance –DEP File #300-549

- Requester: Justin & Elizabeth Mintzes Request: Issue a COC
- Staff Notes: Site visit conducted on 8-8-23.
- Staff Recommendations: Issue a CoC, no perpetual conditions.

15. 32 Draper Woods Road-Request for Certificate of Compliance –DEP File #300-469

- Requester: Mark & Stacey Varney Request: Issue a partial COC
- Staff Notes: Site visit conducted on 8-8-23.
- Staff Recommendations: Issue partial CoC, no perpetual conditions apply to this lot.

16. 33 Breakneck Road-Request for Certificate of Compliance –DEP File #300-1142

- Requester: David Monroe Request: Issue a COC
- Staff Notes: Site visit to be conducted on 8-21-23.
- Staff Recommendations: Issue complete CoC w/ perpetual conditions: 41-44.

17. 106 South Shore Drive-Request for Certificate of Compliance –DEP File #300-1069

- Requester: Jalbert Engineering Request: Issue a COC
- Staff Notes: Site visit to be conducted on 8-21-23.
- Staff Recommendations: Issue complete CoC no perpetual conditions.

18. 50 Hall Road-Request for Certificate of Compliance –DEP File #300-1010

- Requester: Jalbert Engineering Request: Issue a COC
- Staff Notes: Site visit conducted on 8-3-23.
- Staff Recommendations: Issue complete CoC w/ perpetual conditions: Special Conditions 16, 18, 19, & 26.

19. 34 Cedar Street-Request for Certificate of Compliance –DEP File #300-1104

- Requester: Modern Technology Modular Homes Request: Issue a COC

- Staff Notes: Site visit to be conducted on 8-21-23.
- Staff Recommendations: Issue complete CoC w/ perpetual conditions: 47-50.
- 20. 16 Mt. Dan Road-Request for Certificate of Compliance –DEP File #300-1034**
 - Requester: Deborah Weber Request: Issue a COC
 - Staff Notes: Site visit conducted on 8-3-23.
 - Staff Recommendations: Issue complete CoC w/ perpetual conditions: 45 & 46.
- 21. 400 Haynes St.-Request for Certificate of Compliance –DEP File #300-1063**
 - Requester: Core States Group Request: Issue a COC
 - Staff Notes: Site visit to be conducted on 8-21-23.
 - Staff Recommendations: Issue complete CoC w/ perpetual conditions: 69-78.

III. ADMINISTRATIVE DECISIONS

- 22. Minutes of 6/22/23 & 7/13/23 for approval**

IV. OLD BUSINESS

- 23. 23 Old Hamilton Rd. Enforcement Order**

- Staff Notes: Restoration Plan received. Recommend approval of plan. Allow flexibility based on stock available. Allow Agent to give approval for changes in stock and size based on availability when ordered. 2 year monitoring of plantings w/ replacement of deceased. Qualified landscape professional to monitor for 2 years. At least one site visit during growing season required. Removal debris piles. After 2 growing seasons and planting success release EO.

- 24. 392 Main Street**

- Staff Notes: Staff have been in discussion on this project. Still waiting for an existing condition plan. Sketch restoration plan anticipated for discussion at this meeting.

- 25. 110 Brookfield Rd. - Enforcement Order**

- Staff Notes:
 - 60-day extension to EO approved at last meeting. Deadline for EO conditions moved to 9-6-2023. Site visit conducted recently by staff and a few board members. Letter summarizing actions property owner is willing to take to address EO attached. The board should decide if this is acceptable or not. If the board elects to allow this proposal to address the EO, an existing conditions plan should be submitted afterwards. If the board requires a NOI, which would have been required, then a compromise could be to submit it after the fact submitted with that plan. If approved, a timeframe must be established (recommend complete within 30 days and NOI within 60 days).

V. ADMINISTRATIVE UPDATES

- Committee Updates: CPA, Trails, Open Space, and Lakes

VI. CORRESPONDENCE

- 26. Concerned resident Letter in regards to Senior Center Project**

VII. NEW BUSINESS

- 27. SLAC Items**

- 28. Cooper Road – DPW Emergency Certification**

- Staff Notes: Cooper Road culverts failed during rain events in mid-July causing road failure and closing. Emergency Cert. issued to replace culvert and remove deposited sediment. Roadwork completed for now to restore road use. Staff will review downstream impacts w/ DPW Director to see if/what additional restoration could be needed. Cert only to alleviate emergency. Long term plan is being developed to address crossing and make improvements. This was already in the works prior to the failure. Report to follow soon. Recommend: ratify.

- 29. Agent's Report**

- 30. Next Meeting-September 14, 2023 and Site Visit Schedule-Sept. 6, 2023**



Samioates Consultants Inc.
Civil Engineers - Land Surveyors

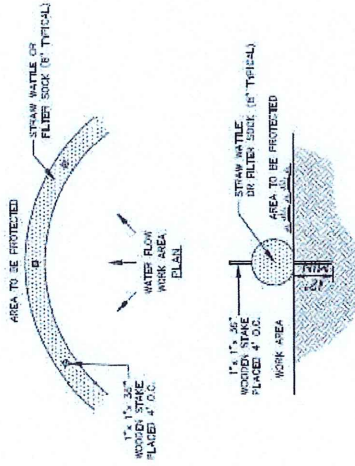
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NOTES:

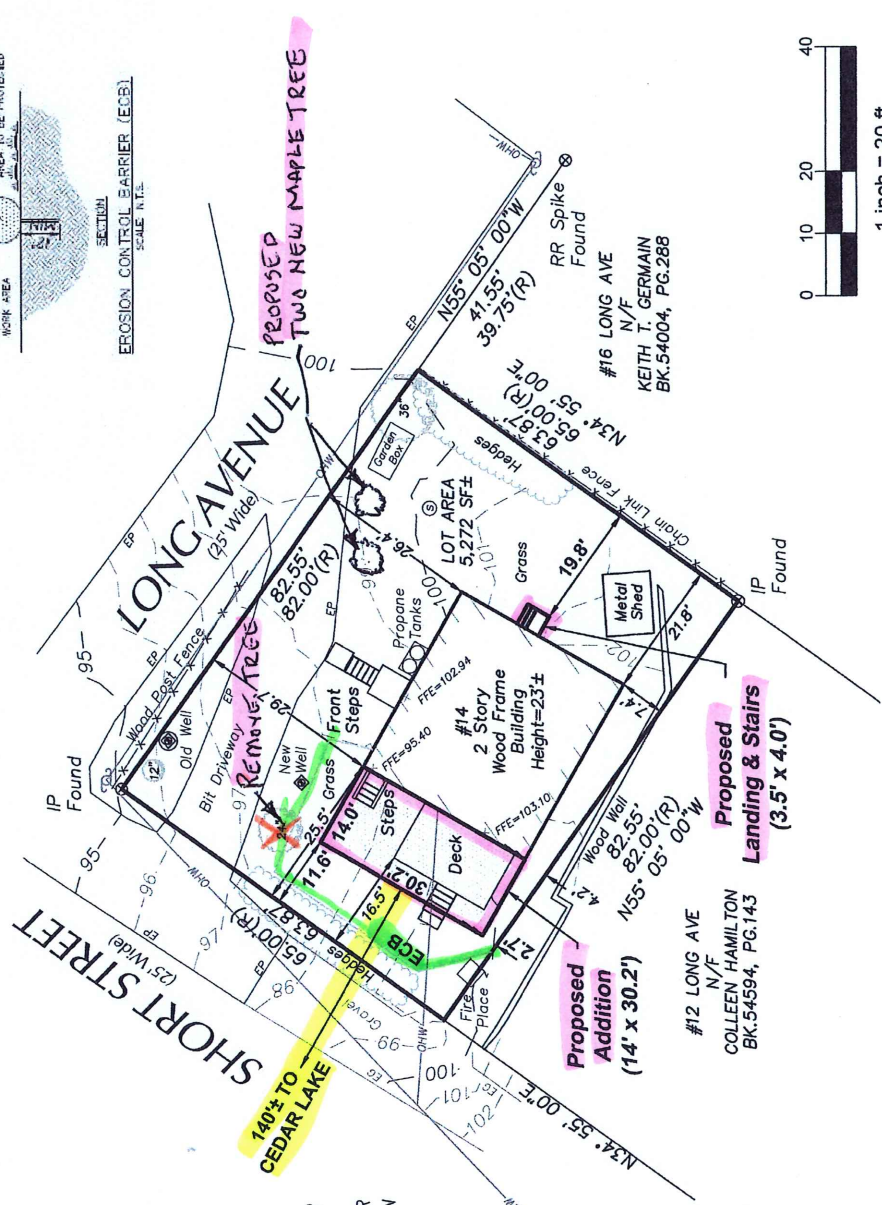
- ELEVATIONS SHOWN REFER TO AN ASSUMED DATUM.
- THIS PLAN IS THE RESULT OF AN INSTRUMENT SURVEY PERFORMED ON JUNE 16, 2021.
- THE LOCATION OF UNDERGROUND UTILITIES WAS NOT INCLUDED IN THE SCOPE OF THIS SURVEY.
- THE SUBJECT LAND AS SHOWN IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA, OR OTHER FLOOD AREA AS SHOWN ON FEMA NATIONAL FLOOD INSURANCE PROGRAM (NFIP) FLOOD INSURANCE RATE MAP (FIRM) NUMBER 250270027E, HAVING AN EFFECTIVE DATE OF JULY 4, 2011.
- PROPERTY LINES SHOWN HEREON WERE DETERMINED FROM THE FOLLOWING PLANS OF RECORD FILED AT THE WORCESTER COUNTY REGISTRY OF DEEDS:
-Plan Book 53, Plan 31
-Plan Book 932, Plan 117
-Plan Book 402, Plan 99
- THE CURRENT RECORD OWNER IS STEPHEN F. SAGONY, WHO IS DEED, BOOK 5308, PAGE 106, RECORDED AT THE WORCESTER COUNTY REGISTRY OF DEEDS.
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH, AND MAY NOT SHOW OR REVEAL ANY FACTS THAT WOULD BE DISCLOSED BY ONE.
SEE RIGHTS TO WELL IN DEEDS OF #12 & #14 LONG AVENUE
- ALL DISTURBED AREAS TO BE LOAMED & SEEDED
- EXCESS MATERIAL TO BE REMOVED FROM THE SITE.

CERTIFIED PLOT PLAN
14 LONG AVENUE
STURBRIDGE, MA

SCALE: 1"=20'
DATE: 3/27/2023
DRAWN BY: AJD | APPROVED BY: DFF | JOB # 51071
FILE: 14 LONG AVE STURBRIDGE.DWG



REQUIREMENT	EXISTING	PROPOSED
DISTRICT: SUBURBAN RESIDENTIAL (SR)		
LOT SIZE	0.75 ACRES	NO CHANGE
FRONTAGE	125'	NO CHANGE
STREET SETBACK	82.55'	11.6'
OTHER SETBACK	16.5'	2.7'
MAX LOT COVERAGE	4.2%	29%
MAX BUILDING STORIES	2	NO CHANGE
MAX HEIGHT	24%	NO CHANGE
MAX IMPERVIOUS SURFACE	2	41%
	23'	
	36%	



Plan Book 53, Plan 31

- LEGEND**
- WELL
 - UTILITY POLE
 - DECIDUOUS TREE
 - INDEX CONTOUR
 - INTERMEDIATE CONTOUR
 - OVERHEAD WIRE
 - ECB
 - FFE =
 - EP
 - EG
 - MONUMENT
 - SEWER GRINDER COVER
 - RECORD



DAF
DANIEL F. FLEMING - P.L.S. No. 55476
REGISTERED PROFESSIONAL
LAND SURVEYOR FOR
SAMIOTES CONSULTANTS, INC.

DATE	REVISION

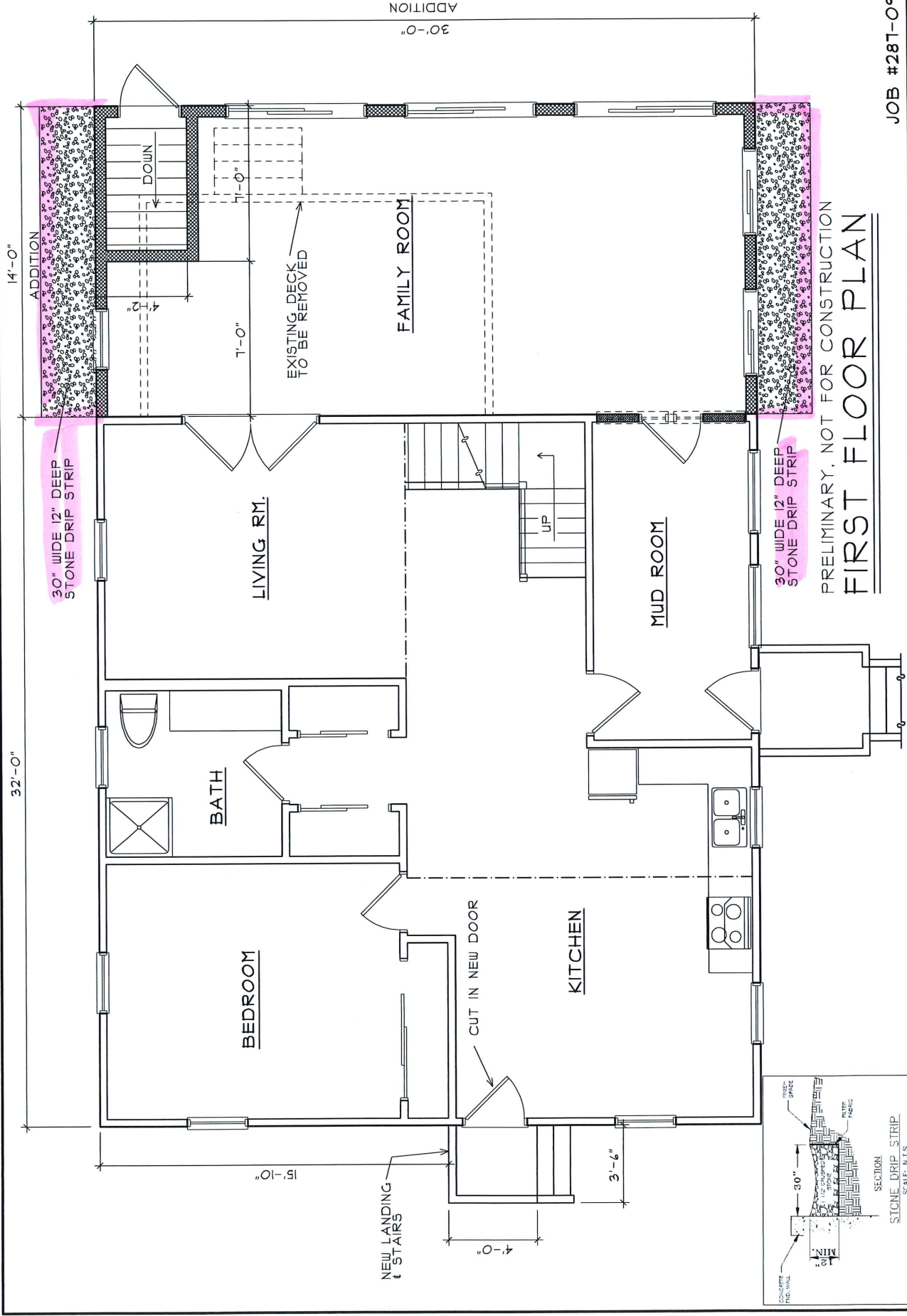
SHEET TITLE:
 FIRST FLOOR PLAN

PROJECT
 THE GAGNON ADDITION
 14 LONG AVENUE
 STURBRIDGE, MA

DATE
 11/30/22

SCALE:
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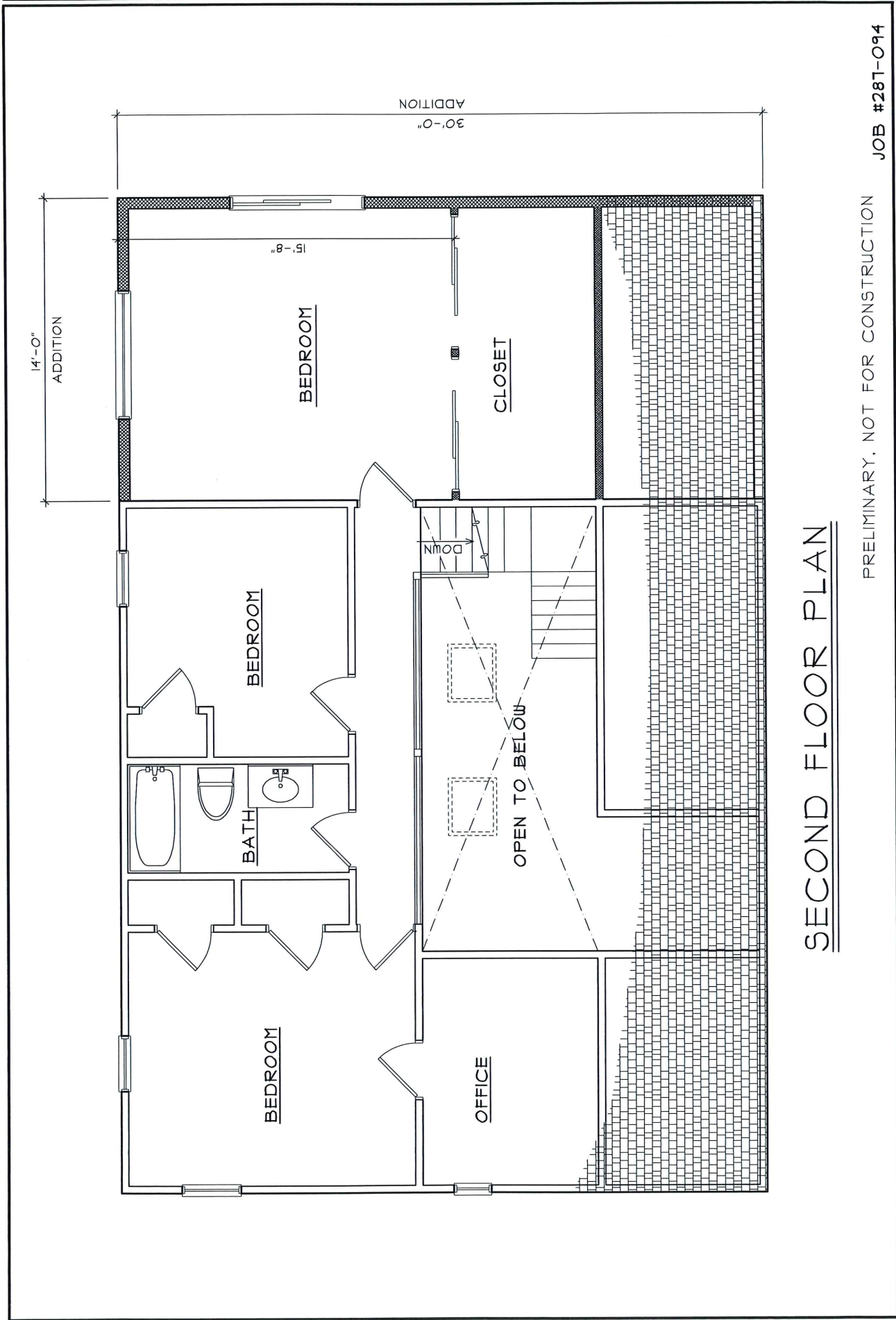
SHEET NUMBER
 A-2



PRELIMINARY, NOT FOR CONSTRUCTION
FIRST FLOOR PLAN

JOB #287-094

DATE	REVISION



SECOND FLOOR PLAN

PRELIMINARY, NOT FOR CONSTRUCTION

JOB #287-094

TRIFONE DESIGN ASSOCIATES, INC.
 ARCHITECTURAL DESIGNERS & CIVIL ENGINEERS
 103 SHORE ROAD
 STURBRIDGE, MA 01561
 TEL: (508) 333-4842
 email:trifone@trifone.com

DATE	REVISION

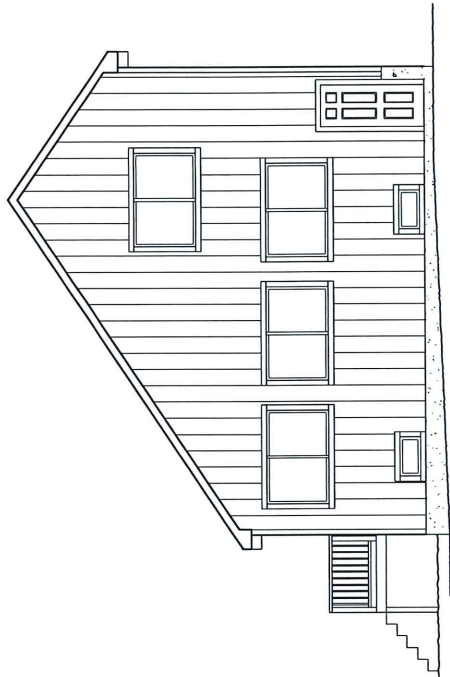
SHEET TITLE:
 ELEVATIONS

PROJECT
 THE GAGNON ADDITION
 14 LONG AVENUE
 STURBRIDGE, MA
 DATE 11/30/22

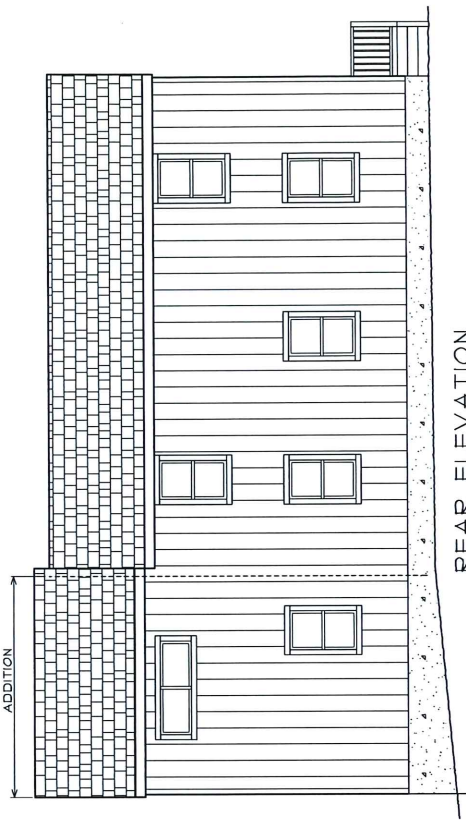
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 SHEET NUMBER
 A-1



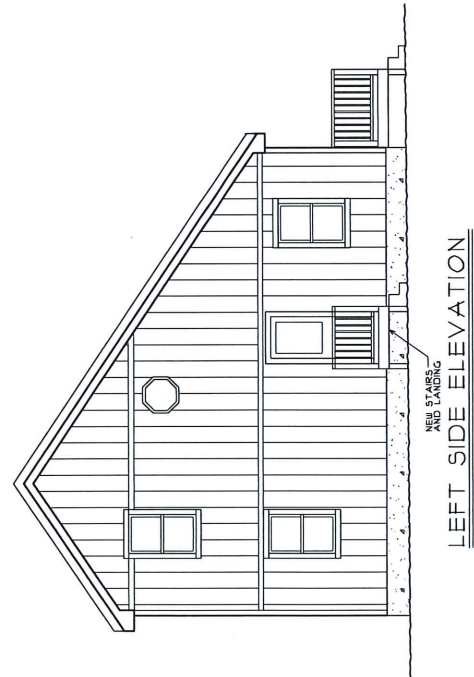
FRONT ELEVATION



RIGHT SIDE ELEVATION



REAR ELEVATION



LEFT SIDE ELEVATION

PRELIMINARY. NOT FOR CONSTRUCTION

JOB #287-094

DESIGN	CRITERIA
TYPE OF ESTABLISHMENT	3 BEDROOM RESIDENTIAL
DESIGN FLOW	330 G.P.D.
SEPTIC TANK CAPACITY	NEW 1500 GAL. SEPTIC TANK
LEACHING CAPACITY REQUIRED	330 GPD / 0.15 = 2,200 SQ FT REQUIRED (CONV) 2,200 SQ FT @ 60% = 1,320 SQ FT (PRESBY) 400 SQ FT MIN. (PRESBY)
LEACHING CAPACITY PROVIDED	PRESBY 210 L.F. PIPE MIN 280 L.F. ENVIRO SEPTIC PIPE PROVIDED 72' x 20' LEACHFIELD = 1,440 SQ.FT. PROVIDED

TEST PIT DATA	
SOIL EVALUATOR: JASON DUBOIS WITNESSED BY: KEN LACEY DATE: 5/18/2023 APPLICANT: JUSTIN CARTER	
TEST PIT #1	TEST PIT #2
0"-8" A SL 10YR 3/2 8"-24" B SL 10YR 5/6 24"-86" C SL 2.5Y 5/6 REDOX @ 36" STANDING WATER @ 78"	0"-7" A SL 10YR 3/2 7"-26" B SL 10YR 5/6 26"-92" C SL 2.5Y 5/6 REDOX @ 36"
GROUND WATER ELEV (OBSERVED) 78"	GROUND WATER ELEV (OBSERVED) N/A
MOTTLING ELEV (OBSERVED) 36"	MOTTLING ELEV (OBSERVED) 36"
REFUSAL ELEV N/A	REFUSAL ELEV N/A
TEST PIT #3	TEST PIT #4
GROUND WATER ELEV (OBSERVED) N/A	GROUND WATER ELEV (OBSERVED) N/A
MOTTLING ELEV (OBSERVED) N/A	MOTTLING ELEV (OBSERVED) N/A
REFUSAL ELEV N/A	REFUSAL ELEV N/A

AS BUILT INFORMATION	
SYSTEM INSPECTION DATE:	
SYSTEM CONSTRUCTED BY:	

AS BUILT NOTE	
IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO SUBMIT A LETTER CERTIFYING THAT THE SEWER GRAVEL INSTALLED MEETS TITLE V SIEVE ANALYSIS REQUIREMENTS TO DC ENGINEERING PRIOR TO THE SUBMISSION OF THE AS-BUILT. DC ENGINEERING IS NOT RESPONSIBLE FOR THE SIEVE ANALYSIS.	
POINTS	DIST.
A-C	
B-C	
B-D	
A-E	
B-E	
A-F	
B-F	
A-G	
B-G	
A-H	
B-H	

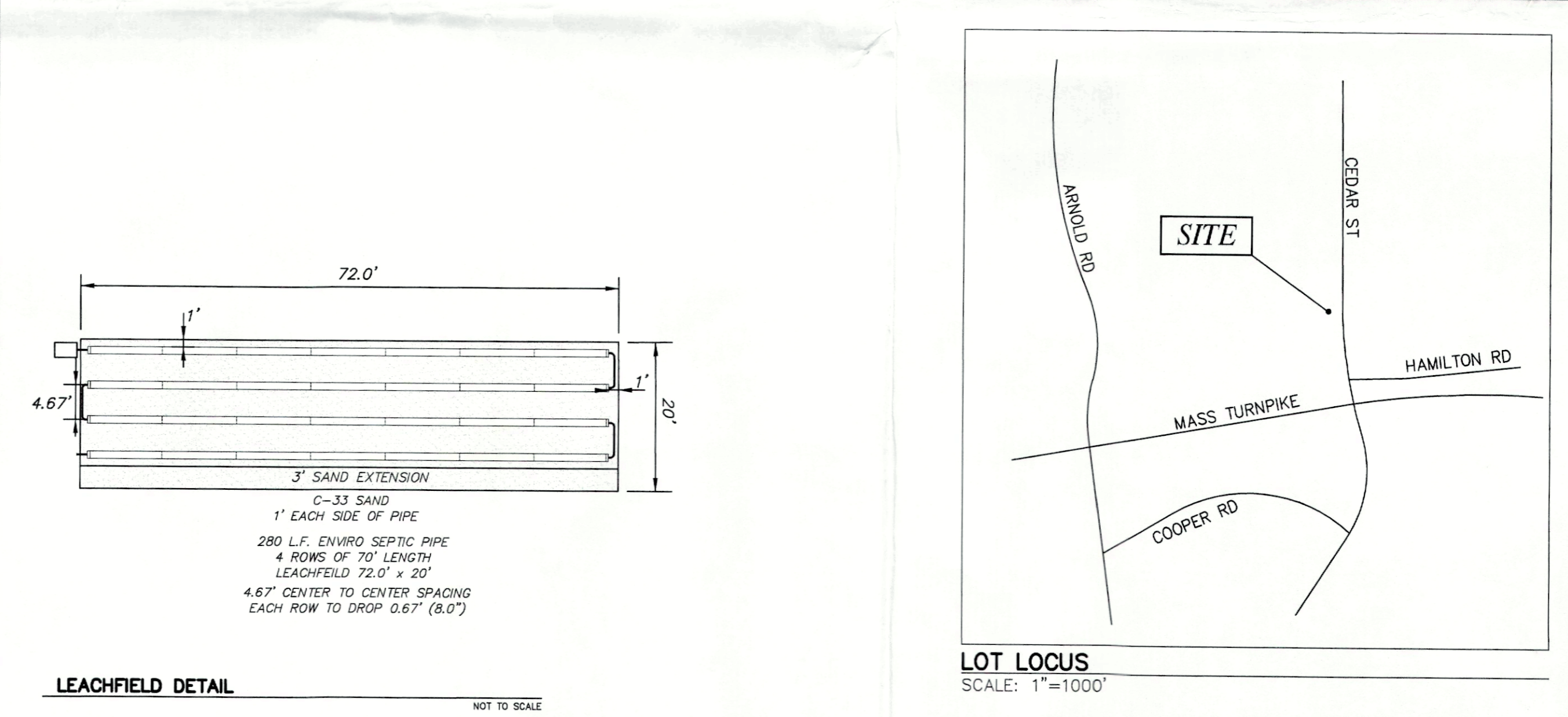
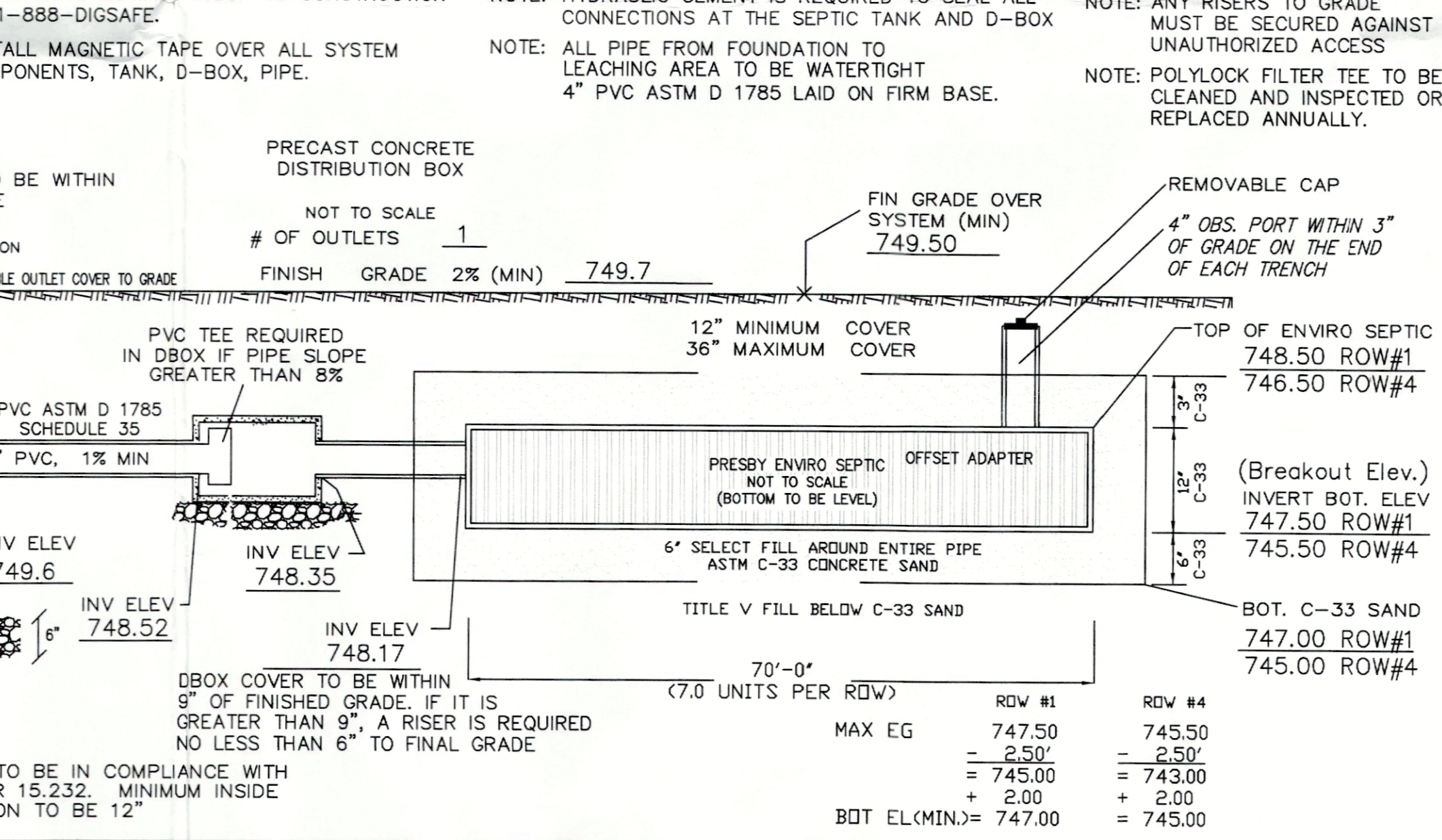
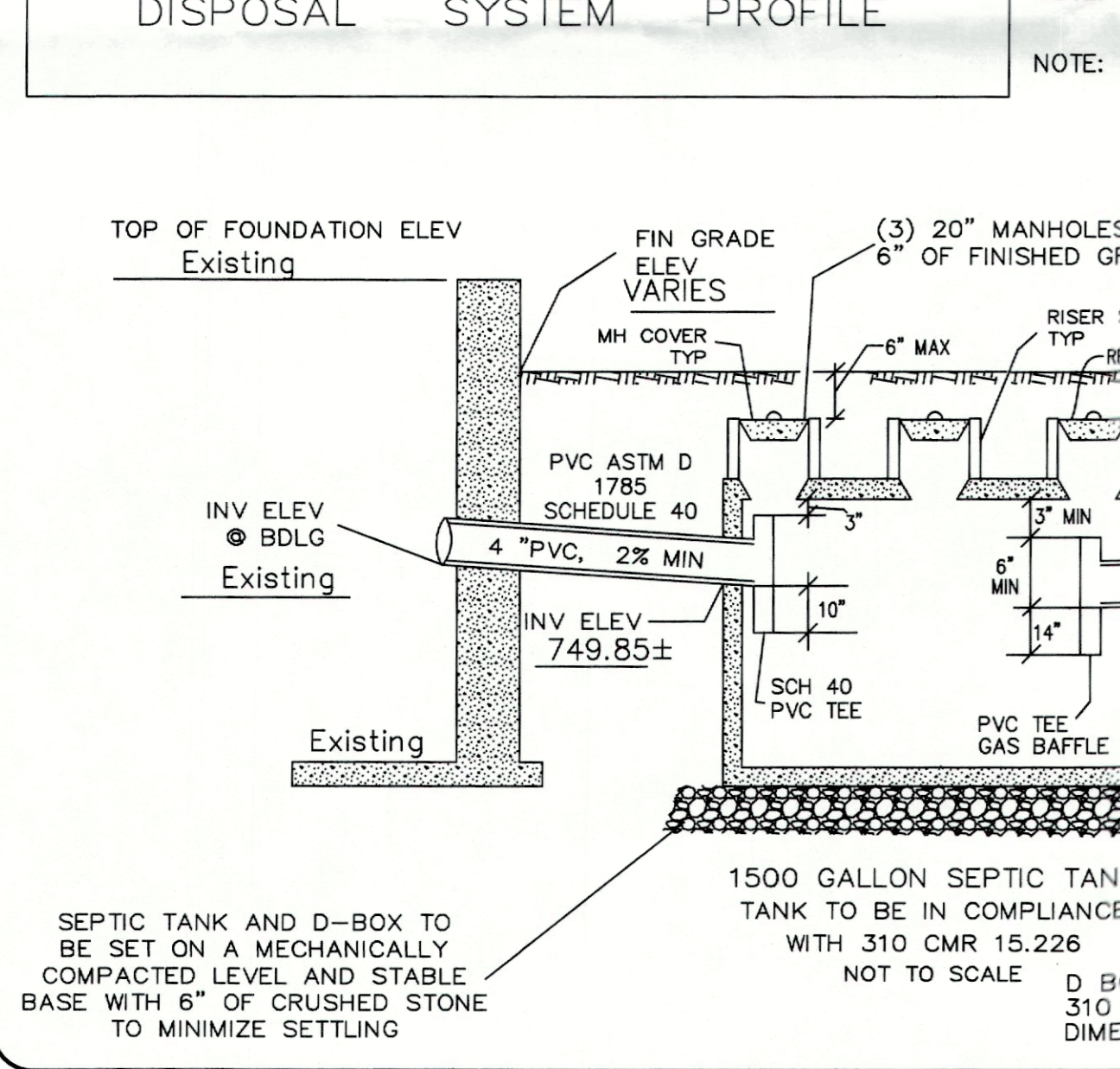
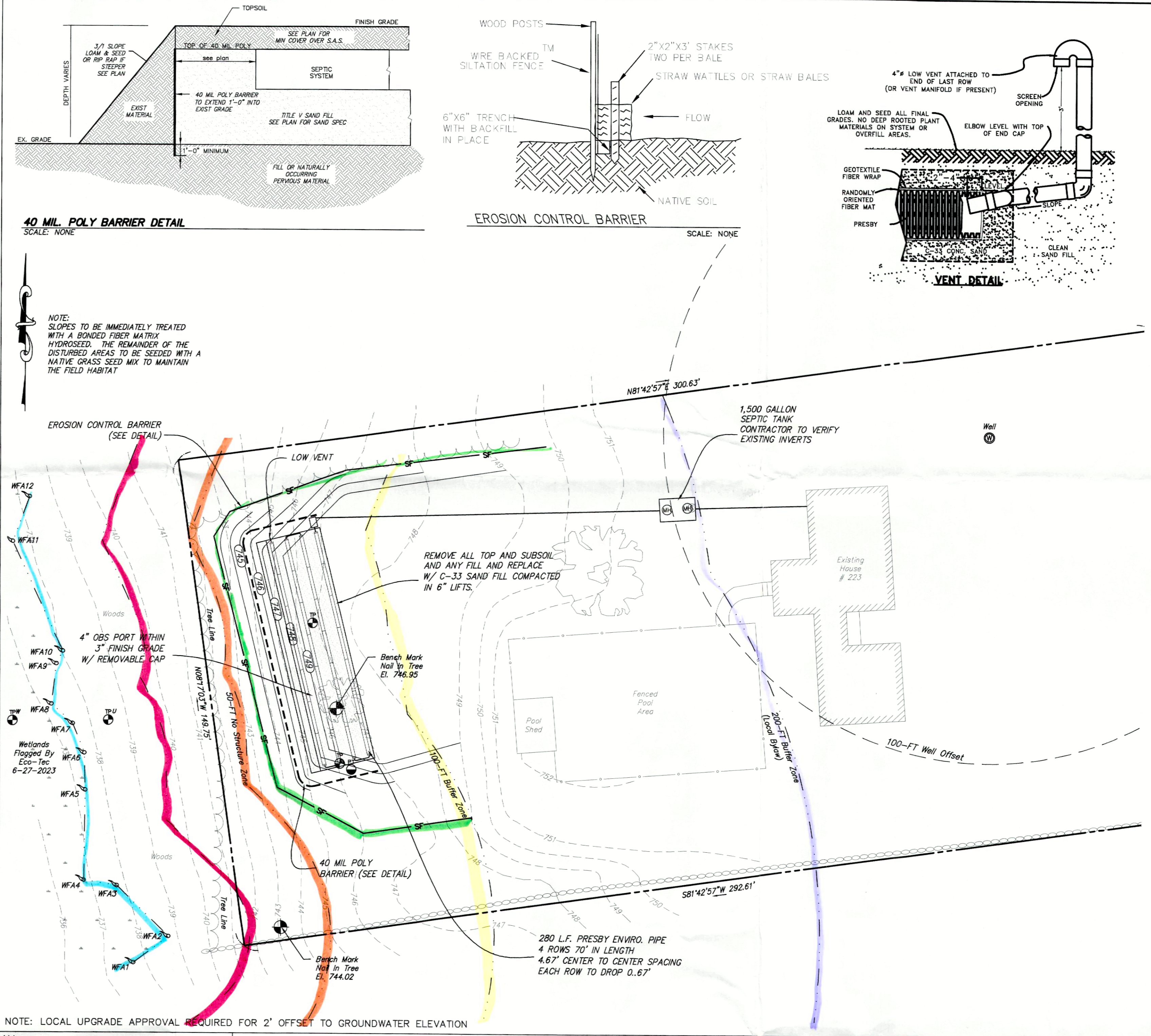
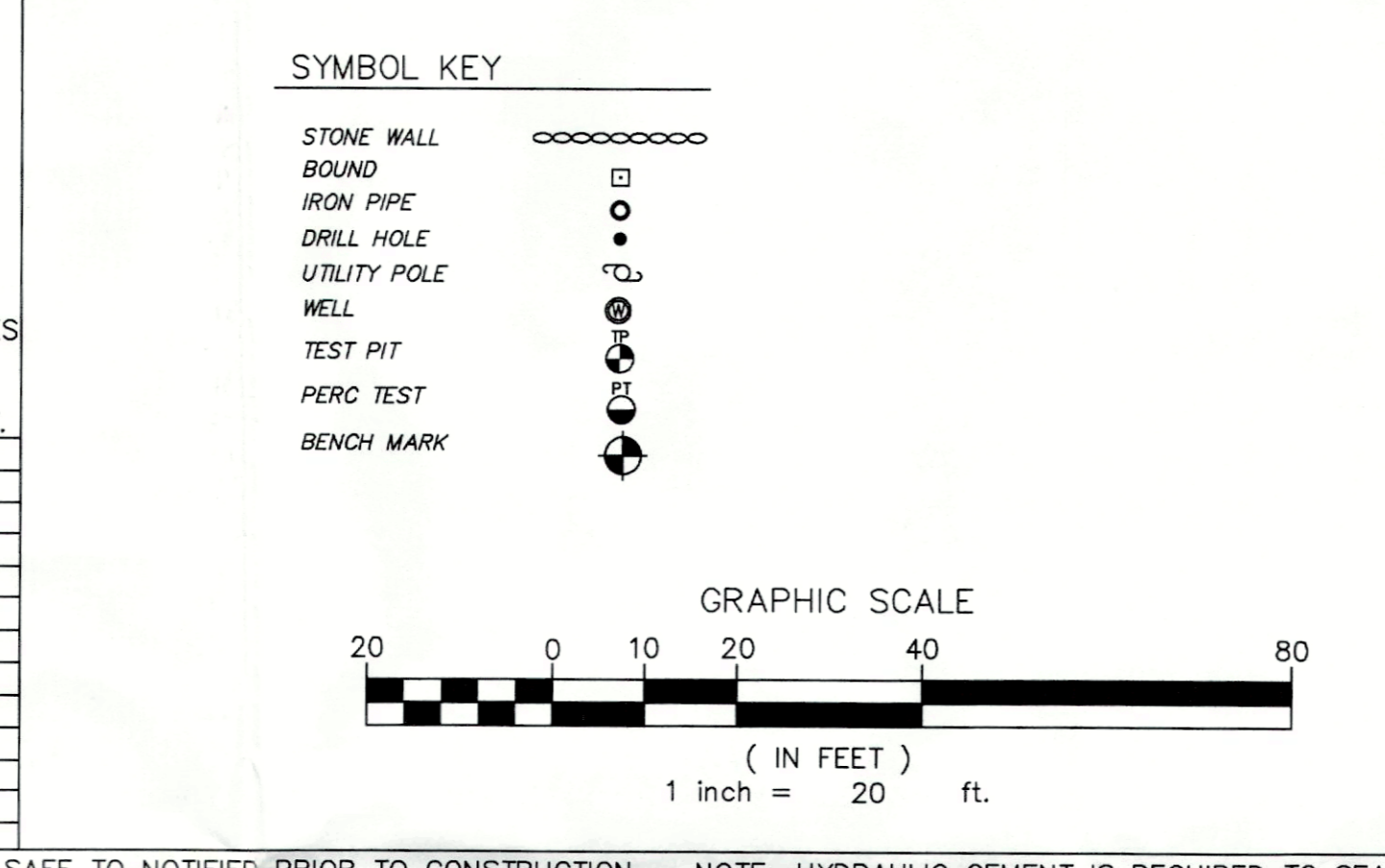
- ### GENERAL NOTES
- ALL CHANGES TO THIS PLAN MUST BE APPROVED BY THE TOWN OF STURBRIDGE BOARD OF HEALTH
 - ALL SITE WORK AND MATERIALS SHALL BE IN COMPLIANCE WITH TITLE 5
 - ANY CONDITIONS DURING CONSTRUCTION THAT DIFFER FROM THOSE ENCOUNTERED DURING TESTING SHALL BE REPORTED TO DC ENGINEERING AND THE LOCAL BOARD OF HEALTH IMMEDIATELY.
 - REMOVE ALL TOPSOIL & SUBSOIL FOR A DISTANCE OF 5 FEET AROUND SYSTEM
 - FILL MATERIAL FOR SYSTEMS CONSTRUCTED IN FILL SHALL CONSIST OF SELECT ON-SITE OR IMPORTED SOIL MATERIAL. THE FILL SHALL BE COMPRISED OF CLEAN GRANULAR SAND, FREE FROM ORGANIC MATTER AND DELETERIOUS SUBSTANCES, MIXTURES AND LAYERS OF DIFFERENT CLASSES OF SOIL SHALL NOT BE USED. THE FILL SHALL NOT CONTAIN ANY MATERIAL LARGER THAN 2 INCHES. A SIEVE ANALYSIS, USING A #4 SIEVE, SHALL BE PERFORMED ON A REPRESENTATIVE SAMPLE OF THE FILL. UP TO 45% BY WEIGHT OF THE FILL SAMPLE MAY BE RETAINED ON THE #4 SIEVE. FOR FURTHER INFORMATION SEE 310CMR 15:255(3).
 - OFFSETS ARE NOT TO BE USED FOR THE REPRODUCTION OF PROPERTY LINES.
 - ALL ELEVATIONS REFER TO AN ASSUMED DATUM.
 - NO ADDITIONAL CAPACITY HAS BEEN PROVIDED FOR A GARBAGE DISPOSAL (NOT ALLOWED)
 - NO ADDITIONAL CAPACITY HAS BEEN PROVIDED FOR A WATER SOFTNER (NOT ALLOWED)
 - THE PROPOSED SITE IS SUBJECT TO THE WETLANDS PROTECTION ACT.**
 - THE PROPOSED PROJECT DOES NOT FALL WITHIN A FLOOD HAZARD ZONE.
 - THE SEPTIC TANK SHOULD BE INSPECTED AND PUMPED EVERY 2 YEARS.
 - ALL EXISTING OR PROPOSED WELLS AND SEPTIC SYSTEMS WITHIN 150 FEET OF THE PROPOSED CONSTRUCTION ARE SHOWN OR NOTED TO THE BEST OF OUR KNOWLEDGE.
 - ALL WETLANDS, BROOKS, BODIES OF WATER AND FLOOD HAZARD ZONES WITHIN 200 FEET OF THE PROPOSED CONSTRUCTION ARE SHOWN OR NOTED TO THE BEST OF OUR KNOWLEDGE.
 - INSPECTIONS REQUIRED FOR ASBUILT CERTIFICATION * SEE ASBUILT NOTE *
 - BOTTOM INSPECTION PRIOR TO THE INSTALLATION OF SEWER GRAVEL.
 - ALL COMPONENTS OF SEPTIC SYSTEM MUST BE COMPLETE AND VISIBLE PRIOR TO REQUESTING A FINAL INSPECTION
 - DIG SAFE TO NOTIFIED PRIOR TO CONSTRUCTION AT 1-888-DIGSAFE.
 - INSTALL MAGNETIC TAPE OVER ALL SYSTEM COMPONENTS, TANK, D-BOX, LEACH AREA.
 - HYDRAULIC CEMENT IS REQUIRED TO SEAL ALL CONNECTIONS AT THE SEPTIC TANK AND D-BOX LEACHING AREA TO BE WATERTIGHT 4" PVC ASTM D 1785 LAID ON FIRM BASE.

PERCOLATION TEST DATA

SOIL EVALUATOR: JASON DUBOIS
WITNESSED BY: KEN LACEY
DATE: 5/18/2023

DEPTH:	1	2
FIELD RATE:	46"	
DESIGN RATE:	55 MPI	
SOIL CLASSIFICATION:	60 MPI	
L.T.A.R.	3	
	0.15	

DIG-SAFE
PHONE # 877-344-7233



STATE OF MASSACHUSETTS
JASON DUBOIS
PROFESSIONAL LAND SURVEYOR
LICENSE NO. 10456
DATE: 05/18/2023

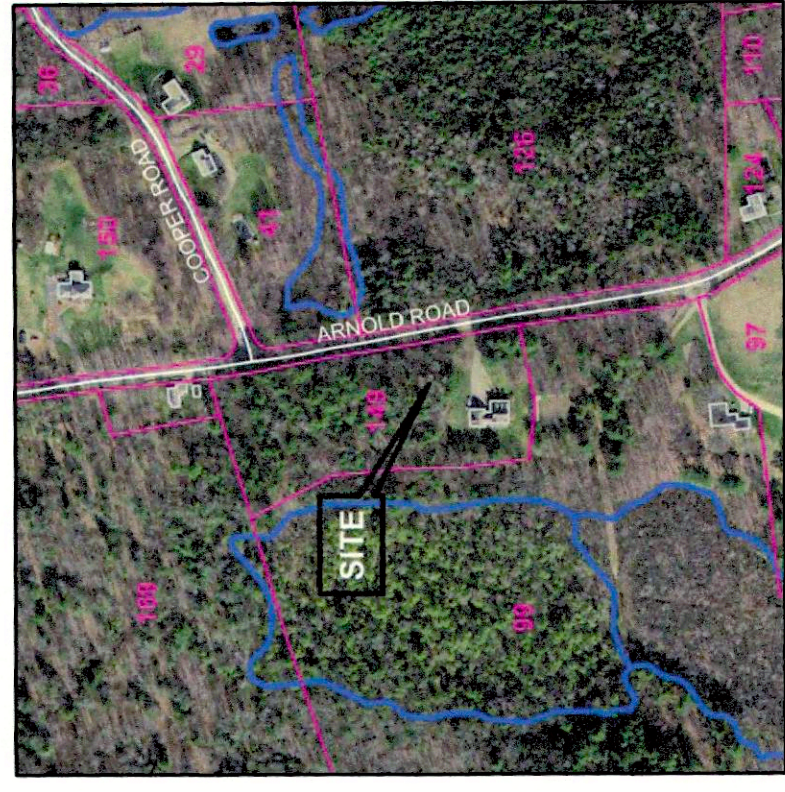
JEREMY S. CROTEAU, P.L.S.
PROFESSIONAL LAND SURVEYOR
LICENSE NO. 8872

JUSTIN CARTER
223 CEDAR STREET
STURBRIDGE, MA 01566
SITE ADDRESS:
223 CEDAR STREET
STURBRIDGE, MA 01566

SEPTIC SYSTEM PLAN REPAIR

DRAWN BY: JDD
CK'D BY: JDD
DATE: 7-11-2023
PROJECT #: 23-181

JDD
REV #:
0
SCALE: 1"=20'
DWG. NO.: S-1



LOCUS MAP



ZONING SET BACK INFORMATION
ZONING DISTRICT: SUBURBAN RESIDENTIAL

SETBACKS	REQUIRED	PROPOSED
FRONT	30 ft	80.8 ft
REAR	15 ft	183.5 ft
SIDE	15 ft	169.1 ft
MAX LOT COVERAGE	30%	<2 %

LEGEND

- PROPERTY LINE
- EROSION CONTROL
- EXISTING CONTOUR
- PROPOSED CONTOUR
- WETLAND
- EDGE OF WETLAND
- EXISTING SPOT GRADE
- EXISTING GRADE FOR ESWH
- AS-BUILT FINISH GRADE
- PERC HOLE
- TEST PIT
- CONTROL
- WETLAND FLAG

SCENIC ROAD NOTE:
THIS PROJECT IS LOCATED ALONG A DESIGNATED SCENIC ROAD IN STURBRIDGE, (ARNOLD ROAD).
NO STONEWALLS ARE PROPOSED TO BE ALTERED OR REMOVED.
NO TREES ARE PROPOSED TO BE CUT WITHIN THE TOWN RIGHT-OF-WAY.
THE DRIVEWAY IS EXISTING AND NO ALTERATIONS ARE PROPOSED.



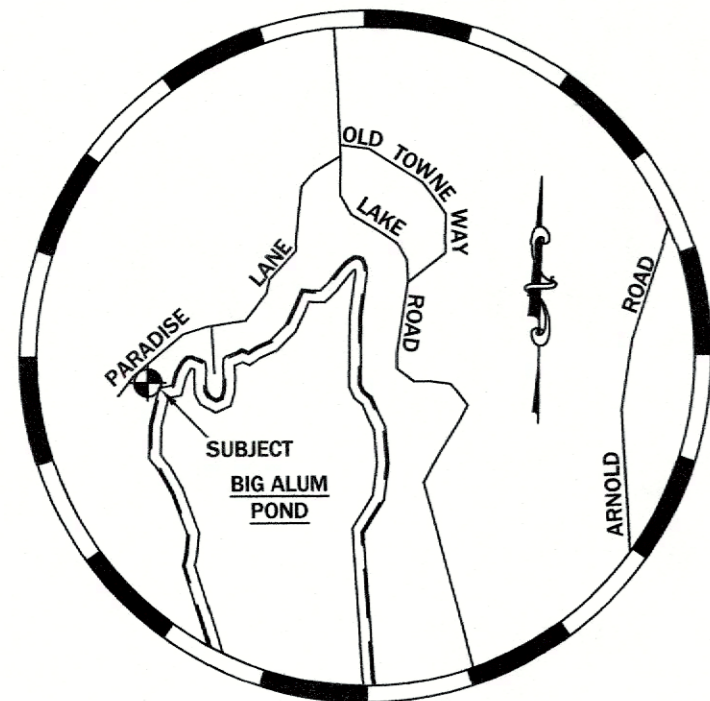
GREEN HILL ENGINEERING
PERC TESTING SEPTIC DESIGN WETLAND PERMITTING ENVIRONMENTAL CONSULTING

10 MAIN STREET
STURBRIDGE, MA 01566
508-347-5226 (W)
508-347-9857 (F)

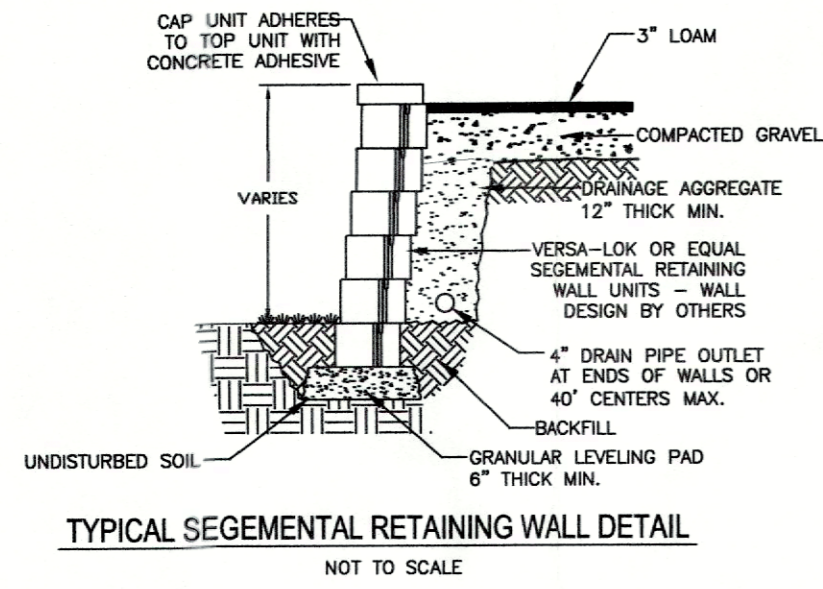
WORKING TO PROTECT OUR WATER RESOURCES

PROPOSED BARN

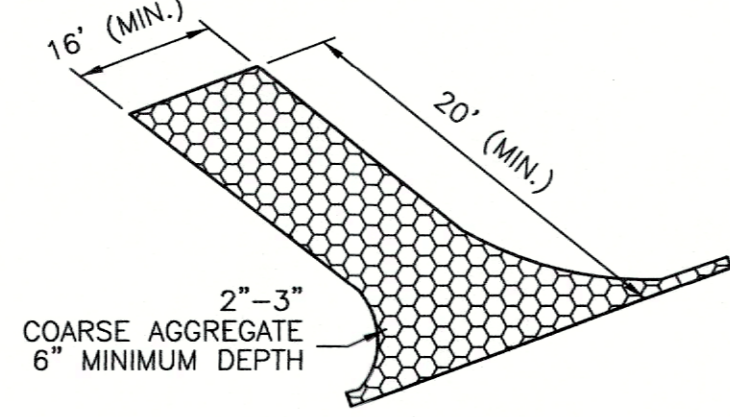
MICHAEL & CHRISTINE SOSIK
149 ARNOLD ROAD
STURBRIDGE MA
7 AUGUST 2023



LOT LOCUS
SCALE: NONE



TYPICAL SEGMENTAL RETAINING WALL DETAIL
NOT TO SCALE



CRUSHED STONE CONSTRUCTION ENTRANCE

STURBRIDGE ZONING: SUBURBAN RESIDENTIAL		
REQUIRED	EXISTING	PROPOSED
AREA: 3/4 ACRE	AREA: 0.16 ACRES	AREA: NO CHANGE
FRONTAGE: 125'	FRONTAGE: 55.68'	FRONTAGE: N/C
FRONT YARD: 30'	FRONT YARD: 67.3'	FRONT YARD: 21.28'
SIDE YARD: 15'	SIDE YARD: 4/6.8'	SIDE YARD: 8.84/10.18'
REAR YARD: 15'	REAR YARD: 6.3'	REAR YARD: 50.67'
%COVERAGE: 15	%COVERAGE: 23	%COVERAGE: 22

LOT IS SERVICED WITH TOWN SEWER AND A PRIVATE WELL

EXISTING LOT COVERAGE COMPUTATIONS

EXISTING HOUSE & PORCH	1155 S.F.
EXISTING DECK	368 S.F.
EXISTING SHED	80 S.F.
TOTAL	1603 S.F.

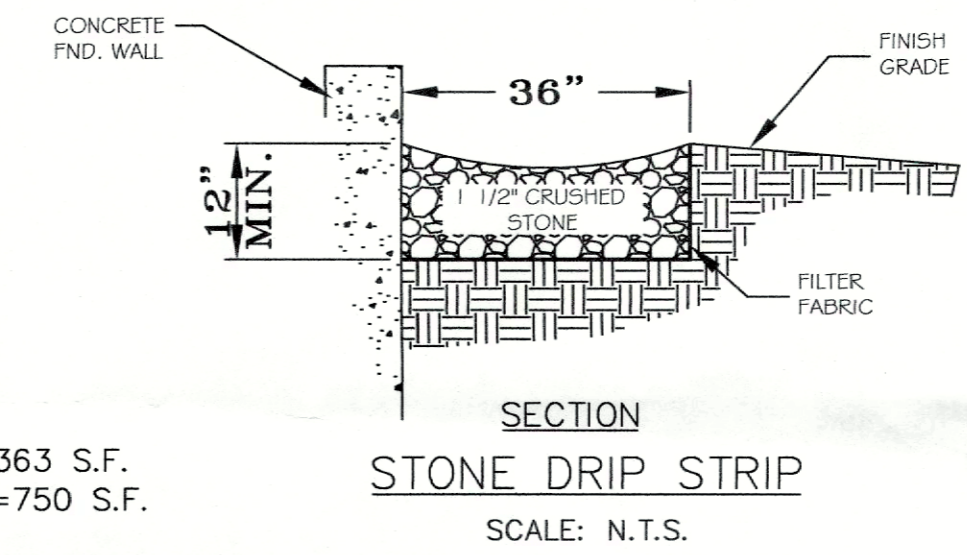
1,603 X 100 = 23.0%
6,970

PROPOSED COVERAGE COMPUTATIONS

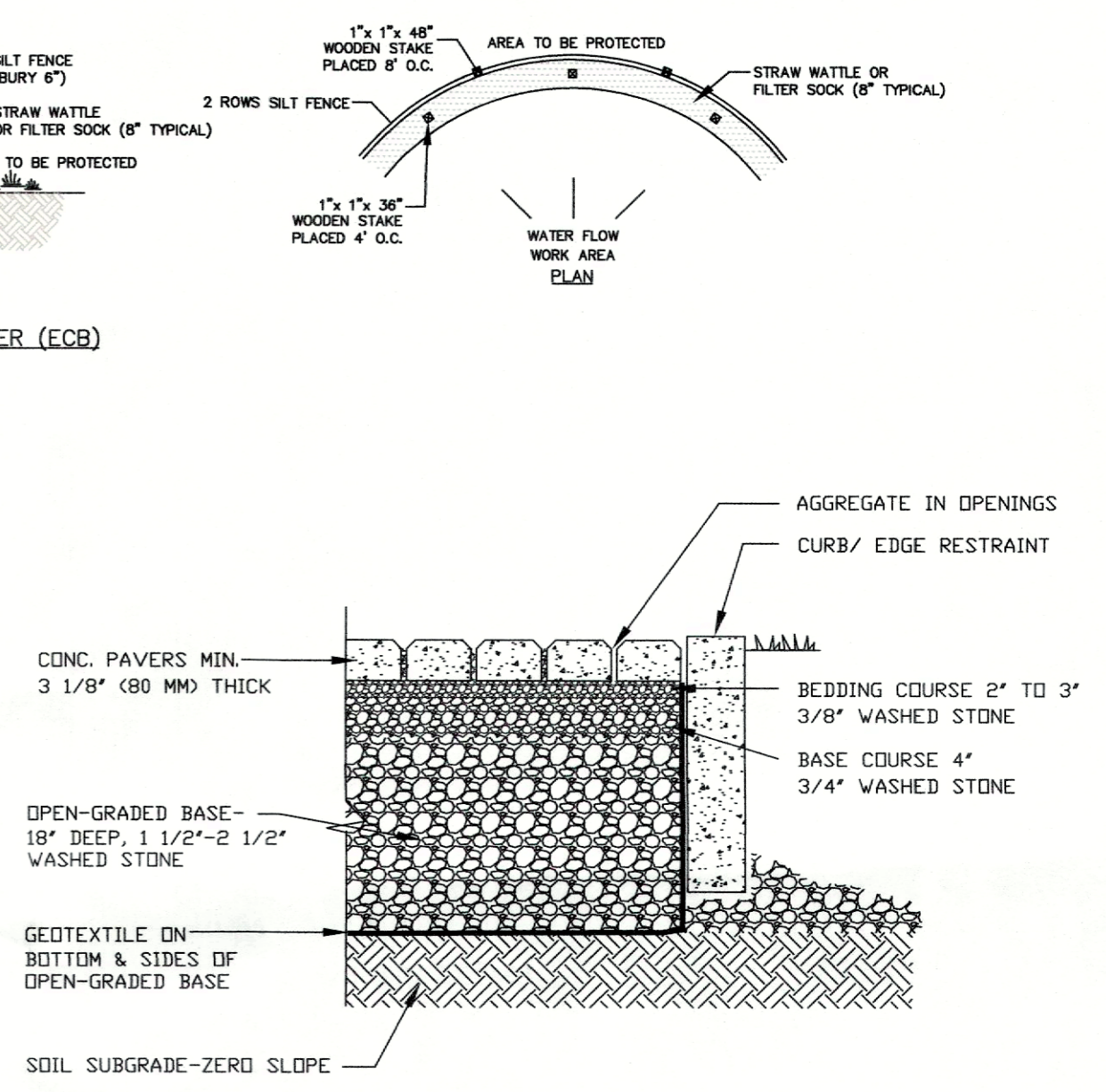
PROPOSED HOUSE	1,375 S.F.
PROPOSED DECK	147 S.F.
TOTAL	1,522 S.F.

1,522 X 100 = 22.0%
6,970

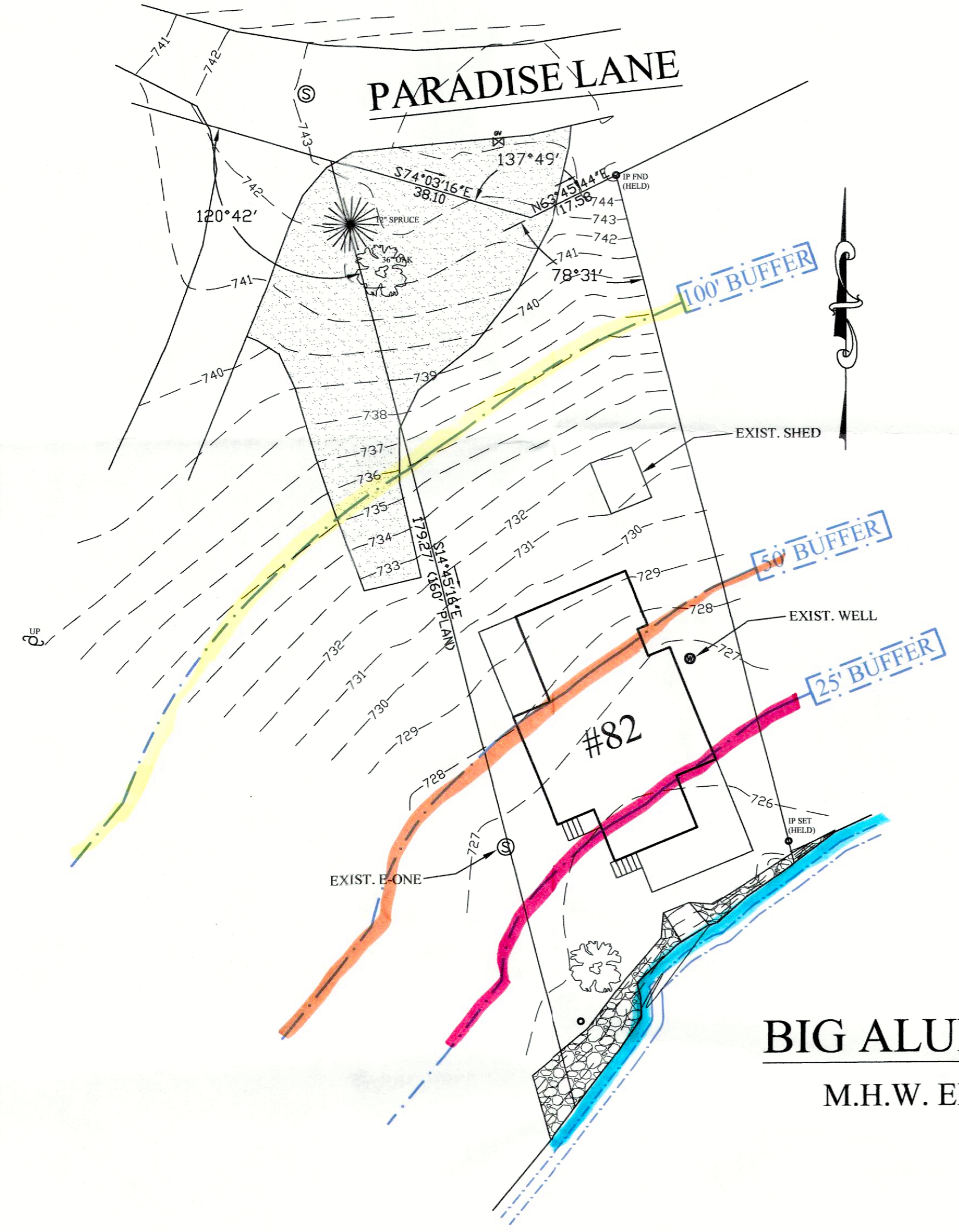
EXIST. STRUCTURE IN 0'-25' BUFFER=363 S.F.
EXIST. STRUCTURE IN 25'-50' BUFFER=750 S.F.
PROPOSED STRUCTURE IN 25'-50' BUFFER=56 S.F.



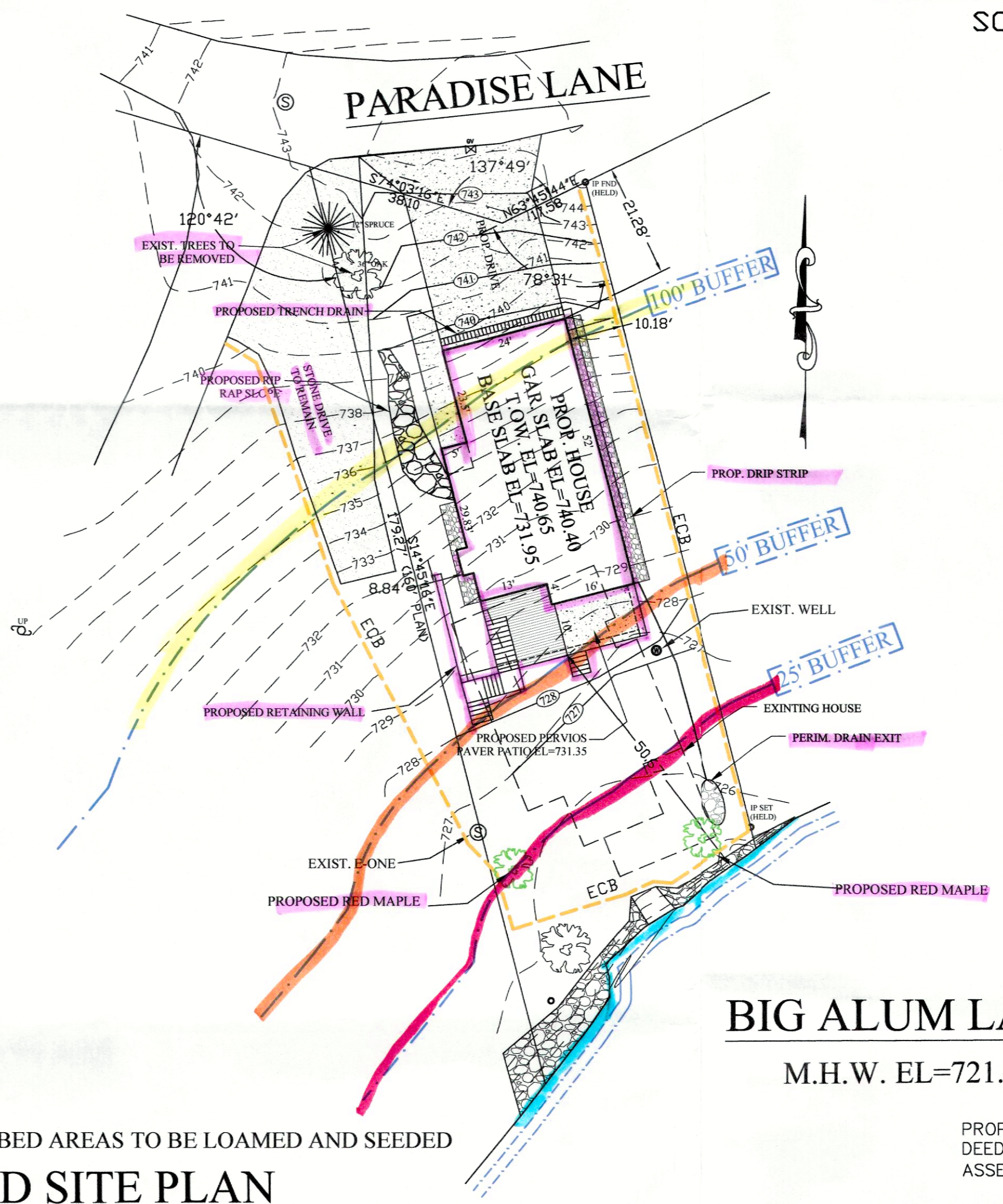
SECTION
STONE DRIP STRIP
SCALE: N.T.S.



PERVIOUS PAVER DETAIL
SCALE=NONE



EXISTING SITE PLAN

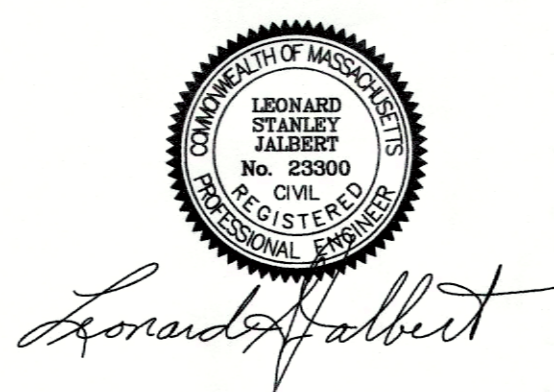


NOTE: ALL DISTURBED AREAS TO BE LOAMED AND SEEDDED
PROPOSED SITE PLAN

PROPERTY INFORMATION:
DEED REFERENCE: DEED BOOK 23477, PAGE 353
ASSESSOR'S REF.: MAP 09E, PARCEL 82

PLAN REFERENCE:
BOOK 58 PLAN 34
BOOK 618 PLAN 3

ORIGINAL		REVISIONS					
DATE	BY	REV.	DATE	DESCRIPTION	MADE	CHK'D	APV'D
6/29/23	AMT						
	LSJ						
	LSJ						
	LSJ						



JALBERT ENGINEERING, INC.
CIVIL ENGINEERS & SURVEYORS

54 Main Street
Sturbridge, Massachusetts 01566-1244
Telephone: (508) 347-5136 • Toll Free: 1-800-339-5136
Fax: (508) 347-7962

SITE PLAN FOR:
GLENN G. ELLIS
82 PARADISE LANE, STURBRIDGE, MA

GRAPHIC SCALE
0' 20' 40' 60'
SCALE: 1" = 20'

PLAN DATE: 6/29/23
DWG NUMBER
22108

Town of Sturbridge
Conservation Commission
301 Main St.
Sturbridge, Ma 01566

RE: 110 Brookfield Rd Enforcement Order

In response to the Enforcement Order issued on June 9th, 2023 by the Commission, I propose the following compromise which will protect the wetlands from any further encroachment, and allow me to use my property within the guidelines set within my special permit granted by the ZBA in 2022.

- 1) I propose the installation of Concrete Jersey Barriers starting in the Southeast corner of the property, running parallel with the property line for the distance of approximately 100'P or to the edge of the 50' buffer zone set 1' off the property line. We will also run Jersey Barriers starting in the Southeast corner of the property line for a distance of approximately 50' in a westerly direction to the existing natural barrier, set 1' off the property line.
- 2) I will take the (4) containers and rotate them 90 degrees to make the doors facing North and position them along the Southern boundary created by the Jersey Barriers
- 3) I will install Granite posts along the Eastern Property line starting 6' from the end of the proposed Jersey Barriers all the way to the Main Building spaced out every 6' set 1' inside the property line.
- 4) Loose, piled up grindings along the Easterly property line, bordering the town property will be hand raked and pulled down back onto the existing parking area.
- 5) Snowplowing practices will be changed so the snow will be pushed/stored along the most Southern part of the property, against the natural barrier/tree line but 50' away from the delineated wetland.

If approved by the Commission at the August 24th meeting, work will start immediately and will be completed by 10/1/2023.

Sincerely,

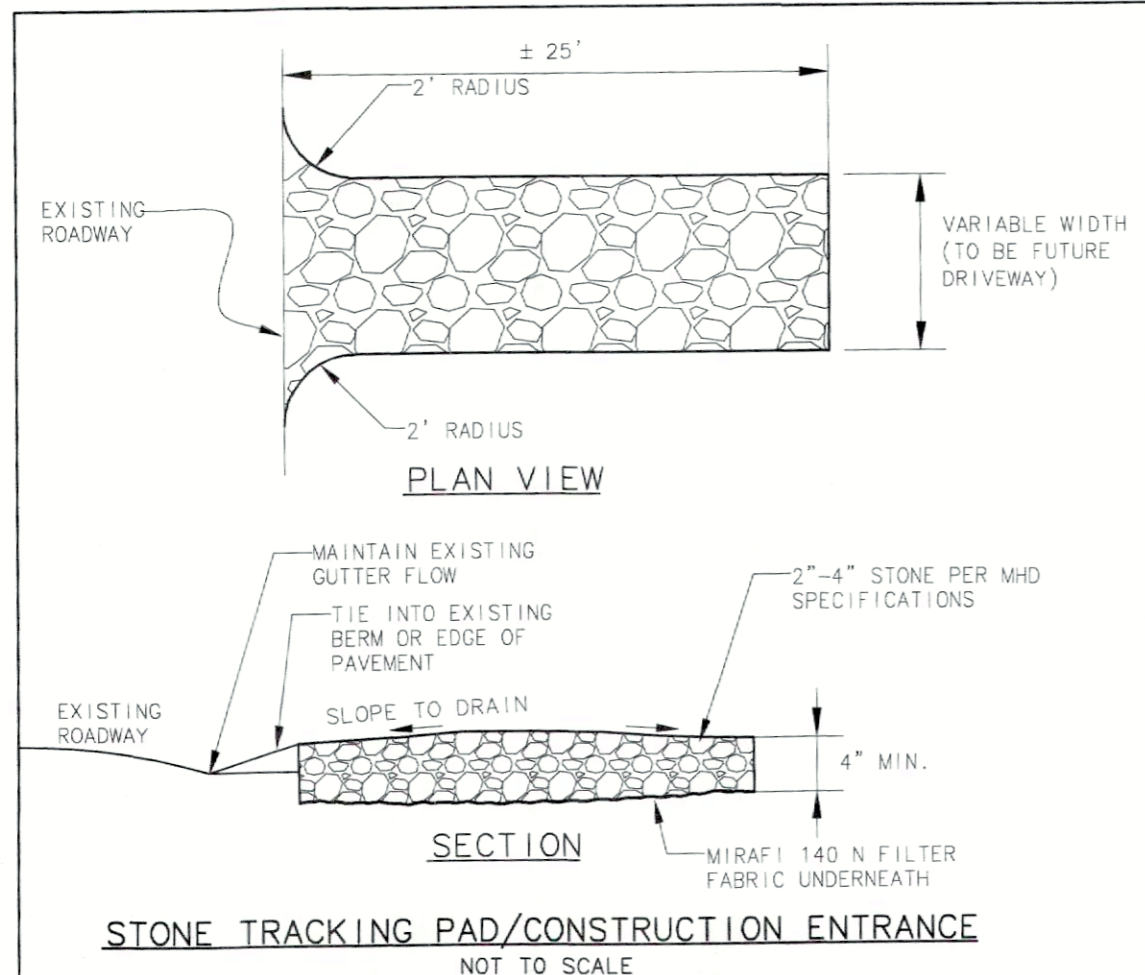
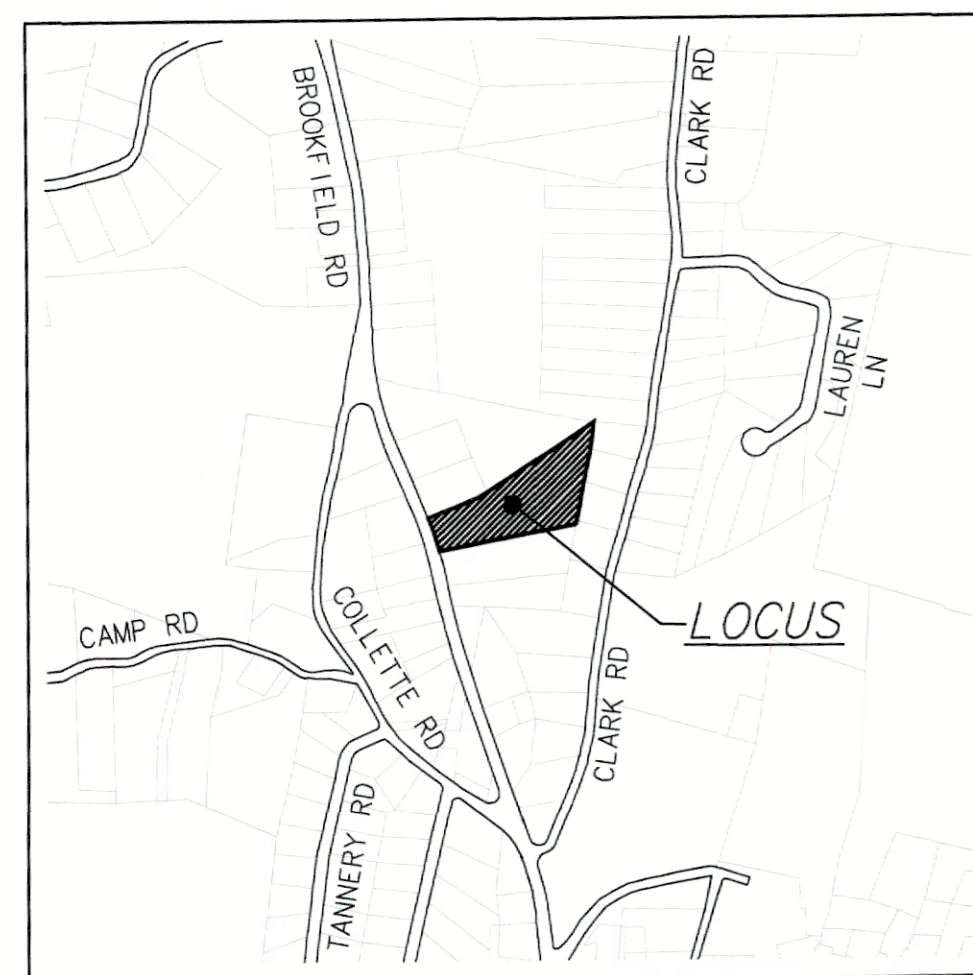


Joshua Roy

Tsantinis LLC / Cruise Control Trans Inc

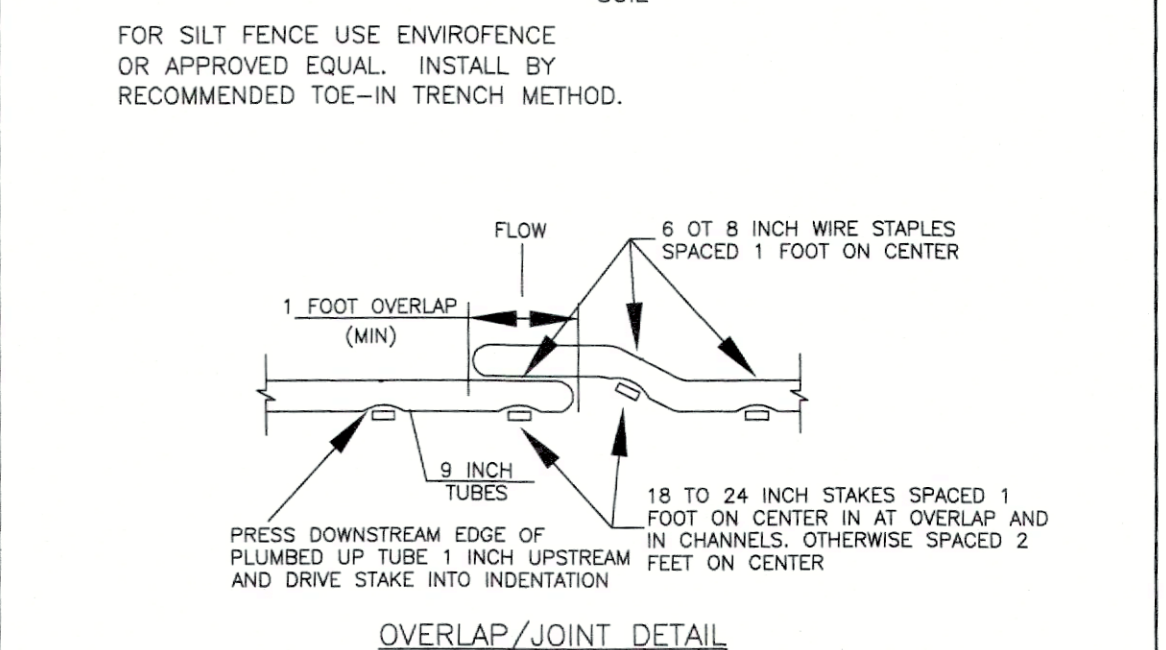
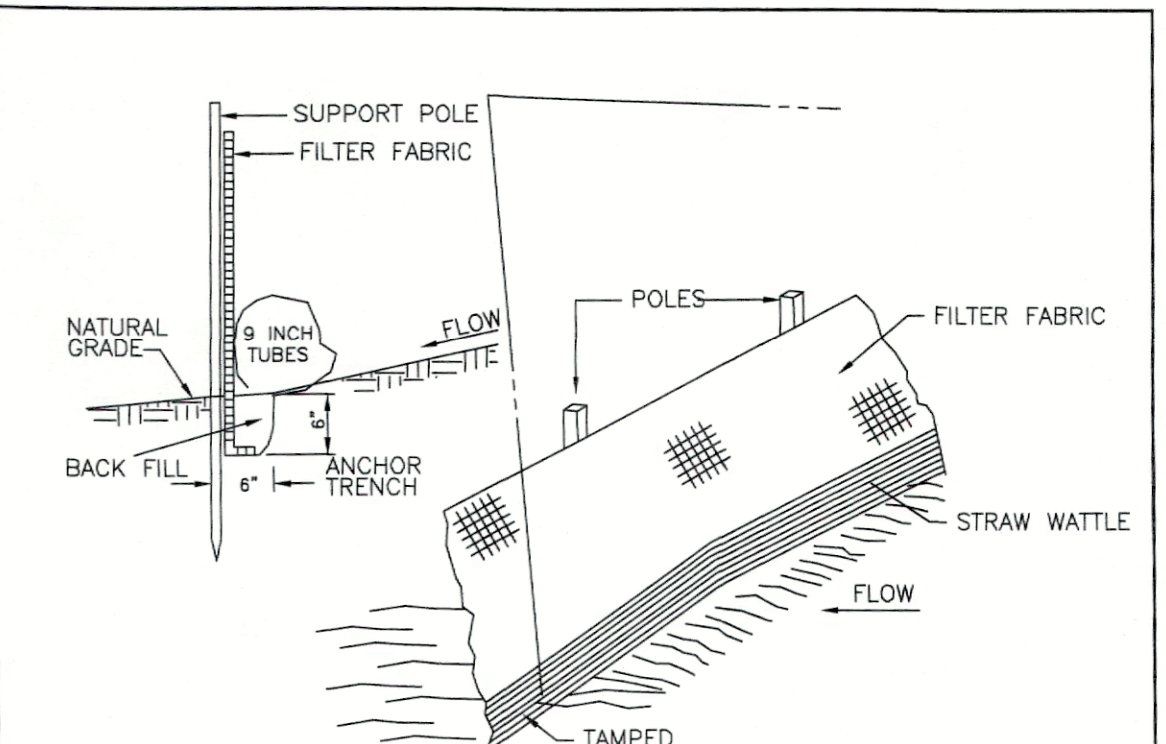
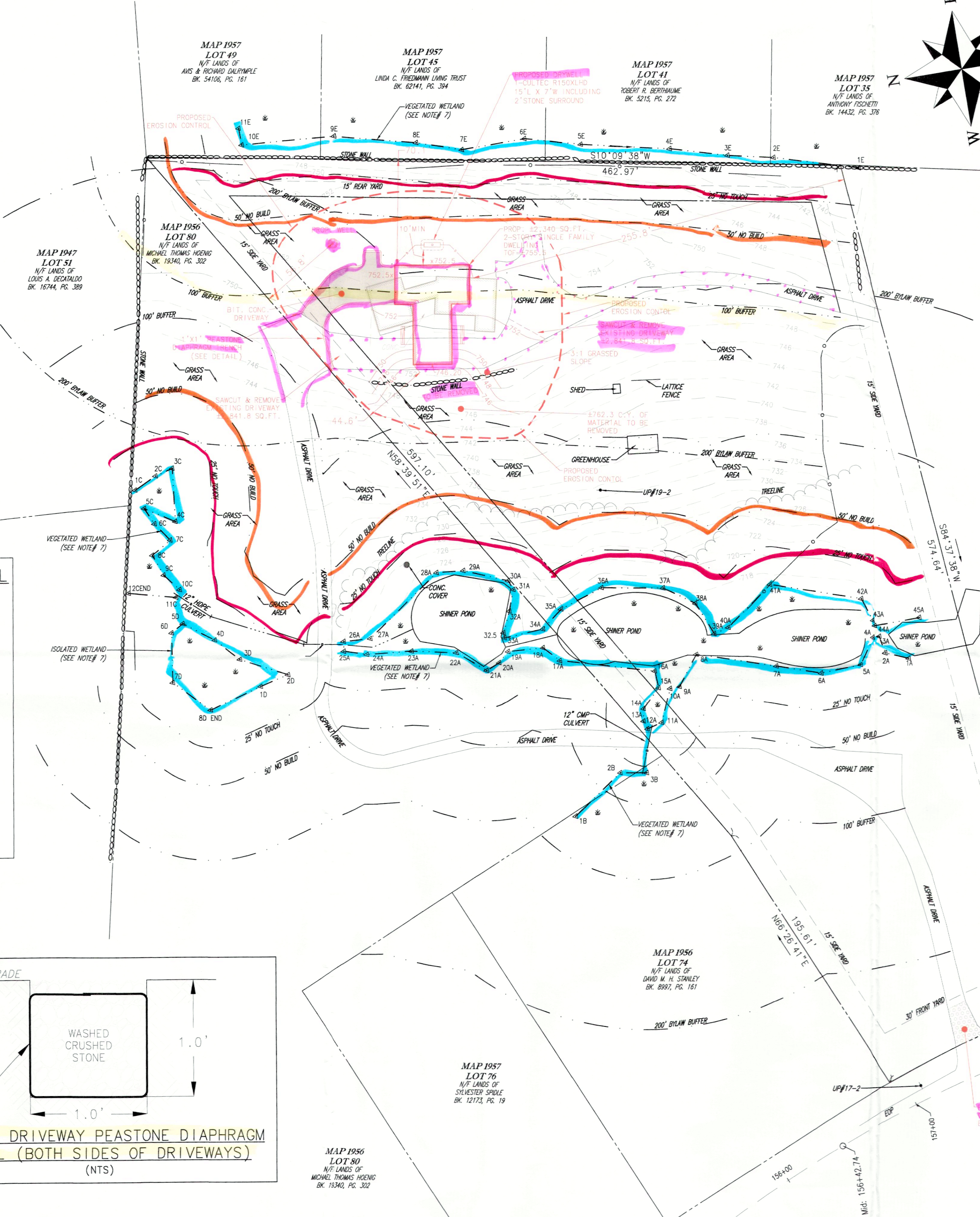
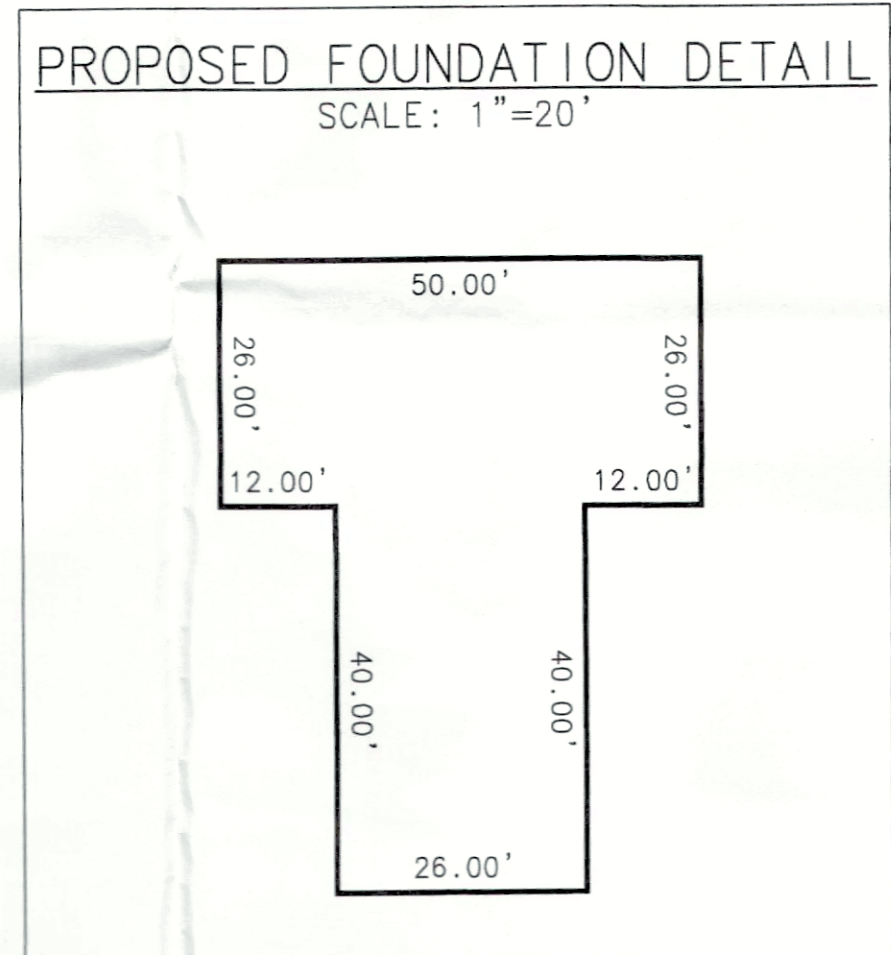
ZONING INFORMATION
SUBURBAN RESIDENTIAL DISTRICT
SOURCE: TOWN OF STURBRIDGE ZONING BYLAWS AS AMENDED OCTOBER 29, 2018

ITEMS	REQUIRED	PROPOSED
MIN LOT AREA	32,670 SF	168,625 SF
MIN FRONTAGE	125'	126.02'
MIN FRONT YARD	30'	560.4'
MIN SIDE YARD	15'	44.6'
MIN REAR YARD	15'	70.1'
MAX. COVERAGE	15%	1.4%



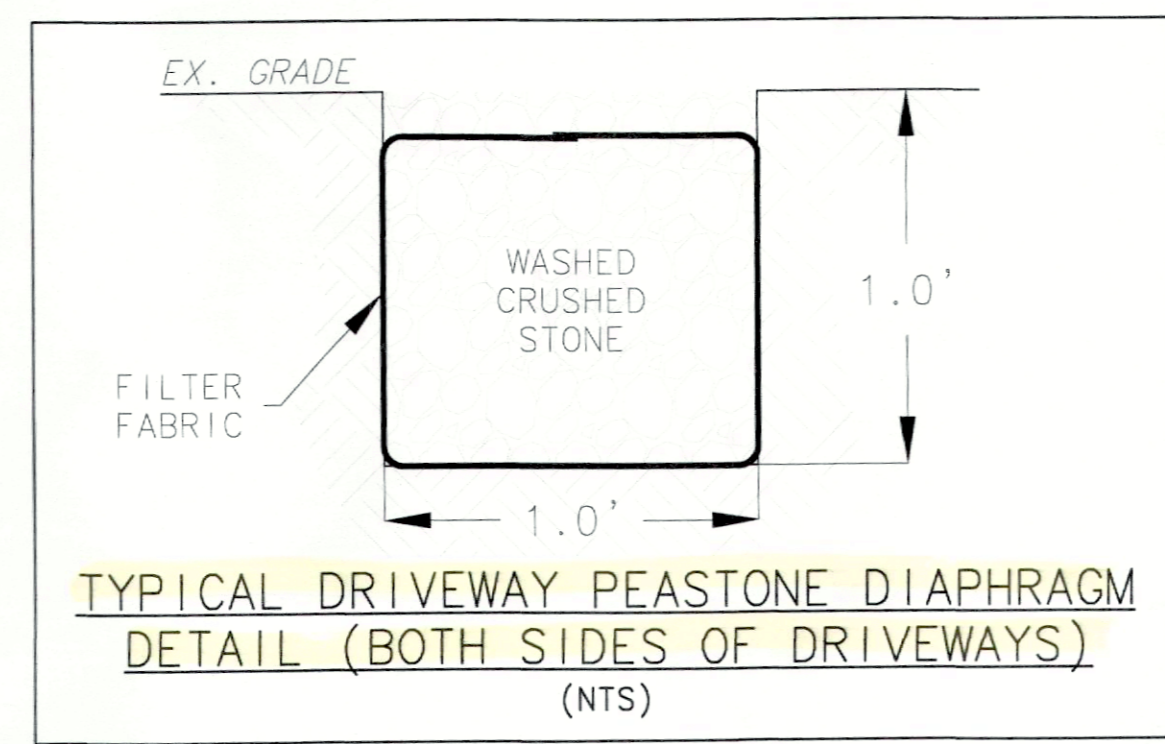
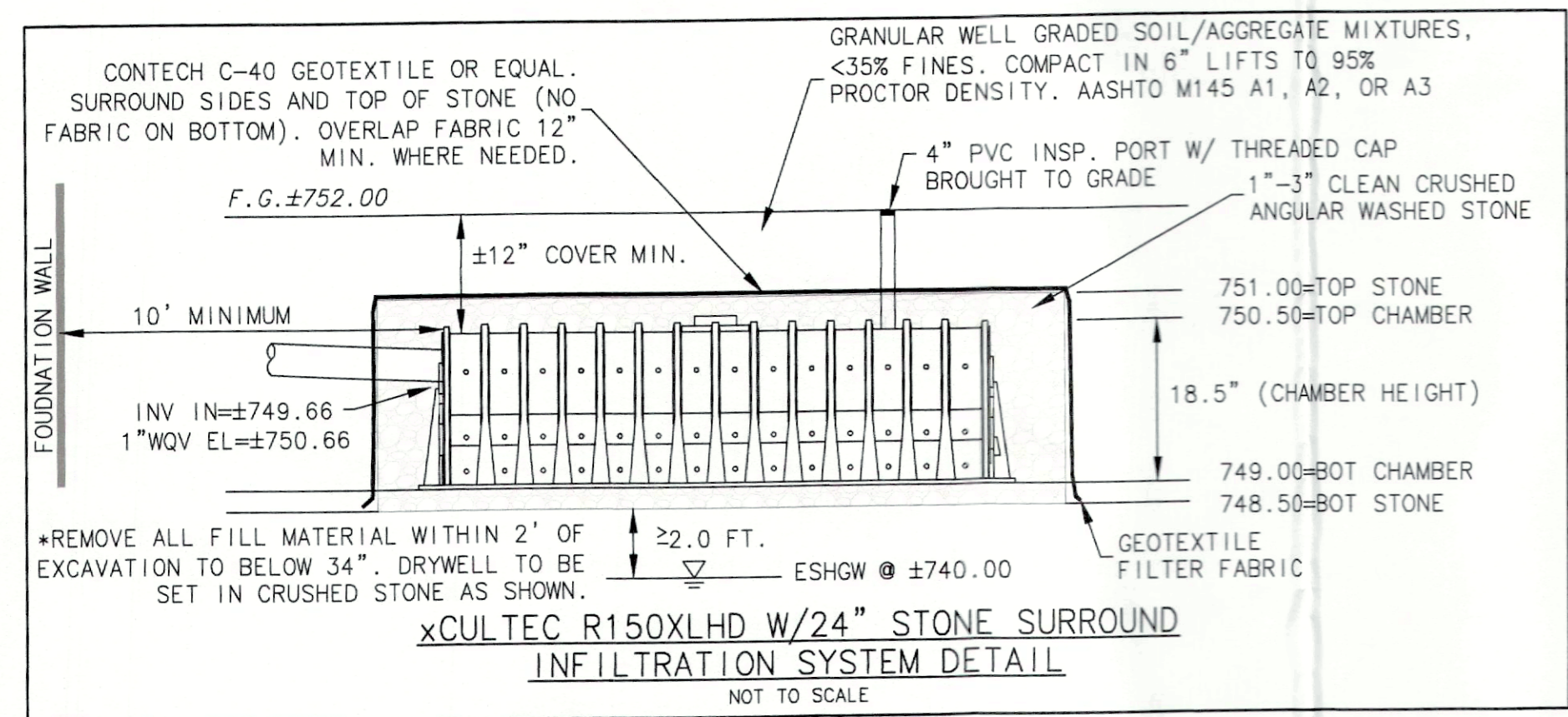
LOCUS PLAN
1" = ±800'

- GENERAL NOTES:**
- RECORD OWNER:
STANLEY, RYAN A.
STANLEY, DAVID & KRISTA
1 COMMONWEALTH AVENUE
STURBRIDGE, MASSACHUSETTS 01566
DEED BOOK 67392 PAGE 216
PLAN BOOK 611 PAGE 76
 - PROPERTY IS SHOWN AS PARCEL 173-01956-070 AND APPEARS TO LIE WITHIN THE SUBURBAN RESIDENTIAL ZONING DISTRICT PER THE TOWN OF STURBRIDGE ZONING MAP AND AVAILABLE ASSESSORS INFORMATION.
 - PROPERTY LINES SHOWN HEREON PROVIDED BY LEVESQUE GEOMATICS, INC. 43 GLENDALE ROAD, STURBRIDGE MA. NO PROPERTY LINE SURVEY WAS CONDUCTED BY EXISTING GRADE, INC. FOR THE PREPARATION OF THIS PLAN.
 - PARCEL DOES NOT APPEAR TO LIE WITHIN A FLOOD ZONE (FEMA ZONE X) PER FIRM MAP 25027C0926F PANEL 926 OF 1075, LAST REVISED JUNE 21, 2023, AS DEPICTED ON THE FEMA ONLINE FLOOD MAP SERVICE CENTER VIEWER.
 - EXISTING CONDITIONS SHOWN HEREON PROVIDED BY LEVESQUE GEOMATICS, INC. 43 GLENDALE ROAD, STURBRIDGE MA. NO EXISTING CONDITIONS SURVEY WAS CONDUCTED BY EXISTING GRADE, INC. FOR THE PREPARATION OF THIS PLAN.
 - ORIGIN OF BEARINGS IS MASSACHUSETTS STATE PLANE (NAD83), BY LEVESQUE GEOMATICS, INC. 43 GLENDALE ROAD, STURBRIDGE MA. ORIGIN OF ELEVATIONS IS THE NORTH AMERICAN VERTICAL DATUM 88 (NAVD 88), DETERMINED FROM A GPS SURVEY BY LEVESQUE GEOMATICS, INC. 43 GLENDALE ROAD, STURBRIDGE MA.
 - WETLANDS SHOWN HEREON DELINEATED BY MR. GLENN KREVOISKY OF EBT ENVIRONMENTAL CONSULTANTS, INC. ON APRIL 15, 2023 AND FIELD LOCATED BY LEVESQUE GEOMATICS, INC. ON APRIL 25, 2023.
 - SURVEYOR OR ENGINEER HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
 - ABUTTER INFORMATION BASED UPON THE TOWN OF STURBRIDGE ON LINE ASSESSOR DATABASE AND MAY NOT REFLECT THE MOST RECENT TITLE TRANSFERS.
 - **DIG SAFE NOTE** IN ACCORDANCE WITH MGL CH82, SEC. 40 INCLUDING AMENDMENTS. ALL CONTRACTORS SHALL NOTIFY UTILITY COMPANIES AND GOVERNMENT AGENCIES IN WRITING, OF THE EXTENT TO EXCAVATE NO LESS THAN 72 HOURS PRIOR TO SUCH EXCAVATION (EXCLUSIVE OF SATURDAYS, SUNDAYS, AND HOLIDAYS). OR CALL "DIG-SAFE" AT 1-888-DIG-SAFE.



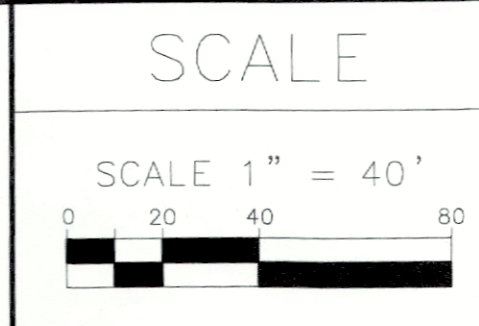
GENERAL NOTES:
1) TUBES WITH FLOCCULANT MAY BE INSTALLED BEFORE OR AFTER THE INSTALLATION OF ROLLED EROSION CONTROL PRODUCTS. BEFORE INSTALLATION OF TUBE, SMOOTH AND SHAPE EARTH SURFACE AND REMOVE ALL STONES, ROOTS, OR OTHER DEBRIS GREATER THAN 2 INCHES IN DIAMETER.
2) IF INSTALLING TUBE ACROSS A DITCH, THEN EXCAVATE A PLACEMENT TRENCH ABOUT 3 INCHES DEEP.

STRAW WATTLE/SILT FENCE DETAIL (N.T.S.)



*NOTE: ALL ROOF GUTTER SYSTEMS AND DOWNSPOUTS TO BE TIED INTO UNDERGROUND INFILTRATION SYSTEMS SHOWN.

Existing Grade Inc.
Surveyors & Civil Engineers
62 Riedell Road
Douglas, MA. 01516
508-694-6501 Ph/Fax



NO.	DATE	BY	REVISIONS

CLIENT
RYAN STANLEY
70 BROOKFIELD ROAD
STURBRIDGE, MASSACHUSETTS 01518

PROPOSED SITE PLAN
FOR
70 BROOKFIELD ROAD
STURBRIDGE, MASSACHUSETTS 01518

2117_SITE-PLAN
PROJECT NO.
2117
DATE: 07/27/23
SHEET NO.
1 OF 1



MASSWILDLIFE

DIVISION OF FISHERIES & WILDLIFE

1 Rabbit Hill Road, Westborough, MA 01581

p: (508) 389-6300 | f: (508) 389-7890

MASS.GOV/MASSWILDLIFE

July 24, 2023

Sturbridge Conservation Commission
308 Main Street
Sturbridge, MA 01566

Kenneth LeBlanc
Five Star Realty Trust
34 Newman Avenue
Southbridget, MA 01550

RE: Applicant: Kenneth LeBlanc
 Project Location: 263 New Boston Road (Parcel 455-01144-263)
 Project Description: Construct a 540 ft driveway, single family home, well, and septic system
 DEP Wetlands File No.: 300-1166
 NHESP File No.: 23-7347
 Heritage Hub Form ID: RC-63636

RE: Determination pursuant to the rare wetland wildlife provisions of the WPA; Notice that additional information is required to take further action on your review under the MESA regulations

Dear Commissioners & Applicant:

The Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife (the "Division") received a Notice of Intent with site plans ("Conservation Commission Plan", Sheet C-1 (dated 3/31/2023) and Sheet S-1 (dated 10/26/2023), both prepared by DC Engineering & Survey, Inc.) in compliance with the rare wetland wildlife habitat section of the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.59). The Division also received the MESA Review Checklist and supporting documentation for review pursuant to the MA Endangered Species Act Regulations (321 CMR 10.18).

The Division has determined that this Project, as currently proposed, will occur **within** the actual habitat of **an Endangered vertebrate**. This species and their habitats are protected in accordance with the rare wetland wildlife habitat provisions of the WPA and the MESA.

As proposed, the project will construct a single-family home, septic system and well accessed by a 540-foot-long driveway off New Boston Road. Most of the driveway and its associated grading are located within the 100-foot Buffer Zone. The Project states that it will alter 0.78 acres of the 10.6-acre parcel. No other activities are proposed on the parcel.

WETLANDS PROTECTION ACT (WPA)

The purpose of the Division's review of the proposed project under the WPA regulations is to determine whether the project will have any adverse effects on the Resource Areas Habitats of state-listed species.

MASSWILDLIFE

Based on a review of the information that was provided and the information that is currently contained in our database, the Division has determined that this project, as currently proposed, **will not adversely affect** the actual Resource Area Habitat of state-protected rare wildlife species and complies with the provision for issuance of an Order of Conditions relative to rare wetland wildlife only.

Please note that this determination addresses only the matter of rare wildlife habitat and does not pertain to other wildlife habitat issues that may be pertinent to the proposed project.

MASSACHUSETTS ENDANGERED SPECIES ACT (MESA)

The purpose of the Division's review under the MESA regulations is to determine whether a Take of state-listed species will result from the proposed project.

The MESA is administered by the Division and prohibits the Take of state-listed species. The Take of state-listed species is defined as "in reference to animals...harm...kill...disrupt the nesting, breeding, feeding or migratory activity...and in reference to plants...collect, pick, kill, transplant, cut or process...Disruption of nesting, breeding, feeding, or migratory activity may result from, but is not limited to, the modification, degradation, or destruction of Habitat" of state-listed species (321 CMR 10.02).

This letter is to inform you that the Division has reviewed the materials submitted with your application under the MESA regulations and has **determined that additional information is required in order for the Division to complete its review** pursuant thereto, as specified below:

1. Submit a Blasting Plan: If blasting will be used on the site, please develop and submit a blasting plan identifying the specific areas of the site that require blasting and the form of blasting.
2. Submit Plan with Surveyed Limit of Work: Provide a recordable plan sheet showing a surveyed limit of work. The limit of work may need to be straightened and simplified. The limit of work should include the limits of construction and future shoulder/vegetation management.
3. Confirm that Mesh Materials are Excluded: Mesh materials are a risk for entangling wildlife. Review the details below and confirm that none of these materials are included in the project (e.g., erosion control materials). Mesh materials of concern are those with a nominal opening between 1/4" and 2" unless they are fully encased in a non-penetrable wrap or surface (e.g. poured concrete over rebar mesh). Alternatives include Netless rolled erosion control products may be utilized whenever mesh materials are necessary. Authorized materials include (a) standard, black silt fencing (i.e., 36 inch wide, tightly woven), (b) orange safety fencing (aka barrier or snow fencing) with nominal 2" or greater openings installed tightly between supports and with a 6" minimum gap along the ground, (c) temporary chain-link fencing with 2" or greater openings provided it is installed with a 6" minimum gap along the ground.

After receiving the above requested information, the Division will continue its review of the proposed project for compliance with the state-listed species provisions of the MESA regulations. The Division reserves the right to request additional information to understand the potential impacts of the proposed project on state-listed species and their habitats.

No work or other activities related to your filing may be conducted anywhere on the property while the Division completes its review pursuant to MESA. If you decide to withdraw with your application for review under 321 CMR 10.18, please notify the Division of that decision in writing so that we can close out our review file for this project. If you have any questions regarding this Notice, please contact Misty-Anne Marold, Senior Endangered Species Review Biologist, at misty-anne.marold@mass.gov or (508) 389-6356.

Sincerely,



Everose Schlüter, Ph.D.
Assistant Director

cc: Glenn Krevosky, EBT Environmental Consultants, Inc.
MA DEP, Central Region

Montigny LANDSCAPING

Established 1987

Science and art, naturally.

Member, Massachusetts Nursery and Landscape Association, Fully Insured

RECEIVED

JUL 17 2023

CONSERVATION

July 17, 2023

Sturbridge Conservation Agent and Commission.

Property location:

Abu Baker Mahmood
23 Old Hamilton Road Extension
Sturbridge, MA 01566

Inventory of trees cut down in the Wetland Buffer Zone.

Listed: species, corresponding colored flag for location and quantity.

East and North of house locations.

Pink: Historic or dead (H).

White Oak, WO, Quercus alba, white, 5. FACU
Red Oak, RO, Quercus rubra, blue, 2. FACU-
White Pine, WP, Pinus strobus, yellow, 7.
Box Elder Maple, BM, Acer Negundo, blue/yellow, 1. FACU+
Red Maple, RM, Acer rubrum, orange/yellow, 1. FAC
Black Birch, BB, Betula lenta, white/yellow, 1. FACU-... Total: 17 trees.

West and North of house locations.

White Oak, WO, Quercus alba, white, 5. FACU
White Pine, WP, Pinus strobus, yellow, 9. FACU
Red Maple, RM, Acer rubrum, orange/yellow, 2. FAC
Paper Birch, PB, Betula papyrifera, white/blue, 1. FACU
Gray Birch, GB, Betula populifolia, white/blue, 1. FACU
Canadian Hemlock, CH, Tsuga canadensis, pink/blue, 1. FACU... Total 19 trees. Cumulative total, 36 trees.

Pink, historic cut or presumed dead before cutting.

Potential understory and water's edge woody plants for installation/restoration.

Sweet Pepperbush, Clethra alnifolia.
Maple Leaf Viburnum, Viburnum acerifolium.
American Black Elderberry, Sambucus Canadensis.
Pink Azalea, Rhododendron periclymenoides, Gray Dogwood, Cornus racemose and others.

Custom Landscape Construction & Horticultural Services for Residential, Commercial and Industrial Clients

Calvin A. Montigny Ph: 508.347.5682 Fax: 508.347.2318

www.montignylandscaping.com

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Member, Massachusetts Nursery and Landscape Association, Fully Insured

July 17, 2023

Please see the enclosed sketch of the trees that were removed and their approximate locations. The circled tree species on the plan will be replaced, with some relocation possible. The Pines are noted with a substitution (BF). In addition, some understory plants will be introduced in the planting project. The actual plant installation sites will be determined in the field. The determination will be based on preexisting stumps, roots and any large rockery as well as vigorous basal growth from the previously cut trees.

Most of the trees are Faculative species (FAC) or Faculative Upland species (FACU) with some minor plus or minus deviation.

There is strong Basal growth regeneration (Coppicing) evident on many of the deciduous cut tree stumps.

In some locations where White Pine was removed, I would like to replant with Balsam Fir. Some of the areas where the existing canopy is thickest, Balsam Fir will have a competitive advantage over White Pine in establishment as it grows in full sun and full shade.

The East side had 17 trees removed. I would like to replant 12 trees and 16 understory plants.

- 1 Black Birch, BB, *Betula lenta*.
- 3 White Pine, WP, *Pinus strobus*.
- 2 Balsam Fir BF, *Abies balsamea*.
- 2 Red Oak, RO, *Quercus rubra*.
- 1 Red Maple, RM, *Acer Rubrum*.
- 2 White Oak, WO, *Quercus alba*.
- 1 Box Elder Maple, BM, *Acer negundo*.

Understory plants to be installed on the East side.

- 3 Gray Dogwood, *Cornus racemosa*.
- 5 Summersweet, *Clethra alnifolia*.
- 5 Maple Leaf Viburnum, *Viburnum acerifolium*.
- 3 Pink Azalea, *Rhododendron periclymenoides*.

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July 17, 2023

The West side had 19 trees removed. I would like to replant 15 trees and 7 understory plants. The understory on the West side has a much denser vegetative cover including Lowbush Blueberry, Maple leaf Viburnum, Summersweet, Common Elderberry and Pink Azalea among other vegetation.

- 2 Red Maple, RM, *Acer rubrum*.
- 1 Paper Birch, PB, *Betula papyrifera*.
- 2 White Pine, WP, *Pinus strobus*.
- 6 Balsam Fir, BF, *Abies balsamea*.
- 3 White Oak, WO, *Quercus alba*.
- 1 Gray Birch, GB, *Betula populifolia*.

Understory plants to be installed on the West side.

- 1 Striped Maple, *Acer pensilvanicum*.
- 1 Common Witchhazel, *Hamamelis virginiana*.
- 1 Arrowwood Viburnum, *Viburnum dentatum*.
- 1 Gray Dogwood, *Cornus racemosa*.
- 3 Summersweet, *Clethra alnifolia*.

Thank you,

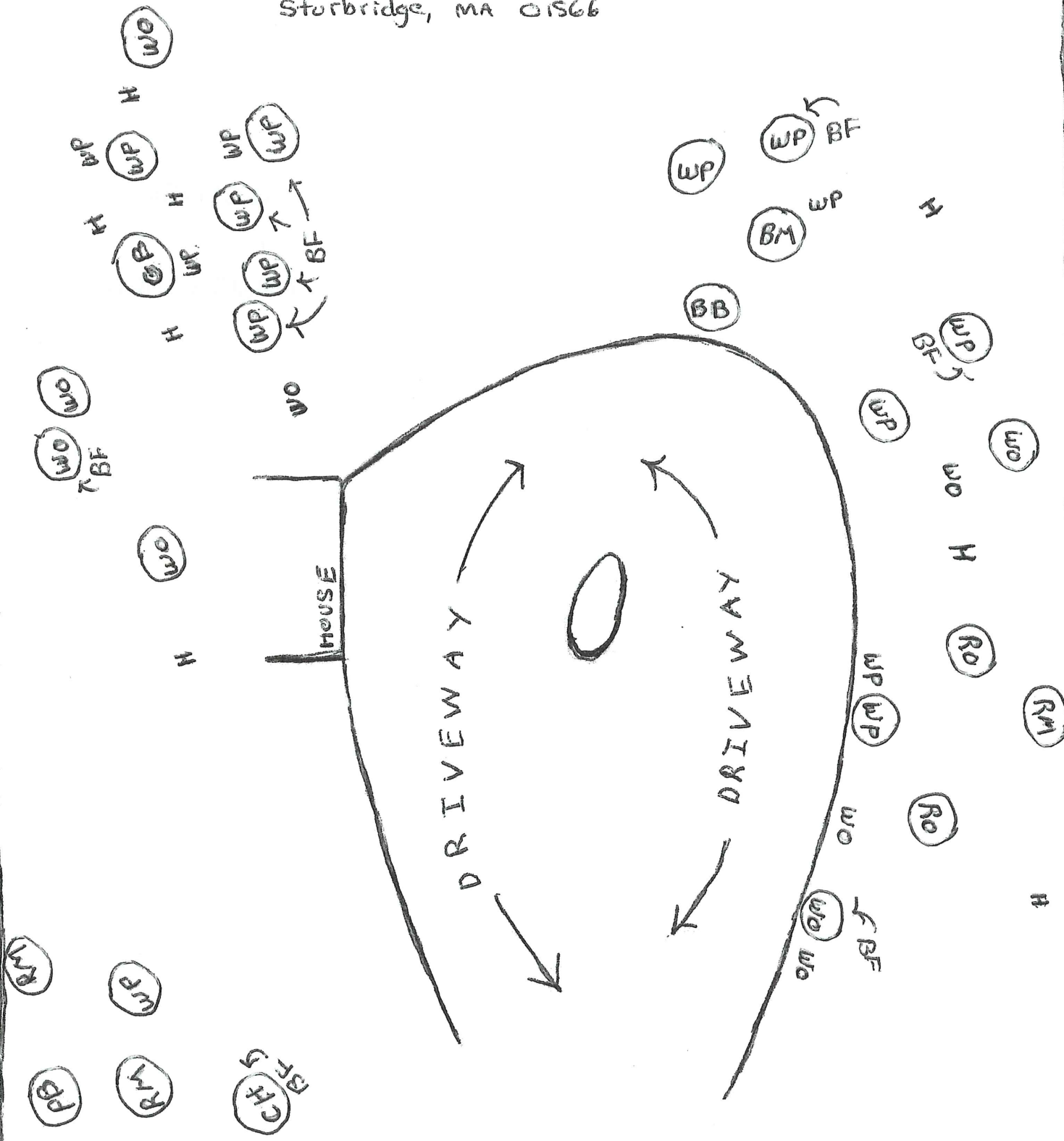
Calvin Montigny, Montigny Landscaping, Inc.

NORTH

Abu Baker Mahmood, DDS
23 Old Hamilton Road Ext.
Sturbridge, MA 01566

WATER WEST

WATER EAST



PLOT PLAN OF REMOVED TREES

SOUTH

Town of Sturbridge
Conservation Commission
301 Main St.
Sturbridge, Ma 01566

RE: 110 Brookfield Rd Enforcement Order

In response to the Enforcement Order issued on June 9th, 2023 by the Commission, I propose the following compromise which will protect the wetlands from any further encroachment, and allow me to use my property within the guidelines set within my special permit granted by the ZBA in 2022.

- 1) I propose the installation of Concrete Jersey Barriers starting in the Southeast corner of the property, running parallel with the property line for the distance of approximately 100'P or to the edge of the 50' buffer zone set 1' off the property line. We will also run Jersey Barriers starting in the Southeast corner of the property line for a distance of approximately 50' in a westerly direction to the existing natural barrier, set 1' off the property line.
- 2) I will take the (4) containers and rotate them 90 degrees to make the doors facing North and position them along the Southern boundary created by the Jersey Barriers
- 3) I will install Granite posts along the Eastern Property line starting 6' from the end of the proposed Jersey Barriers all the way to the Main Building spaced out every 6' set 1' inside the property line.
- 4) Loose, piled up grindings along the Easterly property line, bordering the town property will be hand raked and pulled down back onto the existing parking area.
- 5) Snowplowing practices will be changed so the snow will be pushed/stored along the most Southern part of the property, against the natural barrier/tree line but 50' away from the delineated wetland.

If approved by the Commission at the August 24th meeting, work will start immediately and will be completed by 10/1/2023.

Sincerely,



Joshua Roy

Tsantinis LLC / Cruise Control Trans Inc

4 Arnold Road
Fiskdale MA 01518
509-347-3517
July 20, 2023

RECEIVED
AUG - 4 2023
CONSERVATION

Town of Sturbridge
Conservation Commission
308 Main Street
Sturbridge, MA 01566

Re: Stormwater Runoff and Impact to neighborhood from projected Senior Center Project

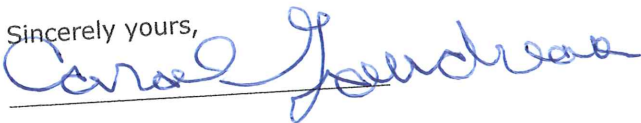
Dear Rebecca Gendreau:

I am writing this letter to let you know how concerned I am that the Senior Center Planning Committee may be creating a stormwater runoff issue that negatively impacts my property. I am located at 4 Arnold Road, next to the senior center. Currently plans are changing on how to handle storm water runoff. It appears that the cost of this plan is outweighing the long term impact of stormwater to the existing neighborhood.

Many of the homes on the west side of Arnold Road currently require sump pumps to handle excess underground water issues. My property has never had issues with a wet basement. I am concerned that this project has the potential to create an issue where none previously existed. While I understand the usefulness of rain gardens, injecting this as a low cost solution to handle anticipated runoff issues seems to lack long term consideration for me as a neighbor. The "neighboring tree line" expected to handle overflow issues is my property boundary with the center. (See enclosed Stonebridge Press article July 2023)

I respectfully request that greater long term, thoughtful consideration be given to address stormwater and excess underground issues from this project. It is not unreasonable to expect that my property will be unaffected and unchanged by this project's management. Of note, the flow rule of water holds that the owner of a lower parcel of land must accept the natural drainage from those parcels above theirs and cannot alter the drainage pattern to increase flows onto other parcels. Should my home or property become adversely affected I will have no option but to seek necessary legal and regulatory recourse. Kindly consider how the impact of this project's stormwater management will affect the existing neighbors.

Sincerely yours,



Carol Gaudreau

Enclosure: Stonebridge Press article

CC:

Town Administrator

Conservation Commission

Senior Center Building Committee

Mass Dept of Environmental Protection Central Regional Office



Courtesy

This screenshot of the architect's rendering shows what the Senior Center's lounge will look like, with the "Puzzle Overlook" above on the left. (Source: town Web site)

Hearings begin on Sturbridge Senior Center project

BY GUS STEEVES
CORRESPONDENT

STURBRIDGE — The long-awaited Senior Center project had its public hearing before the Planning Board June 27, with significant discussion of how the project will handle water, parking and access.

The project's going to be a renovation and expansion of the current senior center on Route 20. Plans call for adding a back wing, redirecting the traffic flow, reusing most of the current space, and expanding

parking from 28 to 49 spaces. Architect Mark McKevitz said it will expand to about 16,000 sq ft (including more space in the basement and a small amount of extra second-floor space). He noted it'll have about 13,000 square feet of usable space.

One key issue, as chair Charlie Blanchard noted, is that "the bids came in pretty high on this thing." He noted the project had already been "scaled down" even before then to more closely match the funds Town Meeting approved.

Thus, the town's been looking at ways to cut cost. One of those is in how it addresses stormwater; the original plans called for an underground system, but that's likely being changed to rain gardens due to cost. Landscape architect Jacob Murray said they originally wanted to avoid having a retention pond in front or on the side, but member Dane Labonte noted having one didn't bother him. Another member, however, expressed concern

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HEARINGS

continued from page A1

the project would "flood out our neighbor," but Murray said only overflow water would go into the neighboring tree line.

Responding to Vice Chair Sue Waters' remark that filtering the runoff "seems like overkill," Murray said the Department of Environmental Protection requires runoff quantity to be reduced and 30 percent of the solids removed.

Regarding parking, members expressed concern about making handicapped spaces to serve those likely to use

the facility. Specifically, they noted a need for easily-reachable ones that aren't necessarily "officially" designated as such because "not all disabilities are visible," Waters said.

The others generally agreed. Planner Jean Bubon said they did add "a good number," even though the law doesn't require additional spaces when just continuing the same use. She noted the town is also building a public lot nearby that will "do a much better job accommodating needs there. ... Parking is difficult in this district in general."

To Waters, the project doesn't create "a lot of additional space for the price," and she asked if Stonebridge would be able to add more second-floor space "in 30 years." Murray said the expansion wing might have enough headroom to do so, but the changes to the current space won't.

Bubon said several other town boards have weighed in without concerns, but because the stormwater plan is changing, the hearing needs to stay open. She said she hopes to get it by mid-July so the board continued the hearing to Aug. 29.

After that, the board heard from and approved a plan to build an 8000 sq ft industrial building on 6.2 acres next to Hobbs Brook mall. A key issue

for that project was traffic impact on the already overburdened Route 20. Andy Arsenault of Vanasse & Assoc did the traffic study, concluding it would add about 30 trips per day to peak traffic there. After Labonte questioned the unusual angle at which the driveway meets the highway, Arsenault said he'd look at that with Mass DOT. Bubon added DOT has already said they'll allow "unrestricted access" there (as opposed to a one-way, light or other control method).

www.StonebridgePress.com

Gus Steves can be reached at gus.steves2@gmail.com.



DEP File #300-1156
(add information)

Materials Referenced:

To be included

Findings:

To be included

**Special Conditions Issued by the Sturbridge Conservation Commission
under the Wetlands Protection Act, MGL Ch. 131, sec 40,
the Sturbridge Wetland Bylaw (Chapter 286) and the Sturbridge Zoning Bylaw (Chapter 300-4.1E)**

Additional Conditions Apply to the Sturbridge Wetland Bylaw which are on Pages 7h

Special Conditions

1. This Order is not final until all administrative appeal periods from this order have elapsed, or if such an appeal has been taken, until all proceedings before MA DEP or Superior Court have been completed.
2. General Conditions # 8, 9, and 10 have been met (see pages 4 and 5).
3. This Order shall apply to any successors and assigns in interest or control and any other person engaging in activity on the property identified in the Notice of Intent.
4. The term “Applicant” and or “Permit Holder” as used in this Order of Conditions shall refer to the owner, any successor in interest or successor in control of the property referenced in the Notice of Intent, supporting documents and this Order of Conditions.
5. The Sturbridge Conservation Commission (herein “the Commission” or “SCC”) shall be notified in writing within 30 days of all transfers of title of any portion of property that take place prior to the issuance of the Certificate of Compliance.
6. This permit expires three (3) years from the original date of issuance. An extension may be granted. A request for an extension must be submitted at least one (1) month prior to the expiration date. Working without a valid permit can result in enforcement action taken by the SCC or MA DEP.
7. It is the responsibility of the applicant to complete any review required by all agencies with jurisdiction over the activity that is the subject of this Order, and to procure all required permits or approvals. This permit does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
8. Any person performing work on the activity that is the subject of this Order is individually responsible for understanding and complying with the requirements of this Order, the Act, 310 CMR 10.00 and the Sturbridge Wetland Bylaw and supporting Regulations.
9. This document shall be included in all construction contracts, subcontracts, and specifications dealing with the work proposed and shall supersede any conflicting contract requirements. The Applicant shall assure that all contractors, subcontractor and other personnel performing the permitted work are fully aware of the permit's terms and conditions. Thereafter, the contractor will be held jointly liable for any violation of this Order resulting from failure to comply with its conditions. Nothing in this paragraph shall limit or restrict the liability of the Applicant for violations of this Order.

10. In case of emergencies, problems, or the need to discuss site conditions with the Conservation Commission, please contact the Commission or its agent at (508) 347-2506.
11. A member of the Conservation Commission or its agent may enter and inspect the property and the activity that are the subjects of this Order at all reasonable times, with or without probable cause or prior notice, and until a Certificate of Compliance is issued, for the limited purpose of evaluating compliance with this Order. The Conservation Commission and the Conservation Agent have full powers to act in administering and enforcing this Order.
12. Work shall be halted on the site if a member of the Sturbridge Conservation Commission (SCC), an Agent of the SCC, or DEP determines that any of the work is not in compliance with this Order of Conditions.
13. Violation of any condition may result in Enforcement Action.
14. The SCC reserves the right to impose additional conditions on portions of this project to mitigate any impacts which could result from site erosion, or any noticeable degradation of surface water quality discharging from the site.
15. This Order authorizes only the activity described on the approved plan(s) and approved documents referenced in this Order. If any change is made in the above-described plan(s) which may or will alter an area subject to protection under the Wetlands Protection Act, 310 CMR 10.00, the Sturbridge Wetland Bylaw, the applicant shall inquire from this Commission or its agent, prior to implementing the change in the field, whether the change is significant enough to require the filing of a new Notice of Intent. Any errors in the plans or information submitted by the applicant shall be considered changes and the above procedures shall be followed.
16. The applicant and any person involved in the activity that is the subject of this Order shall notify the Commission or its agent immediately upon discovery of any matter related to this Order that may affect any area within the jurisdiction of the Commission.

Prior to Construction

17. Prior to the start of work, a copy of the authorized EPA Notice of Intent and completed Stormwater Pollution Prevention Plan (SWPPP) must be submitted to the Conservation Commission.
18. Prior to the commencement of any activity on this site other than the placement of all erosion controls, the applicant shall arrange with the Commission or its agent to conduct a Pre-Activity Meeting. The meeting shall occur between the applicant or the applicant's representative, the contractor(s) responsible for the work, and a member of the Conservation Commission or its agent.
19. Prior to commencing any activity on the site, the applicant shall submit the Certificate of Understanding signed by the applicant and/or owner of the property that such individuals understand the terms and conditions as specified in the Order and that such persons agree to comply with the provisions of the Wetlands Protection Act, Sturbridge Wetland Bylaw and this Order.
20. Prior to commencing any activity on the site, the applicant shall submit the Certificate of Understanding signed by the contractor(s) of this project that such individual(s) understand the terms and conditions as specified in the Order and that such persons agree to comply with the provisions of the Wetlands Protection Act, Sturbridge Wetland Bylaw and this Order.
21. Prior to the Pre-Activity Meeting and any work commencing on the site, the applicant shall display the DEP file number for this Order on a sign with minimum dimensions of two feet by two feet at a location clearly visible from the street. The sign shall remain in place and visible until a Certificate of Compliance is issued for the activity.
22. Prior to the Pre-Activity Meeting, all erosion controls shall be installed, by survey, along the line approved by the Commission. The surveyor/engineer shall provide a letter to the Conservation

Department verifying that this has been completed. The installation of erosion controls shall be inspected by the Commission or its agent during the Pre-Activity Meeting. The installation of the erosion control measures is to be phased to coincide with the phased work. This condition shall apply separately to each phase of the project.

23. Haybales shall not be used. Biodegradable controls are preferred such as rolled erosion control products (i.e. mulch control netting, erosion control blankets, turf mats, mulch socks, fiber rolls, wattles etc.) which must be 100% natural biodegradable material. Photodegradable, UV degradable or Oxo-(bio)degradable plastics are not considered biodegradable.
24. Silt fences must be backed with a welded wire fence where designated by the SCC or it's staff. Suitable similar materials may be substituted with prior approval by the SCC.
25. No clearing of vegetation, including trees, or disturbance of soil shall occur prior to the Pre-Activity Meeting. Minimal disturbance of shrubs and herbaceous plants may be allowed prior to the Pre-Activity Meeting if absolutely necessary in order to place erosion controls and/or bounds where required.
26. A copy of this Order of Conditions, construction plans, the Stormwater Management Report, SWPPP, and the Operation and Maintenance Plan, shall be on the site upon commencement and during any site work for contractors to view and adhere to.
27. Workers shall be informed that no use of machinery, storage of machinery or materials, stockpiling of soil, or construction activity is to occur beyond the limit of work (erosion control barrier) at any time.
28. Prior to the start of work, the limits of wetland resource areas closest to construction activities shall be flagged with surveyor's tape and the flags shall remain in place during construction.
29. The applicant shall notify the Conservation Commission at least 48 hours prior to any activity on the site and shall provide the name(s) and telephone number(s) of all person(s) responsible for compliance with this Order.
30. Prior to any activity on the site, the Permit Holder shall designate an on-site Erosion Control Monitor who shall be responsible for the daily inspection and maintenance of all stormwater BMPs (i.e. erosion controls, silt sacks, etc.) The Erosion Control Monitor shall inspect and direct the maintenance of all erosion and sedimentation control measures on site and shall keep an inspection log.
31. Prior to the start of work, an Environmental Monitor shall be designated, who shall be responsible for monitoring all activity within wetland resource area buffer zones to ensure compliance with this Order of Conditions. The Environmental Monitor shall be responsible to perform inspections of the project during construction. The Applicant is required to obtain and fund these services throughout the duration of the project. The Permit Holder shall provide the SCC with the names and qualifications of an individual who can perform such work to the SCC for approval. The individual shall have previous experience monitoring construction sites, inspecting erosion controls, and have previous experience monitoring work associated with Orders of Conditions and wetlands. Should the SCC not find the candidate qualified, the Applicant shall provide additional names to the SCC for review and approval.
32. The Environmental Monitor shall perform weekly site inspections and submit regular progress/monitoring reports to the Conservation Commission throughout construction. The Environmental Monitor shall submit to the Conservation Commission written progress reports within 7 days if said inspections. **Any violations or imminent concerns shall be reported immediately to the SCC and/or Conservation Department staff.** Progress reports shall include what work has been completed and what work is anticipated over the next reporting period. The reports shall also address the current condition of erosion and sedimentation controls; describe any erosion and sedimentation control repair and/or replacement; and describe any erosion or sedimentation problems and mitigation measures necessary to be implemented. The inspection schedule can be modified at

the discretion of the SCC depending on factors such as extent of work currently being conducted, time of year, etc. Any requested changes to the schedule must be reviewed and approved by the SCC.

33. Prior to the Pre-Activity Meeting, the applicant shall provide the name(s) and telephone number(s) of all person(s) responsible for compliance with this Order.
34. Stabilized construction entrances/tracking pads shall be installed as needed during project phasing. These areas shall be properly maintained throughout the duration of work. Stormwater best management practices (BMPs) shall be installed at the construction entrances at end of work day to prevent runoff into developed areas w/ functioning stormwater systems.

During Construction

35. Any changes to the construction phasing plan and project timeline shall be provided to the SCC prior to initiation of said change.
36. SWPPP inspection reports shall be provided to the Conservation Department within 7 days of inspection.
37. The following dust control measures shall be adhered to throughout the entire demolition/construction process:
 - a) Spray disturbed areas with water on dry and windy days as needed;
 - b) Wash vehicle wheels before leaving the site as needed;
 - c) Periodically clean surrounding roadways near the entrance to the site;
 - d) Anti-tracking pads shall be installed and maintained throughout the construction process/phases.
38. Equipment for fuel storage and refueling operations shall be located outside all areas within the jurisdiction of the Commission unless indicated otherwise on the approved plan. All equipment shall be inspected regularly for leaks. Any leaking hydraulic lines, cylinders or any other components shall be fixed immediately.
39. No fuel, oil, or other pollutants shall be stored in any resource area or the buffer zone thereto, unless specified in this Order.
40. Cement trucks shall not be washed out in any wetland resource or buffer zone area, or into any drainage system. Cement washout areas/systems shall be designated on site.
41. An adequate stockpile of erosion control materials shall be on site at all times for emergency or routine replacement and shall include materials to repair or replace silt fences, strawbales, erosion control blankets, stone riprap, filter berms or any other devices planned for use during construction.
42. The area of construction shall remain in a stable condition at the close of each construction day. Erosion controls should be inspected at this time, and repaired, reinforced or replaced as necessary.
43. Erosion and sedimentation control devices shall be inspected after each storm event and repaired or replaced as necessary. Any accumulated silt adjacent to the barriers shall be removed. All such devices shall be inspected, cleaned or replaced during construction and shall remain in place until such time as stabilization of all areas that may impact resource areas is permanent.
44. At any time before, during or after construction, and until the issuance of a Certificate of Compliance, the Commission or its agent may require the applicant to modify, augment, restore or maintain erosion control measures associated with the activity that is the subject of this Order.
45. If soils are to be disturbed for longer than 14 days, a temporary cover of rye or other grass should be established to prevent erosion and sedimentation. If the season is not appropriate for plant growth, exposed surfaces shall be stabilized by other appropriate erosions control measures,

firmly anchored, to prevent soils from being washed by rain or flooding. This shall apply to all earth stockpiles. These shall either be temporarily stabilized as noted above or be under cover and surrounded by a staked straw bales or straw wattles.

46. Within thirty days of completion of construction on any given portion of the project, all disturbed areas in the completed portion of the site shall be permanently stabilized with vegetative cover, using sufficient top soil to assure long-term vegetative growth. Continued maintenance of this area, in a manner which assures permanent stabilization and precludes any soil erosion, shall be the responsibility of the applicant.
47. Subsequent to seeding, disturbed areas will be covered with a salt hay mulch, erosion control blanket or netting, or other suitable material in order to provide an adequate surface protection until seed germination. Erosion control netting must include biodegradable stitching.
48. No material of any kind may be buried, placed or dispersed in areas within the jurisdiction of the Commission by activities that are the subject of this Order, except as are expressly permitted by this Order or the plans approved herein.
49. All construction materials, earth stockpiles, landscaping materials, slurry pits, waste products, refuse, debris, stumps, slash, or excavate may only be stockpiled or collected in areas as shown and labeled on the approved plan(s).
50. No material of any kind may be buried, placed or dispersed in areas within the jurisdiction of the Commission by activities that are the subject of this Order, except as are expressly permitted by this Order or the plans approved herein. Any material placed in wetland resource areas by the applicant without express authorization under this Order shall be removed by the applicant upon demand by the Conservation Commission or its agent.
51. All waste products, grubbed stumps, slash, construction materials, etc. shall be removed from the project site, unless specified in this Order.
52. All construction stormwater management shall be conducted in accordance with supporting documents submitted with the Notice of Intent, the Department of Environmental Protection Stormwater Management Policy, SWPPP and as approved by the SCC in this Order of Conditions.
53. There shall be no sedimentation into wetlands or water bodies from discharge pipes or surface runoff leaving the site.
54. Additional stormwater BMPs may be required during construction. The stormwater management system shall be constructed and functioning as part of the initial project phase as to allow for the capture and control of site runoff and treatment of stormwater discharges during the construction period.
55. During construction, all drainage structures shall be inspected regularly and cleaned as necessary.
56. In the event that groundwater is encountered during the installation of the infiltration structures, the applicant shall contact the engineer of record and the SCC to immediately to discuss alternative designs/solutions.

Operation and Maintenance Activities

57. The property owner shall be responsible for maintaining the basin side slope restoration areas as shown on the plans. These areas are to be restored as noted on the approved plans and designated to be in a naturalized state. No mowing or removal of vegetation is permitted in these areas. The only vegetation allowed to be removed would be invasive species. This condition shall survive the expiration of this Order, and shall be included as a continuing condition in perpetuity on the Certificate of Compliance.
58. The property owner of record or designee, is responsible for the implementation of the Operation and Maintenance Plan for the stormwater system components, the wildlife crossing structure and associated structures. This shall be noted in the Certificate of Compliance and shall be an ongoing

condition.

- a. The applicants, owners, and their successors and assignees shall maintain all components of the stormwater management system including, but not limited to, all collection basins, hooded deep sump catch basins, retention and detention ponds, outlet structures, and other elements of drainage systems, in order to avoid blockages and siltation which might cause failure of the system and/or detrimental impacts to on-site or off-site resource areas, and shall maintain the integrity of vegetative cover on the site.
 - b. The Stormwater operations and maintenance plan and site records shall be stored on site to ensure employees are familiar with the demands of the plan.
 - c. Evidence of maintenance of the Stormwater Management system shall be provided to the Commission on an annual basis. An annual maintenance report shall be provided to the Conservation Commission by June 1st of each year reporting on the maintenance and operation procedures which have been met for that year. This reporting requirement will follow the issuance of a Certificate of Compliance.
 - d. The Conservation Commission shall be notified in writing when any maintenance functions are required to be performed which may impact the wetlands, such as, but not limited to, placing backfill and repairing drains and terraces, removing accumulated sediments at the outfall pipe, prior to the work being conducted.
 - e. Stabilized slopes shall be maintained as designed and constructed by the property owner of record, whether “bioengineered” or mechanically-stabilized slopes. This shall be noted in the Certificate of Compliance and shall be an ongoing condition.
 - f. All stormwater outlets must be inspected bi-annual basis. Any evidence of channelization or scour at the outlets must be reported to the SCC. Additional BMPs may be required to mitigate scour and/or channelization into wetlands.
59. Provide a schedule for measuring the monitoring well water levels after each storm event of the two years or greater duration. Monitoring well water levels shall be measured at the end of each major storm and at 72 hours thereafter for the first year of operation for each detention system. These measurements will be reported to the SCC. If the basin still contains water at 72 hours, water levels shall be measured at the 24- hour internals until the basin or infiltration system is empty. These procedures will be incorporated into the Operations and Maintenance Plan for the project. Corrective action will be required if the basin consistently does not empty within 72 hours after two storm events. This standard shall apply during the lifetime of the system.

Rain garden details

60. The area of the proposed rain gardens shall not be used for the staging of materials or equipment and all measures shall be taken to avoid soil compaction in the area. All soils and aggregates shall be stored on a tarp or hard surface, kept separate and contained by erosion controls and covered to prevent mixing or the addition of fines (as this will significantly reduce the ability of water to pass through). All aggregate materials must be washed with NO fines.
61. Rain Garden soil mix and mulch depths shall follow the specification so the approved plans. The soil mix must be free of weeds and contaminates. Transport vegetation to site as close to installation as possible, clearly mark and label plant species, and protect plants from sun damage and root damage. Plant plants in spring or fall to ensure time for root establishment. After planting, mulch as soon as possible as mulch keeps the soil moist, allowing for trouble-free infiltration of rainwater. Un-mulched surfaces may develop into hardpan, a condition in which the soil surface becomes cemented together, forming a hard, impervious layer. Mulching also protects plants and reduces weed growth.
62. The rain gardens shall be constructed in accordance with the Plans referenced above. Any change of rain garden plantings shown on the approved plan shall require prior approval by SCC.

63. Rain garden construction activities must be supervised by a professional with documented experience in rain garden construction. Such a person shall be retained to supervise and monitor construction of the rain garden areas.
64. Following construction of the rain gardens area, the professional shall certify to the SCC that the areas has been constructed in compliance with the approved plans. This shall be done by project phase or per month depending on which occurs first.
65. Initial Post-Construction Inspection: During the initial period of vegetation establishment pruning and weeding are required twice in first year by contractor. Any dead vegetation found after the first year must be replaced. Proper mulching is mandatory and regular watering may be required initially to ensure proper establishment of new vegetation. Keep plants labeled as long as possible. Additionally, include a plant ID guide in the O&M to ensure proper plants are being preserved and not mistaken for weeds.
66. Long-Term Maintenance: Weeds and invasive plant species shall be removed by hand. Leaf Litter and other detritus shall be removed twice per year. If needed to maintain aesthetic appearance, perennial plantings may be trimmed at the end of the growing season. Trees and shrubs should be inspected twice per year to evaluate health and attended to as necessary. Re-mulch rain garden with hardwood mulch to a depth of 3 inches each spring or whenever erosion is evident. The entire area may require mulch replacement once every two to three years. Mulch depth shall not exceed 3 inches.
67. Inspections and Cleaning: The rain garden shall be inspected twice during the first year and annually thereafter for sediment buildup, erosion, vegetative conditions, etc. If sediment build-up is found, core aeration or cultivating of un-vegetated areas may be required to ensure adequate filtration. The inflow location should be inspected annually for clogging. Sediment build-up is a common problem where runoff leaves an impervious surface and enters a vegetative or earthen surface. Any built-up sediment should be removed to prevent runoff from bypassing the facility. The overflow structure and underdrain standpipes should be inspected annually to ensure that they are functioning.
68. Snow storage. Snow shall not be pushed into, or piled, in any wetland or drainage structure including the grass channels or rain gardens. Drainage structure inlets shall be kept clear of snow and ice and other debris. All snow shall be stored within paved areas of the project site. This shall be noted in the Certificate of Compliance and shall be an ongoing condition.
69. Dumping Prohibited: There shall be no dumping of leaves, grass clippings, brush, or other debris into the wetland or stream/body of water. This condition shall survive the expiration of this Order, and shall be included as a continuing condition in perpetuity on the Certificate of Compliance.
70. Additional Alteration Prohibited: There shall be no additional alterations of areas under Conservation Commission jurisdiction without the required review and permit(s). This condition shall survive the expiration of this Order, and shall be included as a continuing condition in perpetuity on the Certificate of Compliance.

Completion of Work

71. Upon completion of construction, the Operation and Maintenance Plan shall be updated to include the signed Illicit Discharge Compliance Statement.
72. Upon completion of construction and all required monitoring and reporting, the applicant shall submit the following to the Conservation Commission to request a Certificate of Compliance (COC):
 - g. A Completed Request for a Certificate of Compliance form (WPA Form 8A or other form if required by the Conservation Commission at the time of request).

- h. A letter from a Registered Professional Engineer certifying compliance of the property with this Order of Conditions, and detailing any deviations that exist, and their potential effect on the project. A statement that the work is in “substantial compliance” with no detailing of the deviations shall not be accepted.
- i. Final Vernal Pool Monitoring Reports.
- j. Applicable filing fee.
- k. An "As-Built" plan signed and stamped by a Registered Professional Engineer or Land Surveyor showing post-construction conditions within all areas under the jurisdiction of the Massachusetts Wetlands Protection Act and the Sturbridge Wetland Bylaw. This plan shall include at a minimum:
 - i. All wetland resource area boundaries with associated buffer zones and regulatory setback areas taken from the plan(s) approved in this Order of Conditions;
 - ii. Locations and elevations of all stormwater management conveyances, structures and best management designs, including foundation drains, constructed under this Order within any wetland resource area or buffer zone;
 - iii. Distances from any structures constructed under this Order to wetland resource areas - “structures” include, but are not limited to, all buildings, septic system components, wells, utility lines, fences, retaining walls, and roads/driveways;
 - iv. A line delineating the limit of work - “work” includes any filling, excavating and/or disturbance of soils or vegetation approved under this Order;
 - v. Wetland resource replication areas constructed under this Order.
 - vi. Post-construction photographs demonstrating compliance with this Order, including established vegetation where required.

Additional Special Conditions Issued by the Sturbridge Conservation Commission under the Sturbridge Wetland Bylaw (Chapter 286) and its implementing Regulations (Chapter 365)

- 73. Prior to the start of work, the applicant shall post security, in the form of proper bond or deposit, to the Town of Sturbridge, in the amount of \$50,000, to hold as surety for satisfactory completion of site work per the approved plan, and as set forth under this Order. If the Commission finds that the applicant has failed to satisfactorily complete the above work as required by the Order of Conditions, the Conservation Commission shall have the option, but not the obligation to (i) use the funds to complete the work; and/or (ii) hire its own landscaper, wetland scientist, and other consultants or contractors as deemed necessary by the Commission in order to comply with the conditions set forth under this Order. Applicant and property owner hereby agrees to allow access to the property by such consultants or contractors in such event. The bond shall be released and/or funds returned upon issuance of a Certificate of Compliance.
- 74. Prior to the start of work, the vernal pools shall be certified by the Natural Heritage and Endangered Species Program (NHESP). These pools have been documented to meet certification requirements. The Applicant shall supply the required documentation to the NHESP. Vernal Pool Certification Forms and supporting documentation shall be provided to the Natural Heritage and Endangered Species Program to certify the vernal pools. Proof of submission shall be provided to the SCC.
- 75. Invasive species monitoring and removal is required for the duration of the project and post construction for 5 years. This shall be completed by a qualified professional with documented experience. Invasive species, as identified by the Massachusetts Invasive Plant Advisory Group (MIPAG), shall be monitored and managed on an as needed basis, implementing Best Management Practices (BMPs).
- 76. The applicant/property owner shall be responsible for two planting native deciduous trees on each lot as shown on the plans. The trees shall be at least of two-inch diameter at breast height.

77. The applicant is responsible to inspect and maintain the two planted trees on each developed lot. These trees shall be allowed to develop a canopy. No pruning/sculpting except the removal of dead limbs and for hazard removal is permitted. The Permit Holder/Property Owner shall be responsible to ensure that the trees survive and any deceased trees shall be replaced. This condition shall survive the expiration of this Order, and shall be included as a continuing condition in perpetuity on the Certificate of Compliance. Plantings shall be reviewed annually by the owner/applicant and any plant materials requiring replacement shall occur. Yearly monitoring reports to be submitted with the O & M Plan Reporting.

Vernal Pool, Water Quality & Wildlife Crossing Monitoring

78. Vernal Pool Biological Assessments and Water Quality Testing shall occur in the three vernal pools as outlined in the LEC Vernal Pool Monitoring Program. This shall occur pre-construction, during construction and for two years post construction.
79. Prior to the start of work, a “Vernal Pool Monitor”, who shall be responsible for implementing the LEC Vernal Pool Monitoring Program (VP Program), shall be designated. The VP Monitor shall be responsible to perform independent inspections of the project during construction. The Permit Holder shall provide the SCC with the name and qualifications of an individual who is not affiliated with the Permit Holder and/or property owner who can perform such work as outlined in Condition 78 for approval. The individual shall have previous experience performing amphibian surveys, vernal pool surveys and taking samples for water testing. Should the SCC not find the candidates qualified and/or independent of the Permit Holder, the SCC shall request additional candidates and/or solicit their own candidates. The SCC will review proposals at a public meeting.
80. The Vernal Pool Monitor shall submit regular monitoring reports to the Conservation Commission as outlined in the VP Program within two weeks of the inspection. **Any violations or imminent concerns shall be reported immediately to the SCC and/or Conservation Department staff.**

Land Protection

81. Prior to the start of work, the Applicant and/or current Property Owner shall record a SCC approved Declaration of Restriction (“DR”) and a recordable open space plans for the Lot 4A Open Space Parcel as shown on the Lot 4 Open Space Plan. Proof of recording shall be provided to the SCC.
82. Prior to the start of work, the Applicant and/or current Property Owner shall record a SCC approved Conservation Restriction (“CR”) and a recordable open space plan for the Lot 4B Open Space Parcel as shown on the Lot 4 Open Space Plan. Proof of recording must be provided to the SCC.
83. Prior to the start of work, the Applicant shall record a SCC approved Conservation Restriction and a recordable open space plan for the Lot 3 Open Space Parcels as shown on the Lot 3 Open Space Plan. Proof of recording must be provided to the SCC.
84. Prior to the start of work, the Applicant shall submit to the SCC a baseline report for the open space parcels on Lot 3 and Lot4B as shown on the Open Space Plans. The baseline report shall be created by a qualified entity and in a form acceptable to accompany a Conservation Restriction.
85. Within one year of the start of work, the Applicant and/or Property Owner of Lot 4 Berry Farms Road shall deed the Lot 4A Open Space parcel as shown on the 56 acres of as shown on Lot 4 Open Space Plan to the Massachusetts Division of Fisheries and Wildlife (DFW) as outlined in LEC Letter document. DFW will carry out all stewardship responsibilities for land transferred to the Commonwealth. Should the DFW decline to accept the property, a SCC approved CR must be placed on the open space parcel as outlined in the DR. In addition, the Applicant shall submit to the SCC a baseline report for the parcel. The baseline report shall be created by a qualified entity

and in a form acceptable to accompany a Massachusetts approved CR. The parcel's metes and bounds shall be demarcated.

86. Prior to the start of work, the metes and bounds of the Lot 4 Open Space, as shown on Lot 4B, as approx. 7.5 acres, shall be demarcated with permanent bounds and signage as shown on Lot 4 Open Space Plan.
87. Upon completion of each project phase and prior to initiation of the next project phase, the Open Space signage and No Mow signs shown shall be installed as shown on the Open Space and O & M Plan. This shall apply to each project phase, as shown on the Phasing Plan.
88. The Applicant shall provide a yearly open space inspection report to the SCC. Yearly inspection of open space for compliance with the DR by a qualified individual. Reports shall be submitted at with the O & M Report.
89. The use of pesticides, fertilizers and herbicides within the 100-foot buffer zone and the use of quick-release pesticides, quick-release fertilizers and quick-release herbicides within the 200-foot buffer is prohibited. Tenants shall be made aware of these restrictions. This shall be noted in the Certificate of Compliance and shall be an ongoing condition.
90. Salt use shall follow the O & M Plan. Salt shall not be used in designated no salt zones as shown on the O & M plan. A salt brine solution is allowed to be used in areas outside of the no salt zones. Salt shall not exceed 1 part per 10th in the brine solution. The Applicant is required to obtain prior SCC approval for any alternative to the brine solution. This shall apply to all roadways and driveways. Tenants shall be made aware of these restrictions that. Should saline levels be detected in the vernal pools, the SCC must be notified and an alternative plan developed. This condition shall survive the expiration of this Order, and shall be included as a continuing condition in perpetuity on the Certificate of Compliance.
91. The SCC and their Agent shall not be restricted access to the property as shown as Lot 3 and the open space on Lot 4. The SCC will provide prior notice to the property owner and/or tenants for access outside of designated roadways. This condition shall survive the expiration of this Order, and shall be included as a continuing condition in perpetuity on the Certificate of Compliance.
92. In the event that any required reporting indicates that the project site is not in compliance with this Order of Conditions, the Applicant is required to fix/mitigate the problem within 30 days. The Applicant shall attend an SCC meeting to discuss the issue and reach a resolution.