

EcoTec, Inc.

ENVIRONMENTAL CONSULTING SERVICES

102 Grove Street
Worcester, MA 01605-2629
508-752-9666 – Fax: 508-752-9494

February 24, 2020

Sturbridge Conservation Commission
Center Office Building
308 Main St
Sturbridge, MA 01566

Re: Notice of Intent
8 Birch Street, Sturbridge
Applicant: Otis Land Management, LLC

Dear Commission Members:

Enclosed please find two (2) copies of a Notice of Intent (NOI), submitted on behalf of the Otis Land Management filed under the Massachusetts Wetlands Protection Act and the Town of Sturbridge Wetlands Protection Bylaw for the above referenced property. This filing comprises:

1. This cover letter;
2. The Notice of Intent forms with required attachments;
3. Sturbridge NOI Checklist
4. Checks to cover the filing fees;
5. Wetland Resource Evaluation by EcoTec, Inc. dated February 19, 2020;
6. Site Plans by DC Engineering dated February 24, 2020.

One (1) copy of the NOI filing has been submitted by certified mail, return receipt requested to the Central Regional Office of the Department of Environmental Protection and one complete copy of this filing has been submitted to the applicant and property owner. All abutters, along with the Sturbridge Board of Health and Planning Board have been notified via certified mail return receipt requested and proof of mailings will be provided to the Commission.

Project Description:

The proposed project consists of the replacement of two (2) dilapidated trailers within the 100-foot Buffer Zone and replacement of a former trailer located within the 200-foot Buffer Zone under the Town of Sturbridge Wetlands Protection Bylaw. This will include removing the trailers and replacing them in the same exact location with new units.

Under the Town of Sturbridge Wetlands Protection Bylaw there are definitions of redevelopment as detailed below:

“Redevelopment: Replacement, rehabilitation or expansion of existing structures, improvements of existing roads, or reuse of degraded or previously developed areas due to

impervious surfaces from existing structures or pavement, absence of topsoil, junkyards, or abandoned dumping grounds.”

The proposed project consists of a redevelopment project consisting of removing and replacement of the existing trailers in the identical locations of the existing units within the 100-foot Buffer Zone. The unit proposed within the 100-200-Foot Buffer Zone is slightly smaller than the former unit and is located in excess of 100-feet to the Bank of the Pond. As such, this unit fully complies with the Bylaw regulatory standards.

The Commission has the ability to grant waivers to work proposed within the 25-foot and 50-foot setbacks. This has been done in the past for similar project in close proximity to lakes and ponds. The Bylaw regulation have the following provision for the granting of waivers;

“4.13 WAIVERS The Commission shall have the power to issue a waiver to an applicant requesting to perform activities as described in Chapter 1.1 of this Town of Sturbridge Wetland Bylaw Regulation after said applicant files a Notice of Intent with the Commission and the Commission conducts a public hearing. Such waiver shall be set forth by the issuance of an Order of Conditions by the Commission. In order for the Commission to issue a waiver, the Commission must find, based on clear and convincing evidence set forth by the applicant, that a literal enforcement of the provisions of this bylaw would involve substantial hardship, financial or otherwise, to the applicant. Such a finding would be based upon a review of circumstances relating to soil conditions, hydrological conditions, and topography of such land, as well as a conviction that such a decision could be granted without detriment to the values or purposes protected by the Wetland Bylaw regulations. A waiver (as stated above) to the 50-foot No Build and the 25-foot No Disturb Buffer, may also be granted to applicants under the following circumstances: the area is previously disturbed and the proposed project will improve the protection to the resource area; or, the applicant can prove with documented evidence that there are no other substantially equivalent alternatives available. The applicant must show that measures will be incorporated into the project to ensure that there will be no negative impact to the resource area and must provide additional layers of protection equivalent to the value of the resource buffer being altered. Single family homes, existing prior to the adoption of these regulations, on small, lake-front lots, may, on a case-by-case basis, be granted a partial waiver from the 25-foot and 50-foot buffer requirements.”

The area is previously disturbed and the proposed project including substantial drainage improvements that have been completed provide a benefit to the resource area. In addition, the Bylaw regulations provide specific provisions for cases like this, where small homes existed prior to the adoption of the regulations. Furthermore, preventing the replacement of three of the eight units would result in a significant financial hardship. As such, the Bylaw regulations were written to allow projects such as this one to be permitted. The following alternatives analysis has been prepared to demonstrate that there are no substantially equivalent alternatives available.

Alternatives Analysis:

The Town of Sturbridge Wetlands Protection Bylaw requires an alternatives analysis to be performed. Therefore, the following alternatives were evaluated:

1. *No Build Alternative:* This alternative would allow the existing trailers to deteriorate and debris would be left along the shoreline. This alternative does not meet the project purpose of replacing the deteriorating trailers and therefore has been dismissed.
2. *Reconstruction of the trailers:* This alternative would meet the project purpose of reconstructing the trailers. This would require several months of construction activities and disturbance caused by tradesmen demolishing and rebuilding the structure at the site. In addition, it is likely that there would be additional disturbance associated with the demolition and construction due to the work required to renovate the trailers. Therefore, this alternative has been dismissed.
3. *Relocating Trailers:* This alternative was considered to relocate the trailers in other portions of the property to eliminate work in close proximity of the Lake. Due to the topography and other existing trailers, this alternative in no feasible and therefore has been dismissed.
4. *Preferred Project:* The preferred project meets the project purpose of replacing the existing trailers on the property. This work will be completed by removing the trailers and immediately replacing them in the exact same footprint and locations This alternative eliminates the extended time and disruption required to demolish and reconstruct the trailers as detailed in the former alternative. Therefore, this alternative has been chosen and is the project proposed within this application.

No Significant Adverse Impacts:

The proposed project has been carefully designed to prevent adverse impacts. This has been accomplished by (1) utilizing the existing trailer footprint and removing and replacing the trailers quickly with little to no disturbance; and (2) addressing the stormwater issues at the site, which was completed under a Superseding Order of Conditions. As such, it is EcoTec's opinion that the project as designed will not result in an adverse impact to wetland resource areas.

Conclusion:

The proposed project consists of replacing the trailers in the same exact locations and footprint and allows the work to be completed in a matter of days to limit disruption. The area is previously disturbed and there are no other substantially equivalent alternatives available. As detailed above, there are no feasible alternatives to the proposed project and the project has been designed to eliminate significant adverse impacts. Therefore, this project meets the regulatory standards for issuance of an Order of Conditions approving the proposed project under the Wetlands Protection Act regulations and the Town of Sturbridge Wetlands Protection Bylaw and regulations.

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Page 4.

We look forward to meeting with the Commission regarding this project. If you have any questions, please feel free to contact me at any time.

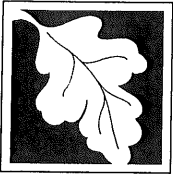
Sincerely,

A handwritten signature in cursive script that reads "Scott M. Morrison".

Scott M. Morrison
Senior Environmental Scientist

17/E/SturbridgeBirch8NOILetter

EcoTec, Inc.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number

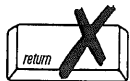
Document Transaction Number

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City/Town

Important:

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



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

8 Birch Street

a. Street Address

Sturbridge

b. City/Town

01566

c. Zip Code

Latitude and Longitude:

158

f. Assessors Map/Plat Number

d. Latitude

01652-008

g. Parcel /Lot Number

e. Longitude

2. Applicant:

Ralph

a. First Name

Nichols

b. Last Name

Otis Land Management, LLC

c. Organization

125 Southbridge Road

d. Street Address

Charlton

e. City/Town

MA

f. State

01507

g. Zip Code

508-641-6754

h. Phone Number

i. Fax Number

rnichols65@aol.com

j. Email Address

3. Property owner (required if different from applicant): Check if more than one owner

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Scott

a. First Name

Morrison

b. Last Name

EcoTec, Inc.

c. Company

102 Grove Street

d. Street Address

Worcester

e. City/Town

MA

f. State

01605

g. Zip Code

508-752-9666 x227

h. Phone Number

508-752-9494

i. Fax Number

smorrison@ecotecinc.com

j. Email address

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

500.00

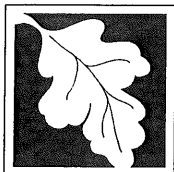
a. Total Fee Paid

237.50

b. State Fee Paid

262.50

c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

The proposed project consists of the removal and replacement of trailer #7 & 8 located within the 100-foot Buffer Zone and placement of trailer #4 within the local 200-foot Buffer Zone and associated work.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

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

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

1. Yes No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Worcester

a. County

56211

c. Book

b. Certificate # (if registered land)

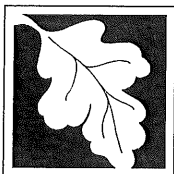
395

d. Page Number

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

- Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



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

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet _____	2. linear feet _____
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet _____	2. square feet _____
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet _____	2. square feet _____
	3. cubic yards dredged _____	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____	2. square feet _____
	3. cubic feet of flood storage lost _____	4. cubic feet replaced _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet _____	
	2. cubic feet of flood storage lost _____	3. cubic feet replaced _____

- f. Riverfront Area
1. Name of Waterway (if available) - **specify coastal or inland** _____
2. Width of Riverfront Area (check one):
- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

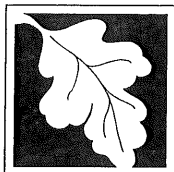
a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

3. Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



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

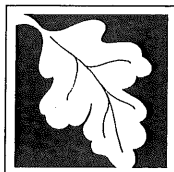
Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	_____	_____
	1. square feet	
	_____	_____
	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	_____	_____
	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	_____	_____
	1. square feet	2. cubic yards dune nourishment
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____	
	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____	
	1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____	_____
	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	_____	
	1. square feet	

	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____	
	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	

	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	
	1. square feet	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	_____	_____
	a. square feet of BVW	b. square feet of Salt Marsh
5. <input type="checkbox"/> Project Involves Stream Crossings		
	_____	_____
	a. number of new stream crossings	b. number of replacement stream crossings



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C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

a. Yes No

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

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

Feb 12, 2020

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:

(a) within wetland Resource Area _____
percentage/acreage

(b) outside Resource Area _____
percentage/acreage

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

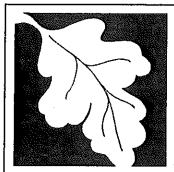
2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

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

(b) Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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C. Other Applicable Standards and Requirements (cont'd)

- (c) MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/mesa/mesa_fee_schedule.htm). Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) Vegetation cover type map of site
- (e) Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following

1. Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/mesa/mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. Separate MESA review ongoing. a. NHESP Tracking # _____ b. Date submitted to NHESP _____

3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

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

- a. Not applicable – project is in inland resource area only b. Yes No

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

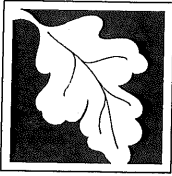
South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: DMF.EnvReview-South@state.ma.us

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.



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C. Other Applicable Standards and Requirements (cont'd)

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
- a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
- a. Yes No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
- a. Yes No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
- a. Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. A portion of the site constitutes redevelopment
 3. Proprietary BMPs are included in the Stormwater Management System.
- b. No. Check why the project is exempt:
1. Single-family house
 2. Emergency road repair
 3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

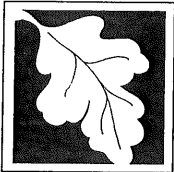
- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.



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D. Additional Information (cont'd)

3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. List the titles and dates for all plans and other materials submitted with this NOI.

Proposed Site Plan

a. Plan Title

DC Engineering

Jason Dubois

b. Prepared By

c. Signed and Stamped by

Feb. 24, 2020

1"=20'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

- 5. If there is more than one property owner, please attach a list of these property owners not listed on this form.
- 6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
- 7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
- 8. Attach NOI Wetland Fee Transmittal Form
- 9. Attach Stormwater Report, if needed.

E. Fees

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

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

20218

2. Municipal Check Number

2/19/2020

3. Check date

20219

4. State Check Number

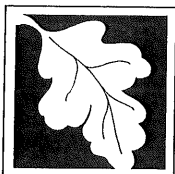
2/19/2020

5. Check date

EcoTec, Inc.

6. Payor name on check: First Name

7. Payor name on check: Last Name



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F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant

2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

2/24/2020

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

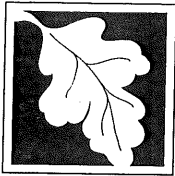
For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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



A. Applicant Information

1. Location of Project:

8 Birch Street
 a. Street Address
 20219
 c. Check number
 Sturbridge
 b. City/Town
 237.50
 d. Fee amount

2. Applicant Mailing Address:

Ralph
 a. First Name
 Otis Land Management, LLC
 c. Organization
 125 Southbridge Road
 d. Mailing Address
 Charlton
 e. City/Town
 508-641-6754
 h. Phone Number
 Nichols
 b. Last Name
 MA
 f. State
 01507
 g. Zip Code
 rnichols65@aol.com
 j. Email Address

3. Property Owner (if different):

a. First Name
 b. Last Name
 c. Organization
 d. Mailing Address
 e. City/Town
 f. State
 g. Zip Code
 h. Phone Number
 i. Fax Number
 j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



Town of Sturbridge

Conservation Commission

Filing Fee Worksheet

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

Applicant Otis Land Management, LLC

Applicant Representative Scott Morrison, EcoTec, Inc.

Project location 6 Birch Street, Sturbridge

TOTAL STATE FEE REQUIRED FOR PROJECT

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

State Fee Category(s) II(J) other

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

State share of State Fee \$ 237.50

Local share of State Fee \$ 262.50

TOTAL ADDITIONAL LOCAL FEE REQUIRED FOR PROJECT*:

(See Sturbridge Wetland Bylaw Regulations Section 4.17)

- Standard NOI Fee = \$50.00 (check if applicable)
- Standard RDA Fee = \$25.00 _____ (check if applicable)
- Standard ANRAD Fee = \$00.10 per foot for resource area delineation _____ (check if applicable).
feet _____ x \$00.10 = \$ _____
- Standard DELINEATION Fee = \$00.10 per foot for resource area delineation _____ (for all projects).
feet _____ x \$00.10 = \$ _____
(for all projects that do not include an approved wetland delineation boundary by the Commission within 3 years prior to application submittal)
- REPLICATION Monitoring Fee = \$200.00 _____ (check if applicable)
(for all projects that include wetland alteration and wetland replication)

CUMULATIVE TOTAL FEES:

Total State Fee: \$ 237.50

Total Town Share of State Fee: \$ 262.50

Total Local Fee: \$ 50.00

*Please Note:

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

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



Town of Sturbridge

Conservation Commission

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

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

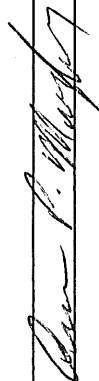
- A. The name of the applicant is: Otis Land Management, LLC
- B. The address of the lot(s) where the activity is proposed is: 8 Birch Street, Sturbridge
- C. The nature of the activity proposed includes: Replacing trailers and associated work
- D. The applicant has filed the following in accordance with the Wetlands Protection Act (MGL c. 131, § 40), and/or the Town of Sturbridge Wetland Bylaws.
- Notice of Intent seeking permission to conduct work within a wetland, water body or resource area
- Request for Determination seeking permission to conduct work within a buffer zone to a wetland, waterbody or resource area
- Abbreviated Notice of Resource Area Delineation seeking to confirm the wetland resource area boundaries.
- Request to amend an existing Order of Conditions for DEP File #300-_____
- E. Copies of the application may be examined at the Sturbridge Conservation Department, 301 Main Street, Center Office Building, Sturbridge, MA between the hours of **9:00 a.m. – 3:30 p.m. Monday through Friday.** Additional times may available by appointment. Please call ahead to check for availability. (508) 347-2506
- F. Copies of the application may be obtained from either the applicant: _____ or the applicant's representative: Scott Morrison, EcoTee, by calling telephone # (508) 752-9666 x227 on the following days of the week: M-F between the hours of 8:30AM and 4:30PM.

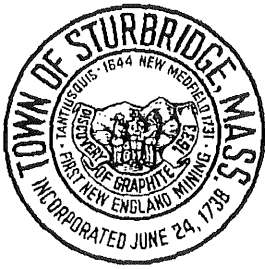
The Public Hearing for this application will be held in the Center Office Building, 301 Main Street, 2nd Floor on March 3, 2020 at 6:30 PM / or after pm.

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

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

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

Parcel ID	Owner	Owner Address	Owner City	State	Zip	Property Address
365-02122-002	BROZEK JAMES P	2 KAITBENSKI DRIVE	STURBRIDGE	MA	01566	2 KAITBENSKI DRIVE
158-01652-010	FUGERE CYNTHIA	1028 SAN LUIS CIRCLE	DALY CITY	CA	94014	10 BIRCH STREET
481-01623-013	HARABEDIAN JAMES D	5 LOCKATONG ROAD	STOCKTON	NJ	08559	13 OLD HAMILTON ROAD
158-01653-003	JOHNSON MATTHEW G	3 BIRCH STREET	STURBRIDGE	MA	01566	3 BIRCH STREET
158-02113-011	MANNING DANA	11 BIRCH STREET	STURBRIDGE	MA	01566	11 BIRCH STREET
158-01623-004	NYE KARL R	4 BIRCH STREET	STURBRIDGE	MA	01566	4 BIRCH STREET
158-01652-006	ROWE JAMES J & JACQUELINE D	6 BIRCH STREET	STURBRIDGE	MA	01566	6 BIRCH STREET
158-02112-014	SEMAN EDWARD A JR	51 MIDLAND STREET	WORCESTER	MA	01602	14 BIRCH STREET
158-01652-007	STOCKHAUS MATTHEW R	7 BIRCH STREET	STURBRIDGE	MA	01566	7 BIRCH STREET
158-02112-012	WISEMAN JAMES F	34 WINTER HILL ROAD	HOLDEN	MA	01520	12 BIRCH STREET
	BOARD OF ASSESSORS					
Above persons listed are record owners as they appear on the most recent applicable tax list.						
Assessors are not responsible for errors or omissions. RE: M.G.L. - Chapter 40A, Section 11						
Abutters List -	Conservation Commission - 200'					
RE: 8 BIRCH STREET						
Certified Copy						
Assessor:						
Date:	2-18-2020					



Town of Sturbridge

Conservation Commission

Notice of Intent Application Checklist – Form B

Applicant / Property Owner Otis Land Management
Representative Scott Morrison, PWS EcoTec, Inc.
Project Location 8 Birch Street, Sturbridge
Assessor's Information Map 158-1652-608
Date NOI filed with Conservation February, 2020
Date NOI filed with MA DEP Central Region February, 2020

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

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

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

Conservation Agent



Town of Sturbridge

Conservation Commission

STURBRIDGE CONSERVATION COMMISSION AFFIDAVIT OF SERVICE

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

I, Scott Morrison, hereby certify under the pains and penalties of perjury that on (date) 2/24/2020, I gave notification to abutters in compliance with the second paragraph of the Massachusetts General Laws Chapter 131, § 40, and the DEP Guide to Abutter Notification as well as the Town of Sturbridge Wetland Bylaws, in connection with the following matter:

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

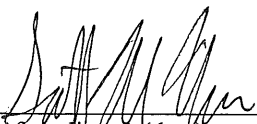
that was filed under the Massachusetts Wetlands Protection Act and the Town of Sturbridge Bylaws,

by Otis Land Management, LLC with the Sturbridge Conservation Commission

on (date) 2/24/2020 for the property located at

8 Birch Street, Sturbridge

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


(signature of applicant) (date)

Scott Morrison for Otis Land Management
(name of applicant-printed or typed)