

**LAND PLANNING, INC.**  
Civil Engineers • Land Surveyors • Environmental Consultants

August 27, 2020

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

Attention : Rebecca Gendreau, Agent  
Subject: Submission of Notice of Intent  
Reference: Adam Kellaher, 89 Leadmine Lane, Sturbridge

Dear Rebecca,

On behalf of our Client, Adam Kellaher, we hereby submit a Notice of Intent, and we also apply for a Sturbridge Wetland By-Law permit. Adam is seeking permission to build a new house, with well and septic system.

Please see the enclosed materials:

- Checks: \$262.50 for the NOI fee  
\$50.00 for the Sturbridge Wetland Permit fee  
\$200.00 for monitoring
- Notice of Intent
- USGS Map
- NHESP Map
- Flood Map
- Field Map
- Field Data Sheets
- ANR Plan

Please contact me if you have any questions or require any additional information.

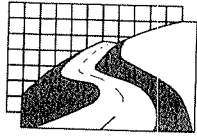
Sincerely,  
Land Planning Inc.

Norman G. Hill, PE, PLS

214 Worcester Street  
North Grafton, MA 01536  
Tel: 508-839-9526  
Fax: 508-839-9528

167 Hartford Avenue  
Bellingham, MA 02019  
Tel: 508-966-4130  
Fax: 508-966-5054

1115 Main Street  
Hanson, MA 02341  
Tel: 781-294-4144  
Fax: 781-293-4111



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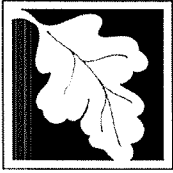
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Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

## WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

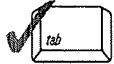
MassDEP File Number

Document Transaction Number

Sturbridge

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):

89 Leadmine Lane	Sturbridge	
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	42.069200	-71.122760
	d. Latitude	e. Longitude
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

Adam	Kellaheer	
a. First Name	b. Last Name	
c. Organization		
PO Box 261		
d. Street Address		
East Brookfield	MA	01515
e. City/Town	f. State	g. Zip Code
508 723 3728	akellaheer55@gmail.com	
h. Phone Number	i. Fax Number	j. Email Address

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

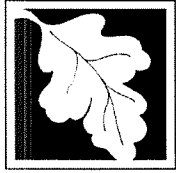
Gary and Sherry	Kellaheer	
a. First Name	b. Last Name	
c. Organization		
118 Leadmine Lane		
d. Street Address		
Sturbridge	MA	01518
e. City/Town	f. State	g. Zip Code
508 983 4899	kellaheer@gmail.com	
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

Norman	Hill	
a. First Name	b. Last Name	
Land Planning Incorporated		
c. Company		
214 Worcester street		
d. Street Address		
North Grafton	MA	01536
e. City/Town	f. State	g. Zip Code
508 839 9526	508 839 9528	nhill@landplanninginc.com
h. Phone Number	i. Fax Number	j. Email address

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

\$500	\$237.50	\$262.50
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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**A. General Information** (continued)

6. General Project Description:

proposed new home with well and septic system

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

- |   |   |
|---|---|
| 1. <input checked="" 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 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 CMR 10.24(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

b. Certificate # (if registered land)

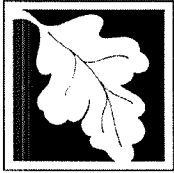
c. Book

d. Page Number

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

1.  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.
2.  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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Sturbridge \_\_\_\_\_

City/Town \_\_\_\_\_

**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.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
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 _____ 3. cubic yards dredged _____	2. square feet _____

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____ 3. cubic feet of flood storage lost _____	2. square feet _____ 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. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - <b>specify coastal or inland</b> _____	

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:

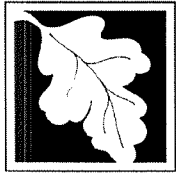
a. total square feet \_\_\_\_\_ b. square feet within 100 ft. \_\_\_\_\_ c. square feet between 100 ft. and 200 ft. \_\_\_\_\_

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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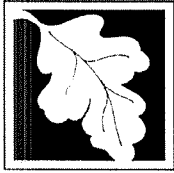
City/Town

**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](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

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

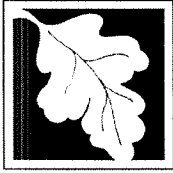
2.  Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*

- (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 <https://www.mass.gov/endangered-species-act-mesa-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 <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

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, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; 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@mass.gov](mailto:dmf.envreview-south@mass.gov)

North Shore - Hull to New Hampshire border:

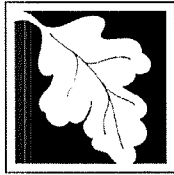
Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [dmf.envreview-north@mass.gov](mailto:dmf.envreview-north@mass.gov)

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.

- c.  Is this an aquaculture project?                      d.  Yes     No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).





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

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

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.

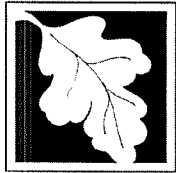
### D. Additional Information

- 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.



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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.

On Site Sewage Disposal System

a. Plan Title

Land Planning Inc.

Norman G. Hill

b. Prepared By

c. Signed and Stamped by

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:

1727

2. Municipal Check Number

8-29-2020

3. Check date

1726

4. State Check Number

8-29-2020

5. Check date

Gary

6. Payor name on check: First Name

KELLAHER

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.

<p>1. Signature of Applicant <u><i>[Signature]</i></u></p> <p>2. Date <u>9/27/20</u></p>	<p>3. Signature of Property Owner (if different) <u><i>C. Keller</i></u></p> <p>4. Date <u>8-27-20</u></p>
<p>5. Signature of Representative (if any) <u><i>Morgan Hill, PZ. Land Planning Inc.</i></u></p>	<p>6. Date <u>8-27-2020</u></p>

**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.

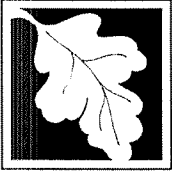
**For MassDEP:**

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:**

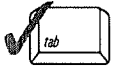
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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.



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 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:

89 Leadmine Lane	Sturbridge
a. Street Address	b. City/Town
1726	\$237.50
c. Check number	d. Fee amount

2. Applicant Mailing Address:

Adam	Kellaheer	
a. First Name	b. Last Name	
c. Organization		
PO Box 261		
d. Mailing Address		
East Brookfield	MA	01515
e. City/Town	f. State	g. Zip Code
508 723 3728	akellaheer55@gmail.com	
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

Gary and Shery	Kellaheer	
a. First Name	b. Last Name	
c. Organization		
118 Leadmine Lane		
d. Mailing Address		
Sturbridge	MA	01518
e. City/Town	f. State	g. Zip Code
508 983 4899	kellaheer@gmail.com	
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).



**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

**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
new home, cat 2	1	\$500	\$500
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**Step 5/Total Project Fee:** \_\_\_\_\_

**Step 6/Fee Payments:**

Total Project Fee:	\$500
State share of filing Fee:	\$237.50
City/Town share of filling Fee:	\$262.50
	a. Total Fee from Step 5
	b. 1/2 Total Fee less \$12.50
	c. 1/2 Total Fee plus \$12.50

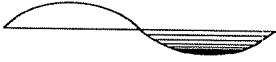
**C. Submittal Requirements**

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
 Box 4062  
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and the city/town fee payment.

**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and a copy of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



**ROBERT G. MURPHY & ASSOCIATES, INC.  
ENVIRONMENTAL CONSULTANTS**

214 Worcester Street  
No. Grafton, Massachusetts 01536

rgmenviron@verizon.net

Phone (508) 839-0310  
Cell (508) 826-1859

**DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form**

Applicant: Gary Kellahe  
Project Location: 118 Leadmine Lane,  
Sturbridge, MA

Prepared by: Robert G. Murphy  
DEP File #:

Vegetation and other indicators of hydrology used to delineate BVW boundary

**Section I Vegetation**

Observation Plot Number: 1      Transect Number: 1      Date of Delineation: 6/25/2020

A. Sample Layer and Plant Species	B. Percent Cover	C. Percent Dominance	D. Dominant Plant	E. Wetland Indicator Category*
<b>TREES</b>				
* Red Maple – Acer r.	60	60	Y	FAC
Red Oak – Quercus r.	5	5	N	FACU
Gray Birch – Betula p.	3	3	N	FACU
Black Cherry – Prunus serotina	5	5	N	FACU
* Eastern Hemlock - Tsuga Can.	15	15	Y	FACW
White Pine – Pinus strobus	5	5	N	FACU
<b>SHRUBS</b>				
* Witch Hazel – Hamamelis virgin.	25	25	Y	FAC
* Winterberry Holly – Ilex vir.	15	15	Y	FACW
* H. Blueberry – Vaccinium cor.	15	15	Y	FACW-
<b>FORBS</b>				
* Cinnamon Fern – Osmunda cin.	25	25	Y	FACW
* Jewelweed – Impatiens capensis	15	15	Y	FACW

\* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL. C. 131, s. 40); plants in the genus Sphagnum; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptations next to the asterisk.

**Vegetation Conclusion:**

Number of dominant wetland indicator plants: 7

Number of dominant non-wetland indicator plants: 0

Is the number of dominant wetland plants ≥ the number of dominant non-wetland plants: **YES**

---

**Section II Indicators of Hydrology**

---

## Hydric Soil Interpretation

## 1. Soil Survey

Is there a published soil survey for this site?

Title/date: Middlesex County South, June 2020

Map number: NRCS Web Soil, 73A

Soil type mapped: Whitman Fine Sandy Loam

Hydric soil inclusions: Yes

Are field observations consistent with soil survey? Yes

Remarks: Whitman/Chatfield Soil with shallow ledge

## 2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
A	6"	10 YR 3/1	Faint Gley
Bw	22"	10 YR 6/4	
C (Densic)	48"+	2.5 Y 4/4	

Remarks: Level area at base of slope was previously altered.

## 3. Other:

## Other Indicators of Hydrology

---

Site inundated: Partially, when groundwater is high.

---

Depth to free water observation hole: NA

---

Depth to soil saturation in observation hole: NA

---

Water marks: No

---

Drift lines: No

---

Sediment deposits: Yes

---

Drainage patterns in BVW:

---

Oxidized rhizospheres:

---

Water-stained leaves:

---

Record data (stream, lake, or tidal gauge; aerial photo; other):

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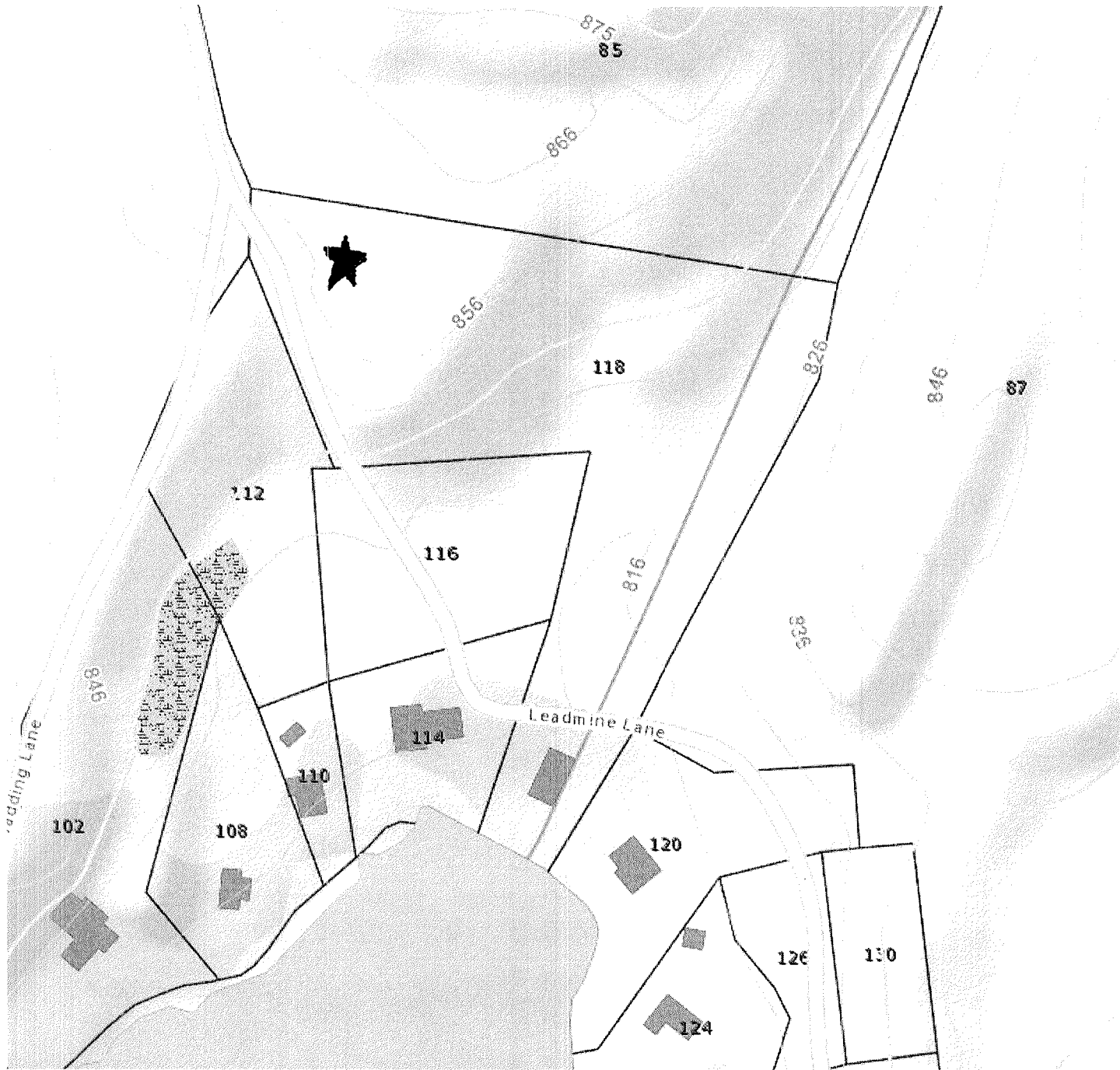
Other: Shallow ledge

---

**Vegetation and Hydrology Conclusion**Number of wetland indicator plants  $\geq$  number of non-wetland indicator plants: **Yes**Wetland hydrology present: **Yes**Hydric soil present: **Yes**

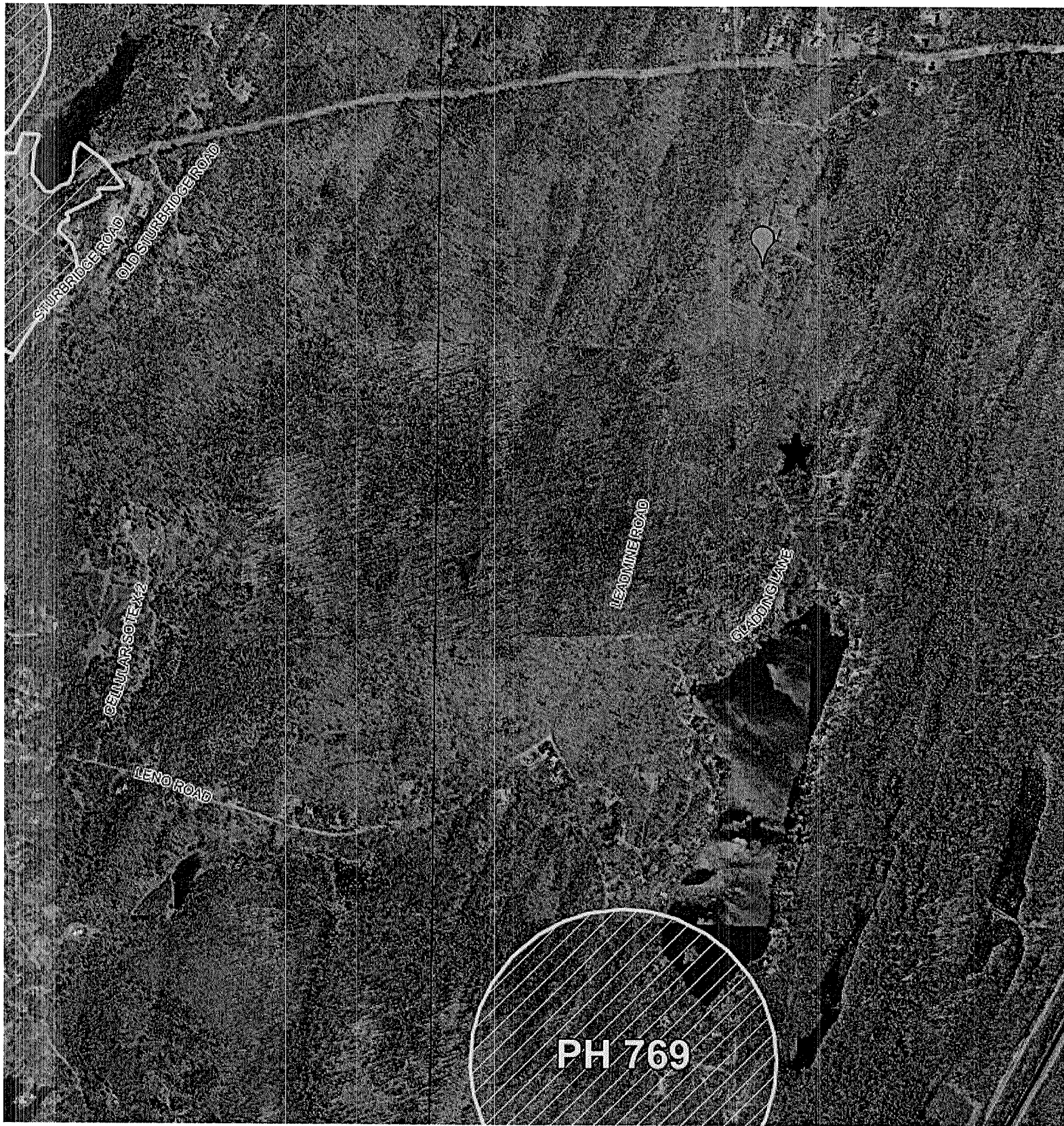
Other indicators of hydrology present: Upper hydric soil horizon

Sample location is in a BVW: **Yes**

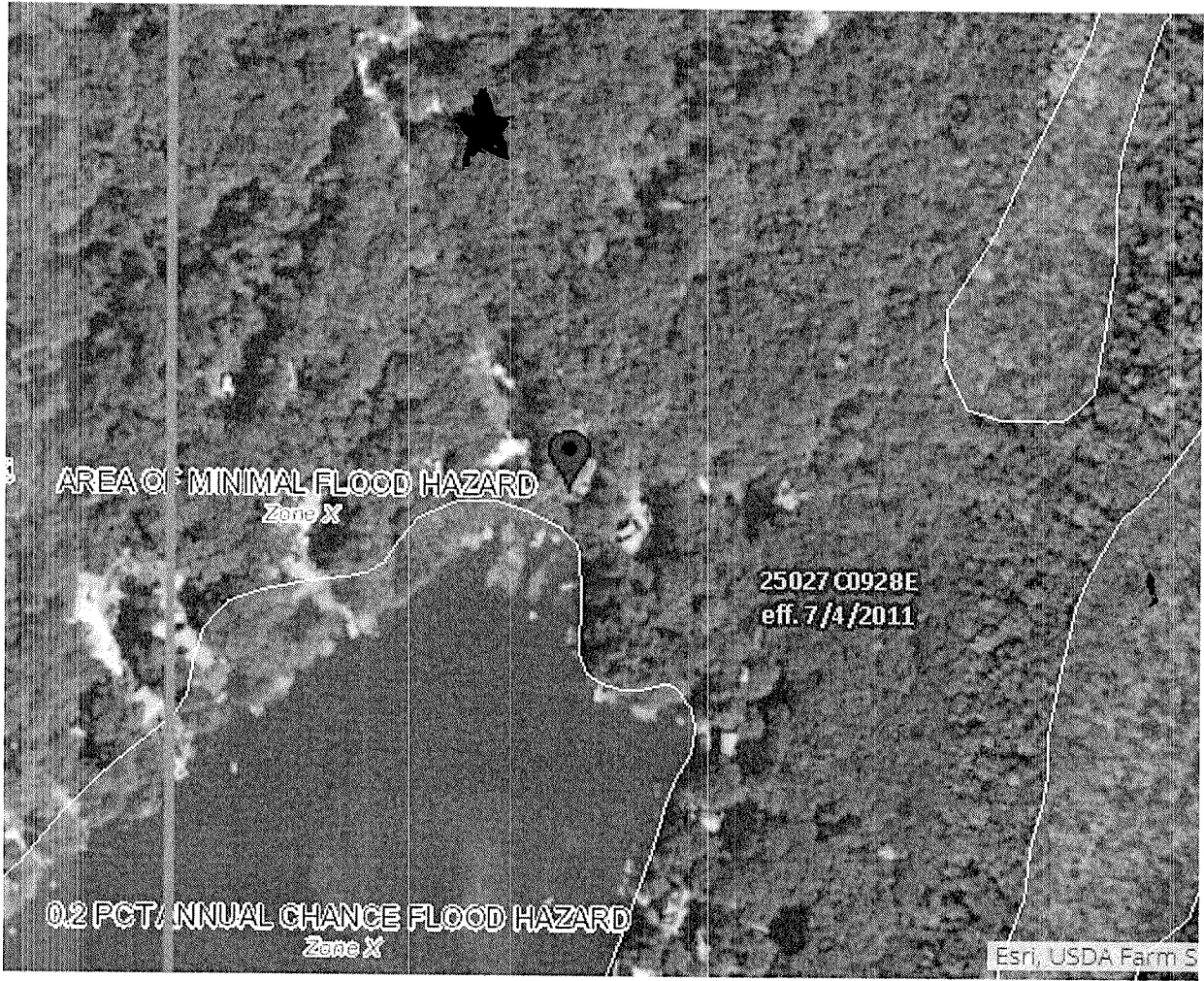


U.S. G.S





NH ESP



*Flood Map*





Parcel ID	Owner	Owner Address	Owner City	State	Zip	Property Address
398-04055-124	CERNY R THOMAS	6243 MEADOWWOOD	GRAND BLANC	MI	48439	124 LEADMINE LANE
398-04045-110	DIANE SHERRY	110 LEADMINE LANE	FIKSDALE	MA	01518	110 LEADMINE LANE
398-04045-120	FITZGERALD JOHN R	120 LEADMINE LANE	FIKSDALE	MA	01518	120 LEADMINE LANE
398-04035-087	KLAGES KURT	83 LEADMINE LANE	FIKSDALE	MA	01518	87 LEADMINE LANE
398-04035-085	KLAGES KURT	83 LEADMINE LANE	FIKSDALE	MA	01518	85 LEADMINE LANE
398-04035-083	KLAGES KURT E	83 LEADMINE LANE	FIKSDALE	MA	01518	83 LEADMINE LANE
303-04055-102	PELSKI SHERRI A	102 GLADDING LANE	FIKSDALE	MA	01518	102 GLADDING LANE
303-04042-112	PELSKI SHERRI A	102 GLADDING LANE	FIKSDALE	MA	01518	112 GLADDING LANE
398-04035-080	PELSKI SHERRI A	102 GLADDING LANE	STURBRIDGE	MA	01566	80 LEADMINE LANE
398-04045-108	SCHERMERHORN GLEN S	507 LEADMINE ROAD	STURBRIDGE	MA	01566	108 LEADMINE LANE
398-04045-114	WATSKY MATTHEW	65 MAYFAIR DRIVE	WESTWOOD	MA	02090	114 LEADMINE LANE
398-04045-116	WATSKY MATTHEW	65 MAYFAIR DRIVE	WESTWOOD	MA	02090	116 LEADMINE LANE
398-04055-126	ZAJAC JOHN S	PO BOX 737	STURBRIDGE	MA	01566	126 LEADMINE LANE
	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: 118 LEADMINE LANE						
Certified Copy						
Assessor:	<i>Alan P. Murphy</i>					
Date:	8-19-2020					



# Town of Sturbridge

## Conservation Commission

### Filing Fee Worksheet

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

Applicant Adam Kellagher  
 Applicant Representative Naman Hill, P.E. Land Planning Inc  
 Project location 89 Leadmine Lane

**TOTAL STATE FEE REQUIRED FOR PROJECT**

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

State Fee Category(s) 2  
 Total State Fee for project (include Riverfront Area adjustment if applicable) 237.50 <sup>1.500</sup>  
 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: 500  
 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

Barbara A. Barry, Finance Director

Department/Board/Committee: Conservation Commission

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

Property Owner: Gary Kellaher

Property Location: 118 Leadmine Lane, Sturbridge

The license/permit may be released.

The license/permit may not be released.

For the Barbara A. Barry  
Finance Director

09/04/2020  
Date



# 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, Norman Hill, hereby certify under the pains and penalties of perjury that on (date) 9/18/2020, 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 Adam Kellaher with the Sturbridge Conservation Commission

on (date) 9/4/2020 for the property located at

Lot 1, Leadmine Lane, 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.

Norman Hill 9-18-2020  
(signature of applicant)/(date)

Norman Hill  
(name of applicant-printed or typed)



# Town of Sturbridge

## Conservation Commission

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

(certificates of mailing, certified mail, or hand-delivery with abutter signature required as proof of notification)

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: Adam Kellaher
- B. The address of the lot(s) where the activity is proposed is: 89 Leadmine Lane
- C. The nature of the activity proposed includes: Proposed new house with well and
- D. The applicant has filed the following in accordance with the Wetlands Protection Act (MGL c. 131, § 40), septic system 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 on the Sturbridge Conservation Commission webpage under Recent Filings on the Town of Sturbridge Website [www.sturbridge.gov](http://www.sturbridge.gov). For additional questions regarding availability contact us at (508)347-2506
- F. Copies of the application may be obtained from either  the applicant: \_\_\_\_\_ or  the applicant's representative: Land Planning, by calling telephone # 508-839-9526 on the following days of the week: M-F between the hours of 7:30 AM and 4:00 PM.

**The Public Hearing for this application will be held virtually from Sturbridge Town Hall, Veterans Hall, 308 Main Street, 2nd Floor on October 6, 2020 at 7:45 pm.**

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting law, G.L. c. 30A Section 18, and the Governor's March 15, 2020 Order imposing strict limitations on the number people that may gather in one place, this meeting of the Sturbridge Conservation Commission will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation can be found on the Town's website at <https://www.sturbridge.gov/town-administrator/pages/how-access-virtual-meeting>. For this meeting, members of the public who wish to listen and or watch the meeting may do so either online via the Town's on demand video broadcast, on cable television on channel 191, or dial into the meeting at 774-304-1455, enter 1428# for the meeting number and 12345 for the access code. (This phone number is only active for the public during public meetings). No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post of the Town's website an audio or video recording, transcript, or other comprehensive record of the proceedings as soon as possible after the meeting.

**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](http://www.town.sturbridge.ma.us))
- On the Conservation Commission webpage not less than 48 hours in advance of the hearing

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

Town Hall  
308 Main Street  
Sturbridge, MA 01566

508-347-2506  
(f) 508-347-5886