

# CCONSERVATION COMMISSION DETAILED AGENDA

Date: January 4, 2024

Time: 6:00 pm

**NOTE:** Items may be taken out of order at the Chair's discretion.

## DECISIONS

### I. PUBLIC HEARINGS

#### 1. 88 South Shore Drive – NOI – Amendment Request to Existing OOC– DEP File #300-1127

- Owner: S. & M. Reed                      Applicant: same
- Representatives: L. Jalbert, Jalbert Engineering, Inc.
- Request: Issue an Amended Order of Conditions (OOC)
- Documents Presented: plans
- Project Summary:
  - Applicant is requesting to amend the existing OOC to include installation of 2 geothermal wells, a new drinking water well, decommissioning of the existing drinking water well and a modification to the septic system.
- Staff Notes:
  - Proof of legal ad and receipt of Abutter mailings required.
  - Site visit conducted.
  - Additional BMPs will be required for well work. Septic change is an improved system requested by the BOH which will result in increased treatment. LOW similar just modified slightly for the well. Well location cited to be 100 feet from septic systems. Well is at shown 25' buffer zone. Appears closer w/ elevated water levels. Can this be shifted off the top of the slope? Shown at 15' from property line (BOH setback requirement).
- Staff Recommendations: See if well can be shifted away from the slope. If the board has no concerns, staff would recommend that the following conditions to be added to the OOC conditions under the joint WPA and SWB Special Conditions:
  - Prior to the start of work, a plan shall be developed and submitted for approval to include additional BMPs for the control of well drilling spoil materials and water for well installation and decommissioning. Erosion control BMPs must be installed between the work area and the decommissioned well.

#### 2. 505 Main Street– *continued* NOI – Commercial property redevelopment – DEP File #300-XXXX

- Owner: Jenny Bounphasaysonh                      Applicant: STL Group, LLC
- Representatives: R. Mendez, Graves Engineering, Inc.
- Request: Issue Order of Conditions (OOC)
- Documents Presented: plans
- Project Summary:
  - Redevelopment of a commercial property including removal of existing building and parking areas and the construction of a new building, parking areas and associated stormwater management.
- Staff Notes:
  - Project was continued to allow applicant to address comments and as the DEP file number had not issued.
  - New materials received:
    1. Plan, "Overlay: Pre-development versus Post-Development" dated 12/19/2023
    2. Graves Waiver Request Letter dated 12/20/2023
  - Graves provided the requested overlay plan w/ impervious pre- and post- calculations within the 25', 50' and 100' buffer zones. Calculations show elimination of impervious in 25' no disturb, a reduction of impervious within the 50' no build and an increase within the 100'.
  - Staff have requested that the extent of BLSF be clarified. Additional info provided.



**Conservation Agent**  
Rebecca Gendreau

**Assistant**  
Erin Carson

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

308 Main Street.  
Sturbridge, MA  
01566  
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[www.sturbridge.gov](http://www.sturbridge.gov)

- New flood maps indicate an elevation of 579.2'. The lowest point on the property shown at approx. 582.3', which is why it was not shown on the plan.
  - Staff have also asked if outlet pipe design can be modified. Shown as two 10' pipes. Concern that pipes will release water quickly so infiltration abilities of the rain garden would be diminished. Engineer has provided information to support designs ability to provide sufficient infiltration. Information provided, "As for the outlet pipes, both pipes are needed. Nevertheless, in looking at the soil testing data again, sand and gravel were observed during testing. Per the soil evaluator, a rate of 8.27 inches/hour (HSG "A" design parameter for rapid infiltration soils) could have been used for the calculations, but it was decided to conservatively use a rate 2.41 inches/hour instead. Considering these observations, the bioretention area will most likely absorb runoff instead of releasing it via the pipes."
  - Plan shows asphalt pavement covered with brush. This area has a significant amount of Japanese knotweed growing within it. The proper removal of the invasive is recommended.
  - Project requires a waiver. Waiver now requested with supporting information. Board to evaluate if sufficient. Board had also asked about moving back parking spots. Narrative states that 16 parking locations are required for the proposed number of units. Calculations show reduction on impervious in the 50' buffer zone.
  - Dumpster pad question has been clarified with the BOH and what has been shown is sufficient.
  - Staff recommend that no mow signage be installed in the restoration area and a split rail fence or similar fence is installed between the parking areas and rain garden to serve as a barrier for future snow plowing.
  - Require surety bond or deposit. \$10,000 has been required for commercial projects in past.
  - To date, DEP File # and comments have not been received.
- Staff Recommendations: Discuss project and continue hearing for DEP File # and comment issuance. If DEP # received w/out comments to be addressed, board to decide if applicant has demonstrated sufficient alternatives and mitigation for waiver. When appropriate, staff would recommend the following conditions:
- Vote to approve and issue an Order of Conditions pursuant to the WPA with the following special conditions:
    - Standard OOC conditions.
    - Proper removal of Japanese Knotweed, an invasive species. Prior to the start of work, develop plan for removal and disposal to be submitted to SCC for review and approval.
    - 25-foot buffer zone restoration area to be shown on final as built for O & M as a no mow area. Signage, "no mow area" or similar language to be added. At least 4 signs on posts to be erected within the area to be shown on plan.
    - Split rail fence erected between parking lot and rain garden.
    - Installation of the rain garden shall be supervised by a professional with documented experience in rain garden construction. Such person shall be retained to supervise and monitor construction of the rain garden areas.
    - 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.
    - Perpetual conditions for stormwater structures and the split rail fence.
    - Evidence of maintenance of the stormwater management system shall be provided to the Commission on annual basis.
    - Certificate of Compliance not to be issued until after 2 growing seasons to ensure that the rain garden plantings and restoration plantings have survived.
  - Vote to approve and issue an Order of Conditions pursuant to the SWB with the following special conditions:
    - Conditions noted above.
    - Require a surety bond or deposit of money during work to ensure conditions are met. Funds to be returned or bond to be released upon issuance of a Certificate of Compliance. \$10,000 for commercial developments has been previously required. To be released upon issuance of a Certificate of Compliance.

**3. 200 Haynes Street – *continued SWB Notice of Intent-Construction of a commercial solar facility with associated appurtenances***

- Applicant: Sturbridge PV LLC                      Owner: 30 Swift LLC
- Representative: BSC Group
- Request: Issue OOC.
- Documents Presented: n/a
- Project Summary: Project includes the construction of a commercial solar array on an approx. 14-acre parcel.
- Staff Notes:

- Project was continued to allow response to peer review comments and for the wetland peer review to be completed for off-site areas.
- Documents received for last meeting (posted for review under 12/7/23 meeting):
  - CMG Report
  - Ecosystem Solutions Report
  - Revised plan and BSC comment letter to Planning Board.
- Staff were informed that Ecosystem Solutions was visiting the site this week and we should have an update on final wetland verification for the meeting.
- Ecosystems will go over their findings at the next meeting.
- Staff had been informed that the project team is reviewing comments and will be working to address.
- Responses provided to stormwater review and some plan edits made for Planning Board review.
- BSC has informed the board and staff that they will be providing a response to Conservation to cover both stormwater comments and wetland comments. Final wetland review will allow them to finalize their report for the board.
- Staff Recommendations: Continue to allow project team to address comments based on final wetland review. Next meeting is Jan. 25, 2024.

**4. Big Alum Pond - *continued* NOI – Big Alum Pond Aquatic Vegetation Management Plan - DEP #300-XXXX**

- Owner/Applicant: Big Alum Lake Association    Representatives: A. McMenemy, GEI Consultants
- Request: Issue an OOC
- Documents Presented: n/a
- Project Summary:
  - Project includes an aquatic vegetation management plan for Big Alum Pond.
- Staff Notes:
  - Project was continued to allow for DEP File # and comment issuance and for applicant to address discussion at 12/7/23 meeting.
  - DEP file number still not issued to date.
  - Applicant has provided a table for potential herbicides to use w/ associated information and product sheets for each herbicide. Table includes maximum allowable dosage rates per acreage and target species group.
  - Staff have discussed the project w/ the representative to create options for treatment plans that allow some flexibility but also meet permitting requirements. The project team will be discussing these options and staff anticipate that we will go over a draft plan at the hearing for discussion and feedback with the intent to request a continuation to the next meeting.
- Staff Recommendations: Continue to next meeting, Jan. 25<sup>th</sup>, to finalize plan and for DEP # and comments.

**5. 72 Paradise Lane- *continued* NOI – Construction of a cantilevered dock - DEP File #300-1180**

- Owner/Applicant: R. Muscaro    Representative: M. Lavigne, Ground Effects
- Request: Issue an OOC
- Documents Presented: plans
- Project Summary:
  - Project includes the installation of a singular cantilevered dock, 32 feet long by 6 ft wide
- Staff Notes
  - Project was continued to address board comments, allow site visit and for DEP File # and comments.
  - Site visit conducted.
  - DEP has issued a file # for the project with comments. See attached.
  - Additional information provided and posted on website in response to DEP comments and board comments.
  - Document includes reference to Bank and Land Under Water performance standards and explanation of no impact to those resource areas. See document.
  - Board should consider if all alternatives have been explored to minimize impacts for waiver approval for disturbance associated with 25' no disturb zone.
- Staff Recommendations: Commissioners should determine if it is appropriate to close the hearing and issue an Order of Conditions. If an Order of Conditions is to be issued, the special conditions should be discussed. Staff would recommend the following conditions:
  - Vote to approve and issue an Order of Conditions pursuant to the SWB with the following special conditions:
    - Standard OOC conditions.

- No work to occur in water. Work on Bank to occur during drawdown if water conditions are within the work area.
- All excavated materials to be immediately removed from the site.
- All impacted areas to be restored to existing conditions. BMPs must be in place to minimize impacts to access route for equipment use.
- Applicant is required to receive all other permitting including a Chapter 91 license as required.
- Vote to approve and issue an Order of Conditions pursuant to the SWB with the following special conditions:
  - SWB only - Require a surety deposit during work to ensure conditions are met. Funds to be returned upon issuance of a Certificate of Compliance. Based on the mitigation requirements and previous deposits required, staff recommend \$2,500.

**6. 62 Mt. Dan - *continued* Notice of Intent – Construction of a cantilevered dock - DEP File #300-1181**

- Owner/Applicant: Dan St. Onge Representative: M. Lavigne, Ground Effects
- Request: Issue an OOC
- Documents Presented: revised plans
- Project Summary:
  - Project includes the installation of a singular cantilevered dock, 32 feet long by 8 ft wide
- Staff Notes
  - Project was continued to address board comments, allow site visit and for DEP File # and comments.
  - Site visit conducted.
  - DEP has issued a file # for the project with comments. See attached.
  - Additional information provided and posted on website in response to DEP comments and board comments.
  - Document includes reference to Bank and Land Under Water performance standards and explanation of no impact to those resource areas. See document.
  - Project revised to shift dock 4' to keep it within the existing wall area. Leaving the boulder and not affecting the natural shoreline.
  - Board should consider if all alternatives have been explored to minimize impacts for waiver approval for disturbance associated with 25' no disturb zone.
- Staff Recommendations: Commissioners should determine if it is appropriate to close the hearing and issue an Order of Conditions. If an Order of Conditions is to be issued, the special conditions should be discussed. Staff would recommend the following conditions:
  - Vote to approve and issue an Order of Conditions pursuant to the SWB with the following special conditions:
    - Standard OOC conditions.
    - No work to occur in water. Work on Bank to occur during drawdown if water conditions are within the work area.
    - All excavated materials to be immediately removed from the site.
    - All impacted areas to be restored to existing conditions. BMPs must be in place to minimize impacts to access route for equipment use.
    - Applicant is required to receive all other permitting including a Chapter 91 license as required.
- Vote to approve and issue an Order of Conditions pursuant to the SWB with the following special conditions:
  - SWB only - Require a surety deposit during work to ensure conditions are met. Funds to be returned upon issuance of a Certificate of Compliance. Based on the mitigation requirements and previous deposits required, staff recommend \$2,500.

**7. 324 The Trail – Notice of Intent Construction of 2 cantilevered docks - DEP File #300-1183**

- Applicant/Owner: Matt Kibbe Representative: M. Lavigne, Ground Effects
- Request: Issue an OOC
- Documents Presented: n/a
- Project Summary: Project includes the installation of two cantilevered docks and replacing a concrete wall with a stone wall in a 7-foot section of existing wall.
- Staff Notes
  - Project was continued to address board comments and for DEP File #.
  - DEP File # and comments issued. See attached.
  - Written request for continuance received to the Jan. 25, 2024 meeting.

- Staff Recommendations: Continue project as requested to Jan. 25, 2024 meeting.
- 8. 328 The Trail – *continued* Notice of Intent Construction of 2 cantilevered docks & repair of shoreline wall - DEP File #300-1182**
- Applicant/Owner: Rocco Falcone    Representative: M. Lavigne, Ground Effects
  - Request: Issue an OOC.
  - Documents Presented: n/a
  - Project Summary:
    - Project includes the installation of two cantilevered docks and replacing an existing stone and mortar wall with a more natural bolder wall with planting pockets to enhance the natural look.
  - Staff Notes
    - Project was continued to address board comments and for DEP File #.
    - DEP File # and comments issued. See attached.
    - Written request for continuance received to the Jan. 25, 2024 meeting.
  - Staff Recommendations: Continue project as requested to Jan. 25, 2024 meeting.
- 9. 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
  - 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: n/a
  - Staff Notes:
    - Project was continued to allow for submission of additional information.
    - Perc test completed.
    - Plans being revised and to be submitted.
    - A written request for continuation was received to the next meeting of January 25, 2024.
  - Staff Recommendations: Continue to the next meeting as requested.
- 10. 241 & 245 Main Street – *continued* NOI – Paving of a commercial parking lot – DEP File #300-1184**
- Owner/Applicant: Sturbridge Service Center    Representatives: R. Lussier, CMG Environmental
  - Request: Issue Order of Conditions.
  - Documents Presented: colored plan
  - Project Summary:
    - Project includes paving a parking lot at a commercial facility.
  - Staff Notes:
    - Written request for continuance received to the Jan. 25, 2024 meeting.
    - DEP File # issued with the following comments-
      - “MassDEP notes that the ponded area of Hobbs Brook appears to possess a defined thalweg throughout its entirety during portions of the year, suggesting the possible presence of unidirectional flow within the wetland system. MassDEP recommends the applicant either demonstrate that the ponded area does not present primarily riverine characteristics in accordance with 310 CMR 10.58(2)(a)1.h or redefine the limits of MAHW and RA associated with this feature. If portions of the work are determined to fall within RA the applicant should demonstrate compliance with the RA development standards found at 310 CMR 10.58(4) or the redevelopment standards found at 310 CMR10.58(5). Project plans indicate that the limit of the Zone A floodplain was transposed from the existing FIRM of the project area. As noted in the accompanying Wetland Resource Evaluation the applicant should evaluate the most recent NFIP flood profile data or perform the necessary calculations to determine if BLSF resource extends onto the project site in accordance with 310 CMR 10.57(2)(a)3. MassDEP recommends that the Commission verify that the proposed project meets the definitions of redevelopment under the Massachusetts Stormwater Standards in that it will not result in the increase of impervious surfaces on the project site. If an increase to impervious surface is proposed the applicant should demonstrate full compliance with the Massachusetts Stormwater Standards. The existing use of the property may meet the definitions of Land Uses with Higher Potential Pollutant Load associated with fleet storage and/or exterior vehicle service areas. If qualifying as LUHPPL the applicant should demonstrate compliance with Standard 5.”
  - Staff Recommendations: Continue project as requested to Jan. 25, 2024 meeting.

**11. 274 Big Alum Road - NOI -Repair of historic boat notch - DEP #300-XXXX**

- Owner/Applicant: Virginia Roscioli     Representatives: n/a
- Request: Issue an OOC
- Documents Presented: sketch plan
- Project Summary:
  - Project includes the restoration of a former boat notch.
- Staff Notes:
  - Staff have provided the Applicant with information to assist with demonstrating meeting performance standards for a shoreline wall project.
  - DEP has not issued a file # to date.
  - Applicant has requested to continue the hearing to Jan. 25, 2024.
- Staff Recommendations: Continue project as requested to Jan. 25, 2024 meeting.

**II. WETLAND DECISIONS**

**12. 233 Cedar Street – Request for a Certificate of Compliance - DEP File #300-1139**

- Permit Holder: B. Marszalokowski
- Requester: Jalbert Engineering
- Request: Issue COC.
- Staff Notes: Site visit conducted. Site had been hydroseeded and some growth achieved prior to the end of the growing season although additional growth needed to achieve stabilization. Likely requires additional seeding in the Spring.
- Project required signage on posts to be installed along areas of the LOW. Signage installed on trees. Plan called for posts. Discussion was to be on posts not trees. Contractor requesting to see if board will accept as is. Board to discuss. Plan should be followed.  
Staff Recommendations: Hold off on issuance of CoC until site is stabilized.

**13. 9 Holland Road – Request for a Certificate of Compliance - DEP File #300-959**

- Permit Holder: Banjo Boy
- Requester: EBT Environmental
- Request: Issue COC.
- Staff Notes:
  - See posted documents on website.
  - NOI and OOC was result of historic Enforcement Orders. Some of work had been completed but in 2019 another EO was issued for activities conducted on site without permitting and for non-compliance with this OOC. Since then OOC has been brought into compliance and discussed at past SCC meetings. CoC Request submission was awaiting completion of orders associated with the 2019 EO. Drainage improvements had been reviewed and documented on site. Tree planting success rate was needed to close the EO.
  - Perpetual conditions related to extent of Riverfront Area allowable uses and restrictions of further development not included for perpetual conditions now as ORAD had been issued (after OOC) which shows that portions of the property qualify as a historic mill under RA exemptions. Therefore, cannot be a perpetual condition.
- Staff Recommendations: Issue complete CoC with perpetual conditions: SCC #'s 12, 25, 32 – 36, 39, 40, 50 & 59.

**14. 5 Lakewood Trail – Request for a Certificate of Compliance - DEP File #300-545**

- Permit Holder: Stephen Murphy
- Requester: same
- Request: Issue COC.
- Staff Notes: Project included construction of a new house and associated site work within buffer zone and Riverfront Area. Permit issued in 2003. A Request for CoC had been submitted in 2007 but not issued at the time. Was not issued as final site stabilization required and an as built plan. As built submitted and staff site visit conducted. No concerns noted with project.  
Staff Recommendations: Issue complete CoC. No perpetual conditions noted in OOC.

**15. Emergency Request – 33 Putnam Road**

- Requester: Justin Barton, Property Owner

- Request: Emergency certification issued after driveway at 33 Putnam Road washed out on Dec. 18<sup>th</sup> storm. Driveway was impassable. DPW visited site on Dec. 19<sup>th</sup> as staff unavailable and plan developed. Staff visited site on Dec. 20<sup>th</sup> and EC issued for work being conducted.
- Pipes installed and driveway repairs made. See attached materials.  
Staff Recommendations: Ratify issued emergency certification.

### III. ENFORCEMENT ORDERS

#### 16. MA Department of Transportation I-90 Cedar Lake

- Staff Notes: EO issued in 2018 for failed drainage structures along I-90 discharging into Cedar Lake and unnamed perennial stream that flows into the lake. This EO was ready to be closed out in Fall of 2023 but a repair was required to a damaged drainage structure. All drainage areas had been reviewed and all necessary paperwork provided for the release of the EO then. DOT has provided a commitment to monitoring the structures. Staff reviewed repairs that had been made and they conform to original plans and were not damaged from Dec. 18<sup>th</sup> storm.
- Staff Recommendation: Vote to release the EO.

#### 17. Banjo Boy LLC, 9 Holland Road

- Staff Notes: EO issued in 2019 for failure to comply with an issued OOC and for un-permitted vegetation removal. OOC was result of previous EOs. Work to address OOC completed (see information listed under #13) and 23 trees planted and monitored for survival. Work completed.
- Staff Recommendation: Vote to release the EO.

#### 18. Tsantinis, LLC & Cruise Control Transportation, 110 Brookfield Rd.

- Staff Notes: Work completed as required through EO discussions. Release of EO postponed as plan is to be recorded. Awaiting plan recording.
- Staff Recommendation: Vote to release the EO if plan recorded. If not, postpone to allow additional time.

### IV. ADMINISTRATIVE DECISIONS

#### 19. Minutes for approval

### V. CONSERVATION LAND DECISIONS

### VI. OLD BUSINESS

### VII. ADMINISTRATIVE UPDATES

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

### VIII. CORRESPONDENCE

#### 20. National Grid 2024 Operation Plan (YOP)

- Staff Notes: Yearly notification provided as required of proposed maintenance work.

### VII. NEW BUSINESS

#### 21. Agent's Report

#### 22. Next Meeting: Thursday Jan. 25, 2024 and Site Visit Schedule – TBD

### **UPDATES/DISCUSSION**

**OTHER TOPICS NOT REASONABLY ANTICIPATED BY THE CHAIR 48 HOURS BEFORE THE MEETING**

**ADJOURN**

**From:** [CERO\\_NOI@MassMail.state.ma.us](mailto:CERO_NOI@MassMail.state.ma.us)  
**To:** [mark@grndfx.com](mailto:mark@grndfx.com); [bobfhp@aol.com](mailto:bobfhp@aol.com)  
**Cc:** [cero\\_noi@state.ma.us](mailto:cero_noi@state.ma.us); [Rebecca Gendreau](mailto:Rebecca.Gendreau); [Erin Carson](mailto:Erin.Carson); [cero\\_noi@state.ma.us](mailto:cero_noi@state.ma.us)  
**Subject:** MassDEP NOI File Number  
**Date:** Wednesday, December 13, 2023 4:30:41 PM

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COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

CENTRAL REGIONAL OFFICE

8 NEW BOND STREET, WORCESTER, MA 01606 508-792-7650

Date: 12/13/2023

Municipality STURBRIDGE

RE: **NOTIFICATION OF WETLANDS PROTECTION ACT FILE NUMBER**

The Department of Environmental Protection has received a Notice of Intent filed in accordance with the Wetlands Protection Act (M.G.L. c. 131, §40):

<b>Applicant</b> ROBERT MUSCARO 72 PARADISE <b>Address</b> LANE,STURBRIDGE MA 01518 72 PARADISE LANE , <b>Locus</b> STURBRIDGE MA 01518	<b>Owner Address</b>
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This project has been assigned the following file # : **CE 300-1180**

ISSUANCE OF A FILE NUMBER INDICATES ONLY COMPLETENESS OF SUBMITTAL, NOT APPROVAL OF APPLICATION

Although a file # is being issued, please note the following:

A Category 1 fee is sufficient for a dock on a single family house lot.

If shading of Land Under Waterbody will result from the installation of this dock, the area of shading impacts should be quantified in Section B of the NOI.

**ADDITIONAL REQUIREMENTS:**

A Chapter 91 license may be required. Application and transmittal forms are available on the MassDEP website

<http://www.mass.gov/eea/agencies/massdep/water/approvals/wetlands-and-waterways-forms.html#2>. For additional information, contact MassDEP Waterways Program by email at [dep.waterways@mass.gov](mailto:dep.waterways@mass.gov) or visit <https://www.mass.gov/waterways-program-chapter-91>.

Regards,  
for MassDEP,

(857)-263-0948



**From:** [CERO\\_NOI@MassMail.state.ma.us](mailto:CERO_NOI@MassMail.state.ma.us)  
**To:** [mark@grndfx.com](mailto:mark@grndfx.com); [dgstonge@gmail.com](mailto:dgstonge@gmail.com)  
**Cc:** [cero\\_noi@state.ma.us](mailto:cero_noi@state.ma.us); [Rebecca Gendreau](#); [Erin Carson](#); [cero\\_noi@state.ma.us](mailto:cero_noi@state.ma.us)  
**Subject:** MassDEP NOI File Number  
**Date:** Wednesday, December 13, 2023 5:49:53 PM

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COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
CENTRAL REGIONAL OFFICE

8 NEW BOND STREET, WORCESTER, MA 01606 508-792-7650

Date: 12/13/2023

Municipality STURBRIDGE

**RE: NOTIFICATION OF WETLANDS PROTECTION ACT FILE NUMBER**

The Department of Environmental Protection has received a Notice of Intent filed in accordance with the Wetlands Protection Act (M.G.L. c. 131, §40):

<b>Applicant</b> DAN ST. ONGE 62 MT. DAN <b>Address</b> ROAD,STURBRIDGE MA 01518 62 MT. DAN ROAD , <b>Locus</b> STURBRIDGE MA 01518	<b>Owner Address</b>
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This project has been assigned the following file # : **CE 300-1181**

ISSUANCE OF A FILE NUMBER INDICATES ONLY COMPLETENESS OF SUBMITTAL, NOT APPROVAL OF APPLICATION

Although a file # is being issued, please note the following:

Revised:

A Category 1 fee is sufficient for a dock on a single family house lot.

If shading of Land Under Waterbody will result from the installation of this dock, the area of shading impacts should be quantified in Section B of the NOI. In addition, the applicant should verify whether the 3' of Bank alteration proposed represents the entire width of Bank disturbance.

**ADDITIONAL REQUIREMENTS:**

A Chapter 91 license may be required. Application and transmittal forms are available on the MassDEP website

<http://www.mass.gov/eea/agencies/massdep/water/approvals/wetlands-and-waterways-forms.html#2>. For additional information, contact MassDEP Waterways Program by email at [dep.waterways@mass.gov](mailto:dep.waterways@mass.gov) or visit <https://www.mass.gov/waterways-program-chapter-91>.

Regards,

**From:** [CERO\\_NOI@MassMail.state.ma.us](mailto:CERO_NOI@MassMail.state.ma.us)  
**To:** [mark@grndfx.com](mailto:mark@grndfx.com); [mkibbe@charter.net](mailto:mkibbe@charter.net)  
**Cc:** [ceronoi@state.ma.us](mailto:ceronoi@state.ma.us); [Rebecca Gendreau](mailto:Rebecca.Gendreau@state.ma.us); [Erin Carson](mailto:Erin.Carson@state.ma.us); [ceronoi@state.ma.us](mailto:ceronoi@state.ma.us)  
**Subject:** MassDEP NOI File Number  
**Date:** Wednesday, December 13, 2023 5:58:57 PM

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COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
CENTRAL REGIONAL OFFICE

8 NEW BOND STREET, WORCESTER, MA 01606 508-792-7650

Date: 12/13/2023

Municipality STURBRIDGE

RE: **NOTIFICATION OF WETLANDS PROTECTION ACT FILE NUMBER**

The Department of Environmental Protection has received a Notice of Intent filed in accordance with the Wetlands Protection Act (M.G.L. c. 131, §40):

<b>Applicant</b> MATTHEW KIBBE 324 THE <b>Address</b> TRAIL,STURBRIDGE MA 01518 324 THE TRAIL , <b>Locus</b> STURBRIDGE MA 01518	<b>Owner Address</b>
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This project has been assigned the following file # : **CE 300-1183**

ISSUANCE OF A FILE NUMBER INDICATES ONLY COMPLETENESS OF SUBMITTAL, NOT APPROVAL OF APPLICATION

Although a file # is being issued, please note the following:

If shading of Land Under Waterbody will result from the installation of the docks, the area of shading impacts should be quantified in Section B of the NOI. The applicant should demonstrate how impacts Land Under Waterbody will meet the performance standards found in 10.56(4).

**ADDITIONAL REQUIREMENTS:**

A Chapter 91 license may be required. Application and transmittal forms are available on the MassDEP website

<http://www.mass.gov/eea/agencies/massdep/water/approvals/wetlands-and-waterways-forms.html#2>. For additional information, contact MassDEP Waterways Program by email at [dep.waterways@mass.gov](mailto:dep.waterways@mass.gov) or visit <https://www.mass.gov/waterways-program-chapter-91>.

Your project involves dredging amounts greater than 100 cubic yards of sediment from Land Under Water and will require a 401 Water Quality Certification (WQC) (314 CMR 9.00). 401 WQC forms are available online at: <https://www.mass.gov/lists/water-quality-certification-forms-massdep>.

401 WQC applications must now be submitted electronically using EEA's ePLACE online tool. MASSDEP NO LONGER ACCEPTS PAPER APPLICATIONS FOR THESE FILINGS. General instructions and visual EEA ePLACE step-by-step instructions designed to assist with submitting your application are available online at: <https://www.mass.gov/how-to/ww-07-08-09-water-quality-certifications-dredging-projects>

Regards,  
for MassDEP,

(857)-263-0948  
Judith.Schmitz@mass.gov

**From:** [CERO\\_NOI@MassMail.state.ma.us](mailto:CERO_NOI@MassMail.state.ma.us)  
**To:** [mark@grndfx.com](mailto:mark@grndfx.com); [rfalcone@rocky5.com](mailto:rfalcone@rocky5.com)  
**Cc:** [cero\\_noi@state.ma.us](mailto:cero_noi@state.ma.us); [Rebecca Gendreau](mailto:Rebecca.Gendreau); [Erin Carson](mailto:Erin.Carson); [cero\\_noi@state.ma.us](mailto:cero_noi@state.ma.us)  
**Subject:** MassDEP NOI File Number  
**Date:** Wednesday, December 13, 2023 5:49:00 PM

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COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
CENTRAL REGIONAL OFFICE

8 NEW BOND STREET, WORCESTER, MA 01606 508-792-7650

Date: 12/13/2023 Municipality STURBRIDGE

**RE: NOTIFICATION OF WETLANDS PROTECTION ACT FILE NUMBER**

The Department of Environmental Protection has received a Notice of Intent filed in accordance with the Wetlands Protection Act (M.G.L. c. 131, §40):

<b>Applicant</b> ROCCO FALCONE 328 THE <b>Address</b> TRAIL,STURBRIDGE MA 01518 328 THE TRAIL , <b>Locus</b> STURBRIDGE MA 01518	<b>Owner Address</b>
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This project has been assigned the following file # : **CE 300-1182**

ISSUANCE OF A FILE NUMBER INDICATES ONLY COMPLETENESS OF SUBMITTAL, NOT APPROVAL OF APPLICATION

Although a file # is being issued, please note the following:

Revised:

If shading of Land Under Waterbody will result from the installation of the docks and connecting deck, the area of shading impacts should be quantified in Section B of the NOI. The applicant should demonstrate how impacts to Bank and Land Under Waterbody will meet the performance standards found in 310 CMR 10.54(4) and 10.56(4).

The existing locations of the shoreline wall (Bank) and deck should be shown on the site plans, as well as the proposed location of the connection deck. A list of the proposed plantings should be included with the NOI.

**ADDITIONAL REQUIREMENTS:**

A Chapter 91 license may be required. Application and transmittal forms are available on the MassDEP website

<http://www.mass.gov/eea/agencies/massdep/water/approvals/wetlands-and-waterways-forms.html#2>. For additional information, contact MassDEP Waterways Program by email at [dep.waterways@mass.gov](mailto:dep.waterways@mass.gov) or visit <https://www.mass.gov/waterways-program-chapter-91>.

**From:** [CERO\\_NOI@MassMail.state.ma.us](mailto:CERO_NOI@MassMail.state.ma.us)  
**To:** [cmoran@mobilemedtransport.com](mailto:cmoran@mobilemedtransport.com); [rlussier@cmgenv.com](mailto:rlussier@cmgenv.com); [thomas.rebula@mass.gov](mailto:thomas.rebula@mass.gov)  
**Cc:** [ceronoi@state.ma.us](mailto:ceronoi@state.ma.us); [Rebecca Gendreau](mailto:Rebecca.Gendreau); [Erin Carson](mailto:Erin.Carson); [ceronoi@state.ma.us](mailto:ceronoi@state.ma.us)  
**Subject:** MassDEP NOI File Number  
**Date:** Friday, December 15, 2023 11:49:26 AM

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COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
CENTRAL REGIONAL OFFICE

8 NEW BOND STREET, WORCESTER, MA 01606 508-792-7650

Date: 12/15/2023 Municipality STURBRIDGE

RE: **NOTIFICATION OF WETLANDS PROTECTION ACT FILE NUMBER**

The Department of Environmental Protection has received a Notice of Intent filed in accordance with the Wetlands Protection Act (M.G.L. c. 131, §40):

<b>Applicant</b> STURBRIDGE SERVICE CENTER, INC. <b>Address</b> 241 MAIN STREET - PO BOX 33,STURBRIDGE MA 01566 <b>Locus</b> 241 & 245 MAIN STREET , STURBRIDGE MA 01566	<b>Owner Address</b>
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This project has been assigned the following file # : **CE 300-1184**

ISSUANCE OF A FILE NUMBER INDICATES ONLY COMPLETENESS OF SUBMITTAL, NOT APPROVAL OF APPLICATION

Although a file # is being issued, please note the following:

The applicant should provide the Commission with the method of abutter notification for a completed application. MassDEP notes that the ponded area of Hobbs Brook appears to possess a defined thalweg throughout its entirety during portions of the year, suggesting the possible presence of unidirectional flow within the wetland system. MASSDEP recommends the applicant either demonstrate that the ponded area does not present primarily riverine characteristics in accordance with 310 CMR 10.58(2)(a)1.h or redefine the limits of MAHW and RA associated with this feature. If portions of the work are determined to fall within RA the applicant should demonstrate compliance with the RA development standards found at 310 CMR 10.58(4) or the redevelopment standards found at 310 CMR10.58(5). Project plans indicate that the limit of the Zone A floodplain was transposed from the existing FIRM of the project area. As noted in the accompanying Wetland Resource Evaluation the applicant should evaluate the most recent NFIP flood profile data or perform the necessary calculations to determine if BLSF resource extends onto the project site in accordance with 310 CMR 10.57(2)(a)3. MassDEP recommends that the Commission verify that the proposed project meets the definitions of redevelopment under the Massachusetts Stormwater Standards in that it will not result in the increase of impervious surfaces on the project site. If an increase to impervious surface

is proposed the applicant should demonstrate full compliance with the Massachusetts Stormwater Standards. The existing use of the property may meet the definitions of Land Uses with Higher Potential Pollutant Load associated with fleet storage and/or exterior vehicle service areas. If qualifying as LUHPPL the applicant should demonstrate compliance with Standard 5.

Regards,  
for MassDEP,

(508)-767-2721  
Thomas.Rebula@Mass.gov

**From:** [Justin Barton](#)  
**To:** [Rebecca Gendreau](#)  
**Subject:** Re: Access to Road Blocked by Washout at 33 Putnam Rd, Sturbridge  
**Date:** Wednesday, December 27, 2023 12:24:07 PM

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Thank you Becky!

I appreciate you getting the approval completely so quickly. Here is the summary with photos:

1. Flooding caused by excessive rainfall and already-saturated soil washed out the road and blocked access to the street from our house:



- 2.
3. Replaced existing two 15" corrugated culvert pipes with three 24" corrugated culvert pipes:



- 4.
5. Widened the culvert while maintaining elevations of the existing stream bed. Pipes installed slightly embedded in the natural stream bed at both the inverts and outlets to not change the existing flows.
6. Further reinforced the headwall with large stones and improved the fill material to a locking mix to reduce risk of erosion.
7. Capped and graded asphalt shavings to restore road surface. Work completed on 12/22/23.

8.



Justin

On Tue, Dec 26, 2023 at 3:19 PM Rebecca Gendreau <[rgendreau@sturbridge.gov](mailto:rgendreau@sturbridge.gov)> wrote:

Hi Justin,

Please find attached the emergency approval. The original will follow in the mail. I hope that you are enjoying being able to use your driveway again. Please make sure to provide the follow up summary w/ photos. Take care,

Rebecca Gendreau

Conservation Agent

Town of Sturbridge

301 Main Street

Sturbridge, Ma 01566

(508)347-2506

[rgendreau@sturbridge.gov](mailto:rgendreau@sturbridge.gov)

*The Massachusetts Secretary of State's Office has determined that email is a public record and therefore subject to public access under the Mass Public Records Law. M.G.L.c.66§10.*

*Please consider the environment before printing this e-mail.*



December 5, 2023

Sturbridge Board of Selectman Chairperson  
301 Main Street  
Sturbridge, MA 01566

RECEIVED  
DEC 11 2023  
CONSERVATION

Dear Board of Selectman Chairperson:

In compliance with 333 CMR 11.06, 45 Day Yearly Operational Plan Public Notice, Review and Comment, please review National Grid's 2024 Yearly Operational Plan (YOP) at the following website (hard copy available upon request): [https://www9.nationalgridus.com/transmission/c3-8\\_standocs.asp](https://www9.nationalgridus.com/transmission/c3-8_standocs.asp). A copy of the Environmental Monitor Notice is enclosed and published under the Massachusetts Environmental Policy Act (MEPA).

The map(s) for your municipality can also be found on the above website (scroll through the pdf to your municipality). If you have any trouble viewing the maps, please contact me.

Please review the YOP map(s) that locate the right-of-way corridors and the plotted location of known sensitive areas including public and private drinking water supplies. If there are any additional sensitive areas located on or near the rights-of-way, please advise us as soon as possible so we may establish GIS permanent records and implement appropriate field protective actions. **We particularly rely on this process to collect corrections to the public wells and to record the location of private wells.**

National Grid's YOP details specific information pertaining to the intended 2024 program. Please note that the YOP also lists the rights-of-way from the 2023 treatment program in case National Grid needs to request a "touch-up" retreatment of scattered locations from our contractor(s). If upon review of the previous year's treatments, National Grid finds a site(s) within your municipality that need follow-up treatments, this letter serves as notification of that follow-up treatment. The individual landowner(s) will also be notified about this work. *Please note that scheduled rights-of-way are subject to change based on workplan constraints.*

This notification also serves as a 21-day herbicide application notification. As detailed in National Grid's Five-Year Vegetation Management Plan (VMP) and Yearly Operational Plan (YOP), this treatment is conducted as a component of an integrated vegetation management (IVM) program that also utilizes mechanical and natural control techniques. National Grid's Five-Year Vegetation Management Plan (2024-2028) is posted at the following website (hard copy available upon request) [https://www9.nationalgridus.com/transmission/c3-8\\_standocs.asp](https://www9.nationalgridus.com/transmission/c3-8_standocs.asp).

As described in the VMP and YOP, the program will consist of a late winter-spring mechanical control, cut surface (CST), basal treatment, or dormant stem; a summer selective foliage or cut stubble, and, as necessary, fall CST, basal, or dormant stem treatments.

In compliance with 333 CMR 11.06-11.07, no herbicide applications will occur before the conclusion of the 45-day YOP review period, the 21 day treatment notice and the 48 hour newspaper notice. At the end of these review periods, which can run concurrently, no application shall commence more than ten days before nor conclude more than ten days after the treatment periods listed above.

Potential Treatment Periods\*

February 1, 2024 – May 30, 2024	May 30, 2024 - Oct 15, 2024	Oct 15, 2024 – Dec 31, 2024
CST	Foliar	CST
Basal	CST	Basal
Dormant stem	Basal	Dormant Stem
	Cut stubble	

\* The exact treatment dates are dependent upon weather conditions and field crew progress.

Commonwealth of Massachusetts recommended herbicides for use in sensitive areas listed in Section 7 (pages 13-15) of the YOP will be selectively applied to target vegetation by experienced, Massachusetts' licensed/certified applicators that walk along the rights-of-way using backpack equipment. Copies of the manufacturers' herbicide labels and fact sheets are also included in the YOP, Appendices 8 and 9.

The work will be performed by one of the following vegetation management vendors:

<b>Lewis Tree Service, Inc.</b>	<b>Stanley Tree</b>	<b>Vegetation Control Service, Inc.</b>	<b>Davey Tree Expert Co.</b>
300 Lucius Gordon Drive	662 Great Road	2342 Main Street	1500 N Mantua St
West Henrietta, NY 14586	North Smithfield, RI 02896	Athol, MA 01331	Kent, OH 44240
(585) 436-3208	(401) 765-4677	(978) 249-5348	800-445-8733
<b>Lucas Tree Experts</b>	<b>BluRoc</b>	<b>North Eastern Tree Service</b>	<b>Rainbow Treecare</b>
12 Northbrook Drive	15 Atwood Dr, Suite 301	1000 Pontiac Ave	11571 K-Tel Dr.
Falmouth, ME 04105	Northampton, MA 01060	Cranston, RI 02920	Minnetonka, MN 55343
(800) 339-8873	(413) 887-3653	(401) 941-7204	952-922-3810

This informational 21-day notification follows Chapter 132B, section 6B of the Massachusetts General Laws, 333 CMR 11.05-11.07 Rights of Way Management and Chapter 85, Section 10 of the Acts of 2000. National Grid's vegetation management program is subject to federal and state regulations only. By statute, local permits or rulings are not applicable.

For inquiries concerning safety of the herbicides, please contact:

MDAR-Pesticide Division-ROW Coordinator  
 251 Causeway Street, Suite 500  
 Boston, MA 02114-2151  
 Telephone: (617) 626-1782

Please contact me if you have any questions about the application and monitoring of the vegetation management program. Email: [mariclaire.rigby@nationalgrid.com](mailto:mariclaire.rigby@nationalgrid.com) Phone: 781-290-8310

Sincerely,

Mariclaire Rigby  
 Principal Vegetation Strategy Specialist

CC: Board of Health, Conservation Commission, Private and Public Water Suppliers  
 Massachusetts Department of Agricultural Resources

# THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



## Department of Agricultural Resources

225 Turnpike Road, 3<sup>rd</sup> Floor, Southborough, MA 01772  
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



Maura T. Healey  
GOVERNOR

Kimberley Driscoll  
LIEUTENANT  
GOVERNOR

Rebecca L. Tepper  
SECRETARY

Ashley E. Randle  
COMMISSIONER

### NOTICE

Pursuant to the provisions of the Rights-of-Way Management Regulations, 333 CMR 11.00, to apply herbicides to control vegetation along rights-of-way, a five year Vegetation Management Plan (VMP) and a Yearly Operational Plan (YOP) must be approved by the Massachusetts Department of Agricultural Resources (MDAR). National Grid has submitted and holds a current VMP, therefore, notice of receipt of a YOP and procedures for public review is hereby given as required by Section 11.06 (3).

National Grid has submitted a YOP to MDAR for 2024 and National Grid's YOP identifies the following municipalities as locations where they intend to use herbicides to treat their electric Rights-of-Way in 2024:

Abington	Chelmsford	Hanover	Melrose	Raynham	Stoughton
Adams	Clarksburg	Haverhill	Mendon	Reading	Sturbridge
Andover	Colrain	Heath	Methuen	Rehoboth	Swampscott
Attleboro	Dighton	Holbrook	Milford	Rowe	Swansea
Auburn	Dracut	Hopedale	Millbury	Salem	Taunton
Avon	East Bridgewater	Lawrence	Monroe	Saugus	Tewksbury
Ayer	Easton	Leicester	Montague	Seekonk	Uxbridge
Berkley	Florida	Leominster	North Adams	Shelburne	West Bridgewater
Billerica	Gill	Littleton	North Andover	Somerset	Westford
Bridgewater	Grafton	Lowell	North Reading	Spencer	Whitman
Brockton	Greenfield	Lynnfield	Pembroke	Sterling	

In 2024 National Grid will conduct a selective herbicide treatment program on their rights-of-way as part of an Integrated Vegetation Management (IVM) program on transmission and distribution lines.

The intended vegetation control program will be consistent with the guidelines set forth in National Grid's VMP and YOP. Herbicides will be selectively applied to target vegetation by licensed/certified applicators carrying backpack or hand held application equipment.

National Grid will only use herbicides recommended by MDAR for use in sensitive areas for their IVM program. Pursuant to 333 CMR 11.04, no herbicides will be sprayed within any designated "no spray sensitive sites." Instead, mechanical only methods will be used to control vegetation in these areas.

Public notification will be provided to each "affected" municipality at least twenty-one days prior to any herbicide application and in a newspaper notification at least 48 hours before the beginning of the spray season.

In accordance with 333 CMR 11.06 (2), National Grid's YOP includes the identification of target vegetation; methods of identifying, marking and protecting sensitive areas; application techniques; the herbicides, application rates, carriers and adjuvants proposed for use; alternative control measures, a list of the application companies and YOP supervisor; procedures for handling, mixing and loading herbicides; emergency resources including local, state and federal emergency telephone numbers; maps of the rights-of-way that include mapped sensitive areas, and herbicide fact sheets and labels.

**PUBLIC REVIEW**

MDAR seeks to verify the location of sensitive areas defined in Section 11.02 and reported in the YOP. MDAR itself has a limited ability to survey the geography, land use and water supplies in all the communities through which rights-of-way pass. Municipalities have most of this information readily available, and the particular knowledge with which to better certify the sensitive areas in their communities. MDAR, therefore, requests, and urges the assistance of the "affected" municipalities in reviewing the completeness and accuracy of the maps contained in the submitted YOP.

The YOP can be viewed on MDAR's website: <http://www.mass.gov/eea/agencies/agr/pesticides/vegetation-management-and-yearly-operation-plans.html> or National Grid's website: [https://www9.nationalgridus.com/transmission/c3-8\\_standocs.asp](https://www9.nationalgridus.com/transmission/c3-8_standocs.asp)

**MDAR has established the following procedures for this review:**

Copies of the YOP and this *Notice* will be sent by the applicant to the Conservation Commission, Board of Health (or designated health agent), the Head of Government (Mayor, City Manager, Chair of the Board of Selectman) and appropriate water suppliers of each municipality where herbicides are to be applied during the calendar year of 2024; and if applicable, to the Natural Heritage Endangered Species Program of the Massachusetts Department of Fisheries and Wildlife, the Massachusetts Water Resource Authority and the Massachusetts Department of Conservation and Recreation. Municipal agencies and officials will have forty-five days, following receipt of the YOP, to review its map for inaccuracies and omissions in the location of "sensitive areas not readily identifiable in the field."

Municipal agencies and officials are requested to forward the YOP to the appropriate official(s) in their municipality who are qualified to certify the accuracy of the sensitive areas indicated on the maps. The maps should then be "corrected" and returned to the applicant and a copy should be sent to MDAR, at the address listed below, within the forty-five day review period. If a city or town needs more time to carry out this review, it should send a written request for an extension to MDAR and cite why there is a "good cause" for requesting additional time.

The applicant is required to make corrections and the corrected maps will be sent back to the city/town that requested the disputed changes within fifteen days of receipt of the request. MDAR will decide whether or not the YOP should be approved without the requested changes. MDAR will consider the "final approval" of a YOP individually for each municipality.

The twenty-one day public review period of the Municipal Notification Letter may serve concurrently with the forty-five day YOP review period in order to provide public notifications as required by 333 CMR 11.06-7, if the applicant has an approved VMP and if all the requisite city-town offices that received copies of the YOP completed their review and all corrections were duly made by the applicant and approved by MDAR.

A failure by the city/town to respond to the applicant's submission of the YOP within the forty-five day period will automatically be considered by MDAR to indicate agreement by the municipal officials with the sensitive area demarcations provided by the applicant in their YOP.

Any questions or comments on the information provided in this *Notice* and the procedures established for the municipal review outlined above should be addressed to:

Clayton Edwards, Rights-of-Way Programs  
Massachusetts State Pesticide Bureau  
225 Turnpike Road,  
Southborough, MA 01772

Any questions or comments regarding the YOP should be addressed to:

Mariclaire Rigby  
Lead Vegetation Strategy Specialist  
National Grid Vegetation Management Strategy  
939 Southbridge Street, Worcester, MA 01610

**COMMENT PERIOD ENDS AT THE CLOSE OF BUSINESS (5pm) Friday, January 22, 2024**

# nationalgrid

## RIGHT-OF-WAY VEGETATION MANAGEMENT

### Additional Information about National Grid's Integrated Vegetation Management (IVM) Program:



National Grid utilizes a program called Integrated Vegetation Management (IVM) to maintain its rights-of-way (ROW) floor (WIRE ZONE AND BORDER ZONE in the above illustration). The ROW is the off-road section of our lines, these are not the poles and lines that run along the roadside. The IVM program encourages the establishment of a low growing plant community within the ROW using mechanical, biological, & herbicide treatments. Our IVM program is based on 4-5-year cycles which schedule crews to target incompatible vegetation as selectively as possible and then allows early successional ecological communities (low-growing plants and shrubs) to help maintain compatible vegetation between treatment programs. Because we have been using this program since the 1960's our ROWs consist mainly of compatible growing species. It's important to note that the cycles allow us to treat different ROWs in our system each year, so not all the ROWs in one town will necessarily be treated in the same year.

The vegetation management work is being performed in accordance with 333 CMR 11.00 Rights of Way Management and the provisions of the Massachusetts Wetlands Protection Regulations (310 CMR 10.02(2)(a)(2) that allow for the maintaining, repairing, or replacing, but not substantially changing or enlarging, existing structures or facilities. This work is done to keep vegetation away from electrical transmission lines and facilities to prevent power outages and ensures the safety and reliability of the existing lines therefore, it constitutes maintenance of utility structures and facilities.

The herbicide maintenance work is also covered under 310 CMR 10.03 (6): Presumption Concerning Application of Herbicides. (a) Any application of herbicides within any Area Subject to Protection under M.G.L. c. 131, § 40 or the Buffer Zone associated with a structure or facility which is: 1. existing and lawfully located; 2. used in the service of the public; and 3. used to provide electric, gas, water, sewer, telephone, telegraph and other telecommunication services shall be presumed to constitute work performed in the course of maintaining such structure or facility, and shall be accorded the exemption of such work under M.G.L. c. 131, § 40, only if the application of herbicides to that structure or facility is

performed in accordance with such plans as are required by the Department of Food and Agriculture pursuant to 333 CMR 11.00: Rights of Way Management, effective July 10, 1987.

National Grid uses field GIS software to gather data on the ROW. Before we begin any ROW vegetation maintenance work, professionally trained forestry staff field inventory the ROW 1-2 years ahead of the scheduled maintenance year and prescribe the work for the crews. Each site is GIS mapped and designated with a land use type, site prescription, and any special notes. When making the prescription all land use factors are considered: proximity to water, sensitive areas, wetlands, landowner concerns, priority habitat, etc. GIS shapefiles/locations of wetlands and other sensitive areas provided from the state and local municipalities are added to our GIS. In addition, all the necessary state listed buffers have also been applied to our GIS. (Please see Appendix 6 of the YOP for the list of buffers). National Grid Forestry staff and contracted field crews conducting the ROW work all use the GIS software in the field to help identify the work and sensitive area requirements.

In addition to using GIS field software, National Grid chooses to only use herbicides from the MA Sensitive Materials List. These are herbicides that may be used in sensitive areas. (ex: wetlands). In areas where we use herbicides, the herbicide treatments are selectively applied by trained, licensed applicators using hand-held equipment. Two methods of application are primarily used. A preparatory Cut and Stump Treatment (CST) is made where trees must be hand cut near inhabited areas, roads, and for all trees over 12 feet tall. A foliage application consisting of the same materials is made selectively to target species only less than 12 feet tall over the remaining portion of the right-of-way. In both treatment methods, applicators walk to each target plant and apply minimal amounts of herbicide. National Grid does not utilize any broadcast treatments. All herbicides have been approved for use by the U.S. Environmental Protection Agency as well as the MA Department of Agriculture (MDAR). Herbicide use in Massachusetts is solely regulated by MDAR. <https://www.mass.gov/rights-of-way-vegetation-management> . ***Important: if you note any additional sensitive areas, please notify us so we can add them to our GIS and apply the necessary buffers.***

National Grid is currently taking part in a study to quantify the biodiversity found within our rights-of-way. <https://www.tdworld.com/vegetation-management/article/21239573/national-grids-biodiversity-study-for-integrated-vegetation-management>

For more information about the study: <https://bioaudit.acrt.com/national-grid/>