



July 5, 2023

Hand Delivery/Email (rgendreau@sturbridge.gov)

Sturbridge Conservation Commission
301 Main Street
Sturbridge, MA 01566

Re: DEP File #CE300-1156
Blueberry Hill Estates
Lot 3 Berry Farms Road
Sturbridge, Massachusetts

[LEC File #: MCEI\20-002.04]

Dear Members of the Commission:

On behalf of the Applicant, Justin Stelmok, LEC Environmental Consultants, Inc., (LEC) is submitting revised plans, entitled Special Permit and Site Plan, prepared by McClure Engineering, Inc., last revised June 27, 2023, for the proposed Blueberry Hill Estates. The Applicant has made several additional revisions to address Commission and staff feedback, specifically:

- Removal of all permanent disturbance within the 200-foot Vernal Pool Buffer Zone.
Modification to Lot 13 to afford a (re)vegetated buffer strip for wildlife movement.
Replacing the proposed four-sided box culvert (crossing structure) with a three-sided box culvert.
No salt application on roadways within the 200-foot Buffer Zone to BVW.

The following reviews the updates in more detail:

200-foot Vernal Pool Buffer Zone

The Applicant has eliminated Lots 66 and 69 within the 200-foot Buffer Zone to the southerly A-series Vernal Pool and reconfigured Unit 65 to avoid the encroachment into the 200-foot Vernal Pool Buffer Zone. The rain garden northeast of the southerly A-series Vernal Pool has also been modified to avoid the 200-foot Buffer Zone. Proposed Drive A has also been slightly shifted to be entirely outside of the 200-foot Vernal Pool Buffer Zone (previously 197± linear feet away). The undisturbed habitat corridor west of the Proposed Drive A and the crossing structure is greater than 300 feet in length (north-south orientation).

Lots 20 and 21 within the 200-foot Buffer Zone to the E-series Vernal Pool have been eliminated as well.

As proposed, the revised project avoids all permanent disturbance within the 200-foot Vernal Pool Buffer Zone, including structures, roadways, and rain gardens. Temporary disturbance within the 200-foot Vernal Pool Buffer Zone is minimal and is associated with regraded slopes that will be revegetated and allowed to naturalize as previously reviewed. The Open Space on Lot 3 has now increased to 16.6± acres and cumulatively 80.5± acres.

Table with 5 columns: LEC Environmental Consultants, Inc., www.lecenvironmental.com, 12 Resnik Road, 380 Lowell Street, 100 Grove Street, P.O. Box 590, 680 Warren Avenue, Suite 1, Suite 101, Suite 302, Rindge, NH 03461, Suite 3, Plymouth, MA 02360, Wakefield, MA 01880, Worcester, MA 01605, East Providence, RI 02914, 508.746.9491, 781.245.2500, 508.753.3077, 603.899.6726, 401.685.3109, PLYMOUTH, MA, WAKEFIELD, MA, WORCESTER, MA, RINDGE, NH, EAST PROVIDENCE, RI

Lot 13 Modification

To address staff's request, the Applicant has revised the layout on Lot 13 to afford a 20-foot-wide vegetated corridor for wildlife passage (refer to Sheet C9). The area will be regraded and revegetated with a native seed mix (New England Wetland Plants Roadside Upland Matrix Seed Mix), shrubs, and tree saplings, potentially including, but not limited to arrowwood (*Viburnum dentatum*), highbush blueberry (*Vaccinium corymbosum*), gray birch (*Betula populifolia*), and/or red maple (*Acer rubrum*). As corroborated by Oxbow Associates during the prior Public Hearing review process, wider forested strips within this location or other areas are not necessary to accommodate wildlife passage through or around the development. Ample wildlife corridors will be retained on-site and wildlife (e.g., white tailed deer) migration will not be significantly impacted by the project. Furthermore, it should be noted that Lot 13 is located outside of the 200-foot BVW Buffer Zone.

Three-Sided Box Culvert

As depicted on Sheet C30, a three-sided box culvert is now proposed at the crossing structure. To reiterate, the six-foot-wide box culvert will maintain at least 3.5 feet of height/clearance to grade. Utilities will be trenched under the crossing structure and the natural substrate (topsoil and leaf litter) will be redistributed within the bottom of the crossing. The crossing structure will be maintained under the O&M Plan to ensure it is kept free of debris/nuisance vegetation with the naturalized/stabilized substrate to function as designed.

Salt Application

The Applicant is committing to no salt application for roadways within the 200-foot BVW Buffer Zone. The *Reduced Salt Application Plan (2/8/23)* will be applied to roadways outside of the 200-foot Buffer Zone. Signage ("No Salt Zone" or similar) will be installed along the roadway. The company responsible for roadway maintenance will be properly trained and educated on the development's O&M Plan and BMPs to be implemented.

Summary

The proposed project, through significant revisions, has been designed to comply with the *Town of Sturbridge Wetlands Bylaw (Bylaw, Chapter 286)* and *Wetlands Regulations (Bylaw Regulations)*. Specifically, the project complies with all performance standards. No work is proposed within the 25-foot Buffer Zone to BVW or the 100-foot Vernal Pool Buffer Zone. No structures occur within the 50-foot Buffer Zone. In fact, only one (1) Unit #54 is located within the 100-foot BVW Buffer Zone, representing 2,420± square feet. Proposed permanent disturbance within the 100-foot BVW Buffer Zone totals 23,370± s.f. (0.5± acres) or 6.5% of the cumulative on-site area within the 100-foot Buffer Zone. A total of 549,240± s.f. (12.6± acres) will remain undisturbed and/or permanently protected within the 200-foot BVW Buffer Zone, representing 72.4%.

The Applicant has eliminated all permanent disturbance within the 200-foot Vernal Pool Buffer Zone. Minimal proposed temporary disturbance associated with regrading will be revegetated and allowed to naturalize (5,860± s.f.—southerly A-series Vernal Pool; 2,520± s.f.—northerly A-series Vernal Pool; 250± s.f.—E-series Vernal Pool).



The project will result in no significant adverse impacts on the downgradient Resource Areas. The on-site Vernal Pools will be appropriately protected based on the project revisions/setbacks, protected vegetated buffers, stormwater management, O&M Plan, no roadway salt application within 200-foot BVW Buffer Zone, and the Vernal Pool Monitoring Plan. The habitat corridor/crossing structure will serve to provide wildlife passage/connectivity between the southerly A-series Vernal Pool and E-series Vernal Pool. Permanent land protection (Open Space) cumulatively totals 80.5± acres.

The Applicant has worked diligently to address Commission and staff feedback and has made significant project revisions during the 15-month review process. A list of recommended project conditions to append the Commission's standard pre-construction, during, and post-construction conditions accompanies this letter, along with the updated plans, *Conservation Open Space Plan*, the *Stormwater Management Report*, last revised by McClure Engineering, Inc., on June 26, 2023. As proposed, the project complies with all state and local wetland regulations and is eligible for an Order of Conditions.

Thank you for consideration of the supplemental information. We look forward to discussing the final project revisions and conditions at the July 13, 2023 Public Hearing. Please do not hesitate to contact me if you have any questions in advance of the hearing.

Sincerely,

LEC Environmental Consultants, Inc.

A handwritten signature in black ink, appearing to read "Brian T. Madden".

Brian T. Madden

Senior Wildlife/Wetland Scientist

Attachments

Attachment A

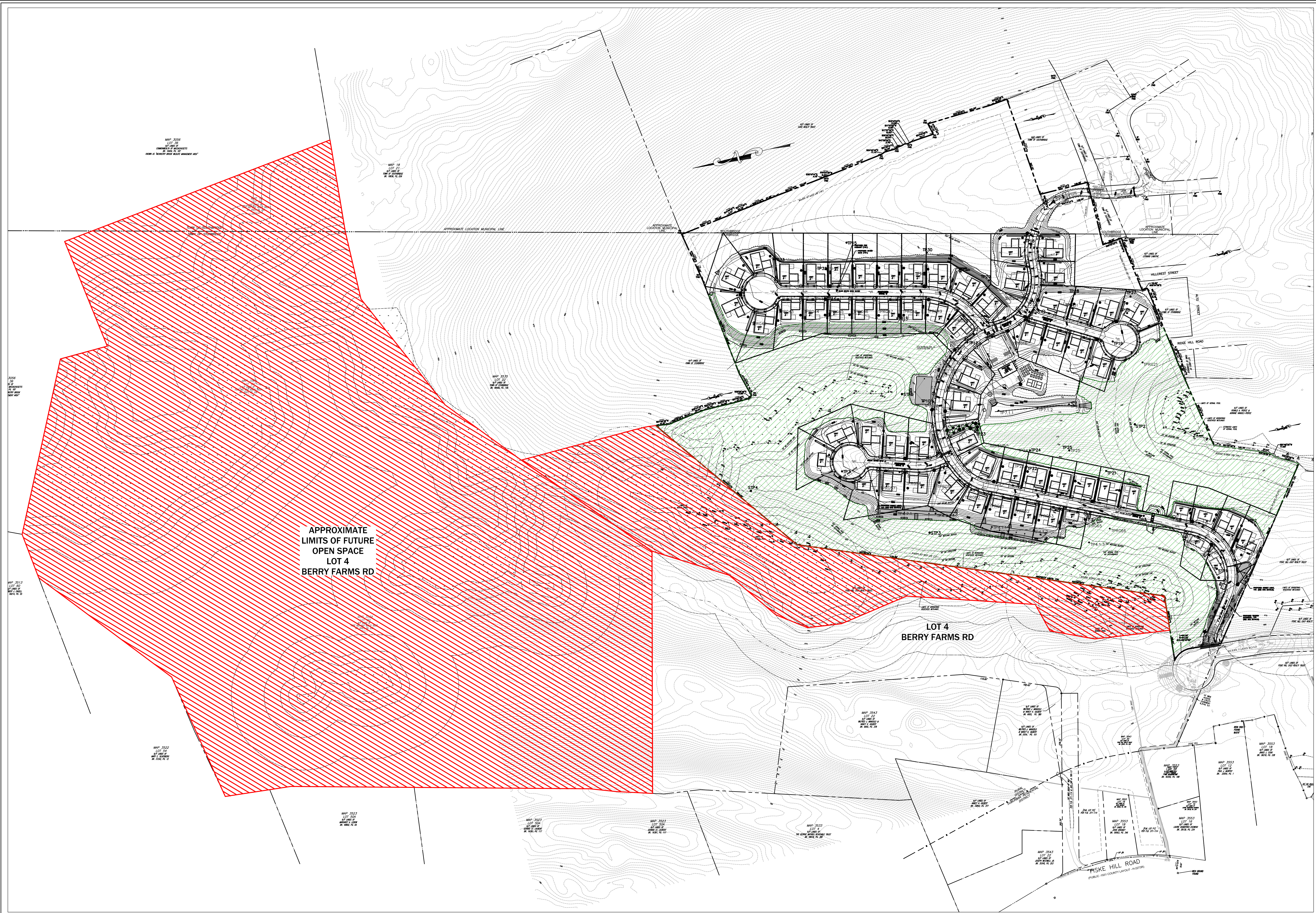
Special Permit and Site Plan, Prepared by McClure Engineering, Inc.,

Last Revised June 27, 2023

(Separate Cover)

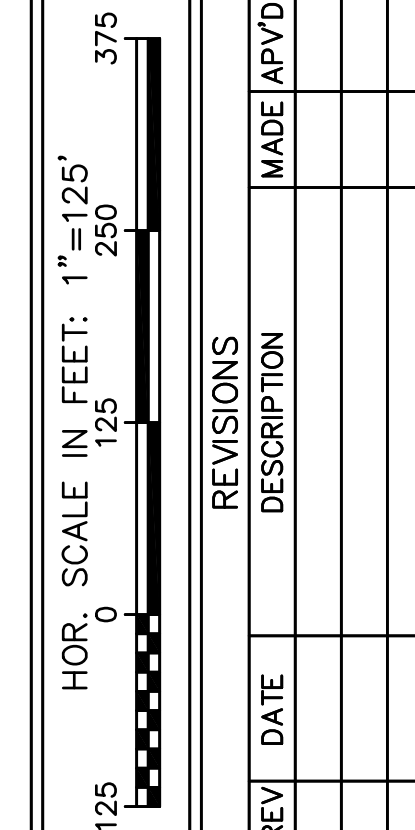
Attachment B

Open Space Conservation Plan, Prepared by McClure Engineering, Inc.,
Last Revised June 27, 2023



APPROXIMATE
LIMITS OF FUTURE
OPEN SPACE
LOT 4
BERRY FARMS RD

LOT 4
BERRY FARMS RD



PETER C. ENGLE, P.E. PROFESSIONAL ENGINEER	
MA LIC. NO.	53736
REV	DATE
REVISIONS	DESCRIPTION
MADE	APVD

McCLURE
ENGINEERING, INC

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SPECIAL PERMIT AND SITE PLAN
"BLUEBERRY HILL ESTATES"
LOT 3 BERRY FARMS ROAD
STURBRIDGE, MA 01566
PREPARED FOR
JUSTIN STELMOK
557 SOUTHWEST CUTOFF
WORCESTER, MA 01607

DRAWN BY:	PE
DATE:	6.27.23
CHK BY:	OPM
SCALE:	1"=125'
PROJ. NO.:	287-2118K

CONSERVATION
OPEN SPACE
PLAN

C-SK-CR

Attachment C

Stormwater Management Report,
Prepared by McClure Engineering, Inc., Last Revised June 26, 2023

(Separate Cover)

Attachment D

Draft Conditions

DEP File #CE300-1156—Blueberry Hill Estates

Special Conditions

1. VERNAL POOL CERTIFICATION—Prior to the start of work, a Vernal Pool Certification Form shall be provided to the Natural Heritage and Endangered Species Program to certify the vernal pools on site. Proof of submission shall be provided to the SCC.
2. OPEN SPACE PROTECTION—The Applicant has submitted a draft Declaration of Restriction, encompassing 80.5± acres of land on Lots 3 & 4 Berry Farm Road. Prior to the start of work, the Applicant shall record the Declaration of Restriction and accompanying Open Space Plan at the Registry of Deeds and provide proof to the SCC. Concurrently, a baseline report shall be submitted to the SCC. Open Space signage and monumentation shall be installed, inspected, and replaced, as necessary, by the Applicant.

Within one year from the start of work, the 56± acres of land on Lot 4 Berry Farm Road shall be formally transferred to the Massachusetts Division of Fisheries and Wildlife (DFW). DFW will carry out all stewardship responsibilities for land transferred to the Commonwealth.

3. VERNAL POOL MONITORING—The Applicant shall implement LEC's Vernal Pool Monitoring Plan, dated February 6, 2023, to assess the biological activity and water quality of the three Vernal Pools over a five-year time period, including pre, during, and post-phased construction of Blueberry Hill Estates. Annual Monitoring Reports shall be submitted to the SCC no later than July 1st of each year. The monitoring reports shall detail the biological assessment and water quality testing findings along with photo documentation, water depths, and temperature. Should adverse effects be documented within the Vernal Pools, the Applicant shall appear before the SCC to discuss remediation measures, O&M practices, etc., as necessary.
4. SALT APPLICATION—No salt shall be applied on roadways within the 200-foot BVW Buffer Zone. Signage ("No Salt Zone" or similar) shall be installed along the roadway. The roadway maintenance company shall be properly trained and educated on the development's O&M Plan and BMPs to be implemented. The maintenance company shall submit to the SCC a signed Certificate of Understanding confirming that maintenance personnel understand the terms and conditions specified in the Order.
5. CROSSING STRUCTURE OPERATIONS AND MAINTENANCE PLAN—The Applicant shall implement an Operations and Maintenance Plan to keep the habitat corridor crossing structure, grates, and retaining walls free of debris and vegetation, in addition to maintaining the natural substrate on the bottom. The crossing structure, grates, and retaining walls shall be inspected once a year, prior to spring vernal pool migration, for the first three years following installation with annual monitoring reports submitted to the SCC by April 15. Future annual inspections shall be conducted by March 1 (of any year) or immediately following snow melt.

6. REVEGETATION AREAS—Revegetation Areas shall be seeded with a New England Wetland Plants Roadside Upland Matrix Seed Mix or Conservation-approved similar and left to naturalize. Prior to individual Lot/Unit construction, the Applicant shall submit a plan for signage (or similar) physically demarcating the limits of the Revegetation (No Mow) Areas. Annual monitoring reports shall also document the condition of the Revegetation Areas (with photographs).