



**Town of Sturbridge  
Conservation Commission**  
Request for Determination of Applicability Application  
Coversheet/Checklist

Date

Fill all white cells completely

<b>Parcel</b>		<b>Applicant name</b>	<i>Joseph Murphy 6 Birch St. Sturbridge Jmurphy1719@yahoo.com 508 713 8334</i>
Address		Address	
Assessors		Email	
Map/Plat		Phone	
Book & Page			
<b>Owner name</b>		<b>Representative</b>	
Address		Address	
Email		Email	
Phone		Phone	

Components of a Complete RDA

State Form: WPA Form 1	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No
Plan	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No
Property Owner Permission (if applicable)	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No
Narrative	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No
TOPO Map identifying locus with scale	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No
Natural Heritage Map with WH, PH, & VP data	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No
Tax Form	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No
Fees \$ _____	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Abutter Information</b>	
★ Certified abutters list (within 200')	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No
★ Abutter notification form	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No
★ Affidavit & proof -- bring to hearing	<i>Present them at the hearing</i>
<b>Other Attachments, e.g.</b>	

## Conservation Commission Wetland Permit Process

NOI	Process
1	Obtain a Certified list of all abutters within 200' of property lines from the Assessor's Office. <i>(may take 10 business days)</i>
2	Obtain a Tax Form Sign-Off by the Finance Department
3	<p><b>Submit applications (see bullets below) by noon of the Tuesday deadline (16 days before the desired hearing):</b></p> <p>a. <u>To Sturbridge Conservation Commission: 301 Main St., Sturbridge, MA 01566</u></p> <ul style="list-style-type: none"> <li>• This coversheet (1 paper copy)</li> <li>• <b>Complete application</b> -- see the checklist on the other side of this page (2 paper copies and 1pdf) <ul style="list-style-type: none"> <li>• <i>Plans must be stamped by an engineer if any component of the project requires engineering.</i></li> </ul> </li> <li>• <b>Check</b></li> </ul> <p>b. <u>To Mass DEP Central Regional Office: 8 New Bond Street, Worcester, MA 01606</u></p> <ul style="list-style-type: none"> <li>• <b>Complete application</b> -- see the checklist on the other side of this page (1 paper copy)</li> <li>• <b>Email a complete application to CERO_NOI@mass.gov</b></li> </ul> <p>c. <u>To Property Owner: (if different from Applicant) 8 New Bond Street, Worcester, MA 01606</u></p> <ul style="list-style-type: none"> <li>• <b>Complete application</b> -- see the checklist on the other side of this page (1 paper copy)</li> </ul>
4	<i>Upon receipt of a complete application, the Conservation Agent will schedule a Public hearing/meeting.</i>
5	Once you are provided the date and time of the hearing, <b>notify all abutters within 200' of the property line</b> using the Town's "Notification to Abutters Form" by certified mail, certificate of mailing, or hand delivery with signatures <b>7 business days prior to the Hearing.</b> (Present proof of notification prior to the beginning of the public hearing.)
6	<i>The Conservation Agent will place a legal ad in a local newspaper and the Applicant will be billed for the ad.</i>
7	<b>Stake the project.</b> 2 weeks in advance of the public hearing, stake all proposed structures, erosion control barriers, stormwater systems, etc. within Con Com jurisdiction. <i>(Agent will confirm requirements)</i>
8	<i>The Conservation Commission and/or Agent will perform a site visit before the public hearing to confirm existing conditions and proposed work. If you wish to be informed of the time of the visit, please contact the Con Com office.</i>
9	<p><b>Attend the public hearing/meeting.</b> The applicant or representative is required to <b>provide proof of abutter notification (including Affidavit of Service), proof of legal advertisement, briefly present the project, and answer any questions about possible impacts on wetlands.</b> At the end of the hearing, the Con Com will either:</p> <ul style="list-style-type: none"> <li>• Issue a Determination (DET) or</li> <li>• <b>Approve a continuation</b> of the public hearing to allow time for additional information to be provided.</li> </ul>
10	<b>Receive and read the decision.</b> Some Determinations may include conditions. Contact the Con Com if you have any questions.
11*	<b>Wait-out the 10-Day appeal period.</b> A decision of the Con Com can be appealed by MassDEP or by any abutter, applicant, or 10-citizen group within 10 business days of the decision.
12*	<b>Install SCC file number sign and erosion controls.</b>
13*	<b>Schedule and attend a pre-construction site visit.</b> Contact the Conservation office to schedule the site visit.
14*	<b>Execute the project.</b> The project must be completed within 3 years, unless an extension of the permit is issued; extensions must be requested at least 30 days prior to the expiration of the permit.

\*may be applicable for some Determinations with conditions

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.**



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

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

**WPA Form 1- Request for Determination of Applicability**

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

**A. General Information**

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



1. Applicant:

Joseph Murphy  
Name

Jmurphy1719@yahoo.com  
E-Mail Address

6 Birch St.  
Mailing Address

Sturbridge MA  
City/Town

MA  
State

01566  
Zip Code

508 713 8334  
Phone Number

\_\_\_\_\_  
Fax Number (if applicable)

2. Representative (if any):

\_\_\_\_\_  
Firm

\_\_\_\_\_  
Contact Name

\_\_\_\_\_  
E-Mail Address

\_\_\_\_\_  
Mailing Address

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

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Fax Number (if applicable)

**B. Determinations**

1. I request the \_\_\_\_\_ make the following determination(s). Check any that apply:  
Conservation Commission

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance or bylaw** of:

Sturbridge  
Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



# WPA Form 1- Request for Determination of Applicability

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

## C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

6 Birch St. Sturbridge  
Street Address City/Town

Assessors Map/Plat Number Parcel/Lot Number

b. Area Description (use additional paper, if necessary):

removal of three trees on left side of property. One tree is dead, one tree is directly over house. This tree has roots growing and pushing into foundation. The third tree needs to be removed in order to access the other trees. When we bought the house our home inspector recommended tree come down. The tree limbs fall on top of the house and have caused damage to deck. Upon tree removal we will be planting new trees and bushes to go above and beyond what is required.

c. Plan and/or Map Reference(s):

_____	_____
Title	Date
_____	_____
Title	Date
_____	_____
Title	Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

Trees are 75 feet to 100 feet away from waters edge.





## WPA Form 1- Request for Determination of Applicability

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

### C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



# Town of Sturbridge

## Conservation Commission

### Notification to Abutters

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

In accordance with the second paragraph of Massachusetts General Laws, Chapter 131, § 40, as well as the Town of Sturbridge Wetland Bylaw, 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: Joseph Murphy
- B. The address of the lot(s) where the activity is proposed is: 6 Birch St Sturbridge
- C. The nature of the activity proposed includes: tree removal
- D. The applicant has filed the following in accordance with the Wetlands Protection Act (MGL c. 131, § 40), and/or the Town of Sturbridge Wetland Bylaws.
- Notice of Intent seeking permission to conduct work within a wetland, water body or resource area
  - Request for Determination seeking permission to conduct work within a buffer zone to a wetland, waterbody or resource area
  - Abbreviated Notice of Resource Area Delineation seeking to confirm the wetland resource area boundaries.
  - Request to amend an existing Order of Conditions for DEP File #300-\_\_\_\_\_

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The Public Hearing for this application will be held in person and remotely via GoTo Meeting

at Veteran's Hall, Town Hall, 308 Main Street, 2nd Floor

Date and Time of Hearing: March 30 7:10 PM

Public Hearing can be accessed remotely:

- From your computer using: <https://global.gotomeeting.com/join/846062197> or
- From your phone: +1 872 240 3212, followed by the access code 846-062-197

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Please note that while an option for remote attendance and/or participation is being provided to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in any specific item on this agenda should make plans for in-person vs. virtual attendance accordingly. Please note that meetings can also be watched either online via the Town's on demand video broadcast or on cable television on channel 191, however, there is no public participation through these options.

**PLEASE NOTE: Copies of the application and related materials including agendas and staff notes can be found here:**

- <https://www.sturbridge.gov/conservation-commission/pages/meeting-calendar-and-documents>

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 application process or the Wetlands Protection Act.







# Town of Sturbridge

Barbara A. Barry, Finance Director

Department/Board/Committee: \_\_\_\_\_

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

Property Owner: Lindsay Boyers

Property Location: 6 Birch St. Sturbridge, MA 01566

- The license/permit may be released.
- The license/permit may not be released.

Kendy MacGregor  
Finance Director

3/13/2023  
Date





# Town of Sturbridge

## Conservation Commission

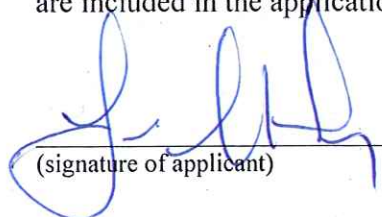
### STURBRIDGE CONSERVATION COMMISSION AFFIDAVIT OF SERVICE

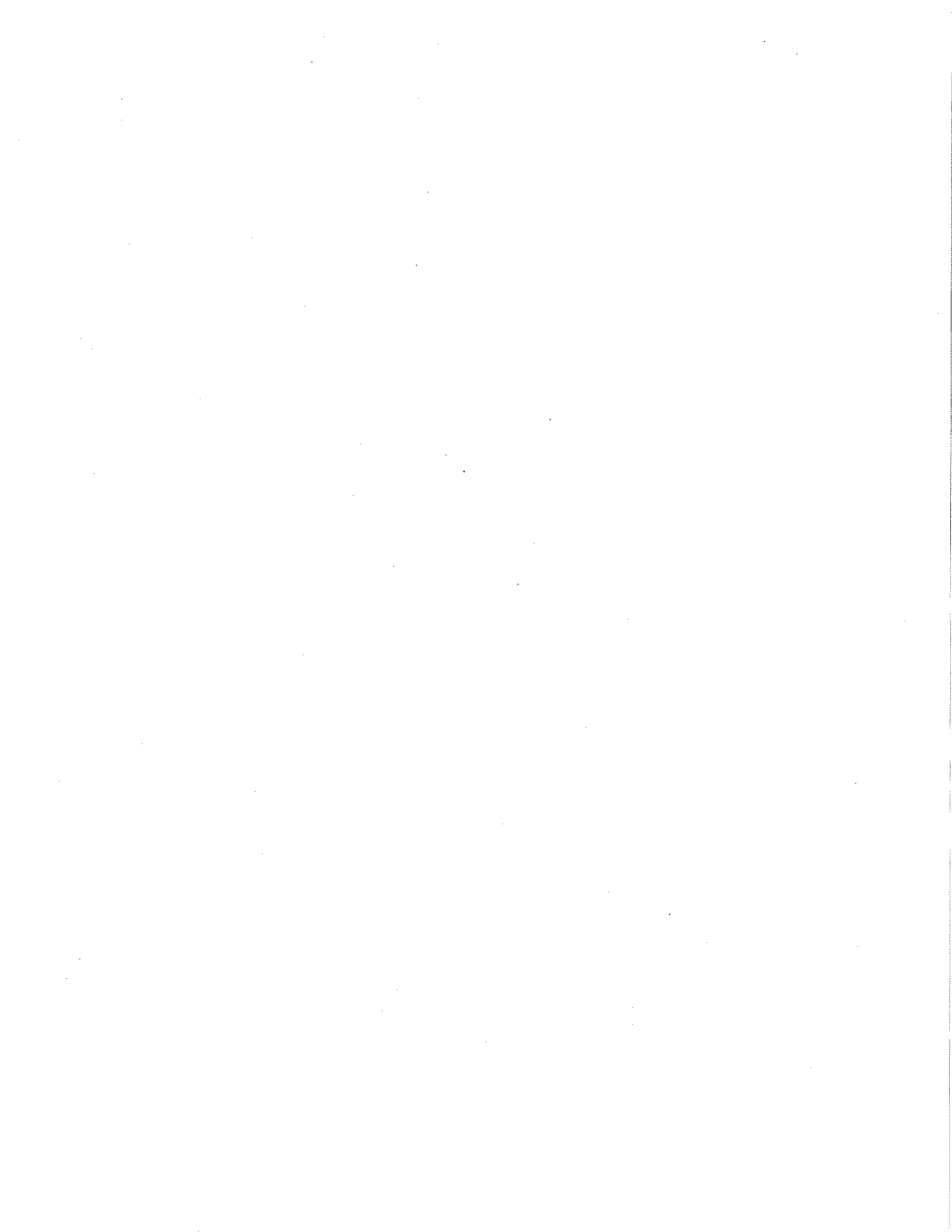
Under the Massachusetts Wetlands Protection Act and the Town of Sturbridge Wetland Bylaws I, Joseph Murphy, hereby certify under the pains and penalties of perjury that on (date) \_\_\_\_\_, I gave notification to abutters in compliance with the second paragraph of the Massachusetts General Laws Chapter 131, § 40, and the DEP Guide to Abutter Notification as well as the Town of Sturbridge Wetland Bylaws, in connection with the following matter:

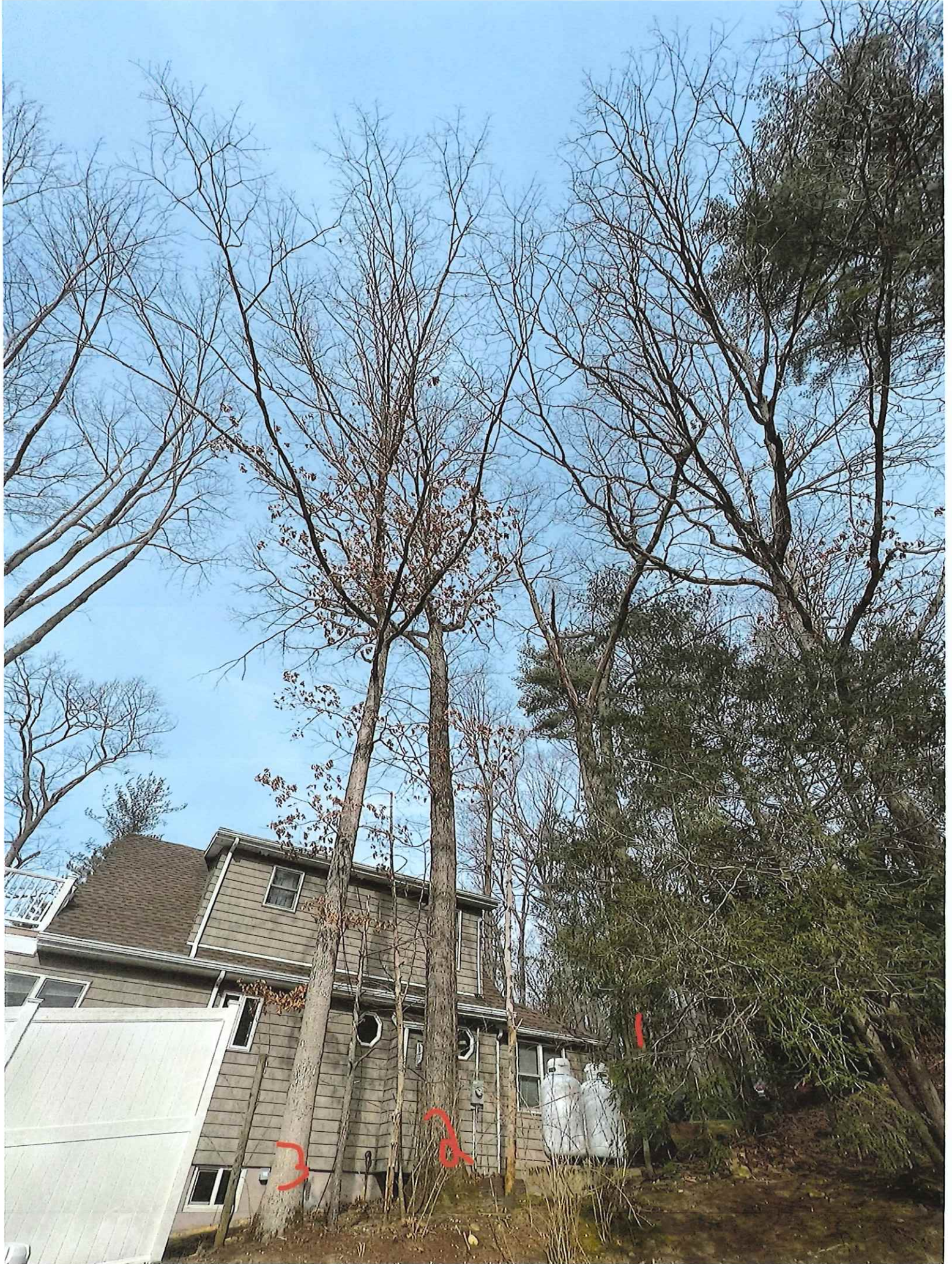
- A Notice of Intent OR  
 A Request for Determination OR  
 An Abbreviated Notice of Resource Area Delineation

was filed under the Massachusetts Wetlands Protection Act and the Town of Sturbridge Bylaws, by \_\_\_\_\_ with the Sturbridge Conservation Commission on (date) \_\_\_\_\_ for the property located at \_\_\_\_\_

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

 \_\_\_\_\_ (date)  
(signature of applicant) \_\_\_\_\_  
Joseph Murphy  
(name of applicant) printed











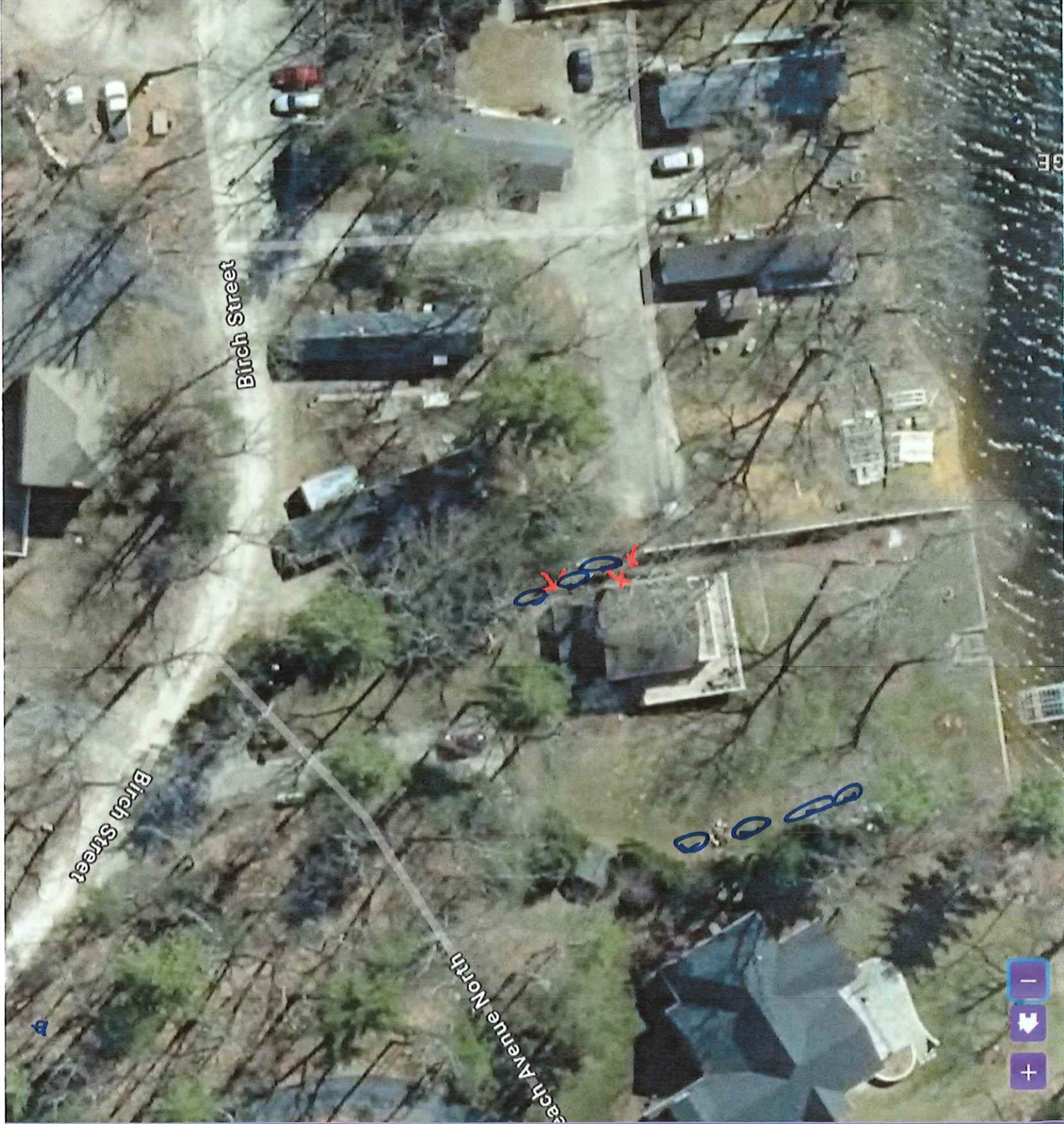






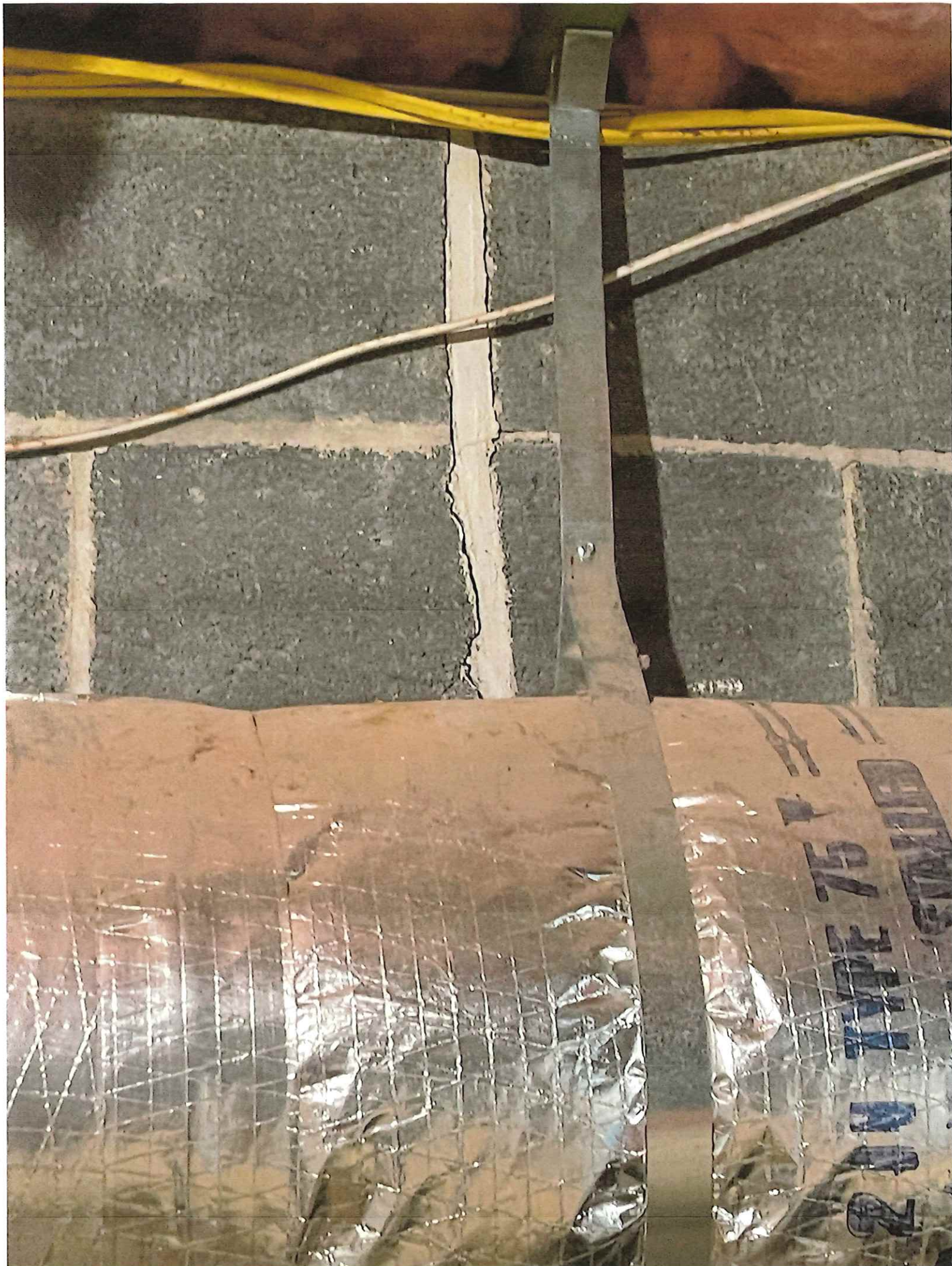






30

100







Joseph Murphy  
6 Birch St  
Sturbridge, MA 01566



McDonald Home Inspections, Inc.

11 of 48  
07/21/2022

## Roof (Continued)

- 3.      Material: Asphalt shingle - Recommend cleaning sticks and debris off the roof as needed. Recommend trimming vegetation back away from the roof as needed. A moss or Algae buildup noted on the roof in some areas. A qualified roofing contractor is recommended to evaluate, estimate and repair. Could not determine what kind of roof is under the balcony. Recommend consulting seller as to what the material is and how long it has been there.







