



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

Date 1/23/2023

Fill all white cells completely

Parcel		Applicant name	
Address	88 McGargle Road Sturbridge, MA	Address	James + Darlene Yiznitsky 18 Crow Hill Rd. Mansan, MA 01057
Assessors		Email	darlene@interstatekitchens.com
Map/Plat	430-10 4054/-088	Phone	413-374-1540
Book & Page	53753/0248		
Owner name	James + Darlene Yiznitsky	Representative	n/a
Address	18 Crow Hill Rd. Mansan, MA 01057	Address	
Email	darlene@interstatekitchens.com	Email	
Phone	413-374-1540	Phone	

Components of a Complete RDA

State Form: WPA Form 1	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Plan	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Property Owner Permission (if applicable)	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Narrative	Included? <input checked="" 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Fees \$ _____	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No
Abutter Information	
★ Certified abutters list (within 200')	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
★ Abutter notification form	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No
★ Affidavit & proof -- bring to hearing	Present them at the hearing
Other Attachments, e.g.	



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:

James & Darlene Yiznitsky
Name

18 Crow Hill Road
Mailing Address

Monson MA 01057
City/Town State Zip Code

413-374-1540
Phone Number

darlene@interstatekitchens.com
E-Mail Address

Fax Number (if applicable)

2. Representative (if any):

N/A
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 Sturbridge Conservation Commission make the following determination(s). Check any that apply:

- 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:

Name of Municipality

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



Search Results

Parcel Details

88 MCGARGLE ROAD



88 MCGARGLE RD

YIZNITSKY JAMES

18 CROW HILL ROAD
MONSON, MA 01057

Parcel ID: 430-04054-088
Lot Size (AC): 0.399
Total Value: 296500

- Links
- Property Card
- Photo
- Google Map
- Abutter Distance:
- Adjacent
- Adjacent
- 50 ft
- 100 ft

Abutters

Add Parcel

Remove Parcel

Print Labels

Export List

Scroll parcel ID 430-04054-

195

Email Map Link

Identify Layers About



Copy and paste the following string into an email to link to the current map view:

Print Map

Size:

Scale: 1" = _____ ft. Title:



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):

88 McGargle	Sturbridge
Street Address	City/Town
430-/0 4054/-088	430-04054-088
Assessors Map/Plat Number	Parcel/Lot Number

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

Existing developed 1940's lake front cape style cottage (approx 24'x36')
Single story with unfinished attic. There is a well and tight
tank on the property. Lot size is 106' x 193' x 99' x 167' with
a grassed level yard with paved/patched concrete driveway.

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

plot plan Map 4054 Lot 88	3/16/2020
Title	Date
plot plan Map 4054 Lot 88	12/10/22
Title	Date
Title	Date

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

See attached description

1. Replace existing deteriorating cinder block footings placed on surface of ground for a 24 X 36 cottage built in the 1940's. We will be using a pier/footing system of cast concrete from E-Z Pier. (see attached info) All pier/footings will be placed at a 48" depth per code. Each pier has an overall height of 54" leaving 6" above ground. We will use simpson strong ties for 8" X 8" post and Beam construction to attach pressure treated 8" X 8" vertical post to the 8" X 8" pressure treated rim joist. The perimeter area may be dug with Kubota tractor. The interior footings will have to be dug by hand underneath the cottage. Each pier will be dug and completely set before proceeding to the next pier, minimizing erosion by limiting dirt to be removed or stored in piles. The piers/footings under existing deck also need to be redone - the sona tubes previously used were not set properly and are leaning.

2. Using the Kubota tractor level a raised area of the back yard most likely created at the time of the tight tank/septic installation by previous owner. Relocated a existing 10 X10 shed to this area.

3. Re-grade existing paved driveway that has a large hump creating a visibility situation when backing up out of driveway. Increase the width of the drive way as indicated on the plan dated 12/10/2022. This will require the removal of approx 3 mountain laurel bushes. The drive way will then be regraded or repaved.

4. Any areas disturbed by the work will be re-seeded with grass/mulched or landscape stone.



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.)



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D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

James & Darlene Yiznitsky

Name

18 Crow Hill Road

Mailing Address

Monson

City/Town

MA

State

01057

Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.


Signature of Applicant

1/24/2023
Date

Signature of Representative (if any)

Date



Town of Sturbridge

Barbara A. Barry, Finance Director

Department/Board/Committee: Finance

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

Property Owner: James + Darlene Yiznitsky

Property Location: 88 McGarhe Rd. Sturbridge, MA

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

Barbara A. Barry

Finance Director

1/18/2023

Date





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: James + Darlene Yiznitsky
- B. The address of the lot(s) where the activity is proposed is: 88 Mc Gargle Road
- C. The nature of the activity proposed includes: replacing cottage piers/supports
- 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-_____

The Public Hearing for this application will be held in person and remotely via GoTo Meeting
at the Center Office Building, 301 Main Street, 2nd Floor

Date and Time of Hearing: _____

Public Hearing can be accessed remotely:

- From your computer using: _____ or
- From your phone: +1 872 240 3212, followed by the access code _____

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

Conservation Commission

STURBRIDGE CONSERVATION COMMISSION AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act and the Town of Sturbridge Wetland Bylaws I, _____, 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.

(signature of applicant)

(date)

(name of applicant) printed

STURBRIDGE WETLANDS PROTECTION BY-LAW AND REGULATIONS

WETLANDS FILING FEE CALCULATION WORKSHEET

Application Type	Qty	Town Filing Fee	TOTAL
Notice of Intent (NOI):			
Residential – Single Family:			
Accessory (Deck, Shed, Pool Septic)	_____	\$150	_____
Shoreline Work	_____	\$150	_____
New Construction	_____	\$300	_____
Residential – Other:			
Subdivision/Multi-Unit	_____	\$750	_____
Commercial/Industrial:			
New	_____	\$1500	_____
Redevelopment	_____	\$1000	_____
Limited Project (as defined in SWB & WPA)	_____	Equal to full WPA fee	_____
Alterations – located within Riverfront Area	_____	Additional 50% of Fee	_____
Application filed after Enforcement Order		Double the Municipal fee	_____
Request for Amended Order of Conditions	_____	50% of initial fee	_____
Request for Determination of Applicability (RDA):			
No Wetland Boundary Confirmation Residential:	<u>x</u>	\$100	<u>\$100</u>
No Wetland Boundary Confirmation All Other:	_____	\$200	_____
For Wetland Boundary Confirmation File ANRAD or NOI			
Abbreviated Notice of Resource Area Delineation (ANRAD):			
Residential – Single Family:	_____	\$100	_____
All Other:			
Base Review	_____	\$300	_____
Resource Area Boundary			



Certificate of Compliance (COC):

Residential:

Single Family _____ \$50 _____

Subdivision or Multi-Unit _____ \$150 _____

Commercial or Industrial: _____ \$150 _____

If Order of Conditions has Expired _____ Add an additional \$150 _____

OOC Extension Request _____ \$50 _____

Emergency Certification _____ \$50 _____
(NOI may be required to be filed following issuance of Emergency Cert)

Local Bylaw Fee (includes Town Filing Fee) \$ _____

State Filing Fee (from DEP Wetland Transmittal Form) \$ _____

Total Payable to "Town of STURBRIDGE" \$ _____

*Additional Consultant Fee may be required for reasons which may include:

- Significant amount of wetland impact;
- Extensive resource areas on a site;
- Lack of information supplied;
- Incomplete plans, reports, forms submitted;
- Supplemental information submitted.





Town of Sturbridge

Conservation Commission

Tree Removal Permit Application

In an effort to make the most informed decision possible concerning a tree removal application the Commission encourages the applicant to provide as much information about the tree(s) as possible.

Certain tree removal requests may be administratively approved by the Conservation Agent while others require approval from the Conservation Commission at a public meeting. Applicants will be contacted by the Conservation Department regarding site visit and the requirement for approval by the Conservation Commission.

Application Date 1/23/2023

Location/Address of Property: 88 McGarghe Road

and/or Assessor's Parcel Number: 430-04054-088

Property Owner:

Name: James + Darlene Yiznitsky

Street Address: 88 McGarghe

Mailing Address: 18 Crow Hill Rd.

Town: Manson, MA Zip Code: 01057

Phone: 413-267-9441 Email: darlene@interstatekitchens.com

Applicant Contact Person:

Name: Same as above

Street Address: _____

Mailing Address: _____

Town: _____ Zip Code: _____

Phone: Jim's cell 413 374-6240 Email: _____

Tree Removal Information

Number of trees to be removed: 3

Indicate the size, species and location of removal trees and attach plan/sketch with application. Trees must be marked and clearly visible for the site inspection by the Conservation Agent/Commission.

Reason for removal:

- Health* High Risk* Tree is dead (please include picture) Other (please explain below)
-
-

**In situations where the health and/or risk assessment of the tree is justification for removal professional documentation of such is required. Credible professional tree diagnostic, evaluation and recommendation advice is available to the applicant through certified arborists: Please refer to the following two websites to learn more about utilizing a certified arborist. If Health or High Risk is checked above, please submit the arborist's report/documentation with your application.*

Refer to: Massachusetts Arborists Association: <http://www.massarbor.org/>
 International Society of Arboriculture: <http://www.isa-arbor.com/>

Replacement/Mitigation plantings are suggested, and may be required by the Commission in certain cases.

Guidance for Replacement Plantings:

It is recommended that careful consideration be made for mitigating plantings when a tree is being removed. Shrub planting may be a mitigation recommendation when tree replacement is not appropriate. This compensation is dependent upon the level of activity associated with the tree removal and its impacts or future impacts upon the effected resource area. Additional guidance can be obtained from a Certified Arborist or a qualified landscape professional.

Number of trees to be replaced: _____

Proposed Replacement Plantings: _____

Proposed Replacement Locations: _____

Include replacement plants/locations on sketch submitted with application.

Signature of Applicant _____

Signature of Owner (if different from Applicant) _____

EZ-TUBE

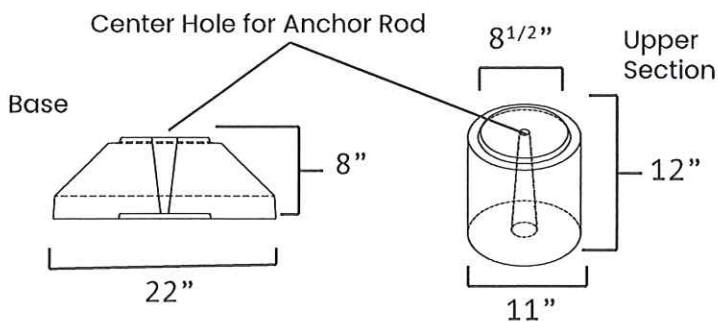
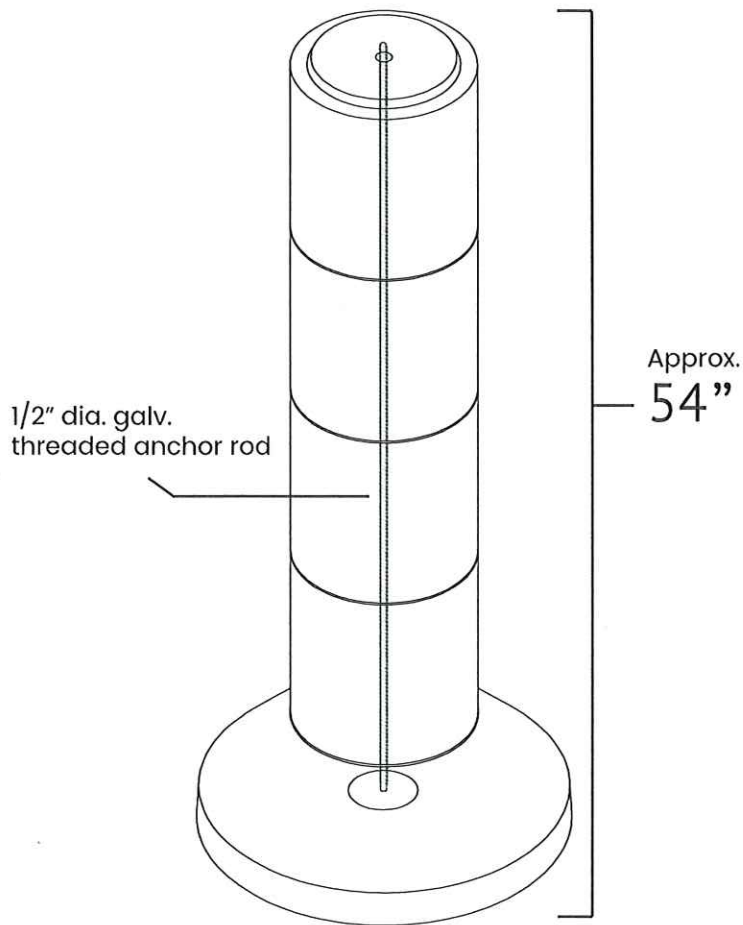
INSTALLS BY HAND — READY TO BUILD ON IN MINUTES



DOWNLOAD FULL SPECS
& INSTRUCTIONS AT

EZ-CRETE.COM

Typical EZ-TUBE Stack with Base
Section & Four Upper Sections



SPECS:

- Upper Section Weight: 70 lbs. typ.
- Base Section Weight: 120 lbs. typ.
- Stack Height: Approx. 54" (as shown)
- Base: 22" Diameter
- Load Rating: 135,000 lbs. at top
- 60" or 72" x 1/2" galv. anchor rod with base plate, top washer and nut

INSTALLATION:

Dig hole or trench to the required depth (below frost line).

Prep bottom with crushed stone as necessary.

Thread anchor rod through base section.

Place base and anchor into position.

Add upper sections by sliding over anchor rod.

Use 3000 psi (minimum) mortar between each layer.

Level, plumb & align as necessary.

Backfill, compacting soil every six inches.

You're done! Keep building.











