



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

Fill all white cells completely

Date 8/18/22

Parcel		Applicant name	Boston Outdoor Living
Address	34 Collette Rd. Fiskdale	Address	220 Sturbridge Rd. Charlton, MA
Assessors		Email	AJ@Bostonoutdoorliving.com
Map/Plat		Phone	978-798-0949
Book & Page			
Owner name	Brad Green	Representative	AJ Comerford
Address	34 Collette Rd. Fiskdale	Address	220 Sturbridge Rd. Charlton, MA
Email		Email	AJ@Bostonoutdoorliving.com
Phone		Phone	978-798-0949

Components of a Complete RDA

State Form: WPA Form 1	Included? <input 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 checked="" 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
Abutter Information	
★ 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	Present them at the hearing
Other Attachments, e.g.	

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>Submit applications (see bullets below) by noon of the Tuesday deadline (16 days before the desired hearing):</p> <p>a. <u>To Sturbridge Conservation Commission:</u> 301 Main St., Sturbridge, MA 01566</p> <ul style="list-style-type: none"> • This coversheet (1 paper copy) • Complete application -- see the checklist on the other side of this page (2 paper copies and 1 pdf) <ul style="list-style-type: none"> • <i>Plans must be stamped by an engineer if any component of the project requires engineering.</i> • Check <p>b. <u>To Mass DEP Central Regional Office:</u> 8 New Bond Street, Worcester, MA 01606</p> <ul style="list-style-type: none"> • Complete application -- see the checklist on the other side of this page (1 paper copy) • Email a complete application to CERO_NOI@mass.gov <p>c. <u>To Property Owner:</u> (if different from Applicant) 8 New Bond Street, Worcester, MA 01606</p> <ul style="list-style-type: none"> • Complete application -- see the checklist on the other side of this page (1 paper copy)
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, notify all abutters within 200' of the property line using the Town's "Notification to Abutters Form" by certified mail, certificate of mailing, or hand delivery with signatures 7 business days prior to the Hearing. (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	Stake the project. 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>Attend the public hearing/meeting. The applicant or representative is required to 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. At the end of the hearing, the Con Com will either:</p> <ul style="list-style-type: none"> • Issue a Determination (DET) or • Approve a continuation of the public hearing to allow time for additional information to be provided.
10	Receive and read the decision. Some Determinations may include conditions. Contact the Con Com if you have any questions.
11*	Wait-out the 10-Day appeal period. 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*	Install SCC file number sign and erosion controls.
13*	Schedule and attend a pre-construction site visit. Contact the Conservation office to schedule the site visit.
14*	Execute the project. 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 _____

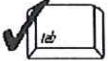
WPA Form 1- Request for Determination of Applicability

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:

Name Brad Green E-Mail Address _____
Mailing Address 34 Collette Rd.
Fiskdale, State MA Zip Code 01518
City/Town _____
Phone Number _____ Fax Number (if applicable) _____

2. Representative (if any):

Firm Boston Outdoor Living
Contact Name AJ Comerford E-Mail Address AJ@Bostonoutdoorliving.com
Mailing Address 220 Sturbridge Rd.
Charlton State MA Zip Code 01507
City/Town _____
Phone Number 978-798-0949 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).



Massachusetts Department of Environmental Protection
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C. Project Description

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

43 Collette Rd.
Street Address

Fiskdale,
City/Town

Assessors Map/Plat Number _____

Parcel/Lot Number _____

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

- 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):

Replacing existing failing wood retaining walls with stone inside existing pool area. Installing a grill area in existing pool area per sketch, outside of 100' buffer - within 200'

• Plan also shows some previously completed work - driveway Extension w/ Asphalt milings w/ a berm @ the street. Also work will include a rip rap drainage sock for this driveway as per sketch



Massachusetts Department of Environmental Protection

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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).

outside of 100' buffer zone, some work inside of 200 ft.

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.)



Massachusetts Department of Environmental Protection
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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:

Name Brad Green

Mailing Address 43 Collette Rd.

City/Town Fiskdale, MA

State MA Zip Code 01518

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 Boston Outdoor Living Date 8/24/22

Signature of Representative (if any) [Signature] Date 8/24/22



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, Boston Outdoor Living, 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.

agc 8/29/22
(signature of applicant) (date)

Boston Outdoor Living / Andrew Comerford
(name of applicant) printed



Town of Sturbridge

Barbara A. Barry, Finance Director

Department/Board/Committee: Conservation
Finance

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

Property Owner: Brad Green

Property Location: 43 Collette Rd. Fiskdale, MA

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

Barbara A. Barry
Finance Director

8/18/22
Date

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:	✓	\$100	\$100
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):			
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Residential:

Single Family	_____	\$50	_____
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Subdivision or Multi-Unit	_____	\$150	_____
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Commercial or Industrial:	_____	\$150	_____
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If Order of Conditions has Expired	_____	Add an additional \$150	_____
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OOE Extension Request	_____	\$50	_____
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Emergency Certification	_____	\$50	_____
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(NOI may be required to be filed following issuance of Emergency Cert)

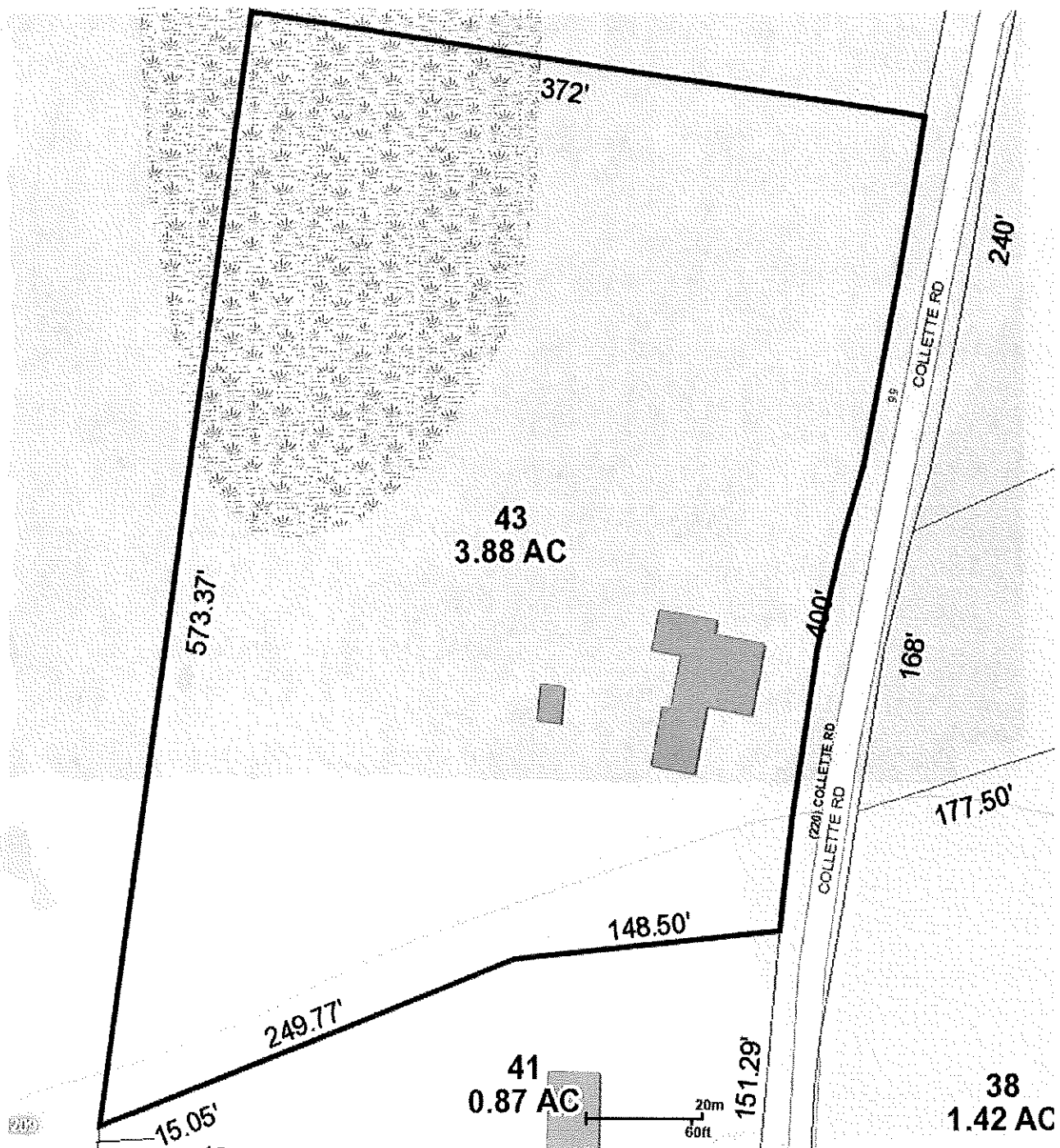
Local Bylaw Fee (includes Town Filing Fee)	\$ _____
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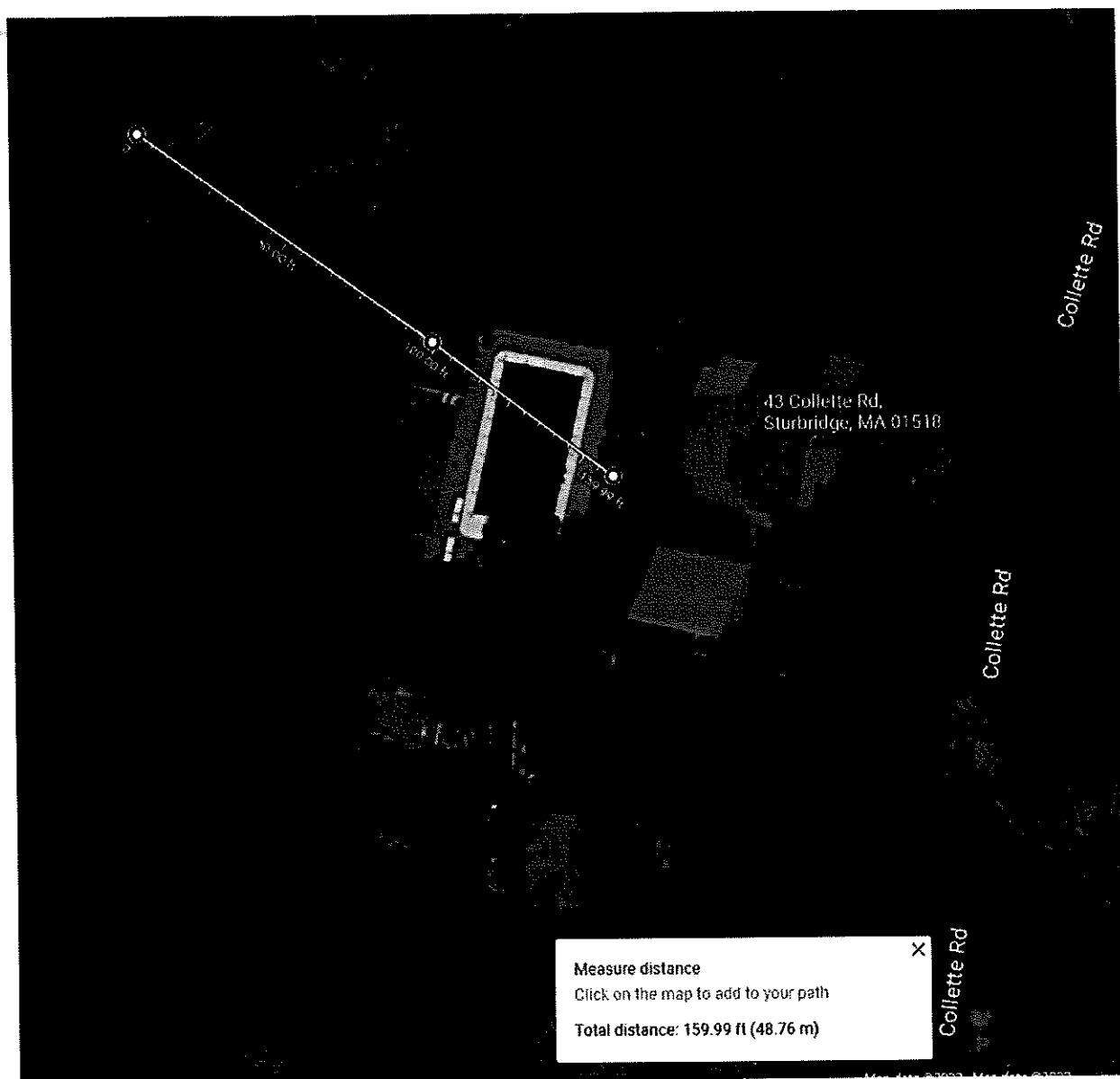
State Filing Fee (from DEP Wetland Transmittal Form)	\$ _____
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<u>Total Payable to "Town of STURBRIDGE"</u>	\$ _____
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*Additional Consultant Fee may be required for reasons which may include:

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

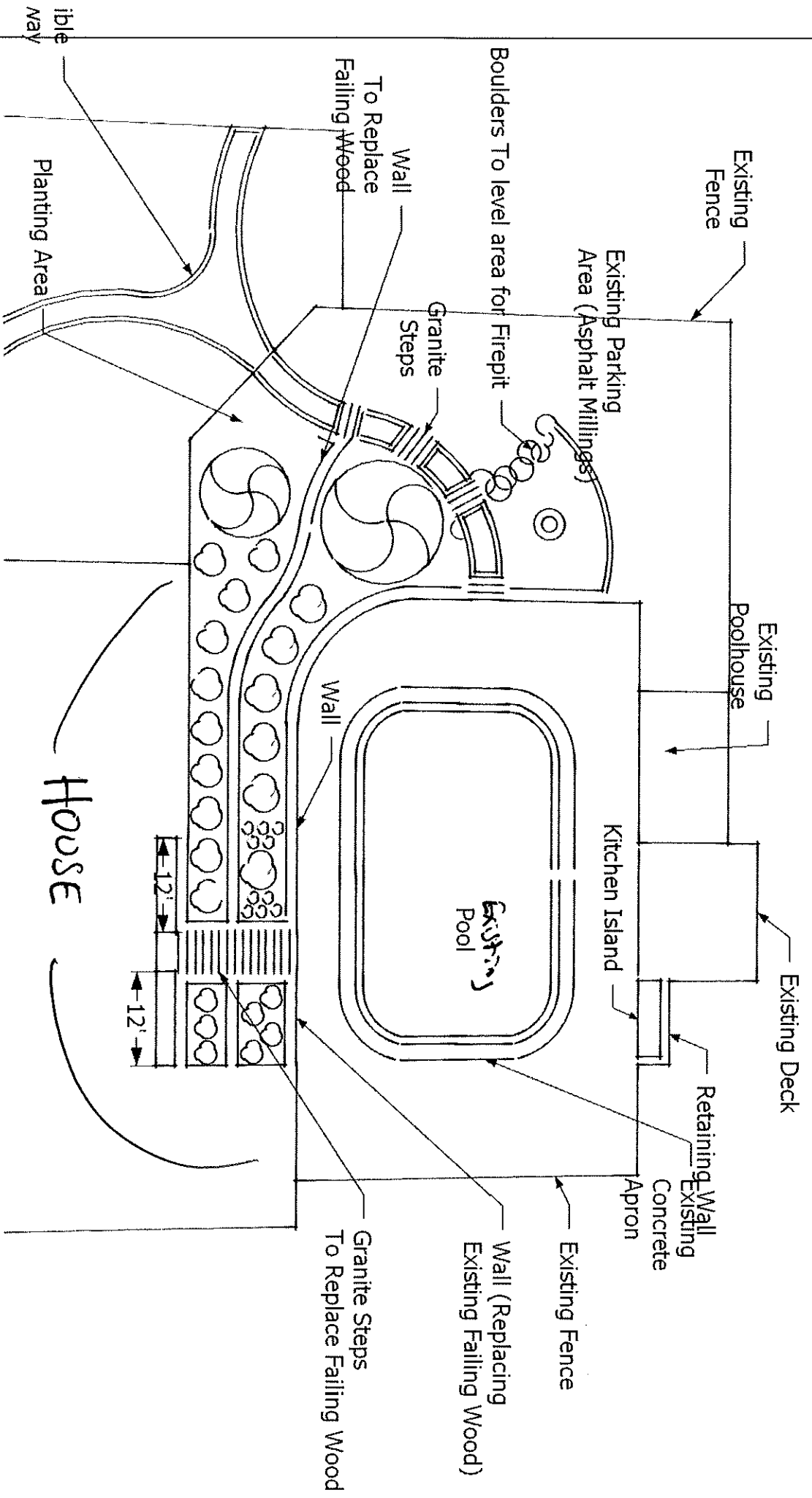




Measure distance

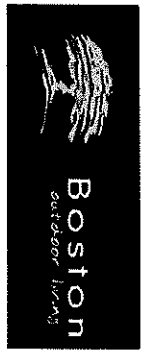
Click on the map to add to your path

Total distance: 159.99 ft (48.76 m)



Pool Area Renovation Layout

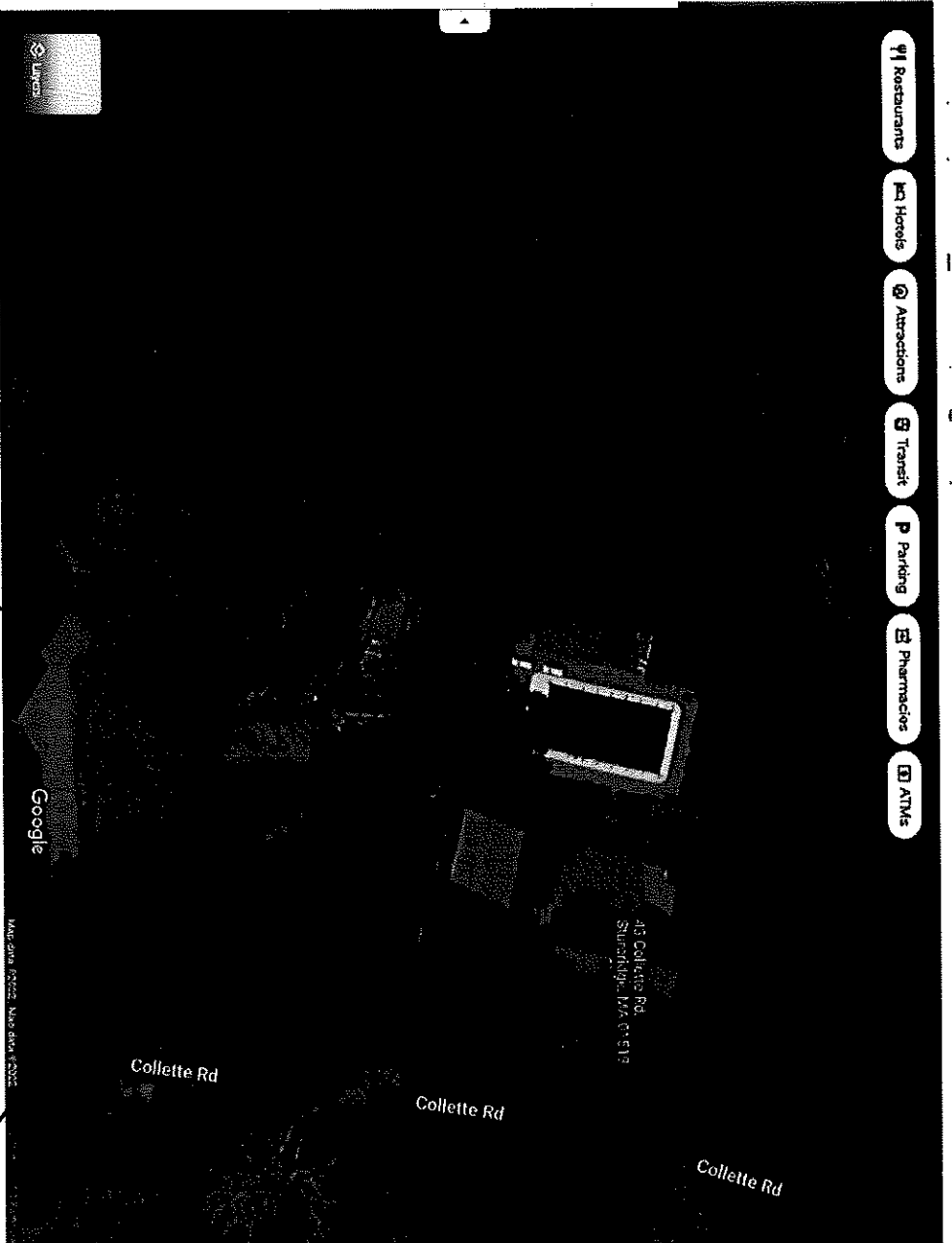
Brad Green 43 Collette Road Fiskdale Ma



REVISIONS	
MM/DD/YY	REMARKS
1	MM/DD/YY
2	MM/DD/YY
3	MM/DD/YY
4	MM/DD/YY
5	MM/DD/YY

43 Collette
F-Skdale

Period, completed work - Approx 3 or 4 years ago by others



Rip Rap Sloate
w/ 3-6" Rip Rap to
be installed to show
any heavy rainfall

Shed previously
installed

Driveway that was previously extended
w/ Asphalt millings

beam was added @ road
w/ Asphalt Millings / Grading

[illegible]



Town of Sturbridge

Conservation Commission

Notification to Abutters

under the MA Wetlands Protection Act and the Town of Sturbridge Wetland Bylaw Regulations
(certificates of mailing, certified mail, or hand-delivery with abutter signature required as proof of notification)

In accordance with the second paragraph of Massachusetts General Laws, Chapter 131, § 40, as well as the Town of Sturbridge Wetland Bylaws, you are hereby notified of the following permit application for work within a wetland resource area and/or within the 200-foot buffer zone to a resource area:

- A. The name of the applicant is: Brad Green
- B. The address of the lot(s) where the activity is proposed is: 43 Collette Rd.
- C. The nature of the activity proposed includes: _____
- 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-_____
- E. Copies of the application may be examined at the Sturbridge Conservation Department, 301 Main Street, Sturbridge, MA. Times are available by appointment. Please call (508) 347-2506 for availability.
- F. Copies of the application may be obtained from either ☐ the applicant: _____ or ☒ the applicant's representative Boston Outdoor Living by calling telephone # 978-798-0949 on the following days of the week: M-F between the hours of 8 and 4.

The Public Hearing for this application will be held in the Center Office Building, 301 Main Street, 2nd Floor on 9-15-22 at 6:10 pm.

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. Members of the public who wish to participate remotely may listen and or watch the meeting may do so either online via the Town's on demand video broadcast, on cable television on channel 191, or dial into the meeting at 774-304-1455, enter 1428# for the meeting number and 12345 for the access code. (This phone number is only active for the public during public meetings). Specific information and the general guidelines for remote participation can be found on the Town's website at:

<https://www.sturbridge.gov/town-administrator/pages/how-access-virtual-meeting>.

PLEASE NOTE: Notice of this Public Hearing will be published as follows:

- In a local newspaper at least five days in advance of the hearing
- In the Town Hall at the Town Clerks office, not less than 48 hours in advance of the hearing
- On the Town's Meeting Calendar not less than 48 hours in advance of the hearing (www.town.sturbridge.gov)
- On the Conservation Commission webpage not less than 48 hours in advance of the hearing

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

Town Hall
308 Main Street
Sturbridge, MA 01566

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