



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

\$100
Cash

RECEIVED

MAY 10 2023

Date 05/10/23

Fill all white cells completely

Parcel		Applicant name	Erick Omar Carmona Colmenero
Address	76 Stallion Hill Rd, Fiskdale, MA 01518	Address	76 Stallion Hill Rd, Fiskdale, MA 01518
Assessors		Email	eocarmona@hotmail.com
Map/Plat		Phone	774-431-0874
Book & Page			
Owner name	Erick Omar Carmona Colmenero	Representative	
Address	76 Stallion Hill Rd, Fiskdale, MA 01518	Address	
Email	eocarmona@hotmail.com	Email	
Phone	774-431-0874	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 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Fees \$ _____	Included? <input checked="" 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	<i>Present them at the hearing</i>
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:

Erick Omar Carmona Colmenero

eocarmona@hotmail.com

Name

E-Mail Address

76 Stallion Hill Rd

Mailing Address

Fiskdale

MA

01518

City/Town

State

Zip Code

774-431-0874

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:

Name of Municipality

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



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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).

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

Barbara A. Barry, Finance Director

Department/Board/Committee: _____

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

Property Owner: Erick Omar Carmena Colmenero

Property Location: 76 Stallion Hill Rd, Fiskdale, MA, 01518

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

For Wendy MacGeehan
Finance Director

4/21/2023
Date



Shrī Gaṇēsh Tree and Plant Health Care

3/16/2023

Joseph A. Kowalski

235 Walker Road

Sturbridge, MA 01566

www.ganesh-tree.com

joseph@ganesh-tree.com

Erick Carbona

76 Stallion Hill Road

Sturbridge, Massachusetts 01566

Project Assignment:

Mr. Carbona contacted me on March 9, 2023. He expressed his desire for assistance in completing a Tree Removal Application before the Sturbridge Conservation Commission. He has concerns over the level of risk that four trees on his property pose. On Friday March 11, 2023 I visited the property and met Mr. Carbona. He informed me of the trees history as he understood it and the concerns, he had relative to them remaining in place.

Site Description/History/Tree Locations:

The residence is located approximately 75' north of Stallion Hill Road. It is bordered on two sides on the west and north by the creek that follows Stallion Hill Road and leads into the Quinebaug River near Old Sturbridge Village. The house and rear deck are literally within feet of the running water.

Tree Descriptions:

Tree # 1: Is a 14" diameter white spruce (*Picea glauca*) tree in serious decline. Approximately only ¼ of the tree's crown appears to have any substantial sustenance. It undoubtedly is suffering from any one of the many forms of "needle cast". A fungal disease of the needles common to many "offsite" spruces that were planted as understory trees. The tree will continue to decline

and eventually lose its entire crown due to the advancement of this pathogen. It is recommended that the tree be removed.

Tree # 2: Is a 20" diameter Eastern Hemlock (*Tsuga canadensis*) that is dead. The tree is located on the north side of the residence adjacent to the patio sitting area and is only three feet from the stream running through the property. This tree undoubtedly suffered its demise by the relentless attack of two invasive insects. Hemlock woolly adelgid (*Adelges tsugae*) and the Elongated Hemlock Scale sometimes also known as the fiorinia scale (*Fiorinia externa*). The tree is beyond being salvaged or treated and should be removed.

Tree # 3:

This is a red maple (*Acer rubrum*) tree 24" in diameter growing 6' from the foundation of the east side of the house. The tree is approximately 45' tall and has a full healthy crown.

The tree has a distinctive lean to it in the northwest direction putting most of the crown and weight of the tree extending over the residence.

The tree has a notable clearly visible large area of decay at its base. This area of decay extends about 4' up the tree. Fortunately, most of the "holding" wood remains and is intact on the northwest side of the tree in this lower section of the bole of the tree. The tree is structurally compromised because of this defect. The center of gravity of this tree extends over the residence.

The tree is located too close to the residence to have any validity in calling itself a legitimate landscape tree. The tree will continue to increase its risk of failure as the area of decay expands its presence within it.

The likelihood of failure for this tree is "somewhat likely" over the next ten-year period. The risk level assigned to this tree would be "moderate" where the likelihood of failure is "somewhat likely" and the consequences of failure are "significant."

It is understandable when standing beneath the tree and noting its “defects” (lean and decayed area at base) why the owner would consider this tree an unacceptable risk.

Trees # 4:

Is a 34’ diameter white pine (*Pinus strobus*) located on the southeast corner of the residence approximately 10’ from the house structure. The tree is approximately 65 feet tall and possesses a healthy crown.

A large portion of the crown of the tree lies directly over the residence.

The crown is notable in two respects. One being the long branches extending towards the light over the years has created a high level of risk for failure when a snow and or ice load is placed upon them.

The tree has a history of branch breaking. Numerous large broken off limbs (stubs) can be observed in the crown. Some of them eight inches diameter. This will continue to pose a problem with falling debris especially during winter storm events that may also include a high wind component.

Pruning is not a recommended action/option as these over extending branches are present throughout the height of the tree.

The other notable attribute of this tree is that it turns into a multiple leader-ed tree about two thirds up the height of the tree. Evaluating the structurally integrity of this multiple co-leader/branch assembly is difficult at best. It can be stated that it represents weak point within the tree and is aggravated by the presence of the large branch/co-leader wood/weight above it.

The likelihood of this tree or significant parts of it failing are “probable” for the same ten-year time period. The risk level assigned to this tree would be “high” because the likelihood of impacting the target (the house) would be “high.”

It is understandable again why the level of risk this tree presents to the residence and or parked cars is unacceptable to the owner.

Conclusions/Summary:

Trees #1 and #2 are dead or in serious decline.

Trees #3 and #4 represent levels of risk that are unacceptable to the owner as described according to TRAC protocol. This is a standardized methodology of tree risk assessment and language put forth by the ISA (International Society of Arboriculture).

Mitigating Measures/Replanting

Stumps will be left in place in the ground for trees # 1 and #2.

They may be ground for trees #3 and #4.

Replanting does not appear to be an option for any of these trees. Trees #2 - #4 are not in acceptable locations to replant any tree.

Tree #1 is in a highly shaded area and is also somewhat problematic in its location as it may be in conflict with the owner's future plans to utilize this space.

Erick Carbona
76 Stallion Hill Road
Sturbridge, Massachusetts 01566

March 13, 2023

