



Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Wetlands Program

WPA Form 1 Request for Determination of Applicability
Massachusetts Wetlands Protection Act (M.G.L. Chapter 131, Section 40)
Instructions and Supporting Materials

2a. Work Description. Work subject to the jurisdiction of the Wetlands Protection Act is described in 310 CMR 10.02. If the Request is for determining jurisdiction over proposed work, the applicant is asked to describe the work in detail. Proposed work can be described in narrative form. If needed, attach additional sheets for a more complete description of the work; a map or plan may also be used to describe the work (see instructions in 1c for plan and map requirements).

Provide the following information, depending on which boxes were checked under Section B:

1c. Describe the proposed work and its precise location relative to the boundaries of each wetland resource area and the Buffer Zone on the site.

1d. Describe the proposed work and its precise location relative to the boundaries of areas which may be subject to municipal wetland ordinance or bylaw.

1e. Describe the proposed work and its precise location relative to the boundaries of the Riverfront Area.

2b. Exemptions. Exemptions are allowed under the Wetlands Protection Act for certain mosquito control, commercial cranberry bogs, agricultural, and aquacultural projects and for projects authorized by Special Act prior to 1/1/73. These exemptions are defined, in part, in 310 CMR 10.03(6) and in the definitions of agriculture and aquaculture in 310 CMR 10.04. In addition, there are exemptions for certain stormwater management projects (310 CMR 10.02(3)); specific minor activities in the Buffer Zone (310 CMR 10.02(2)(b)); and certain other projects in the Riverfront Area (310 CMR 10.58(6)(b)).

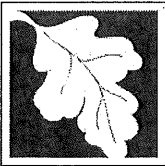
3a. Riverfront Area Scope of Alternatives. Complete this section *only* if 1e. under Section B is checked. In 3a, check one box that best describes the project. The classifications listed in 3a and the scope of alternatives which projects in each classification must analyze are explained in 310 CMR 10.58(4)(c)2.

Section D: Signatures and Submittal Requirements

A completed WPA Form 1, with all attachments, must be submitted to the Conservation Commission. Applicants also must send a copy of WPA Form 1 and all attachment to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/> for locations of regional offices and the communities they serve) and to the property owner, if different from the applicant. **The original and copies must be sent simultaneously.** Failure by the applicant to send the copies in a timely manner may result in dismissal of the Request for Determination of Applicability

Fees

There is no application fee for the Request for Determination of Applicability. However, a notice of the application must be placed in a local newspaper, and published at least five days prior to the hearing, at the applicant's expense. Please contact your Conservation Commission regarding the procedure for public newspaper notice.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

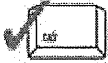
City/Town _____

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 Tyler Montgomery E-Mail Address TylerMontgomery131@gmail.com

Mailing Address 70 New Boston road

City/Town Sturbridge State MA Zip Code 01566

Phone Number 774 200 1839 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) _____

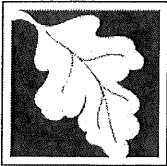
B. Determinations

1. I request the 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:

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):

45 Burgess School road

Sturbridge

Street Address

City/Town

24

45

Assessors Map/Plat Number

Parcel/Lot Number

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

The Area is a forested upland Area with a walking trail along side. wetlands are near by.

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

Title

Date

Title

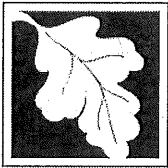
Date

Title

Date

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

The project is a new outside classroom with a platform for teaching and benches for sitting. The classroom will also have raised Garden Beds



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

STURBRIDGE CONSERVATION COMMISSION AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act and the Town of Sturbridge Wetland Bylaws I, Tyler Montgomery, 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:

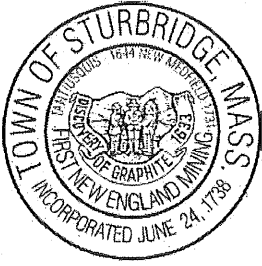
- A Notice of Intent OR
- A Request for Determination OR
- An Abbreviated Notice of Resource Area Delineation

was filed under the Massachusetts Wetlands Protection Act and the Town of Sturbridge Bylaws, by I. Montgomery with the Sturbridge Conservation Commission on (date) 12/31/19 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.

Tyler Montgomery 12/31/19
(signature of applicant) (date)

(name of applicant-printed or typed)



Town of Sturbridge

Barbara A. Barry, Finance Director

Department/Board/Committee: Conservation

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

Property Owner: Town of Sturbridge

Property Location: 45 Burgess School Rd

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

Finance Director

Date

TOWN PROPERTY



Town of Sturbridge

Conservation Commission

Filing Fee Worksheet

Under M.G.L. c 131, § 40 and the Town of Sturbridge Wetland Bylaw

Applicant Tyler Montgomery

Applicant Representative _____

Project location Burgess elementary

TOTAL STATE FEE REQUIRED FOR PROJECT

(Only subject to NOI and ANRAD filings—See Wetland Fee Transmittal Form):

State Fee Category(s) _____

Total State Fee for project (include Riverfront Area adjustment if applicable) _____

State share of State Fee _____

Local share of State Fee _____

TOTAL ADDITIONAL LOCAL FEE REQUIRED FOR PROJECT*:

(See Sturbridge Wetland Bylaw Regulations Section 4.17)

- Standard NOI Fee = \$50.00 _____ (check if applicable)
- Standard RDA Fee = \$25.00 _____ (check if applicable)
- Standard ANRAD Fee = \$00.10 per foot for resource area delineation _____ (check if applicable).
feet _____ x \$00.10 = \$ _____
- Standard DELINEATION Fee = \$00.10 per foot for resource area delineation _____ (for all projects).
feet _____ x \$00.10 = \$ _____
(for all projects that do not include an approved wetland delineation boundary by the Commission within 3 years prior to application submittal)
- REPLICATION Monitoring Fee = \$200.00 _____ (check if applicable)
(for all projects that include wetland alteration and wetland replication)

CUMULATIVE TOTAL FEES:

Total State Fee: NA

Total Town Share of State Fee: NA

Total Local Fee: NA

*Please Note:

For each NOI and ANRAD filing, please submit two (2) checks to the Town of Sturbridge, one for the town's portion of the state fee and one for the local fee(s). RDA filings only have a Local Fee at this time.

The advertising fee is not included in the calculation. The Applicant will pay the Southbridge News directly.

28 kids

Max

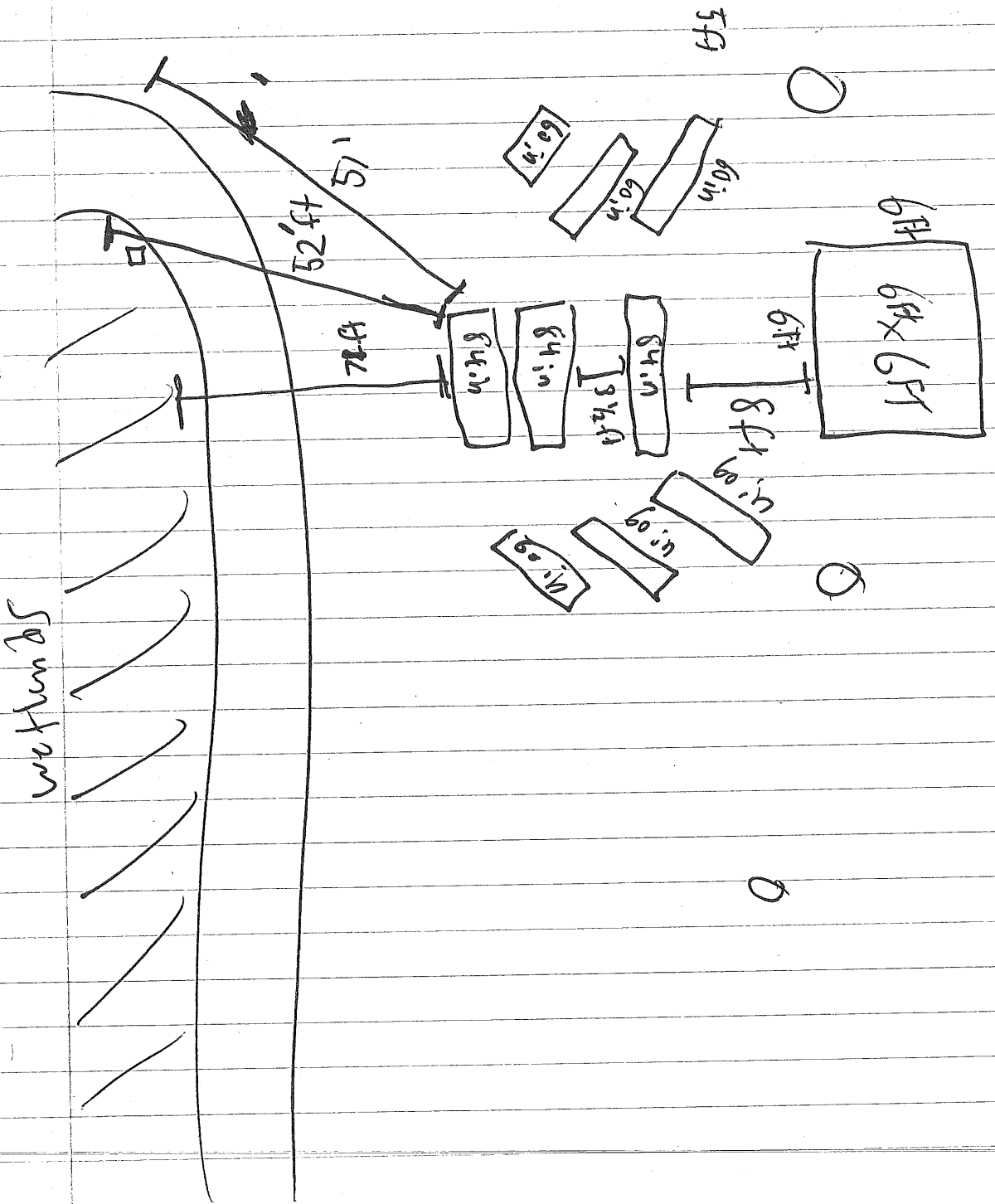
18 in per

Student

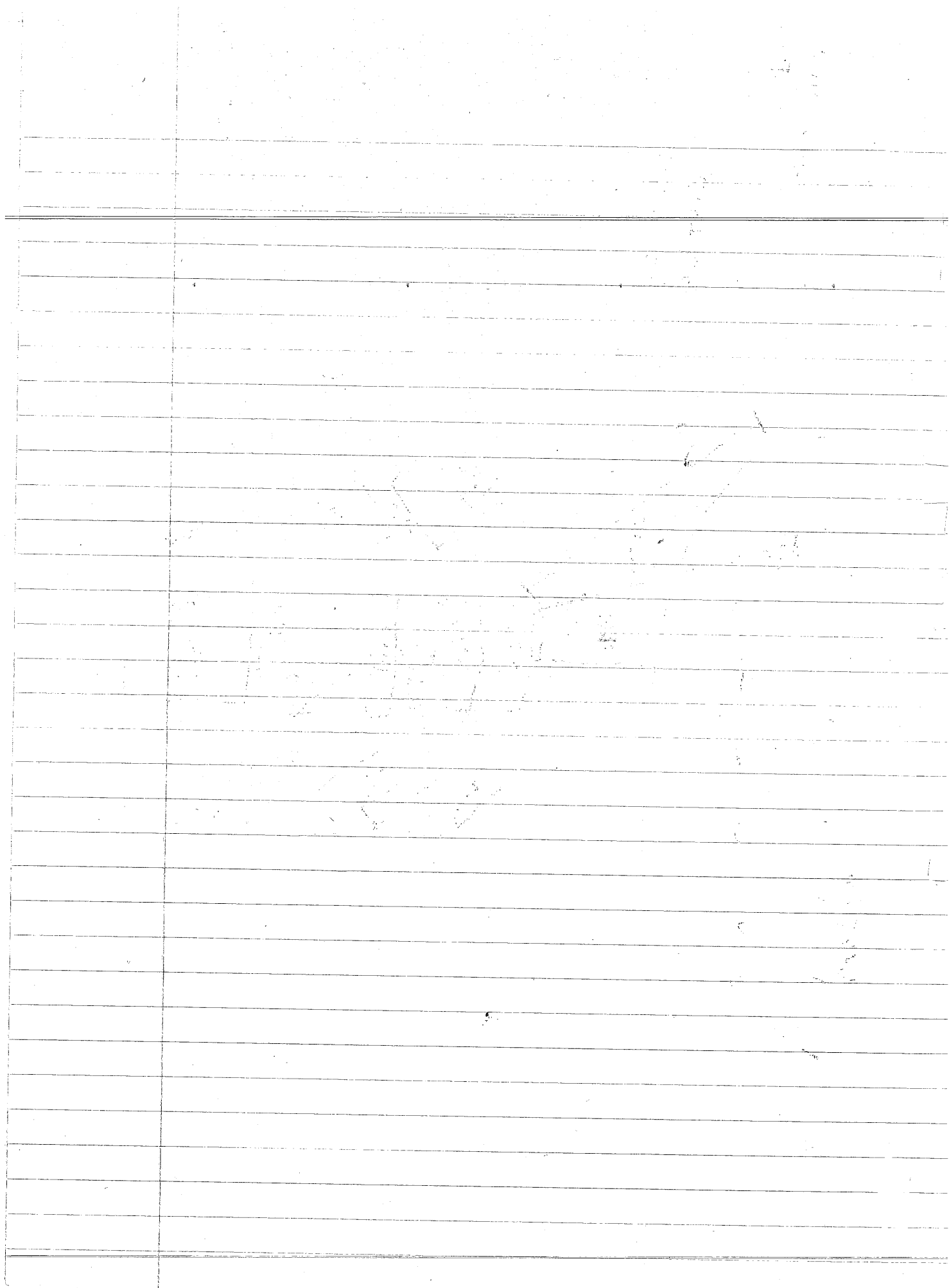
3 rows

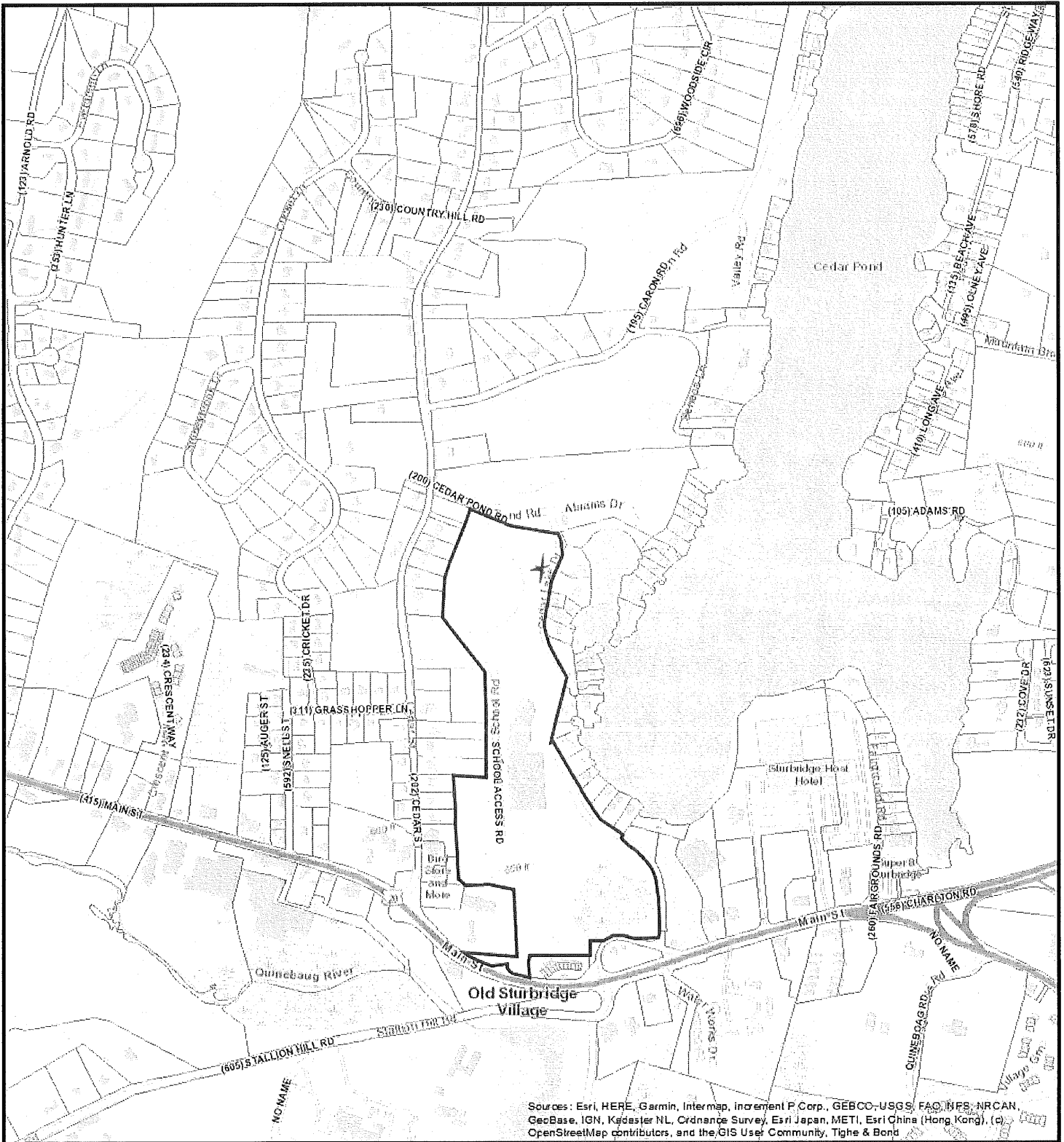
10m
10m used

60 in = 3 kids
84 in = 4 kids



windows



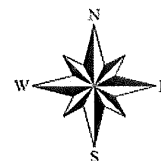


12/31/2019 2:17:18 PM

Scale: 1"=752'

Scale is approximate

The information depicted on this map is for planning purposes only. It is not adequate for legal boundary definition, regulatory interpretation, or parcel-level analyses.





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 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: Tyler Montgomery
- B. The address of the lot(s) where the activity is proposed is: 45 Burgers School Rd
- C. The nature of the activity proposed includes: construction of outdoor classroom
- 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, Center Office Building, Sturbridge, MA between the hours of **9:00 a.m. – 3:30 p.m. Monday through Friday.** Additional times may available by appointment. Please call ahead to check for availability. (508) 347-2506
- F. Copies of the application may be obtained from either the applicant: *contact Conservation or the applicant's representative: _____, by calling telephone # Department on the following days of the week: _____ between the hours of _____ and _____.

The Public Hearing for this application will be held in the Center Office Building, 301 Main Street, 2nd Floor on January 21st, 2019 at 6:15 pm.

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

- In The Southbridge Evening News 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.ma.us)
- 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.

