

# EcoTec, Inc.

## ENVIRONMENTAL CONSULTING SERVICES

102 Grove Street  
Worcester, MA 01605-2629  
508-752-9666 – Fax: 508-752-9494

September 29, 2022

Sturbridge Conservation Commission  
Center Office Building  
308 Main St  
Sturbridge, MA 01566

Re: Notice of Intent  
132 Lane Nine, Sturbridge  
Applicant: Randy Bercume

Dear Commission Members:

Enclosed please find two (2) copies of a Notice of Intent (NOI), submitted on behalf of Randy Bercume filed under the Massachusetts Wetlands Protection Act and the Town of Sturbridge Wetlands Protection Bylaw for the above referenced property. This filing comprises:

1. This cover letter;
2. The Notice of Intent forms with required attachments;
3. Sturbridge NOI forms including abutters list, tax forms, and notification letter.
4. Checks to cover the filing fees;
5. MESA “NO Take” Letter dated August 29, 2022;
6. Conservation Commission Emergency Certification Form; and
7. Completion Letter by EcoTec, Inc dated September 7, 2022.

One (1) copy of the NOI filing has been submitted by priority mail the Central Regional Office of the Department of Environmental Protection and one complete copy of this filing has been submitted to the applicant and property owner. All abutters, along with the Sturbridge Board of Health and Planning Board have been notified via certificates of mailing and proof of mailings will be provided to the Commission.

The Conservation Commission issued an Emergency Certification (“EC”) to allow the access path to the lake to be stabilized to prevent further erosion. This work included removal of the accumulated sediments followed by the installation of stairs and 3-inch minus stone to prevent the washout and scouring that was occurring. This work was completed in accordance with the details found within the EC. This application is made within 30-days of the completion of the stabilization work as required by the EC. However, no further work is proposed or contemplated at this time.

Sturbridge Conservation Commission  
September 29, 2022  
Page 2.

We look forward to meeting with the Commission regarding this project. If you have any questions, please feel free to contact me at any time.

Sincerely,

A handwritten signature in blue ink, reading "Scott M. Morrison", is placed over a light yellow rectangular background.

Scott M. Morrison, PWS  
Senior Environmental Scientist

17/E/SturbridgeLaneNine132NOILetter



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Sturbridge

City/Town

**Important:**

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



Note:  
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

**A. General Information**

1. Project Location (**Note:** electronic filers will click on button to locate project site):

132 Lane Nine

a. Street Address

Sturbridge

b. City/Town

01566389

c. Zip Code

Latitude and Longitude:

389

f. Assessors Map/Plat Number

42.16529

d. Latitude

-72.07151

e. Longitude

617

g. Parcel /Lot Number

2. Applicant:

Randy

a. First Name

Bercume

b. Last Name

c. Organization

132 Lane Nine

d. Street Address

Sturbridge

e. City/Town

MA

f. State

01566

g. Zip Code

randybercume@me.com

j. Email Address

h. Phone Number

i. Fax Number

3. Property owner (required if different from applicant): ☐ Check if more than one owner

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Scott

a. First Name

Morrison

b. Last Name

EcoTec, Inc.

c. Company

102 Grove Street

d. Street Address

Worcester

e. City/Town

MA

f. State

g. Zip Code

508-752-9666 x227

h. Phone Number

i. Fax Number

smorrison@ecotecinc.com

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

110.00

a. Total Fee Paid

42.50

b. State Fee Paid

67.50

c. City/Town Fee Paid



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**A. General Information (continued)**

6. General Project Description:

The work was completed under and Emergency Certificate. The work included removing sediment accumulations, installing stairs, and sone to stabilize a path to the Lake.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- |   |   |
|---|---|
| 1. <input checked="" type="checkbox"/> Single Family Home             | 2. <input type="checkbox"/> Residential Subdivision       |
| 3. <input type="checkbox"/> Commercial/Industrial                     | 4. <input type="checkbox"/> Dock/Pier                     |
| 5. <input type="checkbox"/> Utilities                                 | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation                |
| 9. <input type="checkbox"/> Other                                     |   |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☐ Yes ☒ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Worcester

a. County

66997

c. Book

b. Certificate # (if registered land)

206

d. Page Number

**B. Buffer Zone & Resource Area Impacts (temporary & permanent)**

- ☒ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- ☐ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.





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**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - <b>specify coastal or inland</b>	

2. Width of Riverfront Area (check one):

- ☐ 25 ft. - Designated Densely Developed Areas only
- ☐ 100 ft. - New agricultural projects only
- ☐ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: \_\_\_\_\_ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet \_\_\_\_\_ b. square feet within 100 ft. \_\_\_\_\_ c. square feet between 100 ft. and 200 ft. \_\_\_\_\_

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☐ Yes ☐ No

3. ☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

**Note:** for coastal riverfront areas, please complete **Section B.2.f.** above.



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**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet _____ 2. cubic yards dredged _____	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. <input type="checkbox"/> Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet _____	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet _____	
h. <input type="checkbox"/> Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet _____	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged _____	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet _____	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here. _____	
	a. square feet of BVW _____	b. square feet of Salt Marsh _____
5. <input type="checkbox"/> Project Involves Stream Crossings		
	a. number of new stream crossings _____	b. number of replacement stream crossings _____



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**C. Other Applicable Standards and Requirements**

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

**Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review**

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to [http://maps.massgis.state.ma.us/PRI\\_EST\\_HAB/viewer.htm](http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm).

a. ☒ Yes ☐ No

**If yes, include proof of mailing or hand delivery of NOI to:**

**Natural Heritage and Endangered Species Program  
Division of Fisheries and Wildlife  
1 Rabbit Hill Road  
Westborough, MA 01581**

August 2022

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review\*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

2. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*

(a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) ☐ Photographs representative of the site

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/mas-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

\*\* MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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**C. Other Applicable Standards and Requirements (cont'd)**

- (c) ☐ MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

*Projects altering 10 or more acres of land, also submit:*

- (d) ☐ Vegetation cover type map of site
- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following

1. ☐ Project is exempt from MESA review.  
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. ☐ Separate MESA review ongoing. a. NHESP Tracking # \_\_\_\_\_ b. Date submitted to NHESP \_\_\_\_\_

3. ☒ Separate MESA review completed.  
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a. ☒ Not applicable – project is in inland resource area only      b. ☐ Yes    ☐ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
836 South Rodney French Blvd.  
New Bedford, MA 02744  
Email: [dmf.envreview-south@mass.gov](mailto:dmf.envreview-south@mass.gov)

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [dmf.envreview-north@mass.gov](mailto:dmf.envreview-north@mass.gov)

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

- c. ☐ Is this an aquaculture project?      d. ☐ Yes    ☐ No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



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City/Town

**C. Other Applicable Standards and Requirements (cont'd)**

**Online Users:**

Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?  
a. ☐ Yes ☒ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.  
b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?  
a. ☐ Yes ☒ No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?  
a. ☐ Yes ☒ No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?  
a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:  
1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)  
2. ☐ A portion of the site constitutes redevelopment  
3. ☐ Proprietary BMPs are included in the Stormwater Management System.  
b. ☒ No. Check why the project is exempt:  
1. ☒ Single-family house  
2. ☐ Emergency road repair  
3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

**D. Additional Information**

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

**Online Users:** Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☐ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



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City/Town

**D. Additional Information (cont'd)**

3. ☐ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☒ List the titles and dates for all plans and other materials submitted with this NOI.

No Plans- Completion letter by EcoTec

a. Plan Title

b. Prepared By

c. Signed and Stamped by

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☒ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☒ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

**E. Fees**

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

1049

2. Municipal Check Number

1050

4. State Check Number

Randy

6. Payor name on check: First Name

9/26/2022

3. Check date

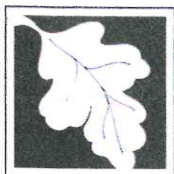
9/26/2022

5. Check date

Bercume

7. Payor name on check: Last Name





**Massachusetts Department of Environmental Protection**  
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Provided by MassDEP:

**WPA Form 3 – Notice of Intent**

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

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**F. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant

2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

**For Conservation Commission:**

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

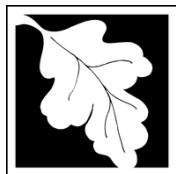
**For MassDEP:**

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

**Other:**

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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



## A. Applicant Information

### 1. Location of Project:

132 Lane Nine

a. Street Address

1050

c. Check number

Sturbridge

b. City/Town

42.50

d. Fee amount

### 2. Applicant Mailing Address:

Randy

a. First Name

Bercume

b. Last Name

c. Organization

132 Lane Nine

d. Mailing Address

Sturbridge

e. City/Town

MA

f. State

01566

g. Zip Code

h. Phone Number

i. Fax Number

randybercume@me.com

j. Email Address

### 3. Property Owner (if different):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

## B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

**Step 1/Type of Activity:** Describe each type of activity that will occur in wetland resource area and buffer zone.

**Step 2/Number of Activities:** Identify the number of each type of activity.

**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

**Step 4/Subtotal Activity Fee:** Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

**Step 5/Total Project Fee:** Determine the total project fee by adding the subtotal amounts from Step 4.

**Step 6/Fee Payments:** To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).





**Massachusetts Department of Environmental Protection**

Bureau of Resource Protection - Wetlands

# NOI Wetland Fee Transmittal Form

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

### B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category I (work assoc. with SFH)	1	110.00	110.00
Step 5/Total Project Fee:			110.00

### Step 6/Fee Payments:

Total Project Fee:	110.00
	a. Total Fee from Step 5
State share of filing Fee:	42.50
	b. 1/2 Total Fee <b>less</b> \$12.50
City/Town share of filling Fee:	67.50
	c. 1/2 Total Fee <b>plus</b> \$12.50

### C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
Box 4062  
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)







# 132 Lane Nine, Sturbridge



- NHESP Estimated Habitats of Rare Wildlife
- NHESP Priority Habitats of Rare Species
- Map Features for Imagery



**Town of Sturbridge  
Conservation Commission  
Notice of Intent Application Coversheet/Checklist**

Date 9/21/2022

in all white cells completely

<b>Parcel</b>	132 Lane Nine 389-617 (Portion of) 66997-206	<b>Applicant name</b>	Randy Bercume 132 Lane Nine Sturbridge, MA 01566 randybercume@me.com
Address		Address	
Assessors		Email	
Map/Plat		Phone	
Book & Page			
<b>Owner name</b>	Randy Bercume	<b>Representative</b>	Scott Morrison
Address	132 Lane Nine	Address	EcoTec, Inc
Email	Sturbridge, MA 01566	Email	smorrison@ecotecinc.com
Phone		Phone	508-752-9666 x227

FILL

Wetland type	N/A	sf/cf affected	N/A	Relevant Perf. Standards	10. <u>N/A</u>
Wetland type		sf/cf affected		Relevant Perf. Standards	10. _____
Wetland type		sf/cf affected		Relevant Perf. Standards	10. _____

Components of a Complete NOI Application

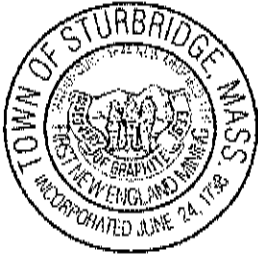
State Form: NOI Form 3	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Engineered Plan	Included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Proof of Mailing to DEP	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Narrative	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Proof that all relevant perf. standards are met	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
FIRM 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No <span style="float: right;">Included? <input checked="" type="checkbox"/></span>
Delineation lines (backup material)	Included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Tax Form	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Fees</b>	
★ Fee Transmittal form	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
★ Filing Fee Worksheet	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
★ Town portion of state filing fee	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
★ Sturbridge local filing fee <u>\$ 150</u>	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Abutter Information</b>	
★ Certified abutters list (within 200')	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
★ Abutter notification form	Included? <input checked="" 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>	
Confirmation of submission to NHESP	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable
Planting Plan	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable
Floodplain analysis	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable
Stormwater analysis	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable

Components of a Complete NOI Application

## Conservation Commission Wetland Permit Process

NOI	Process
1	<b>Obtain a Certified list of all abutters within 200' of property lines from the Assessor's Office.</b> <i>(may take 10 business days)</i>
2	<b>Obtain a Tax Form Sign-Off by the Finance Department</b>
3	<b>Submit applications (see bullets below) by noon of the Tuesday deadline</b> (16 days before the desired hearing): <ol style="list-style-type: none"> <li><u>To Sturbridge Conservation Commission</u>: 301 Main St., Sturbridge, MA 01566               <ul style="list-style-type: none"> <li><b>This coversheet</b> (1 paper copy)</li> <li><b>Complete application</b> -- see the checklist on the other side of this page (2 paper copies and 1 pdf)                   <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>Checks</b></li> </ul> </li> <li><u>To Mass DEP Central Regional Office</u>: 8 New Bond Street, Worcester, MA 01606               <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>Photocopy of the two state checks</b></li> <li><b>Email a complete application to CERO_NOI@mass.gov</b></li> </ul> </li> <li><u>To DEP Lock Box</u>: Box 4062, Boston MA 02211               <ul style="list-style-type: none"> <li><b>Check</b> for state portion of the state fee</li> <li><b>Fee transmittal form</b></li> </ul> </li> </ol>
4	<i>Upon receipt of a complete application, the Conservation Agent will <b>schedule a Public hearing/meeting</b>.</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 " <b>Notification to Abutters Form</b> " by <b>certified mail, certificate of mailing, or hand delivery with signatures 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 <b>place a legal ad in a local newspaper</b> and the <b>Applicant will be billed for the ad</b>.</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. (See SWB Regulations)
8	<i>The Conservation Commission and/or Agent will perform a <b>site visit</b> 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	<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</b> , briefly <b>present the project</b> , and <b>answer any questions about possible impacts on wetlands</b> . At the end of the hearing, the Con Com will either: <ul style="list-style-type: none"> <li><b>Issue an <u>Order of Conditions</u> (OOC)</b> approving or denying the project, <b>or</b></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 and understand the conditions.</b> Contact the Con Com if you have any questions. Some conditions are temporary (such as maintaining erosion controls), and some are perpetual (such as maintaining restoration planting areas or limiting the use of fertilizers).
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>Record the Order</b> at the Registry of Deeds. Provide proof of recording to the Conservation office along with signed Certificates of Understanding.
13	<b>Install MassDEP file number sign and erosion controls.</b>
14	<b>Schedule and attend a pre-construction site visit.</b> Contact the Conservation office to schedule the site visit.
15	<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.
16	<b>Request a Certificate of Compliance (COC).</b> Once the project is complete and all conditions have been satisfied, request a COC from the Conservation office by submitting at least: (1) DEP <b>Form 8a</b> , (2) a stamped <b>as-built plan</b> , and (3) a <b>letter from the engineer</b> stating that everything is in substantial compliance with the approved plans and OOC. The Con Com will perform a site visit to ensure compliance and will issue a COC if appropriate.
17	<b>Record the Certificate of Compliance (COC)</b> at the Registry of Deeds to remove the cloud from the title. <b>Provide proof of recording to the Conservation office.</b>

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.**



# Town of Sturbridge

Barbara A. Barry, Finance Director


Department/Board/Committee: Conservation Commission

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

Property Owner: Bonny Berume Parcel ID # 389-00617-132

Property Location: 132 Lane Nine

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

  
Finance Director

9/14/22  
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, Scott Morrison, hereby certify under the pains and penalties of perjury that on (date) 9/29/2022, 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:

X A Notice of Intent OR  
 \_\_\_\_\_ A Request for Determination OR  
 \_\_\_\_\_ An Abbreviated Notice of Resource Area Delineation

that was filed under the Massachusetts Wetlands Protection Act and the Town of Sturbridge Bylaws, by Randy Bercume with the Sturbridge Conservation Commission on (date) 9/29/2022 for the property located at

132 Lane Nine, Sturbridge

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)

Scott Morrison

(name of applicant-printed or typed)





# 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: Randy Bercume
- B. The address of the lot(s) where the activity is proposed is: 132 Lane Nine, Sturbridge
- C. The nature of the activity proposed includes: Trail stabilization and associated work.
- 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:** Oct. 27, 2022

**Public Hearing can be accessed remotely:**

- **From your computer using:** (please contact Conservation Commission) or
- **From your phone: +1 872 240 3212, followed by the access code** (Contact Con Com)

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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.



[illegible]

**STURBRIDGE WETLANDS PROTECTION BY-LAW AND REGULATIONS**

**WETLANDS FILING FEE CALCULATION WORKSHEET**

<b>Application Type</b>	<b>Qty</b>	<b>Town Filing Fee</b>	<b>TOTAL</b>
<b>Notice of Intent (NOI):</b>			
<b>Residential – Single Family:</b>			
Accessory (Deck, Shed, Pool Septic)	<u>1</u>	\$150	<u>150.00</u>
Shoreline Work	<u>          </u>	\$150	<u>          </u>
New Construction	<u>          </u>	\$300	<u>          </u>
<b>Residential – Other:</b>			
Subdivision/Multi-Unit	<u>          </u>	\$750	<u>          </u>
<b>Commercial/Industrial:</b>			
New	<u>          </u>	\$1500	<u>          </u>
Redevelopment	<u>          </u>	\$1000	<u>          </u>
<b>Limited Project (as defined in SWB &amp; WPA)</b>	<u>          </u>	Equal to full WPA fee	<u>          </u>
<b>Alterations – located within Riverfront Area</b>	<u>          </u>	Additional 50% of Fee	<u>          </u>
<b>Application filed after Enforcement Order</b>		Double the Municipal fee	<u>          </u>
<b>Request for Amended Order of Conditions</b>	<u>          </u>	50% of initial fee	<u>          </u>
<b>Request for Determination of Applicability (RDA):</b>			
No Wetland Boundary Confirmation			
Residential:	<u>          </u>	\$100	<u>          </u>
No Wetland Boundary Confirmation			
All Other:	<u>          </u>	\$200	<u>          </u>
For Wetland Boundary Confirmation			
<b>File ANRAD or NOI</b>			
<b>Abbreviated Notice of Resource Area Delineation (ANRAD):</b>			
<b>Residential – Single Family:</b>	<u>          </u>	\$100	<u>          </u>
<b>All Other:</b>			
<b>Base Review</b>	<u>          </u>	\$300	<u>          </u>
<b>Resource Area Boundary</b>			

<b>Certificate of Compliance (COC):</b>
---

**Residential:**

Single Family	_____	\$50	_____
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Subdivision or Multi-Unit	_____	\$150	_____
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<b>Commercial or Industrial:</b>	_____	\$150	_____
----------------------------------	-------	-------	-------

<b>If Order of Conditions has Expired</b>	_____	Add an additional \$150	_____
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<b>OOO Extension Request</b>	_____	\$50	_____
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<b>Emergency Certification</b>	_____	\$50	_____
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**(NOI may be required to be filed following issuance of Emergency Cert)**

<b>Local Bylaw Fee (includes Town Filing Fee)</b>	\$ 150.00
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<b>State Filing Fee (from DEP Wetland Transmittal Form)</b>	\$ (see state form)
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<b><u>Total Payable to "Town of STURBRIDGE"</u></b>	\$ _____
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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.



MASSWILDLIFE

## DIVISION OF FISHERIES & WILDLIFE

1 Rabbit Hill Road, Westborough, MA 01581

p: (508) 389-6300 | f: (508) 389-7890

[MASS.GOV/MASSWILDLIFE](http://MASS.GOV/MASSWILDLIFE)

August 29, 2022

Randy Bercume  
132 Lane Nine  
Sturbridge, MA 01566

Project Location: 132 Lane Nine, Quacumquasit Pond

Project Description: Install 10x10" timbers perpendicular to the slope at 2.5' intervals and backfill with onsite material and 3" crushed stone to create steps up from shoreline; Dredge 4" of sediment from the pond bottom that eroded into the pond.

NHESP Tracking No.: **22-41288**

Dear Mr. Bercume:

The Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife (the "Division") received a copy of the Emergency Authorization issued by the Sturbridge Conservation Commission (signed 8/4/22), which included an August 2, 2022 letter from Joseph Coan (JCLA) describing the proposed work at the site to address erosion from the existing access road, for review pursuant to the MA Endangered Species Act Regulations (321 CMR 10.18). Supplemental information and clarifications were subsequently provided by Scott Morrison (EcoTec, Inc.).

The Division has determined that this Project, as currently proposed, will occur **within** the actual habitat of, and is mapped as *Priority Habitat* for the Dwarf Bulrush (*Lipcarpha micrantha*, Threatened), as indicated in the *Massachusetts Natural Heritage Atlas* (15<sup>th</sup> Edition). State listed species and their habitats are protected pursuant to the MESA. A fact sheet for this species can be found on our website, [www.mass.gov/nhesp](http://www.mass.gov/nhesp).

The MESA is administered by the Division and prohibits the Take of state-listed species. The Take of state-listed species is defined as "in reference to animals...harm...kill...disrupt the nesting, breeding, feeding or migratory activity...and in reference to plants...collect, pick, kill, transplant, cut or process...Disruption of nesting, breeding, feeding, or migratory activity may result from, but is not limited to, the modification, degradation, or destruction of Habitat" of state-listed species (321 CMR 10.02).

The purpose of the Division's review under the MESA regulations is to determine whether a Take of state-listed species will result from the proposed project. Based on the information provided and the information contained in our database, the Division finds that this project, as currently proposed, **must be conditioned in order to avoid a prohibited Take of state-listed species (321 CMR 10.18(2)(a))**. To avoid a prohibited Take of state-listed species, the following conditions must be met:

1. **Removal of Sediment Eroded from the Bank into the Pond, ~4" Above the Pond Bottom.**
  - a. Eroded sediment must be removed carefully to avoid digging below the natural, pre-existing pond bottom surface. This aspect of the work must be conducted under the direct oversight of Scott Morrison or another Division-approved monitor who will help define the limit of removal and ensure minimal scarification of the pond bottom surface.
  - b. No machinery shall enter or traverse the pond bottom (Land Under Water and Waterbodies; LUWW), even if the LUWW is dry at the time of work. The consultant, Scott Morrison, shall flag or demarcate the LUWW as needed before work commences.
  - c. Adequate erosion control measures must be installed to protect the water quality of the pond during work and site stabilization. Due to the steep slope any rain event could cause rapid erosion into the pond. Therefore, several layers of control (barrier, coir rolls, etc.) and daily inspection are required.
2. **Native Plants Required within Priority Habitat.** All plants and seed mixes applied within *Priority Habitat* shall be composed of species native to the county in accordance with THE VASCULAR PLANTS OF MASSACHUSETTS: A COUNTY CHECKLIST FIRST REVISION (Dow Cullina, M, B Connolly, B Sorrie, and P Somers. 2011. MA NHESP DFW; available from Massachusetts State Library <http://archives.lib.state.ma.us>).
3. **State-listed Plants Shall Not Be Planted/Seeded.** The Division does not approve of the planting of state-listed species, even if the seeds are sourced outside of Massachusetts. Please carefully review seed mixes at the time of purchase as the specific composition and mixes change within a year (<https://www.mass.gov/info-details/list-of-endangered-threatened-and-special-concern-species#plants>).
4. **Authorization Duration.** This authorization is valid until October 1, 2022. Extension may be granted by contacting the Division.
5. **Compliance Report.** Within thirty (30) days of completion of Work the Applicant shall submit a brief written report including photographs to demonstrate compliance with the Conditions herein.

Provided the above-noted conditions are fully implemented and there are no changes to the project plans, this project will not result in a Take of state-listed species. This determination is a final decision of the Division of Fisheries and Wildlife pursuant to 321 CMR 10.18. Any changes to the proposed project or any additional work beyond that shown on the project plans may require an additional filing with the Division pursuant to the MESA.

The Division notes that any future projects or activities proposed on the property which are (a) located outside of the approved limit of work shown on the project plans, (b) not exempt from review pursuant to 321 CMR 10.14, and (c) located within mapped Priority Habitat as indicated in the Massachusetts Natural Heritage Atlas, will require review by the Division pursuant to MESA. Furthermore, 321 CMR 10.16 provides that projects shall not be segmented or phased to evade or defer the review requirements under MESA. If the Division determines, based on the considerations provided for in 321 CMR 10.16, that a future project or activity proposed on the property is part of a larger common project or scheme, it may evaluate the cumulative impacts of the existing and proposed segments of the common project when reviewing the future proposed project or activity pursuant to MESA.

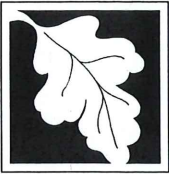
Please note that this determination addresses only the matter of state-listed species and their habitats. If you have any questions about state-listed species relative to this letter, please contact Misty-Anne Marold, Senior Endangered Species Review Biologist by email at [misty-anne.marold@mass.gov](mailto:misty-anne.marold@mass.gov).

Sincerely,

A handwritten signature in black ink, reading "Everose Schlüter". The signature is written in a cursive, flowing style.

Everose Schlüter, Ph.D.  
Assistant Director

cc: Sturbridge Conservation Commission  
Scott Morrison, EcoTec, Inc.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**WPA Emergency Certification Form**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**A. Emergency Information**

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



- Issuance From: Sturbridge Conservation Commission  
Issuing Authority  
132 Lane Nine
1. Site Location: \_\_\_\_\_
2. Reason for Emergency:  
Sediment entering resource areas due to erosion on steep embankment to South Pond.
3. Applicant to perform work: Randy Bercume
4. Public agency to perform work or public agency ordering the work to be performed:  
Sturbridge Conservation Commission (SCC)
5. Date of Site Visit: 7-21-2022 Start Date: 8-8-2022 End Date\*: 9-8-2022  
\* no later than 30 days from start date or 60 days in the case of an Immediate Response Action approved by DEP to address an oil/hazardous material release.
6. Work to be allowed\*:  
Work to stop erosion of the embankment and remediation of sediment in resource area as outlined in the attached JCLA Letter (dated 8-3-2022). Due to site constraints, the timbers will be allowed to be installed as the area will not be accessible once the upper slope erosion has been remediated.

\* May not include work beyond that necessary to abate the emergency.

**B. Signatures**

Certified to be an Emergency by this Issuing Authority.

Signatures:

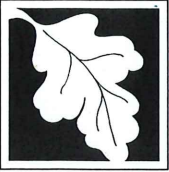
Chairman (or designee)

8-4-2022

Date

**A copy of this form must be provided to the appropriate DEP Regional Office.**





**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands  
**WPA Emergency Certification Form**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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### **C. General Conditions**

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Emergency Certification or subject to enforcement action.
2. This Emergency Certification does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of property rights.
3. This Emergency Certification does not relieve the applicant or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. Any work conducted beyond that described above, and any work conducted beyond that necessary to abate the emergency, shall require the filing of a Notice of Intent.
5. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Emergency Certification at reasonable hours to evaluate compliance with this Certification, and may require the submittal of any data deemed necessary by the Conservation Commission or the Department for that evaluation.
6. This Emergency Certification shall apply to any contractor or any other person performing work authorized under this Certification.
7. No work may be authorized beyond 30 days from the date of this certification without written approval of the Department.

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### **D. Special Conditions**

The project location is located within Priority Habitat. The Applicant is responsible to receive all relevant permitting/approvals before starting work. The SCC shall be notified of the anticipated start date and when work is complete. Work shall only be conducted in dry conditions. Work shall be overseen as outlined in the JCLA letter. No alteration of wetland resource areas is permitted. The removal of deposited sediment within resource areas is permitted with direct oversight as outlined in the JCLA letter. A post-work report with photographs shall be submitted to the Sturbridge Conservation Commission within one week following the completion of work. An after the fact Notice of Intent shall be submitted within 30 days of the completion of work.

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### **E. Appeals**

The Department may, on its own motion or at the request of any person, review: an emergency certification issued by a conservation commission and any work permitted thereunder; a denial by a conservation commission of a request for emergency certification; or the failure by a conservation commission to act within 24 hours of a request for emergency certification. Such review shall not operate to stay the work permitted by the emergency certification unless the Department specifically so orders. The Department's review shall be conducted within seven days of: issuance by a conservation commission of the emergency certification; denial by a conservation commission of the emergency certification; or failure by a conservation commission to act within 24 hours of a request for emergency certification. If certification was improperly granted, or the work allowed thereunder is excessive or not required to protect the health and safety of citizens of the Commonwealth, the Department may revoke the emergency certification, condition the work permitted thereunder, or take such other action as it deems appropriate.





August 3, 2022

Rebecca Gendreau  
Conservation Agent  
Town of Sturbridge  
301 Main Street  
Sturbridge, Ma 01566

Hi Rebecca,

I am writing to you to request an emergency approval from the conservation commission to remediate the erosion issue on Randy Bercume's property located on Lane 9 in Sturbridge.

As you were able to see during our site visit, the erosion issue is growing significantly with each storm event and is in danger of becoming a major issue for the lake and the water quality. Per our on-site conversation and your feedback, below are the following items we will do to remediate the erosion issue:

We will have either myself or a representative from EcoTec on site to observe the restoration activities and make sure the grades of the beach are restored to pre-erosion levels. This will require removing approximately a 4" layer of sediment that has washed down onto the bank. No vegetation will be disturbed in this process.

Straw bales and sediment fence will be installed on the lower edge of the limit of work. As remediation work moves uphill, the straw bales will move uphill as well to keep an appropriate distance from the disturbed soils.

From the toe of slope to approximately 57 feet uphill, the contractor will install 10"x10" timbers perpendicular to the slope at approximately 2.5' intervals and backfill to create steps. This will remediate the slope condition and reduce the velocity of the stormwater that is the cause of the current erosion. The timbers will be backfilled with on-site material to the extent possible, additional material will be a 3"- crushed stone set behind the timbers.

The contractor will install a jute erosion control fabric on the side slopes to help prevent future erosion. The fabric will be stapled in place.

For the upper reach of the project (starting 57 feet up-slope and continuing approximately 115' to where the slope flattens out), a jute mat will be installed and stapled. The jute mat will extend up the side slopes of the trail to the limit of the vegetation/moss. The matting will be covered with a 3"- crushed stone to prevent movement/undermining.

Pictures of the existing conditions and of the construction activities will be taken and sent to the conservation commission.

Once the remediation is completed, we will file a Notice of Intent with the commission within 30 days in accordance with the conservation commission bylaws.

Thank you for your help in this process

A handwritten signature in black ink, appearing to read "J Coan", is written over a horizontal line.

Joseph Coan, RLA

# EcoTec, Inc.

## ENVIRONMENTAL CONSULTING SERVICES

102 Grove Street  
Worcester, MA 01605-2629  
508-752-9666 – Fax: 508-752-9494

Via Email

September 7, 2022

Misty-Anne Marold, Endangered Species Review Biologist  
Massachusetts Division of Fisheries and Wildlife  
Natural Heritage and Endangered Species Program  
One Rabbit Hill Road  
Westborough, MA 01581

RE: Completion of Sediment Removal and Stabilization, 132 Lane Nine, Sturbridge, Massachusetts

NHESP File Number: 22-41288

Dear Ms. Marold:

This letter is to inform the Program that the sediment removal and stabilization project on the 132 Lane Nine, Sturbridge project has been completed in accordance with the approved conditional “No Take” letter issued by the Division on August 29, 2022.

The erosion control barrier consisting of properly entrenched silt fencing and straw wattles was installed by the property owner on August 31, 2022. The barrier was installed along the limits of the sediment accumulations above the water elevation of the pond.

On September 1, 2022, Scott Morrison of EcoTec was on-site to provide the required oversight of the sediment removal. This was conducted by utilizing a small-tracked excavator sited above the high-water line and reaching into the area to carefully remove the sediments. Care was taken to remove the coarse sand down to a layer of small pebbles consistent with areas along either side of the impact area. This material was removed and placed within the eroded path above the lake. Hand rakes were used to provide final grading to allow the restoration area to mimic the natural unimpacted areas.

Once the sediment was removed, the timber steps were installed above the high-water mark to a point roughly 50-feet upgradient where the grades are not as steep. The timber stairs were backfilled with 3”- stones to provide stabilization. Above the stairs, jute matting was installed prior to installing the stone to aid in stabilization. The work was completed on September 5<sup>th</sup>.

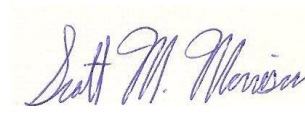
It is EcoTec’s opinion that this work was completed in accordance with the conditions in the Division’s “No Take” letter and the specifications provided in the JCLA letter detailing the proposed work. Furthermore, it has been reported that Joe Coan, Landscape Architect at JCLA

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and the property owner conducted an inspection on September 6<sup>th</sup>, 2022, following significant rainfall and found no evident of erosion on the site. Therefore, it is EcoTec's opinion that with approval of the Sturbridge Conservation Commission the erosion control barriers can be removed and properly disposed of.

EcoTec hopes that you find this information helpful. If you have any questions, please feel free to contact me at any time.

Cordially,  
ECOTEC, INC.

A handwritten signature in blue ink, reading "Scott M. Morrison". The signature is written in a cursive style and is positioned above the printed name.

Scott M. Morrison, PWS, CERP, RPSS  
Senior Environmental Scientist



PHOTOGRAPHS TAKEN DURING INSPECTION ON SEPTEMBER 2022



View of work area prior to restoration



View of work area after eroded material was removed



View of work area prior to restoration



View after eroded material was removed



PHOTOGRAPHS TAKEN DURING INSPECTION ON SEPTEMBER 2022



View of completed stairs (Note: stone and stairs are above the high-water line)



Stabilization fabric installed prior to stone placement



PHOTOGRAPHS TAKEN DURING INSPECTION ON SEPTEMBER 2022



View of upper section toward the Lake