

# EcoTec, Inc.

## ENVIRONMENTAL CONSULTING SERVICES

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

October 26, 2022

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

Re: Request for Determination of Applicability  
68 Paradise Lane, Sturbridge  
Applicant: Jeffrey Buchanan

Dear Commission Members:

Enclosed please find two (2) copies of a Request for Determination of Applicability (RDA), submitted on behalf of Jeffrey Buchanan 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 Request for Determination of Applicability forms with required attachments;
3. Sturbridge RDA forms including abutters list and notification letter.
4. Check to cover the filing fees;

One (1) copy of the RDA filing has been submitted electronically and by certified mail, return receipt requested to 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 certified mail return receipt requested and proof of mailings will be provided to the Commission.

This applicant seeks approval to conduct masonry repairs to the existing stairs to allow access to Alum Pond. It appears that the lower stairs have cracked and crumbled. Therefore, the proposed project consists of hiring a mason to make the necessary repairs once the water levels are drawn down in the fall. This will allow the work to be completed in the dry. Therefore, this application has been submitted to obtain a formal approval from the Commission that the project will not result in the impact to wetland resource areas and may proceed without further review. The photo below shows the damaged stairs.



This photo shows the damaged stairs in need of repair.

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,

Scott M. Morrison, PWS  
Senior Environmental Scientist

17/E/SturbridgeAllen28RDALetter



# Town of Sturbridge Conservation Commission

## Request for Determination of Applicability Application Coversheet/Checklist

<b>Date</b>	10/26/2022
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Fill all white cells completely

<b>Parcel</b>	68 Paradise Lane, Sturbridge Assessors Map ID 505-/0 9E42-068 Book 68327 pg. 182	<b>Applicant name</b>	Jeffrey Buchanan, Trustee JDB One I Trust 66 Mt. Dan Road Fiskdale, MA 01518
Address		Address	
Assessors		Email	
Map/Plat		Phone	
Book & Page			
<b>Owner name</b>	JDB One I Trust 66 Mt. Dan Road Fiskdale, MA 01518	<b>Representative</b>	Scott Morrison, PWS EcoTec, Inc. 102 Grove Street Worcester, MA 01605 (508) 752-9666 x227 smorrison@ecotecinc.com
Address		Address	
Email		Email	
Phone		Phone	

Components of a Complete RDA

<b>State Form: WPA Form 1</b>	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Plan</b>	Included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Property Owner Permission (if applicable)</b>	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Narrative</b>	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>TOPO Map identifying locus with scale</b>	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Natural Heritage Map with WH, PH, &amp; VP data</b>	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Tax Form</b>	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Fees \$ 100.00</b>	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>	



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 \_\_\_\_\_

E-Mail Address \_\_\_\_\_

Mailing Address \_\_\_\_\_

City/Town \_\_\_\_\_

State \_\_\_\_\_

Zip Code \_\_\_\_\_

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).



**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

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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):

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
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):



**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

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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.)



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Sturbridge  
City/Town

**WPA Form 1- Request for Determination of Applicability**

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

**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:

JDB One I Trust

Name

66 Mt. Dan Road

Mailing Address

Fiskdale

City/Town

MA

State

01518

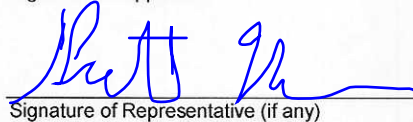
Zip Code

Signatures:

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

  
Signature of Applicant

10/20/22  
Date

  
Signature of Representative (if any)

10/26/22  
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) 10/26/2022, 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:

       A Notice of Intent OR  
  X   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 JDB One I Trust with the Sturbridge Conservation Commission on (date) 10/26/2022 for the property located at

68 Paradise Lane, 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)

10/26/22

(date)

Scott Morrison, Agent for Applicant  
(name of applicant) printed



# 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: JDB One I Trust
- B. The address of the lot(s) where the activity is proposed is: 68 Paradise lane, Sturbridge
- C. The nature of the activity proposed includes: Repairing stairs 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-\_\_\_\_\_

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**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:** November 17, 2022 (6:00PM or thereafter)

**Public Hearing can be accessed remotely:**

- **From your computer using:** (Please call or obtain meet information from Con Com) or
- **From your phone: +1 872 240 3212, followed by the access code** (obtained by Con Com)

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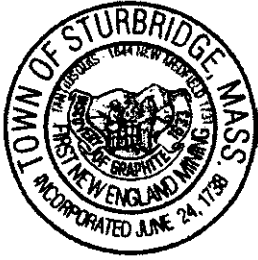
Please note that while an option for remote attendance and/or participation is being provided to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest 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.

Parcel ID	Owner	Owner Address	Owner City	State	Zip	Property Address
450-00945-066	BUCHANAN JEFFREY D TR	66 MT DAN ROAD	FISKDALE	MA	01518	66 MT DAN ROAD
505-09E42-067	CRAWFORD NANCY B & CAROL A	1119 BROOKER HOLLOW RD	RICHMONDVILLE	NY	12149	67 PARADISE LANE
505-09E43-073	JOHNSON ESTATE PATRICIA A	18 OLD VILLAGE ROAD	STURBRIDGE	MA	01566	73 PARADISE LANE
505-09E42-72A	MUSCARO ROBERT M	7 MONROE ROAD	WELLESLEY	MA	02481	72A PARADISE LANE
505-09E42-072	MUSCARO ROBERT M & LISA A	7 MONROE ROAD	WELLESLEY	MA	02481	72 PARADISE LANE
505-09E42-071	OUTLAND KEVIN C	63 BREAKNECK ROAD	STURBRIDGE	MA	01566	71 PARADISE LANE
505-09E24-069	REARDON TIMOTHY F	70 PARADISE LANE	FISKDALE	MA	01518	69 PARADISE LANE
505-09E42-70A	REARDON TIMOTHY F	70 PARADISE LANE	FISKDALE	MA	01518	70A PARADISE LANE
505-09E42-070	REARDON TIMOTHY F	70 PARADISE LANE	FISKDALE	MA	01518	70 PARADISE LANE
505-09E43-074	SANDERSON SCOTT M	74 PARADISE LANE	FISKDALE	MA	01518	74 PARADISE LANE
450-00945-062	ST ONGE DANIEL G JR	46 HIGHWOOD DRIVE	AVON	CT	06001	62 MT DAN ROAD
450-00945-064	ST ONGE ELAINE R (LT)	39 RANDY LANE	WETHERSFIELD	CT	06109	64 MT DAN ROAD
	BOARD OF ASSESSORS					
Above persons listed are record owners as they appear on the most recent applicable tax list.						
Assessors are not responsible for errors or omissions. RE: M.G.L. - Chapter 40A, Section 11						
Abutters List -	Conservation Commission - 200'					
RE: 68 PARADISE LANE						
Certified Copy						
Assessor:	<i>John P. Murphy</i>					
Date:	<i>10-19-2022</i>					



# 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: JDB One I Trust

Property Location: 68 Paradise Lane, Sturbridge

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

Christina Lussier  
Finance Director

10/20/22  
Date

**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)	_____	\$150	_____
Shoreline Work	_____	\$150	_____
New Construction	_____	\$300	_____
<b>Residential – Other:</b>			
Subdivision/Multi-Unit	_____	\$750	_____
<b>Commercial/Industrial:</b>			
New	_____	\$1500	_____
Redevelopment	_____	\$1000	_____
<b>Limited Project (as defined in SWB &amp; WPA)</b>	_____	Equal to full WPA fee	_____
<b>Alterations – located within Riverfront Area</b>	_____	Additional 50% of Fee	_____
<b>Application filed after Enforcement Order</b>		Double the Municipal fee	_____
<b>Request for Amended Order of Conditions</b>	_____	50% of initial fee	_____
<b>Request for Determination of Applicability (RDA):</b>			
No Wetland Boundary Confirmation Residential:	<u>  X  </u>	\$100	<u>  100.00  </u>
No Wetland Boundary Confirmation All Other:	_____	\$200	_____
For Wetland Boundary Confirmation <b>File ANRAD or NOI</b>			
<b>Abbreviated Notice of Resource Area Delineation (ANRAD):</b>			
<b>Residential – Single Family:</b>	_____	\$100	_____
<b>All Other:</b>			
<b>Base Review</b>	_____	\$300	_____
<b>Resource Area Boundary</b>			

<b>Certificate of Compliance (COC):</b>
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**Residential:**

Single Family	_____	\$50	_____
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Subdivision or Multi-Unit	_____	\$150	_____
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<b>Commercial or Industrial:</b>	_____	\$150	_____
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<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>	\$	<u>100.00</u>
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<b>State Filing Fee (from DEP Wetland Transmittal Form)</b>	\$	<u>N/A</u>
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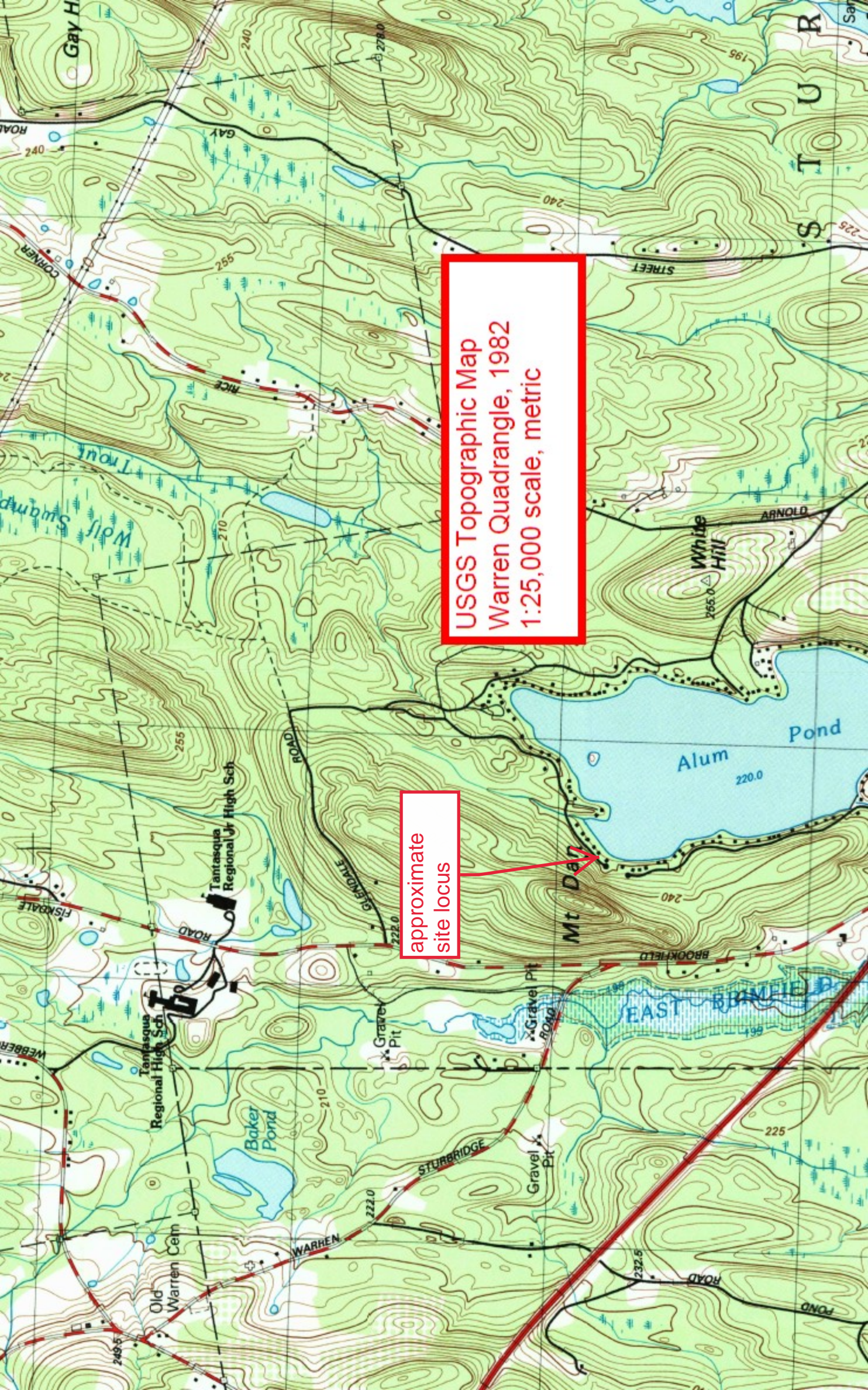
<b><u>Total Payable to "Town of STURBRIDGE"</u></b>	\$	<u>100.00</u>
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\*Additional Consultant Fee may be required for reasons which may include:

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

USGS Topographic Map  
Warren Quadrangle, 1982  
1:25,000 scale, metric

approximate  
site locus



# 68 Paradise Ln., Sturbridge, NHESP



- NHESP Priority Habitats of Rare Species
  - □
- NHESP Estimated Habitats of Rare Wildlife
  -
- NHESP Certified Vernal Pools
  - \*

Natural Heritage Atlas  
Online Data Viewer,  
15th edition, valid  
August 1st, 2021  
created: 10/24/2022  
68 Paradise Lane,  
Sturbridge

# National Flood Hazard Layer FIRMMette



72°7'48"W 42°9'1"N

### Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

Without Base Flood Elevation (BFE)  
*Zone A, V, A99*

With BFE or Depth *Zone AE, AO, AH, VE, AR*

Regulatory Floodway

SPECIAL FLOOD HAZARD AREAS

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*

Future Conditions 1% Annual Chance Flood Hazard *Zone X*

Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*

Area with Flood Risk due to Levee *Zone D*

OTHER AREAS OF FLOOD HAZARD

NO SCREEN

Area of Minimal Flood Hazard *Zone X*

Effective LOMRs

Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES

Channel, Culvert, or Storm Sewer

Levee, Dike, or Floodwall

Cross Sections with 1% Annual Chance Water Surface Elevation

Coastal Transect

Base Flood Elevation Line (BFE)

Limit of Study

Jurisdiction Boundary

Coastal Transect Baseline

Profile Baseline

Hydrographic Feature

OTHER FEATURES

Digital Data Available

No Digital Data Available

Unmapped

MAP PANELS

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **10/24/2022 at 1:29 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

0 250 500 1,000 1,500 2,000 Feet 1:6,000

72°7'10"W 42°8'34"N

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020