

RECEIVED

JAN 31 2023

CONSERVATION

PROJECT NARRATIVE

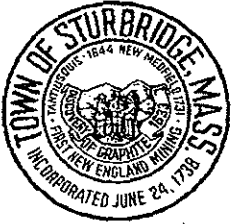
January 19, 2023

Applicant: Old Green Acres, Llc – Kevin Aliengena
Subject Property: 100 Breakneck Road, (170-0413-100)

The proposed project is to build a new single family home and barn with an onsite septic system, well, driveway, lawn and associated grading per attached plan.

The current site is partially cleared. All proposed work is to be performed outside the 100' buffer to the bordering vegetated wetlands, (BVW), but within the Sturbridge local bylaw of a 200' buffer jurisdiction to the BVW. The barn also proposes a paddock area for horses, per attached plan. The proposed limit of work and placement of the silt fence, outside the 100' buffer to the BVW, is also shown on the attached plan.

Thank you for your consideration of this request.



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

Date 1/30/2023

in all white cells completely

| | | | |
|-------------|----------------------|----------------|---|
| Parcel | 170-0431-100 | Applicant name | OLD GREEN ACRES, LLC |
| Address | 100 BREAKNECK RD | Address | 113 BETHANY ROAD |
| Assessors | | Email | MONSON, MA 01057 |
| Map/Plat | | Phone | (413) 374-0582 |
| Book & Page | 59230 / 373 | | KEVIN@APMIPAVING.COM |
| Owner name | OLD Green Acres, LLC | Representative | J+P ENGINEERING SERVICES |
| Address | 113 BETHANY RD | Address | 30 MOUNTAIN VIEW DR |
| Email | MONSON, MA 01057 | Email | BELCHERTOWN, MA 01007 |
| Phone | (413) 374-0582 | Phone | JPEN@SERVICES77@GMAIL.COM (413) 896-6607 |

Fill

| | | | |
|--------------|----------------|--------------------------|-----------|
| Wetland type | sf/cf affected | Relevant Perf. Standards | 10. _____ |
| 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Engineered Plan | Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Proof of Mailing to DEP | Included? <input checked="" type="checkbox"/> Yes <input checked="" 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Natural Heritage Map with WH, PH, & VP data | Included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Included? <input type="checkbox"/> |
| Delineation lines (backup material) | Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Tax Form | Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Fees | |
| ★ Fee Transmittal form | Included? <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| ★ Filing Fee Worksheet | Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| ★ Town portion of state filing fee | Included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| ★ Sturbridge local filing fee <u>5300</u> | Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Abutter Information | |
| ★ Certified abutters list (within 200') | Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| ★ Abutter notification form | Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| ★ Affidavit & proof -- bring to hearing | <i>Present them at the hearing</i> |
| Other Attachments, e.g. | |
| Confirmation of submission to NHESP | Included? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" 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 | Obtain a Certified list of all abutters within 200' of property lines from the Assessor's Office. <i>(may take 10 business days)</i> |
| 2 | Obtain a Tax Form Sign-Off by the Finance Department |
| 3 | <p>Submit applications (see bullets below) by noon of the Tuesday deadline (16 days before the desired hearing):</p> <p>a. <u>To Sturbridge Conservation Commission</u>: 301 Main St., Sturbridge, MA 01566</p> <ul style="list-style-type: none"> • This coversheet (1 paper copy) • Complete application -- see the checklist on the other side of this page (2 paper copies and 1 pdf) <ul style="list-style-type: none"> • Plans must be stamped by an engineer if any component of the project requires engineering. • Checks <p>b. <u>To Mass DEP Central Regional Office</u>: 8 New Bond Street, Worcester, MA 01606</p> <ul style="list-style-type: none"> • Complete application -- see the checklist on the other side of this page (1 paper copy) • Photocopy of the two state checks • Email a complete application to CERO_NOI@mass.gov <p>c. <u>To DEP Lock Box</u>: Box 4062, Boston MA 02211</p> <ul style="list-style-type: none"> • Check for state portion of the state fee • Fee transmittal form |
| 4 | Upon receipt of a complete application, the Conservation Agent will schedule a Public hearing/meeting. |
| 5 | Once you are provided the date and time of the hearing, notify all abutters within 200' of the property line using the Town's "Notification to Abutters Form" by certified mail, certificate of mailing, or hand delivery with signatures 7 business days prior to the Hearing. (Present proof of notification prior to the beginning of the public hearing.) |
| 6 | The Conservation Agent will place a legal ad in a local newspaper and the Applicant will be billed for the ad. |
| 7 | Stake the project. 2 weeks in advance of the public hearing, stake all proposed structures, erosion control barriers, stormwater systems, etc. within Con Com jurisdiction. (See SWB Regulations) |
| 8 | The Conservation Commission and/or Agent will perform a site visit before the public hearing to confirm existing conditions and proposed work. If you wish to be informed of the time of the visit, please contact the Con Com office. |
| 9 | Attend the public hearing/meeting. The applicant or representative is required to provide proof of abutter notification (including Affidavit of Service), proof of legal advertisement, briefly present the project, and answer any questions about possible impacts on wetlands. At the end of the hearing, the Con Com will either: <ul style="list-style-type: none"> • Issue an <u>Order of Conditions</u> (OOC) approving or denying the project, or • Approve a continuation of the public hearing to allow time for additional information to be provided. |
| 10 | Receive and read the decision and understand the conditions. 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 | Wait-out the 10-Day appeal period. A decision of the Con Com can be appealed by MassDEP or by any abutter, applicant, or 10-citizen group within 10 business days of the decision. |
| 12 | Record the Order at the Registry of Deeds. Provide proof of recording to the Conservation office along with signed Certificates of Understanding. |
| 13 | Install MassDEP file number sign and erosion controls. |
| 14 | Schedule and attend a pre-construction site visit. Contact the Conservation office to schedule the site visit. |
| 15 | Execute the project. The project must be completed within 3 years, unless an extension of the permit is issued; extensions must be requested at least 30 days prior to the expiration of the permit. |
| 16 | Request a Certificate of Compliance (COC). Once the project is complete and all conditions have been satisfied, request a COC from the Conservation office by submitting at least: (1) DEP Form 8a, (2) a stamped as-built plan, and (3) a letter from the engineer 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 | Record the Certificate of Compliance (COC) at the Registry of Deeds to remove the cloud from the title. Provide proof of recording to the Conservation office. |

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.



Sturbridge Conservation Commission

Notice of Intent

Sturbridge Wetland Bylaw Section 3.50

SCC File Number

A. General Information

1. Project Location:

100 BREAKNECK ROAD

a. Street Address

STURBRIDGE

b. City/Town

01566

c. Zip Code

170-0431-100

d. Assessors Map/Plat Number

e. Parcel /Lot Number

2. Applicant:

KEVIN

a. First Name

ALIENGENA

b. Last Name

OLD GREEN ACRES, LLC

c. Organization

113 BETHANY ROAD

d. Street Address

MOUSON

e. City/Town

MA

f. State

01057

g. Zip Code

(413) 374-0582

h. Phone Number

i. Fax Number

j. Email Address

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):

NEIL

a. First Name

JACKSON

b. Last Name

JTP ENGINEERING SERVICES

c. Company

30 MOUNTAIN VIEW DRIVE

d. Street Address

BELCHERTOWN

e. City/Town

MA

f. State

01007

g. Zip Code

(413) 896-6607

h. Phone Number

i. Fax Number

j. Email address

JTPENG.SERVICES77@GMAIL.COM

5. Total Fee Paid (Attach with submittal from Filing Fee Worksheet):

\$300.00

Fee Paid



Sturbridge Conservation Commission

Notice of Intent

Sturbridge Wetland Bylaw Section 3.50

SCC File Number

6. General Project Description:

SINGLE FAMILY DWELLING, BARN, Paddock, LAWN, DRIVEWAY AND ASSOCIATED GRADING

7. Project Type Checklist:

- 1. Single Family Home
- 2. Residential Subdivision
- 3. Commercial/Industrial
- 4. Dock/Pier
- 5. Utilities
- 6. Coastal engineering Structure
- 7. Agriculture (e.g., cranberries, forestry)
- 8. Transportation
- 9. Other:

8. Property recorded at the Registry of Deeds for:

WORCESTER

a. County

b. Certificate # (if registered land)

59230

c. Book

393

d. Page Number

D. Signatures and Submittal Requirements

1. Attach a narrative and any supporting documentation describing how the project will protect the jurisdictional resource areas during construction and what Best Management Practices have been incorporated to ensure there will be no long-term impacts to the Resource Areas. Indicate distance to Resource Areas.
2. On a separate sheet, list the titles and dates for all plans and other materials submitted with this NOI.
3. If there is more than one property owner, please attach a list of these property owners not listed on this form.
4. Include the Town of Sturbridge Notice of Intent Application Checklist Signatures and Submittal Requirements
5. 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. The Commission will provide legal advertisement to the applicant and it is the applicants requirement to post in accordance to the applicable Sturbridge Bylaw and/or supporting regulations. I further certify under penalties of perjury that all abutters were notified of this application. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 200 feet of the property line of the project location.

1. Signature of Applicant

[Signature] 1/30/2023
date

2. Signature of Property Owner (if different)

date

3. Signature of Representative (if any)

[Signature] 1/30/2023
date

STURBRIDGE WETLANDS PROTECTION BY-LAW AND REGULATIONS

WETLANDS FILING FEE CALCULATION WORKSHEET

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

Certificate of Compliance (COC):

Residential:

Single Family _____ \$50 _____

Subdivision or Multi-Unit _____ \$150 _____

Commercial or Industrial: _____ \$150 _____

If Order of Conditions has Expired _____ Add an additional \$150 _____

OOO Extension Request _____ \$50 _____

Emergency Certification _____ \$50 _____
(NOI may be required to be filed following issuance of Emergency Cert)

Local Bylaw Fee (includes Town Filing Fee) \$ _____

State Filing Fee (from DEP Wetland Transmittal Form) \$ _____

Total Payable to "Town of STURBRIDGE" \$ 300

*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.



Town of Sturbridge

Conservation Commission

STURBRIDGE CONSERVATION COMMISSION AFFIDAVIT OF SERVICE

Under the Town of Sturbridge Wetland Bylaw, I NEIL JACKSON, hereby certify under the pains and penalties of perjury that on (date) 2/3/2023, I gave notification to abutters, in compliance with this Bylaw and Regulations, in connection with a Notice of Intent filed under this Bylaw. This Notice of Intent was filed with the Sturbridge Conservation Commission on (date) 1/31/2023 for the property located at 100 BREAKNECK ROAD.

The form of the Notification and a list of abutters to whom it was given and their addresses are included in the application file.

KA 1/30/2023
(Signature of applicant) (Date)

KEVIN ALIENGEVA
(Name of applicant-printed or typed)



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: OLD GREEN ACRES

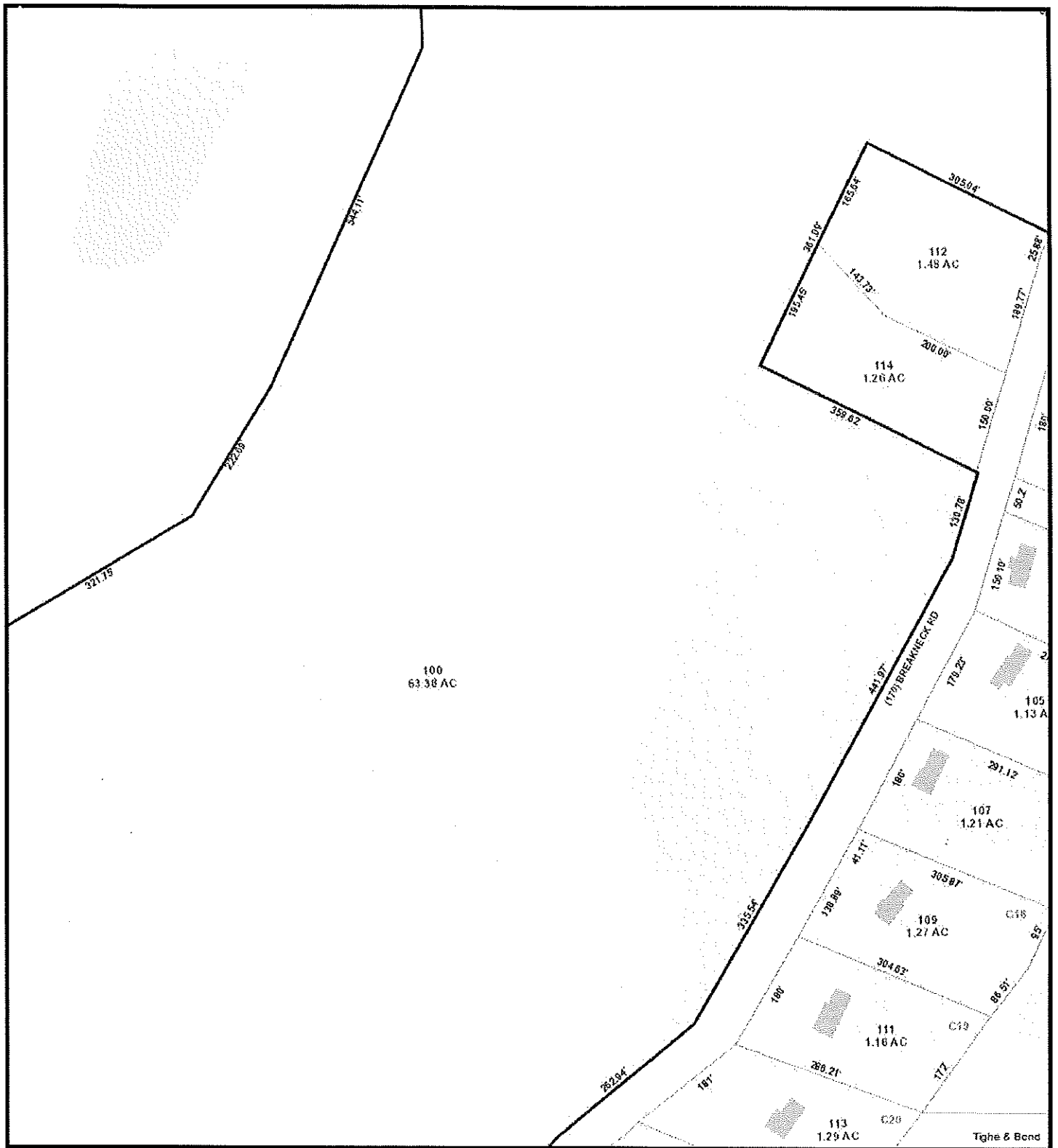
Property Location: 100 BREAKNECK ROAD

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

Janet L. Savignac
Finance Director

12/19/22
Date

| Parcel ID | Owner | Owner Address | Owner City | State | Zip | Property Address |
|---|--------------------------------|--------------------|------------|-------|-------|--------------------|
| 170-04831-104 | ALIENGENA JOSHUA L | 104 BREAKNECK ROAD | STURBRIDGE | MA | 01566 | 104 BREAKNECK ROAD |
| 170-04822-098 | CHECHILE PETER T | 98 BREAKNECK ROAD | STURBRIDGE | MA | 01566 | 98 BREAKNECK ROAD |
| 170-04831-102 | CHECHILE PETER T | 98 BREAKNECK ROAD | STURBRIDGE | MA | 01566 | 102 BREAKNECK ROAD |
| 170-04812-089 | DEVARENNE KEITH | 89 BREAKNECK ROAD | STURBRIDGE | MA | 01566 | 89 BREAKNECK ROAD |
| 170-04821-093 | KENNEALLY JOSEPH T JR | 93 BREAKNECK ROAD | STURBRIDGE | MA | 01566 | 93 BREAKNECK ROAD |
| 170-04822-091 | MACCRACKEN BRIAN | 91 BREAKNECK ROAD | STURBRIDGE | MA | 01566 | 91 BREAKNECK ROAD |
| 170-04811-090 | MORIARTY THOMAS J | 90 BREAKNECK ROAD | STURBRIDGE | MA | 01566 | 90 BREAKNECK ROAD |
| 170-04831-106 | OLD GREEN ACRES LLC | 113 BETHANY ROAD | MONSON | MA | 01057 | 106 BREAKNECK ROAD |
| 170-04822-096 | PESATURO ADAM B | 96 BREAKNECK ROAD | STURBRIDGE | MA | 01566 | 96 BREAKNECK ROAD |
| 170-04812-087 | GRASSO CHRISTOPHER | 87 BREAKNECK ROAD | STURBRIDGE | MA | 01566 | 87 BREAKNECK 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: 100 BREAKNECK ROAD | | | | | | |
| Certified Copy | | | | | | |
| Assessor: | <i>David P. Murphy</i> | | | | | |
| Date: | 10/15/2022 | | | | | |
| | | | | | | |
| | | | | | | |
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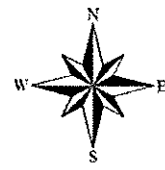


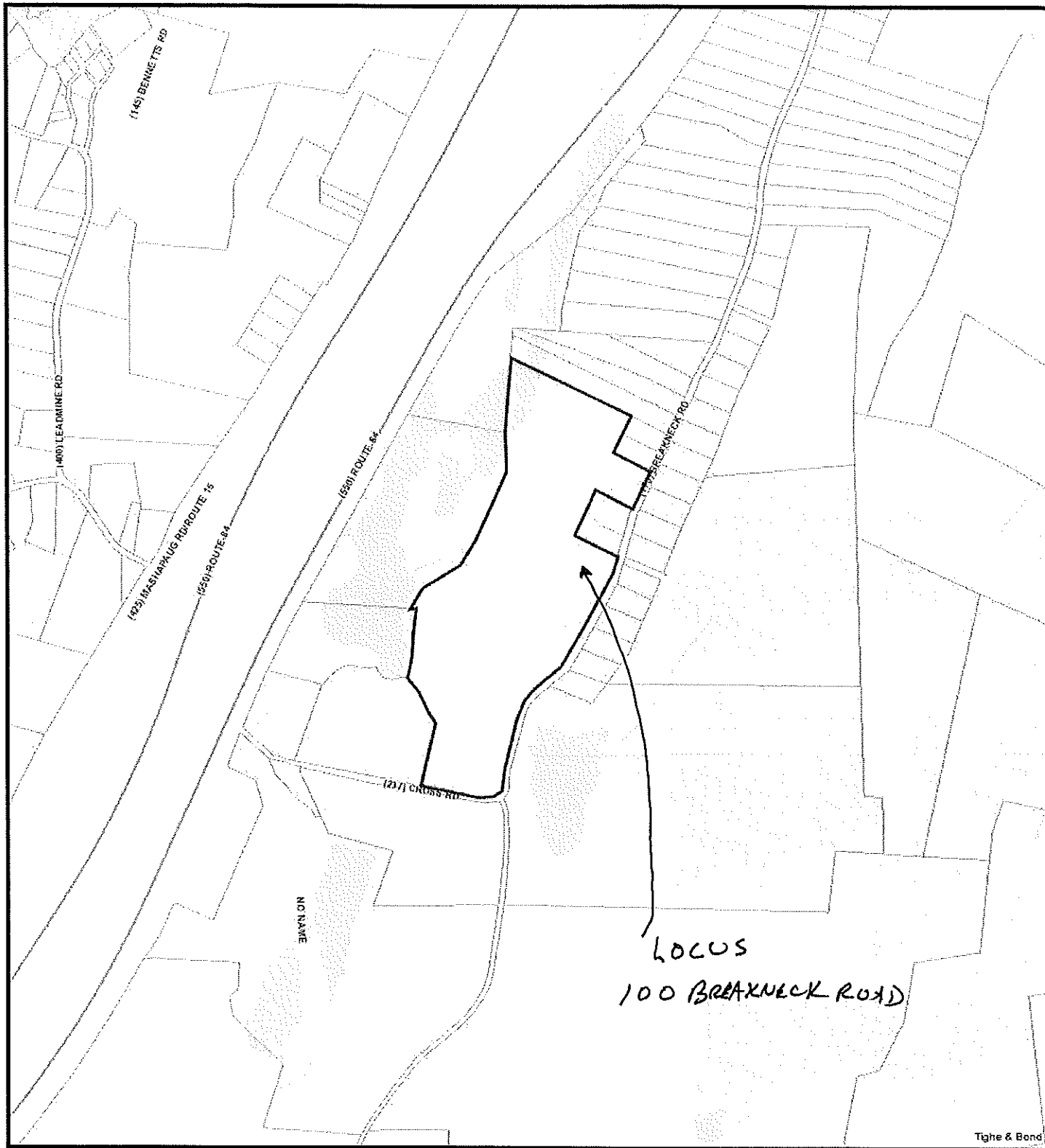
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Scale: 1"=200'

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.





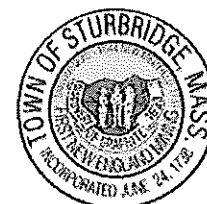
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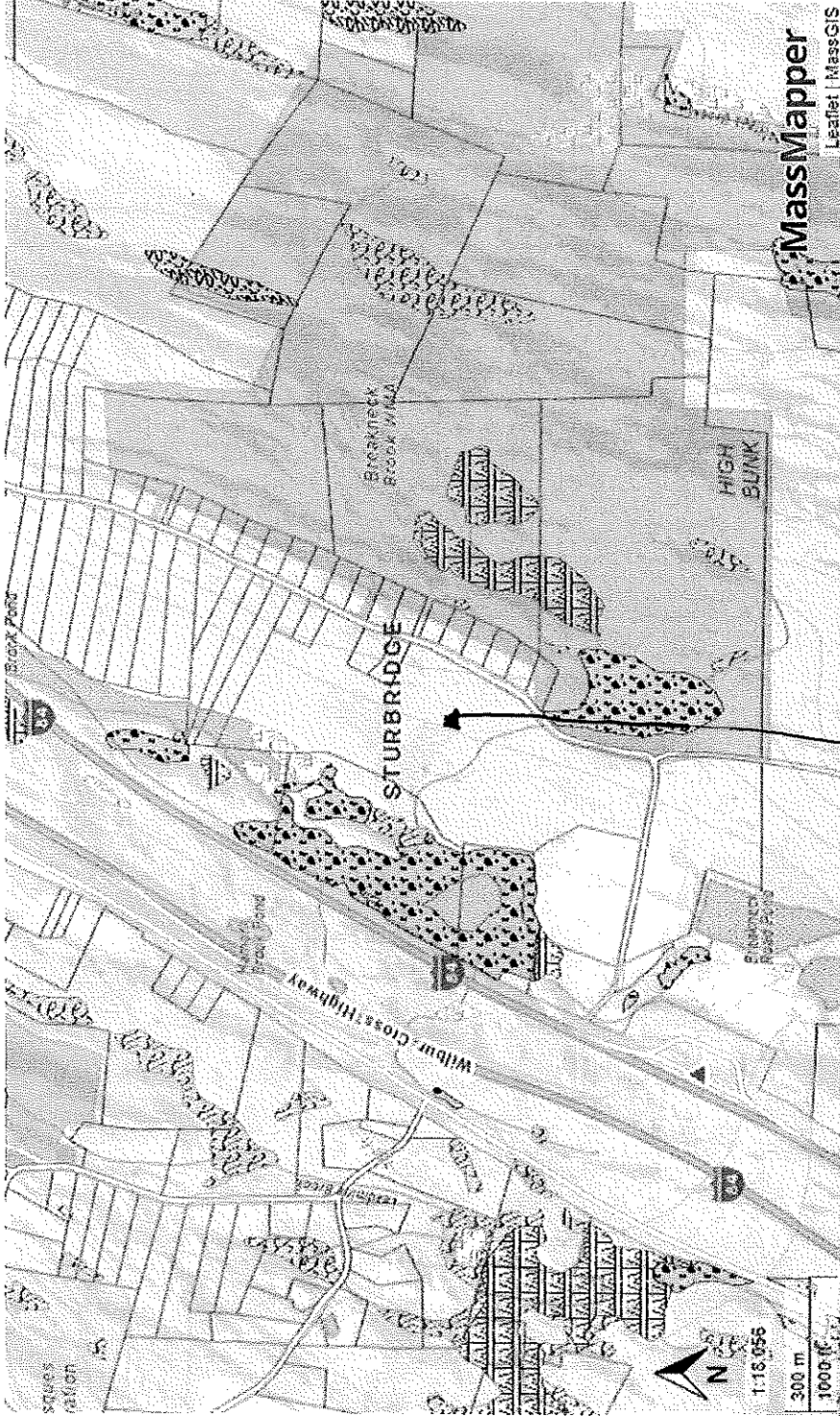
Scale: 1"=1000'

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.



100 Breakneck Road



LOCUS
100 BREAKNECK ROAD

DEP Wetlands Detailed With Outlines

- Barrier Beach System
- Barrier Beach-Deep Marsh
- Barrier Beach-Wooded Swamp Mixed Trees
- Barrier Beach-Coastal Beach
- Barrier Beach-Coastal Dune
- Barrier Beach-Marsh
- Barrier Beach-Salt Marsh
- Barrier Beach-Shrub Swamp
- Barrier Beach-Wooded Swamp Coniferous
- Barrier Beach-Wooded Swamp Deciduous
- Bog
- Coastal Bank Bluff or Sea Cliff
- Coastal Beach
- Coastal Dune
- Cranberry Bog
- Deep Marsh
- Barrier Beach-Open Water
- Open Water
- Rocky Intertidal Shore
- Salt Marsh
- Shallow Marsh Meadow or Fen
- Shrub Swamp
- Tidal Flat
- Wooded Swamp Coniferous
- Wooded Swamp Deciduous
- Wooded Swamp Mixed Trees

DEP Wetlands Outlines Only

Property Tax Parcels



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: Old Green Acres LLC
- B. The address of the lot(s) where the activity is proposed is: 100 Breakneck Rd Parcel G
- C. The nature of the activity proposed includes: Single Family Dwelling w/Barn
- 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.
- Under local bylaw only 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: February 16, 2023 6:15 PM

Public Hearing can be accessed remotely:

<http://global.gotomeeting.com/join/846062197>

- From your computer using: _____
- From your phone: +1 872 240 3212, followed by the access code

846-062-197

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.