

Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

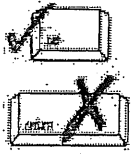
**WPA Form 1- Request for Determination of Applicability**

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

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 Esau Bernstein E-Mail Address simbatf2@gmail.com  
Mailing Address 11 Governor Fairbanks  
Barnfield State MA Zip Code 01010  
City/Town Phone Number 413-214-3666 Fax Number (if applicable) \_\_\_\_\_

2. Representative (if any):

Firm Opacum Land Trust (Property Owner)  
Contact Name Ed Hood E-Mail Address ehood@opacumlt.org  
Mailing Address P.O. Box 245, Hardwick  
Hardwick State MA Zip Code 01037  
City/Town Phone Number 413-477-1061 Fax Number (if applicable) \_\_\_\_\_

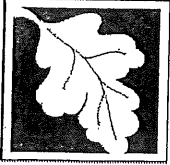
**B. Determinations**

1. I request the Sturbridge Conservation Commission make the following determination(s). Check any that apply:

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance or bylaw** of:

Sturbridge  
Name of Municipality

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



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

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

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

**C. Project Description**

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

14 Audubon Way  
Street Address

Sturbridge  
City/Town

25  
Assessors Map/Plat Number

14  
Parcel/Lot Number

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

Low wetland area within existing conservation property

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

Title \_\_\_\_\_

Date \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

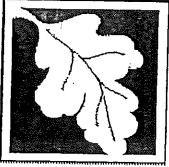
2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

• Replacement of existing bridge.

• Removal of <sup>old</sup> bridge is necessary

• No digging needed

• New bridge will be installed in one day



**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.

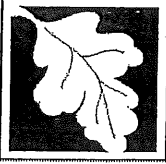
- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture 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

# WPA Form 1- Request for Determination of Applicability

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

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:

Opacum Land Trust  
 Name \_\_\_\_\_  
 P.O. Box 245  
 Mailing Address \_\_\_\_\_  
 Hardwick  
 City/Town \_\_\_\_\_  
 MA  
 State \_\_\_\_\_  
 01037  
 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 \_\_\_\_\_  
 Date 6/26/19 \_\_\_\_\_

\_\_\_\_\_  
 Signature of Representative (if any) \_\_\_\_\_  
 Date \_\_\_\_\_



# Town of Sturbridge

## Conservation Commission

*\* not applicable*

### STURBRIDGE CONSERVATION COMMISSION AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act and the Town of Sturbridge Wetland Bylaws

I, \_\_\_\_\_, hereby certify under the pains and penalties of perjury that on (date) \_\_\_\_\_, I gave notification to abutters in compliance with the second paragraph of the Massachusetts General Laws Chapter 131, § 40, and the DEP Guide to Abutter Notification as well as the Town of Sturbridge Wetland Bylaws, in connection with the following matter:

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

was filed under the Massachusetts Wetlands Protection Act and the Town of Sturbridge Bylaws, by \_\_\_\_\_ with the Sturbridge Conservation Commission on (date) \_\_\_\_\_ for the property located at \_\_\_\_\_

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

\_\_\_\_\_  
(signature of applicant) (date)

\_\_\_\_\_  
(name of applicant-printed or typed)

F:\Home\CONSERVATIONForms\Affidavit of Service.doc



# Town of Sturbridge

## Conservation Commission

*\* not applicable*

### Notification to Abutters under the MA Wetlands Protection Act and the Town of Sturbridge Wetland Bylaw Regulations

In accordance with the second paragraph of Massachusetts General Laws, Chapter 131, § 40, as well as the Town of Sturbridge Wetland Bylaws, you are hereby notified of the following permit application for work within a wetland resource area and/or within the 200-foot buffer zone to a resource area:

- A. The name of the applicant is: \_\_\_\_\_
- B. The address of the lot(s) where the activity is proposed is: \_\_\_\_\_
- C. The nature of the activity proposed includes: \_\_\_\_\_
- D. The applicant has filed the following in accordance with the Wetlands Protection Act (MGL c. 131, § 40), and/or the Town of Sturbridge Wetland Bylaws.
  - Notice of Intent seeking permission to conduct work within a wetland, water body or resource area
  - Request for Determination seeking permission to conduct work within a buffer zone to a wetland, waterbody or resource area
  - Abbreviated Notice of Resource Area Delineation seeking to confirm the wetland resource area boundaries.
  - Request to amend an existing Order of Conditions for DEP File #300-\_\_\_\_\_
- E. Copies of the application may be examined at the Sturbridge Conservation Department, 301 Main Street, Center Office Building, Sturbridge, MA between the hours of **9:00 a.m. – 3:30 p.m. Monday through Friday.** Additional times may available by appointment. Please call ahead to check for availability. (508) 347-2506
- F. Copies of the application may be obtained from either  the applicant: \_\_\_\_\_ or  the applicant's representative: \_\_\_\_\_, by calling telephone # \_\_\_\_\_ on the following days of the week: \_\_\_\_\_ between the hours of \_\_\_\_\_ and \_\_\_\_\_.

**The Public Hearing for this application will be held in the Center Office Building, 301 Main Street, 2nd Floor on \_\_\_\_\_ at \_\_\_\_\_ pm.**

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

- In The Southbridge Evening News at least five days in advance of the hearing
- In the Town Hall at the Town Clerks office, not less than 48 hours in advance of the hearing
- On the Town's Meeting Calendar not less than 48 hours in advance of the hearing ([www.town.sturbridge.ma.us](http://www.town.sturbridge.ma.us))
- On the Conservation Commission webpage not less than 48 hours in advance of the hearing

You may contact the Sturbridge Conservation Commission Office (508) 347-2506 or the Department of Environmental Protection Central Regional Office at 508-792-7650 with questions in regards to the Notice of Intent application process or the Wetlands Protection Act.



# Town of Sturbridge

Barbara A. Barry, Finance Director

*# not applicable*

Department/Board/Committee: \_\_\_\_\_

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

Property Owner: \_\_\_\_\_

Property Location: \_\_\_\_\_

-----

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

\_\_\_\_\_  
Finance Director

\_\_\_\_\_  
Date



# Town of Sturbridge

## Conservation Commission

### Filing Fee Worksheet

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

Applicant \_\_\_\_\_

Applicant Representative \_\_\_\_\_

Project Location \_\_\_\_\_

#### TOTAL STATE FEE REQUIRED FOR PROJECT

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

State Fee Category(s) \_\_\_\_\_

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

State share of State Fee \_\_\_\_\_

Local share of State Fee \_\_\_\_\_

#### TOTAL ADDITIONAL LOCAL FEE REQUIRED FOR PROJECT\*:

(See Sturbridge Wetland Bylaw Regulations Section 4.17)

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

#### CUMULATIVE TOTAL FEES:

Total State Fee: \_\_\_\_\_

Total Town Share of State Fee: \_\_\_\_\_

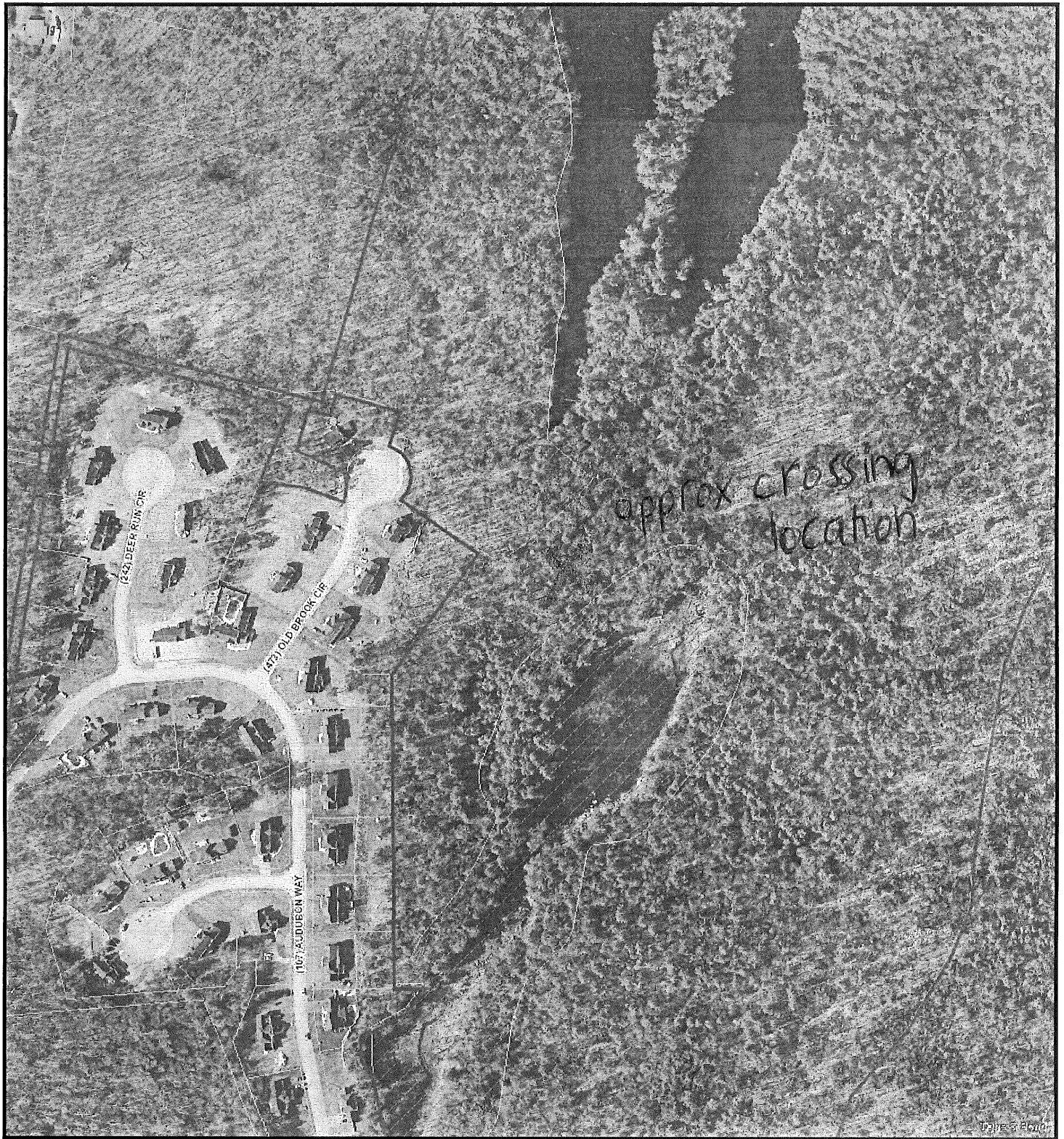
Total Local Fee: \_\_\_\_\_

#### \*Please Note:

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

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





6/26/2019 10:10:40 AM

Scale: 1"=300'

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.

