

Request for Determination of Applicability
for
Exploratory Borings to Support an Upgraded Septic System
at
36 South Laurel Drive
Shutesbury, MA

May 30, 2024

Submitted to:

Town of Shutesbury
Conservation Commission
P.O. Box 276
1 Cooleyville Road
Shutesbury, MA 01072-0276

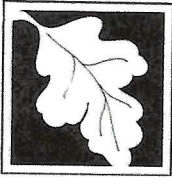
Prepared on Behalf of:

Last Star Camp LLC
75 Arnold Road
Pelham, MA 01002

Prepared by:



P.O. Box 119
Southampton, MA 01073
413.325.7372

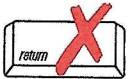


WPA Form 1- Request for Determination of Applicability

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:

Last Star Camp LLC c/o Lynda Grybko, manager
Name ljgrybko@gmail.com
E-Mail Address
75 Arnold Road
Mailing Address
Pelham MA 01002
City/Town State Zip Code
413-531-5354
Phone Number
Fax Number (if applicable)

2. Representative (if any):

Fleetwood Environmental Solutions, LLC
Firm
David Cameron david@fleetwoodenv.com
Contact Name E-Mail Address
84 Russell Street
Mailing Address
Hadley MA 01035
City/Town State Zip Code
413.325.7372
Phone Number
Fax Number (if applicable)

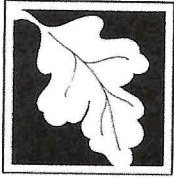
B. Determinations

1. I request the Shutesbury 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:

Shutesbury
Name of Municipality

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



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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):

36 South Laurel Drive

Street Address

Shutesbury

City/Town

A

Assessors Map/Plat Number

41

Parcel/Lot Number

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

The Project Locus is 0.13 acre and includes the adjoining parcel, also owned by the Applicant and simply referred to as "South Laurel Drive" (Map A, Parcel 50, consisting of 0.07 acre); proposed work is limited to the AURA/100-Foot Buffer Zone of a BVW to the south on a parcel owned by others.

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

Figure 2 Site Plan

Title

5/14/24

Date

Title

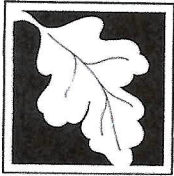
Date

Title

Date

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

Exploratory borings for a septic system upgrade (e.g., perc tests or similar)



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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).

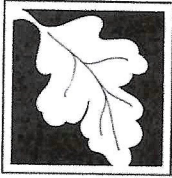
310 CMR 10.02(2)(b)2.g. This exemption for "minor activities" in Buffer Zone is also recognized as exempt under the Shutesbury Wetlands Bylaw Regulations at Section 3.2.3.

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.)

N/A



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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:

Last Star Camp LLC c/o Lynda Grybko, manager

Name

75 Arnold Road

Mailing Address

Pelham

City/Town

MA

State

01002

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.

Lynda Grybko
Signature of Applicant

5-22-2024
Date

Signature of Representative (if any)

Date



Town of Shutesbury, Massachusetts 01072

**TOWN OF SHUTESBURY
Conservation Commission**

SITE ACCESS AUTHORIZATION

Date: May 30, 2024

Project: Exploratory borings in Buffer Zone

Location: 36 South Laurel Drive

Property Owner: Last Star Camp LLC, c/o Lynda Grybko, Manager

I (We) hereby authorize the individual members of the Shutesbury Conservation Commission and its agents to enter upon the referenced property for the purpose of gathering information regarding the application filed with the Commission pursuant to the Wetlands Protection Act (MGL Ch 131, s. 40) and/or the Shutesbury General Wetlands Protection Bylaw.

Additionally, if an Order of Condition or other Permit is issued for the project, I (we) grant permission for Commission members and the Commission's agents to enter the above referenced property for the purpose of inspecting for compliance with the Order or Permit. This site access authorization is valid until a Certificate of Compliance is issued by the Conservation Commission or the Permit has expired.

Authorized Signature: (signature on original hard copy) Date _____

Please Print _____

(If other than owner, please state whether tenant, agent or other)

Mailing Address: 75 Arnold Road
Pelham, MA 01002

Phone: 413.531.5354 Email: ljgrybko@gmail.com

Cell: _____ Fax: _____

APPENDIX A

Project Narrative

Background

This Request for Determination of Applicability (“RDA”) concerns a 0.13- acre property at 36 South Laurel Drive identified by the Town of Shutesbury Assessors as Map A, Parcel 41 and an adjoining 0.07- acre parcel (Assessors as Map A, Parcel 50) also owned by the applicant (collectively “Project Locus” or “property”; see Appendix B, Figure 1). The property owners--- Last Star Camp LLC (“Applicants”)---wish to conduct preliminary planning and design tasks on the parcel, in order to determine whether to rehabilitate the existing home or otherwise redevelop the property. A portion of the property contains 100-Foot Buffer Zone (also the “AURA” per the Shutesbury Wetland Bylaw). This RDA seeks confirmation via a Negative Determination that the activities outlined herein are exempt from the Wetlands Protection Act (“WPA”) and Town of Shutesbury Bylaw and Regulations (“Bylaw”), and thus not warranting the filing of a Notice of Intent.

Property Setting

The property currently consists of a single-family home and gravel driveway. The house has evidently not been occupied for several decades, and sapling trees---mostly eastern hemlock--- have grown into medium-sized trees over much of the property. In some cases, there are large trees dangerously leaning toward the home, and the electric distribution lines are also encroached upon by vegetative growth.

Resource Areas

There are no Resource Areas on the property, although a 100-foot Buffer Zone to a multi-habitat Bordering Vegetated Wetland (“BVW”) on the neighboring property to the south partially encompasses the Project Locus (see Appendix B; Figure 2).

Description of Proposed Activities

The Applicants have been given a six-month timeline from the Shutesbury Board of Health (from the date of property purchase) to develop a compliant Title 5 (i.e., septic) plan for the property. Said plan will likely require exploratory borings at various locations throughout the property---yet-to-be-determined---in order for a sanitary/civil engineer to design an upgraded and compliant septic system. As such, the Applicants are seeking approval to conduct soil borings and any comparable subsurface investigations as required by the engineer. This will likely involve the use of a bobcat-sized backhoe to dig soil test pits, with attendant removal of small trees and saplings to access the requisite locations.

Statutory and Regulatory Exemptions

Both the WPA regulations and Bylaw include an exemption for such activities, as outlined at 310 CMR 10.02(2)(b)2.g.:

“Activities that are temporary in nature, have negligible impacts, and are necessary for design purposes (e.g., installation of monitoring wells, exploratory borings, sediment sampling and surveying and percolation tests for septic systems provided that resource areas are not crossed for site access).”

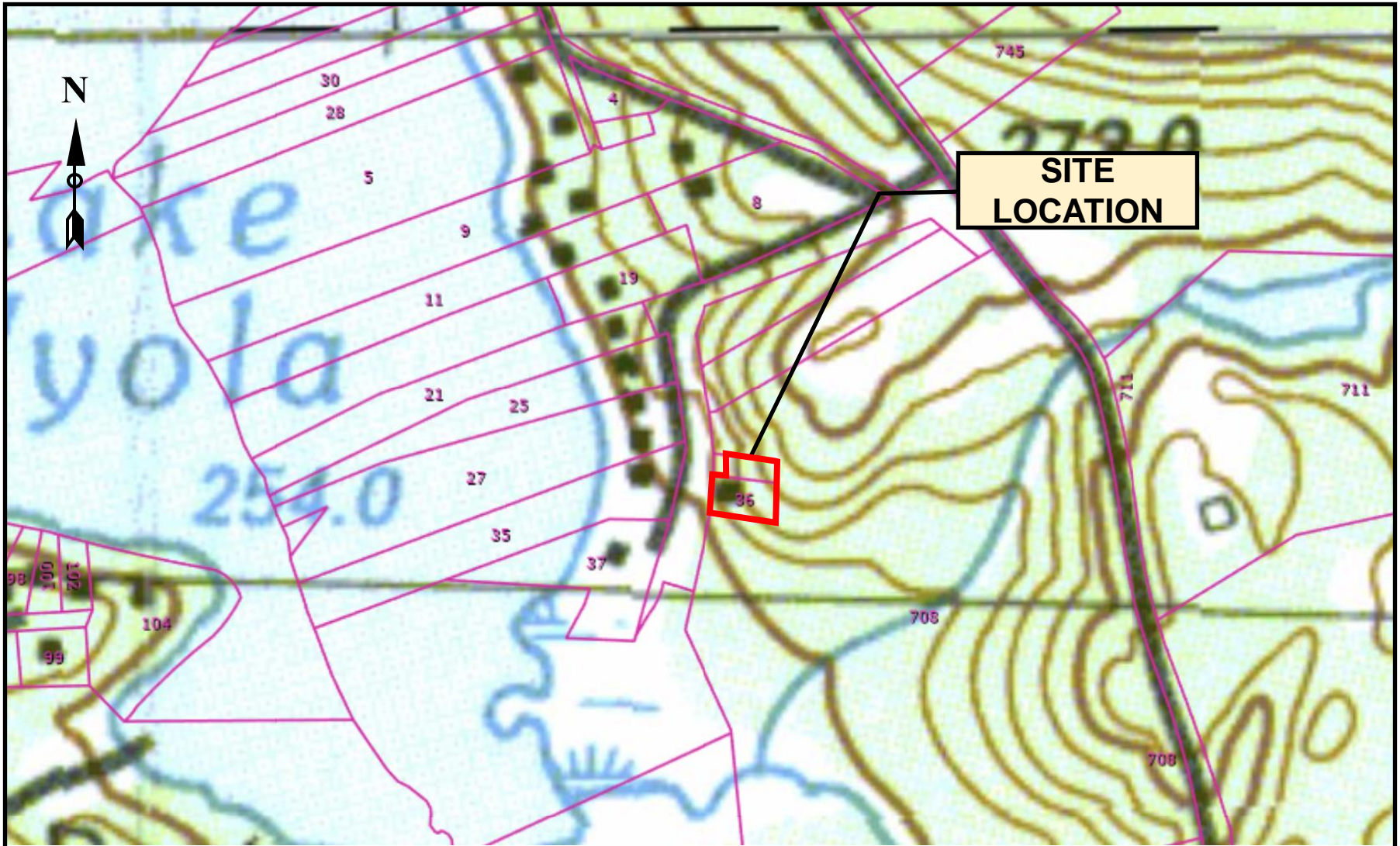
Mitigation Measures

The activities that occur within Buffer Zone will be conducted in accordance with the following measures:

1. Any and all test pits and temporary spoil piles created will be surrounded by staked straw wattles or entirely covered by anchored tarps;
2. Vegetation removal to facilitate access will be avoided to the maximum extent possible;
3. No resource areas will be crossed; and
4. No slash generated will be stockpiled in or chipped into resource areas


APPENDIX B

Site Locus Map and Site Plan



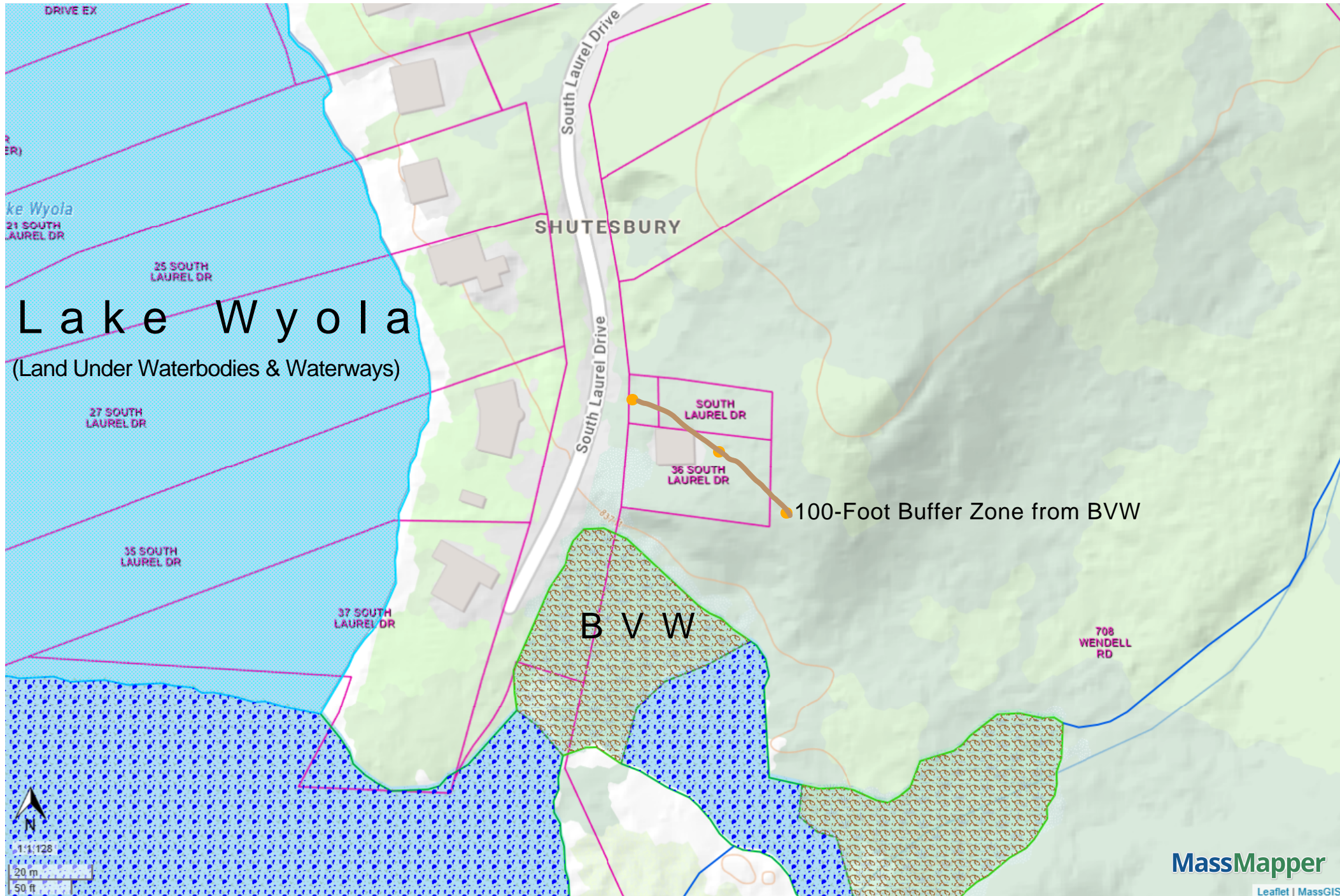
84, Russell Street, Hadley MA, 01035 · www.fleetwoodenv.com

FIGURE 1
 Site Locus Map
 36 South Laurel Drive
 Shutesbury, MA

SCALE  0 200 ft

MAY 2024

Shutesbury: 36 South Laurel Drive



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 Linear Features

- SHORELINE
- HYDROLOGIC CONNECTION
- MEAN WATER LINE
- APPARENT WETLAND LIMIT
- CLOSURE LINE
- EDGE OF INTERPRETED AREA

Property Tax Parcels

Figure 2
Site Plan for Perc Tests
36 South Laurel Drive
Shutesbury, MA

APPENDIX C

Site Photographs from May 13, 2024



Driveway and existing home ---view northeast from South Laurel Drive



Bordering Vegetated Wetland on adjacent parcel to south – view southeast



Woods immediately behind (east) of existing home--- view north



Woods immediately north of existing home--- view north

APPENDIX D

Certified Abutters List and Abutter Notification Form

TOWN OF SHUTESBURY CERTIFIED 100' ABUTTERS LIST FOR CAMERON FLEETWOOD, 36 SOUTH LAUREL DR, MAP A PARCELS 41 AND 50

MAP	LOT	OWNER	CO-OWNER	MAILING ADDRESS	TOWN	ST	ZIP	LOCATION
A	41	LAST STAR CAMP LLC		75 ARNOLD RD	PELHAM	MA	01002	36 SOUTH LAUREL DR
A	50	LAST STAR CAMP LLC		75 ARNOLD ROAD	PELHAM	MA	01002	SOUTH LAUREL DR
A	150	HAGERTY PRISCILLA		8 E. COLLINGS AVE	COLLINGSWOOD NJ		08108	LAUREL DR
ZA	24	SIEFERT THOMAS R	MCGINN FRANCIS D III	27 SOUTH LAUREL DR	SHUTESBURY	MA	01072	27 SOUTH LAUREL DR
ZA	26	LAST STAR CAMP LLC		75 ARNOLD ROAD	PELHAM	MA	01002	35 SOUTH LAUREL DR
ZA	28	REIL CARA M		48 SCHOONER DR	PALM HARBOR	FL	34683	37 SOUTH LAUREL DR
ZA	127	WINDCALLER ALEXANDRIA A		708 WENDELL RD	SHUTESBURY	MA	01072	708 WENDELL RD

**FOR: DAVID CAMERON, SPWS, PRINCIPAL
 FLEETWOOD ENVIRONMENTAL SOLUTIONS LLC
 C/O BORN DIGITAL
 84 RUSSELL STREET
 HADLEY MA 01035**

413.325.7372

DAVID@FLEETWOODENV.COM

[Respectfully submitted,](#)

Leslie Bracebridge, Assessors Clerk for
 David W. Burgess, Administrative Assessor
 Shutesbury Board of Assessors
 5/15/2024



MAP A-41 CAMERON/FLEETWOOD FOR LAST STAR CAMP LLC 36 SOUTH LAUREL DR 100 FT ABUTTERS

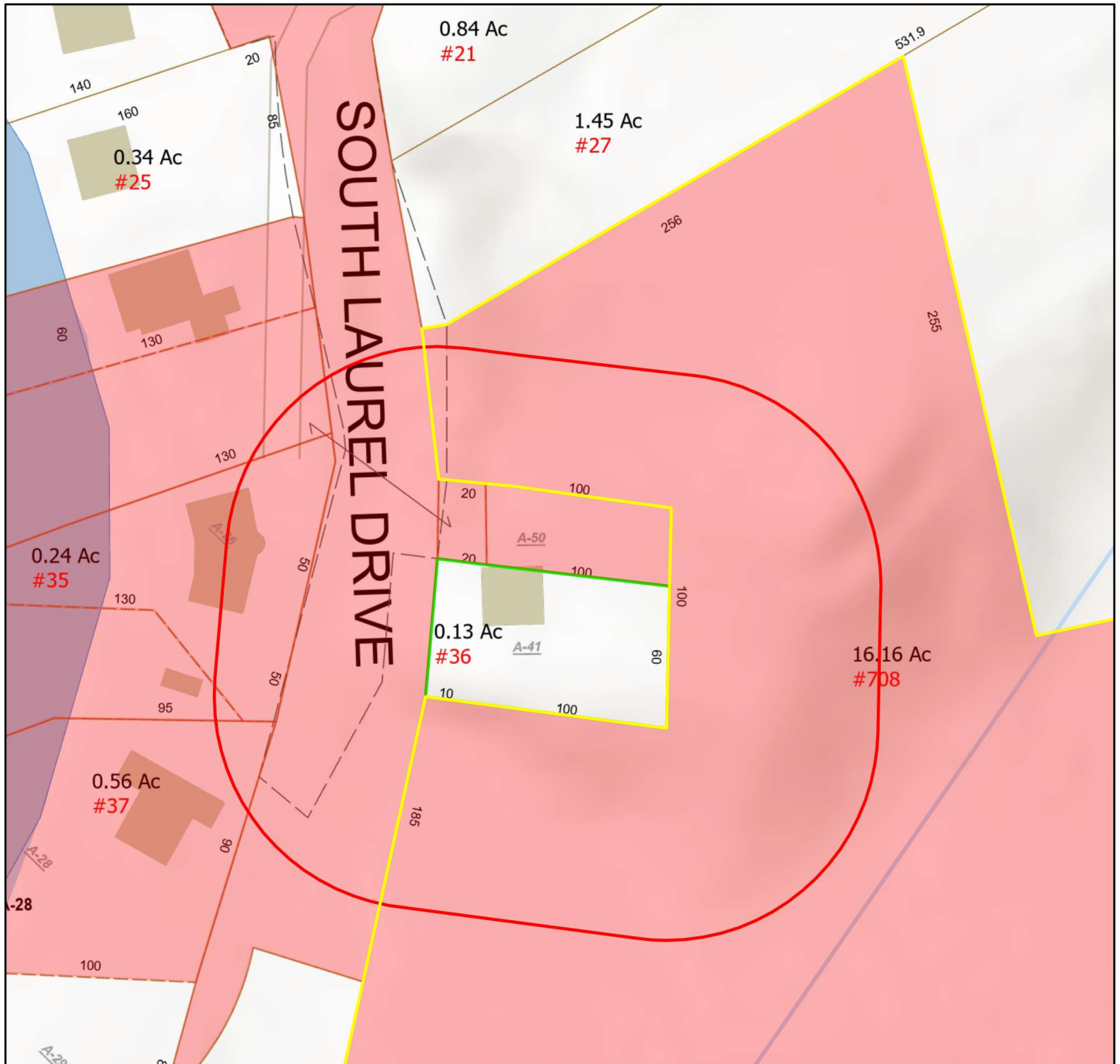
Town of Shutesbury, MA



1 inch = 70 Feet

www.cai-tech.com

May 15, 2024



	Common Line		Property Hook		Water-poly
	Property Line		Area & Street No		WaterLines
	Right of Way		Buildings		

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



MAP A-50 CAMERON/FLEETWOOD FOR LAST STAR CAMP LLC SOUTH LAUREL DR 100 FT ABUTTERS

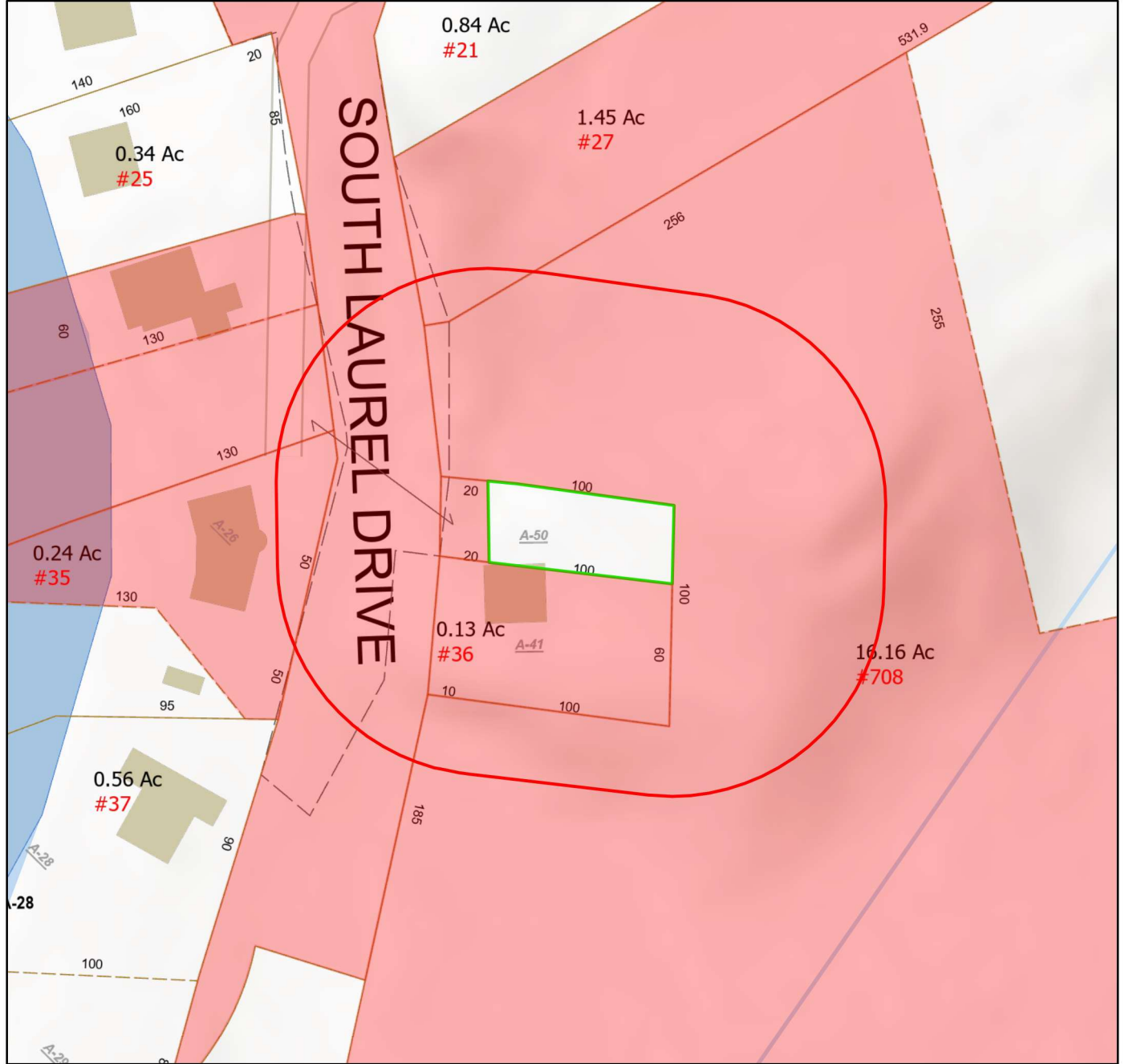
Town of Shutesbury, MA



1 inch = 70 Feet

www.cai-tech.com

May 15, 2024



	Common Line		Property Hook		Water-poly
	Property Line		Area & Street No		WaterLines
	Right of Way		Buildings		

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

NOTIFICATION TO ABUTTERS

In accordance the Wetlands Protection Act and Shutesbury General Wetlands Protection Bylaw and regulations, you are hereby notified of a public meeting on the matter described below.

- A. A Request for Determination of Applicability has been filed with the Shutesbury Conservation Commission seeking permission to remove, fill, dredge or alter an area subject to protection under M.G.L. Ch. 131 §40 and the Shutesbury General Wetlands Protection Bylaw.
- B. The name of the applicant is: **Last Star Camp LLC**
- C. The address of the land where the activity is proposed: **36 South Laurel Drive**
- D. The work proposed is: **Exploratory borings in Buffer Zone to inform septic system upgrades**
- E. Copies of the Request for Determination may be examined at the Shutesbury Town Hall, 1 Cooleyville Road, on Tuesdays and Thursdays from 10am – 1pm and online at www.shutesbury.org/other-concom-projects.
- F. The Public Meeting for this Request for Determination of Applicability will be held **Thursday, June 13, 2024 at 7:00 pm** via Zoom.
- G. **Public Participation will be via Virtual Means Only:** This meeting of the Shutesbury Conservation Commission will be conducted via remote participation. Instructions for participating in the virtual Public Meeting will be listed on the meeting agenda posted on the Town calendar at least 48 hours in advance of the meeting. The Public Meeting may be rescheduled due to unforeseen circumstances. Remote access information will be published on the Shutesbury meeting calendar: <https://www.shutesbury.org/calendars>. Click on the agenda for the meeting you wish to attend.
- H. Notice of the public meeting, including date, time, and place will be published at least five business days in advance in the Greenfield Recorder.

For more information, contact the Shutesbury Conservation Commission (concom@shutesbury.org or 413-259-3792) or the Massachusetts Department of Environmental Protection (MassDEP) Western Region Office at (413-784-1100).

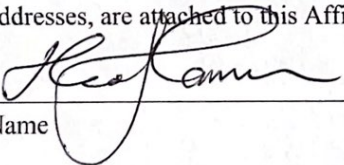
AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act and the Shutesbury General Wetlands Protection Bylaw:

I, (name) Fleetwood Environmental Solutions, LLC c/o David Cameron, hereby certify under pains and penalties of perjury that on (date) May 30, 2024, I gave notification to Abutters within 100 feet of the proposed project in compliance with the Massachusetts Wetland Protection Act (Massachusetts General Laws Chapter 131, Section 40) and the Shutesbury General Wetlands Protection Bylaw in connection with the following matter:

A Notice of Intent (permit application) or Request for Determination of Applicability or Abbreviated Notice of Resource Area Delineation filed under the Act and Bylaw by (name) Last Star Camp LLC with the Shutesbury Conservation Commission on (date) May 30, 2024 for the property located at (address) 36 South Laurel Drive

The form of the notification and a list of the Abutters to whom it was given, with their addresses, are attached to this Affidavit of Service.


Name _____ Date 5/30/24

(This affidavit is to be submitted to the Massachusetts Department of Environmental Protection and the Shutesbury Conservation Commission with the Notice of Intent.)