



**WHITE ENGINEERING INC.**  
**CIVIL & ENVIRONMENTAL**  
**A VETERAN-OWNED SMALL BUSINESS**

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March 1, 2024

Town of Stockbridge Planning Board  
P.O. Box 417  
Stockbridge, MA 01262

RE: Special Permit Application  
Lake and Pond Overlay District (Section 6.5)  
24 Lake Drive

Dear Members of the Board,

As you may recall, in December 2020, the Planning Board issued a decision granting a Special Permit to Jason Hogg Trustee, Russell E. Hogg Revocable Trust for the construction of a Board walk through a Bordering Vegetated Wetland to access the waterfront of the property on the outlet of Stockbridge Bowl. Through a series of miscommunications that permit has lapsed.

At this time, a very serious buyer for the property is negotiating with the owner and builders. On behalf of the current owner, I am submitting this Special Permit for the construction of a boardwalk through the wetland within the LPOD boundaries. The construction methodologies have not changed since the original approval.

I look forward to discussing this application with the Board. If any member needs another site visit please let me know your availability.

Sincerely,

*Shannon Boomsma*

Shannon Boomsma  
Environmental Analyst

CC: Jason and Alex Hogg

**Applicant: Jason Hogg (Trustee of Russell E. Hogg Revocable Trust)**

**LAKE AND POND OVERLAY DISTRICT  
SPECIAL PERMIT  
Section 6.5 Stockbridge Zoning Bylaw**

**BOARDWALK CONSTRUCTION  
24 LAKE DRIVE  
STOCKBRIDGE, MA**

**MARCH 2024**



**WHITE ENGINEERING, INC.  
55 S. MERRIAM STREET  
PITTSFIELD, MA 01201  
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Town of Stockbridge  
Special Permit Application

**Fee: \$300**

Application is hereby made to the Planning Board by:

Applicant (name): Jason Hogg (Trustee for Russell E. Hogg Revocable Trust)

Applicant Signature: Jason Hogg / S.O.B.

Applicant Mailing Address: 1456 Lakeview Drive, Wylie, TX 75098

On the 1st day of March 2024 for property shown on the Stockbridge

Assessors Map # 104, Lot # 12 Book 698, Page 117

Owner of property: Jason Hogg (Trustee for Russell E. Hogg Revocable Trust)

Owner's signature: Jason Hogg / S.O.B.

Address of property: 24 Lake Drive

Mailing Address: 1456 Lakeview Drive, Wylie, TX 75098

Description of property: 1.7 Acres of undeveloped woods and wetlands

Present use of property: Undeveloped

Project Description: Construction of a boardwalk to access outlet of Stockbridge Bowl

Appropriate Section of Zoning Bylaw: 6.5 Lake and Pond Overlay District

Attach six sets of scale drawings with measurements showing the existing conditions and proposed changes. Also attach six plot plans showing the locations of all structures and buildings with scaled measurements to all lot lines and between all structures, along with a total of five copies of this application.

All applications must be accompanied by six complete sets of documents, all areas of the above form must be completed, and the proper fee paid, or the application will be deemed to be incomplete and returned to the applicant.

## 1.0 PROJECT SCOPE

The applicant, Jason Hogg (Trustee of Russell E. Hogg Revocable Trust), proposes to construct a boardwalk to access Stockbridge Bowl outlet from a proposed house on the existing lot.

The proposed boardwalk is within the R-2 zoning district and the Lake and Pond Overlay District (LPOD). The work is proposed to be done using methods to protect the interests of the Wetlands Protection Act, the Stockbridge wetland bylaw, the LPOD district regulations, and stormwater requirements. The proposed house is greater than 150-ft from the mean highwater line of the outlet of Stockbridge Bowl.

## 2.0 EXISTING CONDITIONS

The property is 1.7 acres of land located on the west side of the outlet of Stockbridge Bowl. The property is undeveloped at this time.

## 3.0 WETLAND RESOURCE AREAS

Wetland resource areas associated with Stockbridge Bowl in the vicinity of property are Land Under Water 310 CMR 10.56 (LUW), Bank 310 CMR 10.54. The bank of Stockbridge Bowl is shown on the site plan and below the bank is land under water body. The outlet of Stockbridge Bowl has a 200-ft Riverfront Area, 310 CMR 10.58 and the property has a large Bordering Vegetated Wetland, 310 CMR 10.55 between the house site and Stockbridge Bowl. A Notice of Intent was submitted to the Stockbridge Conservation Commission and an Order of Conditions issued for work within the buffer zone of the wetland resource areas and within the wetland resource areas.

According to the current Natural Heritage & Endangered Species Program (NHESP) mapping, Stockbridge Bowl falls within an area of Estimated Habitat of Rare Wildlife and an area of Priority Habitat of Rare Species (PH 1330). There are no Certified or Potential Vernal Pools within the vicinity of the project. NHESP has reviewed the project and issued a letter of no take.

According to FEMA Firm Panel 250042 0005B, the property is not located within the 100-year or 500-year floodplain.

The property is not within an Area of Critical Environmental Concern (ACEC). Erosion control devices and practices shall be implemented to protect resource areas. This project, as designed, will not negatively impact Stockbridge Bowl or wetland resource areas on the parcel.

## 4.0 ZONING

The parcel fronts Lake Drive and is in the R-2 Residence 2-acre zone. The parcel contains 1.7 acres of land.

### **Section 6.5: Lake and Pond Overlay District (LPOD)**

*The Lake and Pond Overlay District (LPOD) is intended to protect and enhance the principal lakefronts and shorelines of the Town of Stockbridge; to maintain safe and healthful conditions; to prevent and control water pollution; and to preserve habitat, vegetative cover and natural beauty.*

The project has been designed to have no adverse impact on the environment, public health, or safety. The project shall be sequenced to maintain a stabilized site and provide for minimization of exposed soils on site. No vegetation will be uprooted or destroyed during or after construction. Limbs may be trimmed to construct the boardwalk.

Please refer to the Lake and Pond Overlay District Checklist attached at the end of this narrative.

#### **6.5.1 Purpose**

The proposed project's purpose is to construct a 425 ft long boardwalk over the Bordering Vegetated Wetland to allow access to the waterfront. 179 linear feet of the boardwalk falls within the LPOD. Actual alteration to LPOD by support posts is 0.102 SF. The proposed size of the boardwalk through the LPOD is 179 LF by 42" wide and 30" high, totaling 626.5SF. The vegetation and ground beneath the boardwalk will not be altered except for the posts.

#### **6.5.2 Description**

*This LPOD shall include:*

- *The lakefront of the Stockbridge Bowl, Lily Pond, Echo Lake, Mohawk Lake and Agawam Lake and one hundred fifty (150) feet back from the high water mark of these waterbodies.*

The project is within the LPOD of Stockbridge Bowl.

#### **6.5.3 Relation to Other Districts**

*The LPOD is an overlay district mapped over other districts. Where there is an inconsistency between the requirements of Section 6.5 and the regulations otherwise applicable in such other districts, the more restrictive provision shall be deemed to apply.*

The project is also within the R-2 District fronting on Lake Drive.

#### **6.5.4 Applicability**

*a. Jurisdictional Activities - Except as otherwise provided in Section 6.5, no building, structure or land use activity shall be permitted except pursuant to a special permit issued by the Planning Board pursuant to the requirements of Sections 6.3 and 6.5. For the purposes of Section 6.5, "land use activity" shall mean any significant change in the physical characteristics of land or the physical or chemical characteristics of the wastewater produced from a building or structure, but excluding any exempt uses listed in paragraph b of this subsection. Except as otherwise provided in said paragraph b, "land use activity" shall include, but not be limited to: any extension or alteration of an existing structure; any removal of vegetation; any road or driveway; any excavation for the purpose of removing earth materials off-site; and any facility designed to prevent or mitigate the impacts of stormwater or associated drainage.*

The project contains work activity within the LPOD and requires a permit from the Planning Board.

*b. Exempt Activities - The following activities do not require a special permit, but must nevertheless comply with the requirements of subsection 6.5.9:*

- *Any principal or accessory use, otherwise permitted by this Bylaw, to be located within an existing structure, provided that any extension or alteration of such structure does not increase the height of the structure and is no closer to the high water mark than the existing structure; the resulting structure complies with applicable yard, lot coverage and floor area requirements of Section 5.5; and the chemical characteristics of any wastewater produced from such use are not significantly changed;*
- *Ordinary repair or maintenance of, or interior alterations to, existing structures;*
- *Removal of dead, diseased or dying trees and vegetation;*
- *Ordinary pruning or maintenance of shrubs or trees;*
- *Other gardening uses that do not involve the cutting of shrubs or trees;*
- *Structures under one hundred (100) square feet in footprint area; and*
- *Recreational, municipal*

The project is not exempt from the LPOD permit.

#### **6.5.5 Prohibited Activities**

*The following activities shall be prohibited within the LPOD:*

- *The storage or dumping of any waste material, junk, refuse, or other debris;*

There is no proposed storage or dumping of any waste material, junk, refuse, or other debris. Any construction material will be loaded into a container and disposed of off-site in a legal manner.

- *The discharge or application of wastewater or any pollutant except as specifically permitted by the Board of Health; and*

No pollutants or wastewater are proposed to be used on-site within the LPOD.

- *The relocation of perennial or intermittent watercourses, the filling or reclaiming of wetlands and watercourses, the mining or off-site removal of topsoil, subsoil, clay, peat, gravel, sand, shale or other similar materials.*

The proposed alteration of wetlands is 0.102 SF.

#### **6.5.6 Required Findings**

*The Planning Board shall approve a special permit for any building, structure or land use activity within the LPOD if it finds that the building, structure or land use activity meets all application and site plan requirements set forth in Section 6.3 and subsection 6.5.8 and all applicable land use and development standards set forth in subsection 6.5.9.*

This submittal meets the application and site plan requirements of Section 6.3 and Subsection 6.5.8 (see below). The project proposes to have no adverse impact on the environment.

#### **6.5.7 Procedure**

*The procedure for review and approval under this section shall be as set forth in Sections 6.3 and 6.5. A Site Plan satisfying the requirements of subsections 6.3.7 and 6.5.8 is required for any proposed building, structure or land use activity within the LPOD for which a special permit is required. Special permit applications and site plans shall be submitted to the Board of Selectmen for its review and comment to the Planning Board.*

A site plan satisfying these requirements has been submitted along with the application of the Special Permit and LPOD criteria and checklist.

#### **6.5.8 Application and Site Plan Requirements**

*In addition to the application and site plan data required by Section 6.3, an Applicant for a special permit pursuant to Section 6.5 shall submit the following information to the Planning Board for its review:*

- *The location and description of existing and proposed features;*

The proposed conditions are shown on the Proposed Site Development Plan for Jason Hogg (Trustee of Russell E. Hogg Revocable Trust) by White Engineering plan #19-07-04F.

- *Boundaries of the property plotted to scale;*

Surveyed boundaries of property are shown, to scale, on the site plan.

- *Existing watercourses;*

Bordering Vegetated Wetland and spring are shown on the site plan.

- *A grading and drainage plan, showing existing and proposed contours at a two (2) foot contour in the area of activities for which a special permit under section 6.5 is being sought, and a five (5) foot contour elsewhere;*

No contours are shown in the wetland. Contours will not change in the wetland.

- *The location, design, and construction materials of all driveway, parking and loading areas;*

Not applicable in the LPOD

- *The location of all stormwater drainage areas (catchments) for each distinct receiving water/wetland area within and/or downgradient of activities for which a special permit is being sought;*

Entire site drains towards the wetland. Drainage patterns will not be changed.

*Soils-based stormwater infiltration rates using the following table;*

<b>Texture Class</b>	<b>NRCS Hydrologic Soil Group</b>	<b>Design Infiltration Rate</b>
Sand	A	8.27
Loamy Sand	A	2.41
Sandy Loam	B	1.02
Loam	B	0.52
Silt Loam	C	0.27
Sandy Clay Loam	C	0.17
Clay Loam	D	0.09
Silty Clay Loam	D	0.06
Sandy Clay	D	0.05
Silty Clay	D	0.04
Clay	D	0.02

Stormwater management is not proposed due to low impact nature of the boardwalk. Spacing of the decking boards will be such that rain water can pass through the boardwalk.

- *Plans and specifications for soil erosion and sedimentation control measures;*

No erosion controls are proposed within the LOPD. The construction will be by hand or generator driven tools to screw in piers. Displacement of soil is minimal if that.

- *A timing schedule indicating anticipated starting and completion dates, the sequence of anticipated tasks, and the duration of exposure of each disturbed area prior to the completion of effective erosion and sediment control measures;*



## Construction Sequence

RE: Application for Special Permit for Jason Hogg (Trustee of Russell E. Hogg Revocable Trust)  
– 24 Lake Drive, Stockbridge, MA

The following table outlines the proposed Construction Sequence:

ACTIVITY/MEASURE	START DATE	DURATION
Beginning at boundary between upland and BVW start construction of boardwalk working towards shoreline	Fall 2024	4 weeks
Install seasonal dock	May 15, 2025	1 day

- For any land use activity involving the construction or expansion of a building or structure, the paving of roads, or the creation of driveway, parking and loading area, the results of a pollutant loading model demonstrating that stormwater flow on or from the site will not result in a discharge of any pollutant in violation of subsection 6.5.5. Such model shall evaluate the loadings of nutrients (nitrogen and phosphorus), bacteria, metals and total suspended solids, the expected removal rates associated with any stormwater treatment facility and the resulting loads to the LPOD. The site plan shall be developed subsequent to, and in accordance with an existing natural resources conditions inventory that shows topography including steep slopes (greater than 10%), severe slopes (greater than 20%), soils limitations (constraints related to septic system suitability and erosive characteristics as mapped by the USDA, Natural Resources Conservation Service) and vegetation.*

No increase in the discharge of pollutants is proposed (nutrients, bacteria, metals, or total suspended solids) from the site.

The following represents information from the Mass DEP Stormwater Policy Volume 2, Table 1.2: Stormwater Pollutants, Sources, and Related Items:

<b>Stormwater Pollutant</b>	<b>Sources</b>	<b>Site Specific Information</b>
Nutrients Nitrogen & Phosphorous	Urban Runoff, Animal Waste, Fertilizers, Failing Septic System	No Urban Runoff, No Animal Waste proposed, No Fertilizers proposed within LPOD, Replacing Failed Septic System
Bacteria	Urban Runoff, Animal Waste, Failing Septic System	No Urban Runoff, No Animal Waste proposed. No Septic System within LPOD
Metals	Industrial Processes, Automobile Pollutants, Metal Roofs	No Industrial processes proposed, Automobile pollutants low for single family house site, No Metal roofs (uncoated)
Total Suspended Solids	Construction Sites, Other Disturbed and/or Non-Vegetated Lands, Eroding Banks, Road Sanding, Urban Runoff	Erosion and Sedimentation Controls are proposed prior to construction above LPOD limits. All land to be stabilized upon completion of work.

The site plan has been developed to include all topography within the construction site; the soil limitations are based on NRCS web-soil mapping being Kendaia Silt Loam within the LPOD site, and all vegetation types are shown.

**6.5.9 Land Use and Development Standards All Buildings, Structures and Land Use Activities Shall Comply with the Following Standards:**

**a. Development of Lots**

- *The minimum setback from the high water mark for buildings and structures shall be 100 feet.*

Proposed boardwalk will be 0 feet from the high water mark.

- *The maximum lot coverage by buildings, structures and impermeable surfaces within the LPOD shall be fifteen (15) percent of the total lot area within the LPOD.*

Lot coverage is 0.0085% of the LPOD area.

- *All driveways, parking and loading areas shall be constructed of permeable materials.*

All driveway and parking areas are situated outside of the LPOD.

**b. Erosion and Sedimentation Control**

- *Natural vegetation shall be maintained on at least seventy-five percent (75%) of the total lot area within the LPOD.*

No tree removal is proposed within 150 feet of the lake. All natural vegetation will be preserved. Branches may be clipped to allow for access along the boardwalk.

- *Grading shall not result in the creation of slopes greater than twenty percent (20%) within the LPOD.*

There shall be no revised grades within the LPOD.

- *Activities that result in slopes exceeding ten percent (10%) shall incorporate the use of staked straw bales, siltation fences, sedimentation basins and silt traps to control sedimentation and erosion during construction. Such practices shall be implemented within twenty-four (24) hours of clearing and excavation and shall be maintained until completion of all such activities.*

No new slopes exceeding 10% will be created on-site within the LPOD.

- *All activities shall be completed within 90 days from original clearing and excavation, except as otherwise authorized by the Building Inspector, in order to minimize exposure to sedimentation and erosion.*

No clearing or excavation is proposed

- *In cleared areas surrounding the creation of new impermeable surfaces, temporary or permanent vegetative landscaping shall be employed within seven (7) days of initial clearing and excavation.*

No cleared areas

- *Stockpiled soils or other erodible materials shall be securely covered and/or vegetated to avoid erosion and sedimentation during construction.*

No stockpiling of soils will take place with LPOD

c. *Stormwater Management*

- *Upon completion of activities for which a special permit under Section 6.5 has been granted, stormwater runoff rates shall match pre-development (natural) conditions for the two-, twenty-five- and one-hundred- (2-, 25- and 100-) year events in each catchment area.*

Stormwater management within the LPOD is not proposed

- *Upon completion of activities for which a special permit under Section 6.5 has been granted, annual groundwater recharge rates shall match pre-development (natural) conditions to preserve groundwater supplies and to protect baseflow to downgradient streams, lakes and wetlands.*

Annual stormwater recharge rates will match pre-development. Spacing of planks on boardwalk will allow stormwater to pass through and provide 100% recharge.

- *Upon completion of activities for which a special permit under Section 6.5 has been granted,*

*additional stormwater recharge shall be provided in an amount equal to the total volume of consumptive uses of groundwater withdrawals, such as drinking water and irrigation, on the site.*

No net loss to groundwater consumption is proposed.

- *Stormwater treatment using bioretention areas, constructed wetlands or organic filters shall be provided for the first flush (1") rainstorm from roads, other paved areas and metallic roofs prior to infiltration/recharge. Stormwater treatment facilities may be designed to include both static storage and dynamic infiltration (infiltration that occurs during the peak 2 hours of the design storm event).*

There are no proposed new roads, paving, or metal roofing to contribute pollutants to stormwater within the LPOD.

- *Pollutant loading shall be less than the following receiving water standards:*
  - a. *Phosphorus 0.08 mg/liter*
  - b. *Bacteria 200 colonies/100 milliliters*
  - c. *Metals applicable federal and state drinking water standards*

No pollutant loads containing phosphorous, bacteria, or metals are proposed within 150 feet (see Table in Section 3.0 Zoning subsection 6.5.8).

*d. Cutting*

- *Except as otherwise permitted by this subsection, no vegetation may be removed within thirty-five (35) feet extending inland from any point along the high water mark. This area shall be maintained as an undisturbed natural buffer strip.*

No vegetation is proposed to be removed within 35 feet of the shoreline.

- *For the purpose of water access, a contiguous clear-cut opening in the buffer strip, not to exceed thirty-five (35) feet in width or twenty percent (20%) of the lot's frontage along the water, whichever is less, shall be permitted. Such opening shall not be less than thirty (30) degrees from perpendicular to the water's edge.*

The proposed boardwalk will allow access to the water. The width of the boardwalk is 42" which is 5% of the properties shoreline.

## 5.0 SOILS AND DRAINAGE

According to the U.S. Department of Agriculture, Web Soils Survey of Berkshire County, Massachusetts soils in this area are Kendaia Silt Loam.

No change to the drainage patterns is the LPOD area proposed

## 6.0 SEWAGE DISPOSAL

Septic system will be located outside of LPOD

## 7.0 WATER SUPPLY

A private well will be drilled outside of LPOD

## 8.0 OTHER UTILITIES

Any necessary alteration of utilities will be coordinated with the utility companies prior to work.

## 9.0 DRIVEWAY AND PARKING

Driveway and curb cut will be outside LPOD.

## 10.0 SOLID WASTE

Construction waste will be stored in an approved container and removed from the site by a licensed hauler. Debris material will not be stored on-site, outside of the container. Domestic solid waste will be disposed of in a legal manner by an independent hauler arranged by the owner.

## 11.0 OPEN SPACE, LAND LEFT IN NATURAL STATE

The remaining Bordering Vegetated Wetland within the LPOD will remain untouched

## 12.0 ARCHITECTURAL ELEMENTS AND VISUAL IMPACT

The boardwalk will be constructed of Black Locust. During mid spring and summer the natural vegetation will help to screen the boardwalk.

## 13.0 LANDSCAPING AND LIGHTING

Any lighting will be low light downward facing. No additional landscaping of the LPOD is proposed.

## *Lake and Pond Overlay District Checklist*

Date: July 16, 2020

Name of Applicant: Jason Hogg (Trustee of Russell E. Hogg Revocable Trust)

Address: 1456 Lakeview Drive, Wylie, TX 75098

Property Affected: 24 Lake Drive, Stockbridge, MA 01262

(To be filled out by applicant)

1. How far from the mean high water mark is the existing structure? N/A
2. Is the existing structure, lot, etc. nonconforming in any manner other than being within the LPOD? Yes X No      Explain. Lot size. R-2 Zone, lot is 1.7 Acre
3. Is any construction being done closer to the mean high water mark than the existing structure? Yes X No
4. Is any septic system work being done within 150' of the mean high water mark? Yes      No X
5. What is the lot coverage of the existing structure(s)? 0% Under the proposed plan? 3.4%
6. Cutting in the LPOD
  - a. Is cutting of live vegetation being done within 35' of the mean high water mark? Yes      No X
  - b. Is an alternative cutting plan being proposed? Yes      No X  
If so, is a description of natural shrubbery and replacement plantings, if required, included? Yes      No
7. Excavation in the LPOD
  - a. Are any changes being made to roads/driveways? Yes      No X
  - b. Any removal of soil? Yes      No X
  - c. Any demolition being done? Yes      No X

(continued on other side)

(To be filled out by Planning Board.)

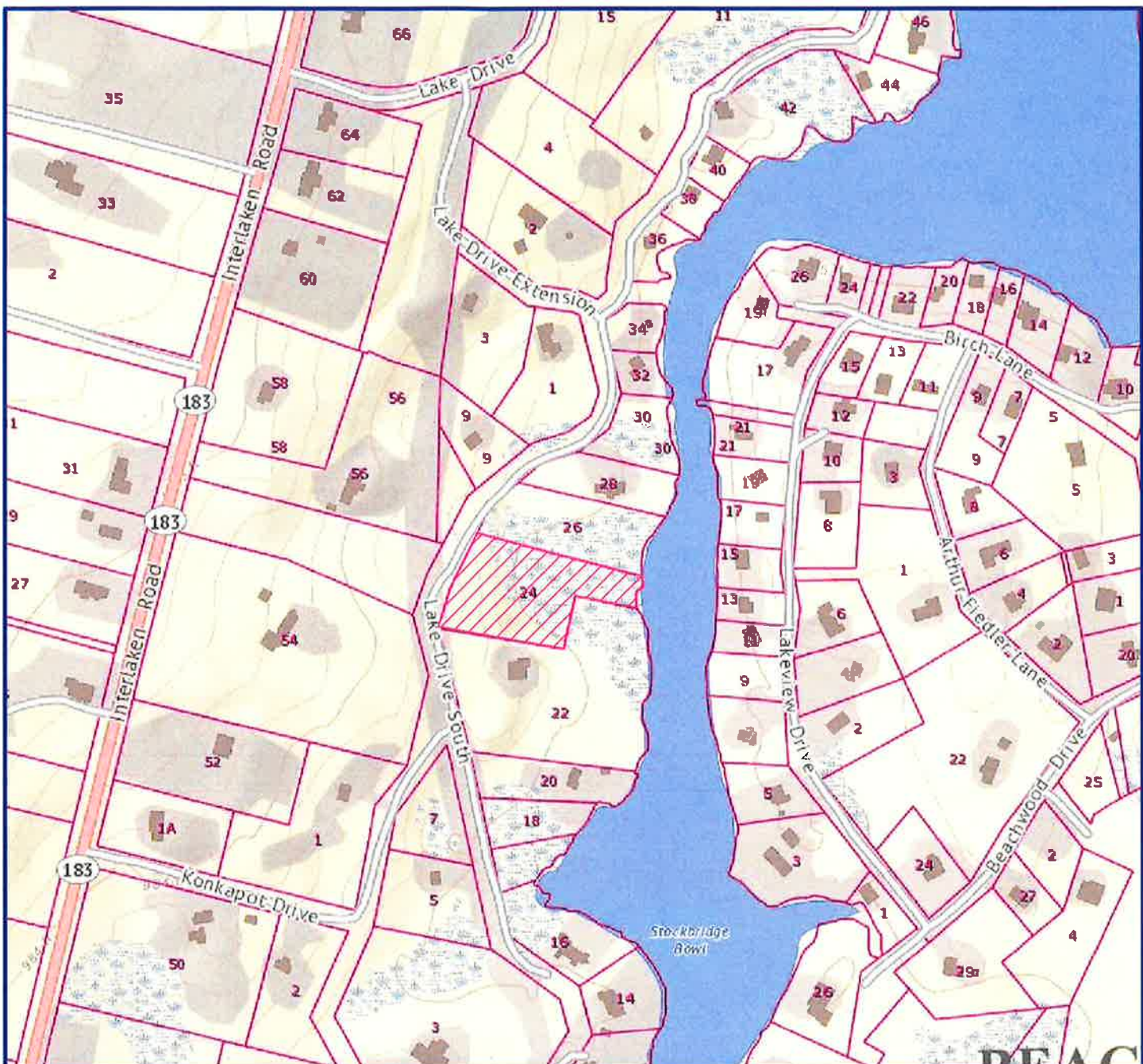
8. Does the application/plan include:

1. \_\_\_\_\_ locus map
2. \_\_\_\_\_ scaled drawing of property showing existing watercourses, existing features, parking and loading areas with materials, and erosion control measures.
3. \_\_\_\_\_ grading and drainage plan with 2' contour lines in building area and 5' contour lines elsewhere
4. \_\_\_\_\_ construction time schedule

9. What is the Conservation Commission's opinion? \_\_\_\_\_

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TOWN ASSESSORS MAP  
FOR  
JASON HOGG, TRUSTEE OF  
RUSSELL HOGG REVOCABLE TRUST

24 LAKE DRIVE

STOCKBRIDGE, MA



**WHITE ENGINEERING INC.**

**CIVIL & ENVIRONMENTAL**

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FAX (413) 443-8012

DATE: JULY 27, 2019

DRN: RMJ

APVD: SDB/BMW

DWG NO:

DS'GN: SDB

CKD: SDB/BMW

SCALE: N.T.S.

**19-07-04**





ORTHO PHOTO  
FOR  
JASON HOGG, TRUSTEE OF  
RUSSELL HOGG REVOCABLE TRUST

24 LAKE DRIVE

STOCKBRIDGE, MA



**WHITE ENGINEERING INC.**  
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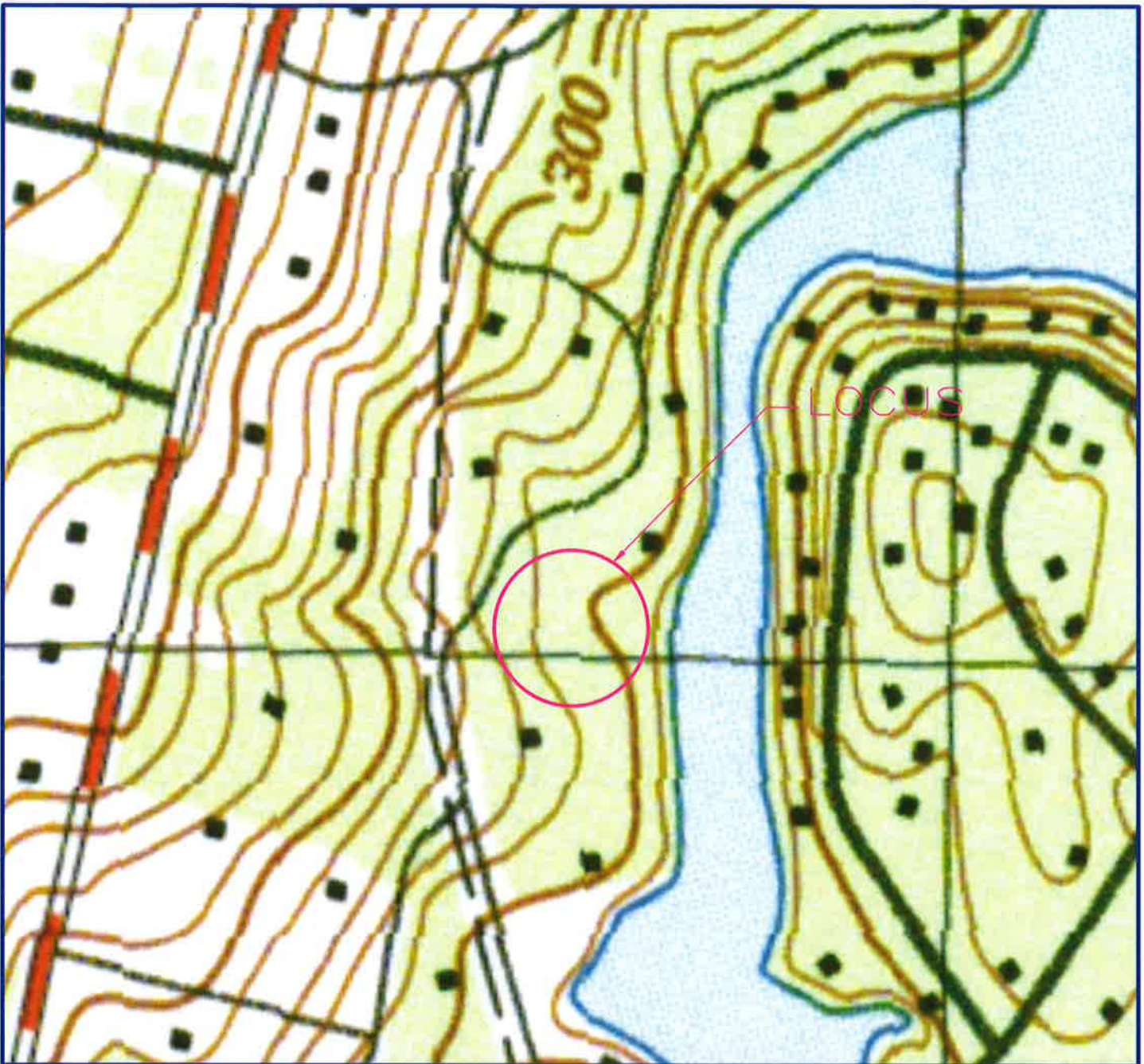
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DATE: JULY 27, 2019	DRN: RMJ	APVD: SDB/BMW	DWG NO: <b>19-07-04</b>
DS'GN: SDB	CK'D: SDB/BMW	SCALE: N.T.S	





USGS MAP  
FOR  
JASON HOGG, TRUSTEE OF  
RUSSELL HOGG REVOCABLE TRUST

24 LAKE DRIVE

STOCKBRIDGE, MA



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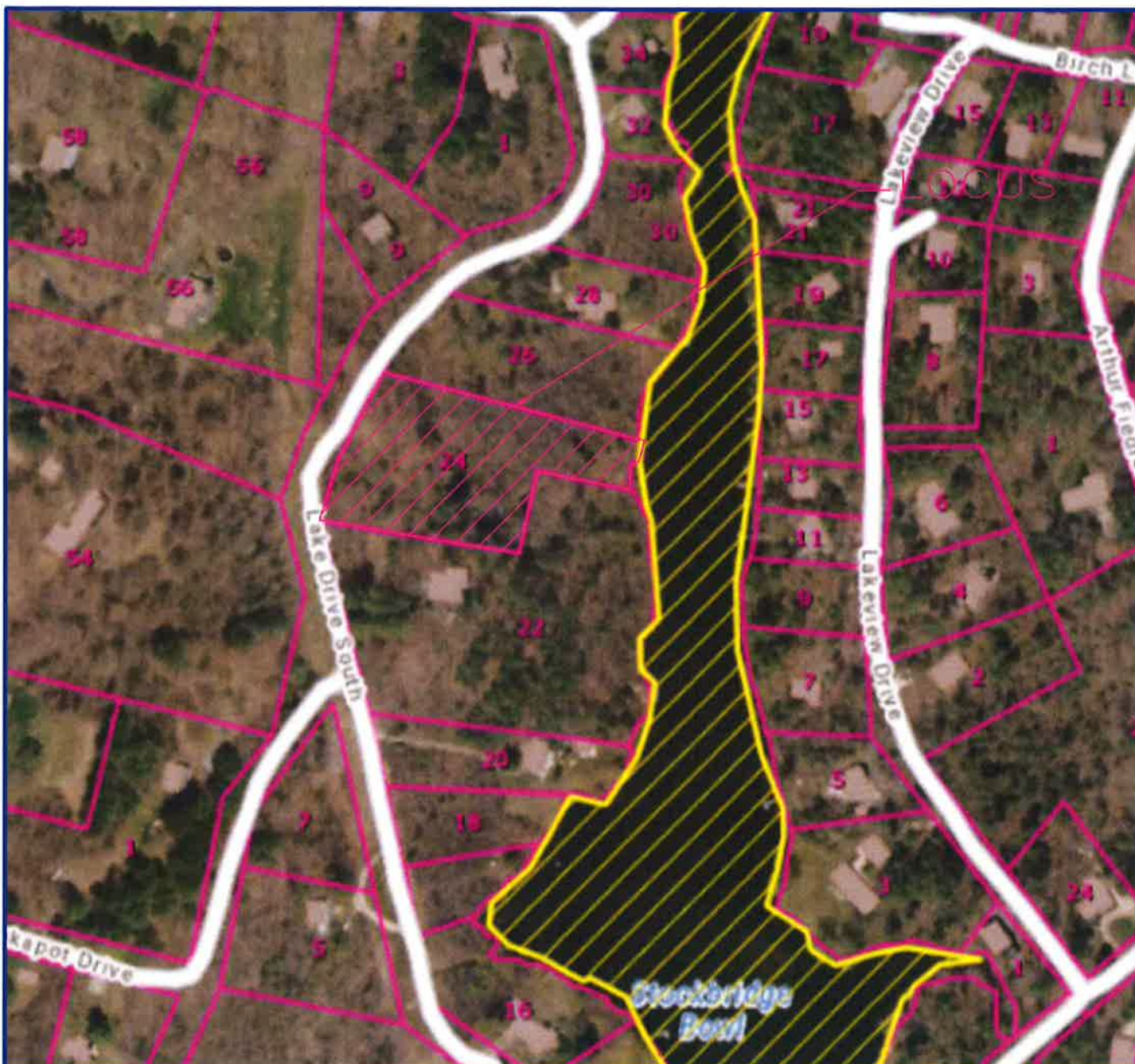
DSGN: SDB

CKD: SDB/BMW

SCALE: N.T.S

**19-07-04**





LEGEND:

— NHESP PRIORITY  
HABITATS FOR  
STATE PROTECTED  
RARE SPECIES

# NHESP PRIORITY HABITATS FOR JASON HOGG, TRUSTEE OF RUSSELL HOGG REVOCABLE TRUST

24 LAKE DRIVE

STOCKBRIDGE, MA



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DWG NO:

DSGN: SDB

CK'D: SDB/BMW

SCALE: N.T.S

**19-07-04**





LEGEND:

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

WETLANDS 12 K MAP  
FOR  
JASON HOGG, TRUSTEE  
OF RUSSELL HOGG  
REVOCABLE TRUST

24 LAKE DRIVE

STOCKBRIDGE, MA



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DRN: RMJ

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DWG NO:

DSGN: SDB

CKD: SDB/BMW

SCALE: N.T.S

**19-07-04**



NO CERTIFIED  
VERNAL POOLS



+ CERTIFIED  
VERNAL  
POOL

CERTIFIED VERNAL POOLS  
FOR  
JASON HOGG, TRUSTEE OF  
RUSSELL HOGG REVOCABLE TRUST

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SCALE: N.T.S

**19-07-04**





LEGEND:

-  A
-  AE
-  AE Floodway
-  AH
-  AO
-  D
-  VE
-  Area Not Included
-  X500

# FEMA FLOOD ZONES FOR JASON HOGG, TRUSTEE OF RUSSELL HOGG REVOCABLE TRUST

24 LAKE DRIVE

STOCKBRIDGE, MA



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55 SOUTH MERRIAM STREET, PITTSFIELD, MA 01201

PHONE (413) 443-8011

E-MAIL: SBOOMSMA@WHITEENG.COM

FAX (413) 443-8012

DATE: JULY 27, 2019	DRN: RMJ	APVD: SDB/BMW	DWG NO: <b>19-07-04</b>
DS'GN: SDB	CK'D: SDB/BMW	SCALE: N.T.S	





LEGEND:

— NHESP ESTIMATED  
HABITATS OF RARE  
WILDLIFE

# NHESP ESTIMATED HABITATS FOR JASON HOGG, TRUSTEE OF RUSSELL HOGG REVOCABLE TRUST

24 LAKE DRIVE

STOCKBRIDGE, MA



## WHITE ENGINEERING INC. CIVIL & ENVIRONMENTAL

55 SOUTH MERRIAM STREET, PITTSFIELD, MA 01201

PHONE (413) 443-8011

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DWG NO:

DS'GN:

SDB

CK'D:

SDB/BMW

SCALE:

N.T.S

**19-07-04**

# Berkshire Middle District Registry of Deeds

## Electronically Recorded Document

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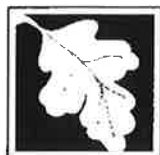
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### Recording Information

Document Number	: 1021439
Document Type	: EXTN
Recorded Date	: December 05, 2023
Recorded Time	: 02:23:50 PM
Recorded Book and Page	: 07537 / 327
Number of Pages(including cover sheet)	: 4
Receipt Number	: 191361
Recording Fee	: \$105.00

**Berkshire Middle District Registry of Deeds**  
**Patricia M. Harris, Register**  
44 Bank Row  
Pittsfield, MA 01201  
413-443-7438  
[berkshiremiddledeeds.com](http://berkshiremiddledeeds.com)





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

DEP File Number:

**WPA Form 7 – Extension Permit for Orders of Conditions**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

296-0507  
Provided by DEP

## 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:

Russell E. Hogg Revocable Trust, Jason Hogg, Trustee

Name

24 Lake Drive

Mailing Address

Stockbridge

City/Town

MA

State

01262

Zip Code

2. Property Owner (if different):

Name

Mailing Address

City/Town

State

Zip Code

## B. Authorization

The Order of Conditions (or Extension Permit) issued to the applicant or property owner listed above on:

1-15-21

Date

Issued by:

Stockbridge

Conservation Commission

for work at:

24 Lake Drive

Street Address

104

Assessor's Map/Plat Number

12

Parcel/Lot Number

recorded at the Registry of Deeds for:

Berkshire Middle

County

698

Book

0117

Page

Certificate (if registered land)

is hereby extended until:

1-15-27

Date

Date the Order was last extended (if applicable)

This date can be no more than 3 years from the expiration date of the Order of Conditions or the latest extension. Only unexpired Orders of Conditions or Extension may be extended.

This Extension Permit must be signed by a majority of the Conservation Commission and a copy sent to the applicant and the appropriate DEP Regional Office (<https://www.mass.gov/service-details/massdep-regional-offices-by-community>).

Original Order: Book 6825, Page 233



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

DEP File Number:

**WPA Form 7 – Extension Permit for Orders of Conditions**

296-0507  
 Provided by DEP

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

**B. Authorization (cont.)**

11/14/2023

Issue Date (mm/dd/yyyy)

Signatures:

Signature *Ron Brouker*

Ron Brouker

Printed Name

Signature *Joe DeGiorgis*

Joe DeGiorgis

Printed Name

Signature *William Loutrel*

William Loutrel

Printed Name

Signature *Chuck Kohrer*

Chuck Kohrer

Printed Name

Signature *Lisa Bozzuto*

Lisa Bozzuto

Printed Name

Signature \_\_\_\_\_

Printed Name

Signature \_\_\_\_\_

Printed Name

Signature \_\_\_\_\_

Printed Name

Signature \_\_\_\_\_

Printed Name



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

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**WPA Form 7 – Extension Permit for Orders of Conditions**

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**C. Recording Confirmation**

The applicant shall record this document in accordance with General Condition 8 of the Order of Conditions (see below), complete the form attached to this Extension Permit, have it stamped by the Registry of Deeds, and return it to the Conservation Commission.

Note: General Condition 8 of the Order of Conditions requires the applicant, prior to commencement of work, to record the final Order (or in this case, the Extension Permit for the Order of Conditions) in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, it shall be noted in the Registry's Granter Index under the name of the owner of the land upon which the proposed work is to be done. In the case of registered land, it shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done.

Detach this page and submit it to the Conservation Commission prior to the expiration of the Order of Conditions subject to this Extension Permit.

To:

Stockbridge

Conservation Commission

Please be advised that the Extension Permit to the Order of Conditions for the project at:

Project Location

DEP File Number

has been recorded at the Registry of Deeds of:

County

for:

Property Owner

and has been noted in the chain of title of the affected property in accordance with General Condition 8 of the original Order of Conditions on:

Date

Book

Page

If recorded land the instrument number which identifies this transaction is:

Instrument Number

If registered land, the document number which identifies this transaction is:

Document Number

Signature of Applicant

# Berkshire Middle District Registry of Deeds

## Electronically Recorded Document

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### Recording Information

Document Number	: 971785
Document Type	: ORDR
Recorded Date	: January 21, 2021
Recorded Time	: 12:41:51 PM
Recorded Book and Page	: 06825 / 233
Number of Pages(including cover sheet)	: 14
Receipt Number	: 162573
Recording Fee	: \$105.00

**Berkshire Middle District Registry of Deeds**  
**Patricia M. Harris, Register**  
44 Bank Row  
Pittsfield, MA 01201  
413-443-7438  
[berkshiremiddledeeds.com](http://berkshiremiddledeeds.com)



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

**WPA Form 5 – Order of Conditions**

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

Provided by MassDEP:

296-0507

MassDEP File #

eDEP Transaction #

Stockbridge

City/Town

**A. General Information**

Please note:  
 this form has  
 been modified  
 with added  
 space to  
 accommodate  
 the Registry  
 of Deeds  
 Requirements

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



1. From: Stockbridge  
 Conservation Commission
2. This issuance is for (check one):  
 a. ☒ Order of Conditions    b. ☐ Amended Order of Conditions

3. To: Applicant:

Jason

a. First Name

Hogg

b. Last Name

Trustee of Russel E. Hogg Revocable Trust

c. Organization

21382 Harrow CT

d. Mailing Address

Boca Raton

e. City/Town

FL

f. State

33433

g. Zip Code

4. Property Owner (if different from applicant):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

5. Project Location:

24 Lake Drive

a. Street Address

104

c. Assessors Map/Plat Number

Stockbridge

b. City/Town

12

d. Parcel/Lot Number

Latitude and Longitude, if known:

42.32519Nd

m

73.32766Wd

m

s

s



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

**WPA Form 5 – Order of Conditions**

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

Provided by MassDEP:

296.0507

MassDEP File #

eDEP Transaction #

Stockbridge

City/Town

**A. General Information (cont.)**

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):  
Berkshire Middle  
 a. County 698 b. Certificate Number (if registered land) 0117  
 c. Book 11521 d. Page
7. Dates: 7/10/20 11-10-20  
 a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance
8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):  
Proposed Site Development Plan  
 a. Plan Title White Engineering Brent White  
 b. Prepared By 10-29-20 c. Signed and Stamped by as noted  
 d. Final Revision Date e. Scale  
Letter and associated documents from White Engineering 10-29-20  
 f. Additional Plan or Document Title g. Date

**B. Findings**

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- a. ☐ Public Water Supply b. ☐ Land Containing Shellfish c. ☒ Prevention of Pollution  
 d. ☐ Private Water Supply e. ☐ Fisheries f. ☒ Protection of Wildlife Habitat  
 g. ☒ Groundwater Supply h. ☒ Storm Damage Prevention i. ☒ Flood Control

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- a. ☒ the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

## WPA Form 5 – Order of Conditions

296-0507

MassDEP File #

eDEP Transaction #

## Stockbridge

City/Town

**Denied because:**

- b. ☐ the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. ☐ the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
3. ☐ Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) \_\_\_\_\_ a. linear feet

**Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)**

Resource Area		Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4.	<input checked="" type="checkbox"/> Bank	<u>5</u> a. linear feet	<u>0</u> b. linear feet	<u> </u> c. linear feet	<u> </u> d. linear feet
5.	<input type="checkbox"/> Bordering Vegetated Wetland	<u> </u> a. square feet	<u>0</u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
6.	<input checked="" type="checkbox"/> Land Under Waterbodies and Waterways	<u>.003</u> a. square feet  <u> </u> e. c/y dredged	<u>0</u> b. square feet  <u> </u> f. c/y dredged	<u> </u> c. square feet  <u> </u> 	<u> </u> d. square feet  <u> </u> 
7.	<input type="checkbox"/> Bordering Land Subject to Flooding	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
Cubic Feet Flood Storage		<u> </u> e. cubic feet	<u> </u> f. cubic feet	<u> </u> g. cubic feet	<u> </u> h. cubic feet
8.	<input type="checkbox"/> Isolated Land Subject to Flooding	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> 	<u> </u> 
Cubic Feet Flood Storage		<u> </u> c. cubic feet	<u> </u> d. cubic feet	<u> </u> e. cubic feet	<u> </u> f. cubic feet
9.	<input checked="" type="checkbox"/> Riverfront Area	<u>.132</u> a. total sq. feet	<u>0</u> b. total sq. feet	<u> </u> 	<u> </u> 
	Sq ft within 100 ft	<u>.072</u> c. square feet	<u>0</u> d. square feet	<u> </u> e. square feet	<u> </u> f. square feet
	Sq ft between 100-200 ft	<u>.06</u> g. square feet	<u>0*</u> h. square feet	<u> </u> i. square feet	<u> </u> j. square feet



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

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

Provided by MassDEP:

296-0507  
MassDEP File #

eDEP Transaction #

Stockbridge

City/Town

**B. Findings (cont.)**

**Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)**

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	a. square feet	b. square feet	cu yd c. nourishment	cu yd d. nourishment
14. <input type="checkbox"/> Coastal Dunes	a. square feet	b. square feet	cu yd c. nourishment	cu yd d. nourishment
15. <input type="checkbox"/> Coastal Banks	a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	a. square feet	b. square feet		
17. <input type="checkbox"/> Salt Marshes	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	a. square feet	b. square feet	c. square feet	d. square feet
20. <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			
	a. c/y dredged	b. c/y dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	a. square feet	b. square feet		
22. <input type="checkbox"/> Riverfront Area	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	g. square feet	h. square feet	i. square feet	j. square feet





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

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

Provided by MassDEP:

296-0507

MassDEP File #

eDEP Transaction #

Stockbridge

City/Town

**B. Findings (cont.)**

\* #23. 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.5.c (BWV) or B.17.c (Salt Marsh) above, please enter the additional amount here.

23. ☐ Restoration/Enhancement \*:

a. square feet of BWV

b. square feet of salt marsh

24. ☐ Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

**C. General Conditions Under Massachusetts Wetlands Protection Act**

The following conditions are only applicable to Approved projects.

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 Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
  - a. The work is a maintenance dredging project as provided for in the Act; or
  - b. The time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
  - c. If the work is for a Test Project, this Order of Conditions shall be valid for no more than one year.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order. An Order of Conditions for a Test Project may be extended for one additional year only upon written application by the applicant, subject to the provisions of 310 CMR 10.05(11)(f).
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on \_\_\_\_\_ unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.