



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WESTERN REGIONAL OFFICE
436 DWIGHT STREET, SPRINGFIELD, MA 01103 413-784-1100

MAURA T. HEALEY
Governor

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Secretary

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Lieutenant Governor

BONNIE HEIPLE
Commissioner

DATE: May 24, 2023

Municipality SHUTESBURY
(city/town)

RE: NOTIFICATION OF WETLANDS PROTECTION ACT FILE NUMBER

The Department of Environmental Protection has received a Notice of Intent filed in accordance with the Wetlands Protection Act (M.G.L. c. 131, §40):

Applicant: DCR DIVISION OF WATER SUPPLY
Address: 485 WARE ROAD
BELCHERTOWN, MA 01007

Owner: MASSDCR
Address: 251 CAUSEWAY STREET, STE 600
BOSTON, MA, 02114

LOCUS: CORNWALL ROAD

This project has been assigned the following file # : WE 286-0299

A FILE NUMBER ONLY INDICATES THAT THE APPLICATION CONTAINS THE MINIMAL SUBMITTAL REQUIREMENTS AND IS ADMINISTRATIVELY COMPLETE - NOT THAT THE INFORMATION IN THE APPLICATION IS ADEQUATE FOR ISSUANCE OF AN ORDER OF CONDITIONS.

Although a file # is being issued, please note the following:

[1] A plan for the in situ restoration of the BVW should be provided to the commission. The plan does not appear to adequately show where this BVW alteration will take place or what the specific alteration will be or why it must be altered.

[2] Though the work was submitted as a "limited project", the commission may require a Wildlife Habitat Evaluation for the Riverfront Area alteration, per the language found at 310 CMR 10.58(4)(d)1.c.

[3] Since the project locus is over 50 acres, likely no abutters needed to be notified under the wetland regulations.

[4] The NOI does not point out any need for a stormwater management system. Sheet flow is preferred unless there is a specific need for stormwater management. The applicant should review the Unpaved Roads Manual, which will be attached to the file number notification email. BMP's, even level spreaders, must be maintained and if not correctly designed and constructed, will create a point source and may fail and cause sediment to enter the resource area. Any level spreader must be designed, at a minimum, per specifications found in Volume 2 Chapter 2 of the Stormwater Handbook.

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD# 1-866-539-7622 or 1-617-574-6868.

<http://www.mass.gov/dep>

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[5] No alternatives analysis was included in the NOI for the Riverfront Area work. It does appear that more RFA is proposed to be altered than is required for completing the project purpose. The NOI has been submitted as a limited project which still requires compliance with the performance standards to the maximum extent practicable. Under new development, one cannot claim that the work is a rehabilitation of existing developed areas. A forested area is not a developed area nor is it degraded.

[6] The NOI notes that approx. 40 feet of Bank alteration will occur, which is not covered by the submitted limited project, though it may be eligible to be reviewed under 310 CMR 10.53(3)(i). The NOI should clearly highlight where this work will occur. Will there be any equipment used and if so, where will it be staged? No work is proposed in LUWW which would mean no equipment or staging placed in LUWW.

If you have any questions regarding this letter, please contact: MARK STINSON @ (413)-961-9583

Cc: Shutesbury Conservation Commission, TOWN HALL, Shutesbury, MA, 01072
Owner: MassDCR, 251 Causeway Street, STE 600, BOSTON, MA, 02114
Representative: MassDCR Div. of Water Supply, 485 Ware Road, BELCHERTOWN, MA, 01007