



FUSS & O'NEILL

May 24, 2023

Mr. Mark Stinson  
Massachusetts Department of Environmental Protection WERO  
436 Dwight Street  
Springfield, MA 01103

RE: WE 286-0298: Applicant Response to DEP Comments  
66 Leverett Road, Shutesbury, MA 01072  
Fuss & O'Neill Reference No. 20091032.A22

Dear Mr. Stinson:

This letter serves as the Town of Shutesbury's (the Applicant) responses to Massachusetts Department of Environmental Protection (MassDEP) comments dated May 17, 2023 in response to the Notice of Intent submitted on May 4, 2022 and assigned MassDEP File Number WE 286-0298. Please find the comments and the applicant's responses below:

*MassDEP Comment [1]: The commission should review the latest BVW replication manual found at <https://www.mass.gov/doc/massachusetts-inland-wetland-replacement-guidelines/download>*

Applicant Response: This comment is acknowledged.

*MassDEP Comment [2]: In reviewing the area near Wetland 1, some of the BVW shown on the plan is being mown, per the 2021 and other aerials. Will that activity cease? LIDAR, aerial photos as well as the DEP Wetlands hydrologic connections overlay appear to show a possible stream channel as well.*

Applicant Response: A portion of BVW 1 has been regularly mowed in the past. Mowing has ceased and the Town will work with the Commission to determine a mowing plan. According to the MassMapper, a DEP Wetlands Hydrologic Connection is shown in the location of the vegetated swale within BVW 1. During the wetland delineation of this property, the swale was determined to be BVW, not Inland Bank. The Order of Resource Area Delineation (ORAD) for this delineation, including BVW 1, was issued by the Shutesbury Conservation Commission on March 10, 2023. Based on the wetland delineation and findings of the ORAD, this swale consists of BVW.

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Mr. Mark Stinson

May 24, 2023

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Based on the information provided in the Lot O-32 Wetland Restoration Project NOI and this response, we respectfully submit to the Commission that the proposed activities comply with the provisions of the Massachusetts Wetlands Protection Act and Shutesbury General Wetlands Protection Bylaw. If the Commission has any questions, please feel free to contact me at [adoroski@fando.com](mailto:adoroski@fando.com) / 413-333-5881.

Sincerely,

April Doroski, PWS, CPSS  
Water Resources and Climate Resilience Specialist

c: Miriam DeFant; Chair, Shutesbury Conservation Commission  
Mary Anne Antonellis; Director, M.N. Spear Memorial Library

Attachments:

MassDEP Comments (MassDEP File No. WE 286-0298)



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

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KIMBERLEY DRISCOLL  
Lieutenant Governor

BONNIE HEIPLE  
Commissioner

DATE: May 17, 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:	TOWN OF SHUTESBURY	Owner:	TOWN OF SHUTESBURY
Address:	10 COOLEYVILLE ROAD, PO BOX 256 SHUTESBURY, MA 01072	Address:	10 COOLEYVILLE ROAD, PO BOX 256 SHUTESBURY, MA, 01072
LOCUS:	66 LEVERETT ROAD		

**This project has been assigned the following file # : WE 286-0298**

**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:

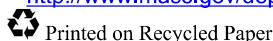
[1] The commission should review the latest BVW replication manual found at <https://www.mass.gov/doc/massachusetts-inland-wetland-replacement-guidelines/download>

[2] In reviewing the area near Wetland 1, some of the BVW shown on the plan is being mown, per the 2021 and other aeriels. Will that activity cease? LIDAR, aerial photos as well as the DEP Wetlands hydrologic connections overlay appear to show a possible stream channel there as well.

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: TOWN OF SHUTESBURY, 10 COOLEYVILLE ROAD, PO BOX 256, SHUTESBURY, MA, 01072  
Representative: FUSS & O'NEILL, 1550 MAIN STREET, SUITE 400, SPRINGFIELD, MA, 01103

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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