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Subject: MassDEP NOI File Number
Date: Friday, September 16, 2022 8:29:42 AM

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

Date: 09/16/2022

Municipality DEERFIELD

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 NUPRO, LLC. Address 10 SANDY LANE,,DEERFIELD MA Locus MERRIGAN WAY , DEERFIELD MA	Owner Address 8 SANDY LANE,, DEERFIELD MA 01373
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This project has been assigned the following file # : **WE 142-0233**

ISSUANCE OF A FILE NUMBER INDICATES ONLY COMPLETENESS OF SUBMITTAL, NOT APPROVAL OF APPLICATION

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

[1] To help ensure that conservation commissions have sufficient expertise available to address specific issues regarding an applicant's filing, M.G.L. c. 44, section 53g gives Commissions authority to charge a fee for the employment of outside consultants that allow for the use of the fee to ensure that they have the necessary information for them to make a decision pursuant to the Wetlands Protection Act, M.G.L. c. 131, sec. 40 and 310 CMR 10.00.

[2] Proponents of projects subject to the Massachusetts Stormwater Management Standards must consider environmentally sensitive site design and low impact development techniques to manage stormwater. Proponents shall consider decentralized systems that involve the placement of a number of small treatment and infiltration devices located close to the various impervious surfaces that generate stormwater runoff in place of, for example, a centralized system comprised of closed pipes that direct all the drainage from the entire site into one or more large basins.

See the Massachusetts Stormwater Handbook
(<https://www.mass.gov/guides/massachusetts-stormwater-handbook-and-stormwater-standards>)

[3] The information submitted in the application does not sufficiently address the

applicable General Performance Standards of the impacted resource area(s) (including but not limited to 310 CMR 10.58: Riverfront Area). The Applicant should provide a brief narrative and, when applicable, supporting documentation to demonstrate compliance with all applicable General Performance Standards.

[4] Since there is degraded area on the parcel, the work there MAY be reviewed by the Commission as a Riverfront Redevelopment project under 310 CMR 10.58(5). At a minimum, proposed work shall result in an improvement over existing conditions of the capacity of the riverfront area to protect the interests identified in M.G.L. c. 131 § 40. Acceptable improvements include, but are not limited to:

[a] Significant net reduction of impervious surfaces;

[b] Planting of indigenous plant species;

[c] Providing stormwater management demonstrably in excess of what is required per 310 CMR 10.05(6)(k) through (q);

[d] Removal and proper disposal of noxious but otherwise legally located materials.

[5] The Plans show all the boundaries in grayscale. The Commission may wish to request electronic plans with the Resource Areas outlined in color to make it easier to identify where the boundaries of those Resource Areas.

[6] It appears that no Certificate of Compliance (COC) has been issued for Order of Conditions (OOC) File Number 142-0201. The commission should be mindful of the “dual notices” policy. IF the work areas of the current project and the referenced prior OOC do not overlap, the commission may not have concerns having dual notices. Should the projects overlap, the Commission may wish to consider issuing and OOC for the proposed project and subsequently issue a COC for the original Order of Conditions.

Regards,
for MassDEP,

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