



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

REBECCA L. TEPPER
Secretary

KIMBERLEY DRISCOLL
Lieutenant Governor

BONNIE HEIPLE
Commissioner

DATE: July 18, 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: DONNA & GARY WEST
Address: 57-59 SHORE DRIVE
SHUTESBURY, MA 01072

Owner: DONNA & GARY WEST
Address: 57-59 SHORE DRIVE
SHUTESBURY, MA, 01072

LOCUS: 57-59 SHORE DRIVE

This project has been assigned the following file # : WE 286-0300

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 needs to wait to close the public hearing until NHESP has issued its determination.

[2] There are three limited projects noted in the NOI page 2. Limited projects cannot apply to buffer zone work. The only resource area work is for 4 linear feet of Bank for the outlet location. That outlet on the Bank must be removed from the Bank resource area. The regulations specifically prohibit the placement of a stormwater outfall on the Bank resource area.

[3] The commission should review 310 CMR 10.53(1). Where a Buffer Zone has already been developed, the Issuing Authority may consider the extent of existing development in its review of subsequent proposed work and, where prior development is extensive, may consider measures such as the restoration of natural vegetation adjacent to a Resource Area to protect the interest of M.G.L. c. 131, § 40. The commission should review the proposed planting plan and ensure those plants are native to Franklin County by referring to the Vascular Plant checklist, 1st Revision.

[4] The commission should note the presumptive flood plain elevation for the Lake is 836 feet using the NGVD29 datum.

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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DONNA & GARY WEST
57-59 SHORE DRIVE
SHUTESBURY, MA 01072

[5] The applicant should note that any future dock will require permitting under the WPA and the Public Waterfront Act, MGL Chapter 91.

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

Cc: Shutesbury Conservation Commission, TOWN HALL, Shutesbury, MA, 01072
Natural Heritage & Endangered Species Program, Div of Fisheries & Wildlife Route 135, North Drive,
Westborough, MA, 01581
Owner: DONNA & GARY WEST, 57-59 SHORE DRIVE, SHUTESBURY, MA, 01072
Representative: BERKSHIRE DESIGN GROUP INC., 4 ALLEN PLACE, NORTHAMPTON, MA, 01060