



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

CHARLES D. BAKER  
 Governor

KATHLEEN A. THEOHARIDES  
 Secretary

KARYN E. POLITO  
 Lieutenant Governor

MARTIN SUUBERG  
 Commissioner

DATE: January 4, 2021

Municipality PELHAM  
 (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: HOME CITY DEVELOPMENT, INC.  
 Address: 261 OAK GROVE AVE  
 SPRINGFIELD, MA 01109

Owner: HOME CITY DEVELOPMENT, INC.  
 Address: 261 OAK GROVE AVE  
 NORTHAMPTON, MA, 01075

LOCUS: 18-22 AMHERST ROAD

**This project has been assigned the following file # : WE 258-0096**

**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] Regarding the proposed removal of a stormwater discharge from BVW and its replacement in the same footprint, the regulations prohibit that work and that cannot be permitted. The current one may remain in place but if removed, then the BVW should be restored and there must be a setback from the BVW as required by 310 CMR 10.05(6)(k).

[2] When submitting work in a previously developed Riverfront Area, one cannot submit the work as both new development and redevelopment. In this situation, the more appropriate regulatory pathway is as a redevelopment project per 310 CMR 10.58(5).

[3] The NOI states there is 415,621 sq ft. of RFA on the property. Ten percent is 41,562 sq. ft.. Any new work over 10% requires restoration and/or mitigation. Since existing degraded and proposed new work amounts to 70,564 sq. ft., then 29,002 sq. ft. of restoration and/or mitigation is required. Restoration is defined at 310 CMR 10.58(5)(f) and mitigation is defined at 310 CMR 10.58(5)(g). An improvement over existing conditions is always required.

Acceptable improvements include, but are not limited to:

- 1) Significant net reduction of impervious surfaces;
- 2) Planting of indigenous plant species;

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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- 3) Providing stormwater management demonstrably in excess of what is required per 310 CMR 10.05(6)(k) through (q);
- 4) Removal and proper disposal of noxious but otherwise legally located materials.

[4] The underground stormwater chambers are subject to UIC program requirements.  
<https://www.mass.gov/underground-injection-control-uic>

[5] Please note that this is not fully a stormwater redevelopment project. All new impervious area must fully meet the stormwater standards.

[6] The Commission should carefully review Stormwater Standard 8 requirements and the information submitted for it. For highly complex projects, where the proponent demonstrates that submission with the Notice of Intent is not possible, the issuing authority has the discretion to issue an Order of Conditions authorizing a project prior to submission of the construction period pollution prevention and erosion and sedimentation control plan. However, any such Order must provide that no work including site preparation and land disturbance may commence unless and until a construction period pollution prevention and erosion and sedimentation control plan that meets the requirements of Standard 8 as further elaborated by the Massachusetts Stormwater Handbook has been approved by the issuing authority.

[7] For the use of alternative stormwater BMPs, the MASTEP web site is not available. As this reference website is no longer active MassDEP suggests that a comparable alternative resource that may be considered to demonstrate compliance with TSS removal may be found at the following links: <https://www.nj.gov/dep/stormwater/pdf/2015-01-23-stormceptor-stc-imbrium-superseded-lab-certs.pdf> and <https://www.nj.gov/dep/stormwater/treatment.html>." Using the State of NJ web site, a stormceptor does not provide 90% plus TSS removal. One cannot use manufacturers information for presumptive TSS removal. Please provide to the commission and this reviewer a TSS removal worksheet for each point source discharge

If you have any questions regarding this letter, please contact: MARK STINSON @ (413)-755-2257

Cc: Pelham Conservation Commission, 351 AMHERST ROAD, RR 2, Pelham, MA, 01002  
Owner: HOME CITY DEVELOPMENT, INC., 261 OAK GROVE AVE, NORTHAMPTON, MA, 01075  
Representative: BERKSHIRE DESIGN GROUP, 4 ALLEN PLACE, NORTHAMPTON, MA, 01075