



COMMONWEALTH OF MASSACHUSETTS
 EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 NORTHEAST REGIONAL OFFICE
 205B LOWELL STREET, WILMINGTON, MA 01887 978-694-3200

CHARLES D. BAKER
 Governor

KATHLEEN A. THEOHARIDES
 Secretary

KARYN E. POLITO
 Lieutenant Governor

MARTIN SUUBERG
 Commissioner

DATE: January 8, 2020

Municipality READING
 (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:	STONEGATE CONSTRUCTION CORP.	Owner:	
Address:	273 CORPORATE DRIVE, SUITE 150 PORTSMOUTH, NH 03801	Address:	

LOCUS: 259 AND 267 MAIN STREET

This project has been assigned the following file # : NE 270-0727

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:

Project cannot be permitted as proposed. The permanent filling of BVW for the construction of a building, garage and retaining wall to support the fill cannot be approved, as it does not meet the performance standards in 310 CMR 10.55(4). Specifically, the alternatives analysis does not demonstrate how the project can avoid BVW impacts and how BVW impacts can be minimized, such as reducing the building size and the number of units, as well as relocating the building out of the BVW. In addition, the 5 foot wide "walkway" through the BVW with associated grading will result in permanent BVW filling that has not been quantified and the applicant has not demonstrated how that alteration can be avoided, minimized and mitigated. The proposed alteration of Bank requires a Simplified Wildlife Habitat Evaluation (See 310 CMR 10.54(4)(a)5 and 10.60). The applicant has not explained how or why 2,315 square feet of BVW and 465 linear feet of Bank associated with an unnamed perennial stream requires restoration. MassDEP has concerns regarding the removal of woody debris within the stream as it likely provides wildlife habitat. This must also be further explained. The cumulative alteration (both temporary and permanent) to BVW will likely be greater than 5,000 square feet, which will require a 401 Water Quality Certification and a 404 General Permit from the Army Corps of Engineers.

In accordance with 310 CMR 10.05(6)(k)6 and the Stormwater Handbook (Vol 1, Ch 1, pg 18), BMPs in and stormwater discharges to a Zone A are prohibited, unless essential to the operation of a public water supply. Therefore, the project does not meet the Stormwater Standards.

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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STONEGATE CONSTRUCTION CORP.
 273 CORPORATE DRIVE, SUITE 150
 PORTSMOUTH, NH 03801

ADDITIONAL REQUIREMENTS:

401 Water Quality Certification (314 CMR 9.00) may be required. The project qualifies for 401 Certification under the Army Corps of Engineers' General Permit for Massachusetts (MAGP), provided that the project meets certain conditions outlined in 314 CMR 9.03 and 9.04, and the conditions under MAGP. The MAGP and Stream Crossing Guidelines are available on the web at <http://www.nae.usace.army.mil/Missions/Regulatory/StateGeneralPermits/MassachusettsGeneralPermit.aspx>. Select either "Massachusetts General Permit" or "Massachusetts River and Stream Crossing Standards" from the left side menu.

Review under Section 404 may be required. (Call 1-800-362-4367 for information).

If you have any questions regarding this letter, please contact: PAMELA MERRILL @ (978)-694-3249

Cc: Reading Conservation Commission, Town Hall 16 Lowell Street, Reading, MA, 01867



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In accordance with 310 CMR 10.05(6)(k)6 and the Stormwater Handbook (Vol 1, Ch 1, pg 18), BMPs in and stormwater discharges to a Zone A are prohibited, unless essential to the operation of a public water supply. Therefore, the project does not meet the Stormwater Standards.

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