



# The Commonwealth of Massachusetts

Executive Office of Environmental Affairs

100 Cambridge Street, Suite 900

Boston, MA 02114-2524

MITT ROMNEY  
GOVERNOR

KERRY HEALEY  
LIEUTENANT GOVERNOR

STEPHEN R. PRITCHARD  
SECRETARY

Tel. (617) 626-1000  
Fax. (617) 626-1181  
<http://www.mass.gov/envir>

March 3, 2006

## CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS ON THE FINAL ENVIRONMENTAL IMPACT REPORT

PROJECT NAME	: Arn How Farm Estates (formerly Fairway Homes Subdivision)
PROJECT MUNICIPALITY	: Fitchburg
PROJECT WATERSHED	: Nashua
EOEA NUMBER	: 13528
PROJECT PROPONENT	: Dreamtime Builders and Developers
DATE NOTICED IN MONITOR	: January 25, 2006

As Secretary of Environmental Affairs, I determine that the Final Environmental Impact Report (FEIR) submitted on the above project **adequately and properly** complies with the Massachusetts Environmental Policy Act (MGL, c. 30, ss. 61-62H) and with its implementing regulations (301 CMR 11.00).

### **Project Description:**

As described in the FEIR, the proposed project involves the phased development (Phase I-III) of a total of 385 age restricted (over 55) residential housing units (191 single family houses, 194 condominium units), and an 18-hole golf course and clubhouse with restaurant, within the former 355-acre dairy farm (Arn-How Farm) property in Fitchburg. The 355-acre Arn How Farm Estates project site is located between Ringe Road and Ashby State Road (Route 31) in Fitchburg.

### Phase I

Phase I involves the construction of 94 single family houses, approximately 2,980 linear feet of roadway, interconnecting internal walkways, and associated utilities and stormwater management infrastructure including 2 stormwater detention basins on a 72-acre development parcel located on the west side of Billings Road.

The proposed project site will be accessed from Billings Road. In addition to the proposed 94 unit residential development project, Phase I also incorporates the proponent's recently completed development of approximately 17 Approval Not Required (ANR) frontage lots located on approximately 34 acres of land off Billings Road along the east and west sides of Richardson Road. The development of these ANR frontage lots was completed prior to the submittal of the ENF for this project.

### Phase II

Phase II involves the construction of 120 residential condominium units in 5 separate buildings, an internal roadway, interconnecting pedestrian walkways, and associated utilities and stormwater management infrastructure including 2 stormwater detention basins on a 14-acre development parcel located on the east side of Arn How Farm Road. The proposed Phase II project site will be accessed from Arn How Farm Road.

### Phase III

As described in the FEIR, the proponent has designed a conceptual development plan for Phase III that includes the construction of approximately 74 additional residential condominium units, 222 surface parking spaces, approximately 1,000 lf of roadway, and supporting utilities and stormwater infrastructure on a 10-acre development parcel located east of the Phase II development parcel on the west side of Ashby State Road (Route 31). Phase III may also include the development of an 18-hole golf course, 300 surface parking spaces and clubhouse with restaurant to be located on a separate 140-acre development parcel within the Arn How Farm Estates project area. The proponent proposes to locate a number of the golf course fairways and greens (#4-#7) within the Phase I development parcel.

### Future Development

The proponent has identified an additional 80 acres of residentially-zoned developable land abutting the ANR frontage parcel located off Billings Road. According to the proponent, under local zoning, this 80-acre development parcel may be developed to accommodate approximately 80 additional single-family houses. Under the anti-segmentation provisions of the MEPA Regulations (Section 11.01 (2)(c)), I must consider the environmental impacts associated with the Phase III development, and the potential future development of the 80-acre residentially-zoned development parcel, as part of the Arn How Farm Estates project. As described below, I am requiring that a Notice of Project Change (NPC) be filed with the MEPA Office for the future development of Phase III, the 80-acre development parcel, and any other future development located within the Arn How Farm Estates project area.

The project is undergoing review and requires the mandatory preparation of an environmental impact report pursuant to Sections 11.03 (1)(a)(2) and (6)(a)(6) of the MEPA regulations, because the proposed Arn How Farm Estates project will result in the creation of ten or more acres of impervious surface area (approximately 11.0 acres), and the generation of 3,000 or more new vehicle trips per day (vtd) on roadways providing access to a single location.

The project is also undergoing review pursuant to Sections 11.03(5)(b)(3)(c) of the MEPA regulations, because the project proposes to construct a new sewer main ½ or more miles (approximately 1.00 miles) in length.

The project will require an Access Permit from the Massachusetts Highway Department (MHD), and a 401 Water Quality Certificate from the Department of Environmental Protection (DEP). The project will also require Orders of Conditions from the Fitchburg Conservation Commission (and hence Superseding Order(s) from DEP if any local Orders were appealed). The project must comply with the National Pollution Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site of over one acre. When considering the cumulative impacts from the proposed phased residential development project, the proposed 18-hole golf course project, and the future development of the proponent's 80-acre development parcel, it appears likely that the future build-out of the Arn-How Farm Estates project will meet mandatory EIR thresholds (at a minimum) related to land alteration, impervious surfaces, and possibly wetlands and traffic.

#### **Land Alteration:**

The proposed Phase I and II development projects, and the completed development of the ANR frontage lots parcel, will result in significant impacts to wetland buffer areas, Riverfront Area, and other open space. I strongly encourage the proponent to continue to investigate alternative site layouts, and reduced build alternatives, to further reduce impacts to these resource areas.

#### **Wetlands/Drainage/Water Quality:**

According to the information provided in the FEIR, the construction of Phase I will involve 2 wetlands crossing for the project's access road (Road A), and will result in the alteration of approximately 1,077 sf of BVW, and approximately 10 acres of the 100' wetland buffer area. Work proposed within the wetland buffer zone will include grading and roadway construction, buildings, houses, and stormwater management infrastructure. The proponent's recent construction of the ANR frontage lots development parcel resulted in the alteration of approximately 2,815 sf of BVW, and approximately 40,000 sf of the 100' wetland buffer area. The project proponent has proposed a total of approximately 3,795 sf (1.3:1) of on-site wetlands replication.

I strongly encourage the proponent to commit to placing deed restrictions any/all individual residential lots located wholly or partially within the 100-foot wetland buffer areas as a method of avoiding future wetland impacts from homeowner activities, and as a method of minimizing water quality impacts associated with residential lawn care. The proponent should consider placing a Conservation Restriction (CR) on open space areas to ensure for their permanent protection.

The proponent should also consider placing deed restrictions, to include certified vernal pools, if any, and the uplands around them, on any residential properties that will be located within 600 feet of any vernal pools.

**Water Supply:**

The full build-out of the Arn How Farm Estates project will generate a total potable water supply demand of approximately 114,240 gpd. According to the information provided in the FEIR, the water supply needs for Phase I, II and III will be served by the City of Fitchburg. The potable water supply needs for the previously developed ANR fontage lots - 4,250 gpd, and the future development of the 80-acre development parcel (26,400 gpd) will be served by private on-site water supply wells.

The potable water supply need for the development of Phase I will be supplied via a connection to the City of Fitchburg's Scott System Service Area, and will involve the proponent's construction of a 12" transmission line (approximately 5,700 linear feet) from the Town's Falulah Water Treatment Facility (WTF), north within the Rindge Road right-of-way, across a privately-owned mobile home park, to the western boundary of the Phase I project site. The proponent has proposed to construct a second water main to connect the Phase I project's water supply system to a proposed 12" water main in Arn How Farm Road. The proponent has also committed to replace approximately 3,900 lf of water main from the Scott Reservoir Tank to the Scott Pump Station.

As described in the FEIR, the potable water supply needs for Phase II and Phase III will be served via a connection to the City of Fitchburg's Scott System Service Area or Extra High Service System area. I strongly encourage the proponent to continue to work closely with the Fitchburg Water Department to coordinate the project's construction phases with needed improvements to the City's water supply infrastructure.

The proponent proposes to construct on-site groundwater wells to serve the irrigation water supply needs for the future Phase III development of the proposed 18-hole golf course. As I have indicated elsewhere in this Certificate, the proponent will be required to file a NPC with the MEPA Office to discuss both the cumulative environmental and infrastructure impacts, including water supply, arising out of future development of Phase III, and any remaining developable lands located within the Arn How Farm Estates project area.

**Wastewater:**

The estimated total wastewater flows generated from the Phase I, Phase II and Phase III development projects (approximately 87,840 gpd) will be served by the City of Fitchburg. According to the comments received from DEP, a DEP sewer extension permit will be required for each of the proposed development phases.

The proponent has proposed to construct approximately 1,500 linear feet of 8" sewer main within the Arn How Farm Road right-of-way, from the project site to the Fitchburg High School sewer pump station. The project's wastewater flows will be conveyed from the pump station to the existing sewer main located along the John Fitch Highway, to the City's Easterly Wastewater Treatment Facility (WWTF).

In their comments, DEP has indicated that the existing capacity of the Fitchburg High School sewer pump station, and downstream sewer line capacity, can accommodate the flows from the development of Phases I and II, but will need to be increased to accommodate the additional flows anticipated from the Phase III development project. The proponent has committed to upgrade the Fitchburg High School pump station to accommodate the Arn How Farm Estates project's total wastewater flows. Upon completion of the proposed upgrade, the ownership of the sewer pump station will be transferred to the City of Fitchburg. The proponent has committed to pay the City of Fitchburg an annual Operations and Maintenance fee to provide all operation and maintenance service of the Fitchburg High School Pump Station in compliance with local and state regulations. The proponent has also committed to assist I/I removal activities to contribute to the City's ongoing infiltration and inflow removal (I/I) projects and will provide mitigation (2:1) for every gallon of wastewater generated by the proposed project.

According to the proponent, the future development of the 80-acre development parcel will be served by private potable water supply wells, and individual on-site Title 5 wastewater treatment systems. The proponent should continue to evaluate the feasibility of constructing one or more on-site small package treatment facilities to serve the anticipated wastewater flows from the proponent's future Phase III development, and the future development of the 80-acre development parcel.

#### **Stormwater Resources:**

The construction of Phases I and II will create approximately 11 acres of new impervious surfaces. According to the information provided in the FEIR, the stormwater drainage plan for the Phase I and Phase II development phases, has been designed in compliance with DEP's Stormwater Management guidelines, and includes the use of hooded catch basins with deep sumps and stormwater detention basins containing sediment forebays. The proponent should continue to investigate feasible methods for further reducing impervious surface area from within the Arn How Farm Estates project area.

#### **Transportation:**

According to the comments received from MHD, the proponent has conducted a study of the potential traffic impacts from Phase I and Phase II, and the proposed full build-out of the Arn How Farm Estates project, that generally conforms to the EOEA/EOTC Guidelines for Traffic Impact Assessments.

As described in the FEIR the Phase I and Phase II development projects will generate a total of approximately 2,212 vehicle trips per day (vtd). The full build-out of the Arn How Farm Estates project, including the Phase III development and will generate an estimated 4,388 total vehicle trips per day. These new vehicle trips will significantly impact traffic operations within the project area. The proponent has identified and committed to a number of traffic improvements, listed below, to mitigate the project's impacts to traffic.

- the installation of STOP signs at all proposed site drive approaches,
- the restructuring/geometric changes at the Kingsman Road/Arn How Farm Road/Route 31 intersection;
- the realignment of Billings Road/Arn How Farm Road intersection;
- the reconstruction of an approximately 200 lf section Arn How Farm Road;
- the restructuring/geometric changes and signalization at the Rindge Road/Route 31/John Fitch Highway intersection, and
- the coordination with the City of Fitchburg to provide police control and traffic monitoring at the Route 31/Arn How Farm Road intersection.

In their comments, EOT has requested that the proponent provide MHD's District 3 Office with the results of the Route 31/Arn How Farm Road intersection monitoring program.

The FEIR contains a study of alternatives for constructing a roundabout at the Kingsman Road/Arn How Farm Road/Route 31 intersection that is supported by MHD. The proponent has committed to preparing roundabout design and construction plans, and initiating coordination with the Montachusett Metropolitan Planning Organization for program funding prior to occupancy of the Phase I development. The proponent should submit a revised letter of commitment to MHD to implement the traffic mitigation described above. The proponent should also provide the MEPA Office with a copy of the revised letter of commitment for the project file.

#### Transit

As described in the FEIR, the Montachusett Regional Transit Authority (MRTA) currently serves the Fitchburg High School. The proponent should continue discussions with the MRTA, and other transit providers, including local Council of Aging services, to identify opportunities for providing existing MRTA bus service to the Arn How Farm Estates project site. The proponent has committed to provide transit amenities, including a bus shelters at the Phase 2 site drive, within the project site or nearby.

#### Pedestrian and Bicycle Facilities

As described in the FEIR, the proponent proposes to provide new sidewalks, off-road trails, and pedestrian crossings within the project site, along proposed site drives, and to public roadways located within the project area.

**Notice of Project Change (NPC):**

As indicated elsewhere in this Certificate, the proponent will need to file an NPC with the MEPA Office to discuss the cumulative environmental, infrastructure impacts, and site planning issues arising out of the development of the proposed Phase I-II development projects, the future development of Phase III, the potential future full-build out (allowable as-of-right under current local zoning) of the 80-acre development parcel located within the 355-acre Arn How Farm Estates project area, and the proponent's previously completed development of the ANR frontage parcel.

The NPC should include estimates of irrigation water supply demand for the future development of the proposed 18-hole golf course. The proponent should consult with DEP regarding the need, if any, for a Groundwater Withdrawal Permit for any portion of the proposed Arn How Farm Estates project. The NPC will need to evaluate the feasibility of the development of an on-site small package treatment facility to serve the project's wastewater flows. The proponent should consult with DEP regarding the need, if any, for a Groundwater Discharge Permit for any portion of the proposed project. In accordance with Executive Order 385 (Planning for Growth) and section 11.01 (3)(a) of the MEPA regulations, the NPC must identify the land use categories located within the proposed Arn-How Farm Road sewer improvement area, and contain a detailed analysis of the potential secondary growth impacts and increased wastewater flows that may be induced by the proposed sewer improvements from the Arn-How Farm Road sewer improvement area, and the proposed Phase I-III development projects, including the proposed 18-hole course and clubhouse. The NPC should include full build projections of these flows and volumes.

The NPC should include an update of the proponent's discussions with MRTA and others for providing existing bus service to the project site. The proponent should propose mitigation for proposed project impacts on existing bus services. The NPC should demonstrate the support of the MRTA for any proposed transit amenities.

The future development of the Phase III development parcel may have significant potential impacts on farmland recently held in active agricultural use. I note that conversion to non-agricultural uses, or loss of the existing agricultural lands, including state important and USDA prime soils that may be located within the proposed project area may be subject to the mitigation requirements of Executive Order 193. The NPC should quantify, on a conceptual basis, the potential impacts to agricultural resources from the future development of Phase III, and any/all remaining developable land area located within the Arn How Farm Estates project area. The NPC should evaluate the consistency of the proponent's project with the requirements of Executive Order 193.

The proponent should consult with the Department of Agriculture Resources (DAR) on this issue. The NPC will also need to include any alternatives analyses necessary for the DEP permitting process.

I find that the FEIR provides sufficient information to understand the environmental impacts associated with the Arn How Farm Estates' Phase I and Phase II development projects, and potentially feasible alternatives to the project. The proponent has avoided and mitigated environmental impacts to the greatest feasible extent, and that the state permitting agencies have adequate information on which to execute their Section 61 obligations. The proponent can resolve any remaining issues during the permitting process.

March 3, 2006  
DATE

  
Stephen R. Pritchard, Secretary

Comments received:

02/23/06	Office of the Mayor, City of Fitchburg
02/27/06	Department of Environmental Protection (DEP) – CERO
02/24/06	MA Executive Office of Transportation (EOT)
02/27/06	Nashua River Watershed Association (NRWA)
02/28/06	Whitman & Bingham Associates, LLC

FEIR #13528  
SRP/NCZ/ncz