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March 14, 2008

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
FINAL ENVIRONMENTAL IMPACT REPORT

PROJECT NAME : South Natick Hills
PROJECT MUNICIPALITY : Natick
PROJECT WATERSHED : Charles River
EOEA NUMBER : 13699
PROJECT PROPONENT : South Natick Hills, LLC
DATE NOTICED IN MONITOR : February 6, 2008

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

Project Description

As described in the Environmental Notification Form (ENF) and updated in the Draft EIR and the Final EIR, the proposed project consists of a 268-unit condominium development on a 52-acre site in Natick. The units will be located in six apartment buildings and 15 townhouses (consisting of three to four units each). The project will be serviced by municipal water and sewer. Primary access will be provided via South Main Street.

The project site consists of undeveloped wooded uplands, wetland areas and fields. It is located within the Charles River basin, which is listed as a medium stressed basin by the Water Resources Commission. It is abutted by South Main Street (Route 26) to the south and Rockland Street to the west. Access will be provided via South Main Street. The Department of Fish and

Game's (DFG) Natural Heritage and Endangered Species Program (NHESP) indicates that the project is located within actual habitat of the Four-toed Salamander (*Hemidactylium scutatum*), a species of Special Concern.¹ In addition, several potential vernal pools (PVPs) are located within the wetlands on the site.

Permits and Jurisdiction

The project is undergoing MEPA review pursuant to Section 11.03 (1)(a)(2) because it requires a state permit and will create ten or more acres of impervious area. The project requires a Sewer Connection Permit and a Distribution System Modification Permit from the Department of Environmental Protection (MassDEP) and a Conservation and Management Permit from NHESP. Also, it requires an Order of Conditions from the Natick Conservation Commission. Because the project no longer requires review by the Housing Appeals Committee (HAC),² which conferred broad scope jurisdiction, MEPA jurisdiction is limited to those aspects of the project that may cause significant Damage to the Environment and that are within the subject matter of required or potentially required state permits. These include land alteration, wetlands, drainage, water quality, wastewater and historic and archaeological resources.

Review of the Final EIR

The Final EIR provides additional information regarding wetlands, drainage, water and wastewater as required by the Scope on the Draft EIR. Also, it provides an updated list of mitigation measures and draft Section 61 Findings. Plans included with the Final EIR include stormwater management infrastructure and details and clearly include water and wastewater infrastructure.

As required, the Final EIR includes a detailed Stormwater Management Plan and related calculations, modeling information and supporting plans. It describes revisions to the plan to increase the capacity of the groundwater recharge system and provides more specificity regarding the volume of stormwater that will be recharged on site. The groundwater recharge system has been enlarged to accept rooftop runoff from all six of the garden buildings. In addition, ten vegetated bioretention areas have been incorporated into the project design to treat and infiltrate runoff from smaller, more frequent storm events. An Order of Conditions was issued by the Natick Conservation Commission on February 7, 2008.

Comments from MassDEP indicate that the Final EIR demonstrates compliance with the Stormwater Management Policy (SMP) and standards. Comments from the Charles River Watershed Association urge the proponent to consider use of cisterns to capture rooftop runoff

¹ At the time of the ENF review, the Spotted Turtle (*Clemmys guttata*), was included on the Massachusetts List of Endangered, Threatened and Special Concern Species. Subsequent to the ENF review, the Spotted Turtle was delisted and is no longer identified as a Species of Special Concern.

² The proponent's request to the Housing Appeals Committee (HAC) for constructive approval was denied. The proponent was required to proceed through the Comprehensive Permit process with the Natick Zoning Board of Appeals. A Comprehensive Permit was issued on June 12, 2007 by the Zoning Board of Appeals. The Permit was not appealed to the Housing Appeals Committee (HAC).

for irrigation prior to groundwater discharge and to use low-or no-phosphorous containing fertilizers to limit phosphorous loadings to the Charles River. I encourage the proponent to consider these suggestions as design and planning of the project proceeds.

The Final EIR indicates that the project will use approximately 62,040 gpd of water and generate 62,040 gpd of wastewater. The Final EIR indicates that average water use associated with the project will be approximately 56 gallons per capita per day (gpcd) and that this estimate is lower than the target of 65 gallons per capita for medium stress basins. The Final EIR indicates that the project design includes low flow toilets, low-flow showerheads, and faucet aerators on kitchen and bathroom faucets to minimize water use.

Wastewater will be discharged to the Natick sewer system which flows into the MWRA system for treatment and discharge at the Deer Island Wastewater Treatment Facility. The Final EIR indicates that the proponent will provide \$280,000 to the Town for removal of extraneous clean water (infiltration/inflow (I/I)). In addition, as required by the Town, the proponent will re-line asbestos cement pipes, including portions of the existing 8" gravity sewer in Rockland and Farewell Street and the 12" gravity sewer in the easement from Farewell to Cottage Street.

Comments from MassDEP indicate that the proposed mitigation does not appear to meet the 4:1 I/I removal requirement. These comments indicate that additional information and/or mitigation will be required during project permitting and reflected in the agency's Section 61 Findings.

Mitigation

The Final EIR includes a commitment to the following mitigation measures:

- placement of a conservation restriction on approximately 16 acres of the site to be held by the Natick Conservation Commission or a local land trust;
- \$10,200 contribution to NHEPS for off-site protection of four-toed salamander
- revegetation plan for disturbed upland habitat areas;
- installation of permanent signage to promote public awareness of rare species habitat;
- use of open bottom culverts in wetlands crossings;
- wetlands replication on a 2:1 ratio;
- reduction in roadway width from 26 feet to 24 feet;
- use of retaining walls to minimize wetlands impacts;
- construction and maintenance of a stormwater management system consistent with the DEP Stormwater Management Policy;
- contribution to Town I/I fund of removal of 94,000 gpd;
- relining of off-site asbestos cement sewer mains in Rockland and Farwell Streets and in the easement from Farwell Street to Cottage Street;
- construction of sidewalks and walking trails throughout the development; and
- construction of a crosswalk with a pedestrian activated signal at South Main Street.

Based on a review of the Final EIR, comment letters and consultation with state agencies, I hereby determine that the Final EIR responds adequately to the Scope identified for the project. No further MEPA review is required.

March 14, 2008

Date



Ian A. Bowles

Comments Received:

- 3/7/08 Department of Environmental Protection(MassDEP)/Northeast Regional Office
(NERO)
- 3/7/08 Department of Fish and Game/Natural Heritage and Endangered Species Program
(NHESP)
- 3/7/08 Charles River Watershed Association

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